

Union Calendar No. 66

104TH CONGRESS
1ST SESSION

H. R. 1868

[Report No. 104-143]

A BILL

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

JUNE 15, 1995

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 1995

Mr. CALLAHAN, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 1996, and for other pur-
6 poses, namely:

1 TITLE I—EXPORT AND INVESTMENT
2 ASSISTANCE

3 EXPORT-IMPORT BANK OF THE UNITED STATES

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

21 SUBSIDY APPROPRIATION

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

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

19 ADMINISTRATIVE EXPENSES

20 For administrative expenses to carry out the direct
21 and guaranteed loan and insurance programs (to be com-
22 puted on an accrual basis), including hire of passenger
23 motor vehicles and services as authorized by 5 U.S.C.
24 3109, and not to exceed \$20,000 for official reception and
25 representation expenses for members of the Board of Di-
26 rectors, \$45,228,000: *Provided*, That necessary expenses

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

15 OVERSEAS PRIVATE INVESTMENT CORPORATION

16 NONCREDIT ACCOUNT

17 The Overseas Private Investment Corporation is au-
18 thorized to make, without regard to fiscal year limitations,
19 as provided by 31 U.S.C. 9104, such expenditures and
20 commitments within the limits of funds available to it and
21 in accordance with law as may be necessary: *Provided,*
22 That the amount available for administrative expenses to
23 carry out the credit and insurance programs (including an
24 amount for official reception and representation expenses
25 which shall not exceed \$35,000) shall not exceed
26 \$26,500,000: *Provided further,* That project-specific trans-

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

7 PROGRAM ACCOUNT

8 For the cost of direct and guaranteed loans,
9 \$79,000,000, as authorized by section 234 of the Foreign
10 Assistance Act of 1961, to be derived by transfer from
11 the Overseas Private Investment Corporation Noncredit
12 Account: *Provided*, That such costs, including the cost of
13 modifying such loans, shall be as defined in section 502
14 of the Congressional Budget Act of 1974: *Provided fur-*
15 *ther*, That such sums shall be available for direct loan obli-
16 gations and loan guaranty commitments incurred or made
17 during fiscal years 1996 and 1997: *Provided further*, That
18 such sums shall remain available through fiscal year 2003
19 for the disbursement of direct and guaranteed loans obli-
20 gated in fiscal year 1996, and through fiscal year 2004
21 for the disbursement of direct and guaranteed loans obli-
22 gated in fiscal year 1997. In addition, such sums as may
23 be necessary for administrative expenses to carry out the
24 credit program may be derived from amounts available for
25 administrative expenses to carry out the credit and insur-
26 ance programs in the Overseas Private Investment Cor-

1 poration Noncredit Account and merged with said ac-
2 count.

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 TRADE AND DEVELOPMENT AGENCY

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

17 INTERNATIONAL FINANCIAL INSTITUTIONS

18 CONTRIBUTION TO THE INTERNATIONAL FINANCE

19 CORPORATION

20 For payment to the International Finance Corpora-
21 tion by the Secretary of the Treasury, \$67,550,000, for
22 the United States share of the increase in subscriptions
23 to capital stock, to remain available until expended: *Pro-*
24 *vided*, That of the amount appropriated under this head-

1 ing not more than \$5,269,000 may be expended for the
2 purchase of such stock in fiscal year 1996.

3 CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS
4 MULTILATERAL INVESTMENT FUND

5 For payment to the Enterprise for the Americas Mul-
6 tilateral Investment Fund by the Secretary of the Treas-
7 ury, for the United States contribution to the Fund to
8 be administered by the Inter-American Development
9 Bank, \$70,000,000 to remain available until expended.

10 TITLE II—BILATERAL ECONOMIC ASSISTANCE

11 FUNDS APPROPRIATED TO THE PRESIDENT

12 For expenses necessary to enable the President to
13 carry out the provisions of the Foreign Assistance Act of
14 1961, and for other purposes, to remain available until
15 September 30, 1996, unless otherwise specified herein, as
16 follows:

17 AGENCY FOR INTERNATIONAL DEVELOPMENT

18 CHILD SURVIVAL AND DISEASE PROGRAMS FUND

19 For necessary expenses to carry out the provisions
20 of part I and chapter 4 of part II of the Foreign Assist-
21 ance Act of 1961, for child survival, assistance to combat
22 tropical and other diseases, and related assistance activi-
23 ties, \$484,000,000, to remain available until September
24 30, 1997: *Provided*, That this amount shall be made avail-
25 able for such activities as (1) immunization programs, (2)
26 oral rehydration programs, (3) health and nutrition pro-

1 grams, and related education programs, which address the
2 needs of mothers and children, (4) water and sanitation
3 programs, (5) assistance for displaced and orphaned chil-
4 dren, (6) programs for the prevention, treatment, and con-
5 trol of, and research on, HIV/AIDS, polio, malaria and
6 other diseases, and (7) a contribution on a grant basis
7 to the United Nations Children's Fund (UNICEF): *Pro-*
8 *vided further*, That funds appropriated under this heading
9 shall be made available notwithstanding any other provi-
10 sion of law, and shall be in addition to amounts otherwise
11 available for such purposes.

12 DEVELOPMENT ASSISTANCE FUND

13 (INCLUDING TRANSFERS OF FUNDS)

14 For necessary expenses to carry out the provisions
15 of sections 103 through 106 of the Foreign Assistance Act
16 of 1961, \$669,000,000, to remain available until Septem-
17 ber 30, 1997: *Provided*, That none of the funds made
18 available in this Act nor any unobligated balances from
19 prior appropriations may be made available to any organi-
20 zation or program which, as determined by the President
21 of the United States, supports or participates in the man-
22 agement of a program of coercive abortion or involuntary
23 sterilization: *Provided further*, That none of the funds
24 made available under this heading may be used to pay for
25 the performance of abortion as a method of family plan-
26 ning or to motivate or coerce any person to practice abor-

1 tions; and that in order to reduce reliance on abortion in
2 developing nations, funds shall be available only to vol-
3 untary family planning projects which offer, either directly
4 or through referral to, or information about access to, a
5 broad range of family planning methods and services: *Pro-*
6 *vided further*, That in awarding grants for natural family
7 planning under section 104 of the Foreign Assistance Act
8 of 1961 no applicant shall be discriminated against be-
9 cause of such applicant's religious or conscientious com-
10 mitment to offer only natural family planning; and, addi-
11 tionally, all such applicants shall comply with the require-
12 ments of the previous proviso: *Provided further*, That noth-
13 ing in this paragraph shall be construed to alter any exist-
14 ing statutory prohibitions against abortion under section
15 104 of the Foreign Assistance Act of 1961: *Provided fur-*
16 *ther*, That, notwithstanding section 109 of the Foreign As-
17 sistance Act of 1961, of the funds appropriated under this
18 heading and under the heading "Development Fund for
19 Africa", not to exceed a total of \$15,500,000 may be
20 transferred to "Debt restructuring", and that any such
21 transfer of funds shall be subject to the regular notifica-
22 tion procedures of the Committees on Appropriations: *Pro-*
23 *vided further*, That, notwithstanding section 109 of the
24 Foreign Assistance Act of 1961, of the funds appropriated
25 under this heading and under the heading "Development

1 Fund for Africa”, not to exceed a total of \$15,000,000
2 may be transferred to “International Organizations and
3 Programs” for a contribution to the International Fund
4 for Agricultural Development (IFAD), and that any such
5 transfer of funds shall be subject to the regular notifica-
6 tion procedures of the Committees on Appropriations.

7 DEVELOPMENT FUND FOR AFRICA

8 For necessary expenses to carry out the provisions
9 of chapter 10 of part I of the Foreign Assistance Act of
10 1961, \$528,000,000, to remain available until September
11 30, 1997: *Provided*, That none of the funds appropriated
12 by this Act to carry out chapters 1 and 10 of part I of
13 the Foreign Assistance Act of 1961 shall be transferred
14 to the Government of Zaire: *Provided further*, That funds
15 appropriated under this heading which are made available
16 for activities supported by the Southern Africa Develop-
17 ment Community shall be made available notwithstanding
18 section 512 of this Act and section 620(q) of the Foreign
19 Assistance Act of 1961.

20 PRIVATE AND VOLUNTARY ORGANIZATIONS

21 None of the funds appropriated or otherwise made
22 available by this Act for development assistance may be
23 made available to any United States private and voluntary
24 organization, except any cooperative development organi-
25 zation, which obtains less than 20 per centum of its total
26 annual funding for international activities from sources

1 other than the United States Government: *Provided*, That
2 the requirements of the provisions of section 123(g) of the
3 Foreign Assistance Act of 1961 and the provisions on pri-
4 vate and voluntary organizations in title II of the “Foreign
5 Assistance and Related Programs Appropriations Act,
6 1985” (as enacted in Public Law 98–473) shall be super-
7 seded by the provisions of this section.

8 Funds appropriated or otherwise made available
9 under title II of this Act should be made available to pri-
10 vate and voluntary organizations at a level which is equiv-
11 alent to the level provided in fiscal year 1995. Such private
12 and voluntary organizations shall include those which op-
13 erate on a not-for-profit basis, receive contributions from
14 private sources, receive voluntary support from the public
15 and are deemed to be among the most cost-effective and
16 successful providers of development assistance.

17 INTERNATIONAL DISASTER ASSISTANCE

18 For necessary expenses for international disaster re-
19 lief, rehabilitation, and reconstruction assistance pursuant
20 to section 491 of the Foreign Assistance Act of 1961, as
21 amended, \$200,000,000 to remain available until ex-
22 pended.

23 DEBT RESTRUCTURING

24 For the cost, as defined in section 502 of the Con-
25 gressional Budget Act of 1974, of modifying direct loans
26 and loan guarantees, as the President may determine, for

1 which funds have been appropriated or otherwise made
2 available for programs within the International Affairs
3 Budget Function 150, including the cost of selling, reduc-
4 ing, or canceling amounts, through debt buybacks and
5 swaps, owed to the United States as a result of
6 concessional loans made to eligible Latin American and
7 Caribbean countries, pursuant to part IV of the Foreign
8 Assistance Act of 1961, \$7,000,000, to remain available
9 until expended.

10 MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM

11 ACCOUNT

12 For the subsidy cost of direct loans and loan guaran-
13 tees, \$1,500,000, as authorized by section 108 of the For-
14 eign Assistance Act of 1961, as amended: *Provided*, That
15 such costs shall be as defined in section 502 of the Con-
16 gressional Budget Act of 1974. In addition, for adminis-
17 trative expenses to carry out programs under this heading,
18 \$500,000, all of which may be transferred to and merged
19 with the appropriation for Operating Expenses of the
20 Agency for International Development.

21 HOUSING GUARANTY PROGRAM ACCOUNT

22 For administrative expenses to carry out guaranteed
23 loan programs, \$7,000,000, all of which may be trans-
24 ferred to and merged with the appropriation for Operating
25 Expenses of the Agency for International Development.

1 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
2 DISABILITY FUND

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

6 OPERATING EXPENSES OF THE AGENCY FOR
7 INTERNATIONAL DEVELOPMENT

8 For necessary expenses to carry out the provisions
9 of section 667, \$465,750,000: *Provided*, That of this
10 amount not more than \$1,475,000 may be made available
11 to pay for printing costs: *Provided further*, That none of
12 the funds appropriated by this Act for programs adminis-
13 tered by the Agency for International Development may
14 be used to finance printing costs of any report or study
15 (except feasibility, design, or evaluation reports or studies)
16 in excess of \$25,000 without the approval of the Adminis-
17 trator of that Agency or the Administrator’s designee.

18 In addition, for necessary expenses to carry out the
19 provisions of section 667 related to the termination or
20 phasing down of programs, activities, and operations of
21 the Agency for International Development under chapters
22 1, 10, and 11 of part I and chapter 4 of part II of the
23 Foreign Assistance Act of 1961, and for related purposes,
24 \$29,925,000, to remain available until September 30,
25 1997: *Provided*, That such funds are available in addition
26 to amounts otherwise available for such purposes: *Pro-*

1 *vided further*, That, prior to the obligation of any funds
2 appropriated in this paragraph, the Administrator of the
3 Agency for International Development shall report to the
4 Committees on Appropriations on the proposed use of
5 such funds: *Provided further*, That by September 30,
6 1997, the use of such funds should result in the reduction
7 of 500 full-time equivalent direct-hire employees from the
8 onboard level existing on April 30, 1995: *Provided further*,
9 That the authority of sections 109 and 610 may be used
10 for the purpose of making funds available to fulfill the
11 requirements of section 667.

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

15 For necessary expenses to carry out the provisions
16 of section 667, \$35,200,000, which sum shall be available
17 for the Office of the Inspector General of the Agency for
18 International Development.

19 OTHER BILATERAL ECONOMIC ASSISTANCE
20 ECONOMIC SUPPORT FUND

21 For necessary expenses to carry out the provisions
22 of chapter 4 of part II, \$2,326,700,000, to remain avail-
23 able until September 30, 1997: *Provided*, That any funds
24 appropriated under this heading that are made available
25 for Israel shall be made available on a grant basis as a
26 cash transfer and shall be disbursed within thirty days of

1 enactment of this Act or by October 31, 1995, whichever
2 is later: *Provided further*, That none of the funds appro-
3 priated under this heading shall be made available for
4 Zaire.

5 INTERNATIONAL FUND FOR IRELAND

6 For necessary expenses to carry out the provisions
7 of part I of the Foreign Assistance Act of 1961, up to
8 \$19,600,000, which shall be available for the United
9 States contribution to the International Fund for Ireland
10 and shall be made available in accordance with the provi-
11 sions of the Anglo-Irish Agreement Support Act of 1986
12 (Public Law 99–415): *Provided*, That such amount shall
13 be expended at the minimum rate necessary to make time-
14 ly payment for projects and activities: *Provided further*,
15 That funds made available under this heading shall re-
16 main available until September 30, 1997.

17 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
18 STATES

19 For necessary expenses to carry out the provisions
20 of the Foreign Assistance Act of 1961 and the Support
21 for East European Democracy (SEED) Act of 1989,
22 \$324,000,000, to remain available until September 30,
23 1997, which shall be available, notwithstanding any other
24 provision of law, for economic assistance and for related
25 programs for Eastern Europe and the Baltic States.

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

12 Funds appropriated under this heading shall be con-
13 sidered to be economic assistance under the Foreign As-
14 sistance Act of 1961 for purposes of making available the
15 administrative authorities contained in that Act for the
16 use of economic assistance.

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

19 (a) For necessary expenses to carry out the provisions
20 of chapter 11 of part I of the Foreign Assistance Act of
21 1961 and the FREEDOM Support Act, for assistance for
22 the new independent states of the former Soviet Union
23 and for related programs, and for other purposes,
24 \$595,000,000, to remain available until September 30,
25 1997: *Provided*, That the provisions of 498B(j) of the For-

1 eign Assistance Act of 1961 shall apply to funds appro-
2 priated by this paragraph.

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

5 (1) unless that Government is making progress
6 in implementing comprehensive economic reforms
7 based on market principles, private ownership, nego-
8 tiating repayment of commercial debt, respect for
9 commercial contracts, and equitable treatment of
10 foreign private investment; and

11 (2) if that Government applies or transfers
12 United States assistance to any entity for the pur-
13 pose of expropriating or seizing ownership or control
14 of assets, investments, or ventures.

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

18 (d) None of the funds appropriated under this head-
19 ing shall be made available to any government of the new
20 independent states of the former Soviet Union if that gov-
21 ernment directs any action in violation of the territorial
22 integrity or national sovereignty of any other new inde-
23 pendent state, such as those violations included in Prin-
24 ciple Six of the Helsinki Final Act: *Provided*, That such
25 funds may be made available without regard to the restric-

tion in this subsection if the President determines that to do so is in the national security interest of the United States: *Provided further*, That the restriction of this subsection shall not apply to the use of such funds for the provision of assistance for purposes of humanitarian, disaster and refugee relief.

(e) None of the funds appropriated under this heading for the new independent states of the former Soviet Union shall be made available for any state to enhance its military capability.

(f) Funds appropriated under this heading shall be subject to the regular notification procedures of the Committees on Appropriations.

(g) Funds made available in this Act for assistance to the new independent states of the former Soviet Union shall be subject to the provisions of section 117 (relating to environment and natural resources) of the Foreign Assistance Act of 1961.

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

(i) Funds made available in this Act for assistance to the new independent states of the former Soviet Union shall be provided to the maximum extent feasible through the private sector, including small- and medium-size businesses, entrepreneurs, and others with indigenous private

1 enterprises in the region, intermediary development orga-
2 nizations committed to private enterprise, and private vol-
3 untary organizations previously functioning in the new
4 independent states.

5 (j) The ratio of private sector investment (including
6 volunteer contributions in cash or time) to United States
7 government assistance in projects referred to in subsection
8 (i) shall be no less than a ratio of 1.5 to 1.

9 INDEPENDENT AGENCIES

10 AFRICAN DEVELOPMENT FOUNDATION

11 For necessary expenses to carry out the provisions
12 of title V of the International Security and Development
13 Cooperation Act of 1980, Public Law 96–533, and to
14 make such contracts and commitments without regard to
15 fiscal year limitations, as provided by 31 U.S.C. 9104,
16 \$10,000,000.

17 INTER-AMERICAN FOUNDATION

18 For expenses necessary to carry out the functions of
19 the Inter-American Foundation in accordance with the
20 provisions of section 401 of the Foreign Assistance Act
21 of 1969, and to make such contracts and commitments
22 without regard to fiscal year limitations, as provided by
23 section 9104, title 31, United States Code, \$20,000,000.

24 PEACE CORPS

25 For expenses necessary to carry out the provisions
26 of the Peace Corps Act (75 Stat. 612), \$210,000,000, in-

cluding the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States: *Provided*, That none of the funds appropriated under this heading shall be used to pay for abortions.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL

For necessary expenses to carry out the provisions of section 481 of the Foreign Assistance Act of 1961, \$113,000,000: *Provided*, That during fiscal year 1996, the Department of State may also use the authority of section 608 of the Foreign Assistance Act of 1961, without regard to its restrictions, to receive non-lethal excess property from an agency of the United States Government for the purpose of providing it to a foreign country under chapter 8 of part I of that Act subject to the regular notification procedures of the Committees on Appropriations.

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross, assistance to refugees, including contributions to the International Organization for Migration and the United Nations High Commissioner for Refugees, and other activities to meet refugee and migration needs; salaries and expenses of personnel and dependents as author-

1 ized by the Foreign Service Act of 1980; salaries and ex-
2 penses of personnel assigned to the bureau charged with
3 carrying out the Migration and Refugee Assistance Act;
4 allowances as authorized by sections 5921 through 5925
5 of title 5, United States Code; purchase and hire of pas-
6 senger motor vehicles; and services as authorized by sec-
7 tion 3109 of title 5, United States Code, \$671,000,000,
8 of which not to exceed \$12,000,000 shall be available for
9 administrative expenses.

10 REFUGEE RESETTLEMENT ASSISTANCE

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

18 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
19 ASSISTANCE FUND

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

1 Act of 1962 which would limit the amount of funds which
2 could be appropriated for this purpose.

3 ANTI-TERRORISM ASSISTANCE

4 For necessary expenses to carry out the provisions
5 of chapter 8 of part II of the Foreign Assistance Act of
6 1961, \$17,000,000.

7 NONPROLIFERATION AND DISARMAMENT FUND

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

1 TITLE III—MILITARY ASSISTANCE

2 FUNDS APPROPRIATED TO THE PRESIDENT

3 INTERNATIONAL MILITARY EDUCATION AND TRAINING

4 For necessary expenses to carry out the provisions
5 of section 541 of the Foreign Assistance Act of 1961,
6 \$39,000,000: *Provided*, That up to \$100,000 of the funds
7 appropriated under this heading may be made available
8 for grant financed military education and training for any
9 high income country on the condition that that country
10 agrees to fund from its own resources the transportation
11 cost and living allowances of its students: *Provided further*,
12 That the civilian personnel for whom military education
13 and training may be provided under this heading may also
14 include members of national legislatures who are respon-
15 sible for the oversight and management of the military,
16 and may also include individuals who are not members of
17 a government: *Provided further*, That none of the funds
18 appropriated under this heading shall be available for
19 Zaire: *Provided further*, That funds appropriated under
20 this heading for grant financed military education and
21 training for Indonesia and Guatemala may only be avail-
22 able for expanded military education and training.

23 FOREIGN MILITARY FINANCING PROGRAM

24 For expenses necessary for grants to enable the
25 President to carry out the provisions of section 23 of the
26 Arms Export Control Act, \$3,211,279,000: *Provided*, That

1 funds appropriated by this paragraph that are made avail-
2 able for Israel and Egypt shall be made available only as
3 grants: *Provided further*, That the funds appropriated by
4 this paragraph that are made available for Israel shall be
5 disbursed within thirty days of enactment of this Act or
6 by October 31, 1995, whichever is later: *Provided further*,
7 That to the extent that the Government of Israel requests
8 that funds be used for such purposes, grants made avail-
9 able for Israel by this paragraph shall, as agreed by Israel
10 and the United States, be available for advanced weapons
11 systems, of which not to exceed \$475,000,000 shall be
12 available for the procurement in Israel of defense articles
13 and defense services, including research and development:
14 *Provided further*, That funds made available under this
15 paragraph shall be nonrepayable notwithstanding any re-
16 quirement in section 23 of the Arms Export Control Act:
17 *Provided further*, That none of the funds made available
18 under this heading shall be available for any non-NATO
19 country participating in the Partnership for Peace Pro-
20 gram except through the regular notification procedures
21 of the Committees on Appropriations.

22 For the cost, as defined in section 502 of the Con-
23 gressional Budget Act of 1974, of direct loans authorized
24 by section 23 of the Arms Export Control Act as follows:
25 cost of direct loans, \$64,400,000: *Provided*, That these

1 funds are available to subsidize gross obligations for the
2 principal amount of direct loans of not to exceed
3 \$544,000,000: *Provided further*, That the rate of interest
4 charged on such loans shall be not less than the current
5 average market yield on outstanding marketable obliga-
6 tions of the United States of comparable maturities: *Pro-*
7 *vided further*, That funds appropriated under this heading
8 shall be made available for Greece and Turkey only on
9 a loan basis, and the principal amount of direct loans for
10 each country shall not exceed \$224,000,000 for Greece
11 and shall not exceed \$320,000,000 for Turkey.

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

1 United States Code, section 1501(a): *Provided further*,
2 That none of the funds appropriated under this heading
3 shall be available for Zaire, Sudan, Peru, Liberia, and
4 Guatemala: *Provided further*, That none of the funds ap-
5 propriated or otherwise made available for use under this
6 heading may be made available for Colombia or Bolivia
7 until the Secretary of State certifies that such funds will
8 be used by such country primarily for counternarcotics ac-
9 tivities: *Provided further*, That funds made available under
10 this heading may be used, notwithstanding any other pro-
11 vision of law, for demining activities, and may include ac-
12 tivities implemented through nongovernmental and inter-
13 national organizations: *Provided further*, That not more
14 than \$100,000,000 of the funds made available under this
15 heading shall be available for use in financing the procure-
16 ment of defense articles, defense services, or design and
17 construction services that are not sold by the United
18 States Government under the Arms Export Control Act
19 to countries other than Israel and Egypt: *Provided further*,
20 That only those countries for which assistance was justi-
21 fied for the “Foreign Military Sales Financing Program”
22 in the fiscal year 1989 congressional presentation for secu-
23 rity assistance programs may utilize funds made available
24 under this heading for procurement of defense articles, de-
25 fense services or design and construction services that are

1 not sold by the United States Government under the Arms
2 Export Control Act: *Provided further*, That, subject to the
3 regular notification procedures of the Committees on Ap-
4 propriations, funds made available under this heading for
5 the cost of direct loans may also be used to supplement
6 the funds available under this heading for grants, and
7 funds made available under this heading for grants may
8 also be used to supplement the funds available under this
9 heading for the cost of direct loans: *Provided further*, That
10 funds appropriated under this heading shall be expended
11 at the minimum rate necessary to make timely payment
12 for defense articles and services: *Provided further*, That
13 the Department of Defense shall conduct during the cur-
14 rent fiscal year nonreimbursable audits of private firms
15 whose contracts are made directly with foreign govern-
16 ments and are financed with funds made available under
17 this heading (as well as subcontractors thereunder) as re-
18 quested by the Defense Security Assistance Agency: *Pro-*
19 *vided further*, That not more than \$24,000,000 of the
20 funds appropriated under this heading may be obligated
21 for necessary expenses, including the purchase of pas-
22 senger motor vehicles for replacement only for use outside
23 of the United States, for the general costs of administer-
24 ing military assistance and sales: *Provided further*, That
25 not more than \$355,000,000 of funds realized pursuant

1 to section 21(e)(1)(A) of the Arms Export Control Act
2 may be obligated for expenses incurred by the Department
3 of Defense during fiscal year 1996 pursuant to section
4 43(b) of the Arms Export Control Act, except that this
5 limitation may be exceeded only through the regular notifi-
6 cation procedures of the Committees on Appropriations.

7 PEACEKEEPING OPERATIONS

8 For necessary expenses to carry out the provisions
9 of section 551 of the Foreign Assistance Act of 1961,
10 \$68,300,000.

11 TITLE IV—MULTILATERAL ECONOMIC
12 ASSISTANCE

13 FUNDS APPROPRIATED TO THE PRESIDENT

14 INTERNATIONAL FINANCIAL INSTITUTIONS

15 CONTRIBUTION TO THE INTERNATIONAL BANK FOR

16 RECONSTRUCTION AND DEVELOPMENT

17 For payment to the International Bank for Recon-
18 struction and Development by the Secretary of the Treas-
19 ury, for the United States share of the paid-in share por-
20 tion of the increases in capital stock for the General Cap-
21 ital Increase, \$23,009,000, to remain available until ex-
22 pended.

23 For payment to the International Bank for Recon-
24 struction and Development by the Secretary of the Treas-
25 ury, for the United States contribution to the Global Envi-

1 ronment Facility (GEF), \$50,000,000, to remain available
2 until September 30, 1997.

3 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

4 The United States Governor of the International
5 Bank for Reconstruction and Development may subscribe
6 without fiscal year limitation to the callable capital portion
7 of the United States share of increases in capital stock
8 in an amount not to exceed \$743,900,000.

9 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
10 ASSOCIATION

11 For payment to the International Development Asso-
12 ciation by the Secretary of the Treasury, \$575,000,000,
13 for the United States contribution to the tenth replenish-
14 ment, to remain available until expended.

15 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
16 BANK

17 For payment to the Inter-American Development
18 Bank by the Secretary of the Treasury, for the United
19 States share of the paid-in share portion of the increase
20 in capital stock, \$25,950,000.

21 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

22 The United States Governor of the Inter-American
23 Development Bank may subscribe without fiscal year limi-
24 tation to the callable capital portion of the United States
25 share of such capital stock in an amount not to exceed
26 \$1,523,000,000.

1 CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

2 For payment to the Asian Development Bank by the
3 Secretary of the Treasury for the United States share of
4 the paid-in portion of the increase in capital stock,
5 \$13,200,000, to remain available until expended.

6 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

7 The United States Governor of the Asian Develop-
8 ment Bank may subscribe without fiscal year limitation
9 to the callable capital portion of the United States share
10 of such capital stock in an amount not to exceed
11 \$647,000,000.

12 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

13 For the United States contribution by the Secretary
14 of the Treasury to the increases in resources of the Asian
15 Development Fund, as authorized by the Asian Devel-
16 opment Bank Act, as amended (Public Law 89–369),
17 \$167,960,000, to remain available until expended.

18 CONTRIBUTION TO THE EUROPEAN BANK FOR

19 RECONSTRUCTION AND DEVELOPMENT

20 For payment to the European Bank for Reconstruc-
21 tion and Development by the Secretary of the Treasury,
22 \$69,180,000, for the United States share of the paid-in
23 share portion of the initial capital subscription, to remain
24 available until expended: *Provided*, That of the amount ap-
25 propriated under this heading not more than \$54,600,000

1 may be expended for the purchase of such stock in fiscal
2 year 1996.

3 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

4 The United States Governor of the European Bank
5 for Reconstruction and Development may subscribe with-
6 out fiscal year limitation to the callable capital portion of
7 the United States share of such capital stock in an amount
8 not to exceed \$161,400,000.

9 NORTH AMERICAN DEVELOPMENT BANK

10 For payment to the North American Development
11 Bank by the Secretary of the Treasury, for the United
12 States share of the paid-in portion of the capital stock,
13 \$56,250,000, to remain available until expended.

14 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

15 The United States Governor of the North American
16 Development Bank may subscribe without fiscal year limi-
17 tation to the callable capital portion of the United States
18 share of the capital stock of the North American Develop-
19 ment Bank in an amount not to exceed \$318,750,000.

20 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

21 For necessary expenses to carry out the provisions
22 of section 301 of the Foreign Assistance Act of 1961, and
23 of section 2 of the United Nations Environment Program
24 Participation Act of 1973, \$155,000,000: *Provided*, That
25 none of the funds appropriated under this heading shall
26 be made available for the United Nations Fund for

1 Science and Technology: *Provided further*, That funds ap-
2 propriated under this heading may be made available for
3 the International Atomic Energy Agency only if the Sec-
4 retary of State determines (and so reports to the Con-
5 gress) that Israel is not being denied its right to partici-
6 pate in the activities of that Agency: *Provided further*,
7 That none of the funds appropriated under this heading
8 that are made available to the United Nations Population
9 Fund (UNFPA) shall be made available for activities in
10 the People's Republic of China: *Provided further*, That not
11 more than \$25,000,000 of the funds appropriated under
12 this heading may be made available to the UNFPA: *Pro-*
13 *vided further*, That not more than one-half of this amount
14 may be provided to UNFPA before March 1, 1996, and
15 that no later than February 15, 1996, the Secretary of
16 State shall submit a report to the Committees on Appro-
17 priations indicating the amount UNFPA is budgeting for
18 the People's Republic of China in 1996: *Provided further*,
19 That any amount UNFPA plans to spend in the People's
20 Republic of China in 1996 above \$7,000,000, shall be de-
21 ducted from the amount of funds provided to UNFPA
22 after March 1, 1996 pursuant to the previous provisos:
23 *Provided further*, That with respect to any funds appro-
24 priated under this heading that are made available to
25 UNFPA, UNFPA shall be required to maintain such

1 funds in a separate account and not commingle them with
2 any other funds: *Provided further*, That up to \$13,000,000
3 may be made available to the Korean Peninsula Energy
4 Development Organization (KEDO) for administrative ex-
5 penses and heavy fuel oil costs associated with the Frame-
6 work Agreement: *Provided further*, That additional funds
7 may be made available to KEDO subject to the regular
8 notification procedures of the Committees on Appropria-
9 tions.

10 TITLE V—GENERAL PROVISIONS

11 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

12 SEC. 501. Except for the appropriations entitled
13 “International Disaster Assistance”, and “United States
14 Emergency Refugee and Migration Assistance Fund”, not
15 more than 15 per centum of any appropriation item made
16 available by this Act shall be obligated during the last
17 month of availability.

18 PROHIBITION OF BILATERAL FUNDING FOR

19 INTERNATIONAL 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 avail-
25 able pursuant to this Act, not to exceed \$126,500 shall
26 be for official residence expenses of the Agency for Inter-

1 national Development during the current fiscal year: *Pro-*
2 *vided*, That appropriate steps shall be taken to assure
3 that, to the maximum extent possible, United States-
4 owned foreign currencies are utilized in lieu of dollars.

5 LIMITATION ON EXPENSES

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

10 LIMITATION ON REPRESENTATIONAL ALLOWANCES

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

1 allowances: *Provided further*, That of the funds made
2 available by this Act for the Inter-American Foundation,
3 not to exceed \$2,000 shall be available for entertainment
4 and representation allowances: *Provided further*, That of
5 the funds made available by this Act for the Peace Corps,
6 not to exceed a total of \$4,000 shall be available for enter-
7 tainment expenses: *Provided further*, That of the funds
8 made available by this Act under the heading “Trade and
9 Development Agency”, not to exceed \$2,000 shall be avail-
10 able for representation 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 “International Organiza-
14 tions and Programs”) pursuant to this Act, for carrying
15 out the Foreign Assistance Act of 1961, may be used, ex-
16 cept for purposes of nuclear safety, to finance the export
17 of nuclear equipment, fuel, or technology.

18 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
19 COUNTRIES

20 SEC. 507. None of the funds appropriated or other-
21 wise made available pursuant to this Act shall be obligated
22 or expended to finance directly any assistance or repara-
23 tions to Cuba, Iraq, Libya, North Korea, Iran, Serbia,
24 Sudan, or Syria: *Provided*, That for purposes of this sec-
25 tion, the prohibition on obligations or expenditures shall
26 include direct loans, credits, insurance and guarantees of

1 the Export-Import Bank or its agents: *Provided further*,
2 That, notwithstanding any other provision of law, Azer-
3 baijan shall be eligible to receive funds provided under title
4 II of this Act to be used solely for humanitarian assistance
5 and for democracy-building purposes.

6 MILITARY COUPS

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

16 TRANSFERS BETWEEN ACCOUNTS

17 SEC. 509. None of the funds made available by this
18 Act may be obligated under an appropriation account to
19 which they were not appropriated, except for transfers
20 specifically provided for in this Act, unless the President,
21 prior to the exercise of any authority contained in the For-
22 eign Assistance Act of 1961 to transfer funds, consults
23 with and provides a written policy justification to the
24 Committees on Appropriations of the House of Represent-
25 atives and the Senate: *Provided*, That the exercise of such
26 authority shall be subject to the regular notification proce-

1 dures of the Committees on Appropriations, except for
2 transfers specifically referred to in this Act.

3 DEOBLIGATION/REOBLIGATION AUTHORITY

4 SEC. 510. Amounts certified pursuant to section
5 1311 of the Supplemental Appropriations Act, 1955, as
6 having been obligated against appropriations heretofore
7 made under the authority of the Foreign Assistance Act
8 of 1961 for the same general purpose as any of the head-
9 ings under title II of this Act are, if deobligated, hereby
10 continued available for the same period as the respective
11 appropriations under such headings or until September
12 30, 1996, whichever is later, and for the same general pur-
13 pose, and for countries within the same region as origi-
14 nally obligated: *Provided*, That the Appropriations Com-
15 mittees of both Houses of the Congress are notified fifteen
16 days in advance of the deobligation and reobligation of
17 such funds in accordance with regular notification proce-
18 dures of the Committees on Appropriations.

19 AVAILABILITY OF FUNDS

20 SEC. 511. No part of any appropriation contained in
21 this Act shall remain available for obligation after the ex-
22 piration of the current fiscal year unless expressly so pro-
23 vided in this Act: *Provided*, That funds appropriated for
24 the purposes of chapters 1, 8 and 11 of part I, section
25 667, and chapter 4 of part II of the Foreign Assistance
26 Act of 1961, as amended, and funds provided under the

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

17 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

18 SEC. 512. No part of any appropriation contained in
19 this Act shall be used to furnish assistance to any country
20 which is in default during a period in excess of one cal-
21 endar year in payment to the United States of principal
22 or interest on any loan made to such country by the Unit-
23 ed States pursuant to a program for which funds are ap-
24 propriated under this Act: *Provided*, That this section and
25 section 620(q) of the Foreign Assistance Act of 1961 shall
26 not apply to funds made available in this Act or during

1 the current fiscal year for Nicaragua, and for any narcot-
2 ics-related assistance for Colombia, Bolivia, and Peru au-
3 thorized by the Foreign Assistance Act of 1961 or the
4 Arms Export Control Act.

5 COMMERCE AND TRADE

6 SEC. 513. (a) None of the funds appropriated or
7 made available pursuant to this Act for direct assistance
8 and none of the funds otherwise made available pursuant
9 to this Act to the Export-Import Bank and the Overseas
10 Private Investment Corporation shall be obligated or ex-
11 pended to finance any loan, any assistance or any other
12 financial commitments for establishing or expanding pro-
13 duction of any commodity for export by any country other
14 than the United States, if the commodity is likely to be
15 in surplus on world markets at the time the resulting pro-
16 ductive capacity is expected to become operative and if the
17 assistance will cause substantial injury to United States
18 producers of the same, similar, or competing commodity:
19 *Provided*, That such prohibition shall not apply to the Ex-
20 port-Import Bank if in the judgment of its Board of Direc-
21 tors the benefits to industry and employment in the Unit-
22 ed States are likely to outweigh the injury to United
23 States producers of the same, similar, or competing com-
24 modity.

25 (b) None of the funds appropriated by this or any
26 other Act to carry out chapter 1 of part I of the Foreign

1 Assistance Act of 1961 shall be available for any testing
2 or breeding feasibility study, variety improvement or intro-
3 duction, consultancy, publication, conference, or training
4 in connection with the growth or production in a foreign
5 country of an agricultural commodity for export which
6 would compete with a similar commodity grown or pro-
7 duced in the United States: *Provided*, That this subsection
8 shall not prohibit—

9 (1) activities designed to increase food security
10 in developing countries where such activities will not
11 have a significant impact in the export of agricul-
12 tural commodities of the United States; or

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

15 SURPLUS COMMODITIES

16 SEC. 514. The Secretary of the Treasury shall in-
17 struct the United States Executive Directors of the Inter-
18 national Bank for Reconstruction and Development, the
19 International Development Association, the International
20 Finance Corporation, the Inter-American Development
21 Bank, the International Monetary Fund, the Asian Devel-
22 opment Bank, the Inter-American Investment Corpora-
23 tion, the North American Development Bank, the Euro-
24 pean Bank for Reconstruction and Development, the Afri-
25 can Development Bank, and the African Development
26 Fund to use the voice and vote of the United States to

1 oppose any assistance by these institutions, using funds
2 appropriated or made available pursuant to this Act, for
3 the production or extraction of any commodity or mineral
4 for export, if it is in surplus on world markets and if the
5 assistance will cause substantial injury to United States
6 producers of the same, similar, or competing commodity.

7 NOTIFICATION REQUIREMENTS

8 SEC. 515. For the purposes of providing the Execu-
9 tive Branch with the necessary administrative flexibility,
10 none of the funds made available under this Act for “Child
11 Survival and Disease Programs Fund”, “Development As-
12 sistance Fund”, “Development Fund for Africa”, “Inter-
13 national organizations and programs”, “Trade and Devel-
14 opment Agency”, “International narcotics control”, “As-
15 sistance for Eastern Europe and the Baltic States”, “As-
16 sistance for the New Independent States of the Former
17 Soviet Union”, “Economic Support Fund”, “Peacekeeping
18 operations”, “Operating expenses of the Agency for Inter-
19 national Development”, “Operating expenses of the Agen-
20 cy for International Development Office of Inspector Gen-
21 eral”, “Nonproliferation and Disarmament Fund”, “Anti-
22 terrorism assistance”, “Foreign Military Financing Pro-
23 gram”, “International military education and training”,
24 “Inter-American Foundation”, “African Development
25 Foundation”, “Peace Corps”, “Migration and refugee as-
26 sistance”, or “United States Emergency Refugee and Mi-

1 gration Assistance Fund”, shall be available for obligation
2 for activities, programs, projects, type of materiel assist-
3 ance, countries, or other operations not justified or in ex-
4 cess of the amount justified to the Appropriations Com-
5 mittees for obligation under any of these specific headings
6 unless the Appropriations Committees of both Houses of
7 Congress are previously notified fifteen days in advance:
8 *Provided*, That the President shall not enter into any com-
9 mitment of funds appropriated for the purposes of section
10 23 of the Arms Export Control Act for the provision of
11 major defense equipment, other than conventional ammu-
12 nition, or other major defense items defined to be aircraft,
13 ships, missiles, or combat vehicles, not previously justified
14 to Congress or 20 per centum in excess of the quantities
15 justified to Congress unless the Committees on Appropria-
16 tions are notified fifteen days in advance of such commit-
17 ment: *Provided further*, That this section shall not apply
18 to any reprogramming for an activity, program, or project
19 under chapter 1 of part I of the Foreign Assistance Act
20 of 1961 of less than 20 per centum of the amount pre-
21 viously justified to the Congress for obligation for such
22 activity, program, or project for the current fiscal year:
23 *Provided further*, That the requirements of this section or
24 any similar provision of this Act or any prior Act requiring
25 notification in accordance with the regular notification

1 procedures of the Committees on Appropriations may be
2 waived if failure to do so would pose a substantial risk
3 to human health or welfare: *Provided further*, That in case
4 of any such waiver, notification to the Congress, or the
5 appropriate congressional committees, shall be provided as
6 early as practicable, but in no event later than three days
7 after taking the action to which such notification require-
8 ment was applicable, in the context of the circumstances
9 necessitating such waiver: *Provided further*, That any noti-
10 fication provided pursuant to such a waiver shall contain
11 an explanation of the emergency circumstances.

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

16 LIMITATION ON AVAILABILITY OF FUNDS FOR
17 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

18 SEC. 516. Notwithstanding any other provision of law
19 or of this Act, none of the funds provided for “Inter-
20 national Organizations and Programs” shall be available
21 for the United States proportionate share, in accordance
22 with section 307(c) of the Foreign Assistance Act of 1961,
23 for any programs identified in section 307, or for Libya,
24 Iran, or, at the discretion of the President, Communist
25 countries listed in section 620(f) of the Foreign Assistance
26 Act of 1961, as amended: *Provided*, That, subject to the

1 regular notification procedures of the Committees on Ap-
2 propriations, funds appropriated under this Act or any
3 previously enacted Act making appropriations for foreign
4 operations, export financing, and related programs, which
5 are returned or not made available for organizations and
6 programs because of the implementation of this section
7 or any similar provision of law, shall remain available for
8 obligation through September 30, 1997.

9 ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

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

1 Israel to the United States Government in recognition that
2 such a principle serves United States interests in the
3 region.

4 PROHIBITION CONCERNING ABORTIONS AND

5 INVOLUNTARY STERILIZATION

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

1 above provisions related to abortions and involuntary steri-
2 lizations.

3 REPORTING REQUIREMENT

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

7 SPECIAL NOTIFICATION REQUIREMENTS

8 SEC. 520. None of the funds appropriated in this Act
9 shall be obligated or expended for Colombia, Dominican
10 Republic, Guatemala, Haiti, Indonesia, Liberia, Nica-
11 ragua, Peru, Russia, Sudan, or Zaire except as provided
12 through the regular notification procedures of the Com-
13 mittees on Appropriations: *Provided*, That this section
14 shall not apply to funds appropriated by this Act to carry
15 out the provisions of chapter 1 of part I of the Foreign
16 Assistance Act of 1961 that are made available for Indo-
17 nesia and Nicaragua.

18 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

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

10 CHILD SURVIVAL AND AIDS ACTIVITIES

11 SEC. 522. Up to \$8,000,000 of the funds made avail-
12 able by this Act for assistance for family planning, health,
13 child survival, and AIDS, may be used to reimburse Unit-
14 ed States Government agencies, agencies of State govern-
15 ments, institutions of higher learning, and private and vol-
16 untary organizations for the full cost of individuals (in-
17 cluding for the personal services of such individuals) de-
18 tailed or assigned to, or contracted by, as the case may
19 be, the Agency for International Development for the pur-
20 pose of carrying out family planning activities, child sur-
21 vival activities and activities relating to research on, and
22 the treatment and control of, acquired immune deficiency
23 syndrome in developing countries: *Provided*, That funds
24 appropriated by this Act that are made available for child
25 survival activities or activities relating to research on, and
26 the treatment and control of, acquired immune deficiency

1 syndrome may be made available notwithstanding any pro-
 2 vision of law that restricts assistance to foreign countries:
 3 *Provided further*, That funds appropriated by this Act that
 4 are made available for family planning activities may be
 5 made available notwithstanding section 512 of this Act
 6 and section 620(q) of the Foreign Assistance Act of 1961.

7 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
 8 COUNTRIES

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

16 RECIPROCAL LEASING

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

20 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

21 SEC. 525. Prior to providing excess Department of
 22 Defense articles in accordance with section 516(a) of the
 23 Foreign Assistance Act of 1961, the Department of De-
 24 fense shall notify the Committees on Appropriations to the
 25 same extent and under the same conditions as are other
 26 committees pursuant to subsection (c) of that section: *Pro-*

1 *vided*, That before issuing a letter of offer to sell excess
2 defense articles under the Arms Export Control Act, the
3 Department of Defense shall notify the Committees on
4 Appropriations in accordance with the regular notification
5 procedures of such Committees: *Provided further*, That
6 such Committees shall also be informed of the original ac-
7 quisition cost of such defense articles.

8 AUTHORIZATION REQUIREMENT

9 SEC. 526. Funds appropriated by this Act may be
10 obligated and expended subject to section 10 of Public
11 Law 91–672 and section 15 of the State Department
12 Basic Authorities Act of 1956.

13 OPPOSITION TO ASSISTANCE TO TERRORIST COUNTRIES
14 BY INTERNATIONAL FINANCIAL INSTITUTIONS

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

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

3 (1) the International Bank for Reconstruction
4 and Development, the International Development
5 Association, and the International Monetary Fund;
6 and

7 (2) wherever applicable, the Inter-American De-
8 velopment Bank, the Asian Development Bank, the
9 African Development Bank, the African Develop-
10 ment Fund, and the European Bank for Reconstruct-
11 tion and Development.

12 COMMERCIAL LEASING OF DEFENSE ARTICLES

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

1 STINGERS IN THE PERSIAN GULF REGION

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

9 DEBT-FOR-DEVELOPMENT

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

23 LOCATION OF STOCKPILES

24 SEC. 531. Section 514(b)(2) of the Foreign Assist-
25 ance Act of 1961 is amended by striking out “a total of
26 \$200,000,000 for stockpiles in Israel for fiscal years 1994

1 and 1995, up to \$40,000,000 may be made available for
2 stockpiles in the Republic of Korea, and up to
3 \$10,000,000 may be made available for stockpiles in Thai-
4 land for fiscal year 1995.” and inserting in lieu thereof
5 “\$40,000,000 for stockpiles in the Republic of Korea and
6 \$10,000,000 for stockpiles in Thailand for fiscal year
7 1996”.

8 SEPARATE ACCOUNTS

9 SEC. 532. (a) SEPARATE ACCOUNTS FOR LOCAL
10 CURRENCIES.—(1) If assistance is furnished to the gov-
11 ernment of a foreign country under chapters 1 and 10 of
12 part I or chapter 4 of part II of the Foreign Assistance
13 Act of 1961 under agreements which result in the genera-
14 tion of local currencies of that country, the Administrator
15 of the Agency for International Development shall—

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

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

20 (i) the amount of the local currencies to be
21 generated, and

22 (ii) the terms and conditions under which
23 the currencies so deposited may be utilized, con-
24 sistent with this section; and

25 (C) establish by agreement with that govern-
26 ment the responsibilities of the Agency for Inter-

1 national Development and that government to mon-
2 itor and account for deposits into and disbursements
3 from the separate account.

4 (2) USES OF LOCAL CURRENCIES.—As may be
5 agreed upon with the foreign government, local currencies
6 deposited in a separate account pursuant to subsection
7 (a), or an equivalent amount of local currencies, shall be
8 used only—

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

12 (i) project and sector assistance activities,
13 or

14 (ii) debt and deficit financing; or

15 (B) for the administrative requirements of the
16 United States Government.

17 (3) PROGRAMMING ACCOUNTABILITY.—The Agency
18 for International Development shall take all appropriate
19 steps to ensure that the equivalent of the local currencies
20 disbursed pursuant to subsection (a)(2)(A) from the sepa-
21 rate account established pursuant to subsection (a)(1) are
22 used for the purposes agreed upon pursuant to subsection
23 (a)(2).

24 (4) TERMINATION OF ASSISTANCE PROGRAMS.—
25 Upon termination of assistance to a country under chap-

ters 1 or 10 of part I or chapter 4 of part II (as the case may be), any unencumbered balances of funds which remain in a separate account established pursuant to subsection (a) shall be disposed of for such purposes as may be agreed to by the government of that country and the United States Government.

(5) CONFORMING AMENDMENTS.—The provisions of this subsection shall supersede the tenth and eleventh provisions contained under the heading “Sub-Saharan Africa, Development Assistance” as included in the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 and sections 531(d) and 609 of the Foreign Assistance Act of 1961.

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

(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—Such funds may be obligated and expended notwithstanding provisions of law which are inconsistent with the nature of this assistance including provisions which

1 are referenced in the Joint Explanatory Statement of the
2 Committee of Conference accompanying House Joint Res-
3 olution 648 (H. Report No. 98–1159).

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

14 (4) EXEMPTION.—Nonproject sector assistance funds
15 may be exempt from the requirements of subsection (b)(1)
16 only through the notification procedures of the Commit-
17 tees on Appropriations.

18 COMPENSATION FOR UNITED STATES EXECUTIVE
19 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

20 SEC. 533. (a) No funds appropriated by this Act may
21 be made as payment to any international financial institu-
22 tion while the United States Executive Director to such
23 institution is compensated by the institution at a rate
24 which, together with whatever compensation such Director
25 receives from the United States, is in excess of the rate
26 provided for an individual occupying a position at level IV

1 of the Executive Schedule under section 5315 of title 5,
2 United States Code, or while any alternate United States
3 Director to such institution is compensated by the institu-
4 tion at a rate in excess of the rate provided for an individ-
5 ual occupying a position at level V of the Executive Sched-
6 ule under section 5316 of title 5, United States Code.

7 (b) For purposes of this section, “international finan-
8 cial institutions” are: the International Bank for Recon-
9 struction and Development, the Inter-American Develop-
10 ment Bank, the Asian Development Bank, the Asian De-
11 velopment Fund, the African Development Bank, the Afri-
12 can Development Fund, the International Monetary Fund,
13 the North American Development Bank, and the Euro-
14 pean Bank for Reconstruction and Development.

15 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST

16 IRAQ

17 SEC. 534. (a) DENIAL OF ASSISTANCE.—None of the
18 funds appropriated or otherwise made available pursuant
19 to this Act to carry out the Foreign Assistance Act of
20 1961 (including title IV of chapter 2 of part I, relating
21 to the Overseas Private Investment Corporation) or the
22 Arms Export Control Act may be used to provide assist-
23 ance to any country that is not in compliance with the
24 United Nations Security Council sanctions against Iraq,
25 Serbia or Montenegro unless the President determines and
26 so certifies to the Congress that—

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

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

5 (3) the assistance to be provided will be human-
6 itarian assistance for foreign nationals who have fled
7 Iraq and Kuwait.

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

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

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

21 POW/MIA MILITARY DRAWDOWN

22 SEC. 535. (a) Notwithstanding any other provision
23 of law, the President may direct the drawdown, without
24 reimbursement by the recipient, of defense articles from
25 the stocks of the Department of Defense, defense services
26 of the Department of Defense, and military education and

1 training, of an aggregate value not to exceed \$15,000,000
2 in fiscal year 1996, as may be necessary to carry out sub-
3 section (b).

4 (b) Such defense articles, services and training may
5 be provided to Vietnam, Cambodia and Laos, under sub-
6 section (a) as the President determines are necessary to
7 support efforts to locate and repatriate members of the
8 United States Armed Forces and civilians employed di-
9 rectly or indirectly by the United States Government who
10 remain unaccounted for from the Vietnam War, and to
11 ensure the safety of United States Government personnel
12 engaged in such cooperative efforts and to support United
13 States Department of Defense-sponsored humanitarian
14 projects associated with the POW/MIA efforts. Any air-
15 craft shall be provided under this section only to Laos and
16 only on a lease or loan basis, but may be provided at no
17 cost notwithstanding section 61 of the Arms Export Con-
18 trol Act and may be maintained with defense articles, serv-
19 ices and training provided under this section.

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

1 MEDITERRANEAN EXCESS DEFENSE ARTICLES

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

8 CASH FLOW FINANCING

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

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

22 SEC. 538. Unless expressly provided to the contrary,
23 provisions of this or any other Act, including provisions
24 contained in prior Acts authorizing or making appropria-
25 tions for foreign operations, export financing, and related
26 programs, shall not be construed to prohibit activities au-

1 thorized by or conducted under the Peace Corps Act, the
2 Inter-American Foundation Act, or the African Develop-
3 ment Foundation Act. The appropriate agency shall
4 promptly report to the Committees on Appropriations
5 whenever it is conducting activities or is proposing to con-
6 duct activities in a country for which assistance is prohib-
7 ited.

8 IMPACT ON JOBS IN THE UNITED STATES

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

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

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

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

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

15 AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

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

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

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

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

6 (b) Pursuant to a lifting of the United Nations arms
7 embargo, or to a unilateral lifting of the arms embargo
8 by the President of the United States, against Bosnia-
9 Herzegovina, the President is authorized to transfer, sub-
10 ject to prior notification of the Committees on Appropria-
11 tions, to the government of that nation, without reim-
12 bursement, defense articles from the stocks of the Depart-
13 ment of Defense and defense services of the Department
14 of Defense of an aggregate value not to exceed
15 \$50,000,000 in fiscal year 1996: *Provided*, That the Presi-
16 dent certifies in a timely fashion to the Congress that the
17 transfer of such articles would assist that nation in self-
18 defense and thereby promote the security and stability of
19 the region.

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

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

5 SPECIAL AUTHORITIES

6 SEC. 541. (a) Funds appropriated in title II of this
7 Act that are made available for Haiti, Afghanistan, Leb-
8 anon, and Cambodia, and for victims of war, displaced
9 children, displaced Burmese, humanitarian assistance for
10 Romania, and humanitarian assistance for the peoples of
11 Bosnia-Herzegovina, Croatia, and Kosova, may be made
12 available notwithstanding any other provision of law: *Pro-*
13 *vided*, That any such funds that are made available for
14 Cambodia shall be subject to the provisions of section
15 531(e) of the Foreign Assistance Act of 1961 and section
16 906 of the International Security and Development Co-
17 operation Act of 1985: *Provided further*, That the Presi-
18 dent shall terminate assistance to any country or organiza-
19 tion that he determines is cooperating, tactically or strate-
20 gically, with the Khmer Rouge in their military operations.

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

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

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

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

13 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT
14 OF ISRAEL

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

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

21 (2) the President should—

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

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

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

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

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

19 ANTI-NARCOTICS ACTIVITIES

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

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

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

10 ELIGIBILITY FOR ASSISTANCE

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

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

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

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

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

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

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

3 CEILINGS

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

8 EXCESS DEFENSE ARTICLES

9 SEC. 546. (a) The authority of section 519 of the
10 Foreign Assistance Act of 1961, as amended, may be used
11 in fiscal year 1996 to provide nonlethal excess defense ar-
12 ticles to countries for which United States foreign assist-
13 ance has been requested and for which receipt of such arti-
14 cles was separately justified for the fiscal year, without
15 regard to the restrictions in subsection (a) of section 519.

16 (b) The authority of section 516 of the Foreign As-
17 sistance Act of 1961, as amended, may be used in fiscal
18 year 1996 to provide defense articles to Jordan, except
19 that the provision of such defense articles shall be subject
20 to section 534 of this Act.

21 PROHIBITION ON PUBLICITY OR PROPAGANDA

22 SEC. 547. No part of any appropriation contained in
23 this Act shall be used for publicity or propaganda purposes
24 within the United States not authorized before the date
25 of enactment of this Act by the Congress: *Provided*, That
26 none of the funds appropriated by this Act may be made

1 available to carry out the provisions of section 316 of Pub-
2 lic Law 96–533.

3 USE OF AMERICAN RESOURCES

4 SEC. 548. To the maximum extent possible, assist-
5 ance provided under this Act should make full use of
6 American resources, including commodities, products, and
7 services.

8 PROHIBITION OF PAYMENTS TO UNITED NATIONS

9 MEMBERS

10 SEC. 549. None of the funds appropriated or made
11 available pursuant to this Act for carrying out the Foreign
12 Assistance Act of 1961, may be used to pay in whole or
13 in part any assessments, arrearages, or dues of any mem-
14 ber of the United Nations.

15 CONSULTING SERVICES

16 SEC. 550. The expenditure of any appropriation
17 under this Act for any consulting service through procure-
18 ment contract, pursuant to section 3109 of title 5, United
19 States Code, shall be limited to those contracts where such
20 expenditures are a matter of public record and available
21 for public inspection, except where otherwise provided
22 under existing law, or under existing Executive order pur-
23 suant to existing law.

24 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

25 SEC. 551. None of the funds appropriated or made
26 available pursuant to this Act shall be available to a pri-

1 vate voluntary organization which fails to provide upon
2 timely request any document, file, or record necessary to
3 the auditing requirements of the Agency for International
4 Development.

5 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-
6 MENTS THAT EXPORT LETHAL MILITARY EQUIP-
7 MENT TO COUNTRIES SUPPORTING INTERNATIONAL
8 TERRORISM

9 SEC. 552. (a) None of the funds appropriated or oth-
10 erwise made available by this Act may be available to any
11 foreign government which provides lethal military equip-
12 ment to a country the government of which the Secretary
13 of State has determined is a terrorist government for pur-
14 poses of section 40(d) of the Arms Export Control Act.
15 The prohibition under this section with respect to a for-
16 eign government shall terminate 12 months after that gov-
17 ernment ceases to provide such military equipment. This
18 section applies with respect to lethal military equipment
19 provided under a contract entered into after the date of
20 enactment of this Act.

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

25 (c) Whenever the waiver of subsection (b) is exer-
26 cised, the President shall submit to the appropriate con-

1 gressional committees a report with respect to the furnish-
2 ing of such assistance. Any such report shall include a de-
3 tailed explanation of the assistance to be provided, includ-
4 ing the estimated dollar amount of such assistance, and
5 an explanation of how the assistance furthers United
6 States national interests.

7 WITHHOLDING OF ASSISTANCE FOR PARKING FINES
8 OWED BY FOREIGN COUNTRIES

9 SEC. 553. (a) IN GENERAL.—Of the funds made
10 available for a foreign country under part I of the Foreign
11 Assistance Act of 1961, an amount equivalent to 110 per-
12 cent of the total unpaid fully adjudicated parking fines
13 and penalties owed to the District of Columbia by such
14 country as of the date of enactment of this Act shall be
15 withheld from obligation for such country until the Sec-
16 retary of State certifies and reports in writing to the ap-
17 propriate congressional committees that such fines and
18 penalties are fully paid to the government of the District
19 of Columbia.

20 (b) DEFINITION.—For purposes of this section, the
21 term “appropriate congressional committees” means the
22 Committee on Foreign Relations and the Committee on
23 Appropriations of the Senate and the Committee on Inter-
24 national Relations and the Committee on Appropriations
25 of the House of Representatives.

1 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE
2 WEST BANK AND GAZA

3 SEC. 554. None of the funds appropriated by this Act
4 may be obligated for assistance for the Palestine Libera-
5 tion Organization for the West Bank and Gaza unless the
6 President has exercised the authority under section 583(a)
7 of the Middle East Peace Facilitation Act of 1994 (part
8 E of title V of Public Law 103–236) or any other legisla-
9 tion to suspend or make inapplicable section 307 of the
10 Foreign Assistance Act of 1961 and that suspension is
11 still in effect: *Provided*, That if the President fails to make
12 the certification under section 583(b)(2) of the Middle
13 East Peace Facilitation Act or to suspend the prohibition
14 under other legislation, funds appropriated by this Act
15 may not be obligated for assistance for the Palestine Lib-
16 eration Organization for the West Bank and Gaza.

17 EXPORT FINANCING TRANSFER AUTHORITIES

18 SEC. 555. Not to exceed 5 percent of any appropria-
19 tion other than for administrative expenses made available
20 for fiscal year 1996 for programs under title I of this Act
21 may be transferred between such appropriations for use
22 for any of the purposes, programs and activities for which
23 the funds in such receiving account may be used, but no
24 such appropriation, except as otherwise specifically pro-
25 vided, shall be increased by more than 25 percent by any
26 such transfer: *Provided*, That the exercise of such author-

1 ity shall be subject to the regular notification procedures
2 of the Committees on Appropriations.

3 WAR CRIMES TRIBUNALS

4 SEC. 556. If the President determines that doing so
5 will contribute to a just resolution of charges regarding
6 genocide or other violations of international humanitarian
7 law, the authority of section 552(c) of the Foreign Assist-
8 ance Act of 1961, as amended, may be used to provide
9 up to \$25,000,000 of commodities and services to the
10 United Nations War Crimes Tribunal established with re-
11 gard to the former Yugoslavia by the United Nations Se-
12 curity Council or such other tribunals or commissions as
13 the Council may establish to deal with such violations,
14 without regard to the ceiling limitation contained in para-
15 graph (2) thereof: *Provided*, That the determination re-
16 quired under this section shall be in lieu of any determina-
17 tions otherwise required under section 552(c): *Provided*
18 *further*, That 60 days after the date of enactment of this
19 Act, and every 180 days thereafter, the Secretary of State
20 shall submit a report to the Committees on Appropriations
21 describing the steps the United States Government is tak-
22 ing to collect information regarding allegations of genocide
23 or other violations of international law in the former Yugo-
24 slavia and to furnish that information to the United Na-
25 tions War Crimes Tribunal for the former Yugoslavia.

1 NONLETHAL EXCESS DEFENSE ARTICLES

2 SEC. 557. Notwithstanding section 519(f) of the For-
3 eign Assistance Act of 1961, during fiscal year 1996,
4 funds available to the Department of Defense may be ex-
5 pended for crating, packing, handling and transportation
6 of nonlethal excess defense articles transferred under the
7 authority of section 519 to countries eligible to participate
8 in the Partnership for Peace and to receive assistance
9 under Public Law 101–179.

10 LANDMINES

11 SEC. 558. Notwithstanding any other provision of
12 law, demining equipment available to any department or
13 agency and used in support of the clearing of landmines
14 for humanitarian purposes may be disposed of on a grant
15 basis in foreign countries, subject to such terms and condi-
16 tions as the President may prescribe.

17 REPORT ON THE SALARIES AND BENEFITS OF THE IMF
18 AND THE WORLD BANK

19 SEC. 559. The Comptroller General shall submit a
20 report to the Committees on Appropriations not later than
21 November 1, 1995, on the following—

22 (1) a review of the existing salaries and benefits
23 of employees of the International Monetary Fund
24 and the International Bank for Reconstruction and
25 Development; and

8 RESTRICTIONS CONCERNING THE PALESTINIAN
9 AUTHORITY

10 SEC. 560. None of the funds appropriated by this Act
11 may be obligated or expended to create in any part of Je-
12 rusalem a new office of any department or agency of the
13 United States Government for the purpose of conducting
14 official United States Government business with the Pal-
15 estinian Authority over Gaza and Jericho or any successor
16 Palestinian governing entity provided for in the Israel-
17 PLO Declaration of Principles: *Provided*, That this sub-
18 section shall not apply to the acquisition of additional
19 space for the existing Consulate General in Jerusalem:
20 *Provided further*, That meetings between officers and em-
21 ployees of the United States and officials of the Palestin-
22 ian Authority, or any successor Palestinian governing en-
23 tity provided for in the Israel-PLO Declaration of Prin-
24 ciples, for the purpose of conducting official United States
25 Government business with such authority should continue
26 to take place in locations other than Jerusalem. As has

1 been true in the past, officers and employees of the United
2 States Government may continue to meet in Jerusalem on
3 other subjects with Palestinians (including those who now
4 occupy positions in the Palestinian Authority), have social
5 contacts, and have incidental discussions.

6 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

7 SEC. 561. None of the funds appropriated or other-
8 wise made available by this Act under the heading
9 “INTERNATIONAL MILITARY EDUCATION AND TRAINING”
10 or “FOREIGN MILITARY FINANCING PROGRAM” for Infor-
11 mational Program activities may be obligated or expended
12 to pay for—

13 (1) alcoholic beverages;

14 (2) food (other than food provided at a military
15 installation) not provided in conjunction with Infor-
16 mational Program trips where students do not stay
17 at a military installation; or

18 (3) entertainment expenses for activities that
19 are substantially of a recreational character, includ-
20 ing entrance fees at sporting events and amusement
21 parks.

22 LIMITATION ON ASSISTANCE TO COUNTRIES THAT RE-
23 STRICT THE TRANSPORT OR DELIVERY OF UNITED
24 STATES HUMANITARIAN ASSISTANCE

25 SEC. 562. (a) IN GENERAL.—None of the funds
26 made available in this Act may be used for assistance in

1 support of any country when it is made known to the
2 President that the government of such country prohibits
3 or otherwise restricts, directly or indirectly, the transport
4 or delivery of United States humanitarian assistance.

5 (b) EXCEPTION.—Subsection (a) shall not apply to
6 assistance in support of any country when it is made
7 known to the President that the assistance is in the na-
8 tional security interest of the United States.

9 REFERENCES TO AUTHORIZATION ACTS

10 SEC. 563. The funds appropriated under the heading,
11 “Child Survival and Disease Programs Fund” are pro-
12 vided pursuant to the Foreign Assistance Act, as amend-
13 ed: under sections 103 through 106 (Development Assist-
14 ance Fund), in the amount of \$214,000,000; under part
15 I, chapter 10 (Development Fund for Africa), in the
16 amount of \$131,000,000; under the provisions of section
17 498(6) (Assistance for the New Independent States of the
18 Former Soviet Union), in the amount of \$15,000,000;
19 under the provisions of part I, chapter 1, section 104(c)
20 of the Foreign Assistance Act and the Support for East
21 European Democracy (SEED) Act of 1989, in the amount
22 of \$1,000,000; under provisions of chapter 4, part II (Eco-
23 nomic Support Fund), in the amount of \$23,000,000;
24 under the provisions of section 301, in the amount of
25 \$100,000,000 as a contribution on a grant basis to the
26 United Nation’s Children’s Fund (UNICEF): *Provided,*

1 That funds derived from funds authorized under chapter
2 4, part II, shall be made available for projects meeting
3 criteria set forth in part I section 104(c): *Provided further*,
4 That funds appropriated under the heading “Child Sur-
5 vival and Disease Programs Fund” shall be in addition
6 to amounts otherwise available for such purposes.

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

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