

Calendar No. 159106TH CONGRESS
1ST SESSION**S. 1234****[Report No. 106-81]**

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 17, 1999

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

A BILL

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, 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, 2000, 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 \$785,000,000 to remain available until September 30,
26 2003: *Provided*, That such costs, including the cost of

1 modifying such loans, shall be as defined in section 502
2 of the Congressional Budget Act of 1974: *Provided fur-*
3 *ther*, That such sums shall remain available until 2018 for
4 the disbursement of direct loans, loan guarantees, insur-
5 ance and tied-aid grants obligated in fiscal years 2000,
6 2001, 2002 and 2003: *Provided further*, That none of the
7 funds appropriated by this Act or any prior Act appro-
8 priating funds for foreign operations, export financing, or
9 related programs for tied-aid credits or grants may be
10 used for any other purpose except through the regular no-
11 tification procedures of the Committees on Appropria-
12 tions: *Provided further*, That funds appropriated by this
13 paragraph are made available notwithstanding section
14 2(b)(2) of the Export Import Bank Act of 1945, in con-
15 nection with the purchase or lease of any product by any
16 East European country, any Baltic State or any agency
17 or national thereof.

18 ADMINISTRATIVE EXPENSES

19 For administrative expenses to carry out the direct
20 and guaranteed loan and insurance programs (to be com-
21 puted on an accrual basis), including hire of passenger
22 motor vehicles and services as authorized by 5 U.S.C.
23 3109, and not to exceed \$25,000 for official reception and
24 representation expenses for members of the Board of Di-
25 rectors, \$55,000,000: *Provided*, That necessary expenses
26 (including special services performed on a contract or fee

1 basis, but not including other personal services) in connec-
2 tion with the collection of moneys owed the Export-Import
3 Bank, repossession or sale of pledged collateral or other
4 assets acquired by the Export-Import Bank in satisfaction
5 of moneys owed the Export-Import Bank, or the investiga-
6 tion or appraisal of any property, or the evaluation of the
7 legal or technical aspects of any transaction for which an
8 application for a loan, guarantee or insurance commitment
9 has been made, shall be considered nonadministrative ex-
10 penses for the purposes of this heading: *Provided further,*
11 That, notwithstanding subsection (b) of section 117 of the
12 Export Enhancement Act of 1992, subsection (a) thereof
13 shall remain in effect until October 1, 2000.

14 OVERSEAS PRIVATE INVESTMENT CORPORATION

15 NONCREDIT ACCOUNT

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

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

6 PROGRAM ACCOUNT

7 For the cost of direct and guaranteed loans,
8 \$24,000,000, as authorized by section 234 of the Foreign
9 Assistance Act of 1961 to be derived by transfer from the
10 Overseas Private Investment Corporation noncredit ac-
11 count: *Provided*, That such costs, including the cost of
12 modifying such loans, shall be as defined in section 502
13 of the Congressional Budget Act of 1974: *Provided fur-*
14 *ther*, That such sums shall be available for direct loan obli-
15 gations and loan guaranty commitments incurred or made
16 during fiscal years 2000 and 2001: *Provided further*, That
17 such sums shall remain available through fiscal year 2008
18 for the disbursement of direct and guaranteed loans obli-
19 gated in fiscal year 2000, and through fiscal year 2009
20 for the disbursement of direct and guaranteed loans obli-
21 gated in fiscal year 2001: *Provided further*, That in addi-
22 tion, such sums as may be necessary for administrative
23 expenses to carry out the credit program may be derived
24 from amounts available for administrative expenses to
25 carry out the credit and insurance programs in the Over-

1 seas Private Investment Corporation Noncredit Account
2 and merged with said account.

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 TRADE AND DEVELOPMENT AGENCY

5 For necessary expenses to carry out the provisions
6 of section 661 of the Foreign Assistance Act of 1961,
7 \$43,000,000, to remain available until September 30,
8 2001: *Provided*, That the Trade and Development Agency
9 may receive reimbursements from corporations and other
10 entities for the costs of grants for feasibility studies and
11 other project planning services, to be deposited as an off-
12 setting collection to this account and to be available for
13 obligation until September 30, 2001, for necessary ex-
14 penses under this paragraph: *Provided further*, That such
15 reimbursements shall not cover, or be allocated against,
16 direct or indirect administrative costs of the agency.

17 TITLE II—BILATERAL ECONOMIC ASSISTANCE

18 FUNDS APPROPRIATED TO THE PRESIDENT

19 For expenses necessary to enable the President to
20 carry out the provisions of the Foreign Assistance Act of
21 1961, and for other purposes, to remain available until
22 September 30, 1999, unless otherwise specified herein, as
23 follows:

1 AGENCY FOR INTERNATIONAL DEVELOPMENT
2 DEVELOPMENT ASSISTANCE
3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary expenses to carry out the provisions
5 of sections 103 through 106, section 301, and chapter 10
6 of part I of the Foreign Assistance Act of 1961, title V
7 of the International Security and Development Coopera-
8 tion Act of 1980 (Public Law 96–533) and the provisions
9 of section 401 of the Foreign Assistance Act of 1969,
10 \$1,928,500,000, to remain available until September 30,
11 2001: *Provided*, That of the amount appropriated under
12 this heading, funds may be made available for the Inter-
13 American Foundation (IAF) but shall be provided only
14 after the General Accounting Office has completed its cur-
15 rent IAF civil and criminal investigations and reported to
16 the Committees on Appropriations: *Provided further*, That
17 funds made available for the IAF shall be subject to the
18 regular notification procedures of the Committees on Ap-
19 propriations: *Provided further*, That of the amount appro-
20 priated under this heading, up to \$12,500,000 may be
21 made available for the African Development Foundation
22 and shall be apportioned directly to that agency: *Provided*
23 *further*, That of the funds appropriated under this head-
24 ing, not less than \$225,000,000 shall be made available
25 for programs for the prevention, treatment, and control
26 of, and research on, infectious diseases in developing coun-

1 tries, of which amount not less than \$150,000,000 shall
2 be made available for such programs for HIV/AIDS in-
3 cluding not less than \$5,000,000 which shall be made
4 available to support a United States Government strategy
5 to develop microbicides as a means for combating HIV/
6 AIDS: *Provided further*, That of the funds made available
7 under this heading, not less than \$50,000,000 should be
8 made available for activities addressing the health and nu-
9 trition needs of pregnant women and mothers: *Provided*
10 *further*, That of the funds appropriated under this head-
11 ing, not less than \$105,000,000 shall be made available
12 for the United Nations Children's Fund: *Provided further*,
13 That not less than \$425,000,000 of the funds appro-
14 priated under this heading shall be made available to carry
15 out the provisions of section 104(b) of the Foreign Assist-
16 ance Act of 1961: *Provided further*, That none of the funds
17 made available in this Act nor any unobligated balances
18 from prior appropriations may be made available to any
19 organization or program which, as determined by the
20 President of the United States, supports or participates
21 in the management of a program of coercive abortion or
22 involuntary sterilization: *Provided further*, That none of
23 the funds made available under this heading may be used
24 to pay for the performance of abortion as a method of
25 family planning or to motivate or coerce any person to

1 practice abortions; and that in order to reduce reliance
2 on abortion in developing nations, funds shall be available
3 only to voluntary family planning projects which offer, ei-
4 ther directly or through referral to, or information about
5 access to, a broad range of family planning methods and
6 services: *Provided further*, That in awarding grants for
7 natural family planning under section 104 of the Foreign
8 Assistance Act of 1961 no applicant shall be discriminated
9 against because of such applicant's religious or conscien-
10 tious commitment to offer only natural family planning;
11 and, additionally, all such applicants shall comply with the
12 requirements of the previous proviso: *Provided further*,
13 That for purposes of this or any other Act authorizing
14 or appropriating funds for foreign operations, export fi-
15 nancing, and related programs, the term "motivate", as
16 it relates to family planning assistance, shall not be con-
17 strued to prohibit the provision, consistent with local law,
18 of information or counseling about all pregnancy options:
19 *Provided further*, That nothing in this paragraph shall be
20 construed to alter any existing statutory prohibitions
21 against abortion under section 104 of the Foreign Assist-
22 ance Act of 1961: *Provided further*, That, notwithstanding
23 section 109 of the Foreign Assistance Act of 1961, of the
24 funds appropriated under this heading in this Act, and
25 of the unobligated balances of funds previously appro-

1 priated under this heading, \$2,500,000 shall be trans-
2 ferred to “International Organizations and Programs” for
3 a contribution to the International Fund for Agricultural
4 Development (IFAD): *Provided further*, That of the aggre-
5 gate amount of the funds appropriated by this Act to carry
6 out part I of the Foreign Assistance Act of 1961 and the
7 Support for Eastern European Democracy Act of 1989,
8 \$305,000,000 should be made available for agriculture
9 and rural development programs including international
10 agriculture research programs: *Provided further*, That of
11 the funds appropriated under this heading that are made
12 available for assistance programs for displaced and or-
13 phaned children and victims of war, not to exceed
14 \$25,000, in addition to funds otherwise available for such
15 purposes, may be used to monitor and provide oversight
16 of such programs: *Provided further*, That of the funds ap-
17 propriated under this heading not less than \$250,000 shall
18 be available for the International Law Institute: *Provided*
19 *further*, That of the funds appropriated under this head-
20 ing, not less than \$15,000,000 shall be made available for
21 the American Schools and Hospitals Abroad Program:
22 *Provided further*, That of the funds appropriated under
23 this heading not less than \$500,000 shall be made avail-
24 able for support of the United States Telecommunications
25 Training Institute: *Provided further*, That, of the funds

1 appropriated under this heading and “New Independent
2 States of the former Soviet Union”, not less than
3 \$7,000,000 shall be made available for Carelift Inter-
4 national to collect and provide medical supplies, equipment
5 and training: *Provided further*, That, of the funds appro-
6 priated by this Act for the Microenterprise Initiative (in-
7 cluding any local currencies made available for the pur-
8 poses of the Initiative), not less than one-half shall be
9 made available for programs providing loans of less than
10 \$300 to very poor people, particularly women, or for insti-
11 tutional support of organizations primarily engaged in
12 making such loans: *Provided further*, That notwith-
13 standing any other provision of law, of the amounts made
14 available under Title II of this Act, \$10,000,000 shall be
15 made available for political, economic, humanitarian, and
16 associated support activities for Iraqi opposition groups
17 designated under the Iraqi Liberation Act (Public Law
18 105–338): *Provided further*, That not less than 15 days
19 prior to the obligation of these funds, the Secretary shall
20 inform the Committees on Appropriations of the purpose
21 and amount of the proposed obligation of funds under this
22 provision.

CYPRUS

23
24 Of the funds appropriated under the headings “De-
25 velopment Assistance” and “Economic Support Fund”,
26 not less than \$15,000,000 shall be made available for Cy-

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

6 BURMA

7 Of the funds appropriated under the heading “Eco-
8 nomic Support Fund” and “Development Assistance”, not
9 less than \$6,500,000 shall be made available to support
10 democracy activities in Burma, democracy and humani-
11 tarian activities along the Burma-Thailand border, and for
12 Burmese student groups and other organizations located
13 outside Burma: *Provided*, That of the funds made avail-
14 able under this heading, not less than \$800,000 shall be
15 made available for newspapers, media, publications and re-
16 lated training to promote democracy in and related to
17 Burma: *Provided further*, That the funds made available
18 under this heading shall be provided subject to consulta-
19 tion and guidelines provided by the leadership of the Bur-
20 mese government elected in 1990: *Provided further*, That
21 funds made available for Burma-related activities under
22 this heading may be made available notwithstanding any
23 other provision of law: *Provided further*, That the provision
24 of such funds shall be made available subject to the reg-
25 ular notification procedures of the Committees on Appro-
26 priations.

1 CAMBODIA

2 None of the funds appropriated by this Act may be
3 made available for activities or programs for the Central
4 Government of Cambodia until the Secretary of State de-
5 termines and reports to the Committees on Appropriations
6 that Cambodia has held free and fair elections in which
7 all political candidates were permitted freedom of speech,
8 assembly and equal access to the media, that the Central
9 Election Commission was comprised of representatives
10 from all parties, and that the Government of Cambodia
11 has established an international panel of jurists which is
12 proceeding consistent with international law in the pros-
13 ecution of Ta Mok, Khieu Sampan, Nuon Chea, Ieng Sary,
14 Ke Pauk, and Kang Khev Leu (Duch): *Provided*, That the
15 restriction on funds made available under this paragraph
16 shall not apply to demining or other humanitarian pro-
17 grams.

18 INDONESIA

19 Of the funds appropriated under the headings “Eco-
20 nomic Support Fund” and “Development Assistance”, not
21 less than \$70,000,000 shall be made available for assist-
22 ance for Indonesia.

23 CONSERVATION FUND

24 Of the funds made available under the headings
25 “Economic Support Fund” and “Development Assist-
26 ance”, not less than \$500,000 shall be made available for

1 amended to read as follows: “(C) No guarantee of any loan
 2 may guarantee more than 50 percent of the principal
 3 amount of any such loan, except guarantees of loans in
 4 support of microenterprise activities may guarantee up to
 5 70 percent of the principal amount of any such loan.”.
 6 In addition, for administrative expenses to carry out pro-
 7 grams under this heading, \$500,000, all of which may be
 8 transferred to and merged with the appropriation for Op-
 9 erating Expenses of the Agency for International Develop-
 10 ment: *Provided further*, That funds made available under
 11 this heading shall remain available until September 30,
 12 2001.

13 URBAN AND ENVIRONMENTAL CREDIT PROGRAM

14 ACCOUNT

15 For the cost, as defined in section 502 of the Con-
 16 gressional Budget Act of 1974, of guaranteed loans au-
 17 thorized by sections 221 and 222 of the Foreign Assist-
 18 ance Act of 1961, \$1,500,000, to remain available until
 19 expended: *Provided*, That these funds are available to sub-
 20 sidize loan principal, 100 per centum of which shall be
 21 guaranteed, pursuant to the authority of such sections. In
 22 addition, for administrative expenses to carry out guaran-
 23 teed loan programs, \$4,000,000, all of which may be
 24 transferred to and merged with the appropriation for Op-
 25 erating Expenses of the Agency for International Develop-
 26 ment.

1 PRIVATE AND VOLUNTARY ORGANIZATIONS

2 None of the funds appropriated or otherwise made
3 available by this Act for development assistance may be
4 made available to any United States private and voluntary
5 organization, except any cooperative development organi-
6 zation, which obtains less than 20 per centum of its total
7 annual funding for international activities from sources
8 other than the United States Government: *Provided*, That
9 the Administrator of the Agency for International Devel-
10 opment may, on a case-by-case basis, waive the restriction
11 contained in this paragraph, after taking into account the
12 effectiveness of the overseas development activities of the
13 organization, its level of volunteer support, its financial
14 viability and stability, and the degree of its dependence
15 for its financial support on the agency.

16 Funds appropriated or otherwise made available
17 under title II of this Act should be made available to pri-
18 vate and voluntary organizations at a level which is at
19 least equivalent to the level provided in fiscal year 1995.
20 Such private and voluntary organizations shall include
21 those which operate on a not-for-profit basis, receive con-
22 tributions from private sources, receive voluntary support
23 from the public and are deemed to be among the most
24 cost-effective and successful providers of development as-
25 sistance.

1 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
2 DISABILITY FUND

3 For payment to the “Foreign Service Retirement and
4 Disability Fund”, as authorized by the Foreign Service
5 Act of 1980, \$43,837,000.

6 OPERATING EXPENSES OF THE AGENCY FOR
7 INTERNATIONAL DEVELOPMENT

8 For necessary expenses to carry out the provisions
9 of section 667, \$495,000,000, to remain available until
10 September 30, 2001.

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

14 For necessary expenses to carry out the provisions
15 of section 667, \$25,000,000, to remain available until Sep-
16 tember 30, 2001, which sum shall be available for the Of-
17 fice of the Inspector General of the Agency for Inter-
18 national Development.

19 OTHER BILATERAL ECONOMIC ASSISTANCE
20 ECONOMIC SUPPORT FUND

21 For necessary expenses to carry out the provisions
22 of chapter 4 of part II, \$2,195,000,000, to remain avail-
23 able until September 30, 2001: *Provided*, That of the
24 funds appropriated under this heading, not less than
25 \$960,000,000 shall be available only for Israel, which sum
26 shall be available on a grant basis as a cash transfer and

1 shall be disbursed within thirty days of enactment of this
2 Act or by October 31, 1999, whichever is later: *Provided*
3 *further*, That not less than \$735,000,000 shall be available
4 only for Egypt, which sum shall be provided on a grant
5 basis, and of which sum cash transfer assistance shall be
6 provided with the understanding that Egypt will under-
7 take significant economic reforms which are additional to
8 those which were undertaken in previous fiscal years, and
9 of which not less than \$200,000,000 shall be provided as
10 Commodity Import Program assistance: *Provided further*,
11 That in exercising the authority to provide cash transfer
12 assistance for Israel, the President shall ensure that the
13 level of such assistance does not cause an adverse impact
14 on the total level of nonmilitary exports from the United
15 States to such country: *Provided further*, That of the funds
16 appropriated under this heading, not less than
17 \$150,000,000 shall be made available for assistance for
18 Jordan: *Provided further*, That notwithstanding any other
19 provision of law, not to exceed \$11,000,000 may be used
20 to support victims of and programs related to the Holo-
21 caust: *Provided further*, That none of the funds made
22 available under this heading may be made available to the
23 Korean Peninsula Energy Development Organization.

1 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
2 STATES

3 (a) For necessary expenses to carry out the provisions
4 of the Foreign Assistance Act of 1961 and the Support
5 for East European Democracy (SEED) Act of 1989,
6 \$535,000,000, to remain available until September 30,
7 2001, which shall be available, notwithstanding any other
8 provision of law, for assistance and for related programs
9 for Eastern Europe and the Baltic States: *Provided*, That
10 of the funds appropriated under this heading: not less
11 than \$150,000,000 shall be made available for assistance
12 for Kosova of which \$20,000,000 shall be available for
13 training and equipping a Kosova security force; not less
14 than \$85,000,000 shall be made available for assistance
15 for Albania; not less than \$60,000,000 shall be made
16 available for assistance for Romania; not less than
17 \$55,000,000 shall be made available for assistance for
18 Macedonia; not less than \$45,000,000 shall be made avail-
19 able for assistance for Bulgaria; not less than \$35,000,000
20 shall be available for assistance for Montenegro: *Provided*
21 *further*, That of the funds made available under this head-
22 ing and the headings “International Narcotics and Law
23 Enforcement” and “Economic Support Fund”, not to ex-
24 ceed \$130,000,000 shall be made available for Bosnia and
25 Herzegovina.

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

12 (c) Funds appropriated under this heading shall be
13 considered to be economic assistance under the Foreign
14 Assistance Act of 1961 for purposes of making available
15 the administrative authorities contained in that Act for
16 the use of economic assistance.

17 (d) With regard to funds appropriated or otherwise
18 made available under this heading for the economic revi-
19 talization program in Bosnia and Herzegovina, and local
20 currencies generated by such funds (including the conver-
21 sion of funds appropriated under this heading into cur-
22 rency used by Bosnia and Herzegovina as local currency
23 and local currency returned or repaid under such pro-
24 gram)—

1 funds made available for nuclear safety, law enforcement
2 reforms or the business incubator program, shall be with-
3 held from obligation and expenditure until the Secretary
4 of State reports to the Committees on Appropriations that
5 Ukraine has undertaken significant economic reforms ad-
6 ditional to those achieved in fiscal year 1999: *Provided*
7 *further*, That the report in the previous proviso shall be
8 provided 120 days after the date of enactment of this Act:
9 *Provided further*, That of the funds made available for
10 Ukraine, not less than \$25,000,000 shall be made avail-
11 able for nuclear reactor safety programs: *Provided further*,
12 That of the funds made available for Ukraine, not less
13 than \$5,000,000 shall be made available to support the
14 expansion of the technology business incubator program
15 to include new cities.

16 (c) Of the funds appropriated under this heading, not
17 less than \$95,000,000 shall be made available for assist-
18 ance for Georgia: *Provided*, That of the funds made avail-
19 able under this subsection, not less than \$8,000,000 shall
20 be made available for judicial reform and law enforcement
21 training.

22 (d) Of the funds appropriated under this heading, not
23 less than \$90,000,000 shall be made available for assist-
24 ance for Armenia.

1 (e) Funds made available under this Act or any other
2 Act may not be provided for assistance to the Government
3 of Azerbaijan until the President determines, and so re-
4 ports to the Congress, that the Government of Azerbaijan
5 is taking demonstrable steps to cease all blockades and
6 other offensive uses of force against Armenia and
7 Nagorno-Karabakh: *Provided*, That the restriction of this
8 subsection and section 907 of the FREEDOM Support
9 Act shall not apply to—

10 (1) activities to support democracy or assist-
11 ance under title V of the FREEDOM Support Act
12 and section 1424 of the “National Defense Author-
13 ization Act for Fiscal Year 1997”;

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

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

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

1 (5) any activity carried out by a member of the
2 Foreign Commercial Service while acting within his
3 or her official capacity; or

4 (6) humanitarian assistance.

5 (f) Of the funds made available under this heading
6 for nuclear safety activities, not to exceed 9 percent of
7 the funds provided for any single project may be used to
8 pay for management costs incurred by a United States
9 national lab in administering said project.

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

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

1 clear research facilities or programs, or ballistic missile ca-
2 pability.

3 (i) None of the funds appropriated under this heading
4 may be made available for the Government of Russia, until
5 the Secretary of State certifies to the Committees on Ap-
6 propriations that: (1) Russian armed and peacekeeping
7 forces deployed in Kosova have not established a separate
8 zone of operational control; and (2) any Russian armed
9 and peacekeeping forces deployed in Kosova are fully inte-
10 grated under NATO unified command and control ar-
11 rangements.

12 INDEPENDENT AGENCY

13 PEACE CORPS

14 For necessary expenses to carry out the provisions
15 of the Peace Corps Act (75 Stat. 612), \$220,000,000, in-
16 cluding the purchase of not to exceed five passenger motor
17 vehicles for administrative purposes for use outside of the
18 United States: *Provided*, That none of the funds appro-
19 priated under this heading shall be used to pay for abor-
20 tions: *Provided further*, That funds appropriated under
21 this heading shall remain available until September 30,
22 2001.

1 DEPARTMENT OF STATE

2 INTERNATIONAL NARCOTICS CONTROL AND LAW

3 ENFORCEMENT

4 For necessary expenses to carry out section 481 of
5 the Foreign Assistance Act of 1961, \$215,000,000: *Pro-*
6 *vided*, That of this amount not less than \$10,000,000 shall
7 be made available for Law Enforcement Training and De-
8 mand Reduction: *Provided further*, That of the funds made
9 available under this heading, in addition to any funds pre-
10 viously appropriated for the International Law Enforce-
11 ment Academy for the Western Hemisphere, not less than
12 \$5,000,000 shall be made available to establish and oper-
13 ate the International Law Enforcement Academy for the
14 Western Hemisphere at the deBremmond Training Center
15 in Roswell, New Mexico.

16 MIGRATION AND REFUGEE ASSISTANCE

17 For expenses, not otherwise provided for, necessary
18 to enable the Secretary of State to provide, as authorized
19 by law, a contribution to the International Committee of
20 the Red Cross, assistance to refugees, including contribu-
21 tions to the International Organization for Migration and
22 the United Nations High Commissioner for Refugees, and
23 other activities to meet refugee and migration needs; sala-
24 ries and expenses of personnel and dependents as author-
25 ized by the Foreign Service Act of 1980; allowances as
26 authorized by sections 5921 through 5925 of title 5,

1 United States Code; purchase and hire of passenger motor
 2 vehicles; and services as authorized by section 3109 of title
 3 5, United States Code, \$610,000,000: *Provided*, That not
 4 more than \$13,500,000 shall be available for administra-
 5 tive expenses: *Provided further*, That not less than
 6 \$60,000,000 shall be made available for refugees from the
 7 former Soviet Union and Eastern Europe and other refu-
 8 gees resettling in Israel.

9 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
 10 ASSISTANCE FUND

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

19 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
 20 RELATED PROGRAMS

21 For necessary expenses for nonproliferation, anti-ter-
 22 rorism and related programs and activities, \$175,000,000,
 23 to carry out the provisions of chapter 8 of part II of the
 24 Foreign Assistance Act of 1961 for anti-terrorism assist-
 25 ance, section 504 of the FREEDOM Support Act for the
 26 Nonproliferation and Disarmament Fund, section 23 of

1 the Arms Export Control Act or the Foreign Assistance
2 Act of 1961 for demining activities, clearance of
3 unexploded ordnance, and related activities notwith-
4 standing any other provision of law, including activities
5 implemented through nongovernmental and international
6 organizations, section 301 of the Foreign Assistance Act
7 of 1961 for a voluntary contribution to the International
8 Atomic Energy Agency (IAEA) and a voluntary contribu-
9 tion to the Korean Peninsula Energy Development Orga-
10 nization (KEDO): *Provided*, That of this amount not to
11 exceed \$15,000,000, to remain available until expended,
12 may be made available for the Nonproliferation and Disar-
13 mament Fund, notwithstanding any other provision of
14 law, to promote bilateral and multilateral activities relat-
15 ing to nonproliferation and disarmament: *Provided further*,
16 That such funds may also be used for countries other than
17 the New Independent States of the former Soviet Union
18 and international organizations when it is in the national
19 security interest of the United States to do so: *Provided*
20 *further*, That such funds shall be subject to the regular
21 notification procedures of the Committees on Appropria-
22 tions: *Provided further*, That of the funds appropriated
23 under this heading, \$35,000,000 should be made available
24 for demining, clearance of unexploded ordnance, and re-
25 lated activities: *Provided further*, That of the funds made

1 available for demining and related activities, not to exceed
2 \$500,000, in addition to funds otherwise available for such
3 purposes, may be used for administrative expenses related
4 to the operation and management of the demining pro-
5 gram: *Provided further*, That of the funds appropriated
6 under this heading up to \$40,000,000 may be made avail-
7 able for the International Atomic Energy Agency only if
8 the Secretary of State determines (and so reports to the
9 Congress) that Israel is not being denied its right to par-
10 ticipate in the activities of that Agency: *Provided further*,
11 That notwithstanding any other provision of law, not to
12 exceed \$40,000,000 may be made available to the Korean
13 Peninsula Energy Development Organization only for the
14 administrative expenses and heavy fuel oil costs associated
15 with the Agreed Framework: *Provided further*, That such
16 funds may be obligated to KEDO only if, thirty days prior
17 to such obligation of funds, the President certifies and so
18 reports to Congress that: (1)(A) the parties to the Agreed
19 Framework are taking steps to assure that progress is
20 made on the implementation of the January 1, 1992, Joint
21 Declaration on the Denuclearization of the Korean Penin-
22 sula and the implementation of the North-South dialogue,
23 and (B) North Korea is complying with all provisions of
24 the Agreed Framework between North Korea and the
25 United States and with the Confidential Minute; (2) North

1 Korea is cooperating fully in the canning and safe storage
2 of all spent fuel from its graphite-moderated nuclear reac-
3 tors; (3) North Korea has not significantly diverted assist-
4 ance provided by the United States for purposes for which
5 it was not intended; (4) North Korea is not actively pur-
6 suing the acquisition or development of a nuclear capa-
7 bility (other than the light-water reactors provided for by
8 the 1994 Agreed Framework Between the United States
9 and North Korea); and (5) North Korea is not providing
10 ballistic missiles or ballistic missile technology to a country
11 the government of which the Secretary of State has deter-
12 mined is a terrorist government for the purposes of section
13 40(d) of the Arms Export Control Act or any other com-
14 parable provision of law: *Provided further*, That the Presi-
15 dent may waive the certification requirements of the pre-
16 ceding proviso if the President determines that it is vital
17 to the national security interests of the United States:
18 *Provided further*, That no funds may be obligated for
19 KEDO until 30 days after submission to Congress of the
20 waiver permitted under the preceding proviso: *Provided*
21 *further*, That the obligation of any funds for KEDO shall
22 be subject to the regular notification procedures of the
23 Committees on Appropriations: *Provided further*, That the
24 Secretary of State shall submit to the appropriate congres-
25 sional committees an annual report (to be submitted with

1 the annual presentation for appropriations) providing a
2 full and detailed accounting of the fiscal year request for
3 the United States contribution to KEDO, the expected op-
4 erating budget of the Korean Peninsula Energy Develop-
5 ment Organization, to include unpaid debt, proposed an-
6 nual costs associated with heavy fuel oil purchases, and
7 the amount of funds pledged by other donor nations and
8 organizations to support KEDO activities on a per country
9 basis, and other related activities: *Provided further*, That
10 the Director of Central Intelligence will provide for review
11 and consideration by the House Permanent Select Com-
12 mittee on Intelligence, House International Relations
13 Committee, House National Security Committee, Senate
14 Appropriations Committee, Senate Select Committee on
15 Intelligence, Senate Foreign Relations Committee and
16 Senate Armed Services Committee all relevant intelligence
17 bearing on North Korea's compliance with the provisions
18 of this proviso: *Provided further*, That such provision shall
19 occur not less than 45 days prior to the President's certifi-
20 cation as provided for under this heading: *Provided fur-*
21 *ther*, That for the purposes of this heading, the term intel-
22 ligence includes National Intelligence Estimates, Intel-
23 ligence Memoranda, Findings and other intelligence re-
24 ports based on multiple sources or including the assess-

1 ment of more than one member of the Intelligence Com-
2 munity.

3 DEPARTMENT OF THE TREASURY

4 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

5 For necessary expenses to carry out section 129 of
6 the Foreign Assistance Act of 1961, relating to the De-
7 partment of the Treasury technical assistance program,
8 \$1,500,000, to remain available until expended, which
9 shall be available notwithstanding any other provision of
10 law.

11 DEBT RESTRUCTURING

12 For the cost, as defined in section 502 of the Con-
13 gressional Budget Act of 1974, of modifying direct loans
14 and loan guarantees, as the President may determine, for
15 which funds have been appropriated or otherwise made
16 available for programs within the International Affairs
17 Budget Function 150, including the cost of selling, reduc-
18 ing, or canceling amounts, through debt buybacks and
19 swaps, owed to the United States as a result of
20 concessional loans made to eligible Latin American and
21 Caribbean countries, pursuant to part IV of the Foreign
22 Assistance Act of 1961, and of modifying concessional
23 credit agreements with least developed countries, as au-
24 thorized under section 411 of the Agriculture Trade and
25 Assistance Act of 1954 as amended notwithstanding dur-
26 ing fiscal years 1999 and 2000 any limitation of sub-

1 section (e) of that section to the extent that such limita-
 2 tions applies to sub-Saharan African countries; and
 3 concessional loans, guarantees and credit agreements with
 4 any country in sub-Saharan Africa, as authorized under
 5 section 572 of the Foreign Operations, Export Financing
 6 and Related Programs Act, 1989 (Public Law 100-461);
 7 \$43,000,000, to remain available until expended.

8 TITLE III—MILITARY ASSISTANCE

9 FUNDS APPROPRIATED TO THE PRESIDENT

10 INTERNATIONAL MILITARY EDUCATION AND TRAINING

11 For necessary expenses to carry out the provisions
 12 of section 541 of the Foreign Assistance Act of 1961,
 13 \$50,000,000: *Provided*, That the civilian personnel for
 14 whom military education and training may be provided
 15 under this heading may include civilians who are not mem-
 16 bers of a government whose participation would contribute
 17 to improved civil-military relations, civilian control of the
 18 military, or respect for human rights: *Provided further*,
 19 That funds appropriated under this heading for grant fi-
 20 nanced military education and training for Guatemala
 21 may only be available for expanded international military
 22 education and training.

23 FOREIGN MILITARY FINANCING PROGRAM

24 For expenses necessary for grants to enable the
 25 President to carry out the provisions of section 23 of the
 26 Arms Export Control Act, \$3,410,000,000: *Provided*, That

1 of the funds appropriated under this heading, not less
2 than \$1,920,000,000 shall be available for grants only for
3 Israel, and not less than \$1,300,000,000 shall be made
4 available for grants only for Egypt: *Provided further*, That
5 the funds appropriated by this paragraph for Israel shall
6 be disbursed within thirty days of enactment of this Act
7 or by October 31, 1999, whichever is later: *Provided fur-*
8 *ther*, That to the extent that the Government of Israel re-
9 quests that funds be used for such purposes, grants made
10 available for Israel by this paragraph shall, as agreed by
11 Israel and the United States, be available for advanced
12 weapons systems, of which not less than 26.5 percent shall
13 be available for the procurement in Israel of defense arti-
14 cles and defense services, including research and develop-
15 ment: *Provided further*, That of the funds appropriated by
16 this paragraph, not less than \$75,000,000 shall be avail-
17 able for assistance for Jordan: *Provided further*, That of
18 the funds appropriated by this paragraph, not less than
19 \$10,000,000 shall be made available for assistance for Tu-
20 nisia: *Provided further*, That during fiscal year 2000, the
21 President is authorized to, and shall, direct the draw-
22 downs of defense articles from the stocks of the Depart-
23 ment of Defense, defense services of the Department of
24 Defense, and military education and training of an aggre-
25 gate value of not less than \$6,000,000 under the authority

1 of this proviso for Tunisia for the purposes of part II of
2 the Foreign Assistance Act of 1961: *Provided further,*
3 That funds appropriated by this paragraph shall be non-
4 repayable notwithstanding any requirement in section 23
5 of the Arms Export Control Act: *Provided further,* That
6 funds made available under this paragraph shall be obli-
7 gated upon apportionment in accordance with paragraph
8 (5)(C) of title 31, United States Code, section 1501(a).

9 None of the funds made available under this heading
10 shall be available to finance the procurement of defense
11 articles, defense services, or design and construction serv-
12 ices that are not sold by the United States Government
13 under the Arms Export Control Act unless the foreign
14 country proposing to make such procurements has first
15 signed an agreement with the United States Government
16 specifying the conditions under which such procurements
17 may be financed with such funds: *Provided,* That all coun-
18 try and funding level increases in allocations shall be sub-
19 mitted through the regular notification procedures of sec-
20 tion 515 of this Act: *Provided further,* That none of the
21 funds appropriated under this heading shall be available
22 for assistance for Sudan and Liberia: *Provided further,*
23 That funds made available under this heading may be
24 used, notwithstanding any other provision of law, for
25 demining, the clearance of unexploded ordnance, and re-

1 lated activities, and may include activities implemented
2 through nongovernmental and international organizations:
3 *Provided further*, That none of the funds under this head-
4 ing shall be available for assistance for Guatemala: *Pro-*
5 *vided further*, That only those countries for which assist-
6 ance was justified for the “Foreign Military Sales Financ-
7 ing Program” in the fiscal year 1989 congressional pres-
8 entation for security assistance programs may utilize
9 funds made available under this heading for procurement
10 of defense articles, defense services or design and con-
11 struction services that are not sold by the United States
12 Government under the Arms Export Control Act: *Provided*
13 *further*, That, subject to the regular notification proce-
14 dures of the Committees on Appropriations, funds made
15 available under this heading for the cost of direct loans
16 may also be used to supplement the funds available under
17 this heading for grants, and funds made available under
18 this heading for grants may also be used to supplement
19 the funds available under this heading for the cost of di-
20 rect loans: *Provided further*, That funds appropriated
21 under this heading shall be expended at the minimum rate
22 necessary to make timely payment for defense articles and
23 services: *Provided further*, That not more than
24 \$30,000,000 of the funds appropriated under this heading
25 may be obligated for necessary expenses, including the

1 purchase of passenger motor vehicles for replacement only
2 for use outside of the United States, for the general costs
3 of administering military assistance and sales: *Provided*
4 *further*, That not more than \$330,000,000 of funds real-
5 ized pursuant to section 21(e)(1)(A) of the Arms Export
6 Control Act may be obligated for expenses incurred by the
7 Department of Defense during fiscal year 2000 pursuant
8 to section 43(b) of the Arms Export Control Act, except
9 that this limitation may be exceeded only through the reg-
10 ular notification procedures of the Committees on Appro-
11 priations.

12 PEACEKEEPING OPERATIONS

13 For necessary expenses to carry out the provisions
14 of section 551 of the Foreign Assistance Act of 1961,
15 \$80,000,000: *Provided*, That none of the funds appro-
16 priated under this heading shall be obligated or expended
17 except as provided through the regular notification proce-
18 dures of the Committees on Appropriations.

1 TITLE IV—MULTILATERAL ECONOMIC
2 ASSISTANCE

3 FUNDS APPROPRIATED TO THE PRESIDENT

4 INTERNATIONAL FINANCIAL INSTITUTIONS

5 THE INTERNATIONAL BANK FOR RECONSTRUCTION AND
6 DEVELOPMENT

7 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
8 ASSOCIATION

9 For payment to the International Development Asso-
10 ciation by the Secretary of the Treasury, \$785,000,000,
11 to remain available until expended.

12 CONTRIBUTION TO THE GLOBAL ENVIRONMENT FACILITY

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, \$25,000,000 to remain available until
17 expended, for contributions previously due.

18 CONTRIBUTION TO THE MULTILATERAL INVESTMENT
19 GUARANTEE AGENCY

20 For payment to the Multilateral Investment Guar-
21 antee Agency by the Secretary of the Treasury,
22 \$10,000,000 for the United States paid-in share of the
23 increase in capital stock, to remain available until ex-
24 pended.

1 LIMITATION ON CALLABLE CAPITAL

2 The United States Governor of the Multilateral In-
3 vestment Guarantee Agency may subscribe without fiscal
4 year limitation for the callable capital portion of the
5 United States share of such capital stock in an amount
6 not to exceed \$50,000,000.

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, \$25,610,667.

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 \$1,503,718,910.

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 \$13,728,263, 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 \$672,745,205.

4 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

5 For the United States contribution by the Secretary
6 of the Treasury to the increase in resources of the Asian
7 Development Fund, as authorized by the Asia Develop-
8 ment Bank Act, as amended, \$50,000,000, to remain
9 available until expended, for contributions previously due.

10 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

11 For payment to the African Development Bank by
12 the Secretary of the Treasury, \$5,100,000 for the United
13 States paid in share of the increase in capital stock, to
14 remain available until expended.

15 CONTRIBUTION TO THE EUROPEAN BANK FOR

16 RECONSTRUCTION AND DEVELOPMENT

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

22 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

23 The United States Governor of the European Bank
24 for Reconstruction and Development may subscribe with-
25 out fiscal year limitation to the callable capital portion of

1 the United States share of such capital stock in an amount
2 not to exceed \$123,237,803.

3 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

4 For necessary expenses to carry out the provisions
5 of section 301 of the Foreign Assistance Act of 1961, and
6 of section 2 of the United Nations Environment Program
7 Participation Act of 1973, \$170,000,000: *Provided*, That
8 none of the funds appropriated under this heading shall
9 be made available for the United Nations Fund for
10 Science and Technology: *Provided further*, That of the
11 funds appropriated under this heading, not less than
12 \$25,000,000 shall be made available for the United Na-
13 tions Fund for Population Activities (UNFPA): *Provided*
14 *further*, That none of the funds appropriated under this
15 heading that are made available to UNFPA shall be made
16 available for activities in the People's Republic of China:
17 *Provided further*, That with respect to any funds appro-
18 priated under this heading that are made available to
19 UNFPA, UNFPA shall be required to maintain such
20 funds in a separate account and not commingle them with
21 any other funds: *Provided further*, That not less than
22 \$5,000,000 shall be made available to the World Food
23 Program: *Provided further*, That none of the funds appro-
24 priated under this heading may be made available to the
25 Korean Peninsula Energy Development Organization

1 (KEDO) or the International Atomic Energy Agency
2 (IAEA).

3 TITLE V—GENERAL PROVISIONS

4 OBLIGATIONS OF FUNDS

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 percent 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. Notwithstanding section 614 of the For-
14 eign Assistance Act of 1961, none of the funds contained
15 in title II of this Act may be used to carry out the provi-
16 sions of section 209(d) of the Foreign Assistance Act of
17 1961.

18 LIMITATION ON RESIDENCE EXPENSES

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

1 the funds made available by this Act for the Peace Corps,
2 not to exceed a total of \$4,000 shall be available for enter-
3 tainment expenses: *Provided further*, That of the funds
4 made available by this Act under the heading “Trade and
5 Development Agency”, not to exceed \$2,000 shall be avail-
6 able for representation and entertainment allowances.

7 PROHIBITION ON FINANCING NUCLEAR GOODS

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

15 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN

16 COUNTRIES

17 SEC. 507. None of the funds appropriated or other-
18 wise made available pursuant to this Act shall be obligated
19 or expended to finance directly any assistance or repara-
20 tions to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or
21 Syria: *Provided*, That for purposes of this section, the pro-
22 hibition on obligations or expenditures shall include direct
23 loans, credits, insurance and guarantees of the Export-Im-
24 port Bank or its agents.

1 MILITARY COUPS

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

11 TRANSFERS BETWEEN ACCOUNTS

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

23 DEOBLIGATION/REOBLIGATION AUTHORITY

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

1 made under the authority of the Foreign Assistance Act
2 of 1961 for the same general purpose as any of the head-
3 ings under title II of this Act are, if deobligated, hereby
4 continued available for the same period as the respective
5 appropriations under such headings or until September
6 30, 2000, whichever is later, and for the same general pur-
7 pose, and for countries within the same region as origi-
8 nally obligated: *Provided*, That the Appropriations Com-
9 mittees of both Houses of the Congress are notified fifteen
10 days in advance of the reobligation of such funds in ac-
11 cordance with regular notification procedures of the Com-
12 mittees on Appropriations.

13 (b) Obligated balances of funds appropriated to carry
14 out section 23 of the Arms Export Control Act as of the
15 end of the fiscal year immediately preceding the current
16 fiscal year are, if deobligated, hereby continued available
17 during the current fiscal year for the same purpose under
18 any authority applicable to such appropriations under this
19 Act: *Provided*, That the authority of this subsection may
20 not be used in fiscal year 2000.

21 AVAILABILITY OF FUNDS

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

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

19 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

1 and section 620(q) of the Foreign Assistance Act of 1961
2 shall not apply to funds made available for any narcotics-
3 related assistance for Colombia, Bolivia, and Peru author-
4 ized by the Foreign Assistance Act of 1961 or the Arms
5 Export Control Act.

6 COMMERCE AND TRADE

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

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

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

15 (2) research activities intended primarily to
16 benefit American producers.

17 SURPLUS COMMODITIES

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

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

9 NOTIFICATION REQUIREMENTS

10 SEC. 515. For the purpose of providing the Executive
11 Branch with the necessary administrative flexibility, none
12 of the funds made available under this Act for “Develop-
13 ment Assistance”, “Debt restructuring”, “International
14 organizations and programs”, “Trade and Development
15 Agency”, “International narcotics control and law enforce-
16 ment”, “Assistance for Eastern Europe and the Baltic
17 States”, “Assistance for the New Independent States of
18 the Former Soviet Union”, “Economic Support Fund”,
19 “Peacekeeping operations”, “Operating expenses of the
20 Agency for International Development”, “Operating ex-
21 penses of the Agency for International Development Office
22 of Inspector General”, “Nonproliferation, anti-terrorism,
23 demining and related programs”, “Foreign Military Fi-
24 nancing Program”, “International military education and
25 training”, the Inter-American Foundation, the African
26 Development Foundation, “Peace Corps”, “Migration and

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

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

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

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

19 SEC. 516. Subject to the regular notification proce-
20 dures of the Committees on Appropriations, funds appro-
21 priated under this Act or any previously enacted Act mak-
22 ing appropriations for foreign operations, export financ-
23 ing, and related programs, which are returned or not made
24 available for organizations and programs because of the
25 implementation of section 307(a) of the Foreign Assist-

1 ance Act of 1961, shall remain available for obligation
2 until September 30, 2001.

3 STINGERS IN THE PERSIAN GULF REGION

4 SEC. 517. Except as provided in section 581 of the
5 Foreign Operations, Export Financing, and Related Pro-
6 grams Appropriations Act, 1990, the United States may
7 not sell or otherwise make available any Stingers to any
8 country bordering the Persian Gulf under the Arms Ex-
9 port Control Act or chapter 2 of Part II of the Foreign
10 Assistance Act of 1961.

11 PROHIBITION ON FUNDING FOR ABORTIONS AND
12 INVOLUNTARY STERILIZATION

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

1 SPECIAL NOTIFICATION REQUIREMENTS

2 SEC. 521. None of the funds appropriated in this Act
3 shall be obligated or expended for Colombia, India, Haiti,
4 Liberia, Pakistan, Serbia, Sudan, or the Democratic Re-
5 public of Congo except as provided through the regular
6 notification procedures of the Committee on Appropria-
7 tions.

8 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

9 SEC. 522. For the purpose of this Act, “program,
10 project, and activity” shall be defined at the Appropria-
11 tions Act account level and shall include all Appropriations
12 and Authorizations Acts earmarks, ceilings, and limita-
13 tions with the exception that for the following accounts:
14 Economic Support Fund and Foreign Military Financing
15 Program, “program, project, and activity” shall also be
16 considered to include country, regional, and central pro-
17 gram level funding within each such account; for the devel-
18 opment assistance accounts of the Agency for Inter-
19 national Development “program, project, and activity”
20 shall also be considered to include central program level
21 funding, either as (1) justified to the Congress, or (2) allo-
22 cated by the executive branch in accordance with a report,
23 to be provided to the Committees on Appropriations within
24 thirty days of enactment of this Act, as required by section
25 653(a) of the Foreign Assistance Act of 1961.

1 CHILD SURVIVAL, AIDS, AND OTHER ACTIVITIES

2 SEC. 523. Up to \$10,000,000 of the funds made
3 available by this Act for assistance for family planning,
4 health, child survival, environment, basic education and
5 AIDS, may be used to reimburse United States Govern-
6 ment agencies, agencies of State governments, institutions
7 of higher learning, and private and voluntary organiza-
8 tions for the full cost of individuals (including for the per-
9 sonal services of such individuals) detailed or assigned to,
10 or contracted by, as the case may be, the Agency for Inter-
11 national Development for the purpose of carrying out fam-
12 ily planning activities, child survival, environment, and
13 basic education and health activities, including activities
14 relating to research on, and the prevention, treatment and
15 control of acquired immune deficiency syndrome or other
16 diseases in developing countries: *Provided*, That funds ap-
17 propriated by this Act that are made available for child
18 survival activities or disease programs including activities
19 relating to research on, and the treatment and control of,
20 acquired immune deficiency syndrome may be made avail-
21 able notwithstanding any provision of law that restricts
22 assistance to foreign countries: *Provided further*, That
23 funds appropriated by this Act that are made available
24 for family planning activities may be made available not-

1 withstanding section 512 of this Act and section 620(q)
2 of the Foreign Assistance Act of 1961.

3 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
4 COUNTRIES

5 SEC. 524. None of the funds appropriated or other-
6 wise made available pursuant to this Act shall be obligated
7 to finance indirectly any assistance or reparations to
8 Cuba, Iraq, Libya, Iran, Syria, North Korea, or the Peo-
9 ple's Republic of China, unless the President of the United
10 States certifies that the withholding of these funds is con-
11 trary to the national interest of the United States.

12 DESIGNATION OF SERBIA AS A TERRORIST STATE

13 SEC. 525. (a) HUMAN RIGHTS VIOLATIONS.—

14 (1) CONGRESSIONAL DETERMINATION.—Con-
15 gress determines that the Government of the Fed-
16 eral Republic of Yugoslavia is engaged in a con-
17 sistent pattern of gross violations of internationally
18 recognized human rights.

19 (2) FULL ENFORCEMENT OF SANCTIONS.—All
20 provisions of law that impose sanctions against a
21 country whose government is engaged in a consistent
22 pattern of gross violations of internationally recog-
23 nized human rights shall be fully enforced against
24 the Federal Republic of Yugoslavia (other than Mon-
25 tenegro and Kosova).

26 (b) SUPPORT FOR TERRORISM.—

1 (1) IN GENERAL.—

2 (A) CONGRESSIONAL DETERMINATION.—

3 Congress determines that the Federal Republic
4 of Yugoslavia (other than Montenegro and
5 Kosova) is a country which has repeatedly en-
6 gaged in acts of terrorism, a country which
7 grants sanctuary from prosecution to individ-
8 uals or groups which have committed an act of
9 terrorism, and a country which otherwise sup-
10 ports terrorism.

11 (B) FULL ENFORCEMENT OF SANC-

12 TIONS.—The provisions of law specified in para-
13 graph (2) and all other provisions of law that
14 impose sanctions against a country which has
15 repeatedly provided support for acts of terror-
16 ists, which grants sanctuary from prosecution
17 to an individual or group which grants sanc-
18 tuary from prosecution to an individual or
19 group which has committed an act of terrorism,
20 or which otherwise supports terrorism shall be
21 fully enforced against the Federal Republic of
22 Yugoslavia (other than Montenegro and
23 Kosova).

24 (2) SANCTION LAWS SPECIFIED.—The provi-
25 sions of law referred to in paragraph (1) are—

1 (A) section 40 of the Arms Export Control
2 Act (22 U.S.C. 2780);

3 (B) section 620A of the Foreign Assistance
4 Act of 1961 (22 U.S.C. 2371);

5 (C) section 528 of this Act (and the cor-
6 responding sections of predecessor foreign oper-
7 ations appropriations Acts);

8 (D) section 555 of the International Secu-
9 rity and Development Cooperation Act of 1985;
10 and

11 (E) section 6(j) of the Export Administra-
12 tion Act of 1979 (50 U.S.C. app. 2405(j)).

13 (c) MULTILATERAL COOPERATION.—Congress calls
14 on the President to seek multilateral cooperation—

15 (1) to deny dangerous technologies to the Fed-
16 eral Republic of Yugoslavia (other than Montenegro
17 and Kosova);

18 (2) to induce the Government of the Federal
19 Republic of Yugoslavia to respect internationally rec-
20 ognized human rights (other than Montenegro and
21 Kosova); and

22 (3) to induce the Government of the Federal
23 Republic of Yugoslavia to allow appropriate inter-
24 national humanitarian and human rights organiza-

1 tions to have access to the Federal Republic of
2 Yugoslavia (other than Montenegro and Kosova).

3 (d) FEDERAL REPUBLIC OF YUGOSLAVIA DE-
4 FINED.—The term “Federal Republic of Yugoslavia” does
5 not include Montenegro and Kosova.

6 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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

20 AUTHORIZATION REQUIREMENT

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

1 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
2 COUNTRIES

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

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

12 (2) otherwise supports international terrorism.

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

22 COMMERCIAL LEASING OF DEFENSE ARTICLES

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

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

11 COMPETITIVE INSURANCE

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

18 DISTINGUISHED DEVELOPMENT SERVICE AWARD

19 SEC. 531. (a) AUTHORITY TO AWARD.—The Chair-
20 man of the Senate Appropriations Subcommittee on For-
21 eign Operations, Export Financing, and Related Pro-
22 grams, in consultation with the Ranking Minority Member
23 of the Subcommittee and the Administrator of the United
24 States Agency for International Development, may au-
25 thorize the payment of a cash award to, and incur nec-
26 essary expense for the honorary recognition of, a career

1 or non-career employee of the Agency who through ex-
2 traordinary efforts makes a significant contribution to as-
3 sisting developing countries to meet the basic needs of
4 their people.

5 (b) SELECTION CRITERIA.—The Chairman of the
6 Senate Appropriations Subcommittee on Foreign Oper-
7 ations, Export Financing, and Related Programs, in con-
8 sultation with the Ranking Minority Member of the Sub-
9 committee and the Administrator, shall prescribe the pro-
10 cedures for identifying and considering persons eligible for
11 the Distinguished Development Service Award, and for se-
12 lecting the recipient of the award, consistent with the pro-
13 visions of this section. Individuals who are non-career
14 members of the Senior Executive Service or the Senior
15 Foreign Service, or who are appointed under the authority
16 of section 624 of this Act, are not eligible for the award
17 authorized by this section.

18 (c) NATURE OF CASH AWARD.—A cash award under
19 this section—

20 (1) shall be in the amount of \$10,000, and

21 (2) shall be in addition to the pay and allow-
22 ances of the recipient.

23 (d) AWARD IN THE EVENT OF DEATH.—If a person
24 selected for an award under this section dies before being
25 presented the award, the award may be made to the per-

1 son's family or to the person's representative, as des-
 2 ignated by the Administrator.

3 (e) FUNDING.—Awards to, and expenses for the hon-
 4 orary recognition of, employees of the Agency under this
 5 section may be paid from funds administered by the Agen-
 6 cy that are made available to carry out the provisions of
 7 this Act.

8 DEBT-FOR-DEVELOPMENT

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

22 SEPARATE ACCOUNTS

23 SEC. 533. (a) SEPARATE ACCOUNTS FOR LOCAL
 24 CURRENCIES.—(1) If assistance is furnished to the gov-
 25 ernment of a foreign country under chapters 1 and 10 of
 26 part I or chapter 4 of part II of the Foreign Assistance

1 Act of 1961 under agreements which result in the genera-
2 tion of local currencies of that country, the Administrator
3 of the Agency for International Development shall—

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

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

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

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

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

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

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

1 (i) project and sector assistance activities,

2 or

3 (ii) debt and deficit financing, or

4 (B) for the administrative requirements of the
5 United States Government.

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

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

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

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

6 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

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

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

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

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

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

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

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

9 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST
10 IRAQ

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

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

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

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

1 nizations and Programs” in this or any other Act, includ-
2 ing prior appropriations Acts, shall not be construed to
3 be applicable to the International Fund for Agricultural
4 Development.

5 IMPACT ON JOBS IN THE UNITED STATES

6 SEC. 538. 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 proc-
18 essing zone or designated area in which the tax, tar-
19 iff, labor, environment, and safety laws of that coun-
20 try do not apply, in part or in whole, to activities
21 carried out within that zone or area, unless the
22 President determines and certifies that such assist-
23 ance is not likely to cause a loss of jobs within the
24 United 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 OPIC MARITIME FUND

12 SEC. 539. (a) Section 6001 of Public Law 106-31
13 is repealed.

14 (b) The Overseas Private Investment Corporation
15 shall establish a \$200,000,000 Maritime Fund within six
16 months from the date of enactment of this Act: *Provided*,
17 That the Maritime Fund shall leverage United States com-
18 mercial maritime expertise to support international mari-
19 time projects.

20 SPECIAL AUTHORITIES

21 SEC. 540. (a) Funds appropriated in title II of this
22 Act that are made available for Afghanistan, Lebanon,
23 and for victims of war, displaced children, displaced Bur-
24 mese, humanitarian assistance for Romania, and humani-
25 tarian assistance for the peoples of Kosova, may be made
26 available notwithstanding any other provision of law: *Pro-*

1 *vided*, That any such funds that are made available for
2 Cambodia shall be subject to the provisions of section
3 531(e) of the Foreign Assistance Act of 1961 and section
4 906 of the International Security and Development Co-
5 operation Act of 1985.

6 (b) Funds appropriated by this Act to carry out the
7 provisions of sections 103 through 106 of the Foreign As-
8 sistance Act of 1961 may be used, notwithstanding any
9 other provision of law, for the purpose of supporting trop-
10 ical forestry and biodiversity conservation activities and,
11 subject to the regular notification procedures of the Com-
12 mittees on Appropriations, energy programs aimed at re-
13 ducing greenhouse gas emissions: *Provided*, That such as-
14 sistance shall be subject to sections 116, 502B, and 620A
15 of the Foreign Assistance Act of 1961.

16 (c) The Agency for International Development may
17 employ personal services contractors, notwithstanding any
18 other provision of law, for the purpose of administering
19 programs for the West Bank and Gaza.

20 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT
21 OF ISRAEL

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

23 (1) the Arab League countries should imme-
24 diately and publicly renounce the primary boycott of
25 Israel and the secondary and tertiary boycott of

1 American firms that have commercial ties with
2 Israel; and

3 (2) the President should—

4 (A) take more concrete steps to encourage
5 vigorously Arab League countries to renounce
6 publicly the primary boycotts of Israel and the
7 secondary and tertiary boycotts of American
8 firms that have commercial relations with Israel
9 as a confidence-building measure;

10 (B) take into consideration the participa-
11 tion of any recipient country in the primary
12 boycott of Israel and the secondary and tertiary
13 boycotts of American firms that have commer-
14 cial relations with Israel when determining
15 whether to sell weapons to said county;

16 (C) report to Congress on the specific
17 steps being taken by the President to bring
18 about a public renunciation of the Arab primary
19 boycott of Israel and the secondary and tertiary
20 boycotts of American firms that have commer-
21 cial relations with Israel; and

22 (D) encourage the allies and trading part-
23 ners of the United States to enact laws prohib-
24 iting businesses from complying with the boy-
25 cott and penalizing businesses that do comply.

1 ANTI-NARCOTICS ACTIVITIES

2 SEC. 542. Of the funds appropriated or otherwise
3 made available by this Act for “Economic Support Fund”,
4 assistance may be provided to strengthen the administra-
5 tion of justice in countries in Latin America and the Car-
6 ibbean and in other regions consistent with the provisions
7 of section 534(b) of the Foreign Assistance Act of 1961,
8 except that programs to enhance protection of participants
9 in judicial cases may be conducted notwithstanding section
10 660 of that Act. Funds made available pursuant to this
11 section may be made available notwithstanding section
12 534(c) and the second and third sentences of section
13 534(e) of the Foreign Assistance Act of 1961.

14 ELIGIBILITY FOR ASSISTANCE

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

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

14 (b) PUBLIC LAW 480.—During fiscal year 2000, re-
15 strictions contained in this or any other Act with respect
16 to assistance for a country shall not be construed to re-
17 strict assistance under the Agricultural Trade Develop-
18 ment and Assistance Act of 1954: *Provided*, That none
19 of the funds appropriated to carry out title I of such Act
20 and made available pursuant to this subsection may be
21 obligated or expended except as provided through the reg-
22 ular notification procedures of the Committees on Appro-
23 priations.

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

1 dent shall consult with, and shall provide a written policy
2 justification to the Committees on Appropriations: *Pro-*
3 *vided*, That any such reprogramming shall be subject to
4 the regular notification procedures of the Committees on
5 Appropriations: *Provided further*, That assistance that is
6 reprogrammed pursuant to this subsection shall be made
7 available under the same terms and conditions as origi-
8 nally provided.

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

23 CEILINGS AND EARMARKS

24 SEC. 545. Ceilings and earmarks contained in this
25 Act shall not be applicable to funds or authorities appro-
26 priated or otherwise made available by any subsequent Act

1 unless such Act specifically so directs. Earmarks or min-
2 imum funding requirements contained in any other Act
3 shall not be applicable to funds appropriated by this Act.

4 PROHIBITION ON PUBLICITY OR PROPAGANDA

5 SEC. 546. No part of any appropriation contained in
6 this Act shall be used for publicity or propaganda purposes
7 within the United States not authorized before the date
8 of enactment of this Act by the Congress: *Provided*, That
9 not to exceed \$750,000 may be made available to carry
10 out the provisions of section 316 of Public Law 96-533.

11 PURCHASE OF AMERICAN-MADE EQUIPMENT AND
12 PRODUCTS

13 SEC. 547. (a) To the maximum extent possible, as-
14 sistance provided under this Act should make full use of
15 American resources, including commodities, products, and
16 services.

17 (b) It is the sense of the Congress that, to the great-
18 est extent practicable, all agriculture commodities, equip-
19 ment and products purchased with funds made available
20 in this Act should be American-made.

21 (c) In providing financial assistance to, or entering
22 into any contract with, any entity using funds made avail-
23 able in this Act, the head of each Federal agency, to the
24 greatest extent practicable, shall provide to such entity a
25 notice describing the statement made in subsection (b) by
26 the Congress.

1 (d) The Secretary of the Treasury shall report to
2 Congress annually on the efforts of the heads of each Fed-
3 eral agency and the United States directors of inter-
4 national financial institutions (as referenced in section
5 514) in complying with this sense of Congress.

6 PROHIBITION OF PAYMENTS TO UNITED NATIONS

7 MEMBERS

8 SEC. 548. 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. 549. 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. 550. 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. 551. (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 October 1,
18 1997.

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 fur-
26 nishing of such assistance. Any such report shall include

1 a detailed explanation of the assistance to be provided, in-
2 cluding the estimated dollar amount of such assistance,
3 and 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. 552. (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 centum 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 missions as the Council may establish to deal with such
2 violations, without regard to the ceiling limitation con-
3 tained in paragraph (2) thereof: *Provided*, That the deter-
4 mination required under this section shall be in lieu of
5 any determinations otherwise required under section
6 552(c): *Provided further*, That sixty days after the date
7 of enactment of this Act, and every one hundred eighty
8 days thereafter, the Secretary of State shall submit a re-
9 port to the Committees on Appropriations describing the
10 steps the United States Government is taking to collect
11 information regarding allegations of genocide or other vio-
12 lations of international law in the former Yugoslavia and
13 to furnish that information to the United Nations War
14 Crimes Tribunal for the former Yugoslavia: *Provided fur-*
15 *ther*, That the drawdown made under this section for any
16 tribunal shall not be construed as an endorsement or
17 precedent for the establishment of any standing or perma-
18 nent international criminal tribunal or court: *Provided fur-*
19 *ther*, That funds made available for tribunals other than
20 Yugoslavia or Rwanda shall be made available subject to
21 the regular notification procedures of the Committees on
22 Appropriations.

23 LANDMINES

24 SEC. 555. DEMINING EQUIPMENT.—Notwith-
25 standing any other provision of law, demining equipment
26 available to the Agency for International Development and

1 the Department of State and used in support of the clear-
2 ance of landmines and unexploded ordnance for humani-
3 tarian purposes may be disposed of on a grant basis in
4 foreign countries, subject to such terms and conditions as
5 the President may prescribe.

6 RESTRICTIONS CONCERNING THE PALESTINIAN

7 AUTHORITY

8 SEC. 556. None of the funds appropriated by this Act
9 may be obligated or expended to create in any part of Je-
10 rusalem a new office of any department or agency of the
11 United States Government for the purpose of conducting
12 official United States Government business with the Pal-
13 estinian Authority over Gaza and Jericho or any successor
14 Palestinian governing entity provided for in the Israel-
15 PLO Declaration of Principles: *Provided*, That this re-
16 striction shall not apply to the acquisition of additional
17 space for the existing Consulate General in Jerusalem:
18 *Provided further*, That meetings between officers and em-
19 ployees of the United States and officials of the Pales-
20 tinian Authority, or any successor Palestinian governing
21 entity provided for in the Israel-PLO Declaration of Prin-
22 ciples, for the purpose of conducting official United States
23 Government business with such authority should continue
24 to take place in locations other than Jerusalem. As has
25 been true in the past, officers and employees of the United
26 States Government may continue to meet in Jerusalem on

1 other subjects with Palestinians (including those who now
2 occupy positions in the Palestinian Authority), have social
3 contacts, and have incidental discussions.

4 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

5 SEC. 557. None of the funds appropriated or other-
6 wise made available by this Act under the heading “Inter-
7 national Military Education and Training” or “Foreign
8 Military Financing Program” for Informational Program
9 activities may be obligated or expended to pay for—

10 (1) alcoholic beverages;

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

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

19 SPECIAL DEBT RELIEF FOR THE POOREST

20 SEC. 558. (a) AUTHORITY TO REDUCE DEBT.—The
21 President may reduce amounts owed to the United States
22 (or any agency of the United States) by an eligible country
23 as a result of—

24 (1) guarantees issued under sections 221 and
25 222 of the Foreign Assistance Act of 1961;

1 (2) credits extended or guarantees issued under
2 the Arms Export Control Act; or

3 (3) any obligation or portion of such obligation
4 for a Latin American country, to pay for purchases
5 of United States agricultural commodities guaran-
6 teed by the Commodity Credit Corporation under ex-
7 port credit guarantee programs authorized pursuant
8 to section 5(f) of the Commodity Credit Corporation
9 Charter Act of June 29, 1948, as amended, section
10 4(b) of the Food for Peace Act of 1966, as amended
11 (Public Law 89–808), or section 202 of the Agricul-
12 tural Trade Act of 1978, as amended (Public Law
13 95–501).

14 (b) LIMITATIONS.—

15 (1) The authority provided by subsection (a)
16 may be exercised only to implement multilateral offi-
17 cial debt relief ad referendum agreements, commonly
18 referred to as “Paris Club Agreed Minutes”.

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

23 (3) The authority provided by subsection (a)
24 may be exercised only with respect to countries with
25 heavy debt burdens that are eligible to borrow from

1 the International Development Association, but not
2 from the International Bank for Reconstruction and
3 Development, commonly referred to as “IDA-only”
4 countries.

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

8 (1) does not have an excessive level of military
9 expenditures;

10 (2) has not repeatedly provided support for acts
11 of international terrorism;

12 (3) is not failing to cooperate on international
13 narcotics control matters;

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

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

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

1 (e) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-
 2 duction of debt pursuant to subsection (a) shall not be
 3 considered assistance for purposes of any provision of law
 4 limiting assistance to a country. The authority provided
 5 by subsection (a) may be exercised notwithstanding sec-
 6 tion 620(r) of the Foreign Assistance Act of 1961.

7 AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

8 SEC. 559. (a) LOANS ELIGIBLE FOR SALE, REDUC-
 9 TION, OR CANCELLATION.—

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

21 (A) debt-for-equity swaps, debt-for-develop-
 22 ment swaps, or debt-for-nature swaps; or

23 (B) a debt buyback by an eligible country
 24 of its own qualified debt, only if the eligible
 25 country uses an additional amount of the local
 26 currency of the eligible country, equal to not

1 less than 40 per centum of the price paid for
2 such debt by such eligible country, or the dif-
3 ference between the price paid for such debt
4 and the face value of such debt, to support ac-
5 tivities that link conservation and sustainable
6 use of natural resources with local community
7 development, and child survival and other child
8 development, in a manner consistent with sec-
9 tions 707 through 710 of the Foreign Assist-
10 ance Act of 1961, if the sale, reduction, or can-
11 cellation would not contravene any term or con-
12 dition of any prior agreement relating to such
13 loan.

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

19 (3) ADMINISTRATION.—The Facility, as defined
20 in section 702(8) of the Foreign Assistance Act of
21 1961, shall notify the administrator of the agency
22 primarily responsible for administering part I of the
23 Foreign Assistance Act of 1961 of purchasers that
24 the President has determined to be eligible, and
25 shall direct such agency to carry out the sale, reduc-

1 tion, or cancellation of a loan pursuant to this sec-
2 tion. Such agency shall make an adjustment in its
3 accounts to reflect the sale, reduction, or cancella-
4 tion.

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

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

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

20 (d) DEBTOR CONSULTATIONS.—Before the sale to
21 any eligible purchaser, or any reduction or cancellation
22 pursuant to this section, of any loan made to an eligible
23 country, the President should consult with the country
24 concerning the amount of loans to be sold, reduced, or

1 canceled and their uses for debt-for-equity swaps, debt-
2 for-development swaps, or debt-for-nature swaps.

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

7 LIMITATION ON ASSISTANCE FOR HAITI

8 SEC. 560. (a) LIMITATION.—Funds appropriated by
9 this Act may be made available for assistance for the cen-
10 tral Government of Haiti only if the President reports to
11 the Committee on Appropriations and the Committee on
12 International Relations of the House of Representatives
13 and the Committee on Appropriations and the Committee
14 on Foreign Relations of the Senate that the Government
15 of Haiti—

16 (1) has completed privatization of (or placed
17 under long-term private management or concession)
18 three major public entities including the completion
19 of all required incorporating documents, the transfer
20 of assets, and the eviction of unauthorized occupants
21 of the land or facility;

22 (2) has re-signed or is implementing the bilat-
23 eral Repatriation Agreement with the United States
24 and in the preceding six months that the central
25 Government of Haiti is cooperating with the United
26 States in halting illegal emigration from Haiti;

1 (3) is conducting thorough investigations of
2 extrajudicial and political killings and has made sub-
3 stantial progress in bringing to justice a person or
4 persons responsible for one or more extrajudicial or
5 political killings in Haiti, and is cooperating with
6 United States authorities and with United States-
7 funded technical advisors to the Haitian National
8 Police in such investigations;

9 (4) has taken action to remove from the Hai-
10 tian National Police, national palace and residential
11 guard, ministerial guard, and any other public secu-
12 rity entity or unit of Haiti those individuals who are
13 credibly alleged to have engaged in or conspired to
14 conceal gross violations of internationally recognized
15 human rights or credibly alleged to have engaged in
16 or conspired to engage in narcotics trafficking; and

17 (5) has ratified or is implementing the maritime
18 counter-narcotics agreements signed in October
19 1997.

20 (b) AVAILABILITY OF ELECTORAL ASSISTANCE.—
21 The limitation in subsection (a) shall not apply to funds
22 appropriated by this Act that are made available to sup-
23 port elections in Haiti if the President reports to the Con-
24 gress that the central Government of Haiti:

1 (1) has achieved a transparent settlement of the
2 contested April 1997 elections; and

3 (2) has made concrete progress on the constitu-
4 tion of a credible and competent provisional electoral
5 council that is acceptable to a broad spectrum of po-
6 litical parties and civic groups.

7 (c) EXCEPTIONS.—The limitations in subsections (a)
8 and (b) shall not apply to the provision of—

9 (1) counter-narcotics assistance, support for the
10 Haitian National Police’s Special Investigations Unit
11 and anti-corruption programs, the International
12 Criminal Investigative Assistance Program, and as-
13 sistance in support of Haitian customs and maritime
14 officials;

15 (2) food assistance management and support;

16 (3) assistance for urgent humanitarian needs,
17 such as medical and other supplies and services in
18 support of community health services, schools, and
19 orphanages; and

20 (4) not more than \$3,000,000 for the develop-
21 ment and support of political parties and civic
22 groups.

23 (d) WAIVER.—At any time after 150 days from the
24 date of enactment of this Act, the Secretary of State may
25 waive the requirements contained in subsection (a)(1) if

1 she reports to the Committees specified in subsection (a)
2 that the Government of Haiti has satisfied the require-
3 ments of subsection (a)(1) with regard to one major public
4 entity and has satisfied the remaining requirements of
5 subsection (a).

6 (e) REPORTS.—The Secretary of State shall provide
7 to the Committees specified in subsection (a) on a quar-
8 terly basis—

9 (1) in consultation with the Secretary of De-
10 fense and the Administrator of the Drug Enforce-
11 ment Administration, a report on the status and
12 number of United States personnel deployed in and
13 around Haiti on Department of Defense, Drug En-
14 forcement Administration, and United Nations mis-
15 sions, including displays by functional or operational
16 assignment for such personnel and the cost to the
17 United States of these operations; and

18 (2) the monthly reports, prepared during the
19 previous quarter, of the Organization of American
20 States/United Nations International Civilian Mission
21 to Haiti (MICIVIH).

22 (f) ADMINISTRATION OF JUSTICE ASSISTANCE.—(1)
23 The limitation in subsection (a) shall not apply to funds
24 appropriated under this Act that are made available for
25 the Ministry of Justice for the training of judges if the

1 President determines and reports to the Committee on Ap-
2 propriations and the Committee on Foreign Relations of
3 the Senate, and the Committee on Appropriations and the
4 Committee on International Relations of the House of
5 Representatives, that Haiti's Minister of Justice—

6 (A) has demonstrated a commitment to the pro-
7 fessionalism of judicial personnel by consistently
8 placing students graduated by the Judicial School in
9 appropriate judicial positions and has made a com-
10 mitment to share program costs associated with the
11 Judicial School; and

12 (B) is making progress in making the judicial
13 branch in Haiti independent from the executive
14 branch.

15 (2) The limitation in subsection (a) shall not apply
16 to funds to support the training of prosecutors, judicial
17 mentoring, legal assistance, and case management.

18 REQUIREMENT FOR DISCLOSURE OF FOREIGN AID IN
19 REPORT OF SECRETARY OF STATE

20 SEC. 561. (a) FOREIGN AID REPORTING REQUIRE-
21 MENT.—In addition to the voting practices of a foreign
22 country, the report required to be submitted to Congress
23 under section 406(a) of the Foreign Relations Authoriza-
24 tion Act fiscal years 1990 and 1991 (22 U.S.C. 2414a),
25 shall include a side-by-side comparison of individual coun-
26 tries' overall support for the United States at the United

1 Nations and the amount of United States assistance pro-
2 vided to such country in fiscal year 1998.

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

7 HAITI

8 SEC. 562. The Government of Haiti shall be eligible
9 to purchase defense articles and services under the Arms
10 Export Control Act (22 U.S.C. 2751 et seq.), for the civil-
11 ian-led Haitian National Police and Coast Guard: *Pro-*
12 *vided*, That the authority provided by this section shall
13 be subject to the regular notification procedures of the
14 Committees on Appropriations.

15 LIMITATION ON ASSISTANCE TO SECURITY FORCES

16 SEC. 563. None of the funds made available by this
17 Act may be provided to any unit of the security forces
18 of a foreign country if the Secretary of State has credible
19 evidence to believe such unit has committed gross viola-
20 tions of human rights, unless the Secretary determines
21 and reports to the Committees on Appropriations that the
22 government of such country is taking effective measures
23 to bring the responsible members of the security forces
24 unit to justice: *Provided*, That nothing in this section shall
25 be construed to withhold funds made available by this Act
26 from any unit of the security forces of a foreign country

1 not credibly alleged to be involved in gross violations of
2 human rights: *Provided further*, That in the event that
3 funds are withheld from any unit pursuant to this section,
4 the Secretary of State shall promptly inform the foreign
5 government of the basis for such action and shall, to the
6 maximum extent practicable, assist the foreign govern-
7 ment in taking effective measures to bring the responsible
8 members of the security forces to justice.

9 CAMBODIA

10 SEC. 564. The Secretary of the Treasury shall in-
11 struct the United States Executive Directors of the inter-
12 national financial institutions to use the voice and vote
13 of the United States to oppose loans to the Government
14 of Cambodia, except loans to support basic human needs,
15 unless the Secretary of State has determined and reported
16 to the Committees on Appropriations that Cambodia has
17 held free and fair elections in which all political candidates
18 were permitted freedom of speech, assembly and equal ac-
19 cess to the media and the Central Election Commission
20 was comprised of representatives from all parties; and the
21 Government has established a panel and begun the pros-
22 ecution of Khmer Rouge leaders including Ta Mok, Khieu
23 Sampan, Nuon Chea, Ieng Sary, Ke Pauk, and Duch.

1 LIMITATIONS ON TRANSFER OF MILITARY EQUIPMENT TO
2 EAST TIMOR

3 SEC. 565. In any agreement for the sale, transfer,
4 or licensing of any lethal equipment or helicopter for Indo-
5 nesia entered into by the United States pursuant to the
6 authority of this Act or any other Act, the agreement shall
7 state that the items will not be used in East Timor.

8 RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO
9 UNITED NATIONS AGENCIES

10 SEC. 566. (a) PROHIBITION ON VOLUNTARY CON-
11 TRIBUTIONS FOR THE UNITED NATIONS.—None of the
12 funds appropriated or otherwise made available by this
13 Act may be made available to pay any voluntary contribu-
14 tion of the United States to the United Nations (including
15 the United Nations Development Program) if the United
16 Nations implements or imposes any taxation on any
17 United States persons.

18 (b) CERTIFICATION REQUIRED FOR DISBURSEMENT
19 OF FUNDS.—None of the funds appropriated or otherwise
20 made available under this Act may be made available to
21 pay any voluntary contribution of the United States to the
22 United Nations (including the United Nations Develop-
23 ment Program) unless the President certifies to the Con-
24 gress 15 days in advance of such payment that the United
25 Nations is not engaged in any effort to implement or im-
26 pose any taxation on United States persons in order to

1 raise revenue for the United Nations or any of its special-
2 ized agencies.

3 (c) DEFINITIONS.—As used in this section the term
4 “United States person” refers to—

5 (1) a natural person who is a citizen or national
6 of the United States; or

7 (2) a corporation, partnership, or other legal
8 entity organized under the United States or any
9 State, territory, possession, or district of the United
10 States.

11 RESTRICTIONS ON ASSISTANCE TO COUNTRIES PROVIDING
12 SANCTUARY TO INDICTED WAR CRIMINALS

13 SEC. 567. (a) BILATERAL ASSISTANCE.—None of the
14 funds made available by this or any prior Act making ap-
15 propriations for foreign operations, export financing and
16 related programs, may be provided for any country, entity
17 or canton described in subsection (e).

18 (b) MULTILATERAL ASSISTANCE.—

19 (1) PROHIBITION.—The Secretary of the Treas-
20 ury shall instruct the United States executive direc-
21 tors of the international financial institutions to
22 work in opposition to, and vote against, any exten-
23 sion by such institutions of any financial or technical
24 assistance or grants of any kind to any country or
25 entity described in subsection (e).

1 (2) NOTIFICATION.—Not less than 15 days be-
2 fore any vote in an international financial institution
3 regarding the extension of financial or technical as-
4 sistance or grants to any country or entity described
5 in subsection (e), the Secretary of the Treasury, in
6 consultation with the Secretary of State, shall pro-
7 vide to the Committee on Appropriations and the
8 Committee on Foreign Relations of the Senate and
9 the Committee on Appropriations and the Com-
10 mittee on Banking and Financial Services of the
11 House of Representatives a written justification for
12 the proposed assistance, including an explanation of
13 the United States position regarding any such vote,
14 as well as a description of the location of the pro-
15 posed assistance by municipality, its purpose, and its
16 intended beneficiaries.

17 (3) DEFINITION.—The term “international fi-
18 nancial institution” includes the International Mone-
19 tary Fund, the International Bank for Reconstruc-
20 tion and Development, the International Develop-
21 ment Association, the International Finance Cor-
22 poration, the Multilateral Investment Guaranty
23 Agency, and the European Bank for Reconstruction
24 and Development.

25 (c) EXCEPTIONS.—

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

4 (A) humanitarian assistance;

5 (B) democratization assistance;

6 (C) assistance for cross border physical in-
7 frastructure projects involving activities in both
8 a sanctioned country, entity, or canton and a
9 nonsanctioned contiguous country, entity, or
10 canton, if the project is primarily located in and
11 primarily benefits the nonsanctioned country,
12 entity, or canton and if the portion of the
13 project located in the sanctioned country, enti-
14 ty, or canton is necessary only to complete the
15 project;

16 (D) small-scale assistance projects or ac-
17 tivities requested by United States Armed
18 Forces that promote good relations between
19 such forces and the officials and citizens of the
20 areas in the United States SFOR sector of Bos-
21 nia;

22 (E) implementation of the Breko Arbitral
23 Decision;

24 (F) lending by the international financial
25 institutions to a country or entity to support

1 common monetary and fiscal policies at the na-
2 tional level as contemplated by the Dayton
3 Agreement; or

4 (G) direct lending to a non-sanctioned enti-
5 ty, or lending passed on by the national govern-
6 ment to a non-sanctioned entity.

7 (H) assistance to the International Police
8 Task Force for the training of a civilian police
9 force.

10 (2) NOTIFICATION.—Every 30 days the Sec-
11 retary of State, in consultation with the Adminis-
12 trator of the Agency for International Development,
13 shall publish in the Federal Register and/or in a
14 comparable publicly accessible document or internet
15 site, a listing and justification of any assistance that
16 is obligated within that period of time for any coun-
17 try, entity, or canton described in subsection (e), in-
18 cluding a description of the purpose of the assist-
19 ance project and its location, by municipality.

20 (d) FURTHER LIMITATIONS.—Notwithstanding sub-
21 section (c)—

22 (1) no assistance may be made available by this
23 Act, or any prior Act making appropriations for for-
24 eign operations, export financing and related pro-
25 grams, in any country, entity, or canton described in

1 subsection (e), for a program, project, or activity in
2 which a publicly indicted war criminal is known to
3 have any financial or material interest; and

4 (2) no assistance (other than emergency foods
5 or medical assistance or demining assistance) may
6 be made available by this Act, or any prior Act mak-
7 ing appropriations for foreign operations, export fi-
8 nancing and related programs for any program,
9 project, or activity in a community within any coun-
10 try, entity or canton described in subsection (e) if
11 competent authorities within that community are not
12 complying with the provisions of Article IX and
13 Annex 4, Article II, paragraph 8 of the Dayton
14 Agreement relating to war crimes and the Tribunal.

15 (e) SANCTIONED COUNTRY, ENTITY, OR CANTON.—
16 A sanctioned country, entity, or canton described in this
17 section is one whose competent authorities have failed, as
18 determined by the Secretary of State, to take necessary
19 and significant steps to apprehend and transfer to the Tri-
20 bunal all persons who have been publicly indicted by the
21 Tribunal.

22 (f) WAIVER.—

23 (1) IN GENERAL.—The Secretary of State may
24 waive the application of subsection (a) or subsection
25 (b) with respect to specified bilateral programs or

1 international financial institution projects or pro-
2 grams in a sanctioned country, entity, or canton
3 upon providing a written determination to the Com-
4 mittee on Appropriations and the Committee on
5 Foreign Relations of the Senate and the Committee
6 on Appropriations and the Committee on Inter-
7 national Relations of the House of Representatives
8 that such assistance directly supports the implemen-
9 tation of the Dayton Agreement and its Annexes,
10 which include the obligation to apprehend and trans-
11 fer indicted war criminals to the Tribunal.

12 (2) REPORT.—Not later than 15 days after the
13 date of any written determination under paragraph
14 (1) the Secretary of State shall submit a report to
15 the Committee on Appropriations and the Com-
16 mittee on Foreign Relations of the Senate and the
17 Committee on Appropriations and the Committee on
18 International Relations of the House of Representa-
19 tives regarding the status of efforts to secure the
20 voluntary surrender or apprehension and transfer of
21 persons indicted by the Tribunal, in accordance with
22 the Dayton Agreement, and outlining obstacles to
23 achieving this goal; and

24 (3) ASSISTANCE PROGRAMS AND PROJECTS AF-
25 FECTED.—Any waiver made pursuant to this sub-

1 section shall be effective only with respect to a speci-
2 fied bilateral program or multilateral assistance
3 project or program identified in the determination of
4 the Secretary of State to Congress.

5 (g) TERMINATION OF SANCTIONS.—The sanctions
6 imposed pursuant to subsections (a) and (b) with respect
7 to a country or entity shall cease to apply only if the Sec-
8 retary of State determines and certifies to Congress that
9 the authorities of that country, entity, or canton have ap-
10 prehended and transferred to the Tribunal all persons who
11 have been publicly indicted by the Tribunal.

12 (h) DEFINITIONS.—As used in this section—

13 (1) COUNTRY.—The term “country” means
14 Bosnia-Herzegovina, Croatia, Serbia, and Monte-
15 negro.

16 (2) ENTITY.—The term “entity” refers to the
17 Federation of Bosnia and Herzegovina and the
18 Republika Srpska.

19 (3) CANTON.—The term “canton” means the
20 administrative units in Bosnia and Herzegovina.

21 (4) DAYTON AGREEMENT.—The term “Dayton
22 Agreement” means the General Framework Agree-
23 ment for Peace in Bosnia and Herzegovina, together
24 with annexes relating thereto, done at Dayton, No-
25 vember 10 through 16, 1995.

1 end, the following: “and \$60,000,000 for fiscal year
2 2000”.

3 (b) REQUIREMENTS RELATING TO THE REPUBLIC OF
4 KOREA AND THAILAND.—Section 514(b)(2)(B) of such
5 Act (22 U.S.C. 2321h(b)(2)(B)) is amended by striking
6 the following: “Of the amount specified in subparagraph
7 (A) for each of the fiscal years 1996 and 1997, not more
8 than \$40,000,000 may be made available for stockpiles in
9 the Republic of Korea and not more than \$10,000,000
10 may be made available for stockpiles in Thailand. Of the
11 amount specified in subparagraph (A) for fiscal year 1998,
12 not more than \$40,000,000 may be made available for
13 stockpiles in the Republic of Korea and not more than
14 \$20,000,000 may be made available for stockpiles in Thai-
15 land.”; and at the end inserting the following sentence:
16 “Of the amount specified in subparagraph (A) for fiscal
17 year 2000, not more than \$40,000,000 may be made avail-
18 able for stockpiles in the Republic of Korea and not more
19 than \$20,000,000 may be made available for stockpiles in
20 Thailand.”.

21 TO PROHIBIT FOREIGN ASSISTANCE TO THE GOVERN-
22 MENT OF RUSSIA SHOULD IT ENACT LAWS WHICH
23 WOULD DISCRIMINATE AGAINST MINORITY RELI-
24 GIOUS FAITHS IN THE RUSSIAN FEDERATION

25 SEC. 570. (a) None of the funds appropriated under
26 this Act may be made available for the Government of

1 Russian Federation, after 180 days from the date of en-
2 actment of this Act, unless the President determines and
3 certifies in writing to the Committee on Appropriations
4 and the Committee on Foreign Relations of the Senate
5 that the Government of the Russian Federation has imple-
6 mented no statute, executive order, regulation or similar
7 government action that would discriminate, or would have
8 as its principal effect discrimination, against religious
9 groups or religious communities in the Russian Federation
10 in violation of accepted international agreements on
11 human rights and religious freedoms to which the Russian
12 Federation is a party.

13 GREENHOUSE GAS EMISSIONS

14 SEC. 571. (a) Funds made available in this Act to
15 support programs or activities promoting or assisting
16 country participation in the Kyoto Protocol to the Frame-
17 work Convention on Climate Change (FCCC) shall only
18 be made available subject to the regular notification proce-
19 dures of the Committees on Appropriations.

20 (b) The President shall provide a detailed account of
21 all Federal agency obligations and expenditures for cli-
22 mate change programs and activities, domestic and inter-
23 national obligations for such activities in fiscal year 2000,
24 and any plan for programs thereafter related to the imple-
25 mentation or the furtherance of protocols pursuant to, or
26 related to negotiations to amend the FCCC in conjunction

1 with the President's submission of the Budget of the
2 United States Government for Fiscal Year 2001: *Pro-*
3 *vided*, That such report shall include an accounting of ex-
4 penditures by agency with each agency identifying climate
5 change activities and associated costs by line item as pre-
6 sented in the President's Budget Appendix.

7 AID TO THE GOVERNMENT OF THE DEMOCRATIC

8 REPUBLIC OF CONGO

9 SEC. 572. None of the funds appropriated or other-
10 wise made available by this Act may be provided to the
11 Central Government of the Democratic Republic of Congo.

12 EXPORT FINANCING TRANSFER AUTHORITIES

13 SEC. 573. Not to exceed 5 per centum of any appro-
14 priation other than for administrative expenses made
15 available for fiscal year 2000 for programs under title I
16 of this Act may be transferred between such appropria-
17 tions for use for any of the purposes, programs and activi-
18 ties for which the funds in such receiving account may
19 be used, but no such appropriation, except as otherwise
20 specifically provided, shall be increased by more than 25
21 per centum by any such transfer: *Provided*, That the exer-
22 cise of such authority shall be subject to the regular notifi-
23 cation procedures of the Committees on Appropriations.

1 NEW INDEPENDENT STATES OF THE FORMER SOVIET
2 UNION

3 SEC. 574. (a) None of the funds appropriated under
4 the heading “Assistance for the New Independent States
5 of the Former Soviet Union” shall be made available for
6 assistance for a Government of the New Independent
7 States of the former Soviet Union—

8 (1) unless that Government is making progress
9 in implementing comprehensive economic reforms
10 based on market principles, private ownership, re-
11 spect for commercial contracts, and equitable treat-
12 ment of foreign private investment; and

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

17 Assistance may be furnished without regard to this sub-
18 section if the President determines that to do so is in the
19 national interest.

20 (b) None of the funds appropriated under the heading
21 “Assistance for the New Independent States of the
22 Former Soviet Union” shall be made available for assist-
23 ance for a Government of the New Independent States of
24 the former Soviet Union if that government directs any
25 action in violation of the territorial integrity or national

1 sovereignty of any other new independent state, such as
2 those violations included in the Helsinki Final Act: *Pro-*
3 *vided*, That such funds may be made available without re-
4 gard to the restriction in this subsection if the President
5 determines that to do so is in the national security interest
6 of the United States.

7 (c) None of the funds appropriated under the heading
8 “Assistance for the New Independent States of the
9 Former Soviet Union” shall be made available for any
10 state to enhance its military capability: *Provided*, That
11 this restriction does not apply to demilitarization,
12 demining or nonproliferation programs.

13 (d) Funds appropriated under the heading “Assist-
14 ance for the New Independent States of the Former Soviet
15 Union” shall be subject to the regular notification proce-
16 dures of the Committees on Appropriations.

17 (e) Funds made available in this Act for assistance
18 to the New Independent States of the former Soviet Union
19 shall be subject to the provisions of section 117 (relating
20 to environment and natural resources) of the Foreign As-
21 sistance Act of 1961.

22 (f) Funds appropriated in this or prior appropriations
23 Acts that are or have been made available for an Enter-
24 prise Fund in the New Independent States of the Former
25 Soviet Union may be deposited by such Fund in interest-

1 bearing accounts prior to the disbursement of such funds
2 by the Fund for program purposes. The Fund may retain
3 for such program purposes any interest earned on such
4 deposits without returning such interest to the Treasury
5 of the United States and without further appropriation by
6 the Congress. Funds made available for Enterprise Funds
7 shall be expended at the minimum rate necessary to make
8 timely payment for projects and activities.

9 (g) In issuing new task orders, entering into con-
10 tracts, or making grants, with funds appropriated in this
11 Act or prior appropriations Acts under the heading “As-
12 sistance for the New Independent States of the Former
13 Soviet Union” for projects or activities that have as one
14 of their primary purposes the fostering of private sector
15 development, the Coordinator for United States Assistance
16 to the New Independent States and the implementing
17 agency shall encourage the participation of and give sig-
18 nificant weight to contractors and grantees who propose
19 investing a significant amount of their own resources (in-
20 cluding volunteer services and in-kind contributions) in
21 such projects and activities.

22 CUSTOMS ASSISTANCE

23 SEC. 575. Section 660(b) of the Foreign Assistance
24 Act of 1961 is amended by—

25 (1) striking the period at the end of paragraph
26 (6) and in lieu thereof inserting a semicolon; and

1 (2) adding the following new paragraph:

2 “(7) with respect to assistance provided to
3 customs authorities and personnel, including
4 training, technical assistance and equipment,
5 for customs law enforcement and the improve-
6 ment of customs laws, systems and proce-
7 dures.”.

8 VOLUNTARY SEPARATION INCENTIVES FOR EMPLOYEES
9 OF THE U.S. AGENCY FOR INTERNATIONAL DEVEL-
10 OPMENT

11 SEC. 576. (a) DEFINITIONS.—For the purposes of
12 this section—

13 (1) the term “agency” means the United States
14 Agency for International Development;

15 (2) the term “Administrator” means the Ad-
16 ministrator, United States Agency for International
17 Development; and

18 (3) the term “employee” means an employee
19 (as defined by section 2105 of title 5, United States
20 Code) who is employed by the agency, is serving
21 under an appointment without time limitation, and
22 has been currently employed for a continuous period
23 of at least 3 years, but does not include—

24 (A) a reemployed annuitant under sub-
25 chapter III of chapter 83 or chapter 84 of title

1 5, United States Code, or another retirement
2 system for employees of the agency;

3 (B) an employee having a disability on the
4 basis of which such employee is or would be eli-
5 gible for disability retirement under the applica-
6 ble retirement system referred to in subpara-
7 graph (A);

8 (C) an employee who is to be separated in-
9 voluntarily for misconduct or unacceptable per-
10 formance, and to whom specific notice has been
11 given with respect to that separation;

12 (D) an employee who has previously re-
13 ceived any voluntary separation incentive pay-
14 ment by the Government of the United States
15 under this section or any other authority and
16 has not repaid such payment;

17 (E) an employee covered by statutory re-
18 employment rights who is on transfer to an-
19 other organization; or

20 (F) any employee who, during the 24-
21 month period preceding the date of separation,
22 received a recruitment or relocation bonus
23 under section 5753 of title 5, United States
24 Code, or who, within the 12-month period pre-
25 ceding the date of separation, received a reten-

1 tion allowance under section 5754 of such title
2 5.

3 (b) AGENCY STRATEGIC PLAN.—

4 (1) IN GENERAL.—The Administrator, before
5 obligating any resources for voluntary separation in-
6 centive payments under this section, shall submit to
7 the Office of Management and Budget a strategic
8 plan outlining the intended use of such incentive
9 payments and a proposed organizational chart for
10 the agency once such incentive payments have been
11 completed.

12 (2) CONTENTS.—The agency's plan shall
13 include—

14 (A) the positions and functions to be re-
15 duced or eliminated, identified by organizational
16 unit, geographic location, occupational category
17 and grade level;

18 (B) the number and amounts of voluntary
19 separation incentive payments to be offered;

20 (C) a description of how the agency will
21 operate without the eliminated positions and
22 functions; and

23 (D) the time period during which incen-
24 tives may be paid.

1 (3) APPROVAL.—The Director of the Office of
2 Management and Budget shall review the agency’s
3 plan and approve or disapprove the plan and may
4 make appropriate modifications in the plan with re-
5 spect to the coverage of incentives as described
6 under paragraph (2)(A), and with respect to the
7 matters described in paragraphs (2) (B) through
8 (D).

9 (c) AUTHORITY TO PROVIDE VOLUNTARY SEPARA-
10 TION INCENTIVE PAYMENTS.—

11 (1) IN GENERAL.—A voluntary separation in-
12 centive payment under this section may be paid by
13 the agency to employees of such agency and only to
14 the extent necessary to eliminate the positions and
15 functions identified by the strategic plan.

16 (2) AMOUNT AND TREATMENT OF PAYMENTS.—
17 A voluntary separation incentive payment under this
18 section—

19 (A) shall be paid in a lump sum after the
20 employee’s separation;

21 (B) shall be paid from appropriations or
22 funds available for the payment of the basic pay
23 of the employees;

24 (C) shall be equal to the lesser of—

1 (i) an amount equal to the amount
2 the employee would be entitled to receive
3 under section 5595(c) of title 5, United
4 States Code, if the employee were entitled
5 to payment under such section; or

6 (ii) an amount determined by the
7 agency head not to exceed \$25,000;

8 (D) may not be made except in the case of
9 any employee who voluntarily separates (wheth-
10 er by retirement or resignation) on or before
11 December 31, 2000;

12 (E) shall not be a basis for payment, and
13 shall not be included in the computation, of any
14 other type of Government benefit; and

15 (F) shall not be taken into account in de-
16 termining the amount of any severance pay to
17 which the employee may be entitled under sec-
18 tion 5595 of title 5, United States Code, based
19 on any other separation.

20 (d) ADDITIONAL AGENCY CONTRIBUTIONS TO THE
21 RETIREMENT FUND.—

22 (1) IN GENERAL.—In addition to any other
23 payments which it is required to make under sub-
24 chapter III of chapter 83 or chapter 84 of title 5,
25 United States Code, the agency shall remit to the

1 Office of Personnel Management for deposit in the
2 Treasury of the United States to the credit of the
3 Civil Service Retirement and Disability Fund an
4 amount equal to 15 percent of the final basic pay of
5 each employee of the agency who is covered under
6 subchapter III of chapter 83 or chapter 84 of title
7 5, United States Code, to whom a voluntary separa-
8 tion incentive has been paid under this section.

9 (2) DEFINITION.—For the purpose of para-
10 graph (1), the term “final basic pay”, with respect
11 to an employee, means the total amount of basic pay
12 which would be payable for a year of service by such
13 employee, computed using the employee’s final rate
14 of basic pay, and, if last serving on other than a
15 full-time basis, with appropriate adjustment there-
16 for.

17 (e) EFFECT OF SUBSEQUENT EMPLOYMENT WITH
18 THE GOVERNMENT.—

19 (1) An individual who has received a voluntary
20 separation incentive payment under this section and
21 accepts any employment for compensation with the
22 Government of the United States, or who works for
23 any agency of the Government of the United States
24 through a personal services contract, within 5 years
25 after the date of the separation on which the pay-

1 ment is based shall be required to pay, prior to the
2 individual's first day of employment, the entire
3 amount of the incentive payment to the agency that
4 paid the incentive payment.

5 (2) If the employment under paragraph (1) is
6 with an Executive agency (as defined by section 105
7 of title 5, United States Code), the United States
8 Postal Service, or the Postal Rate Commission, the
9 Director of the Office of Personnel Management
10 may, at the request of the head of the agency, waive
11 the repayment if the individual involved possesses
12 unique abilities and is the only qualified applicant
13 available for the position.

14 (3) If the employment under paragraph (1) is
15 with an entity in the legislative branch, the head of
16 the entity or the appointing official may waive the
17 repayment if the individual involved possesses
18 unique abilities and is the only qualified applicant
19 available for the position.

20 (4) If the employment under paragraph (1) is
21 with the judicial branch, the Director of the Admin-
22 istrative Office of the United States Courts may
23 waive the repayment if the individual involved pos-
24 sesses unique abilities and is the only qualified appli-
25 cant for the position.

1 (f) REDUCTION OF AGENCY EMPLOYMENT LEV-
2 ELS.—

3 (1) IN GENERAL.—The total number of funded
4 employee positions in the agency shall be reduced by
5 one position for each vacancy created by the separa-
6 tion of any employee who has received, or is due to
7 receive, a voluntary separation incentive payment
8 under this section. For the purposes of this sub-
9 section, positions shall be counted on a full-time-
10 equivalent basis.

11 (2) ENFORCEMENT.—The President, through
12 the Office of Management and Budget, shall monitor
13 the agency and take any action necessary to ensure
14 that the requirements of this subsection are met.

15 (g) REGULATIONS.—The Office of Personnel Man-
16 agement may prescribe such regulations as may be nec-
17 essary to implement this section.

18 LIMITATION ON ASSISTANCE TO THE PALESTINIAN
19 AUTHORITY

20 SEC. 577. (a) PROHIBITION OF FUNDS.—None of the
21 funds appropriated by this Act to carry out the provisions
22 of chapter 4 of part II of the Foreign Assistance Act of
23 1961 may be obligated or expended with respect to pro-
24 viding funds to the Palestinian Authority.

25 (b) WAIVER.—The prohibition included in subsection
26 (a) shall not apply if the President certifies in writing to

1 the Speaker of the House of Representatives and the
2 President pro tempore of the Senate that waiving such
3 prohibition is important to the national security interests
4 of the United States: *Provided*, That if such waiver is exer-
5 cised, such funds shall be subject to the regular notifica-
6 tion procedures of the Committees on Appropriations.

7 (c) PERIOD OF APPLICATION OF WAIVER.—Any
8 waiver pursuant to subsection (b) shall be effective for no
9 more than a period of six months at a time and shall not
10 apply beyond twelve months after enactment of this Act.

11 SANCTIONS AGAINST SERBIA

12 SEC. 578. (a) CONTINUATION OF EXECUTIVE
13 BRANCH SANCTIONS.—The sanctions listed in subsection
14 (b) shall remain in effect until January 1, 2001, unless
15 the President submits to the Committees on Appropria-
16 tions and Foreign Relations in the Senate and the Com-
17 mittees on Appropriations and International Relations of
18 the House of Representatives a certification described in
19 subsection (c).

20 (b) APPLICABLE SANCTIONS.—

21 (1) The Secretary of the Treasury shall instruct
22 the United States executive directors of the inter-
23 national financial institutions to work in opposition
24 to, and vote against, any extension by such institu-
25 tions of any financial or technical assistance or

1 grants of any kind to the government of Serbia-Mon-
2 tenegro.

3 (2) The Secretary of State should instruct the
4 United States Ambassador to the Organization for
5 Security and Cooperation in Europe (OSCE) to
6 block any consensus to allow the participation of
7 Serbia-Montenegro in the OSCE or any organization
8 affiliated with the OSCE.

9 (3) The Secretary of State should instruct the
10 United States Representative to the United Nations
11 to vote against any resolution in the United Nations
12 Security Council to admit Serbia-Montenegro to the
13 United Nations or any organization affiliated with
14 the United Nations, to veto any resolution to allow
15 Serbia-Montenegro to assume the United Nations'
16 membership of the former Socialist Federal Republic
17 of Yugoslavia, and to take action to prevent Serbia-
18 Montenegro from assuming the seat formerly occu-
19 pied by the Socialist Federal Republic of Yugoslavia.

20 (4) The Secretary of State should instruct the
21 United States Permanent Representative on the
22 Council of the North Atlantic Treaty Organization
23 to oppose the extension of the Partnership for Peace
24 program or any other organization affiliated with
25 NATO to Serbia-Montenegro.

1 (5) The Secretary of State should instruct the
2 United States Representatives to the Southeast Eu-
3 ropean Cooperative Initiative (SECI) to oppose and
4 to work to prevent the extension of SECI member-
5 ship to Serbia-Montenegro.

6 (c) CERTIFICATION.—A certification described in this
7 subsection is a certification that—

8 (1) the representatives of the successor states
9 to the Socialist Federal Republic of Yugoslavia have
10 successfully negotiated the division of assets and li-
11 abilities and all other succession issues following the
12 dissolution of the Socialist Federal Republic of
13 Yugoslavia;

14 (2) the government of Serbia-Montenegro is
15 fully complying with its obligations as a signatory to
16 the General Framework Agreement for Peace in
17 Bosnia and Herzegovina;

18 (3) the government of Serbia-Montenegro is
19 fully cooperating with and providing unrestricted ac-
20 cess to the International Criminal Tribunal for the
21 former Yugoslavia, including surrendering persons
22 indicted for war crimes who are within the jurisdic-
23 tion of the territory of Serbia-Montenegro, and with
24 the investigations concerning the commission of war
25 crimes and crimes against humanity in Kosova;

1 (4) the government of Serbia-Montenegro is im-
2 plementing internal democratic reforms; and

3 (5) Serbian, Serbian-Montenegrin federal gov-
4 ernmental officials, and representatives of the ethnic
5 Albanian community in Kosova have agreed on,
6 signed, and begun implementation of a negotiated
7 settlement on the future status of Kosova.

8 (d) STATEMENT OF POLICY.—It is the sense of the
9 Congress that the United States should not restore full
10 diplomatic relations with Serbia-Montenegro until the
11 President submits to the Committees on Appropriations
12 and Foreign Relations in the Senate and the Committees
13 on Appropriations and International Relations in the
14 House of Representatives the certification described in
15 subsection (c).

16 (e) EXEMPTION OF MONTENEGRO.—The sanctions
17 described in subsection (b)(1) should not apply to the gov-
18 ernment of Montenegro or Kosova.

19 (f) DEFINITION.—The term “international financial
20 institution” includes the International Monetary Fund,
21 the International Bank for Reconstruction and Develop-
22 ment, the International Development Association, the
23 International Finance Corporation, the Multilateral In-
24 vestment Guaranty Agency, and the European Bank for
25 Reconstruction and Development.

1 (g) WAIVER AUTHORITY.—

2 (1) The President may waive the application in
3 whole or in part, of any sanction described in sub-
4 section (b) if the President certifies to the Congress
5 that the President has determined that the waiver is
6 necessary to meet emergency humanitarian needs or
7 to achieve a negotiated settlement of the conflict in
8 Kosovo that is acceptable to the parties.

9 (2) Such a waiver may only be effective upon
10 certification by the President to Congress that the
11 United States has transferred and will continue to
12 transfer (subject to adequate protection of intel-
13 ligence sources and methods) to the International
14 Criminal Tribunal for the former Yugoslavia all in-
15 formation it has collected in support of an indict-
16 ment and trial of President Slobodan Milosevic for
17 war crimes, crimes against humanity, or genocide.

18 (3) In the event of a waiver, within seven days
19 the President must report the basis upon which the
20 waiver was made to the Select Committee on Intel-
21 ligence and the Committee on Foreign Relations in
22 the Senate, and the Permanent Select Committee on
23 Intelligence and the Committee on International Re-
24 lations in the House of Representatives.

CLEAN COAL TECHNOLOGY

1
2 SEC. 579. (a) FINDINGS.—The Congress finds as fol-
3 lows:

4 (1) The United States is the world leader in the
5 development of environmental technologies, particu-
6 larly clean coal technology.

7 (2) Severe pollution problems affecting people
8 in developing countries, and the serious health prob-
9 lems that result from such pollution, can be effec-
10 tively addressed through the application of United
11 States technology.

12 (3) During the next century, developing coun-
13 tries, particularly countries in Asia such as China
14 and India, will dramatically increase their consump-
15 tion of electricity, and low quality coal will be a
16 major source of fuel for power generation.

17 (4) Without the use of modern clean coal tech-
18 nology, the resultant pollution will cause enormous
19 health and environmental problems leading to dimin-
20 ished economic growth in developing countries and,
21 thus, diminished United States exports to those
22 growing markets.

23 (b) STATEMENT OF POLICY.—It is the policy of the
24 United States to promote the export of United States
25 clean coal technology. In furtherance of that policy, the

1 Secretary of State, the Secretary of the Treasury (acting
2 through the United States executive directors to inter-
3 national financial institutions), the Secretary of Energy,
4 and the Administrator of the United States Agency for
5 International Development (USAID) should, as appro-
6 priate, vigorously promote the use of United States clean
7 coal technology in environmental and energy infrastruc-
8 ture programs, projects and activities. Programs, projects
9 and activities for which the use of such technology should
10 be considered include reconstruction assistance for the
11 Balkans, activities carried out by the Global Environ-
12 mental Facility, and activities funded from USAID's De-
13 velopment Credit Authority.

14 This Act may be cited as the “Foreign Operations,
15 Export Financing, and Related Programs Appropriations
16 Act, 2000”.

Calendar No. 159

106TH CONGRESS
1ST Session

S. 1234

[Report No. 106-81]

A BILL

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2000, and for other purposes.

JUNE 17, 1999

Read twice and placed on the calendar