

**Calendar No. 530**106<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION**S. 2522**

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 9, 2000

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

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**A BILL**

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, 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, 2001, 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 the 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 \$768,000,000 to remain available until September 30,  
26 2004: *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 Sep-  
4 tember 30, 2019 for the disbursement of direct loans, loan  
5 guarantees, insurance and tied-aid grants obligated in fis-  
6 cal years 2001, 2002, 2003, and 2004: *Provided further*,  
7 That none of the funds appropriated by this Act or any  
8 prior Act appropriating funds for foreign operations, ex-  
9 port financing, or related programs for tied-aid credits or  
10 grants may be used for any other purpose except through  
11 the regular notification procedures of the Committees on  
12 Appropriations: *Provided further*, That funds appropriated  
13 by this paragraph are made available notwithstanding sec-  
14 tion 2(b)(2) of the Export Import Bank Act of 1945, in  
15 connection with the purchase or lease of any product by  
16 any East European country, any Baltic State or any agen-  
17 cy or national thereof.

18 ADMINISTRATIVE EXPENSES

19 For administrative expenses to carry out the direct  
20 and guaranteed loan and insurance programs, including  
21 hire of passenger motor vehicles and services as authorized  
22 by 5 U.S.C. 3109, and not to exceed \$25,000 for official  
23 reception and representation expenses for members of the  
24 Board of Directors, \$58,000,000: *Provided*, That nec-  
25 essary expenses (including special services performed on  
26 a contract or fee basis, but not including other personal

1 services) in connection with the collection of moneys owed  
2 the Export-Import Bank, repossession or sale of pledged  
3 collateral or other assets acquired by the Export-Import  
4 Bank in satisfaction of moneys owed the Export-Import  
5 Bank, or the investigation or appraisal of any property,  
6 or the evaluation of the legal or technical aspects of any  
7 transaction for which an application for a loan, guarantee  
8 or insurance commitment has been made, shall be consid-  
9 ered nonadministrative expenses for the purposes of this  
10 heading: *Provided further*, That, notwithstanding sub-  
11 section (b) of section 117 of the Export Enhancement Act  
12 of 1992, subsection (a) thereof shall remain in effect until  
13 October 1, 2001.

14 OVERSEAS PRIVATE INVESTMENT CORPORATION

15 NONCREDIT ACCOUNT

16 The Overseas Private Investment Corporation is au-  
17 thorized to make, without regard to fiscal year limitations,  
18 as provided by 31 U.S.C. 9104, such expenditures and  
19 commitments within the limits of funds available to it and  
20 in accordance with law as may be necessary: *Provided*,  
21 That the amount available for administrative expenses to  
22 carry out the credit and insurance programs (including an  
23 amount for official reception and representation expenses  
24 which shall not exceed \$35,000) shall not exceed  
25 \$38,000,000: *Provided further*, That project-specific trans-  
26 action costs, including direct and indirect costs incurred

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

6 PROGRAM ACCOUNT

7 For the cost of direct and guaranteed loans,  
8 \$24,000,000, as authorized by section 234 of the Foreign  
9 Assistance Act of 1961 to be derived by transfer from the  
10 Overseas Private Investment Corporation noncredit ac-  
11 count: *Provided*, That such costs, including the cost of  
12 modifying such loans, shall be as defined in section 502  
13 of the Congressional Budget Act of 1974: *Provided fur-*  
14 *ther*, That such sums shall be available for direct loan obli-  
15 gations and loan guaranty commitments incurred or made  
16 during fiscal years 2001 and 2002: *Provided further*, That  
17 such sums shall remain available through fiscal year 2010  
18 for the disbursement of direct and guaranteed loans obli-  
19 gated in fiscal years 2001 and 2002: *Provided further*,  
20 That in addition, such sums as may be necessary for ad-  
21 ministrative expenses to carry out the credit program may  
22 be derived from amounts available for administrative ex-  
23 penses to carry out the credit and insurance programs in  
24 the Overseas Private Investment Corporation Noncredit  
25 Account and merged with said account.

## 1 FUNDS APPROPRIATED TO THE PRESIDENT

## 2 TRADE AND DEVELOPMENT AGENCY

3 For necessary expenses to carry out the provisions  
 4 of section 661 of the Foreign Assistance Act of 1961,  
 5 \$46,000,000, to remain available until September 30,  
 6 2002: *Provided*, That the Trade and Development Agency  
 7 may receive reimbursements from corporations and other  
 8 entities for the costs of grants for feasibility studies and  
 9 other project planning services, to be deposited as an off-  
 10 setting collection to this account and to be available for  
 11 obligation until September 30, 2002, for necessary ex-  
 12 penses under this paragraph: *Provided further*, That such  
 13 reimbursements shall not cover, or be allocated against,  
 14 direct or indirect administrative costs of the agency.

## 15 TITLE II—BILATERAL ECONOMIC ASSISTANCE

## 16 FUNDS APPROPRIATED TO THE PRESIDENT

17 For expenses necessary to enable the President to  
 18 carry out the provisions of the Foreign Assistance Act of  
 19 1961, and for other purposes, to remain available until  
 20 September 30, 2002, unless otherwise specified herein, as  
 21 follows:

## 22 AGENCY FOR INTERNATIONAL DEVELOPMENT

## 23 DEVELOPMENT ASSISTANCE

## 24 (INCLUDING TRANSFER OF FUNDS)

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

1 of the Foreign Assistance Act of 1961, and title V of the  
2 International Security and Development Cooperation Act  
3 of 1980 (Public Law 96–533), \$1,368,250,000, to remain  
4 available until September 30, 2002: *Provided*, That of the  
5 amount appropriated under this heading, up to  
6 \$14,400,000 may be made available for the African Devel-  
7 opment Foundation and shall be apportioned directly to  
8 that agency: *Provided further*, That of the funds appro-  
9 priated under this heading, not less than \$425,000,000  
10 shall be made available to carry out the provisions of sec-  
11 tion 104(b) of the Foreign Assistance Act of 1961: *Pro-*  
12 *vided further*, That none of the funds made available in  
13 this Act nor any unobligated balances from prior appro-  
14 priations may be made available to any organization or  
15 program which, as determined by the President of the  
16 United States, supports or participates in the manage-  
17 ment of a program of coercive abortion or involuntary  
18 sterilization: *Provided further*, That none of the funds  
19 made available under this heading may be used to pay for  
20 the performance of abortion as a method of family plan-  
21 ning or to motivate or coerce any person to practice abor-  
22 tions; and that in order to reduce reliance on abortion in  
23 developing nations, funds shall be available only to vol-  
24 untary family planning projects which offer, either directly  
25 or through referral to, or information about access to, a

1 broad range of family planning methods and services, and  
2 that any such voluntary family planning project shall meet  
3 the following requirements: (1) service providers or refer-  
4 ral agents in the project shall not implement or be subject  
5 to quotas, or other numerical targets, of total number of  
6 births, number of family planning acceptors, or acceptors  
7 of a particular method of family planning (this provision  
8 shall not be construed to include the use of quantitative  
9 estimates or indicators for budgeting and planning pur-  
10 poses); (2) the project shall not include payment of incen-  
11 tives, bribes, gratuities, or financial reward to: (A) an indi-  
12 vidual in exchange for becoming a family planning accep-  
13 tor; or (B) program personnel for achieving a numerical  
14 target or quota of total number of births, number of fam-  
15 ily planning acceptors, or acceptors of a particular method  
16 of family planning; (3) the project shall not deny any right  
17 or benefit, including the right of access to participate in  
18 any program of general welfare or the right of access to  
19 health care, as a consequence of any individual's decision  
20 not to accept family planning services; (4) the project shall  
21 provide family planning acceptors comprehensible infor-  
22 mation on the health benefits and risks of the method cho-  
23 sen, including those conditions that might render the use  
24 of the method inadvisable and those adverse side effects  
25 known to be consequent to the use of the method; and

1 (5) the project shall ensure that experimental contracep-  
2 tive drugs and devices and medical procedures are pro-  
3 vided only in the context of a scientific study in which  
4 participants are advised of potential risks and benefits;  
5 and, not less than 60 days after the date on which the  
6 Administrator of the United States Agency for Inter-  
7 national Development determines that there has been a  
8 violation of the requirements contained in paragraph (1),  
9 (2), (3), or (5) of this proviso, or a pattern or practice  
10 of violations of the requirements contained in paragraph  
11 (4) of this proviso, the Administrator shall submit to the  
12 Committee on International Relations and the Committee  
13 on Appropriations of the House of Representatives and to  
14 the Committee on Foreign Relations and the Committee  
15 on Appropriations of the Senate, a report containing a de-  
16 scription of such violation and the corrective action taken  
17 by the Agency: *Provided further*, That in awarding grants  
18 for natural family planning under section 104 of the For-  
19 eign Assistance Act of 1961 no applicant shall be discrimi-  
20 nated against because of such applicant's religious or con-  
21 scientious commitment to offer only natural family plan-  
22 ning; and, additionally, all such applicants shall comply  
23 with the requirements of the previous proviso: *Provided*  
24 *further*, That for purposes of this or any other Act author-  
25 izing or appropriating funds for foreign operations, export

1 financing, and related programs, the term “motivate”, as  
2 it relates to family planning assistance, shall not be con-  
3 strued to prohibit the provision, consistent with local law,  
4 of information or counseling about all pregnancy options:  
5 *Provided further*, That nothing in this paragraph shall be  
6 construed to alter any existing statutory prohibitions  
7 against abortion under section 104 of the Foreign Assist-  
8 ance Act of 1961: *Provided further*, That, notwithstanding  
9 section 109 of the Foreign Assistance Act of 1961, of the  
10 funds appropriated under this heading in this Act, and  
11 of the unobligated balances of funds previously appro-  
12 priated under this heading, \$2,500,000 may be trans-  
13 ferred to “International Organizations and Programs” for  
14 a contribution to the International Fund for Agricultural  
15 Development (IFAD): *Provided further*, That of the aggre-  
16 gate amount of the funds appropriated by this Act to carry  
17 out part I of the Foreign Assistance Act of 1961 and the  
18 Support for East European Democracy (SEED) Act of  
19 1989, not less than \$310,000,000 shall be made available  
20 for agriculture and rural development programs of which  
21 \$30,000,000 shall be made available for plant bio-  
22 technology research and development: *Provided further*,  
23 That of amounts made available in the preceding proviso  
24 for plant biotechnology activities, \$1,000,000 shall be  
25 made available for the University of Missouri Inter-

1 national Laboratory for Tropical Agriculture Bio-  
2 technology, not less than \$1,000,000 shall be made avail-  
3 able for research and training foreign scientists at the  
4 University of California, Davis, and not less than  
5 \$1,000,000 shall be made available to support a Center  
6 to Promote Biotechnology in International Agriculture at  
7 Tuskegee University: *Provided further*, That not less than  
8 \$4,000,000 shall be made available for the International  
9 Fertilizer Development Center: *Provided further*, That  
10 none of the funds appropriated under this heading may  
11 be made available for any activity which is in contraven-  
12 tion to the Convention on International Trade in Endan-  
13 gered Species of Flora and Fauna (CITES): *Provided fur-*  
14 *ther*, That of the funds appropriated under this heading  
15 that are made available for assistance programs for dis-  
16 placed and orphaned children and victims of war, not to  
17 exceed \$25,000, in addition to funds otherwise available  
18 for such purposes, may be used to monitor and provide  
19 oversight of such programs: *Provided further*, That of the  
20 funds appropriated under this heading not less than  
21 \$500,000 shall be made available for support of the  
22 United States Telecommunications Training Institute:  
23 *Provided further*, That of the funds appropriated under  
24 this heading, not less than \$17,000,000 shall be made  
25 available for the American Schools and Hospitals Abroad

1 program: *Provided further*, That of the funds appropriated  
2 under this heading, not less than \$2,000,000 shall be  
3 available to support an international media training cen-  
4 ter: *Provided further*, That of the funds appropriated  
5 under this heading, and the heading “Assistance for the  
6 Independent States”, up to \$7,000,000 should be made  
7 available for Carelift International: *Provided further*, That,  
8 of the funds appropriated by this Act for the Microenter-  
9 prise Initiative (including any local currencies made avail-  
10 able for the purposes of the Initiative), not less than one-  
11 half should be made available for programs providing  
12 loans of less than \$300 to very poor people, particularly  
13 women, or for institutional support of organizations pri-  
14 marily engaged in making such loans.

15 GLOBAL HEALTH

16 For necessary expenses to carry out the provisions  
17 of Chapters 1 and 10 of part I of the Foreign Assistance  
18 Act of 1961, for global health and related activities, in  
19 addition to funds otherwise available for such purposes,  
20 \$651,000,000 to remain available until September 30,  
21 2002: *Provided*, That of the funds appropriated under this  
22 heading, not less than the amount of funds appropriated  
23 under the headings “Development Assistance” and “Child  
24 Survival and Disease Program Fund”, for programs for  
25 the prevention, treatment, and control of, and research on,  
26 infectious diseases in developing countries in fiscal year

1 2000 shall be made available for such activities in fiscal  
2 year 2001, of which amount not less than \$225,000,000  
3 shall be made available for such programs for HIV/AIDS  
4 including not less than \$15,000,000 which shall be made  
5 available to support the development of microbicides as a  
6 means for combating HIV/AIDS: *Provided further*, That  
7 of the funds appropriated under this heading for infectious  
8 diseases, not less than \$41,000,000 should be made avail-  
9 able for programs for the prevention, treatment, control  
10 of, and research on tuberculosis, and not less than  
11 \$65,000,000 should be made available for programs for  
12 the prevention, treatment, and control of, and research on,  
13 malaria: *Provided further*, That of the funds appropriated  
14 under this heading, not less than \$50,000,000 shall be  
15 made available for a United States contribution to the  
16 Global Fund for Children's Vaccines.

17 CYPRUS

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



1 30 days after the date of enactment of this Act, submit  
2 to the Committees on Appropriations of the Senate and  
3 the House of Representatives a plan (in classified or un-  
4 classified form) for the transfer to the Iraqi National Con-  
5 gress Support Foundation or the Iraqi National Congress  
6 of humanitarian assistance for the Iraqi people pursuant  
7 to this paragraph, and for the commencement of broad-  
8 casting operations by them pursuant to this paragraph.

9 BURMA

10 Of the funds appropriated under the headings “Eco-  
11 nomic Support Fund” and “Development Assistance”, not  
12 less than \$6,500,000 shall be made available to support  
13 democracy activities in Burma, democracy and humani-  
14 tarian activities along the Burma-Thailand border, and for  
15 Burmese student groups and other organizations located  
16 outside Burma: *Provided*, That funds made available for  
17 Burma-related activities under this heading may be made  
18 available notwithstanding any other provision of law: *Pro-*  
19 *vided further*, That the provision of such funds shall be  
20 made available subject to the regular notification proce-  
21 dures of the Committees on Appropriations.

22 CONSERVATION FUND

23 Of the funds made available under the headings “De-  
24 velopment Assistance” and “Economic Support Fund”,  
25 not less than \$3,000,000 shall be made available to sup-

1 port the preservation of habitats and related activities for  
2 endangered wildlife.

3 PRIVATE AND VOLUNTARY ORGANIZATIONS

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

18 Funds appropriated or otherwise made available  
19 under title II of this Act should be made available to pri-  
20 vate and voluntary organizations at a level which is at  
21 least equivalent to the level provided in fiscal year 1995.

22 INTERNATIONAL DISASTER ASSISTANCE

23 For necessary expenses for international disaster re-  
24 lief, rehabilitation, and reconstruction assistance pursuant  
25 to section 491 of the Foreign Assistance Act of 1961, as

1 amended, \$220,000,000, to remain available until ex-  
2 pended.

3 DEVELOPMENT CREDIT AUTHORITY PROGRAM ACCOUNT

4 For administrative expenses to carry out the direct  
5 and guaranteed loan programs, \$4,000,000, which may be  
6 transferred to and merged with the appropriation for “Op-  
7 erating Expenses of the Agency for International Develop-  
8 ment”.

9 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
10 DISABILITY FUND

11 For payment to the “Foreign Service Retirement and  
12 Disability Fund”, as authorized by the Foreign Service  
13 Act of 1980, \$44,489,000.

14 OPERATING EXPENSES OF THE AGENCY FOR  
15 INTERNATIONAL DEVELOPMENT

16 For necessary expenses to carry out the provisions  
17 of section 667, \$510,000,000.

18 OPERATING EXPENSES OF THE AGENCY FOR INTER-  
19 NATIONAL DEVELOPMENT OFFICE OF INSPECTOR  
20 GENERAL

21 For necessary expenses to carry out the provisions  
22 of section 667, \$25,000,000, to remain available until Sep-  
23 tember 30, 2002, which sum shall be available for the Of-  
24 fice of the Inspector General of the Agency for Inter-  
25 national Development.

## 1 OTHER BILATERAL ECONOMIC ASSISTANCE

## 2 ECONOMIC SUPPORT FUND

3 For necessary expenses to carry out the provisions  
4 of chapter 4 of part II, \$2,220,000,000, to remain avail-  
5 able until September 30, 2002: *Provided*, That of the  
6 funds appropriated under this heading, not less than  
7 \$840,000,000 shall be available only for Israel, which sum  
8 shall be available on a grant basis as a cash transfer and  
9 shall be disbursed within 30 days of the enactment of this  
10 Act or by October 31, 2000, whichever is later: *Provided*  
11 *further*, That not less than \$695,000,000 shall be available  
12 only for Egypt, which sum shall be provided on a grant  
13 basis, and of which sum cash transfer assistance shall be  
14 provided with the understanding that Egypt will under-  
15 take significant economic reforms which are additional to  
16 those which were undertaken in previous fiscal years, and  
17 of which not less than \$200,000,000 shall be provided as  
18 Commodity Import Program assistance: *Provided further*,  
19 That for fiscal year 2001, up to the Egyptian pound equiv-  
20 alent of \$50,000,000 generated from funds made available  
21 by this paragraph or generated from funds appropriated  
22 under this heading in prior appropriations Acts, may be  
23 made available to the United States pursuant to the  
24 United States-Egypt Economic, Technical and Related As-  
25 sistance Agreements of 1978, for the following activities

1 under such Agreements: up to the Egyptian pound equiva-  
2 lent of \$35,000,000 may be made available for costs asso-  
3 ciated with the relocation of the American University in  
4 Cairo, and up to the Egyptian pound equivalent of  
5 \$15,000,000 may be made available for projects and pro-  
6 grams including establishment of an endowment, which  
7 promote the preservation and restoration of Egyptian an-  
8 tiquities, of which up to the Egyptian pound equivalent  
9 of \$3,000,000 may be made available for the Theban Map-  
10 ping Project: *Provided further*, That in exercising the au-  
11 thority to provide cash transfer assistance for Israel, the  
12 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 and that Israel enters into a side letter agreement at least  
16 equivalent to the fiscal year 1999 agreement: *Provided fur-*  
17 *ther*, That of the funds appropriated under this heading,  
18 not less than \$150,000,000 shall be made available for  
19 assistance for Jordan: *Provided further*, That of funds  
20 made available under this heading not less than  
21 \$2,000,000 shall be available to support the American  
22 Center for Oriental Research: *Provided further*, That of  
23 the funds appropriated under this heading, not less than  
24 \$25,000,000 shall be made available for assistance for  
25 East Timor of which up to \$1,000,000 may be transferred

1 to and merged with the appropriation for “Operating Ex-  
2 penses of the Agency for International Development”.

3 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC  
4 STATES

5 (a) For necessary expenses to carry out the provisions  
6 of the Foreign Assistance Act of 1961 and the Support  
7 for East European Democracy (SEED) Act of 1989,  
8 \$635,000,000, to remain available until September 30,  
9 2002, which shall be available, notwithstanding any other  
10 provision of law, for assistance and for related programs  
11 for Eastern Europe and the Baltic States: *Provided*, That  
12 of the funds appropriated under this heading not less than  
13 \$89,000,000 shall be made available for assistance for  
14 Montenegro: *Provided further*, That of the funds made  
15 available under this heading and the headings “Inter-  
16 national Narcotics Control and Law Enforcement” and  
17 “Economic Support Fund”, not to exceed \$75,000,000  
18 shall be made available for Bosnia and Herzegovina.

19 (b) Of the funds appropriated under this heading, not  
20 less than \$60,000,000 should be made available for Cro-  
21 atia: *Provided*, That the Secretary of State shall make  
22 funds for activities and projects in Croatia available only  
23 after certifying that the Government of Croatia is fulfilling  
24 its declared commitments: (1) to cooperate with the Inter-  
25 national Criminal Tribunal for Yugoslavia including pro-  
26 viding documents; (2) to take immediate steps to end Cro-

1 atian financial, political, security, and other support which  
2 has served to maintain separate Herceg Bosna institu-  
3 tions; (3) to establish a swift timetable and cooperate in  
4 support of the safe return of refugees; and (4) to accel-  
5 erate political, media, electoral and anti-corruption re-  
6 forms: *Provided further*, That the Secretary of State shall  
7 report to the Committees on Appropriations 90 days after  
8 the date of enactment of this Act on the progress achieved  
9 by the Government of Croatia in fulfilling pledges made  
10 to meet the preceding proviso.

11 (c) None of the funds made available under this head-  
12 ing for Kosova shall be made available until the Secretary  
13 of State certifies that the resources obligated and ex-  
14 pended by the United States in Kosova do not exceed 15  
15 percent of the total resources obligated and expended by  
16 all donors: *Provided*, That none of the funds made avail-  
17 able under this heading for Kosova shall be made available  
18 for large scale physical infrastructure reconstruction: *Pro-*  
19 *vided further*, That of the funds made available under this  
20 heading for Kosova, not less than 50 percent shall be  
21 made available through non-government organizations.

22 (d) Funds appropriated under this heading or in  
23 prior appropriations Acts that are or have been made  
24 available for an Enterprise Fund may be deposited by  
25 such Fund in interest-bearing accounts prior to the

1 Fund's disbursement of such funds for program purposes.  
2 The Fund may retain for such program purposes any in-  
3 terest earned on such deposits without returning such in-  
4 terest to the Treasury of the United States and without  
5 further appropriation by the Congress. Funds made avail-  
6 able for Enterprise Funds shall be expended at the min-  
7 imum rate necessary to make timely payment for projects  
8 and activities.

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

14 (f) None of the funds appropriated under this head-  
15 ing may be made available for new housing construction  
16 or repair or reconstruction of existing housing in Bosnia  
17 and Herzegovina unless directly related to the efforts of  
18 United States troops to promote peace in said country.

19 (g) With regard to funds appropriated under this  
20 heading for the economic revitalization program in Bosnia  
21 and Herzegovina, and local currencies generated by such  
22 funds (including the conversion of funds appropriated  
23 under this heading into currency used by Bosnia and  
24 Herzegovina as local currency and local currency returned  
25 or repaid under such program) the Administrator of the

1 Agency for International Development shall provide writ-  
2 ten approval for grants and loans prior to the obligation  
3 and expenditure of funds for such purposes, and prior to  
4 the use of funds that have been returned or repaid to any  
5 lending facility or grantee.

6 (h) The provisions of section 532 of this Act shall  
7 apply to funds made available under subsection (g) and  
8 to funds appropriated under this heading.

9 (i) The President shall withhold funds appropriated  
10 under this heading made available for economic revitaliza-  
11 tion programs in Bosnia and Herzegovina, if he deter-  
12 mines and certifies to the Committees on Appropriations  
13 that the Federation of Bosnia and Herzegovina has not  
14 complied with article III of annex 1–A of the General  
15 Framework Agreement for Peace in Bosnia and  
16 Herzegovina concerning the withdrawal of foreign forces,  
17 and that intelligence cooperation on training, investiga-  
18 tions, and related activities between Iranian officials and  
19 Bosnian officials has not been terminated.

20 ASSISTANCE FOR THE INDEPENDENT STATES

21 (a) For necessary expenses to carry out the provisions  
22 of chapter 11 of part I of the Foreign Assistance Act of  
23 1961 and the FREEDOM Support Act, for assistance for  
24 the Independent States of the former Soviet Union and  
25 for related programs, \$775,000,000, to remain available  
26 until September 30, 2002: *Provided*, That the provisions

1 of such chapter shall apply to funds appropriated by this  
2 paragraph: *Provided further*, That of the funds made avail-  
3 able for the Southern Caucasus region, notwithstanding  
4 any other provision of law, funds may be used for con-  
5 fidence-building measures and other activities in further-  
6 ance of the peaceful resolution of the regional conflicts,  
7 especially those in the vicinity of Abkhazia and Nagorno-  
8 Karabagh: *Provided further*, That of the amounts appro-  
9 priated under this heading not less than \$20,000,000 shall  
10 be made available solely for the Russian Far East, not  
11 less than \$400,000 shall be made available to support the  
12 Cochran Fellowship Program in Russia, and not less than  
13 \$250,000 shall be made available to support the Moscow  
14 School of Political Studies.

15 (b) Of the funds appropriated under this heading, not  
16 less than \$175,000,000 should be made available for as-  
17 sistance for Ukraine: *Provided*, That of this amount, not  
18 less than \$25,000,000 shall be made available for nuclear  
19 reactor safety initiatives, not less than \$1,000,000 shall  
20 be made available to the University of Southern Alabama  
21 to study environmental causes of birth defects, and not  
22 less than \$5,000,000 shall be made available for the  
23 Ukranian Land and Resource Management Center.

24 (c) Of the funds appropriated under this heading, not  
25 less than \$94,000,000 shall be made available for assist-

1   ance for Georgia of which not less than \$25,000,000 shall  
2   be made available to support Border Security Guard ini-  
3   tiatives, and not less than \$5,000,000 shall be made avail-  
4   able for development and training of municipal officials  
5   in water resource management, transportation and agri-  
6   business.

7       (d) Of the funds appropriated under this heading, not  
8   less than \$89,000,000 shall be made available for assist-  
9   ance for Armenia.

10       (e) Section 907 of the FREEDOM Support Act shall  
11   not apply to—

12           (1) activities to support democracy or assist-  
13   ance under title V of the FREEDOM Support Act  
14   and section 1424 of Public Law 104–201;

15           (2) any assistance provided by the Trade and  
16   Development Agency under section 661 of the For-  
17   eign Assistance Act of 1961 (22 U.S.C. 2421);

18           (3) any activity carried out by a member of the  
19   United States and Foreign Commercial Service while  
20   acting within his or her official capacity;

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

1           (5) any financing provided under the Export-  
2           Import Bank Act of 1945; or

3           (6) humanitarian assistance.

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

9           (g) Of the funds appropriated under title II of this  
10 Act not less than \$12,000,000 shall be made available for  
11 assistance for Mongolia of which not less than \$6,000,000  
12 should be made available from funds appropriated under  
13 this heading: *Provided*, That funds made available for as-  
14 sistance for Mongolia may be made available in accordance  
15 with the purposes and utilizing the authorities provided  
16 in chapter 11 of part I of the Foreign Assistance Act of  
17 1961.

18          (h)(1) Of the funds appropriated under this heading  
19 that are allocated for assistance for the Government of  
20 the Russian Federation, 50 percent shall be withheld from  
21 obligation until the President determines and certifies in  
22 writing to the Committees on Appropriations that the Gov-  
23 ernment of the Russian Federation has terminated imple-  
24 mentation of arrangements to provide Iran with technical  
25 expertise, training, technology, or equipment necessary to

1 develop a nuclear reactor, related nuclear research facili-  
2 ties or programs, or ballistic missile capability.

3 (2) Paragraph (1) shall not apply to—

4 (A) assistance to combat infectious diseases;  
5 and

6 (B) activities authorized under title V (Non-  
7 proliferation and Disarmament Programs and Ac-  
8 tivities) of the FREEDOM Support Act.

9 (i) None of the funds appropriated under this heading  
10 may be made available for assistance for the Government  
11 of the Russian Federation until the Secretary of State cer-  
12 tifies that: (a) the Government of the Russian Federation  
13 is fully cooperating with international efforts to investigate  
14 allegations of war crimes and atrocities in Chechnya; and,  
15 (b) the Government of the Russian Federation is providing  
16 full access to international non-government organizations  
17 providing humanitarian relief to refugees and internally  
18 displaced persons in Chechnya: *Provided*, That of the  
19 funds appropriated under this heading for assistance for  
20 Russia, not less than \$10,000,000 shall be made available  
21 to non-government organizations providing humanitarian  
22 relief in Chechnya and Ingushetia.

1 INDEPENDENT AGENCY  
2 PEACE CORPS

3 For necessary expenses to carry out the provisions  
4 of the Peace Corps Act (75 Stat. 612), \$220,000,000, in-  
5 cluding the purchase of not to exceed five passenger motor  
6 vehicles for administrative purposes for use outside of the  
7 United States: *Provided*, That none of the funds appro-  
8 priated under this heading shall be used to pay for abor-  
9 tions: *Provided further*, That funds appropriated under  
10 this heading shall remain available until September 30,  
11 2002.

12 DEPARTMENT OF STATE  
13 INTERNATIONAL NARCOTICS CONTROL AND LAW  
14 ENFORCEMENT

15 For necessary expenses to carry out section 481 of  
16 the Foreign Assistance Act of 1961, \$220,000,000.

17 MIGRATION AND REFUGEE ASSISTANCE

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

1 authorized by sections 5921 through 5925 of title 5,  
2 United States Code; purchase and hire of passenger motor  
3 vehicles; and services as authorized by section 3109 of title  
4 5, United States Code, \$615,000,000, which shall remain  
5 available until expended: *Provided*, That not more than  
6 \$14,000,000 shall be available for administrative ex-  
7 penses: *Provided further*, That funds appropriated under  
8 this heading to support activities and programs conducted  
9 by the United Nations High Commissioner for Refugees  
10 shall be made available subject to the regular notification  
11 procedures of the Committees on Appropriations: *Provided*  
12 *further*, That not less than \$60,000,000 shall be made  
13 available for refugees from the former Soviet Union and  
14 Eastern Europe and other refugees resettling in Israel.

15 UNITED STATES EMERGENCY REFUGEE AND MIGRATION  
16 ASSISTANCE FUND

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



1 to exceed \$15,000,000, to remain available until expended,  
2 may be made available for the Nonproliferation and Disar-  
3 mament Fund, notwithstanding any other provision of  
4 law, to promote bilateral and multilateral activities relat-  
5 ing to nonproliferation and disarmament: *Provided fur-*  
6 *ther*, That such funds may also be used for such countries  
7 other than the Independent States of the former Soviet  
8 Union and international organizations when it is in the  
9 national security interest of the United States to do so:  
10 *Provided further*, That such funds shall be subject to the  
11 regular notification procedures of the Committees on Ap-  
12 propriations: *Provided further*, That funds appropriated  
13 under this heading may be made available for the Inter-  
14 national Atomic Energy Agency only if the Secretary of  
15 State determines (and so reports to the Congress) that  
16 Israel is not being denied its right to participate in the  
17 activities of that Agency: *Provided further*, That of the  
18 funds appropriated under this heading, \$40,000,000  
19 should be made available for demining, clearance of  
20 unexploded ordnance, and related activities: *Provided fur-*  
21 *ther*, That of the funds made available for demining and  
22 related activities, not to exceed \$500,000, in addition to  
23 funds otherwise available for such purposes, may be used  
24 for administrative expenses related to the operation and  
25 management of the demining program.

1                   DEPARTMENT OF THE TREASURY  
2           INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

3           For necessary expenses to carry out the provisions  
4 of section 129 of the Foreign Assistance Act of 1961 (re-  
5 lating to international affairs technical assistance activi-  
6 ties), \$5,000,000, to remain available until expended,  
7 which shall be available notwithstanding any other provi-  
8 sion of law.

9                   DEBT RESTRUCTURING

10          For the cost, as defined in section 502 of the Con-  
11 gressional Budget Act of 1974, of modifying loans and  
12 loan guarantees, as the President may determine, for  
13 which funds have been appropriated or otherwise made  
14 available for programs within the International Affairs  
15 Budget Function 150, including the cost of selling, reduc-  
16 ing, or canceling amounts owed to the United States as  
17 a result of concessional loans made to eligible countries,  
18 pursuant to parts IV and V of the Foreign Assistance Act  
19 of 1961, and of modifying concessional credit agreements  
20 with least developed countries, as authorized under section  
21 411 of the Agricultural Trade Development and Assist-  
22 ance Act of 1954, as amended, and concessional loans,  
23 guarantees and credit agreements, as authorized under  
24 section 572 of the Foreign Operations, Export Financing,  
25 and Related Programs Appropriations Act, 1989 (Public  
26 Law 100-461), \$75,000,000, to remain available until ex-

1 pended: *Provided*, That of this amount, funds may be  
2 made available to carry out the provisions of part V of  
3 the Foreign Assistance Act of 1961 or as a contribution  
4 to the Heavily Indebted Poor Countries Trust Fund ad-  
5 ministered by the International Bank for Reconstruction  
6 and Development: *Provided further*, That funds made  
7 available under this heading shall be available subject to  
8 authorization by the appropriate committees: *Provided*  
9 *further*, That any limitation of subsection (e) of section  
10 411 of the Agricultural Trade Development and Assist-  
11 ance Act of 1954 shall not apply to funds appropriated  
12 hereunder or previously appropriated under this heading:  
13 *Provided further*, That the authority provided by section  
14 572 of Public Law 100–461 may be exercised only with  
15 respect to countries that are eligible to borrow from the  
16 International Development Association, but not from the  
17 International Bank for Reconstruction and Development,  
18 commonly referred to as “IDA-only” countries.

### 19 TITLE III—MILITARY ASSISTANCE

#### 20 FUNDS APPROPRIATED TO THE PRESIDENT

##### 21 INTERNATIONAL MILITARY EDUCATION AND TRAINING

22 For necessary expenses to carry out the provisions  
23 of section 541 of the Foreign Assistance Act of 1961,  
24 \$55,000,000: *Provided*, That the civilian personnel for  
25 whom military education and training may be provided

1 under this heading may include civilians who are not mem-  
2 bers of a government whose participation would contribute  
3 to improved civil-military relations, civilian control of the  
4 military, or respect for human rights: *Provided further,*  
5 That funds appropriated under this heading for grant fi-  
6 nanced military education and training for Indonesia and  
7 Guatemala may only be available for expanded inter-  
8 national military education and training and funds made  
9 available for Guatemala may only be provided through the  
10 regular notification procedures of the Committees on Ap-  
11 propriations.

12 FOREIGN MILITARY FINANCING PROGRAM

13 For expenses necessary for grants to enable the  
14 President to carry out the provisions of section 23 of the  
15 Arms Export Control Act, \$3,519,000,000: *Provided,*  
16 That of the funds appropriated under this heading, not  
17 less than \$1,980,000,000 shall be available for grants only  
18 for Israel, and not less than \$1,300,000,000 shall be made  
19 available for grants only for Egypt: *Provided further,* That  
20 the funds appropriated by this paragraph for Israel shall  
21 be disbursed within 30 days of the enactment of this Act  
22 or by October 31, 2000, whichever is later: *Provided fur-*  
23 *ther,* That to the extent that the Government of Israel re-  
24 quests that funds be used for such purposes, grants made  
25 available for Israel by this paragraph shall, as agreed by  
26 Israel and the United States, be available for advanced

1 weapons systems, of which not less than 26.26 percent  
2 shall be available for the procurement in Israel of defense  
3 articles and defense services, including research and devel-  
4 opment: *Provided further*, That of the funds appropriated  
5 by this paragraph, not less than \$75,000,000 shall be  
6 available for assistance for Jordan: *Provided further*, That  
7 of the funds appropriated by this paragraph, not less than  
8 \$10,000,000 shall be made available for assistance for Tu-  
9 nisia: *Provided further*, That during fiscal year 2001, the  
10 President is authorized to, and shall, direct the draw-  
11 downs of defense articles from the stocks of the Depart-  
12 ment of Defense, defense services of the Department of  
13 Defense, and military education and training of an aggre-  
14 gate value of not less than \$4,000,000 under the authority  
15 of this proviso for Tunisia for the purposes of part II of  
16 the Foreign Assistance Act of 1961 and any amount so  
17 directed shall count toward meeting the earmark in the  
18 preceding proviso: *Provided further*, That of the funds ap-  
19 propriated by this paragraph, not less than \$12,000,000  
20 shall be made available for Georgia: *Provided further*, That  
21 during fiscal year 2001, the President is authorized to,  
22 and shall, direct the draw-downs of defense articles from  
23 the stocks of the Department of Defense, defense services  
24 of the Department of Defense, and military education and  
25 training of an aggregate value of not less than \$5,000,000

1 under the authority of this proviso for Georgia for the pur-  
2 poses of part II of the Foreign Assistance Act of 1961  
3 and any amount so directed shall count toward meeting  
4 the earmark in the preceding proviso: *Provided further,*  
5 That pursuant to section 3(a)(2) of the Arms Export Con-  
6 trol Act and section 505(a)(1)(B) of the Foreign Assist-  
7 ance Act of 1961, the United States consents to the trans-  
8 fer by Turkey to Georgia of defense articles sold by the  
9 United States to Turkey having an aggregate, current  
10 market value of not to exceed \$10,000,000 for fiscal year  
11 2001: *Provided further,* That funds appropriated by this  
12 paragraph shall be nonrepayable notwithstanding any re-  
13 quirement in section 23 of the Arms Export Control Act:  
14 *Provided further,* That funds made available under this  
15 paragraph shall be obligated upon apportionment in ac-  
16 cordance with paragraph (5)(C) of title 31, United States  
17 Code, section 1501(a).

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

1 may be financed with such funds: *Provided*, That all coun-  
2 try and funding level increases in allocations shall be sub-  
3 mitted through the regular notification procedures of sec-  
4 tion 515 of this Act: *Provided further*, That none of the  
5 funds appropriated under this heading shall be available  
6 for assistance for Sudan and Liberia: *Provided further*,  
7 That funds made available under this heading may be  
8 used, notwithstanding any other provision of law, for  
9 demining, the clearance of unexploded ordnance, and re-  
10 lated activities, and may include activities implemented  
11 through nongovernmental and international organizations:  
12 *Provided further*, That none of the funds appropriated  
13 under this heading shall be available for assistance for  
14 Guatemala: *Provided further*, That only those countries for  
15 which assistance was justified for the “Foreign Military  
16 Sales Financing Program” in the fiscal year 1989 con-  
17 gressional presentation for security assistance programs  
18 may utilize funds made available under this heading for  
19 procurement of defense articles, defense services or design  
20 and construction services that are not sold by the United  
21 States Government under the Arms Export Control Act:  
22 *Provided further*, That funds appropriated under this  
23 heading shall be expended at the minimum rate necessary  
24 to make timely payment for defense articles and services:  
25 *Provided further*, That not more than \$33,000,000 of the

1 funds appropriated under this heading may be obligated  
 2 for necessary expenses, including the purchase of pas-  
 3 senger motor vehicles for replacement only for use outside  
 4 of the United States, for the general costs of admin-  
 5 istering military assistance and sales: *Provided further,*  
 6 That not more than \$330,000,000 of funds realized pursu-  
 7 ant to section 21(e)(1)(A) of the Arms Export Control Act  
 8 may be obligated for expenses incurred by the Department  
 9 of Defense during fiscal year 2001 pursuant to section  
 10 43(b) of the Arms Export Control Act, except that this  
 11 limitation may be exceeded only through the regular notifi-  
 12 cation procedures of the Committees on Appropriations.

13 PEACEKEEPING OPERATIONS

14 For necessary expenses to carry out the provisions  
 15 of section 551 of the Foreign Assistance Act of 1961,  
 16 \$85,000,000: *Provided,* That none of the funds appro-  
 17 priated under this heading shall be obligated or expended  
 18 except as provided through the regular notification proce-  
 19 dures of the Committees on Appropriations.

20 TITLE IV—MULTILATERAL ECONOMIC  
 21 ASSISTANCE

22 FUNDS APPROPRIATED TO THE PRESIDENT

23 INTERNATIONAL FINANCIAL INSTITUTIONS

24 GLOBAL ENVIRONMENT FACILITY

25 For the United States contribution for the Global En-  
 26 vironment Facility, \$50,000,000, to the International

1 Bank for Reconstruction and Development as trustee for  
2 the Global Environment Facility, by the Secretary of the  
3 Treasury, to remain available until expended, for contribu-  
4 tions previously due.

5 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT  
6 ASSOCIATION

7 For payment to the International Development Asso-  
8 ciation by the Secretary of the Treasury, \$750,000,000,  
9 to remain available until expended.

10 CONTRIBUTION TO THE MULTILATERAL INVESTMENT  
11 GUARANTEE AGENCY

12 For payment to the Multilateral Investment Guar-  
13 antee Agency by the Secretary of the Treasury,  
14 \$4,000,000, for the United States paid-in share of the in-  
15 crease in capital stock, to remain available until expended.

16 LIMITATION ON CALLABLE CAPITAL

17 The United States Governor of the Multilateral In-  
18 vestment Guarantee Agency may subscribe without fiscal  
19 year limitation for the callable capital portion of the  
20 United States share of such capital stock in an amount  
21 not to exceed \$80,000,000.

22 CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT  
23 CORPORATION

24 For payment to the Inter-American Investment Cor-  
25 poration, by the Secretary of the Treasury, \$10,000,000,

1 for the United States share of the increase in subscrip-  
2 tions to capital stock, to remain available until expended.

3 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

4 For the United States contribution by the Secretary  
5 of the Treasury to the increase in resources of the Asian  
6 Development Fund, as authorized by the Asian Develop-  
7 ment Bank Act, as amended, \$100,000,000, to remain  
8 available until expended.

9 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

10 For payment to the African Development Bank by  
11 the Secretary of the Treasury, \$6,100,000, for the United  
12 States paid-in share of the increase in capital stock, to  
13 remain available until expended.

14 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

15 The United States Governor of the African Develop-  
16 ment Bank may subscribe without fiscal year limitation  
17 for the callable capital portion of the United States share  
18 of such capital stock in an amount not to exceed  
19 \$95,983,000.

20 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

21 For the United States contribution by the Secretary  
22 of the Treasury to the increase in resources of the African  
23 Development Fund, \$72,000,000, to remain available until  
24 expended.

1           CONTRIBUTION TO THE EUROPEAN BANK FOR  
2           RECONSTRUCTION AND DEVELOPMENT

3           For payment to the European Bank for Reconstruct-  
4           tion and Development by the Secretary of the Treasury,  
5           \$35,779,000, for the United States share of the paid-in  
6           portion of the increase in capital stock, to remain available  
7           until expended.

8           LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

9           The United States Governor of the European Bank  
10          for Reconstruction and Development may subscribe with-  
11          out fiscal year limitation to the callable capital portion of  
12          the United States share of such capital stock in an amount  
13          not to exceed \$123,238,000.

14          INTERNATIONAL ORGANIZATIONS AND PROGRAMS

15          For necessary expenses to carry out the provisions  
16          of section 301 of the Foreign Assistance Act of 1961, and  
17          of section 2 of the United Nations Environment Program  
18          Participation Act of 1973, \$288,000,000: *Provided*, That  
19          none of the funds appropriated under this heading shall  
20          be made available for the United Nations Fund for  
21          Science and Technology: *Provided further*, That not less  
22          than \$5,000,000 shall be made available to the World  
23          Food Program: *Provided further*, That of the funds appro-  
24          priated under this heading, not less than \$25,000,000  
25          shall be made available for the United Nations Fund for  
26          Population Activities (UNFPA): *Provided further*, That

1 none of the funds appropriated under this heading that  
 2 are made available to UNFPA shall be made available for  
 3 activities in the People’s Republic of China: *Provided fur-*  
 4 *ther*, That with respect to any funds appropriated under  
 5 this heading that are made available to UNFPA, UNFPA  
 6 shall be required to maintain such funds in a separate ac-  
 7 count and not commingle them with any other funds: *Pro-*  
 8 *vided further*, That none of the funds appropriated under  
 9 this heading may be made available to the Korean Penin-  
 10 sula Energy Development Organization (KEDO) or the  
 11 International Atomic Energy Agency (IAEA).

## 12 TITLE V—GENERAL PROVISIONS

### 13 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

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: *Provided*, That none of the funds appropriated by

1 title II of this Act may be transferred by the Agency for  
2 International Development directly to an international fi-  
3 nancial institution (as defined in section 533 of this Act)  
4 for the purpose of repaying a foreign country's loan obliga-  
5 tions to such institution.

6                   LIMITATION ON RESIDENCE EXPENSES

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

14                   LIMITATION ON EXPENSES

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

19                   LIMITATION ON REPRESENTATIONAL ALLOWANCES

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

1 *Provided further*, That of the funds made available by this  
2 Act for general costs of administering military assistance  
3 and sales under the heading “Foreign Military Financing  
4 Program”, not to exceed \$2,000 shall be available for en-  
5 tertainment expenses and not to exceed \$50,000 shall be  
6 available for representation allowances: *Provided further*,  
7 That of the funds made available by this Act under the  
8 heading “International Military Education and Training”,  
9 not to exceed \$50,000 shall be available for entertainment  
10 allowances: *Provided further*, That of the funds made  
11 available by this Act for the Peace Corps, not to exceed  
12 a total of \$4,000 shall be available for entertainment ex-  
13 penses: *Provided further*, That of the funds made available  
14 by this Act under the heading “Trade and Development  
15 Agency”, not to exceed \$2,000 shall be available for rep-  
16 resentation and entertainment allowances

17 PROHIBITION ON FINANCING NUCLEAR GOODS

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

1 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN  
2 COUNTRIES

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

11 MILITARY COUPS

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

21 TRANSFERS BETWEEN ACCOUNTS

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

1 eign Assistance Act of 1961 to transfer funds, consults  
2 with and provides a written policy justification to the  
3 Committees on Appropriations of the House of Represent-  
4 atives and the Senate.

5 DEOBLIGATION/REOBLIGATION AUTHORITY

6 SEC. 510. (a) Amounts certified pursuant to section  
7 1311 of the Supplemental Appropriations Act, 1955, as  
8 having been obligated against appropriations heretofore  
9 made under the authority of the Foreign Assistance Act  
10 of 1961 for the same general purpose as any of the head-  
11 ings under title II of this Act are, if deobligated, hereby  
12 continued available for the same period as the respective  
13 appropriations under such headings or until September  
14 30, 2001, whichever is later, and for the same general pur-  
15 pose, and for countries within the same region as origi-  
16 nally obligated: *Provided*, That the Appropriations Com-  
17 mittees of both Houses of the Congress are notified 15  
18 days in advance of the reobligation of such funds in ac-  
19 cordance with regular notification procedures of the Com-  
20 mittees on Appropriations.

21 (b) Obligated balances of funds appropriated to carry  
22 out section 23 of the Arms Export Control Act as of the  
23 end of the fiscal year immediately preceding the current  
24 fiscal year are, if deobligated, hereby continued available  
25 during the current fiscal year for the same purpose under  
26 any authority applicable to such appropriations under this

1 Act: *Provided*, That the authority of this subsection may  
2 not be used in fiscal year 2001.

3 AVAILABILITY OF FUNDS

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

14                                   COMMERCE AND TRADE

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

1 producers of the same, similar, or competing commodity:  
2 *Provided*, That such prohibition shall not apply to the Ex-  
3 port-Import Bank if in the judgment of its Board of Direc-  
4 tors the benefits to industry and employment in the  
5 United States are likely to outweigh the injury to United  
6 States producers of the same, similar, or competing com-  
7 modity, and the Chairman of the Board so notifies the  
8 Committees on Appropriations.

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

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

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

## 1 SURPLUS COMMODITIES

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

## 19 NOTIFICATION REQUIREMENTS

20 SEC. 515. (a) For the purposes of providing the exec-  
21 utive branch with the necessary administrative flexibility,  
22 none of the funds made available under this Act for “De-  
23 velopment Assistance”, “Global Health”, “International  
24 Organizations and Programs”, “Trade and Development  
25 Agency”, “International Narcotics Control and Law En-  
26 forcement”, “Assistance for Eastern Europe and the Bal-

1 tie States”, “Assistance for the Independent States”,  
2 “Economic Support Fund”, “Peacekeeping Operations”,  
3 “Operating Expenses of the Agency for International De-  
4 velopment”, “Operating Expenses of the Agency for Inter-  
5 national Development Office of Inspector General”, “Non-  
6 proliferation, Anti-terrorism, Demining and Related Pro-  
7 grams”, “Foreign Military Financing Program”, “Inter-  
8 national Military Education and Training”, “Peace  
9 Corps”, and “Migration and Refugee Assistance”, shall be  
10 available for obligation for activities, programs, projects,  
11 type of materiel assistance, countries, or other operations  
12 not justified or in excess of the amount justified to the  
13 Appropriations Committees for obligation under any of  
14 these specific headings unless the Appropriations Commit-  
15 tees of both Houses of Congress are previously notified  
16 15 days in advance: *Provided*, That the President shall  
17 not enter into any commitment of funds appropriated for  
18 the purposes of section 23 of the Arms Export Control  
19 Act for the provision of major defense equipment, other  
20 than conventional ammunition, or other major defense  
21 items defined to be aircraft, ships, missiles, or combat ve-  
22 hicles, not previously justified to Congress or 20 percent  
23 in excess of the quantities justified to Congress unless the  
24 Committees on Appropriations are notified 15 days in ad-  
25 vance of such commitment: *Provided further*, That this

1 section shall not apply to any reprogramming for an activ-  
2 ity, program, or project under chapter 1 of part I of the  
3 Foreign Assistance Act of 1961 of less than 10 percent  
4 of the amount previously justified to the Congress for obli-  
5 gation for such activity, program, or project for the cur-  
6 rent fiscal year: *Provided further*, That the requirements  
7 of this section or any similar provision of this Act or any  
8 other Act, including any prior Act requiring notification  
9 in accordance with the regular notification procedures of  
10 the Committees on Appropriations, may be waived if fail-  
11 ure to do so would pose a substantial risk to human health  
12 or welfare: *Provided further*, That in case of any such  
13 waiver, notification to the Congress, or the appropriate  
14 congressional committees, shall be provided as early as  
15 practicable, but in no event later than 3 days after taking  
16 the action to which such notification requirement was ap-  
17 plicable, in the context of the circumstances necessitating  
18 such waiver: *Provided further*, That any notification pro-  
19 vided pursuant to such a waiver shall contain an expla-  
20 nation of the emergency circumstances.

21 (b) Drawdowns made pursuant to section 506(a)(2)  
22 of the Foreign Assistance Act of 1961 shall be subject to  
23 the regular notification procedures of the Committees on  
24 Appropriations.

1           LIMITATION ON AVAILABILITY OF FUNDS FOR  
2           INTERNATIONAL ORGANIZATIONS AND PROGRAMS

3           SEC. 516. Subject to the regular notification proce-  
4 dures of the Committees on Appropriations, funds appro-  
5 priated under this Act or any previously enacted Act mak-  
6 ing appropriations for foreign operations, export financ-  
7 ing, and related programs, which are returned or not made  
8 available for organizations and programs because of the  
9 implementation of section 307(a) of the Foreign Assist-  
10 ance Act of 1961, shall remain available for obligation  
11 until September 30, 2002.

12          INDEPENDENT STATES OF THE FORMER SOVIET UNION

13          SEC. 517. (a) None of the funds appropriated under  
14 the heading “Assistance for the Independent States” shall  
15 be made available for assistance for a government of an  
16 Independent State 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 Independent States” shall be made  
6 available for assistance for a government of an Inde-  
7 pendent State of the former Soviet Union if that govern-  
8 ment directs any action in violation of the territorial integ-  
9 rity or national sovereignty of any other Independent  
10 State of the former Soviet Union, such as those violations  
11 included in the Helsinki Final Act: *Provided*, That such  
12 funds may be made available without regard to the restric-  
13 tion in this subsection if the President determines that  
14 to do so is in the national security interest of the United  
15 States.

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

21 (d) Funds appropriated under the heading “Assist-  
22 ance for the Independent States” shall be subject to the  
23 regular notification procedures of the Committees on Ap-  
24 propriations.

1 (e) Funds made available in this Act for assistance  
2 for the 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 Independent States of the Former So-  
9 viet 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 Independent States” and under com-  
22 parable headings in prior appropriations Acts, for projects  
23 or activities that have as one of their primary purposes  
24 the fostering of private sector development, the Coordi-  
25 nator for United States Assistance to the New Inde-

1 pendent States and the implementing agency shall encour-  
2 age the participation of and give significant weight to con-  
3 tractors and grantees who propose investing a significant  
4 amount of their own resources (including volunteer serv-  
5 ices and in-kind contributions) in such projects and activi-  
6 ties.

7 PROHIBITION ON FUNDING FOR ABORTIONS AND  
8 INVOLUNTARY STERILIZATION

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

1 the President certifies that the use of these funds by any  
2 such country or organization would violate any of the  
3 above provisions related to abortions and involuntary steri-  
4 lizations: *Provided*, That none of the funds made available  
5 under this Act may be used to lobby for or against abor-  
6 tion.

7 EXPORT FINANCING TRANSFER AUTHORITIES

8 SEC. 519. Not to exceed 5 percent of any appropria-  
9 tion other than for administrative expenses made available  
10 for fiscal year 2001, for programs under title I of this  
11 Act may be transferred between such appropriations for  
12 use for any of the purposes, programs, and activities for  
13 which the funds in such receiving account may be used,  
14 but no such appropriation, except as otherwise specifically  
15 provided, shall be increased by more than 25 percent by  
16 any such transfer: *Provided*, That the exercise of such au-  
17 thority shall be subject to the regular notification proce-  
18 dures of the Committees on Appropriations.

19 SPECIAL NOTIFICATION REQUIREMENTS

20 SEC. 520. None of the funds appropriated by this Act  
21 shall be obligated or expended for Colombia, Haiti, Libe-  
22 ria, Pakistan, Panama, Serbia, Sudan, or the Democratic  
23 Republic of Congo except as provided through the regular  
24 notification procedures of the Committees on Appropria-  
25 tions.

## 1        DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

2        SEC. 521. For the purpose of this Act, “program,  
3 project, and activity” shall be defined at the appropria-  
4 tions Act account level and shall include all appropriations  
5 and authorizations Acts earmarks, ceilings, and limita-  
6 tions with the exception that for the following accounts:  
7 Economic Support Fund and Foreign Military Financing  
8 Program, “program, project, and activity” shall also be  
9 considered to include country, regional, and central pro-  
10 gram level funding within each such account; for the devel-  
11 opment assistance accounts of the Agency for Inter-  
12 national Development “program, project, and activity”  
13 shall also be considered to include central program level  
14 funding, either as: (1) justified to the Congress; or (2)  
15 allocated by the executive branch in accordance with a re-  
16 port, to be provided to the Committees on Appropriations  
17 within 30 days of the enactment of this Act, as required  
18 by section 653(a) of the Foreign Assistance Act of 1961.

## 19        CHILD SURVIVAL, AIDS, AND OTHER ACTIVITIES

20        SEC. 522. Up to \$10,000,000 of the funds made  
21 available by this Act for assistance for health, family plan-  
22 ning, child survival, environment, basic education, and  
23 AIDS, may be used to reimburse United States Govern-  
24 ment agencies, agencies of State governments, institutions  
25 of higher learning, and private and voluntary organiza-  
26 tions for the full cost of individuals (including for the per-

1 sonal services of such individuals) detailed or assigned to,  
2 or contracted by, as the case may be, the Agency for Inter-  
3 national Development for the purpose of carrying out child  
4 survival, basic education, and infectious disease activities:  
5 *Provided*, That up to \$1,500,000 of the funds made avail-  
6 able by this Act for assistance under the heading “Devel-  
7 opment Assistance” may be used to reimburse such agen-  
8 cies, institutions, and organizations for such costs of such  
9 individuals carrying out other development assistance ac-  
10 tivities: *Provided further*, That funds appropriated by this  
11 Act that are made available for child survival activities or  
12 disease programs including activities relating to research  
13 on, and the prevention, treatment and control of, Acquired  
14 Immune Deficiency Syndrome may be made available not-  
15 withstanding any provision of law that restricts assistance  
16 to foreign countries: *Provided further*, That funds appro-  
17 priated by this Act that are made available for family  
18 planning activities may be made available notwithstanding  
19 section 512 of this Act and section 620(q) of the Foreign  
20 Assistance Act of 1961.

21 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN  
22 COUNTRIES

23 SEC. 523. None of the funds appropriated or other-  
24 wise made available pursuant to this Act shall be obligated  
25 to finance indirectly any assistance or reparations to  
26 Cuba, Iraq, Libya, Iran, Syria, North Korea, or the Peo-

1 ple’s Republic of China, unless the President of the United  
2 States certifies that the withholding of these funds is con-  
3 trary to the national interest of the United States.

4 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

5 SEC. 524. Prior to providing excess Department of  
6 Defense articles in accordance with section 516(a) of the  
7 Foreign Assistance Act of 1961, the Department of De-  
8 fense shall notify the Committees on Appropriations to the  
9 same extent and under the same conditions as are other  
10 committees pursuant to subsection (f) of that section: *Pro-*  
11 *vided*, That before issuing a letter of offer to sell excess  
12 defense articles under the Arms Export Control Act, the  
13 Department of Defense shall notify the Committees on  
14 Appropriations in accordance with the regular notification  
15 procedures of such Committees: *Provided further*, That  
16 such Committees shall also be informed of the original ac-  
17 quisition cost of such defense articles.

18 AUTHORIZATION REQUIREMENT

19 SEC. 525. Funds appropriated by this Act may be  
20 obligated and expended notwithstanding section 10 of  
21 Public Law 91–672 and section 15 of the State Depart-  
22 ment Basic Authorities Act of 1956.

23 DEMOCRACY IN CHINA

24 SEC. 526. Notwithstanding any other provision of law  
25 that restricts assistance to foreign countries, funds appro-  
26 priated by this Act for “Economic Support Fund” may

1 be made available to provide general support and grants  
2 for nongovernmental organizations located outside the  
3 People’s Republic of China that have as their primary pur-  
4 pose fostering democracy in that country, and for activi-  
5 ties of nongovernmental organizations located outside the  
6 People’s Republic of China to foster rule of law and de-  
7 mocracy in that country: *Provided*, That none of the funds  
8 made available for activities to foster democracy in the  
9 People’s Republic of China may be made available for as-  
10 sistance to the government of that country, except that  
11 funds appropriated by this Act under the heading “Eco-  
12 nomic Support Fund” that are made available for the Na-  
13 tional Endowment for Democracy or its grantees may be  
14 made available for activities to foster democracy in that  
15 country notwithstanding this proviso and any other provi-  
16 sion of law: *Provided further*, That funds made available  
17 pursuant to the authority of this section shall be subject  
18 to the regular notification procedures of the Committees  
19 on Appropriations.

20 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST  
21 COUNTRIES

22 SEC. 527. (a) Funds appropriated for bilateral assist-  
23 ance under any heading of this Act and funds appro-  
24 priated under any such heading in a provision of law en-  
25 acted prior to the enactment of this Act, shall not be made  
26 available to any country which the President determines—

1           (1) grants sanctuary from prosecution to any  
2           individual or group which has committed an act of  
3           international terrorism; or

4           (2) otherwise supports international terrorism.

5           (b) The President may waive the application of sub-  
6           section (a) to a country if the President determines that  
7           national security or humanitarian reasons justify such  
8           waiver. The President shall publish each waiver in the  
9           Federal Register and, at least 15 days before the waiver  
10          takes effect, shall notify the Committees on Appropria-  
11          tions of the waiver (including the justification for the waiv-  
12          er) in accordance with the regular notification procedures  
13          of the Committees on Appropriations.

14           COMMERCIAL LEASING OF DEFENSE ARTICLES

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

1 defense articles being provided by commercial lease rather  
2 than by government-to-government sale under such Act.

3 COMPETITIVE INSURANCE

4 SEC. 529. All Agency for International Development  
5 contracts and solicitations, and subcontracts entered into  
6 under such contracts, shall include a clause requiring that  
7 United States insurance companies have a fair oppor-  
8 tunity to bid for insurance when such insurance is nec-  
9 essary or appropriate.

10 STINGERS IN THE PERSIAN GULF REGION

11 SEC. 530. Except as provided in section 581 of the  
12 Foreign Operations, Export Financing, and Related Pro-  
13 grams Appropriations Act, 1990, the United States may  
14 not sell or otherwise make available any Stingers to any  
15 country bordering the Persian Gulf under the Arms Ex-  
16 port Control Act or chapter 2 of part II of the Foreign  
17 Assistance Act of 1961.

18 DEBT-FOR-DEVELOPMENT

19 SEC. 531. In order to enhance the continued partici-  
20 pation of nongovernmental organizations in economic as-  
21 sistance activities under the Foreign Assistance Act of  
22 1961, including endowments, debt-for-development and  
23 debt-for-nature exchanges, a nongovernmental organiza-  
24 tion which is a grantee or contractor of the Agency for  
25 International Development may place in interest bearing  
26 accounts funds made available under this Act or prior Acts

1 or local currencies which accrue to that organization as  
2 a result of economic assistance provided under title II of  
3 this Act and any interest earned on such investment shall  
4 be used for the purpose for which the assistance was pro-  
5 vided to that organization.

6 SEPARATE ACCOUNTS

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

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

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

18 (i) the amount of the local currencies to be  
19 generated; and

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

23 (C) establish by agreement with that govern-  
24 ment the responsibilities of the Agency for Inter-  
25 national Development and that government to mon-

1       itor and account for deposits into and disbursements  
2       from the separate account.

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

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

11                   (i) project and sector assistance activities;

12                   or

13                   (ii) debt and deficit financing; or

14               (B) for the administrative requirements of the  
15       United States Government.

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

23       (4) TERMINATION OF ASSISTANCE PROGRAMS.—  
24       Upon termination of assistance to a country under chap-  
25       ters 1 or 10 of part I or chapter 4 of part II (as the case

1 may be), any unencumbered balances of funds which re-  
2 main in a separate account established pursuant to sub-  
3 section (a) shall be disposed of for such purposes as may  
4 be agreed to by the government of that country and the  
5 United States Government.

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

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

24 (2) APPLICABILITY OF OTHER PROVISIONS OF  
25 LAW.—Such funds may be obligated and expended not-

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

6       (3) NOTIFICATION.—At least 15 days prior to obli-  
7 gating any such cash transfer or nonproject sector assist-  
8 ance, the President shall submit a notification through the  
9 regular notification procedures of the Committees on Ap-  
10 propriations, which shall include a detailed description of  
11 how the funds proposed to be made available will be used,  
12 with a discussion of the United States interests that will  
13 be served by the assistance (including, as appropriate, a  
14 description of the economic policy reforms that will be pro-  
15 moted by such assistance).

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

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

22       SEC. 533. (a) No funds appropriated by this Act may  
23 be made as payment to any international financial institu-  
24 tion while the United States Executive Director to such  
25 institution is compensated by the institution at a rate  
26 which, together with whatever compensation such Director

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

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

18 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST

19 IRAQ

20 SEC. 534. None of the funds appropriated or other-  
21 wise made available pursuant to this Act to carry out the  
22 Foreign Assistance Act of 1961 (including title IV of  
23 chapter 2 of part I, relating to the Overseas Private In-  
24 vestment Corporation) or the Arms Export Control Act  
25 may be used to provide assistance to any country that is  
26 not in compliance with the United Nations Security Coun-

1 cil sanctions against Iraq unless the President determines  
2 and so certifies to the Congress that—

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

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

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

10 AUTHORITIES FOR THE PEACE CORPS, INTERNATIONAL  
11 FUND FOR AGRICULTURAL DEVELOPMENT, AND AF-  
12 RICAN DEVELOPMENT FOUNDATION

13 SEC. 535. (a) Unless expressly provided to the con-  
14 trary, provisions of this or any other Act, including provi-  
15 sions contained in prior Acts authorizing or making appro-  
16 priations for foreign operations, export financing, and re-  
17 lated programs, shall not be construed to prohibit activi-  
18 ties authorized by or conducted under the Peace Corps  
19 Act or the African Development Foundation Act. The  
20 agency shall promptly report to the Committees on Appro-  
21 priations whenever it is conducting activities or is pro-  
22 posing to conduct activities in a country for which assist-  
23 ance is prohibited.

24 (b) Unless expressly provided to the contrary, limita-  
25 tions on the availability of funds for “International Orga-  
26 nizations and Programs” in this or any other Act, includ-

1 ing prior appropriations Acts, shall not be construed to  
2 be applicable to the International Fund for Agricultural  
3 Development.

4 IMPACT ON JOBS IN THE UNITED STATES

5 SEC. 536. None of the funds appropriated by this Act  
6 may be obligated or expended to provide—

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

15 (b) assistance for the purpose of establishing or  
16 developing in a foreign country any export proc-  
17 essing zone or designated area in which the tax, tar-  
18 iff, labor, environment, and safety laws of that coun-  
19 try do not apply, in part or in whole, to activities  
20 carried out within that zone or area, unless the  
21 President determines and certifies that such assist-  
22 ance is not likely to cause a loss of jobs within the  
23 United States; or

24 (c) assistance for any project or activity that  
25 contributes to the violation of internationally recog-  
26 nized workers rights, as defined in section 502(a)(4)

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

10 FUNDING PROHIBITION FOR SERBIA

11 SEC. 537. None of the funds appropriated by this Act  
12 may be made available for assistance for the Republic of  
13 Serbia: *Provided*, That this restriction shall not apply to  
14 assistance for Kosova or Montenegro, or to assistance to  
15 promote democratization: *Provided further*, That section  
16 620(t) of the Foreign Assistance Act of 1961, as amended,  
17 shall not apply to Kosova or Montenegro.

18 SPECIAL AUTHORITIES

19 SEC. 538. (a) Funds appropriated in titles I and II  
20 of this Act that are made available for Afghanistan, Leb-  
21 anon, Montenegro, and for victims of war, displaced chil-  
22 dren, displaced Burmese, humanitarian assistance for Ro-  
23 mania, and humanitarian assistance for the peoples of  
24 Kosova, may be made available notwithstanding any other  
25 provision of law: *Provided*, That any such funds that are  
26 made available for Cambodia shall be subject to the provi-

1 sions of section 531(e) of the Foreign Assistance Act of  
2 1961 and section 906 of the International Security and  
3 Development Cooperation Act of 1985.

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

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

18 (d)(1) WAIVER.—The President may waive the provi-  
19 sions of section 1003 of Public Law 100–204 if the Presi-  
20 dent determines and certifies in writing to the Speaker  
21 of the House of Representatives and the President pro  
22 tempore of the Senate that it is important to the national  
23 security interests of the United States.

24 (2) PERIOD OF APPLICATION OF WAIVER.—Any  
25 waiver pursuant to paragraph (1) shall be effective for no

1 more than a period of 6 months at a time and shall not  
2 apply beyond 12 months after the enactment of this Act.

3 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT  
4 OF ISRAEL

5 SEC. 539. It is the sense of the Congress that—

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

11 (2) the decision by the Arab League in 1997 to  
12 reinstate the boycott against Israel was deeply trou-  
13 bling and disappointing;

14 (3) the Arab League should immediately re-  
15 scind its decision on the boycott and its members  
16 should develop normal relations with their neighbor  
17 Israel; and

18 (4) the President should—

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

25 (B) take into consideration the participa-  
26 tion of any recipient country in the primary

1 boycott of Israel and the secondary and tertiary  
2 boycotts of American firms that have commer-  
3 cial relations with Israel when determining  
4 whether to sell weapons to said country;

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

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

17 ANTI-NARCOTICS ACTIVITIES

18 SEC. 540. Of the funds appropriated or otherwise  
19 made available by this Act for “Economic Support Fund”,  
20 assistance may be provided to strengthen the administra-  
21 tion of justice in countries in Latin America and the Car-  
22 ibbean and in other regions consistent with the provisions  
23 of section 534(b) of the Foreign Assistance Act of 1961,  
24 except that programs to enhance protection of participants  
25 in judicial cases may be conducted notwithstanding section  
26 660 of that Act. Section 534(c) and the second and third

1 sentences of section 534(e) of the Foreign Assistance Act  
2 of 1961 are repealed.

3 ELIGIBILITY FOR ASSISTANCE

4 SEC. 541. (a) ASSISTANCE THROUGH NONGOVERN-  
5 MENTAL ORGANIZATIONS.—Restrictions contained in this  
6 or any other Act with respect to assistance for a country  
7 shall not be construed to restrict assistance in support of  
8 programs of nongovernmental organizations from funds  
9 appropriated by this Act to carry out the provisions of  
10 chapters 1, 10, and 11 of part I and chapter 4 of part  
11 II of the Foreign Assistance Act of 1961, and from funds  
12 appropriated under the heading “Assistance for Eastern  
13 Europe and the Baltic States”: *Provided*, That the Presi-  
14 dent shall take into consideration, in any case in which  
15 a restriction on assistance would be applicable but for this  
16 subsection, whether assistance in support of programs of  
17 nongovernmental organizations is in the national interest  
18 of the United States: *Provided further*, That before using  
19 the authority of this subsection to furnish assistance in  
20 support of programs of nongovernmental organizations,  
21 the President shall notify the Committees on Appropria-  
22 tions under the regular notification procedures of those  
23 committees, including a description of the program to be  
24 assisted, the assistance to be provided, and the reasons  
25 for furnishing such assistance: *Provided further*, That  
26 nothing in this subsection shall be construed to alter any

1 existing statutory prohibitions against abortion or involun-  
2 tary sterilizations contained in this or any other Act.

3 (b) PUBLIC LAW 480.—During fiscal year 2001, re-  
4 strictions contained in this or any other Act with respect  
5 to assistance for a country shall not be construed to re-  
6 strict assistance under the Agricultural Trade Develop-  
7 ment and Assistance Act of 1954: *Provided*, That none  
8 of the funds appropriated to carry out title I of such Act  
9 and made available pursuant to this subsection may be  
10 obligated or expended except as provided through the reg-  
11 ular notification procedures of the Committees on Appro-  
12 priations.

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

14 (1) with respect to section 620A of the Foreign  
15 Assistance Act of 1961 or any comparable provision  
16 of law prohibiting assistance to countries that sup-  
17 port international terrorism; or

18 (2) with respect to section 116 of the Foreign  
19 Assistance Act of 1961 or any comparable provision  
20 of law prohibiting assistance to the government of a  
21 country that violates internationally recognized  
22 human rights.

23 EARMARKS

24 SEC. 542. (a) Funds appropriated by this Act which  
25 are earmarked may be reprogrammed for other programs  
26 within the same account notwithstanding the earmark if

1 compliance with the earmark is made impossible by oper-  
2 ation of any provision of this or any other Act or, with  
3 respect to a country with which the United States has an  
4 agreement providing the United States with base rights  
5 or base access in that country, if the President determines  
6 that the recipient for which funds are earmarked has sig-  
7 nificantly reduced its military or economic cooperation  
8 with the United States since the enactment of the Foreign  
9 Operations, Export Financing, and Related Programs Ap-  
10 propriations Act, 1991; however, before exercising the au-  
11 thority of this subsection with regard to a base rights or  
12 base access country which has significantly reduced its  
13 military or economic cooperation with the United States,  
14 the President shall consult with, and shall provide a writ-  
15 ten policy justification to the Committees on Appropria-  
16 tions: *Provided*, That any such reprogramming shall be  
17 subject to the regular notification procedures of the Com-  
18 mittees on Appropriations: *Provided further*, That assist-  
19 ance that is reprogrammed pursuant to this subsection  
20 shall be made available under the same terms and condi-  
21 tions as originally provided.

22 (b) In addition to the authority contained in sub-  
23 section (a), the original period of availability of funds ap-  
24 propriated by this Act and administered by the Agency  
25 for International Development that are earmarked for par-

1 ticular programs or activities by this or any other Act shall  
2 be extended for an additional fiscal year if the Adminis-  
3 trator of such agency determines and reports promptly to  
4 the Committees on Appropriations that the termination of  
5 assistance to a country or a significant change in cir-  
6 cumstances makes it unlikely that such earmarked funds  
7 can be obligated during the original period of availability:  
8 *Provided*, That such earmarked funds that are continued  
9 available for an additional fiscal year shall be obligated  
10 only for the purpose of such earmark.

11 CEILINGS AND EARMARKS

12 SEC. 543. Ceilings and earmarks contained in this  
13 Act shall not be applicable to funds or authorities appro-  
14 priated or otherwise made available by any subsequent Act  
15 unless such Act specifically so directs. Earmarks or min-  
16 imum funding requirements contained in any other Act  
17 shall not be applicable to funds appropriated by this Act.

18 PROHIBITION ON PUBLICITY OR PROPAGANDA

19 SEC. 544. No part of any appropriation contained in  
20 this Act shall be used for publicity or propaganda purposes  
21 within the United States not authorized before the date  
22 of the enactment of this Act by the Congress: *Provided*,  
23 That not to exceed \$750,000 may be made available to  
24 carry out the provisions of section 316 of Public Law 96-  
25 533.

1 PURCHASE OF AMERICAN-MADE EQUIPMENT AND  
2 PRODUCTS

3 SEC. 545. (a) To the maximum extent possible, as-  
4 sistance provided under this Act should make full use of  
5 American resources, including commodities, products, and  
6 services.

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

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

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

22 PROHIBITION OF PAYMENTS TO UNITED NATIONS  
23 MEMBERS

24 SEC. 546. None of the funds appropriated or made  
25 available pursuant to this Act for carrying out the Foreign  
26 Assistance Act of 1961, may be used to pay in whole or



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

5 SEC. 549. (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 October 1,  
16 1997.

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 fur-  
24 nishing of such assistance. Any such report shall include  
25 a detailed explanation of the assistance to be provided, in-

1 cluding the estimated dollar amount of such assistance,  
2 and 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. 550. (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 cent 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 the enactment of this Act shall  
12 be 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. 551. 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. 552. 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 60 days after the date of  
3 the enactment of this Act, and every 180 days thereafter  
4 until September 30, 2001, the Secretary of State shall  
5 submit a report to the Committees on Appropriations de-  
6 scribing the steps the United States Government is taking  
7 to collect information regarding allegations of genocide or  
8 other violations of international law in the former Yugo-  
9 slavia and to furnish that information to the United Na-  
10 tions War Crimes Tribunal for the former Yugoslavia:  
11 *Provided further*, That the drawdown made under this sec-  
12 tion for any tribunal shall not be construed as an endorse-  
13 ment or precedent for the establishment of any standing  
14 or permanent international criminal tribunal or court:  
15 *Provided further*, That funds made available for tribunals  
16 other than Yugoslavia or Rwanda shall be made available  
17 subject to the regular notification procedures of the Com-  
18 mittees on Appropriations.

19 LANDMINES

20 SEC. 553. Notwithstanding any other provision of  
21 law, demining equipment available to the Agency for Inter-  
22 national Development and the Department of State and  
23 used in support of the clearance of landmines and  
24 unexploded ordnance for humanitarian purposes may be  
25 disposed of on a grant basis in foreign countries, subject

1 to such terms and conditions as the President may pre-  
2 scribe.

3 RESTRICTIONS CONCERNING THE PALESTINIAN

4 AUTHORITY

5 SEC. 554. None of the funds appropriated by this Act  
6 may be obligated or expended to create in any part of Je-  
7 rusalem a new office of any department or agency of the  
8 United States Government for the purpose of conducting  
9 official United States Government business with the Pal-  
10 estinian Authority over Gaza and Jericho or any successor  
11 Palestinian governing entity provided for in the Israel-  
12 PLO Declaration of Principles: *Provided*, That this re-  
13 striction shall not apply to the acquisition of additional  
14 space for the existing Consulate General in Jerusalem:  
15 *Provided further*, That meetings between officers and em-  
16 ployees of the United States and officials of the Pales-  
17 tinian Authority, or any successor Palestinian governing  
18 entity provided for in the Israel-PLO Declaration of Prin-  
19 ciples, for the purpose of conducting official United States  
20 Government business with such authority should continue  
21 to take place in locations other than Jerusalem. As has  
22 been true in the past, officers and employees of the United  
23 States Government may continue to meet in Jerusalem on  
24 other subjects with Palestinians (including those who now  
25 occupy positions in the Palestinian Authority), have social  
26 contacts, and have incidental discussions.

## 1 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

2 SEC. 555. None of the funds appropriated or other-  
3 wise made available by this Act under the headings “Inter-  
4 national Military Education and Training” or “Foreign  
5 Military Financing Program” for Informational Program  
6 activities or under the headings “Global Health”, “Devel-  
7 opment Assistance”, and “Economic Support Fund” may  
8 be obligated or expended to pay for—

9 (1) alcoholic beverages; or

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

## 14 COMPETITIVE PRICING FOR SALES OF DEFENSE

## 15 ARTICLES

16 SEC. 556. Direct costs associated with meeting a for-  
17 eign customer’s additional or unique requirements will  
18 continue to be allowable under contracts under section  
19 22(d) of the Arms Export Control Act. Loadings applica-  
20 ble to such direct costs shall be permitted at the same  
21 rates applicable to procurement of like items purchased  
22 by the Department of Defense for its own use.

## 23 SPECIAL DEBT RELIEF FOR THE POOREST

24 SEC. 557. (a) AUTHORITY TO REDUCE DEBT.—The  
25 President may reduce amounts owed to the United States

1 (or any agency of the United States) by an eligible country  
2 as a result of—

3 (1) guarantees issued under sections 221 and  
4 222 of the Foreign Assistance Act of 1961;

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

7 (3) any obligation or portion of such obligation,  
8 to pay for purchases of United States agricultural  
9 commodities guaranteed by the Commodity Credit  
10 Corporation under export credit guarantee programs  
11 authorized pursuant to section 5(f) of the Com-  
12 modity Credit Corporation Charter Act of June 29,  
13 1948, as amended, section 4(b) of the Food for  
14 Peace Act of 1966, as amended (Public Law 89–  
15 808), or section 202 of the Agricultural Trade Act  
16 of 1978, as amended (Public Law 95–501).

17 (b) LIMITATIONS.—

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

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

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

8           (c) **CONDITIONS.**—The authority provided by sub-  
9           section (a) may be exercised only with respect to a country  
10          whose government—

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

13           (2) has not repeatedly provided support for acts  
14           of international terrorism;

15           (3) is not failing to cooperate on international  
16           narcotics control matters;

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

21           (5) is not ineligible for assistance because of the  
22           application of section 527 of the Foreign Relations  
23           Authorization Act, Fiscal Years 1994 and 1995.

24           (d) **AVAILABILITY OF FUNDS.**—The authority pro-  
25          vided by subsection (a) may be used only with regard to

1 funds appropriated by this Act under the heading “Debt  
2 Restructuring”.

3 (e) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-  
4 duction of debt pursuant to subsection (a) shall not be  
5 considered assistance for purposes of any provision of law  
6 limiting assistance to a country. The authority provided  
7 by subsection (a) may be exercised notwithstanding sec-  
8 tion 620(r) of the Foreign Assistance Act of 1961 or sec-  
9 tion 321 of the International Development and Food As-  
10 sistance Act of 1975.

11 AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

12 SEC. 558. (a) LOANS ELIGIBLE FOR SALE, REDUC-  
13 TION, OR CANCELLATION.—

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

25 (A) debt-for-equity swaps, debt-for-develop-  
26 ment swaps, or debt-for-nature swaps; or

1           (B) a debt buyback by an eligible country  
2           of its own qualified debt, only if the eligible  
3           country uses an additional amount of the local  
4           currency of the eligible country, equal to not  
5           less than 40 percent of the price paid for such  
6           debt by such eligible country, or the difference  
7           between the price paid for such debt and the  
8           face value of such debt, to support activities  
9           that link conservation and sustainable use of  
10          natural resources with local community develop-  
11          ment, and child survival and other child devel-  
12          opment, in a manner consistent with sections  
13          707 through 710 of the Foreign Assistance Act  
14          of 1961, if the sale, reduction, or cancellation  
15          would not contravene any term or condition of  
16          any prior agreement relating to such loan.

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

22          (3) ADMINISTRATION.—The Facility, as defined  
23          in section 702(8) of the Foreign Assistance Act of  
24          1961, shall notify the administrator of the agency  
25          primarily responsible for administering part I of the

1 Foreign Assistance Act of 1961 of purchasers that  
2 the President has determined to be eligible, and  
3 shall direct such agency to carry out the sale, reduc-  
4 tion, or cancellation of a loan pursuant to this sec-  
5 tion. Such agency shall make an adjustment in its  
6 accounts to reflect the sale, reduction, or cancella-  
7 tion.

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

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

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

23 (d) DEBTOR CONSULTATIONS.—Before the sale to  
24 any eligible purchaser, or any reduction or cancellation  
25 pursuant to this section, of any loan made to an eligible

1 country, the President should consult with the country  
2 concerning the amount of loans to be sold, reduced, or  
3 canceled and their uses for debt-for-equity swaps, debt-  
4 for-development swaps, or debt-for-nature swaps.

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

9 ASSISTANCE FOR HAITI

10 SEC. 559. None of the funds made available by this  
11 or any previous appropriations Act for foreign operations,  
12 export financing and related programs shall be made avail-  
13 able to the Government of Haiti until the Secretary of  
14 State reports to the Committees on Appropriations that  
15 Haiti has held free and fair elections to seat a new par-  
16 liament.

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

19 SEC. 560. (a) FOREIGN AID REPORTING REQUIRE-  
20 MENT.—In addition to the voting practices of a foreign  
21 country, the report required to be submitted to Congress  
22 under section 406(a) of the Foreign Relations Authoriza-  
23 tion Act, fiscal years 1990 and 1991 (22 U.S.C. 2414a),  
24 shall include a side-by-side comparison of individual coun-  
25 tries’ overall support for the United States at the United

1 Nations and the amount of United States assistance pro-  
2 vided to such country in fiscal year 1999.

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

7 RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO  
8 UNITED NATIONS AGENCIES

9 SEC. 561. (a) PROHIBITION ON VOLUNTARY CON-  
10 TRIBUTIONS FOR THE UNITED NATIONS.—None of the  
11 funds appropriated by this Act may be made available to  
12 pay any voluntary contribution of the United States to the  
13 United Nations (including the United Nations Develop-  
14 ment Program) if the United Nations implements or im-  
15 poses any taxation on any United States persons.

16 (b) CERTIFICATION REQUIRED FOR DISBURSEMENT  
17 OF FUNDS.—None of the funds appropriated by this Act  
18 may be made available to pay any voluntary contribution  
19 of the United States to the United Nations (including the  
20 United Nations Development Program) unless the Presi-  
21 dent certifies to the Congress 15 days in advance of such  
22 payment that the United Nations is not engaged in any  
23 effort to implement or impose any taxation on United  
24 States persons in order to raise revenue for the United  
25 Nations or any of its specialized agencies.

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

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

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

9 HAITI NATIONAL POLICE AND COAST GUARD

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

17 LIMITATION ON ASSISTANCE TO THE PALESTINIAN

18 AUTHORITY

19 SEC. 563. (a) PROHIBITION OF FUNDS.—None of the  
20 funds appropriated by this Act to carry out the provisions  
21 of chapter 4 of part II of the Foreign Assistance Act of  
22 1961 may be obligated or expended with respect to pro-  
23 viding funds to the Palestinian Authority.

24 (b) WAIVER.—The prohibition included in subsection  
25 (a) shall not apply if the President certifies in writing to  
26 the Speaker of the House of Representatives and the

1 President pro tempore of the Senate that waiving such  
2 prohibition is important to the national security interests  
3 of the United States.

4 (c) PERIOD OF APPLICATION OF WAIVER.—Any  
5 waiver pursuant to subsection (b) shall be effective for no  
6 more than a period of 6 months at a time and shall not  
7 apply beyond 12 months after the enactment of this Act.

8 LIMITATION ON ASSISTANCE TO SECURITY FORCES

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

1 tive measures to bring the responsible members of the se-  
2 curity forces to justice.

3 RESTRICTIONS ON ASSISTANCE TO COUNTRIES PROVIDING  
4 SANCTUARY TO INDICTED WAR CRIMINALS

5 SEC. 565. (a) BILATERAL ASSISTANCE.—None of the  
6 funds made available by this or any prior Act making ap-  
7 propriations for foreign operations, export financing and  
8 related programs, may be provided for any country, entity  
9 or municipality described in subsection (e).

10 (b) MULTILATERAL ASSISTANCE.—

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

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

1        mittee on Banking and Financial Services of the  
2        House of Representatives a written justification for  
3        the proposed assistance, including an explanation of  
4        the United States position regarding any such vote,  
5        as well as a description of the location of the pro-  
6        posed assistance by municipality, its purpose, and its  
7        intended beneficiaries.

8            (3) DEFINITION.—The term “international fi-  
9        nancial institution” includes the International Mone-  
10        tary Fund, the International Bank for Reconstruct-  
11        ion and Development, the International Develop-  
12        ment Association, the International Finance Cor-  
13        poration, the Multilateral Investment Guaranty  
14        Agency, and the European Bank for Reconstruction  
15        and Development.

16        (c) EXCEPTIONS.—

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

20                    (A) humanitarian assistance;

21                    (B) democratization assistance;

22                    (C) assistance for cross border physical in-  
23        frastructure projects involving activities in both  
24        a sanctioned country, entity, or municipality  
25        and a nonsanctioned contiguous country, entity,

1 or municipality, if the project is primarily lo-  
2 cated in and primarily benefits the nonsane-  
3 tioned country, entity, or municipality and if  
4 the portion of the project located in the sanc-  
5 tioned country, entity, or municipality is nec-  
6 essary only to complete the project;

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

13 (E) implementation of the Breko Arbitral  
14 Decision;

15 (F) lending by the international financial  
16 institutions to a country or entity to support  
17 common monetary and fiscal policies at the na-  
18 tional level as contemplated by the Dayton  
19 Agreement;

20 (G) direct lending to a non-sanctioned enti-  
21 ty, or lending passed on by the national govern-  
22 ment to a non-sanctioned entity; or

23 (H) assistance to the International Police  
24 Task Force for the training of a civilian police  
25 force.

1 (I) assistance to refugees and internally  
2 displaced persons returning to their homes in  
3 Bosnia from which they had been forced to  
4 leave on the basis of their ethnicity.

5 (2) NOTIFICATION.—Every 60 days the Sec-  
6 retary of State, in consultation with the Adminis-  
7 trator of the Agency for International Development,  
8 shall publish in the Federal Register and/or in a  
9 comparable publicly accessible document or Internet  
10 site, a listing and justification of any assistance that  
11 is obligated within that period of time for any coun-  
12 try, entity, or municipality described in subsection  
13 (e), including a description of the purpose of the as-  
14 sistance, project and its location, by municipality.

15 (d) FURTHER LIMITATIONS.—Notwithstanding sub-  
16 section (c)—

17 (1) no assistance may be made available by this  
18 Act, or any prior Act making appropriations for for-  
19 eign operations, export financing and related pro-  
20 grams, in any country, entity, or municipality de-  
21 scribed in subsection (e), for a program, project, or  
22 activity in which a publicly indicted war criminal is  
23 known to have any financial or material interest;  
24 and

1           (2) no assistance (other than emergency foods  
2           or medical assistance or demining assistance) may  
3           be made available by this Act, or any prior Act mak-  
4           ing appropriations for foreign operations, export fi-  
5           nancing and related programs for any program,  
6           project, or activity in any sanctioned country, entity,  
7           or municipality described in subsection (e) in which  
8           a person publicly indicted by the Tribunal is in resi-  
9           dence or is engaged in extended activity and com-  
10          petent local authorities have failed to notify the Tri-  
11          bunal or failed to take necessary and significant  
12          steps to apprehend and transfer such persons to the  
13          Tribunal or in which competent local authorities  
14          have obstructed the work of the Tribunal.

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

22          (f) SPECIAL RULE.—Subject to subsection (d), sub-  
23          sections (a) and (b) shall not apply to the provision of  
24          assistance to an entity that is not a sanctioned entity, not-  
25          withstanding that such entity may be within a sanctioned

1 country, if the Secretary of State determines and so re-  
2 ports to the appropriate congressional committees that  
3 providing assistance to that entity would promote peace  
4 and internationally recognized human rights by encour-  
5 aging that entity to cooperate fully with the Tribunal.

6 (g) CURRENT RECORD OF WAR CRIMINALS AND  
7 SANCTIONED COUNTRIES, ENTITIES, AND MUNICIPALI-  
8 TIES.—

9 (1) IN GENERAL.—The Secretary of State shall  
10 establish and maintain a current record of the loca-  
11 tion, including the municipality, if known, of publicly  
12 indicted war criminals and a current record of sanc-  
13 tioned countries, entities, and municipalities.

14 (2) INFORMATION OF THE DCI AND THE SEC-  
15 RETARY OF DEFENSE.—The Director of Central In-  
16 telligence and the Secretary of Defense should col-  
17 lect and provide to the Secretary of State informa-  
18 tion concerning the location, including the munici-  
19 pality, of publicly indicted war criminals.

20 (3) INFORMATION OF THE TRIBUNAL.—The  
21 Secretary of State shall request that the Tribunal  
22 and other international organizations and govern-  
23 ments provide the Secretary of State information  
24 concerning the location, including the municipality,  
25 of publicly indicted war criminals and concerning

1 country, entity and municipality authorities known  
2 to have obstructed the work of the Tribunal.

3 (4) REPORT.—Beginning 30 days after the date  
4 of the enactment of this Act, and not later than Sep-  
5 tember 1 each year thereafter, the Secretary of  
6 State shall submit a report in classified and unclas-  
7 sified form to the appropriate congressional commit-  
8 tees on the location, including the municipality, if  
9 known, of publicly indicted war criminals, on coun-  
10 try, entity and municipality authorities known to  
11 have obstructed the work of the Tribunal, and on  
12 sanctioned countries, entities, and municipalities.

13 (5) INFORMATION TO CONGRESS.—Upon the re-  
14 quest of the chairman or ranking minority member  
15 of any of the appropriate congressional committees,  
16 the Secretary of State shall make available to that  
17 committee the information recorded under para-  
18 graph (1) in a report submitted to the committee in  
19 classified and unclassified form.

20 (h) WAIVER.—

21 (1) IN GENERAL.—The Secretary of State may  
22 waive the application of subsection (a) or subsection  
23 (b) with respect to specified bilateral programs or  
24 international financial institution projects or pro-  
25 grams in a sanctioned country, entity, or munici-

1       pality upon providing a written determination to the  
2       Committee on Appropriations and the Committee on  
3       Foreign Relations of the Senate and the Committee  
4       on Appropriations and the Committee on Inter-  
5       national Relations of the House of Representatives  
6       that such assistance directly supports the implemen-  
7       tation of the Dayton Agreement and its Annexes,  
8       which include the obligation to apprehend and trans-  
9       fer indicted war criminals to the Tribunal.

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

22           (3) ASSISTANCE PROGRAMS AND PROJECTS AF-  
23       FECTED.—Any waiver made pursuant to this sub-  
24       section shall be effective only with respect to a speci-  
25       fied bilateral program or multilateral assistance

1 project or program identified in the determination of  
2 the Secretary of State to Congress.

3 (i) TERMINATION OF SANCTIONS.—The sanctions im-  
4 posed pursuant to subsections (a) and (b) with respect to  
5 a country or entity shall cease to apply only if the Sec-  
6 retary of State determines and certifies to Congress that  
7 the authorities of that country, entity, or municipality  
8 have apprehended and transferred to the Tribunal all per-  
9 sons who have been publicly indicted by the Tribunal.

10 (j) DEFINITIONS.—As used in this section—

11 (1) COUNTRY.—The term “country” means  
12 Bosnia-Herzegovina, Croatia, and Serbia.

13 (2) ENTITY.—The term “entity” refers to the  
14 Federation of Bosnia and Herzegovina, Kosova,  
15 Montenegro, and the Republika Srpska.

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

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

24 (k) ROLE OF HUMAN RIGHTS ORGANIZATIONS AND  
25 GOVERNMENT AGENCIES.—In carrying out this section,

1 the Secretary of State, the Administrator of the Agency  
2 for International Development, and the executive directors  
3 of the international financial institutions shall consult with  
4 representatives of human rights organizations and all gov-  
5 ernment agencies with relevant information to help pre-  
6 vent publicly indicted war criminals from benefiting from  
7 any financial or technical assistance or grants provided to  
8 any country or entity described in subsection (e).

9 DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS

10 IN THE RUSSIAN FEDERATION

11 SEC. 566. None of the funds appropriated under this  
12 Act may be made available for the Government of the Rus-  
13 sian Federation, after 180 days from the date of the en-  
14 actment of this Act, unless the President determines and  
15 certifies in writing to the Committees on Appropriations  
16 and the Committee on Foreign Relations of the Senate  
17 that the Government of the Russian Federation has imple-  
18 mented no statute, executive order, regulation or similar  
19 government action that would discriminate, or would have  
20 as its principal effect discrimination, against religious  
21 groups or religious communities in the Russian Federation  
22 in violation of accepted international agreements on  
23 human rights and religious freedoms to which the Russian  
24 Federation is a party.

## 1 GREENHOUSE GAS EMISSIONS

2 SEC. 567. (a) Funds made available in this Act to  
3 support programs or activities the primary purpose of  
4 which is promoting or assisting country participation in  
5 the Kyoto Protocol to the Framework Convention on Cli-  
6 mate Change (FCCC) shall only be made available subject  
7 to the regular notification procedures of the Committees  
8 on Appropriations.

9 (b) The President shall provide a detailed account of  
10 all Federal agency obligations and expenditures for cli-  
11 mate change programs and activities, domestic and inter-  
12 national obligations for such activities in fiscal year 2001,  
13 and any plan for programs thereafter related to the imple-  
14 mentation or the furtherance of protocols pursuant to, or  
15 related to negotiations to amend the FCCC in conjunction  
16 with the President's submission of the Budget of the  
17 United States Government for Fiscal Year 2002: *Pro-*  
18 *vided*, That such report shall include an accounting of ex-  
19 penditures by agency with each agency identifying climate  
20 change activities and associated costs by line item as pre-  
21 sented in the President's Budget Appendix: *Provided fur-*  
22 *ther*, That such report shall identify with regard to the  
23 Agency for International Development, obligations and ex-  
24 penditures by country or central program and activity.



1 priations Act, 1993 (Public Law 102–391) is amended by  
2 repealing paragraph (2) relating to military expenditures.

3 (b) Not later than February 15, 2001, the Secretary  
4 of the Treasury shall submit a report to the Committees  
5 on Appropriations which describes how the provisions of  
6 section 576 of the Foreign Operations, Export Financing,  
7 and Related Programs Appropriations Act, 1997, as  
8 amended (Public Law 104–208), and of section 1502(b)  
9 of title XV of the International Financial Institutions Act  
10 (22 U.S.C. 262o) as amended, are being implemented.  
11 This report shall identify, among other things—

12 (1) the countries found not to be in compliance  
13 with the provisions of section 576 and the instances  
14 where the United States Executive Director to an  
15 international financial institution has voted to op-  
16 pose a loan or other utilization of funds as a result  
17 of the requirements of that section;

18 (2) steps taken by the governments of countries  
19 receiving loans or other funds from such institutions  
20 to establish the reporting systems addressed in sec-  
21 tion 576;

22 (3) any instances in which such governments  
23 have failed to provide information about the govern-  
24 ments' audit process requested by an international  
25 financial institution; and



1 the Government of North Korea has committed not  
2 to test, manufacture, produce, receive, possess, store,  
3 deploy, or use nuclear weapons, and not to possess  
4 nuclear reprocessing or uranium enrichment facili-  
5 ties;

6 (2) the parties to the Agreed Framework have  
7 taken and continue to take demonstrable steps to  
8 pursue the North-South dialogue;

9 (3) North Korea is complying with all provi-  
10 sions of the Agreed Framework;

11 (4) North Korea has not diverted assistance  
12 provided by the United States for purposes for  
13 which it was not intended; and

14 (5) North Korea is not seeking to develop or ac-  
15 quire the capability to enrich uranium, or any addi-  
16 tional capability to reprocess spent nuclear fuel.

17 (c) Of the funds made available for KEDO, up to  
18 \$20,000,000 may be made available on or after June 1,  
19 2001, if, 30 days prior to such obligation of funds, the  
20 President certifies and so reports to Congress that—

21 (1) the effort to can and safely store all spent  
22 fuel from North Korea's graphite-moderated nuclear  
23 reactors has been successfully concluded;

1           (2) North Korea is complying with its obliga-  
2           tions under the agreement regarding access to sus-  
3           pect underground construction;

4           (3) North Korea has terminated its nuclear  
5           weapons program, including all efforts to acquire,  
6           develop, test, produce, or deploy such weapons; and

7           (4) the United States has made and is con-  
8           tinuing to make significant progress on eliminating  
9           the North Korean ballistic missile threat, including  
10          further missile tests and its ballistic missile exports.

11          (d) The President may waive the certification require-  
12          ments of subsections (b) and (c) if the President deter-  
13          mines that it is vital to the national security interests of  
14          the United States and provides written policy justifica-  
15          tions to the appropriate congressional committees prior to  
16          his exercise of such waiver. No funds may be obligated  
17          for KEDO until 30 days after submission to Congress of  
18          such waiver.

19          (e) The Secretary of State shall submit to the appro-  
20          priate congressional committees a report (to be submitted  
21          with the annual presentation for appropriations) providing  
22          a full and detailed accounting of the fiscal year 2002 re-  
23          quest for the United States contribution to KEDO, the  
24          expected operating budget of the KEDO, to include un-  
25          paid debt, proposed annual costs associated with heavy

1 fuel oil purchases, and the amount of funds pledged by  
2 other donor nations and organizations to support KEDO  
3 activities on a per country basis, and other related activi-  
4 ties.

5                   AFRICAN DEVELOPMENT FOUNDATION

6           SEC. 573. Funds made available to grantees of the  
7 African Development Foundation may be invested pending  
8 expenditure for project purposes when authorized by the  
9 President of the Foundation: *Provided*, That interest  
10 earned shall be used only for the purposes for which the  
11 grant was made: *Provided further*, That this authority ap-  
12 plies to interest earned both prior to and following enact-  
13 ment of this provision: *Provided further*, That notwith-  
14 standing section 505(a)(2) of the African Development  
15 Foundation Act, in exceptional circumstances the board  
16 of directors of the Foundation may waive the \$250,000  
17 limitation contained in that section with respect to a  
18 project: *Provided further*, That the Foundation shall pro-  
19 vide a report to the Committees on Appropriations in ad-  
20 vance of exercising such waiver authority.

21                   PROHIBITION ON ASSISTANCE TO THE PALESTINIAN

22                                   BROADCASTING CORPORATION

23           SEC. 574. None of the funds appropriated or other-  
24 wise made available by this Act may be used to provide  
25 equipment, technical support, consulting services, or any

1 other form of assistance to the Palestinian Broadcasting  
2 Corporation.

3 VOLUNTARY SEPARATION INCENTIVES FOR EMPLOYEES  
4 OF THE U.S. AGENCY FOR INTERNATIONAL DEVEL-  
5 OPMENT

6 SEC. 575. (a) DEFINITIONS.—For the purposes of  
7 this section—

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

10 (2) the term “Administrator” means the Ad-  
11 ministrator, United States Agency for International  
12 Development; and

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

19 (A) a reemployed annuitant under sub-  
20 chapter III of chapter 83 or chapter 84 of title  
21 5, United States Code, or another retirement  
22 system for employees of the agency;

23 (B) an employee having a disability on the  
24 basis of which such employee is or would be eli-  
25 gible for disability retirement under the applica-

1           ble retirement system referred to in subpara-  
2           graph (A);

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

7           (D) an employee who has previously re-  
8           ceived any voluntary separation incentive pay-  
9           ment by the Government of the United States  
10          under this section or any other authority and  
11          has not repaid such payment;

12          (E) an employee covered by statutory re-  
13          employment rights who is on transfer to an-  
14          other organization; or

15          (F) any employee who, during the 24-  
16          month period preceding the date of separation,  
17          received a recruitment or relocation bonus  
18          under section 5753 of title 5, United States  
19          Code, or who, within the 12-month period pre-  
20          ceding the date of separation, received a reten-  
21          tion allowance under section 5754 of such title  
22          5.

23       (b) AGENCY STRATEGIC PLAN.—

24           (1) IN GENERAL.—The Administrator, before  
25           obligating any resources for voluntary separation in-

1 incentive payments under this section, shall submit to  
2 the Committees on Appropriations and the Office of  
3 Management and Budget a strategic plan outlining  
4 the intended use of such incentive payments and a  
5 proposed organizational chart for the agency once  
6 such incentive payments have been completed.

7 (2) CONTENTS.—The agency’s plan shall  
8 include—

9 (A) the positions and functions to be re-  
10 duced or eliminated, identified by organizational  
11 unit, geographic location, occupational category  
12 and grade level;

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

15 (C) a description of how the agency will  
16 operate without the eliminated positions and  
17 functions; and

18 (D) the time period during which incen-  
19 tives may be paid.

20 (3) APPROVAL.—The Director of the Office of  
21 Management and Budget shall review the agency’s  
22 plan and approve or disapprove the plan and may  
23 make appropriate modifications in the plan with re-  
24 spect to the coverage of incentives as described

1 under paragraph (2)(A), and with respect to the  
2 matters described in paragraphs (2)(B) through (D).

3 (c) AUTHORITY TO PROVIDE VOLUNTARY SEPARA-  
4 TION INCENTIVE PAYMENTS.—

5 (1) IN GENERAL.—A voluntary separation in-  
6 centive payment under this section may be paid by  
7 the agency to employees of such agency and only to  
8 the extent necessary to eliminate the positions and  
9 functions identified by the strategic plan.

10 (2) AMOUNT AND TREATMENT OF PAYMENTS.—  
11 A voluntary separation incentive payment under this  
12 section—

13 (A) shall be paid in a lump sum after the  
14 employee's separation;

15 (B) shall be paid from appropriations or  
16 funds available for the payment of the basic pay  
17 of the employees;

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

19 (i) an amount equal to the amount  
20 the employee would be entitled to receive  
21 under section 5595(c) of title 5, United  
22 States Code, if the employee were entitled  
23 to payment under such section; or

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

1 (D) may not be made except in the case of  
2 any employee who voluntarily separates (wheth-  
3 er by retirement or resignation) on or before  
4 December 31, 2001;

5 (E) shall not be a basis for payment, and  
6 shall not be included in the computation, of any  
7 other type of Government benefit; and

8 (F) shall not be taken into account in de-  
9 termining the amount of any severance pay to  
10 which the employee may be entitled under sec-  
11 tion 5595 of title 5, United States Code, based  
12 on any other separation.

13 (d) ADDITIONAL AGENCY CONTRIBUTIONS TO THE  
14 RETIREMENT FUND.—

15 (1) IN GENERAL.—In addition to any other  
16 payments which it is required to make under sub-  
17 chapter III of chapter 83 or chapter 84 of title 5,  
18 United States Code, the agency shall remit to the  
19 Office of Personnel Management for deposit in the  
20 Treasury of the United States to the credit of the  
21 Civil Service Retirement and Disability Fund an  
22 amount equal to 15 percent of the final basic pay of  
23 each employee of the agency who is covered under  
24 subchapter III of chapter 83 or chapter 84 of title

1 5, United States Code, to whom a voluntary separa-  
2 tion incentive has been paid under this section.

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

11 (e) EFFECT OF SUBSEQUENT EMPLOYMENT WITH  
12 THE GOVERNMENT.—

13 (1) An individual who has received a voluntary  
14 separation incentive payment under this section and  
15 accepts any employment for compensation with the  
16 Government of the United States, or who works for  
17 any agency of the Government of the United States  
18 through a personal services contract, within 5 years  
19 after the date of the separation on which the pay-  
20 ment is based shall be required to pay, prior to the  
21 individual’s first day of employment, the entire  
22 amount of the incentive payment to the agency that  
23 paid the incentive payment.

24 (2) If the employment under paragraph (1) is  
25 with an Executive agency (as defined by section 105

1 of title 5, United States Code), the United States  
2 Postal Service, or the Postal Rate Commission, the  
3 Director of the Office of Personnel Management  
4 may, at the request of the head of the agency, waive  
5 the repayment if the individual involved possesses  
6 unique abilities and is the only qualified applicant  
7 available for the position.

8 (3) If the employment under paragraph (1) is  
9 with an entity in the legislative branch, the head of  
10 the entity or the appointing official may waive the  
11 repayment if the individual involved possesses  
12 unique abilities and is the only qualified applicant  
13 available for the position.

14 (4) If the employment under paragraph (1) is  
15 with the judicial branch, the Director of the Admin-  
16 istrative Office of the United States Courts may  
17 waive the repayment if the individual involved pos-  
18 sesses unique abilities and is the only qualified appli-  
19 cant for the position.

20 (f) REDUCTION OF AGENCY EMPLOYMENT LEV-  
21 ELS.—

22 (1) IN GENERAL.—The total number of funded  
23 employee positions in the agency shall be reduced by  
24 one position for each vacancy created by the separa-  
25 tion of any employee who has received, or is due to

1 receive, a voluntary separation incentive payment  
2 under this section. For the purposes of this sub-  
3 section, positions shall be counted on a full-time-  
4 equivalent basis.

5 (2) ENFORCEMENT.—The President, through  
6 the Office of Management and Budget, shall monitor  
7 the agency and take any action necessary to ensure  
8 that the requirements of this subsection are met.

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

12 KYOTO PROTOCOL

13 SEC. 576. None of the funds appropriated by this Act  
14 shall be used to propose or issue rules, regulations, de-  
15 crees, or orders for the purpose of implementation, or in  
16 preparation for implementation, of the Kyoto Protocol,  
17 which was adopted on December 11, 1997, in Kyoto,  
18 Japan, at the Third Conference of the Parties to the  
19 United States Framework Convention on Climate Change,  
20 which has not been submitted to the Senate for advice and  
21 consent to ratification pursuant to article II, section 2,  
22 clause 2, of the United States Constitution, and which has  
23 not entered into force pursuant to article 25 of the Pro-  
24 tocol.

1 ADDITIONAL REQUIREMENTS RELATING TO STOCKPILING  
2 OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES

3 SEC. 577. (a) VALUE OF ADDITIONS TO STOCK-  
4 PILES.—Section 514(b)(2)(A) of the Foreign Assistance  
5 Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by  
6 inserting before the period at the end, the following: “and  
7 \$50,000,000 for fiscal year 2001”.

8 (b) REQUIREMENTS RELATING TO THE REPUBLIC OF  
9 KOREA AND THAILAND.—Section 514(b)(2)(B) of such  
10 Act (22 U.S.C. 2321h(b)(2)(B)) is amended by inserting  
11 at the end thereof the following sentence: “Of the amount  
12 specified in subparagraph (A) for fiscal year 2001, not  
13 more than \$50,000,000 may be made available for stock-  
14 piles in the Republic of Korea.”.

15 ABOLITION OF THE INTER-AMERICAN FOUNDATION

16 SEC. 578. (a) DEFINITIONS.—In this section:

17 (1) DIRECTOR.—The term “Director” means  
18 the Director of the Office of Management and Budg-  
19 et.

20 (2) FOUNDATION.—The term “Foundation”  
21 means the Inter-American Foundation.

22 (3) FUNCTION.—The term “function” means  
23 any duty, obligation, power, authority, responsibility,  
24 right, privilege, activity, or program.

25 (b) ABOLITION OF INTER-AMERICAN FOUNDA-  
26 TION.—During fiscal year 2001, the President is author-

1 ized to abolish the Inter-American Foundation. The provi-  
2 sions of this section shall only be effective upon the effec-  
3 tive date of the abolition of the Inter-American Founda-  
4 tion.

5 (c) TERMINATION OF FUNCTIONS.—

6 (1) Except as provided in subsection (d)(2),  
7 there are terminated upon the abolition of the Foun-  
8 dation all functions vested in, or exercised by, the  
9 Foundation or any official thereof, under any stat-  
10 ute, reorganization plan, Executive order, or other  
11 provisions of law, as of the day before the effective  
12 date of this section.

13 (2) REPEAL.—Section 401 of the Foreign As-  
14 sistance Act of 1969 (22 U.S.C. 290f) is repealed  
15 upon the effective date specified in subsection (j).

16 (3) FINAL DISPOSITION OF FUNDS.—Upon the  
17 date of transmittal to Congress of the certification  
18 described in subsection (d)(4), all unexpended bal-  
19 ances of appropriations of the Foundation shall be  
20 deposited in the miscellaneous receipts account of  
21 the Treasury of the United States.

22 (d) RESPONSIBILITIES OF THE DIRECTOR OF THE  
23 OFFICE OF MANAGEMENT AND BUDGET.—

24 (1) IN GENERAL.—The Director of the Office of  
25 Management and Budget shall be responsible for—

1 (A) the administration and wind-up of any  
2 outstanding obligation of the Federal Govern-  
3 ment under any contract or agreement entered  
4 into by the Foundation before the date of the  
5 enactment of the Foreign Operations, Export  
6 Financing, and Related Programs Appropria-  
7 tions Act, 2001, except that the authority of  
8 this subparagraph does not include the renewal  
9 or extension of any such contract or agreement;  
10 and

11 (B) taking such other actions as may be  
12 necessary to wind-up any outstanding affairs of  
13 the Foundation.

14 (2) TRANSFER OF FUNCTIONS TO THE DIREC-  
15 TOR.—There are transferred to the Director such  
16 functions of the Foundation under any statute, reor-  
17 ganization plan, Executive order, or other provision  
18 of law, as of the day before the date of the enact-  
19 ment of this section, as may be necessary to carry  
20 out the responsibilities of the Director under para-  
21 graph (1).

22 (3) AUTHORITIES OF THE DIRECTOR.—For  
23 purposes of performing the functions of the Director  
24 under paragraph (1) and subject to the availability  
25 of appropriations, the Director may—

1 (A) enter into contracts;

2 (B) employ experts and consultants in ac-  
3 cordance with section 3109 of title 5, United  
4 States Code, at rates for individuals not to ex-  
5 ceed the per diem rate equivalent to the rate for  
6 level IV of the Executive Schedule; and

7 (C) utilize, on a reimbursable basis, the  
8 services, facilities, and personnel of other Fed-  
9 eral agencies.

10 (4) CERTIFICATION REQUIRED.—Whenever the  
11 Director determines that the responsibilities de-  
12 scribed in paragraph (1) have been fully discharged,  
13 the Director shall so certify to the appropriate con-  
14 gressional committees.

15 (e) REPORT TO CONGRESS.—The Director of the Of-  
16 fice of Management and Budget shall submit to the appro-  
17 priate congressional committees a detailed report in writ-  
18 ing regarding all matters relating to the abolition and ter-  
19 mination of the Foundation. The report shall be submitted  
20 not later than 90 days after the termination of the Foun-  
21 dation.

22 (f) TRANSFER AND ALLOCATION OF APPROPRIA-  
23 TIONS.—Except as otherwise provided in this section, the  
24 assets, liabilities (including contingent liabilities arising  
25 from suits continued with a substitution or addition of

1 parties under subsection (g)(3)), contracts, property,  
2 records, and unexpended balance of appropriations, au-  
3 thorizations, allocations, and other funds employed, held,  
4 used, arising from, available to, or to be made available  
5 in connection with the functions, terminated by subsection  
6 (c)(1) or transferred by subsection (d)(2) shall be trans-  
7 ferred to the Director for purposes of carrying out the re-  
8 sponsibilities described in subsection (d)(1).

9 (g) SAVINGS PROVISIONS.—

10 (1) CONTINUING LEGAL FORCE AND EFFECT.—

11 All orders, determinations, rules, regulations, per-  
12 mits, agreements, grants, contracts, certificates, li-  
13 censes, registrations, privileges, and other adminis-  
14 trative actions—

15 (A) that have been issued, made, granted,  
16 or allowed to become effective by the Founda-  
17 tion in the performance of functions that are  
18 terminated or transferred under this section;  
19 and

20 (B) that are in effect as of the date of the  
21 abolition of the Foundation, or were final before  
22 such date and are to become effective on or  
23 after such date,

24 shall continue in effect according to their terms until  
25 modified, terminated, superseded, set aside, or re-

1 voked in accordance with law by the President, the  
2 Director, or other authorized official, a court of com-  
3 petent jurisdiction, or by operation of law.

4 (2) NO EFFECT ON JUDICIAL OR ADMINISTRA-  
5 TIVE PROCEEDINGS.—Except as otherwise provided  
6 in this section—

7 (A) the provisions of this section shall not  
8 affect suits commenced prior to the date of the  
9 abolition of the Foundation; and

10 (B) in all such suits, proceedings shall be  
11 had, appeals taken, and judgments rendered in  
12 the same manner and effect as if this section  
13 had not been enacted.

14 (3) NONABATEMENT OF PROCEEDINGS.—No  
15 suit, action, or other proceeding commenced by or  
16 against any officer in the official capacity of such in-  
17 dividual as an officer of the Foundation shall abate  
18 by reason of the enactment of this section. No cause  
19 of action by or against the Foundation, or by or  
20 against any officer thereof in the official capacity of  
21 such officer, shall abate by reason of the enactment  
22 of this section.

23 (4) CONTINUATION OF PROCEEDING WITH SUB-  
24 STITUTION OF PARTIES.—If, before the date of the  
25 abolition of the Foundation, the Foundation, or offi-

1 cer thereof in the official capacity of such officer, is  
2 a party to a suit, then effective on such date such  
3 suit shall be continued with the Director substituted  
4 or added as a party.

5 (5) REVIEWABILITY OF ORDERS AND ACTIONS  
6 UNDER TRANSFERRED FUNCTIONS.—Orders and ac-  
7 tions of the Director in the exercise of functions ter-  
8 minated or transferred under this section shall be  
9 subject to judicial review to the same extent and in  
10 the same manner as if such orders and actions had  
11 been taken by the Foundation immediately preceding  
12 their termination or transfer. Any statutory require-  
13 ments relating to notice, hearings, action upon the  
14 record, or administrative review that apply to any  
15 function transferred by this section shall apply to  
16 the exercise of such function by the Director.

17 (h) CONFORMING AMENDMENTS.—

18 (1) AFRICAN DEVELOPMENT FOUNDATION.—  
19 Section 502 of the International Security and Devel-  
20 opment Cooperation Act of 1980 (22 U.S.C. 290h)  
21 is amended—

22 (A) by inserting “and” at the end of para-  
23 graph (2);

24 (B) by striking the semicolon at the end of  
25 paragraph (3) and inserting a period; and

1 (C) by striking paragraphs (4) and (5).

2 (2) SOCIAL PROGRESS TRUST FUND AGREE-  
3 MENT.—Section 36 of the Foreign Assistance Act of  
4 1973 is amended—

5 (A) in subsection (a)—

6 (i) by striking “provide for” and all  
7 that follows through “(2) utilization” and  
8 inserting “provide for the utilization”; and

9 (ii) by striking “member countries;”  
10 and all that follows through “paragraph  
11 (2)” and inserting “member countries.”;

12 (B) in subsection (b), by striking “transfer  
13 or”;

14 (C) by striking subsection (c);

15 (D) by redesignating subsection (d) as sub-  
16 section (c); and

17 (E) in subsection (c) (as so redesignated),  
18 by striking “transfer or”.

19 (3) FOREIGN ASSISTANCE ACT OF 1961.—Sec-  
20 tion 222A(d) of the Foreign Assistance Act of 1961  
21 (22 U.S.C. 2182a(d)) is repealed.

22 (i) DEFINITION.—In this section, the term “appro-  
23 priate congressional committees” means the Committee on  
24 Appropriations and the Committee on Foreign Relations  
25 of the Senate and the Committee on Appropriations and

1 the Committee on International Relations of the House  
2 of Representatives.

3 (j) EFFECTIVE DATES.—The repeal made by sub-  
4 section (c)(2) and the amendments made by subsection (h)  
5 shall take effect upon the date of transmittal to Congress  
6 of the certification described in subsection (d)(4).

7 WEST BANK AND GAZA PROGRAM

8 SEC. 579. For fiscal year 2001, 30 days prior to the  
9 initial obligation of funds for the bilateral West Bank and  
10 Gaza Program, the Secretary of State shall certify to the  
11 appropriate committees of Congress that procedures have  
12 been established to assure the Comptroller General of the  
13 United States will have access to appropriate United  
14 States financial information in order to review the uses  
15 of United States assistance for the Program funded under  
16 the heading “Economic Support Fund” for the West Bank  
17 and Gaza.

18 INDONESIA

19 SEC. 580. (a) Funds appropriated by this Act under  
20 the headings “International Military Education and  
21 Training” and “Foreign Military Financing Program”  
22 may be made available to the Government of Indonesia  
23 if the President determines and submits a report to the  
24 appropriate congressional committees that the Govern-  
25 ment of Indonesia and the Indonesian Armed Forces  
26 are—

1 (1) taking effective measures to bring to justice mem-  
2 bers of the armed forces and militia groups against whom  
3 there is credible evidence of human rights violations;

4 (2) taking effective measures to bring to justice mem-  
5 bers of the armed forces against whom there is credible  
6 evidence of aiding or abetting militia groups;

7 (3) allowing displaced persons and refugees to return  
8 home to East Timor, including providing safe passage for  
9 refugees returning from West Timor;

10 (4) not impeding the activities of the United Nations  
11 Transitional Authority in East Timor;

12 (5) demonstrating a commitment to preventing incur-  
13 sions into East Timor by members of militia groups in  
14 West Timor; and

15 (6) demonstrating a commitment to accountability by  
16 cooperating with investigations and prosecutions of mem-  
17 bers of the Indonesian Armed Forces and militia groups  
18 responsible for human rights violations in Indonesia and  
19 East Timor.

20 WORKING CAPITAL FUND

21 SEC. 581. (a) Section 635 of the Foreign Assistance  
22 Act of 1961 (22 U.S.C. 2395) is amended by adding a  
23 new subsection (l) as follows:

24 “(l)(1) There is hereby established a working  
25 capital fund for the Agency for International Devel-  
26 opment which shall be available without fiscal year

1 limitation for the expenses of personal and nonper-  
2 sonal services, equipment and supplies for Inter-  
3 national Cooperative Administrative Support Serv-  
4 ices.

5 “(2) The capital of the fund shall consist of the  
6 fair and reasonable value of such supplies, equip-  
7 ment and other assets pertaining to the functions of  
8 the fund as the Administrator determines, rebates  
9 from the use of United States Government credit  
10 cards, and any appropriations made available for the  
11 purpose of providing capital, less related liabilities  
12 and unpaid obligations.

13 “(3) The fund shall be reimbursed or credited  
14 with advance payments for services, equipment or  
15 supplies provided from the fund from applicable ap-  
16 propriations and funds of the agency, other Federal  
17 agencies and other sources authorized by section 607  
18 of this Act at rates that will recover total expenses  
19 of operation, including accrual of annual leave and  
20 depreciation. Receipts from the disposal of, or pay-  
21 ments for the loss or damage to, property held in the  
22 fund, rebates, reimbursements, refunds and other  
23 credits applicable to the operation of the fund may  
24 be deposited in the fund.

1           “(4) The agency shall transfer to the Treasury  
2           as miscellaneous receipts as of the close of the fiscal  
3           year such amounts which the Administrator deter-  
4           mines to be in excess of the needs of the fund.

5           “(5) The fund may be charged with the current  
6           value of supplies and equipment returned to the  
7           working capital of the fund by a post, activity or  
8           agency and the proceeds shall, if otherwise author-  
9           ized, be credited to current applicable appropria-  
10          tions.”.

11          IMMUNITY OF FEDERAL REPUBLIC OF YUGOSLAVIA

12          SEC. 582. (a) Subject to subsection (b), the Federal  
13          Republic of Yugoslavia shall be deemed to be a state spon-  
14          sor of terrorism for the purposes of 28 U.S.C. 1605(a)(7).

15          (b) This section shall not apply to Montenegro or  
16          Kosova.

17          (c) This section shall become null and void when the  
18          President certifies in writing to the Congress that the Fed-  
19          eral Republic of Yugoslavia (other than Montenegro and  
20          Kosova) has completed a democratic reform process that  
21          results in a newly elected government that respects the  
22          rights of ethnic minorities, is committed to the rule of law  
23          and respects the sovereignty of its neighbor states.

24          (d) The certification provided for in subsection (c)  
25          shall not affect the continuation of litigation commenced

1 against the Federal Republic of Yugoslavia prior to its ful-  
2 fillment of the conditions in subsection (c).

3 CONSULTATIONS ON ARMS SALES TO TAIWAN

4 SEC. 583. Consistent with the intent of Congress ex-  
5 pressed in the enactment of section 3(b) of the Taiwan  
6 Relations Act, the Secretary of State shall consult with  
7 the appropriate committees and leadership of Congress to  
8 devise a mechanism to provide for congressional input  
9 prior to making any determination on the nature or quan-  
10 tity of defense articles and services to be made available  
11 to Taiwan.

12 SANCTIONS AGAINST SERBIA

13 SEC. 584. (a) CONTINUATION OF EXECUTIVE  
14 BRANCH SANCTIONS.—The sanctions listed in subsection  
15 (b) shall remain in effect for fiscal year 2001, unless the  
16 President submits to the Committees on Appropriations  
17 and Foreign Relations in the Senate and the Committees  
18 on Appropriations and International Relations of the  
19 House of Representatives a certification described in sub-  
20 section (c).

21 (b) APPLICABLE SANCTIONS.—

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

1 tions of any financial or technical assistance or  
2 grants of any kind to the government of Serbia.

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

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

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

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

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

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

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

18          (3) the Government of Serbia is fully cooper-  
19          ating with and providing unrestricted access to the  
20          International Criminal Tribunal for the former  
21          Yugoslavia, including surrendering persons indicted  
22          for war crimes who are within the jurisdiction of the  
23          territory of Serbia, and with the investigations con-  
24          cerning the commission of war crimes and crimes  
25          against humanity in Kosova;

1           (4) the Government of Serbia is implementing  
2 internal democratic reforms; and

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

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

15           (e) EXEMPTION OF MONTENEGRO AND KOSOVA.—  
16 The sanctions described in subsection (b) shall not apply  
17 to Montenegro or Kosova.

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

1 (g) WAIVER AUTHORITY.—The President may waive  
2 the application in whole or in part, of any sanction de-  
3 scribed in subsection (b) if the President certifies to the  
4 Congress that the President has determined that the waiv-  
5 er is necessary to meet emergency humanitarian needs.

6 CLEAN COAL TECHNOLOGY

7 SEC. 585. (a) FINDINGS.—The Congress finds as fol-  
8 lows:

9 (1) The United States is the world leader in the  
10 development of environmental technologies, particu-  
11 larly clean coal technology.

12 (2) Severe pollution problems affecting people  
13 in developing countries, and the serious health prob-  
14 lems that result from such pollution, can be effec-  
15 tively addressed through the application of United  
16 States technology.

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

22 (4) Without the use of modern clean coal tech-  
23 nology, the resultant pollution will cause enormous  
24 health and environmental problems leading to dimin-  
25 ished economic growth in developing countries and,

1       thus, diminished United States exports to those  
2       growing markets.

3       (b) STATEMENT OF POLICY.—It is the policy of the  
4       United States to promote the export of United States  
5       clean coal technology. In furtherance of that policy, the  
6       Secretary of State, the Secretary of the Treasury (acting  
7       through the United States executive directors to inter-  
8       national financial institutions), the Secretary of Energy,  
9       and the Administrator of the United States Agency for  
10      International Development (USAID) should, as appro-  
11      priate, vigorously promote the use of United States clean  
12      coal technology in environmental and energy infrastruc-  
13      ture programs, projects and activities. Programs, projects  
14      and activities for which the use of such technology should  
15      be considered include reconstruction assistance for the  
16      Balkans, activities carried out by the Global Environment  
17      Facility, and activities funded from USAID’s Development  
18      Credit Authority.

19      REPEAL OF UNOBLIGATED BALANCE RESTRICTIONS

20      SEC. 586. (a) The final proviso under the heading  
21      “Foreign Military Financing Program” in Title VI of the  
22      Foreign Operations, Export Financing, and Related Pro-  
23      grams as enacted into law by section 1000(a)(2) of divi-  
24      sion B of Public Law 106–113 (113 STAT. 1501A–133),  
25      is repealed.

1 (b) Subsection (a) shall be effective immediately upon  
2 the enactment of this Act.

3 REPEAL OF REQUIREMENT FOR ANNUAL GAO REPORT ON  
4 THE FINANCIAL OPERATIONS OF THE INTER-  
5 NATIONAL MONETARY FUND

6 SEC. 587. Section 1706 of the International Finan-  
7 cial Institutions Act (22 U.S.C. 262r-5) is repealed.

8 EXTENSION OF GAO AUTHORITIES

9 SEC. 588. The funds made available to the Comp-  
10 troller General pursuant to Title I, Chapter 4 of Public  
11 Law 106-31 shall remain available until expended.

12 PROCUREMENT AUTHORITY

13 SEC. 589. Funds appropriated by this or any prior  
14 Acts making appropriations for foreign operations, export  
15 financing, and related programs, that are provided to the  
16 National Endowment for Democracy shall be provided in  
17 a manner that is consistent with the last sentence of sec-  
18 tion 503(a) of the National Endowment for Democracy  
19 Act and Comptroller General Decisions No. B-203681 of  
20 June 6, 1985, and No. B-248111 of September 9, 1992,  
21 and the National Endowment for Democracy shall be  
22 deemed “the awarding agency” for purposes of imple-  
23 menting Office of Management and Budget Circular A-  
24 122 as dated June 1, 1998, or any successor circular.

## 1           FUNDING FOR PRIVATE ORGANIZATIONS

2           SEC. 590. Notwithstanding any other provision of  
3 law, in determining eligibility for assistance authorized  
4 under part I of the Foreign Assistance Act of 1961 (22  
5 U.S.C. 2151 et seq.), foreign nongovernmental organiza-  
6 tions and multilateral organizations—

7           (1) shall not be subject to requirements related  
8 to the use of non-United States Government funds  
9 for advocacy and lobbying activities more restrictive  
10 than those that apply to United States nongovern-  
11 mental organizations receiving assistance under part  
12 I of such Act; and

13           (2) shall not be ineligible for such assistance  
14 solely on the basis of health or medical services pro-  
15 vided by such organizations with non-United States  
16 Government funds if such services do not violate the  
17 laws of the country in which they are being provided  
18 and would not violate United States Federal law if  
19 provided in the United States.

## 20           TITLE VI—PLAN COLOMBIA

21           The following sums are appropriated, out of any  
22 money in the Treasury not otherwise appropriated, for the  
23 fiscal year ending September 30, 2000, and for other pur-  
24 poses, namely:



1 States counternarcotics objectives: *Provided further*, That  
2 of the funds appropriated under this heading not less than  
3 \$110,000,000 shall be made available for the procure-  
4 ment, refurbishing, and support for UH-1H Huey II heli-  
5 copters: *Provided further*, That of the funds made avail-  
6 able under this heading, not less than \$5,000,000 shall  
7 be made available for administration of demobilizing and  
8 rehabilitating activities for child soldiers in Colombia: *Pro-*  
9 *vided further*, That funds made available under this head-  
10 ing shall be in addition to amounts otherwise available for  
11 such purposes: *Provided further*, That section 482(b) of  
12 the Foreign Assistance Act of 1961 shall not apply to  
13 funds appropriated under this heading: *Provided further*,  
14 That the Secretary of State, in consultation with the Sec-  
15 retary of Defense and the Administrator of the U.S. Agen-  
16 cy for International Development, shall provide to the  
17 Committees on Appropriations not later than 30 days  
18 after the date of enactment of this Act and prior to the  
19 initial obligation of any funds appropriated under this  
20 heading, a report on the proposed uses of all funds under  
21 this heading on a country-by-country basis for each pro-  
22 posed program, project or activity: *Provided further*, That  
23 funds appropriated under this heading shall be subject to  
24 notification: *Provided further*, That the entire amount is  
25 designated by the Congress as an emergency requirement

1 pursuant to section 251(b)(2)(A) of the Balanced Budget  
2 and Emergency Deficit Control Act of 1985, as amended:  
3 *Provided further*, That the entire amount provided shall  
4 be available only to the extent an official budget request  
5 that includes designation of the entire amount of the re-  
6 quest as an emergency requirement as defined in the Bal-  
7 anced Budget and Emergency Deficit Control Act of 1985,  
8 as amended, is transmitted by the President to the Con-  
9 gress.

10 GENERAL PROVISIONS—THIS CHAPTER

11 SEC. 6101. CONDITIONS ON ASSISTANCE FOR CO-  
12 LOMBIA. (a) CONDITIONS.—

13 (1) CERTIFICATION REQUIRED.—Assistance  
14 provided under this heading may be made available  
15 for Colombia in fiscal years 2000 and 2001 only if  
16 the Secretary of State certifies to the appropriate  
17 congressional committees prior to the initial obliga-  
18 tion of such assistance in each such fiscal year,  
19 that—

20 (A)(i) the President of Colombia has di-  
21 rected in writing that Colombian Armed Forces  
22 personnel who are credibly alleged to have com-  
23 mitted gross violations of human rights will be  
24 brought to justice in Colombia's civilian courts,  
25 in accordance with the 1997 ruling of Colom-

1           bia's Constitutional court regarding civilian  
2           court jurisdiction in human rights cases; and

3                   (ii) the Commander General of the Colom-  
4           bian Armed Forces is promptly suspending  
5           from duty any Colombian Armed Forces per-  
6           sonnel who are credibly alleged to have com-  
7           mitted gross violations of human rights or to  
8           have aided or abetted paramilitary groups; and

9                   (iii) the Colombian Armed Forces and its  
10          Commander General are fully complying with  
11          (A)(i) and (ii); and

12                   (B) the Colombian Armed Forces are co-  
13          operating fully with civilian authorities in inves-  
14          tigating, prosecuting, and punishing in the civil-  
15          ian courts Colombian Armed Forces personnel  
16          who are credibly alleged to have committed  
17          gross violations of human rights; and

18                   (C) the Government of Colombia is vigor-  
19          ously prosecuting in the civilian courts the lead-  
20          ers and members of paramilitary groups and  
21          Colombian Armed Forces personnel who are  
22          aiding or abetting these groups.

23                   (2) CONSULTATIVE PROCESS.—The Secretary  
24          of State shall consult with internationally recognized  
25          human rights organizations regarding the Govern-

1       ment of Colombia’s progress in meeting the condi-  
2       tions contained in paragraph (1), prior to issuing  
3       the certification required under paragraph (1).

4           (3) APPLICATION OF EXISTING LAWS.—The  
5       same restrictions contained in section 564 of the  
6       Foreign Operations, Export Financing, and Related  
7       Programs Appropriations Act, 2000 (Public Law  
8       106–113) and section 8098 of the Department of  
9       Defense Appropriations Act, 2000 (Public Law 106–  
10      79) shall apply to the availability of funds under this  
11     heading.

12      (b) DEFINITIONS.—In this section:

13           (1) AIDING OR ABETTING.—The term “aiding  
14       or abetting” means direct and indirect support to  
15       paramilitary groups, including conspiracy to allow,  
16       facilitate, or promote the activities of paramilitary  
17       groups.

18           (2) APPROPRIATE CONGRESSIONAL COMMIT-  
19       TEES.—The term “appropriate congressional com-  
20       mittees” means the Committee on Appropriations  
21       and the Committee on Foreign Relations of the Sen-  
22       ate and the Committee on Appropriations and the  
23       Committee on International Relations of the House  
24       of Representatives.

1           (3) PARAMILITARY GROUPS.—The term “para-  
2 military groups” means illegal self-defense groups  
3 and security cooperatives.

4           (4) ASSISTANCE.—The term “assistance”  
5 means assistance appropriated under this heading  
6 for fiscal years 2000 and 2001, and provided under  
7 the following provisions of law:

8           (A) Section 1004 of the National Defense  
9 Authorization Act for Fiscal Year 1991 (Public  
10 Law 101–510; relating to counter-drug assist-  
11 ance).

12           (B) Section 1033 of the National Defense  
13 Authorization Act for Fiscal Year 1998 (Public  
14 Law 105–85; relating to counter-drug assist-  
15 ance to Colombia and Peru).

16           (C) Section 23 of the Arms Export Control  
17 Act (Public Law 90–629); relating to credit  
18 sales.

19           (D) Section 481 of the Foreign Assistance  
20 Act of 1961 (Public Law 87–195; relating to  
21 international narcotics control).

22           (E) Section 506 of the Foreign Assistance  
23 Act of 1961 (Public Law 87–195; relating to  
24 emergency drawdown authority).

1        SEC. 6102. REGIONAL STRATEGY. (a) REPORT RE-  
2        QUIRED.—Not later than 60 days after the date of enact-  
3        ment of this Act, the President shall submit to the Com-  
4        mittee on Foreign Relations and the Committee on Appro-  
5        priations of the Senate, the Committee on International  
6        Relations and the Committee on Appropriations of the  
7        House of Representatives, a report on the current United  
8        States policy and strategy regarding United States coun-  
9        ternarcotics assistance for Colombia and neighboring  
10      countries.

11      (b) REPORT ELEMENTS.—The report required by  
12      subsection (a) shall address the following:

13            (1) The key objectives of the United States’  
14            counternarcotics strategy in Colombia and neigh-  
15            boring countries and a detailed description of bench-  
16            marks by which to measure progress toward those  
17            objectives.

18            (2) The actions required of the United States  
19            to support and achieve these objectives, and a sched-  
20            ule and cost estimates for implementing such ac-  
21            tions.

22            (3) The role of the United States in the efforts  
23            of the Government of Colombia to deal with illegal  
24            drug production in Colombia.

1           (4) The role of the United States in the efforts  
2 of the Government of Colombia to deal with the in-  
3 surgency and paramilitary forces in Colombia.

4           (5) How the strategy with respect to Colombia  
5 relates to and affects the United States' strategy in  
6 the neighboring countries.

7           (6) How the strategy with respect to Colombia  
8 relates to and affects the United States' strategy for  
9 fulfilling global counternarcotics goals.

10          (7) A strategy and schedule for providing mate-  
11 rial, technical, and logistical support to Colombia  
12 and neighboring countries in order to defend the  
13 rule of law and to more effectively impede the cul-  
14 tivation, production, transit, and sale of illicit nar-  
15 cotics.

16          (8) A schedule for making Forward Operating  
17 Locations (FOL) fully operational, including cost es-  
18 timates and a description of the potential capabili-  
19 ties for each proposed location and an explanation of  
20 how the FOL architecture fits into the overall the  
21 Strategy.

22          SEC. 6103. SENSE OF THE CONGRESS ON COUNTER  
23 NARCOTICS MEASURES. It is the sense of Congress that—

24           (1) the Government of Colombia should commit  
25 itself immediately to the urgent development and ap-

1 plication of naturally occurring and ecologically  
2 sound methods for eradicating illicit crops, which  
3 could reduce significantly the loss of life in Colombia  
4 and the United States;

5 (2) the effectiveness of United States counter  
6 narcotics assistance to Colombia depends on the  
7 ability of law enforcement officials of that country  
8 having unimpeded access to all areas of the national  
9 territory of Colombia for the purposes of carrying  
10 out the interdiction of illegal narcotics and the eradi-  
11 cation of illicit crops; and

12 (3) the governments of countries receiving sup-  
13 port under this title should take effective steps to  
14 prevent the creation of a safe haven for narcotics  
15 traffickers by ensuring that narcotics traffickers in-  
16 dicted in the United States are promptly arrested,  
17 prosecuted, and sentenced to the maximum extent of  
18 the law and, upon the request of the United States  
19 Government, extradited to the United States for  
20 trial for their egregious offenses against the security  
21 and well-being of the people of the United States.

22 SEC. 6104. REPORT ON EXTRADITION OF NARCOTICS  
23 TRAFFICKERS. (a) Not later than six months after the  
24 date of the enactment of this title, and every six months  
25 thereafter, during the period Plan Colombia resources are

1 made available, the Secretary of State shall submit to the  
2 Committee on Foreign Relations, the Committee on the  
3 Judiciary and the Committee on Appropriations of the  
4 Senate and the Committee on International Relations, the  
5 Committee on the Judiciary, and the Committee on Ap-  
6 propriations of the House of Representatives a report set-  
7 ting forth—

8           (1) a list of the persons whose extradition has  
9           been requested from any country receiving counter  
10          narcotics assistance from the United States, indi-  
11          cating those persons who—

12                   (A) have been surrendered to the custody  
13                   of United States authorities;

14                   (B) have been detained by the authorities  
15                   and who are being processed for extradition;

16                   (C) have been detained by the authorities  
17                   and who are not yet being processed for extra-  
18                   dition; or

19                   (D) are at large;

20          (2) a determination whether authorities of each  
21          country receiving counternarcotics assistance from  
22          the United States are making good faith efforts to  
23          ensure the prompt extradition of each of the persons  
24          sought by United States authorities; and

25          (3) an analysis of—

1           (A) any legal obstacles in the laws of each  
2           country receiving counternarcotics assistance  
3           from the United States regarding prompt extra-  
4           dition of persons sought by United States au-  
5           thorities; and

6           (B) the steps taken by authorities of the  
7           United States and the authorities of each coun-  
8           try receiving counternarcotics assistance from  
9           the United States to overcome such obstacles.

10        SEC. 6105. None of the funds appropriated under  
11 this title may be used to support the aerial spraying of  
12 any herbicide, unless the Surgeon General of the United  
13 States determines and reports to the appropriate congres-  
14 sional committees that such herbicide is safe and nontoxic  
15 to human health, and the Administrator of the Environ-  
16 mental Protection Agency determines and reports to the  
17 appropriate congressional committees that such herbicide  
18 does not contaminate water or leach in soil.

19        SEC. 6106. LIMITATIONS ON SUPPORT FOR PLAN  
20 COLOMBIA AND ON THE ASSIGNMENT OF UNITED STATES  
21 PERSONNEL IN COLOMBIA. (a) LIMITATION ON SUPPORT  
22 FOR PLAN COLOMBIA.—Except for appropriations made  
23 by this Act and appropriations made by the Military Con-  
24 struction Appropriations Act, 2001, for such purpose,  
25 none of the funds appropriated or otherwise made avail-

1 able by any Act (including unobligated balances of prior  
2 appropriations) shall be available for support of Plan Co-  
3 lombia unless and until—

4 (1) the President submits a report to Congress  
5 requesting the availability of such funds; and

6 (2) Congress enacts a joint resolution approving  
7 the request of the President under paragraph (1).

8 (b) LIMITATION ON ASSIGNMENT OF UNITED  
9 STATES PERSONNEL IN COLOMBIA.—

10 (1) LIMITATION.—Except as provided in para-  
11 graph (2), none of the funds appropriated or other-  
12 wise made available by this or any other Act (includ-  
13 ing unobligated balances of prior appropriations)  
14 may be available for—

15 (A) the assignment of any United States  
16 military personnel for temporary or permanent  
17 duty in Colombia if that assignment would  
18 cause the number of United States military per-  
19 sonnel so assigned in Colombia to exceed 250  
20 (excluding military personnel assigned to the  
21 United States diplomatic mission in Colombia);  
22 or

23 (B) the employment of any United States  
24 individual civilian retained as a contractor in  
25 Colombia if that employment would cause the

1 total number of individual civilian contractors  
2 employed in Colombia in support of Plan Co-  
3 lombia who are funded by Federal funds to ex-  
4 ceed 100.

5 (2) EXCEPTION.—The limitation contained in  
6 paragraph (1) shall not apply if—

7 (A) the President submits a report to Con-  
8 gress requesting that the limitation not apply;  
9 and

10 (B) Congress enacts a joint resolution ap-  
11 proving the request of the President under sub-  
12 paragraph (A).

13 (c) WAIVER.—The President may waive the limita-  
14 tion in subsection (b)(1) for a single period of up to 90  
15 days in the event that the Armed Forces of the United  
16 States are involved in hostilities or that imminent involve-  
17 ment by the Armed Forces of the United States in hos-  
18 tilities is clearly indicated by the circumstances.

19 (d) MONTHLY REPORTS.—Beginning within 90 days  
20 of the date of enactment of this joint resolution, and every  
21 30 days thereafter, the President shall submit a report  
22 to Congress that shall include the aggregate number, loca-  
23 tions, activities, and lengths of assignment for all tem-  
24 porary and permanent United States military personnel

1 and individual civilians retained as contractors involved in  
2 the antinarcotics campaign in Colombia.

3 (e) CONGRESSIONAL PRIORITY PROCEDURES.—

4 (1) JOINT RESOLUTIONS DEFINED.—

5 (A) For purposes of subsection (a)(2), the  
6 term “joint resolution” means only a joint reso-  
7 lution introduced not later than 10 days of the  
8 date on which the report of the President under  
9 subsection (a)(1) is received by Congress, the  
10 matter after the resolving clause of which is as  
11 follows: “That Congress approves the request of  
12 the President for additional funds for Plan Co-  
13 lombia contained in the report submitted by the  
14 President under section 6106(a)(1) of the 2000  
15 Emergency Supplemental Appropriations Act.”.

16 (B) For purposes of subsection (b)(2)(B),  
17 the term “joint resolution” means only a joint  
18 resolution introduced not later than 10 days of  
19 the date on which the report of the President  
20 under subsection (a)(1) is received by Congress,  
21 the matter after the resolving clause of which is  
22 as follows: “That Congress approves the request  
23 of the President for exemption from the limita-  
24 tion applicable to the assignment of personnel  
25 in Colombia contained in the report submitted

1 by the President under section 6106(b)(2)(B)  
 2 of the 2000 Emergency Supplemental Appro-  
 3 priations Act.”.

4 (2) PROCEDURES.—Except as provided in sub-  
 5 paragraph (B), a joint resolution described in para-  
 6 graph (1)(A) or (1)(B) shall be considered in a  
 7 House of Congress in accordance with the proce-  
 8 dures applicable to joint resolutions under para-  
 9 graphs (3) through (8) of section 8066(c) of the De-  
 10 partment of Defense Appropriations Act, 1985 (as  
 11 contained in Public Law 98–473; 98 Stat. 1936).

12 (f) PLAN COLOMBIA DEFINED.—In this section, the  
 13 term “Plan Colombia” means the plan of the Government  
 14 of Colombia instituted by the administration of President  
 15 Pastrana to combat drug production and trafficking, fos-  
 16 ter peace, increase the rule of law, improve human rights,  
 17 expand economic development, and institute justice re-  
 18 form.

## 19 CHAPTER 2

### 20 BILATERAL ECONOMIC ASSISTANCE

#### 21 FUNDS APPROPRIATED TO THE PRESIDENT

#### 22 AGENCY FOR INTERNATIONAL DEVELOPMENT

#### 23 INTERNATIONAL DISASTER ASSISTANCE

24 For an additional amount for “International Disaster  
 25 Assistance”, \$25,000,000 for Mozambique and Southern

1 Africa, to remain available until expended: *Provided*, That  
2 the entire amount is designated by the Congress as an  
3 emergency requirement pursuant to section 251(b)(2)(A)  
4 of the Balanced Budget and Emergency Deficit Control  
5 Act of 1985, as amended: *Provided further*, That the  
6 amount provided shall be available only to the extent that  
7 an official budget request that includes designation of the  
8 entire amount as an emergency requirement pursuant to  
9 section 251(b)(2)(A) of the Balanced Budget and Emer-  
10 gency Deficit Control Act of 1985 as amended, is trans-  
11 mitted by the President to the Congress.

12 INTERNATIONAL ASSISTANCE PROGRAMS

13 INTERNATIONAL SECURITY ASSISTANCE

14 FOREIGN MILITARY FINANCING PROGRAM

15 The value of articles and services authorized for  
16 Southern Africa as of March 2, 2000, to be drawn down  
17 by the President under the authority of section 506(a)(2)  
18 of the Foreign Assistance Act of 1961, as amended, shall  
19 not be counted against the ceiling limitation of that sec-  
20 tion.

21 Under the authority of section 506(d) of the Foreign  
22 Assistance Act of 1961, as amended, up to \$37,600,000  
23 is appropriated to the Department of Defense as reim-  
24 bursement for drawdowns for southern Africa pursuant to  
25 section 506(a)(2) of such Act authorized as of March 2,  
26 2000: *Provided*, That the entire amount is designated by

1 the Congress as an emergency requirement pursuant to  
2 section 251(b)(2)(A) of the Balanced Budget and Emer-  
3 gency Deficit Control Act of 1985, as amended: *Provided*  
4 *further*, That the amount provided shall be available only  
5 to the extent that an official budget request that includes  
6 designation of the entire amount as an emergency require-  
7 ment pursuant to section 251(b)(2)(A) of the Balanced  
8 Budget and Emergency Deficit Control Act of 1985, as  
9 amended, is transmitted by the President to the Congress.

10                                   DEPARTMENT OF JUSTICE  
11                                   DRUG ENFORCEMENT ADMINISTRATION  
12                                   SALARIES AND EXPENSES

13           For an additional amount for “Salaries and Ex-  
14 penses,” \$17,850,000 to be made available until expended.

15                                   OFFICE OF JUSTICE PROGRAMS  
16                                   STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE  
17                                   (RESCISSION)

18           Of the unobligated balances available under this  
19 heading for the State Criminal Alien Assistance Program,  
20 \$7,850,000 are rescinded.

21           This Act may be cited as the “Foreign Operations,  
22 Export Financing, and Related Programs Appropriations  
23 Act, 2001”.



**Calendar No. 530**

106TH CONGRESS  
2D SESSION

**S. 2522**

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**A BILL**

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2001, and for other purposes.

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MAY 9, 2000

Read twice and placed on the calendar