

***In the Senate of the United States,***

*October 24, 2001.*

*Resolved*, That the bill from the House of Representatives (H.R. 2506) entitled “An Act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

- 1 *That the following sums are appropriated, out of any*
- 2 *money in the Treasury not otherwise appropriated, for the*
- 3 *fiscal year ending September 30, 2002, and for other pur-*
- 4 *poses, namely:*

1 *TITLE I—EXPORT AND INVESTMENT ASSISTANCE*2 *EXPORT-IMPORT BANK OF THE UNITED STATES*

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

20 *SUBSIDY APPROPRIATION*

21 *For the cost of direct loans, loan guarantees, insurance,*  
22 *and tied-aid grants as authorized by section 10 of the Ex-*  
23 *port-Import Bank Act of 1945, as amended, \$727,323,000*  
24 *to remain available until September 30, 2005: Provided,*  
25 *That such costs, including the cost of modifying such loans,*  
26 *shall be as defined in section 502 of the Congressional Budg-*

1 *et Act of 1974: Provided further, That such sums shall re-*  
2 *main available until September 30, 2020 for the disburse-*  
3 *ment of direct loans, loan guarantees, insurance and tied-*  
4 *aid grants obligated in fiscal years 2002, 2003, 2004, and*  
5 *2005: Provided further, That none of the funds appro-*  
6 *priated by this Act or any prior Act appropriating funds*  
7 *for foreign operations, export financing, or related pro-*  
8 *grams for tied-aid credits or grants may be used for any*  
9 *other purpose except through the regular notification proce-*  
10 *dures of the Committees on Appropriations: Provided fur-*  
11 *ther, That funds appropriated by this paragraph are made*  
12 *available notwithstanding section 2(b)(2) of the Export Im-*  
13 *port Bank Act of 1945, in connection with the purchase*  
14 *or lease of any product by any East European country,*  
15 *any Baltic State or any agency or national thereof.*

16 *ADMINISTRATIVE EXPENSES*

17 *For administrative expenses to carry out the direct*  
18 *and guaranteed loan and insurance programs, including*  
19 *hire of passenger motor vehicles and services as authorized*  
20 *by 5 U.S.C. 3109, and not to exceed \$30,000 for official*  
21 *reception and representation expenses for members of the*  
22 *Board of Directors, \$64,000,000: Provided, That necessary*  
23 *expenses (including special services performed on a contract*  
24 *or fee basis, but not including other personal services) in*  
25 *connection with the collection of moneys owed the Export-*  
26 *Import Bank, repossession or sale of pledged collateral or*

1 *other assets acquired by the Export-Import Bank in satis-*  
2 *faction of moneys owed the Export-Import Bank, or the in-*  
3 *vestigation or appraisal of any property, or the evaluation*  
4 *of the legal or technical aspects of any transaction for which*  
5 *an application for a loan, guarantee or insurance commit-*  
6 *ment has been made, shall be considered nonadministrative*  
7 *expenses for the purposes of this heading: Provided further,*  
8 *That, notwithstanding subsection (b) of section 117 of the*  
9 *Export Enhancement Act of 1992, subsection (a) thereof*  
10 *shall remain in effect until October 1, 2002.*

11 *OVERSEAS PRIVATE INVESTMENT CORPORATION*

12 *NONCREDIT ACCOUNT*

13 *The Overseas Private Investment Corporation is au-*  
14 *thorized to make, without regard to fiscal year limitations,*  
15 *as provided by 31 U.S.C. 9104, such expenditures and com-*  
16 *mitments within the limits of funds available to it and in*  
17 *accordance with law as may be necessary: Provided, That*  
18 *the amount available for administrative expenses to carry*  
19 *out the credit and insurance programs (including an*  
20 *amount for official reception and representation expenses*  
21 *which shall not exceed \$35,000) shall not exceed*  
22 *\$38,608,000: Provided further, That project-specific trans-*  
23 *action costs, including direct and indirect costs incurred*  
24 *in claims settlements, and other direct costs associated with*  
25 *services provided to specific investors or potential investors*  
26 *pursuant to section 234 of the Foreign Assistance Act of*

1 1961, shall not be considered administrative expenses for  
2 the purposes of this heading.

3 *PROGRAM ACCOUNT*

4 *Such sums as may be necessary for administrative ex-*  
5 *penses to carry out the credit program may be derived from*  
6 *amounts available for administrative expenses to carry out*  
7 *the credit and insurance programs in the Overseas Private*  
8 *Investment Corporation Noncredit Account and merged*  
9 *with said account.*

10 *FUNDS APPROPRIATED TO THE PRESIDENT*

11 *TRADE AND DEVELOPMENT AGENCY*

12 *For necessary expenses to carry out the provisions of*  
13 *section 661 of the Foreign Assistance Act of 1961,*  
14 *\$50,024,000, to remain available until September 30, 2003.*

15 *TITLE II—BILATERAL ECONOMIC ASSISTANCE*

16 *FUNDS APPROPRIATED TO THE PRESIDENT*

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

21 *UNITED STATES AGENCY FOR INTERNATIONAL*

22 *DEVELOPMENT*

23 *CHILD SURVIVAL AND HEALTH PROGRAMS FUND*

24 *For necessary expenses to carry out the provisions of*  
25 *chapters 1 and 10 of part I of the Foreign Assistance Act*  
26 *of 1961, for child survival, family planning/reproductive*

1 *health, assistance to combat tropical and other infectious*  
2 *diseases, and related activities, in addition to funds other-*  
3 *wise available for such purposes, \$1,510,500,000, to remain*  
4 *available until expended: Provided, That this amount shall*  
5 *be made available for such activities as: (1) immunization*  
6 *programs; (2) oral rehydration programs; (3) health, nutri-*  
7 *tion, water and sanitation programs, and related education*  
8 *programs; (4) assistance for displaced and orphaned chil-*  
9 *dren; (5) programs for the prevention, treatment, and con-*  
10 *trol of, and research on, HIV/AIDS, tuberculosis, malaria,*  
11 *polio and other infectious diseases; and (6) family plan-*  
12 *ning/reproductive health: Provided further, That none of the*  
13 *funds appropriated under this heading may be made avail-*  
14 *able for nonproject assistance, except that funds may be*  
15 *made available for such assistance for ongoing health pro-*  
16 *grams: Provided further, That of the funds appropriated*  
17 *under this heading, not to exceed \$125,000, in addition to*  
18 *funds otherwise available for such purposes, may be used*  
19 *to monitor and provide oversight of child survival, maternal*  
20 *and family planning/reproductive health, and infectious*  
21 *disease programs: Provided further, That the following*  
22 *amounts should be allocated as follows: \$325,000,000 for*  
23 *child survival and maternal health; \$25,000,000 for vulner-*  
24 *able children; \$450,000,000 for HIV/AIDS including*  
25 *\$90,000,000 which may be made available, notwithstanding*

1 *any other provision of law, for a United States contribution*  
2 *to a global fund to combat HIV/AIDS, malaria, and tuber-*  
3 *culosis, and not less than \$15,000,000 which should be made*  
4 *available to support the development of microbicides as a*  
5 *means for combating HIV/AIDS; \$185,000,000 for other in-*  
6 *fectious diseases, of which not less than \$65,000,000 should*  
7 *be made available for the prevention, treatment, and control*  
8 *of, and research on, tuberculosis, and of which not less than*  
9 *\$65,000,000 should be made available to combat malaria;*  
10 *\$120,000,000 for UNICEF: Provided further, That of the*  
11 *funds appropriated under this Act, not less than*  
12 *\$450,000,000 shall be made available to carry out the pur-*  
13 *poses of section 104(b) of the Foreign Assistance Act of*  
14 *1961, including in areas where population growth threatens*  
15 *biodiversity or endangered species, of which not less than*  
16 *\$395,000,000 shall be made available from funds appro-*  
17 *priated under this heading and not less than \$55,000,000*  
18 *shall be made available from funds appropriated under*  
19 *other headings in this title: Provided further, That of the*  
20 *funds appropriated under this heading, up to \$50,500,000*  
21 *may be made available for a United States contribution to*  
22 *The Vaccine Fund, and up to \$10,000,000 may be made*  
23 *available for the International AIDS Vaccine Initiative:*  
24 *Provided further, That none of the funds made available*  
25 *in this Act nor any unobligated balances from prior appro-*

1 *priations may be made available to any organization or*  
2 *program which, as determined by the President of the*  
3 *United States, supports or participates in the management*  
4 *of a program of coercive abortion or involuntary steriliza-*  
5 *tion: Provided further, That none of the funds made avail-*  
6 *able under this Act may be used to pay for the performance*  
7 *of abortion as a method of family planning or to motivate*  
8 *or coerce any person to practice abortions: Provided further,*  
9 *That none of the funds made available under this Act may*  
10 *be used to lobby for or against abortion: Provided further,*  
11 *That in order to reduce reliance on abortion in developing*  
12 *nations, funds shall be available only to voluntary family*  
13 *planning projects which offer, either directly or through re-*  
14 *ferral to, or information about access to, a broad range of*  
15 *family planning methods and services, and that any such*  
16 *voluntary family planning project shall meet the following*  
17 *requirements: (1) service providers or referral agents in the*  
18 *project shall not implement or be subject to quotas, or other*  
19 *numerical targets, of total number of births, number of fam-*  
20 *ily planning acceptors, or acceptors of a particular method*  
21 *of family planning (this provision shall not be construed*  
22 *to include the use of quantitative estimates or indicators*  
23 *for budgeting and planning purposes); (2) the project shall*  
24 *not include payment of incentives, bribes, gratuities, or fi-*  
25 *nancial reward to: (A) an individual in exchange for be-*



1 coming a family planning acceptor; or (B) program per-  
2 sonnel for achieving a numerical target or quota of total  
3 number of births, number of family planning acceptors, or  
4 acceptors of a particular method of family planning; (3)  
5 the project shall not deny any right or benefit, including  
6 the right of access to participate in any program of general  
7 welfare or the right of access to health care, as a consequence  
8 of any individual's decision not to accept family planning  
9 services; (4) the project shall provide family planning ac-  
10 ceptors comprehensible information on the health benefits  
11 and risks of the method chosen, including those conditions  
12 that might render the use of the method inadvisable and  
13 those adverse side effects known to be consequent to the use  
14 of the method; and (5) the project shall ensure that experi-  
15 mental contraceptive drugs and devices and medical proce-  
16 dures are provided only in the context of a scientific study  
17 in which participants are advised of potential risks and  
18 benefits; and, not less than 60 days after the date on which  
19 the Administrator of the United States Agency for Inter-  
20 national Development determines that there has been a vio-  
21 lation of the requirements contained in paragraph (1), (2),  
22 (3), or (5) of this proviso, or a pattern or practice of viola-  
23 tions of the requirements contained in paragraph (4) of this  
24 proviso, the Administrator shall submit to the Committees  
25 on Appropriations of the Senate and the House of Rep-

1 *representatives, a report containing a description of such viola-*  
2 *tion and the corrective action taken by the Agency: Provided*  
3 *further, That in awarding grants for natural family plan-*  
4 *ning under section 104 of the Foreign Assistance Act of*  
5 *1961 no applicant shall be discriminated against because*  
6 *of such applicant's religious or conscientious commitment*  
7 *to offer only natural family planning; and, additionally,*  
8 *all such applicants shall comply with the requirements of*  
9 *the previous proviso: Provided further, That for purposes*  
10 *of this or any other Act authorizing or appropriating funds*  
11 *for foreign operations, export financing, and related pro-*  
12 *grams, the term "motivate", as it relates to family planning*  
13 *assistance, shall not be construed to prohibit the provision,*  
14 *consistent with local law, of information or counseling*  
15 *about all pregnancy options: Provided further, That noth-*  
16 *ing in this paragraph shall be construed to alter any exist-*  
17 *ing statutory prohibitions against abortion under section*  
18 *104 of the Foreign Assistance Act of 1961.*

19 *DEVELOPMENT ASSISTANCE*

20 *For necessary expenses to carry out the provisions of*  
21 *sections 103, 105, 106, and 131, and chapter 10 of part*  
22 *I of the Foreign Assistance Act of 1961, \$1,245,000,000, to*  
23 *remain available until September 30, 2003: Provided, That*  
24 *\$135,000,000 should be allocated for children's basic edu-*  
25 *cation: Provided further, That none of the funds appro-*  
26 *priated under this heading may be made available for any*

1 *activity which is in contravention to the Convention on*  
2 *International Trade in Endangered Species of Flora and*  
3 *Fauna: Provided further, That of the funds appropriated*  
4 *under this heading that are made available for assistance*  
5 *programs for displaced and orphaned children and victims*  
6 *of war, not to exceed \$35,000, in addition to funds otherwise*  
7 *available for such purposes, may be used to monitor and*  
8 *provide oversight of such programs: Provided further, That*  
9 *of the aggregate amount of the funds appropriated by this*  
10 *Act that are made available for agriculture and rural devel-*  
11 *opment programs, \$30,000,000 should be made available for*  
12 *plant biotechnology research and development: Provided*  
13 *further, That not less than \$2,300,000 should be made avail-*  
14 *able for core support for the International Fertilizer Devel-*  
15 *opment Center: Provided further, That of the funds appro-*  
16 *priated under this heading, not less than \$500,000 shall be*  
17 *made available for support of the United States Tele-*  
18 *communications Training Institute: Provided further, That*  
19 *of the funds appropriated under this heading, not less than*  
20 *\$19,000,000 shall be made available for the American*  
21 *Schools and Hospitals Abroad program: Provided further,*  
22 *That, of the funds appropriated under this heading, up to*  
23 *\$100,000 should be made available for an assessment of the*  
24 *causes of the flooding along the Volta River in Accra,*  
25 *Ghana, and to make recommendations for solving the prob-*

1 *lem: Provided further, That, of the funds appropriated*  
2 *under this heading or under “Child Survival and Health*  
3 *Programs Fund”, \$5,000,000 should be made available for*  
4 *activities in South and Central Asia aimed at reintegrating*  
5 *“child soldiers” and other war-affected youth.*

6 *ENVIRONMENT, CLEAN ENERGY, AND ENERGY*

7 *CONSERVATION PROGRAMS FUND*

8 *Of the funds appropriated under the heading “Devel-*  
9 *opment Assistance”, not less than \$295,000,000 should be*  
10 *made available for programs and activities which directly*  
11 *protect tropical forests, biodiversity and endangered species,*  
12 *promote the sustainable use of natural resources, and pro-*  
13 *mote a wide range of clean energy and energy conservation*  
14 *activities, including the transfer of cleaner and environ-*  
15 *mentally sustainable energy technologies, and related ac-*  
16 *tivities: Provided, That of the funds appropriated by this*  
17 *Act, not less than \$175,000,000 should be made available*  
18 *to support policies and actions in developing countries and*  
19 *countries in transition that measure, monitor, report,*  
20 *verify, and reduce greenhouse gas emissions; increase carbon*  
21 *sequestration activities; and enhance climate change miti-*  
22 *gation programs.*

23 *CYPRUS*

24 *Of the funds appropriated under the heading “Eco-*  
25 *nomic Support Fund”, not less than \$15,000,000 shall be*  
26 *made available for Cyprus to be used only for scholarships,*

1 *administrative support of the scholarship program,*  
2 *bicommunal projects, and measures aimed at reunification*  
3 *of the island and designed to reduce tensions and promote*  
4 *peace and cooperation between the two communities on Cy-*  
5 *prus.*

6 *LEBANON*

7 *Of the funds appropriated under the heading “Eco-*  
8 *nomie Support Fund”, not less than \$35,000,000 should be*  
9 *made available for Lebanon to be used, among other pro-*  
10 *grams, for scholarships and direct support of the American*  
11 *educational institutions in Lebanon: Provided, That, not-*  
12 *withstanding section 534(a) of this Act, none of the funds*  
13 *appropriated under the heading “Economic Support Fund”*  
14 *may be made available for assistance for the Central Gov-*  
15 *ernment of Lebanon until the Secretary of State determines*  
16 *and certifies to the Committees on Appropriations that the*  
17 *Government of Lebanon has enforced the custody and inter-*  
18 *national pickup orders, issued during calendar year 2001,*  
19 *of Lebanon’s civil courts regarding abducted American chil-*  
20 *dren in Lebanon.*

21 *INDONESIA*

22 *Of the funds appropriated under the headings “Eco-*  
23 *nomie Support Fund”, “Child Survival and Health Pro-*  
24 *grams Fund” and “Development Assistance”, not less than*  
25 *\$135,000,000 should be made available for Indonesia: Pro-*  
26 *vided, That not less than \$10,000,000 should be made avail-*

1 *able for humanitarian, economic rehabilitation, and recon-*  
2 *struction, political reconciliation, and related activities in*  
3 *Aceh, Papua, West Timor, and Maluku: Provided further,*  
4 *That funds made available in the previous proviso may be*  
5 *transferred to and merged with the appropriation for Tran-*  
6 *sition Initiatives.*

7 *BURMA*

8 *Of the funds appropriated under the heading “Eco-*  
9 *nomics Support Fund”, not less than \$6,500,000 shall be*  
10 *made available to support democracy activities in Burma,*  
11 *democracy and humanitarian activities along the Burma-*  
12 *Thailand border, and for Burmese student groups and other*  
13 *organizations located outside Burma: Provided, That funds*  
14 *made available for Burma-related activities under this*  
15 *heading may be made available notwithstanding any other*  
16 *provision of law: Provided further, That none of the funds*  
17 *appropriated by this Act may be used to provide humani-*  
18 *tarian assistance inside Burma by any individual, group,*  
19 *or association unless the Secretary of State certifies and re-*  
20 *ports to the Committees on Appropriations that the provi-*  
21 *sion of such assistance includes the direct involvement of*  
22 *the democratically elected National League for Democracy:*  
23 *Provided further, That the provision of such funds shall be*  
24 *made available subject to the regular notification proce-*  
25 *dures of the Committees on Appropriations: Provided fur-*  
26 *ther, That Title II of the Foreign Operations, Export Fi-*

1 *nancing, and Related Programs Appropriations Act, 2001,*  
2 *as enacted by section 101(a) of Public Law 106-429, is*  
3 *amended, under the heading “Burma”, by inserting “,*  
4 *‘Child Survival and Disease Programs Fund’,” after*  
5 *“Fund”.*

6 *LAOS*

7 *Of the funds appropriated under the headings “Child*  
8 *Survival and Health Programs Fund” and “Development*  
9 *Assistance”, \$5,000,000 should be made available for Laos:*  
10 *Provided, That funds made available under this heading*  
11 *should be made available only through nongovernmental or-*  
12 *ganizations.*

13 *INTERNATIONAL DISASTER ASSISTANCE*

14 *For necessary expenses for international disaster relief,*  
15 *rehabilitation, and reconstruction assistance pursuant to*  
16 *section 491 of the Foreign Assistance Act of 1961, as amend-*  
17 *ed, \$245,000,000, to remain available until expended.*

18 *TRANSITION INITIATIVES*

19 *For necessary expenses for international disaster reha-*  
20 *ilitation and reconstruction assistance pursuant to section*  
21 *491 of the Foreign Assistance Act of 1961, \$52,500,000, to*  
22 *remain available until expended, to support transition to*  
23 *democracy and to long-term development of countries in cri-*  
24 *sis: Provided, That such support may include assistance to*  
25 *develop, strengthen, or preserve democratic institutions and*  
26 *processes, revitalize basic infrastructure, and foster the*

1 *peaceful resolution of conflict: Provided further, That the*  
2 *United States Agency for International Development shall*  
3 *submit a report to the Committees on Appropriations at*  
4 *least 5 days prior to beginning a new program of assist-*  
5 *ance.*

6 *DEVELOPMENT CREDIT AUTHORITY*

7 *(INCLUDING TRANSFER OF FUNDS)*

8 *For the cost of direct loans and loan guarantees, up*  
9 *to \$25,000,000, as authorized by sections 108 and 635 of*  
10 *the Foreign Assistance Act of 1961: Provided, That such*  
11 *funds shall be derived by transfer from funds appropriated*  
12 *by this Act to carry out part I of the Foreign Assistance*  
13 *Act of 1961, and under the heading “Assistance for Eastern*  
14 *Europe and the Baltic States”: Provided further, That such*  
15 *funds shall be made available only for micro and small en-*  
16 *terprise programs, urban programs, and other programs*  
17 *which further the purposes of part I of the Act: Provided*  
18 *further, That such costs shall be as defined in section 502*  
19 *of the Congressional Budget Act of 1974: Provided further,*  
20 *That the provisions of section 107A(d) (relating to general*  
21 *provisions applicable to the Development Credit Authority)*  
22 *of the Foreign Assistance Act of 1961, as contained in sec-*  
23 *tion 306 of H.R. 1486 as reported by the House Committee*  
24 *on International Relations on May 9, 1997, shall be appli-*  
25 *cable to direct loans and loan guarantees provided under*  
26 *this heading. In addition, for administrative expenses to*



1 *carry out credit programs administered by the United*  
2 *States Agency for International Development, \$7,500,000,*  
3 *all of which may be transferred to and merged with the*  
4 *appropriation for Operating Expenses of the United States*  
5 *Agency for International Development: Provided further,*  
6 *That funds appropriated under this heading shall remain*  
7 *available until expended.*

8 *PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND*  
9 *DISABILITY FUND*

10 *For payment to the “Foreign Service Retirement and*  
11 *Disability Fund”, as authorized by the Foreign Service Act*  
12 *of 1980, \$44,880,000.*

13 *OPERATING EXPENSES OF THE UNITED STATES AGENCY*  
14 *FOR INTERNATIONAL DEVELOPMENT*

15 *For necessary expenses to carry out the provisions of*  
16 *section 667, \$549,000,000: Provided, That none of the funds*  
17 *appropriated under this heading may be made available to*  
18 *finance the construction (including architect and engineer-*  
19 *ing services), purchase, or long term lease of offices for use*  
20 *by the United States Agency for International Development,*  
21 *unless the Administrator has identified such proposed con-*  
22 *struction (including architect and engineering services),*  
23 *purchase, or long term lease of offices in a report submitted*  
24 *to the Committees on Appropriations at least 15 days prior*  
25 *to the obligation of these funds for such purposes: Provided*  
26 *further, That the previous proviso shall not apply where*

1 *the total cost of construction (including architect and engi-*  
2 *neering services), purchase, or long term lease of offices does*  
3 *not exceed \$1,000,000: Provided further, That of the funds*  
4 *appropriated under this heading, up to \$10,000,000 may*  
5 *remain available until expended for overseas facilities con-*  
6 *struction, leasing, and other security-related costs.*

7 *OPERATING EXPENSES OF THE UNITED STATES AGENCY*  
8 *FOR INTERNATIONAL DEVELOPMENT OFFICE OF IN-*  
9 *SPECTOR GENERAL*

10 *For necessary expenses to carry out the provisions of*  
11 *section 667, \$32,000,000, to remain available until Sep-*  
12 *tember 30, 2003, which sum shall be available for the Office*  
13 *of the Inspector General of the United States Agency for*  
14 *International Development.*

15 *OTHER BILATERAL ECONOMIC ASSISTANCE*

16 *ECONOMIC SUPPORT FUND*

17 *For necessary expenses to carry out the provisions of*  
18 *chapter 4 of part II, \$2,239,500,000, to remain available*  
19 *until September 30, 2003: Provided, That of the funds ap-*  
20 *propriated under this heading, not less than \$720,000,000*  
21 *shall be available only for Israel, which sum shall be avail-*  
22 *able on a grant basis as a cash transfer and shall be dis-*  
23 *bursed within 30 days of the enactment of this Act or by*  
24 *October 31, 2001, whichever is later: Provided further, That*  
25 *not less than \$655,000,000 shall be available only for*  
26 *Egypt, which sum shall be provided on a grant basis, and*

1 *of which sum cash transfer assistance shall be provided with*  
2 *the understanding that Egypt will undertake significant*  
3 *economic reforms which are additional to those which were*  
4 *undertaken in previous fiscal years, and of which not less*  
5 *than \$160,000,000 shall be provided as Commodity Import*  
6 *Program assistance: Provided further, That in exercising*  
7 *the authority to provide cash transfer assistance for Israel,*  
8 *the President shall ensure that the level of such assistance*  
9 *does not cause an adverse impact on the total level of non-*  
10 *military exports from the United States to such country*  
11 *and that Israel enters into a side letter agreement in an*  
12 *amount proportional to the fiscal year 1999 agreement:*  
13 *Provided further, That of the funds appropriated under this*  
14 *heading, \$150,000,000 shall be made available for assist-*  
15 *ance for Jordan: Provided further, That of the funds appro-*  
16 *priated under this heading, not less than \$25,000,000 shall*  
17 *be made available for assistance for East Timor of which*  
18 *up to \$1,000,000 may be transferred to and merged with*  
19 *the appropriation for Operating Expenses of the United*  
20 *States Agency for International Development: Provided fur-*  
21 *ther, That of the funds appropriated under this heading,*  
22 *\$12,000,000 should be made available for Mongolia: Pro-*  
23 *vided further, That up to \$10,000,000 of the funds appro-*  
24 *priated under this heading may be used, notwithstanding*  
25 *any other provision of law, to provide assistance to the Na-*

1 *tional Democratic Alliance of Sudan to strengthen its abil-*  
2 *ity to protect civilians from attacks, slave raids, and aerial*  
3 *bombardment by the Sudanese Government forces and its*  
4 *militia allies, and the provision of such funds shall be sub-*  
5 *ject to the regular notification procedures of the Committees*  
6 *on Appropriations: Provided further, That in the previous*  
7 *proviso, the term “assistance” includes non-lethal, non-food*  
8 *aid such as blankets, medicine, fuel, mobile clinics, water*  
9 *drilling equipment, communications equipment to notify*  
10 *civilians of aerial bombardment, non-military vehicles,*  
11 *tents, and shoes: Provided further, That of the funds appro-*  
12 *priated under this heading, not less than \$250,000 should*  
13 *be made available for assistance for the Documentation*  
14 *Center of Cambodia: Provided further, That not later than*  
15 *60 days after the enactment of this Act, the Secretary of*  
16 *State shall report to the Committees on Appropriations on*  
17 *a 3-year funding strategy for the Documentation Center of*  
18 *Cambodia.*

19 *ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC*  
20 *STATES*

21 *(a) For necessary expenses to carry out the provisions*  
22 *of the Foreign Assistance Act of 1961 and the Support for*  
23 *East European Democracy (SEED) Act of 1989,*  
24 *\$615,000,000, to remain available until September 30,*  
25 *2003, which shall be available, notwithstanding any other*  
26 *provision of law, for assistance and for related programs*

1 *for Eastern Europe and the Baltic States, of which not to*  
2 *exceed \$28,000,000 shall be available for the cost, as defined*  
3 *in section 502 of the Congressional Budget Act of 1974, of*  
4 *modifying direct loans and guarantees for the Federal Re-*  
5 *public of Yugoslavia: Provided, That funds made available*  
6 *for assistance for Kosovo from funds appropriated under*  
7 *this heading and under the headings “Economic Support*  
8 *Fund” and “International Narcotics Control and Law En-*  
9 *forcement” should not exceed 15 percent of the total re-*  
10 *sources pledged by all donors for calendar year 2002 for*  
11 *assistance for Kosovo as of March 31, 2002: Provided fur-*  
12 *ther, That none of the funds made available under this Act*  
13 *for assistance for Kosovo shall be made available for large*  
14 *scale physical infrastructure reconstruction.*

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

1       (c) Funds appropriated under this heading shall be  
2 considered to be economic assistance under the Foreign As-  
3 sistance Act of 1961 for purposes of making available the  
4 administrative authorities contained in that Act for the use  
5 of economic assistance.

6       (d) With regard to funds appropriated under this  
7 heading for the economic revitalization program in Bosnia  
8 and Herzegovina, and local currencies generated by such  
9 funds (including the conversion of funds appropriated  
10 under this heading into currency used by Bosnia and  
11 Herzegovina as local currency and local currency returned  
12 or repaid under such program) the Administrator of the  
13 United States Agency for International Development shall  
14 provide written approval for grants and loans prior to the  
15 obligation and expenditure of funds for such purposes, and  
16 prior to the use of funds that have been returned or repaid  
17 to any lending facility or grantee.

18       (e) The provisions of section 529 of this Act shall apply  
19 to funds made available under subsection (d) and to funds  
20 appropriated under this heading: Provided, That notwith-  
21 standing any provision of this or any other Act, including  
22 provisions in this subsection regarding the application of  
23 section 529 of this Act, local currencies generated by, or con-  
24 verted from, funds appropriated by this Act and by previous  
25 appropriations Acts and made available for the economic

1 *revitalization program in Bosnia may be used in Eastern*  
 2 *Europe and the Baltic States to carry out the provisions*  
 3 *of the Foreign Assistance Act of 1961 and the Support for*  
 4 *East European Democracy (SEED) Act of 1989.*

5       (f) *The President is authorized to withhold funds ap-*  
 6 *propriated under this heading made available for economic*  
 7 *revitalization programs in Bosnia and Herzegovina, if he*  
 8 *determines and certifies to the Committees on Appropria-*  
 9 *tions that the Federation of Bosnia and Herzegovina has*  
 10 *not complied with article III of annex 1–A of the General*  
 11 *Framework Agreement for Peace in Bosnia and*  
 12 *Herzegovina concerning the withdrawal of foreign forces,*  
 13 *and that intelligence cooperation on training, investiga-*  
 14 *tions, and related activities between Iranian officials and*  
 15 *Bosnian officials has not been terminated.*

16       ASSISTANCE FOR THE INDEPENDENT STATES OF THE  
 17   FORMER SOVIET UNION

18       (a) *For necessary expenses to carry out the provisions*  
 19 *of chapters 11 and 12 of part I of the Foreign Assistance*  
 20 *Act of 1961 and the FREEDOM Support Act, for assistance*  
 21 *for the Independent States of the former Soviet Union and*  
 22 *for related programs, \$795,500,000, to remain available*  
 23 *until September 30, 2003: Provided, That the provisions of*  
 24 *such chapters shall apply to funds appropriated by this*  
 25 *paragraph: Provided further, That of the funds made avail-*  
 26 *able for the Southern Caucasus region, notwithstanding any*

1 *other provision of law, funds may be used for confidence-*  
2 *building measures and other activities in furtherance of the*  
3 *peaceful resolution of the regional conflicts, especially those*  
4 *in the vicinity of Abkhazia and Nagorno-Karabagh: Pro-*  
5 *vided further, That of the funds appropriated under this*  
6 *heading not less than \$20,000,000 shall be made available*  
7 *solely for the Russian Far East.*

8       *(b) Of the funds appropriated under this heading, not*  
9 *less than \$180,000,000 should be made available for assist-*  
10 *ance for Ukraine: Provided, That of this amount, not less*  
11 *than \$35,000,000 should be made available for nuclear reac-*  
12 *tor safety initiatives: Provided further, That not later than*  
13 *60 days after the date of enactment of this Act, and 120*  
14 *days thereafter, the Department of State shall submit to the*  
15 *Committees on Appropriations a report on progress by the*  
16 *Government of Ukraine in investigating and bringing to*  
17 *justice individuals responsible for the murders of Ukrainian*  
18 *journalists.*

19       *(c) Of the funds appropriated under this heading, not*  
20 *less than \$90,000,000 shall be made available for assistance*  
21 *for Armenia: Provided, That of this amount, not less than*  
22 *\$5,000,000 shall be made available to support an education*  
23 *initiative in Armenia to provide computer equipment and*  
24 *internet access to Armenian primary and secondary*  
25 *schools.*



1       (d) *Of the funds appropriated under this heading, not*  
2 *less than \$90,000,000 shall be made available for assistance*  
3 *for Georgia, of which not less than \$3,000,000 should be*  
4 *made available for a small business development project.*

5       (e) *Of the funds made available under this heading for*  
6 *nuclear safety activities, not to exceed 8 percent of the funds*  
7 *provided for any single project may be used to pay for man-*  
8 *agement costs incurred by a United States agency or na-*  
9 *tional lab in administering said project.*

10       (f)(1) *Of the funds appropriated under this heading*  
11 *that are allocated for assistance for the Government of the*  
12 *Russian Federation, 60 percent shall be withheld from obli-*  
13 *gation until the President determines and certifies in writ-*  
14 *ing to the Committees on Appropriations that the Govern-*  
15 *ment of the Russian Federation:*

16           (A) *has terminated implementation of arrange-*  
17 *ments to provide Iran with technical expertise, train-*  
18 *ing, technology, or equipment necessary to develop a*  
19 *nuclear reactor, related nuclear research facilities or*  
20 *programs, or ballistic missile capability;*

21           (B) *is cooperating with international efforts to*  
22 *investigate allegations of war crimes and atrocities in*  
23 *Chechnya;*

24           (C) *is providing full access to international non-*  
25 *government organizations providing humanitarian*

1 relief to refugees and internally displaced persons in  
2 Chechnya; and

3 (D) is in compliance with article V of the Treaty  
4 on Conventional Armed Forces in Europe regarding  
5 forces deployed in the flank zone in and around  
6 Chechnya.

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

8 (A) assistance to combat infectious diseases, child  
9 survival activities, or assistance for victims of traf-  
10 ficking in persons; and

11 (B) activities authorized under title V (Non-  
12 proliferation and Disarmament Programs and Activi-  
13 ties) of the FREEDOM Support Act.

14 (g) Of the funds appropriated under this heading, not  
15 less than \$45,000,000 should be made available, in addition  
16 to funds otherwise available for such purposes, for assist-  
17 ance for child survival, environmental and reproductive  
18 health, and to combat HIV/AIDS, tuberculosis, and other  
19 infectious diseases, and for related activities.

20 *INDEPENDENT AGENCIES*

21 *PEACE CORPS*

22 For necessary expenses to carry out the provisions of  
23 the Peace Corps Act (75 Stat. 612), \$275,000,000, including  
24 the purchase of not to exceed five passenger motor vehicles  
25 for administrative purposes for use outside of the United

1 *States: Provided, That none of the funds appropriated*  
2 *under this heading shall be used to pay for abortions: Pro-*  
3 *vided further, That funds appropriated under this heading*  
4 *shall remain available until September 30, 2003.*

5 *INTER-AMERICAN FOUNDATION*

6 *For expenses necessary to carry out the functions of*  
7 *the Inter-American Foundation in accordance with the pro-*  
8 *visions of section 401 of the Foreign Assistance Act of 1969,*  
9 *and to make commitments without regard to fiscal year*  
10 *limitations, as provided by 31 U.S.C. 9104(b)(3),*  
11 *\$13,106,950.*

12 *AFRICAN DEVELOPMENT FOUNDATION*

13 *For expenses necessary to carry out title V of the Inter-*  
14 *national Security and Development Cooperation Act of*  
15 *1980, Public Law 96-533, and to make commitments with-*  
16 *out regard to fiscal year limitations, as provided by 31*  
17 *U.S.C. 9104(b)(3), \$16,542,000: Provided, That funds made*  
18 *available to grantees may be invested pending expenditure*  
19 *for project purposes when authorized by the President of*  
20 *the Foundation: Provided further, That interest earned*  
21 *shall be used only for the purposes for which the grant was*  
22 *made: Provided further, That this authority applies to in-*  
23 *terest earned both prior to and following enactment of this*  
24 *provision: Provided further, That notwithstanding section*  
25 *505(a)(2) of the African Development Foundation Act, in*  
26 *exceptional circumstances the board of directors of the*

1 *Foundation may waive the \$250,000 limitation contained*  
2 *in that section with respect to a project: Provided further,*  
3 *That the Foundation shall provide a report to the Commit-*  
4 *tees on Appropriations after each time such waiver author-*  
5 *ity is exercised.*

6 *DEPARTMENT OF STATE*

7 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

8 *ENFORCEMENT*

9 *For necessary expenses to carry out section 481 of the*  
10 *Foreign Assistance Act of 1961, \$217,000,000, to remain*  
11 *available until expended: Provided, That any funds made*  
12 *available under this heading for anti-crime programs and*  
13 *activities shall be made available subject to the regular noti-*  
14 *fication procedures of the Committees on Appropriations:*  
15 *Provided further, That during fiscal year 2002, the Depart-*  
16 *ment of State may also use the authority of section 608*  
17 *of the Foreign Assistance Act of 1961, without regard to*  
18 *its restrictions, to receive excess property from an agency*  
19 *of the United States Government for the purpose of pro-*  
20 *viding it to a foreign country under chapter 8 of part I*  
21 *of that Act subject to the regular notification procedures of*  
22 *the Committees on Appropriations: Provided further, That*  
23 *of the funds appropriated under this heading, not less than*  
24 *\$10,000,000 should be made available for anti-trafficking*  
25 *in persons programs, including trafficking prevention, pro-*

1 *tection and assistance for victims, and prosecution of traf-*  
2 *fickers: Provided further, That of the funds appropriated*  
3 *under this heading, not more than \$16,660,000 shall be*  
4 *available for administrative expenses.*

5 *ANDEAN COUNTERDRUG INITIATIVE*

6 *For necessary expenses to carry out section 481 of the*  
7 *Foreign Assistance Act of 1961 solely to support*  
8 *counterdrug activities in the Andean region of South Amer-*  
9 *ica, \$547,000,000, to remain available until expended: Pro-*  
10 *vided, That of the amount appropriated under this heading,*  
11 *not less than \$101,000,000 shall be made available for Bo-*  
12 *livia, and not less than \$35,000,000 shall be made available*  
13 *for Ecuador: Provided further, That of the amount appro-*  
14 *priated under this heading, not less than \$200,000,000 shall*  
15 *be apportioned directly to the United States Agency for*  
16 *International Development, to be used for economic and so-*  
17 *cial programs: Provided further, That of the amount appro-*  
18 *priated under this heading, up to \$2,000,000 should be*  
19 *made available to support democracy-building activities in*  
20 *Venezuela: Provided further, That funds appropriated by*  
21 *this Act that are used for the procurement of chemicals for*  
22 *aerial coca fumigation programs may be made available*  
23 *for such programs only if the Secretary of State, after con-*  
24 *sultation with the Administrator of the Environmental Pro-*  
25 *tection Agency and the Director of the Centers for Disease*  
26 *Control and Prevention, determines and reports to the Com-*

1 *mittees on Appropriations that (1) the chemicals used in*  
2 *the aerial fumigation of coca, in the manner in which they*  
3 *are being applied, do not pose an undue risk to human*  
4 *health or safety; (2) that aerial coca fumigation is being*  
5 *carried out in accordance with Colombian laws and regula-*  
6 *tions, and health, safety, and usage procedures rec-*  
7 *ommended by the Environmental Protection Agency, the*  
8 *Centers for Disease Control and Prevention, and the manu-*  
9 *facturers of the chemicals; (3) effective mechanisms are*  
10 *being utilized to evaluate claims of local citizens that their*  
11 *health was harmed or their licit agricultural crops were*  
12 *damaged by such aerial coca fumigation, and to provide*  
13 *fair compensation for meritorious claims; and (4) within*  
14 *6 months of the date of enactment of this Act alternative*  
15 *development programs have been developed, in consultation*  
16 *with communities and local authorities in the departments*  
17 *in which such aerial coca fumigation is planned, and in*  
18 *the departments in which such aerial coca fumigation has*  
19 *been conducted, such programs are being implemented with-*  
20 *in 6 months of the date of enactment of this Act: Provided*  
21 *further, That section 482(b) of the Foreign Assistance Act*  
22 *of 1961 shall not apply to funds appropriated under this*  
23 *heading: Provided further, That assistance provided with*  
24 *funds appropriated under this heading that is made avail-*  
25 *able notwithstanding section 482(b) of the Foreign Assist-*

1 *ance Act of 1961, as amended, shall be made available sub-*  
2 *ject to the regular notification procedures of the Committees*  
3 *on Appropriations: Provided further, That section 3204(b)*  
4 *of the Emergency Supplemental Act, 2000 (Public Law*  
5 *106–246) shall be applicable to funds appropriated by this*  
6 *Act: Provided further, That the President shall ensure that*  
7 *if any helicopter procured with funds under this heading*  
8 *is used to aid or abet the operations of any illegal self-de-*  
9 *fense group or illegal security cooperative, such helicopter*  
10 *shall be immediately returned to the United States: Pro-*  
11 *vided further, That funds made available under this head-*  
12 *ing shall be subject to the regular notification procedures*  
13 *of the Committees on Appropriations: Provided further,*  
14 *That, in addition to funds otherwise available for such pur-*  
15 *poses, of the funds appropriated under this heading, not*  
16 *more than \$14,240,000 shall be available for administrative*  
17 *expenses of the Department of State, and not more than*  
18 *\$4,500,000 shall be available for administrative expenses of*  
19 *the United States Agency for International Development.*

20 *MIGRATION AND REFUGEE ASSISTANCE*

21 *For expenses, not otherwise provided for, necessary to*  
22 *enable the Secretary of State to provide, as authorized by*  
23 *law, a contribution to the International Committee of the*  
24 *Red Cross, assistance to refugees, including contributions*  
25 *to the International Organization for Migration and the*  
26 *United Nations High Commissioner for Refugees, and other*

1 *activities to meet refugee and migration needs; salaries and*  
2 *expenses of personnel and dependents as authorized by the*  
3 *Foreign Service Act of 1980; allowances as authorized by*  
4 *sections 5921 through 5925 of title 5, United States Code;*  
5 *purchase and hire of passenger motor vehicles; and services*  
6 *as authorized by section 3109 of title 5, United States Code,*  
7 *\$735,000,000, which shall remain available until expended:*  
8 *Provided, That not more than \$16,000,000 shall be avail-*  
9 *able for administrative expenses: Provided further, That not*  
10 *less than \$60,000,000 of the funds made available under*  
11 *this heading shall be made available for refugees from the*  
12 *former Soviet Union and Eastern Europe and other refu-*  
13 *gees resettling in Israel.*

14 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*  
15 *ASSISTANCE FUND*

16 *For necessary expenses to carry out the provisions of*  
17 *section 2(c) of the Migration and Refugee Assistance Act*  
18 *of 1962, as amended (22 U.S.C. 260(c)), \$15,000,000, to*  
19 *remain available until expended: Provided, That the funds*  
20 *made available under this heading are appropriated not-*  
21 *withstanding the provisions contained in section 2(c)(2) of*  
22 *the Act which would limit the amount of funds which could*  
23 *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, \$318,500,000,*  
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, chapter 9 of part II of the Foreign Assistance Act*  
8 *of 1961, section 504 of the FREEDOM Support Act, section*  
9 *23 of the Arms Export Control Act or the Foreign Assist-*  
10 *ance 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 contribution*  
16 *to the International Atomic Energy Agency (IAEA) and a*  
17 *voluntary contribution to the Korean Peninsula Energy De-*  
18 *velopment Organization (KEDO), and for a United States*  
19 *contribution to the Comprehensive Nuclear Test Ban Treaty*  
20 *Preparatory Commission: Provided, That the Secretary of*  
21 *State shall inform the Committees on Appropriations at*  
22 *least 10 days prior to the obligation of funds for the Com-*  
23 *prehensive Nuclear Test Ban Treaty Preparatory Commis-*  
24 *sion: Provided further, That of this amount not to exceed*  
25 *\$14,000,000, to remain available until expended, may be*

1 *made available for the Nonproliferation and Disarmament*  
2 *Fund, notwithstanding any other provision of law, to pro-*  
3 *mote bilateral and multilateral activities relating to non-*  
4 *proliferation and disarmament: Provided further, That*  
5 *such funds may also be used for such countries other than*  
6 *the Independent States of the former Soviet Union and*  
7 *international organizations when it is in the national secu-*  
8 *rity interest of the United States to do so following con-*  
9 *sultation with the appropriate committees of Congress: Pro-*  
10 *vided further, That funds appropriated under this heading*  
11 *may be made available for the International Atomic Energy*  
12 *Agency only if the Secretary of State determines (and so*  
13 *reports to the Congress) that Israel is not being denied its*  
14 *right to participate in the activities of that Agency: Pro-*  
15 *vided further, That of the funds appropriated under this*  
16 *heading, \$40,000,000 should be made available for*  
17 *demining, clearance of unexploded ordnance, and related*  
18 *activities: Provided further, That of the funds made avail-*  
19 *able for demining and related activities, not to exceed*  
20 *\$500,000, in addition to funds otherwise available for such*  
21 *purposes, may be used for administrative expenses related*  
22 *to the operation and management of the demining program:*  
23 *Provided further, That of the funds appropriated under this*  
24 *heading, \$3,500,000 should be made available to support*  
25 *the Small Arms Destruction Initiative.*

1                    *DEPARTMENT OF THE TREASURY*  
2                    *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

3                    *For necessary expenses to carry out the provisions of*  
4 *section 129 of the Foreign Assistance Act of 1961 (relating*  
5 *to international affairs technical assistance activities),*  
6 *\$6,000,000, to remain available until expended, which shall*  
7 *be available notwithstanding any other provision of law.*

8                    *DEBT RESTRUCTURING*

9                    *For the cost, as defined in section 502 of the Congres-*  
10 *sional Budget Act of 1974, of modifying loans and loan*  
11 *guarantees, as the President may determine, for which*  
12 *funds have been appropriated or otherwise made available*  
13 *for programs within the International Affairs Budget Func-*  
14 *tion 150, including the cost of selling, reducing, or canceling*  
15 *amounts owed to the United States as a result of*  
16 *concessional loans made to eligible countries, pursuant to*  
17 *parts IV and V of the Foreign Assistance Act of 1961, and*  
18 *of modifying concessional credit agreements with least de-*  
19 *veloped countries, as authorized under section 411 of the*  
20 *Agricultural Trade Development and Assistance Act of*  
21 *1954, as amended, and concessional loans, guarantees and*  
22 *credit agreements, as authorized under section 572 of the*  
23 *Foreign Operations, Export Financing, and Related Pro-*  
24 *grams Appropriations Act, 1989 (Public Law 100-461),*  
25 *and of canceling amounts owed, as a result of loans or guar-*  
26 *antees made pursuant to the Export-Import Bank Act of*

1 1945, by countries that are eligible for debt reduction pursu-  
2 ant to title V of H.R. 3425 as enacted into law by section  
3 1000(a)(5) of Public Law 106–113, \$235,000,000, to re-  
4 main available until expended: Provided, That not less than  
5 \$11,000,000 of the funds appropriated under this heading  
6 shall be made available to carry out the provisions of part  
7 V of the Foreign Assistance Act of 1961, and up to  
8 \$14,000,000 of unobligated balance of funds available under  
9 this heading from prior year appropriations acts should be  
10 made available to carry out such provisions: Provided fur-  
11 ther, That funds appropriated or otherwise made available  
12 under this heading in this Act may be used by the Secretary  
13 of the Treasury to pay to the Heavily Indebted Poor Coun-  
14 tries (HIPC) Trust Fund administered by the International  
15 Bank for Reconstruction and Development amounts for the  
16 benefit of countries that are eligible for debt reduction pur-  
17 suant to title V of H.R. 3425 as enacted into law by section  
18 1000(a)(5) of Public Law 106–113: Provided further, That  
19 amounts paid to the HIPC Trust Fund may be used only  
20 to fund debt reduction under the enhanced HIPC initiative  
21 by—

- 22           (1) the Inter-American Development Bank;
- 23           (2) the African Development Fund;
- 24           (3) the African Development Bank; and

1           (4) *the Central American Bank for Economic In-*  
2           *tegration:*  
3           *Provided further, That funds may not be paid to the HIPC*  
4           *Trust Fund for the benefit of any country if the Secretary*  
5           *of State has credible evidence that the government of such*  
6           *country is engaged in a consistent pattern of gross viola-*  
7           *tions of internationally recognized human rights or in mili-*  
8           *tary or civil conflict that undermines its ability to develop*  
9           *and implement measures to alleviate poverty and to devote*  
10          *adequate human and financial resources to that end: Pro-*  
11          *vided further, That on the basis of final appropriations, the*  
12          *Secretary of the Treasury shall consult with the Committees*  
13          *on Appropriations concerning which countries and inter-*  
14          *national financial institutions are expected to benefit from*  
15          *a United States contribution to the HIPC Trust Fund dur-*  
16          *ing the fiscal year: Provided further, That the Secretary of*  
17          *the Treasury shall inform the Committees on Appropria-*  
18          *tions not less than 15 days in advance of the signature of*  
19          *an agreement by the United States to make payments to*  
20          *the HIPC Trust Fund of amounts for such countries and*  
21          *institutions: Provided further, That the Secretary of the*  
22          *Treasury may disburse funds designated for debt reduction*  
23          *through the HIPC Trust Fund only for the benefit of coun-*  
24          *tries that—*

1           (a) have committed, for a period of 24 months,  
2           not to accept new market-rate loans from the inter-  
3           national financial institution receiving debt repay-  
4           ment as a result of such disbursement, other than  
5           loans made by such institution to export-oriented  
6           commercial projects that generate foreign exchange  
7           which are generally referred to as “enclave” loans;  
8           and

9           (b) have documented and demonstrated their  
10          commitment to redirect their budgetary resources  
11          from international debt repayments to programs to  
12          alleviate poverty and promote economic growth that  
13          are additional to or expand upon those previously  
14          available for such purposes:

15       *Provided further, That any limitation of subsection (e) of*  
16       *section 411 of the Agricultural Trade Development and As-*  
17       *sistance Act of 1954 shall not apply to funds appropriated*  
18       *under this heading: Provided further, That none of the*  
19       *funds made available under this heading in this or any*  
20       *other appropriations Acts shall be made available for*  
21       *Sudan or Burma unless the Secretary of Treasury deter-*  
22       *mines and notifies the Committees on Appropriations that*  
23       *a democratically elected government has taken office: Pro-*  
24       *vided further, That the authority provided by section 572*  
25       *of Public Law 100–461 may be exercised only with respect*

1 *to countries that are eligible to borrow from the Inter-*  
2 *national Development Association, but not from the Inter-*  
3 *national Bank for Reconstruction and Development, com-*  
4 *monly referred to as “IDA-only” countries.*

5 *TITLE III—MILITARY ASSISTANCE*

6 *FUNDS APPROPRIATED TO THE PRESIDENT*

7 *INTERNATIONAL MILITARY EDUCATION AND TRAINING*

8 *For necessary expenses to carry out the provisions of*  
9 *section 541 of the Foreign Assistance Act of 1961,*  
10 *\$75,000,000, of which up to \$5,000,000 may remain avail-*  
11 *able until expended: Provided, That the civilian personnel*  
12 *for whom military education and training may be provided*  
13 *under this heading may include civilians who are not mem-*  
14 *bers of a government whose participation would contribute*  
15 *to improved civil-military relations, civilian control of the*  
16 *military, or respect for human rights: Provided further,*  
17 *That funds appropriated under this heading for military*  
18 *education and training for Zimbabwe, Indonesia and Gua-*  
19 *temala may only be available for expanded international*  
20 *military education and training and funds made available*  
21 *for Zimbabwe, Cote D’Ivoire, The Gambia, the Democratic*  
22 *Republic of the Congo, Algeria, Indonesia and Guatemala*  
23 *may only be provided through the regular notification pro-*  
24 *cedures of the Committees on Appropriations: Provided fur-*  
25 *ther, That of the funds appropriated by this paragraph, not*

1 *less than \$600,000 shall be made available for assistance*  
2 *for Armenia.*

3 *FOREIGN MILITARY FINANCING PROGRAM*

4 *For expenses necessary for grants to enable the Presi-*  
5 *dent to carry out the provisions of section 23 of the Arms*  
6 *Export Control Act, \$3,674,000,000: Provided, That of the*  
7 *funds appropriated under this heading, not less than*  
8 *\$2,040,000,000 shall be available for grants only for Israel,*  
9 *and not less than \$1,300,000,000 shall be made available*  
10 *for grants only for Egypt: Provided further, That the funds*  
11 *appropriated by this paragraph for Israel shall be disbursed*  
12 *within 30 days of the enactment of this Act or by October*  
13 *31, 2001, whichever is later: Provided further, That to the*  
14 *extent that the Government of Israel requests that funds be*  
15 *used for such purposes, grants made available for Israel by*  
16 *this paragraph shall, as agreed by Israel and the United*  
17 *States, be available for advanced weapons systems, of which*  
18 *not less than \$535,000,000 shall be available for the pro-*  
19 *curement in Israel of defense articles and defense services,*  
20 *including research and development: Provided further, That*  
21 *of the funds appropriated by this paragraph, not less than*  
22 *\$75,000,000 shall be made available for assistance for Jor-*  
23 *dan: Provided further, That of the funds appropriated by*  
24 *this paragraph, not less than \$10,000,000 shall be made*  
25 *available for assistance for Tunisia: Provided further, That*  
26 *of the funds appropriated by this paragraph, not less than*



1 \$2,300,000 shall be made available for assistance for Thai-  
2 land: Provided further, That of the funds appropriated by  
3 this paragraph, not less than \$4,000,000 shall be made  
4 available for assistance for Armenia: Provided further, That  
5 during fiscal year 2002, the President is authorized to, and  
6 shall, direct the draw-downs of defense articles from the  
7 stocks of the Department of Defense, defense services of the  
8 Department of Defense, and military education and train-  
9 ing of an aggregate value of not less than \$5,000,000 under  
10 the authority of this proviso for Tunisia for the purposes  
11 of part II of the Foreign Assistance Act of 1961 and any  
12 amount so directed shall count toward meeting the earmark  
13 in the preceding proviso: Provided further, That funds ap-  
14 propriated by this paragraph shall be nonrepayable not-  
15 withstanding any requirement in section 23 of the Arms  
16 Export Control Act: Provided further, That funds made  
17 available under this paragraph shall be obligated upon ap-  
18 portionment in accordance with paragraph (5)(C) of title  
19 31, United States Code, section 1501(a).

20       None of the funds made available under this heading  
21 shall be available to finance the procurement of defense arti-  
22 cles, defense services, or design and construction services  
23 that are not sold by the United States Government under  
24 the Arms Export Control Act unless the foreign country pro-  
25 posing to make such procurements has first signed an agree-

1 *ment with the United States Government specifying the*  
2 *conditions under which such procurements may be financed*  
3 *with such funds: Provided, That all country and funding*  
4 *level increases in allocations shall be submitted through the*  
5 *regular notification procedures of section 515 of this Act:*  
6 *Provided further, That none of the funds appropriated*  
7 *under this heading shall be available for assistance for*  
8 *Sudan and Liberia: Provided further, That funds made*  
9 *available under this heading may be used, notwithstanding*  
10 *any other provision of law, for demining, the clearance of*  
11 *unexploded ordnance, and related activities, and may in-*  
12 *clude activities implemented through nongovernmental and*  
13 *international organizations: Provided further, That none of*  
14 *the funds appropriated under this heading shall be avail-*  
15 *able for assistance for Guatemala: Provided further, That*  
16 *only those countries for which assistance was justified for*  
17 *the “Foreign Military Sales Financing Program” in the fis-*  
18 *cal year 1989 congressional presentation for security assist-*  
19 *ance programs may utilize funds made available under this*  
20 *heading for procurement of defense articles, defense services*  
21 *or design and construction services that are not sold by the*  
22 *United States Government under the Arms Export Control*  
23 *Act: Provided further, That funds appropriated under this*  
24 *heading shall be expended at the minimum rate necessary*  
25 *to make timely payment for defense articles and services:*

1 *Provided further, That not more than \$35,000,000 of the*  
2 *funds appropriated under this heading may be obligated*  
3 *for necessary expenses, including the purchase of passenger*  
4 *motor vehicles for replacement only for use outside of the*  
5 *United States, for the general costs of administering mili-*  
6 *tary assistance and sales: Provided further, That not more*  
7 *than \$348,000,000 of funds realized pursuant to section*  
8 *21(e)(1)(A) of the Arms Export Control Act may be obli-*  
9 *gated for expenses incurred by the Department of Defense*  
10 *during fiscal year 2002 pursuant to section 43(b) of the*  
11 *Arms Export Control Act, except that this limitation may*  
12 *be exceeded only through the regular notification procedures*  
13 *of the Committees on Appropriations: Provided further,*  
14 *That foreign military financing program funds estimated*  
15 *to be outlayed for Egypt during fiscal year 2002 shall be*  
16 *transferred to an interest bearing account for Egypt in the*  
17 *Federal Reserve Bank of New York within 30 days of enact-*  
18 *ment of this Act or by October 31, 2001, whichever is later:*  
19 *Provided further, That the ninth proviso under the heading*  
20 *“Foreign Military Financing Program” in title III of the*  
21 *Foreign Operations, Export Financing, and Related Pro-*  
22 *grams Appropriations Act, 2001, as enacted by Public Law*  
23 *106–429, is amended by inserting “or 2002” after “2001”.*

24 *PEACEKEEPING OPERATIONS*

25 *For necessary expenses to carry out the provisions of*  
26 *section 551 of the Foreign Assistance Act of 1961,*

1 \$140,000,000: *Provided, That none of the funds appro-*  
 2 *priated under this heading shall be obligated or expended*  
 3 *except as provided through the regular notification proce-*  
 4 *dures of the Committees on Appropriations.*

5 *TITLE IV—MULTILATERAL ECONOMIC*  
 6 *ASSISTANCE*

7 *FUNDS APPROPRIATED TO THE PRESIDENT*

8 *INTERNATIONAL FINANCIAL INSTITUTIONS*

9 *GLOBAL ENVIRONMENT FACILITY*

10 *For the United States contribution for the Global En-*  
 11 *vironment Facility, \$109,500,000, to the International*  
 12 *Bank for Reconstruction and Development as trustee for the*  
 13 *Global Environment Facility, by the Secretary of the Treas-*  
 14 *ury, to remain available until expended.*

15 *CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT*

16 *ASSOCIATION*

17 *For payment to the International Development Asso-*  
 18 *ciation by the Secretary of the Treasury, \$775,000,000, to*  
 19 *remain available until expended: Provided, That in negoti-*  
 20 *ating United States participation in the next replenishment*  
 21 *of the International Development Association, the Secretary*  
 22 *of the Treasury shall accord high priority to providing the*  
 23 *International Development Association with the policy*  
 24 *flexibility to provide new grant assistance to countries eligi-*  
 25 *ble for debt reduction under the enhanced HIPC Initiative:*  
 26 *Provided further, That the Secretary of the Treasury shall*

1 *instruct the United States executive director to the Inter-*  
2 *national Bank for Reconstruction and Development to vote*  
3 *against any water or sewage project in India that does not*  
4 *prohibit the use of scavenger labor.*

5 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

6 *The United States Governor of the Multilateral Invest-*  
7 *ment Guarantee Agency may subscribe without fiscal year*  
8 *limitation for the callable capital portion of the United*  
9 *States share of such capital stock in an amount not to ex-*  
10 *ceed \$50,000,000.*

11 *CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT*

12 *CORPORATION*

13 *For payment to the Inter-American Investment Cor-*  
14 *poration, by the Secretary of the Treasury, \$20,000,000, for*  
15 *the United States share of the increase in subscriptions to*  
16 *capital stock, to remain available until expended.*

17 *CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND*

18 *For the United States contribution by the Secretary*  
19 *of the Treasury to the increase in resources of the Asian*  
20 *Development Fund, as authorized by the Asian Develop-*  
21 *ment Bank Act, as amended, \$103,017,050, to remain*  
22 *available until expended.*

23 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK*

24 *For payment to the African Development Bank by the*  
25 *Secretary of the Treasury, \$5,100,000, for the United States*

1 *paid-in share of the increase in capital stock, to remain*  
2 *available until expended.*

3 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

4 *The United States Governor of the African Develop-*  
5 *ment Bank may subscribe without fiscal year limitation for*  
6 *the callable capital portion of the United States share of*  
7 *such capital stock in an amount not to exceed \$79,991,500.*

8 *CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND*

9 *For the United States contribution by the Secretary*  
10 *of the Treasury to the increase in resources of the African*  
11 *Development Fund, \$100,000,000, to remain available until*  
12 *expended.*

13 *CONTRIBUTION TO THE EUROPEAN BANK FOR*

14 *RECONSTRUCTION AND DEVELOPMENT*

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

20 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

21 *The United States Governor of the European Bank for*  
22 *Reconstruction and Development may subscribe without fis-*  
23 *cal year limitation to the callable capital portion of the*  
24 *United States share of such capital stock in an amount not*  
25 *to exceed \$123,237,803.*

1           *CONTRIBUTION TO THE INTERNATIONAL FUND FOR*  
2                           *AGRICULTURAL DEVELOPMENT*

3           *For the United States contribution by the Secretary*  
4 *of the Treasury to increase the resources of the International*  
5 *Fund for Agricultural Development, \$20,000,000, to remain*  
6 *available until expended.*

7           *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

8           *For necessary expenses to carry out the provisions of*  
9 *section 301 of the Foreign Assistance Act of 1961, and of*  
10 *section 2 of the United Nations Environment Program Par-*  
11 *ticipation Act of 1973, \$218,000,000: Provided, That not*  
12 *less than a total of \$18,000,000 should be made available*  
13 *for the International Panel on Climate Change, the United*  
14 *Nations Framework Convention on Climate Change, the*  
15 *World Conservation Union, the International Tropical*  
16 *Timber Organization, the Convention on International*  
17 *Trade in Endangered Species, the Ramsar Convention on*  
18 *Wetlands, the Convention to Combat Desertification, the*  
19 *United Nations Forum on Forests, and the Montreal Proc-*  
20 *ess on Criteria and Indicators for Sustainable Forest Man-*  
21 *agement: Provided further, That not less than \$6,000,000*  
22 *should be made available to the World Food Program: Pro-*  
23 *vided further, That of the funds appropriated under this*  
24 *heading, not less than \$40,000,000 shall be made available*  
25 *for the United Nations Fund for Population Activities*

1 *(UNFPA): Provided further, That none of the funds appro-*  
2 *priated under this heading that are made available to*  
3 *UNFPA shall be made available for activities in the Peo-*  
4 *ple’s Republic of China: Provided further, That with respect*  
5 *to any funds appropriated under this heading that are*  
6 *made available to UNFPA, UNFPA shall be required to*  
7 *maintain such funds in a separate account and not com-*  
8  *mingle them with any other funds: Provided further, That*  
9 *none of the funds appropriated under this heading may be*  
10 *made available to the Korean Peninsula Energy Develop-*  
11 *ment Organization (KEDO) or the International Atomic*  
12 *Energy Agency (IAEA).*

13 *TITLE V—GENERAL PROVISIONS*

14 *OBLIGATIONS DURING LAST MONTH OF AVAILABILITY*

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

21 *PRIVATE AND VOLUNTARY ORGANIZATIONS*

22 *SEC. 502. (a) None of the funds appropriated or other-*  
23 *wise made available by this Act for development assistance*  
24 *may be made available to any United States private and*  
25 *voluntary organization, except any cooperative development*  
26 *organization, which obtains less than 20 percent of its total*



1 *annual funding for international activities from sources*  
2 *other than the United States Government: Provided, That*  
3 *the Administrator of the United States Agency for Inter-*  
4 *national Development, after informing the Committees on*  
5 *Appropriations, may, on a case-by-case basis, waive the re-*  
6 *striction contained in this subsection, after taking into ac-*  
7 *count the effectiveness of the overseas development activities*  
8 *of the organization, its level of volunteer support, its finan-*  
9 *cial viability and stability, and the degree of its dependence*  
10 *for its financial support on the agency.*

11 *(b) Funds appropriated or otherwise made available*  
12 *under title II of this Act should be made available to private*  
13 *and voluntary organizations at a level which is at least*  
14 *equivalent to the level provided in fiscal year 1995.*

15 *LIMITATION ON RESIDENCE EXPENSES*

16 *SEC. 503. Of the funds appropriated or made available*  
17 *pursuant to this Act, not to exceed \$126,500 shall be for*  
18 *official residence expenses of the United States Agency for*  
19 *International Development during the current fiscal year:*  
20 *Provided, That appropriate steps shall be taken to assure*  
21 *that, to the maximum extent possible, United States-owned*  
22 *foreign currencies are utilized in lieu of dollars.*

23 *LIMITATION ON EXPENSES*

24 *SEC. 504. Of the funds appropriated or made available*  
25 *pursuant to this Act, not to exceed \$5,000 shall be for enter-*

1 *tainment expenses of the United States Agency for Inter-*  
2 *national Development during the current fiscal year.*

3 *LIMITATION ON REPRESENTATIONAL ALLOWANCES*

4 *SEC. 505. Of the funds appropriated or made available*  
5 *pursuant to this Act, not to exceed \$95,000 shall be avail-*  
6 *able for representation allowances for the United States*  
7 *Agency for International Development during the current*  
8 *fiscal year: Provided, That appropriate steps shall be taken*  
9 *to assure that, to the maximum extent possible, United*  
10 *States-owned foreign currencies are utilized in lieu of dol-*  
11 *lars: Provided further, That of the funds made available by*  
12 *this Act for general costs of administering military assist-*  
13 *ance and sales under the heading "Foreign Military Fi-*  
14 *nancing Program", not to exceed \$2,000 shall be available*  
15 *for entertainment expenses and not to exceed \$100,000 shall*  
16 *be available for representation allowances: Provided further,*  
17 *That of the funds made available by this Act under the*  
18 *heading "International Military Education and Training",*  
19 *not to exceed \$50,000 shall be available for entertainment*  
20 *allowances: Provided further, That of the funds made avail-*  
21 *able by this Act for the Inter-American Foundation, not to*  
22 *exceed \$2,000 shall be available for entertainment and rep-*  
23 *resentation allowances: Provided further, That of the funds*  
24 *made available by this Act for the Peace Corps, not to exceed*  
25 *a total of \$4,000 shall be available for entertainment ex-*  
26 *penses: Provided further, That of the funds made available*

1 *by this Act under the heading “Trade and Development*  
2 *Agency”, not to exceed \$2,000 shall be available for rep-*  
3 *resentation and entertainment allowances.*

4 *PROHIBITION ON FINANCING NUCLEAR GOODS*

5 *SEC. 506. None of the funds appropriated or made*  
6 *available (other than funds for “Nonproliferation, Anti-ter-*  
7 *rorism, Demining and Related Programs”) pursuant to this*  
8 *Act, for carrying out the Foreign Assistance Act of 1961,*  
9 *may be used, except for purposes of nuclear safety, to fi-*  
10 *nance the export of nuclear equipment, fuel, or technology.*

11 *PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN*  
12 *COUNTRIES*

13 *SEC. 507. None of the funds appropriated or otherwise*  
14 *made available pursuant to this Act shall be obligated or*  
15 *expended to finance directly any assistance or reparations*  
16 *to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or Syria,*  
17 *or to the government of any nation which the President de-*  
18 *termines harbored or is harboring, or provided or is pro-*  
19 *viding financing for, individuals or organizations involved*  
20 *in the September 11, 2001 terrorist attacks in the United*  
21 *States: Provided, That for purposes of this section, the pro-*  
22 *hibition on obligations or expenditures shall include direct*  
23 *loans, credits, insurance and guarantees of the Export-Im-*  
24 *port Bank or its agents.*

1 *MILITARY COUPS*

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

11 *TRANSFERS BETWEEN ACCOUNTS*

12 *SEC. 509. None of the funds made available by this*  
13 *Act may be obligated under an appropriation account to*  
14 *which they were not appropriated, except for transfers spe-*  
15 *cifically provided for in this Act, unless the President, prior*  
16 *to the exercise of any authority contained in the Foreign*  
17 *Assistance Act of 1961 to transfer funds, consults with and*  
18 *provides a written policy justification to the Committees*  
19 *on Appropriations of the House of Representatives and the*  
20 *Senate.*

21 *DEOBLIGATION/REOBLIGATION AUTHORITY*

22 *SEC. 510. Obligated balances of funds appropriated to*  
23 *carry out section 23 of the Arms Export Control Act as*  
24 *of the end of the fiscal year immediately preceding the cur-*  
25 *rent fiscal year are, if deobligated, hereby continued avail-*  
26 *able during the current fiscal year for the same purpose*

1 *under any authority applicable to such appropriations*  
2 *under this Act: Provided, That the authority of this sub-*  
3 *section may not be used in fiscal year 2002.*

4 *AVAILABILITY OF FUNDS*

5 *SEC. 511. No part of any appropriation contained in*  
6 *this Act shall remain available for obligation after the expi-*  
7 *ration of the current fiscal year unless expressly so provided*  
8 *in this Act: Provided, That funds appropriated for the pur-*  
9 *poses of chapters 1, 8, 11, and 12 of part I, section 667,*  
10 *chapter 4 of part II of the Foreign Assistance Act of 1961,*  
11 *as amended, section 23 of the Arms Export Control Act,*  
12 *and funds provided under the heading “Assistance for East-*  
13 *ern Europe and the Baltic States”, shall remain available*  
14 *for an additional four years from the date on which the*  
15 *availability of such funds would otherwise have expired, if*  
16 *such funds are initially obligated before the expiration of*  
17 *their respective periods of availability contained in this Act:*  
18 *Provided further, That, notwithstanding any other provi-*  
19 *sion of this Act, any funds made available for the purposes*  
20 *of chapter 1 of part I and chapter 4 of part II of the Foreign*  
21 *Assistance Act of 1961 which are allocated or obligated for*  
22 *cash disbursements in order to address balance of payments*  
23 *or economic policy reform objectives, shall remain available*  
24 *until expended.*

1     *LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT*

2           *SEC. 512. No part of any appropriation contained in*  
3 *this Act shall be used to furnish assistance to any country*  
4 *which is in default during a period in excess of one calendar*  
5 *year in payment to the United States of principal or inter-*  
6 *est on any loan made to the government of such country*  
7 *by the United States pursuant to a program for which*  
8 *funds are appropriated under this Act unless the President*  
9 *determines, following consultations with the Committees on*  
10 *Appropriations, that assistance to such country is in the*  
11 *national interest of the United States.*

12                                    *COMMERCE AND TRADE*

13           *SEC. 513. (a) None of the funds appropriated or made*  
14 *available pursuant to this Act for direct assistance and*  
15 *none of the funds otherwise made available pursuant to this*  
16 *Act to the Export-Import Bank and the Overseas Private*  
17 *Investment Corporation shall be obligated or expended to*  
18 *finance any loan, any assistance or any other financial*  
19 *commitments for establishing or expanding production of*  
20 *any commodity for export by any country other than the*  
21 *United States, if the commodity is likely to be in surplus*  
22 *on world markets at the time the resulting productive ca-*  
23 *capacity is expected to become operative and if the assistance*  
24 *will cause substantial injury to United States producers of*  
25 *the same, similar, or competing commodity: Provided, That*  
26 *such prohibition shall not apply to the Export-Import Bank*

1 *if in the judgment of its Board of Directors the benefits to*  
2 *industry and employment in the United States are likely*  
3 *to outweigh the injury to United States producers of the*  
4 *same, similar, or competing commodity, and the Chairman*  
5 *of the Board so notifies the Committees on Appropriations.*

6 (b) *None of the funds appropriated by this or any other*  
7 *Act to carry out chapter 1 of part I of the Foreign Assist-*  
8 *ance Act of 1961 shall be available for any testing or breed-*  
9 *ing feasibility study, variety improvement or introduction,*  
10 *consultancy, publication, conference, or training in connec-*  
11 *tion with the growth or production in a foreign country*  
12 *of an agricultural commodity for export which would com-*  
13 *pete with a similar commodity grown or produced in the*  
14 *United States: Provided, That this subsection shall not*  
15 *prohibit—*

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

20 (2) *research activities intended primarily to ben-*  
21 *efit American producers.*

#### 22 SURPLUS COMMODITIES

23 *SEC. 514. The Secretary of the Treasury shall instruct*  
24 *the United States Executive Directors of the International*  
25 *Bank for Reconstruction and Development, the Inter-*  
26 *national Development Association, the International Fi-*

1 nance Corporation, the Inter-American Development Bank,  
2 the International Monetary Fund, the Asian Development  
3 Bank, the Inter-American Investment Corporation, the  
4 North American Development Bank, the European Bank for  
5 Reconstruction and Development, the African Development  
6 Bank, and the African Development Fund to use the voice  
7 and vote of the United States to oppose any assistance by  
8 these institutions, using funds appropriated or made avail-  
9 able pursuant to this Act, for the production or extraction  
10 of any commodity or mineral for export, if it is in surplus  
11 on world markets and if the assistance will cause substan-  
12 tial injury to United States producers of the same, similar,  
13 or competing commodity.

14 *NOTIFICATION REQUIREMENTS*

15 *SEC. 515. (a) For the purposes of providing the execu-*  
16 *tive branch with the necessary administrative flexibility,*  
17 *none of the funds made available under this Act for “Child*  
18 *Survival and Health Programs Fund”, “Development As-*  
19 *sistance”, “International Organizations and Programs”,*  
20 *“Trade and Development Agency”, “International Nar-*  
21 *cotics Control and Law Enforcement”, “Andean*  
22 *Counterdrug Initiative”, “Assistance for Eastern Europe*  
23 *and the Baltic States”, “Assistance for the Independent*  
24 *States of the Former Soviet Union”, “Economic Support*  
25 *Fund”, “Peacekeeping Operations”, “Operating Expenses*  
26 *of the United States Agency for International Develop-*



1 ment”, “Operating Expenses of the United States Agency  
2 for International Development Office of Inspector General”,  
3 “Nonproliferation, Anti-terrorism, Demining and Related  
4 Programs”, “Foreign Military Financing Program”,  
5 “International Military Education and Training”, “Peace  
6 Corps”, and “Migration and Refugee Assistance”, shall be  
7 available for obligation for activities, programs, projects,  
8 type of materiel assistance, countries, or other operations  
9 not justified or in excess of the amount justified to the Ap-  
10 propriations Committees for obligation under any of these  
11 specific headings unless the Appropriations Committees of  
12 both Houses of Congress are previously notified 15 days in  
13 advance: Provided, That the President shall not enter into  
14 any commitment of funds appropriated for the purposes of  
15 section 23 of the Arms Export Control Act for the provision  
16 of major defense equipment, other than conventional ammu-  
17 nition, or other major defense items defined to be aircraft,  
18 ships, missiles, or combat vehicles, not previously justified  
19 to Congress or 20 percent in excess of the quantities justified  
20 to Congress unless the Committees on Appropriations are  
21 notified 15 days in advance of such commitment: Provided  
22 further, That this section shall not apply to any reprogram-  
23 ming for an activity, program, or project under chapter 1  
24 of part I of the Foreign Assistance Act of 1961 of less than  
25 10 percent of the amount previously justified to the Con-

1 *gress for obligation for such activity, program, or project*  
2 *for the current fiscal year: Provided further, That the re-*  
3 *quirements of this section or any similar provision of this*  
4 *Act or any other Act, including any prior Act requiring*  
5 *notification in accordance with the regular notification*  
6 *procedures of the Committees on Appropriations, may be*  
7 *waived if failure to do so would pose a substantial risk to*  
8 *human health or welfare: Provided further, That in case*  
9 *of any such waiver, notification to the Congress, or the ap-*  
10 *propriate congressional committees, shall be provided as*  
11 *early as practicable, but in no event later than 3 days after*  
12 *taking the action to which such notification requirement*  
13 *was applicable, in the context of the circumstances necessi-*  
14 *tating such waiver: Provided further, That any notification*  
15 *provided pursuant to such a waiver shall contain an expla-*  
16 *nation of the emergency circumstances.*

17 *(b) Drawdowns made pursuant to section 506(a)(2) of*  
18 *the Foreign Assistance Act of 1961 shall be subject to the*  
19 *regular notification procedures of the Committees on Appro-*  
20 *priations.*

21 *LIMITATION ON AVAILABILITY OF FUNDS FOR*  
22 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*  
23 *SEC. 516. Subject to the regular notification proce-*  
24 *dures of the Committees on Appropriations, funds appro-*  
25 *priated under this Act or any previously enacted Act mak-*  
26 *ing appropriations for foreign operations, export financing,*

1 *and related programs, which are returned or not made*  
2 *available for organizations and programs because of the im-*  
3 *plementation of section 307(a) of the Foreign Assistance Act*  
4 *of 1961, shall remain available for obligation until Sep-*  
5 *tember 30, 2003.*

6 *INDEPENDENT STATES OF THE FORMER SOVIET UNION*

7 *SEC. 517. (a) None of the funds appropriated under*  
8 *the heading “Assistance for the Independent States of the*  
9 *Former Soviet Union” shall be made available for assist-*  
10 *ance for a government of an Independent State of the former*  
11 *Soviet Union—*

12 *(1) unless that government is making progress in*  
13 *implementing comprehensive economic reforms based*  
14 *on market principles, private ownership, respect for*  
15 *commercial contracts, and equitable treatment of for-*  
16 *eign private investment; and*

17 *(2) if that government applies or transfers*  
18 *United States assistance to any entity for the purpose*  
19 *of expropriating or seizing ownership or control of as-*  
20 *sets, investments, or ventures.*

21 *Assistance may be furnished without regard to this sub-*  
22 *section if the President determines that to do so is in the*  
23 *national interest.*

24 *(b) None of the funds appropriated under the heading*  
25 *“Assistance for the Independent States of the Former Soviet*  
26 *Union” shall be made available for assistance for a govern-*

1 *ment of an Independent State of the former Soviet Union*  
2 *if that government directs any action in violation of the*  
3 *territorial integrity or national sovereignty of any other*  
4 *Independent State of the former Soviet Union, such as those*  
5 *violations included in the Helsinki Final Act: Provided,*  
6 *That such funds may be made available without regard to*  
7 *the restriction in this subsection if the President determines*  
8 *that to do so is in the national security interest of the*  
9 *United States.*

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

16 *(d) Funds appropriated under the heading “Assistance*  
17 *for the Independent States of the Former Soviet Union” for*  
18 *the Russian Federation, Armenia, Georgia, and Ukraine*  
19 *shall be subject to the regular notification procedures of the*  
20 *Committees on Appropriations.*

21 *(e) Funds made available in this Act for assistance for*  
22 *the Independent States of the former Soviet Union shall be*  
23 *subject to the provisions of section 117 (relating to environ-*  
24 *ment and natural resources) of the Foreign Assistance Act*  
25 *of 1961.*

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

13           (g) *In issuing new task orders, entering into contracts,*  
14 *or making grants, with funds appropriated in this Act or*  
15 *prior appropriations Acts under the heading “Assistance*  
16 *for the Independent States of the Former Soviet Union” and*  
17 *under comparable headings in prior appropriations Acts,*  
18 *for projects or activities that have as one of their primary*  
19 *purposes the fostering of private sector development, the Co-*  
20 *ordinator for United States Assistance to the New Inde-*  
21 *pendent States and the implementing agency shall encour-*  
22 *age the participation of and give significant weight to con-*  
23 *tractors and grantees who propose investing a significant*  
24 *amount of their own resources (including volunteer services*  
25 *and in-kind contributions) in such projects and activities.*

1        *OVERSEAS PRIVATE INVESTMENT CORPORATION AND*  
2                    *EXPORT-IMPORT BANK RESTRICTIONS*

3        *SEC. 518. (a) LIMITATION ON USE OF FUNDS BY*  
4 *OPIIC.—None of the funds made available in this Act may*  
5 *be used by the Overseas Private Investment Corporation to*  
6 *insure, reinsure, guarantee, or finance any investment in*  
7 *connection with a project involving the mining, polishing*  
8 *or other processing, or sale of diamonds in a country that*  
9 *fails to meet the requirements of subsection (c).*

10        *(b) LIMITATION ON USE OF FUNDS BY THE EXPORT-*  
11 *IMPORT BANK.—None of the funds made available in this*  
12 *Act may be used by the Export-Import Bank of the United*  
13 *States to guarantee, insure, extend credit, or participate in*  
14 *an extension of credit in connection with the export of any*  
15 *goods to a country for use in an enterprise involving the*  
16 *mining, polishing or other processing, or sale of diamonds*  
17 *in a country that fails to meet the requirements of sub-*  
18 *section (c).*

19        *(c) REQUIREMENTS.—The requirements referred to in*  
20 *subsection (a) and (b) are that the country concerned is im-*  
21 *plementing a system of controls on the export and import*  
22 *of rough diamonds that—*

23                    *(1) is consistent with United Nations General*  
24                    *Assembly Resolution 55/56 adopted on December 1,*  
25                    *2000.*

1           (2) *the President determines to be functionally*  
2           *equivalent to the system of controls specified in sub-*  
3           *paragraph (1); or*

4           (3) *meets the requirements of an international*  
5           *agreement which requires controls specified in sub-*  
6           *paragraph (1) and to which the United States is a*  
7           *party.*

8           *EXPORT FINANCING TRANSFER AUTHORITIES*

9           *SEC. 519. Not to exceed 5 percent of any appropriation*  
10          *other than for administrative expenses made available for*  
11          *fiscal year 2002, for programs under title I of this Act may*  
12          *be transferred between such appropriations for use for any*  
13          *of the purposes, programs, and activities for which the*  
14          *funds in such receiving account may be used, but no such*  
15          *appropriation, except as otherwise specifically provided,*  
16          *shall be increased by more than 25 percent by any such*  
17          *transfer: Provided, That the exercise of such authority shall*  
18          *be subject to the regular notification procedures of the Com-*  
19          *mittees on Appropriations.*

20                  *SPECIAL NOTIFICATION REQUIREMENTS*

21          *SEC. 520. None of the funds appropriated by this Act*  
22          *shall be obligated or expended for Burma, Colombia, Haiti,*  
23          *Liberia, Serbia, Sudan, Ethiopia, Eritrea, Zimbabwe,*  
24          *Pakistan, or the Democratic Republic of the Congo except*  
25          *as provided through the regular notification procedures of*  
26          *the Committees on Appropriations.*

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 appropriations*  
4 *Act account level and shall include all appropriations and*  
5 *authorizations Acts earmarks, ceilings, and limitations*  
6 *with the exception that for the following accounts: Economic*  
7 *Support Fund and Foreign Military Financing Program,*  
8 *“program, project, and activity” shall also be considered*  
9 *to include country, regional, and central program level*  
10 *funding within each such account; for the development as-*  
11 *sistance accounts of the United States Agency for Inter-*  
12 *national Development “program, project, and activity”*  
13 *shall also be considered to include central program level*  
14 *funding, either as: (1) justified to the Congress; or (2) allo-*  
15 *cated by the executive branch in accordance with a report,*  
16 *to be provided to the Committees on Appropriations within*  
17 *30 days of the enactment of this Act, as required by section*  
18 *653(a) of the Foreign Assistance Act of 1961.*

19        *CHILD SURVIVAL AND HEALTH ACTIVITIES*

20        *SEC. 522. Up to \$15,500,000 of the funds made avail-*  
21 *able by this Act for assistance under the heading “Child*  
22 *Survival and Health Programs Fund”, may be used to re-*  
23 *imburse United States Government agencies, agencies of*  
24 *State governments, institutions of higher learning, and pri-*  
25 *vate and voluntary organizations for the full cost of indi-*  
26 *viduals (including for the personal services of such individ-*



1 uals) detailed or assigned to, or contracted by, as the case  
2 may be, the United States Agency for International Devel-  
3 opment for the purpose of carrying out activities under that  
4 heading: Provided, That up to \$3,500,000 of the funds made  
5 available by this Act for assistance under the heading “De-  
6 velopment Assistance” may be used to reimburse such agen-  
7 cies, institutions, and organizations for such costs of such  
8 individuals carrying out other development assistance ac-  
9 tivities: Provided further, That funds appropriated by this  
10 Act that are made available for child survival activities or  
11 disease programs including activities relating to research  
12 on, and the prevention, treatment and control of, HIV/  
13 AIDS may be made available notwithstanding any other  
14 provision of law: Provided further, That funds appropriated  
15 under title II of this Act may be made available pursuant  
16 to section 301 of the Foreign Assistance Act of 1961 if a  
17 primary purpose of the assistance is for child survival and  
18 related programs.

19 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN  
20 COUNTRIES

21 SEC. 523. None of the funds appropriated or otherwise  
22 made available pursuant to this Act shall be obligated to  
23 finance indirectly any assistance or reparations to Cuba,  
24 Iraq, Libya, Iran, Syria, North Korea, or Sudan, or to the  
25 government of any nation which the President determines  
26 harbored or is harboring, or provided or is providing fi-

1 nancing for, individuals or organizations involved in the  
2 September 11, 2001 terrorist attacks in the United States,  
3 unless the President of the United States certifies that the  
4 withholding of these funds is contrary to the national inter-  
5 est of the United States.

6 *NOTIFICATION ON EXCESS DEFENSE EQUIPMENT*

7 *SEC. 524. Prior to providing excess Department of De-*  
8 *fense articles in accordance with section 516(a) of the For-*  
9 *ign Assistance Act of 1961, the Department of Defense shall*  
10 *notify the Committees on Appropriations to the same extent*  
11 *and under the same conditions as are other committees pur-*  
12 *suant to subsection (f) of that section: Provided, That before*  
13 *issuing a letter of offer to sell excess defense articles under*  
14 *the Arms Export Control Act, the Department of Defense*  
15 *shall notify the Committees on Appropriations in accord-*  
16 *ance with the regular notification procedures of such Com-*  
17 *mittees if such defense articles are significant military*  
18 *equipment (as defined in section 47(9) of the Arms Export*  
19 *Control Act) or are valued (in terms of original acquisition*  
20 *cost) at \$7,000,000 or more, or if notification is required*  
21 *elsewhere in this Act for the use of appropriated funds for*  
22 *specific countries that would receive such excess defense ar-*  
23 *ticles: Provided further, That such Committees shall also be*  
24 *informed of the original acquisition cost of such defense ar-*  
25 *ticles.*

*AUTHORIZATION REQUIREMENT*

1  
2       *SEC. 525. Funds appropriated by this Act, except*  
3 *funds appropriated under the headings “Peace Corps” and*  
4 *“Trade and Development Agency”, may be obligated and*  
5 *expended notwithstanding section 10 of Public Law 91–672*  
6 *and section 15 of the State Department Basic Authorities*  
7 *Act of 1956.*

*DEMOCRACY PROGRAMS*

8  
9       *SEC. 526. Funds appropriated by this Act that are*  
10 *provided to the National Endowment for Democracy may*  
11 *be made available notwithstanding any other provision of*  
12 *law or regulation: Provided, That notwithstanding any*  
13 *other provision of law, of the funds appropriated by this*  
14 *Act to carry out provisions of chapter 4 of part II of the*  
15 *Foreign Assistance Act of 1961, not less than \$10,000,000*  
16 *shall be made available for assistance for the People’s Re-*  
17 *public of China for activities to support democracy, human*  
18 *rights, and the rule of law in that country, of which not*  
19 *less than \$5,000,000 should be made available for the*  
20 *Human Rights and Democracy Fund of the Bureau of De-*  
21 *mocracy, Human Rights and Labor, Department of State,*  
22 *for such activities, and of which not to exceed \$2,500,000*  
23 *may be made available to nongovernmental organizations*  
24 *located outside the People’s Republic of China to support*  
25 *activities which preserve cultural traditions and promote*  
26 *sustainable development and environmental conservation in*

1 *Tibetan communities in Tibet: Provided further, That not-*  
2 *withstanding any other provision of law or regulation,*  
3 *funds appropriated by this or any other Act making appro-*  
4 *priations pursuant to part I of the Foreign Assistance Act*  
5 *of 1961 that are available for the United States-Asia Envi-*  
6 *ronmental Partnership, may be made available for activi-*  
7 *ties in the People's Republic of China: Provided further,*  
8 *That funds made available pursuant to the authority of this*  
9 *section for programs, projects, and activities in the People's*  
10 *Republic of China shall be subject to the regular notification*  
11 *procedures of the Committees on Appropriations.*

12 *PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST*  
13 *COUNTRIES*

14 *SEC. 527. (a) Funds appropriated for bilateral assist-*  
15 *ance under any heading of this Act and funds appropriated*  
16 *under any such heading in a provision of law enacted prior*  
17 *to the enactment of this Act, shall not be made available*  
18 *to any country which the President determines—*

19 *(1) grants sanctuary from prosecution to any in-*  
20 *dividual or group which has committed an act of*  
21 *international terrorism; or*

22 *(2) otherwise supports international terrorism.*

23 *(b) The President may waive the application of sub-*  
24 *section (a) to a country if the President determines that*  
25 *national security or humanitarian reasons justify such*  
26 *waiver. The President shall publish each waiver in the Fed-*

1 eral Register and, at least 15 days before the waiver takes  
2 effect, shall notify the Committees on Appropriations of the  
3 waiver (including the justification for the waiver) in ac-  
4 cordance with the regular notification procedures of the  
5 Committees on Appropriations.

6 *DEBT-FOR-DEVELOPMENT*

7 *SEC. 528. In order to enhance the continued participa-*  
8 *tion of nongovernmental organizations in economic assist-*  
9 *ance activities under the Foreign Assistance Act of 1961,*  
10 *including endowments, debt-for-development and debt-for-*  
11 *nature exchanges, a nongovernmental organization which*  
12 *is a grantee or contractor of the United States Agency for*  
13 *International Development may place in interest bearing*  
14 *accounts funds made available under this Act or prior Acts*  
15 *or local currencies which accrue to that organization as a*  
16 *result of economic assistance provided under title II of this*  
17 *Act and any interest earned on such investment shall be*  
18 *used for the purpose for which the assistance was provided*  
19 *to that organization.*

20 *SEPARATE ACCOUNTS*

21 *SEC. 529. (a) SEPARATE ACCOUNTS FOR LOCAL CUR-*  
22 *RENCIES.—(1) If assistance is furnished to the government*  
23 *of a foreign country under chapters 1 and 10 of part I or*  
24 *chapter 4 of part II of the Foreign Assistance Act of 1961*  
25 *under agreements which result in the generation of local*

1 *currencies of that country, the Administrator of the United*  
2 *States Agency for International Development shall—*

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

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

7 *(i) the amount of the local currencies to be*  
8 *generated; and*

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

12 *(C) establish by agreement with that government*  
13 *the responsibilities of the United States Agency for*  
14 *International Development and that government to*  
15 *monitor and account for deposits into and disburse-*  
16 *ments from the separate account.*

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

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

1                   (i) project and sector assistance activities;

2                   or

3                   (ii) debt and deficit financing; or

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

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

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

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

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

6 *(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—(1)*  
7 *If assistance is made available to the government of a for-*  
8 *eign country, under chapter 1 or 10 of part I or chapter*  
9 *4 of part II of the Foreign Assistance Act of 1961, as cash*  
10 *transfer assistance or as nonproject sector assistance, that*  
11 *country shall be required to maintain such funds in a sepa-*  
12 *rate account and not commingle them with any other funds.*

13 *(2) APPLICABILITY OF OTHER PROVISIONS OF LAW.—*  
14 *Such funds may be obligated and expended notwithstanding*  
15 *provisions of law which are inconsistent with the nature*  
16 *of this assistance including provisions which are referenced*  
17 *in the Joint Explanatory Statement of the Committee of*  
18 *Conference accompanying House Joint Resolution 648*  
19 *(House Report No. 98-1159).*

20 *(3) NOTIFICATION.—At least 15 days prior to obli-*  
21 *gating any such cash transfer or nonproject sector assist-*  
22 *ance, the President shall submit a notification through the*  
23 *regular notification procedures of the Committees on Appro-*  
24 *priations, which shall include a detailed description of how*  
25 *the funds proposed to be made available will be used, with*



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

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

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

11 *SEC. 530. (a) No funds appropriated by this Act may*  
12 *be made as payment to any international financial institu-*  
13 *tion while the United States Executive Director to such in-*  
14 *stitution is compensated by the institution at a rate which,*  
15 *together with whatever compensation such Director receives*  
16 *from the United States, is in excess of the rate provided*  
17 *for an individual occupying a position at level IV of the*  
18 *Executive Schedule under section 5315 of title 5, United*  
19 *States Code, or while any alternate United States Director*  
20 *to such institution is compensated by the institution at a*  
21 *rate in excess of the rate provided for an individual occu-*  
22 *pying a position at level V of the Executive Schedule under*  
23 *section 5316 of title 5, United States Code.*

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

1 *ment Bank, the Asian Development Bank, the Asian Devel-*  
2 *opment Fund, the African Development Bank, the African*  
3 *Development Fund, the International Monetary Fund, the*  
4 *North American Development Bank, and the European*  
5 *Bank for Reconstruction and Development.*

6 *COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST*

7 *IRAQ*

8 *SEC. 531. None of the funds appropriated or otherwise*  
9 *made available pursuant to this Act to carry out the For-*  
10 *eign Assistance Act of 1961 (including title IV of chapter*  
11 *2 of part I, relating to the Overseas Private Investment Cor-*  
12 *poration) or the Arms Export Control Act may be used to*  
13 *provide assistance to any country that is not in compliance*  
14 *with the United Nations Security Council sanctions against*  
15 *Iraq unless the President determines and so certifies to the*  
16 *Congress that—*

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

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

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

1 *AUTHORITIES FOR THE PEACE CORPS, INTERNATIONAL*  
2 *FUND FOR AGRICULTURE DEVELOPMENT, INTER-*  
3 *AMERICAN FOUNDATION AND AFRICAN DEVELOPMENT*  
4 *FOUNDATION*

5 *SEC. 532. (a) Unless expressly provided to the con-*  
6 *trary, provisions of this or any other Act, including provi-*  
7 *sions contained in prior Acts authorizing or making appro-*  
8 *priations for foreign operations, export financing, and re-*  
9 *lated programs, shall not be construed to prohibit activities*  
10 *authorized by or conducted under the Peace Corps Act, the*  
11 *Inter-American Foundation Act or the African Develop-*  
12 *ment Foundation Act. The agency shall promptly report to*  
13 *the Committees on Appropriations whenever it is con-*  
14 *ducting activities or is proposing to conduct activities in*  
15 *a country for which assistance is prohibited.*

16 *(b) Unless expressly provided to the contrary, limita-*  
17 *tions on the availability of funds for “International Orga-*  
18 *nizations and Programs” in this or any other Act, includ-*  
19 *ing prior appropriations Acts, shall not be construed to be*  
20 *applicable to the International Fund for Agriculture Devel-*  
21 *opment.*

22 *IMPACT ON JOBS IN THE UNITED STATES*

23 *SEC. 533. None of the funds appropriated by this Act*  
24 *may be obligated or expended to provide—*

25 *(a) any financial incentive to a business enter-*  
26 *prise currently located in the United States for the*

1 *purpose of inducing such an enterprise to relocate*  
2 *outside the United States if such incentive or induce-*  
3 *ment is likely to reduce the number of employees of*  
4 *such business enterprise in the United States because*  
5 *United States production is being replaced by such*  
6 *enterprise outside the United States; or*

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

19 *SPECIAL AUTHORITIES*

20 *SEC. 534. (a) AFGHANISTAN, LEBANON, MONTENEGRO,*  
21 *VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED*  
22 *BURMESE.—Funds appropriated in titles I and II of this*  
23 *Act that are made available for Afghanistan, Lebanon,*  
24 *Montenegro, and for victims of war, displaced children, and*  
25 *displaced Burmese, may be made available notwithstanding*  
26 *any other provision of law: Provided, That any such funds*

1 *that are made available for Cambodia shall be subject to*  
2 *the provisions of section 531(e) of the Foreign Assistance*  
3 *Act of 1961 and section 906 of the International Security*  
4 *and Development Cooperation Act of 1985.*

5       **(b) TROPICAL FORESTRY AND BIODIVERSITY CON-**  
6 **SERVATION ACTIVITIES.**—*Funds appropriated by this Act*  
7 *to carry out the provisions of sections 103 through 106, and*  
8 *chapter 4 of part II, of the Foreign Assistance Act of 1961*  
9 *may be used, notwithstanding any other provision of law,*  
10 *for the purpose of supporting tropical forestry and biodiver-*  
11 *sity conservation activities and energy programs aimed at*  
12 *reducing greenhouse gas emissions: Provided, That such as-*  
13 *sistance shall be subject to sections 116, 502B, and 620A*  
14 *of the Foreign Assistance Act of 1961.*

15       **(c) PERSONAL SERVICES CONTRACTORS.**—*Funds ap-*  
16 *propriated by this Act to carry out chapter 1 of part I,*  
17 *chapter 4 of part II, and section 667 of the Foreign Assist-*  
18 *ance Act of 1961, and title II of the Agricultural Trade*  
19 *Development and Assistance Act of 1954, may be used by*  
20 *the United States Agency for International Development to*  
21 *employ up to 25 personal services contractors in the United*  
22 *States, notwithstanding any other provision of law, for the*  
23 *purpose of providing direct, interim support for new or ex-*  
24 *panded overseas programs and activities and managed by*  
25 *the agency until permanent direct hire personnel are hired*

1 *and trained: Provided, That not more than 10 of such con-*  
2 *tractors shall be assigned to any bureau or office: Provided*  
3 *further, That such funds appropriated to carry out the For-*  
4 *ign Assistance Act of 1961 may be made available for per-*  
5 *sonal services contractors assigned only to the Office of*  
6 *Health and Nutrition; the Office of Procurement; the Bu-*  
7 *reau for Africa; the Bureau for Latin America and the Car-*  
8 *ibbean; the Bureau for Asia and the Near East; and for*  
9 *the Global Development Alliance initiative: Provided fur-*  
10 *ther, That such funds appropriated to carry out title II of*  
11 *the Agricultural Trade Development and Assistance Act of*  
12 *1954, may be made available only for personal services con-*  
13 *tractors assigned to the Office of Food for Peace.*

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

20       (2) *PERIOD OF APPLICATION OF WAIVER.—Any waiv-*  
21 *er pursuant to paragraph (1) shall be effective for no more*  
22 *than a period of 6 months at a time and shall not apply*  
23 *beyond 12 months after the enactment of this Act.*

24       (e) *SPECIAL AUTHORITY.—During fiscal year 2002,*  
25 *the President may use up to \$35,000,000 under the author-*

1 *ity of section 451 of the Foreign Assistance Act, notwith-*  
2 *standing the funding ceiling in section 451(a).*

3 (f) *SMALL BUSINESS.*—*In entering into multiple*  
4 *award indefinite-quantity contracts with funds appro-*  
5 *priated by this Act, the United States Agency for Inter-*  
6 *national Development may provide an exception to the fair*  
7 *opportunity process for placing task orders under such con-*  
8 *tracts when the order is placed with any category of small*  
9 *or small disadvantaged business.*

10 *POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT OF*  
11 *ISRAEL AND NORMALIZING RELATIONS WITH ISRAEL*

12 *SEC. 535. It is the sense of the Congress that—*

13 (1) *the Arab League countries should imme-*  
14 *diately and publicly renounce the primary boycott of*  
15 *Israel and the secondary and tertiary boycott of*  
16 *American firms that have commercial ties with Israel*  
17 *and should normalize their relations with Israel;*

18 (2) *the decision by the Arab League in 1997 to*  
19 *reinstate the boycott against Israel was deeply trou-*  
20 *bling and disappointing;*

21 (3) *the fact that only three Arab countries main-*  
22 *tain full diplomatic relations with Israel is also of*  
23 *deep concern;*

24 (4) *the Arab League should immediately rescind*  
25 *its decision on the boycott and its members should de-*  
26 *velop normal relations with their neighbor Israel; and*

1           (5) *the President should—*

2                   (A) *take more concrete steps to encourage*  
3 *vigorously Arab League countries to renounce*  
4 *publicly the primary boycotts of Israel and the*  
5 *secondary and tertiary boycotts of American*  
6 *firms that have commercial relations with Israel*  
7 *and to normalize their relations with Israel;*

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

14                  (C) *report to Congress annually on the spe-*  
15 *cific steps being taken by the United States and*  
16 *the progress achieved to bring about a public re-*  
17 *nunciation of the Arab primary boycott of Israel*  
18 *and the secondary and tertiary boycotts of Amer-*  
19 *ican firms that have commercial relations with*  
20 *Israel and to expand the process of normalizing*  
21 *ties between Arab League countries and Israel;*  
22 *and*

23                  (D) *encourage the allies and trading part-*  
24 *ners of the United States to enact laws prohib-*



1            *iting businesses from complying with the boycott*  
2            *and penalizing businesses that do comply.*

3            *ADMINISTRATION OF JUSTICE ACTIVITIES*

4            *SEC. 536. Of the funds appropriated or otherwise made*  
5            *available by this Act for “Economic Support Fund”, assist-*  
6            *ance may be provided to strengthen the administration of*  
7            *justice in countries in Latin America and the Caribbean*  
8            *and in other regions consistent with the provisions of sec-*  
9            *tion 534(b) of the Foreign Assistance Act of 1961, except*  
10           *that programs to enhance protection of participants in ju-*  
11           *dicial cases may be conducted notwithstanding section 660*  
12           *of that Act. Funds made available pursuant to this section*  
13           *may be made available notwithstanding section 534(c) and*  
14           *the second and third sentences of section 534(e) of the For-*  
15           *ign Assistance Act of 1961.*

16           *ELIGIBILITY FOR ASSISTANCE*

17           *SEC. 537. (a) ASSISTANCE THROUGH NONGOVERN-*  
18           *MENTAL ORGANIZATIONS.—Restrictions contained in this*  
19           *or any other Act with respect to assistance for a country*  
20           *shall not be construed to restrict assistance in support of*  
21           *programs of nongovernmental organizations from funds ap-*  
22           *propriated by this Act to carry out the provisions of chap-*  
23           *ters 1, 10, 11, and 12 of part I and chapter 4 of part II*  
24           *of the Foreign Assistance Act of 1961, and from funds ap-*  
25           *propriated under the heading “Assistance for Eastern Eu-*  
26           *rope and the Baltic States”: Provided, That the President*

1 *shall take into consideration, in any case in which a restric-*  
2 *tion on assistance would be applicable but for this sub-*  
3 *section, whether assistance in support of programs of non-*  
4 *governmental organizations is in the national interest of*  
5 *the United States: Provided further, That before using the*  
6 *authority of this subsection to furnish assistance in support*  
7 *of programs of nongovernmental organizations, the Presi-*  
8 *dent shall notify the Committees on Appropriations under*  
9 *the regular notification procedures of those committees, in-*  
10 *cluding a description of the program to be assisted, the as-*  
11 *sistance to be provided, and the reasons for furnishing such*  
12 *assistance: Provided further, That nothing in this sub-*  
13 *section shall be construed to alter any existing statutory*  
14 *prohibitions against abortion or involuntary sterilizations*  
15 *contained in this or any other Act.*

16       **(b) PUBLIC LAW 480.**—*During fiscal year 2002, re-*  
17 *strictions contained in this or any other Act with respect*  
18 *to assistance for a country shall not be construed to restrict*  
19 *assistance under the Agricultural Trade Development and*  
20 *Assistance Act of 1954: Provided, That none of the funds*  
21 *appropriated to carry out title I of such Act and made*  
22 *available pursuant to this subsection may be obligated or*  
23 *expended except as provided through the regular notifica-*  
24 *tion procedures of the Committees on Appropriations.*

25       **(c) EXCEPTION.**—*This section shall not apply—*

1           (1) with respect to section 620A of the Foreign  
2       *Assistance Act of 1961 or any comparable provision*  
3       *of law prohibiting assistance to countries that support*  
4       *international terrorism; or*

5           (2) with respect to section 116 of the Foreign As-  
6       *sistance Act of 1961 or any comparable provision of*  
7       *law prohibiting assistance to the government of a*  
8       *country that violates internationally recognized*  
9       *human rights.*

10                                EARMARKS

11       *SEC. 538. (a) Funds appropriated by this Act which*  
12       *are earmarked may be reprogrammed for other programs*  
13       *within the same account notwithstanding the earmark if*  
14       *compliance with the earmark is made impossible by oper-*  
15       *ation of any provision of this or any other Act: Provided,*  
16       *That any such reprogramming shall be subject to the reg-*  
17       *ular notification procedures of the Committees on Appro-*  
18       *priations: Provided further, That assistance that is repro-*  
19       *grammed pursuant to this subsection shall be made avail-*  
20       *able under the same terms and conditions as originally pro-*  
21       *vided.*

22       (i) *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 United*  
25       *States Agency for International Development that are ear-*  
26       *marked for particular programs or activities by this or any*

1 *other Act shall be extended for an additional fiscal year*  
2 *if the Administrator of such agency determines and reports*  
3 *promptly to the Committees on Appropriations that the ter-*  
4 *mination of assistance to a country or a significant change*  
5 *in circumstances makes it unlikely that such earmarked*  
6 *funds can be obligated during the original period of avail-*  
7 *ability: Provided, That such earmarked funds that are con-*  
8 *tinued available for an additional fiscal year shall be obli-*  
9 *gated only for the purpose of such earmark.*

10 *CEILINGS AND EARMARKS*

11 *SEC. 539. Ceilings and earmarks contained in this Act*  
12 *shall not be applicable to funds or authorities appropriated*  
13 *or otherwise made available by any subsequent Act unless*  
14 *such Act specifically so directs. Earmarks or minimum*  
15 *funding requirements contained in any other Act shall not*  
16 *be applicable to funds appropriated by this Act.*

17 *PROHIBITION ON PUBLICITY OR PROPAGANDA*

18 *SEC. 540. No part of any appropriation contained in*  
19 *this Act shall be used for publicity or propaganda purposes*  
20 *within the United States not authorized before the date of*  
21 *the enactment of this Act by the Congress: Provided, That*  
22 *not to exceed \$750,000 may be made available to carry out*  
23 *the provisions of section 316 of Public Law 96-533.*

1           *PURCHASE OF AMERICAN-MADE EQUIPMENT AND*  
2    *PRODUCTS*

3           *SEC. 541. To the maximum extent practicable, assist-*  
4     *ance provided under this Act should make full use of Amer-*  
5     *ican resources, including commodities, products, and serv-*  
6     *ices.*

7     *PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS*

8           *SEC. 542. None of the funds appropriated or made*  
9     *available pursuant to this Act for carrying out the Foreign*  
10    *Assistance Act of 1961, may be used to pay in whole or*  
11    *in part any assessments, arrearages, or dues of any member*  
12    *of the United Nations or, from funds appropriated by this*  
13    *Act to carry out chapter 1 of part I of the Foreign Assist-*  
14    *ance Act of 1961, the costs for participation of another*  
15    *country's delegation at international conferences held under*  
16    *the auspices of multilateral or international organizations.*

17    *NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION*

18           *SEC. 543. None of the funds appropriated or made*  
19    *available pursuant to this Act shall be available to a non-*  
20    *governmental organization which fails to provide upon*  
21    *timely request any document, file, or record necessary to*  
22    *the auditing requirements of the United States Agency for*  
23    *International Development.*

1 *PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS*  
2 *THAT EXPORT LETHAL MILITARY EQUIPMENT TO*  
3 *COUNTRIES SUPPORTING INTERNATIONAL TERRORISM*

4 *SEC. 544. (a) None of the funds appropriated or other-*  
5 *wise made available by this Act may be available to any*  
6 *foreign government which provides lethal military equip-*  
7 *ment to a country the government of which the Secretary*  
8 *of State has determined is a terrorist government for pur-*  
9 *poses of section 6(j) of the Export Administration Act. The*  
10 *prohibition under this section with respect to a foreign gov-*  
11 *ernment shall terminate 12 months after that government*  
12 *ceases to provide such military equipment. This section ap-*  
13 *plies with respect to lethal military equipment provided*  
14 *under a contract entered into after October 1, 1997.*

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

19 *(c) Whenever the waiver of subsection (b) is exercised,*  
20 *the President shall submit to the appropriate congressional*  
21 *committees a report with respect to the furnishing of such*  
22 *assistance. Any such report shall include a detailed expla-*  
23 *nation of the assistance to be provided, including the esti-*  
24 *mated dollar amount of such assistance, and an expla-*

1 *nation of how the assistance furthers United States national*  
2 *interests.*

3 *WITHHOLDING OF ASSISTANCE FOR PARKING FINES OWED*  
4 *BY FOREIGN COUNTRIES*

5 *SEC. 545. (a) IN GENERAL.—Of the funds made avail-*  
6 *able for a foreign country under part I of the Foreign As-*  
7 *sistance Act of 1961, an amount equivalent to 110 percent*  
8 *of the total unpaid fully adjudicated parking fines and pen-*  
9 *alties owed to the District of Columbia and New York City,*  
10 *New York by such country as of the date of the enactment*  
11 *of this Act shall be withheld from obligation for such coun-*  
12 *try until the Secretary of State certifies and reports in writ-*  
13 *ing to the appropriate congressional committees that such*  
14 *fines and penalties are fully paid to the governments of the*  
15 *District of Columbia and New York City, New York.*

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

22 *LIMITATION ON ASSISTANCE FOR THE PLO FOR THE WEST*  
23 *BANK AND GAZA*

24 *SEC. 546. None of the funds appropriated by this Act*  
25 *may be obligated for assistance for the Palestine Liberation*  
26 *Organization for the West Bank and Gaza unless the Presi-*

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

12 *WAR CRIMES TRIBUNALS DRAWDOWN*

13 *SEC. 547. If the President determines that doing so*  
14 *will contribute to a just resolution of charges regarding*  
15 *genocide or other violations of international humanitarian*  
16 *law, the President may direct a drawdown pursuant to sec-*  
17 *tion 552(c) of the Foreign Assistance Act of 1961, as amend-*  
18 *ed, of up to \$35,000,000 of commodities and services for*  
19 *the United Nations War Crimes Tribunal established with*  
20 *regard to the former Yugoslavia by the United Nations Se-*  
21 *curity Council or such other tribunals or commissions as*  
22 *the Council may establish or authorize to deal with such*  
23 *violations, without regard to the ceiling limitation con-*  
24 *tained in paragraph (2) thereof: Provided, That the deter-*  
25 *mination required under this section shall be in lieu of any*  
26 *determinations otherwise required under section 552(c):*



1 *Provided further, That funds made available for tribunals*  
2 *other than Yugoslavia or Rwanda shall be made available*  
3 *subject to the regular notification procedures of the Commit-*  
4 *tees on Appropriations.*

5 *LANDMINES*

6 *SEC. 548. Notwithstanding any other provision of law,*  
7 *demining equipment available to the United States Agency*  
8 *for International Development and the Department of State*  
9 *and used in support of the clearance of landmines and*  
10 *unexploded ordnance for humanitarian purposes may be*  
11 *disposed of on a grant basis in foreign countries, subject*  
12 *to such terms and conditions as the President may pre-*  
13 *scribe: Provided, That section 1365(c) of the National De-*  
14 *fense Authorization Act for Fiscal Year 1993 (Public Law*  
15 *102-484; 22 U.S.C., 2778 note) is amended by striking*  
16 *“During the 11-year period beginning on October 23, 1992”*  
17 *and inserting “During the 16-year period beginning on Oc-*  
18 *tober 23, 1992”.*

19 *RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY*

20 *SEC. 549. None of the funds appropriated by this Act*  
21 *may be obligated or expended to create in any part of Jeru-*  
22 *salem a new office of any department or agency of the*  
23 *United States Government for the purpose of conducting of-*  
24 *ficial United States Government business with the Pales-*  
25 *tinian Authority over Gaza and Jericho or any successor*  
26 *Palestinian governing entity provided for in the Israel-PLO*

1 *Declaration of Principles: Provided, That this restriction*  
2 *shall not apply to the acquisition of additional space for*  
3 *the existing Consulate General in Jerusalem: Provided fur-*  
4 *ther, That meetings between officers and employees of the*  
5 *United States and officials of the Palestinian Authority, or*  
6 *any successor Palestinian governing entity provided for in*  
7 *the Israel-PLO Declaration of Principles, for the purpose*  
8 *of conducting official United States Government business*  
9 *with such authority should continue to take place in loca-*  
10 *tions other than Jerusalem. As has been true in the past,*  
11 *officers and employees of the United States Government*  
12 *may continue to meet in Jerusalem on other subjects with*  
13 *Palestinians (including those who now occupy positions in*  
14 *the Palestinian Authority), have social contacts, and have*  
15 *incidental discussions.*

16 *PROHIBITION OF PAYMENT OF CERTAIN EXPENSES*

17 *SEC. 550. None of the funds appropriated or otherwise*  
18 *made available by this Act under the heading “Inter-*  
19 *national Military Education and Training” or “Foreign*  
20 *Military Financing Program” for Informational Program*  
21 *activities or under the headings “Child Survival and*  
22 *Health Programs Fund”, “Development Assistance”, and*  
23 *“Economic Support Fund” may be obligated or expended*  
24 *to pay for—*

25 *(1) alcoholic beverages; or*

1           (2) *entertainment expenses for activities that are*  
2           *substantially of a recreational character, including*  
3           *entrance fees at sporting events and amusement*  
4           *parks.*

5           *SPECIAL DEBT RELIEF FOR THE POOREST*

6           *SEC. 551. (a) AUTHORITY TO REDUCE DEBT.—The*  
7           *President may reduce amounts owed to the United States*  
8           *(or any agency of the United States) by an eligible country*  
9           *as a result of—*

10           (1) *guarantees issued under sections 221 and 222*  
11           *of the Foreign Assistance Act of 1961;*

12           (2) *credits extended or guarantees issued under*  
13           *the Arms Export Control Act; or*

14           (3) *any obligation or portion of such obligation,*  
15           *to pay for purchases of United States agricultural*  
16           *commodities guaranteed by the Commodity Credit*  
17           *Corporation under export credit guarantee programs*  
18           *authorized pursuant to section 5(f) of the Commodity*  
19           *Credit Corporation Charter Act of June 29, 1948, as*  
20           *amended, section 4(b) of the Food for Peace Act of*  
21           *1966, as amended (Public Law 89–808), or section*  
22           *202 of the Agricultural Trade Act of 1978, as amend-*  
23           *ed (Public Law 95–501).*

24           (b) *LIMITATIONS.—*

25           (1) *The authority provided by subsection (a)*  
26           *may be exercised only to implement multilateral offi-*

1        *cial debt relief and referendum agreements, commonly*  
2        *referred to as “Paris Club Agreed Minutes”.*

3            (2) *The authority provided by subsection (a)*  
4        *may be exercised only in such amounts or to such ex-*  
5        *tent as is provided in advance by appropriations*  
6        *Acts.*

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

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

17            (1) *does not have an excessive level of military*  
18        *expenditures;*

19            (2) *has not repeatedly provided support for acts*  
20        *of international terrorism;*

21            (3) *is not failing to cooperate on international*  
22        *narcotics control matters;*

23            (4) *(including its military or other security*  
24        *forces) does not engage in a consistent pattern of gross*

1 *violations of internationally recognized human rights;*  
2 *and*

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

6 *(d) AVAILABILITY OF FUNDS.—The authority provided*  
7 *by subsection (a) may be used only with regard to funds*  
8 *appropriated by this Act under the heading “Debt Restruc-*  
9 *turing”.*

10 *(e) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduc-*  
11 *tion of debt pursuant to subsection (a) shall not be consid-*  
12 *ered assistance for purposes of any provision of law lim-*  
13 *iting assistance to a country. The authority provided by*  
14 *subsection (a) may be exercised notwithstanding section*  
15 *620(r) of the Foreign Assistance Act of 1961 or section 321*  
16 *of the International Development and Food Assistance Act*  
17 *of 1975.*

18 *AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES*

19 *SEC. 552. (a) LOANS ELIGIBLE FOR SALE, REDUC-*  
20 *TION, OR CANCELLATION.—*

21 *(1) AUTHORITY TO SELL, REDUCE, OR CANCEL*  
22 *CERTAIN LOANS.—Notwithstanding any other provi-*  
23 *sion of law, the President may, in accordance with*  
24 *this section, sell to any eligible purchaser any*  
25 *concessional loan or portion thereof made before Jan-*  
26 *uary 1, 1995, pursuant to the Foreign Assistance Act*

1       of 1961, to the government of any eligible country as  
2       defined in section 702(6) of that Act or on receipt of  
3       payment from an eligible purchaser, reduce or cancel  
4       such loan or portion thereof, only for the purpose of  
5       facilitating—

6               (A) debt-for-equity swaps, debt-for-develop-  
7               ment swaps, or debt-for-nature swaps; or

8               (B) a debt buyback by an eligible country  
9               of its own qualified debt, only if the eligible  
10              country uses an additional amount of the local  
11              currency of the eligible country, equal to not less  
12              than 40 percent of the price paid for such debt  
13              by such eligible country, or the difference between  
14              the price paid for such debt and the face value  
15              of such debt, to support activities that link con-  
16              servation and sustainable use of natural re-  
17              sources with local community development, and  
18              child survival and other child development, in a  
19              manner consistent with sections 707 through 710  
20              of the Foreign Assistance Act of 1961, if the sale,  
21              reduction, or cancellation would not contravene  
22              any term or condition of any prior agreement  
23              relating to such loan.

24              (2) *TERMS AND CONDITIONS.*—Notwithstanding  
25              any other provision of law, the President shall, in ac-

1        *cordance with this section, establish the terms and*  
2        *conditions under which loans may be sold, reduced, or*  
3        *canceled pursuant to this section.*

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

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

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

24           (c) *ELIGIBLE PURCHASERS.*—*A loan may be sold pur-*  
25        *suant to subsection (a)(1)(A) only to a purchaser who pre-*

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

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

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

15 *HAITI COAST GUARD*

16 *SEC. 553. The Government of Haiti shall be eligible*  
17 *to purchase defense articles and services under the Arms*  
18 *Export Control Act (22 U.S.C. 2751 et seq.), for the Coast*  
19 *Guard: Provided, That the authority provided by this sec-*  
20 *tion shall be subject to the regular notification procedures*  
21 *of the Committees on Appropriations.*

22 *LIMITATION ON ASSISTANCE TO THE PALESTINIAN*

23 *AUTHORITY*

24 *SEC. 554. (a) PROHIBITION OF FUNDS.—None of the*  
25 *funds appropriated by this Act to carry out the provisions*  
26 *of chapter 4 of part II of the Foreign Assistance Act of 1961*



1 *may be obligated or expended with respect to providing*  
2 *funds to the Palestinian Authority.*

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

9 (c) *PERIOD OF APPLICATION OF WAIVER.—Any waiv-*  
10 *er pursuant to subsection (b) shall be effective for no more*  
11 *than a period of 6 months at a time and shall not apply*  
12 *beyond 12 months after the enactment of this Act.*

13 *LIMITATION ON ASSISTANCE TO SECURITY FORCES*

14 *SEC. 555. None of the funds made available by this*  
15 *Act may be provided to any unit of the security forces of*  
16 *a foreign country if the Secretary of State has credible evi-*  
17 *dence that such unit has committed gross violations of*  
18 *human rights, unless the Secretary determines and reports*  
19 *to the Committees on Appropriations that the government*  
20 *of such country is taking effective measures to bring the re-*  
21 *sponsible members of the security forces unit to justice: Pro-*  
22 *vided, That nothing in this section shall be construed to*  
23 *withhold funds made available by this Act from any unit*  
24 *of the security forces of a foreign country not credibly al-*  
25 *leged to be involved in gross violations of human rights:*  
26 *Provided further, That in the event that funds are withheld*

1 *from any unit pursuant to this section, the Secretary of*  
2 *State shall promptly inform the foreign government of the*  
3 *basis for such action and shall, to the maximum extent*  
4 *practicable, assist the foreign government in taking effective*  
5 *measures to bring the responsible members of the security*  
6 *forces to justice.*

7 *GREENHOUSE GAS EMISSIONS REPORT*

8 *SEC. 556. Not later than the date on which the Presi-*  
9 *dent's fiscal year 2003 budget request is submitted to Con-*  
10 *gress, the President shall submit a report to the Committees*  
11 *on Appropriations describing in detail the following—*

12 *(1) all Federal agency obligations and expendi-*  
13 *tures, domestic and international, for climate change*  
14 *programs and activities in fiscal year 2002, including*  
15 *an accounting of expenditures by agency with each*  
16 *agency identifying climate change activities and asso-*  
17 *ciated costs by line item as presented in the Presi-*  
18 *dent's Budget Appendix;*

19 *(2) all fiscal year 2001 expenditures and fiscal*  
20 *year 2002 projected expenditures by the United States*  
21 *Agency for International Development to assist devel-*  
22 *oping countries and countries in transition in adopt-*  
23 *ing and implementing policies to measure, monitor,*  
24 *report, verify, and reduce greenhouse gas emissions,*  
25 *and to meet their responsibilities under the Frame-*  
26 *work Convention on Climate Change;*

1           (3) all funds requested for fiscal year 2003 by the  
2           United States Agency for International Development  
3           to promote the measurement, monitoring, reporting,  
4           verification, and reduction of greenhouse gas emis-  
5           sions reductions, to promote the transfer and deploy-  
6           ment of United States clean energy technologies and  
7           carbon capture and sequestration measures, and to  
8           develop assessments of the vulnerability to impacts of  
9           climate change and response strategies; and

10           (4) all fiscal year 2002 obligations and expendi-  
11           tures by the United States Agency for International  
12           Development for climate change programs and activi-  
13           ties by country or central program and activity.

14   ZIMBABWE

15           SEC. 557. The Secretary of the Treasury shall instruct  
16           the United States executive director to each international  
17           financial institution to vote against any extension by the  
18           respective institution of any loans, to the Government of  
19           Zimbabwe, except to meet basic human needs or to promote  
20           democracy, unless the Secretary of State determines and  
21           certifies to the Committees on Appropriations that the rule  
22           of law has been restored in Zimbabwe, including respect  
23           for ownership and title to property, freedom of speech and  
24           association.

1           *CENTRAL AMERICA RELIEF AND RECONSTRUCTION*

2           *SEC. 558. Funds made available to the Comptroller*  
3 *General pursuant to title I, chapter 4 of Public Law 106–*  
4 *31, to monitor the provision of assistance to address the*  
5 *effects of hurricanes in Central America and the Caribbean*  
6 *and the earthquake in Colombia, shall also be available to*  
7 *the Comptroller General to monitor earthquake relief and*  
8 *reconstruction efforts in El Salvador.*

9                           *ENTERPRISE FUND RESTRICTIONS*

10          *SEC. 559. Prior to the distribution of any assets result-*  
11 *ing from any liquidation, dissolution, or winding up of an*  
12 *Enterprise Fund, in whole or in part, the President shall*  
13 *submit to the Committees on Appropriations, in accordance*  
14 *with the regular notification procedures of the Committees*  
15 *on Appropriations, a plan for the distribution of the assets*  
16 *of the Enterprise Fund.*

17                           *CAMBODIA*

18          *SEC. 560. (a) The Secretary of the Treasury shall in-*  
19 *struct the United States executive directors of the inter-*  
20 *national financial institutions to use the voice and vote of*  
21 *the United States to oppose loans to the Central Govern-*  
22 *ment of Cambodia, except loans to meet basic human needs.*  
23          *(b)(1) None of the funds appropriated by this Act may*  
24 *be made available for assistance for the Central Government*  
25 *of Cambodia unless the Secretary of State determines and*

1 *reports to the Committees on Appropriations that the Cen-*  
2 *tral Government of Cambodia—*

3 *(A) is making significant progress in resolving*  
4 *outstanding human rights cases, including the 1994*  
5 *grenade attack against the Buddhist Liberal Demo-*  
6 *cratic Party, and the 1997 grenade attack against the*  
7 *Khmer Nation Party;*

8 *(B) has held local elections that are deemed free*  
9 *and fair by international and local election monitors;*  
10 *and*

11 *(C) is making significant progress in the protec-*  
12 *tion, management, and conservation of the environ-*  
13 *ment and natural resources, including in the promul-*  
14 *gation and enforcement of laws and policies to protect*  
15 *forest resources.*

16 *(2) A determination by the Secretary of State under*  
17 *paragraph (1) shall cease to be effective if it becomes known*  
18 *to the Secretary that the Central Government of Cambodia*  
19 *is no longer making significant progress under subpara-*  
20 *graph (A) or (C).*

21 *(3) In the event the Secretary of State makes the deter-*  
22 *mination under paragraph (1), assistance may be made*  
23 *available to the Central Government of Cambodia only*  
24 *through the regular notification procedures of the Commit-*  
25 *tees on Appropriations.*

1       (c) Notwithstanding subsection (b) of this section or  
2 any other provision of law, funds appropriated by this Act  
3 may be made available for assistance to the Government  
4 of Cambodia's Ministry of Women and Veteran's Affairs to  
5 combat human trafficking, subject to the regular notifica-  
6 tion procedures of the Committees on Appropriations.

7                                   FOREIGN MILITARY TRAINING REPORT

8       SEC. 561. (a) The Secretary of Defense and the Sec-  
9 retary of State shall jointly provide to the Congress by  
10 March 1, 2002, a report on all military training provided  
11 to foreign military personnel (excluding sales, and exclud-  
12 ing training provided to the military personnel of countries  
13 belonging to the North Atlantic Treaty Organization) under  
14 programs administered by the Department of Defense and  
15 the Department of State during fiscal years 2001 and 2002,  
16 including those proposed for fiscal year 2002. This report  
17 shall include, for each such military training activity, the  
18 foreign policy justification and purpose for the training ac-  
19 tivity, the cost of the training activity, the number of for-  
20 eign students trained and their units of operation, and the  
21 location of the training. In addition, this report shall also  
22 include, with respect to United States personnel, the oper-  
23 ational benefits to United States forces derived from each  
24 such training activity and the United States military units  
25 involved in each such training activity. This report may

1 *include a classified annex if deemed necessary and appro-*  
2 *prate.*

3 *(b) For purposes of this section a report to Congress*  
4 *shall be deemed to mean a report to the Appropriations and*  
5 *Foreign Relations Committees of the Senate and the Appro-*  
6 *priations and International Relations Committees of the*  
7 *House of Representatives.*

8 *KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION*

9 *SEC. 562. (a) Of the funds made available under the*  
10 *heading “Nonproliferation, Anti-terrorism, Demining and*  
11 *Related Programs”, not to exceed \$95,000,000 may be made*  
12 *available for the Korean Peninsula Energy Development*  
13 *Organization (hereafter referred to in this section as*  
14 *“KEDO”), notwithstanding any other provision of law,*  
15 *only for the administrative expenses and heavy fuel oil costs*  
16 *associated with the Agreed Framework.*

17 *(b) Such funds may be made available for KEDO only*  
18 *if, 15 days prior to such obligation of funds, the President*  
19 *certifies and so reports to Congress that—*

20 *(1) the parties to the Agreed Framework have*  
21 *taken and continue to take demonstrable steps to im-*  
22 *plement the Joint Declaration on Denuclearization of*  
23 *the Korean Peninsula;*

24 *(2) North Korea is complying with all provisions*  
25 *of the Agreed Framework; and*

1           (3) *the United States is continuing to make sig-*  
2           *nificant progress on eliminating the North Korean*  
3           *ballistic missile threat, including further missile tests*  
4           *and its ballistic missile exports.*

5           (c) *The President may waive the certification require-*  
6           *ments of subsection (b) if the President determines that it*  
7           *is vital to the national security interests of the United*  
8           *States and provides written policy justifications to the ap-*  
9           *propriate congressional committees. No funds may be obli-*  
10          *gated for KEDO until 15 days after submission to Congress*  
11          *of such waiver.*

12          (d) *The Secretary of State shall, at the time of the an-*  
13          *nual presentation for appropriations, submit a report pro-*  
14          *viding a full and detailed accounting of the fiscal year 2003*  
15          *request for the United States contribution to KEDO, the*  
16          *expected operating budget of KEDO, proposed annual costs*  
17          *associated with heavy fuel oil purchases, including unpaid*  
18          *debt, and the amount of funds pledged by other donor na-*  
19          *tions and organizations to support KEDO activities on a*  
20          *per country basis, and other related activities.*

21          (e) *The final proviso under the heading “International*  
22          *Organizations and Programs” in the Foreign Operations,*  
23          *Export Financing, and Related Programs Appropriations*  
24          *Act, 1996 (Public Law 104–107) is repealed.*



## COLOMBIA

1

2       *SEC. 563. (a) DETERMINATION AND CERTIFICATION*  
3 *REQUIRED.*—*Notwithstanding any other provision of law,*  
4 *funds appropriated by this Act or prior Acts making appro-*  
5 *priations for foreign operations, export financing, and re-*  
6 *lated programs, may be made available for assistance for*  
7 *the Colombian Armed Forces only if the Secretary of State*  
8 *has made the determination and certification contained in*  
9 *subsection (b).*

10       *(b) DETERMINATION AND CERTIFICATION.*—*The deter-*  
11 *mination and certification referred to in subsection (a) is*  
12 *a determination by the Secretary of State and a certifi-*  
13 *cation to the appropriate congressional committees that—*

14             *(1) the Commander General of the Colombian*  
15 *Armed Forces is suspending from the Armed Forces*  
16 *those members, of whatever rank, who have been*  
17 *credibly alleged to have committed gross violations of*  
18 *human rights, including extra-judicial killings, or to*  
19 *have aided or abetted paramilitary groups, and is*  
20 *providing to civilian prosecutors and judicial au-*  
21 *thorities requested information, including the identity*  
22 *of the person suspended and the nature and cause of*  
23 *the suspension;*

24             *(2) the Colombian Armed Forces are cooperating*  
25 *with civilian prosecutors and judicial authorities (in-*

1 *cluding providing unimpeded access to witnesses and*  
2 *relevant military documents and other information),*  
3 *in prosecuting and punishing in civilian courts those*  
4 *members of the Colombian Armed Forces, of whatever*  
5 *rank, who have been credibly alleged to have com-*  
6 *mitted gross violations of human rights, including*  
7 *extra-judicial killings, or to have aided or abetted*  
8 *paramilitary groups; and*

9 *(3) the Colombian Armed Forces are taking effec-*  
10 *tive measures to sever links (including by denying ac-*  
11 *cess to military intelligence, vehicles, and other equip-*  
12 *ment or supplies, and ceasing other forms of active or*  
13 *tacit cooperation), at the command, battalion, and*  
14 *brigade levels, with paramilitary groups, and to exe-*  
15 *cute outstanding arrest warrants for members of such*  
16 *groups.*

17 *(c) CONSULTATIVE PROCESS.—Ten days prior to mak-*  
18 *ing the determination and certification required by this sec-*  
19 *tion, and every 120 days thereafter, the Secretary of State*  
20 *shall consult with internationally recognized human rights*  
21 *organizations regarding progress in meeting the conditions*  
22 *contained in subsection (b).*

23 *(d) REPORT.—One hundred and twenty days after the*  
24 *enactment of this Act, and every 120 days thereafter, the*  
25 *Secretary of State shall submit a report to the Committees*

1 *on Appropriations describing actions taken by the Colom-*  
2 *bian Armed Forces to meet the requirements set forth in*  
3 *subparagraphs (b)(1) through (3); and*

4 *(e) DEFINITIONS.—In this section:*

5 *(1) AIDED OR ABETTED.—The term “aided or*  
6 *abetted” means to provide any support to para-*  
7 *military groups, including taking actions which*  
8 *allow, facilitate, or otherwise foster the activities of*  
9 *such groups.*

10 *(2) PARAMILITARY GROUPS.—The term “para-*  
11 *military groups” means illegal self-defense groups*  
12 *and illegal security cooperatives.*

13 *ILLEGAL ARMED GROUPS*

14 *SEC. 564. (a) DENIAL OF VISAS TO SUPPORTERS OF*  
15 *COLOMBIAN ILLEGAL ARMED GROUPS.—Subject to sub-*  
16 *section (b), the Secretary of State shall not issue a visa to*  
17 *any alien who the Secretary determines, based on credible*  
18 *evidence—*

19 *(1) has willfully provided any support to the*  
20 *Revolutionary Armed Forces of Colombia (FARC), the*  
21 *National Liberation Army (ELN), or the United Self-*  
22 *Defense Forces of Colombia (AUC), including taking*  
23 *actions or failing to take actions which allow, facili-*  
24 *tate, or otherwise foster the activities of such groups;*  
25 *or*

1           (2) *has committed, ordered, incited, assisted, or*  
2           *otherwise participated in the commission of gross vio-*  
3           *lations of human rights, including extra-judicial*  
4           *killings, in Colombia.*

5           (b) *WAIVER.—Subsection (a) shall not apply if the*  
6           *Secretary of State determines and certifies to the appro-*  
7           *priate congressional committees, on a case-by-case basis,*  
8           *that the issuance of a visa to the alien is necessary to sup-*  
9           *port the peace process in Colombia or for urgent humani-*  
10          *tarian reasons.*

11           *PROHIBITION ON ASSISTANCE TO THE PALESTINIAN*

12                                   *BROADCASTING CORPORATION*

13           *SEC. 565. None of the funds appropriated or otherwise*  
14           *made available by this Act may be used to provide equip-*  
15           *ment, technical support, consulting services, or any other*  
16           *form of assistance to the Palestinian Broadcasting Corpora-*  
17           *tion.*

18                                   *IRAQ*

19           *SEC. 566. Notwithstanding any other provision of law,*  
20           *funds appropriated under the heading “Economic Support*  
21           *Fund” may be made available for programs benefitting the*  
22           *Iraqi people and to support efforts to bring about a demo-*  
23           *cratic transition in Iraq: Provided, That not more than 15*  
24           *percent of the funds may be used for administrative and*  
25           *representational expenses, including expenditures for sala-*  
26           *ries, office rent and equipment: Provided further, That not*

1 *later than 60 days after the date of enactment of this Act,*  
2 *the Secretary of State shall consult with the Committees on*  
3 *Appropriations regarding plans for the expenditure of*  
4 *funds under this section: Provided further, That funds made*  
5 *available under this heading are made available subject to*  
6 *the regular notification procedures of the Committees on*  
7 *Appropriations.*

8 *WEST BANK AND GAZA PROGRAM*

9 *SEC. 567. For fiscal year 2002, 30 days prior to the*  
10 *initial obligation of funds for the bilateral West Bank and*  
11 *Gaza Program, the Secretary of State shall certify to the*  
12 *appropriate committees of Congress that procedures have*  
13 *been established to assure the Comptroller General of the*  
14 *United States will have access to appropriate United States*  
15 *financial information in order to review the uses of United*  
16 *States assistance for the Program funded under the heading*  
17 *“Economic Support Fund” for the West Bank and Gaza.*

18 *INDONESIA*

19 *SEC. 568. (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 for assistance for Indonesian Min-*  
23 *istry of Defense or military personnel only if the President*  
24 *determines and submits a report to the appropriate congres-*  
25 *sional committees that the Government of Indonesia and*  
26 *the Indonesian Armed Forces are—*

1           (1) *taking effective measures to bring to justice*  
2           *members of the armed forces and militia groups*  
3           *against whom there is credible evidence of human*  
4           *rights violations in East Timor and Indonesia, in-*  
5           *cluding imposing just punishment for those involved*  
6           *in the murders of American citizen Carlos Caceres*  
7           *and two other United Nations humanitarian workers*  
8           *in West Timor on September 6, 2000;*

9           (2) *taking effective measures to bring to justice*  
10          *members of the armed forces against whom there is*  
11          *credible evidence of aiding or abetting militia groups*  
12          *in East Timor and Indonesia;*

13          (3) *allowing displaced persons and refugees to*  
14          *return home to East Timor, including providing safe*  
15          *passage for refugees returning from West Timor;*

16          (4) *not impeding the activities of the United Na-*  
17          *tions Transitional Authority in East Timor;*

18          (5) *demonstrating a commitment to preventing*  
19          *incursions into East Timor by members of militia*  
20          *groups in West Timor;*

21          (6) *demonstrating a commitment to account-*  
22          *ability by cooperating with investigations and pros-*  
23          *ecutions of members of the armed forces and militia*  
24          *groups responsible for human rights violations in*  
25          *East Timor and Indonesia;*

1           (7) *demonstrating a commitment to civilian con-*  
2           *trol of the armed forces by reporting to civilian au-*  
3           *thorities audits of receipts and expenditures of the*  
4           *armed forces;*

5           (8) *allowing United Nations and other inter-*  
6           *national humanitarian and human rights workers*  
7           *and observers unimpeded access to West Timor, Aceh,*  
8           *West Papua, and Maluka; and*

9           (9) *releasing political detainees.*

10           *RESTRICTIONS ON ASSISTANCE TO GOVERNMENTS*

11                           *DESTABILIZING SIERRA LEONE*

12           *SEC. 569. (a) None of the funds appropriated by this*  
13           *Act may be made available for assistance for the govern-*  
14           *ment of any country for which the Secretary of State deter-*  
15           *mines there is credible evidence that such government has*  
16           *provided lethal or non-lethal military support or equip-*  
17           *ment, directly or through intermediaries, within the pre-*  
18           *vious 6 months to the Sierra Leone Revolutionary United*  
19           *Front (RUF), Liberian Armed Forces, or any other group*  
20           *intent on destabilizing the democratically elected govern-*  
21           *ment of the Republic of Sierra Leone.*

22           *(b) None of the funds appropriated by this Act may*  
23           *be made available for assistance for the government of any*  
24           *country for which the Secretary of State determines there*  
25           *is credible evidence that such government has aided or abet-*

1 *ted, within the previous 6 months, in the illicit distribution,*  
2 *transportation, or sale of diamonds mined in Sierra Leone.*

3       (c) *None of the funds appropriated by this Act may*  
4 *be made available for assistance for the government of any*  
5 *country for which the Secretary of State determines there*  
6 *is credible evidence that such government has knowingly fa-*  
7 *cilitated the safe passage of weapons or other equipment to*  
8 *the RUF, Liberian security forces, or any other group in-*  
9 *tent on destabilizing the democratically elected government*  
10 *of the Republic of Sierra Leone.*

11       (d) *Whenever the prohibition on assistance required*  
12 *under subsection (a), (b) or (c) is exercised, the Secretary*  
13 *of State shall notify the Committees on Appropriations in*  
14 *a timely manner.*

15                   VOLUNTARY SEPARATION INCENTIVES

16       SEC. 570. *Section 579(c)(2)(D) of the Foreign Oper-*  
17 *ations, Export Financing, and Related Programs Appro-*  
18 *priations Act, 2000, as enacted by section 1000(a)(2) of the*  
19 *Consolidated Appropriations Act, 2000 (Public Law 106-*  
20 *113), as amended, is amended by striking “December 31,*  
21 *2001” and inserting in lieu thereof “December 31, 2002”.*

22                   AMERICAN CHURCHWOMEN AND OTHER CITIZENS IN EL

23                                   SALVADOR AND GUATEMALA

24       SEC. 571. (a) *To the fullest extent possible information*  
25 *relevant to the December 2, 1980, murders of four American*  
26 *churchwomen in El Salvador, and the May 5, 2001, murder*



1 *of Sister Barbara Ann Ford and the murders of six other*  
2 *American citizens in Guatemala since December 1999,*  
3 *should be investigated and made public.*

4 *(b) The Department of State is urged to pursue all*  
5 *reasonable avenues in assuring the collection and public re-*  
6 *lease of information pertaining to the murders of the six*  
7 *American citizens in Guatemala.*

8 *(c) The President shall order all Federal agencies and*  
9 *departments, including the Federal Bureau of Investiga-*  
10 *tion, that possess relevant information, to expeditiously de-*  
11 *classify and release to the victims' families such informa-*  
12 *tion.*

13 *(d) In making determinations concerning declassifica-*  
14 *tion and release of relevant information, all Federal agen-*  
15 *cies and departments shall presume in favor of releasing,*  
16 *rather than of withholding, such information.*

17 *(e) All reasonable efforts should be taken by the Amer-*  
18 *ican Embassy in Guatemala to work with relevant agencies*  
19 *of the Guatemalan Government to protect the safety of*  
20 *American citizens in Guatemala, and to assist in the inves-*  
21 *tigations of violations of human rights.*

22 *BASIC EDUCATION ASSISTANCE FOR PAKISTAN*

23 *SEC. 572. Funds appropriated by this Act to carry out*  
24 *the provisions of chapter 4 of part II of the Foreign Assist-*  
25 *ance Act of 1961 may be made available for assistance for*  
26 *basic education programs for Pakistan, notwithstanding*

1 *any provision of law that restricts assistance to foreign*  
2 *countries: Provided, That such assistance is subject to the*  
3 *regular notification procedures of the Committees on Appro-*  
4 *priations.*

5 *COMMERCIAL LEASING OF DEFENSE ARTICLES*

6 *SEC. 573. Notwithstanding any other provision of law,*  
7 *and subject to the regular notification procedures of the*  
8 *Committees on Appropriations, the authority of section*  
9 *23(a) of the Arms Export Control Act may be used to pro-*  
10 *vide financing to Israel, Egypt and NATO and major non-*  
11 *NATO allies for the procurement by leasing (including leas-*  
12 *ing with an option to purchase) of defense articles from*  
13 *United States commercial suppliers, not including Major*  
14 *Defense Equipment (other than helicopters and other types*  
15 *of aircraft having possible civilian application), if the*  
16 *President determines that there are compelling foreign pol-*  
17 *icy or national security reasons for those defense articles*  
18 *being provided by commercial lease rather than by govern-*  
19 *ment-to-government sale under such Act.*

20 *WAR CRIMINALS*

21 *SEC. 574. (a)(1) None of the funds appropriated or*  
22 *otherwise made available pursuant to this Act may be made*  
23 *available for assistance, and the Secretary of the Treasury*  
24 *shall instruct the United States executive directors to the*  
25 *international financial institutions to vote against any new*  
26 *project involving the extension by such institutions of any*

1 *financial or technical assistance, to any country, entity, or*  
2 *municipality whose competent authorities have failed, as*  
3 *determined by the Secretary of State, to take necessary and*  
4 *significant steps to implement its international legal obli-*  
5 *gations to apprehend and transfer to the International*  
6 *Criminal Tribunal for the former Yugoslavia (the “Tri-*  
7 *bunal”)* all persons in their territory who have been pub-  
8 *licly indicted by the Tribunal and to otherwise cooperate*  
9 *with the Tribunal.*

10       (2) *The provisions of this subsection shall not apply*  
11 *to humanitarian assistance or assistance for democratiza-*  
12 *tion.*

13       (b) *The provisions of subsection (a) shall apply unless*  
14 *the Secretary of State determines and reports to the appro-*  
15 *priate congressional committees that the competent authori-*  
16 *ties of such country, entity, or municipality are—*

17               (1) *cooperating with the Tribunal, including ac-*  
18 *cess for investigators, the provision of documents, and*  
19 *the surrender and transfer of indictees or assistance*  
20 *in their apprehension; and*

21               (2) *are acting consistently with the Dayton Ac-*  
22 *cords.*

23       (c) *Not less than 10 days before any vote in an inter-*  
24 *national financial institution regarding the extension of fi-*  
25 *nancial or technical assistance or grants to any country*

1 *or entity described in subsection (a), the Secretary of the*  
2 *Treasury, in consultation with the Secretary of State, shall*  
3 *provide to the Committees on Appropriations a written jus-*  
4 *tification for the proposed assistance, including an expla-*  
5 *nation of the United States position regarding any such*  
6 *vote, as well as a description of the location of the proposed*  
7 *assistance by municipality, its purpose, and its intended*  
8 *beneficiaries.*

9       *(d) In carrying out this section, the Secretary of State,*  
10 *the Administrator of the United States Agency for Inter-*  
11 *national Development, and the Secretary of the Treasury*  
12 *shall consult with representatives of human rights organiza-*  
13 *tions and all government agencies with relevant informa-*  
14 *tion to help prevent publicly indicted war criminals from*  
15 *benefiting from any financial or technical assistance or*  
16 *grants provided to any country or entity described in sub-*  
17 *section (a).*

18       *(e) The Secretary of State may waive the application*  
19 *of subsection (a) with respect to a specific project within*  
20 *a country, entity, or municipality upon a written deter-*  
21 *mination to the Committees on Appropriations that such*  
22 *assistance directly supports the implementation of the Day-*  
23 *ton Accords, which include the obligation to apprehend and*  
24 *transfer indicted war criminals to the Tribunal and to pro-*

1 *vide all possible assistance to refugees and displaced persons*  
2 *and work to facilitate their voluntary return.*

3 (f) *DEFINITIONS.—As used in this section—*

4 (1) *COUNTRY.—The term “country” means Bos-*  
5 *nia and Herzegovina, Croatia and Serbia.*

6 (2) *ENTITY.—The term “entity” refers to the*  
7 *Federation of Bosnia and Herzegovina, Kosovo, Mon-*  
8 *tenegro and the Republika Srpska.*

9 (3) *MUNICIPALITY.—The term “municipality”*  
10 *means a city, town or other subdivision within a*  
11 *country or entity as defined herein.*

12 (4) *DAYTON ACCORDS.—The term “Dayton Ac-*  
13 *cords” means the General Framework Agreement for*  
14 *Peace in Bosnia and Herzegovina, together with an-*  
15 *nexes relating thereto, done at Dayton, November 10*  
16 *through 16, 1995.*

17 *FUNDING FOR SERBIA*

18 *SEC. 575. (a) Of funds made available in this Act, up*  
19 *to \$115,000,000 may be made available for assistance for*  
20 *Serbia: Provided, That none of these funds may be made*  
21 *available for assistance for Serbia after March 31, 2002,*  
22 *unless the President has made the determination and cer-*  
23 *tification contained in subsection (c).*

24 (b) *After March 31, 2002, the Secretary of the Treasury*  
25 *should instruct the United States executive directors to the*  
26 *international financial institutions to support loans and*

1 *assistance to the Government of the Federal Republic of*  
2 *Yugoslavia subject to the conditions in subsection (c): Pro-*  
3 *vided, That section 576 of the Foreign Operations, Export*  
4 *Financing, and Related Programs Appropriations Act,*  
5 *1997, as amended, shall not apply to the provision of loans*  
6 *and assistance to the Federal Republic of Yugoslavia*  
7 *through international financial institutions.*

8       *(c) The determination and certification referred to in*  
9 *subsection (a) is a determination by the President and a*  
10 *certification to the Committees on Appropriations that the*  
11 *Government of the Federal Republic of Yugoslavia is—*

12               *(1) cooperating with the International Criminal*  
13 *Tribunal for Yugoslavia including access for inves-*  
14 *tigators, the provision of documents, and the sur-*  
15 *render and transfer of indictees or assistance in their*  
16 *apprehension;*

17               *(2) taking steps, additional to those undertaken*  
18 *in fiscal year 2001, that are consistent with the Day-*  
19 *ton Accords to end Serbian financial, political, secu-*  
20 *rity and other support which has served to maintain*  
21 *separate Republika Srpska institutions; and*

22               *(3) taking steps, additional to those undertaken*  
23 *in fiscal year 2001, to implement policies which re-*  
24 *flect a respect for minority rights and the rule of law,*

1           *including the release of all political prisoners from*  
2           *Serbian jails and prisons.*

3           *(d) Subsections (b) and (c) shall not apply to Monte-*  
4           *negro, Kosovo, humanitarian assistance or assistance to*  
5           *promote democracy in municipalities.*

6    *USER FEES*

7           *SEC. 576. The Secretary of the Treasury shall instruct*  
8           *the United States executive directors to the international*  
9           *financial institutions (as defined in section 1701(c)(2) of*  
10          *the International Financial Institutions Act) and the Inter-*  
11          *national Monetary Fund to oppose any loan of such institu-*  
12          *tions that would require user fees or service charges on poor*  
13          *people for primary education or primary healthcare, in-*  
14          *cluding prevention and treatment efforts for HIV/AIDS,*  
15          *malaria, tuberculosis, and infant, child, and maternal well-*  
16          *being, in connection with the institutions' lending pro-*  
17          *grams, and to oppose the approval or endorsement of such*  
18          *user fees or service charges in connection with any struc-*  
19          *tural adjustment scheme or debt relief action, including any*  
20          *Poverty Reduction Strategy Paper.*

21    *HEAVILY INDEBTED POOR COUNTRIES TRUST FUND*

22    *AUTHORIZATION*

23           *SEC. 577. Section 801(b)(1) of the Foreign Operations,*  
24          *Export Financing, and Related Programs Appropriations*  
25          *Act, 2001 (Public Law 106-429) is amended by striking*  
26          *“\$435,000,000” and inserting “\$600,000,000”.*

1                    *FUNDING FOR PRIVATE ORGANIZATIONS*

2            *SEC. 578. Notwithstanding any other provision of law,*  
3 *regulation, or policy, in determining eligibility for assist-*  
4 *ance authorized under part I of the Foreign Assistance Act*  
5 *of 1961 (22 U.S.C. 2151 et seq.), foreign nongovernmental*  
6 *organizations—*

7                    *(1) shall not be ineligible for such assistance sole-*  
8 *ly on the basis of health or medical services including*  
9 *counseling and referral services, provided by such or-*  
10 *ganizations with non-United States Government*  
11 *funds if such services do not violate the laws of the*  
12 *country in which they are being provided and would*  
13 *not violate United States Federal law if provided in*  
14 *the United States; and*

15                    *(2) shall not be subject to requirements relating*  
16 *to the use of non-United States Government funds for*  
17 *advocacy and lobbying activities other than those that*  
18 *apply to United States nongovernmental organiza-*  
19 *tions receiving assistance under part I of such Act.*

20                    *PROHIBITION ON FUNDING FOR ABORTIONS AND*21                    *INVOLUNTARY STERILIZATION*

22            *SEC. 579. None of the funds made available to carry*  
23 *out part I of the Foreign Assistance Act of 1961, as amend-*  
24 *ed, may be used to pay for the performance of abortions*  
25 *as a method of family planning or to motivate or coerce*  
26 *any person to practice abortions. None of the funds made*



1 *available to carry out part I of the Foreign Assistance Act*  
2 *of 1961, as amended, may be used to pay for the perform-*  
3 *ance of involuntary sterilization as a method of family*  
4 *planning or to coerce or provide any financial incentive*  
5 *to any person to undergo sterilizations. None of the funds*  
6 *made available to carry out part I of the Foreign Assistance*  
7 *Act of 1961, as amended, may be used to pay for any bio-*  
8 *medical research which relates in whole or in part, to meth-*  
9 *ods of, or the performance of, abortions or involuntary steri-*  
10 *lization as a means of family planning. None of the funds*  
11 *made available to carry out part I of the Foreign Assistance*  
12 *Act of 1961, as amended, may be obligated or expended for*  
13 *any country or organization if the President certifies that*  
14 *the use of these funds by any such country or organization*  
15 *would violate any of the above provisions related to abor-*  
16 *tions and involuntary sterilizations.*

17

## CUBA

18 *SEC. 580. (a) AMOUNTS FOR COOPERATION WITH*  
19 *CUBA ON COUNTER-NARCOTICS MATTERS.—Subject to sub-*  
20 *section (b), of the amounts appropriated or otherwise made*  
21 *available by this Act, \$1,500,000 shall be available for pur-*  
22 *poses of preliminary work by the Department of State, or*  
23 *such other entities as the Secretary of State may designate,*  
24 *to establish cooperation with appropriate agencies of the*  
25 *Cuba Government on counter-narcotics matters, including*  
26 *matters relating to cooperation, coordination, and mutual*

1 *assistance in the interdiction of illicit drugs being trans-*  
2 *ported through Cuba airspace or over Cuba waters.*

3 *(b) LIMITATION.—The amount in subsection (a) shall*  
4 *not be available under that subsection until the President*  
5 *certifies to Congress the following:*

6 *(1) That Cuba has in place appropriate proce-*  
7 *dures to protect against loss of innocent life in the air*  
8 *and on the ground in connection with the interdiction*  
9 *of illicit drugs.*

10 *(2) That there is no evidence of the involvement*  
11 *of the Government of Cuba in drug trafficking.*

12 *REPORTS ON CONDITIONS IN HONG KONG*

13 *SEC. 581. (a) Section 301 of the United States-Hong*  
14 *Kong Policy Act (22 U.S.C. 5731) is amended by striking*  
15 *“and March 31, 2000,” and inserting: “March 31, 2000,*  
16 *March 31, 2001, March 31, 2002, March 31, 2003, March*  
17 *31, 2004, March 31, 2005, and March 31, 2006”.*

18 *(b) The requirement in section 301 of the United*  
19 *States-Hong Kong Policy Act, as amended by subsection*  
20 *(a), that a report under that section shall be transmitted*  
21 *not later than March 31, 2001, shall be considered satisfied*  
22 *by the transmittal of such report by August 7, 2001.*

23 *DISABILITY ACCESS*

24 *SEC. 582. Housing that is constructed with funds ap-*  
25 *propriated by this Act to carry out the provisions of chapter*  
26 *1 of part I and chapter 4 of part II of the Foreign Assist-*

1 *ance Act of 1961, and to carry out the provisions of the*  
2 *Support for East European Democracy (SEED) Act of*  
3 *1989, shall to the maximum extent feasible, be wheelchair*  
4 *accessible.*

5 *COMMUNITY-BASED POLICE ASSISTANCE*

6 *SEC. 583. (a) AUTHORITY.—Funds made available to*  
7 *carry out the provisions of chapter 1 of part I and chapter*  
8 *4 of part II of the Foreign Assistance Act of 1961, may*  
9 *be used, notwithstanding section 660 of that Act, to enhance*  
10 *the effectiveness and accountability of civilian police au-*  
11 *thority in Jamaica through training and technical assist-*  
12 *ance in internationally recognized human rights, the rule*  
13 *of law, strategic planning, and through the promotion of*  
14 *civilian police roles that support democratic governance in-*  
15 *cluding programs to prevent conflict and foster improved*  
16 *police relations with the communities they serve.*

17 *(b) REPORT.—Twelve months after the initial obliga-*  
18 *tion of funds for Jamaica for activities authorized under*  
19 *subsection (a), the Administrator of the United States Agen-*  
20 *cy for International Development shall submit a report to*  
21 *the appropriate congressional committees describing the*  
22 *progress the program is making toward improving police*  
23 *relations with the communities they serve and institutional-*  
24 *izing an effective community-based police program.*

1           (c) *NOTIFICATION*.—Assistance provided under sub-  
2 *section (a) shall be subject to the regular notification proce-*  
3 *dures of the Committees on Appropriations.*

4           *SEPTEMBER 11 DEMOCRACY AND HUMAN RIGHTS*

5    *PROGRAMS*

6           *SEC. 584. Of the funds appropriated by this Act under*  
7 *the heading “Economic Support Fund”, not less than*  
8 *\$15,000,000 shall be made available for programs and ac-*  
9 *tivities to foster democracy, human rights, press freedoms,*  
10 *and the rule of law in countries with a significant Muslim*  
11 *population, and where such programs and activities would*  
12 *be important to United States efforts to respond to, deter,*  
13 *or prevent acts of international terrorism: Provided, That*  
14 *funds appropriated under this section should support new*  
15 *initiatives or bolster ongoing programs and activities in*  
16 *those countries: Provided further, That not less than*  
17 *\$2,000,000 of such funds shall be made available for pro-*  
18 *grams and activities that train emerging Afghan women*  
19 *leaders in civil society development and democracy build-*  
20 *ing: Provided further, That not less than \$10,000,000 of*  
21 *such funds shall be made available for the Human Rights*  
22 *and Democracy Fund of the Bureau of Democracy Human*  
23 *Rights and Labor, Department of State, for such activities:*  
24 *Provided further, That funds made available pursuant to*  
25 *the authority of this section shall be subject to the regular*

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

3 *UZBEKISTAN*

4 *SEC. 585. Not later than three months after the date*  
5 *of the enactment of this Act, and six months thereafter, the*  
6 *Secretary of State shall submit a report to the appropriate*  
7 *congressional committees describing the following:*

8 *(1) The defense articles, defense services, and fi-*  
9 *nancial assistance provided by the United States to*  
10 *Uzbekistan during the six-month period ending on the*  
11 *date of such report.*

12 *(2) The use during such period of defense articles*  
13 *and defense services provided by the United States by*  
14 *units of the Uzbek armed forces, border guards, Min-*  
15 *istry of National Security, or Ministry of Internal Af-*  
16 *fairs.*

17 *(3) The extent to which any units referred to in*  
18 *paragraph (2) engaged in human rights violations, or*  
19 *violations of international law, during such period.*

20 *HUMANITARIAN ASSISTANCE FOR AFGHANISTAN*

21 *SEC. 586. It is the sense of the Senate that—*

22 *(1) Afghanistan's neighbors should reopen their*  
23 *borders to allow for the safe passage of refugees, and*  
24 *the international community must be prepared to*  
25 *contribute to the economic costs incurred by the flight*  
26 *of desperate Afghan civilians;*

1           (2) as the United States engages in military ac-  
2           tion in Afghanistan, it must work to deliver assist-  
3           ance, particularly through overland truck convoys,  
4           and safe humanitarian access to affected populations,  
5           in partnership with humanitarian agencies in quan-  
6           tities sufficient to alleviate a large scale humani-  
7           tarian catastrophe; and

8           (3) the United States should contribute to efforts  
9           by the international community to provide long-term,  
10          sustainable reconstruction and development assistance  
11          for the people of Afghanistan, including efforts to pro-  
12          tect the basic human rights of women and children.

13                                    AUTHORIZATIONS

14          SEC. 587. The Secretary of the Treasury may, to fulfill  
15          commitments of the United States, contribute on behalf of  
16          the United States to the seventh replenishment of the re-  
17          sources of the Asian Development Fund, a special fund of  
18          the Asian Development Bank, and to the fifth replenishment  
19          of the resources of the International Fund for Agricultural  
20          Development. The following amounts are authorized to be  
21          appropriated without fiscal year limitation for payment by  
22          the Secretary of the Treasury: \$412,000,000 for the Asian  
23          Development Fund and \$30,000,000 for the International  
24          Fund for Agricultural Development.

1 *DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS IN*  
2 *THE RUSSIAN FEDERATION*

3 *SEC. 588. None of the funds appropriated or otherwise*  
4 *made available by this Act may be made available for the*  
5 *Government of the Russian Federation after the date that*  
6 *is 180 days after the date of the enactment of this Act, un-*  
7 *less the President determines and certifies in writing to the*  
8 *Committee on Appropriations and the Committee on For-*  
9 *ign Relations of the Senate and the Committee on Appro-*  
10 *priations and the Committee on International Relations of*  
11 *the House of Representatives that the Government of the*  
12 *Russian Federation has not implemented any statute, exec-*  
13 *utive order, regulation, or other similar government action*  
14 *that would discriminate, or would have as its principal ef-*  
15 *fect discrimination, against religious groups or religious*  
16 *communities in the Russian Federation in violation of ac-*  
17 *cepted international agreements on human rights and reli-*  
18 *gious freedoms to which the Russian Federation is a party.*

19 *SENSE OF THE SENATE REGARDING THE IMPORTANT ROLE*  
20 *OF WOMEN IN THE FUTURE RECONSTRUCTION OF AF-*  
21 *GHANISTAN*

22 *SEC. 589. (a) FINDINGS.—The Senate finds that:*

23 *(1) Prior to the rise of the Taliban in 1996,*  
24 *women throughout Afghanistan enjoyed greater free-*  
25 *doms, comprising 70 percent of school teachers, 50*

1       *percent of civilian government workers, and 40 per-*  
2       *cent of doctors in Kabul.*

3               *(2) In Taliban-controlled areas of Afghanistan,*  
4       *women have been banished from the work force,*  
5       *schools have been closed to girls and women expelled*  
6       *from universities, women have been prohibited from*  
7       *leaving their homes unless accompanied by a close*  
8       *male relative, and publicly visible windows of wom-*  
9       *en's houses have been ordered to be painted black.*

10              *(3) In Taliban-controlled areas of Afghanistan,*  
11       *women have been forced to wear the burqa (or*  
12       *chadari)—which completely shrouds the body, leaving*  
13       *only a small mesh-covered opening through which to*  
14       *see.*

15              *(4) In Taliban-controlled areas of Afghanistan,*  
16       *women and girls have been prohibited from being ex-*  
17       *amined by male physicians while at the same time,*  
18       *most female doctors and nurses have been prohibited*  
19       *from working.*

20              *(5) In Taliban-controlled areas of Afghanistan,*  
21       *women have been brutally beaten, publicly flogged,*  
22       *and killed for violating Taliban decrees.*

23              *(6) The United States and the United Nations*  
24       *have never recognized the Taliban as the legitimate*



1       *government of Afghanistan, in part, because of their*  
2       *horrific treatment of women and girls.*

3               *(7) Afghan women and children now make up 75*  
4       *percent of the millions of Afghan refugees living in*  
5       *neighboring countries in substandard conditions with*  
6       *little food and virtually no clean water or sanitation.*

7       *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*  
8       *ate that:*

9               *(1) Afghan women organizations must be in-*  
10       *cluded in planning the future reconstruction of Af-*  
11       *ghanistan.*

12               *(2) Future governments in Afghanistan should*  
13       *work to achieve the following goals:*

14                       *(A) The effective participation of women in*  
15       *all civil, economic, and social life.*

16                       *(B) The right of women to work.*

17                       *(C) The right of women and girls to an edu-*  
18       *cation without discrimination and the reopening*  
19       *of schools to women and girls at all levels of edu-*  
20       *cation.*

21                       *(D) The freedom of movement of women and*  
22       *girls.*

23                       *(E) Equal access of women and girls to*  
24       *health facilities.*

1 *SENSE OF THE SENATE CONDEMNING SUICIDE BOMBINGS*  
2 *AS A TERRORIST ACT*

3 *SEC. 590. (a) FINDINGS.—The Senate finds that:*

4 *(1) Suicide bombings have killed and injured*  
5 *countless people throughout the world.*

6 *(2) Suicide bombings and the resulting death*  
7 *and injury demean the importance of human life.*

8 *(3) There are no circumstances under which sui-*  
9 *cide bombings can be justified, including consider-*  
10 *ations of a political, philosophical, ideological, racial,*  
11 *ethnic, religious or other similar nature.*

12 *(4) Religious leaders, including the highest Mus-*  
13 *lim authority in Saudi Arabia, the Grand Mufti,*  
14 *have spoken out against suicide bombings.*

15 *(b) SENSE OF THE SENATE.—It is the sense of the Sen-*  
16 *ate that—*

17 *(1) Suicide bombings are a horrific form of ter-*  
18 *rorism that must be universally condemned.*

19 *(2) The United Nations should specifically con-*  
20 *demn all suicide bombings by resolution.*

21 *RESTRICTION ON FUNDING FOR CAMBODIAN GENOCIDE*  
22 *TRIBUNAL*

23 *SEC. 591. None of the funds appropriated or otherwise*  
24 *made available by this Act may be used to provide equip-*  
25 *ment, technical support, consulting services, or any other*  
26 *form of assistance to any tribunal established by the Gov-*

1 *ernment of Cambodia pursuant to a memorandum of un-*  
 2 *derstanding with the United Nations unless the President*  
 3 *determines and certifies to Congress that the tribunal is ca-*  
 4 *pable of delivering justice for crimes against humanity and*  
 5 *genocide in an impartial and credible manner.*

6 *EXCESS DEFENSE ARTICLES FOR CENTRAL AND SOUTHERN*  
 7 *EUROPEAN COUNTRIES AND CERTAIN OTHER COUNTRIES*

8 *SEC. 592. Notwithstanding section 516(e) of the For-*  
 9 *ign Assistance Act of 1961 (22 U.S.C. 2321j(e)), during*  
 10 *each of the fiscal years 2002 and 2003, funds available to*  
 11 *the Department of Defense may be expended for crating,*  
 12 *packing, handling, and transportation of excess defense ar-*  
 13 *ticles transferred under the authority of section 516 of such*  
 14 *Act to Albania, Bulgaria, Croatia, Estonia, Former Yugo-*  
 15 *slavia Republic of Macedonia, Georgia, India, Kazakhstan,*  
 16 *Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Paki-*  
 17 *stan, Romania, Slovakia, Slovenia, Tajikistan,*  
 18 *Turkmenistan, Ukraine, and Uzbekistan: Provided, That*  
 19 *section 105 of Public Law 104–164 is amended by striking*  
 20 *“2000 and 2001” and inserting “2002 and 2003”.*

21 *INCREASED PEACE CORPS PRESENCE IN MUSLIM*  
 22 *COUNTRIES*

23 *SEC. 593.(a) FINDINGS.—Congress makes the following*  
 24 *findings:*

25 *(1) In the aftermath of the terrorist attacks of*  
 26 *September 11, 2001, it is more important than ever*

1       to foster peaceful relationships with citizens of pre-  
2       dominantly Muslim countries.

3               (2) One way to foster understanding between  
4       citizens of predominantly Muslim countries and the  
5       United States is to send United States citizens to  
6       work with citizens of Muslim countries on construc-  
7       tive projects in their home countries.

8               (3) The Peace Corps mission as stated by Con-  
9       gress in the Peace Corps Act is to promote world  
10      peace and friendship.

11              (4) Within that mission, the Peace Corps has  
12      three goals:

13                   (A) To assist the people of interested coun-  
14      tries in meeting the need of those countries for  
15      trained men and women.

16                   (B) To assist in promoting a better under-  
17      standing of Americans on the part of the peoples  
18      served.

19                   (C) To assist in promoting a better under-  
20      standing of other peoples on the part of Ameri-  
21      cans.

22              (5) The Peace Corps has had significant success  
23      in meeting these goals in the countries in which the  
24      Peace Corps operates, and has already established

1        *mechanisms to put volunteers in place and sustain*  
2        *them abroad.*

3            (6) *The Peace Corps currently operates in very*  
4        *few predominantly Muslim countries.*

5            (7) *An increased number of Peace Corps volun-*  
6        *teers in Muslim countries would assist in promoting*  
7        *peace and understanding between Americans and*  
8        *Muslims abroad.*

9        (b) *STUDY.*—*The Director of the Peace Corps shall un-*  
10       *dertake a study to determine—*

11            (1) *the feasibility of increasing the number of*  
12        *Peace Corps volunteers in countries that have a ma-*  
13        *jority Muslim population;*

14            (2) *the manner in which the Peace Corps may*  
15        *target the recruitment of Peace Corps volunteers from*  
16        *among United States citizens who have an interest in*  
17        *those countries or who speak Arabic;*

18            (3) *appropriate mechanisms to ensure the safety*  
19        *of Peace Corps volunteers in countries that have a*  
20        *majority Muslim population; and*

21            (4) *the estimated increase in funding that will be*  
22        *necessary for the Peace Corps to implement any rec-*  
23        *ommendation resulting from the study of the matters*  
24        *described in paragraphs (1) through (3).*

1       (c) *REPORT.*—Not later than 6 months after the date  
2 of enactment of this Act, the Director of the Peace Corps  
3 shall submit to the appropriate congressional committees a  
4 report containing the findings of the study conducted under  
5 subsection (b).

6       (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
7 *FINED.*—In this section, the term “appropriate congres-  
8 sional committees” means the Committee on Foreign Rela-  
9 tions of the Senate and the Committee on International Re-  
10 lations of the House of Representatives.

11                                   *MACHINE READABLE PASSPORTS.*

12       *SEC. 594. (a) AUDITS.*—The Secretary of State shall—

13               (1) perform annual audits of the implementation  
14 of section 217(c)(2)(B) of the Immigration and Na-  
15 tionality Act (8 U.S.C. 1187(c)(2)(B));

16               (2) check for the implementation of pre-  
17 cautionary measures to prevent the counterfeiting and  
18 theft of passports; and

19               (3) ascertain that countries designated under the  
20 visa waiver program have established a program to  
21 develop tamper-resistant passports.

22       (b) *PERIODIC REPORTS.*—Beginning one year after  
23 the date of enactment of this Act, and every year thereafter,  
24 the Secretary of State shall submit a report to Congress set-  
25 ting forth the findings of the most recent audit conducted  
26 under subsection (a)(1).

1           (c) *ADVANCING DEADLINE FOR SATISFACTION OF RE-*  
2 *QUIREMENT.*—Section 217(a)(3) of the Immigration and  
3 *Nationality Act (8 U.S.C. 1187(a)(3)) is amended by strik-*  
4 *ing “2007” and inserting “2003”.*

5           (d) *WAIVER.*—Section 217(a)(3) of the Immigration  
6 *and Nationality Act (8 U.S.C. 1187(a)(3)) is amended—*

7                   (1) *by striking “On or after” and inserting the*  
8 *following:*

9                           “(A) *IN GENERAL.*—*Except as provided in*  
10 *subparagraph (B), on or after”;* and

11                           (2) *by adding at the end the following:*

12                                   “(B) *LIMITED WAIVER AUTHORITY.*—*Dur-*  
13 *ing the period beginning October 1, 2003, and*  
14 *ending September 30, 2007, the Secretary of*  
15 *State may waive the requirement of subpara-*  
16 *graph (A) with respect to nationals of a program*  
17 *country (as designated under subsection (c)), if*  
18 *the Secretary of State finds that the program*  
19 *country—*

20   “(i) *is making progress toward ensur-*  
21 *ing that passports meeting the requirement*  
22 *of subparagraph (A) are generally available*  
23 *to its nationals; and*

24   “(ii) *has taken appropriate measures*  
25 *to protect against misuse of passports the*

1                   country has issued that do not meet the re-  
2                   quirement of subparagraph (A).”.

3                   SUDAN

4           SEC. 595. (a) FINDINGS REGARDING THE NEED FOR  
5 HUMANITARIAN ASSISTANCE.—The Senate makes the fol-  
6 lowing findings:

7                   (1) The war in Sudan has cost more than  
8                   2,000,000 lives and has displaced more than  
9                   4,000,000 people.

10                  (2) The victims of this 18-year war are not con-  
11                  fined to one ethnic group or religion as moderate  
12                  Moslems in eastern and western Sudan suffer greatly,  
13                  as do Christians and animists in southern Sudan.

14                  (3) Humanitarian assistance to the Sudanese is  
15                  a cornerstone of United States foreign assistance pol-  
16                  icy and efforts to end the war in Sudan.

17                  (4) The United States Government has been the  
18                  largest single provider of humanitarian assistance to  
19                  the Sudanese people, providing \$1,200,000,000 in hu-  
20                  manitarian assistance to war victims during the past  
21                  10 years, including \$161,400,000 during fiscal year  
22                  2000 alone.

23                  (5) Continued strengthening of United States as-  
24                  sistance efforts and international humanitarian relief  
25                  operations in Sudan are essential to bringing an end  
26                  to the war.



1       **(b) FINDINGS REGARDING THE NIF GOVERNMENT.**—

2       *In addition to the findings under subsection (a), the Senate*  
3       *makes the following findings:*

4               (1) *The people of the United States will not*  
5       *abandon the people of Sudan, who have suffered*  
6       *under the National Islamic Front (NIF) government.*

7               (2) *For more than a decade, the NIF government*  
8       *has provided safe haven for well-known terrorist orga-*  
9       *nizations, including to Osama bin Laden's al-Qaeda*  
10       *and the Egyptian Islamic Jihad.*

11              (3) *The NIF government has been engaged, and*  
12       *continues to engage, in gross human rights violations*  
13       *against the civilian population of Sudan, including*  
14       *the enslavement of women and children, the bombard-*  
15       *ment of civilian targets, and the scorched-earth de-*  
16       *struction of villages in the oil fields of Sudan.*

17       **(c) SENSE OF THE SENATE.**—*In recognition of the sus-*  
18       *tained struggle for self-determination and dignity by the*  
19       *Sudanese people, as embodied in the Inter-Governmental*  
20       *Authority on Development (IGAD) Declaration of Prin-*  
21       *ciples, and the statement adopted by the United States*  
22       *Commission on International Religious Freedom on Octo-*  
23       *ber 2, 2001, it is the sense of the Senate that—*

24              (1) *the National Islamic Front (NIF) govern-*  
25       *ment of Sudan should—*

1           (A) establish an internationally supervised  
2 trust fund that will manage and equitably dis-  
3 burse oil revenues;

4           (B) remove all bans on relief flights and  
5 provide unfettered access to all affected areas, in-  
6 cluding the Nuba Mountains;

7           (C) end slavery and punish those respon-  
8 sible for this crime against humanity;

9           (D) end civilian bombing and the destruc-  
10 tion of communities in the oil fields;

11           (E) honor the universally recognized right  
12 of religious freedom, including freedom from co-  
13 ercive religious conversions;

14           (F) seriously engage in an internationally  
15 sanctioned peace process based on the already  
16 adopted Declaration of Principles; and

17           (G) commit to a viable cease-fire agreement  
18 based on a comprehensive settlement of the polit-  
19 ical problems; and

20           (2) the President should continue to provide gen-  
21 erous levels of humanitarian, development, and other  
22 assistance in war-affected areas of Sudan, and to ref-  
23 ugees in neighboring countries, with an increased em-  
24 phasis on moderate Moslem populations who have

1       *been brutalized by the Sudanese government through-*  
2       *out the 18-year conflict.*

3       *MODIFICATION TO THE ANNUAL DRUG CERTIFICATION PRO-*  
4       *CEDURES WITH RESPECT TO COUNTRIES IN THE*  
5       *WESTERN HEMISPHERE*

6       *SEC. 596. During fiscal year 2002 funds in this Act*  
7       *that would otherwise be withheld from obligation or expend-*  
8       *iture under section 490 of the Foreign Assistance Act of*  
9       *1961 with respect to countries in the Western Hemisphere*  
10      *may be obligated or expended provided that:*

11               (1) *REPORT.*—*Not later than November 30, 2001*  
12      *the President has submitted to the appropriate con-*  
13      *gressional committees a report identifying each coun-*  
14      *try in the Western Hemisphere determined by the*  
15      *President to be a major drug-transit country or major*  
16      *illicit drug producing country.*

17               (2) *DESIGNATION AND JUSTIFICATION.*—*In each*  
18      *report under paragraph (1), the President shall*  
19      *also—*

20                       (A) *designate each country, if any, identi-*  
21                       *fied in such report that has failed demonstrably,*  
22                       *during the previous 12 months, to make substan-*  
23                       *tial efforts—*

24                                       (i) *to adhere to its obligations under*  
25                                       *international counternarcotics agreements;*  
26                                       *and*

1                   (ii) to take the counternarcotics meas-  
2                   ures set forth in section 489(a)(1) of the  
3                   Foreign Assistance Act of 1961; and

4                   (B) include a justification for each country  
5                   so designated.

6                   (3) *LIMITATION ON ASSISTANCE FOR DES-*  
7                   *IGNATED COUNTRIES.*—*In the case of a country iden-*  
8                   *tified in a report for fiscal year 2002 under para-*  
9                   *graph (1) that is also designated under paragraph (2)*  
10                  *in the report, United States assistance may be pro-*  
11                  *vided under this Act to such country in fiscal year*  
12                  *2002 only if the President determines and reports to*  
13                  *the appropriate congressional committees that—*

14                   (A) provision of such assistance to the coun-  
15                   try in such fiscal year is vital to the national in-  
16                   terests of the United States; or

17                   (B) commencing at any time after Novem-  
18                   ber 30, 2001, the country has made substantial  
19                   efforts—

20                   (i) to adhere to its obligations under  
21                   international counternarcotics agreements;  
22                   and

23                   (ii) to take the counternarcotics meas-  
24                   ures set forth in section 489(a)(1) of the  
25                   Foreign Assistance Act of 1961.

1           (4) *INTERNATIONAL COUNTERNARCOTICS AGREE-*  
2           *MENT DEFINED.*—*In this section, the term “inter-*  
3           *national counternarcotics agreement” means—*

4                   (A) *the United Nations Convention Against*  
5                   *Illicit Traffic in Narcotic Drugs and Psycho-*  
6                   *tropic Substances; or*

7                   (B) *any bilateral or multilateral agreement*  
8                   *in force between the United States and another*  
9                   *country or countries that addresses issues relat-*  
10                  *ing to the control of illicit drugs, such as—*

11                           (i) *the production, distribution, and*  
12                           *interdiction of illicit drugs,*

13                           (ii) *demand reduction,*

14                           (iii) *the activities of criminal organi-*  
15                           *zations,*

16                           (iv) *international legal cooperation*  
17                           *among courts, prosecutors, and law enforce-*  
18                           *ment agencies (including the exchange of in-*  
19                           *formation and evidence),*

20                           (v) *the extradition of nationals and in-*  
21                           *dividuals involved in drug-related criminal*  
22                           *activity,*

23                           (vi) *the temporary transfer for prosecu-*  
24                           *tion of nationals and individuals involved*  
25                           *in drug-related criminal activity,*

1                   (vii) border security,  
2                   (viii) money laundering,  
3                   (ix) illicit firearms trafficking,  
4                   (x) corruption,  
5                   (xi) control of precursor chemicals,  
6                   (xii) asset forfeiture, and  
7                   (xiii) related training and technical  
8                   assistance;

9                   and includes, where appropriate, timetables and  
10                  objective and measurable standards to assess the  
11                  progress made by participating countries with  
12                  respect to such issues.

13               (5) *APPLICATION.*—Section 490 (b)–(e) of the  
14               *Foreign Assistance Act of 1961 (22 U.S.C. 2291j)*  
15               shall not apply during fiscal year 2002 with respect  
16               to any country in the Western Hemisphere identified  
17               in paragraph (1) of this section.

18               (6) *STATUTORY CONSTRUCTION.*—Nothing in this  
19               section supersedes or modifies the requirement in sec-  
20               tion 489(a) of the *Foreign Assistance Act of 1961*  
21               (with respect to the *International Control Strategy*  
22               *Report*) for the transmittal of a report not later than  
23               March 1, 2002 under that section.

1           (7) *SENSE OF CONGRESS ON ENHANCED INTER-*  
2 *NATIONAL NARCOTICS CONTROL.—It is the sense of*  
3 *Congress that—*

4           (A) *many governments are extremely con-*  
5 *cerned by the national security threat posed by*  
6 *illicit drug production, distribution, and con-*  
7 *sumption, and crimes related thereto, particu-*  
8 *larly those in the Western Hemisphere;*

9           (B) *an enhanced multilateral strategy*  
10 *should be developed among drug producing, tran-*  
11 *sit, and consuming nations designed to improve*  
12 *cooperation with respect to the investigation and*  
13 *prosecution of drug related crimes, and to make*  
14 *available information on effective drug education*  
15 *and drug treatment;*

16           (C) *the United States should at the earliest*  
17 *feasible date convene a conference of representa-*  
18 *tives of major illicit drug producing countries,*  
19 *major drug transit countries, and major money*  
20 *laundering countries to present and review coun-*  
21 *try by country drug reduction and prevention*  
22 *strategies relevant to the specific circumstances*  
23 *of each country, and agree to a program and*  
24 *timetable for implementation of such strategies;*  
25 *and*

1           (D) not later than one year after the date  
 2           of the enactment of this Act, the President should  
 3           transmit to Congress any legislation necessary to  
 4           implement a proposed multilateral strategy to  
 5           achieve the goals referred to in subparagraph  
 6           (B), including any amendments to existing law  
 7           that may be required to implement that strategy.

8           CENTRAL AMERICA DISASTER RELIEF

9           SEC. 597. Of the funds appropriated under the head-  
 10          ings “International Disaster Assistance”, “Development As-  
 11          sistance”, and “Economic Support Fund”, not less than  
 12          \$35,000,000 should be made available for relief and recon-  
 13          struction assistance for victims of earthquakes and drought  
 14          in El Salvador and elsewhere in Central America.

15          PROJECTS HONORING VICTIMS OF TERRORIST ATTACKS

16          SEC. 598. The National and Community Service Act  
 17          of 1990 (42 U.S.C. 12501 et seq.) is amended by inserting  
 18          before title V the following:

19          **“TITLE IV—PROJECTS HON-**  
 20          **ORING VICTIMS OF TER-**  
 21          **RORIST ATTACKS**

22          “(a) DEFINITION.—In this section, the term ‘Founda-  
 23          tion’ means the Points of Light Foundation funded under  
 24          section 301, or another nonprofit private organization, that  
 25          enters into an agreement with the Corporation to carry out  
 26          this section.



1       “(b) *IDENTIFICATION OF PROJECTS.*—

2               “(1) *ESTIMATED NUMBER.*—Not later than De-  
3       cember 1, 2001, the Foundation, after obtaining the  
4       guidance of the heads of appropriate Federal agencies,  
5       such as the Director of the Office of Homeland Secu-  
6       rity and the Attorney General, shall—

7               “(A) make an estimate of the number of vic-  
8       tims killed as a result of the terrorist attacks on  
9       September 11, 2001 (referred to in this section as  
10      the ‘estimated number’); and

11              “(B) compile a list that specifies, for each  
12      individual that the Foundation determines to be  
13      such a victim, the name of the victim and the  
14      State in which the victim resided.

15              “(2) *IDENTIFIED PROJECTS.*—The Foundation  
16      shall identify approximately the estimated number of  
17      community-based national and community service  
18      projects that meet the requirements of subsection (d).  
19      The Foundation shall name each identified project in  
20      honor of a victim described in subsection (b)(1)(A),  
21      after obtaining the permission of an appropriate  
22      member of the victim’s family and the entity carrying  
23      out the project.

24              “(c) *ELIGIBLE ENTITIES.*—To be eligible to have a  
25      project named under this section, the entity carrying out

1 *the project shall be a political subdivision of a State, a busi-*  
2 *ness, or a nonprofit organization (which may be a religious*  
3 *organization, such as a Christian, Jewish, or Muslim orga-*  
4 *nization).*

5 “(d) *PROJECTS.—The Foundation shall name, under*  
6 *this section, projects—*

7 “(1) *that advance the goals of unity, and im-*  
8 *proving the quality of life in communities; and*

9 “(2) *that will be planned, or for which imple-*  
10 *mentation will begin, within a reasonable period after*  
11 *the date of enactment of this section, as determined by*  
12 *the Foundation.*

13 “(e) *WEBSITE AND DATABASE.—The Foundation shall*  
14 *create and maintain websites and databases, to describe*  
15 *projects named under this section and serve as appropriate*  
16 *vehicles for recognizing the projects.”.*

17 *WAIVER OF RESTRICTION ON ASSISTANCE TO AZERBAIJAN*

18 *SEC. 599. (a) Section 907 of the FREEDOM Support*  
19 *Act shall not apply to—*

20 (1) *activities to support democracy or assistance*  
21 *under title V of the FREEDOM Support Act and sec-*  
22 *tion 1424 of Public Law 104–201 or nonproliferation*  
23 *assistance;*

24 (2) *any assistance provided by the Trade and*  
25 *Development Agency under section 661 of the Foreign*  
26 *Assistance Act of 1961 (22 U.S.C. 2421);*

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

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

9           (5) *any financing provided under the Export-*  
10 *Import Bank Act of 1945; or*

11           (6) *humanitarian assistance.*

12           (b) *The President may waive section 907 of the FREE-*  
13 *DOM Support Act if he determines and certifies to the Com-*  
14 *mittees on Appropriations that to do so—*

15           (1) *is necessary to support United States efforts*  
16 *to counter terrorism; or*

17           (2) *is necessary to support the operational readi-*  
18 *ness of United States Armed Forces or coalition part-*  
19 *ners to counter terrorism; or*

20           (3) *is important to Azerbaijan's border security;*  
21 *and*

22           (4) *will not undermine or hamper ongoing ef-*  
23 *forts to negotiate a peaceful settlement between Arme-*  
24 *nia and Azerbaijan or be used for offensive purposes*  
25 *against Armenia.*

1       (c) *The authority of subsection (b) may only be exer-*  
2 *cised through December 31, 2002.*

3       (d) *The President may extend the waiver authority*  
4 *provided in subsection (b) on an annual basis on or after*  
5 *December 31, 2002 if he determines and certifies to the*  
6 *Committees on Appropriations in accordance with the pro-*  
7 *visions of subsection (b).*

8       (e) *The Committees on Appropriations shall be con-*  
9 *sulted prior to the provision of any assistance made avail-*  
10 *able pursuant to subsection (b).*

11       (f) *Within 60 days of any exercise of the authority*  
12 *under subsection (b) the President shall send a report to*  
13 *the appropriate congressional committees specifying in de-*  
14 *tail the following—*

15               (1) *the nature and quantity of all training and*  
16 *assistance provided to the Government of Azerbaijan*  
17 *pursuant to subsection (b);*

18               (2) *the status of the military balance between*  
19 *Azerbaijan and Armenia and the impact of United*  
20 *States assistance on that balance; and*

21               (3) *the status of negotiations for a peaceful set-*  
22 *tlement between Armenia and Azerbaijan and the im-*  
23 *act of United States assistance on those negotiations.*

1        *FEDERAL INVESTIGATION ENHANCEMENT ACT OF 2001*

2            *SEC. 599A. (a) SHORT TITLE.—This section may be*  
3 *cited as the “Federal Investigation Enhancement Act of*  
4 *2001”.*

5            *(b) UNDERCOVER INVESTIGATIVE PRACTICES CON-*  
6 *DUCTED BY FEDERAL ATTORNEYS.—Section 530B(a) of*  
7 *title 28, United States Code, is amended by inserting after*  
8 *the first sentence, “Notwithstanding any provision of State*  
9 *law, including disciplinary rules, statutes, regulations, con-*  
10 *stitutional provisions, or case law, a Government attorney*  
11 *may, for the purpose of enforcing Federal law, provide legal*  
12 *advice, authorization, concurrence, direction, or supervision*  
13 *on conducting undercover activities, and any attorney em-*  
14 *ployed as an investigator or other law enforcement agent*  
15 *by the Department of Justice who is not authorized to rep-*  
16 *resent the United States in criminal or civil law enforce-*  
17 *ment litigation or to supervise such proceedings may par-*  
18 *ticipate in such activities, even though such activities may*  
19 *require the use of deceit or misrepresentation, where such*  
20 *activities are consistent with Federal law.”.*

21                                    *KENNETH M. LUDDEN*

22            *SEC. 599B. This Act shall be cited as the Kenneth M.*  
23 *Ludden Foreign Operations, Export Financing, and Re-*  
24 *lated Programs Appropriations Act, Fiscal Year 2002.*

1        *This Act may be cited as the “Foreign Operations, Ex-*  
2 *port Financing, and Related Programs Appropriations Act,*  
3 *2002”.*

Attest:

*Secretary.*

107TH CONGRESS  
1ST SESSION

**H. R. 2506**

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**AMENDMENT**