

109TH CONGRESS
2^D SESSION

H. R. 6364

To authorize grants to the Eurasia Foundation, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 5, 2006

Mr. GALLEGLY (for himself, Mr. LANTOS, Ms. ROS-LEHTINEN, Mr. WEXLER, and Mr. ACKERMAN) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To authorize grants to the Eurasia Foundation, 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 “Eurasia Foundation
5 Act”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—The Congress finds that—

8 (1) there has been established in the District of
9 Columbia a private, nonprofit corporation known as
10 the Eurasia Foundation (hereafter in this Act re-

1 ferred to as the “Foundation”), which is not an
2 agency or establishment of the United States Gov-
3 ernment;

4 (2) in recognition of the valuable contributions
5 of the Foundation to long-range United States for-
6 eign policy interests, the United States Government
7 has, through the United States Agency for Inter-
8 national Development and the Department of State,
9 provided financial support for the Foundation; and

10 (3) it is in the interest of the United States,
11 and the further strengthening of cooperation with
12 the nations of the region, to establish a more perma-
13 nent mechanism for United States Government fi-
14 nancial support for the ongoing activities of the
15 Foundation, while preserving the independent char-
16 acter of the Foundation.

17 (b) PURPOSES.—The purposes of the Foundation
18 are—

19 (1) to promote civil society, private enterprise,
20 and sound public administration and policy in the
21 former Soviet Union and in lending encouragement
22 and assistance to local citizens in their own efforts
23 to develop more open, just, and democratic societies;

24 (2) to strengthen indigenous institutions that
25 foster national development, constructive social

1 change, equitable economic growth, and cooperative
2 international relationships that are fully consistent
3 with and supportive of long-term United States in-
4 terests in Eurasia; and

5 (3) to conduct programs in response to initia-
6 tives in the region that would be difficult or impos-
7 sible for an official United States entity, and, as a
8 result of its position in the Eurasia region, to re-
9 spond quickly and flexibly to meet new opportuni-
10 ties.

11 **SEC. 3. GRANTS TO THE FOUNDATION.**

12 (a) IN GENERAL.—The Secretary of State shall make
13 an annual grant to the Foundation to enable the Founda-
14 tion to carry out its purposes as specified in section 2(b).
15 Such grants shall be made with funds specifically appro-
16 priated for grants to the Foundation. Such grants shall
17 be made pursuant to a grant agreement between the Sec-
18 retary and the Foundation which requires that grant
19 funds will only be used for activities the Board of Direc-
20 tors of the Foundation determines are consistent with the
21 purposes described in section 2(b), and that the Founda-
22 tion will otherwise comply with the requirements of this
23 Act. The grant agreement may not require the Foundation
24 to comply with requirements other than those specified in
25 this Act.

1 (b) USE OF FUNDS.—Funds so granted may be used
2 by the Foundation to carry out the purposes described in
3 section 2(b), and otherwise applicable limitations on the
4 purposes for which funds appropriated to the Department
5 of State may be used shall not apply to funds granted
6 to the Foundation.

7 (c) RULE OF CONSTRUCTION.—Nothing in this Act
8 shall be construed to make the Foundation an agency or
9 establishment of the United States Government or to
10 make the members of the Board of Directors of the Foun-
11 dation, or the officers or employees of the Foundation, of-
12 ficers or employees of the United States.

13 (d) OVERSIGHT.—The Foundation and its grantees
14 shall be subject to the appropriate oversight procedures
15 of the Congress.

16 (e) OTHER FUNDING.—The Foundation shall have
17 authority to accept funding from non-United States Gov-
18 ernment sources to complement United States Govern-
19 ment funding.

20 **SEC. 4. ELIGIBILITY OF THE FOUNDATION FOR GRANTS.**

21 (a) COMPLIANCE WITH STATUTORY REQUIRE-
22 MENTS.—Grants may be made to the Foundation under
23 this Act only if the Foundation agrees to comply with the
24 requirements specified in this section and elsewhere in this
25 Act.

1 (b) FUNDING FOR COVERED PROGRAMS ONLY.—The
2 Foundation may provide funding only for programs that
3 are consistent with the purposes set forth in section 2(b).

4 (c) COMPENSATION FOR OFFICERS AND EMPLOYEES
5 OF THE FOUNDATION.—If an individual who is an officer
6 or employee of the United States Government serves as
7 a member of the Board of Directors or as an officer or
8 employee of the Foundation, that individual may not re-
9 ceive any compensation or travel expenses in connection
10 with service performed for the Foundation.

11 (d) PROHIBITION RESPECTING FINANCIAL MAT-
12 TERS.—The Foundation shall not issue any shares of
13 stock or declare or pay any dividends. No part of the as-
14 sets of the Foundation shall inure to the benefit of any
15 member of the Board of Directors of the Foundation, any
16 officer or employee of the Foundation, or any other indi-
17 vidual, except as salary or reasonable compensation for ex-
18 penses incurred in the performance of duties to the Foun-
19 dation.

20 (e) AUDIT OF ACCOUNTS; REPORTING REQUIRE-
21 MENTS.—

22 (1) AUDIT OF ACCOUNTS.—The accounts of the
23 Foundation shall be audited annually in accordance
24 with generally accepted auditing standards by inde-
25 pendent certified public accountants or independent

1 licensed public accountants certified or licensed by a
2 regulatory authority of a State or other political sub-
3 division of the United States.

4 (2) REPORTING REQUIREMENTS.—The report
5 of each such independent audit shall be included in
6 the annual report required by subsection (h) of this
7 section. The audit report shall set forth the scope of
8 the audit and include such statements as are nec-
9 essary to present fairly the Foundation’s assets and
10 liabilities, surplus or deficit, with an analysis of the
11 changes therein during the year, supplemented in
12 reasonable detail by a statement of the Foundation’s
13 income and expenses during the year, and a state-
14 ment of the application of funds, together with the
15 independent auditor’s opinion of those statements.

16 (f) AUDIT OF FINANCIAL TRANSACTIONS.—

17 (1) AUDIT OF FINANCIAL TRANSACTIONS.—The
18 financial transactions of the Foundation for each fis-
19 cal year may be audited by the Government Ac-
20 countability Office in accordance with such prin-
21 ciples and procedures and under such rules and reg-
22 ulations as may be prescribed by the Comptroller
23 General of the United States.

24 (2) REPORTING REQUIREMENTS.—A report of
25 each such audit shall be made by the Comptroller

1 General to the Congress. The report to the Congress
2 shall contain such comments and information as the
3 Comptroller General may deem necessary to inform
4 the Congress of the financial operations and condi-
5 tion of the Foundation, together with such recom-
6 mendations with respect thereto as the Comp-
7 troller General may deem advisable. A copy of each
8 report shall be furnished to the President and to the
9 Foundation at the time submitted to the Congress.

10 (g) RECORDKEEPING REQUIREMENTS; AUDIT AND
11 EXAMINATION OF BOOKS.—

12 (1) RECORDKEEPING REQUIREMENTS.—The
13 Foundation shall ensure that each recipient of as-
14 sistance provided through the Foundation under this
15 Act keeps such records as may be reasonably nec-
16 essary to fully disclose the amount and the dispo-
17 sition by such recipient of the proceeds of such assist-
18 ance, the total cost of the project or undertaking in
19 connection with which such assistance is given or
20 used, and the amount and nature of that portion of
21 the cost of the project or undertaking supplied by
22 other sources, and such other records as will facili-
23 tate an effective audit.

24 (2) AUDIT AND EXAMINATION OF BOOKS.—The
25 Foundation shall ensure that it, or any of its duly

1 authorized representatives, shall have access for the
2 purpose of audit and examination to any books, doc-
3 uments, papers, and records of the recipient that are
4 pertinent to assistance provided through the Foun-
5 dation under this Act. The Comptroller General of
6 the United States or any duly authorized representa-
7 tive of the Comptroller General shall also have ac-
8 cess thereto for such purpose.

9 (h) ANNUAL REPORT; CONTENTS; TESTIMONY RE-
10 SPECTING REPORT.—Not later than March 31 of each
11 year, the Foundation shall submit an annual report for
12 the preceding fiscal year to the President for transmittal
13 to the Congress. The report shall include a comprehensive
14 and detailed report of the Foundation’s operations, activi-
15 ties, financial condition, and accomplishments under this
16 Act and may include such recommendations as the Foun-
17 dation deems appropriate.

18 (i) GRANTEE; CONFLICT OF INTEREST.—A member
19 of the Board of Directors of the Foundation who serves
20 as a member of the board of directors or an officer of
21 a grantee of the Foundation may not receive compensation
22 for their services but shall be entitled to reimbursement
23 for travel and other expenses incurred by them in connec-
24 tion with their duties on behalf of such grantee.

1 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There are authorized to be appro-
3 priated to carry out this Act \$20,000,000 for fiscal year
4 2008 and such sums as may be necessary for each of the
5 fiscal years 2009 and 2010.

6 (b) AVAILABILITY.—Amounts appropriated pursuant
7 to the authorization of appropriation under subsection (a)
8 are authorized to remain available until expended.

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