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107TH CONGRESS
1ST SESSION

H. R. 2506

[Report No. 107-142]

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

IN THE HOUSE OF REPRESENTATIVES

JULY 17, 2001

Mr. KOLBE, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

A BILL

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

1 TITLE I—EXPORT AND INVESTMENT
2 ASSISTANCE

3 EXPORT-IMPORT BANK OF THE UNITED STATES

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

21 SUBSIDY APPROPRIATION

22 For the cost of direct loans, loan guarantees, insur-
23 ance, and tied-aid grants as authorized by section 10 of
24 the Export-Import Bank Act of 1945, as amended,
25 \$753,323,000 to remain available until September 30,
26 2005: *Provided*, That such costs, including the cost of

1 modifying such loans, shall be as defined in section 502
2 of the Congressional Budget Act of 1974: *Provided fur-*
3 *ther*, That such sums shall remain available until Sep-
4 tember 30, 2020 for the disbursement of direct loans, loan
5 guarantees, insurance and tied-aid grants obligated in fis-
6 cal years 2002, 2003, 2004, and 2005: *Provided further*,
7 That none of the funds appropriated by this Act or any
8 prior Act appropriating funds for foreign operations, ex-
9 port financing, or related programs for tied-aid credits or
10 grants may be used for any other purpose except through
11 the regular notification procedures of the Committees on
12 Appropriations: *Provided further*, That funds appropriated
13 by this paragraph are made available notwithstanding sec-
14 tion 2(b)(2) of the Export Import Bank Act of 1945, in
15 connection with the purchase or lease of any product by
16 any East European country, any Baltic State or any agen-
17 cy or national thereof.

18 ADMINISTRATIVE EXPENSES

19 For administrative expenses to carry out the direct
20 and guaranteed loan and insurance programs, including
21 hire of passenger motor vehicles and services as authorized
22 by 5 U.S.C. 3109, and not to exceed \$30,000 for official
23 reception and representation expenses for members of the
24 Board of Directors, \$63,000,000: *Provided*, That nec-
25 essary expenses (including special services performed on
26 a contract or fee basis, but not including other personal

1 services) in connection with the collection of moneys owed
2 the Export-Import Bank, repossession or sale of pledged
3 collateral or other assets acquired by the Export-Import
4 Bank in satisfaction of moneys owed the Export-Import
5 Bank, or the investigation or appraisal of any property,
6 or the evaluation of the legal or technical aspects of any
7 transaction for which an application for a loan, guarantee
8 or insurance commitment has been made, shall be consid-
9 ered nonadministrative expenses for the purposes of this
10 heading: *Provided further*, That, notwithstanding sub-
11 section (b) of section 117 of the Export Enhancement Act
12 of 1992, subsection (a) thereof shall remain in effect until
13 October 1, 2002.

14 OVERSEAS PRIVATE INVESTMENT CORPORATION

15 NONCREDIT ACCOUNT

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

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

6 PROGRAM ACCOUNT

7 Such sums as may be necessary for administrative
8 expenses to carry out the credit program may be derived
9 from amounts available for administrative expenses to
10 carry out the credit and insurance programs in the Over-
11 seas Private Investment Corporation noncredit Account
12 and merged with said account.

13 FUNDS APPROPRIATED TO THE PRESIDENT

14 TRADE AND DEVELOPMENT AGENCY

15 For necessary expenses to carry out the provisions
16 of section 661 of the Foreign Assistance Act of 1961,
17 \$50,024,000, to remain available until September 30,
18 2003.

19 TITLE II—BILATERAL ECONOMIC ASSISTANCE

20 FUNDS APPROPRIATED TO THE PRESIDENT

21 For expenses necessary to enable the President to
22 carry out the provisions of the Foreign Assistance Act of
23 1961, and for other purposes, to remain available until
24 September 30, 2002, unless otherwise specified herein, as
25 follows:

1 UNITED STATES AGENCY FOR INTERNATIONAL
2 DEVELOPMENT
3 CHILD SURVIVAL AND HEALTH PROGRAMS FUND

4 For necessary expenses to carry out the provisions
5 of chapters 1 and 10 of part I of the Foreign Assistance
6 Act of 1961 and title I of Public Law 106–570, for child
7 survival, reproductive health, assistance to combat tropical
8 and other infectious diseases, and related activities, in ad-
9 dition to funds otherwise available for such purposes,
10 \$1,387,000,000, to remain available until expended: *Pro-*
11 *vided*, That this amount shall be made available for such
12 activities as: (1) immunization programs; (2) oral rehydra-
13 tion programs; (3) health, nutrition, water and sanitation
14 programs, and related education programs, which directly
15 address the needs of mothers and children; (4) assistance
16 for displaced and orphaned children; (5) programs for the
17 prevention, treatment, and control of, and research on, tu-
18 berculosis, HIV/AIDS, polio, malaria and other infectious
19 diseases; and (6) reproductive health: *Provided further*,
20 That none of the funds appropriated under this heading
21 may be made available for nonproject assistance, except
22 that funds may be made available for such assistance for
23 ongoing health programs: *Provided further*, That of the
24 funds appropriated under this heading, not to exceed
25 \$125,000, in addition to funds otherwise available for such
26 purposes, may be used to monitor and provide oversight

1 of child survival, maternal health, and infectious disease
2 programs: *Provided further*, That the following amounts
3 should be allocated as follows: \$295,000,000 for child sur-
4 vival and maternal health; \$25,000,000 for vulnerable
5 children; \$434,000,000 for HIV/AIDS; \$155,000,000 for
6 other infectious diseases; \$120,000,000 for UNICEF; and
7 \$358,000,000 for reproductive health: *Provided further*,
8 That of the funds appropriated under this heading, up to
9 \$60,000,000 may be made available for a United States
10 contribution to the The Vaccine Fund and up to
11 \$10,000,000 may be made available for the International
12 AIDS Vaccine Initiative: *Provided further*, That of the
13 funds appropriated under this heading and under the
14 heading “Child Survival and Disease Programs Fund” in
15 the Foreign Operations, Export Financing, and Related
16 Programs Appropriations Act, 2001, up to \$100,000,000
17 may be made available for a United States contribution
18 to a multilateral trust fund to fight HIV/AIDS, malaria,
19 and tuberculosis: *Provided further*, That none of the funds
20 made available in this Act nor any unobligated balances
21 from prior appropriations may be made available to any
22 organization or program which, as determined by the
23 President of the United States, supports or participates
24 in the management of a program of coercive abortion or
25 involuntary sterilization: *Provided further*, That none of

1 the funds made available under this heading may be used
2 to pay for the performance of abortion as a method of
3 family planning or to motivate or coerce any person to
4 practice abortions; and that in order to reduce reliance
5 on abortion in developing nations, funds shall be available
6 only to voluntary family planning projects which offer, ei-
7 ther directly or through referral to, or information about
8 access to, a broad range of family planning methods and
9 services, and that any such voluntary family planning
10 project shall meet the following requirements: (1) service
11 providers or referral agents in the project shall not imple-
12 ment or be subject to quotas, or other numerical targets,
13 of total number of births, number of family planning ac-
14 ceptors, or acceptors of a particular method of family
15 planning (this provision shall not be construed to include
16 the use of quantitative estimates or indicators for budg-
17 eting and planning purposes); (2) the project shall not in-
18 clude payment of incentives, bribes, gratuities, or financial
19 reward to: (A) an individual in exchange for becoming a
20 family planning acceptor; or (B) program personnel for
21 achieving a numerical target or quota of total number of
22 births, number of family planning acceptors, or acceptors
23 of a particular method of family planning; (3) the project
24 shall not deny any right or benefit, including the right of
25 access to participate in any program of general welfare

1 or the right of access to health care, as a consequence
2 of any individual's decision not to accept family planning
3 services; (4) the project shall provide family planning ac-
4 ceptors comprehensible information on the health benefits
5 and risks of the method chosen, including those conditions
6 that might render the use of the method inadvisable and
7 those adverse side effects known to be consequent to the
8 use of the method; and (5) the project shall ensure that
9 experimental contraceptive drugs and devices and medical
10 procedures are provided only in the context of a scientific
11 study in which participants are advised of potential risks
12 and benefits; and, not less than 60 days after the date
13 on which the Administrator of the United States Agency
14 for International Development determines that there has
15 been a violation of the requirements contained in para-
16 graph (1), (2), (3), or (5) of this proviso, or a pattern
17 or practice of violations of the requirements contained in
18 paragraph (4) of this proviso, the Administrator shall sub-
19 mit to the Committee on International Relations and the
20 Committee on Appropriations of the House of Representa-
21 tives and to the Committee on Foreign Relations and the
22 Committee on Appropriations of the Senate, a report con-
23 taining a description of such violation and the corrective
24 action taken by the Agency: *Provided further*, That in
25 awarding grants for natural family planning under section

1 104 of the Foreign Assistance Act of 1961 no applicant
2 shall be discriminated against because of such applicant's
3 religious or conscientious commitment to offer only nat-
4 ural family planning; and, additionally, all such applicants
5 shall comply with the requirements of the previous proviso:
6 *Provided further*, That for purposes of this or any other
7 Act authorizing or appropriating funds for foreign oper-
8 ations, export financing, and related programs, the term
9 "motivate", as it relates to family planning assistance,
10 shall not be construed to prohibit the provision, consistent
11 with local law, of information or counseling about all preg-
12 nancy options: *Provided further*, That nothing in this para-
13 graph shall be construed to alter any existing statutory
14 prohibitions against abortion under section 104 of the
15 Foreign Assistance Act of 1961.

16 DEVELOPMENT ASSISTANCE

17 For necessary expenses to carry out the provisions
18 of sections 103, 105, 106, and 131, and chapter 10 of
19 part I of the Foreign Assistance Act of 1961,
20 \$1,098,000,000, to remain available until September 30,
21 2003: *Provided*, That none of the funds appropriated
22 under this heading may be made available for any activity
23 which is in contravention to the Convention on Inter-
24 national Trade in Endangered Species of Flora and Fauna
25 (CITES): *Provided further*, That of the funds appro-
26 priated under this heading that are made available for as-

1 sistance programs for displaced and orphaned children
2 and victims of war, not to exceed \$25,000, in addition to
3 funds otherwise available for such purposes, may be used
4 to monitor and provide oversight of such programs: *Pro-*
5 *vided further*, That \$135,000,000 should be allocated for
6 children's basic education.

7 INTERNATIONAL DISASTER ASSISTANCE

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

13 TRANSITION INITIATIVES

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

1 DEVELOPMENT CREDIT AUTHORITY

2 (INCLUDING TRANSFER OF FUNDS)

3 For the cost of loan guarantees, up to \$12,500,000,
4 as authorized by sections 108 and 635 of the Foreign As-
5 sistance Act of 1961: *Provided*, That such funds shall be
6 derived by transfer from funds appropriated by this Act
7 to carry out part I of the Foreign Assistance Act of 1961,
8 and under the heading “Assistance for Eastern Europe
9 and the Baltic States”: *Provided further*, That such funds
10 shall be made available only for micro and small enterprise
11 programs and other programs which further the purposes
12 of part I of the Act: *Provided further*, That during fiscal
13 year 2002, commitments to guarantee loans shall not ex-
14 ceed \$177,500,000: *Provided further*, That such costs shall
15 be as defined in section 502 of the Congressional Budget
16 Act of 1974: *Provided further*, That the provisions of sec-
17 tion 107A(d) (relating to general provisions applicable to
18 the Development Credit Authority) of the Foreign Assist-
19 ance Act of 1961, as contained in section 306 of H.R.
20 1486 as reported by the House Committee on Inter-
21 national Relations on May 9, 1997, shall be applicable to
22 loan guarantees provided under this heading. In addition,
23 for administrative expenses to carry out credit programs
24 administered by the United States Agency for Inter-
25 national Development, \$7,500,000, all of which may be
26 transferred to and merged with the appropriation for Op-

1 erating Expenses of the Agency for International Develop-
2 ment: *Provided further*, That funds appropriated under
3 this heading shall remain available until September 30,
4 2003.

5 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
6 DISABILITY FUND

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

10 OPERATING EXPENSES OF THE UNITED STATES AGENCY
11 FOR INTERNATIONAL DEVELOPMENT

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

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

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

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

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

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

14 (h) Of the funds appropriated under this heading, not
15 less than \$45,000,000 should be made available, in addi-
16 tion to funds otherwise available for such purposes, for
17 assistance for child survival, environmental and reproduc-
18 tive health, and to combat infectious diseases, and for re-
19 lated activities.

20 INDEPENDENT AGENCIES

21 INTER-AMERICAN FOUNDATION

22 For expenses necessary to carry out the functions of
23 the Inter-American Foundation in accordance with the
24 provisions of section 401 of the Foreign Assistance Act
25 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, to remain available until ex-
8 pended: *Provided*, That these funds are in addition to
9 amounts otherwise available for such purposes and are
10 available without regard to section 3204(b)(1)(B) of Pub-
11 lic Law 106–246: *Provided further*, That section 482(b)
12 of the Foreign Assistance Act of 1961 shall not apply to
13 funds appropriated under this heading: *Provided further*,
14 That of the funds appropriated under this heading, not
15 more than \$14,240,000 may be for administrative ex-
16 penses.

17 MIGRATION AND REFUGEE ASSISTANCE

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

1 authorized by sections 5921 through 5925 of title 5,
2 United States Code; purchase and hire of passenger motor
3 vehicles; and services as authorized by section 3109 of title
4 5, United States Code, \$715,000,000, which shall remain
5 available until expended: *Provided*, That of the funds ap-
6 propriated under this heading, not more than \$15,000,000
7 may be available for administrative expenses: *Provided*
8 *further*, That funds appropriated under this heading may
9 be made available for a headquarters contribution to the
10 International Committee of the Red Cross only if the Sec-
11 retary of State determines (and so reports to the appro-
12 priate committees of the Congress) that the Magen David
13 Adom Society of Israel is not being denied participation
14 in the activities of the International Red Cross and Red
15 Crescent Movement.

16 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
17 ASSISTANCE FUND

18 For necessary expenses to carry out the provisions
19 of section 2(c) of the Migration and Refugee Assistance
20 Act of 1962, as amended (22 U.S.C. 2601(c)),
21 \$15,000,000, to remain available until expended: *Pro-*
22 *vided*, That the funds made available under this heading
23 are appropriated notwithstanding the provisions contained
24 in section 2(c)(2) of the Act which would limit the amount
25 of funds which could be appropriated for this purpose.

1 NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND
2 RELATED PROGRAMS

3 For necessary expenses for nonproliferation, anti-ter-
4 rorism and related programs and activities, \$311,000,000,
5 to carry out the provisions of chapter 8 of part II of the
6 Foreign Assistance Act of 1961 for anti-terrorism assist-
7 ance, chapter 9 of part II of the Foreign Assistance Act
8 of 1961, section 504 of the FREEDOM Support Act, sec-
9 tion 23 of the Arms Export Control Act or the Foreign
10 Assistance Act of 1961 for demining activities, the clear-
11 ance of unexploded ordnance, the destruction of small
12 arms, and related activities, notwithstanding any other
13 provision of law, including activities implemented through
14 nongovernmental and international organizations, section
15 301 of the Foreign Assistance Act of 1961 for a voluntary
16 contribution to the International Atomic Energy Agency
17 (IAEA) and a voluntary contribution to the Korean Penin-
18 sula Energy Development Organization (KEDO), and for
19 a United States contribution to the Comprehensive Nu-
20 clear Test Ban Treaty Preparatory Commission: *Provided,*
21 That the Secretary of State shall inform the Committees
22 on Appropriations at least 20 days prior to the obligation
23 of funds for the Comprehensive Nuclear Test Ban Treaty
24 Preparatory Commission: *Provided further,* That of this
25 amount not to exceed \$14,000,000, to remain available

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

16 DEPARTMENT OF THE TREASURY

17 INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE

18 For necessary expenses to carry out the provisions
19 of section 129 of the Foreign Assistance Act of 1961 (re-
20 lating to international affairs technical assistance activi-
21 ties), \$6,000,000, to remain available until expended,
22 which shall be available notwithstanding any other provi-
23 sion of law: *Provided*, That these funds shall be subject
24 to the regular notification procedures of the Committees
25 on Appropriations.

DEBT RESTRUCTURING

1
2 For the cost, as defined in section 502 of the Con-
3 gressional Budget Act of 1974, of modifying loans and
4 loan guarantees, as the President may determine, for
5 which funds have been appropriated or otherwise made
6 available for programs within the International Affairs
7 Budget Function 150, including the cost of selling, reduc-
8 ing, or canceling amounts owed to the United States as
9 a result of concessional loans made to eligible countries,
10 pursuant to parts IV and V of the Foreign Assistance Act
11 of 1961, and of modifying concessional credit agreements
12 with least developed countries, as authorized under section
13 411 of the Agricultural Trade Development and Assist-
14 ance Act of 1954, as amended, and concessional loans,
15 guarantees and credit agreements, as authorized under
16 section 572 of the Foreign Operations, Export Financing,
17 and Related Programs Appropriations Act, 1989 (Public
18 Law 100–461), and of canceling amounts owed, as a result
19 of loans or guarantees made pursuant to the Export-Im-
20 port Bank Act of 1945, by countries that are eligible for
21 debt reduction pursuant to title V of H.R. 3425 as enacted
22 into law by section 1000(a)(5) of Public Law 106–113,
23 \$224,000,000, to remain available until expended: *Pro-*
24 *vided*, That of unobligated balances of funds available
25 under this heading from prior year appropriations acts,

1 up to \$25,000,000 may be made available to carry out
2 the provisions of part V of the Foreign Assistance Act of
3 1961: *Provided further*, That funds appropriated or other-
4 wise made available under this heading in this Act may
5 be used by the Secretary of the Treasury to pay to the
6 Heavily Indebted Poor Countries (HIPC) Trust Fund ad-
7 ministered by the International Bank for Reconstruction
8 and Development amounts for the benefit of countries that
9 are eligible for debt reduction pursuant to title V of H.R.
10 3425 as enacted into law by section 1000(a)(5) of Public
11 Law 106–113: *Provided further*, That amounts paid to the
12 HIPC Trust Fund may be used only to fund debt reduc-
13 tion under the enhanced HIPC initiative by—

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

19 *Provided further*, That funds may not be paid to the HIPC
20 Trust Fund for the benefit of any country if the Secretary
21 of State has credible evidence that the government of such
22 country is engaged in a consistent pattern of gross viola-
23 tions of internationally recognized human rights or in mili-
24 tary or civil conflict that undermines its ability to develop
25 and implement measures to alleviate poverty and to devote

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

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

24 (b) have documented and demonstrated their
25 commitment to redirect their budgetary resources

1 from international debt repayments to programs to
2 alleviate poverty and promote economic growth that
3 are additional to or expand upon those previously
4 available for such purposes:

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

20 TITLE III—MILITARY ASSISTANCE

21 FUNDS APPROPRIATED TO THE PRESIDENT

22 INTERNATIONAL MILITARY EDUCATION AND TRAINING

23 For necessary expenses to carry out the provisions
24 of section 541 of the Foreign Assistance Act of 1961,
25 \$65,000,000, of which up to \$1,000,000 may remain

1 available until expended: *Provided*, That the civilian per-
2 sonnel for whom military education and training may be
3 provided under this heading may include civilians who are
4 not members of a government whose participation would
5 contribute to improved civil-military relations, civilian con-
6 trol of the military, or respect for human rights: *Provided*
7 *further*, That funds appropriated under this heading for
8 grant financed military education and training for Indo-
9 nesia and Guatemala may only be available for expanded
10 international military education and training and funds
11 made available for Indonesia and Guatemala may only be
12 provided through the regular notification procedures of the
13 Committees on Appropriations.

14 FOREIGN MILITARY FINANCING PROGRAM

15 For expenses necessary for grants to enable the
16 President to carry out the provisions of section 23 of the
17 Arms Export Control Act, \$3,627,000,000: *Provided*,
18 That of the funds appropriated under this heading, not
19 less than \$2,040,000,000 shall be available for grants only
20 for Israel, and not less than \$1,300,000,000 shall be made
21 available for grants only for Egypt: *Provided further*, That
22 the funds appropriated by this paragraph for Israel shall
23 be disbursed within 30 days of the enactment of this Act
24 or by October 31, 2001, whichever is later: *Provided fur-*
25 *ther*, That to the extent that the Government of Israel re-
26 quests that funds be used for such purposes, grants made

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

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

1 may be financed with such funds: *Provided*, That all coun-
2 try and funding level increases in allocations shall be sub-
3 mitted through the regular notification procedures of sec-
4 tion 515 of this Act: *Provided further*, That none of the
5 funds appropriated under this heading shall be available
6 for assistance for Sudan and Liberia: *Provided further*,
7 That funds made available under this heading may be
8 used, notwithstanding any other provision of law, for
9 demining, the clearance of unexploded ordnance, and re-
10 lated activities, and may include activities implemented
11 through nongovernmental and international organizations:
12 *Provided further*, That none of the funds appropriated
13 under this heading shall be available for assistance for
14 Guatemala: *Provided further*, That only those countries for
15 which assistance was justified for the “Foreign Military
16 Sales Financing Program” in the fiscal year 1989 con-
17 gressional presentation for security assistance programs
18 may utilize funds made available under this heading for
19 procurement of defense articles, defense services or design
20 and construction services that are not sold by the United
21 States Government under the Arms Export Control Act:
22 *Provided further*, That funds appropriated under this
23 heading shall be expended at the minimum rate necessary
24 to make timely payment for defense articles and services:
25 *Provided further*, That not more than \$35,000,000 of the

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

13 PEACEKEEPING OPERATIONS

14 For necessary expenses to carry out the provisions
 15 of section 551 of the Foreign Assistance Act of 1961,
 16 \$135,000,000: *Provided*, That none of the funds appro-
 17 priated under this heading shall be obligated or expended
 18 except as provided through the regular notification proce-
 19 dures of the Committees on Appropriations.

20 TITLE IV—MULTILATERAL ECONOMIC
 21 ASSISTANCE

22 FUNDS APPROPRIATED TO THE PRESIDENT

23 INTERNATIONAL FINANCIAL INSTITUTIONS

24 GLOBAL ENVIRONMENT FACILITY

25 For the United States contribution for the Global En-
 26 vironment Facility, \$82,500,000, to the International

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

4 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
5 ASSOCIATION

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

16 CONTRIBUTION TO THE MULTILATERAL INVESTMENT
17 GUARANTEE AGENCY

18 For payment to the Multilateral Investment Guar-
19 antee Agency by the Secretary of the Treasury,
20 \$10,000,000, for the United States paid-in share of the
21 increase in capital stock, to remain available until ex-
22 pended.

23 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

24 The United States Governor of the Multilateral In-
25 vestment Guarantee Agency may subscribe without fiscal
26 year limitation for the callable capital portion of the

1 United States share of such capital stock in an amount
2 not to exceed \$50,000,000.

3 CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT
4 CORPORATION

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

9 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

10 For the United States contribution by the Secretary
11 of the Treasury to the increase in resources of the Asian
12 Development Fund, as authorized by the Asian Develop-
13 ment Bank Act, as amended, \$103,017,050, to remain
14 available until expended.

15 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

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

20 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

21 The United States Governor of the African Develop-
22 ment Bank may subscribe without fiscal year limitation
23 for the callable capital portion of the United States share
24 of such capital stock in an amount not to exceed
25 \$79,991,500.

1 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

2 For the United States contribution by the Secretary
3 of the Treasury to the increase in resources of the African
4 Development Fund, \$100,000,000, to remain available
5 until expended.

6 CONTRIBUTION TO THE EUROPEAN BANK FOR

7 RECONSTRUCTION AND DEVELOPMENT

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

13 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

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

19 CONTRIBUTION TO THE INTERNATIONAL FUND FOR

20 AGRICULTURAL DEVELOPMENT

21 For the United States contribution by the Secretary
22 of the Treasury to increase the resources of the Inter-
23 national Fund for Agricultural Development,
24 \$20,000,000, to remain available until expended.

1 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

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

13 TITLE V—GENERAL PROVISIONS

14 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

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

21 PRIVATE AND VOLUNTARY ORGANIZATIONS

22 SEC. 502. (a) None of the funds appropriated or oth-
23 erwise made available by this Act for development assist-
24 ance may be made available to any United States private
25 and voluntary organization, except any cooperative devel-
26 opment organization, which obtains less than 20 percent

1 of its total annual funding for international activities from
2 sources other than the United States Government: *Pro-*
3 *vided*, That the United States Administrator of the Agen-
4 cy for International Development, after informing the
5 Committees on Appropriations, may, on a case-by-case
6 basis, waive the restriction contained in this paragraph,
7 after taking into account the effectiveness of the overseas
8 development activities of the organization, its level of vol-
9 unteer support, its financial viability and stability, and the
10 degree of its dependence for its financial support on the
11 agency.

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

16 LIMITATION ON RESIDENCE EXPENSES

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

1 LIMITATION ON EXPENSES

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

7 LIMITATION ON REPRESENTATIONAL ALLOWANCES

8 SEC. 505. Of the funds appropriated or made avail-
9 able pursuant to this Act, not to exceed \$95,000 shall be
10 available for representation allowances for the United
11 States Agency for International Development during the
12 current fiscal year: *Provided*, That appropriate steps shall
13 be taken to assure that, to the maximum extent possible,
14 United States-owned foreign currencies are utilized in lieu
15 of dollars: *Provided further*, That of the funds made avail-
16 able by this Act for general costs of administering military
17 assistance and sales under the heading “Foreign Military
18 Financing Program”, not to exceed \$2,000 shall be avail-
19 able for entertainment expenses and not to exceed
20 \$150,000 shall be available for representation allowances:
21 *Provided further*, That of the funds made available by this
22 Act under the heading “International Military Education
23 and Training”, not to exceed \$50,000 shall be available
24 for entertainment allowances: *Provided further*, That of
25 the funds made available by this Act for the Inter-Amer-
26 ican Foundation, not to exceed \$2,000 shall be available

1 for entertainment and representation allowances: *Provided*
2 *further*, That of the funds made available by this Act for
3 the Peace Corps, not to exceed a total of \$4,000 shall be
4 available for entertainment expenses: *Provided further*,
5 That of the funds made available by this Act under the
6 heading “Trade and Development Agency”, not to exceed
7 \$2,000 shall be available for representation and entertain-
8 ment allowances.

9 PROHIBITION ON FINANCING NUCLEAR GOODS

10 SEC. 506. None of the funds appropriated or made
11 available (other than funds for “Nonproliferation, Anti-
12 terrorism, Demining and Related Programs”) pursuant to
13 this Act, for carrying out the Foreign Assistance Act of
14 1961, may be used, except for purposes of nuclear safety,
15 to finance the export of nuclear equipment, fuel, or tech-
16 nology.

17 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
18 COUNTRIES

19 SEC. 507. None of the funds appropriated or other-
20 wise made available pursuant to this Act shall be obligated
21 or expended to finance directly any assistance or repara-
22 tions to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or
23 Syria: *Provided*, That for purposes of this section, the pro-
24 hibition on obligations or expenditures shall include direct
25 loans, credits, insurance and guarantees of the Export-Im-
26 port Bank or its agents.

1 MILITARY COUPS

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

12 TRANSFERS BETWEEN ACCOUNTS

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

22 DEOBLIGATION/REOBLIGATION AUTHORITY

23 SEC. 510. Obligated balances of funds appropriated
24 to carry out section 23 of the Arms Export Control Act
25 as of the end of the fiscal year immediately preceding the
26 current fiscal year are, if deobligated, hereby continued

1 available during the current fiscal year for the same pur-
2 pose under any authority applicable to such appropriations
3 under this Act: *Provided*, That the authority of this sub-
4 section may not be used in fiscal year 2002.

5 AVAILABILITY OF FUNDS

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

1 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

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

12 COMMERCE AND TRADE

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

1 port-Import Bank if in the judgment of its Board of Direc-
2 tors the benefits to industry and employment in the
3 United States are likely to outweigh the injury to United
4 States producers of the same, similar, or competing com-
5 modity, and the Chairman of the Board so notifies the
6 Committees on Appropriations.

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

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

21 (2) research activities intended primarily to
22 benefit American producers.

23 SURPLUS COMMODITIES

24 SEC. 514. The Secretary of the Treasury shall in-
25 struct the United States Executive Directors of the Inter-
26 national Bank for Reconstruction and Development, the

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

15 NOTIFICATION REQUIREMENTS

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

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

1 of less than 10 percent of the amount previously justified
2 to the Congress for obligation for such activity, program,
3 or project for the current fiscal year: *Provided further*,
4 That the requirements of this section or any similar provi-
5 sion of this Act or any other Act, including any prior Act
6 requiring notification in accordance with the regular noti-
7 fication procedures of the Committees on Appropriations,
8 may be waived if failure to do so would pose a substantial
9 risk to human health or welfare: *Provided further*, That
10 in case of any such waiver, notification to the Congress,
11 or the appropriate congressional committees, shall be pro-
12 vided as early as practicable, but in no event later than
13 3 days after taking the action to which such notification
14 requirement was applicable, in the context of the cir-
15 cumstances necessitating such waiver: *Provided further*,
16 That any notification provided pursuant to such a waiver
17 shall contain an explanation of the emergency cir-
18 cumstances.

19 LIMITATION ON AVAILABILITY OF FUNDS FOR

20 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

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

1 implementation of section 307(a) of the Foreign Assist-
2 ance Act of 1961, shall remain available for obligation
3 until September 30, 2003.

4 INDEPENDENT STATES OF THE FORMER SOVIET UNION

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

10 (1) unless that government is making progress
11 in implementing comprehensive economic reforms
12 based on market principles, private ownership, re-
13 spect for commercial contracts, and equitable treat-
14 ment of foreign private investment; and

15 (2) if that government applies or transfers
16 United States assistance to any entity for the pur-
17 pose of expropriating or seizing ownership or control
18 of assets, investments, or ventures.

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

22 (b) None of the funds appropriated under the heading
23 “Assistance for the Independent States of the Former So-
24 viet Union” shall be made available for assistance for a
25 government of an Independent State of the former Soviet
26 Union if that government directs any action in violation

1 of the territorial integrity or national sovereignty of any
2 other Independent State of the former Soviet Union, such
3 as those violations included in the Helsinki Final Act: *Pro-*
4 *vided*, That such funds may be made available without re-
5 gard to the restriction in this subsection if the President
6 determines that to do so is in the national security interest
7 of the United States.

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

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

19 (e) Funds made available in this Act for assistance
20 for the Independent States of the former Soviet Union
21 shall be subject to the provisions of section 117 (relating
22 to environment and natural resources) of the Foreign As-
23 sistance Act of 1961.

24 (f) Funds appropriated in this or prior appropriations
25 Acts that are or have been made available for an Enter-

1 prise Fund in the Independent States of the Former So-
2 viet Union may be deposited by such Fund in interest-
3 bearing accounts prior to the disbursement of such funds
4 by the Fund for program purposes. The Fund may retain
5 for such program purposes any interest earned on such
6 deposits without returning such interest to the Treasury
7 of the United States and without further appropriation by
8 the Congress. Funds made available for Enterprise Funds
9 shall be expended at the minimum rate necessary to make
10 timely payment for projects and activities.

11 (g) In issuing new task orders, entering into con-
12 tracts, or making grants, with funds appropriated in this
13 Act or prior appropriations Acts under the heading “As-
14 sistance for the Independent States of the Former Soviet
15 Union” and under comparable headings in prior appro-
16 priations Acts, for projects or activities that have as one
17 of their primary purposes the fostering of private sector
18 development, the Coordinator for United States Assistance
19 to the New Independent States and the implementing
20 agency shall encourage the participation of and give sig-
21 nificant weight to contractors and grantees who propose
22 investing a significant amount of their own resources (in-
23 cluding volunteer services and in-kind contributions) in
24 such projects and activities.

1 PROHIBITION ON FUNDING FOR ABORTIONS AND
2 INVOLUNTARY STERILIZATION

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

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

3 EXPORT FINANCING TRANSFER AUTHORITIES

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

15 SPECIAL NOTIFICATION REQUIREMENTS

16 SEC. 520. None of the funds appropriated by this Act
17 shall be obligated or expended for Colombia, Haiti, Libe-
18 ria, Sudan, Zimbabwe, Pakistan, or the Democratic Re-
19 public of Congo except as provided through the regular
20 notification procedures of the Committees on Appropria-
21 tions.

22 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

23 SEC. 521. For the purpose of this Act, “program,
24 project, and activity” shall be defined at the appropria-
25 tions Act account level and shall include all appropriations
26 and authorizations Acts earmarks, ceilings, and limita-

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

14 CHILD SURVIVAL AND DISEASE PREVENTION ACTIVITIES

15 SEC. 522. Up to \$16,000,000 of the funds made
16 available by this Act for assistance under the heading
17 “Child Survival and Health Programs Fund”, may be
18 used to reimburse United States Government agencies,
19 agencies of State governments, institutions of higher
20 learning, and private and voluntary organizations for the
21 full cost of individuals (including for the personal services
22 of such individuals) detailed or assigned to, or contracted
23 by, as the case may be, the United States Agency for
24 International Development for the purpose of carrying out
25 activities under that heading: *Provided*, That up to
26 \$1,500,000 of the funds made available by this Act for

1 assistance under the heading “Development Assistance”
2 may be used to reimburse such agencies, institutions, and
3 organizations for such costs of such individuals carrying
4 out other development assistance activities: *Provided fur-*
5 *ther*, That funds appropriated by this Act that are made
6 available for child survival activities or disease programs
7 including activities relating to research on, and the preven-
8 tion, treatment and control of, Acquired Immune Defi-
9 ciency Syndrome may be made available notwithstanding
10 any provision of law that restricts assistance to foreign
11 countries: *Provided further*, That funds appropriated
12 under title II of this Act may be made available pursuant
13 to section 301 of the Foreign Assistance Act of 1961 if
14 a primary purpose of the assistance is for child survival
15 and related programs.

16 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
17 COUNTRIES

18 SEC. 523. None of the funds appropriated or other-
19 wise made available pursuant to this Act shall be obligated
20 to finance indirectly any assistance or reparations to
21 Cuba, Iraq, Libya, Iran, Syria, North Korea, or Sudan,
22 unless the President of the United States certifies that
23 the withholding of these funds is contrary to the national
24 interest of the United States.

1 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

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

21 AUTHORIZATION REQUIREMENT

22 SEC. 525. Funds appropriated by this Act, except
23 funds appropriated under the headings “Trade and Devel-
24 opment Agency”, “Peace Corps”, “International Military
25 Education and Training”, and “Foreign Military Financ-
26 ing Program”, may be obligated and expended notwith-

1 standing section 10 of Public Law 91–672 and section 15
2 of the State Department Basic Authorities Act of 1956.

3 DEMOCRACY PROGRAMS

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

21 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
22 COUNTRIES

23 SEC. 527. (a) Funds appropriated for bilateral assist-
24 ance under any heading of this Act and funds appro-
25 priated under any such heading in a provision of law en-

1 acted prior to the enactment of this Act, shall not be made
2 available to any country which the President determines—

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

6 (2) otherwise supports international terrorism.

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

16 DEBT-FOR-DEVELOPMENT

17 SEC. 528. In order to enhance the continued partici-
18 pation of nongovernmental organizations in economic as-
19 sistance activities under the Foreign Assistance Act of
20 1961, including endowments, debt-for-development and
21 debt-for-nature exchanges, a nongovernmental organiza-
22 tion which is a grantee or contractor of the United States
23 Agency for International Development may place in inter-
24 est bearing accounts funds made available under this Act
25 or prior Acts or local currencies which accrue to that orga-
26 nization as a result of economic assistance provided under

1 title II of this Act and any interest earned on such invest-
2 ment shall be used for the purpose for which the assist-
3 ance was provided to that organization.

4 SEPARATE ACCOUNTS

5 SEC. 529. (a) SEPARATE ACCOUNTS FOR LOCAL
6 CURRENCIES.—(1) If assistance is furnished to the gov-
7 ernment of a foreign country under chapters 1 and 10 of
8 part I or chapter 4 of part II of the Foreign Assistance
9 Act of 1961 under agreements which result in the genera-
10 tion of local currencies of that country, the Administrator
11 of the United States Agency for International Develop-
12 ment shall—

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

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

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

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

22 (C) establish by agreement with that govern-
23 ment the responsibilities of the United States Agen-
24 cy for International Development and that govern-
25 ment to monitor and account for deposits into and
26 disbursements from the separate account.

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

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

9 (i) project and sector assistance activities;

10 or

11 (ii) debt and deficit financing; or

12 (B) for the administrative requirements of the
13 United States Government.

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

21 (4) TERMINATION OF ASSISTANCE PROGRAMS.—

22 Upon termination of assistance to a country under chapter
23 1 or 10 of part I or chapter 4 of part II (as the case
24 may be), any unencumbered balances of funds which re-
25 main in a separate account established pursuant to sub-

1 section (a) shall be disposed of for such purposes as may
2 be agreed to by the government of that country and the
3 United States Government.

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

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

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

1 are referenced in the Joint Explanatory Statement of the
2 Committee of Conference accompanying House Joint Res-
3 olution 648 (House Report No. 98–1159).

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

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

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

20 SEC. 530. (a) No funds appropriated by this Act may
21 be made as payment to any international financial institu-
22 tion while the United States Executive Director to such
23 institution is compensated by the institution at a rate
24 which, together with whatever compensation such Director
25 receives from the United States, is in excess of the rate
26 provided for an individual occupying a position at level IV

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

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

16 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST
17 IRAQ

18 SEC. 531. None of the funds appropriated or other-
19 wise made available pursuant to this Act to carry out the
20 Foreign Assistance Act of 1961 (including title IV of
21 chapter 2 of part I, relating to the Overseas Private In-
22 vestment Corporation) or the Arms Export Control Act
23 may be used to provide assistance to any country that is
24 not in compliance with the United Nations Security Coun-
25 cil sanctions against Iraq unless the President determines
26 and so certifies to the Congress that—

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

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

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

8 AUTHORITIES FOR THE PEACE CORPS, INTER-AMERICAN
9 FOUNDATION AND AFRICAN DEVELOPMENT FOUNDATION

10 SEC. 532. Unless expressly provided to the contrary,
11 provisions of this or any other Act, including provisions
12 contained in prior Acts authorizing or making appropria-
13 tions for foreign operations, export financing, and related
14 programs, shall not be construed to prohibit activities au-
15 thorized by or conducted under the Peace Corps Act, the
16 Inter-American Foundation Act or the African Develop-
17 ment Foundation Act. The agency shall promptly report
18 to the Committees on Appropriations whenever it is con-
19 ducting activities or is proposing to conduct activities in
20 a country for which assistance is prohibited.

21 IMPACT ON JOBS IN THE UNITED STATES

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

24 (a) any financial incentive to a business enter-
25 prise currently located in the United States for the
26 purpose of inducing such an enterprise to relocate

1 outside the United States if such incentive or in-
2 ducement is likely to reduce the number of employ-
3 ees of such business enterprise in the United States
4 because United States production is being replaced
5 by such enterprise outside the United States; or

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

18 SPECIAL AUTHORITIES

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

1 bodia shall be subject to the provisions of section 531(e)
2 of the Foreign Assistance Act of 1961 and section 906
3 of the International Security and Development Coopera-
4 tion Act of 1985: *Provided further*, That section 576 of
5 the Foreign Operations, Export Financing, and Related
6 Programs Appropriations Act, 1997, as amended, shall
7 not apply to the provision of loans and assistance to the
8 Federal Republic of Yugoslavia through international fi-
9 nancial institutions.

10 (b) TROPICAL FORESTRY AND BIODIVERSITY CON-
11 SERVATION ACTIVITIES.—Funds appropriated by this Act
12 to carry out the provisions of sections 103 through 106,
13 and chapter 4 of part II, of the Foreign Assistance Act
14 of 1961 may be used, notwithstanding any other provision
15 of law, for the purpose of supporting tropical forestry and
16 biodiversity conservation activities and, subject to the reg-
17 ular notification procedures of the Committees on Appro-
18 priations, energy programs aimed at reducing greenhouse
19 gas emissions: *Provided*, That such assistance shall be
20 subject to sections 116, 502B, and 620A of the Foreign
21 Assistance Act of 1961.

22 (c) PERSONAL SERVICES CONTRACTORS.—Funds ap-
23 propriated by this Act to carry out chapter 1 of part I,
24 chapter 4 of part II, and section 667 of the Foreign As-
25 sistance Act of 1961, and title II of the Agricultural Trade

1 Development and Assistance Act of 1954, may be used
2 by the United States Agency for International Develop-
3 ment to employ up to 25 personal services contractors in
4 the United States, notwithstanding any other provision of
5 law, for the purpose of providing direct, interim support
6 for new or expanded overseas programs and activities and
7 managed by the agency until permanent direct hire per-
8 sonnel are hired and trained: *Provided*, That not more
9 than 10 of such contractors shall be assigned to any bu-
10 reau or office: *Provided further*, That such funds appro-
11 priated to carry out the Foreign Assistance Act of 1961
12 may be made available for personal services contractors
13 assigned only to the Office of Health and Nutrition; the
14 Office of Procurement; the Bureau for Africa; the Bureau
15 for Latin America and the Caribbean; and the Bureau for
16 Asia and the Near East: *Provided further*, That such funds
17 appropriated to carry out title II of the Agricultural Trade
18 Development and Assistance Act of 1954, may be made
19 available only for personal services contractors assigned
20 to the Office of Food for Peace.

21 (d)(1) WAIVER.—The President may waive the provi-
22 sions of section 1003 of Public Law 100–204 if the Presi-
23 dent determines and certifies in writing to the Speaker
24 of the House of Representatives and the President pro

1 tempore of the Senate that it is important to the national
2 security interests of the United States.

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

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

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

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

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

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

23 (3) the fact that only three Arab countries
24 maintain full diplomatic relations with Israel is also
25 of deep concern;

1 (4) the Arab League should immediately re-
2 scind its decision on the boycott and its members
3 should develop normal relations with their neighbor
4 Israel; and

5 (5) the President should—

6 (A) take more concrete steps to encourage
7 vigorously Arab League countries to renounce
8 publicly the primary boycotts of Israel and the
9 secondary and tertiary boycotts of American
10 firms that have commercial relations with Israel
11 and to normalize their relations with Israel;

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

18 (C) report to Congress annually on the
19 specific steps being taken by the United States
20 and the progress achieved to bring about a pub-
21 lic renunciation of the Arab primary boycott of
22 Israel and the secondary and tertiary boycotts
23 of American firms that have commercial rela-
24 tions with Israel and to expand the process of

1 normalizing ties between Arab League countries
2 and Israel; and

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

7 ADMINISTRATION OF JUSTICE ACTIVITIES

8 SEC. 536. Of the funds appropriated or otherwise
9 made available by this Act for “Economic Support Fund”,
10 assistance may be provided to strengthen the administra-
11 tion of justice in countries in Latin America and the Car-
12 ibbean and in other regions consistent with the provisions
13 of section 534(b) of the Foreign Assistance Act of 1961,
14 except that programs to enhance protection of participants
15 in judicial cases may be conducted notwithstanding section
16 660 of that Act. Funds made available pursuant to this
17 section may be made available notwithstanding section
18 534(c) and the second and third sentences of section
19 534(e) of the Foreign Assistance Act of 1961.

20 ELIGIBILITY FOR ASSISTANCE

21 SEC. 537. (a) ASSISTANCE THROUGH NONGOVERN-
22 MENTAL ORGANIZATIONS.—Restrictions contained in this
23 or any other Act with respect to assistance for a country
24 shall not be construed to restrict assistance in support of
25 programs of nongovernmental organizations from funds
26 appropriated by this Act to carry out the provisions of

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

21 (b) PUBLIC LAW 480.—During fiscal year 2002, re-
22 strictions contained in this or any other Act with respect
23 to assistance for a country shall not be construed to re-
24 strict assistance under the Agricultural Trade Develop-
25 ment and Assistance Act of 1954: *Provided*, That none

1 of the funds appropriated to carry out title I of such Act
2 and made available pursuant to this subsection may be
3 obligated or expended except as provided through the reg-
4 ular notification procedures of the Committees on Appro-
5 priations.

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

7 (1) with respect to section 620A of the Foreign
8 Assistance Act of 1961 or any comparable provision
9 of law prohibiting assistance to countries that sup-
10 port international terrorism; or

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

16 EARMARKS

17 SEC. 538. (a) Funds appropriated by this Act which
18 are earmarked may be reprogrammed for other programs
19 within the same account notwithstanding the earmark if
20 compliance with the earmark is made impossible by oper-
21 ation of any provision of this or any other Act: *Provided*,
22 That any such reprogramming shall be subject to the reg-
23 ular notification procedures of the Committees on Appro-
24 priations: *Provided further*, That assistance that is repro-
25 grammed pursuant to this subsection shall be made avail-

1 able under the same terms and conditions as originally
2 provided.

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

17 CEILINGS AND EARMARKS

18 SEC. 539. Ceilings and earmarks contained in this
19 Act shall not be applicable to funds or authorities appro-
20 priated or otherwise made available by any subsequent Act
21 unless such Act specifically so directs. Earmarks or min-
22 imum funding requirements contained in any other Act
23 shall not be applicable to funds appropriated by this Act.

24 PROHIBITION ON PUBLICITY OR PROPAGANDA

25 SEC. 540. No part of any appropriation contained in
26 this Act shall be used for publicity or propaganda purposes

1 within the United States not authorized before the date
2 of the enactment of this Act by the Congress: *Provided*,
3 That not to exceed \$750,000 may be made available to
4 carry out the provisions of section 316 of Public Law 96–
5 533.

6 PURCHASE OF AMERICAN-MADE EQUIPMENT AND
7 PRODUCTS

8 SEC. 541. To the maximum extent possible, assist-
9 ance provided under this Act should make full use of
10 American resources, including commodities, products, and
11 services.

12 PROHIBITION OF PAYMENTS TO UNITED NATIONS
13 MEMBERS

14 SEC. 542. None of the funds appropriated or made
15 available pursuant to this Act for carrying out the Foreign
16 Assistance Act of 1961, may be used to pay in whole or
17 in part any assessments, arrearages, or dues of any mem-
18 ber of the United Nations or, from funds appropriated by
19 this Act to carry out chapter 1 of part I of the Foreign
20 Assistance Act of 1961, the costs for participation of an-
21 other country's delegation at international conferences
22 held under the auspices of multilateral or international or-
23 ganizations.

24 NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION

25 SEC. 543. None of the funds appropriated or made
26 available pursuant to this Act shall be available to a non-

1 governmental organization which fails to provide upon
2 timely request any document, file, or record necessary to
3 the auditing requirements of the United States Agency for
4 International Development.

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

9 SEC. 544. (a) None of the funds appropriated or oth-
10 erwise made available by this Act may be available to any
11 foreign government which provides lethal military equip-
12 ment to a country the government of which the Secretary
13 of State has determined is a terrorist government for pur-
14 poses of section 6(j) of the Export Administration Act.
15 The prohibition under this section with respect to a for-
16 eign government shall terminate 12 months after that gov-
17 ernment ceases to provide such military equipment. This
18 section applies with respect to lethal military equipment
19 provided under a contract entered into after October 1,
20 1997.

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

25 (c) Whenever the waiver of subsection (b) is exer-
26 cised, the President shall submit to the appropriate con-

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

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

9 SEC. 545. (a) IN GENERAL.—Of the funds made
10 available for a foreign country under part I of the Foreign
11 Assistance Act of 1961, an amount equivalent to 110 per-
12 cent of the total unpaid fully adjudicated parking fines
13 and penalties owed to the District of Columbia by such
14 country as of the date of the enactment of this Act shall
15 be withheld from obligation for such country until the Sec-
16 retary of State certifies and reports in writing to the ap-
17 propriate congressional committees that such fines and
18 penalties are fully paid to the government of the District
19 of Columbia.

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

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

3 SEC. 546. 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. 547. 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. 548. 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. 549. 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. 550. 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. 551. (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. 552. (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. 553. (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. 554. 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-

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

3 LIMITATION ON ASSISTANCE TO THE PALESTINIAN

4 AUTHORITY

5 SEC. 555. (a) PROHIBITION OF FUNDS.—None of the
6 funds appropriated by this Act to carry out the provisions
7 of chapter 4 of part II of the Foreign Assistance Act of
8 1961 may be obligated or expended with respect to pro-
9 viding funds to the Palestinian Authority.

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

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

20 LIMITATION ON ASSISTANCE TO SECURITY FORCES

21 SEC. 556. None of the funds made available by this
22 Act may be provided to any unit of the security forces
23 of a foreign country if the Secretary of State has credible
24 evidence that such unit has committed gross violations of
25 human rights, unless the Secretary determines and reports
26 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 effec-
12 tive measures to bring the responsible members of the se-
13 curity forces to justice.

14 DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS
15 IN THE RUSSIAN FEDERATION

16 SEC. 557. None of the funds appropriated under this
17 Act may be made available for the Government of the Rus-
18 sian Federation, after 180 days from the date of the en-
19 actment 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 imple-
23 mented 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. 558. 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. 559. 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. 560. (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. 561. (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. 562. (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. 563. (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 six 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. 564. 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. 565. 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 KYOTO PROTOCOL

15 SEC. 566. None of the funds appropriated by this Act
16 shall be used to propose or issue rules, regulations, de-
17 crees, or orders for the purpose of implementation, or in
18 preparation for implementation, of the Kyoto Protocol,
19 which was adopted on December 11, 1997, in Kyoto,
20 Japan, at the Third Conference of the Parties to the
21 United States Framework Convention on Climate Change,
22 which has not been submitted to the Senate for advice and
23 consent to ratification pursuant to article II, section 2,
24 clause 2, of the United States Constitution, and which has
25 not entered into force pursuant to article 25 of the Pro-
26 tocol.

1 WEST BANK AND GAZA PROGRAM

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

12 INDONESIA

13 SEC. 568. (a) Funds appropriated by this Act under
14 the headings “International Military Education and
15 Training” and “Foreign Military Financing Program”
16 may be made available for Indonesian Ministry of Defense
17 or military personnel if the President determines and sub-
18 mits a report to the appropriate congressional committees
19 that the Government of Indonesia and the Indonesian
20 Armed Forces are—

21 (1) taking effective measures to bring to justice
22 members of the armed forces and militia groups
23 against whom there is credible evidence of human
24 rights violations;

25 (2) taking effective measures to bring to justice
26 members of the armed forces against whom there is

1 credible evidence of aiding or abetting militia
2 groups;

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

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

8 (5) demonstrating a commitment to preventing
9 incursions into East Timor by members of militia
10 groups in West Timor; and

11 (6) demonstrating a commitment to account-
12 ability by cooperating with investigations and pros-
13 ecutions of members of the Indonesian Armed
14 Forces and militia groups responsible for human
15 rights violations in Indonesia and East Timor.

16 MAN AND THE BIOSPHERE

17 SEC. 569. None of the funds appropriated or other-
18 wise made available by this Act may be provided for the
19 United Nations Man and the Biosphere Program.

20 TAIWAN REPORTING REQUIREMENT

21 SEC. 570. Not less than 30 days prior to the next
22 round of arms talks between the United States and Tai-
23 wan, the President shall consult, on a classified basis, with
24 appropriate Congressional leaders and committee chair-
25 men and ranking members regarding the following mat-
26 ters:

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

4 (2) the Administration's assessment of the le-
5 gitimate defense needs of Taiwan, in light of Tai-
6 wan's requests; and

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

9 RESTRICTIONS ON ASSISTANCE TO GOVERNMENTS

10 DESTABILIZING SIERRA LEONE

11 SEC. 571. (a) None of the funds appropriated by this
12 Act may be made available for assistance for the govern-
13 ment of any country that the Secretary of State deter-
14 mines there is credible evidence that such government has
15 provided lethal or non-lethal military support or equip-
16 ment, directly or through intermediaries, within the pre-
17 vious 6 months to the Sierra Leone Revolutionary United
18 Front (RUF), or any other group intent on destabilizing
19 the democratically elected government of the Republic of
20 Sierra Leone.

21 (b) None of the funds appropriated by this Act may
22 be made available for assistance for the government of any
23 country that the Secretary of State determines there is
24 credible evidence that such government has aided or abet-
25 ted, within the previous 6 months, in the illicit distribu-

1 tion, transportation, or sale of diamonds mined in Sierra
2 Leone.

3 (c) Whenever the prohibition on assistance required
4 under subsection (a) or (b) is exercised, the Secretary of
5 State shall notify the Committees on Appropriations in a
6 timely manner.

7 VOLUNTARY SEPARATION INCENTIVES

8 SEC. 572. Section 579(c)(2)(D) of the Foreign Oper-
9 ations, Export Financing, and Related Programs Appro-
10 priations Act, 2000, as enacted by section 1000(a)(2) of
11 the Consolidated Appropriations Act, 2000 (Public Law
12 106–113), as amended, is further amended by striking
13 “December 31, 2001” and inserting in lieu thereof “De-
14 cember 31, 2002”.

15 CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

16 SEC. 573. (a) LIMITATIONS ON AMOUNT OF CON-
17 TRIBUTION.—Of the amounts made available under
18 “International Organizations and Programs”, not more
19 than \$25,000,000 for fiscal year 2002 shall be available
20 for the United Nations Population Fund (hereafter in this
21 subsection referred to as the “UNFPA”).

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

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

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

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

11 (3) the UNFPA does not fund abortions.

12 (d) REPORT TO THE CONGRESS AND WITHHOLDING
13 OF FUNDS.—

14 (1) Not later than February 15, 2002, the Sec-
15 retary of State shall submit a report to the appro-
16 priate congressional committees indicating the
17 amount of funds that the United Nations Population
18 Fund is budgeting for the year in which the report
19 is submitted for a country program in the People’s
20 Republic of China.

21 (2) If a report under subparagraph (A) indi-
22 cates that the United Nations Population Fund
23 plans to spend funds for a country program in the
24 People’s Republic of China in the year covered by
25 the report, then the amount of such funds that the

1 UNFPA plans to spend in the People's Republic of
2 China shall be deducted from the funds made avail-
3 able to the UNFPA after March 1 for obligation for
4 the remainder of the fiscal year in which the report
5 is submitted.

6 AMERICAN CHURCHWOMEN IN EL SALVADOR

7 SEC. 574. (a) Information relevant to the December
8 2, 1980, murders of four American churchwomen in El
9 Salvador shall be made public to the fullest extent pos-
10 sible.

11 (b) The Secretary of State and the Department of
12 State are to be commended for fully releasing information
13 regarding the murders.

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

18 (d) In making determinations concerning the declas-
19 sification and release of relevant information, the Federal
20 agencies and departments shall presume in favor of releas-
21 ing, rather than of withholding, such information.

22 PROCUREMENT AND FINANCIAL MANAGEMENT REFORM

23 SEC. 575. (a) FUNDING CONDITIONS.—Of the funds
24 made available under the heading “International Financial
25 Institutions” in this Act, 10 percent of the United States
26 portion or payment to such International Financial Insti-

1 tution shall be withheld by the Secretary of the Treasury,
2 until the Secretary certifies to the Committees on Appro-
3 priations that, to the extent pertinent to its lending pro-
4 grams, the institution is—

5 (1) Implementing procedures for conducting an-
6 nual audits by qualified independent auditors for all
7 new investment lending;

8 (2) Implementing procedures for annual inde-
9 pendent external audits of central bank financial
10 statements for countries making use of International
11 Monetary Fund resources under new arrangements
12 or agreements with the Fund;

13 (3) Taking steps to establish an independent
14 fraud and corruption investigative organization or
15 office;

16 (4) Implementing a process to assess a recipient
17 country's procurement and financial management
18 capabilities including an analysis of the risks of cor-
19 ruption prior to initiating new investment lending;
20 and

21 (5) Taking steps to fund and implement pro-
22 grams and policies to improve transparency and
23 anti-corruption programs and procurement and fi-
24 nancial management controls in recipient countries.

1 (b) REPORT.—The Secretary of the Treasury shall
2 report on March 1, 2002 to the Committees on Appropria-
3 tions on progress made by each International Financial
4 Institution, and, to the extent pertinent to its lending pro-
5 grams, the International Monetary Fund, to fulfill the ob-
6 jectives identified in subsection (a) and on progress of the
7 International Monetary Fund to implement procedures for
8 annual independent external audits of central bank finan-
9 cial statements for countries making use of Fund re-
10 sources under all new arrangements with the Fund.

11 (c) DEFINITIONS.—The term “International Finan-
12 cial Institutions” means the International Bank for Re-
13 construction and Development, the International Develop-
14 ment Association, the International Finance Corporation,
15 the Inter-American Development Bank, the Inter-Amer-
16 ican Investment Corporation, the Enterprise for the Amer-
17 icas Multilateral Investment Fund, the Asian Development
18 Bank, the Asian Development Fund, the African Develop-
19 ment Bank, the African Development Fund, the European
20 Bank for Reconstruction and Development, and the Inter-
21 national Monetary Fund.

22 COMMERCIAL LEASING OF DEFENSE ARTICLES

23 SEC. 576. Notwithstanding any other provision of
24 law, and subject to the regular notification procedures of
25 the Committees on Appropriations, the authority of sec-
26 tion 23(a) of the Arms Export Control Act may be used

1 to provide financing to Israel, Egypt and NATO and
2 major non-NATO allies for the procurement by leasing
3 (including leasing with an option to purchase) of defense
4 articles from United States commercial suppliers, not in-
5 cluding Major Defense Equipment (other than helicopters
6 and other types of aircraft having possible civilian applica-
7 tion), if the President determines that there are compel-
8 ling foreign policy or national security reasons for those
9 defense articles being provided by commercial lease rather
10 than by government-to-government sale under such Act.

11 ABOLITION OF THE INTER-AMERICAN FOUNDATION

12 SEC. 577. Section 586 of the Foreign Operations, Ex-
13 port Financing, and Related Programs Appropriations
14 Act, 2000, as enacted by section 1000(a)(2) of Public Law
15 106–113, as amended, is further amended by striking
16 “years 2000 and 2001” and inserting in lieu thereof
17 “years 2000, 2001, and 2002”.

18 WAR CRIMINALS

19 SEC. 578. (a) None of the funds appropriated or oth-
20 erwise made available pursuant to this Act may be made
21 available for assistance, with the exception of humani-
22 tarian assistance and assistance for democratization, to
23 any country, entity or municipality whose competent au-
24 thorities have failed, as determined by the Secretary of
25 State, to take necessary and significant steps to imple-
26 ment its international legal obligations to apprehend and

1 transfer to the International Criminal Tribunal for the
2 Former Yugoslavia (the “Tribunal”) all persons in their
3 territory who have been publicly indicted by the Tribunal.

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

8 (1) cooperating with the Tribunal, including ac-
9 cess for investigators, the provision of documents,
10 and the surrender and transfer of publicly indicted
11 indietees or assistance in their apprehension; and

12 (2) taking steps that are consistent with the
13 Dayton Accords.

14 (c) The Secretary of State may waive the application
15 of subsection (a) with respect to a country, entity, or mu-
16 nicipality upon a written determination to the Committees
17 on Appropriations of the House of Representatives and the
18 Senate that provision of assistance that would otherwise
19 be prohibited by that subsection is in the national interest
20 of the United States.

21 **USER FEES**

22 **SEC. 579.** The Secretary of the Treasury shall in-
23 struct the United States Executive Director at each inter-
24 national financial institution (as defined in section
25 1701(c)(2) of the International Financial Institutions Act)
26 and the International Monetary Fund to oppose any loan

1 of these institutions that would require user fees or service
2 charges on poor people for primary education or primary
3 healthcare, including prevention and treatment efforts for
4 HIV/AIDS, malaria, tuberculosis, and infant, child, and
5 maternal well-being, in connection with the institutions'
6 lending programs.

7 BASIC EDUCATION ASSISTANCE FOR PAKISTAN

8 SEC. 580. Funds appropriated by this Act to carry
9 out the provisions of chapter 4 of part II of the Foreign
10 Assistance Act of 1961 may be made available for assist-
11 ance for basic education programs for Pakistan, notwith-
12 standing any provision of law that restricts assistance to
13 foreign countries.

14 HEAVILY INDEBTED POOR COUNTRIES TRUST FUND

15 AUTHORIZATION

16 SEC. 581. Section 801(b)(1) of the Foreign Oper-
17 ations, Export Financing, and Related Programs Appro-
18 priations Act, 2001 (Public Law 106–429) is amended by
19 striking “\$435,000,000” and inserting “\$600,000,000”.

20 FUNDING FOR SERBIA

21 SEC. 582. (a) Funds appropriated by this Act may
22 be made available for assistance for Serbia after March
23 31, 2002, if the President has made the determination and
24 certification contained in subsection (c).

25 (b) After March 31, 2002, the Secretary of the Treas-
26 ury should instruct the United States executive directors

1 to international financial institutions to support loans and
2 assistance to the Government of the Federal Republic of
3 Yugoslavia subject to the conditions in subsection (c).

4 (c) The determination and certification referred to in
5 subsection (a) is a determination by the President and a
6 certification to the Committees on Appropriations that the
7 Government of the Federal Republic of Yugoslavia is—

8 (1) cooperating with the International Criminal
9 Tribunal for Yugoslavia including access for inves-
10 tigators, the provision of documents, and the sur-
11 render and transfer of indictees or assistance in
12 their apprehension;

13 (2) taking steps that are consistent with the
14 Dayton Accords to end Serbian financial, political,
15 security and other support which has served to
16 maintain separate Republika Srpska institutions;
17 and

18 (3) taking steps to implement policies which re-
19 flect a respect for minority rights and the rule of
20 law.

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

24 IMPROVING GLOBAL HEALTH THROUGH SAFE INJECTIONS

25 SEC. 583. (a) In carrying out immunization programs
26 and other programs for the prevention, treatment, and

1 control of infectious diseases, including tuberculosis, HIV
2 and AIDS, polio, and malaria, the Administrator of the
3 United States Agency for International Development, in
4 coordination with the Centers for Disease Control and
5 Prevention, the National Institutes of Health, national
6 and local governments, and other organizations, such as
7 the World Health Organization and the United Nations
8 Children's Fund, shall develop and implement effective
9 strategies to improve injection safety, including elimi-
10 nating unnecessary injections, promoting the availability
11 and use of single-use auto-disable needles and syringes
12 and other safe injection technologies, strengthening the
13 procedures for proper needle and syringe disposal, and im-
14 proving the education and information provided to the
15 public and to health professionals.

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

20 EL SALVADOR RECONSTRUCTION

21 SEC. 584. During fiscal year 2002, not less than
22 \$100,000,000 shall be made available for rehabilitation
23 and reconstruction assistance for El Salvador: *Provided,*
24 That such funds shall be derived as follows: (1) from funds
25 appropriated by this Act, not less than \$65,000,000, of
26 which not less than \$25,000,000 shall be from funds ap-

1 appropriated under the heading “Economic Support Fund”,
2 not to exceed \$25,000,000 shall be from funds appro-
3 priated under the heading “International Disaster Assist-
4 ance”, and not to exceed a total of \$15,000,000 shall be
5 from funds appropriated under the headings “Child Sur-
6 vival and Health Programs Fund” and “Development As-
7 sistance”; and (2) from funds appropriated under such
8 headings for foreign operations, export financing, and re-
9 lated programs for fiscal year 1999 and prior years, not
10 less than \$35,000,000: *Provided further*, That none of the
11 funds made available under this section may be obligated
12 for nonproject assistance: *Provided further*, That prior to
13 any obligation of funds made available under this section,
14 the Administrator of the United States Agency for Inter-
15 national Development (USAID) shall provide the Commit-
16 tees on Appropriations with a detailed report containing
17 the amount of the proposed obligation and a description
18 of the programs and projects, on a sector-by-sector basis,
19 to be funded with such amount: *Provided further*, That
20 of the funds made available under this heading, up to
21 \$2,500,000 may be used for administrative expenses, in-
22 cluding auditing costs, of USAID.

23 This Act may be cited as the “Foreign Operations,
24 Export Financing, and Related Programs Appropriations
25 Act, 2002”.

Union Calendar No. 83

107TH CONGRESS
1ST SESSION

H. R. 2506

[Report No. 107-142]

A BILL

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

JULY 17, 2001

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed