

***In the Senate of the United States,***

*September 5, 1997.*

*Resolved*, That the bill from the House of Representatives (H.R. 2159) entitled “An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

- 1 *That the following sums are appropriated, out of any*
- 2 *money in the Treasury not otherwise appropriated, for the*
- 3 *fiscal year ending September 30, 1998, and for other pur-*
- 4 *poses, namely:*

1 *TITLE I—EXPORT AND INVESTMENT ASSISTANCE*2 *EXPORT-IMPORT BANK OF THE UNITED STATES*

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

20 *SUBSIDY APPROPRIATION*

21 *For the cost of direct loans, loan guarantees, insurance,*  
22 *and tied-aid grants as authorized by section 10 of the Ex-*  
23 *port-Import Bank Act of 1945, as amended, \$700,000,000*  
24 *to remain available until September 30, 1999: Provided,*  
25 *That such costs, including the cost of modifying such loans,*  
26 *shall be as defined in section 502 of the Congressional Budg-*

1 *et Act of 1974: Provided further, That such sums shall re-*  
2 *main available until 2013 for the disbursement of direct*  
3 *loans, loan guarantees, insurance and tied-aid grants obli-*  
4 *gated in fiscal years 1998 and 1999: Provided further, That*  
5 *up to \$50,000,000 of funds appropriated by this paragraph*  
6 *shall remain available until expended and may be used for*  
7 *tied-aid grant purposes: Provided further, That none of the*  
8 *funds appropriated by this Act or any prior Act appro-*  
9 *priating funds for foreign operations, export financing, or*  
10 *related programs for tied-aid credits or grants may be used*  
11 *for any other purpose except through the regular notifica-*  
12 *tion procedures of the Committees on Appropriations.*

13 *ADMINISTRATIVE EXPENSES*

14 *For administrative expenses to carry out the direct*  
15 *and guaranteed loan and insurance programs (to be com-*  
16 *puted on an accrual basis), including hire of passenger*  
17 *motor vehicles and services as authorized by 5 U.S.C. 3109,*  
18 *and not to exceed \$20,000 for official reception and rep-*  
19 *resentation expenses for members of the Board of Directors,*  
20 *\$46,614,000: Provided, That necessary expenses (including*  
21 *special services performed on a contract or fee basis, but*  
22 *not including other personal services) in connection with*  
23 *the collection of moneys owed the Export-Import Bank, re-*  
24 *possession or sale of pledged collateral or other assets ac-*  
25 *quired by the Export-Import Bank in satisfaction of mon-*  
26 *eys owed the Export-Import Bank, or the investigation or*

1 *appraisal of any property, or the evaluation of the legal*  
2 *or technical aspects of any transaction for which an appli-*  
3 *cation for a loan, guarantee or insurance commitment has*  
4 *been made, shall be considered nonadministrative expenses*  
5 *for the purposes of this heading: Provided further, That,*  
6 *notwithstanding subsection (b) of section 117 of the Export*  
7 *Enhancement Act of 1992, subsection (a) thereof shall re-*  
8 *main in effect until October 1, 1998.*

9 *OVERSEAS PRIVATE INVESTMENT CORPORATION*

10 *NONCREDIT ACCOUNT*

11 *The Overseas Private Investment Corporation is au-*  
12 *thorized to make, without regard to fiscal year limitations,*  
13 *as provided by 31 U.S.C. 9104, such expenditures and com-*  
14 *mitments within the limits of funds available to it and in*  
15 *accordance with law as may be necessary: Provided, That*  
16 *the amount available for administrative expenses to carry*  
17 *out the credit and insurance programs (including an*  
18 *amount for official reception and representation expenses*  
19 *which shall not exceed \$35,000) shall not exceed*  
20 *\$32,000,000: Provided further, That project-specific trans-*  
21 *action costs, including direct and indirect costs incurred*  
22 *in claims settlements, and other direct costs associated with*  
23 *services provided to specific investors or potential investors*  
24 *pursuant to section 234 of the Foreign Assistance Act of*  
25 *1961, shall not be considered administrative expenses for*  
26 *the purposes of this heading.*

1 *PROGRAM ACCOUNT*

2 *For the cost of direct and guaranteed loans,*  
3 *\$60,000,000, as authorized by section 234 of the Foreign*  
4 *Assistance Act of 1961 to be derived by transfer from the*  
5 *Overseas Private Investment Corporation noncredit ac-*  
6 *count: Provided, That such costs, including the cost of modi-*  
7 *fying such loans, shall be as defined in section 502 of the*  
8 *Congressional Budget Act of 1974: Provided further, That*  
9 *such sums shall be available for direct loan obligations and*  
10 *loan guaranty commitments incurred or made during fiscal*  
11 *years 1998 and 1999: Provided further, That such sums*  
12 *shall remain available through fiscal year 2006 for the dis-*  
13 *bursement of direct and guaranteed loans obligated in fiscal*  
14 *year 1998, and through fiscal year 2007 for the disburse-*  
15 *ment of direct and guaranteed loans obligated in fiscal year*  
16 *1999: Provided further, That in addition, such sums as may*  
17 *be necessary for administrative expenses to carry out the*  
18 *credit program may be derived from amounts available for*  
19 *administrative expenses to carry out the credit and insur-*  
20 *ance programs in the Overseas Private Investment Corpora-*  
21 *tion Noncredit Account and merged with said account.*

22 *FUNDS APPROPRIATED TO THE PRESIDENT*23 *TRADE AND DEVELOPMENT AGENCY*

24 *For necessary expenses to carry out the provisions of*  
25 *section 661 of the Foreign Assistance Act of 1961,*

1 \$43,000,000, to remain available until September 30, 1999:  
 2 *Provided, That the Trade and Development Agency may re-*  
 3 *ceive reimbursements from corporations and other entities*  
 4 *for the costs of grants for feasibility studies and other*  
 5 *project planning services, to be deposited as an offsetting*  
 6 *collection to this account and to be available for obligation*  
 7 *until September 30, 1999, for necessary expenses under this*  
 8 *paragraph: Provided further, That such reimbursements*  
 9 *shall not cover, or be allocated against, direct or indirect*  
 10 *administrative costs of the agency.*

11 *TITLE II—BILATERAL ECONOMIC ASSISTANCE*

12 *FUNDS APPROPRIATED TO THE PRESIDENT*

13 *For expenses necessary to enable the President to carry*  
 14 *out the provisions of the Foreign Assistance Act of 1961,*  
 15 *and for other purposes, to remain available until September*  
 16 *30, 1998, unless otherwise specified herein, as follows:*

17 *AGENCY FOR INTERNATIONAL DEVELOPMENT*

18 *DEVELOPMENT ASSISTANCE*

19 *(INCLUDING TRANSFER OF FUNDS)*

20 *For necessary expenses to carry out the provisions of*  
 21 *sections 103 through 106 and chapter 10 of part I of the*  
 22 *Foreign Assistance Act of 1961, title V of the International*  
 23 *Security and Development Cooperation Act of 1980 (Public*  
 24 *Law 96–533) and the provisions of section 401 of the For-*  
 25 *ign Assistance Act of 1969, \$1,358,093,020, to remain*  
 26 *available until September 30, 1999: Provided, That of the*

1 amount appropriated under this heading, up to  
2 \$18,000,000 may be made available for the Inter-American  
3 Foundation and shall be apportioned directly to that Agen-  
4 cy: Provided further, That of the amount appropriated  
5 under this heading, up to \$10,500,000 may be made avail-  
6 able for the African Development Foundation and shall be  
7 apportioned directly to that agency: Provided further, That  
8 of the funds appropriated under title II of this Act that  
9 are administered by the Agency for International Develop-  
10 ment and made available for family planning assistance,  
11 not less than 65 per centum shall be made available directly  
12 to the agency's central Office of Population and shall be  
13 programmed by that office for family planning activities:  
14 Provided further, That of the funds made available under  
15 this heading, not less than \$30,000,000, above the amount  
16 of funds made available to combat infectious diseases in the  
17 fiscal year 1997, shall be made available to strengthen glob-  
18 al surveillance and control of infectious diseases: Provided  
19 further, That such funds shall be subject to the regular noti-  
20 fication procedures of the Committees on Appropriations:  
21 Provided further, That none of the funds made available  
22 in this Act nor any unobligated balances from prior appro-  
23 priations may be made available to any organization or  
24 program which, as determined by the President of the Unit-  
25 ed States, supports or participates in the management of

1 *a program of coercive abortion or involuntary sterilization:*  
2 *Provided further, That none of the funds made available*  
3 *under this heading may be used to pay for the performance*  
4 *of abortion as a method of family planning or to motivate*  
5 *or coerce any person to practice abortions; and that in order*  
6 *to reduce reliance on abortion in developing nations, funds*  
7 *shall be available only to voluntary family planning*  
8 *projects which offer, either directly or through referral to,*  
9 *or information about access to, a broad range of family*  
10 *planning methods and services: Provided further, That in*  
11 *awarding grants for natural family planning under section*  
12 *104 of the Foreign Assistance Act of 1961 no applicant shall*  
13 *be discriminated against because of such applicant's reli-*  
14 *gious or conscientious commitment to offer only natural*  
15 *family planning; and, additionally, all such applicants*  
16 *shall comply with the requirements of the previous proviso:*  
17 *Provided further, That for purposes of this or any other*  
18 *Act authorizing or appropriating funds for foreign oper-*  
19 *ations, export financing, and related programs, the term*  
20 *“motivate”, as it relates to family planning assistance,*  
21 *shall not be construed to prohibit the provision, consistent*  
22 *with local law, of information or counseling about all preg-*  
23 *nancy options: Provided further, That nothing in this para-*  
24 *graph shall be construed to alter any existing statutory pro-*  
25 *hibitions against abortion under section 104 of the Foreign*

1 *Assistance Act of 1961: Provided further, That, notwith-*  
2 *standing section 109 of the Foreign Assistance Act of 1961,*  
3 *of the funds appropriated under this heading in this Act,*  
4 *and of the unobligated balances of funds previously appro-*  
5 *priated under this heading, \$2,500,000 shall be transferred*  
6 *to “International Organizations and Programs” for a con-*  
7 *tribution to the International Fund for Agricultural Devel-*  
8 *opment (IFAD), and that any such transfer of funds shall*  
9 *be subject to the regular notification procedures of the Com-*  
10 *mittees on Appropriations: Provided further, That of the*  
11 *funds appropriated under this heading that are made avail-*  
12 *able for assistance programs for displaced and orphaned*  
13 *children and victims of war, not to exceed \$25,000, in addi-*  
14 *tion to funds otherwise available for such purposes, may*  
15 *be used to monitor and provide oversight of such programs:*  
16 *Provided further, That of the funds appropriated under this*  
17 *heading, not less than \$15,000,000 shall be available for the*  
18 *American Schools and Hospitals Abroad Program: Pro-*  
19 *vided further, That not less than \$500,000 of the funds ap-*  
20 *propriated under this heading shall be made available only*  
21 *for support of the United States Telecommunications*  
22 *Training Institute: Provided further, That of the funds*  
23 *made available under this heading for Haiti, up to*  
24 *\$250,000 may be made available to support a program to*  
25 *assist Haitian children in orphanages.*

1                    *POPULATION, DEVELOPMENT ASSISTANCE*

2            *For necessary expenses to carry out the provisions of*  
3 *section 104(b) of the Foreign Assistance Act of 1961,*  
4 *\$435,000,000, to remain available until September 30,*  
5 *1999.*

6                    *CYPRUS*

7            *Of the funds appropriated under the headings “Devel-*  
8 *opment Assistance” and “Economic Support Fund”, not*  
9 *less than \$15,000,000 shall be made available for Cyprus*  
10 *to be used only for scholarships, administrative support of*  
11 *the scholarship program, bicommunal projects, and meas-*  
12 *ures aimed at reunification of the island and designed to*  
13 *reduce tensions and promote peace and cooperation between*  
14 *the two communities on Cyprus.*

15                    *BURMA*

16            *Of the funds appropriated under the heading “Devel-*  
17 *opment Assistance”, not less than \$5,000,000 shall be made*  
18 *available to support activities in Burma, along the Burma-*  
19 *Thailand border, and for activities of Burmese student*  
20 *groups and other organizations located outside Burma: Pro-*  
21 *vided, That \$3,000,000 of these funds shall be made avail-*  
22 *able for the purposes of fostering democracy, including not*  
23 *less than \$200,000 to be made available for newspapers,*  
24 *media, and publications promoting democracy for Burma:*  
25 *Provided further, That \$2,000,000 of these funds shall be*  
26 *made available to support the provision of medical supplies*

1 *and services and other humanitarian assistance to Burmese*  
2 *located in Burma or displaced Burmese along the borders:*  
3 *Provided further, That funds made available for Burma re-*  
4 *lated activities under this heading may be made available*  
5 *notwithstanding any other provision of law: Provided fur-*  
6 *ther, That provision of such funds shall be made available*  
7 *subject to the regular notification procedures of the Commit-*  
8 *tees on Appropriations.*

9 *CAMBODIA*

10 *None of the funds appropriated by this Act may be*  
11 *made available for activities or programs in Cambodia*  
12 *until the Secretary of State determines and reports to the*  
13 *Committees on Appropriations that the Government of*  
14 *Cambodia has (1) not been established in office by the use*  
15 *of force or a coup d'etat; (2) discontinued all political vio-*  
16 *lence and intimidation of journalists and members of oppo-*  
17 *sition parties; (3) established an independent election com-*  
18 *mission; (4) protected the rights of voters, candidates, and*  
19 *election observers and participants by establishing laws and*  
20 *procedures guaranteeing freedom of speech and assembly;*  
21 *(5) eliminated corruption and collaboration with narcotics*  
22 *smugglers; and (6) been elected in a free and fair demo-*  
23 *cratic election: Provided, That restrictions on funds made*  
24 *available under this heading shall not apply to humani-*  
25 *tarian programs or other activities administered by non-*  
26 *governmental organizations: Provided further, That 30 days*

1 *after enactment of this Act, the Secretary of State, in con-*  
2 *sultation with the Director of the Federal Bureau of Inves-*  
3 *tigation, shall report to the Committees on Appropriations*  
4 *on the results of the FBI investigation into the bombing*  
5 *attack in Phnom Penh on March 30, 1997.*

6 *GUATEMALA CLARIFICATION COMMISSION*

7 *Of the funds made available under the headings “De-*  
8 *velopment Assistance” and “Economic Support Fund”, not*  
9 *less than \$1,000,000 shall be made available to support the*  
10 *Guatemala Clarification Commission.*

11 *INTERNATIONAL DISASTER ASSISTANCE*

12 *For necessary expenses for international disaster relief,*  
13 *rehabilitation, and reconstruction assistance pursuant to*  
14 *section 491 of the Foreign Assistance Act of 1961, as amend-*  
15 *ed, \$195,000,000, to remain available until expended.*

16 *DEBT RESTRUCTURING*

17 *For the cost, as defined in section 502 of the Congres-*  
18 *sional Budget Act of 1974, of modifying direct loans and*  
19 *loan guarantees, as the President may determine, for which*  
20 *funds have been appropriated or otherwise made available*  
21 *for programs within the International Affairs Budget Func-*  
22 *tion 150, including the cost of selling, reducing, or canceling*  
23 *amounts, through debt buybacks and swaps, owed to the*  
24 *United States as a result of concessional loans made to eli-*  
25 *gible Latin American and Caribbean countries, pursuant*  
26 *to part IV of the Foreign Assistance Act of 1961, and of*

1 *modifying concessional loans authorized under title I of the*  
2 *Agricultural Trade Development and Assistance Act of*  
3 *1954, as amended, as authorized under subsection (a) under*  
4 *the heading “Debt Reduction for Jordan” in title VI of Pub-*  
5 *lic Law 103–306 and (b) direct loans extended to least de-*  
6 *veloped countries, as authorized under section 411 of the*  
7 *Agriculture Trade and Assistance Act of 1954 as amended;*  
8 *\$34,000,000, to remain available until expended: Provided,*  
9 *That none of the funds appropriated under this heading*  
10 *shall be obligated except as provided through the regular*  
11 *notification procedures of the Committees on Appropria-*  
12 *tions.*

13 *MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM*

14 *ACCOUNT*

15 *For the cost of direct loans and loan guarantees,*  
16 *\$1,500,000, as authorized by section 108 of the Foreign As-*  
17 *sistance Act of 1961, as amended: Provided, That such costs*  
18 *shall be as defined in section 502 of the Congressional Budg-*  
19 *et Act of 1974: Provided further, That guarantees of loans*  
20 *made under this heading in support of microenterprise ac-*  
21 *tivities may guarantee up to 70 per centum of the principal*  
22 *amount of any such loans notwithstanding section 108 of*  
23 *the Foreign Assistance Act of 1961. In addition, for admin-*  
24 *istrative expenses to carry out programs under this head-*  
25 *ing, \$500,000, all of which may be transferred to and*  
26 *merged with the appropriation for Operating Expenses of*

1 *the Agency for International Development: Provided fur-*  
2 *ther, That funds made available under this heading shall*  
3 *remain available until September 30, 1999.*

4 *URBAN AND ENVIRONMENTAL CREDIT PROGRAM ACCOUNT*

5 *For the cost, as defined in section 502 of the Congres-*  
6 *sional Budget Act of 1974, of guaranteed loans authorized*  
7 *by sections 221 and 222 of the Foreign Assistance Act of*  
8 *1961, \$3,000,000, to remain available until September 30,*  
9 *1999: Provided, That these funds are available to subsidize*  
10 *loan principal, 100 per centum of which shall be guaran-*  
11 *teed, pursuant to the authority of such sections. In addition,*  
12 *for administrative expenses to carry out guaranteed loan*  
13 *programs, \$6,000,000, all of which may be transferred to*  
14 *and merged with the appropriation for Operating Expenses*  
15 *of the Agency for International Development: Provided fur-*  
16 *ther, That commitments to guarantee loans under this head-*  
17 *ing may be entered into notwithstanding the second and*  
18 *third sentences of section 222(a) and, with regard to pro-*  
19 *grams for Central and Eastern Europe and programs for*  
20 *the benefit of South Africans disadvantaged by apartheid,*  
21 *section 223(j) of the Foreign Assistance Act of 1961.*

22 *PRIVATE AND VOLUNTARY ORGANIZATIONS*

23 *None of the funds appropriated or otherwise made*  
24 *available by this Act for development assistance may be*  
25 *made available to any United States private and voluntary*  
26 *organization, except any cooperative development organiza-*

1 *tion, which obtains less than 20 per centum of its total an-*  
2 *nual funding for international activities from sources other*  
3 *than the United States Government: Provided, That the re-*  
4 *quirements of the provisions of section 123(g) of the Foreign*  
5 *Assistance Act of 1961 and the provisions on private and*  
6 *voluntary organizations in title II of the “Foreign Assist-*  
7 *ance and Related Programs Appropriations Act, 1985” (as*  
8 *enacted in Public Law 98–473) shall be superseded by the*  
9 *provisions of this section, except that the authority con-*  
10 *tained in the last sentence of section 123(g) may be exer-*  
11 *cised by the Administrator with regard to the requirements*  
12 *of this paragraph.*

13 *Funds appropriated or otherwise made available*  
14 *under title II of this Act should be made available to private*  
15 *and voluntary organizations at a level which is at least*  
16 *equivalent to the level provided in fiscal year 1995. Such*  
17 *private and voluntary organizations shall include those*  
18 *which operate on a not-for-profit basis, receive contribu-*  
19 *tions from private sources, receive voluntary support from*  
20 *the public and are deemed to be among the most cost-effec-*  
21 *tive and successful providers of development assistance.*

22 *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*  
23 *DISABILITY FUND*

24 *For payment to the “Foreign Service Retirement and*  
25 *Disability Fund”, as authorized by the Foreign Service Act*  
26 *of 1980, \$44,208,000.*

1            *OPERATING EXPENSES OF THE AGENCY FOR*  
2                            *INTERNATIONAL DEVELOPMENT*

3            *For necessary expenses to carry out the provisions of*  
4 *section 667, \$473,000,000, to remain available until Sep-*  
5 *tember 30, 1999: Provided, That none of the funds appro-*  
6 *priated by this Act for programs administered by the Agen-*  
7 *cy for International Development may be used to finance*  
8 *printing costs of any report or study (except feasibility, de-*  
9 *sign, or evaluation reports or studies) in excess of \$25,000*  
10 *without the approval of the Administrator of the Agency*  
11 *or the Administrator's designee.*

12 *OPERATING EXPENSES OF THE AGENCY FOR INTER-*  
13 *NATIONAL DEVELOPMENT OFFICE OF INSPECTOR GEN-*  
14 *ERAL*

15            *For necessary expenses to carry out the provisions of*  
16 *section 667, \$29,047,000, to remain available until Septem-*  
17 *ber 30, 1999, which sum shall be available for the Office*  
18 *of the Inspector General of the Agency for International De-*  
19 *velopment.*

20            *OTHER BILATERAL ECONOMIC ASSISTANCE*  
21                            *ECONOMIC SUPPORT FUND*

22            *For necessary expenses to carry out the provisions of*  
23 *chapter 4 of part II, \$2,541,150,000, to remain available*  
24 *until September 30, 1999: Provided, That of the funds ap-*  
25 *propriated under this heading, not less than \$1,200,000,000*  
26 *shall be available only for Israel, which sum shall be avail-*

1 *able on a grant basis as a cash transfer and shall be dis-*  
2 *bursed within thirty days of enactment of this Act or by*  
3 *October 31, 1997, whichever is later: Provided further, That*  
4 *not less than \$815,000,000 shall be available only for*  
5 *Egypt, which sum shall be provided on a grant basis, and*  
6 *of which sum cash transfer assistance may be provided,*  
7 *with the understanding that Egypt will undertake signifi-*  
8 *cant economic reforms which are additional to those which*  
9 *were undertaken in previous fiscal years: Provided further,*  
10 *That in exercising the authority to provide cash transfer*  
11 *assistance for Israel, the President shall ensure that the level*  
12 *of such assistance does not cause an adverse impact on the*  
13 *total level of nonmilitary exports from the United States*  
14 *to such country: Provided further, That of the funds appro-*  
15 *priated under this heading, not less than \$150,000,000 shall*  
16 *be made available for Jordan: Provided further, That of the*  
17 *amount appropriated under this heading, not less than*  
18 *\$500,000 shall be available only for the Special Investiga-*  
19 *tive Unit (SIU) of the Haitian National Police.*

20 *ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC*

21 *STATES*

22 *(a) For necessary expenses to carry out the provisions*  
23 *of the Foreign Assistance Act of 1961 and the Support for*  
24 *East European Democracy (SEED) Act of 1989,*  
25 *\$485,000,000, to remain available until September 30,*  
26 *1999, which shall be available, notwithstanding any other*

1 *provision of law, for economic assistance and for related*  
2 *programs for Eastern Europe and the Baltic States.*

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

14       **(c)** *Funds appropriated under this heading shall be*  
15 *considered to be economic assistance under the Foreign As-*  
16 *sistance Act of 1961 for purposes of making available the*  
17 *administrative authorities contained in that Act for the use*  
18 *of economic assistance.*

19       **(d)** *With regard to funds appropriated or otherwise*  
20 *made available under this heading for the economic revital-*  
21 *ization program in Bosnia and Herzegovina, and local cur-*  
22 *rencies generated by such funds (including the conversion*  
23 *of funds appropriated under this heading into currency*  
24 *used by Bosnia and Herzegovina as local currency and local*  
25 *currency returned or repaid under such program)—*



1 *September 30, 1999: Provided, That the provisions of such*  
2 *chapter shall apply to funds appropriated by this para-*  
3 *graph: Provided further, That up to \$22,000,000 made*  
4 *available under this heading may be transferred to the Ex-*  
5 *port Import Bank of the United States, and up to*  
6 *\$8,000,000 of the funds made available under this heading*  
7 *may be transferred to the Micro and Small Enterprise De-*  
8 *velopment Program, to be used for the cost of direct loans*  
9 *and loan guarantees for the furtherance of programs under*  
10 *this heading: Provided further, That such costs, including*  
11 *the cost of modifying such loans, shall be as defined in sec-*  
12 *tion 502 of the Congressional Budget Act of 1974.*

13 *(b) None of the funds appropriated under this heading*  
14 *shall be made available to a Government of the New Inde-*  
15 *pendent States of the former Soviet Union—*

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

22 *(2) if that Government applies or transfers Unit-*  
23 *ed States assistance to any entity for the purpose of*  
24 *expropriating or seizing ownership or control of as-*  
25 *sets, investments, or ventures.*

1           (3) *Funds may be furnished without regard to*  
2           *this subsection if the President determines that to do*  
3           *so is in the national interest.*

4           (c) *None of the funds appropriated under this heading*  
5           *shall be made available to any government of the New Inde-*  
6           *pendent States of the former Soviet Union if that govern-*  
7           *ment directs any action in violation of the territorial integ-*  
8           *rity or national sovereignty of any other new independent*  
9           *state, such as those violations included in the Helsinki*  
10          *Final Act: Provided, That such funds may be made avail-*  
11          *able without regard to the restriction in this subsection if*  
12          *the President determines that to do so is in the national*  
13          *security interest of the United States: Provided further,*  
14          *That the restriction of this subsection shall not apply to*  
15          *the use of such funds for the provision of assistance for pur-*  
16          *poses of humanitarian and refugee relief.*

17          (d) *None of the funds appropriated under this heading*  
18          *for the New Independent States of the former Soviet Union*  
19          *shall be made available for any state to enhance its military*  
20          *capability: Provided, That this restriction does not apply*  
21          *to demilitarization or nonproliferation programs.*

22          (e) *Funds appropriated under this heading shall be*  
23          *subject to the regular notification procedures of the Commit-*  
24          *tees on Appropriations.*

1           (f) *Funds made available in this Act for assistance to*  
2 *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           (g) *Of the funds appropriated under title II of this*  
7 *Act, including funds appropriated under this heading, not*  
8 *less than \$12,000,000 shall be available only for assistance*  
9 *for Mongolia: Provided, That funds made available for as-*  
10 *sistance for Mongolia may be made available in accordance*  
11 *with the purposes and utilizing the authorities provided in*  
12 *chapter 11 of part I of the Foreign Assistance Act of 1961.*

13           (h) *Funds made available in this Act for assistance*  
14 *to the New Independent States of the former Soviet Union*  
15 *shall be provided to the maximum extent feasible through*  
16 *the private sector, including small- and medium-size busi-*  
17 *nesses, entrepreneurs, and others with indigenous private*  
18 *enterprises in the region, intermediary development organi-*  
19 *zations committed to private enterprise, and private vol-*  
20 *untary organizations: Provided, That grantees and contrac-*  
21 *tors should, to the maximum extent possible, place in key*  
22 *staff positions specialists with prior on the ground expertise*  
23 *in the region of activity and fluency in one of the local*  
24 *languages.*

1           (i) *In issuing new task orders, entering into contracts,*  
2 *or making grants, with funds appropriated under this*  
3 *heading or in prior appropriations Acts, for projects or ac-*  
4 *tivities that have as one of their primary purposes the fos-*  
5 *tering of private sector development, the Coordinator for*  
6 *United States Assistance to the New Independent States*  
7 *and the implementing agency shall encourage the participa-*  
8 *tion of and give significant weight to contractors and grant-*  
9 *ees who propose investing a significant amount of their own*  
10 *resources (including volunteer services and in-kind con-*  
11 *tributions) in such projects and activities.*

12           (j) *Of the funds appropriated under this heading, not*  
13 *less than \$225,000,000 shall be made available for Ukraine:*  
14 *Provided, That of the funds made available for Ukraine*  
15 *under this subsection, not less than \$25,000,000 shall be*  
16 *available only for comprehensive legal restructuring nec-*  
17 *essary to support a decentralized market-oriented economic*  
18 *system, including the enactment of all necessary substantive*  
19 *commercial law and procedures, the implementation of re-*  
20 *forms necessary to establish an independent judiciary and*  
21 *bar, the education of judges, attorneys, and law students*  
22 *in the comprehensive commercial law reforms, and public*  
23 *education designed to promote understanding of commercial*  
24 *law necessary to Ukraine's economic independence: Pro-*  
25 *vided further, That of this amount not less than \$8,000,000*

1 *shall be made available to support law enforcement institu-*  
2 *tions and training, not less than \$25,000,000 shall be made*  
3 *available for nuclear reactor safety programs, and not less*  
4 *than \$5,000,000 shall be made available for political party*  
5 *and related institutional development: Provided further,*  
6 *That 50 per centum of the amount made available for*  
7 *Ukraine by this subsection, exclusive of funds made avail-*  
8 *able in the previous proviso, shall be withheld from obliga-*  
9 *tion and expenditure until the Secretary of State deter-*  
10 *mines and certifies that the Government of Ukraine has*  
11 *taken meaningful steps: (1) to enforce the April 10, 1997*  
12 *Anti-Corruption Presidential decree; (2) to privatize state*  
13 *owned agricultural storage, distribution, equipment and*  
14 *supply monopolies; and (3) to resolve cases involving U.S.*  
15 *business complaints and establish a permanent legal mecha-*  
16 *nism for commercial dispute resolution: Provided further,*  
17 *That the Secretary shall submit such determination and*  
18 *certification prior to March 31, 1998.*

19 *(k) Of the funds appropriated under this heading, not*  
20 *less than \$100,000,000 shall be made available for Georgia,*  
21 *of which not less than \$10,000,000 shall be made available*  
22 *to support energy development and privatization initia-*  
23 *tives: Provided, That not less than \$15,000,000 shall be*  
24 *made available for development of border security tele-*  
25 *communications infrastructure: Provided further, That not*

1 less than \$7,000,000 shall be available for judicial reform  
2 and law enforcement training: Provided further, That not  
3 less than \$5,000,000 shall be made available to support  
4 training for border and customs control: Provided further,  
5 That not less than \$3,000,000 shall be made available to  
6 support political party and related institutional develop-  
7 ment: Provided further, That not less than \$5,000,000 shall  
8 be available for Supsa urban and commercial development:  
9 Provided further, That up to \$7,000,000 may be made  
10 available for business and education exchanges and related  
11 activities.

12 (l) Of the funds made available under this heading,  
13 not less than \$95,000,000 shall be made available for Arme-  
14 nia.

15 (m) Funds appropriated under this heading or in  
16 prior appropriations Acts that are or have been made avail-  
17 able for an Enterprise Fund may be deposited by such Fund  
18 in interest-bearing accounts prior to the disbursement of  
19 such funds by the Fund for program purposes. The Fund  
20 may retain for such program purposes any interest earned  
21 on such deposits without returning such interest to the  
22 Treasury of the United States and without further appro-  
23 priation by the Congress. Funds made available for Enter-  
24 prise Funds shall be expended at the minimum rate nec-  
25 essary to make timely payment for projects and activities.

1           (n) *None of the funds appropriated under this heading*  
2 *may be made available for Russia unless the President de-*  
3 *termines and certifies in writing to the Committees on Ap-*  
4 *propriations that the Government of Russia has terminated*  
5 *implementation of arrangements to provide Iran with tech-*  
6 *nical expertise, training, technology, or equipment nec-*  
7 *essary to develop a nuclear reactor or ballistic missiles or*  
8 *related nuclear research facilities or programs.*

9           (o) *Of the funds appropriated under this heading, not*  
10 *less than \$10,000,000 shall be made available for a United*  
11 *States contribution to the Trans-Caucasus Enterprise*  
12 *Fund: Provided, That to further the development of the pri-*  
13 *vate sector in the Trans-Caucasus, such amount may be in-*  
14 *vested in a Trans-Caucasus Enterprise Fund or invested*  
15 *in other funds established by public or private organiza-*  
16 *tions, or transferred to the Overseas Private Investment*  
17 *Corporation to be available, subject to the requirements of*  
18 *the Federal Credit Reform Act, to subsidize the costs of di-*  
19 *rect and guaranteed loans.*

20           (p) *Funds made available under this Act or any other*  
21 *Act may not be provided for assistance to the Government*  
22 *of Azerbaijan until the President determines, and so reports*  
23 *to the Congress, that the Government of Azerbaijan is taking*  
24 *demonstrable steps to cease all blockades and other offensive*  
25 *uses of force against Armenia and Nagorno-Karabakh: Pro-*

1 *vided, That the restriction of this subsection and section 907*  
2 *of the FREEDOM Support Act shall not apply to—*

3 *(1) activities to support electoral and political*  
4 *reforms or assistance under title V of the FREEDOM*  
5 *Support Act and section 1424 of the “National De-*  
6 *fense Authorization Act for Fiscal Year 1997”;*

7 *(2) any insurance, reinsurance, guarantee, or*  
8 *other assistance provided by the Overseas Private In-*  
9 *vestment Corporation under title IV of chapter 2 of*  
10 *part I of the Foreign Assistance Act of 1961 (22*  
11 *U.S.C. 2191 et seq.);*

12 *(3) any assistance provided by the Trade and*  
13 *Development Agency under section 661 of the Foreign*  
14 *Assistance Act of 1961 (22 U.S.C. 2421);*

15 *(4) any financing provided under the Export-*  
16 *Import Bank Act of 1945 (12 U.S.C. 635 et seq.); or*

17 *(5) any activity carried out by a member of the*  
18 *Foreign Commercial Service while acting within his*  
19 *or her official capacity.*

20 *(g) None of the funds appropriated under this heading*  
21 *or in prior appropriations legislation may be made avail-*  
22 *able to establish a joint public-private entity or organiza-*  
23 *tion engaged in the management of activities or projects*  
24 *supported by the Defense Enterprise Fund.*



1 *shall be made available for anti-crime programs: Provided*  
2 *further, That none of the funds appropriated under this*  
3 *heading that are made available for counter-narcotics ac-*  
4 *tivities may be obligated or expended until the Secretary*  
5 *of State submits a report to the Committees on Appropria-*  
6 *tions containing: (1) a list of all countries in which the*  
7 *United States carries out international counter-narcotics*  
8 *activities; (2) the number, mission and agency affiliation*  
9 *of U.S. personnel assigned to each such country; and (3)*  
10 *all costs and expenses obligated for each program, project*  
11 *or activity by each U.S. agency in each country: Provided*  
12 *further, That of this amount not to exceed \$5,000,000 shall*  
13 *be allocated to operate the Western Hemisphere Inter-*  
14 *national Law Enforcement Academy under the auspices of*  
15 *the Organization of American States with full oversight by*  
16 *the Department of State: Provided further, That funds ap-*  
17 *propriated under this heading shall be provided subject to*  
18 *the regular notification procedures of the Committees on*  
19 *Appropriations.*

20 *MIGRATION AND REFUGEE ASSISTANCE*

21 *For expenses, not otherwise provided for, necessary to*  
22 *enable the Secretary of State to provide, as authorized by*  
23 *law, a contribution to the International Committee of the*  
24 *Red Cross, assistance to refugees, including contributions*  
25 *to the International Organization for Migration and the*  
26 *United Nations High Commissioner for Refugees, and other*

1 *activities to meet refugee and migration needs; salaries and*  
2 *expenses of personnel and dependents as authorized by the*  
3 *Foreign Service Act of 1980; allowances as authorized by*  
4 *sections 5921 through 5925 of title 5, United States Code;*  
5 *purchase and hire of passenger motor vehicles; and services*  
6 *as authorized by section 3109 of title 5, United States Code,*  
7 *\$650,000,000: Provided, That not more than \$12,000,000*  
8 *shall be available for administrative expenses: Provided fur-*  
9 *ther, That not less than \$80,000,000 shall be made available*  
10 *for refugees from the former Soviet Union and Eastern Eu-*  
11 *rope and other refugees resettling in Israel.*

12 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*

13 *ASSISTANCE FUND*

14 *For necessary expenses to carry out the provisions of*  
15 *section 2(c) of the Migration and Refugee Assistance Act*  
16 *of 1962, as amended (22 U.S.C. 260(c)), \$50,000,000, to*  
17 *remain available until expended: Provided, That the funds*  
18 *made available under this heading are appropriated not-*  
19 *withstanding the provisions contained in section 2(c)(2) of*  
20 *the Migration and Refugee Assistance Act of 1962 which*  
21 *would limit the amount of funds which could be appro-*  
22 *priated for this purpose.*

23 *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*

24 *RELATED PROGRAMS*

25 *For necessary expenses for nonproliferation, anti-ter-*  
26 *rorism and related programs and activities, \$129,000,000,*

1 to carry out the provisions of chapter 8 of part II of the  
2 Foreign Assistance Act of 1961 for anti-terrorism assist-  
3 ance, section 504 of the FREEDOM Support Act for the  
4 Nonproliferation and Disarmament Fund, section 23 of the  
5 Arms Export Control Act or the Foreign Assistance Act of  
6 1961 for demining activities, notwithstanding any other  
7 provision of law, including activities implemented through  
8 nongovernmental and international organizations, section  
9 301 of the Foreign Assistance Act of 1961 for a voluntary  
10 contribution to the International Atomic Energy Agency  
11 (IAEA) and a voluntary contribution to the Korean Penin-  
12 sula Energy Development Organization (KEDO): Provided,  
13 That of this amount not to exceed \$15,000,000, to remain  
14 available until expended, may be made available for the  
15 Nonproliferation and Disarmament Fund, notwithstanding  
16 any other provision of law, to promote bilateral and multi-  
17 lateral activities relating to nonproliferation and disar-  
18 mament: Provided further, That such funds may also be  
19 used for such countries other than the New Independent  
20 States of the former Soviet Union and international organi-  
21 zations when it is in the national security interest of the  
22 United States to do so: Provided further, That such funds  
23 shall be subject to the regular notification procedures of the  
24 Committees on Appropriations: Provided further, That  
25 funds appropriated under this heading may be made avail-

1 able for the International Atomic Energy Agency only if  
2 the Secretary of State determines (and so reports to the  
3 Congress) that Israel is not being denied its right to partici-  
4 pate in the activities of that Agency: Provided further, That  
5 not to exceed \$30,000,000 may be made available to the Ko-  
6 rean Peninsula Energy Development Organization  
7 (KEDO) only for the administrative expenses and heavy  
8 fuel oil costs associated with the Agreed Framework: Pro-  
9 vided further, That such funds may be obligated to KEDO  
10 only if, thirty days prior to such obligation of funds, the  
11 President certifies and so reports to Congress that: (1)(A)  
12 the parties to the Agreed Framework are taking steps to  
13 assure that progress is made on the implementation of the  
14 January 1, 1992, Joint Declaration on the  
15 Denuclearization of the Korean Peninsula and the imple-  
16 mentation of the North-South dialogue, and (B) North  
17 Korea is complying with the other provisions of the Agreed  
18 Framework between North Korea and the United States and  
19 with the Confidential Minute; (2) North Korea is cooperat-  
20 ing fully in the canning and safe storage of all spent fuel  
21 from its graphite-moderated nuclear reactors and that such  
22 canning and safe storage is scheduled to be completed by  
23 the end of fiscal year 1997; and (3) North Korea has not  
24 significantly diverted assistance provided by the United  
25 States for purposes for which it was not intended: Provided

1 further, That the President may waive the certification re-  
2 quirements of the preceding proviso if the President deter-  
3 mines that it is vital to the national security interests of  
4 the United States: Provided further, That no funds may be  
5 obligated for KEDO until 30 days after submission to Con-  
6 gress of the waiver permitted under the preceding proviso:  
7 Provided further, That the obligation of any funds for  
8 KEDO shall be subject to the regular notification procedures  
9 of the Committees on Appropriations: Provided further,  
10 That the Secretary of State shall submit to the appropriate  
11 congressional committees an annual report (to be submitted  
12 with the annual presentation for appropriations) providing  
13 a full and detailed accounting of the fiscal year request for  
14 the United States contribution to KEDO, the expected oper-  
15 ating budget of the Korean Peninsula Energy Development  
16 Organization, to include unpaid debt, proposed annual  
17 costs associated with heavy fuel oil purchases, and the  
18 amount of funds pledged by other donor nations and orga-  
19 nizations to support KEDO activities on a per country  
20 basis, and other related activities: Provided further, That  
21 of the funds made available under this heading, up to  
22 \$14,000,000 may be made available to the Korean Penin-  
23 sula Economic Development Organization (KEDO), in ad-  
24 dition to funds otherwise made available under this heading  
25 for KEDO, if the Secretary of State certifies and reports

1 *to the Committees on Appropriations that, except for the*  
2 *funds made available under this proviso, funds sufficient*  
3 *to cover all outstanding debts owed by KEDO for heavy*  
4 *fuel oil have been provided to KEDO: Provided further,*  
5 *That the additional \$14,000,000 made available to KEDO*  
6 *under this heading may not be obligated or expended until*  
7 *the Secretary of State certifies and reports to Congress that*  
8 *North Korea has not violated the Military Armistice Agree-*  
9 *ment of 1953 during the preceding nine months.*

10 *TITLE III—MILITARY ASSISTANCE*

11 *FUNDS APPROPRIATED TO THE PRESIDENT*

12 *INTERNATIONAL MILITARY EDUCATION AND TRAINING*

13 *For necessary expenses to carry out the provisions of*  
14 *section 541 of the Foreign Assistance Act of 1961,*  
15 *\$47,000,000: Provided, That none of the funds appropriated*  
16 *under this heading shall be available for Guatemala: Pro-*  
17 *vided further, That the civilian personnel for whom mili-*  
18 *tary education and training may be provided under this*  
19 *heading may include civilians who are not members of a*  
20 *government whose participation would contribute to im-*  
21 *proved civil-military relations, civilian control of the mili-*  
22 *tary, or respect for human rights.*

23 *FOREIGN MILITARY FINANCING PROGRAM*

24 *For expenses necessary for grants to enable the Presi-*  
25 *dent to carry out the provisions of section 23 of the Arms*  
26 *Export Control Act, \$3,308,950,000: Provided, That of the*

1 *funds appropriated under this heading, not less than*  
2 *\$1,800,000,000 shall be available for grants only for Israel,*  
3 *and not less than \$1,300,000,000 shall be made available*  
4 *for grants only for Egypt: Provided further, That the funds*  
5 *appropriated by this paragraph for Israel shall be disbursed*  
6 *within thirty days of enactment of this Act or by October*  
7 *31, 1997, whichever is later: Provided further, That to the*  
8 *extent that the Government of Israel requests that funds be*  
9 *used for such purposes, grants made available for Israel by*  
10 *this paragraph may, as agreed by Israel and the United*  
11 *States, be available for advanced weapons systems, of which*  
12 *not less than \$475,000,000 shall be available for the pro-*  
13 *curement in Israel of defense articles and defense services,*  
14 *including research and development: Provided further, That*  
15 *of the funds appropriated by this paragraph, not less than*  
16 *\$100,000,000 shall be available for assistance for Jordan:*  
17 *Provided further, That of the funds appropriated by this*  
18 *paragraph, a total of \$12,000,000 shall be available for as-*  
19 *sistance for Estonia, Latvia, and Lithuania: Provided fur-*  
20 *ther, That funds appropriated by this paragraph shall be*  
21 *nonrepayable notwithstanding any requirement in section*  
22 *23 of the Arms Export Control Act: Provided further, That*  
23 *funds made available under this paragraph shall be obli-*  
24 *gated upon apportionment in accordance with paragraph*  
25 *(5)(C) of title 31, United States Code, section 1501(a): Pro-*

1 *vided further, That \$60,000,000 of the funds appropriated*  
2 *or otherwise made available under this heading shall be*  
3 *made available for the purpose of facilitating the integra-*  
4 *tion of Poland, Hungary, and the Czech Republic into the*  
5 *North Atlantic Treaty Organization: Provided further,*  
6 *That, to carry out funding the previous proviso, all or part*  
7 *of the \$60,000,000 may be derived by transfer, notwith-*  
8 *standing any other provision of law, from titles I, II, III,*  
9 *and IV of this Act.*

10 *For the cost, as defined in section 502 of the Congres-*  
11 *sional Budget Act of 1974, of direct loans authorized by*  
12 *section 23 of the Arms Export Control Act as follows: cost*  
13 *of direct loans, \$74,000,000: Provided, That these funds are*  
14 *available to subsidize gross obligations for the principal*  
15 *amount of direct loans of not to exceed \$759,500,000: Pro-*  
16 *vided further, That the rate of interest charged on such*  
17 *loans shall be not less than the current average market yield*  
18 *on outstanding marketable obligations of the United States*  
19 *of comparable maturities: Provided further, That of the*  
20 *funds appropriated under this paragraph, a total of*  
21 *\$8,000,000 shall be available for assistance to Estonia, Lat-*  
22 *via, and Lithuania: Provided further, That funds appro-*  
23 *priated under this paragraph shall be made available for*  
24 *Greece and Turkey only on a loan basis, and the principal*  
25 *amount of direct loans for each country shall not exceed*

1 *the following: \$122,500,000 only for Greece and*  
2 *\$175,000,000 only for Turkey.*

3 *None of the funds made available under this heading*  
4 *shall be available to finance the procurement of defense arti-*  
5 *cles, defense services, or design and construction services*  
6 *that are not sold by the United States Government under*  
7 *the Arms Export Control Act unless the foreign country pro-*  
8 *posing to make such procurements has first signed an agree-*  
9 *ment with the United States Government specifying the*  
10 *conditions under which such procurements may be financed*  
11 *with such funds: Provided, That all country and funding*  
12 *level increases in allocations shall be submitted through the*  
13 *regular notification procedures of section 515 of this Act:*  
14 *Provided further, That none of the funds appropriated*  
15 *under this heading shall be available for Sudan, Liberia,*  
16 *and Guatemala: Provided further, That funds made avail-*  
17 *able under this heading may be used, notwithstanding any*  
18 *other provision of law, for activities related to the clearance*  
19 *of landmines and unexploded ordnance, and may include*  
20 *activities implemented through nongovernmental and inter-*  
21 *national organizations: Provided further, That only those*  
22 *countries for which assistance was justified for the “Foreign*  
23 *Military Sales Financing Program” in the fiscal year 1989*  
24 *congressional presentation for security assistance programs*  
25 *may utilize funds made available under this heading for*

1 *procurement of defense articles, defense services or design*  
2 *and construction services that are not sold by the United*  
3 *States Government under the Arms Export Control Act:*  
4 *Provided further, That, subject to the regular notification*  
5 *procedures of the Committees on Appropriations, funds*  
6 *made available under this heading for the cost of direct*  
7 *loans may also be used to supplement the funds available*  
8 *under this heading for grants, and funds made available*  
9 *under this heading for grants may also be used to supple-*  
10 *ment the funds available under this heading for the cost*  
11 *of direct loans: Provided further, That funds appropriated*  
12 *under this heading shall be expended at the minimum rate*  
13 *necessary to make timely payment for defense articles and*  
14 *services: Provided further, That not more than \$23,250,000*  
15 *of the funds appropriated under this heading may be obli-*  
16 *gated for necessary expenses, including the purchase of pas-*  
17 *senger motor vehicles for replacement only for use outside*  
18 *of the United States, for the general costs of administering*  
19 *military assistance and sales: Provided further, That not*  
20 *more than \$355,000,000 of funds realized pursuant to sec-*  
21 *tion 21(e)(1)(A) of the Arms Export Control Act may be*  
22 *obligated for expenses incurred by the Department of De-*  
23 *fense during fiscal year 1998 pursuant to section 43(b) of*  
24 *the Arms Export Control Act, except that this limitation*

1 *may be exceeded only through the regular notification pro-*  
 2 *cedures of the Committees on Appropriations.*

3 *PEACEKEEPING OPERATIONS*

4 *For necessary expenses to carry out the provisions of*  
 5 *section 551 of the Foreign Assistance Act of 1961,*  
 6 *\$75,000,000: Provided, That none of the funds appropriated*  
 7 *under this heading shall be obligated or expended except as*  
 8 *provided through the regular notification procedures of the*  
 9 *Committees on Appropriations: Provided further, That*  
 10 *none of the funds made available under this heading for*  
 11 *the Multilateral Force and Observers until the Secretary of*  
 12 *State submits a report to the Committees on Appropriations*  
 13 *on the status of efforts to retain a new Director General*  
 14 *of that organization.*

15 *TITLE IV—MULTILATERAL ECONOMIC*

16 *ASSISTANCE*

17 *FUNDS APPROPRIATED TO THE PRESIDENT*

18 *INTERNATIONAL FINANCIAL INSTITUTIONS*

19 *CONTRIBUTION TO THE INTERNATIONAL BANK FOR*

20 *RECONSTRUCTION AND DEVELOPMENT*

21 *For payment to the International Bank for Recon-*  
 22 *struction and Development by the Secretary of the Treas-*  
 23 *ury, for the United States contribution to the Global Envi-*  
 24 *ronment Facility (GEF), \$60,000,000, to remain available*  
 25 *until September 30, 1999.*



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

3             *For payment to the Enterprise for the Americas Multi-*  
4 *lateral Investment Fund by the Secretary of the Treasury,*  
5 *for the United States contribution to the Fund to be admin-*  
6 *istered by the Inter-American Development Bank,*  
7 *\$30,000,000 to remain available until expended, which shall*  
8 *be available for contributions previously due.*

9             *CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK*

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

14            *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

15            *The United States Governor of the Asian Development*  
16 *Bank may subscribe without fiscal year limitation to the*  
17 *callable capital portion of the United States share of such*  
18 *capital stock in an amount not to exceed \$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 Develop-*  
23 *ment Bank Act, as amended (Public Law 89-369),*  
24 *\$150,000,000, of which \$50,000,000 shall be available for*  
25 *contributions previously due, to remain available until ex-*  
26 *pended.*

1            *CONTRIBUTION TO THE EUROPEAN BANK FOR*  
2            *RECONSTRUCTION AND DEVELOPMENT*

3            *For payment to the European Bank for Reconstruction*  
4 *and Development by the Secretary of the Treasury,*  
5 *\$35,778,717, for the United States share of the paid-in por-*  
6 *tion of the increase in capital stock, to remain available*  
7 *until expended.*

8            *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

9            *The United States Governor of the European Bank for*  
10 *Reconstruction and Development may subscribe without fis-*  
11 *cal year limitation to the callable capital portion of the*  
12 *United States share of such capital stock in an amount not*  
13 *to exceed \$123,237,803.*

14            *NORTH AMERICAN DEVELOPMENT BANK*

15            *For payment to the North American Development*  
16 *Bank by the Secretary of the Treasury, for the United*  
17 *States share of the paid-in portion of the capital stock,*  
18 *\$56,500,000, to remain available until expended: Provided,*  
19 *That none of the funds appropriated under this heading*  
20 *that are made available for the Community Adjustment and*  
21 *Investment Program shall be used for purposes other than*  
22 *those set out in the binational agreement establishing the*  
23 *Bank.*

24            *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

25            *The United States Governor of the North American De-*  
26 *velopment Bank may subscribe without fiscal year limita-*

1 *tion to the callable capital portion of the United States*  
2 *share of the capital stock of the North American Develop-*  
3 *ment Bank in an amount not to exceed \$318,750,000.*

4 *INTERNATIONAL MONETARY PROGRAMS*

5 *LOANS TO INTERNATIONAL MONETARY FUND*

6 *For loans to the International Monetary Fund under*  
7 *the New Arrangements to Borrow, the dollar equivalent of*  
8 *2,462,000,000 Special Drawing Rights, to remain available*  
9 *until expended; in addition, up to the dollar equivalent of*  
10 *4,250,000,000 Special Drawing Rights previously appro-*  
11 *priated by the Act of November 30, 1983 (Public Law 98-*  
12 *181), and the Act of October 23, 1962 (Public Law 87-872),*  
13 *for the General Arrangements to Borrow, may also be used*  
14 *for the New Arrangements to Borrow. Notwithstanding any*  
15 *other provision of law, none of the funds appropriated*  
16 *under this heading may be made available until the rel-*  
17 *evant Committees of Congress have reviewed the new ar-*  
18 *rangements for borrowing by the International Monetary*  
19 *Fund provided for under this heading and authorizing leg-*  
20 *islation for such borrowing has been enacted.*

21 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

22 *For necessary expenses to carry out the provisions of*  
23 *section 301 of the Foreign Assistance Act of 1961, and of*  
24 *section 2 of the United Nations Environment Program Par-*  
25 *ticipation Act of 1973, \$277,000,000: Provided, That none*  
26 *of the funds appropriated under this heading shall be made*

1 *available for the United Nations Fund for Science and*  
2 *Technology: Provided further, That not less than \$5,000,000*  
3 *shall be made available to the World Food Program: Pro-*  
4 *vided further, That none of the funds appropriated under*  
5 *this heading that are made available to the United Nations*  
6 *Population Fund (UNFPA) shall be made available for ac-*  
7 *tivities in the People's Republic of China: Provided further,*  
8 *That not more than \$25,000,000 of the funds appropriated*  
9 *under this heading may be made available to the UNFPA:*  
10 *Provided further, That with respect to any funds appro-*  
11 *priated under this heading that are made available to*  
12 *UNFPA, UNFPA shall be required to maintain such funds*  
13 *in a separate account and not commingle them with any*  
14 *other funds: Provided further, That none of the funds appro-*  
15 *priated under this heading may be made available to the*  
16 *Korean Peninsula Energy Development Organization*  
17 *(KEDO) or the International Atomic Energy Agency*  
18 *(IAEA).*

19 *AUTHORIZATION REQUIREMENT FOR INTERNATIONAL*  
20 *FINANCIAL INSTITUTIONS*

21 *(a) The Secretary of the Treasury may, to fulfill com-*  
22 *mitments of the United States: (1) effect the United States*  
23 *participation in the first general capital increase of the Eu-*  
24 *ropean Bank for Reconstruction and Development, sub-*  
25 *scribe to and make payment for 100,000 additional shares*  
26 *of the capital stock of the Bank on behalf of the United*

1 *States; and (2) contribute on behalf of the United States*  
2 *to the eleventh replenishment of the resources of the Inter-*  
3 *national Development Association, to the sixth replenish-*  
4 *ment of the resources of the Asian Development Fund, a*  
5 *special fund of the Asian Development Bank. The following*  
6 *amounts are authorized to be appropriated without fiscal*  
7 *year limitation for payment by the Secretary of the Treas-*  
8 *ury: (1) \$285,772,500 for paid-in capital, and*  
9 *\$984,327,500 for callable capital of the European Bank for*  
10 *Reconstruction and Development; (2) \$1,600,000,000 for the*  
11 *International Development Association; (3) \$400,000,000*  
12 *for the Asian Development Fund; and (4) \$76,832,001 for*  
13 *paid-in capital, and \$4,511,156,729 for callable capital of*  
14 *the Inter-American Development Bank in connection with*  
15 *the eighth general increase in the resources of that Bank.*  
16 *Each such subscription or contribution shall be subject to*  
17 *obtaining the necessary appropriations.*

18 *(b) The authorizations under this section are subject*  
19 *to the Senate Foreign Relations Committee reporting out*  
20 *an authorization bill.*

## 21 *TITLE V—GENERAL PROVISIONS*

### 22 *ENTERPRISE FUND RESTRICTIONS*

23 *SEC. 501. Section 201(l) of the Support for East Euro-*  
24 *pean Democracy Act (22 U.S.C. 5421(l)) is amended to*  
25 *read as follows:*

1       “(l) *LIMITATION ON PAYMENTS TO ENTERPRISE FUND*  
2 *PERSONNEL.*—

3               “(1) *No part of the funds of an Enterprise Fund*  
4 *shall inure to the benefit of any board member, offi-*  
5 *cer, or employee of such Enterprise Fund, except as*  
6 *salary or reasonable compensation for services subject*  
7 *to paragraph (2).*

8               “(2) *An Enterprise Fund shall not pay com-*  
9 *ensation for services to—*

10                   “(A) *any board member of the Enterprise*  
11 *Fund, except for services as a board member; or*

12                   “(B) *any firm, association, or entity in*  
13 *which a board member of the Enterprise Fund*  
14 *serves as partner, director, officer, or employee.*

15               “(3) *Nothing in paragraph (2) shall preclude*  
16 *payment for services performed before the date of en-*  
17 *actment of this subsection.”.*

18 *PROHIBITION OF BILATERAL FUNDING FOR INTERNATIONAL*  
19 *FINANCIAL INSTITUTIONS*

20       *SEC. 502. None of the funds contained in title II of*  
21 *this Act may be used to carry out the provisions of section*  
22 *209(d) of the Foreign Assistance Act of 1961.*

23                   *LIMITATION ON RESIDENCE EXPENSES*

24       *SEC. 503. Of the funds appropriated or made available*  
25 *pursuant to this Act, not to exceed \$126,500 shall be for*  
26 *official residence expenses of the Agency for International*

1 *Development during the current fiscal year: Provided, That*  
2 *appropriate steps shall be taken to assure that, to the maxi-*  
3 *imum extent possible, United States-owned foreign cur-*  
4 *rencies are utilized in lieu of dollars.*

5 *LIMITATION ON EXPENSES*

6 *SEC. 504. Of the funds appropriated or made available*  
7 *pursuant to this Act, not to exceed \$5,000 shall be for enter-*  
8 *tainment expenses of the Agency for International Develop-*  
9 *ment during the current fiscal year.*

10 *LIMITATION ON REPRESENTATIONAL ALLOWANCES*

11 *SEC. 505. Of the funds appropriated or made available*  
12 *pursuant to this Act, not to exceed \$95,000 shall be avail-*  
13 *able for representation allowances for the Agency for Inter-*  
14 *national Development during the current fiscal year: Pro-*  
15 *vided, That appropriate steps shall be taken to assure that,*  
16 *to the maximum extent possible, United States-owned for-*  
17 *oreign currencies are utilized in lieu of dollars: Provided fur-*  
18 *ther, That of the funds made available by this Act for gen-*  
19 *eral costs of administering military assistance and sales*  
20 *under the heading "Foreign Military Financing Program",*  
21 *not to exceed \$2,000 shall be available for entertainment*  
22 *expenses and not to exceed \$50,000 shall be available for*  
23 *representation allowances: Provided further, That of the*  
24 *funds made available by this Act under the heading "Inter-*  
25 *national Military Education and Training", not to exceed*  
26 *\$50,000 shall be available for entertainment allowances:*

1 *Provided further, That of the funds made available by this*  
2 *Act for the Inter-American Foundation, not to exceed*  
3 *\$2,000 shall be available for entertainment and representa-*  
4 *tion allowances: Provided further, That of the funds made*  
5 *available by this Act for the Peace Corps, not to exceed a*  
6 *total of \$4,000 shall be available for entertainment expenses:*  
7 *Provided further, That of the funds made available by this*  
8 *Act under the heading “Trade and Development Agency”,*  
9 *not to exceed \$2,000 shall be available for representation*  
10 *and entertainment allowances.*

11 *PROHIBITION ON FINANCING NUCLEAR GOODS*

12 *SEC. 506. None of the funds appropriated or made*  
13 *available (other than funds for “Nonproliferation,*  
14 *Antiterrorism, Demining and Related Programs”)* *pursu-*  
15 *ant to this Act, for carrying out the Foreign Assistance Act*  
16 *of 1961, may be used, except for purposes of nuclear safety,*  
17 *to finance the export of nuclear equipment, fuel, or tech-*  
18 *nology.*

19 *PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN*  
20 *COUNTRIES*

21 *SEC. 507. None of the funds appropriated or otherwise*  
22 *made available pursuant to this Act shall be obligated or*  
23 *expended to finance directly any assistance or reparations*  
24 *to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or Syria:*  
25 *Provided, That for purposes of this section, the prohibition*  
26 *on obligations or expenditures shall include direct loans,*

1 *credits, insurance and guarantees of the Export-Import*  
2 *Bank or its agents.*

3 *MILITARY COUPS*

4 *SEC. 508. None of the funds appropriated or otherwise*  
5 *made available pursuant to this Act shall be obligated or*  
6 *expended to finance directly any assistance to any country*  
7 *whose duly elected Head of Government is deposed by mili-*  
8 *tary coup or decree: Provided, That assistance may be re-*  
9 *sumed to such country if the President determines and re-*  
10 *ports to the Committees on Appropriations that subsequent*  
11 *to the termination of assistance a democratically elected*  
12 *government has taken office.*

13 *TRANSFERS BETWEEN ACCOUNTS*

14 *SEC. 509. None of the funds made available by this*  
15 *Act may be obligated under an appropriation account to*  
16 *which they were not appropriated, except for transfers spe-*  
17 *cifically provided for in this Act, unless the President, prior*  
18 *to the exercise of any authority contained in the Foreign*  
19 *Assistance Act of 1961 to transfer funds, consults with and*  
20 *provides a written policy justification to the Committees*  
21 *on Appropriations of the House of Representatives and the*  
22 *Senate.*

23 *DEOBLIGATION/REOBLIGATION AUTHORITY*

24 *SEC. 510. (a) Amounts certified pursuant to section*  
25 *1311 of the Supplemental Appropriations Act, 1955, as*  
26 *having been obligated against appropriations heretofore*

1 *made under the authority of the Foreign Assistance Act of*  
2 *1961 for the same general purpose as any of the headings*  
3 *under title II of this Act are, if deobligated, hereby contin-*  
4 *ued available for the same period as the respective appro-*  
5 *priations under such headings or until September 30, 1998,*  
6 *whichever is later, and for the same general purpose, and*  
7 *for countries within the same region as originally obligated:*  
8 *Provided, That the Appropriations Committees of both*  
9 *Houses of the Congress are notified fifteen days in advance*  
10 *of the reobligation of such funds in accordance with regular*  
11 *notification procedures of the Committees on Appropria-*  
12 *tions.*

13 *(b) Obligated balances of funds appropriated to carry*  
14 *out section 23 of the Arms Export Control Act as of the*  
15 *end of the fiscal year immediately preceding the current*  
16 *fiscal year are, if deobligated, hereby continued available*  
17 *during the current fiscal year for the same purpose under*  
18 *any authority applicable to such appropriations under this*  
19 *Act: Provided, That the authority of this subsection may*  
20 *not be used in fiscal year 1998.*

21 *AVAILABILITY OF FUNDS*

22 *SEC. 511. No part of any appropriation contained in*  
23 *this Act shall remain available for obligation after the expi-*  
24 *ration of the current fiscal year unless expressly so provided*  
25 *in this Act: Provided, That funds appropriated for the pur-*  
26 *poses of chapters 1, 8, and 11 of part I, section 667, and*

1 *chapter 4 of part II of the Foreign Assistance Act of 1961,*  
2 *as amended, and funds provided under the heading “Assist-*  
3 *ance for Eastern Europe and the Baltic States”, shall re-*  
4 *main available until expended if such funds are initially*  
5 *obligated before the expiration of their respective periods of*  
6 *availability contained in this Act: Provided further, That,*  
7 *notwithstanding any other provision of this Act, any funds*  
8 *made available for the purposes of chapter 1 of part I and*  
9 *chapter 4 of part II of the Foreign Assistance Act of 1961*  
10 *which are allocated or obligated for cash disbursements in*  
11 *order to address balance of payments or economic policy*  
12 *reform objectives, shall remain available until expended:*  
13 *Provided further, That the report required by section 653(a)*  
14 *of the Foreign Assistance Act of 1961 shall designate for*  
15 *each country, to the extent known at the time of submission*  
16 *of such report, those funds allocated for cash disbursement*  
17 *for balance of payment and economic policy reform pur-*  
18 *poses.*

19 *LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT*

20 *SEC. 512. No part of any appropriation contained in*  
21 *this Act shall be used to furnish assistance to any country*  
22 *which is in default during a period in excess of one calendar*  
23 *year in payment to the United States of principal or inter-*  
24 *est on any loan made to such country by the United States*  
25 *pursuant to a program for which funds are appropriated*  
26 *under this Act: Provided, That this section and section*

1 620(q) of the Foreign Assistance Act of 1961 shall not apply  
2 to funds made available in this Act or during the current  
3 fiscal year for Nicaragua, and for any narcotics-related as-  
4 sistance for Colombia, Bolivia, and Peru authorized by the  
5 Foreign Assistance Act of 1961 or the Arms Export Control  
6 Act.

7  
8 *COMMERCE AND TRADE*

9 *SEC. 513. (a) None of the funds appropriated or made*  
10 *available pursuant to this Act for direct assistance and*  
11 *none of the funds otherwise made available pursuant to this*  
12 *Act to the Export-Import Bank and the Overseas Private*  
13 *Investment Corporation shall be obligated or expended to*  
14 *finance any loan, any assistance or any other financial*  
15 *commitments for establishing or expanding production of*  
16 *any commodity for export by any country other than the*  
17 *United States, if the commodity is likely to be in surplus*  
18 *on world markets at the time the resulting productive ca-*  
19 *capacity is expected to become operative and if the assistance*  
20 *will cause substantial injury to United States producers of*  
21 *the same, similar, or competing commodity.*

22 *(b) None of the funds appropriated by this or any other*  
23 *Act to carry out chapter 1 of part I of the Foreign Assist-*  
24 *ance Act of 1961 shall be available for any testing or breed-*  
25 *ing feasibility study, variety improvement or introduction,*  
26 *consultancy, publication, conference, or training in connec-*  
*tion with the growth or production in a foreign country*



1 *tial injury to United States producers of the same, similar,*  
2 *or competing commodity.*

3 *NOTIFICATION REQUIREMENTS*

4 *SEC. 515. For the purpose of providing the Executive*  
5 *Branch with the necessary administrative flexibility, none*  
6 *of the funds made available under this Act for “Develop-*  
7 *ment Assistance”, “Debt restructuring”, “International or-*  
8 *ganizations and programs”, “Trade and Development*  
9 *Agency”, “International narcotics control”, “Assistance for*  
10 *Eastern Europe and the Baltic States”, “Assistance for the*  
11 *New Independent States of the Former Soviet Union”,*  
12 *“Economic Support Fund”, “Peacekeeping operations”,*  
13 *“Operating expenses of the Agency for International Devel-*  
14 *opment”, “Operating expenses of the Agency for Inter-*  
15 *national Development Office of Inspector General”, “Non-*  
16 *proliferation, anti-terrorism, demining and related pro-*  
17 *grams”, “Foreign Military Financing Program”, “Inter-*  
18 *national military education and training”, “Inter-Amer-*  
19 *ican Foundation”, “African Development Foundation”,*  
20 *“Peace Corps”, “Migration and refugee assistance”, shall*  
21 *be available for obligation for activities, programs, projects,*  
22 *type of materiel assistance, countries, or other operations*  
23 *not justified or in excess of the amount justified to the Ap-*  
24 *propriations Committees for obligation under any of these*  
25 *specific headings unless the Appropriations Committees of*  
26 *both Houses of Congress are previously notified fifteen days*

1 *in advance: Provided, That the President shall not enter*  
2 *into any commitment of funds appropriated for the pur-*  
3 *poses of section 23 of the Arms Export Control Act for the*  
4 *provision of major defense equipment, other than conven-*  
5 *tional ammunition, or other major defense items defined*  
6 *to be aircraft, ships, missiles, or combat vehicles, not pre-*  
7 *viously justified to Congress or 20 per centum in excess of*  
8 *the quantities justified to Congress unless the Committees*  
9 *on Appropriations are notified fifteen days in advance of*  
10 *such commitment: Provided further, That this section shall*  
11 *not apply to any reprogramming for an activity, program,*  
12 *or project under chapter 1 of part I of the Foreign Assist-*  
13 *ance Act of 1961 of less than 10 per centum of the amount*  
14 *previously justified to the Congress for obligation for such*  
15 *activity, program, or project for the current fiscal year:*  
16 *Provided further, That the requirements of this section or*  
17 *any similar provision of this Act or any other Act, includ-*  
18 *ing any prior Act requiring notification in accordance with*  
19 *the regular notification procedures of the Committees on*  
20 *Appropriations, may be waived if failure to do so would*  
21 *pose a substantial risk to human health or welfare: Provided*  
22 *further, That in case of any such waiver, notification to*  
23 *the Congress, or the appropriate congressional committees,*  
24 *shall be provided as early as practicable, but in no event*  
25 *later than three days after taking the action to which such*

1 *notification requirement was applicable, in the context of*  
2 *the circumstances necessitating such waiver: Provided fur-*  
3 *ther, That any notification provided pursuant to such a*  
4 *waiver shall contain an explanation of the emergency cir-*  
5 *cumstances.*

6 *Drawdowns made pursuant to section 506(a)(2) of the*  
7 *Foreign Assistance Act of 1961 shall be subject to the regu-*  
8 *lar notification procedures of the Committees on Appropria-*  
9 *tions.*

10 *LIMITATION ON AVAILABILITY OF FUNDS FOR*

11 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

12 *SEC. 516. Notwithstanding any other provision of law*  
13 *or of this Act, none of the funds provided for “International*  
14 *Organizations and Programs” shall be available for the*  
15 *United States proportionate share, in accordance with sec-*  
16 *tion 307(c) of the Foreign Assistance Act of 1961, for any*  
17 *programs identified in section 307, or for Libya, Iran, or,*  
18 *at the discretion of the President, Communist countries list-*  
19 *ed in section 620(f) of the Foreign Assistance Act of 1961,*  
20 *as amended: Provided, That, subject to the regular notifica-*  
21 *tion procedures of the Committees on Appropriations, funds*  
22 *appropriated under this Act or any previously enacted Act*  
23 *making appropriations for foreign operations, export fi-*  
24 *nancing, and related programs, which are returned or not*  
25 *made available for organizations and programs because of*  
26 *the implementation of this section or any similar provision*

1 *of law, shall remain available for obligation through Sep-*  
2 *tember 30, 1999.*

3 *ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL*

4 *SEC. 517. The Congress finds that progress on the*  
5 *peace process in the Middle East is vitally important to*  
6 *United States security interests in the region. The Congress*  
7 *recognizes that, in fulfilling its obligations, Israel has in-*  
8 *curred severe economic burdens. Furthermore, the Congress*  
9 *recognizes that an economically and militarily secure Israel*  
10 *serves the security interests of the United States, for a secure*  
11 *Israel is an Israel which has the incentive and confidence*  
12 *to continue pursuing the peace process. Therefore, the Con-*  
13 *gress declares that, subject to the availability of appropriat-*  
14 *ions, it is the policy and the intention of the United States*  
15 *that the funds provided in annual appropriations for the*  
16 *Economic Support Fund which are allocated to Israel shall*  
17 *not be less than the annual debt repayment (interest and*  
18 *principal) from Israel to the United States Government in*  
19 *recognition that such a principle serves United States inter-*  
20 *ests in the region.*

21 *PROHIBITION ON FUNDING FOR ABORTIONS AND*

22 *INVOLUNTARY STERILIZATION*

23 *SEC. 518. None of the funds made available to carry*  
24 *out part I of the Foreign Assistance Act of 1961, as amend-*  
25 *ed, may be used to pay for the performance of abortions*  
26 *as a method of family planning or to motivate or coerce*

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

20 *LIMITATIONS ON FUNDING FOR INTERNATIONAL FAMILY*

21 *PLANNING*

22 *SEC. 519. In determining eligibility for assistance*  
23 *from funds appropriated to carry out section 104 of the*  
24 *Foreign Assistance Act of 1961, nongovernmental and mul-*  
25 *tilateral organizations shall not be subjected to requirements*

1 *more restrictive than the requirements applicable to foreign*  
2 *governments for such assistance.*

3 *REPORTING REQUIREMENT*

4 *SEC. 520. Section 25 of the Arms Export Control Act*  
5 *is amended—*

6 *(1) in subsection (a), by striking “Congress” and*  
7 *inserting in lieu thereof “appropriate congressional*  
8 *committees”;*

9 *(2) in subsection (b), by striking “the Committee*  
10 *on Foreign Relations of the Senate or the Committee*  
11 *on Foreign Affairs of the House of Representatives”*  
12 *and inserting in lieu thereof “any of the congressional*  
13 *committees described in subsection (e)”;* and

14 *(3) by adding the following subsection:*

15 *“(e) As used in this section, the term ‘appropriate con-*  
16 *gressional committees’ means the Committee on Foreign Re-*  
17 *lations and the Committee on Appropriations of the Senate*  
18 *and the Committee on International Relations and the*  
19 *Committee on Appropriations of the House of Representa-*  
20 *tives.”.*

21 *SPECIAL NOTIFICATION REQUIREMENTS*

22 *SEC. 521. None of the funds appropriated in this Act*  
23 *shall be obligated or expended for Colombia, Guatemala (ex-*  
24 *cept that this provision shall not apply to development as-*  
25 *sistance for Guatemala), Dominican Republic, Haiti, Libe-*  
26 *ria, Pakistan, Peru, Serbia, Sudan, or the Democratic Re-*

1 *public of Congo except as provided through the regular noti-*  
2 *fication procedures of the Committee on Appropriations.*

3 *DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY*

4 *SEC. 522. For the purpose of this Act, “program,*  
5 *project, and activity” shall be defined at the Appropriations*  
6 *Act account level and shall include all Appropriations and*  
7 *Authorizations Acts earmarks, ceilings, and limitations*  
8 *with the exception that for the following accounts: Economic*  
9 *Support Fund and Foreign Military Financing Program,*  
10 *“program, project, and activity” shall also be considered*  
11 *to include country, regional, and central program level*  
12 *funding within each such account; for the development as-*  
13 *sistance accounts of the Agency for International Develop-*  
14 *ment “program, project, and activity” shall also be consid-*  
15 *ered to include central program level funding, either as (1)*  
16 *justified to the Congress, or (2) allocated by the executive*  
17 *branch in accordance with a report, to be provided to the*  
18 *Committees on Appropriations within thirty days of enact-*  
19 *ment of this Act, as required by section 653(a) of the For-*  
20 *ign Assistance Act of 1961.*

21 *CHILD SURVIVAL, AIDS, AND OTHER ACTIVITIES*

22 *SEC. 523. Up to \$10,000,000 of the funds made avail-*  
23 *able by this Act for assistance for family planning, health,*  
24 *child survival, basic education and AIDS, may be used to*  
25 *reimburse United States Government agencies, agencies of*  
26 *State governments, institutions of higher learning, and pri-*

1 *vate and voluntary organizations for the full cost of indi-*  
2 *viduals (including for the personal services of such individ-*  
3 *uals) detailed or assigned to, or contracted by, as the case*  
4 *may be, the Agency for International Development for the*  
5 *purpose of carrying out family planning activities, child*  
6 *survival, and basic education activities, and activities re-*  
7 *lating to research on, and the treatment and control of ac-*  
8 *quired immune deficiency syndrome in developing coun-*  
9 *tries: Provided, That funds appropriated by this Act that*  
10 *are made available for child survival activities or activities*  
11 *relating to research on, and the treatment and control of,*  
12 *acquired immune deficiency syndrome may be made avail-*  
13 *able notwithstanding any provision of law that restricts as-*  
14 *sistance to foreign countries: Provided further, That funds*  
15 *appropriated by this Act that are made available for family*  
16 *planning activities may be made available notwithstanding*  
17 *section 512 of this Act and section 620(q) of the Foreign*  
18 *Assistance Act of 1961.*

19     *PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN*  
20                                     *COUNTRIES*

21         *SEC. 524. None of the funds appropriated or otherwise*  
22 *made available pursuant to this Act shall be obligated to*  
23 *finance indirectly any assistance or reparations to Cuba,*  
24 *Iraq, Libya, Iran, Syria, North Korea, or the People's Re-*  
25 *public of China, unless the President of the United States*

1 *certifies that the withholding of these funds is contrary to*  
2 *the national interest of the United States.*

3 *RECIPROCAL LEASING*

4 *SEC. 525. Section 61(a) of the Arms Export Control*  
5 *Act is amended by striking out “1997” and inserting in*  
6 *lieu thereof “1998”.*

7 *NOTIFICATION ON EXCESS DEFENSE EQUIPMENT*

8 *SEC. 526. Prior to providing excess Department of De-*  
9 *fense articles in accordance with section 516(a) of the For-*  
10 *ign Assistance Act of 1961, the Department of Defense shall*  
11 *notify the Committees on Appropriations to the same extent*  
12 *and under the same conditions as are other committees pur-*  
13 *suant to subsection (c) of that section: Provided, That before*  
14 *issuing a letter of offer to sell excess defense articles under*  
15 *the Arms Export Control Act, the Department of Defense*  
16 *shall notify the Committees on Appropriations in accord-*  
17 *ance with the regular notification procedures of such Com-*  
18 *mittees: Provided further, That such Committees shall also*  
19 *be informed of the original acquisition cost of such defense*  
20 *articles.*

21 *AUTHORIZATION REQUIREMENT*

22 *SEC. 527. Funds appropriated by this Act may be obli-*  
23 *gated and expended notwithstanding section 10 of Public*  
24 *Law 91–672 and section 15 of the State Department Basic*  
25 *Authorities Act of 1956.*



1 *vide financing to Israel, Egypt and NATO and major non-*  
2 *NATO allies for the procurement by leasing (including leas-*  
3 *ing with an option to purchase) of defense articles from*  
4 *United States commercial suppliers, not including Major*  
5 *Defense Equipment (other than helicopters and other types*  
6 *of aircraft having possible civilian application), if the*  
7 *President determines that there are compelling foreign pol-*  
8 *icy or national security reasons for those defense articles*  
9 *being provided by commercial lease rather than by govern-*  
10 *ment-to-government sale under such Act.*

11 *COMPETITIVE INSURANCE*

12 *SEC. 530. All Agency for International Development*  
13 *contracts and solicitations, and subcontracts entered into*  
14 *under such contracts, shall include a clause requiring that*  
15 *United States insurance companies have a fair opportunity*  
16 *to bid for insurance when such insurance is necessary or*  
17 *appropriate.*

18 *STINGERS IN THE PERSIAN GULF REGION*

19 *SEC. 531. Except as provided in section 581 of the For-*  
20 *ign Operations, Export Financing, and Related Programs*  
21 *Appropriations Act, 1990, the United States may not sell*  
22 *or otherwise make available any Stingers to any country*  
23 *bordering the Persian Gulf under the Arms Export Control*  
24 *Act or chapter 2 of part II of the Foreign Assistance Act*  
25 *of 1961.*

*DEBT-FOR-DEVELOPMENT*

1  
2       *SEC. 532. In order to enhance the continued participa-*  
3 *tion of nongovernmental organizations in economic assist-*  
4 *ance activities under the Foreign Assistance Act of 1961,*  
5 *including endowments, debt-for-development and debt-for-*  
6 *nature exchanges, a nongovernmental organization which*  
7 *is a grantee or contractor of the Agency for International*  
8 *Development may place in interest bearing accounts funds*  
9 *made available under this Act or prior Acts or local cur-*  
10 *rencies which accrue to that organization as a result of eco-*  
11 *nomie assistance provided under title II of this Act and*  
12 *any interest earned on such investment shall be used for*  
13 *the purpose for which the assistance was provided to that*  
14 *organization.*

*SEPARATE ACCOUNTS*

15  
16       *SEC. 533. (a) SEPARATE ACCOUNTS FOR LOCAL CUR-*  
17 *RENCIES.—(1) If assistance is furnished to the government*  
18 *of a foreign country under chapters 1 and 10 of part I or*  
19 *chapter 4 of part II of the Foreign Assistance Act of 1961*  
20 *under agreements which result in the generation of local*  
21 *currencies of that country, the Administrator of the Agency*  
22 *for International Development shall—*

23           *(A) require that local currencies be deposited in*  
24           *a separate account established by that government;*

25           *(B) enter into an agreement with that govern-*  
26           *ment which sets forth—*

1           (i) the amount of the local currencies to be  
2           generated, and

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

6           (C) establish by agreement with that government  
7           the responsibilities of the Agency for International  
8           Development and that government to monitor and ac-  
9           count for deposits into and disbursements from the  
10          separate account.

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

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

19                   (i) project and sector assistance activities,  
20                   or

21                   (ii) debt and deficit financing, or

22                (B) for the administrative requirements of the  
23                United States Government.

24          (3) *PROGRAMMING ACCOUNTABILITY.*—The Agency for  
25          International Development shall take all necessary steps to

1 *ensure that the equivalent of the local currencies disbursed*  
2 *pursuant to subsection (a)(2)(A) from the separate account*  
3 *established pursuant to subsection (a)(1) are used for the*  
4 *purposes agreed upon pursuant to subsection (a)(2).*

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

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

20       (6) *REPORTING REQUIREMENT.—The Administrator*  
21 *of the Agency for International Development shall report*  
22 *on an annual basis as part of the justification documents*  
23 *submitted to the Committees on Appropriations on the use*  
24 *of local currencies for the administrative requirements of*  
25 *the United States Government as authorized in subsection*

1 (a)(2)(B), and such report shall include the amount of local  
2 currency (and United States dollar equivalent) used and/  
3 or to be used for such purpose in each applicable country.

4 (b) *SEPARATE ACCOUNTS FOR CASH TRANSFERS.—*(1)  
5 *If assistance is made available to the government of a for-*  
6 *eign country, under chapters 1 or 10 of part I or chapter*  
7 *4 of part II of the Foreign Assistance Act of 1961, as cash*  
8 *transfer assistance or as nonproject sector assistance, that*  
9 *country shall be required to maintain such funds in a sepa-*  
10 *rate account and not commingle them with any other funds.*

11 (2) *APPLICABILITY OF OTHER PROVISIONS OF LAW.—*  
12 *Such funds may be obligated and expended notwithstanding*  
13 *provisions of law which are inconsistent with the nature*  
14 *of this assistance including provisions which are referenced*  
15 *in the Joint Explanatory Statement of the Committee of*  
16 *Conference accompanying House Joint Resolution 648 (H.*  
17 *Report No. 98–1159).*

18 (3) *NOTIFICATION.—*At least fifteen days prior to obli-  
19 gating any such cash transfer or nonproject sector assist-  
20 ance, the President shall submit a notification through the  
21 regular notification procedures of the Committees on Appro-  
22 priations, which shall include a detailed description of how  
23 the funds proposed to be made available will be used, with  
24 a discussion of the United States interests that will be  
25 served by the assistance (including, as appropriate, a de-

1 *scription of the economic policy reforms that will be pro-*  
2 *moted by such assistance).*

3 (4) *EXEMPTION.—Nonproject sector assistance funds*  
4 *may be exempt from the requirements of subsection (b)(1)*  
5 *only through the notification procedures of the Committees*  
6 *on Appropriations.*

7 *COMPENSATION FOR UNITED STATES EXECUTIVE*

8 *DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS*

9 *SEC. 534. (a) No funds appropriated by this Act may*  
10 *be made as payment to any international financial institu-*  
11 *tion while the United States Executive Director to such in-*  
12 *stitution is compensated by the institution at a rate which,*  
13 *together with whatever compensation such Director receives*  
14 *from the United States, is in excess of the rate provided*  
15 *for an individual occupying a position at level IV of the*  
16 *Executive Schedule under section 5315 of title 5, United*  
17 *States Code, or while any alternate United States Director*  
18 *to such institution is compensated by the institution at a*  
19 *rate in excess of the rate provided for an individual occupy-*  
20 *ing a position at level V of the Executive Schedule under*  
21 *section 5316 of title 5, United States Code.*

22 (b) *For purposes of this section, “international finan-*  
23 *cial institutions” are: the International Bank for Recon-*  
24 *struction and Development, the Inter-American Develop-*  
25 *ment Bank, the Asian Development Bank, the Asian Devel-*  
26 *opment Fund, the African Development Bank, the African*

1 *Development Fund, the International Monetary Fund, the*  
2 *North American Development Bank, and the European*  
3 *Bank for Reconstruction and Development.*

4 *COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST*  
5 *IRAQ*

6 *SEC. 535. None of the funds appropriated or otherwise*  
7 *made available pursuant to this Act to carry out the For-*  
8 *eign Assistance Act of 1961 (including title IV of chapter*  
9 *2 of part I, relating to the Overseas Private Investment Cor-*  
10 *poration) or the Arms Export Control Act may be used to*  
11 *provide assistance to any country that is not in compliance*  
12 *with the United Nations Security Council sanctions against*  
13 *Iraq unless the President determines and so certifies to the*  
14 *Congress that—*

15 *(1) such assistance is in the national interest of*  
16 *the United States;*

17 *(2) such assistance will directly benefit the needy*  
18 *people in that country; or*

19 *(3) the assistance to be provided will be humani-*  
20 *tarian assistance for foreign nationals who have fled*  
21 *Iraq and Kuwait.*

22 *COMPETITIVE PRICING FOR SALES OF DEFENSE ARTICLES*

23 *SEC. 536. Direct costs associated with meeting a for-*  
24 *eign customer's additional or unique requirements will con-*  
25 *tinue to be allowable under contracts under section 22(d)*  
26 *of the Arms Export Control Act. Loadings applicable to*

1 *such direct costs shall be permitted at the same rates appli-*  
2 *cable to procurement of like items purchased by the Depart-*  
3 *ment of Defense for its own use.*

4 *AUTHORITIES FOR THE PEACE CORPS*

5 *SEC. 537. Unless expressly provided to the contrary,*  
6 *provisions of this or any other Act, including provisions*  
7 *contained in prior Acts authorizing or making appropri-*  
8 *ations for foreign operations, export financing, and related*  
9 *programs, shall not be construed to prohibit activities au-*  
10 *thorized by or conducted under the Peace Corps Act. The*  
11 *agency shall promptly report to the Committees on Appro-*  
12 *priations whenever it is conducting activities or is propos-*  
13 *ing to conduct activities in a country for which assistance*  
14 *is prohibited.*

15 *IMPACT ON JOBS IN THE UNITED STATES*

16 *SEC. 538. None of the funds appropriated by this Act*  
17 *may be obligated or expended to provide—*

18 *(a) any financial incentive to a business enter-*  
19 *prise currently located in the United States for the*  
20 *purpose of inducing such an enterprise to relocate*  
21 *outside the United States if such incentive or induce-*  
22 *ment is likely to reduce the number of employees of*  
23 *such business enterprise in the United States because*  
24 *United States production is being replaced by such*  
25 *enterprise outside the United States;*



1 *with respect to Serbia or Montenegro, may cease to be effec-*  
2 *tive, unless—*

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

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

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

9 *(1) there is substantial progress toward—*

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

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

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

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

19 *(4) the elected government of Kosova is permitted*  
20 *to meet and carry out its legitimate mandate as elect-*  
21 *ed representatives of the people of Kosova.*

22 *(c) WAIVER AUTHORITY.—The President may waive*  
23 *the application in whole or in part, of subsection (a) if the*  
24 *President certifies to the Congress that the President has*  
25 *determined that the waiver is necessary to meet emergency*

1 *humanitarian needs or to achieve a negotiated settlement*  
2 *of the conflict in Bosnia and Herzegovina that is acceptable*  
3 *to the parties.*

4 *SPECIAL AUTHORITIES*

5 *SEC. 540. (a) Funds appropriated in title II of this*  
6 *Act that are made available for Afghanistan, Lebanon, and*  
7 *for victims of war, displaced children, displaced Burmese,*  
8 *humanitarian assistance for Romania, and humanitarian*  
9 *assistance for the peoples of Kosova, may be made available*  
10 *notwithstanding any other provision of law: Provided, That*  
11 *any such funds that are made available for Cambodia shall*  
12 *be subject to the provisions of section 531(e) of the Foreign*  
13 *Assistance Act of 1961 and section 906 of the International*  
14 *Security and Development Cooperation Act of 1985.*

15 *(b) Funds appropriated by this Act to carry out the*  
16 *provisions of sections 103 through 106 of the Foreign Assist-*  
17 *ance Act of 1961 may be used, notwithstanding any other*  
18 *provision of law, for the purpose of supporting tropical for-*  
19 *estry and energy programs aimed at reducing emissions of*  
20 *greenhouse gases, and for the purpose of supporting bio-*  
21 *diversity conservation activities: Provided, That such as-*  
22 *sistance shall be subject to sections 116, 502B, and 620A*  
23 *of the Foreign Assistance Act of 1961.*

24 *(c) During fiscal year 1998, the President may use up*  
25 *to \$40,000,000 under the authority of section 451 of the*

1 *Foreign Assistance Act of 1961, notwithstanding the fund-*  
2 *ing ceiling contained in subsection (a) of that section.*

3 *(d) The Agency for International Development may*  
4 *employ personal services contractors, notwithstanding any*  
5 *other provision of law, for the purpose of administering pro-*  
6 *grams for the West Bank and Gaza.*

7 *POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT OF*  
8 *ISRAEL*

9 *SEC. 541. It is the sense of the Congress that—*

10 *(1) the Arab League countries should imme-*  
11 *diately and publicly renounce the primary boycott of*  
12 *Israel and the secondary and tertiary boycott of*  
13 *American firms that have commercial ties with Israel;*  
14 *and*

15 *(2) the President should—*

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

22 *(B) take into consideration the participa-*  
23 *tion of any recipient country in the primary*  
24 *boycott of Israel and the secondary and tertiary*  
25 *boycotts of American firms that have commercial*

1           *relations with Israel when determining whether*  
2           *to sell weapons to said county;*

3           (C) *report to Congress on the specific steps*  
4           *being taken by the President to bring about a*  
5           *public renunciation of the Arab primary boycott*  
6           *of Israel and the secondary and tertiary boycotts*  
7           *of American firms that have commercial rela-*  
8           *tions with Israel; and*

9           (D) *encourage the allies and trading part-*  
10          *ners of the United States to enact laws prohibit-*  
11          *ing businesses from complying with the boycott*  
12          *and penalizing businesses that do comply.*

13                                    *ANTI-NARCOTICS ACTIVITIES*

14          SEC. 542. (a) *Of the funds appropriated or otherwise*  
15          *made available by this Act for “Economic Support Fund”,*  
16          *assistance may be provided to strengthen the administra-*  
17          *tion of justice in countries in Latin America and the Carib-*  
18          *bean and in other regions consistent with the provisions of*  
19          *section 534(b) of the Foreign Assistance Act of 1961, except*  
20          *that programs to enhance protection of participants in ju-*  
21          *dicial cases may be conducted notwithstanding section 660*  
22          *of that Act.*

23          (b) *Funds made available pursuant to this section may*  
24          *be made available notwithstanding section 534(c) and the*  
25          *second and third sentences of section 534(e) of the Foreign*  
26          *Assistance Act of 1961. Funds made available pursuant to*

1 subsection (a) for Bolivia, Colombia and Peru may be made  
2 available notwithstanding section 534(c) and the second  
3 sentence of section 534(e) of the Foreign Assistance Act of  
4 1961.

5 *ELIGIBILITY FOR ASSISTANCE*

6 *SEC. 543. (a) ASSISTANCE THROUGH NONGOVERN-*  
7 *MENTAL ORGANIZATIONS.—Restrictions contained in this*  
8 *or any other Act with respect to assistance for a country*  
9 *shall not be construed to restrict assistance in support of*  
10 *programs of nongovernmental organizations from funds ap-*  
11 *propriated by this Act to carry out the provisions of chap-*  
12 *ters 1, 10, and 11 of part I and chapter 4 of part II of*  
13 *the Foreign Assistance Act of 1961, and from funds appro-*  
14 *priated under the heading “Assistance for Eastern Europe*  
15 *and the Baltic States”: Provided, That the President shall*  
16 *take into consideration, in any case in which a restriction*  
17 *on assistance would be applicable but for this subsection,*  
18 *whether assistance in support of programs of nongovern-*  
19 *mental organizations is in the national interest of the Unit-*  
20 *ed States: Provided further, That before using the authority*  
21 *of this subsection to furnish assistance in support of pro-*  
22 *grams of nongovernmental organizations, the President*  
23 *shall notify the Committees on Appropriations under the*  
24 *regular notification procedures of those committees, includ-*  
25 *ing a description of the program to be assisted, the assist-*  
26 *ance to be provided, and the reasons for furnishing such*

1 *assistance: Provided further, That nothing in this sub-*  
2 *section shall be construed to alter any existing statutory*  
3 *prohibitions against abortion or involuntary sterilizations*  
4 *contained in this or any other Act.*

5 *(b) PUBLIC LAW 480.—During fiscal year 1998, re-*  
6 *strictions contained in this or any other Act with respect*  
7 *to assistance for a country shall not be construed to restrict*  
8 *assistance under the Agricultural Trade Development and*  
9 *Assistance Act of 1954: Provided, That none of the funds*  
10 *appropriated to carry out title I of such Act and made*  
11 *available pursuant to this subsection may be obligated or*  
12 *expended except as provided through the regular notifica-*  
13 *tion procedures of the Committees on Appropriations.*

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

15 *(1) with respect to section 620A of the Foreign*  
16 *Assistance Act or any comparable provision of law*  
17 *prohibiting assistance to countries that support inter-*  
18 *national terrorism; or*

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

23 *EARMARKS*

24 *SEC. 544. (a) Funds appropriated by this Act which*  
25 *are earmarked may be reprogrammed for other programs*  
26 *within the same account notwithstanding the earmark if*

1 *compliance with the earmark is made impossible by oper-*  
2 *ation of any provision of this or any other Act or, with*  
3 *respect to a country with which the United States has an*  
4 *agreement providing the United States with base rights or*  
5 *base access in that country, if the President determines that*  
6 *the recipient for which funds are earmarked has signifi-*  
7 *cantly reduced its military or economic cooperation with*  
8 *the United States since enactment of the Foreign Oper-*  
9 *ations, Export Financing, and Related Programs Appro-*  
10 *priations Act, 1991; however, before exercising the authority*  
11 *of this subsection with regard to a base rights or base access*  
12 *country which has significantly reduced its military or eco-*  
13 *nomie cooperation with the United States, the President*  
14 *shall consult with, and shall provide a written policy jus-*  
15 *tification to the Committees on Appropriations: Provided,*  
16 *That any such reprogramming shall be subject to the regu-*  
17 *lar notification procedures of the Committees on Appropria-*  
18 *tions: Provided further, That assistance that is repro-*  
19 *grammed pursuant to this subsection shall be made avail-*  
20 *able under the same terms and conditions as originally pro-*  
21 *vided.*

22 *(b) In addition to the authority contained in sub-*  
23 *section (a), the original period of availability of funds ap-*  
24 *propriated by this Act and administered by the Agency for*  
25 *International Development that are earmarked for particu-*

1 *lar programs or activities by this or any other Act shall*  
2 *be extended for an additional fiscal year if the Adminis-*  
3 *trator of such agency determines and reports promptly to*  
4 *the Committees on Appropriations that the termination of*  
5 *assistance to a country or a significant change in cir-*  
6 *cumstances makes it unlikely that such earmarked funds*  
7 *can be obligated during the original period of availability:*  
8 *Provided, That such earmarked funds that are continued*  
9 *available for an additional fiscal year shall be obligated*  
10 *only for the purpose of such earmark.*

11 *CEILINGS AND EARMARKS*

12 *SEC. 545. Ceilings and earmarks contained in this Act*  
13 *shall not be applicable to funds or authorities appropriated*  
14 *or otherwise made available by any subsequent Act unless*  
15 *such Act specifically so directs.*

16 *PROHIBITION ON PUBLICITY OR PROPAGANDA*

17 *SEC. 546. No part of any appropriation contained in*  
18 *this Act shall be used for publicity or propaganda purposes*  
19 *within the United States not authorized before the date of*  
20 *enactment of this Act by the Congress.*

21 *PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS*

22 *SEC. 547. None of the funds appropriated or made*  
23 *available pursuant to this Act for carrying out the Foreign*  
24 *Assistance Act of 1961, may be used to pay in whole or*  
25 *in part any assessments, arrearages, or dues of any member*  
26 *of the United Nations.*



1 *ernment shall terminate 12 months after that government*  
2 *ceases to provide such military equipment. This section ap-*  
3 *plies with respect to lethal military equipment provided*  
4 *under a contract entered into after the date of enactment*  
5 *of this Act.*

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

10 *(c) Whenever the waiver of subsection (b) is exercised,*  
11 *the President shall submit to the appropriate congressional*  
12 *committees a report with respect to the furnishing of such*  
13 *assistance. Any such report shall include a detailed expla-*  
14 *nation of the assistance to be provided, including the esti-*  
15 *mated dollar amount of such assistance, and an expla-*  
16 *nation of how the assistance furthers United States national*  
17 *interests.*

18 *WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED*  
19 *BY FOREIGN COUNTRIES*

20 *SEC. 551. (a) IN GENERAL.—Of the funds made avail-*  
21 *able for a foreign country under part I of the Foreign As-*  
22 *sistance Act of 1961, an amount equivalent to 110 per cen-*  
23 *tum of the total unpaid fully adjudicated parking fines and*  
24 *penalties owed to the District of Columbia by such country*  
25 *as of the date of enactment of this Act shall be withheld*  
26 *from obligation for such country until the Secretary of State*

1 certifies and reports in writing to the appropriate congress-  
2 sional committees that such fines and penalties are fully  
3 paid to the government of the District of Columbia.

4 (b) DEFINITION.—For purposes of this section, the  
5 term “appropriate congressional committees” means the  
6 Committee on Foreign Relations and the Committee on Ap-  
7 propriations of the Senate and the Committee on Inter-  
8 national Relations and the Committee on Appropriations  
9 of the House of Representatives.

10 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST

11 BANK AND GAZA

12 SEC. 552. None of the funds appropriated by this Act  
13 may be obligated for assistance for the Palestine Liberation  
14 Organization for the West Bank and Gaza unless the Presi-  
15 dent has exercised the authority under section 604(a) of the  
16 Middle East Peace Facilitation Act of 1995 (title VI of Pub-  
17 lic Law 104–107) or any other legislation to suspend or  
18 make inapplicable section 307 of the Foreign Assistance Act  
19 of 1961 and that suspension is still in effect: Provided, That  
20 if the President fails to make the certification under section  
21 604(b)(2) of the Middle East Peace Facilitation Act of 1995  
22 or to suspend the prohibition under other legislation, funds  
23 appropriated by this Act may not be obligated for assistance  
24 for the Palestine Liberation Organization for the West Bank  
25 and Gaza.

1            *EXPORT FINANCING TRANSFER AUTHORITIES*

2            *SEC. 553. Not to exceed 5 per centum of any appro-*  
3 *priation other than for administrative expenses made avail-*  
4 *able for fiscal year 1998 for programs under title I of this*  
5 *Act may be transferred between such appropriations for use*  
6 *for any of the purposes, programs and activities for which*  
7 *the funds in such receiving account may be used, but no*  
8 *such appropriation, except as otherwise specifically pro-*  
9 *vided, shall be increased by more than 25 per centum by*  
10 *any such transfer: Provided, That the exercise of such au-*  
11 *thority shall be subject to the regular notification procedures*  
12 *of the Committees on Appropriations.*

13            *WAR CRIMES TRIBUNALS DRAWDOWN*

14            *SEC. 554. If the President determines that doing so*  
15 *will contribute to a just resolution of charges regarding*  
16 *genocide or other violations of international humanitarian*  
17 *law, the President may direct a drawdown pursuant to sec-*  
18 *tion 552(c) of the Foreign Assistance Act of 1961, as amend-*  
19 *ed, of up to \$25,000,000 of commodities and services for*  
20 *the United Nations War Crimes Tribunal established with*  
21 *regard to the former Yugoslavia by the United Nations Se-*  
22 *curity Council or such other tribunals or commissions as*  
23 *the Council may establish to deal with such violations,*  
24 *without regard to the ceiling limitation contained in para-*  
25 *graph (2) thereof: Provided, That the determination re-*  
26 *quired under this section shall be in lieu of any determina-*

1 *tions otherwise required under section 552(c): Provided fur-*  
2 *ther, That sixty days after the date of enactment of this*  
3 *Act, and every one hundred eighty days thereafter, the Sec-*  
4 *retary of State shall submit a report to the Committees on*  
5 *Appropriations describing the steps the United States Gov-*  
6 *ernment is taking to collect information regarding allega-*  
7 *tions of genocide or other violations of international law*  
8 *in the former Yugoslavia and to furnish that information*  
9 *to the United Nations War Crimes Tribunal for the former*  
10 *Yugoslavia.*

11 *LANDMINES*

12 *SEC. 555. Notwithstanding any other provision of law,*  
13 *demining equipment available to the Agency for Inter-*  
14 *national Development and the Department of State and*  
15 *used in support of the clearing of landmines and*  
16 *unexploded ordnance for humanitarian purposes may be*  
17 *disposed of on a grant basis in foreign countries, subject*  
18 *to such terms and conditions as the President may pre-*  
19 *scribe.*

20 *RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY*

21 *SEC. 556. None of the funds appropriated by this Act*  
22 *may be obligated or expended to create in any part of Jeru-*  
23 *salem a new office of any department or agency of the Unit-*  
24 *ed States Government for the purpose of conducting official*  
25 *United States Government business with the Palestinian*  
26 *Authority over Gaza and Jericho or any successor Palestin-*

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

17 *PROHIBITION OF PAYMENT OF CERTAIN EXPENSES*

18 *SEC. 557. None of the funds appropriated or otherwise*  
19 *made available by this Act under the heading “Inter-*  
20 *national military education and training” or “Foreign*  
21 *military financing program” for Informational Program*  
22 *activities may be obligated or expended to pay for—*

23 *(1) alcoholic beverages;*

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



1       **(b) LIMITATIONS.**—

2               (1) *The authority provided by subsection (a)*  
3       *may be exercised only to implement multilateral offi-*  
4       *cial debt relief and referendum agreements, commonly*  
5       *referred to as “Paris Club Agreed Minutes”.*

6               (2) *The authority provided by subsection (a)*  
7       *may be exercised only in such amounts or to such ex-*  
8       *tent as is provided in advance by appropriations*  
9       *Acts.*

10              (3) *The authority provided by subsection (a)*  
11       *may be exercised only with respect to countries with*  
12       *heavy debt burdens that are eligible to borrow from*  
13       *the International Development Association, but not*  
14       *from the International Bank for Reconstruction and*  
15       *Development, commonly referred to as “IDA-only”*  
16       *countries.*

17       **(c) CONDITIONS.**—*The authority provided by sub-*  
18       *section (a) may be exercised only with respect to a country*  
19       *whose government—*

20              (1) *does not have an excessive level of military*  
21       *expenditures;*

22              (2) *has not repeatedly provided support for acts*  
23       *of international terrorism;*

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

1           (4) *(including its military or other security*  
2 *forces) does not engage in a consistent pattern of gross*  
3 *violations of internationally recognized human rights;*  
4 *and*

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

8           (d) *AVAILABILITY OF FUNDS.—The authority provided*  
9 *by subsection (a) may be used only with regard to funds*  
10 *appropriated by this Act under the heading “Debt restruc-*  
11 *turing”.*

12           (e) *CERTAIN PROHIBITIONS INAPPLICABLE.—A reduc-*  
13 *tion of debt pursuant to subsection (a) shall not be consid-*  
14 *ered assistance for purposes of any provision of law limit-*  
15 *ing assistance to a country. The authority provided by sub-*  
16 *section (a) may be exercised notwithstanding section 620(r)*  
17 *of the Foreign Assistance Act of 1961.*

18           *AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES*

19           *SEC. 560. (a) LOANS ELIGIBLE FOR SALE, REDUC-*  
20 *TION, OR CANCELLATION.—*

21           (1) *AUTHORITY TO SELL, REDUCE, OR CANCEL*  
22 *CERTAIN LOANS.—Notwithstanding any other provi-*  
23 *sion of law, the President may, in accordance with*  
24 *this section, sell to any eligible purchaser any*  
25 *concessional loan or portion thereof made before Jan-*  
26 *uary 1, 1995, pursuant to the Foreign Assistance Act*

1 of 1961, to the government of any eligible country as  
2 defined in section 702(6) of that Act or on receipt of  
3 payment from an eligible purchaser, reduce or cancel  
4 such loan or portion thereof, only for the purpose of  
5 facilitating—

6 (A) debt-for-equity swaps, debt-for-develop-  
7 ment swaps, or debt-for-nature swaps; or

8 (B) a debt buyback by an eligible country  
9 of its own qualified debt, only if the eligible  
10 country uses an additional amount of the local  
11 currency of the eligible country, equal to not less  
12 than 40 per centum of the price paid for such  
13 debt by such eligible country, or the difference be-  
14 tween the price paid for such debt and the face  
15 value of such debt, to support activities that link  
16 conservation and sustainable use of natural re-  
17 sources with local community development, and  
18 child survival and other child development, in a  
19 manner consistent with sections 707 through 710  
20 of the Foreign Assistance Act of 1961, if the sale,  
21 reduction, or cancellation would not contravene  
22 any term or condition of any prior agreement  
23 relating to such loan.

24 (2) *TERMS AND CONDITIONS.*—Notwithstanding  
25 any other provision of law, the President shall, in ac-

1       *cordance with this section, establish the terms and*  
2       *conditions under which loans may be sold, reduced, or*  
3       *canceled pursuant to this section.*

4               (3) *ADMINISTRATION.*—*The Facility, as defined*  
5       *in section 702(8) of the Foreign Assistance Act of*  
6       *1961, shall notify the administrator of the agency*  
7       *primarily responsible for administering part I of the*  
8       *Foreign Assistance Act of 1961 of purchasers that the*  
9       *President has determined to be eligible, and shall di-*  
10       *rect such agency to carry out the sale, reduction, or*  
11       *cancellation of a loan pursuant to this section. Such*  
12       *agency shall make an adjustment in its accounts to*  
13       *reflect the sale, reduction, or cancellation.*

14               (4) *LIMITATION.*—*The authorities of this sub-*  
15       *section shall be available only to the extent that ap-*  
16       *propriations for the cost of the modification, as de-*  
17       *fined in section 502 of the Congressional Budget Act*  
18       *of 1974, are made in advance.*

19               (b) *DEPOSIT OF PROCEEDS.*—*The proceeds from the*  
20       *sale, reduction, or cancellation of any loan sold, reduced,*  
21       *or canceled pursuant to this section shall be deposited in*  
22       *the United States Government account or accounts estab-*  
23       *lished for the repayment of such loan.*

24               (c) *ELIGIBLE PURCHASERS.*—*A loan may be sold pur-*  
25       *suant to subsection (a)(1)(A) only to a purchaser who pre-*

1 *sents plans satisfactory to the President for using the loan*  
2 *for the purpose of engaging in debt-for-equity swaps, debt-*  
3 *for-development swaps, or debt-for-nature swaps.*

4 *(d) DEBTOR CONSULTATIONS.—Before the sale to any*  
5 *eligible purchaser, or any reduction or cancellation pursu-*  
6 *ant to this section, of any loan made to an eligible country,*  
7 *the President should consult with the country concerning*  
8 *the amount of loans to be sold, reduced, or canceled and*  
9 *their uses for debt-for-equity swaps, debt-for-development*  
10 *swaps, or debt-for-nature swaps.*

11 *(e) AVAILABILITY OF FUNDS.—The authority provided*  
12 *by subsection (a) may be used only with regard to funds*  
13 *appropriated by this Act under the heading “Debt restruc-*  
14 *turing”.*

15 *LIBERIA*

16 *SEC. 561. Funds appropriated by this Act may be*  
17 *made available for assistance for Liberia notwithstanding*  
18 *section 620(q) of the Foreign Assistance Act of 1961 and*  
19 *section 512 of this Act.*

20 *GUATEMALA*

21 *SEC. 562. (a) Funds provided in this Act may be made*  
22 *available for the Guatemalan military forces, and the re-*  
23 *strictions on Guatemala under the headings “International*  
24 *Military Education and Training” and “Foreign Military*  
25 *Financing Program” shall not apply, only if the President*  
26 *determines and certifies to the Congress that the Guate-*



1 *ingly grants sanctuary to persons in its territory, or terri-*  
2 *tory within its control, for the purpose of evading prosecu-*  
3 *tion, where such persons have been indicted by the Inter-*  
4 *national Criminal Tribunal for Rwanda.*

5 *LIMITATION ON ASSISTANCE FOR HAITI*

6 *SEC. 564. (a) LIMITATION.—None of the funds appro-*  
7 *priated or otherwise made available by this Act may be pro-*  
8 *vided to the Government of Haiti unless the President re-*  
9 *ports to Congress that the Government of Haiti—*

10 *(1) is conducting thorough investigations of*  
11 *extrajudicial and political killings;*

12 *(2) is cooperating with United States authorities*  
13 *in the investigations of political and extrajudicial*  
14 *killings;*

15 *(3) has made demonstrable progress in*  
16 *privatizing major governmental parastatals, includ-*  
17 *ing demonstrable progress toward the material and*  
18 *legal transfer of ownership of such parastatals; and*

19 *(4) has taken action to remove from the Haitian*  
20 *National Police, national palace and residential*  
21 *guard, ministerial guard, and any other public secu-*  
22 *urity entity of Haiti those individuals who are*  
23 *credibly alleged to have engaged in or conspired to*  
24 *conceal gross violations of internationally recognized*  
25 *human rights.*

1       (b) *EXCEPTIONS.*—*The limitation in subsection (a)*  
 2 *does not apply to the provision of humanitarian, electoral,*  
 3 *counter narcotics, or development assistance.*

4       (c) *WAIVER.*—*The President may waive the require-*  
 5 *ments of this section on a semiannual basis if the President*  
 6 *determines and certifies to the appropriate committees of*  
 7 *Congress that such waiver is in the national interest of the*  
 8 *United States.*

9       (d) *PARASTATALS DEFINED.*—*As used in this section,*  
 10 *the term “parastatal” means a government-owned enter-*  
 11 *prise.*

12       *REQUIREMENT FOR DISCLOSURE OF FOREIGN AID IN*  
 13                                   *REPORT OF SECRETARY OF STATE*

14       *SEC. 565. (a) FOREIGN AID REPORTING REQUIRE-*  
 15 *MENT.*—*In addition to the voting practices of a foreign*  
 16 *country, the report required to be submitted to Congress*  
 17 *under section 406(a) of the Foreign Relations Authorization*  
 18 *Act fiscal years 1990 and 1991 (22 U.S.C. 2414a), shall*  
 19 *include a side-by-side comparison of individual countries’*  
 20 *overall support for the United States at the United Nations*  
 21 *and the amount of United States assistance provided to*  
 22 *such country in fiscal year 1996.*

23       (b) *UNITED STATES ASSISTANCE.*—*For purposes of*  
 24 *this section, the term “United States assistance” has the*  
 25 *meaning given the term in section 481(e)(4) of the Foreign*  
 26 *Assistance Act of 1961 (22 U.S.C. 2291(e)(4)).*

*BURMA LABOR REPORT*

1  
2       *SEC. 566. Not later than one hundred twenty days*  
3 *after enactment of this Act, the Secretary of Labor shall*  
4 *provide to the Committees on Appropriations a report ad-*  
5 *dresssing labor practices in Burma: Provided, That the re-*  
6 *port shall provide comprehensive details on child labor*  
7 *practices, worker's rights, force relocation of laborers, forced*  
8 *labor performed to support the tourism industry, and forced*  
9 *labor performed in conjunction with, and in support of, the*  
10 *Yadonna gas pipeline: Provided further, That the report*  
11 *should discuss whether the State Law and Order Restora-*  
12 *tion Council (SLORC) is in compliance with international*  
13 *labor standards: Provided further, That the report should*  
14 *provide considerable detail regarding the U.S. government's*  
15 *efforts to address the issue of forced labor in Burma.*

*HAITI*

16  
17       *SEC. 567. The Government of Haiti shall be eligible*  
18 *to purchase defense articles and services under the Arms*  
19 *Export Control Act (22 U.S.C. 2751 et seq.), for the civil-*  
20 *ian-led Haitian National Police and Coast Guard: Pro-*  
21 *vided, That the authority provided by this section shall be*  
22 *subject to the regular notification procedures of the Commit-*  
23 *tees on Appropriations.*

*INTERNATIONAL FINANCIAL INSTITUTION POLICIES*

24  
25       *SEC. 568. The Secretary of the Treasury shall instruct*  
26 *the United States Executive Directors of the International*

1 *Bank for Reconstruction and Development and the Inter-*  
2 *national Development Association to use the voice and vote*  
3 *of the United States to strongly encourage their respective*  
4 *institutions to—*

5           (1) *provide timely public information on pro-*  
6 *curement opportunities available to United States*  
7 *suppliers, with a special emphasis on small business;*  
8 *and*

9           (2) *systematically consult with local commu-*  
10 *nities on the potential impact of loans as part of the*  
11 *normal lending process, and expand the participation*  
12 *of affected peoples and nongovernmental organizations*  
13 *in decisions on the selection, design and implementa-*  
14 *tion of policies and projects.*

15 *LIMITATION ON ASSISTANCE TO SECURITY FORCES*

16 *SEC. 569. None of the funds made available by this*  
17 *Act may be provided to any unit of the security forces of*  
18 *a foreign country if the Secretary of State has credible evi-*  
19 *dence to believe such unit has committed gross violations*  
20 *of human rights, unless the Secretary determines and re-*  
21 *ports to the Committees on Appropriations that the govern-*  
22 *ment of such country is taking steps to bring the responsible*  
23 *members of the security forces unit to justice.*

24 *CAMBODIA*

25 *SEC. 570. The Secretary of the Treasury shall instruct*  
26 *the United States Executive Directors of the international*

1 *financial institutions to use the voice and vote of the United*  
2 *States to oppose loans to the Government of Cambodia, ex-*  
3 *cept loans to support basic human needs, unless the Govern-*  
4 *ment of Cambodia has: (1) not been established in office*  
5 *by the use of force or a coup d'etat; (2) discontinued all*  
6 *political violence and intimidation of journalists and mem-*  
7 *bers of opposition parties; (3) established an independent*  
8 *election commission; (4) protected the rights of voters, can-*  
9 *didates, and election observers and participants by estab-*  
10 *lishing laws and procedures guaranteeing freedom of speech*  
11 *and assembly; (5) eliminated corruption and collaboration*  
12 *with narcotics smugglers; and (6) been elected in a free and*  
13 *fair election.*

14 *LIMITATIONS ON TRANSFER OF MILITARY EQUIPMENT TO*  
15 *EAST TIMOR*

16 *SEC. 571. In any agreement for the sale, transfer, or*  
17 *licensing of any lethal equipment or helicopter for Indo-*  
18 *nesia entered into by the United States pursuant to the au-*  
19 *thority of this Act or any other Act, the agreement shall*  
20 *state that such items will not be used in East Timor.*

21 *TRANSPARENCY OF BUDGETS*

22 *SEC. 572. Section 576(a)(1) of the Foreign Operations,*  
23 *Export Financing, and Related Programs Appropriations*  
24 *Act, 1997, as contained in Public Law 104–208, is amended*  
25 *to read as follows:*

1           “(1) does not have in place a functioning system  
2           for reporting to civilian authorities audits of receipts  
3           and expenditures that fund activities of the armed  
4           forces and security forces;”.

5           Section 576(a)(2) of the Foreign Operations, Export  
6           Financing, and Related Programs Appropriations Act,  
7           1997, as contained in Public Law 104–208, is amended to  
8           read as follows:

9           “(2) has not provided to the institution informa-  
10          tion about the audit process requested by the institu-  
11          tion.”.

12           RESTRICTIONS ON FUNDING TO COUNTRIES PROVIDING  
13           SANCTUARY TO INDICTED WAR CRIMINALS

14           SEC. 573. (a) BILATERAL ASSISTANCE.—None of the  
15           funds made available by this or any prior Act making ap-  
16           propriations for foreign operations, export promotion and  
17           related programs, may be provided for any country de-  
18           scribed in subsection (d).

19           (b) MULTILATERAL ASSISTANCE.—The Secretary of  
20           the Treasury shall instruct the United States executive di-  
21           rectors of the international financial institutions to work  
22           in opposition to, and vote against, any extension by such  
23           institutions of any financial or technical assistance or  
24           grants of any kind to any country described in subsection  
25           (d).

26           (c) EXCEPTIONS.—

1           (1) *IN GENERAL.*—Subject to paragraph (2), sub-  
2           sections (a) and (b) shall not apply to the provision  
3           of—

4                     (A) *humanitarian assistance;*

5                     (B) *democratization assistance; or*

6                     (C) *assistance for physical infrastructure*  
7                     *projects involving activities in both a sanctioned*  
8                     *country and a nonsanctioned contiguous coun-*  
9                     *try, if the nonsanctioned country is the primary*  
10                    *beneficiary.*

11           (2) *FURTHER LIMITATIONS.*—Notwithstanding  
12           paragraph (1)—

13                    (A) *no assistance may be made available by*  
14                    *this Act, or any other Act making appropria-*  
15                    *tions for foreign operations, export promotion*  
16                    *and related programs, for a program, project, or*  
17                    *activity in any country described in subsection*  
18                    *(d) in which an indicted war criminal has any*  
19                    *financial or material interest or through any or-*  
20                    *ganization in which the indicted individual is*  
21                    *affiliated; and*

22                    (B) *no assistance (other than emergency*  
23                    *foods or medical assistance or demining assist-*  
24                    *ance) may be made available by this Act, or any*  
25                    *other Act making appropriations for foreign op-*

1            *erations, export promotion and related programs*  
2            *to any program, project, or activity in any area*  
3            *of any country described in subsection (d) in*  
4            *which local authorities are not complying with*  
5            *the provisions of Article IX and Annex 4, Article*  
6            *II of the Dayton Agreement relating to war*  
7            *crimes and the Tribunal, or with the provisions*  
8            *of Annex 7 of the Dayton Agreement relating to*  
9            *the rights of refugees and displaced persons to re-*  
10           *turn to their homes of origin.*

11           *(d) SANCTIONED COUNTRIES.—A country described in*  
12           *this section is a country the authorities of which fail to*  
13           *apprehend and transfer to the Tribunal all persons in terri-*  
14           *tory that is under their effective control who have been in-*  
15           *dicted by the Tribunal.*

16           *(e) WAIVER.—*

17           *(1) AUTHORITY.—The President may waive the*  
18           *application of subsection (a) or subsection (b) with*  
19           *respect to a country if the President determines and*  
20           *certifies to the appropriate committees of Congress*  
21           *within six months after the date of enactment of this*  
22           *Act that a majority of the indicted persons who are*  
23           *within territory that is under the effective control of*  
24           *the country have been arrested and transferred to the*  
25           *Tribunal.*

1           (2) *PERIOD OF EFFECTIVENESS.*—*Any waiver*  
2           *made pursuant to this subsection shall be effective for*  
3           *a period of six months.*

4           (f) *TERMINATION OF SANCTIONS.*—*The sanctions im-*  
5           *posed pursuant to subsection (a) or subsection (b) with re-*  
6           *spect to a country shall cease to apply only if the President*  
7           *determines and certifies to Congress that the authorities of*  
8           *that country have apprehended and transferred to the Tri-*  
9           *bunal all persons in territory that is under their effective*  
10          *control who have been indicted by the Tribunal.*

11          (g) *DEFINITIONS.*—*As used in this section—*

12           (1) *COUNTRY.*—*The term “country” shall not in-*  
13           *clude Bosnia and Herzegovina, and the provisions of*  
14           *this Act shall be applied separately to its constituent*  
15           *entities of Republika Srpska and the Federation of*  
16           *Bosnia and Herzegovina.*

17           (2) *DAYTON AGREEMENT.*—*The term “Dayton*  
18           *Agreement” means the General Framework Agreement*  
19           *for Peace in Bosnia and Herzegovina, together with*  
20           *annexes relating thereto, done at Dayton, November*  
21           *10 through 16, 1995.*

22           (3) *DEMOCRATIZATION ASSISTANCE.*—*The term*  
23           *“democratization assistance” includes electoral assist-*  
24           *ance and assistance used in establishing the institu-*  
25           *tions of a democratic and civil society.*

1           (4) *HUMANITARIAN ASSISTANCE*.—*The term “hu-*  
 2           *manitarian assistance” includes assistance for food,*  
 3           *demining, refugees, housing, education, health care,*  
 4           *and other social services.*

5           (5) *TRIBUNAL*.—*The term “Tribunal” means the*  
 6           *International Criminal Tribunal for the Former*  
 7           *Yugoslavia.*

8           *EXTENSION OF CERTAIN ADJUDICATION PROVISIONS*

9           *SEC. 574. The Foreign Operations, Export Financing,*  
 10          *and Related Programs Appropriations Act, 1990 (Public*  
 11          *Law 101–167) is amended—*

12           (1) *in section 599D (8 U.S.C. 1157 note)—*

13           (A) *in subsection (b)(3), by striking “and*  
 14           *1997” and inserting “1997, and 1998”; and*

15           (B) *in subsection (e), by striking “October*  
 16           *1, 1997” each place it appears and inserting*  
 17           *“October 1, 1998”; and*

18           (2) *in section 599E (8 U.S.C. 1255 note) in sub-*  
 19           *section (b)(2), by striking “September 30, 1997” and*  
 20           *inserting “September 30, 1998”.*

21           *DEVELOPMENT CREDIT AUTHORITY*

22           *SEC. 575. For the cost, as defined in section 502 of*  
 23           *the Congressional Budget Act of 1974, of direct loans and*  
 24           *loan guarantees in support of the development objectives of*  
 25           *the Foreign Assistance Act of 1961 (FAA), up to*  
 26           *\$10,000,000, which amount may be derived by transfer*

1 *from funds appropriated by this Act to carry out part I*  
2 *of the Foreign Assistance Act of 1961 and funds appro-*  
3 *riated by this Act under the heading “Assistance for East-*  
4 *ern Europe and the Baltic States”, to remain available*  
5 *until expended: Provided, That of this amount, up to*  
6 *\$1,500,000 for administrative expenses to carry out such*  
7 *programs may be transferred to and merged with “Operat-*  
8 *ing Expenses of the Agency for International Development”:*  
9 *Provided further, That the provisions of section 107A(d)*  
10 *(relating to general provisions applicable to development*  
11 *credit authority) of the Foreign Assistance Act of 1961, as*  
12 *added by section 306 of H.R. 1486 as reported by the House*  
13 *Committee on International Relations on May 9, 1997,*  
14 *shall be applicable to direct loans and loan guarantees pro-*  
15 *vided under this paragraph: Provided further, That direct*  
16 *loans or loan guarantees under this paragraph may not be*  
17 *provided until the Director of the Office of Management and*  
18 *Budget has certified to the Committees on Appropriations*  
19 *that the Agency for International Development has estab-*  
20 *lished a credit management system capable of effectively*  
21 *managing the credit programs funded under this heading,*  
22 *including that such system (1) can provide accurate and*  
23 *timely provision of loan and loan guarantee data, (2) con-*  
24 *tains information control systems for loan and loan guar-*

1 *antee data, (3) is adequately staffed, and (4) contains ap-*  
2 *propriate review and monitoring procedures.*

3 *EXCESS DEFENSE ARTICLES FOR CERTAIN EUROPEAN*  
4 *COUNTRIES*

5 *SEC. 576. Section 105 of Public Law 104–164 (110*  
6 *Stat. 1427) is amended by striking “1996 and 1997” and*  
7 *inserting “1998 and 1999”.*

8 *ADDITIONAL REQUIREMENTS RELATING TO STOCKPILING*  
9 *OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES*

10 *SEC. 577. (a) VALUE OF ADDITIONS TO STOCK-*  
11 *PILES.—Section 514(b)(2)(A) of the Foreign Assistance Act*  
12 *of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by inserting*  
13 *before the period at the end the following: “and \$60,000,000*  
14 *for fiscal year 1998”.*

15 *(b) REQUIREMENTS RELATING TO THE REPUBLIC OF*  
16 *KOREA AND THAILAND.—Section 514(b)(2)(B) of such Act*  
17 *(22 U.S.C. 2321h(b)(2)(B)) is amended by adding at the*  
18 *end the following: “Of the amount specified in subpara-*  
19 *graph (A) for fiscal year 1998, not more than \$40,000,000*  
20 *may be made available for stockpiles in the Republic of*  
21 *Korea and not more than \$20,000,000 may be made avail-*  
22 *able for stockpiles in Thailand.”.*

23 *DELIVERY OF DRAWDOWN BY COMMERCIAL*  
24 *TRANSPORTATION SERVICES*

25 *SEC. 578. Section 506 of the Foreign Assistance Act*  
26 *of 1961 (22 U.S.C. 2318) is amended—*

1           (1) *in subsection (b)(2), by striking the period*  
2 *and inserting the following: “, including providing*  
3 *the Congress with a report detailing all defense arti-*  
4 *cles, defense services, and military education and*  
5 *training delivered to the recipient country or inter-*  
6 *national organization upon delivery of such articles*  
7 *or upon completion of such services or education and*  
8 *training. Such report shall also include whether any*  
9 *savings were realized by utilizing commercial trans-*  
10 *port services rather than acquiring those services from*  
11 *United States Government transport assets.”;*

12           (2) *by redesignating subsection (c) as subsection*  
13 *(d); and*

14           (3) *by inserting after subsection (b) the follow-*  
15 *ing:*

16           *“(c) For the purposes of any provision of law that au-*  
17 *thorizes the drawdown of defense or other articles or com-*  
18 *modities, or defense or other services from an agency of the*  
19 *United States Government, such drawdown may include the*  
20 *supply of commercial transportation and related services*  
21 *that are acquired by contract for the purposes of the*  
22 *drawdown in question if the cost to acquire such commer-*  
23 *cial transportation and related services is less than the cost*  
24 *to the United States Government of providing such services*  
25 *from existing agency assets.”.*

1 *SENSE OF THE SENATE REGARDING ESTONIA, LATVIA, AND*  
2 *LITHUANIA.*

3 *SEC. 579. It is the sense of the Senate that Estonia,*  
4 *Latvia, and Lithuania—*

5 *(1) are to be commended for their progress to-*  
6 *ward political and economic reform and meeting the*  
7 *guidelines for prospective NATO members;*

8 *(2) would make an outstanding contribution to*  
9 *furthering the goals of NATO and enhancing stabil-*  
10 *ity, freedom, and peace in Europe should they become*  
11 *NATO members; and*

12 *(3) upon complete satisfaction of all relevant cri-*  
13 *teria should be invited to become full NATO members*  
14 *at the earliest possible date.*

15 *TO PROHIBIT FOREIGN ASSISTANCE TO THE GOVERNMENT*  
16 *OF RUSSIA SHOULD IT ENACT LAWS WHICH WOULD*  
17 *DISCRIMINATE AGAINST MINORITY RELIGIOUS FAITHS*  
18 *IN THE RUSSIAN FEDERATION*

19 *SEC. 580. (a) None of the funds appropriated under*  
20 *this Act may be made available for the Government of Rus-*  
21 *sian Federation unless the President determines and cer-*  
22 *tifies in writing to the Committee on Appropriations and*  
23 *the Committee on Foreign Relations of the Senate that the*  
24 *Government of the Russian Federation has enacted no stat-*  
25 *ute or promulgated no executive order that would discrimi-*  
26 *nate, or would have as its principal effect discrimination,*

1 *against religious minorities in the Russian Federation in*  
2 *violation of accepted international agreements on human*  
3 *rights and religious freedoms to which the Russian Federa-*  
4 *tion is a signatory, including the European Convention and*  
5 *the 1989 Vienna Concluding Document of the Conference*  
6 *on Security and Cooperation in Europe.*

7       **(b)** *This section shall become effective one day after the*  
8 *enactment of this Act.*

9       **SENSE OF THE SENATE REGARDING SUPPORT FOR**  
10 **COUNTRIES OF THE SOUTH CAUCASUS AND CENTRAL ASIA**

11       **SEC. 581. (a) FINDINGS.**—*Congress makes the follow-*  
12 *ing findings:*

13               **(1)** *The ancient Silk Road, once the economic*  
14 *lifeline of Central Asia and the South Caucasus, tra-*  
15 *versed much of the territory now within the countries*  
16 *of Armenia, Azerbaijan, Georgia, Kazakstan,*  
17 *Kyrgyzstan, Tajikistan, Turkmenistan, and*  
18 *Uzbekistan.*

19               **(2)** *Economic interdependence spurred mutual*  
20 *cooperation among the peoples along the Silk Road*  
21 *and restoration of the historic relationships and eco-*  
22 *nomie ties between those peoples is an important ele-*  
23 *ment of ensuring their sovereignty as well as the suc-*  
24 *cess of democratic and market reforms.*

25               **(3)** *The development of strong political and eco-*  
26 *nomie ties between countries of the South Caucasus*

1       *and Central Asia and the West will foster stability in*  
2       *the region.*

3               *(4) The development of open market economies*  
4       *and open democratic systems in the countries of the*  
5       *South Caucasus and Central Asia will provide posi-*  
6       *tive incentives for international private investment,*  
7       *increased trade, and other forms of commercial inter-*  
8       *actions with the rest of the world.*

9               *(5) The Caspian Sea Basin, overlapping the ter-*  
10       *ritory of the countries of the South Caucasus and*  
11       *Central Asia, contains proven oil and gas reserves*  
12       *that may exceed \$4,000,000,000,000 in value.*

13               *(6) The region of the South Caucasus and*  
14       *Central Asia will produce oil and gas in sufficient*  
15       *quantities to reduce the dependence of the United*  
16       *States on energy from the volatile Persian Gulf re-*  
17       *gion.*

18               *(7) United States foreign policy and inter-*  
19       *national assistance should be narrowly targeted to*  
20       *support the economic and political independence of*  
21       *the countries of the South Caucasus and Central Asia.*

22       *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*  
23       *ate that the policy of the United States in the countries*  
24       *of the South Caucasus and Central Asia should be—*

1           (1) *to promote sovereignty and independence*  
2           *with democratic government;*

3           (2) *to assist actively in the resolution of regional*  
4           *conflicts;*

5           (3) *to promote friendly relations and economic*  
6           *cooperation; and*

7           (4) *to help promote market-oriented principles*  
8           *and practices;*

9           (5) *to assist in the development of infrastructure*  
10          *necessary for communications, transportation, and*  
11          *energy and trade on an East-West axis in order to*  
12          *build strong international relations and commerce be-*  
13          *tween those countries and the stable, democratic, and*  
14          *market-oriented countries of the Euro-Atlantic Com-*  
15          *munity; and*

16          (6) *to support United States business interests*  
17          *and investments in the region.*

18          (c) *DEFINITION.*—*In this section, the term “countries*  
19          *of the South Caucasus and Central Asia” means Armenia,*  
20          *Azerbaijan, Georgia, Kazakstan, Kyrgystan, Tajikistan,*  
21          *Turkmenistan, and Uzbekistan.*

22          *PROMOTION OF RELIGIOUS FREEDOM AND HUMAN RIGHTS*

23          *SEC. 582. (a) REPORTS.*—*Not later than March 30,*  
24          *1998, and each subsequent year thereafter, the Secretary of*  
25          *State shall submit to the International Relations Committee*  
26          *of the House of Representatives and the Foreign Relations*

1 *Committee of the Senate an annual report on religious per-*  
2 *secution on a country-by-country basis. Reports shall in-*  
3 *clude a list of individuals who have been materially in-*  
4 *cluded in the commission of acts of persecution that are mo-*  
5 *tivated by a person's religion.*

6       (b) *PRISONER INFORMATION REGISTRY.—The Sec-*  
7 *retary of State shall establish a Prisoner Information Reg-*  
8 *istry which shall provide information on all political pris-*  
9 *oners, prisoners of conscience, and prisoners of faith on a*  
10 *country-by-country basis. Such information shall include*  
11 *the charges, judicial processes, administrative actions, use*  
12 *of forced labor, incidences of torture, length of imprison-*  
13 *ment, physical and health conditions, and other matters re-*  
14 *lated to the incarceration of such prisoners. The Secretary*  
15 *of State is authorized to make funds available to nongovern-*  
16 *mental organizations presently engaged in monitoring ac-*  
17 *tivities regarding such prisoners to assist in the creation*  
18 *and maintenance of the registry.*

19       (c) *SENSE OF CONGRESS CONCERNING ESTABLISH-*  
20 *MENT OF A COMMISSION ON SECURITY AND COOPERATION*  
21 *IN ASIA.—It is the sense of the Congress that Congress, the*  
22 *President, and the Secretary of State should work with the*  
23 *governments of the People's Republic of China and other*  
24 *countries to establish a Commission on Security and Co-*

1 *operation in Asia which would be modeled after the Com-*  
2 *mission on Security and Cooperation in Europe.*

3 *UNITED STATES INTELLIGENCE ACTIVITIES RELATED TO*  
4 *MONITORING HUMAN RIGHTS ABUSES AND RELIGIOUS*  
5 *PERSECUTION*

6 *SEC. 583. (a) IN GENERAL.—The President shall de-*  
7 *vote additional personnel and resources to gathering intel-*  
8 *ligence information regarding human rights abuses and*  
9 *acts of religious persecution.*

10 *(b) REPORT.—Not later than March 30, 1998, the*  
11 *President shall submit to the Permanent Select Committee*  
12 *on Intelligence of the House of Representatives and the Se-*  
13 *lect Committee on Intelligence of the Senate a report on*  
14 *the number of personnel and resources that are being de-*  
15 *voted to gathering intelligence information regarding*  
16 *human rights abuses and acts of religious persecution.*

17 *WILDLIFE CONSERVATION*

18 *SEC. 584. Of the funds appropriated by this Act, not*  
19 *more than \$2,900,000 may be made available for the Com-*  
20 *munal Areas Management Programme for Indigenous Re-*  
21 *sources (CAMPFIRE) in Zimbabwe: Provided, That none*  
22 *of the funds appropriated by this Act may be used to di-*  
23 *rectly finance the trophy hunting of elephants or other en-*  
24 *dangered species as defined in the Convention on Inter-*  
25 *national Trade in Endangered Species of Flora and Fauna*  
26 *(CITES) or the Endangered Species Act: Provided further,*

1 *That the funds appropriated by this Act that are provided*  
2 *under the CAMPFIRE program may not be used for activi-*  
3 *ties with the express intent to lobby or otherwise influence*  
4 *international conventions or treaties, or United States Gov-*  
5 *ernment decision makers: Provided further, That funds ap-*  
6 *propriated by this Act that are made available for the*  
7 *CAMPFIRE program may be used only in Zimbabwe for*  
8 *the purpose of maximizing benefits to rural people while*  
9 *strengthening natural resources management institutions:*  
10 *Provided further, That not later than March 1, 1998, the*  
11 *Administrator of the Agency for International Development*  
12 *shall submit a report to the appropriate congressional com-*  
13 *mittees describing the steps taken to implement the CAMP-*  
14 *FIRE program, the impact of the program on the people*  
15 *and wildlife of CAMPFIRE districts, alternatives to trophy*  
16 *hunting as a means of generating income for CAMPFIRE*  
17 *districts, and a description of how funds made available*  
18 *for CAMPFIRE in fiscal year 1998 are to be used.*

19 *DEMOCRACY-BUILDING ACTIVITY IN PAKISTAN*

20 *SEC. 585. (a) OPIC.—Section 239(f) of the Foreign*  
21 *Assistance Act of 1961 (22 U.S.C. 2199(f)) is amended by*  
22 *inserting “, or Pakistan” after “China”.*

23 *(b) TRAINING ACTIVITY.—Section 638(b) of the For-*  
24 *ign Assistance Act of 1961 (22 U.S.C. 2398(b)) is amend-*  
25 *ed—*

1           (1) by inserting “or any activity to promote the  
2           development of democratic institutions” after “activ-  
3           ity”; and

4           (2) by inserting “, Pakistan,” after “Brazil”.

5           (c) *TRADE AND DEVELOPMENT*.—It is the sense of  
6 Congress that the Director of the Trade and Development  
7 Agency should use funds made available to carry out the  
8 provisions of section 661 of the Foreign Assistance Act of  
9 1961 (22 U.S.C. 2421) to promote United States exports  
10 to Pakistan.

11 *SENSE OF THE SENATE ON THE EUROPEAN COMMISSION’S*  
12 *HANDLING OF THE BOEING AND MCDONNELL DOUGLAS*  
13 *MERGER*

14       *SEC. 586. (a) FINDINGS.*—(1) *The Boeing Company*  
15 *and McDonnell Douglas have announced their merger; and*

16       (2) *the Department of Defense has approved that merg-*  
17 *er as consistent with the national security of the United*  
18 *States; and*

19       (3) *the Federal Trade Commission has found that*  
20 *merger not to violate the anti-trust laws of the United*  
21 *States; and*

22       (4) *the European Commission has consistently criti-*  
23 *cized and threatened the merger before, during and after*  
24 *its consideration of the facts; and*

25       (5) *the sole true reason for the European Commission’s*  
26 *criticism and imminent disapproval of the merger is to*

1 *gain an unfair competitive advantage for Airbus, a govern-*  
2 *ment owned aircraft manufacturer.*

3 (b) *SENSE OF SENATE.*—*Now therefore, it is the sense*  
4 *of the Senate that—*

5 (1) *any such disapproval on the part of the Eu-*  
6 *ropean Commission would constitute an unwarranted*  
7 *and unprecedented interference in a United States*  
8 *business transaction that would threaten thousands of*  
9 *American aerospace jobs; and*

10 (2) *the Senate suggests that the President take*  
11 *such actions as he deems appropriate to protect Unit-*  
12 *ed States interests in connection therewith.*

13 *RESTRICTION ON ASSISTANCE MADE TO THE PALESTINIAN*  
14 *AUTHORITY*

15 *SEC. 587. None of the funds appropriated or otherwise*  
16 *made available by this Act may be obligated or expended*  
17 *with respect to providing funds to the Palestinian Author-*  
18 *ity, unless the President certifies to Congress that—*

19 (1) *the Palestinian Authority is using its maxi-*  
20 *mum efforts to combat terrorism, and, in accordance*  
21 *with the Oslo Accords, has ceased the use of violence,*  
22 *threat of violence, or incitement to violence as a tool*  
23 *of the Palestinian Authority's policy toward Israel;*

24 (2) *after a full investigation by the Department*  
25 *of Justice, the Executive branch of Government con-*

1 *cludes that Chairman Arafat had no prior knowledge*  
2 *of the World Trade Center bombing; and*

3 *(3) after a full inquiry by the Department of*  
4 *State, the Executive branch of Government concludes*  
5 *that Chairman Arafat did not authorize and did not*  
6 *fail to use his authority to prevent the Tel Aviv cafe*  
7 *bombing of March 21, 1997.*

8 *USE OF FUNDS FOR THE UNITED STATES-ASIA*

9 *ENVIRONMENTAL PARTNERSHIP*

10 *SEC. 588. Notwithstanding any other provision of law*  
11 *that restricts assistance to foreign countries, funds appro-*  
12 *priated by this or any other Act making appropriations*  
13 *pursuant to part I of the Foreign Assistance Act of 1961*  
14 *that are made available for the United States-Asia Envi-*  
15 *ronmental Partnership may be made available for activities*  
16 *for the People's Republic of China.*

17 *REQUIREMENTS FOR THE REPORTING TO CONGRESS OF*

18 *THE COSTS TO THE FEDERAL GOVERNMENT ASSOCI-*

19 *ATED WITH THE PROPOSED AGREEMENT TO REDUCE*

20 *GREENHOUSE GAS EMISSIONS*

21 *SEC. 589. The President shall provide to the Congress*  
22 *a detailed account of all Federal agency obligations and ex-*  
23 *penditures for climate change programs and activities, do-*  
24 *mestic and international, for fiscal year 1997, planned obli-*  
25 *gations for such activities in fiscal year 1998, and any plan*  
26 *for programs thereafter in the context of negotiations to*

1 *amend the Framework Convention on Climate Change*  
2 *(FCCC) to be provided to the appropriate congressional*  
3 *committees no later than October 15, 1997.*

4 *AUTHORITY TO ISSUE INSURANCE AND EXTEND FINANCING*

5 *SEC. 590. (a) IN GENERAL.—Section 235(a) of the*  
6 *Foreign Assistance Act of 1961 (22 U.S.C. 2195(a)) is*  
7 *amended—*

8 *(1) by striking paragraphs (1) and (2)(A) and*  
9 *inserting the following:*

10 *“(1) INSURANCE AND FINANCING.—(A) The max-*  
11 *imum contingent liability outstanding at any one*  
12 *time pursuant to insurance issued under section*  
13 *234(a), and the amount of financing issued under sec-*  
14 *tions 234 (b) and (c), shall not exceed in the aggre-*  
15 *gate \$29,000,000,000.”;*

16 *(2) by redesignating paragraph (3) as para-*  
17 *graph (2); and*

18 *(3) by amending paragraph (2) (as so redesign-*  
19 *ated) by striking “1997” and inserting “1999”.*

20 *(b) CONFORMING AMENDMENT.—Paragraph (2) of sec-*  
21 *tion 235(a) of that Act (22 U.S.C. 2195(a)), as redesignated*  
22 *by subsection (a), is further amended by striking “(a) and*  
23 *(b)” and inserting “(a), (b), and (c)”.*

1        *WITHHOLDING ASSISTANCE TO COUNTRIES VIOLATING*  
2                    *UNITED NATIONS SANCTIONS AGAINST LIBYA*

3            *SEC. 591. (a) WITHHOLDING OF ASSISTANCE.—Except*  
4 *as provided in subsection (b), whenever the President deter-*  
5 *mines and certifies to Congress that the government of any*  
6 *country is violating any sanction against Libya imposed*  
7 *pursuant to United Nations Security Council Resolution*  
8 *731, 748, or 883, then not less than 5 percent of the funds*  
9 *allocated for the country under section 653(a) of the Foreign*  
10 *Assistance Act of 1961 out of appropriations in this Act*  
11 *shall be withheld from obligation and expenditure for that*  
12 *country.*

13            *(b) EXCEPTION.—The requirement to withhold funds*  
14 *under subsection (a) shall not apply to funds appropriated*  
15 *in this Act for allocation under section 653(a) of the For-*  
16 *eign Assistance Act of 1961 for development assistance or*  
17 *for humanitarian assistance.*

18                    *WAR CRIMES PROSECUTION*

19            *SEC. 592. Section 2401 of title 18, United States Code*  
20 *(Public Law 104–192; the War Crimes Act of 1996) is*  
21 *amended as follows—*

22                    *(1) in subsection (a), by striking “commits a*  
23 *grave breach of the Geneva Conventions” and insert-*  
24 *ing in lieu thereof “commits a war crime”;*

25                    *(2) in subsection (b)—*

1           (A) by striking “the person committing such  
2           breach or the victim of such breach” and insert-  
3           ing in lieu thereof “the person committing such  
4           crime or the victim of such crime”; and

5           (B) by inserting before the period at the end  
6           of the subsection “or that the person committing  
7           such crime is later found in the United States  
8           after such crime is committed”;

9           (3) in subsection (c)—

10           (A) by striking “the term ‘grave breach of  
11           the Geneva Conventions’ means conduct defined  
12           as” and inserting in lieu thereof “the term ‘war  
13           crime’ means conduct (1) defined as”; and

14           (B) by inserting the following before the pe-  
15           riod at the end—

16           “; (2) prohibited by Articles 23, 25, 27, or 28 of  
17           the Annex to the Hague Convention IV, Respecting  
18           the Laws and Customs of War on Land, signed on  
19           October, 1907; (3) which constitutes a violation of  
20           common Article 3 of the international conventions  
21           signed at Geneva on August 1949; or (4) of a person  
22           who, in relation to an armed conflict and contrary to  
23           the provisions of the Protocol on Prohibitions or Re-  
24           strictions on the Use of Mines, Booby-traps and Other  
25           Devices as amended at Geneva on 3 May 1996 (Proto-

1 *col II as amended on 3 May 1996), when the United*  
2 *States is a party to such Protocol, willfully kills or*  
3 *causes serious injury to civilians”;*

4 (4) *by adding a new subsection (d) to read as*  
5 *follows:*

6 “(d) *NOTIFICATION.—No prosecution of any*  
7 *crime prohibited in this section shall be undertaken*  
8 *by the United States except upon the written notifica-*  
9 *tion to the Congress by the Attorney General or his*  
10 *designee that in his judgment a prosecution by the*  
11 *United States is in the national interest and nec-*  
12 *essary to secure substantial justice.”.*

13 *REFORM AND REVIEW OF UNITED STATES SPONSORED*  
14 *TRAINING PROGRAMS*

15 *SEC. 593. (a) FINDINGS.—Congress makes the follow-*  
16 *ing findings:*

17 (1) *United States training of members of Latin*  
18 *American military and security forces that occurred*  
19 *primarily at the Army School of the Americas be-*  
20 *tween 1982 and 1991 has been severely criticized for*  
21 *promoting practices that have contributed to the vio-*  
22 *lation of human rights and have otherwise been in-*  
23 *consistent with the appropriate role of the Armed*  
24 *Forces in a democratic society.*

25 (2) *Numerous members of Latin American mili-*  
26 *tary and security forces who have participated in*

1 *United States sponsored training programs, have sub-*  
2 *sequently been identified as having masterminded,*  
3 *participated in, or sought to cover up some of the*  
4 *most heinous human rights abuses in the region.*

5 *(3) United States interests in Latin America*  
6 *would be better served if Latin American military*  
7 *personnel were exposed to training programs designed*  
8 *to promote—*

9 *(A) proper management of scarce national*  
10 *defense resources,*

11 *(B) improvements in national systems of*  
12 *justice in accordance with internationally recog-*  
13 *nized principles of human rights, and*

14 *(C) greater respect and understanding of the*  
15 *principle of civilian control of the military.*

16 *(4) In 1989, Congress mandated that the Depart-*  
17 *ment of Defense institute new training programs*  
18 *(commonly referred to as expanded IMET) with funds*  
19 *made available for international military and edu-*  
20 *cation programs in order to promote the interests de-*  
21 *scribed in paragraph (3). Congress also expanded the*  
22 *definition of eligibility for such training to include*  
23 *non-defense government personnel from countries in*  
24 *Latin America.*

1           (5) *Despite congressionally mandated emphasis*  
2           *on expanded IMET training programs, only 4 of the*  
3           *more than 50 courses offered annually at the United*  
4           *States Army School of the Americas qualify as ex-*  
5           *panded IMET.*

6           (b) *LIMITATION ON USE OF FUNDS.—Notwithstanding*  
7           *any other provision of law, none of the funds appropriated*  
8           *in this Act under the heading relating to international mili-*  
9           *tary education and training may be made available for*  
10          *training members of any Latin American military or secu-*  
11          *rity force until—*

12           (1) *the Secretary of Defense has advised the Sec-*  
13          *retary of State in writing that 30 percent of IMET*  
14          *funds appropriated for fiscal year 1998 for the cost*  
15          *of Latin American participants in IMET programs*  
16          *will be disbursed only for the purpose of supporting*  
17          *enrollment of such participants in expanded IMET*  
18          *courses; and*

19           (2) *the Secretary of State has identified suffi-*  
20          *cient numbers of qualified, non-military personnel*  
21          *from countries in Latin America to participate in*  
22          *IMET programs during fiscal year 1998 in consulta-*  
23          *tion with the Secretary of Defense, and has instructed*  
24          *United States embassies in the hemisphere to approve*  
25          *their participation in such programs so that not less*



1 *are accorded timely, open, and fair legal proceedings in ci-*  
2 *vilian courts.*

3 *LIMIT AID TO THE GOVERNMENT OF CONGO UNTIL*

4 *PRESIDENTIAL CERTIFICATION*

5 *SEC. 596. None of the funds appropriated or otherwise*  
6 *made available by this Act may be provided to the Govern-*  
7 *ment of Congo until such time as the President reports in*  
8 *writing to the Congress that the Government of Congo is*  
9 *cooperating fully with investigators from the United Na-*  
10 *tions or any other international relief organizations in ac-*  
11 *counting for human rights violations or atrocities commit-*  
12 *ted in Congo or adjacent countries.*

13 *Titles I through V of this Act may be cited as the “For-*  
14 *ign Operations, Export Financing, and Related Programs*  
15 *Appropriations Act, 1998”.*

Attest:

*Secretary.*

105<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 2159**

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**AMENDMENT**

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