

Calendar No. 482105TH CONGRESS
2^D SESSION**S. 2334****[Report No. 105-255]**

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

IN THE SENATE OF THE UNITED STATES

JULY 21, 1998

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

A BILL

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 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,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 1999, and for other pur-
6 poses, namely:

1 TITLE I—EXPORT AND INVESTMENT
2 ASSISTANCE

3 EXPORT-IMPORT BANK OF THE UNITED STATES

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

21 SUBSIDY APPROPRIATION

22 For the cost of direct loans, loan guarantees, insur-
23 ance, and tied-aid grants as authorized by section 10 of
24 the Export-Import Bank Act of 1945, as amended,
25 \$785,000,000 to remain available until September 30,
26 2002: *Provided*, That such costs, including the cost of

1 modifying such loans, shall be as defined in section 502
2 of the Congressional Budget Act of 1974: *Provided fur-*
3 *ther*, That such sums shall remain available until 2013 for
4 the disbursement of direct loans, loan guarantees, insur-
5 ance and tied-aid grants obligated in fiscal years 1999 and
6 2000: *Provided further*, That the Export-Import Bank
7 shall not disburse direct loans, loan guarantees, insurance,
8 or tied aid grants or credits for enterprises or programs
9 in the New Independent States which are majority owned
10 or managed by state entities: *Provided further*, That none
11 of the funds appropriated by this Act or any prior Act
12 appropriating funds for foreign operations, export financ-
13 ing, or related programs for tied-aid credits or grants may
14 be used for any other purpose except through the regular
15 notification procedures of the Committees on Appropria-
16 tions: *Provided further*, That funds appropriated by this
17 paragraph are made available notwithstanding section
18 2(b)(2) of the Export Import Bank Act of 1945, in con-
19 nection with the purchase or lease of any product by any
20 East European country, any Baltic State or any agency
21 or national thereof.

22 ADMINISTRATIVE EXPENSES

23 For administrative expenses to carry out the direct
24 and guaranteed loan and insurance programs (to be com-
25 puted on an accrual basis), including hire of passenger
26 motor vehicles and services as authorized by 5 U.S.C.

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

18 OVERSEAS PRIVATE INVESTMENT CORPORATION

19 NONCREDIT ACCOUNT

20 The Overseas Private Investment Corporation is au-
21 thorized to make, without regard to fiscal year limitations,
22 as provided by 31 U.S.C. 9104, such expenditures and
23 commitments within the limits of funds available to it and
24 in accordance with law as may be necessary: *Provided*,
25 That the amount available for administrative expenses to
26 carry out the credit and insurance programs (including an

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

20 PROGRAM ACCOUNT

21 For the cost of direct and guaranteed loans,
22 \$50,000,000, as authorized by section 234 of the Foreign
23 Assistance Act of 1961 to be derived by transfer from the
24 Overseas Private Investment Corporation noncredit ac-
25 count: *Provided,* That such costs, including the cost of
26 modifying such loans, shall be as defined in section 502

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

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 TRADE AND DEVELOPMENT AGENCY

18 For necessary expenses to carry out the provisions
19 of section 661 of the Foreign Assistance Act of 1961,
20 \$43,000,000, to remain available until September 30,
21 2000: *Provided*, That the Trade and Development Agency
22 may receive reimbursements from corporations and other
23 entities for the costs of grants for feasibility studies and
24 other project planning services, to be deposited as an off-
25 setting collection to this account and to be available for

1 obligation until September 30, 2000, for necessary ex-
 2 penses under this paragraph: *Provided further*, That such
 3 reimbursements shall not cover, or be allocated against,
 4 direct or indirect administrative costs of the agency.

5 TITLE II—BILATERAL ECONOMIC ASSISTANCE
 6 FUNDS APPROPRIATED TO THE PRESIDENT

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

12 AGENCY FOR INTERNATIONAL DEVELOPMENT
 13 DEVELOPMENT ASSISTANCE
 14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses to carry out the provisions
 16 of sections 103 through 106, section 301, and chapter 10
 17 of part I of the Foreign Assistance Act of 1961, title V
 18 of the International Security and Development Coopera-
 19 tion Act of 1980 (Public Law 96–533) and the provisions
 20 of section 401 of the Foreign Assistance Act of 1969,
 21 \$1,890,000,000, to remain available until September 30,
 22 2000: *Provided*, That of the amount appropriated under
 23 this heading, up to \$20,000,000 may be made available
 24 for the Inter-American Foundation and shall be appor-
 25 tioned directly to that Agency: *Provided further*, That of
 26 the amount appropriated under this heading, up to

1 \$8,000,000 may be made available for the African Devel-
2 opment Foundation and shall be apportioned directly to
3 that agency: *Provided further*, That of the amount appro-
4 priated under this heading, the amount made available for
5 activities to strengthen global surveillance and control of
6 infectious diseases, that is in addition to funds made avail-
7 able for the prevention, treatment, and control of, and re-
8 search on, HIV/AIDS, shall be at least equal to the
9 amount available in fiscal year 1998 for such purposes
10 under the heading “Child Survival and Disease Programs
11 Fund”: *Provided further*, That such funds shall be subject
12 to the regular notification procedures of the Committees
13 on Appropriations: *Provided further*, That of the funds
14 made available under this heading, not less than
15 \$50,000,000 should be made available for activities ad-
16 dressing the health and nutrition needs of pregnant
17 women and mothers: *Provided further*, That of the funds
18 appropriated under this heading, not less than
19 \$100,000,000 shall be made available for the United Na-
20 tions Children’s Fund: *Provided further*, That not less
21 than \$435,000,000 of the funds appropriated under this
22 heading shall be made available to carry out the provisions
23 of section 104(b) of the Foreign Assistance Act of 1961,
24 and shall remain available until September 30, 2000: *Pro-*
25 *vided further*, That none of the funds made available in

1 this Act nor any unobligated balances from prior appro-
2 priations may be made available to any organization or
3 program which, as determined by the President of the
4 United States, supports or participates in the manage-
5 ment of a program of coercive abortion or involuntary
6 sterilization: *Provided further*, That none of the funds
7 made available under this heading may be used to pay for
8 the performance of abortion as a method of family plan-
9 ning or to motivate or coerce any person to practice abor-
10 tions; and that in order to reduce reliance on abortion in
11 developing nations, funds shall be available only to vol-
12 untary family planning projects which offer, either directly
13 or through referral to, or information about access to, a
14 broad range of family planning methods and services: *Pro-*
15 *vided further*, That in awarding grants for natural family
16 planning under section 104 of the Foreign Assistance Act
17 of 1961 no applicant shall be discriminated against be-
18 cause of such applicant's religious or conscientious com-
19 mitment to offer only natural family planning; and, addi-
20 tionally, all such applicants shall comply with the require-
21 ments of the previous proviso: *Provided further*, That for
22 purposes of this or any other Act authorizing or appro-
23 priating funds for foreign operations, export financing,
24 and related programs, the term "motivate", as it relates
25 to family planning assistance, shall not be construed to

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

1 appropriated under this heading, not less than \$2,000,000
 2 shall be made available for agriculture programs in Laos:
 3 *Provided further*, That of the funds appropriated under
 4 this heading, not less than \$15,000,000 shall be made
 5 available for the American Schools and Hospitals Abroad
 6 Program: *Provided further*, That of the funds appropriated
 7 under this heading not less than \$500,000 shall be made
 8 available for support of the United States Telecommuni-
 9 cations Training Institute: *Provided further*, That of the
 10 funds appropriated under this heading that are made
 11 available for Haiti, \$250,000 shall be made available to
 12 support a program to assist Haitian children in orphan-
 13 ages.

14 CYPRUS

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

23 BURMA

24 Of the funds appropriated under the heading “Devel-
 25 opment Assistance”, not less than \$10,000,000 shall be
 26 made available to support democracy activities in Burma,

1 democracy and humanitarian activities along the Burma-
2 Thailand border, and for Burmese student groups and
3 other organizations located outside Burma: *Provided*, That
4 of the funds made available under this heading, not less
5 than \$500,000 shall be made available for newspapers,
6 media, and publications promoting democracy in and re-
7 lated to Burma: *Provided further*, That of the funds made
8 available under this heading, \$5,000,000 shall be made
9 available to support the provision of medical supplies and
10 services, education and humanitarian assistance to dis-
11 placed Burmese along the Burma borders: *Provided fur-*
12 *ther*, That of the funds made available for democracy ac-
13 tivities under this heading, not less than \$2,000,000 shall
14 be made available subject to written consultation and
15 guidelines provided by the leadership of the Burmese gov-
16 ernment elected in 1990: *Provided further*, That funds
17 made available for Burma-related activities under this
18 heading may be made available notwithstanding any other
19 provision of law: *Provided further*, That the provision of
20 such funds shall be made available subject to the regular
21 notification procedures of the Committees on Appropria-
22 tions.

23

CAMBODIA

24 None of the funds appropriated by this Act may be
25 made available for activities or programs for Cambodia
26 until the Secretary of State determines and reports to the

1 Committees on Appropriations that: (1) Cambodia has
2 held free and fair elections; (2) during the twelve months
3 prior to the elections, no candidate of any opposition party
4 was murdered; (3) all political candidates were permitted
5 freedom of speech, assembly and equal access to the
6 media; (4) voter registration and participation rates did
7 not exceed the eligible population in any region; (5) refu-
8 gees and overseas Cambodians were permitted to vote; (6)
9 the Central Election Commission was comprised of rep-
10 resentatives from all parties; and (7) international mon-
11 itors were accorded appropriate access to polling sites:
12 *Provided*, That the restriction on funds made available
13 under this paragraph shall not apply to humanitarian pro-
14 grams or other activities administered by nongovern-
15 mental organizations.

16 INDONESIA

17 Of the funds appropriated under the headings “Eco-
18 nomic Support Fund” and “Development Assistance”, not
19 less than \$100,000,000 shall be made available for assist-
20 ance for Indonesia: *Provided*, That not less than 50 per-
21 cent of such funds shall be made available to address na-
22 tionwide food, medical, fuel, and other shortages: *Provided*
23 *further*, That not less than 80 percent of the assistance
24 made available for Indonesia under this heading shall be
25 made available, administered or distributed through indig-
26 enous non-governmental or private voluntary organiza-

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

16 MITCH MCCONNELL CONSERVATION FUND

17 Of the funds made available under the headings
18 “Economic Support Fund” and “Development Assist-
19 ance”, not less than \$1,200,000 shall be made available
20 for research, conservation, training and related activities
21 for the Province of the Galapagos Islands, Ecuador, of
22 which not less than \$500,000 shall be made available for
23 activities conducted by the Charles Darwin Research Sta-
24 tion: *Provided*, That of the funds made available under
25 this heading, \$200,000 shall be made available to support
26 training and conservation activities conducted by the Gala-

1 pagos National Park Service: *Provided further*, That of the
2 funds made available under this heading, not less than
3 \$500,000 shall be made available as a contribution to an
4 endowment for the Charles Darwin Research Station and
5 Foundation: *Provided further*, That additional funds for
6 this endowment may be made available to match private
7 sector donations.

8 INTERNATIONAL DISASTER ASSISTANCE

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

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 other than funds included in the pre-
4 ceding proviso, not less than \$40,000,000 shall be made
5 available to establish an Enterprise Fund for Egypt, not-
6 withstanding any other provision of law: *Provided further*,
7 That the provisions of subsection (b) under the heading
8 “Assistance for Eastern Europe and the Baltic States”
9 shall be applicable to funds made available for an Enter-
10 prise Fund for Egypt: *Provided further*, That in exercising
11 the authority to provide cash transfer assistance for Israel,
12 the President shall ensure that the level of such assistance
13 does not cause an adverse impact on the total level of non-
14 military exports from the United States to such country:
15 *Provided further*, That of the funds appropriated under
16 this heading, not less than \$150,000,000 shall be made
17 available for assistance for Jordan: *Provided further*, That
18 notwithstanding any other provision of law, not to exceed
19 \$10,000,000 may be used to support victims of and pro-
20 grams related to the Holocaust.

21 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
22 STATES

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

1 2000, which shall be available, notwithstanding any other
2 provision of law, for economic assistance and for related
3 programs for Eastern Europe and the Baltic States: *Pro-*
4 *vided*, That of the funds made available under this heading
5 and the headings “International Narcotics and Law En-
6 forcement”, “Development Assistance”, and “Economic
7 Support Fund”, not to exceed \$200,000,000 shall be made
8 available for Bosnia and Herzegovina.

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

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

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

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

15 (2) the provisions of section 533 of this Act
16 shall apply.

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

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

1 may be necessary may be transferred to the Export-Im-
2 port Bank of the United States for the cost of any financ-
3 ing under the Export-Import Bank Act of 1945 for activi-
4 ties for the New Independent States.

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

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

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

1 than \$8,000,000 shall be made available for judicial re-
2 form and law enforcement training: *Provided further*, That
3 of the funds made available under this subsection, not less
4 than \$20,000,000 shall be made available to support
5 training for border and customs control.

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

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

23 (1) activities to support democracy or assist-
24 ance under title V of the FREEDOM Support Act

1 and section 1424 of the “National Defense Author-
2 ization Act for Fiscal Year 1997”;

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

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

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

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

16 (6) humanitarian assistance.

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

22 (g) Of the funds appropriated under title II of this
23 Act, including funds appropriated under this heading, not
24 less than \$10,000,000 shall be made available for assist-
25 ance for Mongolia: *Provided*, That funds made available

1 for assistance for Mongolia may be made available in ac-
2 cordance with the purposes and utilizing the authorities
3 provided in chapter 11 of part I of the Foreign Assistance
4 Act of 1961.

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

14 INDEPENDENT AGENCY

15 PEACE CORPS

16 For expenses necessary to carry out the provisions
17 of the Peace Corps Act (75 Stat. 612), \$221,000,000, in-
18 cluding the purchase of not to exceed five passenger motor
19 vehicles for administrative purposes for use outside of the
20 United States: *Provided*, That none of the funds appro-
21 priated under this heading shall be used to pay for abor-
22 tions: *Provided further*, That funds appropriated under
23 this heading shall remain available until September 30,
24 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 appropriated 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 deBremmond 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, unexploded ordnance, and
24 related activities: *Provided further*, That of the funds made
25 available for demining and related activities, not to exceed

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

1 of all spent fuel from its graphite-moderated nuclear reac-
2 tors; and (3) North Korea has not significantly diverted
3 assistance provided by the United States for purposes for
4 which it was not intended: *Provided further*, That the
5 President may waive the certification requirements of the
6 preceding proviso if the President determines that it is
7 vital to the national security interests of the United
8 States: *Provided further*, That no funds may be obligated
9 for KEDO until 30 days after submission to Congress of
10 the waiver permitted under the preceding proviso: *Pro-*
11 *vided further*, That the obligation of any funds for KEDO
12 shall be subject to the regular notification procedures of
13 the Committees on Appropriations: *Provided further*, That
14 the Secretary of State shall submit to the appropriate con-
15 gressional committees an annual report (to be submitted
16 with the annual presentation for appropriations) providing
17 a full and detailed accounting of the fiscal year request
18 for the United States contribution to KEDO, the expected
19 operating budget of the Korean Peninsula Energy Devel-
20 opment Organization, to include unpaid debt, proposed
21 annual costs associated with heavy fuel oil purchases, and
22 the amount of funds pledged by other donor nations and
23 organizations to support KEDO activities on a per country
24 basis, and other related activities.

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 \$69,000,000: *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 until the Secretary of State certifies to the Committees
 3 on Appropriations that the Director General employed
 4 prior to 1998 has not been retained in any capacity by
 5 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 Commit-
6 tee's notification procedures.

7 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
8 BANK

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

13 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

19 CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

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

24 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

1 to the callable capital portion of the United States share
2 of such capital stock in an amount not to exceed
3 \$647,858,204.

4 CONTRIBUTION TO THE EUROPEAN BANK FOR
5 RECONSTRUCTION AND DEVELOPMENT

6 For payment to the European Bank for Reconstruc-
7 tion and Development by the Secretary of the Treasury,
8 \$35,778,717, for the United States share of the paid-in
9 portion of the increase in capital stock, to remain available
10 until expended.

11 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

17 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

18 For necessary expenses to carry out the provisions
19 of section 301 of the Foreign Assistance Act of 1961, and
20 of section 2 of the United Nations Environment Program
21 Participation Act of 1973, \$170,000,000: *Provided*, That
22 none of the funds appropriated under this heading shall
23 be made available for the United Nations Fund for
24 Science and Technology: *Provided further*, That not less
25 than \$5,000,000 shall be made available to the World
26 Food Program: *Provided further*, That none of the funds

1 made available under this heading, may be provided to the
 2 Climate Stabilization Fund until fifteen days after the De-
 3 partment of State provides a report to the Committees on
 4 Foreign Relations and Appropriations detailing the num-
 5 ber of Fund employees and associated salaries and the fis-
 6 cal year 1998 and 1999 Fund activities, programs or
 7 projects and associated costs: *Provided further*, That none
 8 of the funds appropriated under this heading may be made
 9 available to the Korean Peninsula Energy Development
 10 Organization (KEDO) or the International Atomic Energy
 11 Agency (IAEA).

12 TITLE V—GENERAL PROVISIONS

13 OBLIGATIONS OF FUNDS

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

20 PROHIBITION OF BILATERAL FUNDING FOR

21 INTERNATIONAL FINANCIAL INSTITUTIONS

22 SEC. 502. Notwithstanding section 614 of the For-
 23 eign Assistance Act of 1961, none of the funds contained
 24 in title II of this Act may be used to carry out the provi-
 25 sions of section 209(d) of the Foreign Assistance Act of
 26 1961.

1 LIMITATION ON RESIDENCE EXPENSES

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

9 LIMITATION ON EXPENSES

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

14 LIMITATION ON REPRESENTATIONAL ALLOWANCES

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

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

15 PROHIBITION ON FINANCING NUCLEAR GOODS

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

23 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN

24 COUNTRIES

25 SEC. 507. None of the funds appropriated or other-
26 wise made available pursuant to this Act shall be obligated

1 or expended to finance directly any assistance or repara-
2 tions to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or
3 Syria: *Provided*, That for purposes of this section, the pro-
4 hibition on obligations or expenditures shall include direct
5 loans, credits, insurance and guarantees of the Export-Im-
6 port Bank or its agents.

7
8 MILITARY COUPS

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

17
18 TRANSFERS BETWEEN ACCOUNTS

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

1 authority shall be subject to the regular notification proce-
2 dures of the Committees on Appropriations.

3 DEOBLIGATION/REOBLIGATION AUTHORITY

4 SEC. 510. (a) Amounts certified pursuant to section
5 1311 of the Supplemental Appropriations Act, 1955, as
6 having been obligated against appropriations heretofore
7 made under the authority of the Foreign Assistance Act
8 of 1961 for the same general purpose as any of the head-
9 ings under title II of this Act are, if deobligated, hereby
10 continued available for the same period as the respective
11 appropriations under such headings or until September
12 30, 1999, whichever is later, and for the same general pur-
13 pose, and for countries within the same region as origi-
14 nally obligated: *Provided*, That the Appropriations Com-
15 mittees of both Houses of the Congress are notified fifteen
16 days in advance of the reobligation of such funds in ac-
17 cordance with regular notification procedures of the Com-
18 mittees on Appropriations.

19 (b) Obligated balances of funds appropriated to carry
20 out section 23 of the Arms Export Control Act as of the
21 end of the fiscal year immediately preceding the current
22 fiscal year are, if deobligated, hereby continued available
23 during the current fiscal year for the same purpose under
24 any authority applicable to such appropriations under this
25 Act: *Provided*, That the authority of this subsection may
26 not be used in fiscal year 1999.

1 AVAILABILITY OF FUNDS

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

1 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

15 COMMERCE AND TRADE

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

1 assistance will cause substantial injury to United States
 2 producers of the same, similar, or competing commodity.

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

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

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

19 SURPLUS COMMODITIES

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

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

11 NOTIFICATION REQUIREMENTS

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

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

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

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

19 LIMITATION ON AVAILABILITY OF FUNDS FOR
20 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

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

1 implementation of section 307(a) of the Foreign Assist-
2 ance Act of 1961, shall remain available for obligation
3 until September 30, 2000: *Provided*, That section 307(a)
4 of the Foreign Assistance Act of 1961, is amended by in-
5 serting before the period at the end thereof “, or at the
6 discretion of the President, Communist countries listed in
7 section 620(f) of this Act”.

8 ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

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

1 such a principle serves United States interests in the re-
2 gion.

3 PROHIBITION ON FUNDING FOR ABORTIONS AND
4 INVOLUNTARY STERILIZATION

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

1 under this Act may be used to lobby for or against abor-
 2 tion.

3 FUNDING FOR FAMILY PLANNING

4 SEC. 519. In determining eligibility for assistance
 5 from funds appropriated to carry out section 104 of the
 6 Foreign Assistance Act of 1961, non-governmental and
 7 multilateral organizations shall not be subjected to re-
 8 quirements more restrictive than the requirements appli-
 9 cable to foreign governments for such assistance.

10 NORTH KOREAN NARCOTICS REPORT

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

18 (b) ANNUAL REPORTING REQUIREMENT.—Notwith-
 19 standing any other provision of law, beginning on March
 20 1, 1999, the President shall include in the annual Inter-
 21 national Narcotics Control Strategy Report required by
 22 section 489 of the Foreign Assistance Act of 1961 (22
 23 U.S.C. 2291h) information regarding the cultivation, pro-
 24 duction, and transshipment of opium by North Korea.

1 SPECIAL NOTIFICATION REQUIREMENTS

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

8 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

1 CHILD SURVIVAL, AIDS, AND OTHER ACTIVITIES

2 SEC. 523. Up to \$10,000,000 of the funds made
3 available by this Act for assistance for family planning,
4 health, child survival, basic education and AIDS, may be
5 used to reimburse United States Government agencies,
6 agencies of State governments, institutions of higher
7 learning, and private and voluntary organizations for the
8 full cost of individuals (including for the personal services
9 of such individuals) detailed or assigned to, or contracted
10 by, as the case may be, the Agency for International De-
11 velopment for the purpose of carrying out family planning
12 activities, child survival, and basic education activities,
13 and activities relating to research on, and the prevention,
14 treatment and control of acquired immune deficiency syn-
15 drome or other diseases in developing countries: *Provided*,
16 That funds appropriated by this Act that are made avail-
17 able for child survival activities or activities relating to re-
18 search on, and the treatment and control of, acquired im-
19 mune deficiency syndrome may be made available notwith-
20 standing any provision of law that restricts assistance to
21 foreign countries: *Provided further*, That funds appro-
22 priated by this Act that are made available for family
23 planning activities may be made available notwithstanding
24 section 512 of this Act and section 620(q) of the Foreign
25 Assistance Act of 1961.

1 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
2 COUNTRIES

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

10 RECIPROCAL LEASING

11 SEC. 525. Section 61(a) of the Arms Export Control
12 Act is amended by striking out "1998" and inserting in
13 lieu thereof "the current fiscal year".

14 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

15 SEC. 526. Prior to providing excess Department of
16 Defense articles in accordance with section 516(a) of the
17 Foreign Assistance Act of 1961, the Department of De-
18 fense shall notify the Committees on Appropriations to the
19 same extent and under the same conditions as are other
20 committees pursuant to subsection (c) of that section: *Pro-*
21 *vided*, That before issuing a letter of offer to sell excess
22 defense articles under the Arms Export Control Act, the
23 Department of Defense shall notify the Committees on
24 Appropriations in accordance with the regular notification
25 procedures of such Committees: *Provided further*, That

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

3 AUTHORIZATION REQUIREMENT

4 SEC. 527. Funds appropriated by this Act may be
5 obligated and expended notwithstanding section 10 of
6 Public Law 91–672 and section 15 of the State Depart-
7 ment Basic Authorities Act of 1956.

8 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
9 COUNTRIES

10 SEC. 528. (a) Notwithstanding any other provision
11 of law, funds appropriated for bilateral assistance under
12 any heading of this Act and funds appropriated under any
13 such heading in a provision of law enacted prior to enact-
14 ment of this Act, shall not be made available to any coun-
15 try which the President determines—

16 (1) grants sanctuary from prosecution to any
17 individual or group which has committed an act of
18 international terrorism, or

19 (2) otherwise supports international terrorism.

20 (b) The President may waive the application of
21 subsection (a) to a country if the President determines
22 that national security or humanitarian reasons justify
23 such waiver. The President shall publish each waiver in
24 the Federal Register and, at least fifteen days before the
25 waiver takes effect, shall notify the Committees on Appro-
26 priations of the waiver (including the justification for the

1 waiver) in accordance with the regular notification proce-
2 dures of the Committees on Appropriations.

3 COMMERCIAL LEASING OF DEFENSE ARTICLES

4 SEC. 529. Notwithstanding any other provision of
5 law, and subject to the regular notification procedures of
6 the Committees on Appropriations, the authority of sec-
7 tion 23(a) of the Arms Export Control Act may be used
8 to provide financing to Israel, Egypt and NATO and
9 major non-NATO allies for the procurement by leasing
10 (including leasing with an option to purchase) of defense
11 articles from United States commercial suppliers, not in-
12 cluding Major Defense Equipment (other than helicopters
13 and other types of aircraft having possible civilian applica-
14 tion), if the President determines that there are compel-
15 ling foreign policy or national security reasons for those
16 defense articles being provided by commercial lease rather
17 than by government-to-government sale under such Act.

18 COMPETITIVE INSURANCE

19 SEC. 530. All Agency for International Development
20 contracts and solicitations, and subcontracts entered into
21 under such contracts, shall include a clause requiring that
22 United States insurance companies have a fair oppor-
23 tunity to bid for insurance when such insurance is nec-
24 essary or appropriate.

1 STINGERS IN THE PERSIAN GULF REGION

2 SEC. 531. Except as provided in section 581 of the
3 Foreign Operations, Export Financing, and Related Pro-
4 grams Appropriations Act, 1990, the United States may
5 not sell or otherwise make available any Stingers to any
6 country bordering the Persian Gulf under the Arms Ex-
7 port Control Act or chapter 2 of part II of the Foreign
8 Assistance Act of 1961.

9 DEBT-FOR-DEVELOPMENT

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

23 SEPARATE ACCOUNTS

24 SEC. 533. (a) SEPARATE ACCOUNTS FOR LOCAL
25 CURRENCIES.—(1) If assistance is furnished to the gov-
26 ernment of a foreign country under chapters 1 and 10 of

1 part I or chapter 4 of part II of the Foreign Assistance
2 Act of 1961 under agreements which result in the genera-
3 tion of local currencies of that country, the Administrator
4 of the Agency for International Development shall—

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

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

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

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

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

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

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

4 (i) project and sector assistance activities,
5 or
6 (ii) debt and deficit financing, or

7 (B) for the administrative requirements of the
8 United States Government.

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

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

24 (5) CONFORMING AMENDMENTS.—The tenth and
25 eleventh provisos contained under the heading “Sub-Saha-

1 ran Africa, Development Assistance” as included in the
2 Foreign Operations, Export Financing, and Related Pro-
3 grams Appropriations Act, 1989 and sections 531(d) and
4 609 of the Foreign Assistance Act of 1961 are repealed.

5 (6) REPORTING REQUIREMENT.—The Administrator
6 of the Agency for International Development shall report
7 on an annual basis as part of the justification documents
8 submitted to the Committees on Appropriations on the use
9 of local currencies for the administrative requirements of
10 the United States Government as authorized in subsection
11 (a)(2)(B), and such report shall include the amount of
12 local currency (and United States dollar equivalent) used
13 and/or to be used for such purpose in each applicable
14 country.

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

23 (2) APPLICABILITY OF OTHER PROVISIONS OF
24 LAW.—Such funds may be obligated and expended not-
25 withstanding provisions of law which are inconsistent with

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

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

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

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

21 SEC. 534. (a) No funds appropriated by this Act may
22 be made as payment to any international financial institu-
23 tion while the United States Executive Director to such
24 institution is compensated by the institution at a rate
25 which, together with whatever compensation such Director
26 receives from the United States, is in excess of the rate

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

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

16 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST
17 IRAQ

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

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

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

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

8 COMPETITIVE PRICING FOR SALES OF DEFENSE

9 ARTICLES

10 SEC. 536. Direct costs associated with meeting a for-
11 eign customer's additional or unique requirements will
12 continue to be allowable under contracts under section
13 22(d) of the Arms Export Control Act. Loadings applica-
14 ble to such direct costs shall be permitted at the same
15 rates applicable to procurement of like items purchased
16 by the Department of Defense for its own use.

17 AUTHORITIES FOR THE PEACE CORPS, INTERNATIONAL
18 FUND FOR AGRICULTURAL DEVELOPMENT, INTER-
19 AMERICAN FOUNDATION AND AFRICAN DEVELOP-
20 MENT FOUNDATION

21 SEC. 537. (a) Unless expressly provided to the con-
22 trary, provisions of this or any other Act, including provi-
23 sions contained in prior Acts authorizing or making appro-
24 priations for foreign operations, export financing, and re-
25 lated programs, shall not be construed to prohibit activi-
26 ties authorized by or conducted under the Peace Corps

1 Act, the Inter-American Foundation Act or the African
2 Development Foundation Act. The agency shall promptly
3 report to the Committees on Appropriations whenever it
4 is conducting activities or is proposing to conduct activi-
5 ties in a country for which assistance is prohibited.

6 (b) Unless expressly provided to the contrary, limita-
7 tions on the availability of funds for “International Orga-
8 nizations and Programs” in this or any other Act, includ-
9 ing prior appropriations Acts, shall not be construed to
10 be applicable to the International Fund for Agricultural
11 Development.

12 IMPACT ON JOBS IN THE UNITED STATES

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

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

23 (b) assistance for the purpose of establishing or
24 developing in a foreign country any export process-
25 ing zone or designated area in which the tax, tariff,
26 labor, environment, and safety laws of that country

1 do not apply, in part or in whole, to activities car-
 2 ried out within that zone or area, unless the Presi-
 3 dent determines and certifies that such assistance is
 4 not likely to cause a loss of jobs within the United
 5 States; or

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

18 RESTRICTIONS ON THE TERMINATION OF SANCTIONS

19 AGAINST SERBIA AND MONTENEGRO

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

25 (b) CERTIFICATION.—A certification described in this
 26 subsection is a certification that—

1 (1) there is substantial progress toward—

2 (A) the realization of a separate identity
3 for Kosova and the right of the people of
4 Kosova to govern themselves; or

5 (B) the creation of an international protec-
6 torate for Kosova;

7 (2) there is substantial improvement in the
8 human rights situation in Kosova; and

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

11 (4) the elected government of Kosova is per-
12 mitted to meet and carry out its legitimate mandate
13 as elected representatives of the people of Kosova;
14 and

15 (5) the requirements of the Contact Group de-
16 marche to the Government of Kosova of June 1998
17 have been met.

18 (c) WAIVER AUTHORITY.—The President may waive
19 the application in whole or in part, of subsection (a) if
20 the President certifies to the Congress that the President
21 has determined that the waiver is necessary to meet emer-
22 gency humanitarian needs or to achieve a negotiated set-
23 tlement of the conflict in Kosova that is acceptable to the
24 parties.

SPECIAL AUTHORITIES

1
2 SEC. 540. (a) Funds appropriated in title II of this
3 Act that are made available for Afghanistan, Lebanon,
4 and for victims of war, displaced children, displaced Bur-
5 mese, humanitarian assistance for Romania, and humani-
6 tarian assistance for the peoples of Kosova, may be made
7 available notwithstanding any other provision of law: *Pro-*
8 *vided*, That any such funds that are made available for
9 Cambodia shall be subject to the provisions of section
10 531(e) of the Foreign Assistance Act of 1961 and section
11 906 of the International Security and Development Co-
12 operation Act of 1985.

13 (b) Funds appropriated by this Act to carry out the
14 provisions of sections 103 through 106 of the Foreign As-
15 sistance Act of 1961 may be used, notwithstanding any
16 other provision of law, for the purpose of supporting tropi-
17 cal forestry and biodiversity conservation activities: *Pro-*
18 *vided*, That such assistance shall be subject to sections
19 116, 502B, and 620A of the Foreign Assistance Act of
20 1961.

21 (c) The Agency for International Development may
22 employ personal services contractors, notwithstanding any
23 other provision of law, for the purpose of administering
24 programs for the West Bank and Gaza.

1 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT
2 OF ISRAEL

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

4 (1) the Arab League countries should imme-
5 diately and publicly renounce the primary boycott of
6 Israel and the secondary and tertiary boycott of
7 American firms that have commercial ties with
8 Israel; and

9 (2) the President should—

10 (A) take more concrete steps to encourage
11 vigorously Arab League countries to renounce
12 publicly the primary boycotts of Israel and the
13 secondary and tertiary boycotts of American
14 firms that have commercial relations with Israel
15 as a confidence-building measure;

16 (B) take into consideration the participa-
17 tion of any recipient country in the primary
18 boycott of Israel and the secondary and tertiary
19 boycotts of American firms that have commer-
20 cial relations with Israel when determining
21 whether to sell weapons to said county;

22 (C) report to Congress on the specific
23 steps being taken by the President to bring
24 about a public renunciation of the Arab primary
25 boycott of Israel and the secondary and tertiary

1 boycotts of American firms that have commer-
2 cial relations with Israel; and

3 (D) encourage the allies and trading part-
4 ners of the United States to enact laws prohib-
5 iting businesses from complying with the boy-
6 cott and penalizing businesses that do comply.

7 ANTI-NARCOTICS ACTIVITIES

8 SEC. 542. (a) Of the funds appropriated or otherwise
9 made available by this Act for “Economic Support Fund”,
10 assistance may be provided to strengthen the administra-
11 tion of justice in countries in Latin America and the Car-
12 ibbean and in other regions consistent with the provisions
13 of section 534(b) of the Foreign Assistance Act of 1961,
14 except that programs to enhance protection of participants
15 in judicial cases may be conducted notwithstanding section
16 660 of that Act.

17 (b) Section 534(c) and the second and third sentences
18 of section 534(e) of the Foreign Assistance Act of 1961
19 are repealed.

20 ELIGIBILITY FOR ASSISTANCE

21 SEC. 543. (a) ASSISTANCE THROUGH NONGOVERN-
22 MENTAL ORGANIZATIONS.—Restrictions contained in this
23 or any other Act with respect to assistance for a country
24 shall not be construed to restrict assistance in support of
25 programs of nongovernmental organizations from funds
26 appropriated by this Act to carry out the provisions of

1 chapters 1, 10, and 11 of part I and chapter 4 of part
2 II of the Foreign Assistance Act of 1961, and from funds
3 appropriated under the heading “Assistance for Eastern
4 Europe and the Baltic States”: *Provided*, That the Presi-
5 dent shall take into consideration, in any case in which
6 a restriction on assistance would be applicable but for this
7 subsection, whether assistance in support of programs of
8 nongovernmental organizations is in the national interest
9 of the United States: *Provided further*, That before using
10 the authority of this subsection to furnish assistance in
11 support of programs of nongovernmental organizations,
12 the President shall notify the Committees on Appropria-
13 tions under the regular notification procedures of those
14 committees, including a description of the program to be
15 assisted, the assistance to be provided, and the reasons
16 for furnishing such assistance: *Provided further*, That
17 nothing in this subsection shall be construed to alter any
18 existing statutory prohibitions against abortion or involun-
19 tary sterilizations contained in this or any other Act.

20 (b) PUBLIC LAW 480.—During fiscal year 1999, re-
21 strictions contained in this or any other Act with respect
22 to assistance for a country shall not be construed to re-
23 strict assistance under the Agricultural Trade Develop-
24 ment and Assistance Act of 1954: *Provided*, That none
25 of the funds appropriated to carry out title I of such Act

1 and made available pursuant to this subsection may be
2 obligated or expended except as provided through the reg-
3 ular notification procedures of the Committees on Appro-
4 priations.

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

6 (1) with respect to section 620A of the Foreign
7 Assistance Act or any comparable provision of law
8 prohibiting assistance to countries that support
9 international terrorism; or

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

14 EARMARKS

15 SEC. 544. (a) Funds appropriated by this Act which
16 are earmarked may be reprogrammed for other programs
17 within the same account notwithstanding the earmark if
18 compliance with the earmark is made impossible by oper-
19 ation of any provision of this or any other Act or, with
20 respect to a country with which the United States has an
21 agreement providing the United States with base rights
22 or base access in that country, if the President determines
23 that the recipient for which funds are earmarked has sig-
24 nificantly reduced its military or economic cooperation
25 with the United States since enactment of the Foreign Op-
26 erations, Export Financing, and Related Programs Appro-

1 priations Act, 1991; however, before exercising the author-
2 ity of this subsection with regard to a base rights or base
3 access country which has significantly reduced its military
4 or economic cooperation with the United States, the Presi-
5 dent shall consult with, and shall provide a written policy
6 justification to the Committees on Appropriations: *Pro-*
7 *vided*, That any such reprogramming shall be subject to
8 the regular notification procedures of the Committees on
9 Appropriations: *Provided further*, That assistance that is
10 reprogrammed pursuant to this subsection shall be made
11 available under the same terms and conditions as origi-
12 nally provided.

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

1 available for an additional fiscal year shall be obligated
2 only for the purpose of such earmark.

3 CEILINGS AND EARMARKS

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

8 PROHIBITION ON PUBLICITY OR PROPAGANDA

9 SEC. 546. No part of any appropriation contained in
10 this Act shall be used for publicity or propaganda purposes
11 within the United States not authorized before the date
12 of enactment of this Act by the Congress.

13 PURCHASE OF AMERICAN-MADE EQUIPMENT AND
14 PRODUCTS

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

19 (b) It is the Sense of the Congress that, to the great-
20 est extent practicable, all equipment and products pur-
21 chased with funds made available in this Act should be
22 American-made.

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

1 notice describing the statement made in subsection (b) by
2 the Congress.

3 PROHIBITION OF PAYMENTS TO UNITED NATIONS

4 MEMBERS

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

10 CONSULTING SERVICES

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

19 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

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

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

5 SEC. 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.

11 LANDMINES

12 SEC. 555. (a) STATEMENT OF POLICY.—It is the pol-
13 icy of the United States Government to sign the Conven-
14 tion on the Prohibition of the Use, Stockpiling, Production
15 and Transfer of Anti-Personnel Mines and on Their De-
16 struction as soon as practicable.

17 (b) DEMINING EQUIPMENT.—Notwithstanding any
18 other provision of law, demining equipment available to
19 the Agency for International Development and the De-
20 partment of State and used in support of the clearance
21 of landmines and unexploded ordnance for humanitarian
22 purposes may be disposed of on a grant basis in foreign
23 countries, subject to such terms and conditions as the
24 President may prescribe.

1 RESTRICTIONS CONCERNING THE PALESTINIAN
2 AUTHORITY

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

1 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

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

7 (1) alcoholic beverages;

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

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

16 SPECIAL DEBT RELIEF FOR THE POOREST

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

21 (1) guarantees issued under sections 221 and
22 222 of the Foreign Assistance Act of 1961;

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

25 (3) The authority provided by subsection (a)
26 may be exercised only with respect to countries with

1 heavy debt burdens that are eligible to borrow from
2 the International Development Association, but not
3 from the International Bank for Reconstruction and
4 Development, commonly referred to as “IDA-only”
5 countries.

6 (b) LIMITATIONS.—

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

11 (2) The authority provided by subsection (a)
12 may be exercised only in such amounts or to such
13 extent as is provided in advance by appropriations
14 Acts.

15 (3) The authority provided by subsection (a)
16 may be exercised only with respect to countries with
17 heavy debt burdens that are eligible to borrow from
18 the International Development Association, but not
19 from the International Bank for Reconstruction and
20 Development, commonly referred to as “IDA-only”
21 countries.

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

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

3 (2) has not repeatedly provided support for acts
4 of international terrorism;

5 (3) is not failing to cooperate on international
6 narcotics control matters;

7 (4) (including its military or other security
8 forces) does not engage in a consistent pattern of
9 gross violations of internationally recognized human
10 rights; and

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

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

18 (e) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-
19 duction of debt pursuant to subsection (a) shall not be
20 considered assistance for purposes of any provision of law
21 limiting assistance to a country. The authority provided
22 by subsection (a) may be exercised notwithstanding sec-
23 tion 620(r) of the Foreign Assistance Act of 1961.

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

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

12 (A) debt-for-equity swaps, debt-for-develop-
13 ment swaps, or debt-for-nature swaps; or

14 (B) a debt buyback by an eligible country
15 of its own qualified debt, only if the eligible
16 country uses an additional amount of the local
17 currency of the eligible country, equal to not
18 less than 40 per centum of the price paid for
19 such debt by such eligible country, or the dif-
20 ference between the price paid for such debt
21 and the face value of such debt, to support ac-
22 tivities that link conservation and sustainable
23 use of natural resources with local community
24 development, and child survival and other child
25 development, in a manner consistent with sec-

1 tions 707 through 710 of the Foreign Assist-
2 ance Act of 1961, if the sale, reduction, or can-
3 cellation would not contravene any term or con-
4 dition of any prior agreement relating to such
5 loan.

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

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

22 (4) LIMITATION.—The authorities of this sub-
23 section shall be available only to the extent that ap-
24 propriations for the cost of the modification, as de-

1 fined in section 502 of the Congressional Budget Act
 2 of 1974, are made in advance.

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

8 (c) ELIGIBLE PURCHASERS.—A loan may be sold
 9 pursuant to subsection (a)(1)(A) only to a purchaser who
 10 presents plans satisfactory to the President for using the
 11 loan for the purpose of engaging in debt-for-equity swaps,
 12 debt-for-development swaps, or debt-for-nature swaps.

13 (d) DEBTOR CONSULTATIONS.—Before the sale to
 14 any eligible purchaser, or any reduction or cancellation
 15 pursuant to this section, of any loan made to an eligible
 16 country, the President should consult with the country
 17 concerning the amount of loans to be sold, reduced, or
 18 canceled and their uses for debt-for-equity swaps, debt-
 19 for-development swaps, or debt-for-nature swaps.

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

24 LIMITATION ON ASSISTANCE FOR HAITI

25 SEC. 560. (a) LIMITATION.—None of the funds ap-
 26 propriated by this Act may be provided for assistance for

1 the Government of Haiti until the President reports to the
2 Committee on Appropriations and the Committee on For-
3 eign Relations of the Senate and the Committee on Appro-
4 priations and the Committee on International Relations
5 of the House of Representatives, that the Government of
6 Haiti—

7 (1) has completed privatization of (or placed
8 under long-term private management or concession)
9 three major public entities including the completion
10 of all required incorporating documents, the transfer
11 of assets, and the eviction of unauthorized occupants
12 of the land or facility;

13 (2) has re-signed the bilateral Repatriation
14 Agreement with the United States and in the pre-
15 ceding six months that the Government of Haiti is
16 cooperating with the United States in halting illegal
17 emigration from Haiti;

18 (3) is conducting thorough investigations of
19 extrajudicial and political killings and has made sub-
20 stantial progress in bringing to justice a person or
21 persons responsible for one or more extrajudicial or
22 political killings in Haiti;

23 (4) is cooperating with United States authori-
24 ties and with U.S.-funded technical advisors sup-

1 porting the Haitian National Police in the investiga-
2 tions of political and extrajudicial killings;

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

11 (6) has ratified in the Haitian National Assem-
12 bly the counter-narcotics agreements signed in Octo-
13 ber 1997.

14 (b) EXCEPTION.—The limitation in subsection (a)
15 shall not apply to the provision of counter-narcotics assist-
16 ance, support for the Haitian National Police’s Special In-
17 vestigations Unit, the International Criminal Investigative
18 Assistance Program (ICITAP), anti-corruption programs
19 for the Haitian National Police or humanitarian assist-
20 ance.

21 (c) AVAILABILITY OF ELECTORAL ASSISTANCE.—
22 Funds appropriated by this Act may be available to sup-
23 port elections in Haiti when the President reports to the
24 Congress that the Government of Haiti—

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

3 (2) has made concrete progress on the constitu-
4 tion of a credible and competent provisional election
5 council with the agreement of a broad spectrum of
6 political parties, alliances and party conferences, not
7 to be limited to factions of the Lavalas movement.

8 (d) SUPPORT FOR POLITICAL PARTIES.—Notwith-
9 standing the limitations set forth in subsections (a) or (c)
10 of this section, or any other provision of law, of funds oth-
11 erwise allocated for Haiti not to exceed \$3,000,000 may
12 be made available for the development and support of po-
13 litical parties in Haiti.

14 (e) REPORTING.—The Secretary of State shall pro-
15 vide to the Committee on Appropriations and the Commit-
16 tee on International Relations of the House of Representa-
17 tives and the Committee on Appropriations and the Com-
18 mittee on Foreign Relations and of the Senate on a bian-
19 nual basis—

20 (1) in consultation with the Secretary of De-
21 fense and the Administrator of the Drug Enforce-
22 ment Administration, a report showing the status
23 and number of U.S. personnel deployed in and
24 around Haiti in Department of Defense, Drug En-
25 forcement Administration, or United Nations mis-

1 sions, including breakdowns by functional or oper-
 2 ational assignment for these personnel, and the cost
 3 to the United States of these operations; and

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

6 (f) WAIVER.—The President may waive the require-
 7 ments of this section on a semiannual basis if the Presi-
 8 dent determines and certifies to the appropriate commit-
 9 tees of Congress that such waiver is in the national secu-
 10 rity interest of the United States.

11 REQUIREMENT FOR DISCLOSURE OF FOREIGN AID IN
 12 REPORT OF SECRETARY OF STATE

13 SEC. 561. (a) FOREIGN AID REPORTING REQUIRE-
 14 MENT.—In addition to the voting practices of a foreign
 15 country, the report required to be submitted to Congress
 16 under section 406(a) of the Foreign Relations Authoriza-
 17 tion Act fiscal years 1990 and 1991 (22 U.S.C. 2414a),
 18 shall include a side-by-side comparison of individual coun-
 19 tries' overall support for the United States at the United
 20 Nations and the amount of United States assistance pro-
 21 vided to such country in fiscal year 1998.

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

BURMA LABOR REPORT

1
2 SEC. 562. Not later than ninety days after enactment
3 of this Act, the Secretary of Labor shall provide to the
4 Committees on Appropriations a report addressing labor
5 practices in Burma: *Provided*, That the report shall pro-
6 vide comprehensive details on child labor practices, work-
7 er's rights, forced relocation of laborers, forced labor per-
8 formed to support the tourism industry, and forced labor
9 performed in conjunction with, and in support of, the
10 Yadonna gas pipeline: *Provided further*, That the report
11 should address whether the government is in compliance
12 with international labor standards: *Provided further*, That
13 the report should provide details regarding the United
14 States government's efforts to address and correct prac-
15 tices of forced labor in Burma.

HAITI

16
17 SEC. 563. The Government of Haiti shall be eligible
18 to purchase defense articles and services under the Arms
19 Export Control Act (22 U.S.C. 2751 et seq.), for the civil-
20 ian-led Haitian National Police and Coast Guard: *Pro-*
21 *vided*, That the authority provided by this section shall
22 be subject to the regular notification procedures of the
23 Committees on Appropriations.

LIMITATION ON ASSISTANCE TO SECURITY FORCES

24
25 SEC. 564. None of the funds made available by this
26 Act may be provided to any unit of the security forces

1 of a foreign country if the Secretary of State has credible
2 information to believe such unit has committed gross viola-
3 tions of human rights, unless the Secretary determines
4 and reports to the Committees on Appropriations that the
5 government of such country is taking steps to bring the
6 responsible members of the security forces unit to justice:
7 *Provided further*, That nothing in this section shall be con-
8 strued to withhold funds made available by this Act from
9 any unit of the security forces of a foreign country not
10 credibly alleged to be involved in gross violations of human
11 rights: *Provided further*, That in the event that funds are
12 withheld from any unit pursuant to this section, the Sec-
13 retary of State shall promptly inform the foreign govern-
14 ment of the basis for such action and shall, to the maxi-
15 mum extent practicable, assist the foreign government in
16 taking effective measures to bring the responsible mem-
17 bers of the security forces to justice.

18 CAMBODIA

19 SEC. 565. The Secretary of the Treasury shall in-
20 struct the United States Executive Directors of the inter-
21 national financial institutions to use the voice and vote
22 of the United States to oppose loans to the Government
23 of Cambodia, except loans to support basic human needs,
24 unless: (1) Cambodia has held free and fair elections; (2)
25 during the twelve months prior to the elections, no can-
26 didate of any opposition party was murdered; (3) all politi-

1 cal candidates were permitted freedom of speech, assembly
2 and equal access to the media; (4) voter registration and
3 participation rates did not exceed the eligible population
4 in any region; (5) refugees and overseas Cambodians were
5 permitted to vote; (6) the Central Election Commission
6 was comprised of representatives from all parties; and (7)
7 international monitors were accorded appropriate access
8 to polling sites.

9 LIMITATIONS ON TRANSFER OF MILITARY EQUIPMENT TO
10 EAST TIMOR

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

16 RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO
17 UNITED NATIONS AGENCIES

18 SEC. 567. (a) PROHIBITION ON VOLUNTARY CON-
19 TRIBUTIONS FOR THE UNITED NATIONS.—None of the
20 funds appropriated or otherwise made available by this
21 Act may be made available to pay any voluntary contribu-
22 tion of the United States to the United Nations (including
23 the United Nations Development Program) if the United
24 Nations implements or imposes any taxation on any
25 United States persons.

1 (b) CERTIFICATION REQUIRED FOR DISBURSEMENT
2 OF FUNDS.—None of the funds appropriated or otherwise
3 made available under this Act may be made available to
4 pay any voluntary contribution of the United States to the
5 United Nations (including the United Nations Develop-
6 ment Program) unless the President certifies to the Con-
7 gress 15 days in advance of such payment that the United
8 Nations is not engaged in any effort to implement or im-
9 pose any taxation on United States persons in order to
10 raise revenue for the United Nations or any of its special-
11 ized agencies.

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

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

16 (2) a corporation, partnership, or other legal
17 entity organized under the United States or any
18 State, territory, possession, or district of the United
19 States.

20 RESTRICTIONS ON ASSISTANCE TO COUNTRIES PROVIDING
21 SANCTUARY TO INDICTED WAR CRIMINALS

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

1 (b) MULTILATERAL ASSISTANCE.—

2 (1) PROHIBITION.—The Secretary of the Treas-
3 ury shall instruct the United States executive direc-
4 tors of the international financial institutions to
5 work in opposition to, and vote against, any exten-
6 sion by such institutions of any financial or technical
7 assistance or grants of any kind to any country or
8 entity described in subsection (e).

9 (2) NOTIFICATION.—Not less than 15 days be-
10 fore any vote in an international financial institution
11 regarding the extension of financial or technical as-
12 sistance or grants to any country or entity described
13 in subsection (e), the Secretary of the Treasury, in
14 consultation with the Secretary of State, shall pro-
15 vide to the Committee on Appropriations and the
16 Committee on Foreign Relations of the Senate and
17 the Committee on Appropriations and the Commit-
18 tee on Banking and Financial Services of the House
19 of Representatives a written justification for the pro-
20 posed assistance, including an explanation of the
21 United States position regarding any such vote, as
22 well as a description of the location of the proposed
23 assistance by municipality, its purpose, and its in-
24 tended beneficiaries, including the names of individ-

1 uals with a controlling or substantial financial inter-
2 est in the project.

3 (3) DEFINITION.—The term “international fi-
4 nancial institution” includes the International Mone-
5 tary Fund, the International Bank for Reconstruc-
6 tion and Development, the International Develop-
7 ment Association, the International Finance Cor-
8 poration, the Multilateral Investment Guaranty
9 Agency, and the European Bank for Reconstruction
10 and Development.

11 (c) EXCEPTIONS.—

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

15 (A) humanitarian assistance;

16 (B) democratization assistance;

17 (C) assistance for cross border physical in-
18 frastructure projects involving activities in both
19 a sanctioned country, entity, or canton and a
20 nonsanctioned contiguous country, entity, or
21 canton, if the project is primarily located in and
22 primarily benefits the nonsanctioned country,
23 entity, or canton and if the portion of the
24 project located in the sanctioned country, en-

1 tity, or canton is necessary only to complete the
2 project;

3 (D) small-scale assistance projects or ac-
4 tivities requested by United States Armed
5 Forces that promote good relations between
6 such forces and the officials and citizens of the
7 areas in the United States SFOR sector of Bos-
8 nia;

9 (E) implementation of the Breko Arbitral
10 Decision;

11 (F) lending by the international financial
12 institutions to a country or entity to support
13 common monetary and fiscal policies at the na-
14 tional level as contemplated by the Dayton
15 Agreement;

16 (G) direct lending to a nonsanctioned en-
17 tity, or lending passed on by the national gov-
18 ernment to a nonsanctioned entity; or

19 (H) assistance to the International Police
20 Task Force for the training of a civilian police
21 force.

22 (2) NOTIFICATION.—Not less than 15 days
23 after any assistance described in subsection (a) is
24 disbursed to any country, entity, or canton described
25 in subsection (e), the Secretary of State, in consulta-

1 tion with the Administrator of the Agency for Inter-
2 national Development, shall publish in the Federal
3 Register a justification for the proposed assistance,
4 including a description of the location of the pro-
5 posed assistance project by municipality, its purpose,
6 and the intended recipient of the assistance, includ-
7 ing the names of individuals, companies and their
8 boards of directors, and shareholders with control-
9 ling or substantial financial interest in the compa-
10 nies.

11 (d) FURTHER LIMITATIONS.—

12 (1) PROHIBITION ON ASSISTANCE WHERE IN-
13 DICTED WAR CRIMINALS HAVE INTERESTS.—Not-
14 withstanding subsection (c) or subsection (f), no as-
15 sistance may be made available by this Act, or any
16 prior Act making appropriations for foreign oper-
17 ations, export financing and related programs, in
18 any country, entity, or canton described in sub-
19 section (e), for a program, project, or activity in
20 which an indicted war criminal is known to have any
21 financial or material interest.

22 (2) PROHIBITION ON ASSISTANCE WHERE RE-
23 SPONSIBLE AUTHORITIES FAIL TO ACT.—Notwith-
24 standing subsection (c) or subsection (f)(1), no as-
25 sistance (other than emergency foods, medical assist-

1 ance, demining assistance, or democratization assist-
2 ance) may be made available by this Act, or any
3 prior Act making appropriations for foreign oper-
4 ations, export financing and related programs for
5 any program, project, or activity in a community
6 within any country, entity, or canton described in
7 subsection (e) if authorities within that community
8 are failing to arrest and transfer or arrange for the
9 surrender and transfer to the Tribunal of all persons
10 within their community who have been publicly in-
11 dicted by the Tribunal.

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

19 (f) WAIVER.—

20 (1) IN GENERAL.—Subject to paragraphs (2)
21 and (3), the Secretary of State may waive the appli-
22 cation of subsection (a) with respect to specified bi-
23 lateral programs or projects, or subsection (b) with
24 respect to specified international financial institution
25 programs or projects, in a sanctioned country, en-

1 tity, or canton upon providing a written determina-
2 tion to the Committee on Appropriations and the
3 Committee on Foreign Relations of the Senate and
4 the Committee on Appropriations and the Commit-
5 tee on International Relations of the House of Rep-
6 resentatives that such assistance directly supports
7 the implementation of the Dayton Agreement and its
8 Annexes, which include the obligation to apprehend
9 and transfer indicted war criminals to the Tribunal;
10 and

11 (2) LIMITED WAIVER WITH RESPECT TO
12 BRCKO.—The Secretary of State may only waive the
13 application of subsection (a), subsection (b), or sub-
14 section (d)(2) with respect to any project of assist-
15 ance for Brcko—

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

18 (B) until the international arbitration
19 panel determines the status of Brcko.

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

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

3 (B) until a date which is 30 days after the
4 date of parliamentary elections in the Bosnian-
5 Serb entity which are currently scheduled for
6 September 1998.

7 (g) REPORT.—Not later than 15 days after the date
8 of any written determination under paragraphs (f)(1), (2)
9 or (3), the Secretary of State shall submit a report to the
10 Committee on Appropriations and the Committee on For-
11 eign Relations of the Senate and the Committee on Appro-
12 priations and the Committee on International Relations
13 of the House of Representatives regarding the status of
14 efforts to secure the voluntary surrender or apprehension
15 and transfer of persons indicted by the Tribunal, in ac-
16 cordance with the Dayton Agreement, and outlining obsta-
17 cles to achieving this goal.

18 (h) TERMINATION OF SANCTIONS.—The sanctions
19 imposed pursuant to subsections (a), (b), and (d)(2) with
20 respect to a country, entity, or canton shall cease to apply
21 only if the Secretary of State determines and certifies to
22 Congress that the authorities of that country, entity, or
23 canton have apprehended and transferred to the Tribunal
24 all persons who have been publicly indicted by the Tribu-
25 nal.

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

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

5 (2) ENTITY.—The term “entity” refers to the
6 Federation of Bosnia and Herzegovina and the
7 Republika Srpska.

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

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

15 (5) TRIBUNAL.—The term “Tribunal” means
16 the International Criminal Tribunal for the Former
17 Yugoslavia.

18 (j) ROLE OF HUMAN RIGHTS ORGANIZATIONS AND
19 GOVERNMENT AGENCIES.—In carrying out this sub-
20 section, the Secretary of State, the Administrator of the
21 Agency for International Development, and the executive
22 directors of the international financial institutions shall
23 consult with representatives of human rights organizations
24 and all government agencies with relevant information to
25 help prevent publicly indicted war criminals from benefit-

1 ting from any financial or technical assistance or grants
2 or loans provided to or in any country, entity, or canton
3 described in subsection (e).

4 EXCESS DEFENSE ARTICLES FOR CERTAIN EUROPEAN
5 COUNTRIES

6 SEC. 569. Section 105 of Public Law 104–164 (110
7 Stat. 1427) is amended by striking “1996 and 1997” and
8 inserting “1998 and 1999”.

9 ADDITIONAL REQUIREMENTS RELATING TO STOCKPILING
10 OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES

11 SEC. 570. (a) VALUE OF ADDITIONS TO STOCK-
12 PILES.—Section 514(b)(2)(A) of the Foreign Assistance
13 Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by
14 striking the word “and” after “1997”, and inserting in
15 lieu thereof a comma and inserting before the period at
16 the end the following: “and \$340,000,000 for fiscal year
17 1999”.

18 (b) REQUIREMENTS RELATING TO THE REPUBLIC OF
19 KOREA AND THAILAND.—Section 514(b)(2)(B) of such
20 Act (22 U.S.C. 2321h(b)(2)(B)) is amended by adding at
21 the end the following: “Of the amount specified in sub-
22 paragraph (A) for fiscal year 1999, not more than
23 \$320,000,000 may be made available for stockpiles in the
24 Republic of Korea and not more than \$20,000,000 may
25 be made available for stockpiles in Thailand.”.

1 TO PROHIBIT FOREIGN ASSISTANCE TO THE GOVERN-
2 MENT OF RUSSIA SHOULD IT ENACT LAWS WHICH
3 WOULD DISCRIMINATE AGAINST MINORITY RELI-
4 GIOUS FAITHS IN THE RUSSIAN FEDERATION

5 SEC. 571. (a) None of the funds appropriated under
6 this Act may be made available for the Government of
7 Russian Federation, after 180 days from the date of en-
8 actment of this Act, unless the President determines and
9 certifies in writing to the Committee on Appropriations
10 and the Committee on Foreign Relations of the Senate
11 that the Government of the Russian Federation has imple-
12 mented no statute, executive order, regulation or similar
13 government action that would discriminate, or would have
14 as its principal effect discrimination, against religious
15 groups or religious communities in the Russian Federation
16 in violation of accepted international agreements on
17 human rights and religious freedoms to which the Russian
18 Federation is a party.

19 GREENHOUSE GAS EMISSIONS

20 SEC. 572. (a) Funds made available in this Act to
21 support programs or activities promoting country partici-
22 pation in the Framework Convention on Climate Change
23 or climate change activities in the energy, industry, urban,
24 land use (primarily forestry, biodiversity and agriculture)
25 sectors and activities that reduce vulnerability to climate
26 change shall only be made available subject to the regular

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

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

18 WITHHOLDING ASSISTANCE TO COUNTRIES VIOLATING

19 UNITED NATIONS SANCTIONS AGAINST LIBYA

20 SEC. 573. (a) WITHHOLDING OF ASSISTANCE.—Ex-
21 cept as provided in subsection (b), whenever the President
22 determines and certifies to Congress that the government
23 of any country is violating any sanction against Libya im-
24 posed pursuant to United Nations Security Council Reso-
25 lution 731, 748, or 883, then not less than 5 percent of
26 the funds allocated for the country under section 653(a)

1 of the Foreign Assistance Act of 1961 out of appropria-
2 tions in this Act shall be withheld from obligation and ex-
3 penditure for that country.

4 (b) EXCEPTION.—The requirement to withhold funds
5 under subsection (a) shall not apply to funds appropriated
6 in this Act for allocation under section 653(a) of the For-
7 eign Assistance Act of 1961 for development assistance
8 or for humanitarian assistance.

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

13 AID TO THE GOVERNMENT OF THE DEMOCRATIC

14 REPUBLIC OF CONGO

15 SEC. 574. None of the funds appropriated or other-
16 wise made available by this Act may be provided to the
17 central Government of the Democratic Republic of Congo
18 until such time as the President reports in writing to the
19 Congress that the central Government of the Democratic
20 Republic of Congo is cooperating fully with investigators
21 from the United Nations or any other international orga-
22 nizations in accounting for human rights violations or
23 atrocities committed in Congo or adjacent countries.

24 EXPORT FINANCING TRANSFER AUTHORITIES

25 SEC. 575. Not to exceed 5 per centum of any appro-
26 priation other than for administrative expenses made

1 available for fiscal year 1999 for programs under title I
2 of this Act may be transferred between such appropria-
3 tions for use for any of the purposes, programs and activi-
4 ties for which the funds in such receiving account may
5 be used, but no such appropriation, except as otherwise
6 specifically provided, shall be increased by more than 25
7 per centum by any such transfer: *Provided*, That the exer-
8 cise of such authority shall be subject to the regular notifi-
9 cation procedures of the Committees on Appropriations.

10 NEW INDEPENDENT STATES OF THE FORMER SOVIET

11 UNION

12 SEC. 576. (a) None of the funds appropriated under
13 the heading “Assistance for the New Independent States
14 of the Former Soviet Union” shall be made available for
15 assistance for a Government of the New Independent
16 States of the former Soviet Union—

17 (1) unless that Government is making progress
18 in implementing comprehensive economic reforms
19 based on market principles, private ownership, re-
20 spect for commercial contracts, and equitable treat-
21 ment of foreign private investment; and

22 (2) if that Government applies or transfers
23 United States assistance to any entity for the pur-
24 pose of expropriating or seizing ownership or control
25 of assets, investments, or ventures.

1 Assistance may be furnished without regard to this sub-
2 section if the President determines that to do so is in the
3 national interest.

4 (b) None of the funds appropriated under the heading
5 “Assistance for the New Independent States of the
6 Former Soviet Union” shall be made available for assist-
7 ance for a Government of the New Independent States of
8 the former Soviet Union if that government directs any
9 action in violation of the territorial integrity or national
10 sovereignty of any other new independent state, such as
11 those violations included in the Helsinki Final Act: *Pro-*
12 *vided*, That such funds may be made available without re-
13 gard to the restriction in this subsection if the President
14 determines that to do so is in the national security interest
15 of the United States.

16 (c) None of the funds appropriated under the heading
17 “Assistance for the New Independent States of the
18 Former Soviet Union” shall be made available for any
19 state to enhance its military capability: *Provided*, That
20 this restriction does not apply to demilitarization,
21 demining or nonproliferation programs.

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

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

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

18 (g) In issuing new task orders, entering into con-
19 tracts, or making grants, with funds appropriated in this
20 Act or prior appropriations Acts under the heading “As-
21 sistance for the New Independent States of the Former
22 Soviet Union” for projects or activities that have as one
23 of their primary purposes the fostering of private sector
24 development, the Coordinator for United States Assistance
25 to the New Independent States and the implementing

1 agency shall encourage the participation of and give sig-
2 nificant weight to contractors and grantees who propose
3 investing a significant amount of their own resources (in-
4 cluding volunteer services and in-kind contributions) in
5 such projects and activities.

6 (h) None of the funds appropriated for assistance for
7 the New Independent States of the Former Soviet Union
8 in this or any other Act shall be made available for Russia
9 until the Secretary of State certifies that agreement has
10 been reached with the Government of Russia that such
11 assistance is not taxed nor is subject to taxation.

12 PUBLICATION OF CERTAIN NOTIFICATIONS

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

16 “(3) PUBLICATION.—Each notice required by
17 this subsection shall be published in the Federal
18 Register as soon as practicable after it has been pro-
19 vided to the congressional committees specified in
20 section 634A(a). In any case in which the President
21 concludes that such publication would be harmful to
22 the national security of the United States, only a
23 statement that a notice has been provided pursuant
24 to this subsection to such committees shall be pub-
25 lished.”.

1 REPORTING REQUIREMENTS

2 SEC. 578. Section 36 of the Arms Export Control Act
3 is amended—

4 (1) in subsection (a), by inserting “, and to the
5 chairmen of the Committees on Appropriations”
6 after “Senate”;

7 (2) in subsection (b)(1)—

8 (A) by inserting “, and to the chairmen of
9 the Committees on Appropriations” after “Sen-
10 ate”; and

11 (B) in the fifth sentence—

12 (i) by inserting “any” before “such
13 committee”, and

14 (ii) by striking “both such commit-
15 tees” and inserting in lieu thereof “such
16 committees”;

17 (3) in subsection (c)(1)—

18 (A) by inserting “, and to the chairmen of
19 the Committees on Appropriations” after “Sen-
20 ate”; and

21 (B) in the second sentence—

22 (i) by inserting “any” before “such
23 committee”, and

1 (ii) by striking “both such commit-
2 tees” and inserting in lieu thereof “such
3 committees”; and

4 (4) in subsection (e), by inserting “, and to the
5 chairmen of the Committees on Appropriations”
6 after “Senate”.

7 NATIONAL ADVISORY COUNCIL ON INTERNATIONAL
8 MONETARY AND FINANCIAL POLICIES

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

14 (1) an assessment of the effectiveness of the
15 major policies and operations of the international fi-
16 nancial institutions;

17 (2) the major issues affecting United States
18 participation;

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

20 (4) the prospects for the coming year;

21 (5) the progress made and steps taken to
22 achieve United States policy goals (including major
23 policy goals embodied in current law) with respect to
24 the international financial institutions; and

25 (6) such data and explanations concerning the
26 effectiveness, operations, and policies of the inter-

1 national financial institutions, such recommenda-
2 tions concerning the international financial institu-
3 tions, and such other data and material as the
4 Chairman may deem appropriate.

5 (b) The requirements of Sections 1602(e), 1603(c),
6 1604(c), and 1701(b) of the International Financial Insti-
7 tutions Act, as amended (Public Law 95–118, 22 U.S.C.
8 262p–1, 262p–2, 262p–3 and 262(r)), Section 2018(c) of
9 the International Narcotics Control Act of 1986, as
10 amended (Public Law 99–570, 22 U.S.C. 2291 note), Sec-
11 tion 407(c) of the Foreign Debt Reserving Act of 1989
12 (Public Law 101–240, 22 U.S.C. 2291 note), Section
13 14(c) of the Inter-American Development Bank Act, as
14 amended (Public Law 86–147, 22 U.S.C. 283j–1(c)), and
15 Section 1002 of the Freedom for Russia and Emerging
16 Eurasian Democracies and Open Markets Support Act of
17 1992 (Public Law 102–511) (22 U.S.C. 286ll(b)) shall no
18 longer apply to the contents of such annual reports.

19 LIMITATION ON ASSISTANCE TO THE PALESTINIAN

20 AUTHORITY

21 SEC. 580. (a) PROHIBITION OF FUNDS.—None of the
22 funds appropriated by this Act to carry out the provisions
23 of chapter 4 of part II of the Foreign Assistance Act of
24 1961 may be obligated or expended with respect to provid-
25 ing funds to the Palestinian Authority.

1 (b) WAIVER.—The prohibition included in subsection
 2 (a) shall not apply if the President certifies in writing to
 3 the Speaker of the House of Representatives and the
 4 President pro tempore of the Senate that waiving such
 5 prohibition is important to the national security interests
 6 of the United States.

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

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

14 TITLE VI—MULTILATERAL ECONOMIC
 15 ASSISTANCE

16 FUNDS APPROPRIATED TO THE PRESIDENT
 17 FISCAL YEAR 1998 SUPPLEMENTAL
 18 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
 19 RECONSTRUCTION AND DEVELOPMENT
 20 GLOBAL ENVIRONMENT FACILITY

21 For payment to the International Bank for Recon-
 22 struction and Development by the Secretary of the Treas-
 23 ury, for the United States contribution to the Global Envi-
 24 ronment Facility (GEF), \$47,500,000 to remain available
 25 for contributions previously due.

1 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
2 BANK
3 FUND FOR SPECIAL OPERATIONS

4 For payment to the Inter-American Bank by the Sec-
5 retary of the Treasury, for the United States share of the
6 increase in resources for the Fund for Special Operations,
7 \$21,152,000, to remain available until expended for con-
8 tributions previously due.

9 CONTRIBUTION TO THE ENTERPRISE FOR AMERICAS
10 MULTILATERAL INVESTMENT FUND

11 For payment to the Enterprise for the Americas Mul-
12 tilateral Investment Fund by the Secretary of the Treas-
13 ury, for the United States contribution to the Fund,
14 \$50,000,000 to remain available until expended for con-
15 tributions previously due.

16 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

17 For the United States contribution by the Secretary
18 of the Treasury to the increases in resources of the Asian
19 Development Fund, as authorized by the Asian Develop-
20 ment Bank Act, as amended, \$187,000,000, to remain
21 available until expended, for contributions previously due.

22 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

23 For the United States contribution by the Secretary
24 of the Treasury to the increase in resources of the African
25 Development Fund, \$5,000,000 to remain available until
26 expended, for contributions previously due.

1 LOANS TO INTERNATIONAL MONETARY FUND

2 NEW ARRANGEMENTS TO BORROW

3 For loans to the International Monetary Fund
4 (Fund) under the New Arrangements to Borrow, the dol-
5 lar equivalent of 2,462,000,000 Special Drawing Rights,
6 to remain available until expended; in addition, up to the
7 dollar equivalent of 4,250,000,000 Special Drawing
8 Rights previously appropriated by the Act of November
9 30, 1983 (Public Law 98–181), and the Act of October
10 23, 1962 (Public Law 87–872), for the General Arrange-
11 ments to Borrow, may also be used for the New Arrange-
12 ments to Borrow.

13 UNITED STATES QUOTA

14 For an increase in the United States quota in the
15 International Monetary Fund, the dollar equivalent of
16 10,622,500,000 Special Drawing Rights, to remain avail-
17 able until expended.

18 CONDITIONS AND REPORTS

19 SEC. 601. CONDITIONS FOR THE USE OF QUOTA RE-
20 SOURCES. (a) None of the funds appropriated in this Act
21 under the heading “United States Quota, International
22 Monetary Fund” may be obligated, transferred or made
23 available to the International Monetary Fund until 30
24 days after the Secretary of the Treasury certifies that the
25 major shareholders of the International Monetary Fund,
26 including the United States, Japan, the Federal Republic

1 of Germany, France, Italy, the United Kingdom, and Can-
2 ada have publicly agreed to, and will seek to implement
3 in the Fund, policies that provide for conditions in stand-
4 by agreements or other arrangements regarding the use
5 of Fund resources, requiring that the recipient country—

6 (1) liberalize restrictions on trade in goods and
7 services and on investment, at a minimum consistent
8 with the terms of all international trade obligations
9 and agreements; and

10 (2) eliminate the practice or policy of govern-
11 ment directed lending on non-commercial terms or
12 provision of market distorting subsidies to favored
13 industries, enterprises, parties, or institutions.

14 (b) Subsequent to the certification provided in sub-
15 section (a), in conjunction with the annual submission of
16 the President's budget, the Secretary of the Treasury shall
17 report to the appropriate committees on the implementa-
18 tion and enforcement of the provisions in subsection (a).

19 (c) The United States shall exert its influence with
20 the Fund and its members to encourage the Fund to in-
21 clude as part of its conditions of stand-by agreements or
22 other uses of the Fund's resources that the recipient coun-
23 try take action to remove discriminatory treatment be-
24 tween foreign and domestic creditors in its debt resolution
25 proceedings. The Secretary of the Treasury shall report

1 back to the Congress six months after the enactment of
2 this Act, and annually thereafter, on the progress in
3 achieving this requirement.

4 (d) BANKRUPTCY LAW REFORM.—The United States
5 shall exert its influence with the International Monetary
6 Fund and its members to encourage the International
7 Monetary Fund to include as part of its conditions of as-
8 sistance that the recipient country take action to adopt,
9 as soon as possible, modern insolvency laws that—

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

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

17 (3) include provisions to ensure that assets
18 gathered in insolvency proceedings are accounted for
19 and put back into the market stream as quickly as
20 possible in order to maximize the number of busi-
21 nesses that can be kept productive and increase the
22 number of jobs that can be saved; and

23 (4) promote international cooperation in insol-
24 vency matters by including—

1 (A) provisions set forth in the Model Law
2 on Cross-Border Insolvency approved by the
3 United Nations Commission on International
4 Trade Law, including removal of discriminatory
5 treatment between foreign and domestic credi-
6 tors in debt resolution proceedings; and

7 (B) other provisions appropriate for pro-
8 moting such cooperation.

9 The Secretary of the Treasury shall report back to Con-
10 gress six months after the enactment of this Act, and an-
11 nually, thereafter, on the progress in achieving this re-
12 quirement.

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

16 SEC. 602. TRANSPARENCY AND OVERSIGHT. (a) Not
17 later than 30 days after enactment of this Act, the Sec-
18 retary of the Treasury shall certify to the appropriate
19 committees that the Board of Executive Directors of the
20 International Monetary Fund has agreed to provide timely
21 access by the Comptroller General to information and doc-
22 uments relating to the Fund's operations, program and
23 policy reviews and decisions regarding stand-by agree-
24 ments and other uses of the Fund's resources.

1 (b) The Secretary of the Treasury shall direct, and
2 the U.S. Executive Director to the International Monetary
3 Fund shall agree to—

4 (1) provide any documents or information avail-
5 able to the Director that are requested by the Comp-
6 troller General;

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

9 (3) use all necessary means to ensure all pos-
10 sible access by the Comptroller General to the staff
11 and operations of the Fund for the purposes of con-
12 ducting financial and program audits.

13 (c) The Secretary of the Treasury, in consultation
14 with the Comptroller General and the U.S. Executive Di-
15 rector of the Fund, shall develop and implement a plan
16 to obtain timely public access to information and docu-
17 ments relating to the Fund's operations, programs and
18 policy reviews and decisions regarding stand-by agree-
19 ments and other uses of the Fund's resources.

20 (d) No later than October 1, 1998 and, not later than
21 March 1 of each year thereafter, the Secretary of the
22 Treasury shall submit a report to the appropriate commit-
23 tees on the status of timely publication of Letters of Intent
24 and Article IV consultation documents and the availability
25 of information referred to in (c).

1 SEC. 603. ADVISORY COMMISSION. (a) The President
2 shall establish an International Financial Institution Advi-
3 sory Commission (hereafter “Commission”).

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

6 (c) Within 180 days, the Commission shall report to
7 the appropriate committees on the future role and respon-
8 sibilities, if any, of the International Monetary Fund and
9 the merit, costs and related implications of consolidation
10 of the organization, management, and activities of the
11 International Monetary Fund, the International Bank for
12 Reconstruction and Development and the World Trade
13 Organization.

14 SEC. 604. BRETTON WOODS CONFERENCE. Not later
15 than 180 days after the Commission reports to the appro-
16 priate committees, the President shall call for a conference
17 of representatives of the governments of the member coun-
18 tries of the International Monetary Fund, the Inter-
19 national Bank for Reconstruction and Development and
20 the World Trade Organization to consider the structure,
21 management and activities of the institutions, their pos-
22 sible merger and their capacity to contribute to exchange
23 rate stability and economic growth and to respond effec-
24 tively to financial crises.

1 SEC. 605. REPORTS. (a) Following the extension of
2 a stand-by agreement or other uses of the resources by
3 the International Monetary Fund, the Secretary of the
4 Treasury, in consultation with the U.S. Executive Director
5 of the Fund, shall submit a report to the appropriate com-
6 mittees providing the following information—

7 (1) the borrower's rules and regulations dealing
8 with capitalization ratios, reserves, deposit insurance
9 system and initiatives to improve transparency of in-
10 formation on the financial institutions and banks
11 which may benefit from the use of the Fund's re-
12 sources;

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

17 (3) the Fund's strategy, plan and timetable for
18 completing the borrower's pay back of the Fund's
19 resources including a date by which the borrower
20 will be free from all international institutional debt
21 obligation; and

22 (4) the status of efforts to upgrade the borrow-
23 er's national standards to meet the Basle Commit-
24 tee's Core Principles for Effective Banking Super-
25 vision.

1 (b) Following the extension of a stand-by agreement
2 or other use of the Fund's resources, the Secretary of the
3 Treasury shall report to the appropriate committees in
4 conjunction with the annual submission of the President's
5 budget, an account—

6 (1) of outcomes related to the requirements of
7 section 5010; and

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

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

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

21 (1) No International Monetary Fund resources
22 have resulted in support to the semiconductor, steel,
23 automobile, shipbuilding, or textile and apparel in-
24 dustries in any form;

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

5 (3) Officials from the Fund and the Depart-
6 ment of the Treasury have monitored the implemen-
7 tation of the provisions contained in stabilization
8 programs in effect after July 1, 1997, and all of the
9 conditions have either been met, or the recipient gov-
10 ernment has committed itself to fulfill all of these
11 conditions according to an explicit timetable for
12 completion; which timetable has been provided to
13 and approved by the Fund and the Department of
14 the Treasury.

15 (b) Such certifications shall be made 14 days prior
16 to the disbursement of any Fund resources to the bor-
17 rower.

18 (c) The Secretary of the Treasury shall instruct the
19 United States Executive Director of the International
20 Monetary Fund to use the voice and vote of the Executive
21 Director to oppose disbursement of further funds if such
22 certification is not given.

23 (d) Such certifications shall continue to be made on
24 an annual basis as long as Fund contributions continue
25 to be outstanding to the borrower country.

1 (e) After consultation with the Secretary of the
2 Treasury and the United States Trade Representative, the
3 Secretary of Commerce shall establish a team composed
4 of employees of the Department of Commerce—

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

7 (A) the steel industry;

8 (B) the semiconductor industry;

9 (C) the automobile industry;

10 (D) the textile and apparel industry; and

11 (E) shipbuilding;

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

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

16 (4) to work to prevent import surges in these
17 industries or to assist United States industries af-
18 fected by such surges in their efforts to protect
19 themselves under the trade laws of the United
20 States.

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

23 (g) The Secretary of the Treasury and the United
24 States Trade Representative may assign such employees

1 to the team as may be necessary to assist the team in
2 carrying out its functions under subsection (e).

3 SEC. 607. LIMITATIONS ON INTERNATIONAL MONE-
4 TARY FUND LOANS TO INDONESIA. The Secretary of the
5 Treasury shall instruct the United States Executive Direc-
6 tor of the International Monetary Fund to use the voice
7 and vote of the United States to prevent the extension of
8 International Monetary Fund resources—

9 (1) directly to or for the direct benefit of the
10 President of Indonesia or any member of the Presi-
11 dent's family; and

12 (2) the Secretary of the Treasury shall instruct
13 the Executive Director to use the United States
14 voice and vote to oppose further disbursement of
15 funds to Indonesia on any International Monetary
16 Fund terms or conditions less stringent than those
17 imposed on the Republic of Korea and the Phil-
18 ippines Republic.

19 SEC. 608. ADVOCACY OF POLICIES TO ENHANCE THE
20 GENERAL EFFECTIVENESS OF THE INTERNATIONAL
21 MONETARY FUND. The Secretary of the Treasury shall
22 instruct the United States Executive Director of the Inter-
23 national Monetary Fund to use aggressively the voice and
24 vote of the United States to vigorously promote policies
25 to encourage the opening of markets for agricultural com-

1 modities and products by requiring recipient countries to
2 make efforts to reduce trade barriers.

3 SEC. 609. ADVISORY COMMITTEE ON IMF POLICY.

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

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

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

14 (2) at least 2 members shall be representatives
15 from nongovernmental environmental organizations;

16 (3) at least 2 members shall be representatives
17 from nongovernmental human rights or social justice
18 organizations.

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

25 (1) in this Act;

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

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

8 (4) in section 1620 of Public Law 95–118, as
9 amended, on respect for, and full protection of, the
10 territorial rights, traditional economies, cultural in-
11 tegrity, traditional knowledge, and human rights of
12 indigenous peoples;

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

17 (6) in section 701 of Public Law 95–118, on
18 assistance to countries that engage in a pattern of
19 gross violations of internationally recognized human
20 rights; and

21 (7) in section 1307 of Public Law 95–118, on
22 assessments of the environmental impact and alter-
23 natives to proposed actions by the International
24 Monetary Fund which would have a significant ef-
25 fect on the human environment.

1 (d) INAPPLICABILITY OF TERMINATION PROVISIONS
2 OF THE FEDERAL ADVISORY COMMITTEE ACT.—Section
3 14(a)(2) of the Federal Advisory Committee Act shall not
4 apply to the Advisory Committee.

5 SEC. 610. BORROWER COUNTRIES. The Secretary of
6 the Treasury shall consult with the office of the United
7 States Trade Representative regarding prospective Inter-
8 national Monetary Fund borrower countries, including
9 their status with respect to title III of the Trade Act of
10 1974 or any executive order issued pursuant to the afore-
11 mentioned title, and shall take these consultations into ac-
12 count before instructing the United States Executive Di-
13 rector of the International Monetary Fund on the United
14 States position regarding loans or credits to such borrow-
15 ing countries.

16 SEC. 611. DEFINITIONS. For the purposes of this
17 title, “appropriate committees” includes the Appropria-
18 tions Committee, the Committee on Foreign Relations,
19 Committee on Finance and the Committee on Banking,
20 Housing and Urban Affairs of the Senate and the Com-
21 mittee on Appropriations and the Committee on Banking
22 and Financial Services in the House of Representatives.

23 SEC. 612. AVAILABILITY OF FUNDS. Funds made
24 available in Title VI shall be available upon date of enact-
25 ment of this Act.

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

Calendar No. 482

105TH CONGRESS
2^D SESSION

S. 2334

[Report No. 105-255]

A BILL

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

JULY 21, 1998

Read twice and placed on the calendar