

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 2334

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## AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1999, 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,*

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1 That the following sums are appropriated, out of any  
2 money in the Treasury not otherwise appropriated, for the  
3 fiscal year ending September 30, 1999, and for other pur-  
4 poses, namely:

5 TITLE I—EXPORT AND INVESTMENT

6 ASSISTANCE

7 EXPORT-IMPORT BANK OF THE UNITED STATES

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

## SUBSIDY APPROPRIATION

1  
2 For the cost of direct loans, loan guarantees, insur-  
3 ance, and tied-aid grants as authorized by section 10 of  
4 the Export-Import Bank Act of 1945, as amended,  
5 \$785,000,000 to remain available until September 30,  
6 2002: *Provided*, That such costs, including the cost of  
7 modifying such loans, shall be as defined in section 502  
8 of the Congressional Budget Act of 1974: *Provided fur-*  
9 *ther*, That such sums shall remain available until 2013 for  
10 the disbursement of direct loans, loan guarantees, insur-  
11 ance and tied-aid grants obligated in fiscal years 1999,  
12 2000, 2001, and 2002: *Provided further*, That none of the  
13 funds appropriated by this Act or any prior Act appro-  
14 priating funds for foreign operations, export financing, or  
15 related programs for tied-aid credits or grants may be  
16 used for any other purpose except through the regular no-  
17 tification procedures of the Committees on Appropria-  
18 tions: *Provided further*, That funds appropriated by this  
19 paragraph are made available notwithstanding section  
20 2(b)(2) of the Export Import Bank Act of 1945, in con-  
21 nection with the purchase or lease of any product by any  
22 East European country, any Baltic State or any agency  
23 or national thereof.

## ADMINISTRATIVE EXPENSES

24  
25 For administrative expenses to carry out the direct  
26 and guaranteed loan and insurance programs (to be com-

1 puted on an accrual basis), including hire of passenger  
2 motor vehicles and services as authorized by 5 U.S.C.  
3 3109, and not to exceed \$25,000 for official reception and  
4 representation expenses for members of the Board of Di-  
5 rectors, \$49,000,000: *Provided*, That necessary expenses  
6 (including special services performed on a contract or fee  
7 basis, but not including other personal services) in connec-  
8 tion with the collection of moneys owed the Export-Import  
9 Bank, repossession or sale of pledged collateral or other  
10 assets acquired by the Export-Import Bank in satisfaction  
11 of moneys owed the Export-Import Bank, or the investiga-  
12 tion or appraisal of any property, or the evaluation of the  
13 legal or technical aspects of any transaction for which an  
14 application for a loan, guarantee or insurance commitment  
15 has been made, shall be considered nonadministrative ex-  
16 penses for the purposes of this heading: *Provided further*,  
17 That, notwithstanding subsection (b) of section 117 of the  
18 Export Enhancement Act of 1992, subsection (a) thereof  
19 shall remain in effect until October 1, 1999.

20 OVERSEAS PRIVATE INVESTMENT CORPORATION

21 NONCREDIT ACCOUNT

22 The Overseas Private Investment Corporation is au-  
23 thorized to make, without regard to fiscal year limitations,  
24 as provided by 31 U.S.C. 9104, such expenditures and  
25 commitments within the limits of funds available to it and  
26 in accordance with law as may be necessary: *Provided*,

1 That the amount available for administrative expenses to  
2 carry out the credit and insurance programs (including an  
3 amount for official reception and representation expenses  
4 which shall not exceed \$35,000) shall not exceed  
5 \$32,000,000 of which not more than \$16,500,000 may be  
6 made available until the Corporation reports to the Com-  
7 mittees on Appropriations on measures taken to (1) estab-  
8 lish sector specific investment funds; and (2) support re-  
9 gional investment initiatives in Georgia, Armenia and  
10 Azerbaijan through the Caucasus Fund: *Provided further,*  
11 That the Corporation shall provide a report to the Com-  
12 mittees on Appropriations within 45 days of enactment re-  
13 garding the use of funds it has made or plans to make  
14 available consistent with the President's Global Climate  
15 Change Initiative: *Provided further,* That project-specific  
16 transaction costs, including direct and indirect costs in-  
17 curred in claims settlements, and other direct costs associ-  
18 ated with services provided to specific investors or poten-  
19 tial investors pursuant to section 234 of the Foreign As-  
20 sistance Act of 1961, shall not be considered administra-  
21 tive expenses for the purposes of this heading.

22 PROGRAM ACCOUNT

23 For the cost of direct and guaranteed loans,  
24 \$50,000,000, as authorized by section 234 of the Foreign  
25 Assistance Act of 1961 to be derived by transfer from the  
26 Overseas Private Investment Corporation noncredit ac-

1 count: *Provided*, That such costs, including the cost of  
2 modifying such loans, shall be as defined in section 502  
3 of the Congressional Budget Act of 1974: *Provided fur-*  
4 *ther*, That such sums shall be available for direct loan obli-  
5 gations and loan guaranty commitments incurred or made  
6 during fiscal years 1999 and 2000: *Provided further*, That  
7 such sums shall remain available through fiscal year 2007  
8 for the disbursement of direct and guaranteed loans obli-  
9 gated in fiscal year 1999, and through fiscal year 2008  
10 for the disbursement of direct and guaranteed loans obli-  
11 gated in fiscal year 2000: *Provided further*, That in addi-  
12 tion, such sums as may be necessary for administrative  
13 expenses to carry out the credit program may be derived  
14 from amounts available for administrative expenses to  
15 carry out the credit and insurance programs in the Over-  
16 seas Private Investment Corporation Noncredit Account  
17 and merged with said account.

18 FUNDS APPROPRIATED TO THE PRESIDENT

19 TRADE AND DEVELOPMENT AGENCY

20 For necessary expenses to carry out the provisions  
21 of section 661 of the Foreign Assistance Act of 1961,  
22 \$43,000,000, to remain available until September 30,  
23 2000: *Provided*, That the Trade and Development Agency  
24 may receive reimbursements from corporations and other  
25 entities for the costs of grants for feasibility studies and

1 other project planning services, to be deposited as an off-  
2 setting collection to this account and to be available for  
3 obligation until September 30, 2000, for necessary ex-  
4 penses under this paragraph: *Provided further*, That such  
5 reimbursements shall not cover, or be allocated against,  
6 direct or indirect administrative costs of the agency.

7 TITLE II—BILATERAL ECONOMIC ASSISTANCE

8 FUNDS APPROPRIATED TO THE PRESIDENT

9 For expenses necessary to enable the President to  
10 carry out the provisions of the Foreign Assistance Act of  
11 1961, and for other purposes, to remain available until  
12 September 30, 1999, unless otherwise specified herein, as  
13 follows:

14 AGENCY FOR INTERNATIONAL DEVELOPMENT

15 DEVELOPMENT ASSISTANCE

16 (INCLUDING TRANSFER OF FUNDS)

17 For necessary expenses to carry out the provisions  
18 of sections 103 through 106, section 301, and chapter 10  
19 of part I of the Foreign Assistance Act of 1961, title V  
20 of the International Security and Development Coopera-  
21 tion Act of 1980 (Public Law 96–533) and the provisions  
22 of section 401 of the Foreign Assistance Act of 1969,  
23 \$1,904,000,000, to remain available until September 30,  
24 2000: *Provided*, That of the amount appropriated under  
25 this heading, up to \$20,000,000 may be made available  
26 for the Inter-American Foundation and shall be appor-

1 tioned directly to that Agency: *Provided further*, That of  
2 the amount appropriated under this heading, up to  
3 \$8,000,000 may be made available for the African Devel-  
4 opment Foundation and shall be apportioned directly to  
5 that agency: *Provided further*, That of the amount appro-  
6 priated under this heading, the amount made available for  
7 activities to strengthen global surveillance and control of  
8 infectious diseases, that is in addition to funds made avail-  
9 able for the prevention, treatment, and control of, and re-  
10 search on, HIV/AIDS, shall be at least equal to the  
11 amount available in fiscal year 1998 for such purposes  
12 under the heading “Child Survival and Disease Programs  
13 Fund”: *Provided further*, That such funds shall be subject  
14 to the regular notification procedures of the Committees  
15 on Appropriations: *Provided further*, That of the funds  
16 made available under this heading, not less than  
17 \$50,000,000 should be made available for activities ad-  
18 dressing the health and nutrition needs of pregnant  
19 women and mothers: *Provided further*, That of the funds  
20 appropriated under this heading, not less than  
21 \$100,000,000 shall be made available for the United Na-  
22 tions Children’s Fund: *Provided further*, That not less  
23 than \$435,000,000 of the funds appropriated under this  
24 heading shall be made available to carry out the provisions  
25 of section 104(b) of the Foreign Assistance Act of 1961:



1 *Provided further*, That none of the funds made available  
2 in this Act nor any unobligated balances from prior appro-  
3 priations may be made available to any organization or  
4 program which, as determined by the President of the  
5 United States, supports or participates in the manage-  
6 ment of a program of coercive abortion or involuntary  
7 sterilization: *Provided further*, That none of the funds  
8 made available under this heading may be used to pay for  
9 the performance of abortion as a method of family plan-  
10 ning or to motivate or coerce any person to practice abor-  
11 tions; and that in order to reduce reliance on abortion in  
12 developing nations, funds shall be available only to vol-  
13 untary family planning projects which offer, either directly  
14 or through referral to, or information about access to, a  
15 broad range of family planning methods and services: *Pro-*  
16 *vided further*, That in awarding grants for natural family  
17 planning under section 104 of the Foreign Assistance Act  
18 of 1961 no applicant shall be discriminated against be-  
19 cause of such applicant's religious or conscientious com-  
20 mitment to offer only natural family planning; and, addi-  
21 tionally, all such applicants shall comply with the require-  
22 ments of the previous proviso: *Provided further*, That for  
23 purposes of this or any other Act authorizing or appro-  
24 priating funds for foreign operations, export financing,  
25 and related programs, the term "motivate", as it relates

1 to family planning assistance, shall not be construed to  
2 prohibit the provision, consistent with local law, of infor-  
3 mation or counseling about all pregnancy options: *Pro-*  
4 *vided further*, That nothing in this paragraph shall be con-  
5 strued to alter any existing statutory prohibitions against  
6 abortion under section 104 of the Foreign Assistance Act  
7 of 1961: *Provided further*, That, notwithstanding section  
8 109 of the Foreign Assistance Act of 1961, of the funds  
9 appropriated under this heading in this Act, and of the  
10 unobligated balances of funds previously appropriated  
11 under this heading, \$2,500,000 shall be transferred to  
12 “International Organizations and Programs” for a con-  
13 tribution to the International Fund for Agricultural Devel-  
14 opment (IFAD): *Provided further*, That of the aggregate  
15 amount of the funds appropriated by this Act to carry out  
16 part I of the Foreign Assistance Act of 1961 and the Sup-  
17 port for Eastern European Democracy Act of 1989,  
18 \$305,000,000 should be made available for agriculture  
19 and rural development programs including international  
20 agriculture research programs: *Provided further*, That of  
21 the funds appropriated under the previous proviso not less  
22 than \$80,000,000 shall be made available for alternative  
23 development programs to drug production in Colombia,  
24 Peru and Bolivia: *Provided further*, That of the funds ap-  
25 propriated under this heading that are made available for

1 assistance programs for displaced and orphaned children  
2 and victims of war, not to exceed \$25,000, in addition to  
3 funds otherwise available for such purposes, may be used  
4 to monitor and provide oversight of such programs: *Pro-*  
5 *vided further*, That of the funds appropriated under this  
6 heading, not less than \$2,000,000 shall be made available  
7 for agriculture programs in Laos: *Provided further*, That  
8 of the funds appropriated under this heading, not less  
9 than \$15,000,000 shall be made available for the Amer-  
10 ican Schools and Hospitals Abroad Program: *Provided fur-*  
11 *ther*, That of the funds appropriated under this heading  
12 not less than \$500,000 shall be made available for support  
13 of the United States Telecommunications Training Insti-  
14 tute: *Provided further*, That of the funds appropriated  
15 under this heading that are made available for Haiti,  
16 \$250,000 shall be made available to support a program  
17 to assist Haitian children in orphanages: *Provided further*,  
18 That, of the funds appropriated under this heading and  
19 made available for activities pursuant to the Microenter-  
20 prise Initiative, not less than one-half shall be expended  
21 on programs providing loans of less than \$300 to very  
22 poor people, particularly women, or for institutional sup-  
23 port of organizations primarily engaged in making such  
24 loans: *Provided further*, That notwithstanding any other  
25 provision of law, of the amounts made available under title

1 II of this Act, not less than \$10,000,000 shall be made  
2 available only for assistance to the Iraqi democratic oppo-  
3 sition for such activities as organization, training, commu-  
4 nication and dissemination of information, and developing  
5 and implementing agreements among opposition groups:  
6 *Provided further*, That any agreement reached regarding  
7 the obligation of funds under the previous proviso shall  
8 include provisions to ensure appropriate monitoring on the  
9 use of such funds: *Provided further*, That of this amount  
10 not less than \$3,000,000 shall be made available as a  
11 grant to Iraqi National Congress, to be administered by  
12 its Executive Committee for the benefit of all constituent  
13 groups of the Iraqi National Congress: *Provided further*,  
14 That of the amounts previously appropriated under sec-  
15 tion 10008 of Public Law 105–174 not less than  
16 \$2,000,000 shall be made available as a grant to INDICT,  
17 the International Campaign to Indict Iraqi War Criminals,  
18 for the purpose of compiling information to support the  
19 indictment of Iraqi officials for war crimes: *Provided fur-*  
20 *ther*, That of the amounts made available under this sec-  
21 tion, not less than \$1,000,000 shall be made available as  
22 a grant to INDICT, the International Campaign to Indict  
23 Iraqi War Criminals, for the purpose of compiling infor-  
24 mation to support the indictment of Iraqi officials for war  
25 crimes: *Provided further*, That of the amounts made avail-

1 able under this section, not less than \$3,000,000 shall be  
2 made available only for the conduct of activities by the  
3 Iraqi democratic opposition inside Iraq: *Provided further,*  
4 That within 30 days of enactment of this Act the Sec-  
5 retary of State shall submit a detailed report to the appro-  
6 priate committees of Congress on implementation of this  
7 heading.

8 CYPRUS

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

17 BURMA

18 Of the funds appropriated under the heading “Devel-  
19 opment Assistance”, not less than \$10,000,000 shall be  
20 made available to support democracy activities in Burma,  
21 democracy and humanitarian activities along the Burma-  
22 Thailand border, and for Burmese student groups and  
23 other organizations located outside Burma: *Provided,* That  
24 of the funds made available under this heading, not less  
25 than \$500,000 shall be made available for newspapers,  
26 media, and publications promoting democracy in and re-

1 lated to Burma: *Provided further*, That of the funds made  
2 available under this heading, \$5,000,000 shall be made  
3 available to support the provision of medical supplies and  
4 services, education and humanitarian assistance to dis-  
5 placed Burmese along the Burma borders: *Provided fur-*  
6 *ther*, That of the funds made available for democracy ac-  
7 tivities under this heading, not less than \$2,000,000 shall  
8 be made available subject to written consultation and  
9 guidelines provided by the leadership of the Burmese gov-  
10 ernment elected in 1990: *Provided further*, That funds  
11 made available for Burma-related activities under this  
12 heading may be made available notwithstanding any other  
13 provision of law: *Provided further*, That the provision of  
14 such funds shall be made available subject to the regular  
15 notification procedures of the Committees on Appropria-  
16 tions.

17 CAMBODIA

18 None of the funds appropriated by this Act may be  
19 made available for activities or programs for Cambodia  
20 until the Secretary of State determines and reports to the  
21 Committees on Appropriations that: (1) Cambodia has  
22 held free and fair elections; (2) during the twelve months  
23 prior to the elections, no candidate of any opposition party  
24 was murdered; (3) all political candidates were permitted  
25 freedom of speech, assembly and equal access to the  
26 media; (4) voter registration and participation rates did

1 not exceed the eligible population in any region; (5) refu-  
 2 gees and overseas Cambodians were permitted to vote; (6)  
 3 the Central Election Commission was comprised of rep-  
 4 resentatives from all parties; and (7) international mon-  
 5 itors were accorded appropriate access to polling sites:  
 6 *Provided*, That the restriction on funds made available  
 7 under this paragraph shall not apply to demining or hu-  
 8 manitarian programs or activities administered by non-  
 9 governmental organizations.

10 INDONESIA

11 Of the funds appropriated under the headings “Eco-  
 12 nomic Support Fund” and “Development Assistance”, not  
 13 less than \$100,000,000 shall be made available for assist-  
 14 ance for Indonesia: *Provided*, That not less than 50 per-  
 15 cent of such funds shall be made available to address na-  
 16 tionwide food, medical, fuel, and other shortages: *Provided*  
 17 *further*, That not less than 80 percent of the assistance  
 18 made available for Indonesia under this heading shall be  
 19 made available, administered or distributed through indig-  
 20 enous non-governmental or private voluntary organiza-  
 21 tions: *Provided further*, That not less than \$6,000,000  
 22 shall be made available to support the development of po-  
 23 litical institutions and parties: *Provided further*, That not  
 24 less than \$8,000,000 of the funds made available under  
 25 this heading shall be made available to improve trans-  
 26 parency and regulation of banking, financial, insurance,

1 and securities institutions: *Provided further*, That not less  
2 than \$8,000,000 of the funds made available under this  
3 heading shall be made available to support legal and judi-  
4 cial reforms: *Provided further*, That thirty days after en-  
5 actment of this Act, the Administrator of the Agency for  
6 International Development shall provide the Committees  
7 on Appropriations with a nationwide assessment of eco-  
8 nomic, legal, political and humanitarian consequences and  
9 needs resulting from the economic collapse in Indonesia.

10 MITCH MCCONNELL CONSERVATION FUND

11 Of the funds made available under the headings  
12 “Economic Support Fund” and “Development Assist-  
13 ance”, not less than \$1,200,000 shall be made available  
14 for research, conservation, training and related activities  
15 for the Province of the Galapagos Islands, Ecuador, of  
16 which not less than \$500,000 shall be made available for  
17 activities conducted by the Charles Darwin Research Sta-  
18 tion: *Provided*, That of the funds made available under  
19 this heading, \$200,000 shall be made available to support  
20 training and conservation activities conducted by the Gala-  
21 pagos National Park Service: *Provided further*, That of the  
22 funds made available under this heading, not less than  
23 \$500,000 shall be made available as a contribution to an  
24 endowment for the Charles Darwin Research Station and  
25 Foundation: *Provided further*, That additional funds for



1 this endowment may be made available to match private  
2 sector donations.

3 INTERNATIONAL DISASTER ASSISTANCE

4 For necessary expenses for international disaster re-  
5 lief, rehabilitation, and reconstruction assistance pursuant  
6 to section 491 of the Foreign Assistance Act of 1961, as  
7 amended, \$200,000,000, to remain available until ex-  
8 pended: *Provided*, That, of the funds appropriated under  
9 this heading, not less than \$500,000 shall be available  
10 only to Catholic Relief Services solely for the purpose of  
11 the purchase, transport, or installation of a hydraulic drill-  
12 ing machine to provide potable drinking water in the re-  
13 gion of the Nuba Mountains in Sudan.

14 TREASURY INTERNATIONAL AFFAIRS TECHNICAL  
15 ASSISTANCE

16 For necessary expenses to carry out Department of  
17 the Treasury international affairs technical assistance ac-  
18 tivities, \$3,000,000, to remain available until expended,  
19 which shall be available, notwithstanding any other provi-  
20 sion of law, for economic technical assistance and for re-  
21 lated programs.

22 DEBT RESTRUCTURING

23 For the cost, as defined in section 502 of the Con-  
24 gressional Budget Act of 1974, of modifying direct loans  
25 and loan guarantees, as the President may determine, for  
26 which funds have been appropriated or otherwise made

1 available for programs within the International Affairs  
2 Budget Function 150, including the cost of selling, reduc-  
3 ing, or canceling amounts, through debt buybacks and  
4 swaps, owed to the United States as a result of  
5 concessional loans made to eligible Latin American and  
6 Caribbean countries, pursuant to part IV of the Foreign  
7 Assistance Act of 1961, and of modifying concessional  
8 credit agreements with least developed countries, as au-  
9 thorized under section 411 of the Agriculture Trade and  
10 Assistance Act of 1954 as amended; and of modifying any  
11 obligation, or portion of such obligation of Honduras to  
12 pay for purchases of United States agricultural commod-  
13 ities guaranteed by the Commodity Credit Corporation  
14 under export credit guarantee programs authorized pursu-  
15 ant to section 5(f) of the Commodity Credit Corporation  
16 Charter Act of June 29, 1948, as amended, section 4(b)  
17 of the Food for Peace Act of 1966, as amended (Public  
18 Law 89–808), or section 202 of the Agricultural Trade  
19 Act of 1978, as amended (Public Law 95–501);  
20 \$25,000,000, to remain available until expended.

21 MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM

22 ACCOUNT

23 For the cost of direct loans and loan guarantees,  
24 \$1,500,000, as authorized by section 108 of the Foreign  
25 Assistance Act of 1961, as amended: *Provided*, That such  
26 costs shall be as defined in section 502 of the Congres-

1 sional Budget Act of 1974: *Provided further*, That section  
 2 108(i)(2)(C) of the Foreign Assistance Act of 1961 is  
 3 amended to read as follows: “(C) No guarantee of any loan  
 4 may guarantee more than 50 percent of the principal  
 5 amount of any such loan, except guarantees of loans in  
 6 support of microenterprise activities may guarantee up to  
 7 70 percent of the principal amount of any such loan.”.  
 8 In addition, for administrative expenses to carry out pro-  
 9 grams under this heading, \$500,000, all of which may be  
 10 transferred to and merged with the appropriation for Op-  
 11 erating Expenses of the Agency for International Develop-  
 12 ment: *Provided further*, That funds made available under  
 13 this heading shall remain available until September 30,  
 14 2000.

15 URBAN AND ENVIRONMENTAL CREDIT PROGRAM

16 ACCOUNT

17 For the cost, as defined in section 502 of the Con-  
 18 gressional Budget Act of 1974, of guaranteed loans au-  
 19 thorized by sections 221 and 222 of the Foreign Assist-  
 20 ance Act of 1961, \$3,000,000, to remain available until  
 21 expended: *Provided*, That these funds are available to sub-  
 22 sidize loan principal, 100 per centum of which shall be  
 23 guaranteed, pursuant to the authority of such sections. In  
 24 addition, for administrative expenses to carry out guaran-  
 25 teed loan programs, \$4,000,000, all of which may be  
 26 transferred to and merged with the appropriation for Op-

1 erating Expenses of the Agency for International Develop-  
2 ment: *Provided further*, That the second and third sen-  
3 tences of section 222(a) of the Foreign Assistance Act of  
4 1961, and the third and fourth sentences of section 223(j)  
5 of such Act are repealed.

6 PRIVATE AND VOLUNTARY ORGANIZATIONS

7 None of the funds appropriated or otherwise made  
8 available by this Act for development assistance may be  
9 made available to any United States private and voluntary  
10 organization, except any cooperative development organi-  
11 zation, which obtains less than 20 per centum of its total  
12 annual funding for international activities from sources  
13 other than the United States Government: *Provided*, That  
14 the Administrator of the Agency for International Devel-  
15 opment may, on a case-by-case basis, waive the restriction  
16 contained in this paragraph, after taking into account the  
17 effectiveness of the overseas development activities of the  
18 organization, its level of volunteer support, its financial  
19 viability and stability, and the degree of its dependence  
20 for its financial support on the agency: *Provided further*,  
21 That section 123(g) of the Foreign Assistance Act of 1961  
22 and the paragraph entitled “Private and Voluntary Orga-  
23 nizations” in title II of the Foreign Assistance and Relat-  
24 ed Programs Appropriations Act, 1985 (as enacted in  
25 Public Law 98–473) are hereby repealed.

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

11 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
12 DISABILITY FUND

13 For payment to the “Foreign Service Retirement and  
14 Disability Fund”, as authorized by the Foreign Service  
15 Act of 1980, \$44,552,000.

16 OPERATING EXPENSES OF THE AGENCY FOR  
17 INTERNATIONAL DEVELOPMENT

18 For necessary expenses to carry out the provisions  
19 of section 667, \$475,000,000, to remain available until  
20 September 30, 2000: *Provided*, That none of the funds  
21 appropriated by this Act for programs administered by the  
22 Agency for International Development may be used to fi-  
23 nance printing costs of any report or study (except fea-  
24 sibility, design, or evaluation reports or studies) in excess  
25 of \$25,000 without the approval of the Administrator of  
26 the Agency or the Administrator’s designee.

1 OPERATING EXPENSES OF THE AGENCY FOR INTER-  
2 NATIONAL DEVELOPMENT OFFICE OF INSPECTOR  
3 GENERAL

4 For necessary expenses to carry out the provisions  
5 of section 667, \$30,000,000, to remain available until Sep-  
6 tember 30, 2000, which sum shall be available for the Of-  
7 fice of the Inspector General of the Agency for Inter-  
8 national Development.

9 OTHER BILATERAL ECONOMIC ASSISTANCE  
10 ECONOMIC SUPPORT FUND

11 For necessary expenses to carry out the provisions  
12 of chapter 4 of part II, \$2,305,600,000, to remain avail-  
13 able until September 30, 2000: *Provided*, That of the  
14 funds appropriated under this heading, not less than  
15 \$1,080,000,000 shall be available only for Israel, which  
16 sum shall be available on a grant basis as a cash transfer  
17 and shall be disbursed within thirty days of enactment of  
18 this Act or by October 31, 1998, whichever is later: *Pro-*  
19 *vided further*, That not less than \$775,000,000 shall be  
20 available only for Egypt, which sum shall be provided on  
21 a grant basis, and of which sum cash transfer assistance  
22 shall be provided with the understanding that Egypt will  
23 undertake significant economic reforms which are addi-  
24 tional to those which were undertaken in previous fiscal  
25 years and, of which not less than \$200,000,000 shall be

1 provided as Commodity Import Program assistance: *Pro-*  
 2 *vided further*, That of the funds appropriated under this  
 3 heading for Egypt not less than \$40,000,000 shall be  
 4 made available to establish an Enterprise Fund for Egypt,  
 5 notwithstanding any other provision of law: *Provided fur-*  
 6 *ther*, That the provisions of subsection (b) under the head-  
 7 ing “Assistance for Eastern Europe and the Baltic  
 8 States” shall be applicable to funds made available for an  
 9 Enterprise Fund for Egypt: *Provided further*, That in ex-  
 10 ercising the authority to provide cash transfer assistance  
 11 for Israel, the President shall ensure that the level of such  
 12 assistance does not cause an adverse impact on the total  
 13 level of nonmilitary exports from the United States to such  
 14 country: *Provided further*, That of the funds appropriated  
 15 under this heading, not less than \$150,000,000 shall be  
 16 made available for assistance for Jordan: *Provided further*,  
 17 That notwithstanding any other provision of law, not to  
 18 exceed \$10,000,000 may be used to support victims of and  
 19 programs related to the Holocaust.

20 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC  
 21 STATES

22 (a) For necessary expenses to carry out the provisions  
 23 of the Foreign Assistance Act of 1961 and the Support  
 24 for East European Democracy (SEED) Act of 1989,  
 25 \$432,500,000, to remain available until September 30,  
 26 2000, which shall be available, notwithstanding any other

1 provision of law, for economic assistance and for related  
2 programs for Eastern Europe and the Baltic States: *Pro-*  
3 *vided*, That of the funds made available under this heading  
4 and the headings “International Narcotics and Law En-  
5 forcement”, “Development Assistance”, and “Economic  
6 Support Fund”, not to exceed \$200,000,000 shall be made  
7 available for Bosnia and Herzegovina.

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

19       (c) Funds appropriated under this heading shall be  
20 considered to be economic assistance under the Foreign  
21 Assistance Act of 1961 for purposes of making available  
22 the administrative authorities contained in that Act for  
23 the use of economic assistance.

24       (d) With regard to funds appropriated or otherwise  
25 made available under this heading for the economic revi-



1 talization program in Bosnia and Herzegovina, and local  
2 currencies generated by such funds (including the conver-  
3 sion of funds appropriated under this heading into cur-  
4 rency used by Bosnia and Herzegovina as local currency  
5 and local currency returned or repaid under such pro-  
6 gram)—

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

13          (2) the provisions of section 533 of this Act  
14          shall apply.

15       ASSISTANCE FOR THE NEW INDEPENDENT STATES OF

16                               THE FORMER SOVIET UNION

17          (a) For necessary expenses to carry out the provisions  
18       of chapter 11 of part I of the Foreign Assistance Act of  
19       1961 and the FREEDOM Support Act, for assistance for  
20       the New Independent States of the former Soviet Union  
21       and for related programs, \$740,000,000, to remain avail-  
22       able until September 30, 2000: *Provided*, That the provi-  
23       sions of such chapter shall apply to funds appropriated  
24       by this paragraph: *Provided further*, That such sums as  
25       may be necessary may be transferred to the Export-Im-  
26       port Bank of the United States for the cost of any financ-

1 ing under the Export-Import Bank Act of 1945 for activi-  
2 ties for the New Independent States.

3 (b) Of the funds appropriated under this heading, not  
4 less than \$210,000,000 shall be made available for assist-  
5 ance for Ukraine: *Provided*, That 50 percent of the  
6 amount made available in this subsection, exclusive of  
7 funds made available for nuclear safety, Free Market De-  
8 mocracy Fund activities and law enforcement reforms,  
9 shall be withheld from obligation and expenditure until the  
10 Secretary of State reports to the Committees on Appro-  
11 priations that Ukraine has undertaken significant eco-  
12 nomic reforms additional to those achieved in fiscal year  
13 1998, and include: (1) reform and effective enforcement  
14 of commercial and tax codes; and (2) continued progress  
15 on resolution of complaints by U.S. investors: *Provided*  
16 *further*, That the report in the previous proviso shall be  
17 provided 120 days after the date of enactment of this Act:  
18 *Provided further*, That if the Secretary cannot certify that  
19 progress has been achieved, the funds withheld shall be  
20 returned to the United States Treasury: *Provided further*,  
21 That of the funds made available for Ukraine under this  
22 subsection, not less than \$22,000,000 shall be made avail-  
23 able only for assistance for comprehensive legal restructur-  
24 ing necessary to support a decentralized market-oriented  
25 economic system, and the implementation of reforms nec-

1 essary to establish an independent judiciary including the  
2 education of judges, attorneys, and law students: *Provided*  
3 *further*, That of the funds made available for Ukraine  
4 under this subsection, not less than \$8,000,000 shall be  
5 made available to support law enforcement institutions  
6 and training: *Provided further*, That not less than  
7 \$25,000,000 of such funds shall be made available for nu-  
8 clear reactor safety programs, of which not less than  
9 \$1,000,000 shall be made available for personnel security  
10 initiatives at all nuclear reactor installations: *Provided fur-*  
11 *ther*, That of such funds, not less than \$700,000 shall be  
12 made available to establish and support a Free Market  
13 Democracy Fund to be administered by the United States  
14 Ambassador to Ukraine in consultation with the Coordina-  
15 tor for the New Independent States of the former Soviet  
16 Union.

17 (c) Of the funds appropriated under this heading, not  
18 less than \$95,000,000 shall be made available for assist-  
19 ance for Georgia, of which not less than \$35,000,000 shall  
20 be made available to support economic reforms including  
21 small business development and the development of bank-  
22 ing, insurance and securities institutions: *Provided*, That  
23 of the funds made available under this subsection, not less  
24 than \$8,000,000 shall be made available for judicial re-  
25 form and law enforcement training: *Provided further*, That

1 of the funds made available under this subsection, not less  
2 than \$20,000,000 shall be made available to support  
3 training and infrastructure for secure communications  
4 and surveillance systems for border and customs control.

5 (d) Of the funds appropriated under this heading, not  
6 less than \$90,000,000 shall be made available for assist-  
7 ance for Armenia, of which not less than \$10,000,000  
8 shall be made available for an endowment for the Amer-  
9 ican University of Armenia: *Provided*, That of the funds  
10 made available under this subsection, not less than  
11 \$4,000,000 shall be made available for nuclear safety ac-  
12 tivities.

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

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

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

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

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

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

14           (6) humanitarian assistance.

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

20           (g) Of the funds appropriated under title II of this  
21 Act, including funds appropriated under this heading, not  
22 less than \$10,000,000 shall be made available for assist-  
23 ance for Mongolia: *Provided*, That funds made available  
24 for assistance for Mongolia may be made available in ac-  
25 cordance with the purposes and utilizing the authorities

1 provided in chapter 11 of part I of the Foreign Assistance  
2 Act of 1961.

3 (h) None of the funds appropriated under this head-  
4 ing may be made available for Russia unless the President  
5 determines and certifies in writing to the Committees on  
6 Appropriations that the Government of Russia has termi-  
7 nated implementation of arrangements to provide Iran  
8 with technical expertise, training, technology, or equip-  
9 ment necessary to develop a nuclear reactor, related nu-  
10 clear research facilities or programs, or ballistic missile ca-  
11 pability.

12 INDEPENDENT AGENCY

13 PEACE CORPS

14 For expenses necessary to carry out the provisions  
15 of the Peace Corps Act (75 Stat. 612), \$221,000,000, 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 2000.

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, \$222,000,000: *Pro-*  
6 *vided*, That of this amount not less than \$9,000,000 shall  
7 be made available for Law Enforcement Training and De-  
8 mand Reduction: *Provided further*, That in addition to any  
9 funds previously made available for the International Law  
10 Enforcement Academy for the Western Hemisphere, not  
11 less than \$5,000,000 shall be made available to establish  
12 and operate the International Law Enforcement Academy  
13 for the Western Hemisphere at the deBremond Training  
14 Center in Roswell, New Mexico.

15 MIGRATION AND REFUGEE ASSISTANCE

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

1 vehicles; and services as authorized by section 3109 of title  
 2 5, United States Code, \$650,000,000: *Provided*, That not  
 3 more than \$12,000,000 shall be available for administra-  
 4 tive expenses: *Provided further*, That not less than  
 5 \$70,000,000 shall be made available for refugees from the  
 6 former Soviet Union and Eastern Europe and other refu-  
 7 gees resettling in Israel.

8 UNITED STATES EMERGENCY REFUGEE AND MIGRATION  
 9 ASSISTANCE FUND

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

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

20 For necessary expenses for nonproliferation, anti-ter-  
 21 rorism and related programs and activities, \$170,000,000,  
 22 to carry out the provisions of chapter 8 of part II of the  
 23 Foreign Assistance Act of 1961 for anti-terrorism assist-  
 24 ance, section 504 of the FREEDOM Support Act for the  
 25 Nonproliferation and Disarmament Fund, section 23 of  
 26 the Arms Export Control Act or the Foreign Assistance



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

1 not to exceed \$500,000, in addition to funds otherwise  
2 available for such purposes, may be used for administra-  
3 tive expenses related to the operation and management of  
4 the demining program: *Provided further*, That of the funds  
5 appropriated under this heading up to \$40,000,000 may  
6 be made available for the International Atomic Energy  
7 Agency only if the Secretary of State determines (and so  
8 reports to the Congress) that Israel is not being denied  
9 its right to participate in the activities of that Agency:  
10 *Provided further*, That notwithstanding any other provi-  
11 sion of law, not to exceed \$35,000,000 may be made avail-  
12 able to the Korean Peninsula Energy Development Orga-  
13 nization only for the administrative expenses and heavy  
14 fuel oil costs associated with the Agreed Framework: *Pro-*  
15 *vided further*, That such funds may be obligated to KEDO  
16 only if, thirty days prior to such obligation of funds, the  
17 President certifies and so reports to Congress that: (1)(A)  
18 the parties to the Agreed Framework are taking steps to  
19 assure that progress is made on the implementation of the  
20 January 1, 1992, Joint Declaration on the  
21 Denuclearization of the Korean Peninsula and the imple-  
22 mentation of the North-South dialogue, and (B) North  
23 Korea is complying with all provisions of the Agreed  
24 Framework between North Korea and the United States  
25 and with the Confidential Minute; (2) North Korea is co-

1 operating fully in the canning and safe storage of all spent  
2 fuel from its graphite-moderated nuclear reactors; (3)  
3 North Korea has not significantly diverted assistance pro-  
4 vided by the United States for purposes for which it was  
5 not intended; (4) North Korea is not actively pursuing the  
6 acquisition or development of a nuclear capability (other  
7 than the light-water reactors provided for by the 1994  
8 Agreed Framework Between the United States and North  
9 Korea); and (5) North Korea is not providing ballistic mis-  
10 siles or ballistic missile technology to a country the govern-  
11 ment of which the Secretary of State has determined is  
12 a terrorist government for the purposes of section 40(d)  
13 of the Arms Export Control Act or any other comparable  
14 provision of law: *Provided further*, That the President may  
15 waive the certification requirements of the preceding pro-  
16 viso if the President determines that it is vital to the na-  
17 tional security interests of the United States: *Provided fur-*  
18 *ther*, That no funds may be obligated for KEDO until 30  
19 days after submission to Congress of the waiver permitted  
20 under the preceding proviso: *Provided further*, That the  
21 obligation of any funds for KEDO shall be subject to the  
22 regular notification procedures of the Committees on Ap-  
23 propriations: *Provided further*, That the Secretary of State  
24 shall submit to the appropriate congressional committees  
25 an annual report (to be submitted with the annual presen-

1 tation for appropriations) providing a full and detailed ac-  
2 counting of the fiscal year request for the United States  
3 contribution to KEDO, the expected operating budget of  
4 the Korean Peninsula Energy Development Organization,  
5 to include unpaid debt, proposed annual costs associated  
6 with heavy fuel oil purchases, and the amount of funds  
7 pledged by other donor nations and organizations to sup-  
8 port KEDO activities on a per country basis, and other  
9 related activities: *Provided further*, That the Director of  
10 Central Intelligence will provide for review and consider-  
11 ation by the House Permanent Select Committee on Intel-  
12 ligence, House International Relations Committee, House  
13 National Security Committee, Senate Appropriations  
14 Committee, Senate Select Committee on Intelligence, Sen-  
15 ate Foreign Relations Committee and Senate Armed Serv-  
16 ices Committee all relevant intelligence bearing on North  
17 Korea's compliance with the provisions of this proviso.  
18 Such provision will occur not less than 45 days prior to  
19 the President's certification as provided for under this  
20 heading: *Provided further*, That for the purposes of this  
21 heading, the term intelligence includes National Intel-  
22 ligence Estimates, Intelligence Memoranda, Findings and  
23 other intelligence reports based on multiple sources or in-  
24 cluding the assessment of more than one member of the  
25 Intelligence Community.

## 1 TITLE III—MILITARY ASSISTANCE

## 2 FUNDS APPROPRIATED TO THE PRESIDENT

## 3 INTERNATIONAL MILITARY EDUCATION AND TRAINING

4 For necessary expenses to carry out the provisions  
5 of section 541 of the Foreign Assistance Act of 1961,  
6 \$50,000,000: *Provided*, That the civilian personnel for  
7 whom military education and training may be provided  
8 under this heading may include civilians who are not mem-  
9 bers of a government whose participation would contribute  
10 to improved civil-military relations, civilian control of the  
11 military, or respect for human rights: *Provided further*,  
12 That funds appropriated under this heading for grant fi-  
13 nanced military education and training for Guatemala  
14 may only be available for expanded international military  
15 education and training.

## 16 FOREIGN MILITARY FINANCING PROGRAM

17 For expenses necessary for grants to enable the  
18 President to carry out the provisions of section 23 of the  
19 Arms Export Control Act, \$3,322,910,000: *Provided*, That  
20 of the funds appropriated under this heading, not less  
21 than \$1,860,000,000 shall be available for grants only for  
22 Israel, and not less than \$1,300,000,000 shall be made  
23 available for grants only for Egypt: *Provided further*, That  
24 the funds appropriated by this paragraph for Israel shall  
25 be disbursed within thirty days of enactment of this Act  
26 or by October 31, 1998, whichever is later: *Provided fur-*

1 *ther*, That to the extent that the Government of Israel re-  
2 quests that funds be used for such purposes, grants made  
3 available for Israel by this paragraph shall, as agreed by  
4 Israel and the United States, be available for advanced  
5 weapons systems, of which not less than 26.5 percent shall  
6 be available for the procurement in Israel of defense arti-  
7 cles and defense services, including research and develop-  
8 ment: *Provided further*, That of the funds appropriated by  
9 this paragraph, not less than \$48,000,000 shall be avail-  
10 able for assistance for Jordan: *Provided further*, That of  
11 the funds appropriated by this paragraph, a total of  
12 \$15,300,000 shall be available for assistance for Estonia,  
13 Latvia, and Lithuania: *Provided further*, That of the funds  
14 appropriated by this paragraph, not less than \$7,000,000  
15 shall be made available for assistance for Tunisia: *Pro-*  
16 *vided further*, That during fiscal year 1999, the President  
17 is authorized to, and shall, direct the draw-downs of de-  
18 fense articles from the stocks of the Department of De-  
19 fense, defense services of the Department of Defense, and  
20 military education and training of an aggregate value of  
21 not less than \$5,000,000 under the authority of this pro-  
22 viso for Tunisia for the purposes of part II of the Foreign  
23 Assistance Act of 1961: *Provided further*, That funds ap-  
24 propriated by this paragraph shall be nonrepayable not-  
25 withstanding any requirement in section 23 of the Arms

1 Export Control Act: *Provided further*, That funds made  
2 available under this paragraph shall be obligated upon ap-  
3 portionment in accordance with paragraph (5)(C) of title  
4 31, United States Code, section 1501(a): *Provided further*,  
5 That \$30,000,000 of the funds appropriated or otherwise  
6 made available under this heading shall be made available  
7 for the purpose of facilitating the integration of Poland,  
8 Hungary, and the Czech Republic into the North Atlantic  
9 Treaty Organization.

10 For the cost, as defined in section 502 of the Con-  
11 gressional Budget Act of 1974, of direct loans authorized  
12 by section 23 of the Arms Export Control Act as follows:  
13 cost of direct loans, \$20,000,000: *Provided*, That these  
14 funds are available to subsidize gross obligations for the  
15 principal amount of direct loans of not to exceed  
16 \$167,000,000.

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

1 try and funding level increases in allocations shall be sub-  
2 mitted through the regular notification procedures of sec-  
3 tion 515 of this Act: *Provided further*, That none of the  
4 funds appropriated under this heading shall be available  
5 for Sudan and Liberia: *Provided further*, That funds made  
6 available under this heading may be used, notwithstanding  
7 any other provision of law, for demining, the clearance of  
8 unexploded ordnance, and related activities, and may in-  
9 clude activities implemented through nongovernmental  
10 and international organizations: *Provided further*, That  
11 none of the funds under this heading shall be available  
12 for Guatemala: *Provided further*, That only those countries  
13 for which assistance was justified for the “Foreign Mili-  
14 tary Sales Financing Program” in the fiscal year 1989  
15 congressional presentation for security assistance pro-  
16 grams may utilize funds made available under this heading  
17 for procurement of defense articles, defense services or de-  
18 sign and construction services that are not sold by the  
19 United States Government under the Arms Export Con-  
20 trol Act: *Provided further*, That, subject to the regular no-  
21 tification procedures of the Committees on Appropria-  
22 tions, funds made available under this heading for the cost  
23 of direct loans may also be used to supplement the funds  
24 available under this heading for grants, and funds made  
25 available under this heading for grants may also be used



1 to supplement the funds available under this heading for  
2 the cost of direct loans: *Provided further*, That funds ap-  
3 propriated under this heading shall be expended at the  
4 minimum rate necessary to make timely payment for de-  
5 fense articles and services: *Provided further*, That not  
6 more than \$29,910,000 of the funds appropriated under  
7 this heading may be obligated for necessary expenses, in-  
8 cluding the purchase of passenger motor vehicles for re-  
9 placement only for use outside of the United States, for  
10 the general costs of administering military assistance and  
11 sales: *Provided further*, That not more than \$340,000,000  
12 of funds realized pursuant to section 21(e)(1)(A) of the  
13 Arms Export Control Act may be obligated for expenses  
14 incurred by the Department of Defense during fiscal year  
15 1999 pursuant to section 43(b) of the Arms Export Con-  
16 trol Act, except that this limitation may be exceeded only  
17 through the regular notification procedures of the Com-  
18 mittees on Appropriations.

19 PEACEKEEPING OPERATIONS

20 For necessary expenses to carry out the provisions  
21 of section 551 of the Foreign Assistance Act of 1961,  
22 \$75,000,000: *Provided*, That none of the funds appro-  
23 priated under this heading shall be obligated or expended  
24 except as provided through the regular notification proce-  
25 dures of the Committees on Appropriations: *Provided fur-*  
26 *ther*, That none of the funds made available under this

1 heading for the Multilateral Force and Observers (MFO)  
 2 may be made available until the Secretary of State cer-  
 3 tifies to the Committees on Appropriations that the Direc-  
 4 tor General employed prior to 1998 has not been retained  
 5 in any capacity by the MFO.

6 TITLE IV—MULTILATERAL ECONOMIC

7 ASSISTANCE

8 FUNDS APPROPRIATED TO THE PRESIDENT

9 INTERNATIONAL FINANCIAL INSTITUTIONS

10 THE INTERNATIONAL BANK FOR RECONSTRUCTION AND

11 DEVELOPMENT

12 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT

13 ASSOCIATION

14 For payment to the International Development Asso-  
 15 ciation by the Secretary of the Treasury, \$800,000,000,  
 16 to remain available until expended: *Provided*, That none  
 17 of the funds may be obligated or made available until the  
 18 Secretary of the Treasury certifies that the Comptroller  
 19 General has been provided full and regular access to: (1)  
 20 the financial and related records of IDA for the purposes  
 21 of conducting audits of current loans and financial assist-  
 22 ance provided by the institution; and (2) management per-  
 23 sonnel manuals, procedures, and policy guidelines: *Pro-*  
 24 *vided further*, That following the review conducted in the  
 25 previous proviso, the Comptroller General shall report to  
 26 the Committees on Appropriations on the results of the

1 audit and recommendations to improve institutional per-  
2 sonnel procedures, especially regarding the protection of  
3 individuals alleging mismanagement, fraud, or abuses:  
4 *Provided further,* That the obligation of funds appro-  
5 priated under this heading shall be subject to the regular  
6 notification procedures of the Committees on Appropria-  
7 tions.

8 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT  
9 BANK

10 For payment to the Inter-American Development  
11 Bank by the Secretary of the Treasury, for the United  
12 States share of the paid-in share portion of the increase  
13 in capital stock, \$25,610,667.

14 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

15 The United States Governor of the Inter-American  
16 Development Bank may subscribe without fiscal year limi-  
17 tation to the callable capital portion of the United States  
18 share of such capital stock in an amount not to exceed  
19 \$1,503,718,910.

20 CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

21 For payment to the Asian Development Bank by the  
22 Secretary of the Treasury for the United States share of  
23 the paid-in portion of the increase in capital stock,  
24 \$13,221,596, to remain available until expended.

## 1       LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

7               CONTRIBUTION TO THE EUROPEAN BANK FOR  
8               RECONSTRUCTION AND DEVELOPMENT

9       For payment to the European Bank for Reconstruc-  
10 tion and Development by the Secretary of the Treasury,  
11 \$35,778,717, for the United States share of the paid-in  
12 portion of the increase in capital stock, to remain available  
13 until expended.

## 14       LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

15       The United States Governor of the European Bank  
16 for Reconstruction and Development may subscribe with-  
17 out fiscal year limitation to the callable capital portion of  
18 the United States share of such capital stock in an amount  
19 not to exceed \$123,237,803.

## 20       INTERNATIONAL ORGANIZATIONS AND PROGRAMS

21       For necessary expenses to carry out the provisions  
22 of section 301 of the Foreign Assistance Act of 1961, and  
23 of section 2 of the United Nations Environment Program  
24 Participation Act of 1973, \$170,000,000: *Provided*, That  
25 none of the funds appropriated under this heading shall  
26 be made available for the United Nations Fund for

1 Science and Technology: *Provided further*, That not less  
 2 than \$5,000,000 shall be made available to the World  
 3 Food Program: *Provided further*, That none of the funds  
 4 made available under this heading, may be provided to the  
 5 Climate Stabilization Fund until fifteen days after the De-  
 6 partment of State provides a report to the Committees on  
 7 Foreign Relations and Appropriations detailing the num-  
 8 ber of Fund employees and associated salaries and the fis-  
 9 cal year 1998 and 1999 Fund activities, programs or  
 10 projects and associated costs: *Provided further*, That none  
 11 of the funds appropriated under this heading may be made  
 12 available to the Korean Peninsula Energy Development  
 13 Organization (KEDO) or the International Atomic Energy  
 14 Agency (IAEA).

## 15 TITLE V—GENERAL PROVISIONS

### 16 OBLIGATIONS OF FUNDS

17 SEC. 501. Except for the appropriations entitled  
 18 “International Disaster Assistance”, and “United States  
 19 Emergency Refugee and Migration Assistance Fund”, not  
 20 more than 15 percent of any appropriation item made  
 21 available by this Act shall be obligated during the last  
 22 month of availability.

### 23 PROHIBITION OF BILATERAL FUNDING FOR

### 24 INTERNATIONAL FINANCIAL INSTITUTIONS

25 SEC. 502. Notwithstanding section 614 of the For-  
 26 eign Assistance Act of 1961, none of the funds contained

1 in title II of this Act may be used to carry out the provi-  
2 sions of section 209(d) of the Foreign Assistance Act of  
3 1961.

4                   LIMITATION ON RESIDENCE EXPENSES

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

12                   LIMITATION ON EXPENSES

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

17                   LIMITATION ON REPRESENTATIONAL ALLOWANCES

18           SEC. 505. Of the funds appropriated or made avail-  
19 able pursuant to this Act, not to exceed \$95,000 shall be  
20 available for representation allowances for the Agency for  
21 International Development during the current fiscal year:  
22 *Provided*, That appropriate steps shall be taken to assure  
23 that, to the maximum extent possible, United States-  
24 owned foreign currencies are utilized in lieu of dollars:  
25 *Provided further*, That of the funds made available by this  
26 Act for general costs of administering military assistance

1 and sales under the heading “Foreign Military Financing  
2 Program”, not to exceed \$2,000 shall be available for en-  
3 tertainment expenses and not to exceed \$50,000 shall be  
4 available for representation allowances: *Provided further*,  
5 That of the funds made available by this Act under the  
6 heading “International Military Education and Training”,  
7 not to exceed \$50,000 shall be available for entertainment  
8 allowances: *Provided further*, That of the funds made  
9 available by this Act for the Inter-American Foundation,  
10 not to exceed \$2,000 shall be available for entertainment  
11 and representation allowances: *Provided further*, That of  
12 the funds made available by this Act for the Peace Corps,  
13 not to exceed a total of \$4,000 shall be available for enter-  
14 tainment expenses: *Provided further*, That of the funds  
15 made available by this Act under the heading “Trade and  
16 Development Agency”, not to exceed \$2,000 shall be avail-  
17 able for representation and entertainment allowances.

18 PROHIBITION ON FINANCING NUCLEAR GOODS

19 SEC. 506. None of the funds appropriated or made  
20 available (other than funds for “Nonproliferation,  
21 Antiterrorism, Demining and Related Programs”) pursu-  
22 ant to this Act, for carrying out the Foreign Assistance  
23 Act of 1961, may be used, except for purposes of nuclear  
24 safety, to finance the export of nuclear equipment, fuel,  
25 or technology.

1 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN  
2 COUNTRIES

3 SEC. 507. None of the funds appropriated or other-  
4 wise made available pursuant to this Act shall be obligated  
5 or expended to finance directly any assistance or repara-  
6 tions to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or  
7 Syria: *Provided*, That for purposes of this section, the pro-  
8 hibition on obligations or expenditures shall include direct  
9 loans, credits, insurance and guarantees of the Export-Im-  
10 port Bank or its agents.

11 MILITARY COUPS

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

21 TRANSFERS BETWEEN ACCOUNTS

22 SEC. 509. None of the funds made available by this  
23 Act may be obligated under an appropriation account to  
24 which they were not appropriated, except for transfers  
25 specifically provided for in this Act, unless the President,  
26 prior to the exercise of any authority contained in the For-



1 eign Assistance Act of 1961 to transfer funds, consults  
2 with and provides a written policy justification to the  
3 Committees on Appropriations of the House of Represent-  
4 atives and the Senate: *Provided*, That the exercise of such  
5 authority shall be subject to the regular notification proce-  
6 dures of the Committees on Appropriations.

7 DEOBLIGATION/REOBLIGATION AUTHORITY

8 SEC. 510. (a) Amounts certified pursuant to section  
9 1311 of the Supplemental Appropriations Act, 1955, as  
10 having been obligated against appropriations heretofore  
11 made under the authority of the Foreign Assistance Act  
12 of 1961 for the same general purpose as any of the head-  
13 ings under title II of this Act are, if deobligated, hereby  
14 continued available for the same period as the respective  
15 appropriations under such headings or until September  
16 30, 1999, whichever is later, and for the same general pur-  
17 pose, and for countries within the same region as origi-  
18 nally obligated: *Provided*, That the Appropriations Com-  
19 mittees of both Houses of the Congress are notified fifteen  
20 days in advance of the reobligation of such funds in ac-  
21 cordance with regular notification procedures of the Com-  
22 mittees on Appropriations.

23 (b) Obligated balances of funds appropriated to carry  
24 out section 23 of the Arms Export Control Act as of the  
25 end of the fiscal year immediately preceding the current  
26 fiscal year are, if deobligated, hereby continued available

1 during the current fiscal year for the same purpose under  
2 any authority applicable to such appropriations under this  
3 Act: *Provided*, That the authority of this subsection may  
4 not be used in fiscal year 1999.

5 AVAILABILITY OF FUNDS

6 SEC. 511. No part of any appropriation contained in  
7 this Act shall remain available for obligation after the ex-  
8 piration of the current fiscal year unless expressly so pro-  
9 vided in this Act: *Provided*, That funds appropriated for  
10 the purposes of chapters 1, 8, and 11 of part I, section  
11 667, and chapter 4 of part II of the Foreign Assistance  
12 Act of 1961, as amended, and funds provided under the  
13 heading “Assistance for Eastern Europe and the Baltic  
14 States”, shall remain available until expended if such  
15 funds are initially obligated before the expiration of their  
16 respective periods of availability contained in this Act:  
17 *Provided further*, That, notwithstanding any other provi-  
18 sion of this Act, any funds made available for the purposes  
19 of chapter 1 of part I and chapter 4 of part II of the  
20 Foreign Assistance Act of 1961 which are allocated or ob-  
21 ligated for cash disbursements in order to address balance  
22 of payments or economic policy reform objectives, shall re-  
23 main available until expended: *Provided further*, That the  
24 report required by section 653(a) of the Foreign Assist-  
25 ance Act of 1961 shall designate for each country, to the  
26 extent known at the time of submission of such report,

1 those funds allocated for cash disbursement for balance  
2 of payment and economic policy reform purposes.

3 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

17 COMMERCE AND TRADE

18 SEC. 513. (a) None of the funds appropriated or  
19 made available pursuant to this Act for direct assistance  
20 and none of the funds otherwise made available pursuant  
21 to this Act to the Export-Import Bank and the Overseas  
22 Private Investment Corporation shall be obligated or ex-  
23 pended to finance any loan, any assistance or any other  
24 financial commitments for establishing or expanding pro-  
25 duction of any commodity for export by any country other  
26 than the United States, if the commodity is likely to be

1 in surplus on world markets at the time the resulting pro-  
2 ductive capacity is expected to become operative and if the  
3 assistance will cause substantial injury to United States  
4 producers of the same, similar, or competing commodity:  
5 *Provided*, That such prohibition shall not apply to the Ex-  
6 port-Import Bank if in the judgment of its Board of Direc-  
7 tors the benefits to industry and employment in the  
8 United States are likely to outweigh the injury to United  
9 States producers of the same, similar or competing com-  
10 modity, and the Chairman of the Board so notifies the  
11 Committees on Appropriations.

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

22 (1) activities designed to increase food security  
23 in developing countries where such activities will not  
24 have a significant impact in the export of agricul-  
25 tural commodities of the United States; or

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

3                                   SURPLUS COMMODITIES

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

21           (b) The Secretary of the Treasury shall instruct the  
22 United States executive directors of international financial  
23 institutions listed in subsection (a) of this section to use  
24 the voice and vote of the United States to support the  
25 purchase of American produced agricultural commodities

1 with funds appropriated or made available pursuant to  
2 this Act.

3 NOTIFICATION REQUIREMENTS

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

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

1 event later than three days after taking the action to  
2 which such notification requirement was applicable, in the  
3 context of the circumstances necessitating such waiver:  
4 *Provided further*, That any notification provided pursuant  
5 to such a waiver shall contain an explanation of the emer-  
6 gency circumstances.

7 Drawdowns made pursuant to section 506(a)(2) of  
8 the Foreign Assistance Act of 1961 shall be subject to the  
9 regular notification procedures of the Committees on Ap-  
10 propriations.

11 LIMITATION ON AVAILABILITY OF FUNDS FOR  
12 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

13 SEC. 516. Subject to the regular notification proce-  
14 dures of the Committees on Appropriations, funds appro-  
15 priated under this Act or any previously enacted Act mak-  
16 ing appropriations for foreign operations, export financ-  
17 ing, and related programs, which are returned or not made  
18 available for organizations and programs because of the  
19 implementation of section 307(a) of the Foreign Assist-  
20 ance Act of 1961, shall remain available for obligation  
21 until September 30, 2000: *Provided*, That section 307(a)  
22 of the Foreign Assistance Act of 1961, is amended by in-  
23 serting before the period at the end thereof “, or at the  
24 discretion of the President, Communist countries listed in  
25 section 620(f) of this Act”.



## 1 ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

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

22 PROHIBITION ON FUNDING FOR ABORTIONS AND  
23 INVOLUNTARY STERILIZATION

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

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

22 FUNDING FOR FAMILY PLANNING

23 SEC. 519. In determining eligibility for assistance  
24 from funds appropriated to carry out section 104 of the  
25 Foreign Assistance Act of 1961, non-governmental and  
26 multilateral organizations shall not be subjected to re-

1 requirements more restrictive than the requirements appli-  
2 cable to foreign governments for such assistance.

3 NORTH KOREAN NARCOTICS REPORT

4 SEC. 520. REPORTING REQUIREMENTS REGARDING  
5 NORTH KOREAN NARCOTICS ACTIVITY. (a) IN GEN-  
6 ERAL.—Not later than 3 months after the date of enact-  
7 ment of this Act, the President shall transmit to the ap-  
8 propriate committees a report on the cultivation, produc-  
9 tion, and transshipment of opium by North Korea. The  
10 report shall be based on all available information.

11 (b) ANNUAL REPORTING REQUIREMENT.—Notwith-  
12 standing any other provision of law, beginning on March  
13 1, 1999, the President shall include in the annual Inter-  
14 national Narcotics Control Strategy Report required by  
15 section 489 of the Foreign Assistance Act of 1961 (22  
16 U.S.C. 2291h) information regarding the cultivation, pro-  
17 duction, and transshipment of opium by North Korea.

18 SPECIAL NOTIFICATION REQUIREMENTS

19 SEC. 521. None of the funds appropriated in this Act  
20 shall be obligated or expended for Colombia, India, Haiti,  
21 Liberia, Pakistan, Serbia, Sudan, or the Democratic Re-  
22 public of Congo except as provided through the regular  
23 notification procedures of the Committee on Appropria-  
24 tions.

## 1        DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

## 19        CHILD SURVIVAL, AIDS, AND OTHER ACTIVITIES

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

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

18 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN  
19 COUNTRIES

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

## 1 RECIPROCAL LEASING

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

## 5 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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

## 19 AUTHORIZATION REQUIREMENT

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

1 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST  
2 COUNTRIES

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

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

12 (2) otherwise supports international terrorism.

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

22 COMMERCIAL LEASING OF DEFENSE ARTICLES

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

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

11 COMPETITIVE INSURANCE

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

18 STINGERS IN THE PERSIAN GULF REGION

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



## DEBT-FOR-DEVELOPMENT

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

## SEPARATE ACCOUNTS

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

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

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

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

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

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

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

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

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

21 (ii) debt and deficit financing, or

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

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

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

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

14 (5) CONFORMING AMENDMENTS.—The tenth and  
15 eleventh provisos contained under the heading “Sub-Saha-  
16 ran Africa, Development Assistance” as included in the  
17 Foreign Operations, Export Financing, and Related Pro-  
18 grams Appropriations Act, 1989 and sections 531(d) and  
19 609 of the Foreign Assistance Act of 1961 are repealed.

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

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

5 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

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

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

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

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

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

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

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

24 (b) For purposes of this section, “international finan-  
25 cial institutions” are: the International Bank for Recon-  
26 struction and Development, the Inter-American Develop-

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

6 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST

7 IRAQ

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

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

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

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

1           COMPETITIVE PRICING FOR SALES OF DEFENSE

2   ARTICLES

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

10   AUTHORITIES FOR THE PEACE CORPS, INTERNATIONAL  
11       FUND FOR AGRICULTURAL DEVELOPMENT, INTER-  
12       AMERICAN FOUNDATION AND AFRICAN DEVELOP-  
13       MENT FOUNDATION

14       SEC. 537. (a) Unless expressly provided to the con-  
15 trary, provisions of this or any other Act, including provi-  
16 sions contained in prior Acts authorizing or making appro-  
17 priations for foreign operations, export financing, and re-  
18 lated programs, shall not be construed to prohibit activi-  
19 ties authorized by or conducted under the Peace Corps  
20 Act, the Inter-American Foundation Act or the African  
21 Development Foundation Act. The agency shall promptly  
22 report to the Committees on Appropriations whenever it  
23 is conducting activities or is proposing to conduct activi-  
24 ties in a country for which assistance is prohibited.

25       (b) Unless expressly provided to the contrary, limita-  
26 tions on the availability of funds for "International Orga-

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

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



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

11 SANCTIONS RELATING TO KOSOVA

12 SEC. 539. (a) RESTRICTIONS.—Notwithstanding any  
13 other provision of law, no sanction, prohibition, or require-  
14 ment with respect to Serbia or Montenegro, may cease to  
15 be effective, unless the President first submits to the Con-  
16 gress a certification described in subsection (b).

17 (b) CERTIFICATION.—A certification described in this  
18 subsection is a certification that—

19 (1) there is substantial progress toward—

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

23 (B) the creation of an international protec-  
24 torate for Kosova;

25 (2) there is substantial improvement in the  
26 human rights situation in Kosova; and

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

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

7           (5) the requirements of the Contact Group de-  
8           marche to the Government of Kosova of June 1998  
9           have been met.

10          (c) WAIVER AUTHORITY.—The President may waive  
11         the application in whole or in part, of subsection (a) if  
12         the President certifies to the Congress that the President  
13         has determined that the waiver is necessary to meet emer-  
14         gency humanitarian needs or to achieve a negotiated set-  
15         tlement of the conflict in Kosova that is acceptable to the  
16         parties.

17                                   SPECIAL AUTHORITIES

18          SEC. 540. (a) Funds appropriated in title II of this  
19         Act that are made available for Afghanistan, Lebanon,  
20         and for victims of war, displaced children, displaced Bur-  
21         mese, humanitarian assistance for Romania, and humani-  
22         tarian assistance for the peoples of Kosova, may be made  
23         available notwithstanding any other provision of law: *Pro-*  
24         *vided*, That any such funds that are made available for  
25         Cambodia shall be subject to the provisions of section  
26         531(e) of the Foreign Assistance Act of 1961 and section

1 906 of the International Security and Development Co-  
2 operation Act of 1985.

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

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

17 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT  
18 OF ISRAEL

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

20 (1) the Arab League countries should imme-  
21 diately and publicly renounce the primary boycott of  
22 Israel and the secondary and tertiary boycott of  
23 American firms that have commercial ties with  
24 Israel; and

25 (2) the President should—

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

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

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

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

23 ANTI-NARCOTICS ACTIVITIES

24 SEC. 542. (a) Of the funds appropriated or otherwise  
25 made available by this Act for “Economic Support Fund”,  
26 assistance may be provided to strengthen the administra-

1 tion of justice in countries in Latin America and the Car-  
2ibbean and in other regions consistent with the provisions  
3 of section 534(b) of the Foreign Assistance Act of 1961,  
4 except that programs to enhance protection of participants  
5 in judicial cases may be conducted notwithstanding section  
6 660 of that Act.

7 (b) Section 534(c) and the second and third sentences  
8 of section 534(e) of the Foreign Assistance Act of 1961  
9 are repealed.

10 ELIGIBILITY FOR ASSISTANCE

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

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

10 (b) PUBLIC LAW 480.—During fiscal year 1999, re-  
11 strictions contained in this or any other Act with respect  
12 to assistance for a country shall not be construed to re-  
13 strict assistance under the Agricultural Trade Develop-  
14 ment and Assistance Act of 1954: *Provided*, That none  
15 of the funds appropriated to carry out title I of such Act  
16 and made available pursuant to this subsection may be  
17 obligated or expended except as provided through the reg-  
18 ular notification procedures of the Committees on Appro-  
19 priations.

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

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

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

5                                 EARMARKS

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

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

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

18 CEILINGS AND EARMARKS

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

23 PROHIBITION ON PUBLICITY OR PROPAGANDA

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



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

3 PURCHASE OF AMERICAN-MADE EQUIPMENT AND  
4 PRODUCTS

5 SEC. 547. (a) To the maximum extent possible, as-  
6 sistance provided under this Act should make full use of  
7 American resources, including commodities, products, and  
8 services.

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

13 (c) In providing financial assistance to, or entering  
14 into any contract with, any entity using funds made avail-  
15 able in this Act, the head of each Federal agency, to the  
16 greatest extent practicable, shall provide to such entity a  
17 notice describing the statement made in subsection (b) by  
18 the Congress.

19 (d) The Secretary of the Treasury shall report to  
20 Congress annually on the efforts of the heads of each Fed-  
21 eral agency and the United States directors of inter-  
22 national financial institutions (as referenced in section  
23 514) in complying with this sense of Congress.

## 1 PROHIBITION OF PAYMENTS TO UNITED NATIONS

## 2 MEMBERS

3 SEC. 548. None of the funds appropriated or made  
4 available pursuant to this Act for carrying out the Foreign  
5 Assistance Act of 1961, may be used to pay in whole or  
6 in part any assessments, arrearages, or dues of any mem-  
7 ber of the United Nations.

## 8 CONSULTING SERVICES

9 SEC. 549. The expenditure of any appropriation  
10 under this Act for any consulting service through procure-  
11 ment contract, pursuant to section 3109 of title 5, United  
12 States Code, shall be limited to those contracts where such  
13 expenditures are a matter of public record and available  
14 for public inspection, except where otherwise provided  
15 under existing law, or under existing Executive order pur-  
16 suant to existing law.

## 17 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

18 SEC. 550. None of the funds appropriated or made  
19 available pursuant to this Act shall be available to a pri-  
20 vate voluntary organization which fails to provide upon  
21 timely request any document, file, or record necessary to  
22 the auditing requirements of the Agency for International  
23 Development.

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

5 SEC. 551. (a) None of the funds appropriated or oth-  
6 erwise made available by this Act may be available to any  
7 foreign government which provides lethal military equip-  
8 ment to a country the government of which the Secretary  
9 of State has determined is a terrorist government for pur-  
10 poses of section 40(d) of the Arms Export Control Act.  
11 The prohibition under this section with respect to a for-  
12 eign government shall terminate 12 months after that gov-  
13 ernment ceases to provide such military equipment. This  
14 section applies with respect to lethal military equipment  
15 provided under a contract entered into after the date of  
16 enactment of this Act.

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

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

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

4 WITHHOLDING OF ASSISTANCE FOR PARKING FINES

5 OWED BY FOREIGN COUNTRIES

6 SEC. 552. (a) IN GENERAL.—Of the funds made  
 7 available for a foreign country under part I of the Foreign  
 8 Assistance Act of 1961, an amount equivalent to 110 per  
 9 centum of the total unpaid fully adjudicated parking fines  
 10 and penalties owed to the District of Columbia by such  
 11 country as of the date of enactment of this Act shall be  
 12 withheld from obligation for such country until the Sec-  
 13 retary of State certifies and reports in writing to the ap-  
 14 propriate congressional committees that such fines and  
 15 penalties are fully paid to the government of the District  
 16 of Columbia.

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

23 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE

24 WEST BANK AND GAZA

25 SEC. 553. None of the funds appropriated by this Act  
 26 may be obligated for assistance for the Palestine Libera-

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

13 WAR CRIMES TRIBUNALS DRAWDOWN

14 SEC. 554. If the President determines that doing so  
15 will contribute to a just resolution of charges regarding  
16 genocide or other violations of international humanitarian  
17 law, the President may direct a drawdown pursuant to sec-  
18 tion 552(e) of the Foreign Assistance Act of 1961, as  
19 amended, of up to \$30,000,000 of commodities and serv-  
20 ices for the United Nations War Crimes Tribunal estab-  
21 lished with regard to the former Yugoslavia by the United  
22 Nations Security Council or such other tribunals or com-  
23 missions as the Council may establish to deal with such  
24 violations, without regard to the ceiling limitation con-  
25 tained in paragraph (2) thereof: *Provided*, That the deter-  
26 mination required under this section shall be in lieu of

1 any determinations otherwise required under section  
2 552(c): *Provided further*, That sixty days after the date  
3 of enactment of this Act, and every one hundred eighty  
4 days thereafter, the Secretary of State shall submit a re-  
5 port to the Committees on Appropriations describing the  
6 steps the United States Government is taking to collect  
7 information regarding allegations of genocide or other vio-  
8 lations of international law in the former Yugoslavia and  
9 to furnish that information to the United Nations War  
10 Crimes Tribunal for the former Yugoslavia: *Provided fur-*  
11 *ther*, That the drawdown made under this section for any  
12 tribunal shall not be construed as an endorsement or  
13 precedent for the establishment of any standing or perma-  
14 nent international criminal tribunal or court: *Provided fur-*  
15 *ther*, That funds made available for the tribunal shall be  
16 made available subject to the regular notification proce-  
17 dures of the Committees on Appropriations.

18 LANDMINES

19 SEC. 555. (a) STATEMENT OF POLICY.—It is the pol-  
20 icy of the United States Government to sign the Conven-  
21 tion on the Prohibition of the Use, Stockpiling, Production  
22 and Transfer of Anti-Personnel Mines and on Their De-  
23 struction as soon as practicable. This subsection shall not  
24 apply unless the Joint Chiefs of Staff and the unified com-  
25 batant commanders certify in writing to the Committee  
26 on Armed Services of the Senate and the Committee on

1 National Security of the House of Representatives that the  
2 signing of the Convention is consistent with the combat  
3 requirements and safety of the Armed Forces of the  
4 United States.

5 (b) DEMINING EQUIPMENT.—Notwithstanding any  
6 other provision of law, demining equipment available to  
7 the Agency for International Development and the De-  
8 partment of State and used in support of the clearance  
9 of landmines and unexploded ordnance for humanitarian  
10 purposes may be disposed of on a grant basis in foreign  
11 countries, subject to such terms and conditions as the  
12 President may prescribe.

13 RESTRICTIONS CONCERNING THE PALESTINIAN  
14 AUTHORITY

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

1 ian Authority, or any successor Palestinian governing en-  
2 tity provided for in the Israel-PLO Declaration of Prin-  
3 ciples, for the purpose of conducting official United States  
4 Government business with such authority should continue  
5 to take place in locations other than Jerusalem. As has  
6 been true in the past, officers and employees of the United  
7 States Government may continue to meet in Jerusalem on  
8 other subjects with Palestinians (including those who now  
9 occupy positions in the Palestinian Authority), have social  
10 contacts, and have incidental discussions.

11 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

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

17 (1) alcoholic beverages;

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

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



## 1 SPECIAL DEBT RELIEF FOR THE POOREST

2 SEC. 558. (a) AUTHORITY TO REDUCE DEBT.—The  
3 President may reduce amounts owed to the United States  
4 (or any agency of the United States) by an eligible country  
5 as a result of—

6 (1) guarantees issued under sections 221 and  
7 222 of the Foreign Assistance Act of 1961;

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

10 (3) any obligation or portion of such obligation  
11 for a Latin American country, to pay for purchases  
12 of United States agricultural commodities guaran-  
13 teed by the Commodity Credit Corporation under ex-  
14 port credit guarantee programs authorized pursuant  
15 to section 5(f) of the Commodity Credit Corporation  
16 Charter Act of June 29, 1948, as amended, section  
17 4(b) of the Food for Peace Act of 1966, as amended  
18 (Public Law 89–808), or section 202 of the Agricul-  
19 tural Trade Act of 1978, as amended (Public Law  
20 95–501).

21 (b) LIMITATIONS.—

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

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

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

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

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

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

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

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

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

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

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

14          AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES  
15          SEC. 559. (a) LOANS ELIGIBLE FOR SALE, REDUC-  
16          TION, OR CANCELLATION.—

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

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

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

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

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

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

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

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

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

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

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

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

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

15 LIMITATION ON ASSISTANCE FOR HAITI

16 SEC. 560. (a) LIMITATION.—None of the funds ap-  
17 propriated by this Act may be provided for assistance for  
18 the central Government of Haiti until the President re-  
19 ports to the Committee on Appropriations and the Com-  
20 mittee on Foreign Relations of the Senate and the Com-  
21 mittee on Appropriations and the Committee on Inter-  
22 national Relations of the House of Representatives, that  
23 the central Government of Haiti—

24 (1) has completed privatization of (or placed  
25 under long-term private management or concession)  
26 three major public entities including the completion

1 of all required incorporating documents, the transfer  
2 of assets, and the eviction of unauthorized occupants  
3 of the land or facility;

4 (2) has re-signed or is implementing the bilat-  
5 eral Repatriation Agreement with the United States  
6 and in the preceding six months that the central  
7 Government of Haiti is cooperating with the United  
8 States in halting illegal emigration from Haiti;

9 (3) is conducting thorough investigations of  
10 extrajudicial and political killings and has made sub-  
11 stantial progress in bringing to justice a person or  
12 persons responsible for one or more extrajudicial or  
13 political killings in Haiti;

14 (4) is cooperating with United States authori-  
15 ties and with U.S.-funded technical advisors sup-  
16 porting the Haitian National Police in the investiga-  
17 tions of political and extrajudicial killings;

18 (5) has taken action to remove from the Hai-  
19 tian National Police, national palace and residential  
20 guard, ministerial guard, and any other public secu-  
21 rity entity or unit of Haiti those individuals who are  
22 credibly alleged to have engaged in or conspired to  
23 conceal gross violations of internationally recognized  
24 human rights or credibly alleged to have engaged in  
25 or conspired to engage in narcotics trafficking; and

1           (6) has ratified or is implementing in the Hai-  
2           tian National Assembly the counter-narcotics agree-  
3           ments signed in October 1997.

4           (b) EXCEPTION.—The limitation in subsection (a)  
5           shall not apply to the provision of counter-narcotics assist-  
6           ance, support for the Haitian National Police’s Special In-  
7           vestigations Unit, the International Criminal Investigative  
8           Assistance Program (ICITAP), anti-corruption programs  
9           for the Haitian National Police, customs assistance, hu-  
10          manitarian assistance, and education programs.

11          (c) AVAILABILITY OF ELECTORAL ASSISTANCE.—  
12          Funds appropriated by this Act may be available to the  
13          central Government of Haiti to support elections in Haiti  
14          when the President reports to the Congress that the cen-  
15          tral Government of Haiti—

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

18               (2) has made concrete progress on the constitu-  
19               tion of a credible and competent provisional election  
20               council that is acceptable to a broad spectrum of po-  
21               litical parties and civic groups.

22          (d) SUPPORT FOR POLITICAL PARTIES AND GRASS  
23          ROOTS CIVIC ORGANIZATIONS.—Notwithstanding the lim-  
24          itations set forth in subsections (a) or (c) of this section,  
25          or any other provision of law, of funds otherwise allocated



1 for Haiti not to exceed \$3,000,000 may be made available  
2 for the development and support of political parties and  
3 for the development of grass roots civic organizations in  
4 Haiti.

5 (e) AVAILABILITY OF ADMINISTRATION OF JUSTICE  
6 ASSISTANCE.—(1) Funds appropriated under this Act for  
7 the Ministry of Justice shall only be provided if the Presi-  
8 dent certifies to the Committee on Appropriations and the  
9 Committee on International Relations of the House of  
10 Representatives and the Committee on Appropriations and  
11 the Committee on Foreign Relations of the Senate that  
12 Haiti's Ministry of Justice—

13 (A) has demonstrated a commitment to the  
14 professionalization of judicial personnel by consist-  
15 ently placing students graduated by the Judicial  
16 School in appropriate judicial positions and has  
17 made a commitment to share program costs associ-  
18 ated with the Judicial School;

19 (B) is making progress in making the judicial  
20 branch in Haiti independent from the executive  
21 branch, as outlined in the 1987 Constitution; and

22 (C) has re-instituted judicial training with the  
23 Office of Prosecutorial Development and Training  
24 (OPDAT).

1           (2) The limitation in subsection (e)(1) shall not apply  
2 to the provision of funds to support the training of pros-  
3 ecutors, judicial mentoring, and case management.

4           (f) REPORTING.—The Secretary of State shall pro-  
5 vide to the Committee on Appropriations and the Commit-  
6 tee on International Relations of the House of Representa-  
7 tives and the Committee on Appropriations and the Com-  
8 mittee on Foreign Relations and of the Senate on a bian-  
9 nual basis—

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

19           (2) an activity report of the OAS/U.N. Inter-  
20 national Civilian Mission to Haiti (MICIVIH).

21 REQUIREMENT FOR DISCLOSURE OF FOREIGN AID IN

22 REPORT OF SECRETARY OF STATE

23 SEC. 561. (a) FOREIGN AID REPORTING REQUIRE-  
24 MENT.—In addition to the voting practices of a foreign  
25 country, the report required to be submitted to Congress  
26 under section 406(a) of the Foreign Relations Authoriza-

1 tion Act fiscal years 1990 and 1991 (22 U.S.C. 2414a),  
2 shall include a side-by-side comparison of individual coun-  
3 tries' overall support for the United States at the United  
4 Nations and the amount of United States assistance pro-  
5 vided to such country in fiscal year 1998.

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

10 BURMA LABOR REPORT

11 SEC. 562. Not later than ninety days after enactment  
12 of this Act, the Secretary of Labor shall provide to the  
13 Committees on Appropriations a report addressing labor  
14 practices in Burma: *Provided*, That the report shall pro-  
15 vide comprehensive details on child labor practices, work-  
16 er's rights, forced relocation of laborers, forced labor per-  
17 formed to support the tourism industry, and forced labor  
18 performed in conjunction with, and in support of, the  
19 Yadonna gas pipeline: *Provided further*, That the report  
20 should address whether the government is in compliance  
21 with international labor standards: *Provided further*, That  
22 the report should provide details regarding the United  
23 States government's efforts to address and correct prac-  
24 tices of forced labor in Burma.

1 HAITI

2 SEC. 563. The Government of Haiti shall be eligible  
3 to purchase defense articles and services under the Arms  
4 Export Control Act (22 U.S.C. 2751 et seq.), for the civil-  
5 ian-led Haitian National Police and Coast Guard: *Pro-*  
6 *vided*, That the authority provided by this section shall  
7 be subject to the regular notification procedures of the  
8 Committees on Appropriations.

9 LIMITATION ON ASSISTANCE TO SECURITY FORCES

10 SEC. 564. None of the funds made available by this  
11 Act may be provided to any unit of the security forces  
12 of a foreign country if the Secretary of State has credible  
13 information to believe such unit has committed gross viola-  
14 tions of human rights, unless the Secretary determines  
15 and reports to the Committees on Appropriations that the  
16 government of such country is taking effective measures  
17 to bring the responsible members of the security forces  
18 unit to justice: *Provided*, That nothing in this section shall  
19 be construed to withhold funds made available by this Act  
20 from any unit of the security forces of a foreign country  
21 not credibly alleged to be involved in gross violations of  
22 human rights: *Provided further*, That in the event that  
23 funds are withheld from any unit pursuant to this section,  
24 the Secretary of State shall promptly inform the foreign  
25 government of the basis for such action and shall, to the  
26 maximum extent practicable, assist the foreign govern-

1 ment in taking effective measures to bring the responsible  
2 members of the security forces to justice.

3 CAMBODIA

4 SEC. 565. The Secretary of the Treasury shall in-  
5 struct the United States Executive Directors of the inter-  
6 national financial institutions to use the voice and vote  
7 of the United States to oppose loans to the Government  
8 of Cambodia, except loans to support basic human needs,  
9 unless: (1) Cambodia has held free and fair elections; (2)  
10 during the twelve months prior to the elections, no can-  
11 didate of any opposition party was murdered; (3) all politi-  
12 cal candidates were permitted freedom of speech, assembly  
13 and equal access to the media; (4) voter registration and  
14 participation rates did not exceed the eligible population  
15 in any region; (5) refugees and overseas Cambodians were  
16 permitted to vote; (6) the Central Election Commission  
17 was comprised of representatives from all parties; and (7)  
18 international monitors were accorded appropriate access  
19 to polling sites.

20 LIMITATIONS ON TRANSFER OF MILITARY EQUIPMENT TO

21 EAST TIMOR

22 SEC. 566. In any agreement for the sale, transfer,  
23 or licensing of any lethal equipment or helicopter for Indo-  
24 nesia entered into by the United States pursuant to the  
25 authority of this Act or any other Act, the agreement shall  
26 state that such items will not be used in East Timor.

1           RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO  
2                                       UNITED NATIONS AGENCIES

3           SEC. 567. (a) PROHIBITION ON VOLUNTARY CON-  
4   TRIBUTIONS FOR THE UNITED NATIONS.—None of the  
5   funds appropriated or otherwise made available by this  
6   Act may be made available to pay any voluntary contribu-  
7   tion of the United States to the United Nations (including  
8   the United Nations Development Program) if the United  
9   Nations implements or imposes any taxation on any  
10   United States persons.

11           (b) CERTIFICATION REQUIRED FOR DISBURSEMENT  
12   OF FUNDS.—None of the funds appropriated or otherwise  
13   made available under this Act may be made available to  
14   pay any voluntary contribution of the United States to the  
15   United Nations (including the United Nations Develop-  
16   ment Program) unless the President certifies to the Con-  
17   gress 15 days in advance of such payment that the United  
18   Nations is not engaged in any effort to implement or im-  
19   pose any taxation on United States persons in order to  
20   raise revenue for the United Nations or any of its special-  
21   ized agencies.

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

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

1           (2) a corporation, partnership, or other legal  
2           entity organized under the United States or any  
3           State, territory, possession, or district of the United  
4           States.

5   RESTRICTIONS ON ASSISTANCE TO COUNTRIES PROVIDING  
6           SANCTUARY TO INDICTED WAR CRIMINALS

7           SEC. 568. (a) BILATERAL ASSISTANCE.—None of the  
8           funds made available by this or any prior Act making ap-  
9           propriations for foreign operations, export financing and  
10          related programs may be provided for any country, entity,  
11          or canton described in subsection (e).

12          (b) MULTILATERAL ASSISTANCE.—

13           (1) PROHIBITION.—The Secretary of the Treas-  
14          ury shall instruct the United States executive direc-  
15          tors of the international financial institutions to  
16          work in opposition to, and vote against, any exten-  
17          sion by such institutions of any financial or technical  
18          assistance or grants of any kind to any country or  
19          entity described in subsection (e).

20           (2) NOTIFICATION.—Not less than 15 days be-  
21          fore any vote in an international financial institution  
22          regarding the extension of financial or technical as-  
23          sistance or grants to any country or entity described  
24          in subsection (e), the Secretary of the Treasury, in  
25          consultation with the Secretary of State, shall pro-  
26          vide to the Committee on Appropriations and the

1 Committee on Foreign Relations of the Senate and  
2 the Committee on Appropriations and the Commit-  
3 tee on Banking and Financial Services of the House  
4 of Representatives a written justification for the pro-  
5 posed assistance, including an explanation of the  
6 United States position regarding any such vote, as  
7 well as a description of the location of the proposed  
8 assistance by municipality, its purpose, and its in-  
9 tended beneficiaries, including the names of individ-  
10 uals with a controlling or substantial financial inter-  
11 est in the project.

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

20 (c) EXCEPTIONS.—

21 (1) IN GENERAL.—Subject to subsection (d),  
22 subsections (a) and (b) shall not apply to the provi-  
23 sions of—

24 (A) humanitarian assistance;

25 (B) democratization assistance;



1           (C) assistance for cross border physical in-  
2           frastructure projects involving activities in both  
3           a sanctioned country, entity, or canton and a  
4           nonsanctioned contiguous country, entity, or  
5           canton, if the project is primarily located in and  
6           primarily benefits the nonsanctioned country,  
7           entity, or canton and if the portion of the  
8           project located in the sanctioned country, en-  
9           tity, or canton is necessary only to complete the  
10          project;

11          (D) small-scale assistance projects or ac-  
12          tivities requested by United States Armed  
13          Forces that promote good relations between  
14          such forces and the officials and citizens of the  
15          areas in the United States SFOR sector of Bos-  
16          nia;

17          (E) implementation of the Breko Arbitral  
18          Decision;

19          (F) lending by the international financial  
20          institutions to a country or entity to support  
21          common monetary and fiscal policies at the na-  
22          tional level as contemplated by the Dayton  
23          Agreement;

1 (G) direct lending to a nonsanctioned en-  
2 tity, or lending passed on by the national gov-  
3 ernment to a nonsanctioned entity; or

4 (H) assistance to the International Police  
5 Task Force for the training of a civilian police  
6 force.

7 (2) NOTIFICATION.—Not less than 15 days  
8 after any assistance described in subsection (a) is  
9 disbursed to any country, entity, or canton described  
10 in subsection (e), the Secretary of State, in consulta-  
11 tion with the Administrator of the Agency for Inter-  
12 national Development, shall publish in the Federal  
13 Register a justification for the proposed assistance,  
14 including a description of the location of the pro-  
15 posed assistance project by municipality, its purpose,  
16 and the intended recipient of the assistance, includ-  
17 ing the names of individuals, companies and their  
18 boards of directors, and shareholders with control-  
19 ling or substantial financial interest in the compa-  
20 nies.

21 (d) FURTHER LIMITATIONS.—

22 (1) PROHIBITION ON ASSISTANCE WHERE IN-  
23 DICTED WAR CRIMINALS HAVE INTERESTS.—Not-  
24 withstanding subsection (e) or subsection (f), no as-  
25 sistance may be made available by this Act, or any

1 prior Act making appropriations for foreign oper-  
2 ations, export financing and related programs, in  
3 any country, entity, or canton described in sub-  
4 section (e), for a program, project, or activity in  
5 which an indicted war criminal is known to have any  
6 financial or material interest.

7 (2) PROHIBITION ON ASSISTANCE WHERE RE-  
8 SPONSIBLE AUTHORITIES FAIL TO ACT.—Notwith-  
9 standing subsection (c) or subsection (f)(1), no as-  
10 sistance (other than emergency foods, medical assist-  
11 ance, demining assistance, or democratization assist-  
12 ance) may be made available by this Act, or any  
13 prior Act making appropriations for foreign oper-  
14 ations, export financing and related programs for  
15 any program, project, or activity in a community  
16 within any country, entity, or canton described in  
17 subsection (e) if authorities within that community  
18 are failing to arrest and transfer or arrange for the  
19 surrender and transfer to the Tribunal of all persons  
20 within their community who have been publicly in-  
21 dicted by the Tribunal.

22 (e) SANCTIONED COUNTRY, ENTITY, OR CANTON.—  
23 A sanctioned country, entity, or canton described in this  
24 section is one whose competent authorities have failed, as  
25 determined by the Secretary of State, to take necessary

1 and significant steps to apprehend and transfer to the Tri-  
2 bunal all persons who have been publicly indicted by the  
3 Tribunal.

4 (f) WAIVER.—

5 (1) IN GENERAL.—Subject to paragraphs (2)  
6 and (3), the Secretary of State may waive the appli-  
7 cation of subsection (a) with respect to specified bi-  
8 lateral programs or projects, or subsection (b) with  
9 respect to specified international financial institution  
10 programs or projects, in a sanctioned country, en-  
11 tity, or canton upon providing a written determina-  
12 tion to the Committee on Appropriations and the  
13 Committee on Foreign Relations of the Senate and  
14 the Committee on Appropriations and the Commit-  
15 tee on International Relations of the House of Rep-  
16 resentatives that such assistance directly supports  
17 the implementation of the Dayton Agreement and its  
18 Annexes, which include the obligation to apprehend  
19 and transfer indicted war criminals to the Tribunal;  
20 and

21 (2) LIMITED WAIVER WITH RESPECT TO  
22 BRCKO.—The Secretary of State may only waive the  
23 application of subsection (a), subsection (b), or sub-  
24 section (d)(2) with respect to any project of assist-  
25 ance for Breko—

1 (A) upon the transmittal of a written de-  
2 termination described in paragraph (1); and

3 (B) until the international arbitration  
4 panel determines the status of Breko.

5 (3) LIMITED WAIVER WITH RESPECT TO BANJA  
6 LUKA.—The Secretary of State may only waive the  
7 application of subsection (a), subsection (b), or sub-  
8 section (d)(2) with respect to any project of assist-  
9 ance for Banja Luka—

10 (A) upon the transmittal of a written de-  
11 termination described in paragraph (1); and

12 (B) until a date which is 30 days after the  
13 date of parliamentary elections in the Bosnian-  
14 Serb entity which are currently scheduled for  
15 September 1998.

16 (g) REPORT.—Not later than 15 days after the date  
17 of any written determination under paragraphs (f)(1), (2)  
18 or (3), the Secretary of State shall submit a report to the  
19 Committee on Appropriations and the Committee on For-  
20 eign Relations of the Senate and the Committee on Appro-  
21 priations and the Committee on International Relations  
22 of the House of Representatives regarding the status of  
23 efforts to secure the voluntary surrender or apprehension  
24 and transfer of persons indicted by the Tribunal, in ac-

1 cordance with the Dayton Agreement, and outlining obsta-  
2 cles to achieving this goal.

3 (h) TERMINATION OF SANCTIONS.—The sanctions  
4 imposed pursuant to subsections (a), (b), and (d)(2) with  
5 respect to a country, entity, or canton shall cease to apply  
6 only if the Secretary of State determines and certifies to  
7 Congress that the authorities of that country, entity, or  
8 canton have apprehended and transferred to the Tribunal  
9 all persons who have been publicly indicted by the Tribu-  
10 nal.

11 (i) DEFINITIONS.—As used in this section—

12 (1) COUNTRY.—The term “country” means  
13 Bosnia-Herzegovina, Croatia, and Serbia-Montene-  
14 gro (Federal Republic of Yugoslavia).

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

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

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

1           (5) TRIBUNAL.—The term “Tribunal” means  
2           the International Criminal Tribunal for the Former  
3           Yugoslavia.

4           (j) ROLE OF HUMAN RIGHTS ORGANIZATIONS AND  
5   GOVERNMENT AGENCIES.—In carrying out this sub-  
6   section, the Secretary of State, the Administrator of the  
7   Agency for International Development, and the executive  
8   directors of the international financial institutions shall  
9   consult with representatives of human rights organizations  
10   and all government agencies with relevant information to  
11   help prevent publicly indicted war criminals from benefit-  
12   ting from any financial or technical assistance or grants  
13   or loans provided to or in any country, entity, or canton  
14   described in subsection (e).

15       EXCESS DEFENSE ARTICLES FOR CERTAIN EUROPEAN  
16   COUNTRIES

17       SEC. 569. Section 105 of Public Law 104–164 (110  
18   Stat. 1427) is amended by striking “1996 and 1997” and  
19   inserting “1999 and 2000”.

20       ADDITIONAL REQUIREMENTS RELATING TO STOCKPILING  
21   OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES

22       SEC. 570. (a) VALUE OF ADDITIONS TO STOCK-  
23   PILES.—Section 514(b)(2)(A) of the Foreign Assistance  
24   Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by  
25   striking the word “and” after “1997”, and inserting in  
26   lieu thereof a comma and inserting before the period at

1 the end the following: “and \$340,000,000 for fiscal year  
2 1999”.

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 adding at  
6 the end the following: “Of the amount specified in sub-  
7 paragraph (A) for fiscal year 1999, not more than  
8 \$320,000,000 may be made available for stockpiles in the  
9 Republic of Korea and not more than \$20,000,000 may  
10 be made available for stockpiles in Thailand.”.

11 TO PROHIBIT FOREIGN ASSISTANCE TO THE GOVERN-  
12 MENT OF RUSSIA SHOULD IT ENACT LAWS WHICH  
13 WOULD DISCRIMINATE AGAINST MINORITY RELI-  
14 GIOUS FAITHS IN THE RUSSIAN FEDERATION

15 SEC. 571. (a) None of the funds appropriated under  
16 this Act may be made available for the Government of  
17 Russian Federation, after 180 days from the date of en-  
18 actment of this Act, unless the President determines and  
19 certifies in writing to the Committee on Appropriations  
20 and the Committee on Foreign Relations of the Senate  
21 that the Government of the Russian Federation has imple-  
22 mented no statute, executive order, regulation or similar  
23 government action that would discriminate, or would have  
24 as its principal effect discrimination, against religious  
25 groups or religious communities in the Russian Federation  
26 in violation of accepted international agreements on



1 human rights and religious freedoms to which the Russian  
2 Federation is a party.

3 GREENHOUSE GAS EMISSIONS

4 SEC. 572. (a) Funds made available in this Act to  
5 support programs or activities promoting country partici-  
6 pation in the Framework Convention on Climate Change  
7 or climate change activities in the energy, industry, urban,  
8 land use (primarily forestry, biodiversity and agriculture)  
9 sectors shall only be made available subject to the regular  
10 notification procedures of the Committees on Appropria-  
11 tions.

12 (b) The President shall provide a detailed account of  
13 all Federal agency obligations and expenditures for cli-  
14 mate change programs and activities, domestic and inter-  
15 national, for fiscal year 1998, planned obligations for such  
16 activities in fiscal year 1999, and any plan for programs  
17 thereafter related to the implementation or the further-  
18 ance of protocols pursuant to, or related to negotiations  
19 to amend the Framework Convention on Climate Change  
20 (FCCC) in conjunction with the President's submission of  
21 the Budget of the United States Government for Fiscal  
22 Year 2000: *Provided*, That such report shall include an  
23 accounting of expenditures by agency with each agency  
24 identifying climate change activities and associated costs  
25 by line item as presented in the President's Budget Ap-  
26 pendix.

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

3 SEC. 573. (a) WITHHOLDING OF ASSISTANCE.—Ex-  
4 cept as provided in subsection (b), whenever the President  
5 determines and certifies to Congress that the government  
6 of any country is violating any sanction against Libya im-  
7 posed pursuant to United Nations Security Council Reso-  
8 lution 731, 748, or 883, then not less than 5 percent of  
9 the funds allocated for the country under section 653(a)  
10 of the Foreign Assistance Act of 1961 out of appropria-  
11 tions in this Act shall be withheld from obligation and ex-  
12 penditure for that country.

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

18 (c) WAIVER.—Funds may be provided for a country  
19 without regard to subsection (a) if the President deter-  
20 mines that to do so is in the national security interest of  
21 the United States.

22 AID TO THE GOVERNMENT OF THE DEMOCRATIC  
23 REPUBLIC OF CONGO

24 SEC. 574. PROHIBITION ON ASSISTANCE TO THE  
25 DEMOCRATIC REPUBLIC OF CONGO. (a) None of the funds  
26 appropriated or otherwise made available by this Act may

1 be provided to the central Government of the Democratic  
2 Republic of Congo until such time as the President reports  
3 in writing to the Speaker of the House of Representatives,  
4 the Majority Leader of the Senate, the International Rela-  
5 tions Committee of the House, the Foreign Relations  
6 Committee of the Senate, the Appropriations Committee  
7 of the Senate, and the Appropriations Committee of the  
8 House that the central Government of the Democratic Re-  
9 public of Congo is—

10           (1) investigating and prosecuting those respon-  
11           sible for civilian massacres, serious human rights  
12           violations, or other atrocities committed in the  
13           Congo; and

14           (2) implementing a credible democratic transi-  
15           tion program, which includes—

16                   (A) the establishment of an independent  
17                   electoral commission;

18                   (B) the release of individuals detained or  
19                   imprisoned for their political views;

20                   (C) the maintenance of a conducive envi-  
21                   ronment for the free exchange of political views,  
22                   including the freedoms of association, speech,  
23                   and press; and

1 (D) the conduct of free and fair national  
2 elections for both the legislative and executive  
3 branches of government.

4 (b) Notwithstanding the aforementioned restrictions,  
5 the President may provide electoral assistance to the cen-  
6 tral Government of the Democratic Republic of Congo for  
7 any fiscal year if the President certifies to the Inter-  
8 national Relations Committee of the House, the Foreign  
9 Relations Committee of the Senate, the Appropriations  
10 Committee of the Senate, and the Appropriations Commit-  
11 tee of the House that the central Government of the  
12 Democratic Republic of Congo has taken steps to ensure  
13 that conditions in subsections (a)(2) (A), (B), and (C)  
14 have been met.

15 EXPORT FINANCING TRANSFER AUTHORITIES

16 SEC. 575. Not to exceed 5 per centum of any appro-  
17 priation other than for administrative expenses made  
18 available for fiscal year 1999 for programs under title I  
19 of this Act may be transferred between such appropria-  
20 tions for use for any of the purposes, programs and activi-  
21 ties for which the funds in such receiving account may  
22 be used, but no such appropriation, except as otherwise  
23 specifically provided, shall be increased by more than 25  
24 per centum by any such transfer: *Provided*, That the exer-  
25 cise of such authority shall be subject to the regular notifi-  
26 cation procedures of the Committees on Appropriations.

1 NEW INDEPENDENT STATES OF THE FORMER SOVIET  
2 UNION

3 SEC. 576. (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 (h) None of the funds appropriated for assistance for  
23 the New Independent States of the Former Soviet Union  
24 in this or any other Act shall be made available for Russia  
25 until the Secretary of State certifies that agreement has

1 been reached with the Government of Russia that such  
2 assistance is not taxed nor is subject to taxation.

3 PUBLICATION OF CERTAIN NOTIFICATIONS

4 SEC. 577. Section 516(f) of the Foreign Assistance  
5 Act of 1961 is amended by adding the following new para-  
6 graph:

7 “(3) PUBLICATION.—Each notice required by  
8 this subsection shall be published in the Federal  
9 Register as soon as practicable after it has been pro-  
10 vided to the congressional committees specified in  
11 section 634A(a). In any case in which the President  
12 concludes that such publication would be harmful to  
13 the national security of the United States, only a  
14 statement that a notice has been provided pursuant  
15 to this subsection to such committees shall be pub-  
16 lished.”.

17 REIMBURSEMENT REQUIREMENTS FOR FOREIGN  
18 STUDENTS

19 SEC. 578. LIMITED WAIVER OF REIMBURSEMENT  
20 REQUIREMENT FOR CERTAIN FOREIGN STUDENTS. Sec-  
21 tion 214(l)(1) of the Immigration and Nationality Act (8  
22 U.S.C. 1184(l)(1)), as added by section 625(a)(1) of the  
23 Illegal Immigration Reform and Immigrant Responsibility  
24 Act of 1996 (110 Stat. 3009–699), is amended—



1           (1) in subparagraph (B), by redesignating  
2           clauses (i) and (ii) as subclauses (I) and (II), respec-  
3           tively;

4           (2) by redesignating subparagraphs (A) and  
5           (B) as clauses (i) and (ii), respectively;

6           (3) by striking “(l)(1)” and inserting  
7           “(l)(1)(A)”; and

8           (4) by adding at the end the following new sub-  
9           paragraph:

10          “(B) The Attorney General shall waive the applica-  
11          tion of subparagraph (A)(ii) for an alien seeking to pursue  
12          a course of study in a public secondary school served by  
13          a local educational agency (as defined in section 14101  
14          of the Elementary and Secondary Education Act of 1965  
15          (20 U.S.C. 8801)) if the agency determines and certifies  
16          to the Attorney General that such waiver will promote the  
17          educational interest of the agency and will not impose an  
18          undue financial burden on the agency.”.

19          NATIONAL ADVISORY COUNCIL ON INTERNATIONAL  
20          MONETARY AND FINANCIAL POLICIES

21          SEC. 579. (a) Notwithstanding any other provision  
22          of law, each annual report required by subsection 1701(a)  
23          of the International Financial Institutions Act, as amend-  
24          ed (Public Law 95–118, 22 U.S.C. 262r), shall com-  
25          prise—

1           (1) an assessment of the effectiveness of the  
2           major policies and operations of the international fi-  
3           nancial institutions;

4           (2) the major issues affecting United States  
5           participation;

6           (3) the major developments in the past year;

7           (4) the prospects for the coming year;

8           (5) the progress made and steps taken to  
9           achieve United States policy goals (including major  
10          policy goals embodied in current law) with respect to  
11          the international financial institutions; and

12          (6) such data and explanations concerning the  
13          effectiveness, operations, and policies of the inter-  
14          national financial institutions, such recommenda-  
15          tions concerning the international financial institu-  
16          tions, and such other data and material as the  
17          Chairman may deem appropriate.

18          (b) The requirements of Sections 1602(e), 1603(e),  
19          1604(c), and 1701(b) of the International Financial Insti-  
20          tutions Act, as amended (Public Law 95–118, 22 U.S.C.  
21          262p–1, 262p–2, 262p–3 and 262(r)), Section 2018(c) of  
22          the International Narcotics Control Act of 1986, as  
23          amended (Public Law 99–570, 22 U.S.C. 2291 note), Sec-  
24          tion 407(c) of the Foreign Debt Reserving Act of 1989  
25          (Public Law 101–240, 22 U.S.C. 2291 note), Section

1 14(c) of the Inter-American Development Bank Act, as  
2 amended (Public Law 86–147, 22 U.S.C. 283j–1(c)), and  
3 Section 1002 of the Freedom for Russia and Emerging  
4 Eurasian Democracies and Open Markets Support Act of  
5 1992 (Public Law 102–511) (22 U.S.C. 286ll(b)) shall no  
6 longer apply to the contents of such annual reports.

7       LIMITATION ON ASSISTANCE TO THE PALESTINIAN

8                               AUTHORITY

9       SEC. 580. (a) PROHIBITION OF FUNDS.—None of the  
10 funds appropriated by this Act to carry out the provisions  
11 of chapter 4 of part II of the Foreign Assistance Act of  
12 1961 may be obligated or expended with respect to provid-  
13 ing funds to the Palestinian Authority.

14       (b) WAIVER.—The prohibition included in subsection  
15 (a) shall not apply if the President certifies in writing to  
16 the Speaker of the House of Representatives and the  
17 President pro tempore of the Senate that waiving such  
18 prohibition is important to the national security interests  
19 of the United States.

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

24       SENSE OF SENATE REGARDING UNITED STATES CITIZENS

25                               HELD IN PRISONS IN PERU

26       SEC. 581. It is the sense of the Senate that—

1           (1) as a signatory of the International Covenant  
2 on Civil and Political Rights, the Government of  
3 Peru is obligated to grant prisoners timely legal pro-  
4 ceedings pursuant to Article 9 of the International  
5 Covenant on Civil and Political Rights, which re-  
6 quires that “anyone arrested or detained on a crimi-  
7 nal charge shall be brought promptly before a judge  
8 or other officer authorized by law to exercise judicial  
9 power and shall be entitled to trial within a reason-  
10 able time or release”, and that “any one who is de-  
11 prived of his liberty by arrest or detention shall be  
12 entitled to take proceedings before a court, in order  
13 that that court may decide without delay on the law-  
14 fulness of his detention and order his release if the  
15 detention is not lawful”;

16           (2) the Government of Peru should respect the  
17 rights of prisoners to timely legal procedures, includ-  
18 ing the rights of all United States citizens held in  
19 prisons in that country; and

20           (3) the Government of Peru should take all nec-  
21 essary steps to ensure that any United States citizen  
22 charged with committing a crime in that country is  
23 accorded open and fair proceedings in a civilian  
24 court.

1 REPORT ON TRAINING PROVIDED TO FOREIGN MILITARY  
2 PERSONNEL IN THE UNITED STATES

3 SEC. 582. (a) Not later than January 31, 1999, the  
4 Inspector General of the Department of Defense and the  
5 Inspector General of the Department of State shall jointly  
6 submit to Congress a report describing the following:

7 (1) The training provided to foreign military  
8 personnel within the United States under any pro-  
9 grams administered by the Department of Defense  
10 or the Department of State during fiscal year 1998.

11 (2) The training provided (including the train-  
12 ing proposed to be provided) to such personnel with-  
13 in the United States under such programs during  
14 fiscal year 1999.

15 (b) For each case of training covered by the report  
16 under subsection (a), the report shall include—

17 (1) the location of the training;

18 (2) the duration of the training;

19 (3) the number of foreign military personnel  
20 provided the training by country, including the units  
21 of operation of such personnel;

22 (4) the cost of the training;

23 (5) the purpose and nature of the training; and

24 (6) an analysis of the manner and the extent to  
25 which the training meets or conflicts with the for-

1        eign policy objectives of the United States, including  
2        the furtherance of democracy and civilian control of  
3        the military and the promotion of human rights.

4 SENSE OF THE CONGRESS REGARDING INTERNATIONAL  
5 COOPERATION IN RECOVERING CHILDREN AB-  
6 DUCTED IN THE UNITED STATES AND TAKEN TO  
7 OTHER COUNTRIES.

8 SEC. 583. (a) FINDINGS.—Congress finds that—

9            (1) many children in the United States have  
10          been abducted by family members who are foreign  
11          nationals and living in foreign countries;

12          (2) children who have been abducted by an es-  
13          tranged father are very rarely returned, through  
14          legal remedies, from countries that only recognize  
15          the custody rights of the father;

16          (3) there are at least 140 cases that need to be  
17          resolved in which children have been abducted by  
18          family members and taken to foreign countries;

19          (4) although the Convention on the Civil As-  
20          pects of International Child Abduction, done at The  
21          Hague on October 25, 1980, has made progress in  
22          aiding the return of abducted children, the Conven-  
23          tion does not address the criminal aspects of child  
24          abduction, and there is a need to reach agreements  
25          regarding child abduction with countries that are not  
26          parties to the Convention; and

1           (5) decisions on awarding custody of children  
2           should be made in the children's best interest, and  
3           persons who violate laws of the United States by ab-  
4           ducting their children should not be rewarded by  
5           being granted custody of those children.

6           (b) SENSE OF THE CONGRESS.—It is the sense of  
7           the Congress that the United States Government should  
8           promote international cooperation in working to resolve  
9           those cases in which children in the United States are ab-  
10          ducted by family members who are foreign nationals and  
11          taken to foreign countries, and in seeing that justice is  
12          served by holding accountable the abductors for violations  
13          of criminal law.

14           SUPPORT FOR PEACEFUL ECONOMIC AND POLITICAL  
15                                    TRANSITION IN INDONESIA

16          SEC. 584. (a) FINDINGS.—Congress makes the fol-  
17          lowing findings:

18           (1) Indonesia is the World's 4th most populous  
19           nation, with a population in excess of 200,000,000  
20           people.

21           (2) Since 1997, political, economic, and social  
22           turmoil in Indonesia has escalated.

23           (3) Indonesia is comprised of more than 13,000  
24           islands located between the mainland of Southeast  
25           Asia and Australia. Indonesia occupies an important  
26           strategic location, straddling vital sea lanes for com-

1       munication and commercial transportation including  
2       all or part of every major sea route between the Pa-  
3       cific Ocean and the Indian Ocean, more than 50 per-  
4       cent of all international shipping trade, and sea lines  
5       of communication used by the United States Pacific  
6       Command to support operations in the Persian Gulf.

7           (4) Indonesia has been an important ally of the  
8       United States, has made vital contributions to the  
9       maintenance of regional peace and stability through  
10      its leading role in the Association of South East  
11      Asian Nations (ASEAN) and the Asia Pacific Eco-  
12      nomic Cooperation forum (APEC), and has pro-  
13      moted United States economic, political, and secu-  
14      rity interests in Asia.

15          (5) In the 25 years before the onset of the re-  
16      cent financial crisis in Asia, the economy of Indo-  
17      nesia grew at an average rate of 7 percent per year.

18          (6) Since July 1997, the Indonesian rupiah has  
19      lost 70 percent of its value, and the Indonesian  
20      economy is now at a near standstill characterized by  
21      inflation, tight liquidity, and rising unemployment.

22          (7) Indonesia has also faced a severe drought  
23      and massive fires in the past year which have ad-  
24      versely affected its ability to produce sufficient food  
25      to meet its needs.



1           (8) As a consequence of this economic instabil-  
2           ity and the drought and fires, as many as  
3           100,000,000 people in Indonesia may experience  
4           food shortages, malnutrition, and possible starvation  
5           as a result of being unable to purchase food. These  
6           conditions increase the potential for widespread so-  
7           cial unrest in Indonesia.

8           (9) Following the abdication of Indonesia Presi-  
9           dent Suharto in May 1998, Indonesia is in the midst  
10          of a profound political transition. The current presi-  
11          dent of Indonesia, B.J. Habibie, has called for new  
12          parliamentary elections in mid-1999, allowed the  
13          formation of new political parties, and pledged to re-  
14          solve the role of the military in Indonesian society.

15          (10) The Government of Indonesia has taken  
16          several important steps toward political reform and  
17          support of democratic institutions, including support  
18          for freedom of expression, release of political pris-  
19          oners, formation of political parties and trade  
20          unions, preparations for new elections, removal of  
21          ethnic designations from identity cards, and commit-  
22          ments to legal and civil service reforms which will in-  
23          crease economic and legal transparency and reduce  
24          corruption.

1           (11) To address the food shortages in Indo-  
2           nesia, the United States Government has made more  
3           than 230,000 tons of food available to Indonesia this  
4           year through grants and so-called “soft” loans and  
5           has pledged support for additional wheat and food to  
6           meet emergency needs in Indonesia.

7           (12) United States national security interests  
8           are well-served by political stability in Indonesia and  
9           by friendly relations between the United States and  
10          Indonesia.

11          (b) SENSE OF CONGRESS.—It is the sense of Con-  
12          gress that—

13               (1) the decision of the Clinton Administration  
14               to make available at least 1,500,000 tons of wheat,  
15               wheat products, and rice for distribution to the most  
16               needy and vulnerable Indonesians is vital to the well-  
17               being of all Indonesians;

18               (2) the Clinton Administration should work  
19               with the World Food Program and nongovernmental  
20               organizations to design programs to make the most  
21               effective use of food donations in Indonesia and to  
22               expedite delivery of food assistance in order to reach  
23               those in Indonesia most in need;

24               (3) the Clinton Administration should adopt a  
25               more active approach in support of democratic insti-

1       tutions and processes in Indonesia and provide as-  
2       sistance for continued economic and political devel-  
3       opment in Indonesia, including—

4               (A) support for humanitarian programs  
5               aimed at preventing famine, meeting the needs  
6               of the Indonesian people, and inculcating social  
7               stability;

8               (B) leading a multinational effort (includ-  
9               ing the active participation of Japan, the na-  
10              tions of Europe, and other nations) to assist  
11              the programs referred to in subparagraph (A);

12              (C) calling on donor nations and humani-  
13              tarian and food aid programs to make addi-  
14              tional efforts to meet the needs of Indonesia  
15              and its people while laying the groundwork for  
16              a more open and participatory society in Indo-  
17              nesia;

18              (D) working with international financial  
19              institutions to recapitalize and reform the bank-  
20              ing system, restructure corporate debt, and in-  
21              troduce economic and legal transparency in In-  
22              donesia;

23              (E) urging the Government of Indonesia to  
24              remove, to the maximum extent possible, bar-  
25              riers to trade and investment which impede eco-

1            nomic recovery in Indonesia, including tariffs,  
2            quotas, export taxes, nontariff barriers, and  
3            prohibitions against foreign ownership and in-  
4            vestment;

5            (F) urging the Government of Indonesia  
6            to—

7                    (i) recognize the importance of the  
8                    participation of all Indonesians, including  
9                    ethnic and religious minorities, in the polit-  
10                    ical and economic life of Indonesia;

11                    (ii) take appropriate action to assure  
12                    the support and protection of minority par-  
13                    ticipation in the political, social, and eco-  
14                    nomic life of Indonesia; and

15                    (iii) release individuals detained or im-  
16                    prisoned for their political views;

17            (G) support for efforts by the Government  
18            of Indonesia to cast a wide social safety net in  
19            order to provide relief to the neediest Indo-  
20            nesians and to restore hope to those Indo-  
21            nesians who have been harmed by the economic  
22            crisis in Indonesia;

23            (H) support for efforts to build democracy  
24            in Indonesia in order to strengthen political  
25            participation and the development of legitimate

1 democratic processes and the rule of law in In-  
2 donesia, including support for organizations,  
3 such as the Asia Foundation and the National  
4 Endowment for Democracy, which can provide  
5 technical assistance in developing and strength-  
6 ening democratic political institutions and proc-  
7 esses in Indonesia;

8 (I) calling on the Government of Indonesia  
9 to repeal all laws and regulations that discrimi-  
10 nate on the basis of religion or ethnicity and to  
11 ensure that all new laws are in keeping with  
12 international standards on human rights; and

13 (J) calling on the Government of Indonesia  
14 to establish, announce publicly, and adhere to a  
15 clear timeline for parliamentary elections in In-  
16 donesia.

17 (c) REPORT.—(1) Not later than 6 months after the  
18 date of enactment of this Act, the Secretary of State shall  
19 submit to Congress a report containing the following:

20 (A) A description and assessment of the actions  
21 taken by the Government of the United States to  
22 work with the Government of Indonesia to further  
23 the objectives referred to in subsection (b)(3).

1 (B) A description and assessment of the actions  
2 taken by the Government of Indonesia to further  
3 such objectives.

4 (C) An evaluation of the implications of the  
5 matters described and assessed under subparagraphs  
6 (A) and (B), and any other appropriate matters, for  
7 relations between the United States and Indonesia.

8 (2) The report under this subsection shall be submit-  
9 ted in unclassified form, but may include a classified  
10 annex.

11 CONDEMNING ETHNIC VIOLENCE IN INDONESIA IN MAY

12 1998

13 SEC. 585. (a) FINDINGS.—Congress makes the fol-  
14 lowing findings:

15 (1) In May 1998, more than 1,200 people died  
16 in Indonesia as a result of riots, targeted attacks,  
17 and violence in Indonesia. According to numerous  
18 reports by human rights groups, United Nations of-  
19 ficials, and the press, ethnic Chinese in Indonesia  
20 were specifically targeted in the riots for attacks  
21 which included acts of brutality, looting, arson, and  
22 rape.

23 (2) Credible reports indicate that, between May  
24 13 and May 15, 1998, at least 150 Chinese women  
25 and girls, some as young as 9 years of age, were sys-  
26 tematically raped as part of a campaign of racial vi-

1       olence in Indonesia, and 20 of these women subse-  
2       quently died from injuries incurred during these  
3       rapes.

4               (3) Credible evidence indicates that these rapes  
5       were the result of a systematic and organized oper-  
6       ation and may well have continued to the present  
7       time.

8               (4) Indonesia President Habibie has stated that  
9       he believes the riots and rapes to be “the most inhu-  
10      man acts in the history of the nation”, that they  
11      were “criminal” acts, and that “we will not accept  
12      it, we will not let it happen again.”.

13              (5) Indonesian human rights groups have as-  
14      serted that the Indonesia Government failed to take  
15      action necessary to control the riots, violence, and  
16      rapes directed against ethnic Chinese in Indonesia  
17      and that some elements of the Indonesia military  
18      may have participated in such acts.

19              (6) The Executive Director of the United Na-  
20      tions Development Fund for Women has stated that  
21      the attacks were an “organized reaction to a crisis  
22      and culprits must be brought to trial” and that the  
23      systematic use of rape in the riots “is totally  
24      unacceptable . . . and even more disturbing than  
25      rape war crimes, as Indonesia was not at war with

1 another country but caught in its own internal cri-  
2 sis”.

3 (7) The Indonesia Government has established  
4 the Joint National Fact Finding Team to investigate  
5 the violence and allegations of gang rapes, but there  
6 are allegations that the investigation is moving slow-  
7 ly and that the Team lacks the authority necessary  
8 to carry out an appropriate investigation.

9 (b) SENSE OF CONGRESS.—It is the sense of Con-  
10 gress that—

11 (1) the mistreatment of ethnic Chinese in Indo-  
12 nesia and the criminal acts carried out against them  
13 during the May 1998 riots in Indonesia is deplorable  
14 and condemned;

15 (2) a complete, full, and fair investigation of  
16 such criminal acts should be completed by the earli-  
17 est possible date, and those identified as responsible  
18 for perpetrating such criminal acts should be  
19 brought to justice;

20 (3) the investigation by the Government of In-  
21 donesia, through its Military Honor Council, of those  
22 members of the armed forces of Indonesia suspected  
23 of possible involvement in the May 1998 riots, and  
24 of any member of the armed forces of Indonesia who  
25 may have participated in criminal acts against the



1 people of Indonesia during the riots, is commended  
2 and should be supported;

3 (4) the Government of Indonesia should take  
4 action to assure—

5 (A) the full observance of the human  
6 rights of the ethnic Chinese in Indonesia and of  
7 all other minority groups in Indonesia;

8 (B) the implementation of appropriate  
9 measures to prevent ethnic-related violence and  
10 rapes in Indonesia and to safeguard the phys-  
11 ical safety of the ethnic Chinese community in  
12 Indonesia;

13 (C) prompt follow through on its an-  
14 nounced intention to provide damage loans to  
15 help rebuild businesses and homes for those  
16 who suffered losses in the riots; and

17 (D) the provision of just compensation for  
18 victims of the rape and violence that occurred  
19 during the May 1998 riots in Indonesia, includ-  
20 ing medical care;

21 (5) the Clinton Administration and the United  
22 Nations should provide support and assistance to the  
23 Government of Indonesia, and to nongovernmental  
24 organizations, in the investigations into the May

1 1998 riots in Indonesia in order to expedite such in-  
2 vestigations; and

3 (6) Indonesia should ratify the United Nations  
4 Convention on Racial Discrimination, Torture, and  
5 Human Rights.

6 (c) SUPPORT FOR INVESTIGATIONS.—Of the  
7 amounts appropriated by this Act for Indonesia, the Sec-  
8 retary of State, after consultation with Congress, shall  
9 make available such funds as the Secretary considers ap-  
10 propriate in order to provide support and technical assist-  
11 ance to the Government of Indonesia, and to independent  
12 nongovernmental organizations, for purposes of conduct-  
13 ing full, fair, and impartial investigations into the allega-  
14 tions surrounding the riots, violence, and rape of ethnic  
15 Chinese in Indonesia in May 1998.

16 (d) REPORT.—(1) Not later than 6 months after the  
17 date of enactment of this Act, the Secretary of State shall  
18 submit to Congress a report containing the following:

19 (A) An assessment of—

20 (i) whether or not there was a systematic  
21 and organized campaign of violence, including  
22 the use of rape, against the ethnic Chinese com-  
23 munity in Indonesia during the May 1998 riots  
24 in Indonesia; and

1 (ii) the level and degree of participation, if  
2 any, of members of the Government or armed  
3 forces of Indonesia in the riots.

4 (B) An assessment of the adequacy of the ac-  
5 tions taken by the Government of Indonesia to inves-  
6 tigate the May 1998 riots in Indonesia, bring the  
7 perpetrators of the riots to justice, and ensure that  
8 similar riots do not recur.

9 (C) An evaluation of the implications of the  
10 matters assessed under subparagraphs (A) and (B)  
11 for relations between the United States and Indo-  
12 nesia.

13 (2) The report under this subsection shall be submit-  
14 ted in unclassified form, but may include a classified  
15 annex.

16 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN  
17 BROADCASTING CORPORATION

18 SEC. 586. None of the funds appropriated or other-  
19 wise made available by this Act may be used to provide  
20 equipment, technical support, training, consulting serv-  
21 ices, or any other form of assistance to the Palestinian  
22 Broadcasting Corporation or any similar organization.

23 TRAFFICKING IN WOMEN AND CHILDREN

24 SEC. 587. The Secretary of State, in consultation  
25 with the Attorney General and appropriate nongovern-  
26 mental organizations, shall—

1           (1) develop curricula and conduct training for  
2 United States consular officers on the prevalence  
3 and risks of trafficking in women and children, and  
4 the rights of victims of such trafficking; and

5           (2) develop and disseminate to aliens seeking to  
6 obtain visas written materials describing the poten-  
7 tial risks of trafficking, including—

8           (A) information as to the rights of victims  
9 in the United States of trafficking in women  
10 and children, including legal and civil rights in  
11 labor, marriage, and for crime victims under  
12 the Violence Against Women Act; and

13           (B) the names of support and advocacy or-  
14 ganizations in the United States.

15 SENSE OF CONGRESS CONCERNING THE MURDER OF

16 FOUR AMERICAN CHURCHWOMEN IN EL SALVADOR

17 SEC. 588. (a) FINDINGS.—Congress makes the fol-  
18 lowing findings—

19           (1) the December 2, 1980 brutal assault and  
20 murder of four American churchwomen by members  
21 of the Salvadoran National Guard was covered up  
22 and never fully investigated;

23           (2) on July 22 and July 23, 1998, Salvadoran  
24 authorities granted three of the National Guardsmen  
25 convicted of the crimes early release from prison;

1           (3) the United Nations Truth Commission for  
2 El Salvador determined in 1993 that there was suf-  
3 ficient evidence that the Guardsmen were acting on  
4 orders from their superiors;

5           (4) in March 1998, four of the convicted  
6 Guardsmen confessed that they acted after receiving  
7 orders from their superiors;

8           (5) recently declassified documents from the  
9 State Department show that United States Govern-  
10 ment officials were aware of information suggesting  
11 the involvement of superior officers in the murders;

12           (6) United States officials granted permanent  
13 residence to a former Salvadoran military official in-  
14 volved in the cover-up of the murders, enabling him  
15 to remain in Florida; and

16           (7) despite the fact that the murders occurred  
17 over 17 years ago, the families of the four victims  
18 continue to seek the disclosure of information rel-  
19 evant to the murders.

20           (b) SENSE OF CONGRESS.—It is the sense of Con-  
21 gress that—

22           (1) information relevant to the murders should  
23 be made public to the fullest extent possible;

24           (2) the Secretary of State and the Department  
25 of State are to be commended for fully releasing in-

1 formation regarding the murders to the victims'  
2 families and to the American public, in prompt re-  
3 sponse to congressional requests;

4 (3) the President should order all other Federal  
5 agencies and departments that possess relevant in-  
6 formation to make every effort to declassify and re-  
7 lease to the victims' families relevant information as  
8 expeditiously as possible;

9 (4) in making determinations concerning the  
10 declassification and release of relevant information,  
11 the Federal agencies and departments should pre-  
12 sume in favor of releasing, rather than of withhold-  
13 ing, such information; and

14 (5) the President should direct the Attorney  
15 General to review the circumstances under which in-  
16 dividuals involved in either the murders or the cover-  
17 up of the murders obtained residence in the United  
18 States, and the Attorney General should submit a  
19 report to the Congress on the results of such review  
20 not later than January 1, 1999.

21 REPORT ON ALL UNITED STATES MILITARY TRAINING

22 PROVIDED TO FOREIGN MILITARY PERSONNEL

23 SEC. 589. (a) The Secretary of Defense and the Sec-  
24 retary of State shall jointly provide to the Congress by  
25 January 31, 1999, a report on all overseas military train-  
26 ing provided to foreign military personnel under programs

1 administered by the Department of Defense and the De-  
2 partment of State during fiscal years 1998 and 1999, in-  
3 cluding those proposed for fiscal year 1999. This report  
4 shall include, for each such military training activity, the  
5 foreign policy justification and purpose for the training ac-  
6 tivity, the cost of the training activity, the number of for-  
7 eign students trained and their units of operation, and the  
8 location of the training. In addition, this report shall also  
9 include, with respect to United States personnel, the oper-  
10 ational benefits to United States forces derived from each  
11 such training activity and the United States military units  
12 involved in each such training activity. This report may  
13 include a classified annex if deemed necessary and appro-  
14 priate.

15 (b) For purposes of this section a report to Congress  
16 shall be deemed to mean a report to the Appropriations  
17 and Foreign Relations Committees of the Senate and the  
18 Appropriations and International Relations Committees of  
19 the House.

20 SENSE OF CONGRESS REGARDING THE TRIAL IN THE  
21 NETHERLANDS OF THE SUSPECTS INDICTED IN THE  
22 BOMBING OF PAN AM FLIGHT 103

23 SEC. 590. (a) FINDINGS.—Congress makes the fol-  
24 lowing findings:

25 (1) On December 21, 1988, 270 people, includ-  
26 ing 189 United States citizens, were killed in a ter-

1       rorist bombing on Pan Am Flight 103 over  
2       Lockerbie, Scotland.

3               (2) Britain and the United States indicted 2  
4       Libyan intelligence agents—Abdel Basset Al-  
5       Megrahi and Lamem Khalifa Fhimah—in 1991 and  
6       sought their extradition from Libya to the United  
7       States or the United Kingdom to stand trial for this  
8       heinous terrorist act.

9               (3) The United Nations Security Council called  
10       for the extradition of the suspects in Security Coun-  
11       cil Resolution 731 and imposed sanctions on Libya  
12       in Security Council Resolutions 748 and 883 be-  
13       cause Libyan leader, Colonel Muammar Qaddafi, re-  
14       fused to transfer the suspects to either the United  
15       States or the United Kingdom to stand trial.

16              (4) The sanctions in Security Council Resolu-  
17       tions 748 and 883 include a worldwide ban on  
18       Libya's national airline, a ban on flights into and  
19       out of Libya by other nations' airlines, a prohibition  
20       on supplying arms, airplane parts, and certain oil  
21       equipment to Libya, and a freeze on Libyan govern-  
22       ment funds in other countries.

23              (5) Colonel Qaddafi has continually refused to  
24       extradite the suspects to either the United States or  
25       the United Kingdom and has insisted that he will



1       only transfer the suspects to a third and neutral  
2       country to stand trial.

3               (6) On August 24, 1998, the United States and  
4       the United Kingdom proposed that Colonel Qadaffi  
5       transfer the suspects to the Netherlands, where they  
6       would stand trial before a Scottish court, under  
7       Scottish law, and with a panel of Scottish judges.

8               (7) The United States-United Kingdom pro-  
9       posal is consistent with those previously endorsed by  
10      the Organization of African Unity, the League of  
11      Arab States, the Non-Aligned Movement, and the Is-  
12      lamic Conference.

13              (8) The United Nations Security Council en-  
14      dorsed the United States-United Kingdom proposal  
15      on August 27, 1998, in United Nations Security  
16      Council Resolution 1192.

17              (9) The United States Government has stated  
18      that this proposal is nonnegotiable and has called on  
19      Colonel Qadaffi to respond promptly, positively, and  
20      unequivocally to this proposal by ensuring the timely  
21      appearance of the two accused individuals in the  
22      Netherlands for trial before the Scottish court.

23              (10) The United States Government has called  
24      on Libya to ensure the production of evidence, in-  
25      cluding the presence of witnesses before the court,

1 and to comply fully with all the requirements of the  
2 United Nations Security Council resolutions.

3 (11) Secretary of State Albright has said that  
4 the United States will urge a multilateral oil embar-  
5 go against Libya in the United Nations Security  
6 Council if Colonel Muammar Qadaffi does not trans-  
7 fer the suspects to the Netherlands to stand trial.

8 (12) The United Nations Security Council will  
9 convene on October 30, 1998, to review sanctions  
10 imposed on Libya.

11 (b) SENSE OF CONGRESS.—It is the sense of Con-  
12 gress that—

13 (1) Colonel Qadaffi should promptly transfer  
14 the indicted suspects Abdel Basset Al-Megrahi and  
15 Lamén Khalifa Fhimah to the Netherlands to stand  
16 trial before the Scottish court;

17 (2) the United States Government should re-  
18 main firm in its commitment not to negotiate with  
19 Colonel Qadaffi on any of the details of the proposal  
20 approved by the United Nations in United Nations  
21 Security Council Resolution 1192; and

22 (3) if Colonel Qadaffi does not transfer the in-  
23 dicted suspects Abdel Basset Al-Megrahi and Lamén  
24 Khalifa Fhimah to the Netherlands by October 29,

1 1998, the United States Permanent Representative  
2 to the United Nations should—

3 (A) introduce a resolution in the United  
4 Nations Security Council to impose a multilat-  
5 eral oil embargo against Libya;

6 (B) actively promote adoption of the reso-  
7 lution by the United Nations Security Council;  
8 and

9 (C) assure that a vote will occur in the  
10 United Nations Security Council on such a res-  
11 olution.

12 DEVELOPMENT ASSISTANCE IN NIGERIA

13 SEC. 591. (a) FINDINGS.—Congress makes the fol-  
14 lowing findings:

15 (1) The bilateral development assistance pro-  
16 gram in Nigeria has been insufficiently funded and  
17 staffed, and the United States has missed opportuni-  
18 ties to promote democracy and good governance as  
19 a result.

20 (2) The recent political upheaval in Nigeria ne-  
21 cessitates a new strategy for United States bilateral  
22 assistance program in that country that is focused  
23 on promoting a transition to democracy.

24 (b) SENSE OF CONGRESS.—It is the sense of Con-  
25 gress that the President, acting through the United States  
26 Agency for International Development, should—

1           (1) develop a new strategy for United States bi-  
2 lateral assistance for Nigeria that is focused on the  
3 development of civil society and the rule of law and  
4 that involves a broad cross-section of Nigerian soci-  
5 ety but does not provide for any direct assistance to  
6 the Government of Nigeria, other than humanitarian  
7 assistance, unless and until that country successfully  
8 completes a transition to civilian, democratic rule;

9           (2) increase the number of United States per-  
10 sonnel at such Agency's office in Lagos, Nigeria,  
11 from within the current, overall staff resources of  
12 such Agency in order for such office to be suffi-  
13 ciently staffed to carry out paragraph (1); and

14           (3) consider the placement of such Agency's  
15 personnel elsewhere in Nigeria.

16       (c) REPORT.—Not later than 90 days after the date  
17 of enactment of this Act, the President, acting through  
18 the United States Agency for International Development,  
19 shall submit to the Committees on Appropriations and  
20 Foreign Relations of the Senate and the Committees on  
21 Appropriations and International Relations of the House  
22 of Representatives a report on the strategy developed  
23 under subsection (b)(1).

24       COUNTERTERRORISM COOPERATION CERTIFICATION

25       SEC. 592. Section 40A of the Arms Export Control  
26 Act (22 U.S.C. 2781) is amended—

1           (1) in subsection (a), by striking “that the  
2           President” and all that follows and inserting “unless  
3           the President determines and certifies to Congress  
4           for purposes of that fiscal year that the government  
5           of the country is cooperating fully with the United  
6           States, or is taking adequate actions on its own, to  
7           help achieve United States antiterrorism objec-  
8           tives.”;

9           (2) by redesignating subsection (b) as sub-  
10          section (e);

11          (3) by inserting after subsection (a), as so  
12          amended, the following new subsections (b), (c), and  
13          (d):

14          “(b) REQUIREMENT FOR CONTINUING COOPERA-  
15          TION.—(1) Notwithstanding the submittal of a certifi-  
16          cation with respect to a country for purposes of a fiscal  
17          year under subsection (a), the prohibition in that sub-  
18          section shall apply to the country for the remainder of that  
19          fiscal year if the President determines and certifies to  
20          Congress that the government of the country has not con-  
21          tinued to cooperate fully with United States, or to take  
22          adequate actions on its own, to help achieve United States  
23          antiterrorism objectives.

24          “(2) A certification under paragraph (1) shall take  
25          effect on the date of its submittal to Congress.

1       “(c) SCHEDULE FOR CERTIFICATIONS.—(1) The  
2 President shall, to the maximum extent practicable, sub-  
3 mit a certification with respect to a country for purposes  
4 of a fiscal year under subsection (a) not later than Sep-  
5 tember 1 of the year in which that fiscal year begins.

6       “(2) The President may submit a certification with  
7 respect to a county under subsection (a) at any time after  
8 the date otherwise specified in paragraph (1) if the Presi-  
9 dent determines that circumstances warrant the submittal  
10 of the certification at such later date.

11       “(d) CONSIDERATIONS FOR CERTIFICATIONS.—In  
12 making a determination with respect to the government  
13 of a country under subsection (a) or subsection (b), the  
14 President shall consider—

15               “(1) the government’s record of—

16                       “(A) apprehending, bringing to trial, con-  
17 victing, and punishing terrorists in areas under  
18 its jurisdiction;

19                       “(B) taking actions to dismantle terrorist  
20 organizations in areas under its jurisdiction and  
21 to cut off their sources of funds;

22                       “(C) condemning terrorist actions and the  
23 groups that conduct and sponsor them;

24                       “(D) refusing to bargain with or make  
25 concessions to terrorist organizations;

1           “(E) isolating and applying pressure on  
2 states that sponsor and support terrorism to  
3 force such states to terminate their support for  
4 terrorism;

5           “(F) assisting the United States in efforts  
6 to apprehend terrorists who have targeted  
7 United States nationals and interests;

8           “(G) sharing information and evidence  
9 with United States law enforcement agencies  
10 during the investigation of terrorist attacks  
11 against United States nationals and interests;

12           “(H) extraditing to the United States indi-  
13 viduals in its custody who are suspected of par-  
14 ticipating in the planning, funding, or conduct  
15 of terrorist attacks against United States na-  
16 tionals and interests; and

17           “(I) sharing intelligence with the United  
18 States about terrorist activity, in general, and  
19 terrorist activity directed against United States  
20 nationals and interests, in particular; and

21           “(2) any other matters that the President con-  
22 sider appropriate.”; and

23           (4) in subsection (e), as so redesignated, by  
24 striking “national interests” and inserting “national  
25 security interests”.

1           EQUALITY FOR ISRAEL IN THE UNITED NATIONS

2           SEC. 593. (a) SHORT TITLE.—This section may be  
3 cited as the “Equality for Israel at the United Nations  
4 Act of 1998”.

5           (b) EFFORT TO PROMOTE FULL EQUALITY AT THE  
6 UNITED NATIONS FOR ISRAEL.—

7           (1) CONGRESSIONAL STATEMENT.—It is the  
8 sense of the Congress that—

9                   (A) the United States must help promote  
10 an end to the inequity experienced by Israel in  
11 the United Nations whereby Israel is the only  
12 longstanding member of the organization to be  
13 denied acceptance into any of the United Na-  
14 tions region blocs, which serve as the basis for  
15 participation in important activities of the  
16 United Nations, including rotating membership  
17 on the United Nations Security Council; and

18                   (B) the United States Ambassador to the  
19 United Nations should take all steps necessary  
20 to ensure Israel’s acceptance in the Western  
21 Europe and Others Group (WEOG) regional  
22 bloc, whose membership includes the non-Euro-  
23 pean countries of Canada, Australia, and the  
24 United States.



1           (2) REPORTS TO CONGRESS.—Not later than  
2           60 days after the date of the enactment of this legis-  
3           lation and on a semiannual basis thereafter, the Sec-  
4           retary of State shall submit to the appropriate con-  
5           gressional committees a report which includes the  
6           following information (in classified or unclassified  
7           form as appropriate)—

8                   (A) actions taken by representatives of the  
9                   United States, including the United States Am-  
10                  bassador to the United Nations, to encourage  
11                  the nations of the Western Europe and Others  
12                  Group (WEOG) to accept Israel into their re-  
13                  gional bloc;

14                  (B) efforts undertaken by the Secretary  
15                  General of the United Nations to secure Israel's  
16                  full and equal participation in that body;

17                  (C) specific responses solicited and received  
18                  by the Secretary of State from each of the na-  
19                  tions of Western Europe and Others Group  
20                  (WEOG) on their position concerning Israel's  
21                  acceptance into their organization; and

22                  (D) other measures being undertaken, and  
23                  which will be undertaken, to ensure and pro-  
24                  mote Israel's full and equal participation in the  
25                  United Nations.

## 1           SANCTIONS AGAINST SERBIA-MONTENEGRO

2           SEC. 594. (a) CONTINUATION OF EXECUTIVE  
3 BRANCH SANCTIONS.—The sanctions listed in subsection  
4 (b) shall remain in effect until January 1, 2000, unless  
5 the President submits to the Committees on Appropria-  
6 tions and Foreign Relations in the Senate and the Com-  
7 mittees on Appropriations and International Relations of  
8 the House of Representatives a certification described in  
9 subsection (c).

## 10          (b) APPLICABLE SANCTIONS.—

11               (1) The Secretary of the Treasury shall instruct  
12 the United States executive directors of the inter-  
13 national financial institutions to work in opposition  
14 to, and vote against, any extension by such institu-  
15 tions of any financial or technical assistance or  
16 grants of any kind to the government of Serbia-Mon-  
17 tenegro.

18               (2) The Secretary of State should instruct the  
19 United States Ambassador to the Organization for  
20 Security and Cooperation in Europe (OSCE) to  
21 block any consensus to allow the participation of  
22 Serbia-Montenegro in the OSCE or any organization  
23 affiliated with the OSCE.

24               (3) The Secretary of State should instruct the  
25 United States Representative to the United Nations

1 to vote against any resolution in the United Nations  
2 Security Council to admit Serbia-Montenegro to the  
3 United Nations or any organization affiliated with  
4 the United Nations, to veto any resolution to allow  
5 Serbia-Montenegro to assume the United Nations'  
6 membership of the former Socialist Federal Republic  
7 of Yugoslavia, and to take action to prevent Serbia-  
8 Montenegro from assuming the seat formerly occu-  
9 pied by the Socialist Federal Republic of Yugoslavia.

10 (4) The Secretary of State should instruct the  
11 United States Permanent Representative on the  
12 Council of the North Atlantic Treaty Organization  
13 to oppose the extension of the Partnership for Peace  
14 program or any other organization affiliated with  
15 NATO to Serbia-Montenegro.

16 (5) The Secretary of State should instruct the  
17 United States Representatives to the Southeast Eu-  
18 ropean Cooperative Initiative (SECI) to oppose and  
19 to work to prevent the extension of SECI member-  
20 ship to Serbia-Montenegro.

21 (c) CERTIFICATION.—A certification described in this  
22 subsection is a certification that—

23 (1) the representatives of the successor states  
24 to the Socialist Federal Republic of Yugoslavia have  
25 successfully negotiated the division of assets and li-

1 abilities and all other succession issues following the  
2 dissolution of the Socialist Federal Republic of  
3 Yugoslavia;

4 (2) the government of Serbia-Montenegro is  
5 fully complying with its obligations as a signatory to  
6 the General Framework Agreement for Peace in  
7 Bosnia and Herzegovina;

8 (3) the government of Serbia-Montenegro is  
9 fully cooperating with and providing unrestricted ac-  
10 cess to the International Criminal Tribunal for the  
11 former Yugoslavia, including surrendering persons  
12 indicted for war crimes who are within the jurisdic-  
13 tion of the territory of Serbia-Montenegro, and with  
14 the investigations concerning the commission of war  
15 crimes and crimes against humanity in Kosova;

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

18 (5) Serbian, Serbian-Montenegrin federal gov-  
19 ernmental officials, and representatives of the ethnic  
20 Albanian community in Kosova have agreed on,  
21 signed, and begun implementation of a negotiated  
22 settlement on the future status of Kosova.

23 (d) STATEMENT OF POLICY.—It is the sense of the  
24 Congress that the United States should not restore full  
25 diplomatic relations with Serbia-Montenegro until the

1 President submits to the Committees on Appropriations  
2 and Foreign Relations in the Senate and the Committees  
3 on Appropriations and International Relations in the  
4 House of Representatives the certification described in  
5 subsection (c).

6 (e) EXEMPTION OF MONTENEGRO.—The sanctions  
7 described in subsection (b)(1) should not apply to the gov-  
8 ernment of Montenegro.

9 (f) DEFINITION.—The term “international financial  
10 institution” includes the International Monetary Fund,  
11 the International Bank for Reconstruction and Develop-  
12 ment, the International Development Association, the  
13 International Finance Corporation, the Multilateral In-  
14 vestment Guaranty Agency, and the European Bank for  
15 Reconstruction and Development.

16 (g) WAIVER AUTHORITY.—

17 (1) The President may waive the application in  
18 whole or in part, of any sanction described in sub-  
19 section (b) if the President certifies to the Congress  
20 that the President has determined that the waiver is  
21 necessary to meet emergency humanitarian needs or  
22 to achieve a negotiated settlement of the conflict in  
23 Kosova that is acceptable to the parties.

24 (2) Such a waiver may only be effective upon  
25 certification by the President to Congress that the

1 United States has transferred and will continue to  
2 transfer (subject to adequate protection of intel-  
3 ligence sources and methods) to the International  
4 Criminal Tribunal for the former Yugoslavia all in-  
5 formation it has collected in support of an indict-  
6 ment and trial of President Slobodan Milosevic for  
7 war crimes, crimes against humanity, or genocide.

8 (3) In the event of a waiver, within seven days  
9 the President must report the basis upon which the  
10 waiver was made to the Select Committee on Intel-  
11 ligence and the Committee on Foreign Relations in  
12 the Senate, and the Permanent Select Committee on  
13 Intelligence and the Committee on International Re-  
14 lations in the House of Representatives.

15 FUNDING FOR THE COMPREHENSIVE NUCLEAR TEST BAN

16 TREATY PREPARATORY COMMISSION

17 SEC. 595. Of the funds appropriated by this Act, or  
18 prior Acts making appropriations for foreign operations,  
19 export financing, and related programs, not less than  
20 \$28,900,000 shall be made available for expenses related  
21 to the Comprehensive Nuclear Test Ban Treaty Pre-  
22 paratory Commission: *Provided*, That such funds may be  
23 made available through the regular notification procedures  
24 of the Committee on Appropriations.

1 REPORT ON IRAQI DEVELOPMENT OF WEAPONS OF MASS  
2 DESTRUCTION

3 SEC. 596. (a) FINDINGS.—Congress finds that—

4 (1) Iraq is continuing efforts to mask the ex-  
5 tent of its weapons of mass destruction and missile  
6 programs;

7 (2) proposals to relax the current international  
8 inspection regime would have potentially dangerous  
9 consequences for international security; and

10 (3) Iraq has demonstrated time and again that  
11 it cannot be trusted to abide by international norms  
12 or by its own agreements, and that the only way the  
13 international community can be assured of Iraqi  
14 compliance is by ongoing inspection.

15 (b) SENSE OF CONGRESS.—It is the sense of Con-  
16 gress that—

17 (1) the international agencies charged with in-  
18 spections in Iraq—the International Atomic Energy  
19 Agency (IAEA) and the United Nations Special  
20 Commission (UNSCOM) should maintain vigorous  
21 inspections, including surprise inspections, within  
22 Iraq; and

23 (2) the United States should oppose any efforts  
24 to ease the inspections regimes on Iraq until there  
25 is clear, credible evidence that the Government of

1 Iraq is no longer seeking to acquire weapons of mass  
2 destruction and the means of delivering them.

3 (c) REPORT.—Not later than 30 days after the date  
4 of enactment of this Act, the President shall submit a re-  
5 port to Congress on the United States Government’s as-  
6 sessment of Iraq’s nuclear and other weapons of mass de-  
7 struction programs and its efforts to move toward pro-  
8 curement of nuclear weapons and the means to deliver  
9 weapons of mass destruction. The report shall also—

10 (1) assess the United States view of the Inter-  
11 national Atomic Energy Agency’s action team re-  
12 ports and other IAEA efforts to monitor the extent  
13 and nature of Iraq’s nuclear program; and

14 (2) include the United States Government’s  
15 opinion on the value of maintaining the ongoing in-  
16 spection regime rather than replacing it with a pas-  
17 sive monitoring system.

18 SENSE OF SENATE REGARDING IRAN

19 SEC. 597. (a) The Senate finds that—

20 (1) according to the Department of State, Iran  
21 continues to support international terrorism, provid-  
22 ing training, financing, and weapons to such terror-  
23 ist groups as Hizballah, Islamic Jihad and Hamas;

24 (2) Iran continues to oppose the Arab-Israeli  
25 peace process and refuses to recognize Israel’s right  
26 to exist;



1           (3) Iran continues aggressively to seek weapons  
2 of mass destruction and the missiles to deliver them;

3           (4) it is long-standing United States policy to  
4 offer official government-to-government dialogue  
5 with the Iranian regime, such offers having been re-  
6 peatedly rebuffed by Tehran;

7           (5) more than a year after the election of Presi-  
8 dent Khatemi, Iranian foreign policy continues to  
9 threaten American security and that of our allies in  
10 the Middle East; and

11           (6) despite repeated offers and tentative steps  
12 toward rapprochement with Iran by the Clinton Ad-  
13 ministration, including a decision to waive sanctions  
14 under the Iran-Libya Sanctions Act and the Presi-  
15 dent's veto of the Iran Missile Proliferation Sanc-  
16 tions Act, Iran has failed to reciprocate in a mean-  
17 ingful manner.

18           (b) Therefore it is the sense of the Senate that—

19           (1) the Administration should make no conces-  
20 sions to the government of Iran unless and until  
21 that government moderates its objectionable policies,  
22 including taking steps to end its support of inter-  
23 national terrorism, opposition to the Middle East  
24 peace process, and the development and proliferation

1 of weapons of mass destruction and their means of  
2 delivery; and

3 (2) there should be no change in United States  
4 policy toward Iran until there is credible and sus-  
5 tained evidence of a change in Iranian policies.

6 JOINT UNITED STATES-CANADA COMMISSION ON CATTLE,  
7 BEEF, AND DAIRY PRODUCTS

8 SEC. 598. (a) ESTABLISHMENT.—There is estab-  
9 lished a Joint United States-Canada Commission on Cat-  
10 tle, Beef, and Dairy Products to identify, and recommend  
11 means of resolving, national, regional, and provincial  
12 trade-distorting differences between the United States and  
13 Canada with respect to the production, processing, and  
14 sale of cattle, beef, and dairy products, with particular em-  
15 phasis on—

16 (1) animal health requirements;

17 (2) transportation differences;

18 (3) the availability of feed grains;

19 (4) other market-distorting direct and indirect  
20 subsidies;

21 (5) the expansion of the Northwest Pilot  
22 Project;

23 (6) tariff rate quotas; and

24 (7) other factors that distort trade between the  
25 United States and Canada.

26 (b) COMPOSITION.—

1           (1) IN GENERAL.—The Commission shall be  
2 composed of—

3           (A) 3 members representing the United  
4 States, including—

5           (i) 1 member appointed by the Major-  
6 ity Leader of the Senate;

7           (ii) 1 member appointed by the  
8 Speaker of the House of Representatives;  
9 and

10          (iii) 1 member appointed by the Sec-  
11 retary of Agriculture;

12          (B) 3 members representing Canada, ap-  
13 pointed by the Government of Canada; and

14          (C) nonvoting members appointed by the  
15 Commission to serve as advisers to the Commis-  
16 sion, including university faculty, State veteri-  
17 narians, trade experts, producers, and other  
18 members.

19           (2) APPOINTMENT.—Members of the Commis-  
20 sion shall be appointed not later than 30 days after  
21 the date of enactment of this Act.

22           (c) REPORT.—Not later than 180 days after the first  
23 meeting of the Commission, the Commission shall submit  
24 a report to Congress and the Government of Canada that  
25 identifies, and recommends means of resolving, differences

1 between the United States and Canada with respect to tar-  
2 iff rate quotas and the production, processing, and sale  
3 of cattle, beef, and dairy products.

4 SENSE OF THE SENATE CONCERNING THE OPERATION OF  
5 AGRICULTURAL COMMODITY FOREIGN ASSISTANCE  
6 PROGRAMS

7 SEC. 599. (a) It is the sense of the Senate that:

8 (1) The United States Department of Agri-  
9 culture should use the GSM-102 credit guarantee  
10 program to provide 100 percent coverage, including  
11 shipping costs, in some markets where it may be  
12 temporarily necessary to encourage the export of  
13 United States agricultural products.

14 (2) The United States Department of Agri-  
15 culture should increase the amount of GSM export  
16 credit available above the \$5,500,000,000 minimum  
17 required by the 1996 Farm Bill (as it did in the  
18 1991/1992 period). In addition to other nations,  
19 extra allocations should be made in the following  
20 amounts to—

21 (A) Pakistan—an additional  
22 \$150,000,000;

23 (B) Algeria—an additional \$140,000,000;

24 (C) Bulgaria—an additional \$20,000,000;

25 and

26 (D) Romania—an additional \$20,000,000.

1           (3) The United States Department of Agri-  
 2           culture should use the PL-480 food assistance pro-  
 3           grams to the fullest extent possible, including the al-  
 4           location of assistance to Indonesia and other Asian  
 5           nations facing economic hardship.

6           (4) Given the President's reaffirmation of a  
 7           Jackson-Vanik waiver for Vietnam, the United  
 8           States Department of Agriculture should consider  
 9           Vietnam for PL-480 assistance and increased GSM.

10       FUNDING FOR THE CLAIBORNE PELL INSTITUTE FOR  
 11       INTERNATIONAL RELATIONS AND PUBLIC POLICY

12       SEC. 599A. That of the funds made available by prior  
 13       Foreign Operations Appropriations Acts, not to exceed  
 14       \$750,000 shall be made available for the Claiborne Pell  
 15       Institute for International Relations and Public Policy at  
 16       Salve Regina University.

17                               AID OFFICE OF SECURITY

18       SEC. 599B. (a) ESTABLISHMENT OF OFFICE.—There  
 19       shall be established within the Office of the Administrator  
 20       of the Agency for International Development, an Office  
 21       of Security. Such Office of Security shall, notwithstanding  
 22       any other provision of law, have the responsibility for the  
 23       supervision, direction, and control of all security activities  
 24       relating to the programs and operations of that Agency.

25       (b) TRANSFER AND ALLOCATION OF APPROPRIA-  
 26       TIONS AND PERSONNEL.—There are transferred to the

1 Office of Security all security functions exercised by the  
2 Office of Inspector General of the Agency for Inter-  
3 national Development exercised before the date of enact-  
4 ment of this Act. The Administrator shall transfer from  
5 the Office of the Inspector General of such Agency to the  
6 Office of Security established by subsection (a), the per-  
7 sonnel (including the Senior Executive Service position  
8 designated for the Assistant Inspector General for Secu-  
9 rity), assets, liabilities, grants, contracts, property,  
10 records, and unexpended balances of appropriations, and  
11 other funds held, used, available to, or to be made avail-  
12 able in connection with such functions. Unexpended bal-  
13 ances of appropriations, and other funds made available  
14 or to be made available in connection with such functions,  
15 shall be transferred to and merged with funds appro-  
16 priated by this Act under the heading “Operating Ex-  
17 penses of the Agency for International Development”.

18 (c) TRANSFER OF EMPLOYEES.—Any employee in  
19 the career service who is transferred pursuant to this sec-  
20 tion shall be placed in a position in the Office of Security  
21 established by subsection (a) which is comparable to the  
22 position the employee held in the Office of the Inspector  
23 General of the Agency for International Development.

1       SENSE OF CONGRESS REGARDING BALLISTIC MISSILE  
2                               DEVELOPMENT BY NORTH KOREA

3       SEC. 599C. (a) Congress makes the following find-  
4       ings:

5               (1) North Korea has been active in developing  
6       new generations of medium-range and intermediate-  
7       range ballistic missiles, including both the Nodong  
8       and Taepo Dong class missiles.

9               (2) North Korea is not an adherent to the Mis-  
10       sile Technology Control Regime, actively cooperates  
11       with Iran and Pakistan in ballistic missile programs,  
12       and has declared its intention to continue to export  
13       ballistic missile technology.

14              (3) North Korea has shared technology involved  
15       in the Taepo Dong I missile program with Iran,  
16       which is concurrently developing the Shahab-3 inter-  
17       mediate-range ballistic missile.

18              (4) North Korea is developing the Taepo Dong  
19       II intermediate-range ballistic missile, which is ex-  
20       pected to have sufficient range to put at risk United  
21       States territories, forces, and allies throughout the  
22       Asia-Pacific area.

23              (5) Multistage missiles like the Taepo Dong  
24       class missile can ultimately be extended to inter-  
25       continental range.

1           (6) The bipartisan Commission to Assess the  
2 Ballistic Missile Threat to the United States empha-  
3 sized the need for the United States intelligence  
4 community and United States policy makers to re-  
5 view the methodology by which they assess foreign  
6 missile programs in order to guard against surprise  
7 developments with respect to such programs.

8           (b) It is the sense of Congress that—

9           (1) North Korea should be forcefully con-  
10 demned for its August 31, 1998, firing of a Taepo  
11 Dong I intermediate-range ballistic missile over the  
12 sovereign territory of another country, specifically  
13 Japan, an event that demonstrated an advanced ca-  
14 pability for employing multistage missiles, which are  
15 by nature capable of extended range, including inter-  
16 continental range;

17           (2) the United States should reassess its coop-  
18 erative space launch programs with countries that  
19 continue to assist North Korea and Iran in their bal-  
20 listic missile and cruise missile programs;

21           (3) any financial or technical assistance pro-  
22 vided to North Korea should take into account the  
23 continuing conduct by that county of activities which  
24 destabilize the region, including the missile firing re-  
25 ferred to in paragraph (1), continued submarine in-



1       ursions into South Korea territorial waters, and  
2       violations of the demilitarized zone separating North  
3       Korea and South Korea;

4               (4) the recommendations of the Commission to  
5       Assess the Ballistic Missile Threat to the United  
6       States should be incorporated into the analytical  
7       processes of the United States intelligence commu-  
8       nity as soon as possible; and

9               (5) the United States should accelerate coopera-  
10       tive theater missile defense programs with Japan.

11 SENSE OF SENATE REGARDING THE DEVELOPMENT BY  
12 THE INTERNATIONAL TELECOMMUNICATION UNION  
13 OF WORLD STANDARDS FOR WIRELESS TELE-  
14 COMMUNICATIONS SERVICES

15 SEC. 599D. (a) The Senate makes the following find-  
16 ings:

17               (1) The International Telecommunication  
18       Union, an agency of the United Nations, is currently  
19       developing recommendations for world standards for  
20       the next generation of wireless telecommunications  
21       services based on the concept of a “family” of stand-  
22       ards.

23               (2) On June 30, 1998, the Department of State  
24       submitted four proposed standards to the ITU for  
25       consideration in the development of those rec-  
26       ommendations.

1           (3) Adoption of an open and inclusive set of  
2           multiple standards, including all four submitted by  
3           the Department of State, would enable existing sys-  
4           tems to operate with the next generation of wireless  
5           standards.

6           (4) It is critical to the interest of the United  
7           States that existing systems be given this ability.

8           (b) It is the sense of the Senate that the Federal  
9           Communications Commission and appropriate executive  
10          branch agencies take all appropriate actions to promote  
11          development, by the ITU, of recommendations for digital  
12          wireless telecommunications services based on a family of  
13          open and inclusive multiple standards, including all four  
14          standards submitted by the Department of State, so as  
15          to allow operation of existing systems with the next gen-  
16          eration of wireless standards.

17          Titles I through V of this Act may be cited as the  
18          “Foreign Operations, Export Financing, and Related Pro-  
19          grams Appropriations Act, 1999”.

1           TITLE VI—MULTILATERAL ECONOMIC  
2                           ASSISTANCE  
3                   FUNDS APPROPRIATED TO THE PRESIDENT  
4                           FISCAL YEAR 1998 SUPPLEMENTAL  
5           CONTRIBUTION TO THE INTERNATIONAL BANK FOR  
6                           RECONSTRUCTION AND DEVELOPMENT  
7                           GLOBAL ENVIRONMENT FACILITY

8           For payment to the International Bank for Recon-  
9           struction and Development by the Secretary of the Treas-  
10          ury, for the United States contribution to the Global Envi-  
11          ronment Facility (GEF), \$47,500,000 to remain available  
12          until expended for contributions previously due.

13          CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT  
14                           BANK  
15                           FUND FOR SPECIAL OPERATIONS

16          For payment to the Inter-American Bank by the Sec-  
17          retary of the Treasury, for the United States share of the  
18          increase in resources for the Fund for Special Operations,  
19          \$21,152,000, to remain available until expended for con-  
20          tributions previously due.

21          CONTRIBUTION TO THE ENTERPRISE FOR AMERICAS  
22                           MULTILATERAL INVESTMENT FUND

23          For payment to the Enterprise for the Americas Mul-  
24          tilateral Investment Fund by the Secretary of the Treas-  
25          ury, for the United States contribution to the Fund,

1 \$50,000,000 to remain available until expended for con-  
2 tributions previously due.

3 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

4 For the United States contribution by the Secretary  
5 of the Treasury to the increases in resources of the Asian  
6 Development Fund, as authorized by the Asian Develop-  
7 ment Bank Act, as amended, \$187,000,000, to remain  
8 available until expended, for contributions previously due.

9 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

10 For the United States contribution by the Secretary  
11 of the Treasury to the increase in resources of the African  
12 Development Fund, \$5,000,000 to remain available until  
13 expended, for contributions previously due.

14 LOANS TO INTERNATIONAL MONETARY FUND

15 NEW ARRANGEMENTS TO BORROW

16 For loans to the International Monetary Fund  
17 (Fund) under the New Arrangements to Borrow, the dol-  
18 lar equivalent of 2,462,000,000 Special Drawing Rights,  
19 to remain available until expended; in addition, up to the  
20 dollar equivalent of 4,250,000,000 Special Drawing  
21 Rights previously appropriated by the Act of November  
22 30, 1983 (Public Law 98–181), and the Act of October  
23 23, 1962 (Public Law 87–872), for the General Arrange-  
24 ments to Borrow, may also be used for the New Arrange-  
25 ments to Borrow.

## 1 UNITED STATES QUOTA

2 For an increase in the United States quota in the  
3 International Monetary Fund, the dollar equivalent of  
4 10,622,500,000 Special Drawing Rights, to remain avail-  
5 able until expended.

## 6 CONDITIONS AND REPORTS

7 SEC. 601. CONDITIONS FOR THE USE OF QUOTA RE-  
8 SOURCES. (a) None of the funds appropriated in this Act  
9 under the heading “United States Quota, International  
10 Monetary Fund” may be obligated, transferred or made  
11 available to the International Monetary Fund until 30  
12 days after the Secretary of the Treasury certifies that the  
13 major shareholders of the International Monetary Fund,  
14 including the United States, Japan, the Federal Republic  
15 of Germany, France, Italy, the United Kingdom, and Can-  
16 ada have publicly agreed to, and will seek to implement  
17 in the Fund, policies that provide for conditions in stand-  
18 by agreements or other arrangements regarding the use  
19 of Fund resources, requiring that the recipient country—

20 (1) liberalize restrictions on trade in goods and  
21 services and on investment, at a minimum consistent  
22 with the terms of all international trade obligations  
23 and agreements; and

24 (2) eliminate the practice or policy of govern-  
25 ment directed lending on non-commercial terms or

1 provision of market distorting subsidies to favored  
2 industries, enterprises, parties, or institutions.

3 (b) Subsequent to the certification provided in sub-  
4 section (a), in conjunction with the annual submission of  
5 the President's budget, the Secretary of the Treasury shall  
6 report to the appropriate committees on the implementa-  
7 tion and enforcement of the provisions in subsection (a).

8 (c) The United States shall exert its influence with  
9 the Fund and its members to encourage the Fund to in-  
10 clude as part of its conditions of stand-by agreements or  
11 other uses of the Fund's resources that the recipient coun-  
12 try take action to remove discriminatory treatment be-  
13 tween foreign and domestic creditors in its debt resolution  
14 proceedings. The Secretary of the Treasury shall report  
15 back to the Congress six months after the enactment of  
16 this Act, and annually thereafter, on the progress in  
17 achieving this requirement.

18 (d) BANKRUPTCY LAW REFORM.—The United States  
19 shall exert its influence with the International Monetary  
20 Fund and its members to encourage the International  
21 Monetary Fund to include as part of its conditions of as-  
22 sistance that the recipient country take action to adopt,  
23 as soon as possible, modern insolvency laws that—

24 (1) emphasize reorganization of business enter-  
25 prises rather than liquidation whenever possible;

1           (2) provide for a high degree of flexibility of ac-  
2           tion, in place of rigid requirements of form or sub-  
3           stance, together with appropriate review and ap-  
4           proval by a court and a majority of the creditors in-  
5           volved;

6           (3) include provisions to ensure that assets  
7           gathered in insolvency proceedings are accounted for  
8           and put back into the market stream as quickly as  
9           possible in order to maximize the number of busi-  
10          nesses that can be kept productive and increase the  
11          number of jobs that can be saved; and

12          (4) promote international cooperation in insol-  
13          vency matters by including—

14                (A) provisions set forth in the Model Law  
15                on Cross-Border Insolvency approved by the  
16                United Nations Commission on International  
17                Trade Law, including removal of discriminatory  
18                treatment between foreign and domestic credi-  
19                tors in debt resolution proceedings; and

20                (B) other provisions appropriate for pro-  
21                moting such cooperation.

22 The Secretary of the Treasury shall report back to Con-  
23 gress six months after the enactment of this Act, and an-  
24 nually, thereafter, on the progress in achieving this re-  
25 quirement.

1 (e) Nothing in this section shall be construed to cre-  
2 ate any private right of action with respect to the enforce-  
3 ment of its terms.

4 SEC. 602. TRANSPARENCY AND OVERSIGHT. (a) Not  
5 later than 30 days after enactment of this Act, the Sec-  
6 retary of the Treasury shall certify to the appropriate  
7 committees that the Board of Executive Directors of the  
8 International Monetary Fund has agreed to provide timely  
9 access by the Comptroller General to information and doc-  
10 uments relating to the Fund's operations, program and  
11 policy reviews and decisions regarding stand-by agree-  
12 ments and other uses of the Fund's resources.

13 (b) The Secretary of the Treasury shall direct, and  
14 the U.S. Executive Director to the International Monetary  
15 Fund shall agree to—

16 (1) provide any documents or information avail-  
17 able to the Director that are requested by the Comp-  
18 troller General;

19 (2) request from the Fund any documents or  
20 material requested by the Comptroller General; and

21 (3) use all necessary means to ensure all pos-  
22 sible access by the Comptroller General to the staff  
23 and operations of the Fund for the purposes of con-  
24 ducting financial and program audits.



1 (c) The Secretary of the Treasury, in consultation  
2 with the Comptroller General and the U.S. Executive Di-  
3 rector of the Fund, shall develop and implement a plan  
4 to obtain timely public access to information and docu-  
5 ments relating to the Fund's operations, programs and  
6 policy reviews and decisions regarding stand-by agree-  
7 ments and other uses of the Fund's resources.

8 (d) No later than October 1, 1998 and, not later than  
9 March 1 of each year thereafter, the Secretary of the  
10 Treasury shall submit a report to the appropriate commit-  
11 tees on the status of timely publication of Letters of Intent  
12 and Article IV consultation documents and the availability  
13 of information referred to in (c).

14 SEC. 603. ADVISORY COMMISSION. (a) The President  
15 shall establish an International Financial Institution Advi-  
16 sory Commission (hereafter "Commission").

17 (b) The Commission shall include at least five former  
18 United States Secretaries of the Treasury.

19 (c) Within 180 days, the Commission shall report to  
20 the appropriate committees on the future role and respon-  
21 sibilities, if any, of the International Monetary Fund and  
22 the merit, costs and related implications of consolidation  
23 of the organization, management, and activities of the  
24 International Monetary Fund, the International Bank for

1 Reconstruction and Development and the World Trade  
2 Organization.

3       SEC. 604. BRETTON WOODS CONFERENCE. Not later  
4 than 180 days after the Commission reports to the appro-  
5 priate committees, the President shall call for a conference  
6 of representatives of the governments of the member coun-  
7 tries of the International Monetary Fund, the Inter-  
8 national Bank for Reconstruction and Development and  
9 the World Trade Organization to consider the structure,  
10 management and activities of the institutions, their pos-  
11 sible merger and their capacity to contribute to exchange  
12 rate stability and economic growth and to respond effec-  
13 tively to financial crises.

14       SEC. 605. REPORTS. (a) Following the extension of  
15 a stand-by agreement or other uses of the resources by  
16 the International Monetary Fund, the Secretary of the  
17 Treasury, in consultation with the U.S. Executive Director  
18 of the Fund, shall submit a report to the appropriate com-  
19 mittees providing the following information—

20             (1) the borrower's rules and regulations dealing  
21             with capitalization ratios, reserves, deposit insurance  
22             system and initiatives to improve transparency of in-  
23             formation on the financial institutions and banks  
24             which may benefit from the use of the Fund's re-  
25             sources;

1           (2) the burden shared by private sector inves-  
2           tors and creditors, including commercial banks in  
3           the Group of Seven Nations, in the losses which  
4           have prompted the use of the Fund's resources;

5           (3) the Fund's strategy, plan and timetable for  
6           completing the borrower's pay back of the Fund's  
7           resources including a date by which the borrower  
8           will be free from all international institutional debt  
9           obligation; and

10          (4) the status of efforts to upgrade the borrow-  
11          er's national standards to meet the Basle Commit-  
12          tee's Core Principles for Effective Banking Super-  
13          vision.

14          (b) Following the extension of a stand-by agreement  
15          or other use of the Fund's resources, the Secretary of the  
16          Treasury shall report to the appropriate committees in  
17          conjunction with the annual submission of the President's  
18          budget, an account—

19               (1) of outcomes related to the requirements of  
20               section 5010; and

21               (2) of the direct and indirect institutional re-  
22               cipients of such resources: *Provided*, That this ac-  
23               count shall include the institutions or banks indi-  
24               rectly supported by the Fund through resources  
25               made available by the borrower's Central Bank.

1           (c) Not later than 30 days after the enactment of  
2 this Act, the Secretary shall submit a report to the appro-  
3 priate committees of Congress providing the information  
4 requested in paragraphs (a) and (b) for the countries of  
5 South Korea, Indonesia, Thailand and the Philippines.

6           SEC. 606. CERTIFICATIONS. (a) The Secretary of the  
7 Treasury shall certify to the appropriate committees that  
8 the following conditions have been met—

9                   (1) No International Monetary Fund resources  
10           have resulted in support to the semiconductor, steel,  
11           automobile, shipbuilding, or textile and apparel in-  
12           dustries in any form;

13                   (2) The Fund has not guaranteed nor under-  
14           written the private loans of semiconductor, steel,  
15           automobile, shipbuilding, or textile and apparel man-  
16           ufacturers; and

17                   (3) Officials from the Fund and the Depart-  
18           ment of the Treasury have monitored the implemen-  
19           tation of the provisions contained in stabilization  
20           programs in effect after July 1, 1997, and all of the  
21           conditions have either been met, or the recipient gov-  
22           ernment has committed itself to fulfill all of these  
23           conditions according to an explicit timetable for  
24           completion; which timetable has been provided to

1 and approved by the Fund and the Department of  
2 the Treasury.

3 (b) Such certifications shall be made 14 days prior  
4 to the disbursement of any Fund resources to the bor-  
5 rower.

6 (c) The Secretary of the Treasury shall instruct the  
7 United States Executive Director of the International  
8 Monetary Fund to use the voice and vote of the Executive  
9 Director to oppose disbursement of further funds if such  
10 certification is not given.

11 (d) Such certifications shall continue to be made on  
12 an annual basis as long as Fund contributions continue  
13 to be outstanding to the borrower country.

14 (e) After consultation with the Secretary of the  
15 Treasury and the United States Trade Representative, the  
16 Secretary of Commerce shall establish a team composed  
17 of employees of the Department of Commerce—

18 (1) to collect data on import volumes and  
19 prices, and industry statistics in—

20 (A) the steel industry;

21 (B) the semiconductor industry;

22 (C) the automobile industry;

23 (D) the textile and apparel industry; and

24 (E) shipbuilding;

1           (2) to monitor the effect of the Asian economic  
2 crisis on these industries;

3           (3) to collect accounting data from Asian pro-  
4 ducers; and

5           (4) to work to prevent import surges in these  
6 industries or to assist United States industries af-  
7 fected by such surges in their efforts to protect  
8 themselves under the trade laws of the United  
9 States.

10          (f) The Secretary of Commerce shall provide adminis-  
11 trative support, including office space, for the team.

12          (g) The Secretary of the Treasury and the United  
13 States Trade Representative may assign such employees  
14 to the team as may be necessary to assist the team in  
15 carrying out its functions under subsection (e).

16          SEC. 607. LIMITATIONS ON INTERNATIONAL MONE-  
17 TARY FUND LOANS TO INDONESIA. The Secretary of the  
18 Treasury shall instruct the United States Executive Direc-  
19 tor of the International Monetary Fund to use the voice  
20 and vote of the United States to prevent the extension of  
21 International Monetary Fund resources—

22           (1) directly to or for the direct benefit of the  
23 President of Indonesia or any member of the Presi-  
24 dent's family; and

1           (2) the Secretary of the Treasury shall instruct  
2           the Executive Director to use the United States  
3           voice and vote to oppose further disbursement of  
4           funds to Indonesia on any International Monetary  
5           Fund terms or conditions less stringent than those  
6           imposed on the Republic of Korea and the Phil-  
7           ippines Republic.

8           SEC. 608. ADVOCACY OF POLICIES TO ENHANCE THE  
9           GENERAL EFFECTIVENESS OF THE INTERNATIONAL  
10          MONETARY FUND. The Secretary of the Treasury shall  
11          instruct the United States Executive Director of the Inter-  
12          national Monetary Fund to use aggressively the voice and  
13          vote of the United States to vigorously promote policies  
14          to encourage the opening of markets for agricultural com-  
15          modities and products by requiring recipient countries to  
16          make efforts to reduce trade barriers.

17          SEC. 609. ADVISORY COMMITTEE ON IMF POLICY.

18          (a) IN GENERAL.—The Secretary of the Treasury shall es-  
19          tablish an International Monetary Fund Advisory Com-  
20          mittee (in this section referred to as “Advisory Commit-  
21          tee”).

22          (b) MEMBERSHIP.—The Advisory Committee shall  
23          consist of 8 members appointed by the Secretary of the  
24          Treasury, after appropriate consultations with the rel-  
25          evant organizations, as follows—

1           (1) at least 2 members shall be representatives  
2 from organized labor;

3           (2) at least 2 members shall be representatives  
4 from nongovernmental environmental organizations;

5           (3) at least 2 members shall be representatives  
6 from nongovernmental human rights or social justice  
7 organizations.

8           (c) DUTIES.—Not less frequently than every six  
9 months, the Advisory Committee shall meet with the Sec-  
10 retary of the Treasury to review and provide advice on  
11 the extent to which individual International Monetary  
12 Fund country programs meet requisite policy goals, par-  
13 ticularly those set forth as follows—

14           (1) in this Act;

15           (2) in Article I(2) of the Fund's Articles of  
16 Agreements, to promote and maintain high levels of  
17 employment and real income and the development of  
18 the productive resources of all members;

19           (3) in section 1621 of Public Law 103–306, the  
20 Frank/Sanders amendment on encouragement of fair  
21 labor practices;

22           (4) in section 1620 of Public Law 95–118, as  
23 amended, on respect for, and full protection of, the  
24 territorial rights, traditional economies, cultural in-



1       tegrity, traditional knowledge, and human rights of  
2       indigenous peoples;

3           (5) in section 1502 of Public Law 95–118, as  
4       amended, on military spending by recipient countries  
5       and military involvement in the economies of recipi-  
6       ent countries;

7           (6) in section 701 of Public Law 95–118, on  
8       assistance to countries that engage in a pattern of  
9       gross violations of internationally recognized human  
10      rights; and

11          (7) in section 1307 of Public Law 95–118, on  
12      assessments of the environmental impact and alter-  
13      natives to proposed actions by the International  
14      Monetary Fund which would have a significant ef-  
15      fect on the human environment.

16      (d) INAPPLICABILITY OF TERMINATION PROVISIONS  
17      OF THE FEDERAL ADVISORY COMMITTEE ACT.—Section  
18      14(a)(2) of the Federal Advisory Committee Act shall not  
19      apply to the Advisory Committee.

20      SEC. 610. BORROWER COUNTRIES. The Secretary of  
21      the Treasury shall consult with the office of the United  
22      States Trade Representative regarding prospective Inter-  
23      national Monetary Fund borrower countries, including  
24      their status with respect to title III of the Trade Act of  
25      1974 or any executive order issued pursuant to the afore-

1 mentioned title, and shall take these consultations into ac-  
2 count before instructing the United States Executive Di-  
3 rector of the International Monetary Fund on the United  
4 States position regarding loans or credits to such borrow-  
5 ing countries.

6       SEC. 611. DEFINITIONS. For the purposes of this  
7 title, “appropriate committees” includes the Appropria-  
8 tions Committee, the Committee on Foreign Relations,  
9 Committee on Finance and the Committee on Banking,  
10 Housing and Urban Affairs of the Senate and the Com-  
11 mittee on Appropriations and the Committee on Banking  
12 and Financial Services in the House of Representatives.

13       SEC. 612. AVAILABILITY OF FUNDS. Funds made  
14 available in Title VI shall be available upon date of enact-  
15 ment of this Act.

16       SEC. 613. PROGRESS REPORTS TO CONGRESS ON  
17 UNITED STATES INITIATIVES TO UPDATE THE ARCHI-  
18 TECTURE OF THE INTERNATIONAL MONETARY SYSTEM.  
19 Not later than July 15, 1999 and July 15, 2000, the Sec-  
20 retary of the Treasury shall report to the Chairmen and  
21 Ranking Members of the Senate Committees on Appro-  
22 priations, Foreign Relations, and Banking, Housing, and  
23 Urban Affairs and House Committees on Appropriations  
24 and Banking and Financial Services on the progress of  
25 efforts to reform the architecture of the international mon-

1 etary system. The reports shall include a discussion of the  
2 substance of the United States position in consultations  
3 with other governments and the degree of progress in  
4 achieving international acceptance and implementation of  
5 such position with respect to the following issues:

6           (1) Adapting the mission and capabilities of the  
7           International Monetary Fund to take better account  
8           of the increased importance of cross-border capital  
9           flows in the world economy and improving the co-  
10          ordination of its responsibilities and activities with  
11          those of the International Bank for Reconstruction  
12          and Development.

13          (2) Advancing measures to prevent, and im-  
14          prove the management of, international financial cri-  
15          ses, including by—

16                 (A) integrating aspects of national bank-  
17                 ruptcy principles into the management of inter-  
18                 national financial crises where feasible; and

19                 (B) changing investor expectations about  
20                 official rescues, thereby reducing moral hazard  
21                 and systemic risk in international financial  
22                 markets—

23          in order to help minimize the adjustment costs that  
24          the resolution of financial crises may impose on the  
25          real economy, in the form of disrupted patterns of

1 trade, employment, and progress in living standards,  
2 and reduce the frequency and magnitude of claims  
3 on United States taxpayer resources.

4 (3) Improving international economic policy co-  
5 operation, including among the Group of Seven  
6 countries, to take better account of the importance  
7 of cross-border capital flows in the determination of  
8 exchange rate relationships.

9 (4) Improving international cooperation in the  
10 supervision and regulation of financial institutions  
11 and markets.

12 (5) Strengthening the financial sector in emerg-  
13 ing economies, including by improving the coordina-  
14 tion of financial sector liberalization with the estab-  
15 lishment of strong public and private institutions in  
16 the areas of prudential supervision, accounting and  
17 disclosure conventions, bankruptcy laws and admin-  
18 istrative procedures, and the collection and dissemi-  
19 nation of economic and financial statistics, including  
20 the maturity structure of foreign indebtedness.

21 (6) Advocating that implementation of Euro-  
22 pean Economic and Monetary Union and the advent  
23 of the European Currency Unit, or euro, proceed in  
24 a manner that is consistent with strong global eco-

1        nomic growth and stability in world financial mar-  
2        kets.

3        SEC. 614. SENSE OF CONGRESS REGARDING THE  
4 IMF RESPONSE TO THE ECONOMIC CRISIS IN RUSSIA. (a)  
5 Congress finds that—

6            (1) Russia is currently facing a severe economic  
7        crisis that threatens President Boris Yeltsin’s ability  
8        to maintain power;

9            (2) the Russian Communist Party may well  
10       soon be a part of the government of the Russian Re-  
11       public and may be given real influence over Russian  
12       economic policies;

13           (3) the International Monetary Fund has con-  
14       tinued to provide funding to Russia despite Russia’s  
15       refusal to implement reforms tied to the funding;

16           (4) the Russian economic crisis follows a similar  
17       crisis in Asia;

18           (5) the International Monetary Fund imposed  
19       strict requirements on the Republic of Korea and  
20       other democratic and free market nations in Asia;

21           (6) the International Monetary Fund has not  
22       imposed the same requirements on Russia; and

23           (7) Russia has not made the same commitment  
24       to free market economic principles as the Republic

1 of Korea, and other Asian nations receiving assist-  
2 ance from the International Monetary Fund.

3 (b) It is the sense of Congress that the International  
4 Monetary Fund should not provide funding to a Russian  
5 government whose economic policies are significantly af-  
6 fected by the Russian Communist Party, or under signifi-  
7 cantly less free market conditions than those imposed on  
8 the Republic of Korea and other democratic, free market  
9 nations in Southeast Asia.

10 This title may be cited as the “International Mone-  
11 tary Fund Appropriations Act of 1998”.

12 TITLE VII—ASSISTANCE FOR SUB-SAHARAN  
13 AFRICA

14 SEC. 701. AFRICA FOOD SECURITY INITIATIVE. In  
15 providing development assistance under the Africa Food  
16 Security Initiative, or any comparable program, the Ad-  
17 ministrator of the United States Agency for International  
18 Development—

19 (1) shall emphasize programs and projects that  
20 improve the food security of infants, young children,  
21 school-age children, women, and food-insecure house-  
22 holds, or that improve the agricultural productivity,  
23 incomes, and marketing of the rural poor in Africa;

24 (2) shall solicit and take into consideration the  
25 views and needs of intended beneficiaries and pro-

1       gram participants during the selection, planning, im-  
2       plementation, and evaluation phases of projects; and

3           (3) shall ensure that programs are designed  
4       and conducted in cooperation with African and  
5       United States organizations and institutions, such as  
6       private and voluntary organizations, cooperatives,  
7       land-grant and other appropriate universities, and  
8       local producer-owned cooperative marketing and  
9       buying associations, that have expertise in address-  
10      ing the needs of the poor, small-scale farmers, entre-  
11      preneurs, and rural workers, including women.

12      SEC. 702. MICROENTERPRISE ASSISTANCE. In pro-  
13      viding microenterprise assistance for sub-Saharan Africa,  
14      the Administrator of the United States Agency for Inter-  
15      national Development shall, to the extent practicable, use  
16      credit and microcredit assistance to improve the capacity  
17      and efficiency of agriculture production in sub-Saharan  
18      Africa of small-scale farmers and small rural entre-  
19      preneurs. In providing assistance, the Administrator  
20      should take into consideration the needs of women, and  
21      should use the applied research and technical assistance  
22      capabilities of United States land-grant universities.

23      SEC. 703. SUPPORT FOR PRODUCER-OWNED COOP-  
24      ERATIVE MARKETING ASSOCIATIONS. The Administrator  
25      of the United States Agency for International Develop-

1 ment is authorized to utilize relevant foreign assistance  
2 programs and initiatives for sub-Saharan Africa to sup-  
3 port private producer-owned cooperative marketing asso-  
4 ciations in sub-Saharan Africa, including rural business  
5 associations that are owned and controlled by farmer  
6 shareholders in order to strengthen the capacity of farm-  
7 ers in sub-Saharan Africa to participate in national and  
8 international private markets and to encourage the efforts  
9 of farmers in sub-Saharan Africa to increase their produc-  
10 tivity and income through improved access to farm sup-  
11 plies, seasonal credit, and technical expertise.

12       SEC. 704. AGRICULTURAL AND RURAL DEVELOP-  
13 MENT ACTIVITIES OF THE OVERSEAS PRIVATE INVEST-  
14 MENT CORPORATION. (a) IN GENERAL.—The Overseas  
15 Private Investment Corporation shall exercise its authority  
16 under law to undertake an initiative to support private ag-  
17 ricultural and rural development in sub-Saharan Africa,  
18 including issuing loans, guarantees, and insurance, to sup-  
19 port rural development in sub-Saharan Africa, particularly  
20 to support intermediary organizations that—

21               (1) directly serve the needs of small-scale farm-  
22               ers, small rural entrepreneurs, and rural producer-  
23               owned cooperative purchasing and marketing asso-  
24               ciations;



1           (2) have a clear track record of support for  
2           sound business management practices; and

3           (3) have demonstrated experience with  
4           participatory development methods.

5           (b) USE OF CERTAIN FUNDS.—The Overseas Private  
6 Investment Corporation shall utilize existing equity funds,  
7 loan, and insurance funds, to the extent feasible and in  
8 accordance with existing contractual obligations, to sup-  
9 port agriculture and rural development in sub-Saharan Af-  
10 rica.

11          SEC. 705. AGRICULTURAL RESEARCH AND EXTEN-  
12 SION ACTIVITIES. (a) DEVELOPMENT OF PLAN.—The Ad-  
13 ministrator of the United States Agency for International  
14 Development, in consultation with the Secretary of Agri-  
15 culture and appropriate Department of Agriculture agen-  
16 cies, especially the Cooperative State, Research, Edu-  
17 cation, and Extension Service (CSREES), shall develop a  
18 comprehensive plan to coordinate and build on the re-  
19 search and extension activities of United States land-grant  
20 universities, international agricultural research centers,  
21 and national agricultural research and extension centers  
22 in sub-Saharan Africa.

23          (b) ADDITIONAL REQUIREMENTS.—The plan de-  
24 scribed in subsection (a) shall be designed to ensure  
25 that—

1           (1) research and extension activities respond to  
2           the needs of small-scale farmers while developing the  
3           potential and skills of researchers, extension agents,  
4           farmers, and agribusiness persons in sub-Saharan  
5           Africa; and

6           (2) sustainable agricultural methods of farming  
7           is considered together with new technologies in in-  
8           creasing agricultural productivity in sub-Saharan Af-  
9           rica.

          Passed the Senate September 2 (legislative day, Au-  
gust 31), 1998.

Attest:

*Secretary.*

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 2334**

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**AN ACT**

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1999, and for other purposes.

- S 2334 ES—2
- S 2334 ES—3
- S 2334 ES—4
- S 2334 ES—5
- S 2334 ES—6
- S 2334 ES—7
- S 2334 ES—8
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- S 2334 ES—10
- S 2334 ES—11
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- S 2334 ES—15