

112TH CONGRESS
2D SESSION

H. R. 6040

To approve the Agreement providing terms for a continuation of the free association between the United States and Palau, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 27, 2012

Mr. MANZULLO (for himself, Mr. FALEOMAVAEGA, Mr. BURTON of Indiana, Mr. ROHRABACHER, Ms. BORDALLO, Mr. CHABOT, Mr. KELLY, Mr. SABLAN, Mr. JOHNSON of Ohio, Mr. WILSON of South Carolina, Mr. SERRANO, Mr. DIAZ-BALART, Mr. YOUNG of Alaska, Mrs. CHRISTENSEN, Mr. RIVERA, and Mr. PIERLUISI) introduced the following bill; which was referred to the Committee on Foreign Affairs, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To approve the Agreement providing terms for a continuation of the free association between the United States and Palau, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Continued Free ASSO-
5 ciation with Palau Act of 2012”.

1 **SEC. 2. APPROVAL OF AGREEMENT.**

2 Title I of Public Law 99–658 (48 U.S.C. 1931 et
3 seq.) is amended by adding at the end the following:

4 **“SEC. 105. COMPACT 15TH ANNIVERSARY SECTION 432 RE-
5 VIEW AGREEMENT.**

6 “(a) IN GENERAL.—The Agreement and appendices
7 signed by the United States and the Republic of Palau
8 on September 3, 2010 (in this section referred to as the
9 ‘Agreement’), in connection with section 432 of the Com-
10 pact of Free Association between the Government of the
11 United States of America and the Government of Palau
12 (48 U.S.C. 1931 note; Public Law 99–658) (in this section
13 referred to as the ‘Compact of Free Association’), are ap-
14 proved—

15 “(1) except for the extension of Article X of the
16 Agreement Regarding Federal Programs and Serv-
17 ices, and Concluded Pursuant to Article II of Title
18 Two and section 232 of the Compact of Free Asso-
19 ciation; and

20 “(2) subject to the provisions of this section.

21 “(b) FUNDING PROVISIONS.—

22 “(1) INFRASTRUCTURE MAINTENANCE.—The
23 amounts to be provided by the United States and
24 Palau in fiscal year 2011 under section 2(a) of the
25 Agreement shall be provided in fiscal year 2013, in

1 addition to the amounts otherwise to be provided
2 under that section in that fiscal year.

3 “(2) FISCAL CONSOLIDATION FUND.—The
4 amounts to be provided by the United States under
5 section 3 of the Agreement in fiscal years 2011 and
6 2012 shall be provided in fiscal years 2012 and
7 2013, respectively, and the amount so provided by
8 the United States under that section in fiscal year
9 2012 shall be reduced by \$411,000.

10 “(3) INFRASTRUCTURE PROJECTS.—The
11 amounts to be provided by the United States under
12 section 5 of the Agreement in fiscal years 2011
13 through 2016 shall be provided in fiscal years 2012
14 through 2017, respectively.

15 “(c) APPROVAL OF AMENDMENTS TO COMPACT SUB-
16 SIDIARY AGREEMENTS.—Congress consents to the amend-
17 ments to the Compact subsidiary agreements referred to
18 in sections 7 and 8 of the Agreement .

19 “(d) APPLICATION OF RELATED LAW.—Section
20 105(f)(1)(B)(ix) of the Compact of Free Association
21 Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(ix)
22 shall be applied by substituting ‘2024’ for ‘2009’.

23 “(e) AUTHORIZATION OF APPROPRIATIONS.—

24 “(1) POSTAL SERVICES.—There are authorized
25 to be appropriated to the Department of the Interior

1 \$1,500,000 for each of fiscal years 2012 through
2 2024 for postal services related to Palau, the Fed-
3 erated States of Micronesia, and the Marshall Is-
4 lands, to remain available until expended. The De-
5 partment of the Interior may transfer funds made
6 available pursuant to this paragraph to the United
7 States Postal Service so long as domestic postage
8 may be used for mail to Palau, the Federated States
9 of Micronesia, and the Marshall Islands.

10 “(2) CONTINUATION OF OTHER APPROPRIA-
11 TIONS.—Appropriations to the Federal entities re-
12 ferred to in paragraphs (1), (3), and (4) of section
13 221(a) of the Compact of Free Association, and the
14 successors to such Federal entities, to which appro-
15 priations have been made available in fiscal year
16 2011, may be made through fiscal year 2024 to
17 carry out the purposes of those paragraphs, and
18 shall remain available until expended.

19 “(3) FULL FAITH AND CREDIT.—Section 236 of
20 the Compact applies to the commitments of the
21 United States under sections 1, 2(a), 3, 4(a), and 5
22 of the Compact Review Agreement, and to the
23 amounts necessary to conduct the audits required by
24 Appendix D to the Compact Review Agreement, to
25 the same extent as such section 236 applies to the

1 Compact. Section 215 of the Compact shall be ap-
2 plied to such commitments and amounts by sub-
3 stituting ‘2011’ for ‘1981’.

4 “(f) OVERSIGHT AND REPORT TO APPROPRIATE
5 CONGRESSIONAL COMMITTEES.—

6 “(1) FINDING.—The Congress finds that the
7 Government of Palau is eligible for certain United
8 States domestic programs.

9 “(2) ANNUAL REPORT.—

10 “(A) REPORT.—The Secretary of the Inte-
11 rior, because of the Secretary’s jurisdiction with
12 respect to the administration of financial assist-
13 ance under the Compact, shall, not later than
14 March 1 of each year, submit to the Committee
15 on Energy and Natural Resources of the Senate
16 and to the Committee on Foreign Affairs and
17 the Committee on Natural Resources of the
18 House of Representatives, a report on the use
19 and effectiveness of financial, technical, and
20 other assistance provided to Palau under any
21 United States domestic program described in
22 paragraph (1).

23 “(B) CONSULTATION.—In preparing each
24 report required by subparagraph (A) with re-
25 spect to a domestic program, the Secretary of

1 the Interior shall consult with the Federal agen-
2 cy or agencies with jurisdiction over that do-
3 mestic program.”.

4 **SEC. 3. OFFSETS.**

5 (a) REPEAL OF PRIOR AUTHORIZATION FOR CIVIL
6 ADMINISTRATION OF TRUST TERRITORY OF THE PACIFIC
7 ISLANDS.—Section 3 of the Act of June 30, 1954 (68
8 Stat. 330, 82 Stat. 1213, chapter 423) is repealed.

9 (b) GLOBAL HEALTH PROGRAMS.—Chapter 1 of part
10 I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151
11 et seq.) is amended by adding at the end the following:

12 **“SEC. 136. LIMITATION ON USE OF FUNDS.**

13 “(a) LIMITATION.—None of the funds made available
14 to carry out this chapter or chapter 10 for global health
15 activities for fiscal year 2012 and each fiscal year there-
16 after through fiscal year 2024 may be used to provide as-
17 sistance to the People’s Republic of China for such activi-
18 ties.

19 “(b) AMOUNT OF REDUCTION.—The total amount
20 that may be obligated for global health activities for a fis-
21 cal year in subsection (a) is \$2,000,000 less than the total
22 amount made available for such activities for such fiscal
23 year.

1 “(c) APPLICABILITY.—This section applies notwith-
2 standing any other provision of law enacted after the en-
3 actment of this section.”.

4 (c) CLIMATE CHANGE FUNDS.—Chapter 4 of part II
5 of the Foreign Assistance Act of 1961 (relating to the eco-
6 nomic support fund) (22 U.S.C. 2346 et seq.) is amended
7 by adding at the end the following:

8 **“SEC. 535. LIMITATION ON USE OF FUNDS.**

9 “(a) LIMITATION.—None of the funds made available
10 to carry out this chapter for climate change activities for
11 fiscal year 2012 and each fiscal year thereafter through
12 fiscal year 2024 may be used to provide assistance to the
13 People’s Republic of China for such activities.

14 “(b) AMOUNT OF REDUCTION.—The total amount
15 that may be obligated for climate change activities for a
16 fiscal year in subsection (a) is \$4,500,000 less than the
17 total amount made available for such activities for such
18 fiscal year.

19 “(c) APPLICABILITY.—This section applies notwith-
20 standing any other provision of law enacted after the en-
21 actment of this section.”.

22 (d) PROHIBITION ON FUNDING FOR DEVELOPMENT
23 INNOVATION VENTURES (DIV) PROGRAM.—Section 667
24 of the Foreign Assistance Act of 1961 (22 U.S.C. 2427)
25 is amended by adding at the end the following:

1 “(c)(1) None of the funds made available for fiscal
2 years 2012 and 2013 to the United States Agency for
3 International Development may be used for the Develop-
4 ment Innovation Ventures (DIV) program or any suc-
5 cessor program.

6 “(2) The total amount that may be obligated by the
7 United States Agency for International Development for
8 a fiscal year in subsection (a) is \$28,200,000 less than
9 the total amount made available for such Agency for such
10 fiscal year.

11 “(3) This subsection applies notwithstanding any
12 other provision of law enacted after the enactment of this
13 subsection.”.

14 (e) IMET.—Section 542 of the Foreign Assistance
15 Act of 1961 (22 U.S.C. 2347a) is amended—

16 (1) by striking “There are authorized” and in-
17 sserting the following:

18 “(a) IN GENERAL.—There are authorized”; and

19 (2) by adding at the end the following:

20 “(b) LIMITATION ON USE OF FUNDS.—

21 “(1) LIMITATION.—None of the funds made
22 available to carry out this chapter for fiscal year
23 2012 and each fiscal year thereafter through fiscal
24 year 2024 may be used to provide assistance to Ar-
25 gentina.

1 “(2) AMOUNT OF REDUCTION.—The total
2 amount that may be obligated under this chapter for
3 a fiscal year in subsection (a) is \$4,500,000 less
4 than the total amount made available for such ac-
5 tivities for such fiscal year.

6 “(3) APPLICABILITY.—This subsection applies
7 notwithstanding any other provision of law enacted
8 after the enactment of this subsection.”.

9 (f) UNESCO.—Chapter 3 of part I of the Foreign
10 Assistance Act of 1961 (22 U.S.C. 301 et seq.) is amended
11 by adding at the end the following:

12 **“SEC. 308. LIMITATION ON USE OF FUNDS.**

13 “(a) LIMITATION.—None of the funds made available
14 for fiscal year 2012 and each fiscal year thereafter
15 through fiscal year 2024 for United States assessed con-
16 tributions to the United Nations may be used for such
17 contributions to the United Nations Educational, Sci-
18 entific and Cultural Organization.

19 “(b) AMOUNT OF REDUCTION.—The total amount
20 that may be obligated for a fiscal year in subsection (a)
21 for United States assessed contributions to the United Na-
22 tions is \$4,500,000 less than the total amount made avail-
23 able for such contributions for such fiscal year.

1 “(c) APPLICABILITY.—This section applies notwith-
2 standing any other provision of law enacted after the en-
3 actment of this section.”.

4 (g) UNITED STATES INSTITUTE OF PEACE.—Section
5 1710 of the United States Institute of Peace (22 U.S.C.
6 4609) is amended by adding at the end the following:

7 “(e) LIMITATION ON OBLIGATION OF FUNDS.—

8 “(1) LIMITATION.—The total amount that may
9 be obligated to carry out this title for fiscal year
10 2012 and each fiscal year thereafter through fiscal
11 year 2024 is \$6,811,000 less than the total amount
12 made available for such purpose for such fiscal year.

13 “(2) APPLICABILITY.—This subsection applies
14 notwithstanding any other provision of law enacted
15 after the enactment of this subsection.”.

○