

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

_____)	
DKT INTERNATIONAL, INC.)	
)	
Plaintiff,)	
)	
)	Civ. No. 05-1604 (EGS)
v.)	
)	
UNITED STATES AGENCY FOR)	
INTERNATIONAL DEVELOPMENT,)	
<i>et al.</i> ,)	
Defendants.)	
_____)	

ORDER

For the reasons discussed in the accompanying Memorandum Opinion, it is hereby

ORDERED that plaintiff's Motion for Summary Judgment is **GRANTED**; and it is

FURTHER ORDERED that defendant's Motion for Summary Judgment is **DENIED**; and it is

FURTHER ORDERED that 22 U.S.C. § 7631(f) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 ("Leadership Act") is unconstitutional in violation of the First Amendment as applied to DKT to the extent that it requires DKT to have a policy explicitly opposing prostitution and sex trafficking; and it is

FURTHER ORDERED that the Acquisition and Assistance Policy

Directive 05-04 ("AAPD 05-04") is unconstitutional in violation of the First Amendment as applied to DKT to the extent that it requires DKT to certify that it has an institutional policy explicitly opposing prostitution and sex trafficking; and it is

FURTHER ORDERED that defendants are permanently **ENJOINED** from enforcing 22 U.S.C. § 7631(f) and AAPD 05-04 against DKT; and it is

FURTHER ORDERED that United States Agency for International Development ("USAID") is directed to inform Family Health International ("FHI") that DKT is not required to sign any certification requirement, pursuant to AAPD 05-04, in order to be eligible for USAID funding.

IT IS SO ORDERED.

SIGNED: EMMET G. SULLIVAN
UNITED STATES DISTRICT JUDGE
May 18, 2006