

Calendar No. 197

103D CONGRESS
1ST SESSION

H. R. 2295

[Report No. 103-142]

AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1994, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1993, and for other purposes.

JUNE 22, 1993

Received: read twice and referred to the Committee on
Appropriations

SEPTEMBER 14 (legislative day, SEPTEMBER 7), 1993

Reported with amendments

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IN THE SENATE OF THE UNITED STATES

JUNE 22, 1993

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Reported by Mr. LEAHY, with amendments

[Omit the part struck through and insert the part printed in italic]

AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1994, and making supplemental appropriations for such programs for the fiscal year ending September 30, 1993, 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 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for for-
5 eign operations, export financing, and related programs

1 for the fiscal year ending September 30, 1994, and for
2 other purposes, namely:

3 TITLE I—MULTILATERAL ECONOMIC
4 ASSISTANCE

5 FUNDS APPROPRIATED TO THE PRESIDENT

6 INTERNATIONAL FINANCIAL INSTITUTIONS

7 CONTRIBUTION TO THE INTERNATIONAL BANK FOR

8 RECONSTRUCTION AND DEVELOPMENT

9 For payment to the International Bank for Recon-
10 struction and Development by the Secretary of the Treas-
11 ury, for the United States share of the paid-in share por-
12 tion of the increases in capital stock for the General Cap-
13 ital Increase, ~~\$55,821,000~~ \$27,910,500, to remain avail-
14 able until expended: *Provided, That one-half of the funds*
15 *appropriated by this paragraph may be obligated only after*
16 *April 1, 1994: Provided further, That the remaining one-*
17 *half of such funds may be obligated only after September*
18 *1, 1994: Provided further, That not more than twenty-one*
19 *days prior to the obligation of each half of such funds, the*
20 *Secretary submits a certification to the Committees on Ap-*
21 *propriations that the Bank has approved no loans to Iran*
22 *since October 1, 1993, or the President of the United States*
23 *certifies that the obligation of these funds is in the national*
24 *interest of the United States.*

1 For payment to the International Bank for Recon-
2 struction and Development by the Secretary of the Treas-
3 ury, for the United States contribution to the Global Envi-
4 ronment Facility (GEF), \$30,000,000, to remain available
5 until expended: *Provided, That such funds shall be made*
6 *available to the Facility by the Secretary of the Treasury*
7 *if the Secretary determines (and so reports to the Commit-*
8 *tees on Appropriations) that the Facility has: (1) estab-*
9 *lished clear procedures ensuring public availability of docu-*
10 *mentary information on all Facility projects and associated*
11 *projects of the Facility implementing agencies; (2) estab-*
12 *lished clear procedures ensuring that affected peoples in re-*
13 *cipient countries are consulted on all aspects of identifica-*
14 *tion, preparation, and implementation of Facility projects;*
15 *and (3) the Facility governance process will provide for*
16 *contributor country oversight of individual projects in the*
17 *work program, and specific provisions will be established*
18 *for the participation of nongovernmental organizations in*
19 *all phases of the project cycle, including identification, ap-*
20 *praisal, implementation, and evaluation: Provided further,*
21 *That in the event the Secretary of the Treasury has not*
22 *made such determinations by September 30, 1994, funds*
23 *appropriated under this heading for the GEF shall be*
24 *transferred to the Agency for International Development*

1 *and used for activities associated with the GEF and the*
2 *Global Warming Initiative.*

3 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

4 The United States Governor of the International
5 Bank for Reconstruction and Development may subscribe
6 without fiscal year limitation to the callable capital portion
7 of the United States share of increases in capital stock
8 in an amount not to exceed ~~\$1,804,879,000~~ \$902,439,500.

9 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
10 ASSOCIATION

11 For payment to the International Development Asso-
12 ciation by the Secretary of the Treasury, ~~\$1,024,332,000~~
13 \$957,142,857, for the United States contribution to the re-
14 plenishment, to remain available until expended: ~~Pro-~~
15 ~~vided, That funds appropriated under this heading are~~
16 ~~available subject to authorization.~~

17 CONTRIBUTION TO THE INTERNATIONAL FINANCE

18 CORPORATION

19 For payment to the International Finance Corpora-
20 tion by the Secretary of the Treasury, ~~\$35,761,500~~
21 \$17,880,750, for the United States share of the increase
22 in subscriptions to capital stock, to remain available until
23 expended: *Provided*, That of the amount appropriated
24 under this heading not more than \$5,364,000 may be ex-
25 pended for the purchase of such stock in fiscal year 1994.

1 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
2 BANK

3 For payment to the Inter-American Development
4 Bank by the Secretary of the Treasury for the United
5 States share of the paid-in share portion of the increase
6 in capital stock, \$56,166,000, and for the United States
7 share of the increases in the resources of the Fund for
8 Special Operations, \$20,164,000, to remain available until
9 expended.

10 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

11 The United States Governor of the Inter-American
12 Development Bank may subscribe without fiscal year limi-
13 tation to the callable capital portion of the United States
14 share of such capital stock in an amount not to exceed
15 \$2,190,283,457.

16 CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS
17 MULTILATERAL INVESTMENT FUND

18 For payment to the Enterprise for the Americas Mul-
19 tilateral Investment Fund by the Secretary of the Treas-
20 ury, for the United States contribution to the Fund to
21 be administered by the Inter-American Development
22 Bank, ~~\$75,000,000~~ *\$50,000,000* to remain available until
23 expended.

24 CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

25 For payment to the Asian Development Bank by the
26 Secretary of the Treasury, for the paid-in share portion

1 of the United States share of the increase in capital stock,
2 ~~\$13,026,366~~ \$2,000,000, to remain available until ex-
3 pended: *Provided*, That funds appropriated under this
4 heading are available subject to receipt by the Congress
5 of the President's budget request for such funds.

6 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

7 For the United States contribution by the Secretary
8 of the Treasury to the increases in resources of the Asian
9 Development Fund, as authorized by the Asian Develop-
10 ment Bank Act, as amended (Public Law 89-369),
11 \$62,500,000, to remain available until expended: ~~*Pro-*~~
12 ~~*vided*~~, That funds appropriated under this heading are
13 available subject to authorization.

14 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

15 The United States Governor of the Asian Develop-
16 ment Bank may subscribe without fiscal year limitation
17 to the callable capital portion of the United States share
18 of increases in the capital stock in an amount not to ex-
19 ceed \$95,438,437: *Provided*, That the authority provided
20 under this heading is available subject to receipt by the
21 Congress of the President's budget request for such au-
22 thority.

23 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

24 For payment to the African Development Fund by
25 the Secretary of the Treasury, \$132,300,000
26 \$135,000,000, for the United States contribution to the

1 sixth replenishment of the African Development Fund, to
2 remain available until expended.

3 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

4 For necessary expenses to carry out the provisions
5 of section 301 of the Foreign Assistance Act of 1961, and
6 of section 2 of the United Nations Environment Program
7 Participation Act of 1973, ~~\$339,500,000~~ \$360,628,000:
8 *Provided*, That none of the funds appropriated under this
9 heading shall be made available for the following: the
10 United Nations Fund for Science and Technology, the G-
11 7 Nuclear Safety Fund, the OECD Center for Cooperation
12 with European Economies in Transition, and United Na-
13 tions Electoral Assistance activities: *Provided further*,
14 That funds appropriated under this heading may be made
15 available for the International Atomic Energy Agency only
16 if the Secretary of State determines (and so reports to
17 the Congress) that Israel is not being denied its right to
18 participate in the activities of that Agency: *Provided fur-*
19 *ther*, *That of the funds appropriated under the heading not*
20 *less than \$100,000,000 shall be made available for the Unit-*
21 *ed Nations Children's Fund: Provided further*, **That unless**
22 **the President certifies to the Congress that the United**
23 **Nations Population Fund (UNFPA) has terminated all**
24 **activities in the People's Republic of China, not more than**
25 **\$36,215,500 of the funds appropriated under this heading**
26 **may be made available for UNFPA: *Provided further*,**

1 That none of the funds appropriated under this heading
2 may be made available for UNFPA until March 1, 1994,
3 unless the President has made the certification referred
4 to in the previous proviso: *Provided further, That none of*
5 *the funds appropriated under this heading that are made*
6 *available to the United Nations Population Fund (UNFPA)*
7 *shall be made available for activities in the People's Repub-*
8 *lic of China: Provided further, That if any funds appro-*
9 *priated under this heading are made available to UNFPA,*
10 *UNFPA shall be required (1) to maintain such funds in*
11 *a separate account and not commingle them with any other*
12 *funds, and (2) to refund to the United States an amount*
13 *equal to any amount that UNFPA contributes to the Peo-*
14 *ple's Republic of China in 1994 that is in excess of the*
15 *amount that UNFPA had planned to contribute to the Peo-*
16 *ple's Republic of China in that year.*

17 TITLE II—BILATERAL ECONOMIC ASSISTANCE

18 FUNDS APPROPRIATED TO THE PRESIDENT

19 For expenses necessary to enable the President to
20 carry out the provisions of the Foreign Assistance Act of
21 1961, and for other purposes, to remain available until
22 September 30, 1994, unless otherwise specified herein, as
23 follows:

1 AGENCY FOR INTERNATIONAL DEVELOPMENT

2 DEVELOPMENT ASSISTANCE FUND

3 For necessary expenses to carry out the provisions
4 of sections 103 through 106 of the Foreign Assistance Act
5 of 1961, \$811,900,000, *to remain available until Septem-*
6 *ber 30, 1995: Provided, That of this amount not less than*
7 *\$10,000,000 shall be made available for cooperative projects*
8 *among the United States, Israel, and developing countries,*
9 *of which not less than \$5,000,000 shall be made available*
10 *for the Cooperative Development Program, not less than*
11 *\$2,500,000 shall be made available for cooperative develop-*
12 *ment research projects, and not less than \$2,500,000 shall*
13 *be made available for cooperative projects among the United*
14 *States and Israel and the countries of Eastern Europe, the*
15 *Baltic states, and the independent states of the former So-*
16 *viet Union.*

17 POPULATION, DEVELOPMENT ASSISTANCE

18 For necessary expenses to carry out the provisions
19 of section 104(b), \$392,000,000, *to remain available until*
20 *September 30, 1995: Provided, That none of the funds*
21 *made available in this Act nor any unobligated balances*
22 *from prior appropriations may be made available to any*
23 *organization or program which, as determined by the*
24 *President of the United States, supports or participates*
25 *in the management of a program of coercive abortion or*
26 *involuntary sterilization: Provided further, That none of*

1 the funds made available under this heading may be used
2 to pay for the performance of abortion as a method of
3 family planning or to motivate or coerce any person to
4 practice abortions; and that in order to reduce reliance
5 on abortion in developing nations, funds shall be available
6 only to voluntary family planning projects which offer, ei-
7 ther directly or through referral to, or information about
8 access to, a broad range of family planning methods and
9 services: *Provided further*, That in awarding grants for
10 natural family planning under section 104 of the Foreign
11 Assistance Act of 1961 no applicant shall be discriminated
12 against because of such applicant's religious or conscien-
13 tious commitment to offer only natural family planning;
14 and, additionally, all such applicants shall comply with the
15 requirements of the previous proviso: *Provided further*,
16 That nothing in this subsection shall be construed to alter
17 any existing statutory prohibitions against abortion under
18 section 104 of the Foreign Assistance Act of 1961.

19 DEVELOPMENT FUND FOR AFRICA

20 For necessary expenses to carry out the provisions
21 of chapter 10 of part I of the Foreign Assistance Act of
22 1961, \$784,000,000, to remain available until September
23 30, 1995: *Provided*, That none of the funds appropriated
24 by this Act to carry out chapters 1 and 10 of part I of
25 the Foreign Assistance Act of 1961 shall be transferred
26 to the Government of Zaire: *Provided further*, *That funds*

1 *appropriated under this heading which are made available*
2 *for activities supported by the Southern Africa Development*
3 *Community shall be made available notwithstanding sec-*
4 *tion 512 of this Act and section 620(q) of the Foreign Assist-*
5 *ance Act of 1961.*

6 PRIVATE AND VOLUNTARY ORGANIZATIONS

7 None of the funds appropriated or otherwise made
8 available by this Act for development assistance may be
9 made available to any United States private and voluntary
10 organization, except any cooperative development organi-
11 zation, which obtains less than 20 per centum of its total
12 annual funding for international activities from sources
13 other than the United States Government: *Provided*, That
14 the requirements of the provisions of section 123(g) of the
15 Foreign Assistance Act of 1961 and the provisions on pri-
16 vate and voluntary organizations in title II of the “Foreign
17 Assistance and Related Programs Appropriations Act,
18 1985” (as enacted in Public Law 98–473) shall be super-
19 seded by the provisions of this section.

20 WOMEN IN DEVELOPMENT

21 *In recognition that the full participation of women in,*
22 *and the full contribution of women to, the development proc-*
23 *ess are essential to achieving economic growth, a higher*
24 *quality of life, and sustainable development in developing*
25 *countries, not less than \$11,000,000 of the funds appro-*
26 *priated by this Act to carry out part I of the Foreign Assist-*

1 *ance Act of 1961, in addition to funds otherwise available*
2 *for such purposes, shall be used to encourage and promote*
3 *the participation and integration of women as equal part-*
4 *ners in the development process in developing countries, of*
5 *which not less than \$6,000,000 shall be made available as*
6 *matching funds to support the activities of the Agency for*
7 *International Development's field missions to integrate*
8 *women into their programs: Provided, That the Agency for*
9 *International Development shall seek to ensure that country*
10 *strategies, projects, and programs are designed so that the*
11 *percentage of women participants will be demonstrably in-*
12 *creased.*

13 INTERNATIONAL DISASTER ASSISTANCE

14 For necessary expenses for international disaster re-
15 lief, rehabilitation, and reconstruction assistance pursuant
16 to section 491 of the Foreign Assistance Act of 1961, as
17 amended, ~~\$145,985,000~~ \$48,965,000 to remain available
18 until expended.

19 MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM

20 ACCOUNT

21 *For the cost of direct loans and loan guarantees,*
22 *\$2,000,000, as authorized by section 108 of the Foreign As-*
23 *sistance Act of 1961, as amended: Provided, That such costs*
24 *shall be as defined in section 502 of the Congressional Budg-*
25 *et Act of 1974: Provided further, That these funds are avail-*
26 *able to subsidize gross obligations for the principal amount*

1 *of direct loans and total loan principal, any part of which*
2 *is to be guaranteed, not to exceed \$50,000,000.*

3 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
4 DISABILITY FUND

5 For payment to the “Foreign Service Retirement and
6 Disability Fund”, as authorized by the Foreign Service
7 Act of 1980, \$44,151,000.

8 OPERATING EXPENSES OF THE AGENCY FOR
9 INTERNATIONAL DEVELOPMENT

10 For necessary expenses to carry out the provisions
11 of section 667, ~~\$501,760,000~~ \$494,080,000.

12 OPERATING EXPENSES OF THE AGENCY FOR INTER-
13 NATIONAL DEVELOPMENT OFFICE OF INSPECTOR
14 GENERAL

15 For necessary expenses to carry out the provisions
16 of section 667, ~~\$39,118,000~~ \$38,518,940, which sum shall
17 be available for the Office of the Inspector General of the
18 Agency for International Development: *Provided, That ex-*
19 *cept as may be required by an emergency evacuation affect-*
20 *ing the United States diplomatic missions of which they*
21 *are a component element, none of the funds in this Act,*
22 *or any other Act, may be used to relocate the overseas Re-*
23 *gional Offices of the Inspector General to a location within*
24 *the United States without the express approval of the In-*
25 *spector General: Provided further, That the total number*
26 *of positions authorized for the Office of Inspector General*

1 *in Washington and overseas shall be not less than two hun-*
2 *dred and fifty-one at September 30, 1994.*

3 HOUSING GUARANTY PROGRAM ACCOUNT

4 For the subsidy cost, as defined in section 13201 of
5 the Budget Enforcement Act of 1990, of guaranteed loans
6 authorized by sections 221 and 222 of the Foreign Assist-
7 ance Act of 1961, \$16,078,000: *Provided*, That these
8 funds are available to subsidize total loan principal *and*
9 *interest*, any part of which is to be guaranteed, not to ex-
10 ceed \$110,000,000: *Provided further*, That these funds are
11 available to subsidize loan principal, 100 percent of which
12 shall be guaranteed, pursuant to the authority of such sec-
13 tions: *Provided further*, That the President shall enter into
14 commitments to guarantee such loans in the full amount
15 provided under this heading, subject to the availability of
16 qualified applicants for such guarantees. In addition, for
17 administrative expenses to carry out guaranteed loan pro-
18 grams, \$8,239,000, all of which may be transferred to and
19 merged with the appropriation for Operating Expenses of
20 the Agency for International Development: *Provided fur-*
21 *ther*, That commitments to guarantee loans under this head-
22 *ing may be entered into notwithstanding the second and*
23 *third sentences of section 222(a) and, with regard to pro-*
24 *grams for Eastern Europe, section 223(j) of the Foreign As-*
25 *sistance Act of 1961: Provided further*, That none of the
26 funds appropriated under this heading shall be obligated

1 except through the regular notification procedures of the
2 Committees on Appropriations.

3 DEBT RESTRUCTURING

4 For the cost, as defined in section 13201 of the
5 Budget Enforcement Act of 1990, of modifying direct
6 loans and loan guarantees, as the President may deter-
7 mine, for which funds have been appropriated or otherwise
8 made available for programs within the International Af-
9 fairs Budget Function 150, \$7,000,000, to remain avail-
10 able until expended.

11 ECONOMIC SUPPORT FUND

12 For necessary expenses to carry out the provisions
13 of chapter 4 of part II, ~~\$2,364,562,000~~ *\$2,280,500,000*,
14 to remain available until September 30, 1995: *Provided*,
15 That funds appropriated under this heading that are made
16 available for Israel shall be available on a grant basis as
17 a cash transfer and shall be disbursed within thirty days
18 of enactment of this Act or by October 31, 1993, which-
19 ever is later: *Provided further*, That funds appropriated
20 under this heading that are made available for Egypt shall
21 be provided on a grant basis, and of which sum cash trans-
22 fer assistance may be provided with the understanding
23 that Egypt will undertake significant economic reforms
24 which are additional to those which were undertaken in
25 previous fiscal years: *Provided*, That of the funds appro-
26 priated under this heading, not less than \$1,200,000,000

1 *shall be available only for Israel, which sum shall be avail-*
2 *able on a grant basis as a cash transfer and shall be dis-*
3 *bursed within thirty days of enactment of this Act or by*
4 *October 31, 1993, whichever is later: Provided further, That*
5 *not less than \$815,000,000 shall be available only for*
6 *Egypt, which sum shall be provided on a grant basis, and*
7 *of which sum cash transfer assistance may be provided,*
8 *with the understanding that Egypt will undertake signifi-*
9 *cant economic reforms which are additional to those which*
10 *were undertaken in previous fiscal years, and of which not*
11 *less than \$200,000,000 shall be provided as Commodity Im-*
12 *port Program assistance: Provided further, That in exercis-*
13 *ing the authority to provide cash transfer assistance for*
14 *Israel and Egypt, the President shall ensure that the level*
15 *of such assistance does not cause an adverse impact on*
16 *the total level of nonmilitary exports from the United*
17 *States to each such country: Provided further, That it is*
18 *the sense of the Congress that the recommended levels of*
19 *assistance for Egypt and Israel are based in great measure*
20 *upon their continued participation in the Camp David Ac-*
21 *cords and upon the Egyptian-Israeli peace treaty: Pro-*
22 *vided further, That not less than \$15,000,000 of the funds*
23 *appropriated under this heading shall be made available*
24 *for Cyprus to be used only for scholarships, bicomunal*
25 *projects, and measures aimed at the reunification of the is-*

1 *land and designed to reduce tensions, and promote peace*
2 *and cooperation between the two communities on Cyprus:*
3 *Provided further, That not less than \$7,000,000 of the funds*
4 *appropriated under this heading shall be made available*
5 *for the Middle East Regional Cooperation program: Pro-*
6 *vided further, That none of the funds appropriated under*
7 *this heading shall be made available for Zaire: Provided*
8 *further, That not more than \$50,000,000 of the funds ap-*
9 *propriated under this heading may be made available to*
10 *finance tied-aid credits, unless the President determines*
11 *it is in the national interest to provide in excess of*
12 *\$50,000,000 and so notifies the Committees on Appro-*
13 *priations through the regular notification procedures of*
14 *the Committees on Appropriations: Provided further, That*
15 *none of the funds made available or limited by this Act*
16 *may be used for tied-aid credits or tied-aid grants except*
17 *through the regular notification procedures of the Com-*
18 *mittees on Appropriations: Provided further, That none of*
19 *the funds appropriated by this Act to carry out the provi-*
20 *sions of chapters 1 and 10 of part I of the Foreign Assist-*
21 *ance Act of 1961 may be used for tied-aid credits: Pro-*
22 *vided further, That as used in this heading the term “tied-*
23 *aid credits” means any credit, within the meaning of sec-*
24 *tion 15(h)(1) of the Export-Import Bank Act of 1945,*
25 *which is used for blended or parallel financing, as those*

1 (b) Funds appropriated under this heading or in prior
2 appropriations Acts that are or have been made available
3 for an Enterprise Fund may be deposited by such Fund
4 in interest-bearing accounts prior to the Fund's disburse-
5 ment of such funds for program purposes. The Fund may
6 retain for such program purposes any interest earned on
7 such deposits without returning such interest to the Treas-
8 ury of the United States and without further appropria-
9 tion by the Congress. Funds made available for Enterprise
10 Funds shall be expended at the minimum rate necessary
11 to make timely payment for projects and activities.

12 (c) Funds appropriated under this heading shall be
13 considered to be economic assistance under the Foreign
14 Assistance Act of 1961 for purposes of making available
15 the administrative authorities contained in that Act for
16 the use of economic assistance.

17 ASSISTANCE FOR THE NEW INDEPENDENT STATES OF
18 THE FORMER SOVIET UNION

19 For necessary expenses to carry out the provisions
20 of chapter 11 of part I of the Foreign Assistance Act of
21 1961 and the FREEDOM Support Act, for assistance for
22 the new independent states of the former Soviet Union
23 and for related programs, ~~\$903,820,000~~ \$603,820,000, to
24 remain available until expended: *Provided*, That the provi-
25 sions of 498B(j) of the Foreign Assistance Act of 1961
26 shall apply to funds appropriated by this paragraph.

1 INDEPENDENT AGENCIES

2 AFRICAN DEVELOPMENT FOUNDATION

3 For necessary expenses to carry out the provisions
4 of title V of the International Security and Development
5 Cooperation Act of 1980, Public Law 96-533, and to
6 make such contracts and commitments without regard to
7 fiscal year limitations, as provided by section 9104, title
8 31, United States Code, \$16,905,000: *Provided, That,*
9 when, with the permission of the President of the Founda-
10 tion, funds made available to a grantee under this heading
11 are invested pending disbursement, the resulting interest
12 is not required to be deposited in the United States Treas-
13 ury if the grantee uses the resulting interest for the pur-
14 pose for which the grant was made: *Provided further, That*
15 *this provision applies with respect to both interest earned*
16 *before and interest earned after the enactment of this pro-*
17 *vision: Provided further, That notwithstanding section*
18 *505(a)(2) of the African Development Foundation Act, in*
19 *exceptional circumstances the board of directors of the*
20 *Foundation may waive the dollar limitation contained in*
21 *that section with respect to a project: Provided further, That*
22 *the Foundation shall provide a report to the Committees*
23 *on Appropriations after each time such waiver authority*
24 *is exercised.*

1 INTER-AMERICAN FOUNDATION

2 For expenses necessary to carry out the functions of
3 the Inter-American Foundation in accordance with the
4 provisions of section 401 of the Foreign Assistance Act
5 of 1969, and to make such contracts and commitments
6 without regard to fiscal year limitations, as provided by
7 section 9104, title 31, United States Code, ~~\$30,340,000~~
8 *\$30,960,000*.

9 OVERSEAS PRIVATE INVESTMENT CORPORATION

10 PROGRAM ACCOUNT

11 For the subsidy cost as defined in section 13201 of
12 the Budget Enforcement Act of 1990, of direct and guar-
13 anteed loans authorized by section 234 of the Foreign As-
14 sistance Act of 1961, as follows: cost of direct and guaran-
15 teed loans, \$9,065,000. In addition, for administrative ex-
16 penses to carry out the direct and guaranteed loan pro-
17 grams, \$7,518,000: *Provided*, That the funds provided in
18 this paragraph shall be available for and apply to costs,
19 direct loan obligations and loan guaranty commitments in-
20 curred or made during the period from October 1, 1993
21 through September 30, 1995: *Provided further*, That such
22 sums are to remain available through fiscal year 2002 for
23 the disbursement of direct and guaranteed loans obligated
24 in fiscal year 1994, and through 2003 for the disburse-
25 ment of direct and guaranteed loans obligated in fiscal
26 year 1995.

1 *Bureau of International Narcotics Matters of the Depart-*
2 *ment of State may also use the authority of section 608*
3 *of the Foreign Assistance Act of 1961, without regard to*
4 *its restrictions, to receive non-lethal excess property from*
5 *an agency of the United States Government for the purpose*
6 *of providing it to a foreign country under chapter 8 of part*
7 *I of that Act subject to the regular notification procedures*
8 *of the Committees on Appropriations.*

9 MIGRATION AND REFUGEE ASSISTANCE

10 For expenses, not otherwise provided for, necessary
11 to enable the Secretary of State to provide, as authorized
12 by law, a contribution to the International Committee of
13 the Red Cross and assistance to refugees, including con-
14 tributions to the Intergovernmental Committee for Migra-
15 tion and the United Nations High Commissioner for Refu-
16 gees; salaries and expenses of personnel and dependents
17 as authorized by the Foreign Service Act of 1980; allow-
18 ances as authorized by sections 5921 through 5925 of title
19 5, United States Code; hire of passenger motor vehicles;
20 and services as authorized by section 3109 of title 5,
21 United States Code; \$670,688,000: *Provided, That not less*
22 *than \$80,000,000 shall be available for Soviet, Eastern Eu-*
23 *ropean and other refugees resettling in Israel: Provided fur-*
24 *ther, That not more than \$11,500,000 of the funds appro-*
25 *riated under this heading shall be available for the ad-*

1 ministrative expenses of the Office of Refugee Programs
2 of the Department of State.

3 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
4 ASSISTANCE FUND

5 For necessary expenses to carry out the provisions
6 of section 2(c) of the Migration and Refugee Assistance
7 Act of 1962, as amended (22 U.S.C. 260(c)), ~~\$19,261,000~~
8 *\$49,261,000*, to remain available until expended: *Provided*,
9 That the funds made available under this heading are ap-
10 propriated notwithstanding the provisions contained in
11 section 2(c)(2) of the Migration and Refugee Assistance
12 Act of 1962 which would limit the amount of funds which
13 could be appropriated for this purpose.

14 ANTI-TERRORISM ASSISTANCE

15 For necessary expenses to carry out the provisions
16 of chapter 8 of part II of the Foreign Assistance Act of
17 1961, \$15,244,000.

18 TITLE III—MILITARY ASSISTANCE

19 FUNDS APPROPRIATED TO THE PRESIDENT

20 INTERNATIONAL MILITARY EDUCATION AND TRAINING

21 For necessary expenses to carry out the provisions
22 of section 541 of the Foreign Assistance Act of 1961,
23 \$21,250,000: *Provided*, That up to \$300,000 of the funds
24 appropriated under this heading may be made available
25 for grant financed military education and training for any
26 country whose annual per capita GNP exceeds \$2,349 on

1 the condition that that country agrees to fund from its
2 own resources the transportation cost and living allow-
3 ances of its students: *Provided further*, That the civilian
4 personnel for whom military education and training may
5 be provided under this heading may also include members
6 of national legislatures who are responsible for the over-
7 sight and management of the military: *Provided further*,
8 That none of the funds appropriated under this heading
9 shall be available for Indonesia and Zaire.

10 FOREIGN MILITARY FINANCING PROGRAM

11 For expenses necessary for grants to enable the
12 President to carry out the provisions of section 23 of the
13 Arms Export Control Act, ~~\$3,175,000,000~~ \$3,123,558,000:
14 *Provided*, That funds appropriated by this paragraph that
15 are made available for Israel shall be available as grants
16 and shall be disbursed within thirty days of enactment of
17 this Act or by October 31, 1993, whichever is later: *Pro-*
18 *vided further*, That funds appropriated by this paragraph
19 that are made available for Egypt shall be available as
20 grants: *Provided*, That of the funds appropriated by this
21 paragraph not less than \$1,800,000,000 shall be available
22 for grants only for Israel, and not less than \$1,300,000,000
23 shall be available for grants only for Egypt: *Provided fur-*
24 *ther*, That the funds appropriated by this paragraph for
25 Israel shall be disbursed within thirty days of enactment
26 of this Act or by October 31, 1993, whichever is later: *Pro-*

1 *vided further, That to the extent that the Government of*
2 *Israel requests that funds be used for such purposes, grants*
3 *made available for Israel by this paragraph shall, as agreed*
4 *by Israel and the United States, be available for advanced*
5 *fighter aircraft programs or for other advanced weapons*
6 *systems, as follows: (1) up to \$150,000,000 shall be avail-*
7 *able for research and development in the United States; and*
8 *(2) not less than \$475,000,000 shall be available for the pro-*
9 *curement in Israel of defense articles and defense services,*
10 *including research and development: Provided further, That*
11 **funds made available under this paragraph shall be**
12 **nonrepayable notwithstanding any requirement in section**
13 **23 of the Arms Export Control Act.**

14 For the cost, as defined in section 13201 of the
15 Budget Enforcement Act of 1990, of direct loans author-
16 ized by section 23 of the Arms Export Control Act as fol-
17 lows: cost of direct loans, \$46,530,000: *Provided, That*
18 *these funds are available to subsidize gross obligations for*
19 *the principal amount of direct loans of not to exceed*
20 *\$769,500,000: Provided further, That the rate of interest*
21 *charged on such loans shall be not less than the current*
22 *average market yield on outstanding marketable obliga-*
23 *tions of the United States of comparable maturities: ~~Pro-~~*
24 ~~*vided further, That funds appropriated under this heading*~~
25 ~~*shall be made available for Portugal, Greece and Turkey*~~

1 ~~only on a loan basis: *Provided further, That the principal*~~
2 ~~amount of loans made available for Greece and Turkey~~
3 ~~shall be made available according to a 7 to 10 ratio *Pro-*~~
4 ~~*vided further, That funds appropriated under this heading*~~
5 ~~*shall be made available for Greece, Portugal, and Turkey*~~
6 ~~*only on a loan basis, and the principal amount of direct*~~
7 ~~*loans for each country shall not exceed the following;*~~
8 ~~*\$283,500,000 only for Greece, \$81,000,000 only for Por-*~~
9 ~~*tugal, and \$405,000,000 only for Turkey.*~~

10 None of the funds made available under this heading
11 shall be available to finance the procurement of defense
12 articles, defense services, or design and construction serv-
13 ices that are not sold by the United States Government
14 under the Arms Export Control Act unless the foreign
15 country proposing to make such procurements has first
16 signed an agreement with the United States Government
17 specifying the conditions under which such procurements
18 may be financed with such funds: *Provided, That all coun-*
19 *try and funding level increases in allocations shall be sub-*
20 *mitted through the regular notification procedures of sec-*
21 *tion 515 of this Act: *Provided further, That funds made**
22 *available under this heading shall be obligated upon appor-*
23 *tionment in accordance with paragraph (5)(C) of title 31,*
24 *United States Code, section 1501(a): *Provided further,**
25 *That none of the funds appropriated under this heading*

1 shall be available for Zaire, Sudan, Liberia, Guatemala,
2 Peru, and Malawi: *Provided further*, That not more than
3 \$100,000,000 of the funds made available under this
4 heading shall be available for use in financing the procure-
5 ment of defense articles, defense services, or design and
6 construction services that are not sold by the United
7 States Government under the Arms Export Control Act
8 to countries other than Israel and Egypt: *Provided further*,
9 That only those countries for which assistance was justi-
10 fied for the “Foreign Military Sales Financing Program”
11 in the fiscal year 1989 congressional presentation for secu-
12 rity assistance programs may utilize funds made available
13 under this heading for procurement of defense articles, de-
14 fense services or design and construction services that are
15 not sold by the United States Government under the Arms
16 Export Control Act: *Provided further*, *That, subject to the*
17 *regular notification procedures of the Committees on Appro-*
18 *priations, funds made available under this heading for the*
19 *cost of direct loans may also be used to supplement the*
20 *funds available under this heading for necessary expenses*
21 *for grants if countries specified under this heading as eligi-*
22 *ble for such direct loans decline to utilize such loans. Pro-*
23 *vided further*, That funds appropriated under this heading
24 shall be expended at the minimum rate necessary to make
25 timely payment for defense articles and services: *Provided*

1 *further*, That the Department of Defense shall conduct
2 during the current fiscal year nonreimbursable audits of
3 private firms whose contracts are made directly with for-
4 eign governments and are financed with funds made avail-
5 able under this heading (as well as subcontractors there-
6 under) as requested by the Defense Security Assistance
7 Agency: *Provided further*, That not more than
8 \$23,558,000 of the funds appropriated under this heading
9 may be obligated for necessary expenses, including the
10 purchase of passenger motor vehicles for replacement only
11 for use outside of the United States, for the general costs
12 of administering military assistance and sales: *Provided*
13 *further*, That not more than \$290,000,000 of funds real-
14 ized pursuant to section 21(e)(1)(A) of the Arms Export
15 Control Act may be obligated for expenses incurred by the
16 Department of Defense during the fiscal year 1994 pursu-
17 ant to section 43(b) of the Arms Export Control Act, ex-
18 cept that this limitation may be exceeded only through the
19 regular notification procedures of the Committees on Ap-
20 propriations: *Provided further*, That none of the funds ap-
21 propriated under this heading, and no employee of the De-
22 fense Security Assistance Agency, may be used to facili-
23 tate the transport of aircraft to commercial arms sales
24 shows.

1 SPECIAL DEFENSE ACQUISITION FUND

2 Notwithstanding section 51 of the Arms Export Con-
3 trol Act, collections in excess of obligational authority pro-
4 vided in prior appropriations Acts shall be deposited in
5 the Treasury as miscellaneous receipts: *Provided, That*
6 *notwithstanding any provision of Public Law 102-391, not*
7 *to exceed \$160,000,000 of the obligational authority pro-*
8 *vided in that Act under the heading "Special Defense Ac-*
9 *quisition Fund"* may be obligated pursuant to section
10 *51(c)(2) of the Arms Export Control Act.*

11 PEACEKEEPING OPERATIONS

12 For necessary expenses to carry out the provisions
13 of section 551 of the Foreign Assistance Act of 1961,
14 ~~\$75,623,000~~ \$62,500,000.

15 NONPROLIFERATION AND DISARMAMENT FUND

16 For necessary expenses for a "Nonproliferation and
17 Disarmament Fund", \$10,000,000, to remain available
18 until expended, to promote bilateral and multilateral ac-
19 tivities: *Provided, That* such funds may be used pursuant
20 to the authorities contained in section 504 of the FREE-
21 DOM Support Act: *Provided further, That* such funds may
22 also be used for such countries other than the new inde-
23 pendent states of the former Soviet Union and inter-
24 national organizations when it is in the national security
25 interest of the United States to do so: *Provided further,*
26 That funds appropriated under this heading may be made

1 available notwithstanding any other provision of law: *Pro-*
2 *vided further*, That funds appropriated under this heading
3 shall be subject to the regular notification procedures of
4 the Committees on Appropriations.

5 TITLE IV—EXPORT ASSISTANCE

6 EXPORT-IMPORT BANK OF THE UNITED STATES

7 The Export-Import Bank of the United States is au-
8 thorized to make such expenditures within the limits of
9 funds and borrowing authority available to such corpora-
10 tion, and in accordance with law, and to make such con-
11 tracts and commitments without regard to fiscal year limi-
12 tations, as provided by section 104 of the Government
13 Corporation Control Act, as may be necessary in carrying
14 out the program for the current fiscal year for such cor-
15 poration: *Provided*, That none of the funds available dur-
16 ing the current fiscal year may be used to make expendi-
17 tures, contracts, or commitments for the export of nuclear
18 equipment, fuel, or technology to any country other than
19 a nuclear-weapon State as defined in article IX of the
20 Treaty on the Non-Proliferation of Nuclear Weapons eligi-
21 ble to receive economic or military assistance under this
22 Act that has detonated a nuclear explosive after the date
23 of enactment of this Act.

24 SUBSIDY APPROPRIATION

25 For the cost of direct loans, loan guarantees, insur-
26 ance, and tied-aid grants as authorized by section 10 of

1 the Export-Import Bank Act of 1945, as amended,
2 ~~\$700,000,000~~ *\$1,000,000,000 to remain available until*
3 *September 30, 1995: Provided, That such costs, including*
4 *the cost of modifying such loans, shall be as defined in*
5 *section 502 of the Congressional Budget Act of 1974: Pro-*
6 *vided further, That such sums shall remain available until*
7 *2009 for the disbursement of direct loans, loan guaran-*
8 *tees, insurance and tied-aid grants obligated in fiscal year*
9 ~~1994~~ *fiscal years 1994 and 1995: Provided further, That*
10 *up to \$50,000,000 of funds appropriated by this para-*
11 *graph shall remain available until expended and may be*
12 *used for tied-aid grant purposes: Provided further, That*
13 *none of the funds appropriated by this paragraph may be*
14 *used for tied-aid credits or grants except through the regu-*
15 *lar notification procedures of the Committees on Appro-*
16 *priations: Provided further, That funds appropriated by*
17 *this paragraph are made available notwithstanding section*
18 *2(b)(2) of the Export-Import Bank Act of 1945, in con-*
19 *nection with the purchase or lease of any product by any*
20 *East European country, any Baltic State, or any agency*
21 *or national thereof.*

22 ADMINISTRATIVE EXPENSES

23 For administrative expenses to carry out the direct
24 and guaranteed loan and insurance programs (to be com-
25 puted on an accrual basis), including hire of passenger
26 motor vehicles and services as authorized by 5 U.S.C.

1 3109, and not to exceed \$20,000 for official reception and
2 representation expenses for members of the Board of Di-
3 rectors, \$45,369,000: *Provided*, That necessary expenses
4 (including special services performed on a contract or fee
5 basis, but not including other personal services) in connec-
6 tion with the collection of moneys owed the Export-Import
7 Bank, repossession or sale of pledged collateral or other
8 assets acquired by the Export-Import Bank in satisfaction
9 of moneys owed the Export-Import Bank, or the investiga-
10 tion or appraisal of any property, or the evaluation of the
11 legal or technical aspects of any transaction for which an
12 application for a loan, guarantee or insurance commitment
13 has been made, shall be considered nonadministrative ex-
14 penses for the purposes of this heading.

15 FUNDS APPROPRIATED TO THE PRESIDENT

16 TRADE AND DEVELOPMENT AGENCY

17 For necessary expenses to carry out the provisions
18 of section 661 of the Foreign Assistance Act of 1961,
19 \$40,000,000.

20 TITLE V—GENERAL PROVISIONS

21 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

22 SEC. 501. Except for the appropriations entitled
23 “International Disaster Assistance”, and “United States
24 Emergency Refugee and Migration Assistance Fund”, not
25 more than 15 per centum of any appropriation item made

1 available by this Act shall be obligated during the last
2 month of availability.

3 PROHIBITION OF BILATERAL FUNDING FOR
4 INTERNATIONAL FINANCIAL INSTITUTIONS

5 SEC. 502. None of the funds contained in title II of
6 this Act may be used to carry out the provisions of section
7 209(d) of the Foreign Assistance Act of 1961.

8 LIMITATION ON RESIDENCE EXPENSES

9 SEC. 503. Of the funds appropriated or made avail-
10 able pursuant to this Act, not to exceed \$126,500 shall
11 be for official residence expenses of the Agency for Inter-
12 national Development during the current fiscal year: *Pro-*
13 *vided*, That appropriate steps shall be taken to assure
14 that, to the maximum extent possible, United States-
15 owned foreign currencies are utilized in lieu of dollars.

16 LIMITATION ON EXPENSES

17 SEC. 504. Of the funds appropriated or made avail-
18 able pursuant to this Act, not to exceed \$5,000 shall be
19 for entertainment expenses of the Agency for International
20 Development during the current fiscal year.

21 LIMITATION ON REPRESENTATIONAL ALLOWANCES

22 SEC. 505. Of the funds appropriated or made avail-
23 able pursuant to this Act, not to exceed \$95,000 shall be
24 available for representation allowances for the Agency for
25 International Development during the current fiscal year:
26 *Provided*, That appropriate steps shall be taken to assure

1 that, to the maximum extent possible, United States-
2 owned foreign currencies are utilized in lieu of dollars:
3 *Provided further*, That of the funds made available by this
4 Act for general costs of administering military assistance
5 and sales under the heading “Foreign Military Financing
6 Program”, not to exceed \$2,000 shall be available for en-
7 tertainment expenses and not to exceed \$50,000 shall be
8 available for representation allowances: *Provided further*,
9 That of the funds made available by this Act under the
10 heading “International Military Education and Training”,
11 not to exceed \$50,000 shall be available for entertainment
12 allowances: *Provided further*, That of the funds made
13 available by this Act for the Inter-American Foundation,
14 not to exceed \$2,000 shall be available for entertainment
15 and representation allowances: *Provided further*, That of
16 the funds made available by this Act for the Peace Corps,
17 not to exceed a total of \$4,000 shall be available for enter-
18 tainment expenses: *Provided further*, That of the funds
19 made available by this Act under the heading “Trade and
20 Development Agency”, not to exceed \$2,000 shall be avail-
21 able for representation and entertainment allowances.

22 PROHIBITION ON FINANCING NUCLEAR GOODS

23 SEC. 506. None of the funds appropriated or made
24 available (other than funds for “International Organiza-
25 tions and Programs”) pursuant to this Act, for carrying
26 out the Foreign Assistance Act of 1961, may be used, ex-

1 cept for purposes of nuclear safety, to finance the export
2 of nuclear equipment, fuel, or technology.

3 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
4 COUNTRIES

5 SEC. 507. None of the funds appropriated or other-
6 wise made available pursuant to this Act shall be obligated
7 or expended to finance directly any assistance or repara-
8 tions to Cuba, Iraq, Libya, the Socialist Republic of Viet-
9 nam, Iran, Serbia, Sudan, or Syria: *Provided*, That for
10 purposes of this section, the prohibition on obligations or
11 expenditures shall include direct loans, credits, insurance
12 and guarantees of the Export-Import Bank or its agents.

13 MILITARY COUPS

14 SEC. 508. None of the funds appropriated or other-
15 wise made available pursuant to this Act shall be obligated
16 or expended to finance directly any assistance to any coun-
17 try whose duly elected Head of Government is deposed by
18 military coup or decree: *Provided*, That assistance may be
19 resumed to such country if the President determines and
20 reports to the Committees on Appropriations that subse-
21 quent to the termination of assistance a democratically
22 elected government has taken office.

23 TRANSFERS BETWEEN ACCOUNTS

24 SEC. 509. None of the funds made available by this
25 Act may be obligated under an appropriation account to
26 which they were not appropriated, unless the President,

1 prior to the exercise of any authority contained in the For-
2 eign Assistance Act of 1961 to transfer funds, consults
3 with and provides a written policy justification to the
4 Committees on Appropriations of the House of Represent-
5 atives and the Senate: *Provided*, That the exercise of such
6 authority shall be subject to the regular notification proce-
7 dures of the Committees on Appropriations.

8 DEOBLIGATION/REOBLIGATION AUTHORITY

9 SEC. 510. (a) Amounts certified pursuant to section
10 1311 of the Supplemental Appropriations Act, 1955, as
11 having been obligated against appropriations heretofore
12 made under the authority of the Foreign Assistance Act
13 of 1961 for the same general purpose as any of the head-
14 ings under the “Agency for International Development”
15 are, if deobligated, hereby continued available for the same
16 period as the respective appropriations under such head-
17 ings or until September 30, 1994, whichever is later, and
18 for the same general purpose, and for countries within the
19 same region as originally obligated: *Provided*, That the
20 Appropriations Committees of both Houses of the Con-
21 gress are notified fifteen days in advance of the
22 deobligation and reobligation of such funds in accordance
23 with regular notification procedures of the Committees on
24 Appropriations.

25 (b) Obligated balances of funds appropriated to carry
26 out section 23 of the Arms Export Control Act as of the

1 end of the fiscal year immediately preceding the current
2 fiscal year are, if deobligated, hereby continued available
3 during the current fiscal year for the same purpose under
4 any authority applicable to such appropriations under this
5 Act.

6 AVAILABILITY OF FUNDS

7 SEC. 511. No part of any appropriation contained in
8 this Act shall remain available for obligation after the ex-
9 piration of the current fiscal year unless expressly so pro-
10 vided in this Act: *Provided*, That funds appropriated for
11 the purposes of ~~chapter 4~~ *chapters 1 and 8* of part I, sec-
12 tion 667, and chapter 4 of part II of the Foreign Assist-
13 ance Act of 1961, as amended, shall remain available until
14 expended if such funds are initially obligated before the
15 expiration of their respective periods of availability con-
16 tained in this Act: *Provided further*, That, notwithstanding
17 any other provision of this Act, any funds made available
18 for the purposes of chapter 1 of part I and chapter 4 of
19 part II of the Foreign Assistance Act of 1961 which are
20 allocated or obligated for cash disbursements in order to
21 address balance of payments or economic policy reform ob-
22 jectives, shall remain available until expended: *Provided*
23 *further*, That the report required by section 653(a) of the
24 Foreign Assistance Act of 1961 shall designate for each
25 country, to the extent known at the time of submission
26 of such report, those funds allocated for cash disburse-

1 ment for balance of payment and economic policy reform
2 purposes.

3 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

4 SEC. 512. No part of any appropriation contained in
5 this Act shall be used to furnish assistance to any country
6 which is in default during a period in excess of one cal-
7 endar year in payment to the United States of principal
8 or interest on any loan made to such country by the
9 United States pursuant to a program for which funds are
10 appropriated under this Act: *Provided*, That this section
11 and section 620(q) of the Foreign Assistance Act of 1961
12 shall not apply to funds made available in this Act or dur-
13 ing the current fiscal year for Nicaragua, and for any nar-
14 cotics-related assistance for Colombia, Bolivia, and Peru
15 authorized by the Foreign Assistance Act of 1961 or the
16 Arms Export Control Act.

17 COMMERCE AND TRADE

18 SEC. 513. (a) None of the funds appropriated or
19 made available pursuant to this Act for direct assistance
20 and none of the funds otherwise made available pursuant
21 to this Act to the Export-Import Bank and the Overseas
22 Private Investment Corporation shall be obligated or ex-
23 pended to finance any loan, any assistance or any other
24 financial commitments for establishing or expanding pro-
25 duction of any commodity for export by any country other
26 than the United States, if the commodity is likely to be

1 in surplus on world markets at the time the resulting pro-
2 ductive capacity is expected to become operative and if the
3 assistance will cause substantial injury to United States
4 producers of the same, similar, or competing commodity:
5 *Provided*, That such prohibition shall not apply to the Ex-
6 port-Import Bank if in the judgment of its Board of Direc-
7 tors the benefits to industry and employment in the
8 United States are likely to outweigh the injury to United
9 States producers of the same, similar, or competing com-
10 modity.

11 (b) None of the funds appropriated by this or any
12 other Act to carry out chapter 1 of part I of the Foreign
13 Assistance Act of 1961 shall be available for any testing
14 or breeding feasibility study, variety improvement or intro-
15 duction, consultancy, publication, conference, or training
16 in connection with the growth or production in a foreign
17 country of an agricultural commodity for export which
18 would compete with a similar commodity grown or pro-
19 duced in the United States: *Provided*, That this subsection
20 shall not prohibit—

21 (1) activities designed to increase food security
22 in developing countries where such activities will not
23 have a significant impact in the export of agricul-
24 tural commodities of the United States; or

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

3 (c) None of the funds provided in this Act to the
4 Agency for International Development, other than funds
5 made available to carry out Caribbean Basin Initiative
6 programs under the Tariff Schedules of the United States,
7 section 1202 of title 19, United States Code, schedule 8,
8 part I, subpart B, item 807.00, shall be obligated or ex-
9 pended—

10 (1) to procure directly feasibility studies or
11 prefeasibility studies for, or project profiles of poten-
12 tial investment in, the manufacture, for export to
13 the United States or to third country markets in di-
14 rect competition with United States exports, of im-
15 port-sensitive articles as defined by section 503(c)(1)
16 (A) and (E) of the Tariff Act of 1930 (19 U.S.C.
17 2463(c)(1) (A) and (E)); or

18 (2) to assist directly in the establishment of fa-
19 cilities specifically designed for the manufacture, for
20 export to the United States or to third country mar-
21 kets in direct competition with United States ex-
22 ports, of import-sensitive articles as defined in sec-
23 tion 503(c)(1) (A) and (E) of the Tariff Act of 1930
24 (19 U.S.C. 2463(c)(1) (A) and (E)).

1 SURPLUS COMMODITIES

2 SEC. 514. The Secretary of the Treasury shall in-
3 struct the United States Executive Directors of the Inter-
4 national Bank for Reconstruction and Development, the
5 International Development Association, the International
6 Finance Corporation, the Inter-American Development
7 Bank, the International Monetary Fund, the Asian Devel-
8 opment Bank, the Inter-American Investment Corpora-
9 tion, the African Development Bank, and the African De-
10 velopment Fund to use the voice and vote of the United
11 States to oppose any assistance by these institutions,
12 using funds appropriated or made available pursuant to
13 this Act, for the production or extraction of any commod-
14 ity or mineral for export, if it is in surplus on world mar-
15 kets and if the assistance will cause substantial injury to
16 United States producers of the same, similar, or compet-
17 ing commodity.

18 NOTIFICATION REQUIREMENTS

19 SEC. 515. For the purposes of providing the Execu-
20 tive Branch with the necessary administrative flexibility,
21 none of the funds made available under this Act for “De-
22 velopment Assistance Fund”, “Population, Development
23 Assistance”, “Development Fund for Africa”, “Inter-
24 national organizations and programs”, “~~American schools~~
25 ~~and hospitals abroad~~”, “Trade and development agency”,
26 “International narcotics control”, “*Assistance for Eastern*

1 *Europe and the Baltic States*”, “*Assistance for the New*
2 *Independent States of the Former Soviet Union*”, “Eco-
3 nomic support fund”, “Peacekeeping operations”, “Oper-
4 ating expenses of the Agency for International Develop-
5 ment”, “Operating expenses of the Agency for Inter-
6 national Development Office of Inspector General”, “Anti-
7 terrorism assistance”, “Foreign Military Financing Pro-
8 gram”, “International military education and training”,
9 “Inter-American Foundation”, “African Development
10 Foundation”, “Peace Corps”, or “Migration and refugee
11 assistance”, shall be available for obligation for activities,
12 programs, projects, type of materiel assistance, countries,
13 or other operation not justified or in excess of the amount
14 justified to the Appropriations Committees for obligation
15 under any of these specific headings unless the Appropria-
16 tions Committees of both Houses of Congress are pre-
17 viously notified fifteen days in advance: *Provided*, That the
18 President shall not enter into any commitment of funds
19 appropriated for the purposes of section 23 of the Arms
20 Export Control Act for the provision of major defense
21 equipment, other than conventional ammunition, or other
22 major defense items defined to be aircraft, ships, missiles,
23 or combat vehicles, not previously justified to Congress or
24 20 per centum in excess of the quantities justified to Con-
25 gress unless the Committees on Appropriations are noti-

1 fied fifteen days in advance of such commitment: *Provided*
2 *further*, That this section shall not apply to any
3 reprogramming for an activity, program, or project under
4 chapter 1 of part I of the Foreign Assistance Act of 1961
5 of less than 20 per centum of the amount previously justi-
6 fied to the Congress for obligation for such activity, pro-
7 gram, or project for the current fiscal year: *Provided fur-*
8 *ther*, That the requirements of this section or any similar
9 provision of this Act requiring notification in accordance
10 with the regular notification procedures of the Committees
11 on Appropriations may be waived if failure to do so would
12 pose a substantial risk to human health or welfare: *Pro-*
13 *vided further*, That in case of any such waiver, notification
14 to the Congress, or the appropriate congressional commit-
15 tees, shall be provided as early as practicable, but in no
16 event later than three days after taking the action to
17 which such notification requirement was applicable, in the
18 context of the circumstances necessitating such waiver:
19 *Provided further*, That any notification provided pursuant
20 to such a waiver shall contain an explanation of the emer-
21 gency circumstances.

22 Drawdowns made pursuant to section 506(a)(2) of
23 the Foreign Assistance Act of 1961 shall be subject to the
24 regular notification procedures of the Committees on Ap-
25 propriations.

1 LIMITATION ON AVAILABILITY OF FUNDS FOR
2 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

3 SEC. 516. (a) Notwithstanding any other provision
4 of law or of this Act, none of the funds provided for
5 “International Organizations and Programs” shall be
6 available for the United States proportionate share for any
7 programs for the Palestine Liberation Organization (or for
8 projects whose purpose is to provide benefits to the Pal-
9 estine Liberation Organization or entities associated with
10 it), Libya, Iran, or, at the discretion of the President,
11 Communist countries listed in section 620(f) of the For-
12 eign Assistance Act of 1961, as amended: *Provided*, That,
13 subject to the regular notification procedures of the Com-
14 mittees on Appropriations, funds appropriated under this
15 Act or any previously enacted Act making appropriations
16 for foreign operations, export financing, and related pro-
17 grams, which are returned or not made available for orga-
18 nizations and programs because of the implementation of
19 this section or any similar provision of law, shall remain
20 available for obligation through September 30, 1995.

21 (b) The United States shall not make any voluntary
22 or assessed contribution—

23 (1) to any affiliated organization of the United
24 Nations which grants full membership as a state to

1 any organization or group that does not have the
2 internationally recognized attributes of statehood, or
3 (2) to the United Nations, if the United Na-
4 tions grants full membership as a state in the Unit-
5 ed Nations to any organization or group that does
6 not have the internationally recognized attributes of
7 statehood,

8 during any period in which such membership is effective.

9 ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

10 SEC. 517. The Congress finds that progress on the
11 peace process in the Middle East is vitally important to
12 United States security interests in the region. The Con-
13 gress recognizes that, in fulfilling its obligations under the
14 Treaty of Peace Between the Arab Republic of Egypt and
15 the State of Israel, done at Washington on March 26,
16 1979, Israel incurred severe economic burdens. Further-
17 more, the Congress recognizes that an economically and
18 militarily secure Israel serves the security interests of the
19 United States, for a secure Israel is an Israel which has
20 the incentive and confidence to continue pursuing the
21 peace process. Therefore, the Congress declares that it is
22 the policy and the intention of the United States that the
23 funds provided in annual appropriations for the Economic
24 Support Fund which are allocated to Israel shall not be
25 less than the annual debt repayment (interest and prin-
26 cipal) from Israel to the United States Government in rec-

1 ognition that such a principle serves United States inter-
2 ests in the region.

3 PROHIBITION CONCERNING ABORTIONS AND

4 INVOLUNTARY STERILIZATION

5 SEC. 518. None of the funds made available to carry
6 out part I of the Foreign Assistance Act of 1961, as
7 amended, may be used to pay for the performance of abor-
8 tions as a method of family planning or to motivate or
9 coerce any person to practice abortions. None of the funds
10 made available to carry out part I of the Foreign Assist-
11 ance Act of 1961, as amended, may be used to pay for
12 the performance of involuntary sterilization as a method
13 of family planning or to coerce or provide any financial
14 incentive to any person to undergo sterilizations. None of
15 the funds made available to carry out part I of the Foreign
16 Assistance Act of 1961, as amended, may be used to pay
17 for any biomedical research which relates in whole or in
18 part, to methods of, or the performance of, abortions or
19 involuntary sterilization as a means of family planning.
20 None of the funds made available to carry out part I of
21 the Foreign Assistance Act of 1961, as amended, may be
22 obligated or expended for any country or organization if
23 the President certifies that the use of these funds by any
24 such country or organization would violate any of the
25 above provisions related to abortions and involuntary steri-
26 lizations. The Congress reaffirms its commitments to Pop-

1 ulation, Development Assistance and to the need for in-
2 formed voluntary family planning.

3 REPORTING REQUIREMENT

4 SEC. 519. The President shall submit to the Commit-
5 tees on Appropriations the reports required by section
6 25(a)(1) of the Arms Export Control Act.

7 SPECIAL NOTIFICATION REQUIREMENTS

8 SEC. 520. None of the funds appropriated in this Act
9 shall be obligated or expended for Afghanistan, Cambodia,
10 *Colombia*, El Salvador, Guatemala, Haiti, Indonesia, Jor-
11 dan, Liberia, Malawi, Peru, Sudan, Togo, or Zaire except
12 as provided through the regular notification procedures of
13 the Committees on Appropriations: *Provided, That this sec-*
14 *tion shall not apply to funds appropriated by this Act to*
15 *carry out the provisions of chapter 1 of part I of the Foreign*
16 *Assistance Act of 1961 that are made available for El Sal-*
17 *vador.*

18 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

19 SEC. 521. For the purpose of this Act, “program,
20 project, and activity” shall be defined at the Appropria-
21 tions Act account level and shall include all Appropriations
22 and Authorizations Acts earmarks, ceilings, and limita-
23 tions with the exception that for the following accounts:
24 Economic Support Fund and Foreign Military Financing
25 Program, “program, project, and activity” shall also be
26 considered to include country, regional, and central pro-

1 gram level funding within each such account; for the devel-
2 opment assistance accounts of the Agency for Inter-
3 national Development “program, project, and activity”
4 shall also be considered to include central program level
5 funding, either as (1) justified to the Congress, or (2) allo-
6 cated by the executive branch in accordance with a report,
7 to be provided to the Committees on Appropriations within
8 thirty days of enactment of this Act, as required by section
9 653(a) of the Foreign Assistance Act of 1961.

10 FAMILY PLANNING, CHILD SURVIVAL AND AIDS

11 ACTIVITIES

12 SEC. 522. Up to \$8,000,000 of the funds made avail-
13 able by this Act for assistance for family planning, health,
14 child survival, and AIDS, may be used to reimburse
15 United States Government agencies, agencies of State gov-
16 ernments, institutions of higher learning, and private and
17 voluntary organizations for the full cost of individuals (in-
18 cluding for the personal services of such individuals) de-
19 tailed or assigned to, or contracted by, as the case may
20 be, the Agency for International Development for the pur-
21 pose of carrying out family planning activities, child sur-
22 vival activities and activities relating to research on, and
23 the treatment and control of, acquired immune deficiency
24 syndrome in developing countries: *Provided*, That such in-
25 dividuals shall not be included within any personnel ceiling
26 applicable to any United States Government agency dur-

1 ing the period of detail or assignment: *Provided further,*
2 That funds appropriated by this Act that are made avail-
3 able for child survival activities or activities relating to re-
4 search on, and the treatment and control of, acquired im-
5 mune deficiency syndrome may be made available notwith-
6 standing any provision of law that restricts assistance to
7 foreign countries: *Provided further,* That funds appro-
8 priated by this Act that are made available for family
9 planning activities may be made available notwithstanding
10 section 512 of this Act and section 620(q) of the Foreign
11 Assistance Act of 1961.

12 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
13 COUNTRIES

14 SEC. 523. None of the funds appropriated or other-
15 wise made available pursuant to this Act shall be obligated
16 to finance indirectly any assistance or reparations to
17 Cuba, Iraq, Libya, the Socialist Republic of Vietnam,
18 Iran, Syria, North Korea, People's Republic of China, or
19 Laos unless the President of the United States certifies
20 that the withholding of these funds is contrary to the na-
21 tional interest of the United States.

22 RECIPROCAL LEASING

23 SEC. 524. Section 61(a) of the Arms Export Control
24 Act is amended by striking out "1993" and inserting in
25 lieu thereof "1994".

1 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

2 SEC. 525. Prior to providing excess Department of
3 Defense articles in accordance with section 516(a) of the
4 Foreign Assistance Act of 1961, the Department of De-
5 fense shall notify the Committees on Appropriations to the
6 same extent and under the same conditions as are other
7 committees pursuant to subsection (c) of that section: *Pro-*
8 *vided*, That before issuing a letter of offer to sell excess
9 defense articles under the Arms Export Control Act, the
10 Department of Defense shall notify the Committees on
11 Appropriations in accordance with the regular notification
12 procedures of such Committees: *Provided further*, That
13 such Committees shall also be informed of the original ac-
14 quisition cost of such defense articles.

15 AUTHORIZATION REQUIREMENT

16 SEC. 526. Funds appropriated by ~~title I through V~~
17 *titles I through IV* of this Act may be obligated and ex-
18 pended ~~subject to~~ *notwithstanding* section 10 of Public
19 Law 91-672 and section 15 of the State Department
20 Basic Authorities Act of 1956: *Provided*, That the Sec-
21 retary of the Treasury is authorized to agree on behalf
22 of the United States to participate in the tenth replenish-
23 ment of the resources of the International Development
24 Association, the fifth replenishment of the Asian Develop-
25 ment Fund, and the replenishment of the permanent Glob-

1 al Environment Facility, subject to obtaining the nec-
2 essary appropriations.

3 DEPLETED URANIUM

4 SEC. 527. None of the funds provided in this or any
5 other Act may be made available to facilitate in any way
6 the sale of M-833 antitank shells or any comparable anti-
7 tank shells containing a depleted uranium penetrating
8 component to any country other than (1) countries which
9 are members of NATO, (2) countries which have been des-
10 ignated as a major non-NATO ally for purposes of section
11 1105 of the National Defense Authorization Act for Fiscal
12 Year 1987, or (3) Taiwan: *Provided*, That funds may be
13 made available to facilitate the sale of such shells notwith-
14 standing the limitations of this section if the President
15 determines that to do so is in the national security interest
16 of the United States.

17 OPPOSITION TO ASSISTANCE TO TERRORIST COUNTRIES

18 BY INTERNATIONAL FINANCIAL INSTITUTIONS

19 SEC. 528. (a) INSTRUCTIONS FOR UNITED STATES
20 EXECUTIVE DIRECTORS.—The Secretary of the Treasury
21 shall instruct the United States Executive Director of each
22 international financial institution ~~to vote against~~ *des-*
23 *ignated in subsection (b), and the Administrator of the*
24 *Agency for International Development shall instruct the*
25 *United States Executive Director of the International Fund*
26 *for Agriculture Development, to use the voice and vote of*

1 *the United States to oppose* any loan or other use of the
2 funds of the respective institution to or for a country for
3 which the Secretary of State has made a determination
4 under section 6(j) of the Export Administration Act of
5 1979.

6 (b) DEFINITION.—For purposes of this section, the
7 term “international financial institution” includes—

8 (1) the International Bank for Reconstruction
9 and Development, the International Development
10 Association, and the International Monetary Fund;
11 and

12 (2) wherever applicable, the Inter-American De-
13 velopment Bank, the Asian Development Bank, the
14 African Development Bank, the African Develop-
15 ment Fund, and the European Bank for Reconstruc-
16 tion and Development.

17 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
18 COUNTRIES

19 SEC. 529. (a) Notwithstanding any other provision
20 of law, funds appropriated for bilateral assistance under
21 any heading of this Act and funds appropriated under any
22 such heading in a provision of law enacted prior to enact-
23 ment of this Act, shall not be made available to any coun-
24 try which the President determines—

1 (1) grants sanctuary from prosecution to any
2 individual or group which has committed an act of
3 international terrorism, or

4 (2) otherwise supports international terrorism.

5 (b) The President may waive the application of sub-
6 section (a) to a country if the President determines that
7 national security or humanitarian reasons justify such
8 waiver. The President shall publish each waiver in the
9 Federal Register and, at least fifteen days before the waiv-
10 er takes effect, shall notify the Committees on Appropria-
11 tions of the waiver (including the justification for the waiv-
12 er) in accordance with the regular notification procedures
13 of the Committees on Appropriations.

14 COMMERCIAL LEASING OF DEFENSE ARTICLES

15 SEC. 530. Notwithstanding any other provision of
16 law, and subject to the regular notification requirements
17 of the Committees on Appropriations, the authority of sec-
18 tion 23(a) of the Arms Export Control Act may be used
19 to provide financing to Israel and Egypt and NATO and
20 major non-NATO allies for the procurement by leasing
21 (including leasing with an option to purchase) of defense
22 articles from United States commercial suppliers, not in-
23 cluding Major Defense Equipment (other than helicopters
24 and other types of aircraft having possible civilian applica-
25 tion), if the President determines that there are compel-
26 ling foreign policy or national security reasons for those

1 defense articles being provided by commercial lease rather
2 than by government-to-government sale under such Act.

3 COMPETITIVE INSURANCE

4 SEC. 531. All Agency for International Development
5 contracts and solicitations, and subcontracts entered into
6 under such contracts, shall include a clause requiring that
7 United States marine insurance companies have a fair op-
8 portunity to bid for marine insurance when such insurance
9 is necessary or appropriate.

10 STINGERS IN THE PERSIAN GULF REGION

11 SEC. 532. Except as provided in section 581 of the
12 Foreign Operations, Export Financing, and Related Pro-
13 grams Appropriations Act, 1990, the United States may
14 not sell or otherwise make available any Stingers to any
15 country bordering the Persian Gulf under the Arms Ex-
16 port Control Act or chapter 2 of part II of the Foreign
17 Assistance Act of 1961.

18 PROHIBITION ON LEVERAGING AND DIVERSION OF
19 UNITED STATES ASSISTANCE

20 SEC. 533. (a) None of the funds appropriated by this
21 Act may be provided to any foreign government (including
22 any instrumentality or agency thereof), foreign person, or
23 United States person in exchange for that foreign govern-
24 ment or person undertaking any action which is, if carried
25 out by the United States Government, a United States of-

1 ficial or employee, expressly prohibited by a provision of
2 United States law.

3 (b) For the purposes of this section the term “funds
4 appropriated by this Act” includes only (1) assistance of
5 any kind under the Foreign Assistance Act of 1961; and
6 (2) credits, and guaranties under the Arms Export Con-
7 trol Act.

8 (c) Nothing in this section shall be construed to
9 limit—

10 (1) the ability of the President, the Vice Presi-
11 dent, or any official or employee of the United
12 States to make statements or otherwise express their
13 views to any party on any subject;

14 (2) the ability of an official or employee of the
15 United States to express the policies of the Presi-
16 dent; or

17 (3) the ability of an official or employee of the
18 United States to communicate with any foreign
19 country government, group or individual, either di-
20 rectly or through a third party, with respect to the
21 prohibitions of this section including the reasons for
22 such prohibitions, and the actions, terms, or condi-
23 tions which might lead to the removal of the prohibi-
24 tions of this section.

DEBT-FOR-DEVELOPMENT

1
2 SEC. 534. In order to enhance the continued partici-
3 pation of nongovernmental organizations in economic as-
4 sistance activities under the Foreign Assistance Act of
5 1961, including endowments, debt-for-development and
6 debt-for-nature exchanges, a nongovernmental organiza-
7 tion which is a grantee or contractor of the Agency for
8 International Development may place in interest bearing
9 accounts funds made available under this Act or prior *or*
10 *subsequent* Acts or local currencies which accrue to that
11 organization as a result of economic assistance provided
12 under the heading “Agency for International Develop-
13 ment” and any interest earned on such investment may
14 be for the purpose for which the assistance was provided
15 to that organization.

LOCATION OF STOCKPILES

16
17 SEC. 535. Section 514(b)(2) of the Foreign Assist-
18 ance Act of 1961 is amended by striking out
19 “\$389,000,000 for fiscal year 1993, of which amount not
20 less than \$200,000,000 shall be available for stockpiles in
21 Israel, and up to \$189,000,000 may be available for stock-
22 piles in the Republic of Korea” and inserting in lieu there-
23 of “\$200,000,000 for stockpiles in Israel for fiscal year
24 1994, *and up to \$72,000,000 may be made available for*
25 *stockpiles in the Republic of Korea*”.

ASSISTANCE FOR PAKISTAN

1
2 SEC. 536. (a) The date specified in section 620E(d)
3 of the Foreign Assistance Act of 1961 is amended to read
4 as follows: “September 30, 1994”.

5 (b) None of the funds appropriated in this Act shall
6 be obligated or expended for Pakistan except as provided
7 through the regular notification procedures of the Com-
8 mittees on Appropriations.

SEPARATE ACCOUNTS

9
10 SEC. 537. (a) SEPARATE ACCOUNTS FOR LOCAL
11 CURRENCIES.—(1) If assistance is furnished to the gov-
12 ernment of a foreign country under chapters 1 and 10 of
13 part I (including the Philippines Multilateral Assistance
14 Initiative) or chapter 4 of part II of the Foreign Assist-
15 ance Act of 1961 under agreements which result in the
16 generation of local currencies of that country, the Admin-
17 istrator of the Agency for International Development
18 shall—

19 (A) require that local currencies be deposited in
20 a separate account established by that government;

21 (B) enter into an agreement with that govern-
22 ment which sets forth—

23 (i) the amount of the local currencies to be
24 generated, and

1 (ii) the terms and conditions under which
2 the currencies so deposited may be utilized, con-
3 sistent with this section; and

4 (C) establish by agreement with that govern-
5 ment the responsibilities of the Agency for Inter-
6 national Development and that government to mon-
7 itor and account for deposits into and disbursements
8 from the separate account.

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

14 (A) to carry out chapters 1 or 10 of part I or
15 chapter 4 of part II (as the case may be), for such
16 purposes as—

17 (i) project and sector assistance activities,

18 or

19 (ii) debt and deficit financing; or

20 (B) for the administrative requirements of the
21 United States Government.

22 (3) PROGRAMMING ACCOUNTABILITY.—The Agency
23 for International Development shall take all appropriate
24 steps to ensure that the equivalent of the local currencies
25 disbursed pursuant to subsection (a)(2)(A) from the sepa-

1 rate account established pursuant to subsection (a)(1) are
2 used for the purposes agreed upon pursuant to subsection
3 (a)(2).

4 (4) TERMINATION OF ASSISTANCE PROGRAMS.—
5 Upon termination of assistance to a country under chap-
6 ters 1 or 10 of part I or chapter 4 of part II (as the case
7 may be), any unencumbered balances of funds which re-
8 main in a separate account established pursuant to sub-
9 section (a) shall be disposed of for such purposes as may
10 be agreed to by the government of that country and the
11 United States Government.

12 (5) CONFORMING AMENDMENTS.—The provisions of
13 this subsection shall supersede the tenth and eleventh pro-
14 visos contained under the heading “Sub-Saharan Africa,
15 Development Assistance” as included in the Foreign Oper-
16 ations, Export Financing, and Related Programs Appro-
17 priations Act, 1989 and sections 531(d) and 609 of the
18 Foreign Assistance Act of 1961.

19 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—
20 (1) If assistance is made available to the government of
21 a foreign country, under chapters 1 or 10 of part I (includ-
22 ing the Philippines Multilateral Assistance Initiative) or
23 chapter 4 of part II of the Foreign Assistance Act of 1961,
24 as cash transfer assistance or as nonproject sector assist-
25 ance, that country shall be required to maintain such

1 funds in a separate account and not commingle them with
2 any other funds.

3 (2) APPLICABILITY OF OTHER PROVISIONS OF
4 LAW.—Such funds may be obligated and expended not-
5 withstanding provisions of law which are inconsistent with
6 the nature of this assistance including provisions which
7 are referenced in the Joint Explanatory Statement of the
8 Committee of Conference accompanying House Joint Res-
9 olution 648 (H. Report No. 98–1159).

10 (3) NOTIFICATION.—At least fifteen days prior to ob-
11 ligating any such cash transfer or nonproject sector assist-
12 ance, the President shall submit a notification through the
13 regular notification procedures of the Committees on Ap-
14 propriations, which shall include a detailed description of
15 how the funds proposed to be made available will be used,
16 with a discussion of the United States interests that will
17 be served by the assistance (including, as appropriate, a
18 description of the economic policy reforms that will be pro-
19 moted by such assistance).

20 (4) EXEMPTION.—Nonproject sector assistance funds
21 may be exempt from the requirements of subsection (b)(1)
22 only through the notification procedures of the Commit-
23 tees on Appropriations.

1 COMPENSATION FOR UNITED STATES EXECUTIVE
2 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

3 SEC. 538. (a) No funds appropriated by this Act may
4 be made as payment to any international financial institu-
5 tion while the United States Executive Director to such
6 institution is compensated by the institution at a rate
7 which, together with whatever compensation such Director
8 receives from the United States, is in excess of the rate
9 provided for an individual occupying a position at level IV
10 of the Executive Schedule under section 5315 of title 5,
11 United States Code, or while any alternate United States
12 Director to such institution is compensated by the institu-
13 tion at a rate in excess of the rate provided for an individ-
14 ual occupying a position at level V of the Executive Sched-
15 ule under section 5316 of title 5, United States Code.

16 (b) For purposes of this section, “international finan-
17 cial institutions” are: the International Bank for Recon-
18 struction and Development, the Inter-American Develop-
19 ment Bank, the Asian Development Bank, the Asian De-
20 velopment Fund, the African Development Bank, the Afri-
21 can Development Fund, the International Monetary Fund,
22 and the European Bank for Reconstruction and Develop-
23 ment.

1 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST
2 IRAQ

3 SEC. 539. (a) DENIAL OF ASSISTANCE.—None of the
4 funds appropriated or otherwise made available pursuant
5 to this Act to carry out the Foreign Assistance Act of
6 1961 (including title IV of chapter 2 of part I, relating
7 to the Overseas Private Investment Corporation) or the
8 Arms Export Control Act may be used to provide assist-
9 ance to any country that is not in compliance with the
10 United Nations Security Council sanctions against Iraq
11 unless the President determines and so certifies to the
12 Congress that—

13 (1) such assistance is in the national interest of
14 the United States;

15 (2) such assistance will directly benefit the
16 needy people in that country; or

17 (3) the assistance to be provided will be human-
18 itarian assistance for foreign nationals who have fled
19 Iraq and Kuwait.

20 (b) IMPORT SANCTIONS.—If the President considers
21 that the taking of such action would promote the effective-
22 ness of the economic sanctions of the United Nations and
23 the United States imposed with respect to Iraq, and is
24 consistent with the national interest, the President may
25 prohibit, for such a period of time as he considers appro-

1 piate, the importation into the United States of any or
2 all products of any foreign country that has not prohib-
3 ited—

4 (1) the importation of products of Iraq into its
5 customs territory, and

6 (2) the export of its products to Iraq.

7 POW/MIA MILITARY DRAWDOWN

8 SEC. 540. (a) Notwithstanding any other provision
9 of law, the President may direct the drawdown, without
10 reimbursement by the recipient, of defense articles from
11 the stocks of the Department of Defense, defense services
12 of the Department of Defense, and military education and
13 training, of an aggregate value not to exceed \$15,000,000
14 in fiscal year 1994, as may be necessary to carry out sub-
15 section (b).

16 (b) Such defense articles, services and training may
17 be provided to Cambodia and Laos, under subsection (a)
18 as the President determines are necessary to support ef-
19 forts to locate and repatriate members of the United
20 States Armed Forces and civilians employed directly or in-
21 directly by the United States Government who remain un-
22 accounted for from the Vietnam War, and to ensure the
23 safety of United States Government personnel engaged in
24 such cooperative efforts and to support United States De-
25 partment of Defense-sponsored humanitarian projects as-
26 sociated with the POW/MIA efforts. Any aircraft shall be

1 provided under this section only to Laos and only on a
2 lease or loan basis, but may be provided at no cost not-
3 withstanding section 61 of the Arms Export Control Act
4 and may be maintained with defense articles, services and
5 training provided under this section.

6 (c) The President shall, within sixty days of the end
7 of any fiscal year in which the authority of subsection (a)
8 is exercised, submit a report to the Congress which identi-
9 fies the articles, services, and training drawn down under
10 this section.

11 (d) There are authorized to be appropriated to the
12 President such sums as may be necessary to reimburse
13 the applicable appropriation, fund, or account for defense
14 articles, defense services, and military education and
15 training provided under this section.

16 MEDITERRANEAN EXCESS DEFENSE ARTICLES

17 SEC. 541. During fiscal year 1994, the provisions of
18 section 573(e) of the Foreign Operations, Export Financ-
19 ing, and Related Programs Appropriations Act, 1990,
20 shall be applicable, for the period specified therein, to ex-
21 cess defense articles made available under sections 516
22 and 519 of the Foreign Assistance Act of 1961.

23 PRIORITY DELIVERY OF EQUIPMENT

24 SEC. 542. Notwithstanding any other provision of
25 law, the delivery of excess defense articles that are to be
26 transferred on a grant basis under section 516 of the For-

1 eign Assistance Act to NATO allies and to major non-
2 NATO allies on the southern and southeastern flank of
3 NATO shall be given priority to the maximum extent fea-
4 sible over the delivery of such excess defense articles to
5 other countries.

6 ISRAEL DRAWDOWN

7 SEC. 543. Section 599B(a) of the Foreign Oper-
8 ations, Export Financing, and Related Programs Appro-
9 priations Act, 1991 (as amended by Public Law 102-145,
10 as amended, and Public Law 102-391), is further amend-
11 ed—

12 (a) by striking out “fiscal year 1993” and in-
13 serting in lieu thereof “fiscal year 1994”; and

14 (b) by striking out “Appropriations Act, 1993”
15 and inserting in lieu thereof “Appropriations Act,
16 1994”.

17 CASH FLOW FINANCING

18 SEC. 544. For each country that has been approved
19 for cash flow financing (as defined in section 25(d) of the
20 Arms Export Control Act, as added by section 112(b) of
21 Public Law 99-83) under the Foreign Military Financing
22 Program, any Letter of Offer and Acceptance or other
23 purchase agreement, or any amendment thereto, for a pro-
24 curement in excess of \$100,000,000 that is to be financed
25 in whole or in part with funds made available under this

1 Act shall be submitted through the regular notification
2 procedures to the Committees on Appropriations.

3 **RESCISSION**

4 ~~SEC. 545. Of the unexpended balances of funds (in-~~
5 ~~cluding earmarked funds) made available for fiscal years~~
6 ~~1987 through 1993 to carry out the provisions of chapter~~
7 ~~4 of part II of the Foreign Assistance Act of 1961,~~
8 ~~\$185,000,000 are rescinded.~~

9 *RESCISSIONS*

10 *SEC. 545. (a) Of the unexpended balances of funds (in-*
11 *cluding earmarked funds) made available for fiscal years*
12 *1987 through 1993 to carry out the provisions of chapter*
13 *4 of part II of the Foreign Assistance Act of 1961,*
14 *\$250,000,000 are rescinded.*

15 *(b) Of the unexpended balances of funds (including*
16 *earmarked funds) appropriated for fiscal year 1993 and*
17 *prior fiscal years to carry out the provisions of sections 103*
18 *through 106 of the Foreign Assistance Act of 1961,*
19 *\$5,100,000 are rescinded.*

20 **AUTHORITIES FOR THE PEACE CORPS, THE INTER-AMER-**
21 **ICAN FOUNDATION AND THE AFRICAN DEVELOP-**
22 **MENT FOUNDATION**

23 **SEC. 546. Unless expressly provided to the contrary,**
24 **provisions of this or any other Act, including provisions**
25 **contained in prior Acts authorizing or making appropria-**
26 **tions for foreign operations, export financing, and related**

1 programs, shall not be construed to prohibit activities au-
2 thorized by or conducted under the Peace Corps Act, the
3 Inter-American Foundation Act, or the African Develop-
4 ment Foundation Act. The appropriate agency shall
5 promptly report to the Committees on Appropriations
6 whenever it is conducting activities or is proposing to con-
7 duct activities in a country for which assistance is prohib-
8 ited.

9 IMPACT ON JOBS IN THE UNITED STATES

10 SEC. 547. None of the funds appropriated by this Act
11 may be obligated or expended to provide—

12 (a) any financial incentive to a business enter-
13 prise currently located in the United States for the
14 purpose of inducing such an enterprise to relocate
15 outside the United States if such incentive or in-
16 ducement is likely to reduce the number of employ-
17 ees of such business enterprise in the United States
18 because United States production is being replaced
19 by such enterprise outside the United States;

20 (b) assistance for the purpose of establishing or
21 developing in a foreign country any export process-
22 ing zone or designated area in which the tax, tariff,
23 labor, environment, and safety laws of that country
24 do not apply, in part or in whole, to activities car-
25 ried out within that zone or area, unless the Presi-
26 dent determines and certifies that such assistance is

1 not likely to cause a loss of jobs within the United
2 States; or

3 (c) assistance for any project or activity that
4 contributes to the violation of internationally recog-
5 nized workers rights, as defined in section 502(a)(4)
6 of the Trade Act of 1974, of workers in the recipient
7 country, including any designated zone or area in
8 that country: *Provided*, That in recognition that the
9 application of this subsection should be commensu-
10 rate with the level of development of the recipient
11 country and sector, the provisions of this subsection
12 shall not preclude assistance for the informal sector
13 in such country, micro and small-scale enterprise,
14 and smallholder agriculture.

15 AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

16 SEC. 548. (a) Congress finds as follows:

17 (1) The United Nations has imposed an embar-
18 go on the transfer of arms to any country on the
19 territory of the former Yugoslavia.

20 (2) The federated states of Serbia and
21 Montenegro have a large supply of military equip-
22 ment and ammunition and the Serbian forces fight-
23 ing the government of Bosnia-Hercegovina have
24 more than one thousand battle tanks, armored vehi-
25 cles, and artillery pieces.

1 (3) Because the United Nations arms embargo
2 is serving to sustain the military advantage of the
3 aggressor, the United Nations should exempt the
4 government of Bosnia-Herzegovina from its embar-
5 go.

6 (b) Pursuant to a lifting of the United Nations arms
7 embargo against Bosnia-Herzegovina, the President is au-
8 thorized to transfer to the government of that nation,
9 without reimbursement, defense articles from the stocks
10 of the Department of Defense of an aggregate value not
11 to exceed \$50,000,000 in fiscal year 1994: *Provided*, That
12 the President certifies in a timely fashion to the Congress
13 that—

14 (1) the transfer of such articles would assist
15 that nation in self-defense and thereby promote the
16 security and stability of the region; and

17 (2) United States allies are prepared to join in
18 such a military assistance effort.

19 (c) Within 60 days of any transfer under the author-
20 ity provided in subsection (b), and every 60 days there-
21 after, the President shall report in writing to the Speaker
22 of the House of Representatives and the President pro
23 tempore of the Senate concerning the articles transferred
24 and the disposition thereof.

1 (d) There are authorized to be appropriated to the
2 President such sums as may be necessary to reimburse
3 the applicable appropriation, fund, or account for defense
4 articles provided under this section.

5 (e) *If the President determines that doing so will con-*
6 *tribute to a just resolution of charges regarding genocide*
7 *or other violations of international law in the former Yugo-*
8 *slavia, the authority of section 552(c) of the Foreign Assist-*
9 *ance Act of 1961, as amended, may be used to provide up*
10 *to \$25,000,000 of commodities and services to the United*
11 *Nations War Crimes Tribunal, without regard to the ceiling*
12 *limitation contained in paragraph (2) thereof: Provided,*
13 *That the determination required under this subsection shall*
14 *be in lieu of any determinations otherwise required under*
15 *section 552(c).*

16 (f) *Of the funds appropriated by this Act (including*
17 *title VI of this Act), not less than \$3,000,000 shall be made*
18 *available for the United Nations War Crimes Tribunal, not-*
19 *withstanding any other provision of law.*

20 SPECIAL AUTHORITIES

21 SEC. 549. (a) Funds appropriated in title II of this
22 Act that are made available for Haiti, Afghanistan, Leb-
23 anon, and Cambodia, and for victims of war, displaced
24 children, displaced Burmese, humanitarian assistance for
25 Romania, and humanitarian assistance for the peoples of
26 Bosnia-Herzegovina, Croatia, and Kosova, may be made

1 available notwithstanding any other provision of law: *Pro-*
2 *vided*, That any such funds that are made available for
3 Cambodia shall be subject to the provisions of section
4 531(e) of the Foreign Assistance Act of 1961 and section
5 906 of the International Security and Development Co-
6 operation Act of 1985: *Provided further*, That the Presi-
7 dent shall terminate assistance to any Cambodian organi-
8 zation that he determines is cooperating, tactically or stra-
9 tegically, with the Khmer Rouge in their military oper-
10 ations.

11 (b) Funds appropriated by this Act to carry out the
12 provisions of sections 103 through 106 of the Foreign As-
13 sistance Act of 1961 may be used, notwithstanding any
14 other provision of law, for the purpose of supporting tropi-
15 cal forestry and energy programs aimed at reducing emis-
16 sions of greenhouse gases with regard to the key countries
17 in which deforestation and energy policy would make a
18 significant contribution to global warming: *Provided*, That
19 such assistance shall be subject to sections 116, 502B, and
20 620A of the Foreign Assistance Act of 1961.

21 (c) *During fiscal year 1994, the President may use up*
22 *to \$50,000,000 under the authority of section 451 of the*
23 *Foreign Assistance Act of 1961, notwithstanding the fund-*
24 *ing ceiling contained in subsection (a) of that section.*

1 (5) with real progress being made in the Middle
2 East peace process and the serious confidence-build-
3 ing measures taken by the State of Israel, and end
4 to the Arab boycott of Israel and of American com-
5 panies that have commercial ties with Israel is long
6 overdue and would represent a significant con-
7 fidence-building measure; and

8 (6) in the interest of Middle East peace and
9 free commerce, the President must take more con-
10 crete steps to press the Arab states to end their
11 practice of blacklisting and boycotting American
12 companies that have trade ties with Israel.

13 (b) POLICY.—It is the sense of the Congress that—

14 (1) the Arab League countries should imme-
15 diately and publicly renounce the primary boycott of
16 Israel and the secondary and tertiary boycott of
17 American firms that have commercial ties with Is-
18 rael; and

19 (2) the President should—

20 (A) take more concrete steps to encourage
21 vigorously Arab League countries to renounce
22 publicly the primary boycotts of Israel and the
23 secondary and tertiary boycotts of American
24 firms that have commercial relations with Israel
25 as a confidence-building measure;

1 (B) take into consideration the participa-
2 tion of any recipient country in the primary
3 boycott of Israel and the secondary and tertiary
4 boycotts of American firms that have commer-
5 cial relations with Israel when determining
6 whether to sell weapons to said country;

7 (C) report to Congress on the specific
8 steps being taken by the President to bring
9 about a public renunciation of the Arab primary
10 boycott of Israel and the secondary and tertiary
11 boycotts of American firms that have commer-
12 cial relations with Israel; and

13 (D) encourage the allies and trading part-
14 ners of the United States to enact laws prohib-
15 iting businesses from complying with the boy-
16 cott and penalizing businesses that do comply.

17 *ANTI-NARCOTICS ACTIVITIES*

18 *SEC. 551. (a) Of the funds appropriated by this Act*
19 *under the heading "Economic Support Fund", assistance*
20 *may be provided as follows:*

21 *(1) To strengthen the administration of justice*
22 *in countries in Latin America and the Caribbean in*
23 *accordance with the provisions of section 534 of the*
24 *Foreign Assistance Act of 1961, except that programs*
25 *to enhance protection of participants in judicial cases*

1 *shall not be construed to restrict assistance in support of*
2 *programs of nongovernmental organizations from funds ap-*
3 *propriated by this Act to carry out the provisions of chap-*
4 *ters 1 and 10 of part I of the Foreign Assistance Act of*
5 *1961: Provided, That the President shall take into consider-*
6 *ation, in any case in which a restriction on assistance*
7 *would be applicable but for this subsection, whether assist-*
8 *ance in support of programs of nongovernmental organiza-*
9 *tions is in the national interest of the United States: Pro-*
10 *vided further, That before using the authority of this sub-*
11 *section to furnish assistance in support of programs of non-*
12 *governmental organizations, the President shall notify the*
13 *Committees on Appropriations under the regular notifica-*
14 *tion procedures of those committees, including a description*
15 *of the program to be assisted, the assistance to be provided,*
16 *and the reasons for furnishing such assistance: Provided*
17 *further, That nothing in this subsection shall be construed*
18 *to alter any existing statutory prohibitions against abortion*
19 *or involuntary sterilizations contained in this or any other*
20 *Act.*

21 *(b) PUBLIC LAW 480.—During fiscal year 1994, re-*
22 *strictions contained in this or any other Act with respect*
23 *to assistance for a country shall not be construed to restrict*
24 *assistance under titles I and II of the Agricultural Trade*
25 *Development and Assistance Act of 1954: Provided, That*

1 *none of the funds appropriated to carry out title I of such*
2 *Act and made available pursuant to this subsection may*
3 *be obligated or expended except as provided through the reg-*
4 *ular notification procedures of the Committees on Appro-*
5 *priations.*

6 (c) *EXCEPTION.—This section shall not apply—*

7 (1) *with respect to section 529 of this Act or any*
8 *comparable provision of law prohibiting assistance to*
9 *countries that support international terrorism; or*

10 (2) *with respect to section 116 of the Foreign As-*
11 *sistance Act of 1961 or any comparable provision of*
12 *law prohibiting assistance to countries that violate*
13 *internationally recognized human rights.*

14 *EARMARKS*

15 *SEC. 553. (a) Funds appropriated by this Act which*
16 *are earmarked may be reprogrammed for other programs*
17 *within the same account notwithstanding the earmark if*
18 *compliance with the earmark is made impossible by oper-*
19 *ation of any provision of this or any other Act or, with*
20 *respect to a country with which the United States has an*
21 *agreement providing the United States with base rights or*
22 *base access in that country, if the President determines that*
23 *the recipient for which funds are earmarked has signifi-*
24 *cantly reduced its military or economic cooperation with*
25 *the United States since enactment of the Foreign Oper-*
26 *ations, Export Financing, and Related Programs Appro-*

1 *priations Act, 1991; however, before exercising the authority*
2 *of this subsection with regard to a base rights or base access*
3 *country which has significantly reduced its military or eco-*
4 *nomie cooperation with the United States, the President*
5 *shall consult with, and shall provide a written policy jus-*
6 *tification to the Committees on Appropriations: Provided,*
7 *That any such reprogramming shall be subject to the regu-*
8 *lar notification procedures of the Committees on Appropria-*
9 *tions: Provided further, That assistance that is repro-*
10 *grammed pursuant to this subsection shall be made avail-*
11 *able under the same terms and conditions as originally pro-*
12 *vided.*

13 *(b) In addition to the authority contained in sub-*
14 *section (a), the original period of availability of funds ap-*
15 *propriated by this Act and administered by the Agency for*
16 *International Development that are earmarked for particu-*
17 *lar programs or activities by this or any other Act shall*
18 *be extended for an additional fiscal year if the Adminis-*
19 *trator of such agency determines and reports promptly to*
20 *the Committees on Appropriations that the termination of*
21 *assistance to a country or a significant change in cir-*
22 *cumstances makes it unlikely that such earmarked funds*
23 *can be obligated during the original period of availability:*
24 *Provided, That such earmarked funds that are continued*

1 *available for an additional fiscal year shall be obligated*
2 *only for the purpose of such earmark.*

3 *CEILINGS AND EARMARKS*

4 *SEC. 554. Ceilings and earmarks contained in this Act*
5 *shall not be applicable to funds or authorities appropriated*
6 *or otherwise made available by any subsequent Act unless*
7 *such Act specifically so directs.*

8 *EXCESS DEFENSE ARTICLES*

9 *SEC. 555. The authority of section 519 of the Foreign*
10 *Assistance Act of 1961, as amended, may be used in fiscal*
11 *year 1994 to provide nonlethal excess defense articles to*
12 *countries for which receipt of such articles was separately*
13 *justified for the fiscal year, without regard to the restric-*
14 *tions in subsection (a) of that section.*

15 *TERMINATION*

16 *SEC. 556. For the purpose of making an equitable set-*
17 *tlement of termination claims under extraordinary contrac-*
18 *tual relief standards, the President may adopt as a contract*
19 *or other obligation of the United States Government, and*
20 *assume (in whole or in part) any liabilities arising there-*
21 *under, any contract with a United States or third-country*
22 *contractor that had been funded with assistance under this*
23 *Act prior to the termination of assistance.*

24 *REAL PROPERTY MANAGEMENT*

25 *SEC. 557. Any funds remaining in the Acquisition of*
26 *Property Revolving Fund administered by the Agency for*

1 *International Development may be transferred to, and con-*
2 *solidated and merged with, funds in the Property Manage-*
3 *ment Fund established pursuant to section 585 of the For-*
4 *ign Operations, Export Financing, and Related Programs*
5 *Appropriations Act, 1991 (Public Law 101–513).*

6 *ASSISTANCE FOR DISADVANTAGED SOUTH AFRICANS*

7 *SEC. 558. (a) Assistance may be provided pursuant*
8 *to the authority contained in section 116(e)(2) of the For-*
9 *ign Assistance Act of 1961, notwithstanding subsection*
10 *(e)(2)(C) of that section.*

11 *(b) Assistance may be provided pursuant to the au-*
12 *thority contained in section 116(f) of the Foreign Assistance*
13 *Act of 1961, notwithstanding paragraph (2) of that sub-*
14 *section.*

15 *(c) In making grants under the authority of section*
16 *116(e)(2), the fourth sentence of subsection 116(e)(2)(B)*
17 *shall not apply to a nongovernmental organization financed*
18 *or controlled by the Government of South Africa if (1) such*
19 *organization meets the criteria specified in the first three*
20 *sentences of subparagraph (B), and (2) the President deter-*
21 *mines that (A) the activities of that organization further*
22 *the purposes of the establishment of a non-racial democratic*
23 *state in South Africa, (B) the provision of assistance to that*
24 *organization will further the objective of assisting disadvan-*
25 *tagged South Africans, and (C) the Government of South Af-*
26 *rica is continuing to make progress toward dismantling*

1 *apartheid and establishing a nonracial democracy. Before*
2 *making such determinations, the President shall consult*
3 *with the appropriate congressional committees and with*
4 *South African organizations that are representative of the*
5 *majority population of South Africa and should seek a com-*
6 *mitment from the Government of South Africa that it will*
7 *provide additional resources to meet the needs of disadvan-*
8 *tagged South Africans. As used in the preceding sentence,*
9 *the term "appropriate congressional committees" means the*
10 *Committee on Appropriations and the Committee on For-*
11 *ign Affairs of the House of Representatives and the Com-*
12 *mittee on Appropriations and the Committee on Foreign*
13 *Relations of the Senate. The provisions of this subsection*
14 *shall also be applicable to assistance provided pursuant to*
15 *section 117 of the Foreign Assistance Act of 1961, relating*
16 *to assistance for disadvantaged South Africans.*

17 *PROHIBITION AGAINST PAY TO FOREIGN ARMED SERVICE*

18 *MEMBER*

19 *SEC. 559. None of the funds appropriated in this Act*
20 *nor any of the counterpart funds generated as a result of*
21 *assistance hereunder or any prior Act shall be used to pay*
22 *pensions, annuities, or retirement pay for any person here-*
23 *tofore or hereafter serving in the armed forces of any recipi-*
24 *ent country.*

1 *PROHIBITION ON PUBLICITY OR PROPAGANDA*

2 *SEC. 560. No part of any appropriation contained in*
3 *this Act shall be used for publicity or propaganda purposes*
4 *within the United States not authorized before the date of*
5 *enactment of this Act by the Congress.*

6 *DISADVANTAGED ENTERPRISES*

7 *SEC. 561. (a) Except to the extent that the Adminis-*
8 *trator of the Agency for International Development of the*
9 *Foreign Assistance Act of 1961 determines otherwise, not*
10 *less than 10 percent of the aggregate amount made available*
11 *for the current fiscal year for the “Development Assistance*
12 *Fund”, “Population, Development Assistance”, and the*
13 *“Development Fund for Africa” shall be made available*
14 *only for activities of United States organizations and indi-*
15 *viduals that are—*

16 *(1) business concerns owned and controlled by*
17 *socially and economically disadvantaged individuals,*

18 *(2) historically black colleges and universities,*

19 *(3) colleges and universities having a student*
20 *body in which more than 40 per centum of the stu-*
21 *dents are Hispanic American, and*

22 *(4) private voluntary organizations which are*
23 *controlled by individuals who are socially and eco-*
24 *nomically disadvantaged.*

25 *(b)(1) In addition to other actions taken to carry out*
26 *this section, the actions described in paragraphs (2) through*

1 *(5) shall be taken with respect to development assistance*
2 *and assistance for sub-Saharan Africa for the current fiscal*
3 *year.*

4 *(2) Notwithstanding any other provision of law, in*
5 *order to achieve the goals of this section, the Adminis-*
6 *trator—*

7 *(A) to the maximum extent practicable, shall uti-*
8 *lize the authority of section 8(a) of the Small Busi-*
9 *ness Act (15 U.S.C. 637(a));*

10 *(B) to the maximum extent practicable, shall*
11 *enter into contracts with small business concerns*
12 *owned and controlled by socially and economically*
13 *disadvantaged individuals, and organizations con-*
14 *tained in paragraphs (2) through (4) of subsection*
15 *(a)—*

16 *(i) using less than full and open competitive*
17 *procedures under such terms and conditions as*
18 *the Administrator deems appropriate, and*

19 *(ii) using an administrative system for jus-*
20 *tifications and approvals that, in the Adminis-*
21 *trator's discretion, may best achieve the purpose*
22 *of this section; and*

23 *(C) shall issue regulations to require that any*
24 *contract in excess of \$500,000 contain a provision re-*
25 *quiring that no less than 10 per centum of the dollar*

1 *value of the contract be subcontracted to entities de-*
2 *scribed in subsection (a), except—*

3 *(i) to the extent the Administrator deter-*
4 *mines otherwise on a case-by-case or category-of-*
5 *contract basis; and*

6 *(ii) this subparagraph does not apply to*
7 *any prime contractor that is an entity described*
8 *in subsection (a).*

9 *(3) Each person with contracting authority who is at-*
10 *tached to the Agency's headquarters in Washington, as well*
11 *as all Agency missions and regional offices, shall notify the*
12 *Agency's Office of Small and Disadvantaged Business Utili-*
13 *zation at least seven business days before advertising a con-*
14 *tract in excess of \$100,000, except to the extent that the*
15 *Administrator determines otherwise on a case-by-case or*
16 *category-of-contract basis.*

17 *(4) The Administrator shall include, as part of the per-*
18 *formance evaluation of any mission director of the agency,*
19 *the mission director's efforts to carry out this section.*

20 *(5) The Administrator shall submit to the Congress an-*
21 *nual reports on the implementation of this section. Each*
22 *such report shall specify the number and dollar value or*
23 *amount (as the case may be) of prime contracts, sub-*
24 *contracts, grants, and cooperative agreements awarded to*

1 *entities described in subsection (a) during the preceding fis-*
2 *cal year.*

3 *(c) As used in this section, the term “socially and eco-*
4 *nomically disadvantaged individuals” has the same mean-*
5 *ing that term is given for purposes of section 8(d) of the*
6 *Small Business Act, except that the term includes women.*

7 *HUMAN RIGHTS REPORT*

8 *SEC. 562. (a) Section 511(b) of the Foreign Oper-*
9 *ations, Export Financing, and Related Programs Appro-*
10 *priations Act, 1993 (Public Law 102–391) is amended to*
11 *read as follows:*

12 *“(b) HUMAN RIGHTS REPORT.—The Secretary of*
13 *State shall also transmit the report required by section*
14 *116(d) of the Foreign Assistance Act of 1961 to the Commit-*
15 *tees on Appropriations each year by the date specified in*
16 *that section: Provided, That each such report submitted*
17 *pursuant to such section shall include (1) a review of each*
18 *country’s commitment to children’s rights and welfare; (2)*
19 *a description of the extent to which indigenous people are*
20 *able to participate in decisions affecting their lands, cul-*
21 *tures, traditions and the allocation of natural resources,*
22 *and assess the extent of protection of their civil and political*
23 *rights; and (3) an examination of discrimination toward*
24 *people with disabilities: Provided further, That a separate*
25 *report, which shall be entitled ‘Annual Report on Military*
26 *Expenditures’, shall be submitted (at the same time as the*

1 *report required by section 116(d)) which shall contain a*
2 *description of the military expenditures of each country and*
3 *the efforts it is making to reduce those expenditures, and*
4 *should include for each country—*

5 “(1) *an updated estimate of current military*
6 *spending and a description of trends in spending in*
7 *real terms, using methodology such as that developed*
8 *by the Arms Control and Disarmament Agency;*

9 “(2) *an updated estimate of current spending on*
10 *health care and education;*

11 “(3) *a description of the size and political role*
12 *of the armed forces, including an assessment of the*
13 *ability of civilian authorities to appoint and remove*
14 *military officers;*

15 “(4) *an assessment of the feasibility of substan-*
16 *tially reducing military spending;*

17 “(5) *a description of efforts by each country and*
18 *the United States to encourage such reductions, in-*
19 *cluding collaborative efforts with other donors and*
20 *arms suppliers; and*

21 “(6) *a description of the country’s efforts to make*
22 *such reductions, including its willingness to provide*
23 *accurate military spending data to relevant inter-*
24 *national organizations and accurate data to the*
25 *United Nations Register of Conventional Arms, and*

1 *ASSISTANCE FOR THE NEW INDEPENDENT STATES OF THE*
2 *FORMER SOVIET UNION*

3 *SEC. 565. (a) Funds appropriated by this Act under*
4 *the heading "Assistance for the New Independent States of*
5 *the Former Soviet Union", and funds appropriated by the*
6 *Supplemental Appropriations for the New Independent*
7 *States of the Former Soviet Union Act, 1993, shall be avail-*
8 *able for economic assistance and for related programs as*
9 *follows:*

10 *(1) \$895,000,000 shall be provided for the pur-*
11 *pose of private sector development including through*
12 *the support of bilateral and multilateral enterprise*
13 *funds, technical assistance and training, agribusiness*
14 *programs and agricultural credit, financing and tech-*
15 *nical assistance for small and medium private enter-*
16 *prises, and privatization efforts.*

17 *(2) \$125,000,000 shall be provided for the pur-*
18 *pose of a special privatization and restructuring*
19 *fund: Provided, That the United States contribution*
20 *for such fund shall not exceed one-quarter of the ag-*
21 *gregate amount being made available for such fund by*
22 *all countries.*

23 *(3) \$185,000,000 shall be provided for the pur-*
24 *pose of enhancing trade with and investment in the*
25 *new independent states of the former Soviet Union,*

1 *including through energy and environment commod-*
2 *ity import assistance, costs of loans and loan guaran-*
3 *tees and the provision of trade and investment tech-*
4 *nical assistance.*

5 (4) *\$295,000,000 shall be provided for the pur-*
6 *pose of enhancing democratic initiatives, including*
7 *through the support of a comprehensive program of*
8 *exchanges and training, assistance designed to foster*
9 *the rule of law, and encouragement of independent*
10 *media.*

11 (5) *\$190,000,000 shall be provided for the pur-*
12 *pose of supporting troop withdrawal, including*
13 *through the support of an officer resettlement pro-*
14 *gram, and technical assistance for the housing sector.*

15 (6) *\$285,000,000 shall be provided for the pur-*
16 *pose of supporting the energy and environment sec-*
17 *tors, including such programs as nuclear reactor safe-*
18 *ty, and technical assistance to foster the efficiency*
19 *and privatization of the energy sector and making*
20 *that sector more environmentally responsible.*

21 (7) *\$239,000,000 shall be provided for humani-*
22 *tarian assistance purposes, including to provide vac-*
23 *cines and medicines for vulnerable populations, to as-*
24 *sist in the establishment of a sustainable pharma-*

1 *ceutical industry, to provide food assistance, and to*
2 *meet other urgent humanitarian needs.*

3 *(b) Funds allocated for any of the paragraphs under*
4 *subsection (a) of this section may be reallocated for the pur-*
5 *poses of any other such paragraph, or may be reallocated*
6 *for other economic assistance and related programs in fur-*
7 *therance of the objectives of the FREEDOM Support Act,*
8 *if at least 15 days prior to such reallocation, the Commit-*
9 *tees on Appropriations are notified in accordance with reg-*
10 *ular notification procedures.*

11 *(c) Funds made available in this Act for assistance*
12 *to the New Independent States of the former Soviet Union*
13 *shall be provided to the maximum extent feasible through*
14 *the private sector, including private voluntary organiza-*
15 *tions and nongovernmental organizations functioning in*
16 *the New Independent States.*

17 *(d) Of the funds appropriated by titles II and VI of*
18 *this Act under the headings “Assistance for the New Inde-*
19 *pendent States of the Former Soviet Union” and “Oper-*
20 *ations and Maintenance, Defense Agencies”, and title IV,*
21 *not less than \$300,000,000 shall be made available for*
22 *Ukraine.*

23 *(e) None of the funds appropriated by this or any other*
24 *Act, shall be transferred to the Government of Russia—*

1 (1) unless that Government is making substan-
2 tial progress in implementing comprehensive eco-
3 nomic reforms based on market principles, private
4 ownership, respect for commercial contracts, and
5 elimination of arbitrary or discriminatory taxes ad-
6 verse to foreign private investment; and

7 (2) if that Government applies or transfers Unit-
8 ed States assistance to any entity for the purpose of
9 expropriating or seizing ownership or control of as-
10 sets, investments, or ventures in violation of an exist-
11 ing contract with a United States private enterprise.

12 ANDEAN NARCOTICS INITIATIVE

13 SEC. 566. None of the funds appropriated by this Act
14 under the headings “Economic Support Fund” and “For-
15 eign Military Financing Program” may be made available
16 for the Andean Narcotics Initiative until the Secretary of
17 State consults with, and provides a new Andean counter-
18 narcotics strategy (including budget estimates) to, the Com-
19 mittees on Appropriations.

20 LIMITATIONS ON ASSISTANCE FOR NICARAGUA

21 SEC. 567. (a) None of the funds appropriated by this
22 Act under the heading “Economic Support Fund” may be
23 made available to the Government of Nicaragua until the
24 Secretary of State determines and reports in writing to the
25 appropriate committees that—

1 (1) *there has been a full and independent inves-*
2 *tigation conducted relating to issues raised by the dis-*
3 *covery, after the May 23 explosion in Managua, of*
4 *weapons caches, false passports, identity papers and*
5 *other documents, suggesting the existence of a terror-*
6 *ist/kidnapping ring; and*

7 (2) *any individuals identified by the investiga-*
8 *tion cited in paragraph (1) as being part of such*
9 *ring, including all government officials (including*
10 *any members of the armed forces or security forces)*
11 *are being prosecuted.*

12 (b) *In addition to subsection (a), funds appropriated*
13 *by this Act under the heading “Economic Support Fund”*
14 *may only be made available to the Government of Nica-*
15 *ragua upon the notification, in writing, by the Secretary*
16 *of State to the appropriate committees that he has deter-*
17 *mined that significant and tangible progress is being made*
18 *by the Government of Nicaragua toward—*

19 (1) *the resolution of expropriation claims and*
20 *the effective compensation of legitimate claims;*

21 (2) *the timely implementation of recommenda-*
22 *tions made by the Tripartite Commission as it under-*
23 *takes to review and identify those responsible for gross*
24 *human rights violations, including the expeditious*

1 *prosecution of individuals identified by the commis-*
2 *sion in connection with such violations;*

3 (3) *the enactment into law of legislation to re-*
4 *form the Nicaraguan military and security forces in*
5 *order to guarantee civilian control over the armed*
6 *forces;*

7 (4) *the establishment of civilian control over the*
8 *police, and the independence of the police from the*
9 *military; and*

10 (5) *the effective reform of the Nicaraguan judi-*
11 *cial system.*

12 (c) *The notification pursuant to subsection (b) shall*
13 *include a detailed listing of the tangible evidence that forms*
14 *the basis for such determination.*

15 (d) *For purposes of this section, the term “appropriate*
16 *committees” means the Committees on Foreign Relations*
17 *and Appropriations of the Senate and the Committees on*
18 *Foreign Affairs and Appropriations of the House of Rep-*
19 *resentatives.*

20 *LIMITATIONS ON ASSISTANCE FOR HAITI*

21 *SEC. 568. (a) Notwithstanding any provision of this*
22 *or any other Act, none of the funds appropriated by this*
23 *Act may be obligated or expended for the purpose of mili-*
24 *tary-related civic action programs, police training, or mili-*
25 *tary training for Haiti—*

1 (1) prior to October 30, 1993, unless such pro-
2 grams or training constitutes an integral part of a
3 United Nations-sponsored, multilateral initiative in
4 furtherance of the implementation of the Governor's
5 Island Accords, signed on July 3, 1993; and

6 (2) on or after October 30, 1993, in order to
7 strengthen civilian control over the military and to
8 establish an independent civilian police force, without
9 the concurrence of the duly-elected President of Haiti.

10 (b) Notwithstanding any provision of this or any other
11 Act, none of the funds appropriated by this Act may be
12 used to provide military assistance or military training in
13 which a member of the Haitian Armed Forces participates
14 if the Secretary of State knows or has reason to believe,
15 based on all credible information available to him, that such
16 member—

17 (1) is or has been an illicit trafficker in any
18 narcotic or psychotropic drug or other controlled sub-
19 stance, or is or has been a knowing assistor, abettor,
20 conspirator, or colluder with others in the illicit traf-
21 ficking in any such substance; or

22 (2) is or has participated in gross violations of
23 internationally recognized human rights.

1 AGRICULTURAL AID TO THE NEW INDEPENDENT STATES OF
2 THE FORMER SOVIET UNION

3 SEC. 569. *Of the funds appropriated by titles II and*
4 *VI of this Act under the headings "Assistance for the New*
5 *Independent States of the Former Soviet Union" and "Op-*
6 *erations and Maintenance, Defense Agencies", \$50,000,000*
7 *shall be made available only for provision of United States*
8 *agricultural commodities to address the food and nutrition*
9 *needs of the people of the new independent states of the*
10 *former Soviet Union: Provided, That in providing assist-*
11 *ance under this section, primary emphasis shall be given*
12 *to meeting the food and nutrition needs of children and*
13 *pregnant and post-partum women: Provided further, That*
14 *funds made available for the purposes of this section may*
15 *be used for transportation of United States agricultural*
16 *commodities provided under this section: Provided further,*
17 *That the President may enter into agreements with the gov-*
18 *ernments of the new independent states and nongovern-*
19 *mental organizations to provide for the sale of any part*
20 *of the United States agricultural commodities in the new*
21 *independent states for local currencies: Provided further,*
22 *That any such local currencies shall be used in the new*
23 *independent states to process, transport, store, distribute or*
24 *otherwise enhance the effectiveness of the use of United*
25 *States agricultural commodities provided under this sec-*

1 *tion, and to support agricultural and rural development ac-*
2 *tivities.*

3 *HUMANITARIAN ASSISTANCE FOR ARMENIA*

4 *SEC. 570. Of the funds appropriated by titles II and*
5 *VI of this Act (1) to carry out the provisions of chapter*
6 *1 of part I and chapter 4 of part II of the Foreign Assist-*
7 *ance Act of 1961, and (2) under the headings “Assistance*
8 *for the New Independent States of the Former Soviet*
9 *Union” and “Operations and Maintenance, Defense Agen-*
10 *cies”, not less than \$18,000,000 shall be made available,*
11 *notwithstanding any other provision of law, for urgent hu-*
12 *manitarian assistance for Armenia.*

13 *HUMANITARIAN AND REFUGEE ASSISTANCE IN CROATIA,*
14 *SLOVENIA, BOSNIA, AND KOSOVA*

15 *SEC. 571. (a) Of the funds appropriated by this Act*
16 *under the heading “Migration and Refugee Assistance”, not*
17 *less than \$35,000,000 shall be made available to assist refu-*
18 *gees in Croatia, Slovenia, and Bosnia.*

19 *(b) Of the funds appropriated by title II of this Act,*
20 *not less than \$30,000,000 shall be made available, notwith-*
21 *standing any provision of law, for humanitarian assistance*
22 *for Bosnia, Croatia, and Kosova, of which not less than*
23 *\$10,000,000 should be for Kosova: Provided, That such as-*
24 *sistance shall be provided through private and voluntary*
25 *organizations and shall include health care assistance (with*
26 *emphasis on maternal health care), and assistance for dis-*

1 *placed children and victims of war, including victims of*
2 *rape and torture.*

3 *PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS*

4 *SEC. 572. None of the funds appropriated or made*
5 *available pursuant to this Act for carrying out the Foreign*
6 *Assistance Act of 1961, may be used to pay in whole or*
7 *in part any assessments, arrearages, or dues of any member*
8 *of the United Nations.*

9 *CONSULTING SERVICES*

10 *SEC. 573. The expenditure of any appropriation under*
11 *this Act for any consulting service through procurement*
12 *contract, pursuant to section 3109 of title 5, United States*
13 *Code, shall be limited to those contracts where such expendi-*
14 *tures are a matter of public record and available for public*
15 *inspection, except where otherwise provided under existing*
16 *law, or under existing Executive order pursuant to existing*
17 *law.*

18 *PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION*

19 *SEC. 574. None of the funds appropriated or made*
20 *available pursuant to this Act shall be available to a private*
21 *voluntary organization which fails to provide upon timely*
22 *request any document, file, or record necessary to the audit-*
23 *ing requirements of the Agency for International Develop-*
24 *ment, nor shall any of the funds appropriated by this Act*
25 *be made available to any private voluntary organization*

1 *which is not registered with the Agency for International*
2 *Development.*

3 *CHEMICAL WEAPONS PROLIFERATION*

4 *SEC. 575. None of the funds appropriated by this Act*
5 *may be used to finance the procurement of chemicals, dual*
6 *use chemicals, or chemical agents that may be used for*
7 *chemical weapons production: Provided, That the provi-*
8 *sions of this section shall not apply to any such procure-*
9 *ment if the President determines that such chemicals, dual*
10 *use chemicals, or chemical agents are not intended to be*
11 *used by the recipient for chemical weapons production.*

12 *SPECIAL DEBT RELIEF FOR THE POOREST*

13 *SEC. 576. The Foreign Assistance Act of 1961 is*
14 *amended by inserting at the end of part I the following*
15 *new chapter:*

16 ***“CHAPTER 12—SPECIAL DEBT REDUCTION***

17 ***AUTHORITY***

18 ***“SEC. 499. SPECIAL DEBT REDUCTION AUTHORITY.***

19 *“(a) AUTHORITY TO REDUCE DEBT.—The President*
20 *may reduce amounts owed to the United States (or any*
21 *agency of the United States) by an eligible country as a*
22 *result of—*

23 *“(1) guarantees issued under sections 221 and*
24 *222 of the Foreign Assistance Act of 1961;*

25 *“(2) credits extended or guarantees issued under*
26 *the Arms Export Control Act; or*

1 “(3) loans or guarantees made pursuant to the
2 *Export-Import Bank of 1945.*

3 “(b) *LIMITATIONS.*—

4 “(1) *The authority provided by this section may*
5 *be exercised only to implement multilateral official*
6 *debt relief and referendum agreements commonly re-*
7 *ferred to as ‘Paris Club Agreed Minutes’.*

8 “(2) *The authority provided by this section may*
9 *be exercised only in such amounts or to such extent*
10 *as is provided in advance by appropriations Acts.*

11 “(3) *The authority provided by this section may*
12 *be exercised only with respect to countries with heavy*
13 *debt burdens that are eligible to borrow from the*
14 *International Development Association, but not from*
15 *the International Bank for Reconstruction and Devel-*
16 *opment, commonly referred to as ‘IDA-only’ coun-*
17 *tries.*

18 “(c) *ELIGIBILITY.*—*The authority provided by this sec-*
19 *tion may be exercised only with respect to a country—*

20 “(1) *whose government is making reasonable*
21 *progress toward democracy;*

22 “(2) *whose government has not repeatedly pro-*
23 *vided support for acts of international terrorism;*

24 “(3) *whose government is not failing to cooperate*
25 *on international narcotics control matters; and*

1 (1) *the Secretary of Defense submits to the con-*
2 *gressional appropriations, foreign relations and de-*
3 *fense committees the report under subsection (b); and*

4 (2) *the Secretary of Defense consults with and se-*
5 *cures the approval of the Congress regarding any pro-*
6 *posed changes in Foreign Military Financing direct*
7 *commercial sales policy.*

8 (b) *REPORT ON IMPACT OF POLICY CHANGES REGARD-*
9 *ING FOREIGN MILITARY FINANCING DIRECT COMMERCIAL*
10 *SALES.—The Secretary of Defense shall submit a report to*
11 *Congress on or before December 31, 1994, regarding the im-*
12 *plementation of the Foreign Military Financing program*
13 *through both the Government-to-Government and direct*
14 *commercial sales methods.*

15 (1) *CONTENT OF REPORT.—The report shall in-*
16 *clude—*

17 (A) *reasons for selecting the Government-to-*
18 *Government or direct commercial sales methods*
19 *in Foreign Military Financing transactions;*

20 (B) *benefits and difficulties resulting from*
21 *usage of the Government-to-Government or direct*
22 *commercial sales methods in Foreign Military*
23 *Financing transactions, including, but not lim-*
24 *ited to, a discussion and statistical breakdown of*
25 *administrative and other difficulties arising*

1 fiscal year ending September 30, 1993, and for other pur-
2 poses, namely:

3 FUNDS APPROPRIATED TO THE PRESIDENT
4 ASSISTANCE FOR THE NEW INDEPENDENT STATES OF
5 THE FORMER SOVIET UNION

6 For an additional amount for the “Assistance for the
7 new independent states of the former Soviet Union” and
8 for related programs, \$630,000,000, to be available upon
9 enactment and to remain available until expended, ~~of~~
10 ~~which not to exceed \$500,000,000 may be made available~~
11 ~~for a special privatization and restructuring fund: *Pro-*~~
12 ~~*vided*, That the United States contribution for such fund~~
13 ~~shall not exceed one-quarter of the aggregate amount~~
14 ~~being made available for such fund by all countries: *Pro-*~~
15 ~~*vided further*, That: *Provided*, That the provisions of sec-~~
16 ~~tion 498B(j) of the Foreign Assistance Act of 1961 shall~~
17 ~~apply to funds appropriated by this paragraph.~~

18 DEPARTMENT OF DEFENSE
19 OPERATION AND MAINTENANCE
20 OPERATION AND MAINTENANCE, DEFENSE AGENCIES

21 For an additional amount for “Operation and main-
22 tenance, Defense Agencies”, \$979,000,000, to be available
23 upon enactment and to remain available until September
24 30, 1994: *Provided*, That the Secretary of Defense may
25 transfer such funds to other appropriations available to
26 the Department of Defense for the purposes of providing

1 assistance to the new independent states of the former So-
 2 viet Union: *Provided further*, That the Secretary of De-
 3 fense may transfer such funds to appropriations available
 4 to the Department of State and other agencies of the
 5 United States Government for the purposes of providing
 6 assistance and related programs for the new independent
 7 states of the former Soviet Union for programs that the
 8 President determines will increase the national security of
 9 the United States: *Provided further*, That the amounts
 10 transferred shall be available subject to the same terms
 11 and conditions as the appropriations to which transferred:
 12 *Provided further*, That the authority to make transfers
 13 pursuant to this provision is in addition to any other
 14 transfer authority of the Department of Defense.

15 This title may be cited as the “Supplemental Appro-
 16 priations for the New Independent States of the Former
 17 Soviet Union Act, 1993”.

Passed the House of Representatives June 17, 1993.

Attest: DONNALD K. ANDERSON,
Clerk.

HR 2295 RS—2

HR 2295 RS—3

HR 2295 RS—4

HR 2295 RS—5

HR 2295 RS—6

HR 2295 RS—7

HR 2295 RS—8