

104TH CONGRESS
2D SESSION

H. R. 2863

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 22, 1996

Ms. MCKINNEY introduced the following bill; which was referred to the Committee on Appropriations

A BILL

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, 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 the
5 fiscal year ending September 30, 1996, and for other pur-
6 poses, namely:

1 TITLE I—EXPORT AND INVESTMENT
2 ASSISTANCE

3 EXPORT-IMPORT BANK OF THE UNITED STATES

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

21 SUBSIDY APPROPRIATION

22 For the cost of direct loans, loan guarantees, insur-
23 ance, and tied-aid grants as authorized by section 10 of
24 the Export-Import Bank Act of 1945, as amended,
25 \$786,551,000 to remain available until September 30,

1 1997: *Provided*, That such costs, including the cost of
2 modifying such loans, shall be as defined in section 502
3 of the Congressional Budget Act of 1974: *Provided fur-*
4 *ther*, That such sums shall remain available until 2010 for
5 the disbursement of direct loans, loan guarantees, insur-
6 ance and tied-aid grants obligated in fiscal years 1996 and
7 1997: *Provided further*, That up to \$100,000,000 of funds
8 appropriated by this paragraph shall remain available
9 until expended and may be used for tied-aid grant pur-
10 poses: *Provided further*, That none of the funds appro-
11 priated by this paragraph may be used for tied-aid credits
12 or grants except through the regular notification proce-
13 dures of the Committees on Appropriations: *Provided fur-*
14 *ther*, That funds appropriated by this paragraph are made
15 available notwithstanding section 2(b)(2) of the Export-
16 Import Bank Act of 1945, in connection with the purchase
17 or lease of any product by any East European country,
18 any Baltic State, or any agency or national thereof.

19 ADMINISTRATIVE EXPENSES

20 For administrative expenses to carry out the direct
21 and guaranteed loan and insurance programs (to be com-
22 puted on an accrual basis), including hire of passenger
23 motor vehicles and services as authorized by 5 U.S.C.
24 3109, and not to exceed \$20,000 for official reception and
25 representation expenses for members of the Board of Di-
26 rectors, \$45,614,000: *Provided*, That necessary expenses

1 (including special services performed on a contract or fee
2 basis, but not including other personal services) in connec-
3 tion with the collection of moneys owed the Export-Import
4 Bank, repossession or sale of pledged collateral or other
5 assets acquired by the Export-Import Bank in satisfaction
6 of moneys owed the Export-Import Bank, or the investiga-
7 tion or appraisal of any property, or the evaluation of the
8 legal or technical aspects of any transaction for which an
9 application for a loan, guarantee or insurance commitment
10 has been made, shall be considered nonadministrative ex-
11 penses for the purposes of this heading: *Provided further,*
12 That, notwithstanding subsection (b) of section 117 of the
13 Export Enhancement Act of 1992, subsection (a) thereof
14 shall remain in effect until October 1, 1996.

15 OVERSEAS PRIVATE INVESTMENT CORPORATION

16 NONCREDIT ACCOUNT

17 The Overseas Private Investment Corporation is au-
18 thorized to make, without regard to fiscal year limitations,
19 as provided by 31 U.S.C. 9104, such expenditures and
20 commitments within the limits of funds available to it and
21 in accordance with law as may be necessary: *Provided,*
22 That the amount available for administrative expenses to
23 carry out the credit and insurance programs (including an
24 amount for official reception and representation expenses
25 which shall not exceed \$35,000) shall not exceed
26 \$26,000,000: *Provided further,* That project-specific trans-

1 action costs, including direct and indirect costs incurred
2 in claims settlements, and other direct costs associated
3 with services provided to specific investors or potential in-
4 vestors pursuant to section 234 of the Foreign Assistance
5 Act of 1961, shall not be considered administrative ex-
6 penses for the purposes of this heading.

7 PROGRAM ACCOUNT

8 For the cost of direct and guaranteed loans,
9 \$72,000,000, as authorized by section 234 of the Foreign
10 Assistance Act of 1961: *Provided*, That such costs, includ-
11 ing the cost of modifying such loans, shall be as defined
12 in section 502 of the Congressional Budget Act of 1974:
13 *Provided further*, That such sums shall be available for di-
14 rect loan obligations and loan guaranty commitments in-
15 curred or made during fiscal years 1996 and 1997: *Pro-*
16 *vided further*, That such sums shall remain available
17 through fiscal year 2003 for the disbursement of direct
18 and guaranteed loans obligated in fiscal year 1996, and
19 through fiscal year 2004 for the disbursement of direct
20 and guaranteed loans obligated in fiscal year 1997. In ad-
21 dition, such sums as may be necessary for administrative
22 expenses to carry out the credit program may be derived
23 from amounts available for administrative expenses to
24 carry out the credit and insurance programs in the Over-
25 seas Private Investment Corporation Noncredit Account
26 and merged with said account.

1 FUNDS APPROPRIATED TO THE PRESIDENT

2 TRADE AND DEVELOPMENT AGENCY

3 For necessary expenses to carry out the provisions
4 of section 661 of the Foreign Assistance Act of 1961,
5 \$40,000,000: *Provided*, That the Trade and Development
6 Agency may receive reimbursements from corporations
7 and other entities for the costs of grants for feasibility
8 studies and other project planning services, to be deposited
9 as an offsetting collection to this account and to be avail-
10 able for obligation until September 30, 1997, for necessary
11 expenses under this paragraph: *Provided further*, That
12 such reimbursements shall not cover, or be allocated
13 against, direct or indirect administrative costs of the
14 agency.

15 TITLE II—BILATERAL ECONOMIC ASSISTANCE

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 For expenses necessary to enable the President to
18 carry out the provisions of the Foreign Assistance Act of
19 1961, and for other purposes, to remain available until
20 September 30, 1996, unless otherwise specified herein, as
21 follows:

22 AGENCY FOR INTERNATIONAL DEVELOPMENT

23 CHILD SURVIVAL AND DISEASE PROGRAMS

24 Of the funds appropriated in title II of this Act, and
25 under the heading “International Organizations and Pro-

1 grams” in title IV of this Act, not less than \$484,000,000
2 shall be made available for programs for child survival,
3 assistance to combat tropical and other diseases, and re-
4 lated activities: *Provided*, That this amount shall be made
5 available for such activities as (1) immunization programs,
6 (2) oral rehydration programs, (3) health and nutrition
7 programs, and related education programs, which address
8 the needs of mothers and children, (4) water and sanita-
9 tion programs, (5) assistance for displaced and orphaned
10 children, (6) programs for the prevention, treatment, and
11 control of, and research on, tuberculosis, HIV/AIDS,
12 polio, malaria and other diseases, and (7) a contribution
13 on a grant basis to the United Nations Children’s Fund
14 (UNICEF).

15 DEVELOPMENT ASSISTANCE

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses to carry out the provisions
18 of sections 103 through 106 and chapter 10 of part I of
19 the Foreign Assistance Act of 1961, title V of the Inter-
20 national Security and Development Cooperation Act of
21 1980 (Public Law 96–533) and the provisions of section
22 401 of the Foreign Assistance Act of 1969,
23 \$1,675,000,000, to remain available until September 30,
24 1997: *Provided*, That of the amount appropriated under
25 this heading, up to \$20,000,000 may be made available
26 for the Inter-American Foundation and shall be appor-

1 tioned directly to that agency: *Provided further*, That of
2 the amount appropriated under this heading, up to
3 \$11,500,000 may be made available for the African Devel-
4 opment Foundation and shall be apportioned directly to
5 that agency: *Provided further*, That of the funds appro-
6 priated under title II of this Act that are administered
7 by the Agency for International Development and made
8 available for family planning assistance, not less than 65
9 percent shall be made available directly to the agency's
10 central Office of Population and shall be programmed by
11 that office for family planning activities: *Provided further*,
12 That the President shall seek to ensure that funds made
13 available under this heading for sub-Saharan Africa are
14 in substantially the same proportion to the total amount
15 appropriated and made available by this Act for develop-
16 ment assistance as the proportion of funds made available
17 for development assistance for sub-Saharan Africa was to
18 the total amount appropriated for development assistance
19 in Public Law 103-306: *Provided further*, That up to
20 \$25,000,000 of the funds appropriated under this heading
21 may be made available for necessary expenses to carry out
22 the provisions of section 667 of the Foreign Assistance
23 Act: *Provided further*, That the President shall seek to en-
24 sure that the percentage of funds made available under
25 this heading for the activities of private and voluntary or-

1 ganizations and cooperatives is at least equal to the per-
2 centage of funds made available pursuant to correspond-
3 ing authorities in law for the activities of private and vol-
4 untary organizations and cooperatives in fiscal year 1995:
5 *Provided further*, That none of the funds made available
6 in this Act nor any unobligated balances from prior appro-
7 priations may be made available to any organization or
8 program which, as determined by the President of the
9 United States, supports or participates in the manage-
10 ment of a program of coercive abortion or involuntary
11 sterilization: *Provided further*, That none of the funds
12 made available under this heading may be used to pay for
13 the performance of abortion as a method of family plan-
14 ning or to motivate or coerce any person to practice abor-
15 tions; and that in order to reduce reliance on abortion in
16 developing nations, funds shall be available only to vol-
17 untary family planning projects which offer, either directly
18 or through referral to, or information about access to, a
19 broad range of family planning methods and services: *Pro-*
20 *vided further*, That in awarding grants for natural family
21 planning under section 104 of the Foreign Assistance Act
22 of 1961 no applicant shall be discriminated against be-
23 cause of such applicant's religious or conscientious com-
24 mitment to offer only natural family planning; and, addi-
25 tionally, all such applicants shall comply with the require-

1 ments of the previous proviso: *Provided further*, That for
2 purposes of this or any other Act authorizing or appro-
3 priating funds for foreign operations, export financing,
4 and related programs, the term “motivate”, as it relates
5 to family planning assistance, shall not be construed to
6 prohibit the provision, consistent with local law, of infor-
7 mation or counseling about all pregnancy options: *Pro-*
8 *vided further*, That nothing in this paragraph shall be con-
9 strued to alter any existing statutory prohibitions against
10 abortion under section 104 of the Foreign Assistance Act
11 of 1961: *Provided further*, That, notwithstanding section
12 109 of the Foreign Assistance Act of 1961, of the funds
13 appropriated under this heading not to exceed a total of
14 \$30,000,000 may be transferred to “International Organi-
15 zations and Programs” for a contribution to the Inter-
16 national Fund for Agricultural Development (IFAD), and
17 that any such transfer of funds shall be subject to the
18 regular notification procedures of the Committees on Ap-
19 propriations: *Provided further*, That not less than
20 \$650,000 of the funds made available under this heading
21 should be made available for support of the United States
22 Telecommunications Training Institute.

23

CYPRUS

24 Of the funds appropriated under the headings “De-
25 velopment Assistance” and “Economic Support Fund”,
26 not less than \$15,000,000 shall be made available for Cy-

1 prus to be used only for scholarships, administrative sup-
2 port of the scholarship program, bicommunal projects, and
3 measures aimed at reunification of the island and designed
4 to reduce tensions and promote peace and cooperation be-
5 tween the two communities on Cyprus.

6 BURMA

7 Of the funds appropriated by this Act to carry out
8 the provisions of chapter 8 of part I and chapter 4 of part
9 II of the Foreign Assistance Act of 1961, not less than
10 \$2,380,000 shall be made available to support activities
11 in Burma, along the Burma-Thailand border, and for ac-
12 tivities of Burmese student groups and other organiza-
13 tions located outside Burma, for the purposes of fostering
14 democracy in Burma, supporting the provision of medical
15 supplies and other humanitarian assistance to Burmese lo-
16 cated in Burma or displaced Burmese along the borders,
17 and for other purposes: *Provided*, That of this amount,
18 not less than \$200,000 shall be made available to support
19 newspapers, publications, and other media activities pro-
20 moting democracy inside Burma: *Provided further*, That
21 of this amount, not less than \$380,000 shall be made
22 available for crop substitution activities in cooperation
23 with the Kachin people of Burma: *Provided further*, That
24 funds made available under this heading may be made
25 available notwithstanding any other provision of law: *Pro-*
26 *vided further*, That provision of such funds shall be made

1 available subject to the regular notification procedures of
2 the Committees on Appropriations.

3 PRIVATE AND VOLUNTARY ORGANIZATIONS

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

20 Funds appropriated or otherwise made available
21 under title II of this Act should be made available to pri-
22 vate and voluntary organizations at a level which is equiv-
23 alent to the level provided in fiscal year 1995. Such private
24 and voluntary organizations shall include those which op-
25 erate on a not-for-profit basis, receive contributions from
26 private sources, receive voluntary support from the public

1 and are deemed to be among the most cost-effective and
2 successful providers of development assistance.

3 INTERNATIONAL DISASTER ASSISTANCE

4 For necessary expenses for international disaster re-
5 lief, rehabilitation, and reconstruction assistance pursuant
6 to section 491 of the Foreign Assistance Act of 1961, as
7 amended, \$181,000,000, to remain available until ex-
8 pended.

9 HUMANITARIAN ASSISTANCE TO THE FORMER

10 YUGOSLAVIA

11 Of the funds appropriated in title II of this Act,
12 \$40,000,000 should be available only for emergency hu-
13 manitarian assistance to the former Yugoslavia, of which
14 amount not less than \$6,000,000 shall be available only
15 for humanitarian assistance to Kosova.

16 DEBT RESTRUCTURING

17 For the cost, as defined in section 502 of the Con-
18 gressional Budget Act of 1974, of modifying direct loans
19 and loan guarantees, as the President may determine, for
20 which funds have been appropriated or otherwise made
21 available for programs within the International Affairs
22 Budget Function 150, including the cost of selling, reduc-
23 ing, or canceling amounts, through debt buybacks and
24 swaps, owed to the United States as a result of
25 concessional loans made to eligible Latin American and
26 Caribbean countries, pursuant to part IV of the Foreign

1 Assistance Act of 1961, \$10,000,000, to remain available
2 until expended.

3 MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM

4 ACCOUNT

5 For the subsidy cost of direct loans and loan guaran-
6 tees, \$1,500,000, as authorized by section 108 of the For-
7 eign Assistance Act of 1961, as amended: *Provided*, That
8 such costs shall be as defined in section 502 of the Con-
9 gressional Budget Act of 1974: *Provided further*, That
10 guarantees of loans made under this heading in support
11 of microenterprise activities may guarantee up to 70 per-
12 cent of the principal amount of any such loans notwith-
13 standing section 108 of the Foreign Assistance Act of
14 1961. In addition, for administrative expenses to carry out
15 programs under this heading, \$500,000, all of which may
16 be transferred to and merged with the appropriation for
17 Operating Expenses of the Agency for International De-
18 velopment: *Provided further*, That funds made available
19 under this heading shall remain available until September
20 30, 1997.

21 HOUSING GUARANTY PROGRAM ACCOUNT

22 For the cost, as defined in section 502 of the Con-
23 gressional Budget Act of 1974, of guaranteed loans au-
24 thorized by sections 221 and 222 of the Foreign Assist-
25 ance Act of 1961, \$4,000,000, to remain available until
26 September 30, 1997: *Provided*, That these funds are avail-

1 able to subsidize loan principal, 100 percent of which shall
2 be guaranteed, pursuant to the authority of such sections.
3 In addition, for administrative expenses to carry out guar-
4 anteed loan programs, \$7,000,000, all of which may be
5 transferred to and merged with the appropriation for Op-
6 erating Expenses of the Agency for International Develop-
7 ment: *Provided further*, That commitments to guarantee
8 loans under this heading may be entered into notwith-
9 standing the second and third sentences of section 222(a)
10 and, with regard to programs for Eastern Europe and pro-
11 grams for the benefit of South Africans disadvantaged by
12 apartheid, section 223(j) of the Foreign Assistance Act of
13 1961: *Provided further*, That none of the funds appro-
14 priated under this heading shall be obligated except
15 through the regular notification procedures of the Com-
16 mittees on Appropriations.

17 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
18 DISABILITY FUND

19 For payment to the “Foreign Service Retirement and
20 Disability Fund”, as authorized by the Foreign Service
21 Act of 1980, \$43,914,000.

22 OPERATING EXPENSES OF THE AGENCY FOR
23 INTERNATIONAL DEVELOPMENT

24 For necessary expenses to carry out the provisions
25 of section 667, \$465,750,000: *Provided*, That of this
26 amount not more than \$1,475,000 may be made available

1 to pay for printing costs: *Provided further*, That none of
2 the funds appropriated by this Act for programs adminis-
3 tered by the Agency for International Development (AID)
4 may be used to finance printing costs of any report or
5 study (except feasibility, design, or evaluation reports or
6 studies) in excess of \$25,000 without the approval of the
7 Administrator of the Agency or the Administrator's des-
8 ignee: *Provided further*, That notwithstanding any other
9 provision of law, none of the funds appropriated or other-
10 wise made available by this Act may be made available
11 for expenses necessary to relocate the Agency for Inter-
12 national Development, or any part of that agency, to the
13 building at the Federal Triangle in Washington, District
14 of Columbia.

15 OPERATING EXPENSES OF THE AGENCY FOR INTER-
16 NATIONAL DEVELOPMENT OFFICE OF INSPECTOR
17 GENERAL

18 For necessary expenses to carry out the provisions
19 of section 667, \$30,200,000, to remain available until Sep-
20 tember 30, 1997, which sum shall be available for the Of-
21 fice of the Inspector General of the Agency for Inter-
22 national Development.

23 OTHER BILATERAL ECONOMIC ASSISTANCE
24 ECONOMIC SUPPORT FUND

25 For necessary expenses to carry out the provisions
26 of chapter 4 of part II, \$2,340,000,000, to remain avail-

1 able until September 30, 1997: *Provided*, That of the
2 funds appropriated under this heading, not less than
3 \$1,200,000,000 shall be available only for Israel, which
4 sum shall be available on a grant basis as a cash transfer
5 and shall be disbursed within thirty days of enactment of
6 this Act or by October 31, 1995, whichever is later: *Pro-*
7 *vided further*, That not less than \$815,000,000 shall be
8 available only for Egypt, which sum shall be provided on
9 a grant basis, and of which sum cash transfer assistance
10 may be provided, with the understanding that Egypt will
11 undertake significant economic reforms which are addi-
12 tional to those which were undertaken in previous fiscal
13 years, and of which not less than \$200,000,000 shall be
14 provided as Commodity Import Program assistance: *Pro-*
15 *vided further*, That the Egyptian pound equivalent of
16 \$85,000,000 generated from funds made available by this
17 paragraph or generated from funds appropriated under
18 this heading in prior appropriations Acts, may be made
19 available to the United States pursuant to the United
20 States-Egypt Economic, Technical and Related Assistance
21 Agreements of 1978, for the following activities under
22 such Agreements: the Egyptian pound equivalent of
23 \$50,000,000 may be made available to replenish the exist-
24 ing endowment for the American University in Cairo, and
25 the Egyptian pound equivalent of \$35,000,000 may be

1 made available for projects and programs, including estab-
2 lishment of an endowment, which promote the preserva-
3 tion and restoration of Egyptian antiquities: *Provided fur-*
4 *ther*, That in exercising the authority to provide cash
5 transfer assistance for Israel and Egypt, the President
6 shall ensure that the level of such assistance does not
7 cause an adverse impact on the total level of non-military
8 exports from the United States to each such country: *Pro-*
9 *vided further*, That it is the sense of the Congress that
10 the recommended levels of assistance for Egypt and Israel
11 are based in great measure upon their continued participa-
12 tion in the Camp David Accords and upon the Egyptian-
13 Israeli peace treaty: *Provided further*, That none of the
14 funds appropriated under this heading shall be made avail-
15 able for Zaire.

16 INTERNATIONAL FUND FOR IRELAND

17 For necessary expenses to carry out the provisions
18 of part I of the Foreign Assistance Act of 1961, up to
19 \$19,600,000, which shall be available for the United
20 States contribution to the International Fund for Ireland
21 and shall be made available in accordance with the provi-
22 sions of the Anglo-Irish Agreement Support Act of 1986
23 (Public Law 99-415): *Provided*, That such amount shall
24 be expended at the minimum rate necessary to make time-
25 ly payment for projects and activities: *Provided further*,

1 That funds made available under this heading shall re-
2 main available until September 30, 1997.

3 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
4 STATES

5 (a) For necessary expenses to carry out the provisions
6 of the Foreign Assistance Act of 1961 and the Support
7 for East European Democracy (SEED) Act of 1989,
8 \$324,000,000, to remain available until September 30,
9 1997, which shall be available, notwithstanding any other
10 provision of law, for economic assistance and for related
11 programs for Eastern Europe and the Baltic States.

12 (b) Funds appropriated under this heading or in prior
13 appropriations Acts that are or have been made available
14 for an Enterprise Fund may be deposited by such Fund
15 in interest-bearing accounts prior to the Fund's disburse-
16 ment of such funds for program purposes. The Fund may
17 retain for such program purposes any interest earned on
18 such deposits without returning such interest to the Treas-
19 ury of the United States and without further appropria-
20 tion by the Congress. Funds made available for Enterprise
21 Funds shall be expended at the minimum rate necessary
22 to make timely payment for projects and activities.

23 (c) Funds appropriated under this heading shall be
24 considered to be economic assistance under the Foreign
25 Assistance Act of 1961 for purposes of making available

1 the administrative authorities contained in that Act for
2 the use of economic assistance.

3 ASSISTANCE FOR THE NEW INDEPENDENT STATES OF
4 THE FORMER SOVIET UNION

5 (a) For necessary expenses to carry out the provisions
6 of chapter 11 of part I of the Foreign Assistance Act of
7 1961 and the FREEDOM Support Act, for assistance for
8 the new independent states of the former Soviet Union
9 and for related programs, \$641,000,000, to remain avail-
10 able until September 30, 1997: *Provided*, That the provi-
11 sions of 498B(j) of the Foreign Assistance Act of 1961
12 shall apply to funds appropriated by this paragraph.

13 (b) None of the funds appropriated under this head-
14 ing shall be transferred to the Government of Russia—

15 (1) unless that Government is making progress
16 in implementing comprehensive economic reforms
17 based on market principles, private ownership, nego-
18 tiating repayment of commercial debt, respect for
19 commercial contracts, and equitable treatment of
20 foreign private investment; and

21 (2) if that Government applies or transfers
22 United States assistance to any entity for the pur-
23 pose of expropriating or seizing ownership or control
24 of assets, investments, or ventures.

1 (c) Funds may be furnished without regard to sub-
2 section (b) if the President determines that to do so is
3 in the national interest.

4 (d) None of the funds appropriated under this head-
5 ing shall be made available to any government of the new
6 independent states of the former Soviet Union if that gov-
7 ernment directs any action in violation of the territorial
8 integrity or national sovereignty of any other new inde-
9 pendent state, such as those violations included in the Hel-
10 sinki Final Act: *Provided*, That such funds may be made
11 available without regard to the restriction in this sub-
12 section if the President determines that to do so is in the
13 national security interest of the United States: *Provided*
14 *further*, That the restriction of this subsection shall not
15 apply to the use of such funds for the provision of assist-
16 ance for purposes of humanitarian, disaster and refugee
17 relief.

18 (e) None of the funds appropriated under this head-
19 ing for the new independent states of the former Soviet
20 Union shall be made available for any state to enhance
21 its military capability: *Provided*, That this restriction does
22 not apply to demilitarization or nonproliferation programs.

23 (f) Funds appropriated under this heading shall be
24 subject to the regular notification procedures of the Com-
25 mittees on Appropriations.

1 (g) Funds made available in this Act for assistance
2 to the new independent states of the former Soviet Union
3 shall be subject to the provisions of section 117 (relating
4 to environment and natural resources) of the Foreign As-
5 sistance Act of 1961.

6 (h) Funds appropriated under this heading may be
7 made available for assistance for Mongolia.

8 (i) Funds made available in this Act for assistance
9 to the new independent states of the former Soviet Union
10 shall be provided to the maximum extent feasible through
11 the private sector, including small- and medium-size busi-
12 nesses, entrepreneurs, and others with indigenous private
13 enterprises in the region, intermediary development orga-
14 nizations committed to private enterprise, and private vol-
15 untary organizations: *Provided*, That grantees and con-
16 tractors should, to the maximum extent possible, place in
17 key staff positions specialists with prior on the ground ex-
18 pertise in the region of activity and fluency in one of the
19 local languages.

20 (j) In issuing new task orders, entering into con-
21 tracts, or making grants, with funds appropriated under
22 this heading or in prior appropriations Acts, for projects
23 or activities that have as one of their primary purposes
24 the fostering of private sector development, the Coordina-
25 tor for United States Assistance to the New Independent

1 States and the implementing agency shall encourage the
2 participation of and give significant weight to contractors
3 and grantees who propose investing a significant amount
4 of their own resources (including volunteer services and
5 in-kind contributions) in such projects and activities.

6 (k) Of the funds made available under this heading,
7 not less than \$225,000,000 shall be made available for
8 Ukraine, with the understanding that Ukraine will under-
9 take significant economic reforms which are additional to
10 those which were undertaken in previous fiscal years, and
11 of which not less than \$50,000,000 (from this or any other
12 Act) shall be made available to improve energy self-suffi-
13 ciency and improve safety at nuclear reactors, and of
14 which \$2,000,000 should be made available to conduct or
15 implement an assessment of the energy distribution grid
16 that provides recommendations leading to increased access
17 to power by industrial, commercial and residential users,
18 and of which not less than \$22,000,000 shall be made
19 available to support the development of small and medium
20 enterprises, including independent broadcast and print
21 media.

22 (l) Of the funds made available under this heading,
23 \$5,000,000 should be made available for a project to
24 screen, diagnose, and treat victims of breast cancer associ-

1 ated with the 1985 incident at the Chernobyl reactor in
2 Ukraine.

3 (m) Of the funds made available by this Act, not less
4 than \$85,000,000 shall be made available for Armenia.

5 (n) Of the funds made available by this or any other
6 Act, \$30,000,000 should be made available for Georgia.

7 (o)(1) Effective ninety days after the date of enact-
8 ment of this Act, none of the funds appropriated under
9 this heading may be made available for Russia unless the
10 President determines and certifies in writing to the Com-
11 mittees on Appropriations that the Government of Russia
12 has terminated implementation of arrangements to pro-
13 vide Iran with technical expertise, training, technology, or
14 equipment necessary to develop a nuclear reactor or relat-
15 ed nuclear research facilities or programs.

16 (2) Subparagraph (1) shall not apply if the President
17 determines that making such funds available is important
18 to the national security interest of the United States. Any
19 such determination shall cease to be effective six months
20 after being made unless the President determines that its
21 continuation is important to the national security interest
22 of the United States.

23 (p) Of the funds appropriated under this heading,
24 \$20,000,000 should be provided for hospital partnership
25 programs, medical assistance to directly reduce the inci-

1 dence of infectious diseases such as diphtheria or tuber-
2 culosis, and a program to reduce the adverse impact of
3 contaminated drinking water.

4 (q) Of the funds appropriated under this heading and
5 under the heading “Assistance for Eastern Europe and
6 the Baltic States”, not less than \$12,600,000 shall be
7 made available for law enforcement training and ex-
8 changes, and investigative and technical assistance activi-
9 ties related to international criminal activities.

10 (r) Support should be provided from funds appro-
11 priated under this heading for a ballot security project to
12 promote public review by Russian citizens over the conduct
13 of parliamentary and presidential elections in Russia: *Pro-*
14 *vided*, That the Secretary of State may waive this provi-
15 sion with regard to any election upon notification to the
16 Committees on Appropriations that the Government of
17 Russia has blocked implementation of a ballot security
18 project.

19 (s) Of the funds appropriated under this heading, not
20 less than \$50,000,000 should be provided to the Western
21 NIS and Central Asian Enterprise Funds: *Provided*, That
22 obligation of these funds shall be consistent with sound
23 business practices.

24 (t) The President shall establish a Trans-Caucasus
25 Enterprise Fund to encourage regional peace through eco-

1 nomic cooperation: *Provided*, That the President shall seek
2 other bilateral and multilateral investors in the Fund: *Pro-*
3 *vided further*, That of the funds made available under this
4 heading, not less than \$15,000,000 shall be made avail-
5 able for a United States investment in the Trans-Caucasus
6 Enterprise Fund.

7 (u) Funds appropriated under this heading or in
8 prior appropriations Acts that are or have been made
9 available for an Enterprise Fund may be deposited by
10 such Fund in interest-bearing accounts prior to the dis-
11 bursement of such funds by the Fund for program pur-
12 poses. The Fund may retain for such program proposes
13 any interest earned on such deposits without returning
14 such interest to the Treasury of the United States and
15 without further appropriation by the Congress. Funds
16 made available for Enterprise Funds shall be expended at
17 the minimum rate necessary to make timely payment for
18 projects and activities.

19 (v) Section 5421(d)(3)(B) of title 22, United States
20 Code, is amended by adding at the end thereof the follow-
21 ing: “: *Provided*, That, as to Enterprise Funds established
22 with respect to more than one host country, such Enter-
23 prise Fund may, in lieu of the appointment of citizens of
24 the host countries to its Board of Directors, establish an
25 advisory council for the host region comprised of citizens

1 of each of the host countries or establish separate advisory
2 councils for each of the host countries (hereinafter in this
3 section referred to as the ‘Advisory Councils’), with which
4 the Enterprise Fund’s policies and proposed activities and
5 such host country citizens shall satisfy the experience and
6 expertise requirements of this clause.”.

7 (w) Notwithstanding any other provision of law, as-
8 sistance may be provided for the Government of Azer-
9 baijan for humanitarian purposes, if the President deter-
10 mines that humanitarian assistance provided in Azer-
11 baijan through nongovernmental organizations is not ade-
12 quately addressing the suffering of refugees and internally
13 displaced persons.

14 INDEPENDENT AGENCY

15 PEACE CORPS

16 For expenses necessary to carry out the provisions
17 of the Peace Corps Act (75 Stat. 612), \$205,000,000, in-
18 cluding the purchase of not to exceed five passenger motor
19 vehicles for administrative purposes for use outside of the
20 United States: *Provided*, That none of the funds appro-
21 priated under this heading shall be used to pay for abor-
22 tions: *Provided further*, That funds appropriated under
23 this heading shall remain available until September 30,
24 1997.

1 DEPARTMENT OF STATE

2 INTERNATIONAL NARCOTICS CONTROL

3 For necessary expenses to carry out the provisions
4 of section 481 of the Foreign Assistance Act of 1961,
5 \$115,000,000: *Provided*, That during fiscal year 1996, the
6 Department of State may also use the authority of section
7 608 of the Foreign Assistance Act of 1961, without regard
8 to its restrictions, to receive non-lethal excess property
9 from an agency of the United States Government for the
10 purpose of providing it to a foreign country under chapter
11 8 of part I of that Act subject to the regular notification
12 procedures of the Committees on Appropriations.

13 MIGRATION AND REFUGEE ASSISTANCE

14 For expenses, not otherwise provided for, necessary
15 to enable the Secretary of State to provide, as authorized
16 by law, a contribution to the International Committee of
17 the Red Cross, assistance to refugees, including contribu-
18 tions to the International Organization for Migration and
19 the United Nations High Commissioner for Refugees, and
20 other activities to meet refugee and migration needs; sala-
21 ries and expenses of personnel and dependents as author-
22 ized by the Foreign Service Act of 1980; allowances as
23 authorized by sections 5921 through 5925 of title 5,
24 United States Code; purchase and hire of passenger motor
25 vehicles; and services as authorized by section 3109 of title
26 5, United States Code, \$671,000,000: *Provided*, That not

1 more than \$12,000,000 shall be available for administra-
2 tive expenses: *Provided further*, That not less than
3 \$80,000,000 shall be made available for refugees from the
4 former Soviet Union and Eastern Europe and other refu-
5 gees resettling in Israel.

6 REFUGEE RESETTLEMENT ASSISTANCE

7 For necessary expenses for the targeted assistance
8 program authorized by title IV of the Immigration and
9 Nationality Act and section 501 of the Refugee Education
10 Assistance Act of 1980 and administered by the Office of
11 Refugee Resettlement of the Department of Health and
12 Human Services, in addition to amounts otherwise avail-
13 able for such purposes, \$5,000,000.

14 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
15 ASSISTANCE FUND

16 For necessary expenses to carry out the provisions
17 of section 2(c) of the Migration and Refugee Assistance
18 Act of 1962, as amended (22 U.S.C. 260(c)),
19 \$50,000,000, to remain available until expended: *Pro-*
20 *vided*, That the funds made available under this heading
21 are appropriated notwithstanding the provisions contained
22 in section 2(c)(2) of the Migration and Refugee Assistance
23 Act of 1962 which would limit the amount of funds which
24 could be appropriated for this purpose.

1 ANTI-TERRORISM ASSISTANCE

2 For necessary expenses to carry out the provisions
3 of chapter 8 of part II of the Foreign Assistance Act of
4 1961, \$16,000,000.

5 NONPROLIFERATION AND DISARMAMENT FUND

6 For necessary expenses for a “Nonproliferation and
7 Disarmament Fund”, \$20,000,000, to remain available
8 until expended, to promote bilateral and multilateral ac-
9 tivities: *Provided*, That such funds may be used pursuant
10 to the authorities contained in section 504 of the FREE-
11 DOM Support Act: *Provided further*, That such funds may
12 also be used for such countries other than the new inde-
13 pendent states of the former Soviet Union and inter-
14 national organizations when it is in the national security
15 interest of the United States to do so: *Provided further*,
16 That funds appropriated under this heading may be made
17 available notwithstanding any other provision of law: *Pro-*
18 *vided further*, That funds appropriated under this heading
19 shall be subject to the regular notification procedures of
20 the Committees on Appropriations.

21 TITLE III—MILITARY ASSISTANCE

22 FUNDS APPROPRIATED TO THE PRESIDENT

23 INTERNATIONAL MILITARY EDUCATION AND TRAINING

24 For necessary expenses to carry out the provisions
25 of section 541 of the Foreign Assistance Act of 1961,
26 \$39,000,000: *Provided*, That up to \$100,000 of the funds

1 appropriated under this heading may be made available
2 for grant financed military education and training for any
3 high income country on the condition that that country
4 agrees to fund from its own resources the transportation
5 cost and living allowances of its students: *Provided further,*
6 That the civilian personnel for whom military education
7 and training may be provided under this heading may also
8 include members of national legislatures who are respon-
9 sible for the oversight and management of the military,
10 and may also include individuals who are not members of
11 a government: *Provided further,* That none of the funds
12 appropriated under this heading shall be available for
13 Zaire and Guatemala: *Provided further,* That funds appro-
14 priated under this heading for grant financed military
15 education and training for Indonesia may only be available
16 for expanded military education and training.

17 FOREIGN MILITARY FINANCING PROGRAM

18 For expenses necessary for grants to enable the
19 President to carry out the provisions of section 23 of the
20 Arms Export Control Act, \$3,208,390,000: *Provided,* That
21 of the funds appropriated by this paragraph not less than
22 \$1,800,000,000 shall be available for grants only for Is-
23 rael, and not less than \$1,300,000,000 shall be available
24 for grants only for Egypt: *Provided further,* That the
25 funds appropriated by this paragraph for Israel shall be
26 disbursed within thirty days of enactment of this Act or

1 by October 31, 1995, whichever is later: *Provided further,*
2 That to the extent that the Government of Israel requests
3 that funds be used for such purposes, grants made avail-
4 able for Israel by this paragraph shall, as agreed by Israel
5 and the United States, be available for advanced weapons
6 systems, of which not less than \$475,000,000 shall be
7 available for the procurement in Israel of defense articles
8 and defense services, including research and development:
9 *Provided further,* That funds made available under this
10 paragraph shall be nonrepayable notwithstanding any re-
11 quirement in section 23 of the Arms Export Control Act:
12 *Provided further,* That, for the purpose only of providing
13 support for the Warsaw Initiative Program, of the funds
14 appropriated by this Act under the headings “Assistance
15 for Eastern Europe and the Baltic States” and “Assist-
16 ance for the New Independent States of the Former Soviet
17 Union”, up to a total of \$20,000,000 may be transferred,
18 notwithstanding any other provision of law, to the funds
19 appropriated under this paragraph: *Provided further,* That
20 none of the funds made available under this heading shall
21 be available for any non-NATO country participating in
22 the Partnership for Peace Program except through the
23 regular notification procedures of the Committees on Ap-
24 propriations.

1 For the cost, as defined in section 502 of the Con-
2 gressional Budget Act of 1974, of direct loans authorized
3 by section 23 of the Arms Export Control Act as follows:
4 cost of direct loans, \$64,400,000: *Provided*, That these
5 funds are available to subsidize gross obligations for the
6 principal amount of direct loans of not to exceed
7 \$544,000,000: *Provided further*, That the rate of interest
8 charged on such loans shall be not less than the current
9 average market yield on outstanding marketable obliga-
10 tions of the United States of comparable maturities: *Pro-*
11 *vided further*, That funds appropriated under this heading
12 shall be made available for Greece and Turkey only on
13 a loan basis, and the principal amount of direct loans for
14 each country shall not exceed the following: \$224,000,000
15 only for Greece and \$320,000,000 only for Turkey.

16 None of the funds made available under this heading
17 shall be available to finance the procurement of defense
18 articles, defense services, or design and construction serv-
19 ices that are not sold by the United States Government
20 under the Arms Export Control Act unless the foreign
21 country proposing to make such procurements has first
22 signed an agreement with the United States Government
23 specifying the conditions under which such procurements
24 may be financed with such funds: *Provided*, That all coun-
25 try and funding level increases in allocations shall be sub-

1 mitted through the regular notification procedures of sec-
2 tion 515 of this Act: *Provided further*, That funds made
3 available under this heading shall be obligated upon appor-
4 tionment in accordance with paragraph (5)(C) of title 31,
5 United States Code, section 1501(a): *Provided further*,
6 That none of the funds appropriated under this heading
7 shall be available for Zaire, Sudan, Peru, Liberia, and
8 Guatemala: *Provided further*, That none of the funds ap-
9 propriated or otherwise made available for use under this
10 heading may be made available for Colombia or Bolivia
11 until the Secretary of State certifies that such funds will
12 be used by such country primarily for counternarcotics ac-
13 tivities: *Provided further*, That funds made available under
14 this heading may be used, notwithstanding any other pro-
15 vision of law, for demining activities, and may include ac-
16 tivities implemented through nongovernmental and inter-
17 national organizations: *Provided further*, That not more
18 than \$100,000,000 of the funds made available under this
19 heading shall be available for use in financing the procure-
20 ment of defense articles, defense services, or design and
21 construction services that are not sold by the United
22 States Government under the Arms Export Control Act
23 to countries other than Israel and Egypt: *Provided further*,
24 That only those countries for which assistance was justi-
25 fied for the “Foreign Military Sales Financing Program”

1 in the fiscal year 1989 congressional presentation for secu-
2 rity assistance programs may utilize funds made available
3 under this heading for procurement of defense articles, de-
4 fense services or design and construction services that are
5 not sold by the United States Government under the Arms
6 Export Control Act: *Provided further*, That, subject to the
7 regular notification procedures of the Committees on Ap-
8 propriations, funds made available under this heading for
9 the cost of direct loans may also be used to supplement
10 the funds available under this heading for grants, and
11 funds made available under this heading for grants may
12 also be used to supplement the funds available under this
13 heading for the cost of direct loans: *Provided further*, That
14 funds appropriated under this heading shall be expended
15 at the minimum rate necessary to make timely payment
16 for defense articles and services: *Provided further*, That
17 the Department of Defense shall conduct during the cur-
18 rent fiscal year nonreimbursable audits of private firms
19 whose contracts are made directly with foreign govern-
20 ments and are financed with funds made available under
21 this heading (as well as subcontractors thereunder) as re-
22 quested by the Defense Security Assistance Agency: *Pro-*
23 *vided further*, That not more than \$23,250,000 of the
24 funds appropriated under this heading may be obligated
25 for necessary expenses, including the purchase of pas-

1 senger motor vehicles for replacement only for use outside
2 of the United States, for the general costs of administer-
3 ing military assistance and sales: *Provided further*, That
4 not more than \$355,000,000 of funds realized pursuant
5 to section 21(e)(1)(A) of the Arms Export Control Act
6 may be obligated for expenses incurred by the Department
7 of Defense during fiscal year 1996 pursuant to section
8 43(b) of the Arms Export Control Act, except that this
9 limitation may be exceeded only through the regular notifi-
10 cation procedures of the Committees on Appropriations.

11 PEACEKEEPING OPERATIONS

12 For necessary expenses to carry out the provisions
13 of section 551 of the Foreign Assistance Act of 1961,
14 \$70,000,000: *Provided*, That none of the funds appro-
15 priated under this paragraph shall be obligated or ex-
16 pended except as provided through the regular notification
17 procedures of the Committees on Appropriations.

18 TITLE IV—MULTILATERAL ECONOMIC

19 ASSISTANCE

20 FUNDS APPROPRIATED TO THE PRESIDENT

21 INTERNATIONAL FINANCIAL INSTITUTIONS

22 CONTRIBUTION TO THE INTERNATIONAL BANK FOR

23 RECONSTRUCTION AND DEVELOPMENT

24 For payment to the International Bank for Recon-
25 struction and Development by the Secretary of the Treas-
26 ury, for the United States share of the paid-in share por-

1 tion of the increases in capital stock for the General Cap-
2 ital Increase, \$28,189,963, to remain available until ex-
3 pended: *Provided*, That not more than twenty-one days
4 prior to the obligation of each such sum, the Secretary
5 shall submit a certification to the Committees on Appro-
6 priations that the Bank has not approved any loans to
7 Iran since October 1, 1994, or the President of the United
8 States certifies that withholding of these funds is contrary
9 to the national interest of the United States.

10 For payment to the International Bank for Recon-
11 struction and Development by the Secretary of the Treas-
12 ury, for the United States contribution to the Global Envi-
13 ronment Facility (GEF), \$35,000,000, to remain available
14 until September 30, 1997.

15 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

16 The United States Governor of the International
17 Bank for Reconstruction and Development may subscribe
18 without fiscal year limitation to the callable capital portion
19 of the United States share of increases in capital stock
20 in an amount not to exceed \$911,475,013.

21 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT

22 ASSOCIATION

23 For payment to the International Development Asso-
24 ciation by the Secretary of the Treasury, \$700,000,000,
25 for the United States contribution to the tenth replenish-
26 ment, to remain available until expended.

1 CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS
2 MULTILATERAL INVESTMENT FUND

3 For payment to the Enterprise for the Americas Mul-
4 tilateral Investment Fund by the Secretary of the Treas-
5 ury, for the United States contribution to the Fund to
6 be administered by the Inter-American Development
7 Bank, \$53,750,000 to remain available until expended.

8 CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

9 For payment to the Asian Development Bank by the
10 Secretary of the Treasury for the United States share of
11 the paid-in portion of the increase in capital stock,
12 \$13,221,596, to remain available until expended.

13 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

14 The United States Governor of the Asian Develop-
15 ment Bank may subscribe without fiscal year limitation
16 to the callable capital portion of the United States share
17 of such capital stock in an amount not to exceed
18 \$647,858,204.

19 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

20 For the United States contribution by the Secretary
21 of the Treasury to the increases in resources of the Asian
22 Development Fund, as authorized by the Asian Devel-
23 opment Bank Act, as amended (Public Law 89-369),
24 \$100,000,000, to remain available until expended.

1 CONTRIBUTION TO THE EUROPEAN BANK FOR
2 RECONSTRUCTION AND DEVELOPMENT

3 For payment to the European Bank for Reconstruct-
4 tion and Development by the Secretary of the Treasury,
5 \$70,000,000, for the United States share of the paid-in
6 share portion of the initial capital subscription, to remain
7 available until expended: *Provided*, That of the amount ap-
8 propriated under this heading not more than \$54,600,000
9 may be expended for the purchase of such stock in fiscal
10 year 1996.

11 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

12 The United States Governor of the European Bank
13 for Reconstruction and Development may subscribe with-
14 out fiscal year limitation to the callable capital portion of
15 the United States share of such capital stock in an amount
16 not to exceed \$163,333,333.

17 NORTH AMERICAN DEVELOPMENT BANK

18 For payment to the North American Development
19 Bank by the Secretary of the Treasury, for the United
20 States share of the paid-in portion of the capital stock,
21 \$56,250,000, to remain available until expended.

22 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

23 The United States Governor of the North American
24 Development Bank may subscribe without fiscal year limi-
25 tation to the callable capital portion of the United States

1 share of the capital stock of the North American Develop-
2 ment Bank in an amount not to exceed \$318,750,000.

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, \$285,000,000: *Provided*, That
8 none of the funds appropriated under this heading shall
9 be made available for the United Nations Fund for
10 Science and Technology: *Provided further*, That funds ap-
11 propriated under this heading may be made available for
12 the International Atomic Energy Agency only if the Sec-
13 retary of State determines (and so reports to the Con-
14 gress) that Israel is not being denied its right to partici-
15 pate in the activities of that Agency: *Provided further*,
16 That none of the funds appropriated under this heading
17 that are made available to the United Nations Population
18 Fund (UNFPA) shall be made available for activities in
19 the People's Republic of China: *Provided further*, That not
20 more than \$30,000,000 of the funds appropriated under
21 this heading may be made available to the UNFPA: *Pro-*
22 *vided further*, That not more than one-half of this amount
23 may be provided to UNFPA before March 1, 1996, and
24 that no later than February 15, 1996, the Secretary of
25 State shall submit a report to the Committees on Appro-
26 priations indicating the amount UNFPA is budgeting for

1 the People's Republic of China in 1996: *Provided further,*
2 That any amount UNFPA plans to spend in the People's
3 Republic of China in 1996 above \$7,000,000, shall be de-
4 ducted from the amount of funds provided to UNFPA
5 after March 1, 1996 pursuant to the previous provisos:
6 *Provided further,* That with respect to any funds appro-
7 priated under this heading that are made available to
8 UNFPA, UNFPA shall be required to maintain such
9 funds in a separate account and not commingle them with
10 any other funds: *Provided further,* That funds may be
11 made available to the Korean Peninsula Energy Develop-
12 ment Organization (KEDO) for administrative expenses
13 and heavy fuel oil costs associated with the Agreed Frame-
14 work: *Provided further,* That no funds may be provided
15 for KEDO for funding for administrative expenses and
16 heavy fuel oil costs beyond the total amount included for
17 KEDO in the fiscal year 1996 congressional presentation:
18 *Provided further,* That no funds may be made available
19 under this Act to KEDO unless the President determines
20 and certifies in writing to the Committees on Appropria-
21 tions that (a) in accordance with section 1 of the Agreed
22 Framework, KEDO has designated a Republic of Korea
23 company, corporation or entity for the purpose of nego-
24 tiating a prime contract to carry out construction of the
25 light water reactors provided for in the Agreed Frame-

1 work; and (b) the Democratic People’s Republic of Korea
2 is maintaining the freeze on its nuclear facilities as re-
3 quired in the Agreed Framework; and (c) the United
4 States is taking steps to assure that progress is made on
5 (1) the North-South dialogue, including efforts to reduce
6 barriers to trade and investment, such as removing restric-
7 tions on travel, telecommunications services and financial
8 transactions; and (2) implementation of the January 1,
9 1992, Joint Declaration on the Denuclearization of the
10 Korean Peninsula: *Provided further*, That a report on the
11 specific efforts with regard to subsections (a), (b) and (c)
12 of the preceding proviso shall be submitted by the Presi-
13 dent to the Committees on Appropriations six months
14 after the date of enactment of this Act, and every six
15 months thereafter.

16 TITLE V—GENERAL PROVISIONS

17 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

18 SEC. 501. Except for the appropriations entitled
19 “International Disaster Assistance”, and “United States
20 Emergency Refugee and Migration Assistance Fund”, not
21 more than 15 per centum of any appropriation item made
22 available by this Act shall be obligated during the last
23 month of availability.

1 PROHIBITION OF BILATERAL FUNDING FOR
2 INTERNATIONAL FINANCIAL INSTITUTIONS

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

6 LIMITATION ON RESIDENCE EXPENSES

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

14 LIMITATION ON EXPENSES

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

19 LIMITATION ON REPRESENTATIONAL ALLOWANCES

20 SEC. 505. Of the funds appropriated or made avail-
21 able pursuant to this Act, not to exceed \$95,000 shall be
22 available for representation allowances for the Agency for
23 International Development during the current fiscal year:
24 *Provided*, That appropriate steps shall be taken to assure
25 that, to the maximum extent possible, United States-
26 owned foreign currencies are utilized in lieu of dollars:

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

20 PROHIBITION ON FINANCING NUCLEAR GOODS

21 SEC. 506. None of the funds appropriated or made
22 available (other than funds for “International Organiza-
23 tions and Programs”) pursuant to this Act, for carrying
24 out the Foreign Assistance Act of 1961, may be used, ex-
25 cept for purposes of nuclear safety, to finance the export
26 of nuclear equipment, fuel, or technology.

1 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
2 COUNTRIES

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

11 MILITARY COUPS

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

21 TRANSFERS BETWEEN ACCOUNTS

22 SEC. 509. None of the funds made available by this
23 Act may be obligated under an appropriation account to
24 which they were not appropriated, except for transfers
25 specifically provided for in this Act, unless the President,
26 prior to the exercise of any authority contained in the For-

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

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 title II of this Act are, if deobligated, hereby
15 continued available for the same period as the respective
16 appropriations under such headings or until September
17 30, 1996, whichever is later, and for the same general pur-
18 pose, and for countries within the same region as origi-
19 nally obligated: *Provided*, That the Appropriations Com-
20 mittees of both Houses of the Congress are notified fifteen
21 days in advance of the deobligation and reobligation of
22 such funds in accordance with regular notification proce-
23 dures of the Committees on Appropriations.

24 (b) Obligated balances of funds appropriated to carry
25 out section 23 of the Arms Export Control Act as of the
26 end of the fiscal year immediately preceding the current

1 fiscal year are, if deobligated, hereby continued available
2 during the current fiscal year for the same purpose under
3 any authority applicable to such appropriations under this
4 Act: *Provided*, That the authority of this subsection may
5 not be used in fiscal year 1996.

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 chapters 1, 8 and 11 of part I, section
12 667, and chapter 4 of part II of the Foreign Assistance
13 Act of 1961, as amended, and funds provided under the
14 heading “Assistance for Eastern Europe and the Baltic
15 States”, shall remain available until expended if such
16 funds are initially obligated before the expiration of their
17 respective periods of availability contained in this Act:
18 *Provided further*, That, notwithstanding any other provi-
19 sion of this Act, any funds made available for the purposes
20 of chapter 1 of part I and chapter 4 of part II of the
21 Foreign Assistance Act of 1961 which are allocated or ob-
22 ligated for cash disbursements in order to address balance
23 of payments or economic policy reform objectives, shall re-
24 main available until expended: *Provided further*, That the
25 report required by section 653(a) of the Foreign Assist-
26 ance Act of 1961 shall designate for each country, to the

1 extent known at the time of submission of such report,
2 those funds allocated for cash disbursement for balance
3 of payment and economic policy reform purposes.

4 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

18 COMMERCE AND TRADE

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

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

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

23 (1) activities designed to increase food security
24 in developing countries where such activities will not

1 have a significant impact in the export of agricul-
2 tural commodities of the United States; or

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

5 SURPLUS COMMODITIES

6 SEC. 514. The Secretary of the Treasury shall in-
7 struct the United States Executive Directors of the Inter-
8 national Bank for Reconstruction and Development, the
9 International Development Association, the International
10 Finance Corporation, the Inter-American Development
11 Bank, the International Monetary Fund, the Asian Devel-
12 opment Bank, the Inter-American Investment Corpora-
13 tion, the North American Development Bank, the Euro-
14 pean Bank for Reconstruction and Development, the Afri-
15 can Development Bank, and the African Development
16 Fund to use the voice and vote of the United States to
17 oppose any assistance by these institutions, using funds
18 appropriated or made available pursuant to this Act, for
19 the production or extraction of any commodity or mineral
20 for export, if it is in surplus on world markets and if the
21 assistance will cause substantial injury to United States
22 producers of the same, similar, or competing commodity.

23 NOTIFICATION REQUIREMENTS

24 SEC. 515. For the purposes of providing the Execu-
25 tive Branch with the necessary administrative flexibility,
26 none of the funds made available under this Act for “De-

1 velopment Assistance”, “International organizations and
2 programs”, “Trade and Development Agency”, “Inter-
3 national narcotics control”, “Assistance for Eastern Eu-
4 rope and the Baltic States”, “Assistance for the New
5 Independent States of the Former Soviet Union”, “Eco-
6 nomic Support Fund”, “Peacekeeping operations”, “Oper-
7 ating expenses of the Agency for International Develop-
8 ment”, “Operating expenses of the Agency for Inter-
9 national Development Office of Inspector General”, “Non-
10 proliferation and Disarmament Fund”, “Anti-terrorism
11 assistance”, “Foreign Military Financing Program”,
12 “International military education and training”, “Inter-
13 American Foundation”, “African Development Founda-
14 tion”, “Peace Corps”, “Migration and refugee assist-
15 ance”, shall be available for obligation for activities, pro-
16 grams, projects, type of materiel assistance, countries, or
17 other operations not justified or in excess of the amount
18 justified to the Appropriations Committees for obligation
19 under any of these specific headings unless the Appropria-
20 tions Committees of both Houses of Congress are pre-
21 viously notified fifteen days in advance: *Provided*, That the
22 President shall not enter into any commitment of funds
23 appropriated for the purposes of section 23 of the Arms
24 Export Control Act for the provision of major defense
25 equipment, other than conventional ammunition, or other

1 major defense items defined to be aircraft, ships, missiles,
2 or combat vehicles, not previously justified to Congress or
3 10 per centum in excess of the quantities justified to Con-
4 gress unless the Committees on Appropriations are noti-
5 fied fifteen days in advance of such commitment: *Provided*
6 *further*, That this section shall not apply to any
7 reprogramming for an activity, program, or project under
8 chapter 1 of part I of the Foreign Assistance Act of 1961
9 of less than 20 per centum of the amount previously justi-
10 fied to the Congress for obligation for such activity, pro-
11 gram, or project for the current fiscal year: *Provided fur-*
12 *ther*, That the requirements of this section or any similar
13 provision of this Act or any prior Act requiring notification
14 in accordance with the regular notification procedures of
15 the Committees on Appropriations may be waived if fail-
16 ure to do so would pose a substantial risk to human health
17 or welfare: *Provided further*, That in case of any such
18 waiver, notification to the Congress, or the appropriate
19 congressional committees, shall be provided as early as
20 practicable, but in no event later than three days after
21 taking the action to which such notification requirement
22 was applicable, in the context of the circumstances neces-
23 sitating such waiver: *Provided further*, That any notifica-
24 tion provided pursuant to such a waiver shall contain an
25 explanation of the emergency circumstances.

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

5 LIMITATION ON AVAILABILITY OF FUNDS FOR
6 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

7 SEC. 516. Notwithstanding any other provision of law
8 or of this Act, none of the funds provided for “Inter-
9 national Organizations and Programs” shall be available
10 for the United States proportionate share, in accordance
11 with section 307(c) of the Foreign Assistance Act of 1961,
12 for any programs identified in section 307, or for Libya,
13 Iran, or, at the discretion of the President, Communist
14 countries listed in section 620(f) of the Foreign Assistance
15 Act of 1961, as amended: *Provided*, That, subject to the
16 regular notification procedures of the Committees on Ap-
17 propriations, funds appropriated under this Act or any
18 previously enacted Act making appropriations for foreign
19 operations, export financing, and related programs, which
20 are returned or not made available for organizations and
21 programs because of the implementation of this section
22 or any similar provision of law, shall remain available for
23 obligation through September 30, 1997.

24 ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

25 SEC. 517. The Congress finds that progress on the
26 peace process in the Middle East is vitally important to

1 United States security interests in the region. The Con-
2 gress recognizes that, in fulfilling its obligations under the
3 Treaty of Peace Between the Arab Republic of Egypt and
4 the State of Israel, done at Washington on March 26,
5 1979, Israel incurred severe economic burdens. Further-
6 more, the Congress recognizes that an economically and
7 militarily secure Israel serves the security interests of the
8 United States, for a secure Israel is an Israel which has
9 the incentive and confidence to continue pursuing the
10 peace process. Therefore, the Congress declares that, sub-
11 ject to the availability of appropriations, it is the policy
12 and the intention of the United States that the funds pro-
13 vided in annual appropriations for the Economic Support
14 Fund which are allocated to Israel shall not be less than
15 the annual debt repayment (interest and principal) from
16 Israel to the United States Government in recognition that
17 such a principle serves United States interests in the re-
18 gion.

19 PROHIBITION ON FUNDING FOR ABORTIONS AND

20 INVOLUNTARY STERILIZATION

21 SEC. 518. None of the funds made available to carry
22 out part I of the Foreign Assistance Act of 1961, as
23 amended, may be used to pay for the performance of abor-
24 tions as a method of family planning or to motivate or
25 coerce any person to practice abortions. None of the funds
26 made available to carry out part I of the Foreign Assist-

1 ance Act of 1961, as amended, may be used to pay for
2 the performance of involuntary sterilization as a method
3 of family planning or to coerce or provide any financial
4 incentive to any person to undergo sterilizations. None of
5 the funds made available to carry out part I of the Foreign
6 Assistance Act of 1961, as amended, may be used to pay
7 for any biomedical research which relates in whole or in
8 part, to methods of, or the performance of, abortions or
9 involuntary sterilization as a means of family planning.
10 None of the funds made available to carry out part I of
11 the Foreign Assistance Act of 1961, as amended, may be
12 obligated or expended for any country or organization if
13 the President certifies that the use of these funds by any
14 such country or organization would violate any of the
15 above provisions related to abortions and involuntary steri-
16 lizations: *Provided*, That none of the funds made available
17 under this Act may be used to lobby for or against abor-
18 tion.

19 REPORTING REQUIREMENT

20 SEC. 519. The President shall submit to the Commit-
21 tees on Appropriations the reports required by section
22 25(a)(1) of the Arms Export Control Act.

23 SPECIAL NOTIFICATION REQUIREMENTS

24 SEC. 520. None of the funds appropriated in this Act
25 shall be obligated or expended for Colombia, Dominican
26 Republic, Guatemala, Haiti, Liberia, Nicaragua, Peru,

1 Russia, Sudan, or Zaire except as provided through the
2 regular notification procedures of the Committees on Ap-
3 propriations: *Provided*, That this section shall not apply
4 to funds appropriated by this Act to carry out the provi-
5 sions of chapter 1 of part I of the Foreign Assistance Act
6 of 1961 that are made available for Nicaragua.

7 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

8 SEC. 521. For the purpose of this Act, “program,
9 project, and activity” shall be defined at the Appropria-
10 tions Act account level and shall include all Appropriations
11 and Authorizations Acts earmarks, ceilings, and limita-
12 tions with the exception that for the following accounts:
13 Economic Support Fund and Foreign Military Financing
14 Program, “program, project, and activity” shall also be
15 considered to include country, regional, and central pro-
16 gram level funding within each such account; for the devel-
17 opment assistance accounts of the Agency for Inter-
18 national Development “program, project, and activity”
19 shall also be considered to include central program level
20 funding, either as (1) justified to the Congress, or (2) allo-
21 cated by the executive branch in accordance with a report,
22 to be provided to the Committees on Appropriations within
23 thirty days of enactment of this Act, as required by section
24 653(a) of the Foreign Assistance Act of 1961.

1 CHILD SURVIVAL AND AIDS ACTIVITIES

2 SEC. 522. Up to \$8,000,000 of the funds made avail-
3 able by this Act for assistance for family planning, health,
4 child survival, and AIDS, may be used to reimburse
5 United States Government agencies, agencies of State gov-
6 ernments, institutions of higher learning, and private and
7 voluntary organizations for the full cost of individuals (in-
8 cluding for the personal services of such individuals) de-
9 tailed or assigned to, or contracted by, as the case may
10 be, the Agency for International Development for the pur-
11 pose of carrying out family planning activities, child sur-
12 vival activities and activities relating to research on, and
13 the treatment and control of, acquired immune deficiency
14 syndrome in developing countries: *Provided*, That funds
15 appropriated by this Act that are made available for child
16 survival activities or activities relating to research on, and
17 the treatment and control of, acquired immune deficiency
18 syndrome may be made available notwithstanding any pro-
19 vision of law that restricts assistance to foreign countries:
20 *Provided further*, That funds appropriated by this Act that
21 are made available for family planning activities may be
22 made available notwithstanding section 512 of this Act
23 and section 620(q) of the Foreign Assistance Act of 1961.

1 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
2 COUNTRIES

3 SEC. 523. None of the funds appropriated or other-
4 wise made available pursuant to this Act shall be obligated
5 to finance indirectly any assistance or reparations to
6 Cuba, Iraq, Libya, Iran, Syria, North Korea, or the Peo-
7 ple's Republic of China, unless the President of the United
8 States certifies that the withholding of these funds is con-
9 trary to the national interest of the United States.

10 RECIPROCAL LEASING

11 SEC. 524. Section 61(a) of the Arms Export Control
12 Act is amended by striking out "1995" and inserting in
13 lieu thereof "1996".

14 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

15 SEC. 525. Prior to providing excess Department of
16 Defense articles in accordance with section 516(a) of the
17 Foreign Assistance Act of 1961, the Department of De-
18 fense shall notify the Committees on Appropriations to the
19 same extent and under the same conditions as are other
20 committees pursuant to subsection (c) of that section: *Pro-*
21 *vided*, That before issuing a letter of offer to sell excess
22 defense articles under the Arms Export Control Act, the
23 Department of Defense shall notify the Committees on
24 Appropriations in accordance with the regular notification
25 procedures of such Committees: *Provided further*, That

1 such Committees shall also be informed of the original ac-
2 quisition cost of such defense articles.

3 AUTHORIZATION REQUIREMENT

4 SEC. 526. Funds appropriated by this Act may be
5 obligated and expended notwithstanding section 10 of
6 Public Law 91–672 and section 15 of the State Depart-
7 ment Basic Authorities Act of 1956.

8 OPPOSITION TO ASSISTANCE TO TERRORIST COUNTRIES
9 BY INTERNATIONAL FINANCIAL INSTITUTIONS

10 SEC. 527. (a) INSTRUCTIONS FOR UNITED STATES
11 EXECUTIVE DIRECTORS.—The Secretary of the Treasury
12 shall instruct the United States Executive Director of each
13 international financial institution designated in subsection
14 (b), and the Administrator of the Agency for International
15 Development shall instruct the United States Executive
16 Director of the International Fund for Agriculture Devel-
17 opment, to use the voice and vote of the United States
18 to oppose any loan or other use of the funds of the respec-
19 tive institution to or for a country for which the Secretary
20 of State has made a determination under section 6(j) of
21 the Export Administration Act of 1979.

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

24 (1) the International Bank for Reconstruction
25 and Development, the International Development

1 Association, and the International Monetary Fund;
2 and

3 (2) wherever applicable, the Inter-American De-
4 velopment Bank, the Asian Development Bank, the
5 African Development Bank, the African Develop-
6 ment Fund, and the European Bank for Reconstruc-
7 tion and Development.

8 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
9 COUNTRIES

10 SEC. 527A. (a) Notwithstanding any other provision
11 of law, funds appropriated for bilateral assistance under
12 any heading of this Act and funds appropriated under any
13 such heading in a provision of law enacted prior to enact-
14 ment of this Act, shall not be made available to any coun-
15 try which the President determines—

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

19 (2) otherwise supports international terrorism.

20 (b) The President may waive the application of sub-
21 section (a) to a country if the President determines that
22 national security or humanitarian reasons justify such
23 waiver. The President shall publish each waiver in the
24 Federal Register and, at least fifteen days before the waiv-
25 er takes effect, shall notify the Committees on Appropria-
26 tions of the waiver (including the justification for the waiv-

1 er) in accordance with the regular notification procedures
2 of the Committees on Appropriations.

3 COMMERCIAL LEASING OF DEFENSE ARTICLES

4 SEC. 528. Notwithstanding any other provision of
5 law, and subject to the regular notification requirements
6 of the Committees on Appropriations, the authority of sec-
7 tion 23(a) of the Arms Export Control Act may be used
8 to provide financing to Israel, Egypt and NATO and
9 major non-NATO allies for the procurement by leasing
10 (including leasing with an option to purchase) of defense
11 articles from United States commercial suppliers, not in-
12 cluding Major Defense Equipment (other than helicopters
13 and other types of aircraft having possible civilian applica-
14 tion), if the President determines that there are compel-
15 ling foreign policy or national security reasons for those
16 defense articles being provided by commercial lease rather
17 than by government-to-government sale under such Act.

18 COMPETITIVE INSURANCE

19 SEC. 528A. All Agency for International Development
20 contracts and solicitations, and subcontracts entered into
21 under such contracts, shall include a clause requiring that
22 United States insurance companies have a fair oppor-
23 tunity to bid for insurance when such insurance is nec-
24 essary or appropriate.

1 STINGERS IN THE PERSIAN GULF REGION

2 SEC. 529. Except as provided in section 581 of the
3 Foreign Operations, Export Financing, and Related Pro-
4 grams Appropriations Act, 1990, the United States may
5 not sell or otherwise make available any Stingers to any
6 country bordering the Persian Gulf under the Arms Ex-
7 port Control Act or chapter 2 of part II of the Foreign
8 Assistance Act of 1961.

9 DEBT-FOR-DEVELOPMENT

10 SEC. 530. In order to enhance the continued partici-
11 pation of nongovernmental organizations in economic as-
12 sistance activities under the Foreign Assistance Act of
13 1961, including endowments, debt-for-development and
14 debt-for-nature exchanges, a nongovernmental organiza-
15 tion which is a grantee or contractor of the Agency for
16 International Development may place in interest bearing
17 accounts funds made available under this Act or prior Acts
18 or local currencies which accrue to that organization as
19 a result of economic assistance provided under title II of
20 this Act and any interest earned on such investment may
21 be used for the purpose for which the assistance was pro-
22 vided to that organization.

1 COMPETITIVE PRICING FOR SALES OF DEFENSE

2 ARTICLES

3 SEC. 531A. (a) COSTING BASIS.—Section 22 of the
4 Arms Export Control Act (22 U.S.C. 2762) is amended
5 by adding at the end the following:

6 “(d) COMPETITIVE PRICING.—Procurement con-
7 tracts made in implementation of sales under this section
8 for defense articles and defense services wholly paid for
9 from funds made available on a nonrepayable basis shall
10 be priced on the same costing basis with regard to profit,
11 overhead, independent research and development, bid and
12 proposal, and other costing elements, as is applicable to
13 procurements of like items purchased by the Department
14 of Defense for its own use.”.

15 (b) EFFECTIVE DATE AND IMPLEMENTING REGULA-
16 TIONS.—Section 22(d) of the Arms Export Control Act,
17 as added by subsection (a)—

18 (1) shall take effect on the 60th day following
19 the date of the enactment of this Act;

20 (2) shall be applicable only to contracts made in
21 implementation of sales made after such effective
22 date; and

23 (3) shall be implemented by revised procure-
24 ment regulations, which shall be issued prior to such
25 effective date.

1 (c) DIRECT COSTS ALLOWABLE.—Direct costs asso-
2 ciated with meeting a foreign customer’s additional or
3 unique requirements will continue to be allowable under
4 such contracts. Loadings applicable to such direct costs
5 shall be permitted at the same rates applicable to procure-
6 ment of like items purchased by the Department of De-
7 fense for its own use.

8 STOCKPILES OF DEFENSE ARTICLES

9 SEC. 531B. (a) LIMITATION ON VALUE OF ADDI-
10 TIONS.—Section 514(b)(1) of the Foreign Assistance Act
11 of 1961 (22 U.S.C. 2321h(b)(1)) is amended by inserting
12 “or in the implementation of agreements with Israel” after
13 “North Atlantic Treaty Organization”.

14 (b) ADDITIONS IN FISCAL YEARS 1996 AND 1997.—
15 Section 514(b)(2) of such Act (22 U.S.C. 2321h(b)(2))
16 is amended to read as follows:

17 “(2)(A) The value of such additions to stockpiles of
18 defense articles in foreign countries shall not exceed
19 \$50,000,000 for each of the fiscal years 1996 and 1997.

20 “(B) Of the amount specified in subparagraph (A)
21 for each of the fiscal years 1996 and 1997, not more than
22 \$40,000,000 may be made available for stockpiles in the
23 Republic of Korea and not more than \$10,000,000 may
24 be made available for stockpiles in Thailand.”.

1 (c) LOCATION OF STOCKPILES OF DEFENSE AU-
2 THORITIES.—Section 514(c) of such Act (22 U.S.C.
3 2321h(c)) is amended to read as follows:

4 “(c) LOCATION OF STOCKPILES OF DEFENSE ARTI-
5 CLES.—

6 “(1) LIMITATION.—Except as provided in para-
7 graph (2), no stockpile of defense articles may be lo-
8 cated outside the boundaries of a United States mili-
9 tary base or a military base used primarily by the
10 United States.

11 “(2) EXCEPTIONS.—Paragraph (1) shall not
12 apply with respect to stockpiles of defense articles
13 located in the Republic of Korea, Thailand, any
14 country that is a member of the North Atlantic
15 Treaty Organization, any country that is a major
16 non-NATO ally, or any other country the President
17 may designate. At least 15 days before designating
18 a country pursuant to the last clause of the preced-
19 ing sentence, the President shall notify the congress-
20 sional committees specified in section 634A(a) in ac-
21 cordance with the procedures applicable to
22 reprogramming notifications under that section.”.

23 SEPARATE ACCOUNTS

24 SEC. 532. (a) SEPARATE ACCOUNTS FOR LOCAL
25 CURRENCIES.—(1) If assistance is furnished to the gov-
26 ernment of a foreign country under chapters 1 and 10 of

1 part I or chapter 4 of part II of the Foreign Assistance
2 Act of 1961 under agreements which result in the genera-
3 tion of local currencies of that country, the Administrator
4 of the Agency for International Development shall—

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

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

9 (i) the amount of the local currencies to be
10 generated, and

11 (ii) the terms and conditions under which
12 the currencies so deposited may be utilized, con-
13 sistent with this section; and

14 (C) establish by agreement with that govern-
15 ment the responsibilities of the Agency for Inter-
16 national Development and that government to mon-
17 itor and account for deposits into and disbursements
18 from the separate account.

19 (2) USES OF LOCAL CURRENCIES.—As may be
20 agreed upon with the foreign government, local currencies
21 deposited in a separate account pursuant to subsection
22 (a), or an equivalent amount of local currencies, shall be
23 used only—

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

4 (i) project and sector assistance activities,
5 or
6 (ii) debt and deficit financing; or

7 (B) for the administrative requirements of the
8 United States Government.

9 (3) PROGRAMMING ACCOUNTABILITY.—The Agency
10 for International Development shall take all appropriate
11 steps to ensure that the equivalent of the local currencies
12 disbursed pursuant to subsection (a)(2)(A) from the sepa-
13 rate account established pursuant to subsection (a)(1) are
14 used for the purposes agreed upon pursuant to subsection
15 (a)(2).

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

24 (5) CONFORMING AMENDMENTS.—The provisions of
25 this subsection shall supersede the tenth and eleventh pro-

1 visos contained under the heading “Sub-Saharan Africa,
2 Development Assistance” as included in the Foreign Oper-
3 ations, Export Financing, and Related Programs Appro-
4 priations Act, 1989 and sections 531(d) and 609 of the
5 Foreign Assistance Act of 1961.

6 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

7 (1) If assistance is made available to the government of
8 a foreign country, under chapters 1 or 10 of part I or
9 chapter 4 of part II of the Foreign Assistance Act of 1961,
10 as cash transfer assistance or as nonproject sector assist-
11 ance, that country shall be required to maintain such
12 funds in a separate account and not commingle them with
13 any other funds.

14 (2) APPLICABILITY OF OTHER PROVISIONS OF
15 LAW.—Such funds may be obligated and expended not-
16 withstanding provisions of law which are inconsistent with
17 the nature of this assistance including provisions which
18 are referenced in the Joint Explanatory Statement of the
19 Committee of Conference accompanying House Joint Res-
20 olution 648 (H. Report No. 98–1159).

21 (3) NOTIFICATION.—At least fifteen days prior to ob-
22 ligating any such cash transfer or nonproject sector assist-
23 ance, the President shall submit a notification through the
24 regular notification procedures of the Committees on Ap-
25 propriations, which shall include a detailed description of

1 how the funds proposed to be made available will be used,
2 with a discussion of the United States interests that will
3 be served by the assistance (including, as appropriate, a
4 description of the economic policy reforms that will be pro-
5 moted by such assistance).

6 (4) EXEMPTION.—Nonproject sector assistance funds
7 may be exempt from the requirements of subsection (b)(1)
8 only through the notification procedures of the Commit-
9 tees on Appropriations.

10 COMPENSATION FOR UNITED STATES EXECUTIVE
11 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

12 SEC. 533. (a) No funds appropriated by this Act may
13 be made as payment to any international financial institu-
14 tion while the United States Executive Director to such
15 institution is compensated by the institution at a rate
16 which, together with whatever compensation such Director
17 receives from the United States, is in excess of the rate
18 provided for an individual occupying a position at level IV
19 of the Executive Schedule under section 5315 of title 5,
20 United States Code, or while any alternate United States
21 Director to such institution is compensated by the institu-
22 tion at a rate in excess of the rate provided for an individ-
23 ual occupying a position at level V of the Executive Sched-
24 ule under section 5316 of title 5, United States Code.

25 (b) For purposes of this section, “international finan-
26 cial institutions” are: the International Bank for Recon-

1 struction and Development, the Inter-American Develop-
2 ment Bank, the Asian Development Bank, the Asian De-
3 velopment Fund, the African Development Bank, the Afri-
4 can Development Fund, the International Monetary Fund,
5 the North American Development Bank, and the Euro-
6 pean Bank for Reconstruction and Development.

7 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST
8 IRAQ

9 SEC. 534. (a) DENIAL OF ASSISTANCE.—None of the
10 funds appropriated or otherwise made available pursuant
11 to this Act to carry out the Foreign Assistance Act of
12 1961 (including title IV of chapter 2 of part I, relating
13 to the Overseas Private Investment Corporation) or the
14 Arms Export Control Act may be used to provide assist-
15 ance to any country that is not in compliance with the
16 United Nations Security Council sanctions against Iraq,
17 Serbia or Montenegro unless the President determines and
18 so certifies to the Congress that—

19 (1) such assistance is in the national interest of
20 the United States;

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

23 (3) the assistance to be provided will be human-
24 itarian assistance for foreign nationals who have fled
25 Iraq and Kuwait.

1 (b) IMPORT SANCTIONS.—If the President considers
2 that the taking of such action would promote the effective-
3 ness of the economic sanctions of the United Nations and
4 the United States imposed with respect to Iraq, Serbia,
5 or Montenegro, as the case may be, and is consistent with
6 the national interest, the President may prohibit, for such
7 a period of time as he considers appropriate, the importa-
8 tion into the United States of any or all products of any
9 foreign country that has not prohibited—

10 (1) the importation of products of Iraq, Serbia,
11 or Montenegro into its customs territory, and

12 (2) the export of its products to Iraq, Serbia,
13 or Montenegro, as the case may be.

14 POW/MIA MILITARY DRAWDOWN

15 SEC. 535. (a) Notwithstanding any other provision
16 of law, the President may direct the drawdown, without
17 reimbursement by the recipient, of defense articles from
18 the stocks of the Department of Defense, defense services
19 of the Department of Defense, and military education and
20 training, of an aggregate value not to exceed \$15,000,000
21 in fiscal year 1996, as may be necessary to carry out sub-
22 section (b).

23 (b) Such defense articles, services and training may
24 be provided to Vietnam, Cambodia and Laos, under sub-
25 section (a) as the President determines are necessary to
26 support efforts to locate and repatriate members of the

1 United States Armed Forces and civilians employed di-
2 rectly or indirectly by the United States Government who
3 remain unaccounted for from the Vietnam War, and to
4 ensure the safety of United States Government personnel
5 engaged in such cooperative efforts and to support United
6 States Department of Defense-sponsored humanitarian
7 projects associated with the POW/MIA efforts. Any air-
8 craft shall be provided under this section only to Laos and
9 only on a lease or loan basis, but may be provided at no
10 cost notwithstanding section 61 of the Arms Export Con-
11 trol Act and may be maintained with defense articles, serv-
12 ices and training provided under this section.

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

18 MEDITERRANEAN EXCESS DEFENSE ARTICLES

19 SEC. 536. During fiscal year 1996, the provisions of
20 section 573(e) of the Foreign Operations, Export Financ-
21 ing, and Related Programs Appropriations Act, 1990,
22 shall be applicable, for the period specified therein, to ex-
23 cess defense articles made available under sections 516
24 and 519 of the Foreign Assistance Act of 1961.

1 CASH FLOW FINANCING

2 SEC. 537. For each country that has been approved
3 for cash flow financing (as defined in section 25(d) of the
4 Arms Export Control Act, as added by section 112(b) of
5 Public Law 99–83) under the Foreign Military Financing
6 Program, any Letter of Offer and Acceptance or other
7 purchase agreement, or any amendment thereto, for a pro-
8 curement in excess of \$100,000,000 that is to be financed
9 in whole or in part with funds made available under this
10 Act shall be submitted through the regular notification
11 procedures to the Committees on Appropriations.

12 AUTHORITIES FOR THE PEACE CORPS, THE INTER-AMER-
13 ICAN FOUNDATION AND THE AFRICAN DEVELOP-
14 MENT FOUNDATION

15 SEC. 538. Unless expressly provided to the contrary,
16 provisions of this or any other Act, including provisions
17 contained in prior Acts authorizing or making appropria-
18 tions for foreign operations, export financing, and related
19 programs, shall not be construed to prohibit activities au-
20 thorized by or conducted under the Peace Corps Act, the
21 Inter-American Foundation Act, or the African Develop-
22 ment Foundation Act. The appropriate agency shall
23 promptly report to the Committees on Appropriations
24 whenever it is conducting activities or is proposing to con-
25 duct activities in a country for which assistance is prohib-
26 ited.

1 IMPACT ON JOBS IN THE UNITED STATES

2 SEC. 539. None of the funds appropriated by this Act
3 may be obligated or expended to provide—

4 (a) any financial incentive to a business enter-
5 prise currently located in the United States for the
6 purpose of inducing such an enterprise to relocate
7 outside the United States if such incentive or in-
8 ducement is likely to reduce the number of employ-
9 ees of such business enterprise in the United States
10 because United States production is being replaced
11 by such enterprise outside the United States;

12 (b) assistance for the purpose of establishing or
13 developing in a foreign country any export process-
14 ing zone or designated area in which the tax, tariff,
15 labor, environment, and safety laws of that country
16 do not apply, in part or in whole, to activities car-
17 ried out within that zone or area, unless the Presi-
18 dent determines and certifies that such assistance is
19 not likely to cause a loss of jobs within the United
20 States; or

21 (c) assistance for any project or activity that
22 contributes to the violation of internationally recog-
23 nized workers rights, as defined in section 502(a)(4)
24 of the Trade Act of 1974, of workers in the recipient
25 country, including any designated zone or area in

1 that country: *Provided*, That in recognition that the
2 application of this subsection should be commensu-
3 rate with the level of development of the recipient
4 country and sector, the provisions of this subsection
5 shall not preclude assistance for the informal sector
6 in such country, micro and small-scale enterprise,
7 and smallholder agriculture.

8 AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

9 SEC. 540. (a) Congress finds as follows:

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

13 (2) The federated states of Serbia and
14 Montenegro have a large supply of military equip-
15 ment and ammunition and the Serbian forces fight-
16 ing the government of Bosnia-Herzegovina have
17 more than one thousand battle tanks, armored vehi-
18 cles, and artillery pieces.

19 (3) Because the United Nations arms embargo
20 is serving to sustain the military advantage of the
21 aggressor, the United Nations should exempt the
22 government of Bosnia-Herzegovina from its embar-
23 go.

24 (b) Pursuant to a lifting of the United Nations arms
25 embargo, or to a unilateral lifting of the arms embargo
26 by the President of the United States, against Bosnia-

1 Hercegovina, the President is authorized to transfer, sub-
2 ject to prior notification of the Committees on Appropria-
3 tions, to the government of that nation, without reim-
4 bursement, defense articles from the stocks of the Depart-
5 ment of Defense and defense services of the Department
6 of Defense of an aggregate value not to exceed
7 \$100,000,000 in fiscal year 1996: *Provided*, That the
8 President certifies in a timely fashion to the Congress that
9 the transfer of such articles would assist that nation in
10 self-defense and thereby promote the security and stability
11 of the region.

12 (c) Within 60 days of any transfer under the author-
13 ity provided in subsection (b), and every 60 days there-
14 after, the President shall report in writing to the Speaker
15 of the House of Representatives and the President pro
16 tempore of the Senate concerning the articles transferred
17 and the disposition thereof.

18 (d) There are authorized to be appropriated to the
19 President such sums as may be necessary to reimburse
20 the applicable appropriation, fund, or account for defense
21 articles provided under this section.

22 RESTRICTIONS ON THE TERMINATION OF SANCTIONS

23 AGAINST SERBIA AND MONTENEGRO

24 SEC. 540A. (a) RESTRICTIONS.—Notwithstanding
25 any other provision of law, no sanction, prohibition, or re-
26 quirement described in section 1511 of the National De-

1 fense Authorization Act for Fiscal Year 1994 (Public Law
2 103–160), with respect to Serbia or Montenegro, may
3 cease to be effective, unless—

4 (1) the President first submits to the Congress
5 a certification described in subsection (b); and

6 (2) the requirements of section 1511 of that
7 Act are met.

8 (b) CERTIFICATION.—A certification described in this
9 subsection is a certification that—

10 (1) there is substantial progress toward—

11 (A) the realization of a separate identity
12 for Kosova and the right of the people of
13 Kosova to govern themselves; or

14 (B) the creation of an international protec-
15 torate for Kosova;

16 (2) there is substantial improvement in the
17 human rights situation in Kosova;

18 (3) international human rights observers are al-
19 lowed to return to Kosova; and

20 (4) the elected government of Kosova is per-
21 mitted to meet and carry out its legitimate mandate
22 as elected representatives of the people of Kosova.

23 (c) WAIVER AUTHORITY.—The President may waive
24 the application in whole or in part, of subsection (a) if
25 the President certifies to the Congress that the President

1 has determined that the waiver is necessary to meet emer-
2 gency humanitarian needs or to achieve a negotiated set-
3 tlement of the conflict in Bosnia-Herzegovina that is ac-
4 ceptable to the parties.

5 (d) EXPANDED AUTHORITY.—Section 660(b) of the
6 Foreign Assistance Act of 1961 is amended—

7 (1) in paragraph (3), by striking “or”;

8 (2) in paragraph (4), by striking the period at
9 the end thereof and inserting “; or”;

10 (3) adding the following new paragraphs:

11 “(5) with respect to assistance, including train-
12 ing, relating to sanctions monitoring and enforce-
13 ment;

14 “(6) with respect to assistance provided to re-
15 constitute civilian police authority and capability in
16 the post-conflict restoration of host nation infra-
17 structure for the purposes of supporting a nation
18 emerging from instability, and the provision of pro-
19 fessional public safety training, to include training in
20 internationally recognized standards of human
21 rights, the rule of law, anti-corruption, and the pro-
22 motion of civilian police roles that support democ-
23 racy.”.

SPECIAL AUTHORITIES

1
2 SEC. 541. (a) Funds appropriated in title II of this
3 Act that are made available for Afghanistan, Lebanon,
4 and Cambodia, and for victims of war, displaced children,
5 displaced Burmese, humanitarian assistance for Romania,
6 and humanitarian assistance for the peoples of Bosnia-
7 Hercegovina, Croatia, and Kosova, may be made available
8 notwithstanding any other provision of law: *Provided*,
9 That any such funds that are made available for Cam-
10 bodia shall be subject to the provisions of section 531(e)
11 of the Foreign Assistance Act of 1961 and section 906
12 of the International Security and Development Coopera-
13 tion Act of 1985: *Provided further*, That the President
14 shall terminate assistance to any country or organization
15 that he determines is cooperating, tactically or strategi-
16 cally, with the Khmer Rouge in their military operations,
17 or to the military of any country which the President de-
18 termines is not taking steps to prevent a pattern or prac-
19 tice of commercial relations between its members and the
20 Khmer Rouge.

21 (b) Funds appropriated by this Act to carry out the
22 provisions of sections 103 through 106 of the Foreign As-
23 sistance Act of 1961 may be used, notwithstanding any
24 other provision of law, for the purpose of supporting tropi-
25 cal forestry and energy programs aimed at reducing emis-

1 sions of greenhouse gases, and for the purpose of support-
2 ing biodiversity conservation activities: *Provided*, That
3 such assistance shall be subject to sections 116, 502B, and
4 620A of the Foreign Assistance Act of 1961.

5 (c) During fiscal year 1996, the President may use
6 up to \$40,000,000 under the authority of section 451 of
7 the Foreign Assistance Act of 1961, notwithstanding the
8 funding ceiling contained in subsection (a) of that section.

9 (d) The Agency for International Development may
10 employ personal services contractors, notwithstanding any
11 other provision of law, for the purpose of administering
12 programs for the West Bank and Gaza.

13 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT
14 OF ISRAEL

15 SEC. 542. It is the sense of the Congress that—

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

21 (2) the President should—

22 (A) take more concrete steps to encourage
23 vigorously Arab League countries to renounce
24 publicly the primary boycotts of Israel and the
25 secondary and tertiary boycotts of American

1 firms that have commercial relations with Israel
2 as a confidence-building measure;

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

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

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

19 ANTI-NARCOTICS ACTIVITIES

20 SEC. 543. (a) Of the funds appropriated or otherwise
21 made available by this Act for “Economic Support Fund”,
22 assistance may be provided to strengthen the administra-
23 tion of justice in countries in Latin America and the Car-
24 ibbean in accordance with the provisions of section 534
25 of the Foreign Assistance Act of 1961, except that pro-
26 grams to enhance protection of participants in judicial

1 cases may be conducted notwithstanding section 660 of
2 that Act.

3 (b) Funds made available pursuant to this section
4 may be made available notwithstanding the third sentence
5 of section 534(e) of the Foreign Assistance Act of 1961.
6 Funds made available pursuant to subsection (a) for Bo-
7 livia, Colombia and Peru may be made available notwith-
8 standing section 534(c) and the second sentence of section
9 534(e) of the Foreign Assistance Act of 1961.

10 ELIGIBILITY FOR ASSISTANCE

11 SEC. 544. (a) ASSISTANCE THROUGH NONGOVERN-
12 MENTAL ORGANIZATIONS.—Restrictions contained in this
13 or any other Act with respect to assistance for a country
14 shall not be construed to restrict assistance in support of
15 programs of nongovernmental organizations from funds
16 appropriated by this Act to carry out the provisions of
17 chapters 1 and 10 of part I of the Foreign Assistance Act
18 of 1961: *Provided*, That the President shall take into con-
19 sideration, in any case in which a restriction on assistance
20 would be applicable but for this subsection, whether assist-
21 ance in support of programs of nongovernmental organiza-
22 tions is in the national interest of the United States: *Pro-*
23 *vided further*, That before using the authority of this sub-
24 section to furnish assistance in support of programs of
25 nongovernmental organizations, the President shall notify
26 the Committees on Appropriations under the regular noti-

1 fication procedures of those committees, including a de-
2 scription of the program to be assisted, the assistance to
3 be provided, and the reasons for furnishing such assist-
4 ance: *Provided further*, That nothing in this subsection
5 shall be construed to alter any existing statutory prohibi-
6 tions against abortion or involuntary sterilizations con-
7 tained in this or any other Act.

8 (b) PUBLIC LAW 480.—During fiscal year 1996, re-
9 strictions contained in this or any other Act with respect
10 to assistance for a country shall not be construed to re-
11 strict assistance under the Agricultural Trade Develop-
12 ment and Assistance Act of 1954: *Provided*, That none
13 of the funds appropriated to carry out title I of such Act
14 and made available pursuant to this subsection may be
15 obligated or expended except as provided through the reg-
16 ular notification procedures of the Committees on Appro-
17 priations.

18 (c) EXCEPTION.—This section shall not apply—

19 (1) with respect to section 620A of the Foreign
20 Assistance Act or any comparable provision of law
21 prohibiting assistance to countries that support
22 international terrorism; or

23 (2) with respect to section 116 of the Foreign
24 Assistance Act of 1961 or any comparable provision

1 of law prohibiting assistance to countries that violate
2 internationally recognized human rights.

3 EARMARKS

4 SEC. 544A. (a) Funds appropriated by this Act which
5 are earmarked may be reprogrammed for other programs
6 within the same account notwithstanding the earmark if
7 compliance with the earmark is made impossible by oper-
8 ation of any provision of this or any other Act or, with
9 respect to a country with which the United States has an
10 agreement providing the United States with base rights
11 or base access in that country, if the President determines
12 that the recipient for which funds are earmarked has sig-
13 nificantly reduced its military or economic cooperation
14 with the United States since enactment of the Foreign Op-
15 erations, Export Financing, and Related Programs Appro-
16 priations Act, 1991; however, before exercising the author-
17 ity of this subsection with regard to a base rights or base
18 access country which has significantly reduced its military
19 or economic cooperation with the United States, the Presi-
20 dent shall consult with, and shall provide a written policy
21 justification to the Committees on Appropriations: *Pro-*
22 *vided*, That any such reprogramming shall be subject to
23 the regular notification procedures of the Committees on
24 Appropriations: *Provided further*, That assistance that is
25 reprogrammed pursuant to this subsection shall be made

1 available under the same terms and conditions as origi-
2 nally provided.

3 (b) In addition to the authority contained in sub-
4 section (a), the original period of availability of funds ap-
5 propriated by this Act and administered by the Agency
6 for International Development that are earmarked for par-
7 ticular programs or activities by this or any other Act shall
8 be extended for an additional fiscal year if the Adminis-
9 trator of such agency determines and reports promptly to
10 the Committees on Appropriations that the termination of
11 assistance to a country or a significant change in cir-
12 cumstances makes it unlikely that such earmarked funds
13 can be obligated during the original period of availability:
14 *Provided*, That such earmarked funds that are continued
15 available for an additional fiscal year shall be obligated
16 only for the purpose of such earmark.

17 CEILINGS AND EARMARKS

18 SEC. 545. Ceilings and earmarks contained in this
19 Act shall not be applicable to funds or authorities appro-
20 priated or otherwise made available by any subsequent Act
21 unless such Act specifically so directs.

22 EXCESS DEFENSE ARTICLES

23 SEC. 546. (a) The authority of section 519 of the
24 Foreign Assistance Act of 1961, as amended, may be used
25 in fiscal year 1996 to provide nonlethal excess defense ar-
26 ticles to countries for which United States foreign assist-

1 ance has been requested and for which receipt of such arti-
2 cles was separately justified for the fiscal year, without
3 regard to the restrictions in subsection (a) of section 519.

4 (b) The authority of section 516 of the Foreign As-
5 sistance Act of 1961, as amended, may be used in fiscal
6 year 1996 to provide defense articles to Jordan, Estonia,
7 Latvia, and Lithuania.

8 PROHIBITION ON PUBLICITY OR PROPAGANDA

9 SEC. 547. No part of any appropriation contained in
10 this Act shall be used for publicity or propaganda purposes
11 within the United States not authorized before the date
12 of enactment of this Act by the Congress: *Provided*, That
13 none of the funds appropriated by this Act may be made
14 available to carry out the provisions of section 316 of Pub-
15 lic Law 96-533.

16 USE OF AMERICAN RESOURCES

17 SEC. 548. To the maximum extent possible, assist-
18 ance provided under this Act should make full use of
19 American resources, including commodities, products, and
20 services.

21 PROHIBITION OF PAYMENTS TO UNITED NATIONS

22 MEMBERS

23 SEC. 549. None of the funds appropriated or made
24 available pursuant to this Act for carrying out the Foreign
25 Assistance Act of 1961, may be used to pay in whole or

1 in part any assessments, arrearages, or dues of any mem-
2 ber of the United Nations.

3 CONSULTING SERVICES

4 SEC. 550. The expenditure of any appropriation
5 under this Act for any consulting service through procure-
6 ment contract, pursuant to section 3109 of title 5, United
7 States Code, shall be limited to those contracts where such
8 expenditures are a matter of public record and available
9 for public inspection, except where otherwise provided
10 under existing law, or under existing Executive order pur-
11 suant to existing law.

12 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

13 SEC. 551. None of the funds appropriated or made
14 available pursuant to this Act shall be available to a pri-
15 vate voluntary organization which fails to provide upon
16 timely request any document, file, or record necessary to
17 the auditing requirements of the Agency for International
18 Development.

19 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-
20 MENTS THAT EXPORT LETHAL MILITARY EQUIP-
21 MENT TO COUNTRIES SUPPORTING INTERNATIONAL
22 TERRORISM

23 SEC. 552. (a) None of the funds appropriated or oth-
24 erwise made available by this Act may be available to any
25 foreign government which provides lethal military equip-
26 ment to a country the government of which the Secretary

1 of State has determined is a terrorist government for pur-
2 poses of section 40(d) of the Arms Export Control Act.
3 The prohibition under this section with respect to a for-
4 eign government shall terminate 12 months after that gov-
5 ernment ceases to provide such military equipment. This
6 section applies with respect to lethal military equipment
7 provided under a contract entered into after the date of
8 enactment of this Act.

9 (b) Assistance restricted by subsection (a) or any
10 other similar provision of law, may be furnished if the
11 President determines that furnishing such assistance is
12 important to the national interests of the United States.

13 (c) Whenever the waiver of subsection (b) is exer-
14 cised, the President shall submit to the appropriate con-
15 gressional committees a report with respect to the furnish-
16 ing of such assistance. Any such report shall include a de-
17 tailed explanation of the assistance to be provided, includ-
18 ing the estimated dollar amount of such assistance, and
19 an explanation of how the assistance furthers United
20 States national interests.

21 WITHHOLDING OF ASSISTANCE FOR PARKING FINES

22 OWED BY FOREIGN COUNTRIES

23 SEC. 553. (a) IN GENERAL.—Of the funds made
24 available for a foreign country under part I of the Foreign
25 Assistance Act of 1961, an amount equivalent to 110 per-
26 cent of the total unpaid fully adjudicated parking fines

1 and penalties owed to the District of Columbia by such
2 country as of the date of enactment of this Act shall be
3 withheld from obligation for such country until the Sec-
4 retary of State certifies and reports in writing to the ap-
5 propriate congressional committees that such fines and
6 penalties are fully paid to the government of the District
7 of Columbia.

8 (b) DEFINITION.—For purposes of this section, the
9 term “appropriate congressional committees” means the
10 Committee on Foreign Relations and the Committee on
11 Appropriations of the Senate and the Committee on Inter-
12 national Relations and the Committee on Appropriations
13 of the House of Representatives.

14 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE
15 WEST BANK AND GAZA

16 SEC. 554. None of the funds appropriated by this Act
17 may be obligated for assistance for the Palestine Libera-
18 tion Organization for the West Bank and Gaza unless the
19 President has exercised the authority under section 583(a)
20 of the Middle East Peace Facilitation Act of 1994 (part
21 E of title V of Public Law 103–236) or any other legisla-
22 tion to suspend or make inapplicable section 307 of the
23 Foreign Assistance Act of 1961 and that suspension is
24 still in effect: *Provided*, That if the President fails to make
25 the certification under section 583(b)(2) of the Middle
26 East Peace Facilitation Act or to suspend the prohibition

1 under other legislation, funds appropriated by this Act
2 may not be obligated for assistance for the Palestine Lib-
3 eration Organization for the West Bank and Gaza.

4 EXPORT FINANCING TRANSFER AUTHORITIES

5 SEC. 555. Not to exceed 5 percent of any appropria-
6 tion other than for administrative expenses made available
7 for fiscal year 1996 for programs under title I of this Act
8 may be transferred between such appropriations for use
9 for any of the purposes, programs and activities for which
10 the funds in such receiving account may be used, but no
11 such appropriation, except as otherwise specifically pro-
12 vided, shall be increased by more than 25 percent by any
13 such transfer: *Provided*, That the exercise of such author-
14 ity shall be subject to the regular notification procedures
15 of the Committees on Appropriations.

16 WAR CRIMES TRIBUNALS

17 SEC. 556. If the President determines that doing so
18 will contribute to a just resolution of charges regarding
19 genocide or other violations of international humanitarian
20 law, the authority of section 552(c) of the Foreign Assist-
21 ance Act of 1961, as amended, may be used to provide
22 up to \$25,000,000 of commodities and services to the
23 United Nations War Crimes Tribunal established with re-
24 gard to the former Yugoslavia by the United Nations Se-
25 curity Council or such other tribunals or commissions as
26 the Council may establish to deal with such violations,

1 without regard to the ceiling limitation contained in para-
2 graph (2) thereof: *Provided*, That the determination re-
3 quired under this section shall be in lieu of any determina-
4 tions otherwise required under section 552(c): *Provided*
5 *further*, That 60 days after the date of enactment of this
6 Act, and every 180 days thereafter, the Secretary of State
7 shall submit a report to the Committees on Appropriations
8 describing the steps the United States Government is tak-
9 ing to collect information regarding allegations of genocide
10 or other violations of international law in the former Yugo-
11 slavia and to furnish that information to the United Na-
12 tions War Crimes Tribunal for the former Yugoslavia.

13 NONLETHAL EXCESS DEFENSE ARTICLES

14 SEC. 557. Notwithstanding section 519(f) of the For-
15 eign Assistance Act of 1961, during fiscal year 1996,
16 funds available to the Department of Defense may be ex-
17 pended for crating, packing, handling and transportation
18 of nonlethal excess defense articles transferred under the
19 authority of section 519 to countries eligible to participate
20 in the Partnership for Peace and to receive assistance
21 under Public Law 101-179.

22 LANDMINES

23 SEC. 558. Notwithstanding any other provision of
24 law, demining equipment available to any department or
25 agency and used in support of the clearing of landmines
26 for humanitarian purposes may be disposed of on a grant

1 basis in foreign countries, subject to such terms and condi-
2 tions as the President may prescribe: *Provided*, That sec-
3 tion 1365(e) of the National Defense Authorization Act
4 for Fiscal Year 1993 (Public Law 102–484; 22 U.S.C.,
5 2778 note) is amended by striking out “During the four-
6 year period beginning on October 23, 1992” and inserting
7 in lieu thereof “During the five-year period beginning on
8 October 23, 1992”.

9 CLARIFICATION OF RESTRICTIONS

10 SEC. 559. (a) IN GENERAL.—Section 620E of the
11 Foreign Assistance Act of 1961 (22 U.S.C. 2375) is
12 amended—

13 (1) in subsection (e)—

14 (A) by striking the words “No assistance”
15 and inserting the words “No military assist-
16 ance”;

17 (B) by striking the words “in which assist-
18 ance is to be furnished or military equipment or
19 technology” and inserting the words “in which
20 military assistance is to be furnished or military
21 equipment or technology”;

22 (C) by striking the words “the proposed
23 United States assistance” and inserting the
24 words “the proposed United States military as-
25 sistance”;

1 (D) by inserting “(1)” immediately after
2 “(e)”; and

3 (E) by adding the following new para-
4 graphs:

5 “(2) The prohibitions in this section do not
6 apply to any assistance or transfer provided for the
7 purposes of:

8 “(A) International narcotics control (in-
9 cluding chapter 8 of part I of this Act) or any
10 provision of law available for providing assist-
11 ance for counternarcotics purposes.

12 “(B) Facilitating military-to-military con-
13 tact, training (including chapter 5 of part II of
14 this Act) and humanitarian and civic assistance
15 projects.

16 “(C) Peacekeeping and other multilateral
17 operations (including chapter 6 of part II of
18 this Act relating to peacekeeping) or any provi-
19 sion of law available for providing assistance for
20 peacekeeping purposes, except that lethal mili-
21 tary equipment provided under this subpara-
22 graph shall be provided on a lease or loan basis
23 only and shall be returned upon completion of
24 the operation for which it was provided.

1 “(D) Antiterrorism assistance (including
2 chapter 8 of part II of this Act relating to
3 antiterrorism assistance) or any provision of
4 law available for antiterrorism assistance pur-
5 poses.

6 “(3) The restrictions of this subsection shall
7 continue to apply to contracts for the delivery of F-
8 16 aircraft to Pakistan.

9 “(4) Notwithstanding the restrictions contained
10 in this subsection, military equipment, technology, or
11 defense services, other than F-16 aircraft, may be
12 transferred to Pakistan pursuant to contracts or
13 cases entered into before October 1, 1990.”; and

14 (2) by adding at the end the following new sub-
15 sections:

16 “(f) STORAGE COSTS.—The President may release
17 the Government of Pakistan of its contractual obligation
18 to pay the United States Government for the storage costs
19 of items purchased prior to October 1, 1990, but not deliv-
20 ered by the United States Government pursuant to sub-
21 section (e) and may reimburse the Government of Paki-
22 stan for any such amount paid, on such terms and condi-
23 tions as the President may prescribe: *Provided*, That such
24 payments have no budgetary impact.

1 Palestinian governing entity provided for in the Israel-
2 PLO Declaration of Principles: *Provided*, That this re-
3 striction shall not apply to the acquisition of additional
4 space for the existing Consulate General in Jerusalem:
5 *Provided further*, That meetings between officers and em-
6 ployees of the United States and officials of the Palestin-
7 ian Authority, or any successor Palestinian governing en-
8 tity provided for in the Israel-PLO Declaration of Prin-
9 ciples, for the purpose of conducting official United States
10 Government business with such authority should continue
11 to take place in locations other than Jerusalem. As has
12 been true in the past, officers and employees of the United
13 States Government may continue to meet in Jerusalem on
14 other subjects with Palestinians (including those who now
15 occupy positions in the Palestinian Authority), have social
16 contacts, and have incidental discussions.

17 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

18 SEC. 561. None of the funds appropriated or other-
19 wise made available by this Act under the heading
20 “INTERNATIONAL MILITARY EDUCATION AND TRAINING”
21 or “FOREIGN MILITARY FINANCING PROGRAM” for Infor-
22 mational Program activities may be obligated or expended
23 to pay for—

24 (1) alcoholic beverages;

25 (2) food (other than food provided at a military
26 installation) not provided in conjunction with Infor-

1 mational Program trips where students do not stay
2 at a military installation; or

3 (3) entertainment expenses for activities that
4 are substantially of a recreational character, includ-
5 ing entrance fees at sporting events and amusement
6 parks.

7 SEC. 562. (a) IN GENERAL.—None of the funds
8 made available in this Act may be used for assistance in
9 support of any country when it is made known to the
10 President that the government of such country prohibits
11 or otherwise restricts, directly or indirectly, the transport
12 or delivery of United States humanitarian assistance.

13 (b) EXCEPTION.—Funds may be made available with
14 regard to the restriction in subsection (a) if the President
15 determines that to do so is in the national security interest
16 of the United States.

17 WITHHOLDING OF ASSISTANCE TO COUNTRIES
18 SUPPORTING NUCLEAR PLANT IN CUBA

19 SEC. 563. (a) WITHHOLDING.—The President shall
20 withhold from assistance made available with funds appro-
21 priated or made available pursuant to this Act an amount
22 equal to the sum of assistance and credits, if any, provided
23 on or after the date of the enactment of this Act by that
24 country, or any entity in that country, in support of the
25 completion of the Cuban nuclear facility at Juragua, near
26 Cienfuegos, Cuba.

- 1 (b) EXCEPTIONS.—The requirement of subsection (a)
2 to withhold assistance shall not apply with respect to—
- 3 (1) assistance to meet urgent humanitarian
4 needs including disaster and refugee relief;
 - 5 (2) democratic political reform and rule of law
6 activities;
 - 7 (3) the creation of private sector and non-
8 governmental organizations that are independent of
9 government control;
 - 10 (4) the development of a free market economic
11 system; and
 - 12 (5) assistance for the purposes described in the
13 Cooperative Threat Reduction Act of 1993 (title XII
14 of Public Law 103–160).

15 LIMITATION ON FUNDS FOR HAITI

16 SEC. 564. Effective March 1, 1996, none of the funds
17 appropriated in this Act may be made available to the
18 Government of Haiti when it is made known to the Presi-
19 dent that such Government is controlled by a regime hold-
20 ing power through means other than the democratic elec-
21 tions scheduled for calendar year 1995 and held in sub-
22 stantial compliance with the requirements of the 1987
23 Constitution of Haiti.

1 PURCHASE OF AMERICAN-MADE EQUIPMENT AND
2 PRODUCTS

3 SEC. 565. (a) SENSE OF CONGRESS.—It is the sense
4 of the Congress that, to the greatest extent practicable,
5 all equipment and products purchased with funds made
6 available in this Act should be American-made.

7 (b) NOTICE REQUIREMENT.—In providing financial
8 assistance to, or entering into any contract with, any en-
9 tity using funds made available in this Act, the head of
10 each Federal agency, to the greatest extent practicable,
11 shall provide to such entity a notice describing the state-
12 ment made in subsection (a) by the Congress.

13 LIMITATION ON ASSISTANCE TO TURKEY

14 SEC. 566. Not more than \$33,500,000 of the funds
15 appropriated in this Act under the heading “Economic
16 Support Fund” may be made available to the Government
17 of Turkey.

18 LIMITATION OF FUNDS FOR NORTH AMERICAN
19 DEVELOPMENT BANK

20 SEC. 566A. None of the funds appropriated in this
21 Act under the heading “North American Development
22 Bank” and made available for the Community Adjustment
23 and Investment Program shall be used for purposes other
24 than those set out in the binational agreement establishing
25 the Bank.

1 LIMITATION ON FUNDS FOR BURMA

2 SEC. 567. None of the funds made available in this
3 Act may be used for International Narcotics Control or
4 Crop Substitution Assistance for the Government of
5 Burma.

6 ASIAN DEVELOPMENT BANK

7 SEC. 568. The Secretary of the Treasury may, to ful-
8 fill commitments of the United States, subscribe to and
9 make payments for shares of the Asian Development Bank
10 in connection with the fourth general capital increase of
11 the Bank. The amount authorized to be appropriated for
12 paid-in shares of the Bank is limited to \$66,614,647; the
13 amount authorized to be appropriated for payment for
14 callable shares of the Bank is limited to \$3,264,178,021.
15 The amount to be paid in respect of each subscription is
16 authorized to be appropriated without fiscal year limita-
17 tion. Any subscription by the United States to the capital
18 stock of the Bank shall be effective only to such extent
19 or in such amounts as are provided in advance in appro-
20 priations Acts.

21 INTERNATIONAL DEVELOPMENT ASSOCIATION

22 SEC. 569. In order to pay for the United States con-
23 tribution to the tenth replenishment of the resources of
24 the International Development Association authorized in
25 section 526 of Public Law 103-87, there is authorized to
26 be appropriated, without fiscal year limitation,

1 \$700,000,000 for payment by the Secretary of the Treas-
2 ury.

3 SPECIAL DEBT RELIEF FOR THE POOREST

4 SEC. 570. (a) AUTHORITY TO REDUCE DEBT.—The
5 President may reduce amounts owed to the United States
6 (or any agency of the United States) by an eligible country
7 as a result of—

8 (1) guarantees issued under sections 221 and
9 222 of the Foreign Assistance Act of 1961; or

10 (2) credits extended or guarantees issued under
11 the Arms Export Control Act.

12 (b) LIMITATIONS.—

13 (1) The authority provided by subsection (a)
14 may be exercised only to implement multilateral offi-
15 cial debt relief and referendum agreements, com-
16 monly referred to as “Paris Club Agreed Minutes”.

17 (2) The authority provided by subsection (a)
18 may be exercised only in such amounts or to such
19 extent as is provided in advance by appropriations
20 Acts.

21 (3) The authority provided by subsection (a)
22 may be exercised only with respect to countries with
23 heavy debt burdens that are eligible to borrow from
24 the International Development Association, but not
25 from the International Bank for Reconstruction and

1 Development, commonly referred to as “IDA-only”
2 countries.

3 (c) CONDITIONS.—The authority provided by sub-
4 section (a) may be exercised only with respect to a country
5 whose government—

6 (1) does not have an excessive level of military
7 expenditures;

8 (2) has not repeatedly provided support for acts
9 of international terrorism;

10 (3) is not failing to cooperate on international
11 narcotics control matters;

12 (4) (including its military or other security
13 forces) does not engage in a consistent pattern of
14 gross violations of internationally recognized human
15 rights; and

16 (5) is not ineligible for assistance because of the
17 application of section 527 of the Foreign Relations
18 Authorization Act, fiscal years 1994 and 1995.

19 (d) AVAILABILITY OF FUNDS.—The authority pro-
20 vided by subsection (a) may be used only with regard to
21 funds appropriated by this Act under the heading “Debt
22 Restructuring”.

23 (e) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-
24 duction of debt pursuant to subsection (a) shall not be
25 considered assistance for purposes of any provision of law

1 limiting assistance to a country. The authority provided
2 by subsection (a) may be exercised notwithstanding sec-
3 tion 620(r) of the Foreign Assistance Act of 1961.

4 AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

5 SEC. 571. (a) LOANS ELIGIBLE FOR SALE, REDUC-
6 TION, OR CANCELLATION.—

7 (1) AUTHORITY TO SELL, REDUCE, OR CANCEL
8 CERTAIN LOANS.—Notwithstanding any other provi-
9 sion of law, the President may, in accordance with
10 this section, sell to any eligible purchaser any
11 concessional loan or portion thereof made before
12 January 1, 1995, pursuant to the Foreign Assist-
13 ance Act of 1961, to the government of any eligible
14 country as defined in section 702(6) of that Act or
15 on receipt of payment from an eligible purchaser, re-
16 duce or cancel such loan or portion thereof, only for
17 the purpose of facilitating—

18 (A) debt-for-equity swaps, debt-for-develop-
19 ment swaps, or debt-for-nature swaps; or

20 (B) a debt buyback by an eligible country
21 of its own qualified debt, only if the eligible
22 country uses an additional amount of the local
23 currency of the eligible country, equal to not
24 less than 40 percent of the price paid or such
25 debt by such eligible country, or the difference
26 between the price paid for such debt and the

1 face value of such debt, to support activities
2 that link conservation and sustainable use of
3 natural resources with local community develop-
4 ment, and child survival and other child devel-
5 opment, in a manner consistent with section
6 707 through 710 of the Foreign Assistance Act
7 of 1961, if the sale, reduction, or cancellation
8 would not contravene any term or condition of
9 any prior agreement relating to such loan.

10 (2) TERMS AND CONDITIONS.—Notwithstanding
11 any other provision of law, the President shall, in ac-
12 cordance with this section, establish the terms and
13 conditions under which loans may be sold, reduced,
14 or canceled pursuant to this section.

15 (3) ADMINISTRATION.—The Facility, as defined
16 in section 702(8) of the Foreign Assistance Act of
17 1961, shall notify the administrator of the agency
18 primarily responsible for administering part I of the
19 Foreign Assistance Act of 1961 of purchasers that
20 the President has determined to be eligible, and
21 shall direct such agency to carry out the sale, reduc-
22 tion, or cancellation of a loan pursuant to this sec-
23 tion. Such agency shall make an adjustment in its
24 accounts to reflect the sale, reduction, or cancella-
25 tion.

1 (4) LIMITATION.—The authorities of this sub-
2 section shall be available only to the extent that ap-
3 propriations for the cost of the modification, as de-
4 fined in section 502 of the Congressional Budget Act
5 of 1974, are made in advance.

6 (b) DEPOSIT OF PROCEEDS.—The proceeds from the
7 sale, reduction, or cancellation of any loan sold, reduced,
8 or canceled pursuant to this section shall be deposited in
9 the United States Government account or accounts estab-
10 lished for the repayment of such loan.

11 (c) ELIGIBLE PURCHASERS.—A loan may be sold
12 pursuant to subsection (a)(1)(A) only to a purchaser who
13 presents plans satisfactory to the President for using the
14 loan for the purpose of engaging in debt-for-equity swaps,
15 debt-for-development swaps, or debt-for-nature swaps.

16 (d) DEBTOR CONSULTATIONS.—Before the sale to
17 any eligible purchaser, or any reduction or cancellation
18 pursuant to this section, of any loan made to an eligible
19 country, the President shall consult with the country con-
20 cerning the amount of loans to be sold, reduced, or can-
21 celed and their uses for debt-for-equity swaps, debt-for-
22 development swaps, or debt-for-nature swaps.

23 (e) AVAILABILITY OF FUNDS.—The authority pro-
24 vided by subsection (a) may be used only with regard to

1 funds appropriated by this Act under the heading “Debt
2 Restructuring”.

3 DRAWDOWN AUTHORITY FOR JORDAN

4 SEC. 572. During fiscal year 1996, the President may
5 direct, for the purposes of part II of the Foreign Assist-
6 ance Act of 1961, the drawdown for Jordan of defense
7 articles from the stocks of the Department of Defense, de-
8 fense services of the Department of Defense, and military
9 education and training of up to an aggregate of
10 \$100,000,000: *Provided*, That—

11 (a) within six months of the last drawdown
12 under subsection (a), the President shall submit a
13 report to the Committee on Appropriations identify-
14 ing the articles, services, training or education pro-
15 vided;

16 (b) section 506(c) of the Foreign Assistance Act
17 of 1961 shall apply to the drawdown authority in
18 this section; and

19 (c) section 632(d) of the Foreign Assistance
20 Act of 1961 shall not apply with respect to
21 drawdowns under this section.

22 LIBERIA

23 SEC. 573. (a) Public Law 102–270 is amended—

24 (1) in subsection (b) by striking “Notwithstand-
25 ing section 620(q) of the Foreign Assistance Act of

1 1961 or any other similar provision, the” and insert-
2 ing “The”; and

3 (2) in subsection (b)(2) by striking “to imple-
4 ment the Yamoussoukro peace accord”.

5 (b) Funds appropriated by this Act may be made
6 available for assistance for Liberia notwithstanding sec-
7 tion 620(q) of the Foreign Assistance Act of 1961 and
8 section 512 of this Act.

9 ANNUAL REPORT ON ECONOMIC AND SOCIAL GROWTH

10 SEC. 574. (a) REPORTING REQUIREMENT.—The
11 President shall submit to the appropriate congressional
12 committees an annual report providing a concise overview
13 of the prospects for economic and social growth on a
14 broad, equitable, and sustainable basis in the countries re-
15 ceiving economic assistance under title II of this Act. For
16 each country, the report shall discuss the laws, policies
17 and practices of that country that most contribute to or
18 detract from the achievement of this kind of growth. The
19 report should address relevant macroeconomic, micro-
20 economic, social, legal, environmental, and political factors
21 and include criteria regarding wage and price controls,
22 State ownership of production and distribution, State con-
23 trol of financial institutions, trade and foreign investment,
24 capital and profit repatriation, tax and private property
25 protections and a country’s commitment to stimulate edu-
26 cation, health and human development.

1 (b) COUNTRIES.—The countries referred to in sub-
2 section (a) are countries—

3 (1) for which in excess of \$5,000,000 has been
4 obligated during the previous fiscal year for assist-
5 ance under sections 103 through 106, chapters 10
6 and 11 of part I, and chapter 4 of part II of the
7 Foreign Assistance of 1961, and under the Support
8 for East European Democracy Act of 1989; or

9 (2) for which in excess of \$1,000,000 has been
10 obligated during the previous fiscal year by the
11 Overseas Private Investment Corporation.

12 (c) CONSULTATION.—The Secretary of State shall
13 submit the report required by subsection (a) in consulta-
14 tion with the Secretary of the Treasury, the Administrator
15 of the Agency for International Development, and the
16 President of the Overseas Private Investment Corporation.
17 The report shall be submitted with the annual congres-
18 sional presentation for appropriations.

19 SEC. 575. To the maximum extent possible, the funds
20 provided by this Act shall be used to provide surveying
21 and mapping related services through contracts entered
22 into through competitive bidding to qualified United
23 States contractors.

24 REPORTS REGARDING HONG KONG

25 SEC. 576. (a) Section 301 of the United States-Hong
26 Kong Policy Act of 1992 (22 U.S.C. 5731) is amended

1 in the text above paragraph (1) by inserting “March 31,
2 1996,” after “March 31, 1995,”.

3 (b) In light of the deficiencies in reports submitted
4 to the Congress pursuant to section 301 of the United
5 States-Hong Kong Policy Act (22 U.S.C. 5731), the Con-
6 gress directs that the additional report required to be sub-
7 mitted under such section by subsection (a) of this section
8 include detailed information on the status of, and other
9 developments affecting, implementation of the Sino-Brit-
10 ish Joint Declaration on the Question of Hong Kong, in-
11 cluding—

12 (1) the Basic Law and its consistency with
13 the Joint Declaration;

14 (2) the openness and fairness of elections
15 to the legislature;

16 (3) the openness and fairness of the elec-
17 tion of the chief executive and the executive’s
18 accountability to the legislature;

19 (4) the treatment of political parties;

20 (5) the independence of the judiciary and
21 its ability to exercise the power of final judg-
22 ment over Hong Kong law; and

23 (6) the Bill of Rights.

24 SEC. 577. Notwithstanding any other provision of
25 this Act, \$20,000,000 of the funds made available under

1 the headings “Development Assistance” and/or “Eco-
2 nomic Support Fund” may be transferred to, and merged
3 with, the appropriations account entitled “International
4 Narcotics Control” and may be available for the same pur-
5 poses for which funds in such account are available.

6 GUATEMALA

7 SEC. 578. (a) Funds provided in this Act may be
8 made available for the Guatemalan military or security
9 forces, and the restrictions on Guatemala under the head-
10 ings “International Military Education and Training” and
11 “Foreign Military Financing Program” shall not apply,
12 only if the President determines and certifies to the Con-
13 gress that the Guatemalan military is cooperating with ef-
14 forts to resolve human rights abuses which elements of
15 the Guatemalan military or security forces are alleged to
16 have committed, ordered or attempted to thwart the inves-
17 tigation of.

18 (b) The prohibition contained in subsection (a) shall
19 not apply to funds made available to implement a cease-
20 fire or peace agreement.

21 (c) Any funds made available pursuant to subsections
22 (a) or (b) shall be subject to the regular notification proce-
23 dures of the Committees on Appropriations.

24 (d) Any funds made available pursuant to subsections
25 (a) and (b) for international military education and train-

1 ing may only be for expanded international military edu-
2 cation and training.

3 EXTENSION OF TIED AID CREDIT PROGRAM

4 SEC. 579. (a) Section 10(c)(2) of the Export-Import
5 Bank Act of 1945 (12 U.S.C. 635i-3(c)(2)) is amended
6 by striking “1995” and inserting “1997”.

7 (b) Section 10(e) of the Export-Import Bank Act of
8 1945 (12 U.S.C. 635i-3(e)) is amended by striking
9 “1993, 1994, and 1995” and inserting “1996 and 1997”.

10 MORATORIUM ON USE OF ANTIPERSONNEL LANDMINES

11 SEC. 580. (a) UNITED STATES MORATORIUM.—For
12 a period of one year beginning three years after the date
13 of enactment of this Act, the United States shall not use
14 antipersonnel landmines except along internationally rec-
15 ognized national borders or in demilitarized zones within
16 a perimeter marked area that is monitored by military per-
17 sonnel and protected by adequate means to ensure the ex-
18 clusion of civilians.

19 (b) DEFINITION AND EXEMPTIONS.—For the pur-
20 poses of this section:

21 (1) ANTIPERSONNEL LANDMINE.—The term
22 “antipersonnel landmine” means any munition
23 placed under, on, or near the ground or other sur-
24 face area, delivered by artillery, rocket, mortar, or
25 similar means, or dropped from an aircraft and
26 which is designed, constructed or adapted to be deto-

1 nated or exploded by the presence, proximity, or con-
2 tact of a person.

3 (2) EXEMPTIONS.—The term “antipersonnel
4 landmine” does not include command detonated
5 Claymore munitions.

6 EXTENSION OF AU PAIR PROGRAMS

7 SEC. 581. Section 8 of the Eisenhower Exchange Fel-
8 lowship Act of 1990 is amended in the last sentence by
9 striking “fiscal year 1995” and inserting “fiscal year
10 1996”.

11 SANCTIONS AGAINST COUNTRIES HARBORING WAR

12 CRIMINALS

13 SEC. 582. (a) BILATERAL ASSISTANCE.—Funds ap-
14 propriated by this Act under the Foreign Assistance Act
15 of 1961 or the Arms Export Control Act may not be pro-
16 vided for any country described in subsection (c).

17 (b) MULTILATERAL ASSISTANCE.—The Secretary of
18 the Treasury shall instruct the United States executive di-
19 rectors of the international financial institutions to work
20 in opposition to, and vote against, any extension by such
21 institutions of financing or financial or technical assist-
22 ance to any country described in subsection (c).

23 (c) SANCTIONED COUNTRIES.—A country described
24 in this subsection is a country the government of which
25 knowingly grants sanctuary to persons in its territory for
26 the purpose of evading prosecution, where such persons—

1 (1) have been indicted by the International
2 Criminal Tribunal for the former Yugoslavia, the
3 International Criminal Tribunal for Rwanda, or any
4 other international tribunal with similar standing
5 under international law, or

6 (2) have been indicted for war crimes or crimes
7 against humanity committed during the period be-
8 ginning March 23, 1933 and ending on May 8, 1945
9 under the direction of, or in association with—

10 (A) the Nazi government of Germany;

11 (B) any government in any area occupied
12 by the military forces of the Nazi government
13 of Germany;

14 (C) any government which was established
15 with the assistance or cooperation of the Nazi
16 government; or

17 (D) any government which was an ally of
18 the Nazi government of Germany.

19 LIMITATION ON ASSISTANCE FOR HAITI

20 SEC. 583. (a) LIMITATION.—None of the funds ap-
21 propriated or otherwise made available by this Act, may
22 be provided to the Government of Haiti until the President
23 reports to Congress that—

24 (1) the Government is conducting thorough in-
25 vestigations of extrajudicial and political killings;
26 and

1 (2) the Government is cooperating with United
2 States authorities in the investigations of political
3 and extrajudicial killings.

4 (b) Nothing in this section shall be construed to re-
5 strict the provision of humanitarian or electoral assist-
6 ance.

7 (c) The President may waive the requirements of this
8 section if he determines and certifies to the appropriate
9 committees of Congress that it is in the national interest
10 of the United States or necessary to assure the safe and
11 timely withdrawal of American forces from Haiti.

12 LIMITATION ON FUNDS TO THE TERRITORY OF THE
13 BOSNIAC-CROAT FEDERATION.

14 SEC. 584. Funds appropriated by this Act for activi-
15 ties in the internationally-recognized borders of Bosnia
16 and Herzegovina (other than refugee and disaster assist-
17 ance and assistance for restoration of infrastructure, to
18 include power grids, water supplies and natural gas) may
19 only be made available for activities in the territory of the
20 Bosniac-Croat Federation.

21 NATO PARTICIPATION

22 SEC. 585. REVISIONS TO PROGRAM TO FACILITATE
23 TRANSITION TO NATO MEMBERSHIP.—

24 (a) ELIGIBLE COUNTRIES.—(1) Subsection (d) of
25 section 203 of the NATO Participation Act of 1994 (title

1 II of Public Law 103–447; 22 U.S.C. 1928 note) is
2 amended to read as follows:

3 “(d) DESIGNATION OF ELIGIBLE COUNTRIES.—

4 “(1) INITIAL PRESIDENTIAL REVIEW AND DES-
5 IGNATION.—Within 60 days of the enactment of the
6 NATO Participation Act Amendments of 1995, the
7 President should evaluate the degree to which any
8 country emerging from communist domination which
9 has expressed its interest in joining NATO meets
10 the criteria set forth in paragraph (3), and may des-
11 ignate one or more of these countries as eligible to
12 receive assistance under the program established
13 under subsection (a). The President shall, at the
14 time of designation of any country pursuant to this
15 paragraph, determine and report to the Committees
16 on International Relations and Appropriations of the
17 House of Representatives and the Committees on
18 Foreign Relations and Appropriations of the Senate
19 with respect to each country so designated that such
20 country meets the criteria set forth in paragraph
21 (3).

22 “(2) OTHER EUROPEAN COUNTRIES EMERGING
23 FROM COMMUNIST DOMINATION.—In addition to the
24 countries designated pursuant to paragraph (1), the
25 President may at any time designate other European

1 countries emerging from communist domination as
2 eligible to receive assistance under the program es-
3 tablished under subsection (a). The President shall,
4 at the time of designation of any country pursuant
5 to this paragraph, determine and report to the Com-
6 mittees on International Relations and Appropria-
7 tions of the House of Representatives and the Com-
8 mittees on Foreign Relations and Appropriations of
9 the Senate with respect to each country so des-
10 ignated that such country meets the criteria set
11 forth in paragraph (3).

12 “(3) CRITERIA.—The criteria referred to in
13 paragraphs (1) and (2) are, with respect to each
14 country, that the country—

15 “(A) has made significant progress toward
16 establishing—

17 “(i) shared values and interests;

18 “(ii) democratic governments;

19 “(iii) free market economies;

20 “(iv) civilian control of the military, of
21 the police, and of intelligence services, so
22 that these organizations do not pose a
23 threat to democratic institutions, neighbor-
24 ing countries, or the security of NATO or
25 the United States;

1 “(v) adherence to the rule of law and
2 to the values, principles, and political com-
3 mitments set forth in the Helsinki Final
4 Act and other declarations by the members
5 of the Organization on Security and Co-
6 operation in Europe;

7 “(vi) commitment to further the prin-
8 ciples of NATO and to contribute to the
9 security of the North Atlantic area;

10 “(vii) commitment to protecting the
11 rights of all their citizens and respecting
12 the territorial integrity of their neighbors;

13 “(viii) commitment and ability to ac-
14 cept the obligations, responsibilities, and
15 costs of NATO membership; and

16 “(ix) commitment and ability to im-
17 plement infrastructure development activi-
18 ties that will facilitate participation in and
19 support for NATO military activities;

20 “(B) is likely, within five years of such de-
21 termination, to be in a position to further the
22 principles of the North Atlantic Treaty and to
23 contribute to the security of the North Atlantic
24 area; and

1 “(C) is not ineligible to receive assistance
2 under section 552 of the Foreign Operations,
3 Export Financing, and Related Programs Ap-
4 propriations Act, 1996, with respect to trans-
5 fers of equipment to a country the government
6 of which the Secretary of State has determined
7 is a terrorist government for purposes of section
8 40(d) of the Arms Export Control Act.”.

9 (2) CONFORMING AMENDMENTS.—

10 (A) Subsections (b) and (c) of section 203 of
11 such Act are amended by striking “countries de-
12 scribed in such subsection” each of the two places
13 it appears and inserting “countries designated under
14 subsection (d)”.

15 (B) Subsection (e) of section 203 of such Act
16 is amended by inserting “(22 U.S.C. 2394–1), and
17 shall include with such notification a memorandum
18 of justification with respect to the proposed designa-
19 tion” before the period at the end.

20 (b) TYPES OF ASSISTANCE.—Section 203(c) of such
21 Act is amended by inserting after paragraph (4) the fol-
22 lowing new paragraphs:

23 “(5) Assistance under chapter 4 of part II of
24 the Foreign Assistance Act of 1961 (relating to the
25 Economic Support Fund).

1 “(6) Funds appropriated under the “Non-
2 proliferation and Disarmament Fund” account.

3 “(7) Assistance under chapter 6 of part II of
4 the Foreign Assistance Act of 1961 (relating to
5 peacekeeping operations and other programs).

6 “(8) Notwithstanding any other provision of
7 law, including any restrictions in sections 516 and
8 519 of the Foreign Assistance Act of 1961, as
9 amended, the President may direct the crating,
10 packing, handling, and transportation of excess de-
11 fense articles provided pursuant to paragraphs (1)
12 and (2) of this subsection without charge to the re-
13 cipient of such articles.”.

14 (c) EFFECT ON OTHER AUTHORITIES.—Section 203
15 of the NATO Participation Act of 1994 (title II of Public
16 Law 103–447, 22 U.S.C. 1928 note), is amended to add
17 a new subsection (g) to read as follows:

18 “(g) EFFECT ON OTHER AUTHORITIES.—Nothing in
19 this Act shall affect the eligibility of countries to partici-
20 pate under other provisions of law in programs described
21 in this Act.”.

22 (d) ANNUAL REPORT.—Section 205 of the NATO
23 Participation Act of 1994 (title II of Public Law 103–
24 447; 22 U.S.C. 1928 note) is amended:

1 (1) by inserting “ANNUAL” in the section
2 heading before the first word;

3 (2) by inserting “annual” after “include in the”
4 in the matter preceding paragraph (1); and

5 (3) in paragraphs (1) and (2), by striking “and
6 other” and all that follows through the period at the
7 end and in both instances inserting in lieu thereof
8 “and any other country designated by the President
9 pursuant to section 203(d).”.

10 TITLE VI—MIDDLE EAST PEACE FACILITATION

11 ACT OF 1995

12 SHORT TITLE

13 SEC. 601. This title may be cited as the “Middle East
14 Peace Facilitation Act of 1995”.

15 FINDINGS

16 SEC. 602. The Congress finds that—

17 (1) the Palestine Liberation Organization (here-
18 after the “P.L.O.”) has recognized the State of Isra-
19 el’s right to exist in peace and security, accepted
20 United Nations Security Council Resolutions 242
21 and 338, committed itself to the peace process and
22 peaceful coexistence with Israel, free from violence
23 and all other acts which endanger peace and stabil-
24 ity, and assumed responsibility over all P.L.O. ele-
25 ments and personnel in order to assure their compli-
26 ance, prevent violations, and discipline violators;

1 (2) Israel has recognized the P.L.O. as the rep-
2 resentative of the Palestinian people;

3 (3) Israel and the P.L.O. signed a Declaration
4 of Principles on Interim Self-Government Arrange-
5 ments (hereafter the “Declaration of Principles”) on
6 September 13, 1993 at the White House;

7 (4) Israel and the P.L.O. signed an Agreement
8 on the Gaza Strip and the Jericho Area (hereafter
9 the “Gaza-Jericho Agreement”) on May 4, 1994
10 which established a Palestinian Authority for the
11 Gaza and Jericho areas;

12 (5) Israel and the P.L.O. signed an Agreement
13 on Preparatory Transfer of Powers and Responsibil-
14 ities (hereafter the “Early Empowerment Agree-
15 ment”) on August 29, 1994 which provided for the
16 transfer to the Palestinian Authority of certain pow-
17 ers and responsibilities in the West Bank outside of
18 the Jericho Area;

19 (6) under the terms of the Israeli-Palestinian
20 Interim Agreement on the West Bank and Gaza
21 (hereafter the “Interim Agreement) signed on Sep-
22 tember 28, 1995, the Declaration of Principles, the
23 Gaza-Jericho Agreement and the Early
24 Empowerment Agreement, the powers and respon-
25 sibilities of the Palestinian Authority are to be as-

1 sumed by an elected Palestinian Council with juris-
2 diction in the West Bank and Gaza Strip in accord-
3 ance with the Interim Agreement;

4 (7) permanent status negotiations relating to
5 the West Bank and Gaza Strip are scheduled to
6 begin by May 1996;

7 (8) the Congress has, since the conclusion of
8 the Declaration of Principles and the P.L.O.'s re-
9 nunciation of terrorism, provided authorities to the
10 President to suspend certain statutory restrictions
11 relating to the P.L.O., subject to Presidential certifi-
12 cations that the P.L.O. has continued to abide by
13 commitments made in and in connection with or re-
14 sulting from the good faith implementation of, the
15 Declaration of Principles;

16 (9) the P.L.O. commitments relevant to Presi-
17 dential certifications have included commitments to
18 renounce and condemn terrorism, to submit to the
19 Palestinian National Council for former approval the
20 necessary changes to those articles of the Palestinian
21 Covenant which call for Israel's destruction, and to
22 prevent acts of terrorism and hostilities against Is-
23 rael; and

24 (10) the United States is resolute in its deter-
25 mination to ensure that in providing assistance to

1 (5) confiscate all unlicensed weapons;

2 (6) transfer and cooperate in transfer proceed-
3 ings relating to any person accused by Israel to acts
4 of terrorism; and

5 (7) respect civil liberties, human rights and
6 democratic norms.

7 AUTHORITY TO SUSPEND CERTAIN PROVISIONS

8 SEC. 604. (a) IN GENERAL.—Subject to subsection
9 (b), beginning on the date of enactment of this Act and
10 for eighteen months thereafter, the President may suspend
11 for a period of not more than 6 months at a time any
12 provision of law specified in subsection (d). Any such sus-
13 pension shall cease to be effective after 6 months, or at
14 such earlier date as the President may specify.

15 (b) CONDITIONS.—

16 (1) CONSULTATIONS.—Prior to each exercise of
17 the authority provided in subsection (a) or certifi-
18 cation pursuant to subsection (c), the President shall
19 consult with the relevant congressional committees.
20 The President may not exercise that authority or
21 make such certification until 30 days after a written
22 policy justification is submitted to the relevant con-
23 gressional committees.

24 (2) PRESIDENTIAL CERTIFICATION.—The
25 President may exercise the authority provided in
26 subsection (a) only if the President certifies to the

1 relevant congressional committees each time he exer-
2 cises such authority that—

3 (A) it is in the national interest of the
4 United States to exercise such authority;

5 (B) the P.L.O., the Palestinian Authority,
6 and successor entities are complying with all
7 the commitments described in paragraph (4);
8 and

9 (C) funds provided pursuant to the exer-
10 cise of this authority and the authorities under
11 section 583(a) of Public Law 103–236 and sec-
12 tion 3(a) of Public Law 103–125 have been
13 used for the purposes for which they were in-
14 tended.

15 (3) REQUIREMENT FOR CONTINUING P.L.O.
16 COMPLIANCE.—

17 (A) The President shall ensure that P.L.O.
18 performance is continuously monitored and if
19 the President at any time determines that the
20 P.L.O. has not continued to comply with all the
21 commitments described in paragraph (4), he
22 shall so notify the relevant congressional com-
23 mittees and any suspension under subsection
24 (a) of a provision of law specified in subsection
25 (d) shall cease to be effective.

1 (B) Beginning six months after the date of
2 enactment of this Act, if the President on the
3 basis of the continuous monitoring of the
4 P.L.O.'s performance determines that the
5 P.L.O. is not complying with the requirements
6 described in subsection (c), he shall so notify
7 the relevant congressional committees and no
8 assistance shall be provided pursuant to the ex-
9 ercise by the President of the authority pro-
10 vided by subsection (a) until such time as the
11 President makes the certification provided for
12 in subsection (c).

13 (4) P.L.O. COMMITMENTS DESCRIBED.—The
14 commitments referred to in paragraphs (2)(B) and
15 (3)(A) are the commitments made by the P.L.O.—

16 (A) in its letter of September 9, 1993, to
17 the Prime Minister of Israel; in its letter of
18 September 9, 1993, to the Foreign Minister of
19 Norway to—

20 (i) recognize the right of the State of
21 Israel to exist in peace and security;

22 (ii) accept United Nations Security
23 Council Resolutions 242 and 338;

24 (iii) renounce the use of terrorism and
25 other acts of violence;

1 (iv) assume responsibility over all
2 P.L.O. elements and personnel in order to
3 assure their compliance, prevent violations
4 and discipline violators;

5 (v) call upon the Palestinian people in
6 the West Bank and Gaza Strip to take
7 part in the steps leading to the normaliza-
8 tion of life, rejecting violence and terror-
9 ism, and contributing to peace and stabil-
10 ity; and

11 (vi) submit to the Palestine National
12 Council for formal approval the necessary
13 changes to the Palestinian National Cov-
14 enant eliminating calls for Israel's destruc-
15 tion, and

16 (B) in, and resulting from, the good faith
17 implementation of the Declaration of Principles,
18 including good faith implementation of subse-
19 quent agreements with Israel, with particular
20 attention to the objective of preventing terror-
21 ism, as reflected in the provisions of the In-
22 terim Agreement concerning—

23 (i) prevention of acts of terrorism and
24 legal measures against terrorists, including
25 the arrest and prosecution of individuals

- 1 suspected of perpetrating acts of violence
2 and terror;
- 3 (ii) abstention from and prevention of
4 incitement, including hostile propaganda;
- 5 (iii) operation of armed forces other
6 than the Palestinian Police;
- 7 (iv) possession, manufacture, sale, ac-
8 quisition or importation of weapons;
- 9 (v) employment of police who have
10 been convicted of serious crimes or have
11 been found to be actively involved in ter-
12 rorist activities subsequent to their employ-
13 ment;
- 14 (vi) transfers to Israel of individuals
15 suspected of, charged with, or convicted of
16 an offense that falls within Israeli criminal
17 jurisdiction;
- 18 (vii) cooperation with the government
19 of Israel in criminal matters, including co-
20 operation in the conduct of investigations;
21 and
- 22 (viii) exercise of powers and respon-
23 sibilities under the agreement with due re-
24 gard to internationally accepted norms and

1 principles of human rights and the rule of
2 law.

3 (5) POLICY JUSTIFICATION.—As part of the
4 President’s written policy justification to be submit-
5 ted to the relevant Congressional Committees pursu-
6 ant to paragraph (1), the President will report on—

7 (A) the manner in which the P.L.O. has
8 complied with the commitments specified in
9 paragraph (4), including responses to individual
10 acts of terrorism and violence, actions to dis-
11 cipline perpetrators of terror and violence, and
12 actions to preempt acts of terror and violence;

13 (B) the extent to which the P.L.O. has ful-
14 filled the requirements specified in subsection
15 (c);

16 (C) actions that the P.L.O. has taken with
17 regard to the Arab League boycott of Israel;

18 (D) the status and activities of the P.L.O.
19 office in the United States;

20 (E) all United States assistance which ben-
21 efits, directly or indirectly, the projects, pro-
22 grams, or activities of the Palestinian Authority
23 in Gaza, Jericho, or any other area it may con-
24 trol, since September 13, 1993, including—

1 (i) the obligation and disbursement of
2 such assistance, by project, activity, and
3 date, as well as by prime contractor and all
4 subcontractors;

5 (ii) the organizations or individuals
6 responsible for the receipt and obligation
7 of such assistance;

8 (iii) the intended beneficiaries of such
9 assistance; and

10 (iv) the amount of international donor
11 funds that benefit the P.L.O. or the Pal-
12 estinian Authority in Gaza, Jericho, or any
13 other area the P.L.O. or the Palestinian
14 Authority may control, and to which the
15 United States is a contributor; and

16 (F) statements by senior officials of the
17 P.L.O., the Palestinian Authority, and succes-
18 sor entities that question the right of Israel to
19 exist or urge armed conflict with or terrorism
20 against Israel or its citizens, including an as-
21 sessment of the degree to which such state-
22 ments reflect official policy of the P.L.O., the
23 Palestinian Authority, or successor entities.

24 (c) REQUIREMENT FOR CONTINUED PROVISION OF
25 ASSISTANCE.—Six months after the enactment of this

1 Act, United States assistance shall not be provided pursu-
2 ant to the exercise by the President of the authority pro-
3 vided by subsection (a), unless and until the President de-
4 termines and so certifies to the Congress that—

5 (1) if the Palestinian Council has been elected
6 and assumed its responsibilities, it has, within 2
7 months, effectively disavowed and thereby nullified
8 the articles of the Palestine National Covenant
9 which call for Israel’s destruction, unless the nec-
10 essary changes to the Covenant have already been
11 approved by the Palestine National Council;

12 (2) the P.L.O., the Palestinian Authority, and
13 successor entities have exercised their authority reso-
14 lutely to establish the necessary enforcement institu-
15 tions; including laws, police, and a judicial system,
16 for apprehending, transferring, prosecuting, convict-
17 ing, and imprisoning terrorists;

18 (3) the P.L.O., has limited participation in the
19 Palestinian Authority and its successors to individ-
20 uals and groups that neither engage in nor practice
21 terrorism or violence in the implementation of their
22 political goals;

23 (4) the P.L.O., the Palestinian Authority, and
24 successor entities have not provided any financial or
25 material assistance or training to any group, wheth-

1 er or not affiliated with the P.L.O., to carry out ac-
2 tions inconsistent with the Declaration of Principles,
3 particularly acts of terrorism against Israel;

4 (5) the P.L.O., the Palestinian Authority, or
5 successor entities have cooperated in good faith with
6 Israeli authorities in—

7 (A) the preemption of acts of terrorism;

8 (B) the apprehension, trial, and punish-
9 ment of individuals who have planned or com-
10 mitted terrorist acts subject to the jurisdiction
11 of the Palestinian Authority or any successor
12 entity; and

13 (C) the apprehension of and transfer to Is-
14 raeli authorities of individuals suspected of,
15 charged with, or convicted of, planning or com-
16 mitting terrorist acts subject to Israeli jurisdic-
17 tion in accordance with the specific provisions
18 of the Interim Agreement;

19 (6) the P.L.O., the Palestinian Authority, and
20 successor entities have exercised their authority reso-
21 lutely to enact and implement laws requiring the dis-
22 arming of civilians not specifically licensed to pos-
23 sess or carry weapons;

24 (7) the P.L.O., the Palestinian Authority, and
25 successor entities have not funded, either partially or

1 wholly, or have ceased funding, either partially or
2 wholly, any office, or other presence of the Palestin-
3 ian Authority in Jerusalem unless established by
4 specific agreement between Israel and the P.L.O.,
5 the Palestinian Authority, or successor entities;

6 (8) the P.L.O., the Palestinian Authority, and
7 successor entities are cooperating fully with the Gov-
8 ernment of the United States on the provision of in-
9 formation on United States nationals known to have
10 been held at any time by the P.L.O. or factions
11 thereof; and

12 (9) the P.L.O., the Palestinian Authority, and
13 successor entities have not, without the agreement of
14 the Government of Israel, taken any steps that will
15 change the status of Jerusalem or the West Bank
16 and Gaza Strip, pending the outcome of the perma-
17 nent status negotiations.

18 (d) PROVISIONS THAT MAY BE SUSPENDED.—The
19 provisions that may be suspended under the authority of
20 subsection (a) are the following:

21 (1) Section 307 of the Foreign Assistance Act
22 of 1961 (22 U.S.C. 2227) as it applies with respect
23 to the P.L.O. or entities associated with it.

24 (2) Section 114 of the Department of State Au-
25 thorization Act, fiscal years 1984 and 1985 (22

1 U.S.C. 287e note) as it applies with respect to the
2 P.L.O. or entities associated with it.

3 (3) Section 1003 of the Foreign Relations Au-
4 thorization Act, fiscal years 1988 and 1989 (22
5 U.S.C. 5202).

6 (4) Section 37 of the Bretton Woods Agreement
7 Act (22 U.S.C. 286W) as it applies on the granting
8 to the P.L.O. of observer status or other official sta-
9 tus at any meeting sponsored by or associated with
10 the International Monetary Fund. As used in this
11 paragraph, the term “other official status” does not
12 include membership in the International Monetary
13 Fund.

14 (e) DEFINITIONS.—As used in this title:

15 (1) RELEVANT CONGRESSIONAL COMMIT-
16 TEES.—The term “relevant congressional commit-
17 tees” mean—

18 (A) the Committee on International Rela-
19 tions, the Committee on Banking and Financial
20 Services, and the Committee on Appropriations
21 of the House of Representatives; and

22 (B) the Committee on Foreign Relations
23 and the Committee on Appropriations of the
24 Senate.

1 604(b)(1) of the Middle East Peace Facilitation Act
2 of 1995”; and

3 (2) in paragraph (1), by striking “section (4)(a)
4 of the Middle East Peace Facilitation Act of 1994
5 (Oslo commitments)” and inserting “section
6 604(b)(4) of the Middle East Peace Facilitation Act
7 of 1995”.

8 This Act may be cited as the “Foreign Operations,
9 Export Financing, and Related Programs Appropriations
10 Act, 1996”.

○

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