

104TH CONGRESS
1ST SESSION

H. R. 1868

AN ACT

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

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

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

1 TITLE I—EXPORT AND INVESTMENT
2 ASSISTANCE

3 EXPORT-IMPORT BANK OF THE UNITED STATES

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

21 SUBSIDY APPROPRIATION

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

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

19 ADMINISTRATIVE EXPENSES

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

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

15 OVERSEAS PRIVATE INVESTMENT CORPORATION

16 NONCREDIT ACCOUNT

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

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

7 PROGRAM ACCOUNT

8 For the cost of direct and guaranteed loans,
9 \$69,500,000, as authorized by section 234 of the Foreign
10 Assistance Act of 1961: *Provided*, That such costs, includ-
11 ing the cost of modifying such loans, shall be as defined
12 in section 502 of the Congressional Budget Act of 1974:
13 *Provided further*, That such sums shall be available for di-
14 rect loan obligations and loan guaranty commitments in-
15 curred or made during fiscal years 1996 and 1997: *Pro-*
16 *vided further*, That such sums shall remain available
17 through fiscal year 2003 for the disbursement of direct
18 and guaranteed loans obligated in fiscal year 1996, and
19 through fiscal year 2004 for the disbursement of direct
20 and guaranteed loans obligated in fiscal year 1997. In ad-
21 dition, such sums as may be necessary for administrative
22 expenses to carry out the credit program may be derived
23 from amounts available for administrative expenses to
24 carry out the credit and insurance programs in the Over-
25 seas Private Investment Corporation Noncredit Account
26 and merged with said account.

1 FUNDS APPROPRIATED TO THE PRESIDENT

2 TRADE AND DEVELOPMENT AGENCY

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

15 INTERNATIONAL FINANCIAL INSTITUTIONS

16 CONTRIBUTION TO THE INTERNATIONAL FINANCE

17 CORPORATION

18 For payment to the International Finance Corpora-
19 tion by the Secretary of the Treasury, \$67,550,000, for
20 the United States share of the increase in subscriptions
21 to capital stock, to remain available until expended: *Pro-*
22 *vided*, That of the amount appropriated under this head-
23 ing not more than \$5,269,000 may be expended for the
24 purchase of such stock in fiscal year 1996.

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

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

8 TITLE II—BILATERAL ECONOMIC ASSISTANCE
9 FUNDS APPROPRIATED TO THE PRESIDENT

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

15 AGENCY FOR INTERNATIONAL DEVELOPMENT
16 CHILDREN AND DISEASE PROGRAMS FUND

17 For necessary expenses to carry out the provisions
18 of part I and chapter 4 of part II of the Foreign Assist-
19 ance Act of 1961, for child survival, assistance to combat
20 tropical and other diseases, and related assistance activi-
21 ties, \$592,660,000, to remain available until September
22 30, 1997: *Provided*, That this amount shall be made avail-
23 able for such activities as (1) immunization programs, (2)
24 oral rehydration programs, (3) health and nutrition pro-
25 grams, and related education programs, which address the

1 needs of mothers and children, (4) water and sanitation
2 programs, (5) assistance for displaced and orphaned chil-
3 dren, (6) programs for the prevention, treatment, and con-
4 trol of, and research on, HIV/AIDS, polio, malaria and
5 other diseases, (7) basic education programs, and (8) a
6 contribution on a grant basis to the United Nations Chil-
7 dren's Fund (UNICEF): *Provided further*, That funds ap-
8 propriated under this heading shall be in addition to
9 amounts otherwise available for such purposes.

10 DEVELOPMENT ASSISTANCE FUND

11 (INCLUDING TRANSFERS OF FUNDS)

12 For necessary expenses to carry out the provisions
13 of sections 103 through 106 of the Foreign Assistance Act
14 of 1961, \$655,000,000, to remain available until Septem-
15 ber 30, 1997: *Provided*, That none of the funds made
16 available in this Act nor any unobligated balances from
17 prior appropriations may be made available to any organi-
18 zation or program which, as determined by the President
19 of the United States, supports or participates in the man-
20 agement of a program of coercive abortion or involuntary
21 sterilization: *Provided further*, That none of the funds
22 made available under this heading may be used to pay for
23 the performance of abortion as a method of family plan-
24 ning or to motivate or coerce any person to practice abor-
25 tions; and that in order to reduce reliance on abortion in
26 developing nations, funds shall be available only to vol-

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

23 DEVELOPMENT FUND FOR AFRICA

24 For necessary expenses to carry out the provisions
25 of chapter 10 of part I of the Foreign Assistance Act of
26 1961, \$528,000,000, to remain available until September

1 30, 1997: *Provided*, That none of the funds appropriated
2 by this Act to carry out chapters 1 and 10 of part I of
3 the Foreign Assistance Act of 1961 shall be transferred
4 to the Government of Zaire: *Provided further*, That funds
5 appropriated under this heading which are made available
6 for activities supported by the Southern Africa Develop-
7 ment Community shall be made available notwithstanding
8 section 512 of this Act and section 620(q) of the Foreign
9 Assistance Act of 1961.

10 PRIVATE AND VOLUNTARY ORGANIZATIONS

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

24 Funds appropriated or otherwise made available
25 under title II of this Act should be made available to pri-
26 vate and voluntary organizations at a level which is equiv-

1 alent to the level provided in fiscal year 1995. Such private
2 and voluntary organizations shall include those which op-
3 erate on a not-for-profit basis, receive contributions from
4 private sources, receive voluntary support from the public
5 and are deemed to be among the most cost-effective and
6 successful providers of development assistance.

7 INTERNATIONAL DISASTER ASSISTANCE

8 For necessary expenses for international disaster re-
9 lief, rehabilitation, and reconstruction assistance pursuant
10 to section 491 of the Foreign Assistance Act of 1961, as
11 amended, \$200,000,000 to remain available until ex-
12 pended.

13 DEBT RESTRUCTURING

14 For the cost, as defined in section 502 of the Con-
15 gressional Budget Act of 1974, of modifying direct loans
16 and loan guarantees, as the President may determine, for
17 which funds have been appropriated or otherwise made
18 available for programs within the International Affairs
19 Budget Function 150, including the cost of selling, reduc-
20 ing, or canceling amounts, through debt buybacks and
21 swaps, owed to the United States as a result of
22 concessional loans made to eligible Latin American and
23 Caribbean countries, pursuant to part IV of the Foreign
24 Assistance Act of 1961, \$7,000,000, to remain available
25 until expended.

1 MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM
2 ACCOUNT

3 For the subsidy cost of direct loans and loan guaran-
4 tees, \$1,500,000, as authorized by section 108 of the For-
5 eign Assistance Act of 1961, as amended: *Provided*, That
6 such costs shall be as defined in section 502 of the Con-
7 gressional Budget Act of 1974. In addition, for adminis-
8 trative expenses to carry out programs under this heading,
9 \$500,000, all of which may be transferred to and merged
10 with the appropriation for Operating Expenses of the
11 Agency for International Development.

12 HOUSING GUARANTY PROGRAM ACCOUNT

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

17 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
18 DISABILITY FUND

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

22 OPERATING EXPENSES OF THE AGENCY FOR
23 INTERNATIONAL DEVELOPMENT

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

1 to pay for printing costs: *Provided further*, That none of
2 the funds appropriated by this Act for programs adminis-
3 tered by the Agency for International Development may
4 be used to finance printing costs of any report or study
5 (except feasibility, design, or evaluation reports or studies)
6 in excess of \$25,000 without the approval of the Adminis-
7 trator of that Agency or the Administrator's designee.

8 OPERATING EXPENSES OF THE AGENCY FOR INTER-
9 NATIONAL DEVELOPMENT OFFICE OF INSPECTOR
10 GENERAL

11 For necessary expenses to carry out the provisions
12 of section 667, \$35,200,000, which sum shall be available
13 for the Office of the Inspector General of the Agency for
14 International Development.

15 OTHER BILATERAL ECONOMIC ASSISTANCE
16 ECONOMIC SUPPORT FUND

17 For necessary expenses to carry out the provisions
18 of chapter 4 of part II, \$2,300,000,000, to remain avail-
19 able until September 30, 1997: *Provided*, That any funds
20 appropriated under this heading that are made available
21 for Israel shall be made available on a grant basis as a
22 cash transfer and shall be disbursed within thirty days of
23 enactment of this Act or by October 31, 1995, whichever
24 is later: *Provided further*, That none of the funds appro-
25 priated under this heading shall be made available for
26 Zaire.

1 INTERNATIONAL FUND FOR IRELAND

2 For necessary expenses to carry out the provisions
3 of part I of the Foreign Assistance Act of 1961, up to
4 \$19,600,000, which shall be available for the United
5 States contribution to the International Fund for Ireland
6 and shall be made available in accordance with the provi-
7 sions of the Anglo-Irish Agreement Support Act of 1986
8 (Public Law 99-415): *Provided*, That such amount shall
9 be expended at the minimum rate necessary to make time-
10 ly payment for projects and activities: *Provided further*,
11 That funds made available under this heading shall re-
12 main available until September 30, 1997.

13 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
14 STATES

15 For necessary expenses to carry out the provisions
16 of the Foreign Assistance Act of 1961 and the Support
17 for East European Democracy (SEED) Act of 1989,
18 \$324,000,000, to remain available until September 30,
19 1997, which shall be available, notwithstanding any other
20 provision of law, for economic assistance and for related
21 programs for Eastern Europe and the Baltic States.

22 Funds appropriated under this heading or in prior
23 appropriations Acts that are or have been made available
24 for an Enterprise Fund may be deposited by such Fund
25 in interest-bearing accounts prior to the Fund's disburse-
26 ment of such funds for program purposes. The Fund may

1 retain for such program purposes any interest earned on
2 such deposits without returning such interest to the Treas-
3 ury of the United States and without further appropria-
4 tion by the Congress. Funds made available for Enterprise
5 Funds shall be expended at the minimum rate necessary
6 to make timely payment for projects and activities.

7 Funds appropriated under this heading shall be con-
8 sidered to be economic assistance under the Foreign As-
9 sistance Act of 1961 for purposes of making available the
10 administrative authorities contained in that Act for the
11 use of economic assistance.

12 ASSISTANCE FOR THE NEW INDEPENDENT STATES OF
13 THE FORMER SOVIET UNION

14 (a) For necessary expenses to carry out the provisions
15 of chapter 11 of part I of the Foreign Assistance Act of
16 1961 and the FREEDOM Support Act, for assistance for
17 the new independent states of the former Soviet Union
18 and for related programs, \$580,000,000, to remain avail-
19 able until September 30, 1997: *Provided*, That the provi-
20 sions of 498B(j) of the Foreign Assistance Act of 1961
21 shall apply to funds appropriated by this paragraph.

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

24 (1) unless that Government is making progress
25 in implementing comprehensive economic reforms
26 based on market principles, private ownership, nego-

1 tiating repayment of commercial debt, respect for
2 commercial contracts, and equitable treatment of
3 foreign private investment; and

4 (2) if that Government applies or transfers
5 United States assistance to any entity for the pur-
6 pose of expropriating or seizing ownership or control
7 of assets, investments, or ventures.

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

11 (d) None of the funds appropriated under this head-
12 ing shall be made available to any government of the new
13 independent states of the former Soviet Union if that gov-
14 ernment directs any action in violation of the territorial
15 integrity or national sovereignty of any other new inde-
16 pendent state, such as those violations included in Prin-
17 ciple Six of the Helsinki Final Act: *Provided*, That such
18 funds may be made available without regard to the restric-
19 tion in this subsection if the President determines that
20 to do so is in the national security interest of the United
21 States: *Provided further*, That the restriction of this sub-
22 section shall not apply to the use of such funds for the
23 provision of assistance for purposes of humanitarian, dis-
24 aster and refugee relief.

1 (e) None of the funds appropriated under this head-
2 ing for the new independent states of the former Soviet
3 Union shall be made available for any state to enhance
4 its military capability.

5 (f) Funds appropriated under this heading shall be
6 subject to the regular notification procedures of the Com-
7 mittees on Appropriations.

8 (g) Funds made available in this Act for assistance
9 to the new independent states of the former Soviet Union
10 shall be subject to the provisions of section 117 (relating
11 to environment and natural resources) of the Foreign As-
12 sistance Act of 1961.

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

15 (i) Funds made available in this Act for assistance
16 to the new independent states of the former Soviet Union
17 shall be provided to the maximum extent feasible through
18 the private sector, including small- and medium-size busi-
19 nesses, entrepreneurs, and others with indigenous private
20 enterprises in the region, intermediary development orga-
21 nizations committed to private enterprise, and private vol-
22 untary organizations previously functioning in the new
23 independent states.

24 (j) The ratio of private sector investment (including
25 volunteer contributions in cash or time) to United States

1 government assistance in projects referred to in subsection
2 (i) shall be no less than a ratio of 1 to 1.

3 INDEPENDENT AGENCIES

4 AFRICAN DEVELOPMENT FOUNDATION

5 For necessary expenses to carry out the provisions
6 of title V of the International Security and Development
7 Cooperation Act of 1980, Public Law 96-533, and to
8 make such contracts and commitments without regard to
9 fiscal year limitations, as provided by 31 U.S.C. 9104,
10 \$11,500,000.

11 INTER-AMERICAN FOUNDATION

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

18 PEACE CORPS

19 For expenses necessary to carry out the provisions
20 of the Peace Corps Act (75 Stat. 612), \$210,000,000, in-
21 cluding the purchase of not to exceed five passenger motor
22 vehicles for administrative purposes for use outside of the
23 United States: *Provided*, That none of the funds appro-
24 priated under this heading shall be used to pay for abor-
25 tions.

1 DEPARTMENT OF STATE

2 INTERNATIONAL NARCOTICS CONTROL

3 For necessary expenses to carry out the provisions
4 of section 481 of the Foreign Assistance Act of 1961,
5 \$113,000,000: *Provided*, That during fiscal year 1996, the
6 Department of State may also use the authority of section
7 608 of the Foreign Assistance Act of 1961, without regard
8 to its restrictions, to receive non-lethal excess property
9 from an agency of the United States Government for the
10 purpose of providing it to a foreign country under chapter
11 8 of part I of that Act subject to the regular notification
12 procedures of the Committees on Appropriations.

13 MIGRATION AND REFUGEE ASSISTANCE

14 For expenses, not otherwise provided for, necessary
15 to enable the Secretary of State to provide, as authorized
16 by law, a contribution to the International Committee of
17 the Red Cross, assistance to refugees, including contribu-
18 tions to the International Organization for Migration and
19 the United Nations High Commissioner for Refugees, and
20 other activities to meet refugee and migration needs; pur-
21 chase and hire of passenger motor vehicles; and services
22 as authorized by section 3109 of title 5, United States
23 Code, \$671,000,000: *Provided*, That, one of the funds ap-
24 propriated under this heading shall be available for sala-
25 ries and expenses of personnel assigned to the bureau

1 charged with carrying out the Migration and Refugee As-
2 sistance Act.

3 REFUGEE RESETTLEMENT ASSISTANCE

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

11 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
12 ASSISTANCE FUND

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

22 ANTI-TERRORISM ASSISTANCE

23 For necessary expenses to carry out the provisions
24 of chapter 8 of part II of the Foreign Assistance Act of
25 1961, \$17,000,000.

1 NONPROLIFERATION AND DISARMAMENT FUND

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

17 TITLE III—MILITARY ASSISTANCE

18 FUNDS APPROPRIATED TO THE PRESIDENT

19 INTERNATIONAL MILITARY EDUCATION AND TRAINING

20 For necessary expenses to carry out the provisions
21 of section 541 of the Foreign Assistance Act of 1961,
22 \$39,000,000: *Provided*, That up to \$100,000 of the funds
23 appropriated under this heading may be made available
24 for grant financed military education and training for any
25 high income country on the condition that that country

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

14 FOREIGN MILITARY FINANCING PROGRAM

15 For expenses necessary for grants to enable the
16 President to carry out the provisions of section 23 of the
17 Arms Export Control Act, \$3,211,279,000: *Provided,* That
18 funds appropriated by this paragraph that are made avail-
19 able for Israel and Egypt shall be made available only as
20 grants: *Provided further,* That the funds appropriated by
21 this paragraph that are made available for Israel shall be
22 disbursed within thirty days of enactment of this Act or
23 by October 31, 1995, whichever is later: *Provided further,*
24 That to the extent that the Government of Israel requests
25 that funds be used for such purposes, grants made avail-
26 able for Israel by this paragraph shall, as agreed by Israel

1 and the United States, be available for advanced weapons
2 systems, of which not to exceed \$475,000,000 shall be
3 available for the procurement in Israel of defense articles
4 and defense services, including research and development:
5 *Provided further*, That funds made available under this
6 paragraph shall be nonrepayable notwithstanding any re-
7 quirement in section 23 of the Arms Export Control Act:
8 *Provided further*, That none of the funds made available
9 under this heading shall be available for any non-NATO
10 country participating in the Partnership for Peace Pro-
11 gram except through the regular notification procedures
12 of the Committees on Appropriations.

13 For the cost, as defined in section 502 of the Con-
14 gressional Budget Act of 1974, of direct loans authorized
15 by section 23 of the Arms Export Control Act as follows:
16 cost of direct loans, \$64,400,000: *Provided*, That these
17 funds are available to subsidize gross obligations for the
18 principal amount of direct loans of not to exceed
19 \$544,000,000: *Provided further*, That the rate of interest
20 charged on such loans shall be not less than the current
21 average market yield on outstanding marketable obliga-
22 tions of the United States of comparable maturities: *Pro-*
23 *vided further*, That funds appropriated under this heading
24 shall be made available for Greece and Turkey only on
25 a loan basis, and the principal amount of direct loans for

1 each country shall not exceed \$224,000,000 for Greece
2 and shall not exceed \$320,000,000 for Turkey.

3 None of the funds made available under this heading
4 shall be available to finance the procurement of defense
5 articles, defense services, or design and construction serv-
6 ices that are not sold by the United States Government
7 under the Arms Export Control Act unless the foreign
8 country proposing to make such procurements has first
9 signed an agreement with the United States Government
10 specifying the conditions under which such procurements
11 may be financed with such funds: *Provided*, That all coun-
12 try and funding level increases in allocations shall be sub-
13 mitted through the regular notification procedures of sec-
14 tion 515 of this Act: *Provided further*, That funds made
15 available under this heading shall be obligated upon appor-
16 tionment in accordance with paragraph (5)(C) of title 31,
17 United States Code, section 1501(a): *Provided further*,
18 That none of the funds appropriated under this heading
19 shall be available for Zaire, Sudan, Peru, Liberia, and
20 Guatemala: *Provided further*, That none of the funds ap-
21 propriated or otherwise made available for use under this
22 heading may be made available for Colombia or Bolivia
23 until the Secretary of State certifies that such funds will
24 be used by such country primarily for counternarcotics ac-
25 tivities: *Provided further*, That funds made available under

1 this heading may be used, notwithstanding any other pro-
2 vision of law, for demining activities, and may include ac-
3 tivities implemented through nongovernmental and inter-
4 national organizations: *Provided further*, That not more
5 than \$100,000,000 of the funds made available under this
6 heading shall be available for use in financing the procure-
7 ment of defense articles, defense services, or design and
8 construction services that are not sold by the United
9 States Government under the Arms Export Control Act
10 to countries other than Israel and Egypt: *Provided further*,
11 That only those countries for which assistance was justi-
12 fied for the “Foreign Military Sales Financing Program”
13 in the fiscal year 1989 congressional presentation for secu-
14 rity assistance programs may utilize funds made available
15 under this heading for procurement of defense articles, de-
16 fense services or design and construction services that are
17 not sold by the United States Government under the Arms
18 Export Control Act: *Provided further*, That, subject to the
19 regular notification procedures of the Committees on Ap-
20 propriations, funds made available under this heading for
21 the cost of direct loans may also be used to supplement
22 the funds available under this heading for grants, and
23 funds made available under this heading for grants may
24 also be used to supplement the funds available under this
25 heading for the cost of direct loans: *Provided further*, That

1 funds appropriated under this heading shall be expended
2 at the minimum rate necessary to make timely payment
3 for defense articles and services: *Provided further*, That
4 the Department of Defense shall conduct during the cur-
5 rent fiscal year nonreimbursable audits of private firms
6 whose contracts are made directly with foreign govern-
7 ments and are financed with funds made available under
8 this heading (as well as subcontractors thereunder) as re-
9 quested by the Defense Security Assistance Agency: *Pro-*
10 *vided further*, That not more than \$24,000,000 of the
11 funds appropriated under this heading may be obligated
12 for necessary expenses, including the purchase of pas-
13 senger motor vehicles for replacement only for use outside
14 of the United States, for the general costs of administer-
15 ing military assistance and sales: *Provided further*, That
16 not more than \$355,000,000 of funds realized pursuant
17 to section 21(e)(1)(A) of the Arms Export Control Act
18 may be obligated for expenses incurred by the Department
19 of Defense during fiscal year 1996 pursuant to section
20 43(b) of the Arms Export Control Act, except that this
21 limitation may be exceeded only through the regular notifi-
22 cation procedures of the Committees on Appropriations.

23 PEACEKEEPING OPERATIONS

24 For necessary expenses to carry out the provisions
25 of section 551 of the Foreign Assistance Act of 1961,
26 \$68,300,000.

1 TITLE IV—MULTILATERAL ECONOMIC
2 ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 INTERNATIONAL FINANCIAL INSTITUTIONS
5 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
6 RECONSTRUCTION AND DEVELOPMENT

7 For payment to the International Bank for Recon-
8 struction and Development by the Secretary of the Treas-
9 ury, for the United States share of the paid-in share por-
10 tion of the increases in capital stock for the General Cap-
11 ital Increase, \$23,009,000, to remain available until ex-
12 pended.

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

18 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

19 The United States Governor of the International
20 Bank for Reconstruction and Development may subscribe
21 without fiscal year limitation to the callable capital portion
22 of the United States share of increases in capital stock
23 in an amount not to exceed \$743,900,000.

1 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
2 ASSOCIATION

3 For payment to the International Development Asso-
4 ciation by the Secretary of the Treasury, \$575,000,000,
5 for the United States contribution to the tenth replenish-
6 ment, to remain available until expended.

7 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
8 BANK

9 For payment to the Inter-American Development
10 Bank by the Secretary of the Treasury, for the United
11 States share of the paid-in share portion of the increase
12 in capital stock, \$25,950,000.

13 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

14 The United States Governor of the Inter-American
15 Development Bank may subscribe without fiscal year limi-
16 tation to the callable capital portion of the United States
17 share of such capital stock in an amount not to exceed
18 \$1,523,000,000.

19 CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

20 For payment to the Asian Development Bank by the
21 Secretary of the Treasury for the United States share of
22 the paid-in portion of the increase in capital stock,
23 \$13,200,000, to remain available until expended.

24 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

25 The United States Governor of the Asian Develop-
26 ment Bank may subscribe without fiscal year limitation

1 to the callable capital portion of the United States share
2 of such capital stock in an amount not to exceed
3 \$647,000,000.

4 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

5 For the United States contribution by the Secretary
6 of the Treasury to the increases in resources of the Asian
7 Development Fund, as authorized by the Asian Devel-
8 opment Bank Act, as amended (Public Law 89-369),
9 \$100,000,000, to remain available until expended.

10 CONTRIBUTION TO THE EUROPEAN BANK FOR
11 RECONSTRUCTION AND DEVELOPMENT

12 For payment to the European Bank for Reconstruc-
13 tion and Development by the Secretary of the Treasury,
14 \$69,180,000, for the United States share of the paid-in
15 share portion of the initial capital subscription, to remain
16 available until expended: *Provided*, That of the amount ap-
17 propriated under this heading not more than \$54,600,000
18 may be expended for the purchase of such stock in fiscal
19 year 1996.

20 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

21 The United States Governor of the European Bank
22 for Reconstruction and Development may subscribe with-
23 out fiscal year limitation to the callable capital portion of
24 the United States share of such capital stock in an amount
25 not to exceed \$161,400,000.

1 NORTH AMERICAN DEVELOPMENT BANK

2 For payment to the North American Development
3 Bank by the Secretary of the Treasury, for the United
4 States share of the paid-in portion of the capital stock,
5 \$56,250,000, to remain available until expended.

6 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

7 The United States Governor of the North American
8 Development Bank may subscribe without fiscal year limi-
9 tation to the callable capital portion of the United States
10 share of the capital stock of the North American Develop-
11 ment Bank in an amount not to exceed \$318,750,000.

12 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

13 For necessary expenses to carry out the provisions
14 of section 301 of the Foreign Assistance Act of 1961, and
15 of section 2 of the United Nations Environment Program
16 Participation Act of 1973, \$155,000,000: *Provided*, That
17 none of the funds appropriated under this heading shall
18 be made available for the United Nations Fund for
19 Science and Technology: *Provided further*, That funds ap-
20 propriated under this heading may be made available for
21 the International Atomic Energy Agency only if the Sec-
22 retary of State determines (and so reports to the Con-
23 gress) that Israel is not being denied its right to partici-
24 pate in the activities of that Agency: *Provided further*,
25 That none of the funds appropriated under this heading
26 that are made available to the United Nations Population

1 Fund (UNFPA) shall be made available for activities in
2 the People's Republic of China: *Provided further*, That not
3 more than \$25,000,000 of the funds appropriated under
4 this heading may be made available to the UNFPA: *Pro-*
5 *vided further*, That not more than one-half of this amount
6 may be provided to UNFPA before March 1, 1996, and
7 that no later than February 15, 1996, the Secretary of
8 State shall submit a report to the Committees on Appro-
9 priations indicating the amount UNFPA is budgeting for
10 the People's Republic of China in 1996: *Provided further*,
11 That any amount UNFPA plans to spend in the People's
12 Republic of China in 1996 above \$7,000,000, shall be de-
13 ducted from the amount of funds provided to UNFPA
14 after March 1, 1996 pursuant to the previous provisos:
15 *Provided further*, That with respect to any funds appro-
16 priated under this heading that are made available to
17 UNFPA, UNFPA shall be required to maintain such
18 funds in a separate account and not commingle them with
19 any other funds: *Provided further*, That up to \$13,000,000
20 may be made available to the Korean Peninsula Energy
21 Development Organization (KEDO) for administrative ex-
22 penses and heavy fuel oil costs associated with the Frame-
23 work Agreement: *Provided further*, That additional funds
24 may be made available to KEDO subject to the regular

1 notification procedures of the Committees on Appropria-
2 tions.

3 TITLE V—GENERAL PROVISIONS

4 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

5 SEC. 501. Except for the appropriations entitled
6 “International Disaster Assistance”, and “United States
7 Emergency Refugee and Migration Assistance Fund”, not
8 more than 15 per centum of any appropriation item made
9 available by this Act shall be obligated during the last
10 month of availability.

11 PROHIBITION OF BILATERAL FUNDING FOR

12 INTERNATIONAL FINANCIAL INSTITUTIONS

13 SEC. 502. None of the funds contained in title II of
14 this Act may be used to carry out the provisions of section
15 209(d) of the Foreign Assistance Act of 1961.

16 LIMITATION ON RESIDENCE EXPENSES

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

24 LIMITATION ON EXPENSES

25 SEC. 504. Of the funds appropriated or made avail-
26 able pursuant to this Act, not to exceed \$5,000 shall be

1 for entertainment expenses of the Agency for International
2 Development during the current fiscal year.

3 LIMITATION ON REPRESENTATIONAL ALLOWANCES

4 SEC. 505. Of the funds appropriated or made avail-
5 able pursuant to this Act, not to exceed \$95,000 shall be
6 available for representation allowances for the Agency for
7 International Development during the current fiscal year:
8 *Provided*, That appropriate steps shall be taken to assure
9 that, to the maximum extent possible, United States-
10 owned foreign currencies are utilized in lieu of dollars:
11 *Provided further*, That of the funds made available by this
12 Act for general costs of administering military assistance
13 and sales under the heading “Foreign Military Financing
14 Program”, not to exceed \$2,000 shall be available for en-
15 tertainment expenses and not to exceed \$50,000 shall be
16 available for representation allowances: *Provided further*,
17 That of the funds made available by this Act under the
18 heading “International Military Education and Training”,
19 not to exceed \$50,000 shall be available for entertainment
20 allowances: *Provided further*, That of the funds made
21 available by this Act for the Inter-American Foundation,
22 not to exceed \$2,000 shall be available for entertainment
23 and representation allowances: *Provided further*, That of
24 the funds made available by this Act for the Peace Corps,
25 not to exceed a total of \$4,000 shall be available for enter-
26 tainment expenses: *Provided further*, That of the funds

1 made available by this Act under the heading “Trade and
2 Development Agency”, not to exceed \$2,000 shall be avail-
3 able for representation and entertainment allowances.

4 PROHIBITION ON FINANCING NUCLEAR GOODS

5 SEC. 506. None of the funds appropriated or made
6 available (other than funds for “International Organiza-
7 tions and Programs”) pursuant to this Act, for carrying
8 out the Foreign Assistance Act of 1961, may be used, ex-
9 cept for purposes of nuclear safety, to finance the export
10 of nuclear equipment, fuel, or technology.

11 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
12 COUNTRIES

13 SEC. 507. None of the funds appropriated or other-
14 wise made available pursuant to this Act shall be obligated
15 or expended to finance directly any assistance or repara-
16 tions to Cuba, Iraq, Libya, North Korea, Iran, Serbia,
17 Sudan, or Syria: *Provided*, That for purposes of this sec-
18 tion, the prohibition on obligations or expenditures shall
19 include direct loans, credits, insurance and guarantees of
20 the Export-Import Bank or its agents.

21 MILITARY COUPS

22 SEC. 508. None of the funds appropriated or other-
23 wise made available pursuant to this Act shall be obligated
24 or expended to finance directly any assistance to any coun-
25 try whose duly elected Head of Government is deposed by
26 military coup or decree: *Provided*, That assistance may be

1 resumed to such country if the President determines and
2 reports to the Committees on Appropriations that subse-
3 quent to the termination of assistance a democratically
4 elected government has taken office.

5 TRANSFERS BETWEEN ACCOUNTS

6 SEC. 509. None of the funds made available by this
7 Act may be obligated under an appropriation account to
8 which they were not appropriated, except for transfers
9 specifically provided for in this Act, unless the President,
10 prior to the exercise of any authority contained in the For-
11 eign Assistance Act of 1961 to transfer funds, consults
12 with and provides a written policy justification to the
13 Committees on Appropriations of the House of Represent-
14 atives and the Senate: *Provided*, That the exercise of such
15 authority shall be subject to the regular notification proce-
16 dures of the Committees on Appropriations, except for
17 transfers specifically referred to in this Act.

18 DEOBLIGATION/REOBLIGATION AUTHORITY

19 SEC. 510. Amounts certified pursuant to section
20 1311 of the Supplemental Appropriations Act, 1955, as
21 having been obligated against appropriations heretofore
22 made under the authority of the Foreign Assistance Act
23 of 1961 for the same general purpose as any of the head-
24 ings under title II of this Act are, if deobligated, hereby
25 continued available for the same period as the respective
26 appropriations under such headings or until September

1 30, 1996, whichever is later, and for the same general pur-
2 pose, and for countries within the same region as origi-
3 nally obligated: *Provided*, That the Appropriations Com-
4 mittees of both Houses of the Congress are notified fifteen
5 days in advance of the deobligation and reobligation of
6 such funds in accordance with regular notification proce-
7 dures of the Committees on Appropriations.

8 AVAILABILITY OF FUNDS

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

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

6 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

20 COMMERCE AND TRADE

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

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

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

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

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

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

5 SURPLUS COMMODITIES

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

23 NOTIFICATION REQUIREMENTS

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

1 Survival and Disease Programs Fund”, “Development As-
2 sistance Fund”, “Development Fund for Africa”, “Inter-
3 national organizations and programs”, “Trade and Devel-
4 opment Agency”, “International narcotics control”, “As-
5 sistance for Eastern Europe and the Baltic States”, “As-
6 sistance for the New Independent States of the Former
7 Soviet Union”, “Economic Support Fund”, “Peacekeeping
8 operations”, “Operating expenses of the Agency for Inter-
9 national Development”, “Operating expenses of the Agen-
10 cy for International Development Office of Inspector Gen-
11 eral”, “Nonproliferation and Disarmament Fund”, “Anti-
12 terrorism assistance”, “Foreign Military Financing Pro-
13 gram”, “International military education and training”,
14 “Inter-American Foundation”, “African Development
15 Foundation”, “Peace Corps”, “Migration and refugee as-
16 sistance”, or “United States Emergency Refugee and Mi-
17 gration Assistance Fund”, shall be available for obligation
18 for activities, programs, projects, type of materiel assist-
19 ance, countries, or other operations not justified or in ex-
20 cess of the amount justified to the Appropriations Com-
21 mittees for obligation under any of these specific headings
22 unless the Appropriations Committees of both Houses of
23 Congress are previously notified fifteen days in advance:
24 *Provided*, That the President shall not enter into any com-
25 mitment of funds appropriated for the purposes of section

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

1 fication provided pursuant to such a waiver shall contain
2 an explanation of the emergency circumstances.

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

7 LIMITATION ON AVAILABILITY OF FUNDS FOR

8 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

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

1 ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

2 SEC. 517. The Congress finds that progress on the
3 peace process in the Middle East is vitally important to
4 United States security interests in the region. The Con-
5 gress recognizes that, in fulfilling its obligations under the
6 Treaty of Peace Between the Arab Republic of Egypt and
7 the State of Israel, done at Washington on March 26,
8 1979, Israel incurred severe economic burdens. Further-
9 more, the Congress recognizes that an economically and
10 militarily secure Israel serves the security interests of the
11 United States, for a secure Israel is an Israel which has
12 the incentive and confidence to continue pursuing the
13 peace process. Therefore, the Congress declares that, sub-
14 ject to the availability of appropriations, it is the policy
15 and the intention of the United States that the funds pro-
16 vided in annual appropriations for the Economic Support
17 Fund which are allocated to Israel shall not be less than
18 the annual debt repayment (interest and principal) from
19 Israel to the United States Government in recognition that
20 such a principle serves United States interests in the
21 region.

22 PROHIBITION CONCERNING ABORTIONS AND
23 INVOLUNTARY STERILIZATION

24 SEC. 518. None of the funds made available to carry
25 out part I of the Foreign Assistance Act of 1961, as
26 amended, may be used to pay for the performance of abor-

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

20 REPORTING REQUIREMENT

21 SEC. 519. The President shall submit to the Commit-
22 tees on Appropriations the reports required by section
23 25(a)(1) of the Arms Export Control Act.

24 SPECIAL NOTIFICATION REQUIREMENTS

25 SEC. 520. None of the funds appropriated in this Act
26 shall be obligated or expended for Colombia, Dominican

1 Republic, Guatemala, Haiti, Indonesia, Liberia, Nica-
2 ragua, Peru, Russia, Sudan, or Zaire except as provided
3 through the regular notification procedures of the Com-
4 mittees on Appropriations: *Provided*, That this section
5 shall not apply to funds appropriated by this Act to carry
6 out the provisions of chapter 1 of part I of the Foreign
7 Assistance Act of 1961 that are made available for Indo-
8 nesia and Nicaragua.

9 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

10 SEC. 521. For the purpose of this Act, “program,
11 project, and activity” shall be defined at the Appropria-
12 tions Act account level and shall include all Appropriations
13 and Authorizations Acts earmarks, ceilings, and limita-
14 tions with the exception that for the following accounts:
15 Economic Support Fund and Foreign Military Financing
16 Program, “program, project, and activity” shall also be
17 considered to include country, regional, and central pro-
18 gram level funding within each such account; for the devel-
19 opment assistance accounts of the Agency for Inter-
20 national Development “program, project, and activity”
21 shall also be considered to include central program level
22 funding, either as (1) justified to the Congress, or (2) allo-
23 cated by the executive branch in accordance with a report,
24 to be provided to the Committees on Appropriations within
25 thirty days of enactment of this Act, as required by section
26 653(a) of the Foreign Assistance Act of 1961.

1 CHILD SURVIVAL AND AIDS ACTIVITIES

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

1 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
2 COUNTRIES

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

10 RECIPROCAL LEASING

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

14 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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

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

3 AUTHORIZATION REQUIREMENT

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

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

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

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

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

1 Association, and the International Monetary Fund;
2 and

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

8 COMMERCIAL LEASING OF DEFENSE ARTICLES

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

23 STINGERS IN THE PERSIAN GULF REGION

24 SEC. 529. Except as provided in section 581 of the
25 Foreign Operations, Export Financing, and Related Pro-
26 grams Appropriations Act, 1990, the United States may

1 not sell or otherwise make available any Stingers to any
2 country bordering the Persian Gulf under the Arms Ex-
3 port Control Act or chapter 2 of part II of the Foreign
4 Assistance Act of 1961.

5 DEBT-FOR-DEVELOPMENT

6 SEC. 530. In order to enhance the continued partici-
7 pation of nongovernmental organizations in economic as-
8 sistance activities under the Foreign Assistance Act of
9 1961, including endowments, debt-for-development and
10 debt-for-nature exchanges, a nongovernmental organiza-
11 tion which is a grantee or contractor of the Agency for
12 International Development may place in interest bearing
13 accounts funds made available under this Act or prior Acts
14 or local currencies which accrue to that organization as
15 a result of economic assistance provided under title II of
16 this Act and any interest earned on such investment may
17 be used for the purpose for which the assistance was pro-
18 vided to that organization.

19 LOCATION OF STOCKPILES

20 SEC. 531. Section 514(b)(2) of the Foreign Assist-
21 ance Act of 1961 is amended by striking out “a total of
22 \$200,000,000 for stockpiles in Israel for fiscal years 1994
23 and 1995, up to \$40,000,000 may be made available for
24 stockpiles in the Republic of Korea, and up to
25 \$10,000,000 may be made available for stockpiles in Thai-
26 land for fiscal year 1995.” and inserting in lieu thereof

1 “\$40,000,000 for stockpiles in the Republic of Korea and
2 \$10,000,000 for stockpiles in Thailand for fiscal year
3 1996”.

4 SEPARATE ACCOUNTS

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

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

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

16 (i) the amount of the local currencies to be
17 generated, and

18 (ii) the terms and conditions under which
19 the currencies so deposited may be utilized, con-
20 sistent with this section; and

21 (C) establish by agreement with that govern-
22 ment the responsibilities of the Agency for Inter-
23 national Development and that government to mon-
24 itor and account for deposits into and disbursements
25 from the separate account.

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

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

9 (i) project and sector assistance activities,

10 or

11 (ii) debt and deficit financing; or

12 (B) for the administrative requirements of the
13 United States Government.

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

21 (4) TERMINATION OF ASSISTANCE PROGRAMS.—
22 Upon termination of assistance to a country under chap-
23 ters 1 or 10 of part I or chapter 4 of part II (as the case
24 may be), any unencumbered balances of funds which re-
25 main in a separate account established pursuant to sub-

1 section (a) shall be disposed of for such purposes as may
2 be agreed to by the government of that country and the
3 United States Government.

4 (5) CONFORMING AMENDMENTS.—The provisions of
5 this subsection shall supersede the tenth and eleventh pro-
6 visos contained under the heading “Sub-Saharan Africa,
7 Development Assistance” as included in the Foreign Oper-
8 ations, Export Financing, and Related Programs Appro-
9 priations Act, 1989 and sections 531(d) and 609 of the
10 Foreign Assistance Act of 1961.

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

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

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

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

15 COMPENSATION FOR UNITED STATES EXECUTIVE
16 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS
17 SEC. 533. (a) No funds appropriated by this Act may
18 be made as payment to any international financial institu-
19 tion while the United States Executive Director to such
20 institution is compensated by the institution at a rate
21 which, together with whatever compensation such Director
22 receives from the United States, is in excess of the rate
23 provided for an individual occupying a position at level IV
24 of the Executive Schedule under section 5315 of title 5,
25 United States Code, or while any alternate United States
26 Director to such institution is compensated by the institu-

1 tion at a rate in excess of the rate provided for an individ-
2 ual occupying a position at level V of the Executive Sched-
3 ule under section 5316 of title 5, United States Code.

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

12 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST
13 IRAQ

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

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

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

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

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

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

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

19 POW/MIA MILITARY DRAWDOWN

20 SEC. 535. (a) Notwithstanding any other provision
21 of law, the President may direct the drawdown, without
22 reimbursement by the recipient, of defense articles from
23 the stocks of the Department of Defense, defense services
24 of the Department of Defense, and military education and
25 training, of an aggregate value not to exceed \$15,000,000

1 in fiscal year 1996, as may be necessary to carry out sub-
2 section (b).

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

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

24 MEDITERRANEAN EXCESS DEFENSE ARTICLES

25 SEC. 536. During fiscal year 1996, the provisions of
26 section 573(e) of the Foreign Operations, Export Financ-

1 ing, and Related Programs Appropriations Act, 1990,
2 shall be applicable, for the period specified therein, to ex-
3 cess defense articles made available under sections 516
4 and 519 of the Foreign Assistance Act of 1961.

5 CASH FLOW FINANCING

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

16 AUTHORITIES FOR THE PEACE CORPS, THE INTER-AMER-
17 ICAN FOUNDATION AND THE AFRICAN DEVELOP-
18 MENT FOUNDATION

19 SEC. 538. Unless expressly provided to the contrary,
20 provisions of this or any other Act, including provisions
21 contained in prior Acts authorizing or making appropria-
22 tions for foreign operations, export financing, and related
23 programs, shall not be construed to prohibit activities au-
24 thorized by or conducted under the Peace Corps Act, the
25 Inter-American Foundation Act, or the African Develop-
26 ment Foundation Act. The appropriate agency shall

1 promptly report to the Committees on Appropriations
2 whenever it is conducting activities or is proposing to con-
3 duct activities in a country for which assistance is prohib-
4 ited.

5 IMPACT ON JOBS IN THE UNITED STATES

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

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

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

25 (c) assistance for any project or activity that
26 contributes to the violation of internationally recog-

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

11 AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

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

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

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

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

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

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

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

1 RESTRICTIONS ON THE TERMINATION OF SANCTIONS
2 AGAINST SERBIA AND MONTENEGRO

3 SEC. 540A. (a) RESTRICTIONS.—Notwithstanding
4 any other provision of law, no sanction, prohibition, or re-
5 quirement described in section 1511 of the National De-
6 fense Authorization Act for Fiscal Year 1994 (Public Law
7 103–160), with respect to Serbia or Montenegro, may
8 cease to be effective, unless—

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

11 (2) the requirements of section 1511 of that
12 Act are met.

13 (b) CERTIFICATION.—A certification described in this
14 subsection is a certification that—

15 (1) there is substantial progress toward—

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

19 (B) the creation of an international protec-
20 torate for Kosova;

21 (2) there is substantial improvement in the
22 human rights situation in Kosova;

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

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

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

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

12 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT
13 OF ISRAEL

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

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

20 (2) the President should—

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

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

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

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

17 ANTI-NARCOTICS ACTIVITIES

18 SEC. 543. (a) Of the funds appropriated or otherwise
19 made available by this Act for "Economic Support Fund",
20 assistance may be provided to strengthen the administra-
21 tion of justice in countries in Latin America and the Car-
22 ibbean in accordance with the provisions of section 534
23 of the Foreign Assistance Act of 1961, except that pro-
24 grams to enhance protection of participants in judicial
25 cases may be conducted notwithstanding section 660 of
26 that Act.

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

8 ELIGIBILITY FOR ASSISTANCE

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

1 be provided, and the reasons for furnishing such assist-
2 ance: *Provided further*, That nothing in this subsection
3 shall be construed to alter any existing statutory prohibi-
4 tions against abortion or involuntary sterilizations con-
5 tained in this or any other Act.

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

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

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

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

CEILINGS

1
2 SEC. 545. Ceilings and earmarks contained in this
3 Act shall not be applicable to funds or authorities appro-
4 priated or otherwise made available by any subsequent Act
5 unless such Act specifically so directs.

EXCESS DEFENSE ARTICLES

6
7 SEC. 546. (a) The authority of section 519 of the
8 Foreign Assistance Act of 1961, as amended, may be used
9 in fiscal year 1996 to provide nonlethal excess defense ar-
10 ticles to countries for which United States foreign assist-
11 ance has been requested and for which receipt of such arti-
12 cles was separately justified for the fiscal year, without
13 regard to the restrictions in subsection (a) of section 519.

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

PROHIBITION ON PUBLICITY OR PROPAGANDA

19
20 SEC. 547. No part of any appropriation contained in
21 this Act shall be used for publicity or propaganda purposes
22 within the United States not authorized before the date
23 of enactment of this Act by the Congress: *Provided*, That
24 none of the funds appropriated by this Act may be made
25 available to carry out the provisions of section 316 of Pub-
26 lic Law 96-533.

1 USE OF AMERICAN RESOURCES

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

6 PROHIBITION OF PAYMENTS TO UNITED NATIONS

7 MEMBERS

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

13 CONSULTING SERVICES

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

22 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

23 SEC. 551. None of the funds appropriated or made
24 available pursuant to this Act shall be available to a pri-
25 vate voluntary organization which fails to provide upon
26 timely request any document, file, or record necessary to

1 the auditing requirements of the Agency for International
2 Development.

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

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

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

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

1 tailed explanation of the assistance to be provided, includ-
2 ing the estimated dollar amount of such assistance, and
3 an explanation of how the assistance furthers United
4 States national interests.

5 WITHHOLDING OF ASSISTANCE FOR PARKING FINES
6 OWED BY FOREIGN COUNTRIES

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

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

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

3 WAR CRIMES TRIBUNALS

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

1 NONLETHAL EXCESS DEFENSE ARTICLES

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

10 LANDMINES

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

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

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

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

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

6 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

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

13 (1) alcoholic beverages;

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

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

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

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

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

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

9 REFERENCES TO AUTHORIZATION ACTS

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

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

7 PROHIBITION ON FUNDING FOR ABORTION

8 SEC. 564. (a) IN GENERAL.—

9 (1) Notwithstanding any other provision of this
10 Act or other law, none of the funds appropriated by
11 this Act for population assistance activities may be
12 made available for any private, nongovernmental, or
13 multilateral organization until the organization cer-
14 tifies that it does not now, and will not during the
15 period for which the funds are made available, di-
16 rectly or through a subcontractor or sub-grantee,
17 perform abortions in any foreign country, except
18 where the life of the mother would be endangered if
19 the fetus were carried to term or in cases of forcible
20 rape or incest.

21 (2) Paragraph (1) may not be construed to
22 apply to the treatment of injuries or illnesses caused
23 by legal or illegal abortions or to assistance provided
24 directly to the government of a country.

25 (b) LOBBYING ACTIVITIES .—

1 (1) Notwithstanding any other provision of this
2 Act or other law, none of the funds appropriated by
3 this Act for population assistance activities may be
4 made available for any private, nongovernmental, or
5 multilateral organization until the organization cer-
6 tifies that it does not now, and will not during the
7 period for which the funds are made available, vio-
8 late the laws of any foreign country concerning the
9 circumstances under which abortion is permitted,
10 regulated, or prohibited, or engage in any activity or
11 effort to alter the laws or governmental policies of
12 any foreign country concerning the circumstances
13 under which abortion is permitted, regulated, or pro-
14 hibited.

15 (2) Paragraph (1) shall not apply to activities
16 in opposition to coercive abortion or involuntary
17 sterilization.

18 (c) COERCIVE POPULATION CONTROL METHODS.—
19 Notwithstanding any other provision of this Act or other
20 law, none of the funds appropriated by this Act may be
21 made available for the United Nations Population Fund
22 (UNFPA), unless the President certifies to the appro-
23 priate congressional committees that (1) the United Na-
24 tions Population Fund has terminated all activities in the
25 People’s Republic of China; or (2) during the 12 months

1 preceding such certification, there have been no abortions
2 as the result of coercion associated with the family plan-
3 ning policies of the national government or other govern-
4 mental entities within the People's Republic of China. As
5 used in this section the term "coercion" includes physical
6 duress or abuse, destruction or confiscation of property,
7 loss of means of livelihood, or severe psychological pres-
8 sure.

9 WITHHOLDING OF ASSISTANCE TO COUNTRIES

10 SUPPORTING NUCLEAR PLANT IN CUBA

11 SEC. 565. The President shall withhold from assist-
12 ance made available with funds appropriated or made
13 available pursuant to this Act an amount equal to the sum
14 of assistance and credits, if any, provided on or after the
15 date of the enactment of this Act by that country, or any
16 entity in that country, in support of the completion of the
17 Cuban nuclear facility at Juragua, near Cienfuegos, Cuba.

18 LIMITATION ON FUNDS FOR HAITI

19 SEC. 566. None of the funds appropriated in this Act
20 may be made available to the Government of Haiti when
21 it is made known to the President that such Government
22 is controlled by a regime holding power through means
23 other than the democratic elections scheduled for calendar
24 year 1995 and held pursuant to the requirements of the
25 1987 Constitution of Haiti.

1 PURCHASE OF AMERICAN-MADE EQUIPMENT AND
2 PRODUCTS

3 SEC. 567. SENSE OF CONGRESS.—It is the sense of
4 the Congress that, to the greatest extent practicable, all
5 equipment and products purchased with funds made avail-
6 able in this Act should be American-made.

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

13 LIMITATION ON ASSISTANCE TO TURKEY

14 SEC. 568. Not more than \$21,000,000 of the funds
15 appropriated in this Act under the heading “ECONOMIC
16 SUPPORT FUND” may be made available to the Govern-
17 ment of Turkey.

18 LIMITATION OF FUNDS FOR NORTH AMERICAN
19 DEVELOPMENT BANK

20 SEC. 569. No funds appropriated in this Act under
21 the heading “North American Development Bank” may
22 be obligated or expended unless it is made known to the
23 Federal entity or official to which funds are appropriated
24 under this Act that the Government of Mexico has contrib-
25 uted a share of the paid-in portion of the capital stock

1 for fiscal year 1996 equivalent to that appropriated by the
2 United States.

3 LIMITATION ON FUNDS FOR BURMA

4 SEC. 570. None of the funds made available in this
5 Act may be used for International Narcotics Control or
6 Crop Substitution Assistance for the Government of
7 Burma.

8 LIMITATION ON FUNDS FOR RUSSIA

9 SEC. 571. Of the funds appropriated in this Act
10 under the heading “Assistance for the New Independent
11 States of the Former Soviet Union”, not more than
12 \$195,000,000 may be made available for Russia.

13 LIMITATION ON ASSISTANCE TO MEXICO

14 SEC. 572. IN GENERAL.—None of the funds appro-
15 priated or otherwise made available by this Act may be
16 obligated or expended for the Government of Mexico, ex-
17 cept if it is made known to the Federal entity or official
18 to which funds are appropriated under this Act that—

19 (1) the Government of Mexico is taking actions
20 to reduce the amount of illegal drugs entering the
21 United States from Mexico, as determined by the
22 Director of the Office of National Drug Control Pol-
23 icy; and

24 (2) the Government of Mexico—

25 (A) is taking effective actions to apply vig-
26 orously all law enforcement resources to inves-

1 tigate, track, capture, incarcerate, and pros-
2 ecute illegal drug kingpins and their accom-
3 plices, individuals responsible for, or otherwise
4 involved in, corruption, and individuals involved
5 in money-laundering; and

6 (B) is pursuing international anti-drug
7 trafficking initiatives.

8 HUMAN RIGHTS PROGRESS IN ETHIOPIA

9 SEC. 573. The Department of State should closely
10 monitor and take into account human rights progress in
11 Ethiopia as it obligates fiscal year 1996 funds for Ethiopia
12 appropriated in this Act.

13 BASIC EDUCATION FOR CHILDREN

14 Sec. 574. Not more than \$108,000,000 under the
15 Agency for International Development Children and Dis-
16 ease Programs Fund may be used for basic education for
17 children.

18 This Act may be cited as the “Foreign Operations,
19 Export Financing, and Related Programs Appropriations
20 Act, 1996”.

 Passed the House of Representatives July 11, 1995.

 Attest:

Clerk.