

107TH CONGRESS
1ST SESSION

H. R. 2506

IN THE SENATE OF THE UNITED STATES

JULY 25, 2001

Received; read twice and referred to the Committee on Appropriations

AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2002, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

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:

5 TITLE I—EXPORT AND INVESTMENT

6 ASSISTANCE

7 EXPORT-IMPORT BANK OF THE UNITED STATES

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

SUBSIDY APPROPRIATION

1
2 For the cost of direct loans, loan guarantees, insur-
3 ance, and tied-aid grants as authorized by section 10 of
4 the Export-Import Bank Act of 1945, as amended,
5 \$753,323,000 (reduced by \$1) (reduced by \$15,000,000)
6 to remain available until September 30, 2005: *Provided*,
7 That such costs, including the cost of modifying such
8 loans, shall be as defined in section 502 of the Congres-
9 sional Budget Act of 1974: *Provided further*, That such
10 sums shall remain available until September 30, 2020 for
11 the disbursement of direct loans, loan guarantees, insur-
12 ance and tied-aid grants obligated in fiscal years 2002,
13 2003, 2004, and 2005: *Provided further*, That none of the
14 funds appropriated by this Act or any prior Act appro-
15 priating funds for foreign operations, export financing, or
16 related programs for tied-aid credits or grants may be
17 used for any other purpose except through the regular no-
18 tification procedures of the Committees on Appropria-
19 tions: *Provided further*, That funds appropriated by this
20 paragraph are made available notwithstanding section
21 2(b)(2) of the Export Import Bank Act of 1945, in con-
22 nection with the purchase or lease of any product by any
23 East European country, any Baltic State or any agency
24 or national thereof.

1 ADMINISTRATIVE EXPENSES

2 For administrative expenses to carry out the direct
3 and guaranteed loan and insurance programs, including
4 hire of passenger motor vehicles and services as authorized
5 by 5 U.S.C. 3109, and not to exceed \$30,000 for official
6 reception and representation expenses for members of the
7 Board of Directors, \$63,000,000 (reduced by
8 \$3,000,000): *Provided*, That necessary expenses (includ-
9 ing special services performed on a contract or fee basis,
10 but not including other personal services) in connection
11 with the collection of moneys owed the Export-Import
12 Bank, repossession or sale of pledged collateral or other
13 assets acquired by the Export-Import Bank in satisfaction
14 of moneys owed the Export-Import Bank, or the investiga-
15 tion or appraisal of any property, or the evaluation of the
16 legal or technical aspects of any transaction for which an
17 application for a loan, guarantee or insurance commitment
18 has been made, shall be considered nonadministrative ex-
19 penses for the purposes of this heading: *Provided further*,
20 That, notwithstanding subsection (b) of section 117 of the
21 Export Enhancement Act of 1992, subsection (a) thereof
22 shall remain in effect until October 1, 2002.

23 OVERSEAS PRIVATE INVESTMENT CORPORATION

24 NONCREDIT ACCOUNT

25 The Overseas Private Investment Corporation is au-
26 thorized to make, without regard to fiscal year limitations,

1 as provided by 31 U.S.C. 9104, such expenditures and
2 commitments within the limits of funds available to it and
3 in accordance with law as may be necessary: *Provided*,
4 That the amount available for administrative expenses to
5 carry out the credit and insurance programs (including an
6 amount for official reception and representation expenses
7 which shall not exceed \$35,000) shall not exceed
8 \$38,608,000: *Provided further*, That project-specific trans-
9 action costs, including direct and indirect costs incurred
10 in claims settlements, and other direct costs associated
11 with services provided to specific investors or potential in-
12 vestors pursuant to section 234 of the Foreign Assistance
13 Act of 1961, shall not be considered administrative ex-
14 penses for the purposes of this heading.

15 PROGRAM ACCOUNT

16 Such sums as may be necessary for administrative
17 expenses to carry out the credit program may be derived
18 from amounts available for administrative expenses to
19 carry out the credit and insurance programs in the Over-
20 seas Private Investment Corporation noncredit Account
21 and merged with said account.

22 FUNDS APPROPRIATED TO THE PRESIDENT

23 TRADE AND DEVELOPMENT AGENCY

24 For necessary expenses to carry out the provisions
25 of section 661 of the Foreign Assistance Act of 1961,

1 \$50,024,000, to remain available until September 30,
2 2003.

3 TITLE II—BILATERAL ECONOMIC ASSISTANCE

4 FUNDS APPROPRIATED TO THE PRESIDENT

5 For expenses necessary to enable the President to
6 carry out the provisions of the Foreign Assistance Act of
7 1961, and for other purposes, to remain available until
8 September 30, 2002, unless otherwise specified herein, as
9 follows:

10 UNITED STATES AGENCY FOR INTERNATIONAL

11 DEVELOPMENT

12 CHILD SURVIVAL AND HEALTH PROGRAMS FUND

13 For necessary expenses to carry out the provisions
14 of chapters 1 and 10 of part I of the Foreign Assistance
15 Act of 1961 and title I of Public Law 106–570, for child
16 survival, reproductive health, assistance to combat tropical
17 and other infectious diseases, and related activities, in ad-
18 dition to funds otherwise available for such purposes,
19 \$1,387,000,000 (increased by \$18,000,000) (increased by
20 \$20,000,000), to remain available until expended: *Pro-*
21 *vided*, That this amount shall be made available for such
22 activities as: (1) immunization programs; (2) oral rehydra-
23 tion programs; (3) health, nutrition, water and sanitation
24 programs, and related education programs, which directly
25 address the needs of mothers and children; (4) assistance
26 for displaced and orphaned children; (5) programs for the

1 prevention, treatment, and control of, and research on, tu-
2 berculosis, HIV/AIDS, polio, malaria and other infectious
3 diseases; and (6) reproductive health: *Provided further*,
4 That none of the funds appropriated under this heading
5 may be made available for nonproject assistance, except
6 that funds may be made available for such assistance for
7 ongoing health programs: *Provided further*, That of the
8 funds appropriated under this heading, not to exceed
9 \$125,000, in addition to funds otherwise available for such
10 purposes, may be used to monitor and provide oversight
11 of child survival, maternal health, and infectious disease
12 programs: *Provided further*, That the following amounts
13 should be allocated as follows: \$295,000,000 for child sur-
14 vival and maternal health; \$25,000,000 (increased by
15 \$5,000,000) for vulnerable children; \$434,000,000 (in-
16 creased by \$13,000,000) for HIV/AIDS; \$155,000,000
17 (increased by \$20,000,000) for other infectious diseases;
18 \$120,000,000 for UNICEF; and \$358,000,000 for repro-
19 ductive health: *Provided further*, That of the funds appro-
20 priated under this heading, up to \$60,000,000 may be
21 made available for a United States contribution to the The
22 Vaccine Fund and up to \$10,000,000 may be made avail-
23 able for the International AIDS Vaccine Initiative: *Pro-*
24 *vided further*, That of the funds appropriated under this
25 heading and under the heading “Child Survival and Dis-

ease Programs Fund” in the Foreign Operations, Export
Financing, and Related Programs Appropriations Act,
2001, up to \$100,000,000 may be made available for a
United States contribution to a multilateral trust fund to
fight HIV/AIDS, malaria, and tuberculosis: *Provided fur-*
ther, That none of the funds made available in this Act
nor any unobligated balances from prior appropriations
may be made available to any organization or program
which, as determined by the President of the United
States, supports or participates in the management of a
program of coercive abortion or involuntary sterilization:
Provided further, That none of the funds made available
under this heading may be used to pay for the perform-
ance of abortion as a method of family planning or to mo-
tivate or coerce any person to practice abortions; and that
in order to reduce reliance on abortion in developing na-
tions, funds shall be available only to voluntary family
planning projects which offer, either directly or through
referral to, or information about access to, a broad range
of family planning methods and services, and that any
such voluntary family planning project shall meet the fol-
lowing requirements: (1) service providers or referral
agents in the project shall not implement or be subject
to quotas, or other numerical targets, of total number of
births, number of family planning acceptors, or acceptors

1 of a particular method of family planning (this provision
2 shall not be construed to include the use of quantitative
3 estimates or indicators for budgeting and planning pur-
4 poses); (2) the project shall not include payment of incen-
5 tives, bribes, gratuities, or financial reward to: (A) an indi-
6 vidual in exchange for becoming a family planning accep-
7 tor; or (B) program personnel for achieving a numerical
8 target or quota of total number of births, number of fam-
9 ily planning acceptors, or acceptors of a particular method
10 of family planning; (3) the project shall not deny any right
11 or benefit, including the right of access to participate in
12 any program of general welfare or the right of access to
13 health care, as a consequence of any individual's decision
14 not to accept family planning services; (4) the project shall
15 provide family planning acceptors comprehensible infor-
16 mation on the health benefits and risks of the method cho-
17 sen, including those conditions that might render the use
18 of the method inadvisable and those adverse side effects
19 known to be consequent to the use of the method; and
20 (5) the project shall ensure that experimental contracep-
21 tive drugs and devices and medical procedures are pro-
22 vided only in the context of a scientific study in which
23 participants are advised of potential risks and benefits;
24 and, not less than 60 days after the date on which the
25 Administrator of the United States Agency for Inter-

1 national Development determines that there has been a
2 violation of the requirements contained in paragraph (1),
3 (2), (3), or (5) of this proviso, or a pattern or practice
4 of violations of the requirements contained in paragraph
5 (4) of this proviso, the Administrator shall submit to the
6 Committee on International Relations and the Committee
7 on Appropriations of the House of Representatives and to
8 the Committee on Foreign Relations and the Committee
9 on Appropriations of the Senate, a report containing a de-
10 scription of such violation and the corrective action taken
11 by the Agency: *Provided further*, That in awarding grants
12 for natural family planning under section 104 of the For-
13 eign Assistance Act of 1961 no applicant shall be discrimi-
14 nated against because of such applicant's religious or con-
15 scientious commitment to offer only natural family plan-
16 ning; and, additionally, all such applicants shall comply
17 with the requirements of the previous proviso: *Provided*
18 *further*, That for purposes of this or any other Act author-
19 izing or appropriating funds for foreign operations, export
20 financing, and related programs, the term "motivate", as
21 it relates to family planning assistance, shall not be con-
22 strued to prohibit the provision, consistent with local law,
23 of information or counseling about all pregnancy options:
24 *Provided further*, That nothing in this paragraph shall be
25 construed to alter any existing statutory prohibitions

1 against abortion under section 104 of the Foreign Assist-
2 ance Act of 1961: *Provided further*, That of the amount
3 made available under this heading for HIV/AIDS,
4 \$5,000,000 shall be for assistance to prevent mother-to-
5 child HIV/AIDS transmission through effective partner-
6 ships with nongovernmental organizations and research
7 facilities pursuant to section 104(c)(5) of the Foreign As-
8 sistance Act of 1961 (22 U.S.C. 2151b(c)(5)).

9 DEVELOPMENT ASSISTANCE

10 For necessary expenses to carry out the provisions
11 of sections 103, 105, 106, and 131, and chapter 10 of
12 part I of the Foreign Assistance Act of 1961,
13 \$1,098,000,000, to remain available until September 30,
14 2003: *Provided*, That none of the funds appropriated
15 under this heading may be made available for any activity
16 which is in contravention to the Convention on Inter-
17 national Trade in Endangered Species of Flora and Fauna
18 (CITES): *Provided further*, That of the funds appro-
19 priated under this heading that are made available for as-
20 sistance programs for displaced and orphaned children
21 and victims of war, not to exceed \$25,000, in addition to
22 funds otherwise available for such purposes, may be used
23 to monitor and provide oversight of such programs: *Pro-*
24 *vided further*, That \$135,000,000 should be allocated for
25 children's basic education.

1 INTERNATIONAL DISASTER ASSISTANCE

2 For necessary expenses for international disaster re-
3 lief, rehabilitation, and reconstruction assistance pursuant
4 to section 491 of the Foreign Assistance Act of 1961, as
5 amended, \$200,000,000 (increased by \$1,000,000), to re-
6 main available until expended.

7 TRANSITION INITIATIVES

8 For necessary expenses for international disaster re-
9 habilitation and reconstruction assistance pursuant to sec-
10 tion 491 of the Foreign Assistance Act of 1961,
11 \$40,000,000, to remain available until expended, to sup-
12 port transition to democracy and to long-term develop-
13 ment of countries in crisis: *Provided*, That such support
14 may include assistance to develop, strengthen, or preserve
15 democratic institutions and processes, revitalize basic in-
16 frastructure, and foster the peaceful resolution of conflict:
17 *Provided further*, That the United States Agency for Inter-
18 national Development shall submit a report to the Com-
19 mittees on Appropriations at least 5 days prior to begin-
20 ning a new program of assistance.

21 DEVELOPMENT CREDIT AUTHORITY

22 (INCLUDING TRANSFER OF FUNDS)

23 For the cost of loan guarantees, up to \$12,500,000,
24 as authorized by sections 108 and 635 of the Foreign As-
25 sistance Act of 1961: *Provided*, That such funds shall be
26 derived by transfer from funds appropriated by this Act

1 to carry out part I of the Foreign Assistance Act of 1961,
2 and under the heading “Assistance for Eastern Europe
3 and the Baltic States”: *Provided further*, That such funds
4 shall be made available only for micro and small enterprise
5 programs and other programs which further the purposes
6 of part I of the Act: *Provided further*, That during fiscal
7 year 2002, commitments to guarantee loans shall not ex-
8 ceed \$177,500,000: *Provided further*, That such costs shall
9 be as defined in section 502 of the Congressional Budget
10 Act of 1974: *Provided further*, That the provisions of sec-
11 tion 107A(d) (relating to general provisions applicable to
12 the Development Credit Authority) of the Foreign Assist-
13 ance Act of 1961, as contained in section 306 of H.R.
14 1486 as reported by the House Committee on Inter-
15 national Relations on May 9, 1997, shall be applicable to
16 loan guarantees provided under this heading. In addition,
17 for administrative expenses to carry out credit programs
18 administered by the United States Agency for Inter-
19 national Development, \$7,500,000, all of which may be
20 transferred to and merged with the appropriation for Op-
21 erating Expenses of the Agency for International Develop-
22 ment: *Provided further*, That funds appropriated under
23 this heading shall remain available until September 30,
24 2003.

1 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
2 DISABILITY FUND

3 For payment to the “Foreign Service Retirement and
4 Disability Fund”, as authorized by the Foreign Service
5 Act of 1980, \$44,880,000.

6 OPERATING EXPENSES OF THE UNITED STATES AGENCY
7 FOR INTERNATIONAL DEVELOPMENT

8 For necessary expenses to carry out the provisions
9 of section 667, \$549,000,000: *Provided*, That none of the
10 funds appropriated under this heading may be made avail-
11 able to finance the construction (including architect and
12 engineering services), purchase, or long term lease of of-
13 fices for use by the United States Agency for International
14 Development, unless the Administrator has identified such
15 proposed construction (including architect and engineering
16 services), purchase, or long term lease of offices in a re-
17 port submitted to the Committees on Appropriations at
18 least 15 days prior to the obligation of these funds for
19 such purposes: *Provided further*, That the previous proviso
20 shall not apply where the total cost of construction (in-
21 cluding architect and engineering services), purchase, or
22 long term lease of offices does not exceed \$1,000,000.

1 OPERATING EXPENSES OF THE UNITED STATES AGENCY
2 FOR INTERNATIONAL DEVELOPMENT OFFICE OF IN-
3 SPECTOR GENERAL

4 For necessary expenses to carry out the provisions
5 of section 667, \$30,000,000, to remain available until Sep-
6 tember 30, 2003, which sum shall be available for the Of-
7 fice of the Inspector General of the United States Agency
8 for International Development.

9 OTHER BILATERAL ECONOMIC ASSISTANCE
10 ECONOMIC SUPPORT FUND

11 For necessary expenses to carry out the provisions
12 of chapter 4 of part II, \$2,199,000,000, to remain avail-
13 able until September 30, 2003: *Provided*, That of the
14 funds appropriated under this heading, not less than
15 \$720,000,000 shall be available only for Israel, which sum
16 shall be available on a grant basis as a cash transfer and
17 shall be disbursed within 30 days of the enactment of this
18 Act or by October 31, 2001, whichever is later: *Provided*
19 *further*, That not less than \$655,000,000 shall be available
20 only for Egypt, which sum shall be provided on a grant
21 basis, and of which sum cash transfer assistance shall be
22 provided with the understanding that Egypt will under-
23 take significant economic reforms which are additional to
24 those which were undertaken in previous fiscal years: *Pro-*
25 *vided further*, That in exercising the authority to provide

1 cash transfer assistance for Israel, the President shall en-
2 sure that the level of such assistance does not cause an
3 adverse impact on the total level of nonmilitary exports
4 from the United States to such country and that Israel
5 enters into a side letter agreement in an amount propor-
6 tional to the fiscal year 1999 agreement: *Provided further*,
7 That not less than \$35,000,000 of the funds appropriated
8 under this heading should be made available for Lebanon
9 to be used, among other programs, for scholarships and
10 direct support of the American educational institutions in
11 Lebanon: *Provided further*, That not less than
12 \$15,000,000 of the funds appropriated under this heading
13 should be made available for Cyprus to be used only for
14 scholarships, administrative support of the scholarship
15 program, bicommunal projects, and measures aimed at re-
16 unification of the island and designed to reduce tensions
17 and promote peace and cooperation between the two com-
18 munities on Cyprus: *Provided further*, That funds appro-
19 priated under this heading may be used, notwithstanding
20 any other provision of law, to provide assistance to the
21 National Democratic Alliance of Sudan to strengthen its
22 ability to protect civilians from attacks, slave raids, and
23 aerial bombardment by the Sudanese Government forces
24 and its militia allies, and the provision of such funds shall
25 be subject to the regular notification procedures of the

1 Committees on Appropriations: *Provided further*, That in
2 the previous proviso, the term “assistance” includes non-
3 lethal, non-food aid such as blankets, medicine, fuel, mo-
4 bile clinics, water drilling equipment, communications
5 equipment to notify civilians of aerial bombardment, non-
6 military vehicles, tents, and shoes.

7 INTERNATIONAL FUND FOR IRELAND

8 For necessary expenses to carry out the provisions
9 of chapter 4 of part II of the Foreign Assistance Act of
10 1961, \$25,000,000, which shall be available for the United
11 States contribution to the International Fund for Ireland
12 and shall be made available in accordance with the provi-
13 sions of the Anglo-Irish Agreement Support Act of 1986
14 (Public Law 99–415): *Provided*, That such amount shall
15 be expended at the minimum rate necessary to make time-
16 ly payment for projects and activities: *Provided further*,
17 That funds made available under this heading shall re-
18 main available until September 30, 2003.

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
23 for East European Democracy (SEED) Act of 1989,
24 \$600,000,000, 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: *Provided*, That
2 funds made available for assistance for Kosovo from funds
3 appropriated under this heading and under the headings
4 “Economic Support Fund” and “International Narcotics
5 Control and Law Enforcement” should not exceed 15 per-
6 cent of the total resources pledged by all donors for cal-
7 endar year 2002 for assistance for Kosovo as of March
8 31, 2002: *Provided further*, That none of the funds made
9 available under this Act for assistance for Kosovo shall
10 be made available for large scale physical infrastructure
11 reconstruction.

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

23 (c) Funds appropriated under this heading shall be
24 considered to be economic assistance under the Foreign
25 Assistance Act of 1961 for purposes of making available

1 the administrative authorities contained in that Act for
2 the use of economic assistance.

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

15 (e) The provisions of section 529 of this Act shall
16 apply to funds made available under subsection (e) and
17 to funds appropriated under this heading: *Provided*, That
18 notwithstanding any provision of this or any other Act,
19 including provisions in this subsection regarding the appli-
20 cation of section 529 of this Act, local currencies gen-
21 erated by, or converted from, funds appropriated by this
22 Act and by previous appropriations Acts and made avail-
23 able for the economic revitalization program in Bosnia
24 may be used in Eastern Europe and the Baltic States to
25 carry out the provisions of the Foreign Assistance Act of

1 1961 and the Support for East European Democracy
2 (SEED) Act of 1989.

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

14 ASSISTANCE FOR THE INDEPENDENT STATES OF THE
15 FORMER SOVIET UNION

16 (a) For necessary expenses to carry out the provisions
17 of chapters 11 and 12 of part I of the Foreign Assistance
18 Act of 1961 and the FREEDOM Support Act, for assist-
19 ance for the Independent States of the former Soviet
20 Union and for related programs, \$768,000,000, to remain
21 available until September 30, 2003: *Provided*, That the
22 provisions of such chapters shall apply to funds appro-
23 priated by this paragraph: *Provided further*, That of the
24 funds made available for the Southern Caucasus region,
25 notwithstanding any other provision of law, 15 percent
26 may be used for confidence-building measures and other

1 activities in furtherance of the peaceful resolution of the
2 regional conflicts, especially those in the vicinity of
3 Abkhazia and Nagorno-Karabagh: *Provided further*, That
4 of the funds appropriated under this heading, not less
5 than \$1,500,000 should be available only to meet the
6 health and other assistance needs of victims of trafficking
7 in persons.

8 (b) Of the funds appropriated under this heading, not
9 to exceed \$125,000,000 may be made available for assist-
10 ance for Ukraine.

11 (c) Of the funds appropriated under this title, not
12 less than \$82,500,000 should be made available for assist-
13 ance for Georgia.

14 (d) Of the funds appropriated under this title, not
15 less than \$82,500,000 should be made available for assist-
16 ance for Armenia.

17 (e) Section 907 of the FREEDOM Support Act shall
18 not apply to—

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

22 (2) any assistance provided by the Trade and
23 Development Agency under section 661 of the For-
24 eign 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
6 Investment Corporation under title IV of chapter 2
7 of 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 (f) Not more than 30 percent of the funds appro-
13 priated under this heading may be made available for as-
14 sistance for any country in the region. Activities author-
15 ized under title V (nonproliferation and disarmament pro-
16 grams and activities) of the FREEDOM Support Act shall
17 not be counted against the 30 percent limitation.

18 (g)(1) Of the funds appropriated under this heading
19 that are allocated for assistance for the Government of
20 the Russian Federation, 60 percent shall be withheld from
21 obligation until the President determines and certifies in
22 writing to the Committees on Appropriations that the Gov-
23 ernment of the Russian Federation:

24 (A) has terminated implementation of arrange-
25 ments to provide Iran with technical expertise, train-

ing, technology, or equipment necessary to develop a nuclear reactor, related nuclear research facilities or programs, or ballistic missile capability; and

(B) is providing full access to international non-government organizations providing humanitarian relief to refugees and internally displaced persons in Chechnya.

(2) Paragraph (1) shall not apply to—

(A) assistance to combat infectious diseases or assistance for victims of trafficking in persons; and

(B) activities authorized under title V (Non-proliferation and Disarmament Programs and Activities) of the FREEDOM Support Act.

(h) Of the funds appropriated under this heading, not less than \$45,000,000 should be made available, in addition to funds otherwise available for such purposes, for assistance for child survival, environmental and reproductive health, and to combat infectious diseases, and for related activities.

INDEPENDENT AGENCIES

INTER-AMERICAN FOUNDATION

For expenses necessary to carry out the functions of the Inter-American Foundation in accordance with the provisions of section 401 of the Foreign Assistance Act of 1969, and to make commitments without regard to fis-

1 cal year limitations, as provided by 31 U.S.C. 9104(b)(3),
2 \$12,000,000.

3 AFRICAN DEVELOPMENT FOUNDATION

4 For expenses necessary to carry out title V of the
5 International Security and Development Cooperation Act
6 of 1980, Public Law 96–533, and to make commitments
7 without regard to fiscal year limitations, as provided by
8 31 U.S.C. 9104(b)(3), \$16,042,000: *Provided*, That funds
9 made available to grantees may be invested pending ex-
10 penditure for project purposes when authorized by the
11 President of the Foundation: *Provided further*, That inter-
12 est earned shall be used only for the purposes for which
13 the grant was made: *Provided further*, That this authority
14 applies to interest earned both prior to and following en-
15 actment of this provision: *Provided further*, That notwith-
16 standing section 505(a)(2) of the African Development
17 Foundation Act, in exceptional circumstances the board
18 of directors of the Foundation may waive the \$250,000
19 limitation contained in that section with respect to a
20 project: *Provided further*, That the Foundation shall pro-
21 vide a report to the Committees on Appropriations after
22 each time such waiver authority is exercised.

23 PEACE CORPS

24 For necessary expenses to carry out the provisions
25 of the Peace Corps Act (75 Stat. 612), \$275,000,000, in-
26 cluding the purchase of not to exceed five passenger motor

1 vehicles for administrative purposes for use outside of the
2 United States: *Provided*, That none of the funds appro-
3 priated under this heading shall be used to pay for abor-
4 tions: *Provided further*, That funds appropriated under
5 this heading shall remain available until September 30,
6 2003.

7 DEPARTMENT OF STATE

8 INTERNATIONAL NARCOTICS CONTROL AND LAW

9 ENFORCEMENT

10 For necessary expenses to carry out section 481 of
11 the Foreign Assistance Act of 1961, \$217,000,000, to re-
12 main available until expended: *Provided*, That any funds
13 made available under this heading for anti-crime programs
14 and activities shall be made available subject to the reg-
15 ular notification procedures of the Committees on Appro-
16 priations: *Provided further*, That during fiscal year 2002,
17 the Department of State may also use the authority of
18 section 608 of the Foreign Assistance Act of 1961, with-
19 out regard to its restrictions, to receive excess property
20 from an agency of the United States Government for the
21 purpose of providing it to a foreign country under chapter
22 8 of part I of that Act subject to the regular notification
23 procedures of the Committees on Appropriations: *Provided*
24 *further*, That of the funds appropriated under this head-

1 ing, not more than \$16,660,000 may be available for ad-
2 ministrative expenses.

3 ANDEAN COUNTERDRUG INITIATIVE

4 For necessary expenses to carry out section 481 of
5 the Foreign Assistance Act of 1961 solely to support
6 counterdrug activities in the Andean region of South
7 America, \$676,000,000 (reduced by \$1,000,000), to re-
8 main available until expended: *Provided*, That section
9 3204(b) of Public Law 106–246 is amended by adding a
10 new subsection (b)(3) as follows: “(3) FURTHER EXCEP-
11 TION.—Notwithstanding paragraph (2), the limitation
12 contained in paragraph (1)(B) may be waived: (i) if the
13 President certifies to the appropriate committees of the
14 Congress that the aggregate ceiling of 800 United States
15 personnel contained in paragraph (1) will not be exceeded
16 by such waiver; and (ii) if Congress is informed of the
17 extent to which the limitation under paragraph (1)(B) is
18 exceeded by such certification.”: *Provided further*, That
19 section 482(b) of the Foreign Assistance Act of 1961 shall
20 not apply to funds appropriated under this heading for
21 assistance for Colombia: *Provided further*, That assistance
22 provided with funds appropriated under this heading that
23 is made available notwithstanding section 482(b) of the
24 Foreign Assistance Act of 1961, as amended, shall be
25 made available subject to the regular notification proce-
26 dures of the Committees on Appropriations: *Provided fur-*

1 *ther*, That of the funds appropriated under this heading,
2 not more than \$14,240,000 may be for administrative ex-
3 penses: *Provided further*, That, of the funds appropriated
4 under this heading, \$65,000,000 shall not be available for
5 obligation until: (1) the Secretary of State submits to the
6 Congress a full report on the incident of April 20, 2001,
7 in which Veronica “Roni” Bowers and her 7-month old
8 daughter, Charity, were needlessly killed when a Peruvian
9 Air Force jet opened fire on their plane after the crew
10 of another plane, owned by the Department of Defense
11 and chartered by the Central Intelligence Agency, mistak-
12 enly targeted the plane to be potentially smuggling drugs
13 in the Andean region; and (2) the Secretary of State, Sec-
14 retary of Defense, and Director of Central Intelligence cer-
15 tify to the Congress, 30 days before any resumption of
16 United States involvement in counter-narcotic flights and
17 a force-down program that continues to permit the ability
18 of the Peruvian Air Force to shoot down aircraft, that the
19 force-down program will include enhanced safeguards and
20 procedures to prevent the occurrence of any incident simi-
21 lar to the April 20, 2001, incident.

22 MIGRATION AND REFUGEE ASSISTANCE

23 For expenses, not otherwise provided for, necessary
24 to enable the Secretary of State to provide, as authorized
25 by law, contributions to the International Committee of
26 the Red Cross, assistance to refugees, including contribu-

1 tions to the International Organization for Migration and
2 the United Nations High Commissioner for Refugees, and
3 other activities to meet refugee and migration needs; sala-
4 ries and expenses of personnel and dependents as author-
5 ized by the Foreign Service Act of 1980; allowances as
6 authorized by sections 5921 through 5925 of title 5,
7 United States Code; purchase and hire of passenger motor
8 vehicles; and services as authorized by section 3109 of title
9 5, United States Code, \$715,000,000, which shall remain
10 available until expended: *Provided*, That of the funds ap-
11 propriated under this heading, not more than \$15,000,000
12 may be available for administrative expenses: *Provided*
13 *further*, That funds appropriated under this heading may
14 be made available for a headquarters contribution to the
15 International Committee of the Red Cross only if the Sec-
16 retary of State determines (and so reports to the appro-
17 priate committees of the Congress) that the Magen David
18 Adom Society of Israel is not being denied participation
19 in the activities of the International Red Cross and Red
20 Crescent Movement.

21 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
22 ASSISTANCE FUND

23 For necessary expenses to carry out the provisions
24 of section 2(c) of the Migration and Refugee Assistance
25 Act of 1962, as amended (22 U.S.C. 2601(c)),
26 \$15,000,000, to remain available until expended: *Pro-*

1 *vided*, That the funds made available under this heading
2 are appropriated notwithstanding the provisions contained
3 in section 2(c)(2) of the Act which would limit the amount
4 of funds which could be appropriated for this purpose.

5 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
6 RELATED PROGRAMS

7 For necessary expenses for nonproliferation, anti-ter-
8 rorism and related programs and activities, \$311,000,000,
9 to carry out the provisions of chapter 8 of part II of the
10 Foreign Assistance Act of 1961 for anti-terrorism assist-
11 ance, chapter 9 of part II of the Foreign Assistance Act
12 of 1961, section 504 of the FREEDOM Support Act, sec-
13 tion 23 of the Arms Export Control Act or the Foreign
14 Assistance Act of 1961 for demining activities, the clear-
15 ance of unexploded ordnance, the destruction of small
16 arms, and related activities, notwithstanding any other
17 provision of law, including activities implemented through
18 nongovernmental and international organizations, section
19 301 of the Foreign Assistance Act of 1961 for a voluntary
20 contribution to the International Atomic Energy Agency
21 (IAEA) and a voluntary contribution to the Korean Penin-
22 sula Energy Development Organization (KEDO), and for
23 a United States contribution to the Comprehensive Nu-
24 clear Test Ban Treaty Preparatory Commission: *Provided*,
25 That the Secretary of State shall inform the Committees
26 on Appropriations at least 20 days prior to the obligation

1 of funds for the Comprehensive Nuclear Test Ban Treaty
2 Preparatory Commission: *Provided further*, That of this
3 amount not to exceed \$14,000,000, to remain available
4 until expended, may be made available for the Non-
5 proliferation and Disarmament Fund, notwithstanding
6 any other provision of law, to promote bilateral and multi-
7 lateral activities relating to nonproliferation and disarmament: *Provided further*, That such funds may also be
8 used for such countries other than the Independent States
9 of the former Soviet Union and international organiza-
10 tions when it is in the national security interest of the
11 United States to do so following consultation with the ap-
12 propriate committees of Congress: *Provided further*, That
13 funds appropriated under this heading may be made avail-
14 able for the International Atomic Energy Agency only if
15 the Secretary of State determines (and so reports to the
16 Congress) that Israel is not being denied its right to par-
17 ticipate in the activities of that Agency.

19 DEPARTMENT OF THE TREASURY

20 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

21 For necessary expenses to carry out the provisions
22 of section 129 of the Foreign Assistance Act of 1961 (re-
23 lating to international affairs technical assistance activi-
24 ties), \$6,000,000, to remain available until expended,
25 which shall be available notwithstanding any other provi-

1 sion of law: *Provided*, That these funds shall be subject
2 to the regular notification procedures of the Committees
3 on Appropriations.

4 DEBT RESTRUCTURING

5 For the cost, as defined in section 502 of the Con-
6 gressional Budget Act of 1974, of modifying loans and
7 loan guarantees, as the President may determine, for
8 which funds have been appropriated or otherwise made
9 available for programs within the International Affairs
10 Budget Function 150, including the cost of selling, reduc-
11 ing, or canceling amounts owed to the United States as
12 a result of concessional loans made to eligible countries,
13 pursuant to parts IV and V of the Foreign Assistance Act
14 of 1961, and of modifying concessional credit agreements
15 with least developed countries, as authorized under section
16 411 of the Agricultural Trade Development and Assist-
17 ance Act of 1954, as amended, and concessional loans,
18 guarantees and credit agreements, as authorized under
19 section 572 of the Foreign Operations, Export Financing,
20 and Related Programs Appropriations Act, 1989 (Public
21 Law 100–461), and of canceling amounts owed, as a result
22 of loans or guarantees made pursuant to the Export-Im-
23 port Bank Act of 1945, by countries that are eligible for
24 debt reduction pursuant to title V of H.R. 3425 as enacted
25 into law by section 1000(a)(5) of Public Law 106–113,
26 \$224,000,000, to remain available until expended: *Pro-*

1 *vided*, That of unobligated balances of funds available
 2 under this heading from prior year appropriations Acts,
 3 not less than \$25,000,000 may be made available to carry
 4 out the provisions of part V of the Foreign Assistance Act
 5 of 1961: *Provided further*, That funds appropriated or oth-
 6 erwise made available under this heading in this Act may
 7 be used by the Secretary of the Treasury to pay to the
 8 Heavily Indebted Poor Countries (HIPC) Trust Fund ad-
 9 ministered by the International Bank for Reconstruction
 10 and Development amounts for the benefit of countries that
 11 are eligible for debt reduction pursuant to title V of H.R.
 12 3425 as enacted into law by section 1000(a)(5) of Public
 13 Law 106–113: *Provided further*, That amounts paid to the
 14 HIPC Trust Fund may be used only to fund debt reduc-
 15 tion under the enhanced HIPC initiative by—

- 16 (1) the Inter-American Development Bank;
- 17 (2) the African Development Fund;
- 18 (3) the African Development Bank; and
- 19 (4) the Central American Bank for Economic
- 20 Integration:

21 *Provided further*, That funds may not be paid to the HIPC
 22 Trust Fund for the benefit of any country if the Secretary
 23 of State has credible evidence that the government of such
 24 country is engaged in a consistent pattern of gross viola-
 25 tions of internationally recognized human rights or in mili-

1 tary or civil conflict that undermines its ability to develop
2 and implement measures to alleviate poverty and to devote
3 adequate human and financial resources to that end: *Pro-*
4 *vided further*, That on the basis of final appropriations,
5 the Secretary of the Treasury shall consult with the Com-
6 mittees on Appropriations concerning which countries and
7 international financial institutions are expected to benefit
8 from a United States contribution to the HIPC Trust
9 Fund during the fiscal year: *Provided further*, That the
10 Secretary of the Treasury shall inform the Committees on
11 Appropriations not less than 15 days in advance of the
12 signature of an agreement by the United States to make
13 payments to the HIPC Trust Fund of amounts for such
14 countries and institutions: *Provided further*, That the Sec-
15 retary of the Treasury may disburse funds designated for
16 debt reduction through the HIPC Trust Fund only for the
17 benefit of countries that—

18 (a) have committed, for a period of 24 months,
19 not to accept new market-rate loans from the inter-
20 national financial institution receiving debt repay-
21 ment as a result of such disbursement, other than
22 loans made by such institution to export-oriented
23 commercial projects that generate foreign exchange
24 which are generally referred to as “enclave” loans;
25 and

1 (b) have documented and demonstrated their
2 commitment to redirect their budgetary resources
3 from international debt repayments to programs to
4 alleviate poverty and promote economic growth that
5 are additional to or expand upon those previously
6 available for such purposes:

7 *Provided further*, That any limitation of subsection (e) of
8 section 411 of the Agricultural Trade Development and
9 Assistance Act of 1954 shall not apply to funds appro-
10 priated under this heading: *Provided further*, That none
11 of the funds made available under this heading in this or
12 any other appropriations Acts shall be made available for
13 Sudan or Burma unless the Secretary of Treasury deter-
14 mines and notifies the Committees on Appropriations that
15 a democratically elected government has taken office: *Pro-*
16 *vided further*, That the authority provided by section 572
17 of Public Law 100–461 may be exercised only with respect
18 to countries that are eligible to borrow from the Inter-
19 national Development Association, but not from the Inter-
20 national Bank for Reconstruction and Development, com-
21 monly referred to as “IDA-only” countries.

1 TITLE III—MILITARY ASSISTANCE

2 FUNDS APPROPRIATED TO THE PRESIDENT

3 INTERNATIONAL MILITARY EDUCATION AND TRAINING

4 For necessary expenses to carry out the provisions
5 of section 541 of the Foreign Assistance Act of 1961,
6 \$65,000,000, of which up to \$1,000,000 may remain
7 available until expended: *Provided*, That the civilian per-
8 sonnel for whom military education and training may be
9 provided under this heading may include civilians who are
10 not members of a government whose participation would
11 contribute to improved civil-military relations, civilian con-
12 trol of the military, or respect for human rights: *Provided*
13 *further*, That funds appropriated under this heading for
14 grant financed military education and training for Indo-
15 nesia and Guatemala may only be available for expanded
16 international military education and training and funds
17 made available for Indonesia and Guatemala may only be
18 provided through the regular notification procedures of the
19 Committees on Appropriations.

20 FOREIGN MILITARY FINANCING PROGRAM

21 For expenses necessary for grants to enable the
22 President to carry out the provisions of section 23 of the
23 Arms Export Control Act, \$3,627,000,000: *Provided*,
24 That of the funds appropriated under this heading, not
25 less than \$2,040,000,000 shall be available for grants only
26 for Israel, and not less than \$1,300,000,000 shall be made

1 available for grants only for Egypt: *Provided further*, That
2 the funds appropriated by this paragraph for Israel shall
3 be disbursed within 30 days of the enactment of this Act
4 or by October 31, 2001, whichever is later: *Provided fur-*
5 *ther*, That to the extent that the Government of Israel re-
6 quests that funds be used for such purposes, grants made
7 available for Israel by this paragraph shall, as agreed by
8 Israel and the United States, be available for advanced
9 weapons systems, of which not less than \$535,000,000
10 shall be available for the procurement in Israel of defense
11 articles and defense services, including research and devel-
12 opment: *Provided further*, That foreign military financing
13 program funds estimated to be outlayed for Egypt during
14 fiscal year 2002 shall be transferred to an interest bearing
15 account for Egypt in the Federal Reserve Bank of New
16 York within 30 days of enactment of this Act or by Octo-
17 ber 31, 2001, whichever is later: *Provided further*, That
18 funds appropriated by this paragraph shall be nonrepay-
19 able notwithstanding any requirement in section 23 of the
20 Arms Export Control Act: *Provided further*, That funds
21 made available under this paragraph shall be obligated
22 upon apportionment in accordance with paragraph (5)(C)
23 of title 31, United States Code, section 1501(a).

24 None of the funds made available under this heading
25 shall be available to finance the procurement of defense

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

1 and construction services that are not sold by the United
2 States Government under the Arms Export Control Act:
3 *Provided further*, That funds appropriated under this
4 heading shall be expended at the minimum rate necessary
5 to make timely payment for defense articles and services:
6 *Provided further*, That not more than \$35,000,000 of the
7 funds appropriated under this heading may be obligated
8 for necessary expenses, including the purchase of pas-
9 senger motor vehicles for replacement only for use outside
10 of the United States, for the general costs of admin-
11 istering military assistance and sales: *Provided further*,
12 That not more than \$348,000,000 of funds realized pursu-
13 ant to section 21(e)(1)(A) of the Arms Export Control Act
14 may be obligated for expenses incurred by the Department
15 of Defense during fiscal year 2002 pursuant to section
16 43(b) of the Arms Export Control Act, except that this
17 limitation may be exceeded only through the regular notifi-
18 cation procedures of the Committees on Appropriations.

19 PEACEKEEPING OPERATIONS

20 For necessary expenses to carry out the provisions
21 of section 551 of the Foreign Assistance Act of 1961,
22 \$135,000,000: *Provided*, That none of the funds appro-
23 priated under this heading shall be obligated or expended
24 except as provided through the regular notification proce-
25 dures of the Committees on Appropriations.

1 TITLE IV—MULTILATERAL ECONOMIC
2 ASSISTANCE
3 FUNDS APPROPRIATED TO THE PRESIDENT
4 INTERNATIONAL FINANCIAL INSTITUTIONS
5 GLOBAL ENVIRONMENT FACILITY

6 For the United States contribution for the Global En-
7 vironment Facility, \$82,500,000, to the International
8 Bank for Reconstruction and Development as trustee for
9 the Global Environment Facility, by the Secretary of the
10 Treasury, to remain available until expended.

11 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
12 ASSOCIATION

13 For payment to the International Development Asso-
14 ciation by the Secretary of the Treasury, \$803,400,000,
15 to remain available until expended: *Provided*, That in ne-
16 gotiating United States participation in the next replenish-
17 ment of the International Development Association, the
18 Secretary of the Treasury shall accord high priority to
19 providing the International Development Association with
20 the policy flexibility to provide new grant assistance to
21 countries eligible for debt reduction under the enhanced
22 HIPC Initiative.

23 CONTRIBUTION TO THE MULTILATERAL INVESTMENT
24 GUARANTEE AGENCY

25 For payment to the Multilateral Investment Guar-
26 antee Agency by the Secretary of the Treasury,

5 The United States Governor of the Multilateral In-
6 vestment Guarantee Agency may subscribe without fiscal
7 year limitation for the callable capital portion of the
8 United States share of such capital stock in an amount
9 not to exceed \$50,000,000.

For payment to the Inter-American Investment Cor-
poration, by the Secretary of the Treasury, \$10,000,000,
for the United States share of the increase in subscrip-
tions to capital stock, to remain available until expended.

For the United States contribution by the Secretary of the Treasury to the increase in resources of the Asian Development Fund, as authorized by the Asian Development Bank Act, as amended, \$103,017,050 (reduced by \$10,000,000), to remain available until expended.

For payment to the African Development Bank by the Secretary of the Treasury, \$5,100,000, for the United States paid-in share of the increase in capital stock, to remain available until expended.

1 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

7 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

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

12 CONTRIBUTION TO THE EUROPEAN BANK FOR

13 RECONSTRUCTION AND DEVELOPMENT

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

19 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

20 The United States Governor of the European Bank
21 for Reconstruction and Development may subscribe with-
22 out fiscal year limitation to the callable capital portion of
23 the United States share of such capital stock in an amount
24 not 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 Inter-
5 national Fund for Agricultural Development,
6 \$20,000,000, to remain available until expended.

7 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

8 For necessary expenses to carry out the provisions
9 of section 301 of the Foreign Assistance Act of 1961, and
10 of section 2 of the United Nations Environment Program
11 Participation Act of 1973, \$196,000,000: *Provided*, That
12 none of the funds appropriated under this heading shall
13 be made available for the United Nations Fund for
14 Science and Technology: *Provided further*, That none of
15 the funds appropriated under this heading may be made
16 available to the Korean Peninsula Energy Development
17 Organization (KEDO) or the International Atomic Energy
18 Agency (IAEA).

19 TITLE V—GENERAL PROVISIONS

20 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

21 SEC. 501. Except for the appropriations entitled
22 “International Disaster Assistance”, and “United States
23 Emergency Refugee and Migration Assistance Fund”, not
24 more than 15 percent of any appropriation item made

1 available by this Act shall be obligated during the last
2 month of availability.

3 PRIVATE AND VOLUNTARY ORGANIZATIONS

4 SEC. 502. (a) None of the funds appropriated or oth-
5 erwise made available by this Act for development assist-
6 ance may be made available to any United States private
7 and voluntary organization, except any cooperative devel-
8 opment organization, which obtains less than 20 percent
9 of its total annual funding for international activities from
10 sources other than the United States Government: *Pro-*
11 *vided*, That the United States Administrator of the Agen-
12 cy for International Development, after informing the
13 Committees on Appropriations, may, on a case-by-case
14 basis, waive the restriction contained in this paragraph,
15 after taking into account the effectiveness of the overseas
16 development activities of the organization, its level of vol-
17 unteer support, its financial viability and stability, and the
18 degree of its dependence for its financial support on the
19 agency.

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

24 LIMITATION ON RESIDENCE EXPENSES

25 SEC. 503. Of the funds appropriated or made avail-
26 able pursuant to this Act, not to exceed \$126,500 shall

1 be for official residence expenses of the United States
2 Agency for International Development during the current
3 fiscal year: *Provided*, That appropriate steps shall be
4 taken to assure that, to the maximum extent possible,
5 United States-owned foreign currencies are utilized in lieu
6 of dollars.

7 LIMITATION ON EXPENSES

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

13 LIMITATION ON REPRESENTATIONAL ALLOWANCES

14 SEC. 505. Of the funds appropriated or made avail-
15 able pursuant to this Act, not to exceed \$95,000 shall be
16 available for representation allowances for the United
17 States Agency for International Development during the
18 current fiscal year: *Provided*, That appropriate steps shall
19 be taken to assure that, to the maximum extent possible,
20 United States-owned foreign currencies are utilized in lieu
21 of dollars: *Provided further*, That of the funds made avail-
22 able by this Act for general costs of administering military
23 assistance and sales under the heading “Foreign Military
24 Financing Program”, not to exceed \$2,000 shall be avail-
25 able for entertainment expenses and not to exceed
26 \$150,000 shall be available for representation allowances:

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

15 PROHIBITION ON FINANCING NUCLEAR GOODS

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

23 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
24 COUNTRIES

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

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

7 MILITARY COUPS

8 SEC. 508. None of the funds appropriated or other-
9 wise made available pursuant to this Act shall be obligated
10 or expended to finance directly any assistance to any coun-
11 try whose duly elected head of government is deposed by
12 decree or military coup: *Provided*, That assistance may be
13 resumed if the President determines and reports to the
14 Committees on Appropriations that subsequent to the ter-
15 mination of assistance a democratically elected govern-
16 ment has taken office or substantial progress has been
17 made towards the holding of democratic elections.

18 TRANSFERS BETWEEN ACCOUNTS

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

1 Committees on Appropriations of the House of Represent-
2 atives and the Senate.

3 DEOBLIGATION/REOBLIGATION AUTHORITY

4 SEC. 510. Obligated balances of funds appropriated
5 to carry out section 23 of the Arms Export Control Act
6 as of the end of the fiscal year immediately preceding the
7 current fiscal year are, if deobligated, hereby continued
8 available during the current fiscal year for the same pur-
9 pose under any authority applicable to such appropriations
10 under this Act: *Provided*, That the authority of this sub-
11 section may not be used in fiscal year 2002.

12 AVAILABILITY OF FUNDS

13 SEC. 511. No part of any appropriation contained in
14 this Act shall remain available for obligation after the ex-
15 piration of the current fiscal year unless expressly so pro-
16 vided in this Act: *Provided*, That funds appropriated for
17 the purposes of chapters 1, 8, 11, and 12 of part I, section
18 667, chapter 4 of part II of the Foreign Assistance Act
19 of 1961, as amended, section 23 of the Arms Export Con-
20 trol Act, and funds provided under the heading “Assist-
21 ance for Eastern Europe and the Baltic States”, shall re-
22 main available for an additional 4 years from the date on
23 which the availability of such funds would otherwise have
24 expired, if such funds are initially obligated before the ex-
25 piration of their respective periods of availability contained
26 in this Act: *Provided further*, That, notwithstanding any

1 other provision of this Act, any funds made available for
2 the purposes of chapter 1 of part I and chapter 4 of part
3 II of the Foreign Assistance Act of 1961 which are allo-
4 cated or obligated for cash disbursements in order to ad-
5 dress balance of payments or economic policy reform ob-
6 jectives, shall remain available until expended.

7 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

8 SEC. 512. No part of any appropriation contained in
9 this Act shall be used to furnish assistance to any country
10 which is in default during a period in excess of one cal-
11 endar year in payment to the United States of principal
12 or interest on any loan made to the government of such
13 country by the United States pursuant to a program for
14 which funds are appropriated under this Act unless the
15 President determines, following consultations with the
16 Committees on Appropriations, that assistance to such
17 country is in the national interest of the United States.

18 COMMERCE AND TRADE

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

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

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

23 (1) activities designed to increase food security
24 in developing countries where such activities will not

1 have a significant impact in the export of agricul-
2 tural commodities of the United States; or

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

5 SURPLUS COMMODITIES

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

23 NOTIFICATION REQUIREMENTS

24 SEC. 515. (a) For the purposes of providing the exec-
25 utive branch with the necessary administrative flexibility,
26 none of the funds made available under this Act for “Child

1 Survival and Health Programs Fund”, “Development As-
2 sistance”, “International Organizations and Programs”,
3 “Trade and Development Agency”, “International Nar-
4 cotics Control and Law Enforcement”, “Assistance for
5 Eastern Europe and the Baltic States”, “Assistance for
6 the Independent States of the Former Soviet Union”,
7 “Economic Support Fund”, “Peacekeeping Operations”,
8 “Operating Expenses of the United States Agency for
9 International Development”, “Operating Expenses of the
10 Agency for United States International Development Of-
11 fice of Inspector General”, “Nonproliferation, Anti-ter-
12 rorism, Demining and Related Programs”, “Foreign Mili-
13 tary Financing Program”, “International Military Edu-
14 cation and Training”, “Peace Corps”, and “Migration and
15 Refugee Assistance”, shall be available for obligation for
16 activities, programs, projects, type of materiel assistance,
17 countries, or other operations not justified or in excess of
18 the amount justified to the Appropriations Committees for
19 obligation under any of these specific headings unless the
20 Committees on Appropriations of both Houses of Congress
21 are previously notified 15 days in advance: *Provided*, That
22 the President shall not enter into any commitment of
23 funds appropriated for the purposes of section 23 of the
24 Arms Export Control Act for the provision of major de-
25 fense equipment, other than conventional ammunition, or

1 other major defense items defined to be aircraft, ships,
2 missiles, or combat vehicles, not previously justified to
3 Congress or 20 percent in excess of the quantities justified
4 to Congress unless the Committees on Appropriations are
5 notified 15 days in advance of such commitment: *Provided*
6 *further*, That this section shall not apply to any re-
7 programming for an activity, program, or project under
8 chapter 1 of part I of the Foreign Assistance Act of 1961
9 of less than 10 percent of the amount previously justified
10 to the Congress for obligation for such activity, program,
11 or project for the current fiscal year: *Provided further*,
12 That the requirements of this section or any similar provi-
13 sion of this Act or any other Act, including any prior Act
14 requiring notification in accordance with the regular noti-
15 fication procedures of the Committees on Appropriations,
16 may be waived if failure to do so would pose a substantial
17 risk to human health or welfare: *Provided further*, That
18 in case of any such waiver, notification to the Congress,
19 or the appropriate congressional committees, shall be pro-
20 vided as early as practicable, but in no event later than
21 3 days after taking the action to which such notification
22 requirement was applicable, in the context of the cir-
23 cumstances necessitating such waiver: *Provided further*,
24 That any notification provided pursuant to such a waiver

1 shall contain an explanation of the emergency cir-
2 cumstances.

3 LIMITATION ON AVAILABILITY OF FUNDS FOR
4 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

5 SEC. 516. Subject to the regular notification proce-
6 dures of the Committees on Appropriations, funds appro-
7 priated under this Act or any previously enacted Act mak-
8 ing appropriations for foreign operations, export financ-
9 ing, and related programs, which are returned or not made
10 available for organizations and programs because of the
11 implementation of section 307(a) of the Foreign Assist-
12 ance Act of 1961, shall remain available for obligation
13 until September 30, 2003.

14 INDEPENDENT STATES OF THE FORMER SOVIET UNION

15 SEC. 517. (a) None of the funds appropriated under
16 the heading “Assistance for the Independent States of the
17 Former Soviet Union” shall be made available for assist-
18 ance for a government of an Independent State of the
19 former Soviet Union—

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

25 (2) if that government applies or transfers
26 United States assistance to any entity for the pur-

1 pose of expropriating or seizing ownership or control
2 of assets, investments, or ventures.

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

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

18 (c) None of the funds appropriated under the heading
19 “Assistance for the Independent States of the Former So-
20 viet Union” shall be made available for any state to en-
21 hance its military capability: *Provided*, That this restric-
22 tion does not apply to demilitarization, demining or non-
23 proliferation programs.

24 (d) Funds appropriated under the heading “Assist-
25 ance for the Independent States of the Former Soviet

1 Union” for the Russian Federation, Armenia, Georgia,
2 and Ukraine shall be subject to the regular notification
3 procedures of the Committees on Appropriations.

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

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

21 (g) In issuing new task orders, entering into con-
22 tracts, or making grants, with funds appropriated in this
23 Act or prior appropriations Acts under the heading “As-
24 sistance for the Independent States of the Former Soviet
25 Union” and under comparable headings in prior appro-

1 priations Acts, for projects or activities that have as one
2 of their primary purposes the fostering of private sector
3 development, the Coordinator for United States Assistance
4 to the New Independent States and the implementing
5 agency shall encourage the participation of and give sig-
6 nificant weight to contractors and grantees who propose
7 investing a significant amount of their own resources (in-
8 cluding volunteer services and in-kind contributions) in
9 such projects and activities.

10 PROHIBITION ON FUNDING FOR ABORTIONS AND
11 INVOLUNTARY STERILIZATION

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

1 None of the funds made available to carry out part I of
2 the Foreign Assistance Act of 1961, as amended, may be
3 obligated or expended for any country or organization if
4 the President certifies that the use of these funds by any
5 such country or organization would violate any of the
6 above provisions related to abortions and involuntary steri-
7 lizations: *Provided*, That none of the funds made available
8 under this Act may be used to lobby for or against abor-
9 tion.

10 EXPORT FINANCING TRANSFER AUTHORITIES

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

22 SPECIAL NOTIFICATION REQUIREMENTS

23 SEC. 520. None of the funds appropriated by this Act
24 shall be obligated or expended for Colombia, Haiti, Libe-
25 ria, Sudan, Zimbabwe, Pakistan, or the Democratic Re-
26 public of Congo except as provided through the regular

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

3 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

21 CHILD SURVIVAL AND DISEASE PREVENTION ACTIVITIES

22 SEC. 522. Up to \$16,000,000 of the funds made
23 available by this Act for assistance under the heading
24 “Child Survival and Health Programs Fund”, may be
25 used to reimburse United States Government agencies,
26 agencies of State governments, institutions of higher

1 learning, and private and voluntary organizations for the
2 full cost of individuals (including for the personal services
3 of such individuals) detailed or assigned to, or contracted
4 by, as the case may be, the United States Agency for
5 International Development for the purpose of carrying out
6 activities under that heading: *Provided*, That up to
7 \$1,500,000 of the funds made available by this Act for
8 assistance under the heading “Development Assistance”
9 may be used to reimburse such agencies, institutions, and
10 organizations for such costs of such individuals carrying
11 out other development assistance activities: *Provided fur-*
12 *ther*, That funds appropriated by this Act that are made
13 available for child survival activities or disease programs
14 including activities relating to research on, and the preven-
15 tion, treatment and control of, Acquired Immune Defi-
16 ciency Syndrome may be made available notwithstanding
17 any provision of law that restricts assistance to foreign
18 countries: *Provided further*, That funds appropriated
19 under title II of this Act may be made available pursuant
20 to section 301 of the Foreign Assistance Act of 1961 if
21 a primary purpose of the assistance is for child survival
22 and related programs.

23 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
24 COUNTRIES

25 SEC. 523. None of the funds appropriated or other-
26 wise made available pursuant to this Act shall be obligated

1 to finance indirectly any assistance or reparations to
2 Cuba, Iraq, Libya, Iran, Syria, North Korea, or Sudan,
3 unless the President of the United States certifies that
4 the withholding of these funds is contrary to the national
5 interest of the United States.

6 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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

1 AUTHORIZATION REQUIREMENT

2 SEC. 525. Funds appropriated by this Act, except
3 funds appropriated under the headings “Trade and Devel-
4 opment Agency”, “Peace Corps”, “International Military
5 Education and Training”, and “Foreign Military Financ-
6 ing Program”, may be obligated and expended notwith-
7 standing section 10 of Public Law 91–672 and section 15
8 of the State Department Basic Authorities Act of 1956.

9 DEMOCRACY PROGRAMS

10 SEC. 526. Funds appropriated by this Act that are
11 provided to the National Endowment for Democracy may
12 be provided notwithstanding any other provision of law or
13 regulation: *Provided*, That notwithstanding any other pro-
14 vision of law, of the funds appropriated by this Act to
15 carry out the provisions of chapter 4 of part II of the For-
16 eign Assistance Act of 1961, not to exceed \$3,000,000
17 may be made available to nongovernmental organizations
18 located outside the People’s Republic of China to support
19 activities which preserve cultural traditions and promote
20 sustainable development and environmental conservation
21 in Tibetan communities in that country: *Provided further*,
22 That funds made available pursuant to the authority of
23 this section for programs, projects, and activities for the
24 People’s Republic of China shall be subject to the regular
25 notification procedures of the Committees on Appropria-
26 tions.

1 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
2 COUNTRIES

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

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

11 (2) otherwise supports international terrorism.

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

21 DEBT-FOR-DEVELOPMENT

22 SEC. 528. In order to enhance the continued partici-
23 pation of nongovernmental organizations in economic as-
24 sistance activities under the Foreign Assistance Act of
25 1961, including endowments, debt-for-development and
26 debt-for-nature exchanges, a nongovernmental organiza-

tion which is a grantee or contractor of the United States Agency for International Development may place in interest bearing accounts funds made available under this Act or prior Acts or local currencies which accrue to that organization as a result of economic assistance provided under title II of this Act and any interest earned on such investment shall be used for the purpose for which the assistance was provided to that organization.

SEPARATE ACCOUNTS

SEC. 529. (a) SEPARATE ACCOUNTS FOR LOCAL CURRENCIES.—(1) If assistance is furnished to the government of a foreign country under chapters 1 and 10 of part I or chapter 4 of part II of the Foreign Assistance Act of 1961 under agreements which result in the generation of local currencies of that country, the Administrator of the United States Agency for International Development shall—

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

(B) enter into an agreement with that government which sets forth—

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

(ii) the terms and conditions under which the currencies so deposited may be utilized, consistent with this section; and

1 (C) establish by agreement with that govern-
2 ment the responsibilities of the United States Agen-
3 cy for International Development and that govern-
4 ment to monitor and account for deposits into and
5 disbursements from the separate account.

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

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

14 (i) project and sector assistance activities;
15 or

16 (ii) debt and deficit financing; or

17 (B) for the administrative requirements of the
18 United States Government.

19 (3) PROGRAMMING ACCOUNTABILITY.—The United
20 States Agency for International Development shall take all
21 necessary steps to ensure that the equivalent of the local
22 currencies disbursed pursuant to subsection (a)(2)(A)
23 from the separate account established pursuant to sub-
24 section (a)(1) are used for the purposes agreed upon pur-
25 suant to subsection (a)(2).

1 (4) TERMINATION OF ASSISTANCE PROGRAMS.—

2 Upon termination of assistance to a country under chapter
3 1 or 10 of part I or chapter 4 of part II (as the case
4 may be), any unencumbered balances of funds which re-
5 main in a separate account established pursuant to sub-
6 section (a) shall be disposed of for such purposes as may
7 be agreed to by the government of that country and the
8 United States Government.

9 (5) REPORTING REQUIREMENT.—The Administrator
10 of the United States Agency for International Develop-
11 ment shall report on an annual basis as part of the jus-
12 tification documents submitted to the Committees on Ap-
13 propriations on the use of local currencies for the adminis-
14 trative requirements of the United States Government as
15 authorized in subsection (a)(2)(B), and such report shall
16 include the amount of local currency (and United States
17 dollar equivalent) used and/or to be used for such purpose
18 in each applicable country.

19 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

20 (1) If assistance is made available to the government of
21 a foreign country, under chapter 1 or 10 of part I or chap-
22 ter 4 of part II of the Foreign Assistance Act of 1961,
23 as cash transfer assistance or as nonproject sector assist-
24 ance, that country shall be required to maintain such

1 funds in a separate account and not commingle them with
2 any other funds.

3 (2) APPLICABILITY OF OTHER PROVISIONS OF
4 LAW.—Such funds may be obligated and expended not-
5 withstanding provisions of law which are inconsistent with
6 the nature of this assistance including provisions which
7 are referenced in the Joint Explanatory Statement of the
8 Committee of Conference accompanying House Joint Res-
9 olution 648 (House Report No. 98–1159).

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

20 (4) EXEMPTION.—Nonproject sector assistance funds
21 may be exempt from the requirements of subsection (b)(1)
22 only through the notification procedures of the Commit-
23 tees on Appropriations.

1 COMPENSATION FOR UNITED STATES EXECUTIVE

2 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

3 SEC. 530. (a) No funds appropriated by this Act may
4 be made as payment to any international financial institu-
5 tion while the United States Executive Director to such
6 institution is compensated by the institution at a rate
7 which, together with whatever compensation such Director
8 receives from the United States, is in excess of the rate
9 provided for an individual occupying a position at level IV
10 of the Executive Schedule under section 5315 of title 5,
11 United States Code, or while any alternate United States
12 Director to such institution is compensated by the institu-
13 tion at a rate in excess of the rate provided for an indi-
14 vidual occupying a position at level V of the Executive
15 Schedule under section 5316 of title 5, United States
16 Code.

17 (b) For purposes of this section, “international finan-
18 cial institutions” are: the International Bank for Recon-
19 struction and Development, the Inter-American Develop-
20 ment Bank, the Asian Development Bank, the Asian De-
21 velopment Fund, the African Development Bank, the Afri-
22 can Development Fund, the International Monetary Fund,
23 the North American Development Bank, and the Euro-
24 pean Bank for Reconstruction and Development.

1 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST
2 IRAQ

3 SEC. 531. None of the funds appropriated or other-
4 wise made available pursuant to this Act to carry out the
5 Foreign Assistance Act of 1961 (including title IV of
6 chapter 2 of part I, relating to the Overseas Private In-
7 vestment Corporation) or the Arms Export Control Act
8 may be used to provide assistance to any country that is
9 not in compliance with the United Nations Security Coun-
10 cil sanctions against Iraq unless the President determines
11 and so certifies to the Congress that—

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

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

16 (3) the assistance to be provided will be human-
17 itarian assistance for foreign nationals who have fled
18 Iraq and Kuwait.

19 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
20 FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

21 SEC. 532. Unless expressly provided to the contrary,
22 provisions of this or any other Act, including provisions
23 contained in prior Acts authorizing or making appropria-
24 tions for foreign operations, export financing, and related
25 programs, shall not be construed to prohibit activities au-
26 thorized by or conducted under the Peace Corps Act, the

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

6 IMPACT ON JOBS IN THE UNITED STATES

7 SEC. 533. None of the funds appropriated by this Act
8 may be obligated or expended to provide—

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

17 (2) assistance for any project or activity that
18 contributes to the violation of internationally recog-
19 nized workers rights, as defined in section 502(a)(4)
20 of the Trade Act of 1974, of workers in the recipient
21 country, including any designated zone or area in
22 that country: *Provided*, That in recognition that the
23 application of this subsection should be commensu-
24 rate with the level of development of the recipient
25 country and sector, the provisions of this subsection
26 shall not preclude assistance for the informal sector

1 in such country, micro and small-scale enterprise,
2 and smallholder agriculture.

3 SPECIAL AUTHORITIES

4 SEC. 534. (a) AFGHANISTAN, LEBANON, MONTE-
5 NEGRO, VICTIMS OF WAR, DISPLACED CHILDREN, AND
6 DISPLACED BURMESE.—Funds appropriated in titles I
7 and II of this Act that are made available for Afghanistan,
8 Lebanon, Montenegro, and for victims of war, displaced
9 children, and displaced Burmese, may be made available
10 notwithstanding any other provision of law: *Provided*,
11 That any such funds that are made available for Cam-
12 bodia shall be subject to the provisions of section 531(e)
13 of the Foreign Assistance Act of 1961 and section 906
14 of the International Security and Development Coopera-
15 tion Act of 1985: *Provided further*, That section 576 of
16 the Foreign Operations, Export Financing, and Related
17 Programs Appropriations Act, 1997, as amended, shall
18 not apply to the provision of loans and assistance to the
19 Federal Republic of Yugoslavia through international fi-
20 nancial institutions.

21 (b) TROPICAL FORESTRY AND BIODIVERSITY CON-
22 SERVATION ACTIVITIES.—Funds appropriated by this Act
23 to carry out the provisions of sections 103 through 106,
24 and chapter 4 of part II, of the Foreign Assistance Act
25 of 1961 may be used, notwithstanding any other provision
26 of law, for the purpose of supporting tropical forestry and

1 biodiversity conservation activities and, subject to the reg-
2 ular notification procedures of the Committees on Appro-
3 priations, energy programs aimed at reducing greenhouse
4 gas emissions: *Provided*, That such assistance shall be
5 subject to sections 116, 502B, and 620A of the Foreign
6 Assistance Act of 1961.

7 (c) PERSONAL SERVICES CONTRACTORS.—Funds ap-
8 propriated by this Act to carry out chapter 1 of part I,
9 chapter 4 of part II, and section 667 of the Foreign As-
10 sistance Act of 1961, and title II of the Agricultural Trade
11 Development and Assistance Act of 1954, may be used
12 by the United States Agency for International Develop-
13 ment to employ up to 25 personal services contractors in
14 the United States, notwithstanding any other provision of
15 law, for the purpose of providing direct, interim support
16 for new or expanded overseas programs and activities and
17 managed by the agency until permanent direct hire per-
18 sonnel are hired and trained: *Provided*, That not more
19 than 10 of such contractors shall be assigned to any bu-
20 reau or office: *Provided further*, That such funds appro-
21 priated to carry out the Foreign Assistance Act of 1961
22 may be made available for personal services contractors
23 assigned only to the Office of Health and Nutrition; the
24 Office of Procurement; the Bureau for Africa; the Bureau
25 for Latin America and the Caribbean; and the Bureau for

1 Asia and the Near East: *Provided further*, That such funds
2 appropriated to carry out title II of the Agricultural Trade
3 Development and Assistance Act of 1954, may be made
4 available only for personal services contractors assigned
5 to the Office of Food for Peace.

6 (d)(1) WAIVER.—The President may waive the provi-
7 sions of section 1003 of Public Law 100–204 if the Presi-
8 dent determines and certifies in writing to the Speaker
9 of the House of Representatives and the President pro
10 tempore of the Senate that it is important to the national
11 security interests of the United States.

12 (2) PERIOD OF APPLICATION OF WAIVER.—Any
13 waiver pursuant to paragraph (1) shall be effective for no
14 more than a period of 6 months at a time and shall not
15 apply beyond 12 months after the enactment of this Act.

16 (e) During fiscal year 2002, the President may use
17 up to \$50,000,000 under the authority of section 451 of
18 the Foreign Assistance Act, notwithstanding the funding
19 ceiling in section 451(a).

20 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT
21 OF ISRAEL AND NORMALIZING RELATIONS WITH ISRAEL

22 SEC. 535. It is the sense of the Congress that—

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

1 Israel and should normalize their relations with
2 Israel;

3 (2) the decision by the Arab League in 1997 to
4 reinstate the boycott against Israel was deeply trou-
5 bling and disappointing;

6 (3) the fact that only three Arab countries
7 maintain full diplomatic relations with Israel is also
8 of deep concern;

9 (4) the Arab League should immediately re-
10 scind its decision on the boycott and its members
11 should develop normal relations with their neighbor
12 Israel; and

13 (5) the President should—

14 (A) take more concrete steps to encourage
15 vigorously Arab League countries to renounce
16 publicly the primary boycotts of Israel and the
17 secondary and tertiary boycotts of American
18 firms that have commercial relations with Israel
19 and to normalize their relations with Israel;

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

(C) report to Congress annually on the specific steps being taken by the United States and the progress achieved to bring about a public renunciation of the Arab primary boycott of Israel and the secondary and tertiary boycotts of American firms that have commercial relations with Israel and to expand the process of normalizing ties between Arab League countries and Israel; and

(D) encourage the allies and trading partners of the United States to enact laws prohibiting businesses from complying with the boycott and penalizing businesses that do comply.

ADMINISTRATION OF JUSTICE ACTIVITIES

SEC. 536. Of the funds appropriated or otherwise made available by this Act for “Economic Support Fund”, assistance may be provided to strengthen the administration of justice in countries in Latin America and the Caribbean and in other regions consistent with the provisions of section 534(b) of the Foreign Assistance Act of 1961, except that programs to enhance protection of participants in judicial cases may be conducted notwithstanding section 660 of that Act. Funds made available pursuant to this section may be made available notwithstanding section 534(c) and the second and third sentences of section 534(e) of the Foreign Assistance Act of 1961.

ELIGIBILITY FOR ASSISTANCE

1
2 SEC. 537. (a) ASSISTANCE THROUGH NONGOVERN-
3 MENTAL ORGANIZATIONS.—Restrictions contained in this
4 or any other Act with respect to assistance for a country
5 shall not be construed to restrict assistance in support of
6 programs of nongovernmental organizations from funds
7 appropriated by this Act to carry out the provisions of
8 chapters 1, 10, 11, and 12 of part I and chapter 4 of
9 part II of the Foreign Assistance Act of 1961, and from
10 funds appropriated under the heading “Assistance for
11 Eastern Europe and the Baltic States”: *Provided*, That
12 the President shall take into consideration, in any case
13 in which a restriction on assistance would be applicable
14 but for this subsection, whether assistance in support of
15 programs of nongovernmental organizations is in the na-
16 tional interest of the United States: *Provided further*, That
17 before using the authority of this subsection to furnish as-
18 sistance in support of programs of nongovernmental orga-
19 nizations, the President shall notify the Committees on
20 Appropriations under the regular notification procedures
21 of those committees, including a description of the pro-
22 gram to be assisted, the assistance to be provided, and
23 the reasons for furnishing such assistance: *Provided fur-*
24 *ther*, That nothing in this subsection shall be construed
25 to alter any existing statutory prohibitions against abor-

1 tion or involuntary sterilizations contained in this or any
2 other Act.

3 (b) PUBLIC LAW 480.—During fiscal year 2002, re-
4 strictions contained in this or any other Act with respect
5 to assistance for a country shall not be construed to re-
6 strict assistance under the Agricultural Trade Develop-
7 ment and Assistance Act of 1954: *Provided*, That none
8 of the funds appropriated to carry out title I of such Act
9 and made available pursuant to this subsection may be
10 obligated or expended except as provided through the reg-
11 ular notification procedures of the Committees on Appro-
12 priations.

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

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

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

23 EARMARKS

24 SEC. 538. (a) Funds appropriated by this Act which
25 are earmarked may be reprogrammed for other programs
26 within the same account notwithstanding the earmark if

1 compliance with the earmark is made impossible by oper-
2 ation of any provision of this or any other Act: *Provided*,
3 That any such reprogramming shall be subject to the reg-
4 ular notification procedures of the Committees on Appro-
5 priations: *Provided further*, That assistance that is repro-
6 grammed pursuant to this subsection shall be made avail-
7 able under the same terms and conditions as originally
8 provided.

9 (b) In addition to the authority contained in sub-
10 section (a), the original period of availability of funds ap-
11 propriated by this Act and administered by the United
12 States Agency for International Development that are ear-
13 marked for particular programs or activities by this or any
14 other Act shall be extended for an additional fiscal year
15 if the Administrator of such agency determines and re-
16 ports promptly to the Committees on Appropriations that
17 the termination of assistance to a country or a significant
18 change in circumstances makes it unlikely that such ear-
19 marked funds can be obligated during the original period
20 of availability: *Provided*, That such earmarked funds that
21 are continued available for an additional fiscal year shall
22 be obligated only for the purpose of such earmark.

23 PROHIBITION ON PUBLICITY OR PROPAGANDA

24 SEC. 539. No part of any appropriation contained in
25 this Act shall be used for publicity or propaganda purposes
26 within the United States not authorized before the date

1 of the enactment of this Act by the Congress: *Provided*,
2 That not to exceed \$750,000 may be made available to
3 carry out the provisions of section 316 of Public Law 96–
4 533.

5 PURCHASE OF AMERICAN-MADE EQUIPMENT AND
6 PRODUCTS

7 SEC. 540. To the maximum extent possible, assist-
8 ance provided under this Act should make full use of
9 American resources, including commodities, products, and
10 services.

11 PROHIBITION OF PAYMENTS TO UNITED NATIONS
12 MEMBERS

13 SEC. 541. None of the funds appropriated or made
14 available pursuant to this Act for carrying out the Foreign
15 Assistance Act of 1961, may be used to pay in whole or
16 in part any assessments, arrearages, or dues of any mem-
17 ber of the United Nations or, from funds appropriated by
18 this Act to carry out chapter 1 of part I of the Foreign
19 Assistance Act of 1961, the costs for participation of an-
20 other country's delegation at international conferences
21 held under the auspices of multilateral or international or-
22 ganizations.

23 NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

24 SEC. 542. None of the funds appropriated or made
25 available pursuant to this Act shall be available to a non-
26 governmental organization which fails to provide upon

1 timely request any document, file, or record necessary to
2 the auditing requirements of the United States Agency for
3 International Development.

4 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-
5 MENTS THAT EXPORT LETHAL MILITARY EQUIP-
6 MENT TO COUNTRIES SUPPORTING INTERNATIONAL
7 TERRORISM

8 SEC. 543. (a) None of the funds appropriated or oth-
9 erwise made available by this Act may be available to any
10 foreign government which provides lethal military equip-
11 ment to a country the government of which the Secretary
12 of State has determined is a terrorist government for pur-
13 poses of section 6(j) of the Export Administration Act.
14 The prohibition under this section with respect to a for-
15 eign government shall terminate 12 months after that gov-
16 ernment ceases to provide such military equipment. This
17 section applies with respect to lethal military equipment
18 provided under a contract entered into after October 1,
19 1997.

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

24 (c) Whenever the waiver of subsection (b) is exer-
25 cised, the President shall submit to the appropriate con-
26 gressional committees a report with respect to the fur-

1 nishing of such assistance. Any such report shall include
2 a detailed explanation of the assistance to be provided, in-
3 cluding the estimated dollar amount of such assistance,
4 and an explanation of how the assistance furthers United
5 States national interests.

6 WITHHOLDING OF ASSISTANCE FOR PARKING FINES
7 OWED BY FOREIGN COUNTRIES

8 SEC. 544. (a) IN GENERAL.—Of the funds made
9 available for a foreign country under part I of the Foreign
10 Assistance Act of 1961, an amount equivalent to 110 per-
11 cent of the total unpaid fully adjudicated parking fines
12 and penalties owed to the District of Columbia by such
13 country as of the date of the enactment of this Act shall
14 be withheld from obligation for such country until the Sec-
15 retary of State certifies and reports in writing to the ap-
16 propriate congressional committees that such fines and
17 penalties are fully paid to the government of the District
18 of Columbia.

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

1 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE
2 WEST BANK AND GAZA

3 SEC. 545. None of the funds appropriated by this Act
4 may be obligated for assistance for the Palestine Libera-
5 tion Organization for the West Bank and Gaza unless the
6 President has exercised the authority under section 604(a)
7 of the Middle East Peace Facilitation Act of 1995 (title
8 VI of Public Law 104–107) or any other legislation to sus-
9 pend or make inapplicable section 307 of the Foreign As-
10 sistance Act of 1961 and that suspension is still in effect:
11 *Provided*, That if the President fails to make the certifi-
12 cation under section 604(b)(2) of the Middle East Peace
13 Facilitation Act of 1995 or to suspend the prohibition
14 under other legislation, funds appropriated by this Act
15 may not be obligated for assistance for the Palestine Lib-
16 eration Organization for the West Bank and Gaza.

17 WAR CRIMES TRIBUNALS DRAWDOWN

18 SEC. 546. If the President determines that doing so
19 will contribute to a just resolution of charges regarding
20 genocide or other violations of international humanitarian
21 law, the President may direct a drawdown pursuant to sec-
22 tion 552(c) of the Foreign Assistance Act of 1961, as
23 amended, of up to \$30,000,000 of commodities and serv-
24 ices for the United Nations War Crimes Tribunal estab-
25 lished with regard to the former Yugoslavia by the United
26 Nations Security Council or such other tribunals or com-

1 missions as the Council may establish to deal with such
 2 violations, without regard to the ceiling limitation con-
 3 tained in paragraph (2) thereof: *Provided*, That the deter-
 4 mination required under this section shall be in lieu of
 5 any determinations otherwise required under section
 6 552(c): *Provided further*, That the drawdown made under
 7 this section for any tribunal shall not be construed as an
 8 endorsement or precedent for the establishment of any
 9 standing or permanent international criminal tribunal or
 10 court: *Provided further*, That funds made available for tri-
 11 bunals other than Yugoslavia or Rwanda shall be made
 12 available subject to the regular notification procedures of
 13 the Committees on Appropriations.

14 LANDMINES

15 SEC. 547. Notwithstanding any other provision of
 16 law, demining equipment available to the United States
 17 Agency for International Development and the Depart-
 18 ment of State and used in support of the clearance of
 19 landmines and unexploded ordnance for humanitarian
 20 purposes may be disposed of on a grant basis in foreign
 21 countries, subject to such terms and conditions as the
 22 President may prescribe.

23 RESTRICTIONS CONCERNING THE PALESTINIAN

24 AUTHORITY

25 SEC. 548. None of the funds appropriated by this Act
 26 may be obligated or expended to create in any part of Je-

1 Jerusalem a new office of any department or agency of the
2 United States Government for the purpose of conducting
3 official United States Government business with the Pal-
4 estinian Authority over Gaza and Jericho or any successor
5 Palestinian governing entity provided for in the Israel-
6 PLO Declaration of Principles: *Provided*, That this re-
7 striction shall not apply to the acquisition of additional
8 space for the existing Consulate General in Jerusalem:
9 *Provided further*, That meetings between officers and em-
10 ployees of the United States and officials of the Pales-
11 tinian Authority, or any successor Palestinian governing
12 entity provided for in the Israel-PLO Declaration of Prin-
13 ciples, for the purpose of conducting official United States
14 Government business with such authority should continue
15 to take place in locations other than Jerusalem. As has
16 been true in the past, officers and employees of the United
17 States Government may continue to meet in Jerusalem on
18 other subjects with Palestinians (including those who now
19 occupy positions in the Palestinian Authority), have social
20 contacts, and have incidental discussions.

21 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

22 SEC. 549. None of the funds appropriated or other-
23 wise made available by this Act under the heading “Inter-
24 national Military Education and Training” or “Foreign
25 Military Financing Program” for Informational Program
26 activities or under the headings “Child Survival and

1 Health Programs Fund”, “Development Assistance”, and
2 “Economic Support Fund” may be obligated or expended
3 to pay for—

4 (1) alcoholic beverages; or

5 (2) entertainment expenses for activities that
6 are substantially of a recreational character, includ-
7 ing entrance fees at sporting events and amusement
8 parks.

9 SPECIAL DEBT RELIEF FOR THE POOREST

10 SEC. 550. (a) AUTHORITY TO REDUCE DEBT.—The
11 President may reduce amounts owed to the United States
12 (or any agency of the United States) by an eligible country
13 as a result of—

14 (1) guarantees issued under sections 221 and
15 222 of the Foreign Assistance Act of 1961;

16 (2) credits extended or guarantees issued under
17 the Arms Export Control Act; or

18 (3) any obligation or portion of such obligation,
19 to pay for purchases of United States agricultural
20 commodities guaranteed by the Commodity Credit
21 Corporation under export credit guarantee programs
22 authorized pursuant to section 5(f) of the Com-
23modity Credit Corporation Charter Act of June 29,
24 1948, as amended, section 4(b) of the Food for
25 Peace Act of 1966, as amended (Public Law 89–

1 808), or section 202 of the Agricultural Trade Act
2 of 1978, as amended (Public Law 95–501).

3 (b) LIMITATIONS.—

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

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

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

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

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

24 (2) has not repeatedly provided support for acts
25 of international terrorism;

1 (3) is not failing to cooperate on international
2 narcotics control matters;

3 (4) (including its military or other security
4 forces) does not engage in a consistent pattern of
5 gross violations of internationally recognized human
6 rights; and

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

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

14 (e) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-
15 duction of debt pursuant to subsection (a) shall not be
16 considered assistance for purposes of any provision of law
17 limiting assistance to a country. The authority provided
18 by subsection (a) may be exercised notwithstanding sec-
19 tion 620(r) of the Foreign Assistance Act of 1961 or sec-
20 tion 321 of the International Development and Food As-
21 sistance Act of 1975.

22 AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES

23 SEC. 551. (a) LOANS ELIGIBLE FOR SALE, REDUC-
24 TION, OR CANCELLATION.—

25 (1) AUTHORITY TO SELL, REDUCE, OR CANCEL
26 CERTAIN LOANS.—Notwithstanding any other provi-

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

10 (A) debt-for-equity swaps, debt-for-develop-
11 ment swaps, or debt-for-nature swaps; or

12 (B) a debt buyback by an eligible country
13 of its own qualified debt, only if the eligible
14 country uses an additional amount of the local
15 currency of the eligible country, equal to not
16 less than 40 percent of the price paid for such
17 debt by such eligible country, or the difference
18 between the price paid for such debt and the
19 face value of such debt, to support activities
20 that link conservation and sustainable use of
21 natural resources with local community develop-
22 ment, and child survival and other child devel-
23 opment, in a manner consistent with sections
24 707 through 710 of the Foreign Assistance Act
25 of 1961, if the sale, reduction, or cancellation

1 would not contravene any term or condition of
2 any prior agreement relating to such loan.

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

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

19 (4) LIMITATION.—The authorities of this sub-
20 section shall be available only to the extent that ap-
21 propriations for the cost of the modification, as de-
22 fined in section 502 of the Congressional Budget Act
23 of 1974, are made in advance.

24 (b) DEPOSIT OF PROCEEDS.—The proceeds from the
25 sale, reduction, or cancellation of any loan sold, reduced,

1 or canceled pursuant to this section shall be deposited in
2 the United States Government account or accounts estab-
3 lished for the repayment of such loan.

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

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

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

20 RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO
21 UNITED NATIONS AGENCIES

22 SEC. 552. (a) PROHIBITION ON VOLUNTARY CON-
23 TRIBUTIONS FOR THE UNITED NATIONS.—None of the
24 funds appropriated by this Act may be made available to
25 pay any voluntary contribution of the United States to the
26 United Nations (including the United Nations Develop-

1 ment Program) if the United Nations implements or im-
2 poses any taxation on any United States persons.

3 (b) CERTIFICATION REQUIRED FOR DISBURSEMENT
4 OF FUNDS.—None of the funds appropriated by this Act
5 may be made available to pay any voluntary contribution
6 of the United States to the United Nations (including the
7 United Nations Development Program) unless the Presi-
8 dent certifies to the Congress 15 days in advance of such
9 payment that the United Nations is not engaged in any
10 effort to implement or impose any taxation on United
11 States persons in order to raise revenue for the United
12 Nations or any of its specialized agencies.

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

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

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

21 HAITI COAST GUARD

22 SEC. 553. The Government of Haiti shall be eligible
23 to purchase defense articles and services under the Arms
24 Export Control Act (22 U.S.C. 2751 et seq.), for the Coast
25 Guard: *Provided*, That the authority provided by this sec-

tion shall be subject to the regular notification procedures of the Committees on Appropriations.

LIMITATION ON ASSISTANCE TO THE PALESTINIAN

AUTHORITY

SEC. 554. (a) PROHIBITION OF FUNDS.—None of the funds appropriated by this Act to carry out the provisions of chapter 4 of part II of the Foreign Assistance Act of 1961 may be obligated or expended with respect to providing funds to the Palestinian Authority.

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

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

LIMITATION ON ASSISTANCE TO SECURITY FORCES

SEC. 555. None of the funds made available by this Act may be provided to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights, unless the Secretary determines and reports to the Committees on Appropriations that the government

1 of such country is taking effective measures to bring the
2 responsible members of the security forces unit to justice:
3 *Provided*, That nothing in this section shall be construed
4 to withhold funds made available by this Act from any
5 unit of the security forces of a foreign country not credibly
6 alleged to be involved in gross violations of human rights:
7 *Provided further*, That in the event that funds are withheld
8 from any unit pursuant to this section, the Secretary of
9 State shall promptly inform the foreign government of the
10 basis for such action and shall, to the maximum extent
11 practicable, assist the foreign government in taking effective
12 measures to bring the responsible members of the security
13 forces to justice.

14 DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS
15 IN THE RUSSIAN FEDERATION

16 SEC. 556. None of the funds appropriated under this
17 Act may be made available for the Government of the Russian
18 Federation, after 180 days from the date of the enactment
19 of this Act, unless the President determines and
20 certifies in writing to the Committees on Appropriations
21 and the Committee on Foreign Relations of the Senate
22 that the Government of the Russian Federation has implemented
23 no statute, executive order, regulation or similar
24 government action that would discriminate, or would have
25 as its principal effect discrimination, against religious
26 groups or religious communities in the Russian Federation

1 in violation of accepted international agreements on
2 human rights and religious freedoms to which the Russian
3 Federation is a party.

4 ASSISTANCE FOR THE MIDDLE EAST

5 SEC. 557. Of the funds appropriated in titles II and
6 III of this Act under the headings “Economic Support
7 Fund”, “Foreign Military Financing Program”, “Inter-
8 national Military Education and Training”, “Peace-
9 keeping Operations”, for refugees resettling in Israel
10 under the heading “Migration and Refugee Assistance”,
11 and for assistance for Israel to carry out provisions of
12 chapter 8 of part II of the Foreign Assistance Act of 1961
13 under the heading “Nonproliferation, Anti-Terrorism,
14 Demining and Related Programs”, not more than a total
15 of \$5,141,150,000 may be made available for Israel,
16 Egypt, Jordan, Lebanon, the West Bank and Gaza, the
17 Israel-Lebanon Monitoring Group, the Multinational
18 Force and Observers, the Middle East Regional Democ-
19 racy Fund, Middle East Regional Cooperation, and Middle
20 East Multilateral Working Groups: *Provided*, That any
21 funds that were appropriated under such headings in prior
22 fiscal years and that were at the time of the enactment
23 of this Act obligated or allocated for other recipients may
24 not during fiscal year 2002 be made available for activities
25 that, if funded under this Act, would be required to count
26 against this ceiling: *Provided further*, That funds may be

1 made available notwithstanding the requirements of this
2 section if the President determines and certifies to the
3 Committees on Appropriations that it is important to the
4 national security interest of the United States to do so
5 and any such additional funds shall only be provided
6 through the regular notification procedures of the Com-
7 mittees on Appropriations.

8 ENTERPRISE FUND RESTRICTIONS

9 SEC. 558. Prior to the distribution of any assets re-
10 sulting from any liquidation, dissolution, or winding up
11 of an Enterprise Fund, in whole or in part, the President
12 shall submit to the Committees on Appropriations, in ac-
13 cordance with the regular notification procedures of the
14 Committees on Appropriations, a plan for the distribution
15 of the assets of the Enterprise Fund.

16 CAMBODIA

17 SEC. 559. (a) The Secretary of the Treasury should
18 instruct the United States executive directors of the inter-
19 national financial institutions to use the voice and vote
20 of the United States to oppose loans to the Central Gov-
21 ernment of Cambodia, except loans to support basic
22 human needs.

23 (b) None of the funds appropriated by this Act may
24 be made available for assistance (except for assistance for
25 basic education) for the Central Government of Cambodia.

1 FOREIGN MILITARY TRAINING REPORT

2 SEC. 560. (a) The Secretary of Defense and the Sec-
3 retary of State shall jointly provide to the Congress by
4 March 1, 2002, a report on all military training provided
5 to foreign military personnel (excluding sales, and exclud-
6 ing training provided to the military personnel of countries
7 belonging to the North Atlantic Treaty Organization)
8 under programs administered by the Department of De-
9 fense and the Department of State during fiscal years
10 2001 and 2002, including those proposed for fiscal year
11 2002. This report shall include, for each such military
12 training activity, the foreign policy justification and pur-
13 pose for the training activity, the cost of the training activ-
14 ity, the number of foreign students trained and their units
15 of operation, and the location of the training. In addition,
16 this report shall also include, with respect to United States
17 personnel, the operational benefits to United States forces
18 derived from each such training activity and the United
19 States military units involved in each such training activ-
20 ity. This report may include a classified annex if deemed
21 necessary and appropriate.

22 (b) For purposes of this section a report to Congress
23 shall be deemed to mean a report to the Appropriations
24 and Foreign Relations Committees of the Senate and the

1 Appropriations and International Relations Committees of
2 the House of Representatives.

3 KOREAN PENINSULA ENERGY DEVELOPMENT

4 ORGANIZATION

5 SEC. 561. (a) Of the funds made available under the
6 heading “Nonproliferation, Anti-terrorism, Demining and
7 Related Programs”, not to exceed \$95,000,000 may be
8 made available for the Korean Peninsula Energy Develop-
9 ment Organization (hereafter referred to in this section
10 as “KEDO”), notwithstanding any other provision of law,
11 only for the administrative expenses and heavy fuel oil
12 costs associated with the Agreed Framework.

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

16 (1) the parties to the Agreed Framework have
17 taken and continue to take demonstrable steps to
18 implement the Joint Declaration on
19 Denuclearization of the Korean Peninsula;

20 (2) North Korea is complying with all provi-
21 sions of the Agreed Framework; and

22 (3) the United States is continuing to make sig-
23 nificant progress on eliminating the North Korean
24 ballistic missile threat, including further missile tests
25 and its ballistic missile exports.

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

8 (d) The Secretary of State shall, at the time of the
9 annual presentation for appropriations, submit a report
10 providing a full and detailed accounting of the fiscal year
11 2003 request for the United States contribution to KEDO,
12 the expected operating budget of KEDO, proposed annual
13 costs associated with heavy fuel oil purchases, including
14 unpaid debt, and the amount of funds pledged by other
15 donor nations and organizations to support KEDO activi-
16 ties on a per country basis, and other related activities.

17 (e) The final proviso under the heading “Inter-
18 national Organizations and Programs” in the Foreign Op-
19 erations, Export Financing, and Related Programs Appro-
20 priations Act, 1996 (Public Law 104–107) is repealed.

21 PLO COMPLIANCE REPORT

22 SEC. 562. (a) REPORTING REQUIREMENT.—The
23 President shall, at the time specified in subsection (b),
24 submit a report to the Congress assessing the steps that
25 the Palestine Liberation Organization (PLO), or the Pal-
26 estinian Authority, as appropriate, has taken to comply

1 with its 1993 commitments to renounce the use of ter-
2 rorism and all other acts of violence and to assume respon-
3 sibility over all PLO or Palestinian Authority elements
4 and personnel in order to assure their compliance, prevent
5 violations, and discipline violators, including the arrest
6 and prosecution of individuals involved in acts of terror
7 and violence. The President shall determine, based on such
8 assessment, whether the PLO or the Palestinian Author-
9 ity, as appropriate, has substantially complied with such
10 commitments. If the President determines based on the
11 assessment that such compliance has not occurred, then
12 the President shall, for a period of time of not less than
13 6 months, impose one or more of the following sanctions:

14 (1) Notwithstanding any other provision of law,
15 the President shall withdraw or terminate any waiv-
16 er by the President of the requirements of section
17 1003 of the Foreign Relations Authorization Act of
18 1988 and 1989 (22 U.S.C. 5202) (prohibiting the
19 establishment or maintenance of a Palestinian infor-
20 mation office in the United States), and such section
21 shall apply so as to prohibit the operation of a PLO
22 or Palestinian Authority office in the United States
23 from carrying out any function other than those
24 functions carried out by the Palestinian information
25 office in existence prior to the Oslo Accords.

1 (2) The President shall designate the PLO, or
2 one or more of its constituent groups (including
3 Fatah and Tanzim) or groups operating as arms of
4 the Palestinian Authority (including Force 17) as a
5 foreign terrorist organization, in accordance with
6 section 219(a) of the Immigration and Nationality
7 Act.

8 (3) United States assistance (except humani-
9 tarian assistance) shall not be provided for the West
10 Bank and Gaza Program.

11 (b) SUBMISSION OF REPORT.—The report required
12 under subsection (a) shall be transmitted not later than
13 60 days after the date of enactment of this Act and shall
14 cover the period commencing June 13, 2001.

15 (c) UPDATE OF REPORT.—The President shall up-
16 date the report submitted pursuant to subsection (a) as
17 part of the next report required under the PLO Commit-
18 ments Compliance Act of 1989 (title VIII of Public Law
19 101–246).

20 (d) WAIVER AUTHORITY.—The President may waive
21 any or all of the sanctions imposed under subsection (a)
22 if the President determines and reports to the appropriate
23 committees of the Congress that such a waiver is in the
24 national security interests of the United States.

1 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN
2 BROADCASTING CORPORATION

3 SEC. 563. None of the funds appropriated or other-
4 wise made available by this Act may be used to provide
5 equipment, technical support, consulting services, or any
6 other form of assistance to the Palestinian Broadcasting
7 Corporation.

8 IRAQ

9 SEC. 564. Notwithstanding any other provision of
10 law, funds appropriated under the heading “Economic
11 Support Fund” may be made available for programs bene-
12 fitting the Iraqi people and to support efforts to bring
13 about political transition in Iraq.

14 WEST BANK AND GAZA PROGRAM

15 SEC. 565. For fiscal year 2002, 30 days prior to the
16 initial obligation of funds for the bilateral West Bank and
17 Gaza Program, the Secretary of State shall certify to the
18 appropriate committees of Congress that procedures have
19 been established to assure the Comptroller General of the
20 United States will have access to appropriate United
21 States financial information in order to review the uses
22 of United States assistance for the Program funded under
23 the heading “Economic Support Fund” for the West Bank
24 and Gaza.

INDONESIA

1

2 SEC. 566. (a) Funds appropriated by this Act under
3 the headings “International Military Education and
4 Training” and “Foreign Military Financing Program”
5 may be made available for Indonesian Ministry of Defense
6 or military personnel if the President determines and sub-
7 mits a report to the appropriate congressional committees
8 that the Government of Indonesia and the Indonesian
9 Armed Forces are—

10 (1) taking effective measures to bring to justice
11 members of the armed forces and militia groups
12 against whom there is credible evidence of human
13 rights violations;

14 (2) taking effective measures to bring to justice
15 members of the armed forces against whom there is
16 credible evidence of aiding or abetting militia
17 groups;

18 (3) allowing displaced persons and refugees to
19 return home to East Timor, including providing safe
20 passage for refugees returning from West Timor;

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

23 (5) demonstrating a commitment to preventing
24 incursions into East Timor by members of militia
25 groups in West Timor; and

1 (6) demonstrating a commitment to account-
2 ability by cooperating with investigations and pros-
3 ecutions of members of the Indonesian Armed
4 Forces and militia groups responsible for human
5 rights violations in Indonesia and East Timor.

6 MAN AND THE BIOSPHERE

7 SEC. 567. None of the funds appropriated or other-
8 wise made available by this Act may be provided for the
9 United Nations Man and the Biosphere Program.

10 TAIWAN REPORTING REQUIREMENT

11 SEC. 568. Not less than 30 days prior to the next
12 round of arms talks between the United States and Tai-
13 wan, the President shall consult, on a classified basis, with
14 appropriate Congressional leaders and committee chair-
15 men and ranking members regarding the following mat-
16 ters:

17 (1) Taiwan's requests for purchase of defense
18 articles and defense services during the pending
19 round of arms talks;

20 (2) the Administration's assessment of the le-
21 gitimate defense needs of Taiwan, in light of Tai-
22 wan's requests; and

23 (3) the decision-making process used by the Ex-
24 ecutive branch to consider those requests.

1 RESTRICTIONS ON ASSISTANCE TO GOVERNMENTS

2 DESTABILIZING SIERRA LEONE

3 SEC. 569. (a) None of the funds appropriated by this
4 Act may be made available for assistance for the govern-
5 ment of any country that the Secretary of State deter-
6 mines there is credible evidence that such government has
7 provided lethal or non-lethal military support or equip-
8 ment, directly or through intermediaries, within the pre-
9 vious 6 months to the Sierra Leone Revolutionary United
10 Front (RUF), or any other group intent on destabilizing
11 the democratically elected government of the Republic of
12 Sierra Leone.

13 (b) None of the funds appropriated by this Act may
14 be made available for assistance for the government of any
15 country that the Secretary of State determines there is
16 credible evidence that such government has aided or abet-
17 ted, within the previous 6 months, in the illicit distribu-
18 tion, transportation, or sale of diamonds mined in Sierra
19 Leone.

20 (c) Whenever the prohibition on assistance required
21 under subsection (a) or (b) is exercised, the Secretary of
22 State shall notify the Committees on Appropriations in a
23 timely manner.

24 VOLUNTARY SEPARATION INCENTIVES

25 SEC. 570. Section 579(c)(2)(D) of the Foreign Oper-
26 ations, Export Financing, and Related Programs Appro-

1 priations Act, 2000, as enacted by section 1000(a)(2) of
2 the Consolidated Appropriations Act, 2000 (Public Law
3 106–113), as amended, is further amended by striking
4 “December 31, 2001” and inserting in lieu thereof “De-
5 cember 31, 2002”.

6 CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

7 SEC. 571. (a) LIMITATIONS ON AMOUNT OF CON-
8 TRIBUTION.—Of the amounts made available under
9 “International Organizations and Programs”, not more
10 than \$25,000,000 for fiscal year 2002 shall be available
11 for the United Nations Population Fund (hereafter in this
12 section referred to as the “UNFPA”).

13 (b) PROHIBITION ON USE OF FUNDS IN CHINA.—
14 None of the funds made available under “International
15 Organizations and Programs” may be made available for
16 the UNFPA for a country program in the People’s Repub-
17 lic of China.

18 (c) CONDITIONS ON AVAILABILITY OF FUNDS.—
19 Amounts made available under “International Organiza-
20 tions and Programs” for fiscal year 2002 for the UNFPA
21 may not be made available to UNFPA unless—

22 (1) the UNFPA maintains amounts made avail-
23 able to the UNFPA under this section in an account
24 separate from other accounts of the UNFPA;

1 (2) the UNFPA does not commingle amounts
2 made available to the UNFPA under this section
3 with other sums; and

4 (3) the UNFPA does not fund abortions.

5 (d) REPORT TO THE CONGRESS AND WITHHOLDING
6 OF FUNDS.—

7 (1) Not later than February 15, 2002, the Sec-
8 retary of State shall submit a report to the appro-
9 priate congressional committees indicating the
10 amount of funds that the United Nations Population
11 Fund is budgeting for the year in which the report
12 is submitted for a country program in the People's
13 Republic of China.

14 (2) If a report under subparagraph (A) indi-
15 cates that the United Nations Population Fund
16 plans to spend funds for a country program in the
17 People's Republic of China in the year covered by
18 the report, then the amount of such funds that the
19 UNFPA plans to spend in the People's Republic of
20 China shall be deducted from the funds made avail-
21 able to the UNFPA after March 1 for obligation for
22 the remainder of the fiscal year in which the report
23 is submitted.

24 AMERICAN CHURCHWOMEN IN EL SALVADOR

25 SEC. 572. (a) Information relevant to the December
26 2, 1980, murders of four American churchwomen in El

1 Salvador shall be made public to the fullest extent pos-
2 sible.

3 (b) The Secretary of State and the Department of
4 State are to be commended for fully releasing information
5 regarding the murders.

6 (c) The President shall order all Federal agencies and
7 departments that process relevant information to make
8 every effort to declassify and release to the victims' fami-
9 lies relevant information as expeditiously as possible.

10 (d) In making determinations concerning the declas-
11 sification and release of relevant information, the Federal
12 agencies and departments shall presume in favor of releas-
13 ing, rather than of withholding, such information.

14 PROCUREMENT AND FINANCIAL MANAGEMENT REFORM

15 SEC. 573. (a) FUNDING CONDITIONS.—Of the funds
16 made available under the heading “International Financial
17 Institutions” in this Act, 10 percent of the United States
18 portion or payment to such International Financial Insti-
19 tution shall be withheld by the Secretary of the Treasury,
20 until the Secretary certifies to the Committees on Appro-
21 priations that, to the extent pertinent to its lending pro-
22 grams, the institution is—

23 (1) implementing procedures for conducting an-
24 nual audits by qualified independent auditors for all
25 new investment lending;

1 (2) implementing procedures for annual inde-
2 pendent external audits of central bank financial
3 statements for countries making use of International
4 Monetary Fund resources under new arrangements
5 or agreements with the Fund;

6 (3) taking steps to establish an independent
7 fraud and corruption investigative organization or
8 office;

9 (4) implementing a process to assess a recipient
10 country's procurement and financial management
11 capabilities including an analysis of the risks of cor-
12 ruption prior to initiating new investment lending;
13 and

14 (5) taking steps to fund and implement pro-
15 grams and policies to improve transparency and
16 anti-corruption programs and procurement and fi-
17 nancial management controls in recipient countries.

18 (b) REPORT.—The Secretary of the Treasury shall
19 report on March 1, 2002 to the Committees on Appropria-
20 tions on progress made by each International Financial
21 Institution, and, to the extent pertinent to its lending pro-
22 grams, the International Monetary Fund, to fulfill the ob-
23 jectives identified in subsection (a) and on progress of the
24 International Monetary Fund to implement procedures for
25 annual independent external audits of central bank finan-

1 cial statements for countries making use of Fund re-
2 sources under all new arrangements with the Fund.

3 (c) DEFINITIONS.—The term “International Finan-
4 cial Institutions” means the International Bank for Re-
5 construction and Development, the International Develop-
6 ment Association, the International Finance Corporation,
7 the Inter-American Development Bank, the Inter-Amer-
8 ican Investment Corporation, the Enterprise for the Amer-
9 icas Multilateral Investment Fund, the Asian Development
10 Bank, the Asian Development Fund, the African Develop-
11 ment Bank, the African Development Fund, the European
12 Bank for Reconstruction and Development, and the Inter-
13 national Monetary Fund.

14 COMMERCIAL LEASING OF DEFENSE ARTICLES

15 SEC. 574. Notwithstanding any other provision of
16 law, and subject to the regular notification procedures of
17 the Committees on Appropriations, the authority of sec-
18 tion 23(a) of the Arms Export Control Act may be used
19 to provide financing to Israel, Egypt and NATO and
20 major non-NATO allies for the procurement by leasing
21 (including leasing with an option to purchase) of defense
22 articles from United States commercial suppliers, not in-
23 cluding Major Defense Equipment (other than helicopters
24 and other types of aircraft having possible civilian applica-
25 tion), if the President determines that there are compel-
26 ling foreign policy or national security reasons for those

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

3 WAR CRIMINALS

4 SEC. 575. (a) None of the funds appropriated or oth-
5 erwise made available pursuant to this Act may be made
6 available for assistance, with the exception of humani-
7 tarian assistance and assistance for democratization, to
8 any country, entity or municipality whose competent au-
9 thorities have failed, as determined by the Secretary of
10 State, to take necessary and significant steps to imple-
11 ment its international legal obligations to apprehend and
12 transfer to the International Criminal Tribunal for the
13 Former Yugoslavia (the “Tribunal”) all persons in their
14 territory who have been publicly indicted by the Tribunal.

15 (b) The provisions of subsection (a) shall apply unless
16 the Secretary of State determines and reports to the ap-
17 propriate committees of the Congress that the competent
18 authorities of such country, entity, or municipality are—

19 (1) cooperating with the Tribunal, including ac-
20 cess for investigators, the provision of documents,
21 and the surrender and transfer of publicly indicted
22 indictes or assistance in their apprehension; and

23 (2) taking steps that are consistent with the
24 Dayton Accords.

25 (c) The Secretary of State may waive the application
26 of subsection (a) with respect to a country, entity, or mu-

1 nicipality upon a written determination to the Committees
2 on Appropriations of the House of Representatives and the
3 Senate that provision of assistance that would otherwise
4 be prohibited by that subsection is in the national interest
5 of the United States.

6 USER FEES

7 SEC. 576. The Secretary of the Treasury shall in-
8 struct the United States Executive Director at each inter-
9 national financial institution (as defined in section
10 1701(c)(2) of the International Financial Institutions Act)
11 and the International Monetary Fund to oppose any loan
12 of these institutions that would require user fees or service
13 charges on poor people for primary education or primary
14 healthcare, including prevention and treatment efforts for
15 HIV/AIDS, malaria, tuberculosis, and infant, child, and
16 maternal well-being, in connection with the institutions'
17 lending programs.

18 BASIC EDUCATION ASSISTANCE FOR PAKISTAN

19 SEC. 577. Funds appropriated by this Act to carry
20 out the provisions of chapter 4 of part II of the Foreign
21 Assistance Act of 1961 may be made available for assist-
22 ance for basic education programs for Pakistan, notwith-
23 standing any provision of law that restricts assistance to
24 foreign countries.

1 HEAVILY INDEBTED POOR COUNTRIES TRUST FUND

2 AUTHORIZATION

3 SEC. 578. Section 801(b)(1) of the Foreign Oper-
4 ations, Export Financing, and Related Programs Appro-
5 priations Act, 2001 (Public Law 106–429) is amended by
6 striking “\$435,000,000” and inserting “\$600,000,000”.

7 FUNDING FOR SERBIA

8 SEC. 579. (a) Funds appropriated by this Act may
9 be made available for assistance for Serbia after March
10 31, 2002, if the President has made the determination and
11 certification contained in subsection (c).

12 (b) After March 31, 2002, the Secretary of the Treas-
13 ury should instruct the United States executive directors
14 to international financial institutions to support loans and
15 assistance to the Government of the Federal Republic of
16 Yugoslavia subject to the conditions in subsection (c).

17 (c) The determination and certification referred to in
18 subsection (a) is a determination by the President and a
19 certification to the Committees on Appropriations that the
20 Government of the Federal Republic of Yugoslavia is—

21 (1) cooperating with the International Criminal
22 Tribunal for Yugoslavia including access for inves-
23 tigators, the provision of documents, and the sur-
24 render and transfer of indictees or assistance in
25 their apprehension;

1 (2) taking steps that are consistent with the
2 Dayton Accords to end Serbian financial, political,
3 security and other support which has served to
4 maintain separate Republika Srpska institutions;
5 and

6 (3) taking steps to implement policies which re-
7 flect a respect for minority rights and the rule of
8 law.

9 (d) Subsections (b) and (c) shall not apply to Monte-
10 negro, Kosovo, humanitarian assistance or assistance to
11 promote democracy in municipalities.

12 IMPROVING GLOBAL HEALTH THROUGH SAFE INJECTIONS

13 SEC. 580. (a) In carrying out immunization programs
14 and other programs for the prevention, treatment, and
15 control of infectious diseases, including tuberculosis, HIV
16 and AIDS, polio, and malaria, the Administrator of the
17 United States Agency for International Development, in
18 coordination with the Centers for Disease Control and
19 Prevention, the National Institutes of Health, national
20 and local governments, and other organizations, such as
21 the World Health Organization and the United Nations
22 Children's Fund, shall develop and implement effective
23 strategies to improve injection safety, including elimi-
24 nating unnecessary injections, promoting the availability
25 and use of single-use auto-disable needles and syringes
26 and other safe injection technologies, strengthening the

1 procedures for proper needle and syringe disposal, and im-
2 proving the education and information provided to the
3 public and to health professionals.

4 (b) Not later than March 31, 2002, the Adminis-
5 trator of the United States Agency for International De-
6 velopment shall transmit to the Congress a report on the
7 implementation of subsection (a).

8 EL SALVADOR RECONSTRUCTION

9 SEC. 581. During fiscal year 2002, not less than
10 \$100,000,000 shall be made available for rehabilitation
11 and reconstruction assistance for El Salvador: *Provided*,
12 That such funds shall be derived as follows: (1) from funds
13 appropriated by this Act, not less than \$65,000,000, of
14 which not less than \$25,000,000 shall be from funds ap-
15 propriated under the heading “Economic Support Fund”,
16 not to exceed \$25,000,000 shall be from funds appro-
17 priated under the heading “International Disaster Assist-
18 ance”, and not to exceed a total of \$15,000,000 shall be
19 from funds appropriated under the headings “Child Sur-
20 vival and Health Programs Fund” and “Development As-
21 sistance”; and (2) from funds appropriated under such
22 headings for foreign operations, export financing, and re-
23 lated programs for fiscal year 1999 and prior years, not
24 less than \$35,000,000: *Provided further*, That none of the
25 funds made available under this section may be obligated
26 for nonproject assistance: *Provided further*, That prior to

1 any obligation of funds made available under this section,
2 the Administrator of the United States Agency for Inter-
3 national Development (USAID) shall provide the Commit-
4 tees on Appropriations with a detailed report containing
5 the amount of the proposed obligation and a description
6 of the programs and projects, on a sector-by-sector basis,
7 to be funded with such amount: *Provided further*, That
8 of the funds made available under this heading, up to
9 \$2,500,000 may be used for administrative expenses, in-
10 cluding auditing costs, of USAID.

11 PROHIBITION ON UNITED STATES CONTRIBUTION TO THE
12 UNITED NATIONS INTERNATIONAL NARCOTICS CON-
13 TROL BOARD

14 SEC. 582. None of the funds appropriated by this Act
15 may be used for a United States contribution to the
16 United Nations International Narcotics Control Board.

17 SEC. 583. None of the funds made available by this
18 Act may be used to award a contract to a person or entity
19 whose bid or proposal reflects that the person or entity
20 has violated the Act of March 3, 1933 (41 U.S.C. 10a-
21 10c, popularly known as the “Buy American Act”).

22 FUNDING FOR TRAFFICKING VICTIMS PROTECTION ACT
23 OF 2000

24 SEC. 584. Of the amounts made available in this Act
25 under the items “DEVELOPMENT ASSISTANCE”, “ECO-
26 NOMIC SUPPORT FUND”, “ASSISTANCE FOR EASTERN EU-

1 ROPE AND THE BALTIC STATES”, “ASSISTANCE FOR THE
2 INDEPENDENT STATES OF THE FORMER SOVIET UNION”,
3 “INTERNATIONAL NARCOTICS CONTROL AND LAW EN-
4 FORCEMENT”, and “MIGRATION AND REFUGEE ASSIST-
5 ANCE”—

6 (1) \$10,000,000 shall be made available for
7 prevention of trafficking in persons, as authorized by
8 section 106 of the Trafficking Victims Protection
9 Act of 2000 (division A of Public Law 106–386);

10 (2) \$10,000,000 shall be made available for the
11 protection and assistance for victims of trafficking of
12 persons, as authorized by section 107(a) of such Act;
13 and

14 (3) \$10,000,000 shall be made available to as-
15 sist foreign countries to meet minimum standards
16 for the elimination of trafficking, as authorized by
17 section 134 of the Foreign Assistance Act of 1961.

18 This Act may be cited as the “Foreign Operations,
19 Export Financing, and Related Programs Appropriations
20 Act, 2002”.

Passed the House of Representatives July 24, 2001.

Attest:

JEFF TRANDAHL,

Clerk.