

## Calendar No. 94

105TH CONGRESS  
1ST SESSION**S. 955****[Report No. 105–35]**

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

JUNE 24, 1997

Mr. McCONNELL from the Committee on Appropriations, reported the following original bill; which was read twice and placed on the calendar

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**A BILL**

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, 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, 1998, 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 \$700,000,000 to remain available until September 30,  
26 1999: *Provided*, That such costs, including the cost of

1 modifying such loans, shall be as defined in section 502  
 2 of the Congressional Budget Act of 1974: *Provided fur-*  
 3 *ther*, That such sums shall remain available until 2013 for  
 4 the disbursement of direct loans, loan guarantees, insur-  
 5 ance and tied-aid grants obligated in fiscal years 1998 and  
 6 1999: *Provided further*, That up to \$50,000,000 of funds  
 7 appropriated by this paragraph shall remain available  
 8 until expended and may be used for tied-aid grant pur-  
 9 poses: *Provided further*, That none of the funds appro-  
 10 priated by this Act or any prior Act appropriating funds  
 11 for foreign operations, export financing, or related pro-  
 12 grams for tied-aid credits or grants may be used for any  
 13 other purpose except through the regular notification pro-  
 14 cedures of the Committees on Appropriations.

#### 15 ADMINISTRATIVE EXPENSES

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

1 assets acquired by the Export-Import Bank in satisfaction  
 2 of moneys owed the Export-Import Bank, or the investiga-  
 3 tion or appraisal of any property, or the evaluation of the  
 4 legal or technical aspects of any transaction for which an  
 5 application for a loan, guarantee or insurance commitment  
 6 has been made, shall be considered nonadministrative ex-  
 7 penses for the purposes of this heading: *Provided further*,  
 8 That, notwithstanding subsection (b) of section 117 of the  
 9 Export Enhancement Act of 1992, subsection (a) thereof  
 10 shall remain in effect until October 1, 1998.

11 OVERSEAS PRIVATE INVESTMENT CORPORATION  
 12 NONCREDIT ACCOUNT

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

1 Act of 1961, shall not be considered administrative ex-  
2 penses for the purposes of this heading.

3 PROGRAM ACCOUNT

4 For the cost of direct and guaranteed loans,  
5 \$60,000,000, as authorized by section 234 of the Foreign  
6 Assistance Act of 1961 to be derived by transfer from the  
7 Overseas Private Investment Corporation noncredit ac-  
8 count: *Provided*, That such costs, including the cost of  
9 modifying such loans, shall be as defined in section 502  
10 of the Congressional Budget Act of 1974: *Provided fur-*  
11 *ther*, That such sums shall be available for direct loan obli-  
12 gations and loan guaranty commitments incurred or made  
13 during fiscal years 1998 and 1999: *Provided further*, That  
14 such sums shall remain available through fiscal year 2006  
15 for the disbursement of direct and guaranteed loans obli-  
16 gated in fiscal year 1998, and through fiscal year 2007  
17 for the disbursement of direct and guaranteed loans obli-  
18 gated in fiscal year 1999: *Provided further*, That in addi-  
19 tion, such sums as may be necessary for administrative  
20 expenses to carry out the credit program may be derived  
21 from amounts available for administrative expenses to  
22 carry out the credit and insurance programs in the Over-  
23 seas Private Investment Corporation Noncredit Account  
24 and merged with said account.

1 FUNDS APPROPRIATED TO THE PRESIDENT

2 TRADE AND DEVELOPMENT AGENCY

3 For necessary expenses to carry out the provisions  
 4 of section 661 of the Foreign Assistance Act of 1961,  
 5 \$43,000,000, to remain available until September 30,  
 6 1999: *Provided*, That the Trade and Development Agency  
 7 may receive reimbursements from corporations and other  
 8 entities for the costs of grants for feasibility studies and  
 9 other project planning services, to be deposited as an off-  
 10 setting collection to this account and to be available for  
 11 obligation until September 30, 1999, for necessary ex-  
 12 penses under this paragraph: *Provided further*, That such  
 13 reimbursements shall not cover, or be allocated against,  
 14 direct or indirect administrative costs of the agency.

15 TITLE II—BILATERAL ECONOMIC ASSISTANCE

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 For expenses necessary to enable the President to  
 18 carry out the provisions of the Foreign Assistance Act of  
 19 1961, and for other purposes, to remain available until  
 20 September 30, 1998, unless otherwise specified herein, as  
 21 follows:

22 AGENCY FOR INTERNATIONAL DEVELOPMENT

23 DEVELOPMENT ASSISTANCE

24 (INCLUDING TRANSFER OF FUNDS)

25 For necessary expenses to carry out the provisions  
 26 of sections 103 through 106 and chapter 10 of part I of

1 the Foreign Assistance Act of 1961, title V of the Inter-  
2 national Security and Development Cooperation Act of  
3 1980 (Public Law 96–533) and the provisions of section  
4 401 of the Foreign Assistance Act of 1969,  
5 \$1,358,093,020, to remain available until September 30,  
6 1999: *Provided*, That of the amount appropriated under  
7 this heading, up to \$18,000,000 may be made available  
8 for the Inter-American Foundation and shall be appor-  
9 tioned directly to that Agency: *Provided further*, That of  
10 the amount appropriated under this heading, up to  
11 \$10,500,000 may be made available for the African Devel-  
12 opment Foundation and shall be apportioned directly to  
13 that agency: *Provided further*, That of the funds appro-  
14 priated under title II of this Act that are administered  
15 by the Agency for International Development and made  
16 available for family planning assistance, not less than 65  
17 per centum shall be made available directly to the agency's  
18 central Office of Population and shall be programmed by  
19 that office for family planning activities: *Provided further*,  
20 That of the funds made available under this heading, not  
21 less than \$30,000,000, above the amount of funds made  
22 available to combat infectious diseases in the fiscal year  
23 1997, shall be made available to strengthen global surveil-  
24 lance and control of infectious diseases: *Provided further*,  
25 That such funds shall be subject to the regular notification

1 procedures of the Committees on Appropriations: *Provided*  
2 *further*, That none of the funds made available in this Act  
3 nor any unobligated balances from prior appropriations  
4 may be made available to any organization or program  
5 which, as determined by the President of the United  
6 States, supports or participates in the management of a  
7 program of coercive abortion or involuntary sterilization:  
8 *Provided further*, That none of the funds made available  
9 under this heading may be used to pay for the perform-  
10 ance of abortion as a method of family planning or to mo-  
11 tivate or coerce any person to practice abortions; and that  
12 in order to reduce reliance on abortion in developing na-  
13 tions, funds shall be available only to voluntary family  
14 planning projects which offer, either directly or through  
15 referral to, or information about access to, a broad range  
16 of family planning methods and services: *Provided further*,  
17 That in awarding grants for natural family planning  
18 under section 104 of the Foreign Assistance Act of 1961  
19 no applicant shall be discriminated against because of  
20 such applicant's religious or conscientious commitment to  
21 offer only natural family planning; and, additionally, all  
22 such applicants shall comply with the requirements of the  
23 previous proviso: *Provided further*, That for purposes of  
24 this or any other Act authorizing or appropriating funds  
25 for foreign operations, export financing, and related pro-



grams, the term “motivate”, as it relates to family planning assistance, shall not be construed to prohibit the provision, consistent with local law, of information or counseling about all pregnancy options: *Provided further*, That nothing in this paragraph shall be construed to alter any existing statutory prohibitions against abortion under section 104 of the Foreign Assistance Act of 1961: *Provided further*, That, notwithstanding section 109 of the Foreign Assistance Act of 1961, of the funds appropriated under this heading in this Act, and of the unobligated balances of funds previously appropriated under this heading, \$2,500,000 shall be transferred to “International Organizations and Programs” for a contribution to the International Fund for Agricultural Development (IFAD), and that any such transfer of funds shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That of the funds appropriated under this heading that are made available for assistance programs for displaced and orphaned children and victims of war, not to exceed \$25,000, in addition to funds otherwise available for such purposes, may be used to monitor and provide oversight of such programs: *Provided further*, That of the funds appropriated under this heading, not less than \$15,000,000 shall be available for the American Schools and Hospitals Abroad Program:

1 *Provided further*, That not less than \$500,000 of the funds  
 2 appropriated under this heading shall be made available  
 3 only for support of the United States Telecommunications  
 4 Training Institute.

5           POPULATION, DEVELOPMENT ASSISTANCE

6       For necessary expenses to carry out the provisions  
 7 of section 104(b) of the Foreign Assistance Act of 1961,  
 8 \$435,000,000, to remain available until September 30,  
 9 1999.

10                           CYPRUS

11       Of the funds appropriated under the headings “De-  
 12 velopment Assistance” and “Economic Support Fund”,  
 13 not less than \$15,000,000 shall be made available for Cy-  
 14 prus to be used only for scholarships, administrative sup-  
 15 port of the scholarship program, bicommunal projects, and  
 16 measures aimed at reunification of the island and designed  
 17 to reduce tensions and promote peace and cooperation be-  
 18 tween the two communities on Cyprus.

19                           BURMA

20       Of the funds appropriated under the heading “Devel-  
 21 opment Assistance”, not less than \$5,000,000 shall be  
 22 made available to support activities in Burma, along the  
 23 Burma-Thailand border, and for activities of Burmese stu-  
 24 dent groups and other organizations located outside  
 25 Burma: *Provided*, That \$3,000,000 of these funds shall  
 26 be made available for the purposes of fostering democracy,

1 including not less than \$200,000 to be made available for  
 2 newspapers, media, and publications promoting democracy  
 3 for Burma: *Provided further*, That \$2,000,000 of these  
 4 funds shall be made available to support the provision of  
 5 medical supplies and services and other humanitarian as-  
 6 sistance to Burmese located in Burma or displaced Bur-  
 7 mese along the borders: *Provided further*, That funds  
 8 made available for Burma related activities under this  
 9 heading may be made available notwithstanding any other  
 10 provision of law: *Provided further*, That provision of such  
 11 funds shall be made available subject to the regular notifi-  
 12 cation procedures of the Committees on Appropriations.

#### 13 CAMBODIA

14 Of the funds appropriated under the headings “Eco-  
 15 nomic Support Fund” and “Development Assistance”, not  
 16 less than \$40,000,000 should be available for Cambodia:  
 17 *Provided*, That of these funds \$12,000,000 shall be made  
 18 available for the promotion of rule of law and political re-  
 19 form including support for an independent election com-  
 20 mission, voter registration and regulatory and legal re-  
 21 forms associated with national and municipal elections:  
 22 *Provided further*, That none of the funds made available  
 23 by this Act for Cambodia may be made available for eco-  
 24 nomic growth activities until the Secretary of State deter-  
 25 mines and reports to the Committees on Appropriations  
 26 that the Government of Cambodia has taken significant

1 steps to (1) end political violence and intimidation of oppo-  
 2 sition parties and members; (2) establish an independent  
 3 election commission; (3) protect the rights of voters, can-  
 4 didates and election participants by establishing electoral  
 5 laws and procedures guaranteeing freedom of speech and  
 6 assembly; and (4) eliminate official corruption and collabo-  
 7 ration with narcotics smugglers: *Provided further*, That 30  
 8 days after the date of enactment of this Act, the Secretary  
 9 of State, in consultation with the Director of the Federal  
 10 Bureau of Investigations, shall report to the Committees  
 11 on Appropriations on the results of the investigation con-  
 12 ducted by the FBI into the bombing attack in Phnom  
 13 Penh on March 30, 1997.

#### 14 GUATEMALA CLARIFICATION COMMISSION

15 Of the funds made available under the headings “De-  
 16 velopment Assistance” and “Economic Support Fund”, not  
 17 less than \$1,000,000 shall be made available to support  
 18 the Guatemala Clarification Commission.

#### 19 INTERNATIONAL DISASTER ASSISTANCE

20 For necessary expenses for international disaster re-  
 21 lief, rehabilitation, and reconstruction assistance pursuant  
 22 to section 491 of the Foreign Assistance Act of 1961, as  
 23 amended, \$195,000,000, to remain available until ex-  
 24 pended.

## DEBT RESTRUCTURING

1  
2 For the cost, as defined in section 502 of the Con-  
3 gressional Budget Act of 1974, of modifying direct loans  
4 and loan guarantees, as the President may determine, for  
5 which funds have been appropriated or otherwise made  
6 available for programs within the International Affairs  
7 Budget Function 150, including the cost of selling, reduc-  
8 ing, or canceling amounts, through debt buybacks and  
9 swaps, owed to the United States as a result of  
10 concessional loans made to eligible Latin American and  
11 Caribbean countries, pursuant to part IV of the Foreign  
12 Assistance Act of 1961, and of modifying concessional  
13 loans authorized under title I of the Agricultural Trade  
14 Development and Assistance Act of 1954, as amended, as  
15 authorized under subsection (a) under the heading “Debt  
16 Reduction for Jordan” in title VI of Public Law 103–306  
17 and (b) direct loans extended to least developed countries,  
18 as authorized under section 411 of the Agriculture Trade  
19 and Assistance Act of 1954 as amended; \$34,000,000, to  
20 remain available until expended: *Provided*, That none of  
21 the funds appropriated under this heading shall be obli-  
22 gated except as provided through the regular notification  
23 procedures of the Committees on Appropriations.

1 MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM  
2 ACCOUNT

3 For the cost of direct loans and loan guarantees,  
4 \$1,500,000, as authorized by section 108 of the Foreign  
5 Assistance Act of 1961, as amended: *Provided*, That such  
6 costs shall be as defined in section 502 of the Congres-  
7 sional Budget Act of 1974: *Provided further*, That guaran-  
8 tees of loans made under this heading in support of micro-  
9 enterprise activities may guarantee up to 70 per centum  
10 of the principal amount of any such loans notwithstanding  
11 section 108 of the Foreign Assistance Act of 1961. In ad-  
12 dition, for administrative expenses to carry out programs  
13 under this heading, \$500,000, all of which may be trans-  
14 ferred to and merged with the appropriation for Operating  
15 Expenses of the Agency for International Development:  
16 *Provided further*, That funds made available under this  
17 heading shall remain available until September 30, 1999.

18 URBAN AND ENVIRONMENTAL CREDIT PROGRAM  
19 ACCOUNT

20 For the cost, as defined in section 502 of the Con-  
21 gressional Budget Act of 1974, of guaranteed loans au-  
22 thorized by sections 221 and 222 of the Foreign Assist-  
23 ance Act of 1961, \$3,000,000, to remain available until  
24 September 30, 1999: *Provided*, That these funds are avail-  
25 able to subsidize loan principal, 100 per centum of which  
26 shall be guaranteed, pursuant to the authority of such sec-

1 tions. In addition, for administrative expenses to carry out  
 2 guaranteed loan programs, \$6,000,000, all of which may  
 3 be transferred to and merged with the appropriation for  
 4 Operating Expenses of the Agency for International De-  
 5 velopment: *Provided further*, That commitments to guar-  
 6 antee loans under this heading may be entered into not-  
 7 withstanding the second and third sentences of section  
 8 222(a) and, with regard to programs for Central and  
 9 Eastern Europe and programs for the benefit of South  
 10 Africans disadvantaged by apartheid, section 223(j) of the  
 11 Foreign Assistance Act of 1961.

12 PRIVATE AND VOLUNTARY ORGANIZATIONS

13 None of the funds appropriated or otherwise made  
 14 available by this Act for development assistance may be  
 15 made available to any United States private and voluntary  
 16 organization, except any cooperative development organi-  
 17 zation, which obtains less than 20 per centum of its total  
 18 annual funding for international activities from sources  
 19 other than the United States Government: *Provided*, That  
 20 the requirements of the provisions of section 123(g) of the  
 21 Foreign Assistance Act of 1961 and the provisions on pri-  
 22 vate and voluntary organizations in title II of the “Foreign  
 23 Assistance and Related Programs Appropriations Act,  
 24 1985” (as enacted in Public Law 98–473) shall be super-  
 25 seded by the provisions of this section, except that the au-  
 26 thority contained in the last sentence of section 123(g)

1 may be exercised by the Administrator with regard to the  
 2 requirements of this paragraph.

3 Funds appropriated or otherwise made available  
 4 under title II of this Act should be made available to pri-  
 5 vate and voluntary organizations at a level which is at  
 6 least equivalent to the level provided in fiscal year 1995.  
 7 Such private and voluntary organizations shall include  
 8 those which operate on a not-for-profit basis, receive con-  
 9 tributions from private sources, receive voluntary support  
 10 from the public and are deemed to be among the most  
 11 cost-effective and successful providers of development as-  
 12 sistance.

13 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
 14 DISABILITY FUND

15 For payment to the “Foreign Service Retirement and  
 16 Disability Fund”, as authorized by the Foreign Service  
 17 Act of 1980, \$44,208,000.

18 OPERATING EXPENSES OF THE AGENCY FOR  
 19 INTERNATIONAL DEVELOPMENT

20 For necessary expenses to carry out the provisions  
 21 of section 667, \$473,000,000, to remain available until  
 22 September 30, 1999: *Provided*, That none of the funds  
 23 appropriated by this Act for programs administered by the  
 24 Agency for International Development may be used to fi-  
 25 nance printing costs of any report or study (except fea-  
 26 sibility, design, or evaluation reports or studies) in excess



1 of \$25,000 without the approval of the Administrator of  
 2 the Agency or the Administrator's designee.

3 OPERATING EXPENSES OF THE AGENCY FOR INTER-  
 4 NATIONAL DEVELOPMENT OFFICE OF INSPECTOR  
 5 GENERAL

6 For necessary expenses to carry out the provisions  
 7 of section 667, \$29,047,000, to remain available until Sep-  
 8 tember 30, 1999, which sum shall be available for the Of-  
 9 fice of the Inspector General of the Agency for Inter-  
 10 national Development.

11 OTHER BILATERAL ECONOMIC ASSISTANCE  
 12 ECONOMIC SUPPORT FUND

13 For necessary expenses to carry out the provisions  
 14 of chapter 4 of part II, \$2,585,100,000, to remain avail-  
 15 able until September 30, 1999: *Provided*, That of the  
 16 funds appropriated under this heading, not less than  
 17 \$1,200,000,000 shall be available only for Israel, which  
 18 sum shall be available on a grant basis as a cash transfer  
 19 and shall be disbursed within thirty days of enactment of  
 20 this Act or by October 31, 1997, whichever is later: *Pro-*  
 21 *vided further*, That in exercising the authority to provide  
 22 cash transfer assistance for Israel, the President shall en-  
 23 sure that the level of such assistance does not cause an  
 24 adverse impact on the total level of nonmilitary exports  
 25 from the United States to such country: *Provided further*,  
 26 That of the funds appropriated under this heading, not

1 less than \$150,000,000 shall be made available for Jor-  
2 dan.

3 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC  
4 STATES

5 (a) For necessary expenses to carry out the provisions  
6 of the Foreign Assistance Act of 1961 and the Support  
7 for East European Democracy (SEED) Act of 1989,  
8 \$485,000,000, to remain available until September 30,  
9 1999, which shall be available, notwithstanding any other  
10 provision of law, for economic assistance and for related  
11 programs for Eastern Europe and the Baltic States.

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

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

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

3 (d) With regard to funds appropriated or otherwise  
4 made available under this heading for the economic re-  
5 talization program in Bosnia and Herzegovina, and local  
6 currencies generated by such funds (including the conver-  
7 sion of funds appropriated under this heading into cur-  
8 rency used by Bosnia and Herzegovina as local currency  
9 and local currency returned or repaid under such pro-  
10 gram)—

11 (1) the Administrator of the Agency for Inter-  
12 national Development shall provide written approval  
13 for grants and loans prior to the obligation and ex-  
14 penditure of funds for such purposes, and prior to  
15 the use of funds that have been returned or repaid  
16 to any lending facility or grantee; and

17 (2) the provisions of section 533 of this Act  
18 shall apply.

19 (e) Funds appropriated under this heading may not  
20 be made available for economic revitalization programs in  
21 Bosnia and Herzegovina, if the President determines and  
22 certifies to the Committees on Appropriations that the  
23 Federation of Bosnia and Herzegovina has not complied  
24 with article III of annex 1–A of the General Framework  
25 Agreement for Peace in Bosnia and Herzegovina concern-

1 ing the withdrawal of foreign forces, and that intelligence  
2 cooperation on training, investigations, and related activi-  
3 ties between Iranian officials and Bosnian officials has not  
4 been terminated.

5 ASSISTANCE FOR THE NEW INDEPENDENT STATES OF  
6 THE FORMER SOVIET UNION

7 (a) For necessary expenses to carry out the provisions  
8 of chapter 11 of part I of the Foreign Assistance Act of  
9 1961 and the FREEDOM Support Act, for assistance for  
10 the New Independent States of the former Soviet Union  
11 and for related programs, \$800,000,000, to remain avail-  
12 able until September 30, 1999: *Provided*, That the provi-  
13 sions of such chapter shall apply to funds appropriated  
14 by this paragraph.

15 (b) None of the funds appropriated under this head-  
16 ing shall be made available to a Government of the New  
17 Independent States of the former Soviet Union—

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

24 (2) if that Government applies or transfers  
25 United States assistance to any entity for the pur-

1       pose of expropriating or seizing ownership or control  
2       of assets, investments, or ventures.

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

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

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

1 (e) Funds appropriated under this heading shall be  
2 subject to the regular notification procedures of the Com-  
3 mittees on Appropriations.

4 (f) Funds made available in this Act for assistance  
5 to the New Independent States of the former Soviet Union  
6 shall be subject to the provisions of section 117 (relating  
7 to environment and natural resources) of the Foreign As-  
8 sistance Act of 1961.

9 (g) Of the funds appropriated under title II of this  
10 Act, including funds appropriated under this heading, not  
11 less than \$12,000,000 shall be available only for assist-  
12 ance for Mongolia: *Provided*, That funds made available  
13 for assistance for Mongolia may be made available in ac-  
14 cordance with the purposes and utilizing the authorities  
15 provided in chapter 11 of part I of the Foreign Assistance  
16 Act of 1961.

17 (h) Funds made available in this Act for assistance  
18 to the New Independent States of the former Soviet Union  
19 shall be provided to the maximum extent feasible through  
20 the private sector, including small- and medium-size busi-  
21 nesses, entrepreneurs, and others with indigenous private  
22 enterprises in the region, intermediary development orga-  
23 nizations committed to private enterprise, and private vol-  
24 untary organizations: *Provided*, That grantees and con-  
25 tractors should, to the maximum extent possible, place in

1 key staff positions specialists with prior on the ground ex-  
2 pertise in the region of activity and fluency in one of the  
3 local languages.

4 (i) In issuing new task orders, entering into con-  
5 tracts, or making grants, with funds appropriated under  
6 this heading or in prior appropriations Acts, for projects  
7 or activities that have as one of their primary purposes  
8 the fostering of private sector development, the Coordina-  
9 tor for United States Assistance to the New Independent  
10 States and the implementing agency shall encourage the  
11 participation of and give significant weight to contractors  
12 and grantees who propose investing a significant amount  
13 of their own resources (including volunteer services and  
14 in-kind contributions) in such projects and activities.

15 (j) Of the funds appropriated under this heading, not  
16 less than \$225,000,000 shall be made available for  
17 Ukraine: *Provided*, That of this amount not less than  
18 \$8,000,000 shall be made available to support law enforce-  
19 ment institutions and training, not less than \$25,000,000  
20 shall be made available for nuclear reactor safety pro-  
21 grams, and not less than \$5,000,000 shall be made avail-  
22 able for political party and related institutional develop-  
23 ment: *Provided further*, That 50 per centum of the amount  
24 made available for Ukraine by this subsection, exclusive  
25 of funds made available in the previous proviso, shall be

1 withheld from obligation and expenditure until the Sec-  
2 retary of State determines and certifies that the Govern-  
3 ment of Ukraine has taken meaningful steps: (1) to en-  
4 force the April 10, 1997 Anti-Corruption Presidential de-  
5 cree; (2) to privatize state owned agricultural storage, dis-  
6 tribution, equipment and supply monopolies; and (3) to  
7 resolve cases involving U.S. business complaints and es-  
8 tablish a permanent legal mechanism for commercial dis-  
9 pute resolution.

10 (k) Of the funds appropriated under this heading, not  
11 less than \$100,000,000 shall be made available for Geor-  
12 gia, of which not less than \$10,000,000 shall be made  
13 available to support energy development and privatization  
14 initiatives: *Provided*, That not less than \$15,000,000 shall  
15 be made available for development of border security tele-  
16 communications infrastructure: *Provided further*, That not  
17 less than \$7,000,000 shall be available for judicial reform  
18 and law enforcement training: *Provided further*, That not  
19 less than \$5,000,000 shall be made available to support  
20 training for border and customs control: *Provided further*,  
21 That not less than \$3,000,000 shall be made available to  
22 support political party and related institutional develop-  
23 ment: *Provided further*, That not less than \$5,000,000  
24 shall be available for Supsa urban and commercial devel-  
25 opment: *Provided further*, That up to \$7,000,000 may be



1 made available for business and education exchanges and  
2 related activities.

3 (l) Of the funds made available under this heading,  
4 not less than \$95,000,000 shall be made available for Ar-  
5 menia.

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

18 (n) None of the funds appropriated under this head-  
19 ing may be made available for Russia unless the President  
20 determines and certifies in writing to the Committees on  
21 Appropriations that the Government of Russia has termi-  
22 nated implementation of arrangements to provide Iran  
23 with technical expertise, training, technology, or equip-  
24 ment necessary to develop a nuclear reactor or related nu-  
25 clear research facilities or programs.

1       (o) Of the funds appropriated under this heading, not  
2 less than \$10,000,000 shall be made available for a United  
3 States contribution to the Trans-Caucasus Enterprise  
4 Fund: *Provided*, That to further the development of the  
5 private sector in the Trans-Caucasus, such amount may  
6 be invested in a Trans-Caucasus Enterprise Fund or in-  
7 vested in other funds established by public or private orga-  
8 nizations, or transferred to the Overseas Private Invest-  
9 ment Corporation to be available, subject to the require-  
10 ments of the Federal Credit Reform Act, to subsidize the  
11 costs of direct and guaranteed loans.

12       (p) Funds made available under this Act or any other  
13 Act may not be provided for assistance to the Government  
14 of Azerbaijan until the President determines, and so re-  
15 ports to the Congress, that the Government of Azerbaijan  
16 is taking demonstrable steps to cease all blockades and  
17 other offensive uses of force against Armenia and  
18 Nagorno-Karabakh: *Provided*, That the restriction of this  
19 subsection and section 907 of the FREEDOM Support  
20 Act shall not apply to—

21               (1) activities to support electoral and political  
22 reforms or assistance under title V of the FREE-  
23 DOM Support Act and section 1424 of the “Na-  
24 tional Defense Authorization Act for Fiscal Year  
25 1997”;

1           (2) any insurance, reinsurance, guarantee, or  
 2           other assistance provided by the Overseas Private  
 3           Investment Corporation under title IV of chapter 2  
 4           of part I of the Foreign Assistance Act of 1961 (22  
 5           U.S.C. 2191 et seq.);

6           (3) any assistance provided by the Trade and  
 7           Development Agency under section 661 of the For-  
 8           eign Assistance Act of 1961 (22 U.S.C. 2421);

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

12          (5) any activity carried out by a member of the  
 13          Foreign Commercial Service while acting within his  
 14          or her official capacity.

#### 15                               INDEPENDENT AGENCY

#### 16                               PEACE CORPS

17          For expenses necessary to carry out the provisions  
 18          of the Peace Corps Act (75 Stat. 612), \$206,000,000, in-  
 19          cluding the purchase of not to exceed five passenger motor  
 20          vehicles for administrative purposes for use outside of the  
 21          United States: *Provided*, That none of the funds appro-  
 22          priated under this heading shall be used to pay for abor-  
 23          tions: *Provided further*, That funds appropriated under  
 24          this heading shall remain available until September 30,  
 25          1999.

## 1 DEPARTMENT OF STATE

## 2 INTERNATIONAL NARCOTICS CONTROL

3 For necessary expenses to carry out section 481 of  
4 the Foreign Assistance Act of 1961, \$216,200,000: *Pro-*  
5 *vided*, That of these funds not less than \$10,000,000 shall  
6 be made available for Law Enforcement Training and De-  
7 mand Reduction: *Provided further*, That not less than  
8 \$22,000,000 shall be made available for anti-crime pro-  
9 grams: *Provided further*, That none of the funds appro-  
10 priated under this heading that are made available for  
11 counter-narcotics activities may be obligated or expended  
12 until the Secretary of State submits a report to the Com-  
13 mittees on Appropriations containing: (1) a list of all  
14 countries in which the United States carries out inter-  
15 national counter-narcotics activities; (2) the number, mis-  
16 sion and agency affiliation of U.S. personnel assigned to  
17 each such country; and (3) all costs and expenses obli-  
18 gated for each program, project or activity by each U.S.  
19 agency in each country: *Provided further*, That funds ap-  
20 propriated under this heading shall be provided subject to  
21 the regular notification procedures of the Committees on  
22 Appropriations.

## 23 MIGRATION AND REFUGEE ASSISTANCE

24 For expenses, not otherwise provided for, necessary  
25 to enable the Secretary of State to provide, as authorized  
26 by law, a contribution to the International Committee of

1 the Red Cross, assistance to refugees, including contribu-  
 2 tions to the International Organization for Migration and  
 3 the United Nations High Commissioner for Refugees, and  
 4 other activities to meet refugee and migration needs; sala-  
 5 ries and expenses of personnel and dependents as author-  
 6 ized by the Foreign Service Act of 1980; allowances as  
 7 authorized by sections 5921 through 5925 of title 5, Unit-  
 8 ed States Code; purchase and hire of passenger motor ve-  
 9 hicles; and services as authorized by section 3109 of title  
 10 5, United States Code, \$650,000,000: *Provided*, That not  
 11 more than \$12,000,000 shall be available for administra-  
 12 tive expenses: *Provided further*, That not less than  
 13 \$80,000,000 shall be made available for refugees from the  
 14 former Soviet Union and Eastern Europe and other refu-  
 15 gees resettling in Israel.

16 UNITED STATES EMERGENCY REFUGEE AND MIGRATION  
 17 ASSISTANCE FUND

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

1   NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND  
 2                                   RELATED PROGRAMS

3       For necessary expenses for nonproliferation, anti-ter-  
 4 rorism and related programs and activities, \$129,000,000,  
 5 to carry out the provisions of chapter 8 of part II of the  
 6 Foreign Assistance Act of 1961 for anti-terrorism assist-  
 7 ance, section 504 of the FREEDOM Support Act for the  
 8 Nonproliferation and Disarmament Fund, section 23 of  
 9 the Arms Export Control Act for demining activities, not-  
 10 withstanding any other provision of law, including activi-  
 11 ties implemented through nongovernmental and inter-  
 12 national organizations, section 301 of the Foreign Assist-  
 13 ance Act of 1961 for a voluntary contribution to the Inter-  
 14 national Atomic Energy Agency (IAEA) and a voluntary  
 15 contribution to the Korean Peninsula Energy Develop-  
 16 ment Organization (KEDO): *Provided*, That of this  
 17 amount not to exceed \$15,000,000, to remain available  
 18 until expended, may be made available for the Non-  
 19 proliferation and Disarmament Fund, notwithstanding  
 20 any other provision of law, to promote bilateral and multi-  
 21 lateral activities relating to nonproliferation and disar-  
 22 mament: *Provided further*, That such funds may also be  
 23 used for such countries other than the New Independent  
 24 States of the former Soviet Union and international orga-  
 25 nizations when it is in the national security interest of the

1 United States to do so: *Provided further*, That such funds  
2 shall be subject to the regular notification procedures of  
3 the Committees on Appropriations: *Provided further*, That  
4 funds appropriated under this heading may be made avail-  
5 able for the International Atomic Energy Agency only if  
6 the Secretary of State determines (and so reports to the  
7 Congress) that Israel is not being denied its right to par-  
8 ticipate in the activities of that Agency: *Provided further*,  
9 That not to exceed \$30,000,000 may be made available  
10 to the Korean Peninsula Energy Development Organiza-  
11 tion (KEDO) only for the administrative expenses and  
12 heavy fuel oil costs associated with the Agreed Frame-  
13 work: *Provided further*, That such funds may be obligated  
14 to KEDO only if, thirty days prior to such obligation of  
15 funds, the President certifies and so reports to Congress  
16 that: (1)(A) the parties to the Agreed Framework are tak-  
17 ing steps to assure that progress is made on the implemen-  
18 tation of the January 1, 1992, Joint Declaration on the  
19 Denuclearization of the Korean Peninsula and the imple-  
20 mentation of the North-South dialogue, and (B) North  
21 Korea is complying with the other provisions of the Agreed  
22 Framework between North Korea and the United States  
23 and with the Confidential Minute; (2) North Korea is co-  
24 operating fully in the canning and safe storage of all spent  
25 fuel from its graphite-moderated nuclear reactors and that

1 such canning and safe storage is scheduled to be com-  
2 pleted by the end of fiscal year 1997; and (3) North Korea  
3 has not significantly diverted assistance provided by the  
4 United States for purposes for which it was not intended:  
5 *Provided further*, That the President may waive the certifi-  
6 cation requirements of the preceding proviso if the Presi-  
7 dent determines that it is vital to the national security  
8 interests of the United States: *Provided further*, That no  
9 funds may be obligated for KEDO until 30 days after sub-  
10 mission to Congress of the waiver permitted under the pre-  
11 ceding proviso: *Provided further*, That the obligation of  
12 any funds for KEDO shall be subject to the regular notifi-  
13 cation procedures of the Committees on Appropriations:  
14 *Provided further*, That the Secretary of State shall submit  
15 to the appropriate congressional committees an annual re-  
16 port (to be submitted with the annual presentation for ap-  
17 propriations) providing a full and detailed accounting of  
18 the fiscal year request for the United States contribution  
19 to KEDO, the expected operating budget of the Korean  
20 Peninsula Energy Development Organization, to include  
21 unpaid debt, proposed annual costs associated with heavy  
22 fuel oil purchases, and the amount of funds pledged by  
23 other donor nations and organizations to support KEDO  
24 activities on a per country basis, and other related activi-  
25 ties: *Provided further*, That of the funds made available



1 under this heading, up to \$14,000,000 may be made avail-  
 2 able to the Korean Peninsula Economic Development Or-  
 3 ganization (KEDO), in addition to funds otherwise made  
 4 available under this heading for KEDO, if the Secretary  
 5 of State certifies and reports to the Committees on Appro-  
 6 priations that, except for the funds made available under  
 7 this proviso, funds sufficient to cover all outstanding debts  
 8 owed by KEDO for heavy fuel oil have been provided to  
 9 KEDO.

### 10 TITLE III—MILITARY ASSISTANCE

#### 11 FUNDS APPROPRIATED TO THE PRESIDENT

##### 12 INTERNATIONAL MILITARY EDUCATION AND TRAINING

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

##### 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, \$3,265,000,000: *Provided*, That

1 of the funds appropriated under this heading, not less  
2 than \$1,800,000,000 shall be available for grants only for  
3 Israel: *Provided further*, That the funds appropriated by  
4 this paragraph for Israel shall be disbursed within thirty  
5 days of enactment of this Act or by October 31, 1997,  
6 whichever is later: *Provided further*, That to the extent  
7 that the Government of Israel requests that funds be used  
8 for such purposes, grants made available for Israel by this  
9 paragraph may, as agreed by Israel and the United States,  
10 be available for advanced weapons systems, of which not  
11 less than \$475,000,000 shall be available for the procure-  
12 ment in Israel of defense articles and defense services, in-  
13 cluding research and development: *Provided further*, That  
14 of the funds appropriated by this paragraph, not less than  
15 \$100,000,000 shall be available for assistance for Jordan:  
16 *Provided further*, That of the funds appropriated by this  
17 paragraph, a total of \$12,000,000 shall be available for  
18 assistance for Estonia, Latvia, and Lithuania: *Provided*  
19 *further*, That funds appropriated by this paragraph shall  
20 be nonrepayable notwithstanding any requirement in sec-  
21 tion 23 of the Arms Export Control Act.

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, \$74,000,000: *Provided*, That these

1 funds are available to subsidize gross obligations for the  
2 principal amount of direct loans of not to exceed  
3 \$759,500,000: *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 of the funds appropriated under this  
8 paragraph, a total of \$8,000,000 shall be available for as-  
9 sistance to Estonia, Latvia, and Lithuania: *Provided fur-*  
10 *ther*, That funds appropriated under this paragraph shall  
11 be made available for Greece and Turkey only on a loan  
12 basis, and the principal amount of direct loans for each  
13 country shall not exceed the following: \$122,500,000 only  
14 for Greece and \$175,000,000 only for Turkey.

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

tion 515 of this Act: *Provided further*, That none of the funds appropriated under this heading shall be available for Sudan, Liberia, and Guatemala: *Provided further*, That funds made available under this heading may be used, notwithstanding any other provision of law, for activities related to the clearance of landmines and unexploded ordnance, and may include activities implemented through nongovernmental and international organizations: *Provided further*, That only those countries for which assistance was justified for the “Foreign Military Sales Financing Program” in the fiscal year 1989 congressional presentation for security assistance programs may utilize funds made available under this heading for procurement of defense articles, defense services or design and construction services that are not sold by the United States Government under the Arms Export Control Act: *Provided further*, That, subject to the regular notification procedures of the Committees on Appropriations, funds made available under this heading for the cost of direct loans may also be used to supplement the funds available under this heading for grants, and funds made available under this heading for grants may also be used to supplement the funds available under this heading for the cost of direct loans: *Provided further*, That funds appropriated under this heading shall be expended at the minimum rate

1 necessary to make timely payment for defense articles and  
 2 services: *Provided further*, That not more than  
 3 \$23,250,000 of the funds appropriated under this heading  
 4 may be obligated for necessary expenses, including the  
 5 purchase of passenger motor vehicles for replacement only  
 6 for use outside of the United States, for the general costs  
 7 of administering military assistance and sales: *Provided*  
 8 *further*, That not more than \$355,000,000 of funds real-  
 9 ized pursuant to section 21(e)(1)(A) of the Arms Export  
 10 Control Act may be obligated for expenses incurred by the  
 11 Department of Defense during fiscal year 1998 pursuant  
 12 to section 43(b) of the Arms Export Control Act, except  
 13 that this limitation may be exceeded only through the reg-  
 14 ular notification procedures of the Committees on Appro-  
 15 priations.

#### 16 PEACEKEEPING OPERATIONS

17 For necessary expenses to carry out the provisions  
 18 of section 551 of the Foreign Assistance Act of 1961,  
 19 \$75,000,000: *Provided*, That none of the funds appro-  
 20 priated under this heading shall be obligated or expended  
 21 except as provided through the regular notification proce-  
 22 dures of the Committees on Appropriations: *Provided fur-*  
 23 *ther*, That none of the funds made available under this  
 24 heading for the Multilateral Force and Observers until the  
 25 Secretary of State submits a report to the Committees on

1 Appropriations on the status of efforts to retain a new  
 2 Director General of that organization.

3 TITLE IV—MULTILATERAL ECONOMIC  
 4 ASSISTANCE

5 FUNDS APPROPRIATED TO THE PRESIDENT  
 6 INTERNATIONAL FINANCIAL INSTITUTIONS  
 7 CONTRIBUTION TO THE INTERNATIONAL BANK FOR  
 8 RECONSTRUCTION AND DEVELOPMENT

9 For payment to the International Bank for Recon-  
 10 struction and Development by the Secretary of the Treas-  
 11 ury, for the United States contribution to the Global Envi-  
 12 ronment Facility (GEF), \$60,000,000, to remain available  
 13 until September 30, 1999.

14 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT  
 15 ASSOCIATION

16 For payment to the International Development Asso-  
 17 ciation by the Secretary of the Treasury, \$950,000,000,  
 18 to remain available until expended, of which \$150,000,000  
 19 shall be available to pay for the tenth replenishment: *Pro-*  
 20 *vided*, That none of the funds may be obligated or made  
 21 available until the Secretary of the Treasury certifies to  
 22 the Committees on Appropriations that all procurement  
 23 restrictions imposed by the Interim Trust Fund have been  
 24 lifted and that the balance available for open competition  
 25 in such Fund approximates \$1,000,000,000.

3       For payment to the Inter-American Development  
4 Bank by the Secretary of the Treasury, for the United  
5 States share of the paid-in share portion of the increase  
6 in capital stock, \$25,610,667, and for the United States  
7 share of the increase in the resources of the Fund for Spe-  
8 cial Operations, \$20,835,000, to remain available until ex-  
9 pended.

11       The United States Governor of the Inter-American  
12 Development Bank may subscribe without fiscal year limi-  
13 tation to the callable capital portion of the United States  
14 share of such capital stock in an amount not to exceed  
15 \$1,503,718,910.

## 17 MULTILATERAL INVESTMENT FUND

25 For payment to the Asian Development Bank by the  
26 Secretary of the Treasury for the United States share of

1 the paid-in portion of the increase in capital stock,  
2 \$13,221,596, to remain available until expended.

3       LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

4       The United States Governor of the Asian Develop-  
5 ment Bank may subscribe without fiscal year limitation  
6 to the callable capital portion of the United States share  
7 of such capital stock in an amount not to exceed  
8 \$647,858,204.

9       CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

10       For the United States contribution by the Secretary  
11 of the Treasury to the increases in resources of the Asian  
12 Development Fund, as authorized by the Asian Develop-  
13 ment Bank Act, as amended (Public Law 89–369),  
14 \$140,000,000, of which \$40,000,000 shall be available for  
15 contributions previously due, to remain available until ex-  
16 pended.

17       CONTRIBUTION TO THE EUROPEAN BANK FOR

18               RECONSTRUCTION AND DEVELOPMENT

19       For payment to the European Bank for Reconstruc-  
20 tion and Development by the Secretary of the Treasury,  
21 \$35,778,717, for the United States share of the paid-in  
22 portion of the increase in capital stock, to remain available  
23 until expended.

24       LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

25       The United States Governor of the European Bank  
26 for Reconstruction and Development may subscribe with-



1 out fiscal year limitation to the callable capital portion of  
2 the United States share of such capital stock in an amount  
3 not to exceed \$123,237,803.

4 NORTH AMERICAN DEVELOPMENT BANK

5 For payment to the North American Development  
6 Bank by the Secretary of the Treasury, for the United  
7 States share of the paid-in portion of the capital stock,  
8 \$56,500,000, to remain available until expended: *Pro-*  
9 *vided*, That none of the funds appropriated under this  
10 heading that are made available for the Community Ad-  
11 justment and Investment Program shall be used for pur-  
12 poses other than those set out in the binational agreement  
13 establishing the Bank.

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 MONETARY PROGRAMS

21 LOANS TO INTERNATIONAL MONETARY FUND

22 For loans to the International Monetary Fund under  
23 the New Arrangements to Borrow, the dollar equivalent  
24 of 2,462,000,000 Special Drawing Rights, to remain avail-  
25 able until expended; in addition, up to the dollar equiva-  
26 lent of 4,250,000,000 Special Drawing Rights previously

1 appropriated by the Act of November 30, 1983 (Public  
2 Law 98–181), and the Act of October 23, 1962 (Public  
3 Law 87–872), for the General Arrangements to Borrow,  
4 may also be used for the New Arrangements to Borrow.

5 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

6 For necessary expenses to carry out the provisions  
7 of section 301 of the Foreign Assistance Act of 1961, and  
8 of section 2 of the United Nations Environment Program  
9 Participation Act of 1973, \$277,000,000: *Provided*, That  
10 none of the funds appropriated under this heading shall  
11 be made available for the United Nations Fund for  
12 Science and Technology: *Provided further*, That not less  
13 than \$5,000,000 shall be made available to the World  
14 Food Program: *Provided further*, That none of the funds  
15 appropriated under this heading that are made available  
16 to the United Nations Population Fund (UNFPA) shall  
17 be made available for activities in the People’s Republic  
18 of China: *Provided further*, That not more than  
19 \$25,000,000 of the funds appropriated under this heading  
20 may be made available to the UNFPA: *Provided further*,  
21 That with respect to any funds appropriated under this  
22 heading that are made available to UNFPA, UNFPA shall  
23 be required to maintain such funds in a separate account  
24 and not commingle them with any other funds: *Provided*  
25 *further*, That none of the funds appropriated under this

1 heading may be made available to the Korean Peninsula  
 2 Energy Development Organization (KEDO) or the Inter-  
 3 national Atomic Energy Agency (IAEA).

#### 4 TITLE V—GENERAL PROVISIONS

##### 5 ENTERPRISE FUND RESTRICTIONS

6 SEC. 501. Section 201(*l*) of the Support for East Eu-  
 7 ropean Democracy Act (22 U.S.C. 5421(*l*)) is amended  
 8 to read as follows:

9 “(*l*) LIMITATION ON PAYMENTS TO ENTERPRISE  
 10 FUND PERSONNEL.—

11 “(1) No part of the funds of an Enterprise  
 12 Fund shall inure to the benefit of any board mem-  
 13 ber, officer, or employee of such Enterprise Fund,  
 14 except as salary or reasonable compensation for  
 15 services subject to paragraph (2).

16 “(2) An Enterprise Fund shall not pay com-  
 17 pensation for services to—

18 “(A) any board member of the Enterprise  
 19 Fund, except for services as a board member;  
 20 or

21 “(B) any firm, association, or entity in  
 22 which a board member of the Enterprise Fund  
 23 serves as partner, director, officer, or employee.

1           “(3) Nothing in paragraph (2) shall preclude  
2           payment for services performed before the date of  
3           enactment of this subsection.”.

4           PROHIBITION OF BILATERAL FUNDING FOR  
5           INTERNATIONAL FINANCIAL INSTITUTIONS

6           SEC. 502. None of the funds contained in title II of  
7           this Act may be used to carry out the provisions of section  
8           209(d) of the Foreign Assistance Act of 1961.

9           LIMITATION ON RESIDENCE EXPENSES

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

17          LIMITATION ON EXPENSES

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

22          LIMITATION ON REPRESENTATIONAL ALLOWANCES

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

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

23 PROHIBITION ON FINANCING NUCLEAR GOODS

24 SEC. 506. None of the funds appropriated or made  
 25 available (other than funds for “Nonproliferation,  
 26 Antiterrorism, Demining and Related Programs”) pursu-

1 ant to this Act, for carrying out the Foreign Assistance  
 2 Act of 1961, may be used, except for purposes of nuclear  
 3 safety, to finance the export of nuclear equipment, fuel,  
 4 or technology.

5 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN  
 6 COUNTRIES

7 SEC. 507. 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 or repara-  
 10 tions to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or  
 11 Syria: *Provided*, That for purposes of this section, the pro-  
 12 hibition on obligations or expenditures shall include direct  
 13 loans, credits, insurance and guarantees of the Export-Im-  
 14 port Bank or its agents.

15 MILITARY COUPS

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

## 1 TRANSFERS BETWEEN ACCOUNTS

2 SEC. 509. None of the funds made available by this  
3 Act may be obligated under an appropriation account to  
4 which they were not appropriated, except for transfers  
5 specifically provided for in this Act, unless the President,  
6 prior to the exercise of any authority contained in the For-  
7 eign Assistance Act of 1961 to transfer funds, consults  
8 with and provides a written policy justification to the  
9 Committees on Appropriations of the House of Represent-  
10 atives and the Senate.

## 11 DEOBLIGATION/REOBLIGATION AUTHORITY

12 SEC. 510. (a) Amounts certified pursuant to section  
13 1311 of the Supplemental Appropriations Act, 1955, as  
14 having been obligated against appropriations heretofore  
15 made under the authority of the Foreign Assistance Act  
16 of 1961 for the same general purpose as any of the head-  
17 ings under title II of this Act are, if deobligated, hereby  
18 continued available for the same period as the respective  
19 appropriations under such headings or until September  
20 30, 1998, whichever is later, and for the same general pur-  
21 pose, and for countries within the same region as origi-  
22 nally obligated: *Provided*, That the Appropriations Com-  
23 mittees of both Houses of the Congress are notified fifteen  
24 days in advance of the reobligation of such funds in ac-  
25 cordance with regular notification procedures of the Com-  
26 mittees on Appropriations.

1 (b) Obligated balances of funds appropriated to carry  
 2 out section 23 of the Arms Export Control Act as of the  
 3 end of the fiscal year immediately preceding the current  
 4 fiscal year are, if deobligated, hereby continued available  
 5 during the current fiscal year for the same purpose under  
 6 any authority applicable to such appropriations under this  
 7 Act: *Provided*, That the authority of this subsection may  
 8 not be used in fiscal year 1998.

9 AVAILABILITY OF FUNDS

10 SEC. 511. No part of any appropriation contained in  
 11 this Act shall remain available for obligation after the ex-  
 12 piration of the current fiscal year unless expressly so pro-  
 13 vided in this Act: *Provided*, That funds appropriated for  
 14 the purposes of chapters 1, 8, and 11 of part I, section  
 15 667, and chapter 4 of part II of the Foreign Assistance  
 16 Act of 1961, as amended, and funds provided under the  
 17 heading “Assistance for Eastern Europe and the Baltic  
 18 States”, shall remain available until expended if such  
 19 funds are initially obligated before the expiration of their  
 20 respective periods of availability contained in this Act:  
 21 *Provided further*, That, notwithstanding any other provi-  
 22 sion of this Act, any funds made available for the purposes  
 23 of chapter 1 of part I and chapter 4 of part II of the  
 24 Foreign Assistance Act of 1961 which are allocated or ob-  
 25 ligated for cash disbursements in order to address balance  
 26 of payments or economic policy reform objectives, shall re-



1 main available until expended: *Provided further*, That the  
 2 report required by section 653(a) of the Foreign Assist-  
 3 ance Act of 1961 shall designate for each country, to the  
 4 extent known at the time of submission of such report,  
 5 those funds allocated for cash disbursement for balance  
 6 of payment and economic policy reform purposes.

7 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

21 COMMERCE AND TRADE

22 SEC. 513. (a) None of the funds appropriated or  
 23 made available pursuant to this Act for direct assistance  
 24 and none of the funds otherwise made available pursuant  
 25 to this Act to the Export-Import Bank and the Overseas  
 26 Private Investment Corporation shall be obligated or ex-

1    pended to finance any loan, any assistance or any other  
2    financial commitments for establishing or expanding pro-  
3    duction of any commodity for export by any country other  
4    than the United States, if the commodity is likely to be  
5    in surplus on world markets at the time the resulting pro-  
6    ductive capacity is expected to become operative and if the  
7    assistance will cause substantial injury to United States  
8    producers of the same, similar, or competing commodity.

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

- 19           (1) activities designed to increase food security  
20           in developing countries where such activities will not  
21           have a significant impact in the export of agricul-  
22           tural commodities of the United States; or  
23           (2) research activities intended primarily to  
24           benefit American producers.

## 1 SURPLUS COMMODITIES

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

## 19 NOTIFICATION REQUIREMENTS

20 SEC. 515. For the purpose of providing the Executive  
21 Branch with the necessary administrative flexibility, none  
22 of the funds made available under this Act for “Develop-  
23 ment Assistance”, “Debt restructuring”, “International  
24 organizations and programs”, “Trade and Development  
25 Agency”, “International narcotics control”, “Assistance  
26 for Eastern Europe and the Baltic States”, “Assistance

1 for the New Independent States of the Former Soviet  
 2 Union”, “Economic Support Fund”, “Peacekeeping oper-  
 3 ations”, “Operating expenses of the Agency for Inter-  
 4 national Development”, “Operating expenses of the Agen-  
 5 cy for International Development Office of Inspector Gen-  
 6 eral”, “Nonproliferation, anti-terrorism, demining and re-  
 7 lated programs”, “Foreign Military Financing Program”,  
 8 “International military education and training”, “Inter-  
 9 American Foundation”, “African Development Founda-  
 10 tion”, “Peace Corps”, “Migration and refugee assist-  
 11 ance”, shall be available for obligation for activities, pro-  
 12 grams, projects, type of materiel assistance, countries, or  
 13 other operations not justified or in excess of the amount  
 14 justified to the Appropriations Committees for obligation  
 15 under any of these specific headings unless the Appropria-  
 16 tions Committees of both Houses of Congress are pre-  
 17 viously notified fifteen days in advance: *Provided*, That the  
 18 President shall not enter into any commitment of funds  
 19 appropriated for the purposes of section 23 of the Arms  
 20 Export Control Act for the provision of major defense  
 21 equipment, other than conventional ammunition, or other  
 22 major defense items defined to be aircraft, ships, missiles,  
 23 or combat vehicles, not previously justified to Congress or  
 24 20 per centum in excess of the quantities justified to Con-  
 25 gress unless the Committees on Appropriations are noti-

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

23       Drawdowns made pursuant to section 506(a)(2) of  
24   the Foreign Assistance Act of 1961 shall be subject to the

1 regular notification procedures of the Committees on Ap-  
2 propriations.

3           LIMITATION ON AVAILABILITY OF FUNDS FOR  
4           INTERNATIONAL ORGANIZATIONS AND PROGRAMS

5           SEC. 516. Notwithstanding any other provision of law  
6 or of this Act, none of the funds provided for “Inter-  
7 national Organizations and Programs” shall be available  
8 for the United States proportionate share, in accordance  
9 with section 307(c) of the Foreign Assistance Act of 1961,  
10 for any programs identified in section 307, or for Libya,  
11 Iran, or, at the discretion of the President, Communist  
12 countries listed in section 620(f) of the Foreign Assistance  
13 Act of 1961, as amended: *Provided*, That, subject to the  
14 regular notification procedures of the Committees on Ap-  
15 propriations, funds appropriated under this Act or any  
16 previously enacted Act making appropriations for foreign  
17 operations, export financing, and related programs, which  
18 are returned or not made available for organizations and  
19 programs because of the implementation of this section  
20 or any similar provision of law, shall remain available for  
21 obligation through September 30, 1999.

22           ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

23           SEC. 517. The Congress finds that progress on the  
24 peace process in the Middle East is vitally important to  
25 United States security interests in the region. The Con-  
26 gress recognizes that, in fulfilling its obligations, Israel

1 has incurred severe economic burdens. Furthermore, the  
2 Congress recognizes that an economically and militarily  
3 secure Israel serves the security interests of the United  
4 States, for a secure Israel is an Israel which has the incen-  
5 tive and confidence to continue pursuing the peace proc-  
6 ess. Therefore, the Congress declares that, subject to the  
7 availability of appropriations, it is the policy and the inten-  
8 tion of the United States that the funds provided in an-  
9 nual appropriations for the Economic Support Fund which  
10 are allocated to Israel shall not be less than the annual  
11 debt repayment (interest and principal) from Israel to the  
12 United States Government in recognition that such a prin-  
13 ciple serves United States interests in the region.

14 PROHIBITION ON FUNDING FOR ABORTIONS AND  
15 INVOLUNTARY STERILIZATION

16 SEC. 518. None of the funds made available to carry  
17 out part I of the Foreign Assistance Act of 1961, as  
18 amended, may be used to pay for the performance of abor-  
19 tions as a method of family planning or to motivate or  
20 coerce any person to practice abortions. None of the funds  
21 made available to carry out part I of the Foreign Assist-  
22 ance Act of 1961, as amended, may be used to pay for  
23 the performance of involuntary sterilization as a method  
24 of family planning or to coerce or provide any financial  
25 incentive to any person to undergo sterilizations. None of  
26 the funds made available to carry out part I of the Foreign

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

14 LIMITATIONS ON FUNDING FOR INTERNATIONAL FAMILY  
 15 PLANNING

16 SEC. 519. In determining eligibility for assistance  
 17 from funds appropriated to carry out section 104 of the  
 18 Foreign Assistance Act of 1961, nongovernmental and  
 19 multilateral organizations shall not be subjected to re-  
 20 quirements more restrictive than the requirements appli-  
 21 cable to foreign governments for such assistance.

22 REPORTING REQUIREMENT

23 SEC. 520. Section 25 of the Arms Export Control Act  
 24 is amended—



1           (1) in subsection (a), by striking “Congress”  
 2           and inserting in lieu thereof “appropriate congress-  
 3           sional committees”;

4           (2) in subsection (b), by striking “the Commit-  
 5           tee on Foreign Relations of the Senate or the Com-  
 6           mittee on Foreign Affairs of the House of Rep-  
 7           resentatives” and inserting in lieu thereof “any of  
 8           the congressional committees described in subsection  
 9           (e)”;

10          (3) by adding the following subsection:

11          “(e) As used in this section, the term ‘appropriate  
 12          congressional committees’ means the Committee on For-  
 13          eign Relations and the Committee on Appropriations of  
 14          the Senate and the Committee on International Relations  
 15          and the Committee on Appropriations of the House of  
 16          Representatives.”.

17               SPECIAL NOTIFICATION REQUIREMENTS

18          SEC. 521. None of the funds appropriated in this Act  
 19          shall be obligated or expended for Colombia, Guatemala  
 20          (except that this provision shall not apply to development  
 21          assistance for Guatemala), Dominican Republic, Haiti, Li-  
 22          beria, Pakistan, Peru, Serbia, Sudan, or the Democratic  
 23          Republic of Congo except as provided through the regular  
 24          notification procedures of the Committee on Appropria-  
 25          tions.

## 1        DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

2        SEC. 522. For the purpose of this Act, “program,  
3 project, and activity” shall be defined at the Appropria-  
4 tions Act account level and shall include all Appropriations  
5 and Authorizations Acts earmarks, ceilings, and limita-  
6 tions with the exception that for the following accounts:  
7 Economic Support Fund and Foreign Military Financing  
8 Program, “program, project, and activity” shall also be  
9 considered to include country, regional, and central pro-  
10 gram level funding within each such account; for the devel-  
11 opment assistance accounts of the Agency for Inter-  
12 national Development “program, project, and activity”  
13 shall also be considered to include central program level  
14 funding, either as (1) justified to the Congress, or (2) allo-  
15 cated by the executive branch in accordance with a report,  
16 to be provided to the Committees on Appropriations within  
17 thirty days of enactment of this Act, as required by section  
18 653(a) of the Foreign Assistance Act of 1961.

## 19        CHILD SURVIVAL, AIDS, AND OTHER ACTIVITIES

20        SEC. 523. Up to \$10,000,000 of the funds made  
21 available by this Act for assistance for family planning,  
22 health, child survival, basic education and AIDS, may be  
23 used to reimburse United States Government agencies,  
24 agencies of State governments, institutions of higher  
25 learning, and private and voluntary organizations for the  
26 full cost of individuals (including for the personal services

1 of such individuals) detailed or assigned to, or contracted  
 2 by, as the case may be, the Agency for International De-  
 3 velopment for the purpose of carrying out family planning  
 4 activities, child survival, and basic education activities,  
 5 and activities relating to research on, and the treatment  
 6 and control of acquired immune deficiency syndrome in  
 7 developing countries: *Provided*, That funds appropriated  
 8 by this Act that are made available for child survival ac-  
 9 tivities or activities relating to research on, and the treat-  
 10 ment and control of, acquired immune deficiency syn-  
 11 drome may be made available notwithstanding any provi-  
 12 sion of law that restricts assistance to foreign countries:  
 13 *Provided further*, That funds appropriated by this Act that  
 14 are made available for family planning activities may be  
 15 made available notwithstanding section 512 of this Act  
 16 and section 620(q) of the Foreign Assistance Act of 1961.

17 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN  
 18 COUNTRIES

19 SEC. 524. None of the funds appropriated or other-  
 20 wise made available pursuant to this Act shall be obligated  
 21 to finance indirectly any assistance or reparations to  
 22 Cuba, Iraq, Libya, Iran, Syria, North Korea, or the Peo-  
 23 ple's Republic of China, unless the President of the United  
 24 States certifies that the withholding of these funds is con-  
 25 trary to the national interest of the United States.

## 1 RECIPROCAL LEASING

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

## 5 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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

## 19 AUTHORIZATION REQUIREMENT

20 SEC. 527. Funds appropriated by this Act may be  
21 obligated and expended notwithstanding section 10 of  
22 Public Law 91–672 and section 15 of the State Depart-  
23 ment Basic Authorities Act of 1956.

1 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST  
2 COUNTRIES

3 SEC. 528. (a) Notwithstanding any other provision  
4 of law, funds appropriated for bilateral assistance under  
5 any heading of this Act and funds appropriated under any  
6 such heading in a provision of law enacted prior to enact-  
7 ment of this Act, shall not be made available to any coun-  
8 try which the President determines—

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

12 (2) otherwise supports international terrorism.

13 (b) The President may waive the application of  
14 subsection (a) to a country if the President determines  
15 that national security or humanitarian reasons justify  
16 such waiver. The President shall publish each waiver in  
17 the Federal Register and, at least fifteen days before the  
18 waiver takes effect, shall notify the Committees on Appro-  
19 priations of the waiver (including the justification for the  
20 waiver) in accordance with the regular notification proce-  
21 dures of the Committees on Appropriations.

22 COMMERCIAL LEASING OF DEFENSE ARTICLES

23 SEC. 529. Notwithstanding any other provision of  
24 law, and subject to the regular notification procedures of  
25 the Committees on Appropriations, the authority of sec-  
26 tion 23(a) of the Arms Export Control Act may be used

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

11 COMPETITIVE INSURANCE

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

18 STINGERS IN THE PERSIAN GULF REGION

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

## DEBT-FOR-DEVELOPMENT

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

## SEPARATE ACCOUNTS

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

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

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

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

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

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

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

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

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

21 (ii) debt and deficit financing, or

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

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



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

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

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

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

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

6 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

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

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

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

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

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

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

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

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

7 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST  
8 IRAQ

9 SEC. 535. None of the funds appropriated or other-  
10 wise made available pursuant to this Act to carry out the  
11 Foreign Assistance Act of 1961 (including title IV of  
12 chapter 2 of part I, relating to the Overseas Private In-  
13 vestment Corporation) or the Arms Export Control Act  
14 may be used to provide assistance to any country that is  
15 not in compliance with the United Nations Security Coun-  
16 cil sanctions against Iraq unless the President determines  
17 and so certifies to the Congress that—

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

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

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

## 1 COMPETITIVE PRICING FOR SALES OF DEFENSE

## 2 ARTICLES

3 SEC. 536. Direct costs associated with meeting a for-  
4 eign customer's additional or unique requirements will  
5 continue to be allowable under contracts under section  
6 22(d) of the Arms Export Control Act. Loadings applica-  
7 ble to such direct costs shall be permitted at the same  
8 rates applicable to procurement of like items purchased  
9 by the Department of Defense for its own use.

## 10 AUTHORITIES FOR THE PEACE CORPS

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

## 21 IMPACT ON JOBS IN THE UNITED STATES

22 SEC. 538. None of the funds appropriated by this Act  
23 may be obligated or expended to provide—

24 (a) any financial incentive to a business enter-  
25 prise currently located in the United States for the  
26 purpose of inducing such an enterprise to relocate

1 outside the United States if such incentive or in-  
2 ducement is likely to reduce the number of employ-  
3 ees of such business enterprise in the United States  
4 because United States production is being replaced  
5 by such enterprise outside the United States;

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

15 (c) assistance for any project or activity that  
16 contributes to the violation of internationally recog-  
17 nized workers rights, as defined in section 502(a)(4)  
18 of the Trade Act of 1974, of workers in the recipient  
19 country, including any designated zone or area in  
20 that country: *Provided*, That in recognition that the  
21 application of this subsection should be commensu-  
22 rate with the level of development of the recipient  
23 country and sector, the provisions of this subsection  
24 shall not preclude assistance for the informal sector

1 in such country, micro and small-scale enterprise,  
2 and smallholder agriculture.

3 RESTRICTIONS ON THE TERMINATION OF SANCTIONS  
4 AGAINST SERBIA AND MONTENEGRO

5 SEC. 539. (a) RESTRICTIONS.—Notwithstanding any  
6 other provision of law, no sanction, prohibition, or require-  
7 ment described in section 1511 of the National Defense  
8 Authorization Act for Fiscal Year 1994 (Public Law 103–  
9 160), with respect to Serbia or Montenegro, may cease  
10 to be effective, unless—

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

13 (2) the requirements of section 1511 of that  
14 Act are met.

15 (b) CERTIFICATION.—A certification described in this  
16 subsection is a certification that—

17 (1) there is substantial progress toward—

18 (A) the realization of a separate identity  
19 for Kosova and the right of the people of  
20 Kosova to govern themselves; or

21 (B) the creation of an international protec-  
22 torate for Kosova;

23 (2) there is substantial improvement in the  
24 human rights situation in Kosova;

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

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

4       (c) WAIVER AUTHORITY.—The President may waive  
5       the application in whole or in part, of subsection (a) if  
6       the President certifies to the Congress that the President  
7       has determined that the waiver is necessary to meet emer-  
8       gency humanitarian needs or to achieve a negotiated set-  
9       tlement of the conflict in Bosnia and Herzegovina that is  
10      acceptable to the parties.

11                               SPECIAL AUTHORITIES

12      SEC. 540. (a) Funds appropriated in title II of this  
13      Act that are made available for Afghanistan, Lebanon,  
14      and for victims of war, displaced children, displaced Bur-  
15      mese, humanitarian assistance for Romania, and humani-  
16      tarian assistance for the peoples of Kosova, may be made  
17      available notwithstanding any other provision of law: *Pro-*  
18      *vided*, That any such funds that are made available for  
19      Cambodia shall be subject to the provisions of section  
20      531(e) of the Foreign Assistance Act of 1961 and section  
21      906 of the International Security and Development Co-  
22      operation Act of 1985.

23      (b) Funds appropriated by this Act to carry out the  
24      provisions of sections 103 through 106 of the Foreign As-  
25      sistance Act of 1961 may be used, notwithstanding any  
26      other provision of law, for the purpose of supporting tropi-



1 cal forestry and energy programs aimed at reducing emis-  
 2 sions of greenhouse gases, and for the purpose of support-  
 3 ing biodiversity conservation activities: *Provided*, That  
 4 such assistance shall be subject to sections 116, 502B, and  
 5 620A of the Foreign Assistance Act of 1961.

6 (c) During fiscal year 1998, the President may use  
 7 up to \$40,000,000 under the authority of section 451 of  
 8 the Foreign Assistance Act of 1961, notwithstanding the  
 9 funding ceiling contained in subsection (a) of that section.

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

14 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT  
 15 OF ISRAEL

16 SEC. 541. It is the sense of the Congress that—

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

22 (2) the President should—

23 (A) take more concrete steps to encourage  
 24 vigorously Arab League countries to renounce  
 25 publicly the primary boycotts of Israel and the  
 26 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 county;

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. 542. (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 and in other regions consistent with the provisions  
25 of section 534(b) of the Foreign Assistance Act of 1961,  
26 except that programs to enhance protection of participants

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

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

11 ELIGIBILITY FOR ASSISTANCE

12 SEC. 543. (a) ASSISTANCE THROUGH NONGOVERN-  
13 MENTAL ORGANIZATIONS.—Restrictions contained in this  
14 or any other Act with respect to assistance for a country  
15 shall not be construed to restrict assistance in support of  
16 programs of nongovernmental organizations from funds  
17 appropriated by this Act to carry out the provisions of  
18 chapters 1, 10, and 11 of part I and chapter 4 of part  
19 II of the Foreign Assistance Act of 1961, and from funds  
20 appropriated under the heading “Assistance for Eastern  
21 Europe and the Baltic States”: *Provided*, That the Presi-  
22 dent shall take into consideration, in any case in which  
23 a restriction on assistance would be applicable but for this  
24 subsection, whether assistance in support of programs of  
25 nongovernmental organizations is in the national interest  
26 of the United States: *Provided further*, That before using

1 the authority of this subsection to furnish assistance in  
2 support of programs of nongovernmental organizations,  
3 the President shall notify the Committees on Appropria-  
4 tions under the regular notification procedures of those  
5 committees, including a description of the program to be  
6 assisted, the assistance to be provided, and the reasons  
7 for furnishing such assistance: *Provided further*, That  
8 nothing in this subsection shall be construed to alter any  
9 existing statutory prohibitions against abortion or involun-  
10 tary sterilizations contained in this or any other Act.

11 (b) PUBLIC LAW 480.—During fiscal year 1998, re-  
12 strictions contained in this or any other Act with respect  
13 to assistance for a country shall not be construed to re-  
14 strict assistance under the Agricultural Trade Develop-  
15 ment and Assistance Act of 1954: *Provided*, That none  
16 of the funds appropriated to carry out title I of such Act  
17 and made available pursuant to this subsection may be  
18 obligated or expended except as provided through the reg-  
19 ular notification procedures of the Committees on Appro-  
20 priations.

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

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

1           (2) with respect to section 116 of the Foreign  
2       Assistance Act of 1961 or any comparable provision  
3       of law prohibiting assistance to countries that violate  
4       internationally recognized human rights.

5                               EARMARKS

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

1 reprogrammed pursuant to this subsection shall be made  
2 available under the same terms and conditions as origi-  
3 nally provided.

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

18 CEILINGS AND EARMARKS

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

23 PROHIBITION ON PUBLICITY OR PROPAGANDA

24 SEC. 546. No part of any appropriation contained in  
25 this Act shall be used for publicity or propaganda purposes

1 within the United States not authorized before the date  
2 of enactment of this Act by the Congress.

3 PROHIBITION OF PAYMENTS TO UNITED NATIONS

4 MEMBERS

5 SEC. 547. None of the funds appropriated or made  
6 available pursuant to this Act for carrying out the Foreign  
7 Assistance Act of 1961, may be used to pay in whole or  
8 in part any assessments, arrearages, or dues of any mem-  
9 ber of the United Nations.

10 CONSULTING SERVICES

11 SEC. 548. The expenditure of any appropriation  
12 under this Act for any consulting service through procure-  
13 ment contract, pursuant to section 3109 of title 5, United  
14 States Code, shall be limited to those contracts where such  
15 expenditures are a matter of public record and available  
16 for public inspection, except where otherwise provided  
17 under existing law, or under existing Executive order pur-  
18 suant to existing law.

19 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

20 SEC. 549. None of the funds appropriated or made  
21 available pursuant to this Act shall be available to a pri-  
22 vate voluntary organization which fails to provide upon  
23 timely request any document, file, or record necessary to  
24 the auditing requirements of the Agency for International  
25 Development.

1 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-  
2 MENTS THAT EXPORT LETHAL MILITARY EQUIP-  
3 MENT TO COUNTRIES SUPPORTING INTERNATIONAL  
4 TERRORISM

5 SEC. 550. (a) None of the funds appropriated or oth-  
6 erwise made available by this Act may be available to any  
7 foreign government which provides lethal military equip-  
8 ment to a country the government of which the Secretary  
9 of State has determined is a terrorist government for pur-  
10 poses of section 40(d) of the Arms Export Control Act.  
11 The prohibition under this section with respect to a for-  
12 eign government shall terminate 12 months after that gov-  
13 ernment ceases to provide such military equipment. This  
14 section applies with respect to lethal military equipment  
15 provided under a contract entered into after the date of  
16 enactment of this Act.

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

21 (c) Whenever the waiver of subsection (b) is exer-  
22 cised, the President shall submit to the appropriate con-  
23 gressional committees a report with respect to the furnish-  
24 ing of such assistance. Any such report shall include a de-  
25 tailed explanation of the assistance to be provided, includ-



1 ing the estimated dollar amount of such assistance, and  
 2 an explanation of how the assistance furthers United  
 3 States national interests.

4 WITHHOLDING OF ASSISTANCE FOR PARKING FINES

5 OWED BY FOREIGN COUNTRIES

6 SEC. 551. (a) IN GENERAL.—Of the funds made  
 7 available for a foreign country under part I of the Foreign  
 8 Assistance Act of 1961, an amount equivalent to 110 per  
 9 centum of the total unpaid fully adjudicated parking fines  
 10 and penalties owed to the District of Columbia by such  
 11 country as of the date of enactment of this Act shall be  
 12 withheld from obligation for such country until the Sec-  
 13 retary of State certifies and reports in writing to the ap-  
 14 propriate congressional committees that such fines and  
 15 penalties are fully paid to the government of the District  
 16 of Columbia.

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

23 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE

24 WEST BANK AND GAZA

25 SEC. 552. None of the funds appropriated by this Act  
 26 may be obligated for assistance for the Palestine Libera-

1 tion Organization for the West Bank and Gaza unless the  
 2 President has exercised the authority under section 604(a)  
 3 of the Middle East Peace Facilitation Act of 1995 (title  
 4 VI of Public Law 104–107) or any other legislation to sus-  
 5 pend or make inapplicable section 307 of the Foreign As-  
 6 sistance Act of 1961 and that suspension is still in effect:  
 7 *Provided*, That if the President fails to make the certifi-  
 8 cation under section 604(b)(2) of the Middle East Peace  
 9 Facilitation Act of 1995 or to suspend the prohibition  
 10 under other legislation, funds appropriated by this Act  
 11 may not be obligated for assistance for the Palestine Lib-  
 12 eration Organization for the West Bank and Gaza.

13 EXPORT FINANCING TRANSFER AUTHORITIES

14 SEC. 553. Not to exceed 5 per centum of any appro-  
 15 priation other than for administrative expenses made  
 16 available for fiscal year 1998 for programs under title I  
 17 of this Act may be transferred between such appropria-  
 18 tions for use for any of the purposes, programs and activi-  
 19 ties for which the funds in such receiving account may  
 20 be used, but no such appropriation, except as otherwise  
 21 specifically provided, shall be increased by more than 25  
 22 per centum by any such transfer: *Provided*, That the exer-  
 23 cise of such authority shall be subject to the regular notifi-  
 24 cation procedures of the Committees on Appropriations.

## 1                   WAR CRIMES TRIBUNALS DRAWDOWN

2           SEC. 554. If the President determines that doing so  
3 will contribute to a just resolution of charges regarding  
4 genocide or other violations of international humanitarian  
5 law, the President may direct a drawdown pursuant to sec-  
6 tion 552(c) of the Foreign Assistance Act of 1961, as  
7 amended, of up to \$25,000,000 of commodities and serv-  
8 ices for the United Nations War Crimes Tribunal estab-  
9 lished with regard to the former Yugoslavia by the United  
10 Nations Security Council or such other tribunals or com-  
11 missions as the Council may establish to deal with such  
12 violations, without regard to the ceiling limitation con-  
13 tained in paragraph (2) thereof: *Provided*, That the deter-  
14 mination required under this section shall be in lieu of  
15 any determinations otherwise required under section  
16 552(c): *Provided further*, That sixty days after the date  
17 of enactment of this Act, and every one hundred eighty  
18 days thereafter, the Secretary of State shall submit a re-  
19 port to the Committees on Appropriations describing the  
20 steps the United States Government is taking to collect  
21 information regarding allegations of genocide or other vio-  
22 lations of international law in the former Yugoslavia and  
23 to furnish that information to the United Nations War  
24 Crimes Tribunal for the former Yugoslavia.

## 1 LANDMINES

2 SEC. 555. Notwithstanding any other provision of  
3 law, demining equipment available to the Agency for Inter-  
4 national Development and the Department of State and  
5 used in support of the clearing of landmines and  
6 unexploded ordnance for humanitarian purposes may be  
7 disposed of on a grant basis in foreign countries, subject  
8 to such terms and conditions as the President may pre-  
9 scribe.

## 10 RESTRICTIONS CONCERNING THE PALESTINIAN

## 11 AUTHORITY

12 SEC. 556. None of the funds appropriated by this Act  
13 may be obligated or expended to create in any part of Je-  
14 rusalem a new office of any department or agency of the  
15 United States Government for the purpose of conducting  
16 official United States Government business with the Pal-  
17 estinian Authority over Gaza and Jericho or any successor  
18 Palestinian governing entity provided for in the Israel-  
19 PLO Declaration of Principles: *Provided*, That this re-  
20 striction shall not apply to the acquisition of additional  
21 space for the existing Consulate General in Jerusalem:  
22 *Provided further*, That meetings between officers and em-  
23 ployees of the United States and officials of the Palestin-  
24 ian Authority, or any successor Palestinian governing en-  
25 tity provided for in the Israel-PLO Declaration of Prin-  
26 ciples, for the purpose of conducting official United States

1 Government business with such authority should continue  
2 to take place in locations other than Jerusalem. As has  
3 been true in the past, officers and employees of the United  
4 States Government may continue to meet in Jerusalem on  
5 other subjects with Palestinians (including those who now  
6 occupy positions in the Palestinian Authority), have social  
7 contacts, and have incidental discussions.

8 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

9 SEC. 557. None of the funds appropriated or other-  
10 wise made available by this Act under the heading “Inter-  
11 national military education and training” or “Foreign  
12 military financing program” for Informational Program  
13 activities may be obligated or expended to pay for—

14 (1) alcoholic beverages;

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

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

1 PURCHASE OF AMERICAN-MADE EQUIPMENT AND  
2 PRODUCTS

3 SEC. 558. (a) To the greatest extent practicable, as-  
4 sistance provided or used for purchases should use Amer-  
5 ican equipment, services, commodities, and products.

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

12 SPECIAL DEBT RELIEF FOR THE POOREST

13 SEC. 559. (a) AUTHORITY TO REDUCE DEBT.—The  
14 President may reduce amounts owed to the United States  
15 (or any agency of the United States) by an eligible country  
16 as a result of—

17 (1) guarantees issued under sections 221 and  
18 222 of the Foreign Assistance Act of 1961; or

19 (2) credits extended or guarantees issued under  
20 the Arms Export Control Act.

21 (b) LIMITATIONS.—

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

1           (2) The authority provided by subsection (a)  
2       may be exercised only in such amounts or to such  
3       extent as is provided in advance by appropriations  
4       Acts.

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

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

15           (1) does not have an excessive level of military  
16      expenditures;

17           (2) has not repeatedly provided support for acts  
18      of international terrorism;

19           (3) is not failing to cooperate on international  
20      narcotics control matters;

21           (4) (including its military or other security  
22      forces) does not engage in a consistent pattern of  
23      gross violations of internationally recognized human  
24      rights; and

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

4           (d) AVAILABILITY OF FUNDS.—The authority pro-  
5           vided by subsection (a) may be used only with regard to  
6           funds appropriated by this Act under the heading “Debt  
7           restructuring”.

8           (e) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-  
9           duction of debt pursuant to subsection (a) shall not be  
10          considered assistance for purposes of any provision of law  
11          limiting assistance to a country. The authority provided  
12          by subsection (a) may be exercised notwithstanding sec-  
13          tion 620(r) of the Foreign Assistance Act of 1961.

14          AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES  
15          SEC. 560. (a) LOANS ELIGIBLE FOR SALE, REDUC-  
16          TION, OR CANCELLATION.—

17               (1) AUTHORITY TO SELL, REDUCE, OR CANCEL  
18          CERTAIN LOANS.—Notwithstanding any other provi-  
19          sion of law, the President may, in accordance with  
20          this section, sell to any eligible purchaser any  
21          concessional loan or portion thereof made before  
22          January 1, 1995, pursuant to the Foreign Assist-  
23          ance Act of 1961, to the government of any eligible  
24          country as defined in section 702(6) of that Act or  
25          on receipt of payment from an eligible purchaser, re-



1       duce or cancel such loan or portion thereof, only for  
2       the purpose of facilitating—

3               (A) debt-for-equity swaps, debt-for-develop-  
4       ment swaps, or debt-for-nature swaps; or

5               (B) a debt buyback by an eligible country  
6       of its own qualified debt, only if the eligible  
7       country uses an additional amount of the local  
8       currency of the eligible country, equal to not  
9       less than 40 per centum of the price paid for  
10      such debt by such eligible country, or the dif-  
11      ference between the price paid for such debt  
12      and the face value of such debt, to support ac-  
13      tivities that link conservation and sustainable  
14      use of natural resources with local community  
15      development, and child survival and other child  
16      development, in a manner consistent with sec-  
17      tions 707 through 710 of the Foreign Assist-  
18      ance Act of 1961, if the sale, reduction, or can-  
19      cellation would not contravene any term or con-  
20      dition of any prior agreement relating to such  
21      loan.

22              (2) TERMS AND CONDITIONS.—Notwithstanding  
23      any other provision of law, the President shall, in ac-  
24      cordance with this section, establish the terms and

1 conditions under which loans may be sold, reduced,  
2 or canceled pursuant to this section.

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

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

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

24 (c) ELIGIBLE PURCHASERS.—A loan may be sold  
25 pursuant to subsection (a)(1)(A) only to a purchaser who

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

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

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

#### LIBERIA

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

#### GUATEMALA

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

1 the Guatemalan military is cooperating fully with efforts  
 2 to resolve human rights abuses which elements of the Gua-  
 3 temalan military forces are alleged to have committed, or-  
 4 dered or attempted to thwart the investigation of, and  
 5 with efforts to implement a peace settlement.

6 (b) The prohibition contained in subsection (a) shall  
 7 not apply to funds made available to implement a ceasefire  
 8 or peace agreement.

9 (c) Any funds made available pursuant to subsections  
 10 (a) and (b) for international military education and train-  
 11 ing may only be for expanded international military edu-  
 12 cation and training.

13 SANCTIONS AGAINST COUNTRIES HARBORING WAR  
 14 CRIMINALS

15 SEC. 563. (a) BILATERAL ASSISTANCE.—The Presi-  
 16 dent is authorized to withhold funds appropriated by this  
 17 Act under the Foreign Assistance Act of 1961 or the Arms  
 18 Export Control Act for any country described in sub-  
 19 section (c).

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

1       (c) SANCTIONED COUNTRIES.—A country described  
2 in this subsection is a country the government of which  
3 knowingly grants sanctuary to persons in its territory, or  
4 territory within its control, for the purpose of evading  
5 prosecution, where such persons have been indicted by the  
6 International Criminal Tribunal for Rwanda.

7                   LIMITATION ON ASSISTANCE FOR HAITI

8       SEC. 564. (a) LIMITATION.—None of the funds ap-  
9 propriated or otherwise made available by this Act, may  
10 be provided to the Government of Haiti until the President  
11 reports to Congress that—

12               (1) the Government is conducting thorough in-  
13 vestigations of extrajudicial and political killings;  
14 and

15               (2) the Government is cooperating with United  
16 States authorities in the investigations of political  
17 and extrajudicial killings.

18       (b) Nothing in this section shall be construed to re-  
19 strict the provision of humanitarian, development, or elec-  
20 toral assistance.

21       (c) The President may waive the requirements of this  
22 section on a semiannual basis if he determines and cer-  
23 tifies to the appropriate committees of Congress that it  
24 is in the national interest of the United States.

1        REQUIREMENT FOR DISCLOSURE OF FOREIGN AID IN  
 2                                      REPORT OF SECRETARY OF STATE

3        SEC. 565. (a) FOREIGN AID REPORTING REQUIRE-  
 4        MENT.—In addition to the voting practices of a foreign  
 5        country, the report required to be submitted to Congress  
 6        under section 406(a) of the Foreign Relations Authoriza-  
 7        tion Act fiscal years 1990 and 1991 (22 U.S.C. 2414a),  
 8        shall include a side-by-side comparison of individual coun-  
 9        tries' overall support for the United States at the United  
 10       Nations and the amount of United States assistance pro-  
 11       vided to such country in fiscal year 1996.

12        (b) UNITED STATES ASSISTANCE.—For purposes of  
 13       this section, the term “United States assistance” has the  
 14       meaning given the term in section 481(e)(4) of the For-  
 15       eign Assistance Act of 1961 (22 U.S.C. 2291(e)(4)).

16                                      BURMA LABOR REPORT

17        SEC. 566. Not later than one hundred twenty days  
 18       after enactment of this Act, the Secretary of Labor shall  
 19       provide to the Committees on Appropriations a report ad-  
 20       dressing labor practices in Burma: *Provided*, That the re-  
 21       port shall provide comprehensive details on child labor  
 22       practices, worker's rights, force relocation of laborers,  
 23       forced labor performed to support the tourism industry,  
 24       and forced labor performed in conjunction with, and in  
 25       support of, the Yadonna gas pipeline: *Provided further*,  
 26       That the report should discuss whether the State Law and

1 Order Restoration Council (SLORC) is in compliance with  
 2 international labor standards: *Provided further*, That the  
 3 report should provide considerable detail regarding the  
 4 U.S. government's efforts to address the issue of forced  
 5 labor in Burma.

6 HAITI

7 SEC. 567. The Government of Haiti shall be eligible  
 8 to purchase defense articles and services under the Arms  
 9 Export Control Act (22 U.S.C. 2751 et seq.), for the civil-  
 10 ian-led Haitian National Police and Coast Guard: *Pro-*  
 11 *vided*, That the authority provided by this section shall  
 12 be subject to the regular notification procedures of the  
 13 Committees on Appropriations.

14 INTERNATIONAL FINANCIAL INSTITUTION POLICIES

15 SEC. 568. The Secretary of the Treasury shall in-  
 16 struct the United States Executive Directors of the Inter-  
 17 national Bank for Reconstruction and Development and  
 18 the International Development Association to use the voice  
 19 and vote of the United States to strongly encourage their  
 20 respective institutions to—

21 (1) provide timely public information on pro-  
 22 curement opportunities available to United States  
 23 suppliers, with a special emphasis on small business;  
 24 and

25 (2) systematically consult with local commu-  
 26 nities on the potential impact of loans as part of the

1 normal lending process, and expand the participation  
2 of affected peoples and nongovernmental organiza-  
3 tions in decisions on the selection, design and imple-  
4 mentation of policies and projects.

5 LIMITATION ON ASSISTANCE TO SECURITY FORCES

6 SEC. 569. None of the funds made available by this  
7 Act may be provided to any unit of the security forces  
8 of a foreign country if the Secretary of State has credible  
9 evidence to believe such unit has committed gross viola-  
10 tions of human rights, unless the Secretary determines  
11 and reports to the Committees on Appropriations that the  
12 government of such country is taking steps to bring the  
13 responsible members of the security forces unit to justice.

14 CAMBODIA

15 SEC. 570. The Secretary of the Treasury shall in-  
16 struct the United States Executive Directors of the inter-  
17 national financial institutions to use the voice and vote  
18 of the United States to oppose loans to the Government  
19 of Cambodia, except loans to support basic human needs,  
20 unless the Government of Cambodia is taking significant  
21 steps to: (1) end political violence and intimidation of op-  
22 position party members; (2) establish an independent elec-  
23 tion commission; (3) protect the rights of voters, can-  
24 didates and election participants by establishing electoral  
25 laws and procedures guaranteeing freedom of speech and



1 assembly; and (4) eliminate official corruption and collabo-  
 2 ration with narcotics smugglers.

3 LIMITATIONS ON TRANSFER OF MILITARY EQUIPMENT TO  
 4 EAST TIMOR

5 SEC. 571. In any agreement between the United  
 6 States and the Government of Indonesia for the sale or  
 7 transfer of any lethal equipment or helicopter pursuant  
 8 to the authority of this Act or any other Act, the agree-  
 9 ment shall state that such items will not be used in East  
 10 Timor.

11 TRANSPARENCY OF BUDGETS

12 SEC. 572. Section 576(a)(1) of the Foreign Oper-  
 13 ations, Export Financing, and Related Programs Appro-  
 14 priations Act, 1997, as contained in Public Law 104–208,  
 15 is amended to read as follows:

16 “(1) does not have in place a functioning sys-  
 17 tem for reporting to civilian authorities audits of re-  
 18 cepts and expenditures that fund activities of the  
 19 armed forces and security forces;”.

20 Section 576(a)(2) of the Foreign Operations, Export  
 21 Financing, and Related Programs Appropriations Act,  
 22 1997, as contained in Public Law 104–208, is amended  
 23 to read as follows:

24 “(2) has not provided to the institution infor-  
 25 mation about the audit process requested by the in-  
 26 stitution.”.

1     RESTRICTIONS ON FUNDING TO COUNTRIES PROVIDING  
2             SANCTUARY TO INDICTED WAR CRIMINALS

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

8             (b) MULTILATERAL ASSISTANCE.—The Secretary of  
9 the Treasury shall instruct the United States executive di-  
10 rectors of the international financial institutions to work  
11 in opposition to, and vote against, any extension by such  
12 institutions of any financial or technical assistance or  
13 grants of any kind to any country described in subsection  
14 (d).

15             (c) EXCEPTIONS.—

16                 (1) IN GENERAL.—Subject to paragraph (2),  
17 subsections (a) and (b) shall not apply to the provi-  
18 sion of—

19                     (A) humanitarian assistance;

20                     (B) democratization assistance; or

21                     (C) assistance for physical infrastructure  
22 projects involving activities in both a sanctioned  
23 country and a nonsanctioned contiguous coun-  
24 try, if the nonsanctioned country is the primary  
25 beneficiary.

1           (2) FURTHER LIMITATIONS.—Notwithstanding  
2 paragraph (1)—

3           (A) no assistance may be made available  
4 by this Act, or any other Act making appropria-  
5 tions for foreign operations, export promotion  
6 and related programs, for a program, project,  
7 or activity in any country described in sub-  
8 section (d) in which an indicted war criminal  
9 has any financial or material interest or  
10 through any organization in which the indicted  
11 individual is affiliated; and

12           (B) no assistance (other than emergency  
13 foods or medical assistance or demining assist-  
14 ance) may be made available by this Act, or any  
15 other Act making appropriations for foreign op-  
16 erations, export promotion and related pro-  
17 grams to any program, project, or activity in  
18 any area of any country described in subsection  
19 (d) in which local authorities are not complying  
20 with the provisions of Article IX and Annex 4,  
21 Article II of the Dayton Agreement relating to  
22 war crimes and the Tribunal, or with the provi-  
23 sions of Annex 7 of the Dayton Agreement re-  
24 lating to the rights of refugees and displaced  
25 persons to return to their homes of origin.

1       (d) SANCTIONED COUNTRIES.—A country described  
2 in this section is a country the authorities of which fail  
3 to apprehend and transfer to the Tribunal all persons in  
4 territory that is under their effective control who have  
5 been indicted by the Tribunal.

6       (e) WAIVER.—

7           (1) AUTHORITY.—The President may waive the  
8 application of subsection (a) or subsection (b) with  
9 respect to a country if the President determines and  
10 certifies to the appropriate committees of Congress  
11 within six months after the date of enactment of this  
12 Act that a majority of the indicted persons who are  
13 within territory that is under the effective control of  
14 the country have been arrested and transferred to  
15 the Tribunal.

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

19       (f) TERMINATION OF SANCTIONS.—The sanctions  
20 imposed pursuant to subsection (a) or subsection (b) with  
21 respect to a country shall cease to apply only if the Presi-  
22 dent determines and certifies to Congress that the authori-  
23 ties of that country have apprehended and transferred to  
24 the Tribunal all persons in territory that is under their  
25 effective control who have been indicted by the Tribunal.

1 (g) DEFINITIONS.—As used in this section—

2 (1) COUNTRY.—The term “country” shall not  
3 include Bosnia and Herzegovina, and the provisions  
4 of this Act shall be applied separately to its constitu-  
5 ent entities of Republika Srpska and the Federation  
6 of Bosnia and Herzegovina.

7 (2) DAYTON AGREEMENT.—The term “Dayton  
8 Agreement” means the General Framework Agree-  
9 ment for Peace in Bosnia and Herzegovina, together  
10 with annexes relating thereto, done at Dayton, No-  
11 vember 10 through 16, 1995.

12 (3) DEMOCRATIZATION ASSISTANCE.—The term  
13 “democratization assistance” includes electoral as-  
14 sistance and assistance used in establishing the in-  
15 stitutions of a democratic and civil society.

16 (4) HUMANITARIAN ASSISTANCE.—The term  
17 “humanitarian assistance” includes assistance for  
18 food, demining, refugees, housing, education, health  
19 care, and other social services.

20 (5) TRIBUNAL.—The term “Tribunal” means  
21 the International Criminal Tribunal for the Former  
22 Yugoslavia.

23 EXTENSION OF CERTAIN ADJUDICATION PROVISIONS

24 SEC. 574. The Foreign Operations, Export Finance-  
25 ing, and Related Programs Appropriations Act, 1990  
26 (Public Law 101–167) is amended—

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

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

4 (B) in subsection (e), by striking “October  
5 1, 1997” each place it appears and inserting  
6 “October 1, 1998”; and

7 (2) in section 599E (8 U.S.C. 1255 note) in  
8 subsection (b)(2), by striking “September 30, 1997”  
9 and inserting “September 30, 1998”.

10 Titles I through V of this Act may be cited as the  
11 “Foreign Operations, Export Financing, and Related Pro-  
12 grams Appropriations Act, 1998”.

Passed the Senate (legislative day, ),  
1997.

Attest:

GARY SISCO,  
*Secretary.*

Calendar No. 94

105TH CONGRESS  
1ST Session

**S. 955**

[Report No. 105-35]

**A BILL**

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1998, and for other purposes.

JUNE 24, 1997

Read twice and placed on the calendar