

Calendar No. 530

106TH CONGRESS
2D 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.

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

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 LEBANON

2 Of the funds appropriated under the headings “De-
3 velopment Assistance” and “Economic Support Fund”,
4 not less than \$15,000,000 should be made available for
5 Lebanon to be used, among other programs, for scholar-
6 ships and direct support of the American educational insti-
7 tutions in Lebanon.

8 IRAQ

9 Notwithstanding any other provision of law, of the
10 funds appropriated under the headings “Development As-
11 sistance” and “Economic Support Fund”, not less than
12 \$25,000,000 shall be made available for programs benefit-
13 ting the Iraqi people, of which not less than \$15,000,000
14 shall be made available for food, medicine, and other hu-
15 manitarian assistance (including related administrative,
16 communications, logistical, and transportation costs) to be
17 provided to the Iraqi people inside Iraq: *Provided*, That
18 such assistance shall be provided through the Iraqi Na-
19 tional Congress Support Foundation or the Iraqi National
20 Congress: *Provided further*, That not less than
21 \$10,000,000 of the amounts made available for programs
22 benefitting the Iraqi people shall be made available to the
23 Iraqi National Congress Support Foundation or the Iraqi
24 National Congress for the production and broadcasting in-
25 side Iraq of radio and satellite television programming:
26 *Provided further*, That the President shall, not later than

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 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
2 RELATED PROGRAMS

3 For necessary expenses for nonproliferation, anti-ter-
4 rorism and related programs and activities, \$215,000,000,
5 to carry out the provisions of chapter 8 of part II of the
6 Foreign Assistance Act of 1961 for anti-terrorism assist-
7 ance, section 504 of the FREEDOM Support Act for the
8 Nonproliferation and Disarmament Fund, section 23 of
9 the Arms Export Control Act or the Foreign Assistance
10 Act of 1961 for demining activities, the clearance of
11 unexploded ordnance, the destruction of small arms, and
12 related activities, notwithstanding any other provision of
13 law, including activities implemented through nongovern-
14 mental and international organizations, section 301 of the
15 Foreign Assistance Act of 1961 for a voluntary contribu-
16 tion to the International Atomic Energy Agency (IAEA)
17 and a voluntary contribution to the Korean Peninsula En-
18 ergy Development Organization (KEDO), and for a
19 United States contribution to the Comprehensive Nuclear
20 Test Ban Treaty Preparatory Commission: *Provided*, That
21 20 days prior to the obligation of funds for use by the
22 Comprehensive Test Ban Treaty Preparatory Commission,
23 the Secretary of State shall provide a report to the Com-
24 mittees on Appropriations describing the anticipated use
25 of such funds: *Provided further*, That of this amount not

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.

SURPLUS COMMODITIES

1
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.

NOTIFICATION REQUIREMENTS

19
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 in part any assessments, arrearages, or dues of any mem-
2 ber of the United Nations or, from funds appropriated by
3 this Act to carry out chapter 1 of part I of the Foreign
4 Assistance Act of 1961, the costs for participation of an-
5 other country's delegation at international conferences
6 held under the auspices of multilateral or international or-
7 ganizations.

8 CONSULTING SERVICES

9 SEC. 547. The expenditure of any appropriation
10 under this Act for any consulting service through procure-
11 ment contract, pursuant to section 3109 of title 5, United
12 States Code, shall be limited to those contracts where such
13 expenditures are a matter of public record and available
14 for public inspection, except where otherwise provided
15 under existing law, or under existing Executive order pur-
16 suant to existing law.

17 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

18 SEC. 548. None of the funds appropriated or made
19 available pursuant to this Act shall be available to a pri-
20 vate voluntary organization which fails to provide upon
21 timely request any document, file, or record necessary to
22 the auditing requirements of the Agency for International
23 Development.

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

5 SEC. 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-

tion Organization for the West Bank and Gaza unless the President has exercised the authority under section 604(a) of the Middle East Peace Facilitation Act of 1995 (title VI of Public Law 104–107) or any other legislation to suspend or make inapplicable section 307 of the Foreign Assistance Act of 1961 and that suspension is still in effect: *Provided*, That if the President fails to make the certification under section 604(b)(2) of the Middle East Peace Facilitation Act of 1995 or to suspend the prohibition under other legislation, funds appropriated by this Act may not be obligated for assistance for the Palestine Liberation Organization for the West Bank and Gaza.

WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 552. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(c) of the Foreign Assistance Act of 1961, as amended, of up to \$30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided*, That the determination 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 Reconstruc-
 11 tion 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 nonsanc-
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 Brcko 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.

GREENHOUSE GAS EMISSIONS

1

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 AID TO THE GOVERNMENT OF THE DEMOCRATIC
2 REPUBLIC OF CONGO

3 SEC. 568. None of the funds appropriated or other-
4 wise made available by this Act may be provided to the
5 Central Government of the Democratic Republic of Congo.

6 ENTERPRISE FUND RESTRICTIONS

7 SEC. 569. Prior to the distribution of any assets re-
8 sulting from any liquidation, dissolution, or winding up
9 of an Enterprise Fund, in whole or in part, the President
10 shall submit to the Committees on Appropriations, in ac-
11 cordance with the regular notification procedures of the
12 Committees on Appropriations, a plan for the distribution
13 of the assets of the Enterprise Fund.

14 CAMBODIA

15 SEC. 570. (a) The Secretary of the Treasury should
16 instruct the United States executive directors of the inter-
17 national financial institutions to use the voice and vote
18 of the United States to oppose loans to the Central Gov-
19 ernment of Cambodia, except loans to support basic
20 human needs.

21 (b) None of the funds appropriated by this Act may
22 be made available for assistance for the Central Govern-
23 ment of Cambodia.

24 FOREIGN MILITARY EXPENDITURES REPORT

25 SEC. 571. (a) Section 511(b) of the Foreign Oper-
26 ations, Export Financing, and Related Programs Appro-

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

10 ORGANIZATION

(b) Of the funds made available for KEDO, up to \$15,000,000 may be made available prior to June 1, 2001, if, 30 days prior to such obligation of funds, the President certifies and so reports to Congress that—

S 2522 PCS

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 facilities;
5

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 provisions of the Agreed Framework;
10

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 acquire the capability to enrich uranium, or any additional capability to reprocess spent nuclear fuel.
15
16

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

(g) REGULATIONS.—The Office of Personnel Management may prescribe such regulations as may be necessary to implement this section.

SEC. 576. None of the funds appropriated by this Act shall be used to propose or issue rules, regulations, decrees, or orders for the purpose of implementation, or in preparation for implementation, of the Kyoto Protocol, which was adopted on December 11, 1997, in Kyoto, Japan, at the Third Conference of the Parties to the United States Framework Convention on Climate Change, which has not been submitted to the Senate for advice and consent to ratification pursuant to article II, section 2, clause 2, of the United States Constitution, and which has not entered into force pursuant to article 25 of the Protocol.

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 Budget.
 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-

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

(5) REVIEWABILITY OF ORDERS AND ACTIONS UNDER TRANSFERRED FUNCTIONS.—Orders and actions of the Director in the exercise of functions terminated or transferred under this section shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been taken by the Foundation immediately preceding their termination or transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by this section shall apply to the exercise of such function by the Director.

(h) CONFORMING AMENDMENTS.—

(1) AFRICAN DEVELOPMENT FOUNDATION.—Section 502 of the International Security and Development Cooperation Act of 1980 (22 U.S.C. 290h) is amended—

(A) by inserting “and” at the end of paragraph (2);

(B) by striking the semicolon at the end of 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—

WORKING CAPITAL FUND

SEC. 581. (a) Section 635 of the Foreign Assistance
Act of 1961 (22 U.S.C. 2395) is amended by adding a
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 CHAPTER 1
2 BILATERAL ECONOMIC ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 DEPARTMENT OF STATE
5 ASSISTANCE FOR COUNTERNARCOTICS ACTIVITIES
6 For necessary expenses to carry out section 481 of
7 the Foreign Assistance Act of 1961 to support Central
8 and South America and Caribbean counternarcotics activi-
9 ties, \$934,100,000, to remain available until expended:
10 *Provided*, That of the funds appropriated under this head-
11 ing, not less than \$120,000,000 shall be made available
12 for assistance for Bolivia, of which not less than
13 \$100,000,000 shall be made available for alternative de-
14 velopment and other economic activities: *Provided further*,
15 That of the funds appropriated under this heading, not
16 less than \$25,000,000 shall be made available for assist-
17 ance for Ecuador, of which not less than \$12,000,000
18 shall be made available for alternative development and
19 other economic activities: *Provided further*, That of the
20 funds appropriated under this heading, up to \$42,000,000
21 shall be made available for assistance for Peru: *Provided*
22 *further*, That of the funds appropriated under this head-
23 ing, not less than \$18,000,000 shall be made available for
24 assistance for other countries in South and Central Amer-
25 ica and the Caribbean which are cooperating with United

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

A BILL

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

MAY 9, 2000

Read twice and placed on the calendar