

## Calendar No. 147

107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**H.R. 2506****[Report No. 107–58]**

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

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**IN THE SENATE OF THE UNITED STATES**

JULY 25, 2001

Received; read twice and referred to the Committee on Appropriations

SEPTEMBER 4, 2001

Reported by Mr. LEAHY, with an amendment

[Strike all after the enacting clause and insert the part printed in *italic*]

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**AN ACT**

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

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the

1 fiscal year ending September 30, 2002, and for other pur-  
2 poses, namely:

3 TITLE I—EXPORT AND INVESTMENT

4 ASSISTANCE

5 EXPORT-IMPORT BANK OF THE UNITED STATES

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

23 SUBSIDY APPROPRIATION

24 For the cost of direct loans, loan guarantees, insur-  
25 ance, and tied-aid grants as authorized by section 10 of  
26 the Export-Import Bank Act of 1945, as amended,

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

#### 21 ADMINISTRATIVE EXPENSES

22 For administrative expenses to carry out the direct  
 23 and guaranteed loan and insurance programs, including  
 24 hire of passenger motor vehicles and services as authorized  
 25 by 5 U.S.C. 3109, and not to exceed \$30,000 for official  
 26 reception and representation expenses for members of the

1 Board of Directors, \$63,000,000 (reduced by  
 2 \$3,000,000): *Provided*, That necessary expenses (includ-  
 3 ing special services performed on a contract or fee basis;  
 4 but not including other personal services) in connection  
 5 with the collection of moneys owed the Export-Import  
 6 Bank, repossession or sale of pledged collateral or other  
 7 assets acquired by the Export-Import Bank in satisfaction  
 8 of moneys owed the Export-Import Bank, or the investiga-  
 9 tion or appraisal of any property, or the evaluation of the  
 10 legal or technical aspects of any transaction for which an  
 11 application for a loan, guarantee or insurance commitment  
 12 has been made, shall be considered nonadministrative ex-  
 13 penses for the purposes of this heading: *Provided further*,  
 14 That, notwithstanding subsection (b) of section 117 of the  
 15 Export Enhancement Act of 1992, subsection (a) thereof  
 16 shall remain in effect until October 1, 2002.

17 OVERSEAS PRIVATE INVESTMENT CORPORATION

18 NONCREDIT ACCOUNT

19 The Overseas Private Investment Corporation is au-  
 20 thorized to make, without regard to fiscal year limitations,  
 21 as provided by 31 U.S.C. 9104, such expenditures and  
 22 commitments within the limits of funds available to it and  
 23 in accordance with law as may be necessary: *Provided*,  
 24 That the amount available for administrative expenses to  
 25 carry out the credit and insurance programs (including an  
 26 amount for official reception and representation expenses

1 which shall not exceed ~~\$35,000~~) shall not exceed  
 2 ~~\$38,608,000~~: *Provided further*, That project-specific trans-  
 3 action costs, including direct and indirect costs incurred  
 4 in claims settlements, and other direct costs associated  
 5 with services provided to specific investors or potential in-  
 6 vestors pursuant to section 234 of the Foreign Assistance  
 7 Act of 1961, shall not be considered administrative ex-  
 8 penses for the purposes of this heading.

9 PROGRAM ACCOUNT

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

16 FUNDS APPROPRIATED TO THE PRESIDENT

17 TRADE AND DEVELOPMENT AGENCY

18 For necessary expenses to carry out the provisions  
 19 of section 661 of the Foreign Assistance Act of 1961,  
 20 ~~\$50,024,000~~, to remain available until September 30,  
 21 2003.

22 TITLE II—BILATERAL ECONOMIC ASSISTANCE

23 FUNDS APPROPRIATED TO THE PRESIDENT

24 For expenses necessary to enable the President to  
 25 carry out the provisions of the Foreign Assistance Act of  
 26 1961, and for other purposes, to remain available until

1 September 30, 2002, unless otherwise specified herein, as  
2 follows:

3 UNITED STATES AGENCY FOR INTERNATIONAL  
4 DEVELOPMENT  
5 CHILD SURVIVAL AND HEALTH PROGRAMS FUND

6 For necessary expenses to carry out the provisions  
7 of chapters 1 and 10 of part I of the Foreign Assistance  
8 Act of 1961 and title I of Public Law 106-570, for child  
9 survival, reproductive health, assistance to combat tropical  
10 and other infectious diseases, and related activities, in ad-  
11 dition to funds otherwise available for such purposes,  
12 \$1,387,000,000 (increased by \$18,000,000) (increased by  
13 \$20,000,000), to remain available until expended: *Pro-*  
14 *vided*, That this amount shall be made available for such  
15 activities as: (1) immunization programs; (2) oral rehydra-  
16 tion programs; (3) health, nutrition, water and sanitation  
17 programs, and related education programs, which directly  
18 address the needs of mothers and children; (4) assistance  
19 for displaced and orphaned children; (5) programs for the  
20 prevention, treatment, and control of, and research on, tu-  
21 berculosis, HIV/AIDS, polio, malaria and other infectious  
22 diseases; and (6) reproductive health: *Provided further*,  
23 That none of the funds appropriated under this heading  
24 may be made available for nonproject assistance, except  
25 that funds may be made available for such assistance for  
26 ongoing health programs: *Provided further*, That of the

1 funds appropriated under this heading, not to exceed  
 2 \$125,000, in addition to funds otherwise available for such  
 3 purposes, may be used to monitor and provide oversight  
 4 of child survival, maternal health, and infectious disease  
 5 programs: *Provided further*, That the following amounts  
 6 should be allocated as follows: \$295,000,000 for child sur-  
 7 vival and maternal health; \$25,000,000 (increased by  
 8 \$5,000,000) for vulnerable children; \$434,000,000 (in-  
 9 creased by \$13,000,000) for HIV/AIDS; \$155,000,000  
 10 (increased by \$20,000,000) for other infectious diseases;  
 11 \$120,000,000 for UNICEF; and \$358,000,000 for repro-  
 12 ductive health: *Provided further*, That of the funds appro-  
 13 priated under this heading, up to \$60,000,000 may be  
 14 made available for a United States contribution to the The  
 15 Vaccine Fund and up to \$10,000,000 may be made avail-  
 16 able for the International AIDS Vaccine Initiative: *Pro-*  
 17 *vided further*, That of the funds appropriated under this  
 18 heading and under the heading “Child Survival and Dis-  
 19 ease Programs Fund” in the Foreign Operations, Export  
 20 Financing, and Related Programs Appropriations Act,  
 21 2001, up to \$100,000,000 may be made available for a  
 22 United States contribution to a multilateral trust fund to  
 23 fight HIV/AIDS, malaria, and tuberculosis: *Provided fur-*  
 24 *ther*, That none of the funds made available in this Act  
 25 nor any unobligated balances from prior appropriations

1 may be made available to any organization or program  
2 which, as determined by the President of the United  
3 States, supports or participates in the management of a  
4 program of coercive abortion or involuntary sterilization:  
5 *Provided further*, That none of the funds made available  
6 under this heading may be used to pay for the perform-  
7 ance of abortion as a method of family planning or to mo-  
8 tivate or coerce any person to practice abortions; and that  
9 in order to reduce reliance on abortion in developing na-  
10 tions, funds shall be available only to voluntary family  
11 planning projects which offer, either directly or through  
12 referral to, or information about access to, a broad range  
13 of family planning methods and services, and that any  
14 such voluntary family planning project shall meet the fol-  
15 lowing requirements: (1) service providers or referral  
16 agents in the project shall not implement or be subject  
17 to quotas, or other numerical targets, of total number of  
18 births, number of family planning acceptors, or acceptors  
19 of a particular method of family planning (this provision  
20 shall not be construed to include the use of quantitative  
21 estimates or indicators for budgeting and planning pur-  
22 poses); (2) the project shall not include payment of incen-  
23 tives, bribes, gratuities, or financial reward to: (A) an indi-  
24 vidual in exchange for becoming a family planning accep-  
25 tor; or (B) program personnel for achieving a numerical



1 target or quota of total number of births; number of fam-  
2 ily planning acceptors; or acceptors of a particular method  
3 of family planning; (3) the project shall not deny any right  
4 or benefit, including the right of access to participate in  
5 any program of general welfare or the right of access to  
6 health care, as a consequence of any individual's decision  
7 not to accept family planning services; (4) the project shall  
8 provide family planning acceptors comprehensible infor-  
9 mation on the health benefits and risks of the method cho-  
10 sen, including those conditions that might render the use  
11 of the method inadvisable and those adverse side effects  
12 known to be consequent to the use of the method; and  
13 (5) the project shall ensure that experimental contracep-  
14 tive drugs and devices and medical procedures are pro-  
15 vided only in the context of a scientific study in which  
16 participants are advised of potential risks and benefits;  
17 and, not less than 60 days after the date on which the  
18 Administrator of the United States Agency for Inter-  
19 national Development determines that there has been a  
20 violation of the requirements contained in paragraph (1),  
21 (2), (3), or (5) of this proviso; or a pattern or practice  
22 of violations of the requirements contained in paragraph  
23 (4) of this proviso, the Administrator shall submit to the  
24 Committee on International Relations and the Committee  
25 on Appropriations of the House of Representatives and to

1 the Committee on Foreign Relations and the Committee  
2 on Appropriations of the Senate, a report containing a de-  
3 scription of such violation and the corrective action taken  
4 by the Agency: *Provided further*, That in awarding grants  
5 for natural family planning under section 104 of the For-  
6 eign Assistance Act of 1961 no applicant shall be discrimi-  
7 nated against because of such applicant's religious or con-  
8 scientious commitment to offer only natural family plan-  
9 ning; and, additionally, all such applicants shall comply  
10 with the requirements of the previous proviso: *Provided*  
11 *further*, That for purposes of this or any other Act author-  
12 izing or appropriating funds for foreign operations, export  
13 financing, and related programs, the term "motivate", as  
14 it relates to family planning assistance, shall not be con-  
15 strued to prohibit the provision, consistent with local law,  
16 of information or counseling about all pregnancy options:  
17 *Provided further*, That nothing in this paragraph shall be  
18 construed to alter any existing statutory prohibitions  
19 against abortion under section 104 of the Foreign Assist-  
20 ance Act of 1961: *Provided further*, That of the amount  
21 made available under this heading for HIV/AIDS,  
22 \$5,000,000 shall be for assistance to prevent mother-to-  
23 child HIV/AIDS transmission through effective partner-  
24 ships with nongovernmental organizations and research

1 facilities pursuant to section 104(e)(5) of the Foreign As-  
 2 sistance Act of 1961 (22 U.S.C. 2151b(e)(5)).

### 3 DEVELOPMENT ASSISTANCE

4 For necessary expenses to carry out the provisions  
 5 of sections 103, 105, 106, and 131, and chapter 10 of  
 6 part I of the Foreign Assistance Act of 1961,  
 7 \$1,098,000,000, to remain available until September 30,  
 8 2003: *Provided*, That none of the funds appropriated  
 9 under this heading may be made available for any activity  
 10 which is in contravention to the Convention on Inter-  
 11 national Trade in Endangered Species of Flora and Fauna  
 12 (CITES): *Provided further*, That of the funds appro-  
 13 priated under this heading that are made available for as-  
 14 sistance programs for displaced and orphaned children  
 15 and victims of war, not to exceed \$25,000, in addition to  
 16 funds otherwise available for such purposes, may be used  
 17 to monitor and provide oversight of such programs: *Pro-*  
 18 *vided further*, That \$135,000,000 should be allocated for  
 19 children's basic education.

### 20 INTERNATIONAL DISASTER ASSISTANCE

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

## TRANSITION INITIATIVES

For necessary expenses for international disaster rehabilitation and reconstruction assistance pursuant to section 491 of the Foreign Assistance Act of 1961, \$40,000,000, to remain available until expended, to support transition to democracy and to long-term development of countries in crisis: *Provided*, That such support may include assistance to develop, strengthen, or preserve democratic institutions and processes, revitalize basic infrastructure, and foster the peaceful resolution of conflict: *Provided further*, That the United States Agency for International Development shall submit a report to the Committees on Appropriations at least 5 days prior to beginning a new program of assistance.

## DEVELOPMENT CREDIT AUTHORITY

## (INCLUDING TRANSFER OF FUNDS)

For the cost of loan guarantees, up to \$12,500,000, as authorized by sections 108 and 625 of the Foreign Assistance Act of 1961: *Provided*, That such funds shall be derived by transfer from funds appropriated by this Act to carry out part I of the Foreign Assistance Act of 1961, and under the heading "Assistance for Eastern Europe and the Baltic States": *Provided further*, That such funds shall be made available only for micro and small enterprise programs and other programs which further the purposes of part I of the Act: *Provided further*, That during fiscal

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

19 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND  
 20 DISABILITY FUND

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

18 OPERATING EXPENSES OF THE UNITED STATES AGENCY  
19 FOR INTERNATIONAL DEVELOPMENT OFFICE OF IN-  
20 SPECTOR GENERAL

**HR 2506 RS**

## 1           OTHER BILATERAL ECONOMIC ASSISTANCE

## 2                           ECONOMIC SUPPORT FUND

3           For necessary expenses to carry out the provisions  
4 of chapter 4 of part II, \$2,199,000,000, to remain avail-  
5 able until September 30, 2003: *Provided*, That of the  
6 funds appropriated under this heading, not less than  
7 \$720,000,000 shall be available only for Israel, which sum  
8 shall be available on a grant basis as a cash transfer and  
9 shall be disbursed within 30 days of the enactment of this  
10 Act or by October 31, 2001, whichever is later: *Provided*  
11 *further*, That not less than \$655,000,000 shall be available  
12 only for Egypt, which sum shall be provided on a grant  
13 basis, and of which sum cash transfer assistance shall be  
14 provided with the understanding that Egypt will under-  
15 take significant economic reforms which are additional to  
16 those which were undertaken in previous fiscal years: *Pro-*  
17 *vided further*, That in exercising the authority to provide  
18 cash transfer assistance for Israel, the President shall en-  
19 sure that the level of such assistance does not cause an  
20 adverse impact on the total level of nonmilitary exports  
21 from the United States to such country and that Israel  
22 enters into a side letter agreement in an amount propor-  
23 tional to the fiscal year 1999 agreement: *Provided further*,  
24 That not less than \$35,000,000 of the funds appropriated  
25 under this heading should be made available for Lebanon

1 to be used, among other programs, for scholarships and  
 2 direct support of the American educational institutions in  
 3 Lebanon: *Provided further*, That not less than  
 4 \$15,000,000 of the funds appropriated under this heading  
 5 should be made available for Cyprus to be used only for  
 6 scholarships, administrative support of the scholarship  
 7 program, bicommunal projects, and measures aimed at re-  
 8 unification of the island and designed to reduce tensions  
 9 and promote peace and cooperation between the two com-  
 10 munities on Cyprus: *Provided further*, That funds appro-  
 11 priated under this heading may be used, notwithstanding  
 12 any other provision of law, to provide assistance to the  
 13 National Democratic Alliance of Sudan to strengthen its  
 14 ability to protect civilians from attacks, slave raids, and  
 15 aerial bombardment by the Sudanese Government forces  
 16 and its militia allies, and the provision of such funds shall  
 17 be subject to the regular notification procedures of the  
 18 Committees on Appropriations: *Provided further*, That in  
 19 the previous proviso, the term “assistance” includes non-  
 20 lethal, non-food aid such as blankets, medicine, fuel, mo-  
 21 bile clinics, water drilling equipment, communications  
 22 equipment to notify civilians of aerial bombardment, non-  
 23 military vehicles, tents, and shoes.

24 INTERNATIONAL FUND FOR IRELAND

25 For necessary expenses to carry out the provisions  
 26 of chapter 4 of part II of the Foreign Assistance Act of



1 1961, \$25,000,000, which shall be available for the United  
 2 States contribution to the International Fund for Ireland  
 3 and shall be made available in accordance with the provi-  
 4 sions of the Anglo-Irish Agreement Support Act of 1986  
 5 (Public Law 99-415): *Provided*, That such amount shall  
 6 be expended at the minimum rate necessary to make time-  
 7 ly payment for projects and activities: *Provided further*,  
 8 That funds made available under this heading shall re-  
 9 main available until September 30, 2003.

10 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC  
 11 STATES

12 (a) For necessary expenses to carry out the provisions  
 13 of the Foreign Assistance Act of 1961 and the Support  
 14 for East European Democracy (SEED) Act of 1989,  
 15 \$600,000,000, to remain available until September 30,  
 16 2003, which shall be available, notwithstanding any other  
 17 provision of law, for assistance and for related programs  
 18 for Eastern Europe and the Baltic States: *Provided*, That  
 19 funds made available for assistance for Kosovo from funds  
 20 appropriated under this heading and under the headings  
 21 “Economic Support Fund” and “International Narcotics  
 22 Control and Law Enforcement” should not exceed 15 per-  
 23 cent of the total resources pledged by all donors for cal-  
 24 endar year 2002 for assistance for Kosovo as of March  
 25 31, 2002: *Provided further*, That none of the funds made  
 26 available under this Act for assistance for Kosovo shall

1 be made available for large scale physical infrastructure  
2 reconstruction.

3       (b) Funds appropriated under this heading or in prior  
4 appropriations Acts that are or have been made available  
5 for an Enterprise Fund may be deposited by such Fund  
6 in interest-bearing accounts prior to the Fund's disburse-  
7 ment of such funds for program purposes. The Fund may  
8 retain for such program purposes any interest earned on  
9 such deposits without returning such interest to the Treas-  
10 ury of the United States and without further appropria-  
11 tion by the Congress. Funds made available for Enterprise  
12 Funds shall be expended at the minimum rate necessary  
13 to make timely payment for projects and activities.

14       (c) Funds appropriated under this heading shall be  
15 considered to be economic assistance under the Foreign  
16 Assistance Act of 1961 for purposes of making available  
17 the administrative authorities contained in that Act for  
18 the use of economic assistance.

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

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

6 (e) The provisions of section 529 of this Act shall  
7 apply to funds made available under subsection (e) and  
8 to funds appropriated under this heading: *Provided*, That  
9 notwithstanding any provision of this or any other Act,  
10 including provisions in this subsection regarding the appli-  
11 cation of section 529 of this Act, local currencies gen-  
12 erated by, or converted from, funds appropriated by this  
13 Act and by previous appropriations Acts and made avail-  
14 able for the economic revitalization program in Bosnia  
15 may be used in Eastern Europe and the Baltic States to  
16 carry out the provisions of the Foreign Assistance Act of  
17 1961 and the Support for East European Democracy  
18 (SEED) Act of 1989.

19 (f) The President is authorized to withhold funds ap-  
20 propriated under this heading made available for economic  
21 revitalization programs in Bosnia and Herzegovina, if he  
22 determines and certifies to the Committees on Appropria-  
23 tions that the Federation of Bosnia and Herzegovina has  
24 not complied with article III of annex 1—A of the General  
25 Framework Agreement for Peace in Bosnia and

1 Herzegovina concerning the withdrawal of foreign forces,  
2 and that intelligence cooperation on training, investiga-  
3 tions, and related activities between Iranian officials and  
4 Bosnian officials has not been terminated.

5 ASSISTANCE FOR THE INDEPENDENT STATES OF THE  
6 FORMER SOVIET UNION

7 (a) For necessary expenses to carry out the provisions  
8 of chapters 11 and 12 of part I of the Foreign Assistance  
9 Act of 1961 and the FREEDOM Support Act, for assist-  
10 ance for the Independent States of the former Soviet  
11 Union and for related programs, \$768,000,000, to remain  
12 available until September 30, 2003: *Provided*, That the  
13 provisions of such chapters shall apply to funds appro-  
14 priated by this paragraph: *Provided further*, That of the  
15 funds made available for the Southern Caucasus region,  
16 notwithstanding any other provision of law, 15 percent  
17 may be used for confidence-building measures and other  
18 activities in furtherance of the peaceful resolution of the  
19 regional conflicts, especially those in the vicinity of  
20 Abkhazia and Nagorno-Karabagh: *Provided further*, That  
21 of the funds appropriated under this heading, not less  
22 than \$1,500,000 should be available only to meet the  
23 health and other assistance needs of victims of trafficking  
24 in persons.

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

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

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

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

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

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

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

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

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

3           ~~(6) humanitarian assistance.~~

4           ~~(f) Not more than 30 percent of the funds appro-~~  
 5           ~~priated under this heading may be made available for as-~~  
 6           ~~sistance for any country in the region. Activities author-~~  
 7           ~~ized under title V (nonproliferation and disarmament pro-~~  
 8           ~~grams and activities) of the FREEDOM Support Act shall~~  
 9           ~~not be counted against the 30 percent limitation.~~

10          ~~(g)(1) Of the funds appropriated under this heading~~  
 11          ~~that are allocated for assistance for the Government of~~  
 12          ~~the Russian Federation, 60 percent shall be withheld from~~  
 13          ~~obligation until the President determines and certifies in~~  
 14          ~~writing to the Committees on Appropriations that the Gov-~~  
 15          ~~ernment of the Russian Federation:~~

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

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

25          ~~(2) Paragraph (1) shall not apply to—~~

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

12 ~~INDEPENDENT AGENCIES~~

13 ~~INTER-AMERICAN FOUNDATION~~

20 ~~AFRICAN DEVELOPMENT FOUNDATION~~

For expenses necessary to carry out title V of the International Security and Development Cooperation Act of 1980, Public Law 96-533, and to make commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104(b)(3), \$16,042,000: *Provided*, That funds made available to grantees may be invested pending ex-

penditure for project purposes when authorized by the President of the Foundation: *Provided further*, That interest earned shall be used only for the purposes for which the grant was made: *Provided further*, That this authority applies to interest earned both prior to and following enactment of this provision: *Provided further*, That notwithstanding section 505(a)(2) of the African Development Foundation Act, in exceptional circumstances the board of directors of the Foundation may waive the \$250,000 limitation contained in that section with respect to a project: *Provided further*, That the Foundation shall provide a report to the Committees on Appropriations after each time such waiver authority is exercised.

#### PEACE CORPS

For necessary expenses to carry out the provisions of the Peace Corps Act (75 Stat. 612), \$275,000,000, including the purchase of not to exceed five passenger motor vehicles for administrative purposes for use outside of the United States: *Provided*, That none of the funds appropriated under this heading shall be used to pay for abortions: *Provided further*, That funds appropriated under this heading shall remain available until September 30, 2003.



## 1 DEPARTMENT OF STATE

## 2 INTERNATIONAL NARCOTICS CONTROL AND LAW

## 3 ENFORCEMENT

4 For necessary expenses to carry out section 481 of  
5 the Foreign Assistance Act of 1961, \$217,000,000, to re-  
6 main available until expended: *Provided*, That any funds  
7 made available under this heading for anti-crime programs  
8 and activities shall be made available subject to the reg-  
9 ular notification procedures of the Committees on Appro-  
10 priations: *Provided further*, That during fiscal year 2002,  
11 the Department of State may also use the authority of  
12 section 608 of the Foreign Assistance Act of 1961, with-  
13 out regard to its restrictions, to receive excess property  
14 from an agency of the United States Government for the  
15 purpose of providing it to a foreign country under chapter  
16 8 of part I of that Act subject to the regular notification  
17 procedures of the Committees on Appropriations: *Provided*  
18 *further*, That of the funds appropriated under this head-  
19 ing, not more than \$16,660,000 may be available for ad-  
20 ministrative expenses.

## 21 ANDEAN COUNTERDRUG INITIATIVE

22 For necessary expenses to carry out section 481 of  
23 the Foreign Assistance Act of 1961 solely to support  
24 counterdrug activities in the Andean region of South  
25 America, \$676,000,000 (reduced by \$1,000,000), to re-  
26 main available until expended: *Provided*, That section

1 3204(b) of Public Law 106-246 is amended by adding a  
 2 new subsection (b)(3) as follows: “(3) FURTHER EXCEP-  
 3 TION.—Notwithstanding paragraph (2), the limitation  
 4 contained in paragraph (1)(B) may be waived: (i) if the  
 5 President certifies to the appropriate committees of the  
 6 Congress that the aggregate ceiling of 800 United States  
 7 personnel contained in paragraph (1) will not be exceeded  
 8 by such waiver; and (ii) if Congress is informed of the  
 9 extent to which the limitation under paragraph (1)(B) is  
 10 exceeded by such certification.”: *Provided further*, That  
 11 section 482(b) of the Foreign Assistance Act of 1961 shall  
 12 not apply to funds appropriated under this heading for  
 13 assistance for Colombia: *Provided further*, That assistance  
 14 provided with funds appropriated under this heading that  
 15 is made available notwithstanding section 482(b) of the  
 16 Foreign Assistance Act of 1961, as amended, shall be  
 17 made available subject to the regular notification proce-  
 18 dures of the Committees on Appropriations: *Provided fur-*  
 19 *ther*, That of the funds appropriated under this heading,  
 20 not more than \$14,240,000 may be for administrative ex-  
 21 penses: *Provided further*, That, of the funds appropriated  
 22 under this heading, \$65,000,000 shall not be available for  
 23 obligation until: (1) the Secretary of State submits to the  
 24 Congress a full report on the incident of April 20, 2001,  
 25 in which Veronica “Roni” Bowers and her 7-month old

1 daughter, Charity, were needlessly killed when a Peruvian  
2 Air Force jet opened fire on their plane after the crew  
3 of another plane, owned by the Department of Defense  
4 and chartered by the Central Intelligence Agency, mistak-  
5 only targeted the plane to be potentially smuggling drugs  
6 in the Andean region; and (2) the Secretary of State, Sec-  
7 retary of Defense, and Director of Central Intelligence cer-  
8 tify to the Congress, 30 days before any resumption of  
9 United States involvement in counter-narcotic flights and  
10 a force-down program that continues to permit the ability  
11 of the Peruvian Air Force to shoot down aircraft, that the  
12 force-down program will include enhanced safeguards and  
13 procedures to prevent the occurrence of any incident simi-  
14 lar to the April 20, 2001, incident.

15           MIGRATION AND REFUGEE ASSISTANCE

16       For expenses, not otherwise provided for, necessary  
17 to enable the Secretary of State to provide, as authorized  
18 by law, contributions to the International Committee of  
19 the Red Cross, assistance to refugees, including contribu-  
20 tions to the International Organization for Migration and  
21 the United Nations High Commissioner for Refugees, and  
22 other activities to meet refugee and migration needs; sala-  
23 ries and expenses of personnel and dependents as author-  
24 ized by the Foreign Service Act of 1980; allowances as  
25 authorized by sections 5921 through 5925 of title 5,  
26 United States Code; purchase and hire of passenger motor

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

14 UNITED STATES EMERGENCY REFUGEE AND MIGRATION  
 15 ASSISTANCE FUND

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

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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 disarmament: *Provided further*, That such funds may also be  
 5 used for such countries other than the Independent States  
 6 of the former Soviet Union and international organiza-  
 7 tions when it is in the national security interest of the  
 8 United States to do so following consultation with the ap-  
 9 propriate committees of Congress: *Provided further*, That  
 10 funds appropriated under this heading may be made avail-  
 11 able for the International Atomic Energy Agency only if  
 12 the Secretary of State determines (and so reports to the  
 13 Congress) that Israel is not being denied its right to par-  
 14 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 not less than \$25,000,000 may be made available to carry  
 2 out the provisions of part V of the Foreign Assistance Act  
 3 of 1961: *Provided further*, That funds appropriated or oth-  
 4 erwise 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 outlayed 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(c)(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 (reduced by \$10,000,000), for the United  
 21 States paid-in share of the increase in capital stock, to  
 22 remain available until expended.

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 (reduced by  
14 \$10,000,000), to remain 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 Reconstruct-  
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.

## MILITARY COUPS

1  
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.

## TRANSFERS BETWEEN ACCOUNTS

12  
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.

## DEOBLIGATION/REOBLIGATION AUTHORITY

22  
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 4 years from the date on  
16 which the availability of such funds would otherwise have  
17 expired, if such funds are initially obligated before the ex-  
18 piration of their respective periods of availability contained  
19 in this Act: *Provided further*, That, notwithstanding any  
20 other provision of this Act, any funds made available for  
21 the purposes of chapter 1 of part I and chapter 4 of part  
22 II of the Foreign Assistance Act of 1961 which are allo-  
23 cated or obligated for cash disbursements in order to ad-  
24 dress balance of payments or economic policy reform ob-  
25 jectives, 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 652(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: *Pro-*  
8 *vided*, 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 Finane-  
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           (1) 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 (2) 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 ~~(c) 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       vigorouslly 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

normalizing ties between Arab League countries  
and Israel; and

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

#### ADMINISTRATION OF JUSTICE ACTIVITIES

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

#### ELIGIBILITY FOR ASSISTANCE

SEC. 537. (a) ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.—Restrictions contained in this or any other Act with respect to assistance for a country shall not be construed to restrict assistance in support of programs of nongovernmental organizations from funds 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       PROHIBITION ON PUBLICITY OR PROPAGANDA

18       SEC. 539. No part of any appropriation contained in  
19 this Act shall be used for publicity or propaganda purposes  
20 within the United States not authorized before the date  
21 of the enactment of this Act by the Congress: *Provided*,  
22 That not to exceed \$750,000 may be made available to  
23 carry out the provisions of section 316 of Public Law 96-  
24 533.

1 PURCHASE OF AMERICAN-MADE EQUIPMENT AND  
2 PRODUCTS

3        SEC. 540. To the maximum extent possible, assist-  
4    ance provided under this Act should make full use of  
5    American resources, including commodities, products, and  
6    services.

7 PROHIBITION OF PAYMENTS TO UNITED NATIONS  
8 MEMBERS

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

19 ~~NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION~~

~~SEC. 542.~~ None of the funds appropriated or made available pursuant to this Act shall be available to a non-governmental organization which fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the United States Agency for International Development.

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

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

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

21 (c) Whenever the waiver of subsection (b) is exer-  
22 cised, the President shall submit to the appropriate con-  
23 gressional committees a report with respect to the fur-  
24 nishing of such assistance. Any such report shall include  
25 a detailed explanation of the assistance to be provided, in-

1 eluding the estimated dollar amount of such assistance;  
2 and an explanation of how the assistance furthers United  
3 States national interests.

4 WITHHOLDING OF ASSISTANCE FOR PARKING FINES

5 OWED BY FOREIGN COUNTRIES

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

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

23 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE

24 WEST BANK AND GAZA

25 SEC. 545. None of the funds appropriated by this Act  
26 may be obligated for assistance for the Palestine Libera-



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

#### WAR CRIMES TRIBUNALS DRAWDOWN

SEC. 546. If the President determines that doing so will contribute to a just resolution of charges regarding genocide or other violations of international humanitarian law, the President may direct a drawdown pursuant to section 552(e) of the Foreign Assistance Act of 1961, as amended, of up to \$30,000,000 of commodities and services for the United Nations War Crimes Tribunal established with regard to the former Yugoslavia by the United Nations Security Council or such other tribunals or commissions as the Council may establish to deal with such violations, without regard to the ceiling limitation contained in paragraph (2) thereof: *Provided*, That the determination required under this section shall be in lieu of

1 any determinations otherwise required under section  
 2 552(c): *Provided further*, That the drawdown made under  
 3 this section for any tribunal shall not be construed as an  
 4 endorsement or precedent for the establishment of any  
 5 standing or permanent international criminal tribunal or  
 6 court: *Provided further*, That funds made available for tri-  
 7 bunals other than Yugoslavia or Rwanda shall be made  
 8 available subject to the regular notification procedures of  
 9 the Committees on Appropriations.

#### 10 LANDMINES

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

#### 19 RESTRICTIONS CONCERNING THE PALESTINIAN

#### 20 AUTHORITY

21 SEC. 548. None of the funds appropriated by this Act  
 22 may be obligated or expended to create in any part of Je-  
 23 rusalem a new office of any department or agency of the  
 24 United States Government for the purpose of conducting  
 25 official United States Government business with the Pal-  
 26 estinian Authority over Gaza and Jericho or any successor

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

17 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

18 SEC. 549. None of the funds appropriated or other-  
 19 wise made available by this Act under the heading “Inter-  
 20 national Military Education and Training” or “Foreign  
 21 Military Financing Program” for Informational Program  
 22 activities or under the headings “Child Survival and  
 23 Health Programs Fund”, “Development Assistance”, and  
 24 “Economic Support Fund” may be obligated or expended  
 25 to pay for—

26 (1) alcoholic beverages; or

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

5           SPECIAL DEBT RELIEF FOR THE POOREST

6           SEC. 550. (a) AUTHORITY TO REDUCE DEBT.—The  
 7           President may reduce amounts owed to the United States  
 8           (or any agency of the United States) by an eligible country  
 9           as a result of—

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

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

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

24           ~~(b) LIMITATIONS.—~~

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

1        cial debt relief and referendum agreements, com-  
2        monly referred to as “Paris Club Agreed Minutes”.

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

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

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

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

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

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

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

1 gross violations of internationally recognized human  
 2 rights; and

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

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

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

18 ~~AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES~~  
 19 ~~SEC. 551. (a) LOANS ELIGIBLE FOR SALE, REDUC-~~  
 20 ~~TION, OR CANCELLATION.—~~

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

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

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

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

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

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

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

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

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



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

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

(c) AVAILABILITY OF FUNDS.—The authority provided by subsection (a) may be used only with regard to funds appropriated by this Act under the heading “Debt Restructuring”.

17 RESTRICTIONS ON VOLUNTARY CONTRIBUTIONS TO  
18 UNITED NATIONS AGENCIES

19        ~~SEC. 552. (a) PROHIBITION ON VOLUNTARY CON-~~  
20   ~~TRIBUTIONS FOR THE UNITED NATIONS.—None of the~~  
21   ~~funds appropriated by this Act may be made available to~~  
22   ~~pay any voluntary contribution of the United States to the~~  
23   ~~United Nations (including the United Nations Develop-~~  
24   ~~ment Program) if the United Nations implements or im-~~  
25   ~~poses any taxation on any United States persons.~~

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

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

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

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

19                               HAITI COAST GUARD

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

1       LIMITATION ON ASSISTANCE TO THE PALESTINIAN  
2                                   AUTHORITY

3       SEC. 554. (a) PROHIBITION OF FUNDS.—None of the  
4 funds appropriated by this Act to carry out the provisions  
5 of chapter 4 of part II of the Foreign Assistance Act of  
6 1961 may be obligated or expended with respect to pro-  
7 viding funds to the Palestinian Authority.

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

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

18       LIMITATION ON ASSISTANCE TO SECURITY FORCES

19       SEC. 555. None of the funds made available by this  
20 Act may be provided to any unit of the security forces  
21 of a foreign country if the Secretary of State has credible  
22 evidence that such unit has committed gross violations of  
23 human rights, unless the Secretary determines and reports  
24 to the Committees on Appropriations that the government  
25 of such country is taking effective measures to bring the  
26 responsible members of the security forces unit to justice:

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

12 DISCRIMINATION AGAINST MINORITY RELIGIOUS FAITHS  
13 IN THE RUSSIAN FEDERATION

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

1 human rights and religious freedoms to which the Russian  
2 Federation is a party.

3 ASSISTANCE FOR THE MIDDLE EAST

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

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

7 ENTERPRISE FUND RESTRICTIONS

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

15 CAMBODIA

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

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

## 1 FOREIGN MILITARY TRAINING REPORT

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

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

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

3 KOREAN PENINSULA ENERGY DEVELOPMENT  
4 ORGANIZATION

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

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

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

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

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



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

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

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

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

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

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

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

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

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

1 PROHIBITION ON ASSISTANCE TO THE PALESTINIAN  
2 BROADCASTING CORPORATION

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

8 IRAQ

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

14 WEST BANK AND GAZA PROGRAM

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

## INDONESIA

1  
2 SEC. 566. (a) Funds appropriated by this Act under  
3 the headings “International Military Education and  
4 Training” and “Foreign Military Financing Program”  
5 may be made available for Indonesian Ministry of Defense  
6 or military personnel if the President determines and sub-  
7 mits a report to the appropriate congressional committees  
8 that the Government of Indonesia and the Indonesian  
9 Armed Forces are—

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

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

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

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

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

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

6                           MAN AND THE BIOSPHERE

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

10                          TAIWAN REPORTING REQUIREMENT

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

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

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

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

## 1       RESTRICTIONS ON ASSISTANCE TO GOVERNMENTS

## 2                       DESTABILIZING SIERRA LEONE

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

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

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

## 24                       VOLUNTARY SEPARATION INCENTIVES

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

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

6 CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND

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

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

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

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



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

4           (3) the UNFPA does not fund abortions.

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

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

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

24          AMERICAN CHURCHWOMEN IN EL SALVADOR

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

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

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

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

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

14 PROCUREMENT AND FINANCIAL MANAGEMENT REFORM

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

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

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

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

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

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

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

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

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

14 COMMERCIAL LEASING OF DEFENSE ARTICLES

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

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

3 WAR CRIMINALS

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

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

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

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

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

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

6 ~~USER FEES~~

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

18 ~~BASIC EDUCATION ASSISTANCE FOR PAKISTAN~~

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

1       HEAVILY INDEBTED POOR COUNTRIES TRUST FUND  
2                                   AUTHORIZATION

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

7                                   FUNDING FOR SERBIA

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

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

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

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

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

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

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

12      IMPROVING GLOBAL HEALTH THROUGH SAFE INJECTIONS

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



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

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

8 EL SALVADOR RECONSTRUCTION

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

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

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

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

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

22 FUNDING FOR TRAFFICKING VICTIMS PROTECTION ACT  
 23 OF 2000

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

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

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

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

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

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

21 *That the following sums are appropriated, out of any*  
 22 *money in the Treasury not otherwise appropriated, for the*  
 23 *fiscal year ending September 30, 2002, and for other pur-*  
 24 *poses, namely:*

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

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

20 *SUBSIDY APPROPRIATION*

21 *For the cost of direct loans, loan guarantees, insurance,*  
22 *and tied-aid grants as authorized by section 10 of the Ex-*  
23 *port-Import Bank Act of 1945, as amended, \$753,323,000*  
24 *to remain available until September 30, 2005: Provided,*  
25 *That such costs, including the cost of modifying such loans,*  
26 *shall be as defined in section 502 of the Congressional Budg-*

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

#### ADMINISTRATIVE EXPENSES

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

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

11 *OVERSEAS PRIVATE INVESTMENT CORPORATION*

12 *NONCREDIT ACCOUNT*

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

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

3 *PROGRAM ACCOUNT*

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

10 *FUNDS APPROPRIATED TO THE PRESIDENT*

11 *TRADE AND DEVELOPMENT AGENCY*

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

15 *TITLE II—BILATERAL ECONOMIC ASSISTANCE*

16 *FUNDS APPROPRIATED TO THE PRESIDENT*

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

21 *UNITED STATES AGENCY FOR INTERNATIONAL*

22 *DEVELOPMENT*

23 *CHILD SURVIVAL AND HEALTH PROGRAMS FUND*

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

1 *health, assistance to combat tropical and other infectious*  
2 *diseases, and related activities, in addition to funds other-*  
3 *wise available for such purposes, \$1,455,500,000, to remain*  
4 *available until expended: Provided, That this amount shall*  
5 *be made available for such activities as: (1) immunization*  
6 *programs; (2) oral rehydration programs; (3) health, nutri-*  
7 *tion, water and sanitation programs, and related education*  
8 *programs; (4) assistance for displaced and orphaned chil-*  
9 *dren; (5) programs for the prevention, treatment, and con-*  
10 *trol of, and research on, HIV/AIDS, tuberculosis, malaria,*  
11 *polio and other infectious diseases; and (6) family plan-*  
12 *ning/reproductive health: Provided further, That none of the*  
13 *funds appropriated under this heading may be made avail-*  
14 *able for nonproject assistance, except that funds may be*  
15 *made available for such assistance for ongoing health pro-*  
16 *grams: Provided further, That of the funds appropriated*  
17 *under this heading, not to exceed \$125,000, in addition to*  
18 *funds otherwise available for such purposes, may be used*  
19 *to monitor and provide oversight of child survival, maternal*  
20 *and family planning/reproductive health, and infectious*  
21 *disease programs: Provided further, That the following*  
22 *amounts should be allocated as follows: \$325,000,000 for*  
23 *child survival and maternal health; \$25,000,000 for vulner-*  
24 *able children; \$415,000,000 for HIV/AIDS including*  
25 *\$40,000,000 which may be made available, notwithstanding*



1 any other provision of law, for a United States contribution  
2 to a global fund to combat HIV/AIDS, malaria, and tuber-  
3 culosis, and not less than \$15,000,000 which should be made  
4 available to support the development of microbicides as a  
5 means for combating HIV/AIDS; \$175,000,000 for other in-  
6 fectionous diseases; \$120,000,000 for UNICEF: Provided fur-  
7 ther, That of the funds appropriated under this Act, not  
8 less than \$450,000,000 shall be made available to carry out  
9 the purposes of section 104(b) of the Foreign Assistance Act  
10 of 1961, of which not less than \$395,000,000 shall be made  
11 available from funds appropriated under this heading and  
12 not less than \$55,000,000 shall be made available from  
13 funds appropriated under other headings in this title: Pro-  
14 vided further, That of the funds appropriated under this  
15 heading, up to \$50,500,000 may be made available for a  
16 United States contribution to The Vaccine Fund, and up  
17 to \$10,000,000 may be made available for the International  
18 AIDS Vaccine Initiative: Provided further, That none of the  
19 funds made available in this Act nor any unobligated bal-  
20 ances from prior appropriations may be made available to  
21 any organization or program which, as determined by the  
22 President of the United States, supports or participates in  
23 the management of a program of coercive abortion or invol-  
24 untary sterilization: Provided further, That none of the  
25 funds made available under this Act may be used to pay

1 *for the performance of abortion as a method of family plan-*  
2 *ning or to motivate or coerce any person to practice abor-*  
3 *tions: Provided further, That none of the funds made avail-*  
4 *able under this Act may be used to lobby for or against*  
5 *abortion: Provided further, That in order to reduce reliance*  
6 *on abortion in developing nations, funds shall be available*  
7 *only to voluntary family planning projects which offer, ei-*  
8 *ther directly or through referral to, or information about*  
9 *access to, a broad range of family planning methods and*  
10 *services, and that any such voluntary family planning*  
11 *project shall meet the following requirements: (1) service*  
12 *providers or referral agents in the project shall not imple-*  
13 *ment or be subject to quotas, or other numerical targets,*  
14 *of total number of births, number of family planning accep-*  
15 *tors, or acceptors of a particular method of family planning*  
16 *(this provision shall not be construed to include the use of*  
17 *quantitative estimates or indicators for budgeting and*  
18 *planning purposes); (2) the project shall not include pay-*  
19 *ment of incentives, bribes, gratuities, or financial reward*  
20 *to: (A) an individual in exchange for becoming a family*  
21 *planning acceptor; or (B) program personnel for achieving*  
22 *a numerical target or quota of total number of births, num-*  
23 *ber of family planning acceptors, or acceptors of a par-*  
24 *ticular method of family planning; (3) the project shall not*  
25 *deny any right or benefit, including the right of access to*

1 *participate in any program of general welfare or the right*  
2 *of access to health care, as a consequence of any individual's*  
3 *decision not to accept family planning services; (4) the*  
4 *project shall provide family planning acceptors comprehen-*  
5 *sible information on the health benefits and risks of the*  
6 *method chosen, including those conditions that might render*  
7 *the use of the method inadvisable and those adverse side*  
8 *effects known to be consequent to the use of the method; and*  
9 *(5) the project shall ensure that experimental contraceptive*  
10 *drugs and devices and medical procedures are provided only*  
11 *in the context of a scientific study in which participants*  
12 *are advised of potential risks and benefits; and, not less*  
13 *than 60 days after the date on which the Administrator*  
14 *of the United States Agency for International Development*  
15 *determines that there has been a violation of the require-*  
16 *ments contained in paragraph (1), (2), (3), or (5) of this*  
17 *proviso, or a pattern or practice of violations of the require-*  
18 *ments contained in paragraph (4) of this proviso, the Ad-*  
19 *ministrator shall submit to the Committees on Appropria-*  
20 *tions of the Senate and the House of Representatives, a re-*  
21 *port containing a description of such violation and the cor-*  
22 *rective action taken by the Agency: Provided further, That*  
23 *in awarding grants for natural family planning under sec-*  
24 *tion 104 of the Foreign Assistance Act of 1961 no applicant*  
25 *shall be discriminated against because of such applicant's*

1 *religious or conscientious commitment to offer only natural*  
 2 *family planning; and, additionally, all such applicants*  
 3 *shall comply with the requirements of the previous proviso:*  
 4 *Provided further, That for purposes of this or any other*  
 5 *Act authorizing or appropriating funds for foreign oper-*  
 6 *ations, export financing, and related programs, the term*  
 7 *“motivate”, as it relates to family planning assistance,*  
 8 *shall not be construed to prohibit the provision, consistent*  
 9 *with local law, of information or counseling about all preg-*  
 10 *nancy options: Provided further, That nothing in this para-*  
 11 *graph shall be construed to alter any existing statutory pro-*  
 12 *hibitions against abortion under section 104 of the Foreign*  
 13 *Assistance Act of 1961.*

14 *DEVELOPMENT ASSISTANCE*

15 *For necessary expenses to carry out the provisions of*  
 16 *sections 103, 105, 106, and 131, and chapter 10 of part*  
 17 *I of the Foreign Assistance Act of 1961, \$1,235,000,000, to*  
 18 *remain available until September 30, 2003: Provided, That*  
 19 *\$135,000,000 should be allocated for children’s basic edu-*  
 20 *cation: Provided further, That none of the funds appro-*  
 21 *priated under this heading may be made available for any*  
 22 *activity which is in contravention to the Convention on*  
 23 *International Trade in Endangered Species of Flora and*  
 24 *Fauna: Provided further, That of the funds appropriated*  
 25 *under this heading that are made available for assistance*  
 26 *programs for displaced and orphaned children and victims*

1 of war, not to exceed \$25,000, in addition to funds otherwise  
 2 available for such purposes, may be used to monitor and  
 3 provide oversight of such programs: Provided further, That  
 4 of the aggregate amount of the funds appropriated by this  
 5 Act that are made available for agriculture and rural devel-  
 6 opment programs, \$30,000,000 should be made available for  
 7 plant biotechnology research and development: Provided  
 8 further, That not less than \$2,300,000 should be made avail-  
 9 able for core support for the International Fertilizer Devel-  
 10 opment Center: Provided further, That of the funds appro-  
 11 priated under this heading, not less than \$500,000 shall be  
 12 made available for support of the United States Tele-  
 13 communications Training Institute: Provided further, That  
 14 of the funds appropriated under this heading, not less than  
 15 \$19,000,000 shall be made available for the American  
 16 Schools and Hospitals Abroad program.

17 ENVIRONMENT, CLEAN ENERGY, AND ENERGY

18 CONSERVATION PROGRAMS FUND

19 Of the funds appropriated under the heading “Devel-  
 20 opment Assistance”, not less than \$295,000,000 should be  
 21 made available for programs and activities which directly  
 22 protect tropical forests, biodiversity and endangered species,  
 23 promote the sustainable use of natural resources, and pro-  
 24 mote a wide range of clean energy and energy conservation  
 25 activities, including the transfer of cleaner and environ-  
 26 mentally sustainable energy technologies, and related ac-

1 *tivities: Provided, That of the funds appropriated by this*  
 2 *Act, not less than \$175,000,000 should be made available*  
 3 *to support policies and actions in developing countries and*  
 4 *countries in transition that measure, monitor, report,*  
 5 *verify, and reduce greenhouse gas emissions; increase carbon*  
 6 *sequestration activities; and enhance climate change miti-*  
 7 *gation programs.*

8 *CYPRUS*

9 *Of the funds appropriated under the heading “Eco-*  
 10 *nomic Support Fund”, not less than \$15,000,000 shall be*  
 11 *made available for Cyprus to be used only for scholarships,*  
 12 *administrative support of the scholarship program,*  
 13 *bicommunal projects, and measures aimed at reunification*  
 14 *of the island and designed to reduce tensions and promote*  
 15 *peace and cooperation between the two communities on Cy-*  
 16 *prus.*

17 *LEBANON*

18 *Of the funds appropriated under the heading “Eco-*  
 19 *nomic Support Fund”, not less than \$35,000,000 should be*  
 20 *made available for Lebanon to be used, among other pro-*  
 21 *grams, for scholarships and direct support of the American*  
 22 *educational institutions in Lebanon: Provided, That, not-*  
 23 *withstanding section 534(a) of this Act, none of the funds*  
 24 *appropriated under the heading “Economic Support Fund”*  
 25 *may be made available for assistance for the Central Gov-*  
 26 *ernment of Lebanon until the Secretary of State determines*

1 *and certifies to the Committees on Appropriations that the*  
 2 *Government of Lebanon has enforced the custody and inter-*  
 3 *national pickup orders, issued during calendar year 2001,*  
 4 *of Lebanon's civil courts regarding abducted American chil-*  
 5 *dren in Lebanon.*

6 *INDONESIA*

7 *Of the funds appropriated under the headings "Eco-*  
 8 *nomie Support Fund", "Child Survival and Health Pro-*  
 9 *grams Fund" and "Development Assistance", not less than*  
 10 *\$135,000,000 should be made available for Indonesia: Pro-*  
 11 *vided, That not less than \$10,000,000 should be made avail-*  
 12 *able for humanitarian, economic rehabilitation, and related*  
 13 *activities in Aceh, West Papua and Maluku: Provided fur-*  
 14 *ther, That funds made available in the previous proviso*  
 15 *may be transferred to and merged with the appropriation*  
 16 *for Transition Initiatives.*

17 *BURMA*

18 *Of the funds appropriated under the heading "Eco-*  
 19 *nomie Support Fund", not less than \$6,500,000 should be*  
 20 *made available to support democracy activities in Burma,*  
 21 *democracy and humanitarian activities along the Burma-*  
 22 *Thailand border, and for Burmese student groups and other*  
 23 *organizations located outside Burma: Provided, That funds*  
 24 *made available for Burma-related activities under this*  
 25 *heading may be made available notwithstanding any other*  
 26 *provision of law: Provided further, That the provision of*

1 *such funds shall be made available subject to the regular*  
 2 *notification procedures of the Committees on Appropria-*  
 3 *tions: Provided further, That Title II of the Foreign Oper-*  
 4 *ations, Export Financing, and Related Programs Appro-*  
 5 *priations Act, 2001, as enacted by section 101(a) of Public*  
 6 *Law 106–429, is amended, under the heading “Burma”, by*  
 7 *inserting “, ‘Child Survival and Disease Programs Fund’,”*  
 8 *after “Fund”.*

9 *INTERNATIONAL DISASTER ASSISTANCE*

10 *For necessary expenses for international disaster relief,*  
 11 *rehabilitation, and reconstruction assistance pursuant to*  
 12 *section 491 of the Foreign Assistance Act of 1961, as amend-*  
 13 *ed, \$255,000,000, to remain available until expended.*

14 *TRANSITION INITIATIVES*

15 *For necessary expenses for international disaster reha-*  
 16 *bilitation and reconstruction assistance pursuant to section*  
 17 *491 of the Foreign Assistance Act of 1961, \$52,500,000, to*  
 18 *remain available until expended, to support transition to*  
 19 *democracy and to long-term development of countries in cri-*  
 20 *sis: Provided, That such support may include assistance to*  
 21 *develop, strengthen, or preserve democratic institutions and*  
 22 *processes, revitalize basic infrastructure, and foster the*  
 23 *peaceful resolution of conflict: Provided further, That the*  
 24 *United States Agency for International Development shall*  
 25 *submit a report to the Committees on Appropriations at*



1 *least 5 days prior to beginning a new program of assist-*  
2 *ance.*

3 *DEVELOPMENT CREDIT AUTHORITY*

4 *(INCLUDING TRANSFER OF FUNDS)*

5 *For the cost of direct loans and loan guarantees, up*  
6 *to \$25,000,000, as authorized by sections 108 and 635 of*  
7 *the Foreign Assistance Act of 1961: Provided, That such*  
8 *funds shall be derived by transfer from funds appropriated*  
9 *by this Act to carry out part I of the Foreign Assistance*  
10 *Act of 1961, and under the heading “Assistance for Eastern*  
11 *Europe and the Baltic States”: Provided further, That such*  
12 *funds shall be made available only for micro and small en-*  
13 *terprise programs, urban programs, and other programs*  
14 *which further the purposes of part I of the Act: Provided*  
15 *further, That such costs shall be as defined in section 502*  
16 *of the Congressional Budget Act of 1974: Provided further,*  
17 *That the provisions of section 107A(d) (relating to general*  
18 *provisions applicable to the Development Credit Authority)*  
19 *of the Foreign Assistance Act of 1961, as contained in sec-*  
20 *tion 306 of H.R. 1486 as reported by the House Committee*  
21 *on International Relations on May 9, 1997, shall be appli-*  
22 *cable to direct loans and loan guarantees provided under*  
23 *this heading. In addition, for administrative expenses to*  
24 *carry out credit programs administered by the United*  
25 *States Agency for International Development, \$7,500,000,*  
26 *all of which may be transferred to and merged with the*

1 *appropriation for Operating Expenses of the United States*  
2 *Agency for International Development: Provided further,*  
3 *That funds appropriated under this heading shall remain*  
4 *available until September 30, 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 Act*  
9 *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 of*  
13 *section 667, \$549,000,000: Provided, That none of the funds*  
14 *appropriated under this heading may be made available to*  
15 *finance the construction (including architect and engineer-*  
16 *ing services), purchase, or long term lease of offices for use*  
17 *by the United States Agency for International Development,*  
18 *unless the Administrator has identified such proposed con-*  
19 *struction (including architect and engineering services),*  
20 *purchase, or long term lease of offices in a report submitted*  
21 *to the Committees on Appropriations at least 15 days prior*  
22 *to the obligation of these funds for such purposes: Provided*  
23 *further, That the previous proviso shall not apply where*  
24 *the total cost of construction (including architect and engi-*  
25 *neering services), purchase, or long term lease of offices does*  
26 *not exceed \$1,000,000: Provided further, That of the funds*

1 *appropriated under this heading, up to \$10,000,000 may*  
 2 *remain available until expended for overseas facilities con-*  
 3 *struction, leasing, and other security-related costs.*

4 *OPERATING EXPENSES OF THE UNITED STATES AGENCY*  
 5 *FOR INTERNATIONAL DEVELOPMENT OFFICE OF IN-*  
 6 *SPECTOR GENERAL*

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

12 *OTHER BILATERAL ECONOMIC ASSISTANCE*  
 13 *ECONOMIC SUPPORT FUND*

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

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

1 militia allies, and the provision of such funds shall be sub-  
 2 ject to the regular notification procedures of the Committees  
 3 on Appropriations: Provided further, That in the previous  
 4 proviso, the term “assistance” includes non-lethal, non-food  
 5 aid such as blankets, medicine, fuel, mobile clinics, water  
 6 drilling equipment, communications equipment to notify  
 7 civilians of aerial bombardment, non-military vehicles,  
 8 tents, and shoes.

9 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC  
 10 STATES

11 (a) For necessary expenses to carry out the provisions  
 12 of the Foreign Assistance Act of 1961 and the Support for  
 13 East European Democracy (SEED) Act of 1989,  
 14 \$603,000,000, to remain available until September 30,  
 15 2003, which shall be available, notwithstanding any other  
 16 provision of law, for assistance and for related programs  
 17 for Eastern Europe and the Baltic States: Provided, That  
 18 funds made available for assistance for Kosovo from funds  
 19 appropriated under this heading and under the headings  
 20 “Economic Support Fund” and “International Narcotics  
 21 Control and Law Enforcement” should not exceed 15 per-  
 22 cent of the total resources pledged by all donors for calendar  
 23 year 2002 for assistance for Kosovo as of March 31, 2002:  
 24 Provided further, That none of the funds made available  
 25 under this Act for assistance for Kosovo shall be made avail-  
 26 able for large scale physical infrastructure reconstruction.

1       (b) *Funds appropriated under this heading or in prior*  
2 *appropriations Acts that are or have been made available*  
3 *for an Enterprise Fund may be deposited by such Fund*  
4 *in interest-bearing accounts prior to the Fund's disburse-*  
5 *ment of such funds for program purposes. The Fund may*  
6 *retain for such program purposes any interest earned on*  
7 *such deposits without returning such interest to the Treas-*  
8 *ury of the United States and without further appropriation*  
9 *by the Congress. Funds made available for Enterprise*  
10 *Funds shall be expended at the minimum rate necessary*  
11 *to make timely payment for projects and activities.*

12       (c) *Funds appropriated under this heading shall be*  
13 *considered to be economic assistance under the Foreign As-*  
14 *sistance Act of 1961 for purposes of making available the*  
15 *administrative authorities contained in that Act for the use*  
16 *of economic assistance.*

17       (d) *With regard to funds appropriated under this*  
18 *heading for the economic revitalization program in Bosnia*  
19 *and Herzegovina, and local currencies generated by such*  
20 *funds (including the conversion of funds appropriated*  
21 *under this heading into currency used by Bosnia and*  
22 *Herzegovina as local currency and local currency returned*  
23 *or repaid under such program) the Administrator of the*  
24 *United States Agency for International Development shall*  
25 *provide written approval for grants and loans prior to the*

1 *obligation and expenditure of funds for such purposes, and*  
2 *prior to the use of funds that have been returned or repaid*  
3 *to any lending facility or grantee.*

4       (e) *The provisions of section 529 of this Act shall apply*  
5 *to funds made available under subsection (d) and to funds*  
6 *appropriated under this heading: Provided, That notwith-*  
7 *standing any provision of this or any other Act, including*  
8 *provisions in this subsection regarding the application of*  
9 *section 529 of this Act, local currencies generated by, or con-*  
10 *verted from, funds appropriated by this Act and by previous*  
11 *appropriations Acts and made available for the economic*  
12 *revitalization program in Bosnia may be used in Eastern*  
13 *Europe and the Baltic States to carry out the provisions*  
14 *of the Foreign Assistance Act of 1961 and the Support for*  
15 *East European Democracy (SEED) Act of 1989.*

16       (f) *The President is authorized to withhold funds ap-*  
17 *propriated under this heading made available for economic*  
18 *revitalization programs in Bosnia and Herzegovina, if he*  
19 *determines and certifies to the Committees on Appropria-*  
20 *tions that the Federation of Bosnia and Herzegovina has*  
21 *not complied with article III of annex 1–A of the General*  
22 *Framework Agreement for Peace in Bosnia and*  
23 *Herzegovina concerning the withdrawal of foreign forces,*  
24 *and that intelligence cooperation on training, investiga-*

1 tions, and related activities between Iranian officials and  
2 Bosnian officials has not been terminated.

3 ASSISTANCE FOR THE INDEPENDENT STATES OF THE  
4 FORMER SOVIET UNION

5 (a) For necessary expenses to carry out the provisions  
6 of chapters 11 and 12 of part I of the Foreign Assistance  
7 Act of 1961 and the FREEDOM Support Act, for assistance  
8 for the Independent States of the former Soviet Union and  
9 for related programs, \$800,000,000, to remain available  
10 until September 30, 2003: Provided, That the provisions of  
11 such chapters shall apply to funds appropriated by this  
12 paragraph: Provided further, That of the funds made avail-  
13 able for the Southern Caucasus region, notwithstanding any  
14 other provision of law, funds may be used for confidence-  
15 building measures and other activities in furtherance of the  
16 peaceful resolution of the regional conflicts, especially those  
17 in the vicinity of Abkhazia and Nagorno-Karabagh: Pro-  
18 vided further, That of the funds appropriated under this  
19 heading not less than \$20,000,000 shall be made available  
20 solely for the Russian Far East.

21 (b) Of the funds appropriated under this heading, not  
22 less than \$180,000,000 should be made available for assist-  
23 ance for Ukraine: Provided, That of this amount, not less  
24 than \$25,000,000 should be made available for nuclear reac-  
25 tor safety initiatives: Provided further, That not later than  
26 60 days after the date of enactment of this Act, and 120



1 *days thereafter, the Department of State shall submit to the*  
2 *Committees on Appropriations a report on progress by the*  
3 *Government of Ukraine in investigating and bringing to*  
4 *justice individuals responsible for the murders of Ukrainian*  
5 *journalists.*

6 *(c) Of the funds appropriated under this heading, not*  
7 *less than \$90,000,000 shall be made available for assistance*  
8 *for Armenia: Provided, That of this amount, not less than*  
9 *\$5,000,000 shall be made available to the Government of*  
10 *Armenia to support an education initiative in Armenia,*  
11 *including the provision of computer equipment and internet*  
12 *access to Armenian primary and secondary schools.*

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

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

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

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

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

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

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

11          (6) *humanitarian assistance.*

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

17          (g)(1) *Of the funds appropriated under this heading*  
18          *that are allocated for assistance for the Government of the*  
19          *Russian Federation, 60 percent shall be withheld from obli-*  
20          *gation until the President determines and certifies in writ-*  
21          *ing to the Committees on Appropriations that the Govern-*  
22          *ment of the Russian Federation:*

23                 (A) *has terminated implementation of arrange-*  
24                 *ments to provide Iran with technical expertise, train-*  
25                 *ing, technology, or equipment necessary to develop a*

1        *nuclear reactor, related nuclear research facilities or*  
2        *programs, or ballistic missile capability;*

3            *(B) is cooperating with international efforts to*  
4        *investigate allegations of war crimes and atrocities in*  
5        *Chechnya;*

6            *(C) is providing full access to international non-*  
7        *government organizations providing humanitarian*  
8        *relief to refugees and internally displaced persons in*  
9        *Chechnya; and*

10          *(D) is in compliance with article V of the Treaty*  
11        *on Conventional Armed Forces in Europe regarding*  
12        *forces deployed in the flank zone in and around*  
13        *Chechnya.*

14        *(2) Paragraph (1) shall not apply to—*

15            *(A) assistance to combat infectious diseases, child*  
16        *survival activities, or assistance for victims of traf-*  
17        *ficking in persons; and*

18            *(B) activities authorized under title V (Non-*  
19        *proliferation and Disarmament Programs and Activi-*  
20        *ties) of the FREEDOM Support Act.*

21        *(h) Of the funds appropriated under this heading, not*  
22        *less than \$45,000,000 should be made available, in addition*  
23        *to funds otherwise available for such purposes, for assist-*  
24        *ance for child survival, environmental and reproductive*

1 *health, and to combat HIV/AIDS, tuberculosis, and other*  
 2 *infectious diseases, and for related activities.*

3 *INDEPENDENT AGENCIES*

4 *PEACE CORPS*

5 *For necessary expenses to carry out the provisions of*  
 6 *the Peace Corps Act (75 Stat. 612), \$275,000,000, including*  
 7 *the purchase of not to exceed five passenger motor vehicles*  
 8 *for administrative purposes for use outside of the United*  
 9 *States: Provided, That none of the funds appropriated*  
 10 *under this heading shall be used to pay for abortions: Pro-*  
 11 *vided further, That funds appropriated under this heading*  
 12 *shall remain available until September 30, 2003.*

13 *INTER-AMERICAN FOUNDATION*

14 *For expenses necessary to carry out the functions of*  
 15 *the Inter-American Foundation in accordance with the pro-*  
 16 *visions of section 401 of the Foreign Assistance Act of 1969,*  
 17 *and to make commitments without regard to fiscal year*  
 18 *limitations, as provided by 31 U.S.C. 9104(b)(3),*  
 19 *\$13,106,950.*

20 *AFRICAN DEVELOPMENT FOUNDATION*

21 *For expenses necessary to carry out title V of the Inter-*  
 22 *national Security and Development Cooperation Act of*  
 23 *1980, Public Law 96–533, and to make commitments with-*  
 24 *out regard to fiscal year limitations, as provided by 31*  
 25 *U.S.C. 9104(b)(3), \$16,542,000: Provided, That funds made*  
 26 *available to grantees may be invested pending expenditure*

1 *for project purposes when authorized by the President of*  
2 *the Foundation: Provided further, That interest earned*  
3 *shall be used only for the purposes for which the grant was*  
4 *made: Provided further, That this authority applies to in-*  
5 *terest earned both prior to and following enactment of this*  
6 *provision: Provided further, That notwithstanding section*  
7 *505(a)(2) of the African Development Foundation Act, in*  
8 *exceptional circumstances the board of directors of the*  
9 *Foundation may waive the \$250,000 limitation contained*  
10 *in that section with respect to a project: Provided further,*  
11 *That the Foundation shall provide a report to the Commit-*  
12 *tees on Appropriations after each time such waiver author-*  
13 *ity is exercised.*

14 *DEPARTMENT OF STATE*

15 *INTERNATIONAL NARCOTICS CONTROL AND LAW*

16 *ENFORCEMENT*

17 *For necessary expenses to carry out section 481 of the*  
18 *Foreign Assistance Act of 1961, \$217,000,000, to remain*  
19 *available until expended: Provided, That any funds made*  
20 *available under this heading for anti-crime programs and*  
21 *activities shall be made available subject to the regular noti-*  
22 *fication procedures of the Committees on Appropriations:*  
23 *Provided further, That during fiscal year 2002, the Depart-*  
24 *ment of State may also use the authority of section 608*  
25 *of the Foreign Assistance Act of 1961, without regard to*

1 *its restrictions, to receive excess property from an agency*  
 2 *of the United States Government for the purpose of pro-*  
 3 *viding it to a foreign country under chapter 8 of part I*  
 4 *of that Act subject to the regular notification procedures of*  
 5 *the Committees on Appropriations: Provided further, That*  
 6 *of the funds appropriated under this heading, not less than*  
 7 *\$10,000,000 should be made available for anti-trafficking*  
 8 *in persons programs, including trafficking prevention, pro-*  
 9 *tection and assistance for victims, and prosecution of traf-*  
 10 *fickers: Provided further, That of the funds appropriated*  
 11 *under this heading, not more than \$16,660,000 shall be*  
 12 *available for administrative expenses.*

13 *ANDEAN COUNTERDRUG INITIATIVE*

14 *For necessary expenses to carry out section 481 of the*  
 15 *Foreign Assistance Act of 1961 solely to support*  
 16 *counterdrug activities in the Andean region of South Amer-*  
 17 *ica, \$567,000,000, to remain available until expended: Pro-*  
 18 *vided, That of the amount appropriated under this heading,*  
 19 *not less than \$200,000,000 shall be apportioned directly to*  
 20 *the United States Agency for International Development,*  
 21 *to be used for economic and social programs: Provided fur-*  
 22 *ther, That funds appropriated by this Act that are used for*  
 23 *the procurement of chemicals for aerial coca fumigation*  
 24 *programs may be made available for such programs only*  
 25 *if the Secretary of State, after consultation with the Sec-*  
 26 *retary of the Department of Health and Human Services*

1 *and the Surgeon General, determines and reports to the*  
2 *Committees on Appropriations that (1) the chemicals used*  
3 *in the aerial fumigation of coca, in the manner in which*  
4 *they are being applied, do not pose an undue risk to human*  
5 *health or safety; (2) that aerial coca fumigation is being*  
6 *carried out according to the health, safety, and usage proce-*  
7 *dures recommended by the Environmental Protection Agen-*  
8 *cy, the Centers for Disease Control and Prevention, and the*  
9 *manufacturers of the chemicals; and (3) that effective mech-*  
10 *anisms are in place to evaluate claims of local citizens that*  
11 *their health was harmed or their licit agricultural crops*  
12 *were damaged by such aerial coca fumigation, and provide*  
13 *fair compensation for meritorious claims: Provided further,*  
14 *That section 482(b) of the Foreign Assistance Act of 1961*  
15 *shall not apply to funds appropriated under this heading:*  
16 *Provided further, That assistance provided with funds ap-*  
17 *propriated under this heading that is made available not-*  
18 *withstanding section 482(b) of the Foreign Assistance Act*  
19 *of 1961, as amended, shall be made available subject to the*  
20 *regular notification procedures of the Committees on Appro-*  
21 *priations: Provided further, That section 3204(b) of the*  
22 *Emergency Supplemental Act, 2000 (Public Law 106–246)*  
23 *shall be applicable to funds appropriated by this Act: Pro-*  
24 *vided further, That the President shall ensure that if any*  
25 *helicopter procured with funds under this heading is used*

1 *to aid or abet the operations of any illegal self-defense group*  
 2 *or illegal security cooperative, such helicopter shall be im-*  
 3 *mediately returned to the United States: Provided further,*  
 4 *That funds made available under this heading shall be sub-*  
 5 *ject to the regular notification procedures of the Committees*  
 6 *on Appropriations: Provided further, That of the funds ap-*  
 7 *propriated under this heading, not more than \$14,240,000*  
 8 *shall be available for administrative expenses of the Depart-*  
 9 *ment of State.*

10 *MIGRATION AND REFUGEE ASSISTANCE*

11 *For expenses, not otherwise provided for, necessary to*  
 12 *enable the Secretary of State to provide, as authorized by*  
 13 *law, a contribution to the International Committee of the*  
 14 *Red Cross, assistance to refugees, including contributions*  
 15 *to the International Organization for Migration and the*  
 16 *United Nations High Commissioner for Refugees, and other*  
 17 *activities to meet refugee and migration needs; salaries and*  
 18 *expenses of personnel and dependents as authorized by the*  
 19 *Foreign Service Act of 1980; allowances as authorized by*  
 20 *sections 5921 through 5925 of title 5, United States Code;*  
 21 *purchase and hire of passenger motor vehicles; and services*  
 22 *as authorized by section 3109 of title 5, United States Code,*  
 23 *\$735,000,000, which shall remain available until expended:*  
 24 *Provided, That not more than \$16,000,000 shall be avail-*  
 25 *able for administrative expenses: Provided further, That not*  
 26 *less than \$60,000,000 of the funds made available under*



1 *this heading shall be made available for refugees from the*  
2 *former Soviet Union and Eastern Europe and other refu-*  
3 *gees resettling in Israel.*

4 *UNITED STATES EMERGENCY REFUGEE AND MIGRATION*

5 *ASSISTANCE FUND*

6 *For necessary expenses to carry out the provisions of*  
7 *section 2(c) of the Migration and Refugee Assistance Act*  
8 *of 1962, as amended (22 U.S.C. 260(c)), \$15,000,000, to*  
9 *remain available until expended: Provided, That the funds*  
10 *made available under this heading are appropriated not-*  
11 *withstanding the provisions contained in section 2(c)(2) of*  
12 *the Act which would limit the amount of funds which could*  
13 *be appropriated for this purpose.*

14 *NONPROLIFERATION, ANTI-TERRORISM, DEMINING AND*

15 *RELATED PROGRAMS*

16 *For necessary expenses for nonproliferation, anti-ter-*  
17 *rorism and related programs and activities, \$326,500,000,*  
18 *to carry out the provisions of chapter 8 of part II of the*  
19 *Foreign Assistance Act of 1961 for anti-terrorism assist-*  
20 *ance, chapter 9 of part II of the Foreign Assistance Act*  
21 *of 1961, section 504 of the FREEDOM Support Act, section*  
22 *23 of the Arms Export Control Act or the Foreign Assist-*  
23 *ance Act of 1961 for demining activities, the clearance of*  
24 *unexploded ordnance, the destruction of small arms, and*  
25 *related activities, notwithstanding any other provision of*  
26 *law, including activities implemented through nongovern-*

1 *mental and international organizations, section 301 of the*  
2 *Foreign Assistance Act of 1961 for a voluntary contribution*  
3 *to the International Atomic Energy Agency (IAEA) and a*  
4 *voluntary contribution to the Korean Peninsula Energy De-*  
5 *velopment Organization (KEDO), and for a United States*  
6 *contribution to the Comprehensive Nuclear Test Ban Treaty*  
7 *Preparatory Commission: Provided, That the Secretary of*  
8 *State shall inform the Committees on Appropriations at*  
9 *least 10 days prior to the obligation of funds for the Com-*  
10 *prehensive Nuclear Test Ban Treaty Preparatory Commis-*  
11 *sion: Provided further, That of this amount not to exceed*  
12 *\$14,000,000, to remain available until expended, may be*  
13 *made available for the Nonproliferation and Disarmament*  
14 *Fund, notwithstanding any other provision of law, to pro-*  
15 *mote bilateral and multilateral activities relating to non-*  
16 *proliferation and disarmament: Provided further, That*  
17 *such funds may also be used for such countries other than*  
18 *the Independent States of the former Soviet Union and*  
19 *international organizations when it is in the national secu-*  
20 *rity interest of the United States to do so following con-*  
21 *sultation with the appropriate committees of Congress: Pro-*  
22 *vided further, That funds appropriated under this heading*  
23 *may be made available for the International Atomic Energy*  
24 *Agency only if the Secretary of State determines (and so*  
25 *reports to the Congress) that Israel is not being denied its*

1 *right to participate in the activities of that Agency: Pro-*  
 2 *vided further, That of the funds appropriated under this*  
 3 *heading, \$40,000,000 should be made available for*  
 4 *demining, clearance of unexploded ordnance, and related*  
 5 *activities: Provided further, That of the funds made avail-*  
 6 *able for demining and related activities, not to exceed*  
 7 *\$500,000, in addition to funds otherwise available for such*  
 8 *purposes, may be used for administrative expenses related*  
 9 *to the operation and management of the demining program:*  
 10 *Provided further, That of the funds appropriated under this*  
 11 *heading, \$3,500,000 should be made available to support*  
 12 *the Small Arms Destruction Initiative.*

13 *DEPARTMENT OF THE TREASURY*

14 *INTERNATIONAL AFFAIRS TECHNICAL ASSISTANCE*

15 *For necessary expenses to carry out the provisions of*  
 16 *section 129 of the Foreign Assistance Act of 1961 (relating*  
 17 *to international affairs technical assistance activities),*  
 18 *\$6,000,000, to remain available until expended, which shall*  
 19 *be available notwithstanding any other provision of law.*

20 *DEBT RESTRUCTURING*

21 *For the cost, as defined in section 502 of the Congres-*  
 22 *sional Budget Act of 1974, of modifying loans and loan*  
 23 *guarantees, as the President may determine, for which*  
 24 *funds have been appropriated or otherwise made available*  
 25 *for programs within the International Affairs Budget Func-*  
 26 *tion 150, including the cost of selling, reducing, or canceling*

1 *amounts owed to the United States as a result of*  
2 *concessional loans made to eligible countries, pursuant to*  
3 *parts IV and V of the Foreign Assistance Act of 1961, and*  
4 *of modifying concessional credit agreements with least de-*  
5 *veloped countries, as authorized under section 411 of the*  
6 *Agricultural Trade Development and Assistance Act of*  
7 *1954, as amended, and concessional loans, guarantees and*  
8 *credit agreements, as authorized under section 572 of the*  
9 *Foreign Operations, Export Financing, and Related Pro-*  
10 *grams Appropriations Act, 1989 (Public Law 100-461),*  
11 *and of canceling amounts owed, as a result of loans or guar-*  
12 *antees made pursuant to the Export-Import Bank Act of*  
13 *1945, by countries that are eligible for debt reduction pursu-*  
14 *ant to title V of H.R. 3425 as enacted into law by section*  
15 *1000(a)(5) of Public Law 106-113, \$235,000,000, to re-*  
16 *main available until expended: Provided, That not less than*  
17 *\$11,000,000 of the funds appropriated under this heading*  
18 *shall be made available to carry out the provisions of part*  
19 *V of the Foreign Assistance Act of 1961, and up to*  
20 *\$14,000,000 of unobligated balance of funds available under*  
21 *this heading from prior year appropriations acts should be*  
22 *made available to carry out such provisions: Provided fur-*  
23 *ther, That funds appropriated or otherwise made available*  
24 *under this heading in this Act may be used by the Secretary*  
25 *of the Treasury to pay to the Heavily Indebted Poor Coun-*

1 *tries (HIPC) Trust Fund administered by the International*  
2 *Bank for Reconstruction and Development amounts for the*  
3 *benefit of countries that are eligible for debt reduction pur-*  
4 *suant to title V of H.R. 3425 as enacted into law by section*  
5 *1000(a)(5) of Public Law 106–113: Provided further, That*  
6 *amounts paid to the HIPC Trust Fund may be used only*  
7 *to fund debt reduction under the enhanced HIPC initiative*  
8 *by—*

- 9           *(1) the Inter-American Development Bank;*  
10           *(2) the African Development Fund;*  
11           *(3) the African Development Bank; and*  
12           *(4) the Central American Bank for Economic In-*  
13       *tegration:*

14 *Provided further, That funds may not be paid to the HIPC*  
15 *Trust Fund for the benefit of any country if the Secretary*  
16 *of State has credible evidence that the government of such*  
17 *country is engaged in a consistent pattern of gross viola-*  
18 *tions of internationally recognized human rights or in mili-*  
19 *tary or civil conflict that undermines its ability to develop*  
20 *and implement measures to alleviate poverty and to devote*  
21 *adequate human and financial resources to that end: Pro-*  
22 *vided further, That on the basis of final appropriations, the*  
23 *Secretary of the Treasury shall consult with the Committees*  
24 *on Appropriations concerning which countries and inter-*  
25 *national financial institutions are expected to benefit from*

1 *a United States contribution to the HIPC Trust Fund dur-*  
2 *ing the fiscal year: Provided further, That the Secretary of*  
3 *the Treasury shall inform the Committees on Appropria-*  
4 *tions not less than 15 days in advance of the signature of*  
5 *an agreement by the United States to make payments to*  
6 *the HIPC Trust Fund of amounts for such countries and*  
7 *institutions: Provided further, That the Secretary of the*  
8 *Treasury may disburse funds designated for debt reduction*  
9 *through the HIPC Trust Fund only for the benefit of coun-*  
10 *tries that—*

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

19           *(b) have documented and demonstrated their*  
20           *commitment to redirect their budgetary resources*  
21           *from international debt repayments to programs to*  
22           *alleviate poverty and promote economic growth that*  
23           *are additional to or expand upon those previously*  
24           *available for such purposes:*

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

### 16 *TITLE III—MILITARY ASSISTANCE*

#### 17 *FUNDS APPROPRIATED TO THE PRESIDENT*

##### 18 *INTERNATIONAL MILITARY EDUCATION AND TRAINING*

19 *For necessary expenses to carry out the provisions of*  
 20 *section 541 of the Foreign Assistance Act of 1961,*  
 21 *\$75,000,000, of which up to \$5,000,000 may remain avail-*  
 22 *able until expended: Provided, That the civilian personnel*  
 23 *for whom military education and training may be provided*  
 24 *under this heading may include civilians who are not mem-*  
 25 *bers of a government whose participation would contribute*

1 *to improved civil-military relations, civilian control of the*  
 2 *military, or respect for human rights: Provided further,*  
 3 *That funds appropriated under this heading for military*  
 4 *education and training for Zimbabwe, Indonesia and Gua-*  
 5 *temala may only be available for expanded international*  
 6 *military education and training and funds made available*  
 7 *for Zimbabwe, Cote D'Ivoire, The Gambia, the Democratic*  
 8 *Republic of the Congo, Algeria, Indonesia and Guatemala*  
 9 *may only be provided through the regular notification pro-*  
 10 *cedures of the Committees on Appropriations.*

11 *FOREIGN MILITARY FINANCING PROGRAM*

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



1 *curement in Israel of defense articles and defense services,*  
2 *including research and development: Provided further, That*  
3 *of the funds appropriated by this paragraph, not less than*  
4 *\$75,000,000 shall be made available for assistance for Jor-*  
5 *dan: Provided further, That of the funds appropriated by*  
6 *this paragraph, not less than \$10,000,000 shall be made*  
7 *available for assistance for Tunisia: Provided further, That*  
8 *during fiscal year 2002, the President is authorized to, and*  
9 *shall, direct the draw-downs of defense articles from the*  
10 *stocks of the Department of Defense, defense services of the*  
11 *Department of Defense, and military education and train-*  
12 *ing of an aggregate value of not less than \$5,000,000 under*  
13 *the authority of this proviso for Tunisia for the purposes*  
14 *of part II of the Foreign Assistance Act of 1961 and any*  
15 *amount so directed shall count toward meeting the earmark*  
16 *in the preceding proviso: Provided further, That funds ap-*  
17 *propriated by this paragraph shall be nonrepayable not-*  
18 *withstanding any requirement in section 23 of the Arms*  
19 *Export Control Act: Provided further, That funds made*  
20 *available under this paragraph shall be obligated upon ap-*  
21 *portionment in accordance with paragraph (5)(C) of title*  
22 *31, United States Code, section 1501(a).*

23 *None of the funds made available under this heading*  
24 *shall be available to finance the procurement of defense arti-*  
25 *cles, defense services, or design and construction services*

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

1 *Act: Provided further, That funds appropriated under this*  
2 *heading shall be expended at the minimum rate necessary*  
3 *to make timely payment for defense articles and services:*  
4 *Provided further, That not more than \$35,000,000 of the*  
5 *funds appropriated under this heading may be obligated*  
6 *for necessary expenses, including the purchase of passenger*  
7 *motor vehicles for replacement only for use outside of the*  
8 *United States, for the general costs of administering mili-*  
9 *tary assistance and sales: Provided further, That not more*  
10 *than \$348,000,000 of funds realized pursuant to section*  
11 *21(e)(1)(A) of the Arms Export Control Act may be obli-*  
12 *gated for expenses incurred by the Department of Defense*  
13 *during fiscal year 2002 pursuant to section 43(b) of the*  
14 *Arms Export Control Act, except that this limitation may*  
15 *be exceeded only through the regular notification procedures*  
16 *of the Committees on Appropriations: Provided further,*  
17 *That foreign military financing program funds estimated*  
18 *to be outlayed for Egypt during fiscal year 2002 shall be*  
19 *transferred to an interest bearing account for Egypt in the*  
20 *Federal Reserve Bank of New York within 30 days of enact-*  
21 *ment of this Act or by October 31, 2001, whichever is later.*

22 *PEACEKEEPING OPERATIONS*

23 *For necessary expenses to carry out the provisions of*  
24 *section 551 of the Foreign Assistance Act of 1961,*  
25 *\$140,000,000: Provided, That none of the funds appro-*  
26 *priated under this heading shall be obligated or expended*

1 *except as provided through the regular notification proce-*  
 2 *dures of the Committees on Appropriations.*

3 *TITLE IV—MULTILATERAL ECONOMIC*

4 *ASSISTANCE*

5 *FUNDS APPROPRIATED TO THE PRESIDENT*

6 *INTERNATIONAL FINANCIAL INSTITUTIONS*

7 *GLOBAL ENVIRONMENT FACILITY*

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

13 *CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT*

14 *ASSOCIATION*

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

1 *against any water or sewage project in India that does not*  
2 *prohibit the use of scavenger labor.*

3 *CONTRIBUTION TO THE MULTILATERAL INVESTMENT*

4 *GUARANTEE AGENCY*

5 *For payment to the Multilateral Investment Guarantee*  
6 *Agency by the Secretary of the Treasury, \$9,500,000, for*  
7 *the United States paid-in share of the increase in capital*  
8 *stock, to remain available until expended.*

9 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

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

15 *CONTRIBUTION TO THE INTER-AMERICAN INVESTMENT*

16 *CORPORATION*

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

21 *CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND*

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

1        *CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK*

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

6        *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

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

11       *CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND*

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

16       *CONTRIBUTION TO THE EUROPEAN BANK FOR*

17       *RECONSTRUCTION AND DEVELOPMENT*

18       *For payment to the European Bank for Reconstruction*  
 19       *and Development by the Secretary of the Treasury,*  
 20       *\$35,778,717, for the United States share of the paid-in por-*  
 21       *tion of the increase in capital stock, to remain available*  
 22       *until expended.*

23       *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

24       *The United States Governor of the European Bank for*  
 25       *Reconstruction and Development may subscribe without fis-*  
 26       *cal year limitation to the callable capital portion of the*

1 *United States share of such capital stock in an amount not*  
2 *to exceed \$123,237,803.*

3 *CONTRIBUTION TO THE INTERNATIONAL FUND FOR*  
4 *AGRICULTURAL DEVELOPMENT*

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

9 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

10 *For necessary expenses to carry out the provisions of*  
11 *section 301 of the Foreign Assistance Act of 1961, and of*  
12 *section 2 of the United Nations Environment Program Par-*  
13 *ticipation Act of 1973, \$217,000,000: Provided, That not*  
14 *less than a total of \$18,000,000 should be made available*  
15 *for the International Panel on Climate Change, the United*  
16 *Nations Framework Convention on Climate Change, the*  
17 *World Conservation Union, the International Tropical*  
18 *Timber Organization, the Convention on International*  
19 *Trade in Endangered Species, the Ramsar Convention on*  
20 *Wetlands, the Convention to Combat Desertification, the*  
21 *United Nations Forum on Forests, and the Montreal Proc-*  
22 *ess on Criteria and Indicators for Sustainable Forest Man-*  
23 *agement: Provided further, That not less than \$6,000,000*  
24 *should be made available to the World Food Program: Pro-*  
25 *vided further, That of the funds appropriated under this*

1 heading, not less than \$39,000,000 shall be made available  
 2 for the United Nations Fund for Population Activities  
 3 (UNFPA): Provided further, That none of the funds appro-  
 4 priated under this heading that are made available to  
 5 UNFPA shall be made available for activities in the Peo-  
 6 ple's Republic of China: Provided further, That with respect  
 7 to any funds appropriated under this heading that are  
 8 made available to UNFPA, UNFPA shall be required to  
 9 maintain such funds in a separate account and not com-  
 10 mingle them with any other funds: Provided further, That  
 11 none of the funds appropriated under this heading may be  
 12 made available to the Korean Peninsula Energy Develop-  
 13 ment Organization (KEDO) or the International Atomic  
 14 Energy Agency (IAEA).

## 15 TITLE V—GENERAL PROVISIONS

### 16 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

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

### 23 PRIVATE AND VOLUNTARY ORGANIZATIONS

24 SEC. 502. (a) None of the funds appropriated or other-  
 25 wise made available by this Act for development assistance  
 26 may be made available to any United States private and



1 *voluntary organization, except any cooperative development*  
2 *organization, which obtains less than 20 percent of its total*  
3 *annual funding for international activities from sources*  
4 *other than the United States Government: Provided, That*  
5 *the Administrator of the United States Agency for Inter-*  
6 *national Development, after informing the Committees on*  
7 *Appropriations, may, on a case-by-case basis, waive the re-*  
8 *striction contained in this subsection, after taking into ac-*  
9 *count the effectiveness of the overseas development activities*  
10 *of the organization, its level of volunteer support, its finan-*  
11 *cial viability and stability, and the degree of its dependence*  
12 *for its financial support on the agency.*

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

17 *LIMITATION ON RESIDENCE EXPENSES*

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

1                                    *LIMITATION ON EXPENSES*

2            *SEC. 504. Of the funds appropriated or made available*  
3 *pursuant to this Act, not to exceed \$5,000 shall be for enter-*  
4 *tainment expenses of the United States Agency for Inter-*  
5 *national Development during the current fiscal year.*

6                                    *LIMITATION ON REPRESENTATIONAL ALLOWANCES*

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

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

7 *PROHIBITION ON FINANCING NUCLEAR GOODS*

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

14 *PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN*  
15 *COUNTRIES*

16 *SEC. 507. None of the funds appropriated or otherwise*  
17 *made available pursuant to this Act shall be obligated or*  
18 *expended to finance directly any assistance or reparations*  
19 *to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or Syria:*  
20 *Provided, That for purposes of this section, the prohibition*  
21 *on obligations or expenditures shall include direct loans,*  
22 *credits, insurance and guarantees of the Export-Import*  
23 *Bank or its agents.*

24 *MILITARY COUPS*

25 *SEC. 508. None of the funds appropriated or otherwise*  
26 *made available pursuant to this Act shall be obligated or*

1 expended to finance directly any assistance to any country  
 2 whose duly elected head of government is deposed by decree  
 3 or military coup: Provided, That assistance may be re-  
 4 sumed to such country if the President determines and re-  
 5 ports to the Committees on Appropriations that subsequent  
 6 to the termination of assistance a democratically elected  
 7 government has taken office.

8 TRANSFERS BETWEEN ACCOUNTS

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

18 DEOBLIGATION/REOBLIGATION AUTHORITY

19 SEC. 510. Obligated balances of funds appropriated to  
 20 carry out section 23 of the Arms Export Control Act as  
 21 of the end of the fiscal year immediately preceding the cur-  
 22 rent fiscal year are, if deobligated, hereby continued avail-  
 23 able during the current fiscal year for the same purpose  
 24 under any authority applicable to such appropriations  
 25 under this Act: Provided, That the authority of this sub-  
 26 section may not be used in fiscal year 2002.

*SEC. 511. No part of any appropriation contained in this Act shall remain available for obligation after the expiration of the current fiscal year unless expressly so provided in this Act: Provided, That funds appropriated for the purposes of chapters 1, 8, 11, and 12 of part I, section 667, chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, section 23 of the Arms Export Control Act, and funds provided under the heading "Assistance for Eastern Europe and the Baltic States", shall remain available for an additional four years from the date on which the availability of such funds would otherwise have expired, if such funds are initially obligated before the expiration of their respective periods of availability contained in this Act: Provided further, That, notwithstanding any other provision of this Act, any funds made available for the purposes of chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 which are allocated or obligated for the disbursements in order to address balance of payments and economic policy reform objectives, shall remain available until expended.*

*SEC. 512. No part of any appropriation contained in  
Act shall be used to furnish assistance to any country  
which is in default during a period in excess of one calendar  
year in payment to the United States of principal or inter-*

1 *est on any loan made to the government of such country*  
2 *by the United States pursuant to a program for which*  
3 *funds are appropriated under this Act unless the President*  
4 *determines, following consultations with the Committees on*  
5 *Appropriations, that assistance to such country is in the*  
6 *national interest of the United States.*

7 *COMMERCE AND TRADE*

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

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

11           (1) activities designed to increase food security  
 12       in developing countries where such activities will not  
 13       have a significant impact in the export of agricul-  
 14       tural commodities of the United States; or

15           (2) research activities intended primarily to ben-  
 16       efit American producers.

17                                   SURPLUS COMMODITIES

18       SEC. 514. The Secretary of the Treasury shall instruct  
 19 the United States Executive Directors of the International  
 20 Bank for Reconstruction and Development, the Inter-  
 21 national Development Association, the International Fi-  
 22 nance Corporation, the Inter-American Development Bank,  
 23 the International Monetary Fund, the Asian Development  
 24 Bank, the Inter-American Investment Corporation, the  
 25 North American Development Bank, the European Bank for  
 26 Reconstruction and Development, the African Development

1 *Bank, and the African Development Fund to use the voice*  
 2 *and vote of the United States to oppose any assistance by*  
 3 *these institutions, using funds appropriated or made avail-*  
 4 *able pursuant to this Act, for the production or extraction*  
 5 *of any commodity or mineral for export, if it is in surplus*  
 6 *on world markets and if the assistance will cause substan-*  
 7 *tial injury to United States producers of the same, similar,*  
 8 *or competing commodity.*

9 NOTIFICATION REQUIREMENTS

10 SEC. 515. (a) *For the purposes of providing the execu-*  
 11 *tive branch with the necessary administrative flexibility,*  
 12 *none of the funds made available under this Act for “Child*  
 13 *Survival and Health Programs Fund”, “Development As-*  
 14 *sistance”, “International Organizations and Programs”,*  
 15 *“Trade and Development Agency”, “International Nar-*  
 16 *cotics Control and Law Enforcement”, “Andean*  
 17 *Counterdrug Initiative”, “Assistance for Eastern Europe*  
 18 *and the Baltic States”, “Assistance for the Independent*  
 19 *States of the Former Soviet Union”, “Economic Support*  
 20 *Fund”, “Peacekeeping Operations”, “Operating Expenses*  
 21 *of the United States Agency for International Develop-*  
 22 *ment”, “Operating Expenses of the United States Agency*  
 23 *for International Development Office of Inspector General”,*  
 24 *“Nonproliferation, Anti-terrorism, Demining and Related*  
 25 *Programs”, “Foreign Military Financing Program”,*  
 26 *“International Military Education and Training”, “Peace*



1 Corps”, and “Migration and Refugee Assistance”, shall be  
2 available for obligation for activities, programs, projects,  
3 type of materiel assistance, countries, or other operations  
4 not justified or in excess of the amount justified to the Ap-  
5 propriations Committees for obligation under any of these  
6 specific headings unless the Appropriations Committees of  
7 both Houses of Congress are previously notified 15 days in  
8 advance: Provided, That the President shall not enter into  
9 any commitment of funds appropriated for the purposes of  
10 section 23 of the Arms Export Control Act for the provision  
11 of major defense equipment, other than conventional ammu-  
12 nition, or other major defense items defined to be aircraft,  
13 ships, missiles, or combat vehicles, not previously justified  
14 to Congress or 20 percent in excess of the quantities justified  
15 to Congress unless the Committees on Appropriations are  
16 notified 15 days in advance of such commitment: Provided  
17 further, That this section shall not apply to any reprogram-  
18 ming for an activity, program, or project under chapter 1  
19 of part I of the Foreign Assistance Act of 1961 of less than  
20 10 percent of the amount previously justified to the Con-  
21 gress for obligation for such activity, program, or project  
22 for the current fiscal year: Provided further, That the re-  
23 quirements of this section or any similar provision of this  
24 Act or any other Act, including any prior Act requiring  
25 notification in accordance with the regular notification

1 *procedures of the Committees on Appropriations, may be*  
2 *waived if failure to do so would pose a substantial risk to*  
3 *human health or welfare: Provided further, That in case*  
4 *of any such waiver, notification to the Congress, or the ap-*  
5 *propriate congressional committees, shall be provided as*  
6 *early as practicable, but in no event later than 3 days after*  
7 *taking the action to which such notification requirement*  
8 *was applicable, in the context of the circumstances necessi-*  
9 *tating such waiver: Provided further, That any notification*  
10 *provided pursuant to such a waiver shall contain an expla-*  
11 *nation of the emergency circumstances.*

12 *(b) Drawdowns made pursuant to section 506(a)(2) of*  
13 *the Foreign Assistance Act of 1961 shall be subject to the*  
14 *regular notification procedures of the Committees on Appro-*  
15 *priations.*

16 *LIMITATION ON AVAILABILITY OF FUNDS FOR*  
17 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

18 *SEC. 516. Subject to the regular notification proce-*  
19 *dures of the Committees on Appropriations, funds appro-*  
20 *priated under this Act or any previously enacted Act mak-*  
21 *ing appropriations for foreign operations, export financing,*  
22 *and related programs, which are returned or not made*  
23 *available for organizations and programs because of the im-*  
24 *plementation of section 307(a) of the Foreign Assistance Act*  
25 *of 1961, shall remain available for obligation until Sep-*  
26 *tember 30, 2003.*

1     *INDEPENDENT STATES OF THE FORMER SOVIET UNION*

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

7             *(1) unless that government is making progress in*  
8 *implementing comprehensive economic reforms based*  
9 *on market principles, private ownership, respect for*  
10 *commercial contracts, and equitable treatment of for-*  
11 *ign private investment; and*

12            *(2) if that government applies or transfers*  
13 *United States assistance to any entity for the purpose*  
14 *of expropriating or seizing ownership or control of as-*  
15 *sets, investments, or ventures.*

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

19         *(b) None of the funds appropriated under the heading*  
20 *“Assistance for the Independent States of the Former Soviet*  
21 *Union” shall be made available for assistance for a govern-*  
22 *ment of an Independent State of the former Soviet Union*  
23 *if that government directs any action in violation of the*  
24 *territorial integrity or national sovereignty of any other*  
25 *Independent State of the former Soviet Union, such as those*

1 *violations included in the Helsinki Final Act: Provided,*  
2 *That such funds may be made available without regard to*  
3 *the restriction in this subsection if the President determines*  
4 *that to do so is in the national security interest of the*  
5 *United States.*

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

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

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

22       (f) *Funds appropriated in this or prior appropriations*  
23 *Acts that are or have been made available for an Enterprise*  
24 *Fund in the Independent States of the Former Soviet Union*  
25 *may be deposited by such Fund in interest-bearing accounts*

1 prior to the disbursement of such funds by the Fund for  
2 program purposes. The Fund may retain for such program  
3 purposes any interest earned on such deposits without re-  
4 turning such interest to the Treasury of the United States  
5 and without further appropriation by the Congress. Funds  
6 made available for Enterprise Funds shall be expended at  
7 the minimum rate necessary to make timely payment for  
8 projects and activities.

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

22 OVERSEAS PRIVATE INVESTMENT CORPORATION AND

23 EXPORT-IMPORT BANK RESTRICTIONS

24 SEC. 518. (a) LIMITATION ON USE OF FUNDS BY  
25 OPIC.—None of the funds made available in this Act may  
26 be used by the Overseas Private Investment Corporation to

1 *insure, reinsure, guarantee, or finance any investment in*  
2 *connection with a project involving the mining, polishing*  
3 *or other processing, or sale of diamonds in a country that*  
4 *fails to meet the requirements of subsection (c).*

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

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

18               (1) *is consistent with United Nations General*  
19 *Assembly Resolution 55/56 adopted on December 1,*  
20 *2000.*

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

24               (3) *meets the requirements of an international*  
25 *agreement which requires controls specified in sub-*

1 paragraph (1) and to which the United States is a  
2 party.

3 EXPORT FINANCING TRANSFER AUTHORITIES

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

15 SPECIAL NOTIFICATION REQUIREMENTS

16 SEC. 520. None of the funds appropriated by this Act  
17 shall be obligated or expended for Burma, Colombia, Haiti,  
18 Liberia, Serbia, Sudan, Ethiopia, Eritrea, Zimbabwe,  
19 Pakistan, or the Democratic Republic of the Congo except  
20 as provided through the regular notification procedures of  
21 the Committees on Appropriations.

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 appropriations  
25 Act account level and shall include all appropriations and  
26 authorizations Acts earmarks, ceilings, and limitations

1 *with the exception that for the following accounts: Economic*  
 2 *Support Fund and Foreign Military Financing Program,*  
 3 *“program, project, and activity” shall also be considered*  
 4 *to include country, regional, and central program level*  
 5 *funding within each such account; for the development as-*  
 6 *sistance accounts of the United States 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) allo-*  
 10 *cated by the executive branch in accordance with a report,*  
 11 *to be provided to the Committees on Appropriations within*  
 12 *30 days of the enactment of this Act, as required by section*  
 13 *653(a) of the Foreign Assistance Act of 1961.*

14 *CHILD SURVIVAL AND HEALTH ACTIVITIES*

15 *SEC. 522. Up to \$14,500,000 of the funds made avail-*  
 16 *able by this Act for assistance under the heading “Child*  
 17 *Survival and Health Programs Fund”, may be used to re-*  
 18 *imburse United States Government agencies, agencies of*  
 19 *State governments, institutions of higher learning, and pri-*  
 20 *vate and voluntary organizations for the full cost of indi-*  
 21 *viduals (including for the personal services of such individ-*  
 22 *uals) detailed or assigned to, or contracted by, as the case*  
 23 *may be, the United States Agency for International Devel-*  
 24 *opment for the purpose of carrying out activities under that*  
 25 *heading: Provided, That up to \$3,500,000 of the funds made*  
 26 *available by this Act for assistance under the heading “De-*



1 *velopment Assistance” may be used to reimburse such agen-*  
 2 *cies, institutions, and organizations for such costs of such*  
 3 *individuals carrying out other development assistance ac-*  
 4 *tivities: Provided further, That funds appropriated by this*  
 5 *Act that are made available for child survival activities or*  
 6 *disease programs including activities relating to research*  
 7 *on, and the prevention, treatment and control of, HIV/*  
 8 *AIDS may be made available notwithstanding any other*  
 9 *provision of law: Provided further, That funds appropriated*  
 10 *under title II of this Act may be made available pursuant*  
 11 *to section 301 of the Foreign Assistance Act of 1961 if a*  
 12 *primary purpose of the assistance is for child survival and*  
 13 *related programs.*

14 *PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN*  
 15 *COUNTRIES*

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

23 *NOTIFICATION ON EXCESS DEFENSE EQUIPMENT*

24 *SEC. 524. Prior to providing excess Department of De-*  
 25 *fense articles in accordance with section 516(a) of the For-*  
 26 *eign Assistance Act of 1961, the Department of Defense shall*

1 *notify the Committees on Appropriations to the same extent*  
2 *and under the same conditions as are other committees pur-*  
3 *suant to subsection (f) of that section: Provided, That before*  
4 *issuing a letter of offer to sell excess defense articles under*  
5 *the Arms Export Control Act, the Department of Defense*  
6 *shall notify the Committees on Appropriations in accord-*  
7 *ance with the regular notification procedures of such Com-*  
8 *mittees if such defense articles are significant military*  
9 *equipment (as defined in section 47(9) of the Arms Export*  
10 *Control Act) or are valued (in terms of original acquisition*  
11 *cost) at \$7,000,000 or more, or if notification is required*  
12 *elsewhere in this Act for the use of appropriated funds for*  
13 *specific countries that would receive such excess defense ar-*  
14 *ticles: Provided further, That such Committees shall also be*  
15 *informed of the original acquisition cost of such defense ar-*  
16 *ticles.*

17 *AUTHORIZATION REQUIREMENT*

18 *SEC. 525. Funds appropriated by this Act, except*  
19 *funds appropriated under the headings “Peace Corps” and*  
20 *“Trade and Development Agency”, may be obligated and*  
21 *expended notwithstanding section 10 of Public Law 91–672*  
22 *and section 15 of the State Department Basic Authorities*  
23 *Act of 1956.*

24 *DEMOCRACY PROGRAMS*

25 *SEC. 526. Funds appropriated by this Act that are*  
26 *provided to the National Endowment for Democracy may*

1 *be made available notwithstanding any other provision of*  
2 *law or regulation: Provided, That notwithstanding any*  
3 *other provision of law, of the funds appropriated by this*  
4 *Act to carry out provisions of chapter 4 of part II of the*  
5 *Foreign Assistance Act of 1961, not less than \$10,000,000*  
6 *shall be made available for assistance for the People's Re-*  
7 *public of China for activities to support democracy and the*  
8 *rule of law in that country, of which not to exceed*  
9 *\$2,500,000 may be made available to nongovernmental or-*  
10 *ganizations located outside the People's Republic of China*  
11 *to support activities which preserve cultural traditions and*  
12 *promote sustainable development and environmental con-*  
13 *servation in Tibetan communities in Tibet: Provided fur-*  
14 *ther, That notwithstanding any other provision of law or*  
15 *regulation, funds appropriated by this or any other Act*  
16 *making appropriations pursuant to part I of the Foreign*  
17 *Assistance Act of 1961 that are available for the United*  
18 *States-Asia Environmental Partnership, may be made*  
19 *available for activities in the People's Republic of China:*  
20 *Provided further, That funds made available pursuant to*  
21 *the authority of this section for programs, projects, and ac-*  
22 *tivities in the People's Republic of China shall be subject*  
23 *to the regular notification procedures of the Committees on*  
24 *Appropriations.*

1     *PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST*  
2                                     *COUNTRIES*

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

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

11                    *(2) otherwise supports international terrorism.*

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

21                                     *DEBT-FOR-DEVELOPMENT*

22             *SEC. 528. In order to enhance the continued participa-*  
23 *tion of nongovernmental organizations in economic assist-*  
24 *ance activities under the Foreign Assistance Act of 1961,*  
25 *including endowments, debt-for-development and debt-for-*  
26 *nature exchanges, a nongovernmental organization which*

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

9 *SEPARATE ACCOUNTS*

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

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

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

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

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

1           (C) establish by agreement with that government  
2           the responsibilities of the United States Agency for  
3           International Development and that government to  
4           monitor and account for deposits into and disburse-  
5           ments from the separate account.

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

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

14                   (i) project and sector assistance activities;

15                   or

16                   (ii) debt and deficit financing; or

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

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

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

9       (5) *REPORTING REQUIREMENT.*—*The Administrator*  
10   *of the United States Agency for International Development*  
11   *shall report on an annual basis as part of the justification*  
12   *documents submitted to the Committees on Appropriations*  
13   *on the use of local currencies for the administrative require-*  
14   *ments of the United States Government as authorized in*  
15   *subsection (a)(2)(B), and such report shall include the*  
16   *amount of local currency (and United States dollar equiva-*  
17   *lent) used and/or to be used for such purpose in each appli-*  
18   *cable country.*

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

1       (2) *APPLICABILITY OF OTHER PROVISIONS OF LAW.*—

2   *Such funds may be obligated and expended notwithstanding*  
 3   *provisions of law which are inconsistent with the nature*  
 4   *of this assistance including provisions which are referenced*  
 5   *in the Joint Explanatory Statement of the Committee of*  
 6   *Conference accompanying House Joint Resolution 648*  
 7   *(House Report No. 98–1159).*

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

18       (4) *EXEMPTION.*—*Nonproject sector assistance funds*  
 19   *may be exempt from the requirements of subsection (b)(1)*  
 20   *only through the notification procedures of the Committees*  
 21   *on Appropriations.*

22       *COMPENSATION FOR UNITED STATES EXECUTIVE*

23   *DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS*

24       *SEC. 530. (a) No funds appropriated by this Act may*  
 25   *be made as payment to any international financial institu-*  
 26   *tion while the United States Executive Director to such in-*



1 *stitution is compensated by the institution at a rate which,*  
 2 *together with whatever compensation such Director receives*  
 3 *from the United States, is in excess of the rate provided*  
 4 *for an individual occupying a position at level IV of the*  
 5 *Executive Schedule under section 5315 of title 5, United*  
 6 *States Code, or while any alternate United States Director*  
 7 *to such institution is compensated by the institution at a*  
 8 *rate in excess of the rate provided for an individual occu-*  
 9 *pying a position at level V of the Executive Schedule under*  
 10 *section 5316 of title 5, United States Code.*

11 *(b) For purposes of this section, “international finan-*  
 12 *cial institutions” are: the International Bank for Recon-*  
 13 *struction and Development, the Inter-American Develop-*  
 14 *ment Bank, the Asian Development Bank, the Asian Devel-*  
 15 *opment Fund, the African Development Bank, the African*  
 16 *Development Fund, the International Monetary Fund, the*  
 17 *North American Development Bank, and the European*  
 18 *Bank for Reconstruction and Development.*

19 *COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST*

20 *IRAQ*

21 *SEC. 531. None of the funds appropriated or otherwise*  
 22 *made available pursuant to this Act to carry out the For-*  
 23 *eign Assistance Act of 1961 (including title IV of chapter*  
 24 *2 of part I, relating to the Overseas Private Investment Cor-*  
 25 *poration) or the Arms Export Control Act may be used to*  
 26 *provide assistance to any country that is not in compliance*

1 *with the United Nations Security Council sanctions against*  
2 *Iraq unless the President determines and so certifies to the*  
3 *Congress that—*

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

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

8           (3) *the assistance to be provided will be humani-*  
9       *tarian assistance for foreign nationals who have fled*  
10       *Iraq and Kuwait.*

11 *AUTHORITIES FOR THE PEACE CORPS, INTERNATIONAL*  
12 *FUND FOR AGRICULTURE DEVELOPMENT, INTER-*  
13 *AMERICAN FOUNDATION AND AFRICAN DEVELOPMENT*  
14 *FOUNDATION*

15       *SEC. 532. (a) Unless expressly provided to the con-*  
16 *trary, provisions of this or any other Act, including provi-*  
17 *sions contained in prior Acts authorizing or making appro-*  
18 *priations for foreign operations, export financing, and re-*  
19 *lated programs, shall not be construed to prohibit activities*  
20 *authorized by or conducted under the Peace Corps Act, the*  
21 *Inter-American Foundation Act or the African Develop-*  
22 *ment Foundation Act. The agency shall promptly report to*  
23 *the Committees on Appropriations whenever it is con-*  
24 *ducting activities or is proposing to conduct activities in*  
25 *a country for which assistance is prohibited.*

1       (b) *Unless expressly provided to the contrary, limita-*  
 2 *tions on the availability of funds for “International Orga-*  
 3 *nizations and Programs” in this or any other Act, includ-*  
 4 *ing prior appropriations Acts, shall not be construed to be*  
 5 *applicable to the International Fund for Agriculture Devel-*  
 6 *opment.*

7                   *IMPACT ON JOBS IN THE UNITED STATES*

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

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

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

1        *preclude assistance for the informal sector in such*  
 2        *country, micro and small-scale enterprise, and*  
 3        *smallholder agriculture.*

4                                *SPECIAL AUTHORITIES*

5        *SEC. 534. (a) AFGHANISTAN, LEBANON, MONTENEGRO,*  
 6        *VICTIMS OF WAR, DISPLACED CHILDREN, AND DISPLACED*  
 7        *BURMESE.—Funds appropriated in titles I and II of this*  
 8        *Act that are made available for Afghanistan, Lebanon,*  
 9        *Montenegro, and for victims of war, displaced children, and*  
 10       *displaced Burmese, may be made available notwithstanding*  
 11       *any other provision of law: Provided, That any such funds*  
 12       *that are made available for Cambodia shall be subject to*  
 13       *the provisions of section 531(e) of the Foreign Assistance*  
 14       *Act of 1961 and section 906 of the International Security*  
 15       *and Development Cooperation Act of 1985.*

16       *(b) TROPICAL FORESTRY AND BIODIVERSITY CON-*  
 17       *SERVATION ACTIVITIES.—Funds appropriated by this Act*  
 18       *to carry out the provisions of sections 103 through 106, and*  
 19       *chapter 4 of part II, of the Foreign Assistance Act of 1961*  
 20       *may be used, notwithstanding any other provision of law,*  
 21       *for the purpose of supporting tropical forestry and biodiver-*  
 22       *sity conservation activities and energy programs aimed at*  
 23       *reducing greenhouse gas emissions: Provided, That such as-*  
 24       *sistance shall be subject to sections 116, 502B, and 620A*  
 25       *of the Foreign Assistance Act of 1961.*

1       (c) *PERSONAL SERVICES CONTRACTORS.*—*Funds ap-*  
2 *propriated by this Act to carry out chapter 1 of part I,*  
3 *chapter 4 of part II, and section 667 of the Foreign Assist-*  
4 *ance Act of 1961, and title II of the Agricultural Trade*  
5 *Development and Assistance Act of 1954, may be used by*  
6 *the United States Agency for International Development to*  
7 *employ up to 25 personal services contractors in the United*  
8 *States, notwithstanding any other provision of law, for the*  
9 *purpose of providing direct, interim support for new or ex-*  
10 *panded overseas programs and activities and managed by*  
11 *the agency until permanent direct hire personnel are hired*  
12 *and trained: Provided, That not more than 10 of such con-*  
13 *tractors shall be assigned to any bureau or office: Provided*  
14 *further, That such funds appropriated to carry out the For-*  
15 *ign Assistance Act of 1961 may be made available for per-*  
16 *sonal services contractors assigned only to the Office of*  
17 *Health and Nutrition; the Office of Procurement; the Bu-*  
18 *reau for Africa; the Bureau for Latin America and the Car-*  
19 *ibbean; the Bureau for Asia and the Near East; and for*  
20 *the Global Development Alliance initiative: Provided fur-*  
21 *ther, That such funds appropriated to carry out title II of*  
22 *the Agricultural Trade Development and Assistance Act of*  
23 *1954, may be made available only for personal services con-*  
24 *tractors assigned to the Office of Food for Peace.*

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

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

11      (e) *SPECIAL AUTHORITY.*—*During fiscal year 2002,*  
 12      *the President may use up to \$35,000,000 under the author-*  
 13      *ity of section 451 of the Foreign Assistance Act, notwith-*  
 14      *standing the funding ceiling in section 451(a).*

15      *POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT OF*  
 16      *ISRAEL AND NORMALIZING RELATIONS WITH ISRAEL*

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

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

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

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

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

7           (5) *the President should—*

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

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

20                  (C) *report to Congress annually on the spe-*  
21                  *cific steps being taken by the United States and*  
22                  *the progress achieved to bring about a public re-*  
23                  *nunciation of the Arab primary boycott of Israel*  
24                  *and the secondary and tertiary boycotts of Amer-*  
25                  *ican firms that have commercial relations with*

1 *Israel and to expand the process of normalizing*  
2 *ties between Arab League countries and Israel;*  
3 *and*

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

8 *ADMINISTRATION OF JUSTICE ACTIVITIES*

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

21 *ELIGIBILITY FOR ASSISTANCE*

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



1 *propriated by this Act to carry out the provisions of chap-*  
2 *ters 1, 10, 11, and 12 of part I and chapter 4 of part II*  
3 *of the Foreign Assistance Act of 1961, and from funds ap-*  
4 *propriated under the heading “Assistance for Eastern Eu-*  
5 *rope and the Baltic States”: Provided, That the President*  
6 *shall take into consideration, in any case in which a restric-*  
7 *tion on assistance would be applicable but for this sub-*  
8 *section, whether assistance in support of programs of non-*  
9 *governmental organizations is in the national interest of*  
10 *the United States: Provided further, That before using the*  
11 *authority of this subsection to furnish assistance in support*  
12 *of programs of nongovernmental organizations, the Presi-*  
13 *dent shall notify the Committees on Appropriations under*  
14 *the regular notification procedures of those committees, in-*  
15 *cluding a description of the program to be assisted, the as-*  
16 *sistance to be provided, and the reasons for furnishing such*  
17 *assistance: Provided further, That nothing in this sub-*  
18 *section shall be construed to alter any existing statutory*  
19 *prohibitions against abortion or involuntary sterilizations*  
20 *contained in this or any 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 restrict*  
24 *assistance under the Agricultural Trade Development and*  
25 *Assistance Act of 1954: Provided, That none of the funds*

1 appropriated to carry out title I of such Act and made  
 2 available pursuant to this subsection may be obligated or  
 3 expended except as provided through the regular notifica-  
 4 tion procedures of the Committees on Appropriations.

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

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

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

15 *EARMARKS*

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

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

15                                   *CEILINGS AND EARMARKS*

16       *SEC. 539. Ceilings and earmarks contained in this Act*  
 17 *shall not be applicable to funds or authorities appropriated*  
 18 *or otherwise made available by any subsequent Act unless*  
 19 *such Act specifically so directs. Earmarks or minimum*  
 20 *funding requirements contained in any other Act shall not*  
 21 *be applicable to funds appropriated by this Act.*

22                                   *PROHIBITION ON PUBLICITY OR PROPAGANDA*

23       *SEC. 540. No part of any appropriation contained in*  
 24 *this Act shall be used for publicity or propaganda purposes*  
 25 *within the United States not authorized before the date of*  
 26 *the enactment of this Act by the Congress: Provided, That*

1 *not to exceed \$750,000 may be made available to carry out*  
2 *the provisions of section 316 of Public Law 96–533.*

3 *PURCHASE OF AMERICAN-MADE EQUIPMENT AND*  
4 *PRODUCTS*

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

9 *PROHIBITION OF PAYMENTS TO UNITED NATIONS MEMBERS*

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

19 *NONGOVERNMENTAL ORGANIZATIONS—DOCUMENTATION*

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

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

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

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

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

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

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

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

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

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

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

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

12 *WAR CRIMES TRIBUNALS DRAWDOWN*

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

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

5 *LANDMINES*

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

19 *RESTRICTIONS CONCERNING THE PALESTINIAN AUTHORITY*

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



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

16 *PROHIBITION OF PAYMENT OF CERTAIN EXPENSES*

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

25 *(1) alcoholic beverages; or*

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

5           *SPECIAL DEBT RELIEF FOR THE POOREST*

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

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

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

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

24           *(b) LIMITATIONS.—*

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

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

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

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

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

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

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

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

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

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

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

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

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

18        *AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### 15 *HAITI COAST GUARD*

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

#### 22 *LIMITATION ON ASSISTANCE TO THE PALESTINIAN*

#### 23 *AUTHORITY*

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

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

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

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

13 *LIMITATION ON ASSISTANCE TO SECURITY FORCES*

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



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

7 *GREENHOUSE GAS EMISSIONS REPORT*

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

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

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

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

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

14                               ZIMBABWE

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

1        *CENTRAL AMERICA RELIEF AND RECONSTRUCTION*

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

9                    *ENTERPRISE FUND RESTRICTIONS*

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

17                    *CAMBODIA*

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

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

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

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

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

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

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

1                    *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) under*  
8 *programs administered by the Department of Defense and*  
9 *the Department of State during fiscal years 2001 and 2002,*  
10 *including those proposed for fiscal year 2002. This report*  
11 *shall include, for each such military training activity, the*  
12 *foreign policy justification and purpose for the training ac-*  
13 *tivity, the cost of the training activity, the number of for-*  
14 *eign students trained and their units of operation, and the*  
15 *location of the training. In addition, this report shall also*  
16 *include, with respect to United States personnel, the oper-*  
17 *ational benefits to United States forces derived from each*  
18 *such training activity and the United States military units*  
19 *involved in each such training activity. This report may*  
20 *include a classified annex if deemed necessary and appro-*  
21 *priate.*

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

1 *priations and International Relations Committees of the*  
2 *House of Representatives.*

3 *KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION*

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

12       *(b) Such funds may be made available for KEDO only*  
13 *if, 30 days prior to such obligation of funds, the President*  
14 *certifies and so reports to Congress that—*

15               *(1) the parties to the Agreed Framework have*  
16 *taken and continue to take demonstrable steps to im-*  
17 *plement the Joint Declaration on Denuclearization of*  
18 *the Korean Peninsula;*

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

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

25       *(c) The President may waive the certification require-*  
26 *ments of subsection (b) if the President determines that it*

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

SEC. 563. (a) DETERMINATION AND CERTIFICATION  
REQUIRED.—Notwithstanding any other provision of law,  
funds appropriated by this Act or prior Acts making appro-  
priations for foreign operations, export financing, and re-  
lated programs, may be made available for assistance for  
the Colombian Armed Forces only if the Secretary of State

1 *has made the determination and certification contained in*  
2 *subsection (b).*

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

7           *(1) the Commander General of the Colombian*  
8 *Armed Forces is suspending from the Armed Forces*  
9 *those members, of whatever rank, who have been*  
10 *credibly alleged to have committed gross violations of*  
11 *human rights, including extra-judicial killings, or to*  
12 *have aided or abetted paramilitary groups, and is*  
13 *providing to civilian prosecutors and judicial au-*  
14 *thorities requested information concerning the nature*  
15 *and cause of the suspension;*

16           *(2) the Colombian Armed Forces are cooperating*  
17 *with civilian prosecutors and judicial authorities (in-*  
18 *cluding providing unimpeded access to witnesses and*  
19 *relevant military documents and other information),*  
20 *in prosecuting and punishing in civilian courts those*  
21 *members of the Colombian Armed Forces, of whatever*  
22 *rank, who have been credibly alleged to have com-*  
23 *mitted gross violations of human rights, including*  
24 *extra-judicial killings, or to have aided or abetted*  
25 *paramilitary groups; and*



1           (3) *the Colombian Armed Forces are taking effective*  
2           *measures to sever links (including by denying access*  
3           *to military intelligence, vehicles, and other equipment*  
4           *or supplies, and ceasing other forms of active or*  
5           *tacit cooperation), at the command, battalion, and*  
6           *brigade levels, with paramilitary groups, and to execute*  
7           *outstanding arrest warrants for members of such*  
8           *groups.*

9           (c) *CONSULTATIVE PROCESS.—Ten days prior to making*  
10          *the determination and certification required by this section,*  
11          *and every 120 days thereafter, the Secretary of State*  
12          *shall consult with internationally recognized human rights*  
13          *organizations regarding progress in meeting the conditions*  
14          *contained in subsection (b).*

15          (d) *REPORT.—One hundred and twenty days after the*  
16          *enactment of this Act, and every 120 days thereafter, the*  
17          *Secretary of State shall submit a report to the Committees*  
18          *on Appropriations describing actions taken by the Colombian*  
19          *Armed Forces to meet the requirements set forth in*  
20          *subparagraphs (b)(1) through (3); and*

21          (e) *DEFINITIONS.—In this section:*

22               (1) *AIDED OR ABETTED.—The term “aided or*  
23               *abetted” means to provide any support to paramilitary*  
24               *groups, including taking actions which*

1     *allow, facilitate, or otherwise foster the activities of*  
2     *such groups.*

(2) *PARAMILITARY GROUPS.*—The term “paramilitary groups” means illegal self-defense groups and illegal security cooperatives.

6 *ILLEGAL ARMED GROUPS*

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

(1) has willfully provided any support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Self-Defense Forces of Colombia (AUC), including taking actions or failing to take actions which allow, facilitate, or otherwise foster the activities of such groups;

or

(2) has committed, ordered, incited, assisted, or otherwise participated in the commission of gross violations of human rights, including extra-judicial killings, in Colombia.

(b) *WAIVER.*—Subsection (a) shall not apply if the Secretary of State determines and certifies to the appropriate congressional committees, on a case-by-case basis, that the issuance of a visa to the alien is necessary to sup-

1 *port the peace process in Colombia or for urgent humani-*  
2 *tarian reasons.*

3 *PROHIBITION ON ASSISTANCE TO THE PALESTINIAN*

4 *BROADCASTING CORPORATION*

5 *SEC. 565. None of the funds appropriated or otherwise*  
6 *made available by this Act may be used to provide equip-*  
7 *ment, technical support, consulting services, or any other*  
8 *form of assistance to the Palestinian Broadcasting Corpora-*  
9 *tion.*

10 *IRAQ*

11 *SEC. 566. Notwithstanding any other provision of law,*  
12 *funds appropriated under the heading “Economic Support*  
13 *Fund” may be made available for programs benefitting the*  
14 *Iraqi people and to support efforts to bring about a demo-*  
15 *cratic transition in Iraq: Provided, That funds may be*  
16 *made available through the Iraqi National Congress Sup-*  
17 *port Foundation or the Iraqi National Congress only if the*  
18 *Inspector General of the Department of State determines*  
19 *and certifies to the Committees on Appropriations that such*  
20 *organizations are implementing adequate and transparent*  
21 *financial controls to ensure that funds are used exclusively*  
22 *for the purposes of this section, and that not more than 14*  
23 *percent of the funds is used for administrative expenses, in-*  
24 *cluding expenditures for salaries, office rent and equipment.*

## WEST BANK AND GAZA PROGRAM

1  
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 States*  
8 *financial information in order to review the uses of United*  
9 *States assistance for the Program funded under the heading*  
10 *“Economic Support Fund” for the West Bank and Gaza.*

## INDONESIA

11  
12       *SEC. 568. (a) Funds appropriated by this Act under*  
13 *the headings “International Military Education and*  
14 *Training” and “Foreign Military Financing Program”*  
15 *may be made available for assistance for Indonesian Min-*  
16 *istry of Defense or military personnel only if the President*  
17 *determines and submits a report to the appropriate congres-*  
18 *sional committees that the Government of Indonesia and*  
19 *the Indonesian Armed Forces are—*

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

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

1       *credible evidence of aiding or abetting militia groups*  
2       *in East Timor and Indonesia;*

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 Na-*  
7       *tions 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;*

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

16            (7) *demonstrating a commitment to civilian con-*  
17       *trol of the armed forces by having in place a func-*  
18       *tioning system for reporting to civilian authorities*  
19       *audits of receipts and expenditures that fund activi-*  
20       *ties of the armed forces;*

21            (8) *allowing United Nations and other inter-*  
22       *national humanitarian and human rights workers*  
23       *and observers unimpeded access to West Timor, Aceh,*  
24       *West Papua, and Maluku; and*

25            (9) *releasing political detainees.*

1        *RESTRICTIONS ON ASSISTANCE TO GOVERNMENTS*2                    *DESTABILIZING SIERRA LEONE*

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

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

19        *(c) None of the funds appropriated by this Act may*  
20 *be made available for assistance for the government of any*  
21 *country for which the Secretary of State determines there*  
22 *is credible evidence that such government has knowingly fa-*  
23 *cilitated the safe passage of weapons or other equipment to*  
24 *the RUF, Liberian security forces, or any other group in-*

1 *tent on destabilizing the democratically elected government*  
 2 *of the Republic of Sierra Leone.*

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

7 *VOLUNTARY SEPARATION INCENTIVES*

8 *SEC. 570. 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 the*  
 11 *Consolidated Appropriations Act, 2000 (Public Law 106–*  
 12 *113), as amended, is amended by striking “December 31,*  
 13 *2001” and inserting in lieu thereof “December 31, 2002”.*

14 *AMERICAN CHURCHWOMEN AND OTHER CITIZENS IN EL*  
 15 *SALVADOR AND GUATEMALA*

16 *SEC. 571. (a) To the fullest extent possible information*  
 17 *relevant to the December 2, 1980, murders of four American*  
 18 *churchwomen in El Salvador, and the May 5, 2001, murder*  
 19 *of Sister Barbara Ann Ford and the murders of six other*  
 20 *American citizens in Guatemala since December 1999,*  
 21 *should be investigated and made public.*

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

1       (c) *The President shall order all Federal agencies and*  
2 *departments, including the Federal Bureau of Investiga-*  
3 *tion, that possess relevant information, to expeditiously de-*  
4 *classify and release to the victims' families such informa-*  
5 *tion.*

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

10       (e) *All reasonable efforts should be taken by the Amer-*  
11 *ican Embassy in Guatemala to work with relevant agencies*  
12 *of the Guatemalan Government to protect the safety of*  
13 *American citizens in Guatemala, and to assist in the inves-*  
14 *tigations of violations of human rights.*

15           *BASIC EDUCATION ASSISTANCE FOR PAKISTAN*

16       *SEC. 572. Funds appropriated by this Act to carry out*  
17 *the provisions of chapter 4 of part II of the Foreign Assist-*  
18 *ance Act of 1961 may be made available for assistance for*  
19 *basic education programs for Pakistan, notwithstanding*  
20 *any provision of law that restricts assistance to foreign*  
21 *countries: Provided, That such assistance is subject to the*  
22 *regular notification procedures of the Committees on Appro-*  
23 *priations.*

24           *COMMERCIAL LEASING OF DEFENSE ARTICLES*

25       *SEC. 573. Notwithstanding any other provision of law,*  
26 *and subject to the regular notification procedures of the*



1 *Committees on Appropriations, the authority of section*  
 2 *23(a) of the Arms Export Control Act may be used to pro-*  
 3 *vide financing to Israel, Egypt and NATO and major non-*  
 4 *NATO allies for the procurement by leasing (including leas-*  
 5 *ing with an option to purchase) of defense articles from*  
 6 *United States commercial suppliers, not including Major*  
 7 *Defense Equipment (other than helicopters and other types*  
 8 *of aircraft having possible civilian application), if the*  
 9 *President determines that there are compelling foreign pol-*  
 10 *icy or national security reasons for those defense articles*  
 11 *being provided by commercial lease rather than by govern-*  
 12 *ment-to-government sale under such Act.*

#### 13 WAR CRIMINALS

14 *SEC. 574. (a)(1) None of the funds appropriated or*  
 15 *otherwise made available pursuant to this Act may be made*  
 16 *available for assistance, and the Secretary of the Treasury*  
 17 *shall instruct the United States executive directors to the*  
 18 *international financial institutions to vote against any ex-*  
 19 *tension by such institutions of any financial or technical*  
 20 *assistance, to any country, entity, or municipality whose*  
 21 *competent authorities have failed, as determined by the Sec-*  
 22 *retary of State, to take necessary and significant steps to*  
 23 *implement its international legal obligations to apprehend*  
 24 *and transfer to the International Criminal Tribunal for the*  
 25 *former Yugoslavia (the "Tribunal") all persons in their ter-*

1 ritory who have been publicly indicted by the Tribunal and  
2 to otherwise cooperate with the Tribunal.

3 (2) The provisions of this subsection shall not apply  
4 to humanitarian assistance or assistance for democratiza-  
5 tion.

6 (b) The provisions of subsection (a) shall apply unless  
7 the Secretary of State determines and reports to the appro-  
8 priate congressional committees that the competent authori-  
9 ties of such country, entity, or municipality are—

10 (1) cooperating with the Tribunal, including ac-  
11 cess for investigators, the provision of documents, and  
12 the surrender and transfer of indictees or assistance  
13 in their apprehension; and

14 (2) are acting consistently with the Dayton Ac-  
15 cords.

16 (c) Not less than 15 days before any vote in an inter-  
17 national financial institution regarding the extension of fi-  
18 nancial or technical assistance or grants to any country  
19 or entity described in subsection (a), the Secretary of the  
20 Treasury, in consultation with the Secretary of State, shall  
21 provide to the Committees on Appropriations a written jus-  
22 tification for the proposed assistance, including an expla-  
23 nation of the United States position regarding any such  
24 vote, as well as a description of the location of the proposed

1 assistance by municipality, its purpose, and its intended  
2 beneficiaries.

3 (d) In carrying out this section, the Secretary of State,  
4 the Administrator of the United States Agency for Inter-  
5 national Development, and the United States executive di-  
6 rectors of the international financial institutions shall con-  
7 sult with representatives of human rights organizations and  
8 all government agencies with relevant information to help  
9 prevent publicly indicted war criminals from benefiting  
10 from any financial or technical assistance or grants pro-  
11 vided to any country or entity described in subsection (a).

12 (e) The Secretary of State may waive the application  
13 of subsection (a) with respect to a specific project within  
14 a country, entity, or municipality upon a written deter-  
15 mination to the Committees on Appropriations that such  
16 assistance directly supports the implementation of the Day-  
17 ton Agreement and its Annexes, which include the obliga-  
18 tion to apprehend and transfer indicted war criminals to  
19 the Tribunal and to provide all possible assistance to refu-  
20 gees and displaced persons and work to facilitate their vol-  
21 untary return.

22 (f) DEFINITIONS.—As used in this section—

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

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

(4) *DAYTON ACCORDS.*—The term “Dayton Accords” means the General Framework Agreement for Peace in Bosnia and Herzegovina, together with annexes relating thereto, done at Dayton, November 10 through 16, 1995.

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

(b) *After March 31, 2002, the Secretary of the Treasury should instruct the United States executive directors to the international financial institutions to support loans and assistance to the Government of the Federal Republic of Yugoslavia subject to the conditions in subsection (c): Provided, That section 576 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, as amended, shall not apply to the provision of loans*

1 *and assistance to the Federal Republic of Yugoslavia*  
2 *through international financial institutions.*

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

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

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

16 *(3) taking steps to implement policies which re-*  
17 *flect a respect for minority rights and the rule of law.*

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

21 *USER FEES*

22 *SEC. 576. The Secretary of the Treasury shall instruct*  
23 *the United States executive directors to the international*  
24 *financial institutions (as defined in section 1701(c)(2) of*  
25 *the International Financial Institutions Act) and the Inter-*  
26 *national Monetary Fund to oppose any loan of such institu-*

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

7 *HEAVILY INDEBTED POOR COUNTRIES TRUST FUND*

8 *AUTHORIZATION*

9 *SEC. 577. Section 801(b)(1) of the Foreign Operations,*  
 10 *Export Financing, and Related Programs Appropriations*  
 11 *Act, 2001 (Public Law 106–429) is amended by striking*  
 12 *“\$435,000,000” and inserting “\$600,000,000”.*

13 *FUNDING FOR PRIVATE ORGANIZATIONS*

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

19 *(1) shall not be ineligible for such assistance sole-*  
 20 *ly on the basis of health or medical services including*  
 21 *counseling and referral services, provided by such or-*  
 22 *ganizations with non-United States Government*  
 23 *funds if such services do not violate the laws of the*  
 24 *country in which they are being provided and would*  
 25 *not violate United States Federal law if provided in*  
 26 *the United States; and*

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

6           *PROHIBITION ON FUNDING FOR ABORTIONS AND*  
7           *INVOLUNTARY STERILIZATION*

8           *SEC. 579. None of the funds made available to carry*  
9           *out part I of the Foreign Assistance Act of 1961, as amend-*  
10          *ed, may be used to pay for the performance of abortions*  
11          *as a method of family planning or to motivate or coerce*  
12          *any person to practice abortions. None of the funds made*  
13          *available to carry out part I of the Foreign Assistance Act*  
14          *of 1961, as amended, may be used to pay for the perform-*  
15          *ance of involuntary sterilization as a method of family*  
16          *planning or to coerce or provide any financial incentive*  
17          *to any person to undergo sterilizations. None of the funds*  
18          *made available to carry out part I of the Foreign Assistance*  
19          *Act of 1961, as amended, may be used to pay for any bio-*  
20          *medical research which relates in whole or in part, to meth-*  
21          *ods of, or the performance of, abortions or involuntary steri-*  
22          *lization as a means of family planning. None of the funds*  
23          *made available to carry out part I of the Foreign Assistance*  
24          *Act of 1961, as amended, may be obligated or expended for*  
25          *any country or organization if the President certifies that*  
26          *the use of these funds by any such country or organization*

1 *would violate any of the above provisions related to abor-*  
2 *tions and involuntary sterilizations.*

3 *CUBA*

4 *SEC. 580. (a) AMOUNTS FOR COOPERATION WITH*  
5 *CUBA ON COUNTER-NARCOTICS MATTERS.—Subject to sub-*  
6 *section (b), of the amounts appropriated or otherwise made*  
7 *available by this Act, \$1,500,000 shall be available for pur-*  
8 *poses of preliminary work by the Department of State, or*  
9 *such other entities as the Secretary of State may designate,*  
10 *to establish cooperation with appropriate agencies of the*  
11 *Cuba Government on counter-narcotics matters, including*  
12 *matters relating to cooperation, coordination, and mutual*  
13 *assistance in the interdiction of illicit drugs being trans-*  
14 *ported through Cuba airspace or over Cuba waters.*

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

18 *(1) That Cuba has in place appropriate proce-*  
19 *dures to protect against loss of innocent life in the air*  
20 *and on the ground in connection with the interdiction*  
21 *of illicit drugs.*

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

24 *This Act may be cited as the “Foreign Operations, Ex-*  
25 *port Financing, and Related Programs Appropriations Act,*  
26 *2002”.*



**Calendar No. 147**

107TH CONGRESS  
1ST SESSION

**H.R. 2506**

**[Report No. 107–58]**

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**AN ACT**

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

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JULY 25, 2001

Received; read twice and referred to the Committee on  
Appropriations

SEPTEMBER 4, 2001

Reported with an amendment