

104TH CONGRESS
1ST SESSION

H. R. 1868

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 25, 1995

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1996, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the following sums are appropriated, out of any
4 money in the Treasury not otherwise appropriated, for the
5 fiscal year ending September 30, 1996, and for other pur-
6 poses, namely:

7 TITLE I—EXPORT AND INVESTMENT
8 ASSISTANCE

9 EXPORT-IMPORT BANK OF THE UNITED STATES

10 The Export-Import Bank of the United States is au-
11 thorized to make such expenditures within the limits of
12 funds and borrowing authority available to such corpora-

tion, and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: *Provided*, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country other than a nuclear-weapon State as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act that has detonated a nuclear explosive after the date of enactment of this Act.

SUBSIDY APPROPRIATION

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

~~(1)\$786,551,000~~ \$795,000,000

PROHIBITION ON USE OF FUNDS FOR RELOCATING AID TO FEDERAL TRIANGLE BUILDING

SEC. 577. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this Act may be used to relocate the Agency for International Development, or any part of that agency,

1 to the Federal Triangle Building in Washington, District
2 of Columbia.

3 to remain available until September 30, 1997: *Provided*,
4 That such costs, including the cost of modifying such
5 loans, shall be as defined in section 502 of the Congres-
6 sional Budget Act of 1974: *Provided further*, That such
7 sums shall remain available until 2010 for the disburse-
8 ment of direct loans, loan guarantees, insurance and tied-
9 aid grants obligated in fiscal years 1996 and 1997: *Pro-*
10 *vided further*, That up to \$100,000,000 of funds appro-
11 priated by this paragraph shall remain available until ex-
12 pended and may be used for tied-aid grant purposes: *Pro-*
13 *vided further*, That none of the funds appropriated by this
14 paragraph may be used for tied-aid credits or grants ex-
15 cept through the regular notification procedures of the
16 Committees on Appropriations: *Provided further*, That
17 funds appropriated by this paragraph are made available
18 notwithstanding section 2(b)(2) of the Export-Import
19 Bank Act of 1945, in connection with the purchase or
20 lease of any product by any East European country, any
21 Baltic State, or any agency or national thereof.

22 ADMINISTRATIVE EXPENSES

23 For administrative expenses to carry out the direct
24 and guaranteed loan and insurance programs (to be com-
25 puted on an accrual basis), including hire of passenger
26 motor vehicles and services as authorized by 5 U.S.C.

1 3109, and not to exceed \$20,000 for official reception and
2 representation expenses for members of the Board of Di-
3 rectors, ~~(2)\$45,228,000~~ \$46,000,000: *Provided*, That nec-
4 essary expenses (including special services performed on
5 a contract or fee basis, but not including other personal
6 services) in connection with the collection of moneys owed
7 the Export-Import Bank, repossession or sale of pledged
8 collateral or other assets acquired by the Export-Import
9 Bank in satisfaction of moneys owed the Export-Import
10 Bank, or the investigation or appraisal of any property,
11 or the evaluation of the legal or technical aspects of any
12 transaction for which an application for a loan, guarantee
13 or insurance commitment has been made, shall be consid-
14 ered nonadministrative expenses for the purposes of this
15 heading: *Provided further*, That, notwithstanding sub-
16 section (b) of section 117 of the Export Enhancement Act
17 of 1992, subsection (a) thereof shall remain in effect until
18 October 1, 1996.

19 OVERSEAS PRIVATE INVESTMENT CORPORATION

20 NONCREDIT ACCOUNT

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

1 carry out the credit and insurance programs (including an
 2 amount for official reception and representation expenses
 3 which shall not exceed ~~(3)\$35,000~~ \$20,000) shall not ex-
 4 ceed ~~(4)\$26,500,000~~ \$26,000,000. *Provided further, That*
 5 project-specific transaction costs, including direct and in-
 6 direct costs incurred in claims settlements, and other di-
 7 rect costs associated with services provided to specific in-
 8 vestors or potential investors pursuant to section 234 of
 9 the Foreign Assistance Act of 1961, shall not be consid-
 10 ered administrative expenses for the purposes of this head-
 11 ing.

12 PROGRAM ACCOUNT

13 For the cost of direct and guaranteed loans,
 14 ~~(5)\$69,500,000~~ \$79,000,000, as authorized by section
 15 234 of the Foreign Assistance Act of 1961~~(6)~~, *to be de-*
 16 *rived by transfer from the Overseas Private Investment Cor-*
 17 *poration Noncredit account. Provided, That such costs, in-*
 18 *cluding the cost of modifying such loans, shall be as de-*
 19 *finied in section 502 of the Congressional Budget Act of*
 20 *1974: Provided further, That such sums shall be available*
 21 *for direct loan obligations and loan guaranty commitments*
 22 *incurred or made during fiscal years 1996 and 1997: Pro-*
 23 *vided further, That such sums shall remain available*
 24 *through fiscal year 2003 for the disbursement of direct*
 25 *and guaranteed loans obligated in fiscal year 1996, and*
 26 *through fiscal year 2004 for the disbursement of direct*

1 and guaranteed loans obligated in fiscal year 1997. In ad-
2 dition, such sums as may be necessary for administrative
3 expenses to carry out the credit program may be derived
4 from amounts available for administrative expenses to
5 carry out the credit and insurance programs in the Over-
6 seas Private Investment Corporation Noncredit Account
7 and merged with said account.

8 FUNDS APPROPRIATED TO THE PRESIDENT

9 TRADE AND DEVELOPMENT AGENCY

10 For necessary expenses to carry out the provisions
11 of section 661 of the Foreign Assistance Act of 1961,
12 \$40,000,000: *Provided*, That the Trade and Development
13 Agency may receive reimbursements from corporations
14 and other entities for the costs of grants for feasibility
15 studies and other project planning services, to be deposited
16 as an offsetting collection to this account and to be avail-
17 able for obligation until September 30, 1997, for necessary
18 expenses under this paragraph: *Provided further*, That
19 such reimbursements shall not cover, or be allocated
20 against, direct or indirect administrative costs of the
21 agency.

1 ~~(7)~~INTERNATIONAL FINANCIAL INSTITUTIONS
2 CONTRIBUTION TO THE INTERNATIONAL FINANCE
3 CORPORATION

4 For payment to the International Finance Corpora-
5 tion by the Secretary of the Treasury, \$67,550,000, for
6 the United States share of the increase in subscriptions
7 to capital stock, to remain available until expended: *Pro-*
8 *vided*, That of the amount appropriated under this head-
9 ing not more than \$5,269,000 may be expended for the
10 purchase of such stock in fiscal year 1996.

11 CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS
12 MULTILATERAL INVESTMENT FUND

13 For payment to the Enterprise for the Americas Mul-
14 tilateral Investment Fund by the Secretary of the Treas-
15 ury, for the United States contribution to the Fund to
16 be administered by the Inter-American Development
17 Bank, \$70,000,000 to remain available until expended.

18 TITLE II—BILATERAL ECONOMIC ASSISTANCE
19 FUNDS APPROPRIATED TO THE PRESIDENT

20 For expenses necessary to enable the President to
21 carry out the provisions of the Foreign Assistance Act of
22 1961, and for other purposes, to remain available until
23 September 30, 1996, unless otherwise specified herein, as
24 follows:

1 ~~(8)~~ AGENCY FOR INTERNATIONAL DEVELOPMENT

2 CHILDREN AND DISEASE PROGRAMS FUND

3 For necessary expenses to carry out the provisions
 4 of part I and chapter 4 of part II of the Foreign Assist-
 5 ance Act of 1961, for child survival, assistance to combat
 6 tropical and other diseases, and related assistance activi-
 7 ties, \$592,660,000, to remain available until September
 8 30, 1997: *Provided*, That this amount shall be made avail-
 9 able for such activities as (1) immunization programs, (2)
 10 oral rehydration programs, (3) health and nutrition pro-
 11 grams, and related education programs, which address the
 12 needs of mothers and children, (4) water and sanitation
 13 programs, (5) assistance for displaced and orphaned chil-
 14 dren, (6) programs for the prevention, treatment, and con-
 15 trol of, and research on, HIV/AIDS, polio, malaria and
 16 other diseases, (7) basic education programs, and (8) a
 17 contribution on a grant basis to the United Nations Chil-
 18 dren's Fund (UNICEF): *Provided further*, That funds ap-
 19 propriated under this heading shall be in addition to
 20 amounts otherwise available for such purposes.

21 ~~(9)~~ DEVELOPMENT ASSISTANCE FUND

22 ECONOMIC ASSISTANCE

23 ~~(10)~~ (INCLUDING TRANSFERS OF FUNDS)

24 For necessary expenses to carry out the provisions
 25 of sections 103 through 106, of the Foreign Assistance

1 ~~Act of 1961, \$655,000,000~~ *For necessary expenses to carry*
 2 *out the provisions of sections 103 through 106, chapter 10*
 3 *of part I, and chapter 4 of part II of the Foreign Assistance*
 4 *Act of 1961, and the provisions of title V of the Inter-*
 5 *national Security and Development Cooperation Act of*
 6 *1980 (Public Law 96-533) and provisions of section 401*
 7 *of the Foreign Assistance Act of 1969, \$2,117,099,331, to*
 8 *remain available until September 30, 1997: Provided,*
 9 **(11)** *That funds made available under this heading for each*
 10 *of (1) sections 103 through 106, (2) section 104(b), (3) chap-*
 11 *ter 10 of part I, (4) chapter 4 of part II (exclusive of assist-*
 12 *ance for Israel and Egypt) of the Foreign Assistance Act*
 13 *of 1961, (5) title V of Public Law 96-533, (6) section 401*
 14 *of the Foreign Assistance Act of 1969, and (7) for “Debt*
 15 *Restructuring”, shall be the same proportion to the total*
 16 *amount appropriated under this heading as the proportion*
 17 *of funds appropriated to carry out each of such provisions*
 18 *was to the total amount appropriated for them in title II*
 19 *of Public Law 103-306, exclusive of assistance to Israel and*
 20 *Egypt: Provided further, That the President shall seek to*
 21 *ensure that the percentage of funds made available under*
 22 *this heading for the activities of private and voluntary or-*
 23 *ganizations and cooperatives is at least equal to the percent-*
 24 *age of funds made available pursuant to corresponding au-*
 25 *thorities in law for the activities of private and voluntary*

1 *organizations and cooperatives in fiscal year 1995: Pro-*
2 *vided further, That the use of any authority to waive the*
3 *requirements of the previous proviso shall be subject to the*
4 *regular notification requirements of the Committees on Ap-*
5 *propriations: Provided further, That of the funds appro-*
6 *priated or otherwise available by this Act for population*
7 *planning assistance administered by the Agency for Inter-*
8 *national Development, not less than \$350,000,000 shall be*
9 *made available for the central Office of Population of the*
10 *Agency for International Development in fiscal year 1996,*
11 *which sum shall be made available to that office: Provided*
12 *further, That none of the funds made available in this Act*
13 *nor any unobligated balances from prior appropriations*
14 *may be made available to any organization or program*
15 *which, as determined by the President of the United*
16 *States, supports or participates in the management of a*
17 *program of coercive abortion or involuntary sterilization:*
18 *Provided further, That none of the funds made available*
19 *under this heading may be used to pay for the perform-*
20 *ance of abortion as a method of family planning or to mo-*
21 *tivate or coerce any person to practice abortions; and that*
22 *in order to reduce reliance on abortion in developing na-*
23 *tions, funds shall be available only to voluntary family*
24 *planning projects which offer, either directly or through*
25 *referral to, or information about access to, a broad range*

1 of family planning methods and services: *Provided further,*
2 That in awarding grants for natural family planning
3 under section 104 of the Foreign Assistance Act of 1961
4 no applicant shall be discriminated against because of
5 such applicant's religious or conscientious commitment to
6 offer only natural family planning; and, additionally, all
7 such applicants shall comply with the requirements of the
8 previous proviso~~(12)~~: *Provided further, That for purposes*
9 *of this or any other Act authorizing or appropriating funds*
10 *for foreign operations, export financing, and related pro-*
11 *grams, the term "motivate", as it relates to family planning*
12 *assistance, shall not be construed to prohibit the provision,*
13 *consistent with local law, of information or counseling*
14 *about all pregnancy options including abortion: Provided*
15 *further, That nothing in this paragraph shall be construed*
16 *to alter any existing statutory prohibitions against abor-*
17 *tion under section 104 of the Foreign Assistance Act of*
18 *1961: Provided further, That, notwithstanding section 109*
19 *of the Foreign Assistance Act of 1961, of the funds appro-*
20 *priated under this heading (13)and under the heading*
21 ~~"Development Fund for Africa"~~, not to exceed a total of
22 ~~(14)\$15,000,000~~ \$30,000,000 may be transferred to
23 "International Organizations and Programs" for a con-
24 tribution to the International Fund for Agricultural Devel-
25 opment (IFAD), and that any such transfer of funds shall

1 be subject to the regular notification procedures of the
 2 Committees on Appropriations~~(15)~~: *Provided further,*
 3 *That none of the funds made available under this heading*
 4 *may be transferred to the Government of Zaire: Provide fur-*
 5 *ther, That not less than \$2,000,000 shall be provided to the*
 6 *International Fertilizer Development Center*~~(16)~~: *Provided*
 7 *further, That not less than \$800,000 of the funds made*
 8 *available under this heading shall be made available for*
 9 *support of the United States Telecommunications Training*
 10 *Institute;*

11 ~~(17)~~DEVELOPMENT FUND FOR AFRICA

12 For necessary expenses to carry out the provisions
 13 of chapter 10 of part I of the Foreign Assistance Act of
 14 1961, \$528,000,000, to remain available until September
 15 30, 1997: *Provided,* That none of the funds appropriated
 16 by this Act to carry out chapters 1 and 10 of part I of
 17 the Foreign Assistance Act of 1961 shall be transferred
 18 to the Government of Zaire: *Provided further,* That funds
 19 appropriated under this heading which are made available
 20 for activities supported by the Southern Africa Develop-
 21 ment Community shall be made available notwithstanding
 22 section 512 of this Act and section 620(q) of the Foreign
 23 Assistance Act of 1961.

1 **(18)** *CYPRUS*

2 *Of the funds appropriated under the heading “Eco-*
3 *nomic Assistance”, not less than \$15,000,000 shall be made*
4 *available for Cyprus to be used only for scholarships,*
5 *bicommunal projects, and measures aimed at reunification*
6 *of the island and designed to reduce tensions and promote*
7 *peace and cooperation between the two communities on*
8 *Cyprus.*

9 **(19)** *BURMA*

10 *Of the funds appropriated under the heading “Eco-*
11 *nomic Assistance”, not less than \$2,000,000 shall be made*
12 *available to strengthen democracy and support humani-*
13 *tarian activities in Burma: Provided, That of this amount,*
14 *not less than \$200,000 shall be used to support newspapers,*
15 *publications and media activities promoting democracy in-*
16 *side Burma: Provided further, That funds made available*
17 *under this heading may be made available to organizations*
18 *and Burmese student groups to expand indigenous partici-*
19 *pation in the political process, transportation, communica-*
20 *tions, publications, administration, and medical supplies*
21 *and humanitarian services: Provided further, That funds*
22 *made available under this heading may be made available*
23 *to support activities in Burma, along the Burma-Thailand*
24 *border, and to support activities designated by this Act out-*
25 *side Burma: Provided further, That funds made available*

1 *under this heading may be made available notwithstanding*
 2 *any other provision of law: Provided further, That provi-*
 3 *sion of such funds shall be made available subject to the*
 4 *regular notification procedures of the Appropriations Com-*
 5 *mittees.*

6 PRIVATE AND VOLUNTARY ORGANIZATIONS

7 None of the funds appropriated or otherwise made
 8 available by this Act for development assistance may be
 9 made available to any United States private and voluntary
 10 organization, except any cooperative development organi-
 11 zation, which obtains less than 20 per centum of its total
 12 annual funding for international activities from sources
 13 other than the United States Government: *Provided, That*
 14 *the requirements of the provisions of section 123(g) of the*
 15 *Foreign Assistance Act of 1961 and the provisions on pri-*
 16 *vate and voluntary organizations in title II of the “Foreign*
 17 *Assistance and Related Programs Appropriations Act,*
 18 *1985” (as enacted in Public Law 98–473) shall be super-*
 19 *seded by the provisions of this section(20), except that*
 20 *the authority contained in the last sentence of section 123(g)*
 21 *may be exercised by the Administrator with regard to the*
 22 *requirements of this paragraph.*

23 ~~(21)~~Funds appropriated or otherwise made available
 24 under title II of this Act should be made available to pri-
 25 vate and voluntary organizations at a level which is equiv-
 26 alent to the level provided in fiscal year 1995. Such private

1 and voluntary organizations shall include those which op-
 2 erate on a not-for-profit basis, receive contributions from
 3 private sources, receive voluntary support from the public
 4 and are deemed to be among the most cost-effective and
 5 successful providers of development assistance.

6 **(22)**INTERNATIONAL DISASTER ASSISTANCE

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

12 DEBT RESTRUCTURING

13 **(23)**~~For~~ *Of the funds made available under the head-*
 14 *ing "Economic Assistance", for the cost, as defined in sec-*
 15 *tion 502 of the Congressional Budget Act of 1974, of*
 16 *modifying direct loans and loan guarantees, as the Presi-*
 17 *dent may determine, for which funds have been appro-*
 18 *priated or otherwise made available for programs within*
 19 *the International Affairs Budget Function 150, including*
 20 *the cost of selling, reducing, or canceling amounts,*
 21 *through debt buybacks and swaps, (24)*~~owed to the Unit-~~
 22 ~~ed States as a result of concessional loans made to eligible~~
 23 ~~Latin American and Caribbean countries, pursuant to part~~
 24 ~~IV of the Foreign Assistance Act of 1961, \$7,000,000~~
 25 *\$15,000,000, to remain available until expended.*

1 MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM
 2 ACCOUNT

3 ~~(25)~~ *For Of the funds made available under the head-*
 4 *ing "Economic Assistance", for the subsidy cost of direct*
 5 *loans and loan guarantees, \$1,500,000, as authorized by*
 6 *section 108 of the Foreign Assistance Act of 1961, as*
 7 *amended: Provided, That such costs shall be as defined*
 8 *in section 502 of the Congressional Budget Act of*
 9 *1974* ~~(26)~~ *: Provided further, That guarantees of loans*
 10 *made under this heading in support of microenterprise ac-*
 11 *tivities may guarantee up to 70 percent of the principal*
 12 *amount of any such loans notwithstanding section 108 of*
 13 *the Foreign Assistance Act of 1961. In addition, for admin-*
 14 *istrative expenses to carry out programs under this head-*
 15 *ing, \$500,000, all of which may be transferred to and*
 16 *merged with the appropriation for Operating Expenses of*
 17 *the Agency for International Development* ~~(27)~~ *: Provided*
 18 *further, That funds made available under this heading shall*
 19 *remain available until September 30, 1997.*

20 HOUSING GUARANTY PROGRAM ACCOUNT

21 ~~(28)~~ *For administrative expenses to carry out guar-*
 22 *anteed loan programs, \$7,000,000, all of which may be*
 23 *transferred to and merged with the appropriation for Op-*
 24 *erating Expenses of the Agency for International Develop-*
 25 *ment.*

1 *Of the funds made available under the heading “Eco-*
2 *nom ic Assistance”, for the subsidy cost, as defined in section*
3 *13201 of the Budget Enforcement Act of 1990, of guaranteed*
4 *loans authorized by sections 221 and 222 of the Foreign*
5 *Assistance Act of 1961, \$8,000,000: Provided, That these*
6 *funds are available to subsidize loan principal, 100 percent*
7 *of which shall be guaranteed, pursuant to the authority of*
8 *such sections: Provided further, That the President shall*
9 *enter into commitments to guarantee such loans in the full*
10 *amount provided under this heading, subject to the avail-*
11 *ability of qualified applicants for such guarantees: Provided*
12 *further, That for administrative expenses to carry out guar-*
13 *anteed loan programs, \$7,000,000, all of which may be*
14 *transferred to and merged with the appropriation for Oper-*
15 *ating Expenses of the Agency for International Develop-*
16 *ment: Provided further, That commitments to guarantee*
17 *loans under this heading may be entered into notwithstand-*
18 *ing the second and third sentences of section 222(a) and,*
19 *with regard to programs for Eastern Europe and programs*
20 *for the benefit of South Africans disadvantaged by apart-*
21 *heid, section 223(j) of the Foreign Assistance Act of 1961:*
22 *Provided further, That none of the funds appropriated*
23 *under this heading shall be obligated except through the reg-*
24 *ular notification procedures of the Committees on Appro-*
25 *priations.*

1 **(29)** *INTERNATIONAL DISASTER ASSISTANCE*

2 *For necessary expenses for international disaster relief,*
 3 *rehabilitation, and reconstruction assistance pursuant to*
 4 *section 491 of the Foreign Assistance Act of 1961, as amend-*
 5 *ed, \$175,000,000 to remain available until expended: Pro-*
 6 *vided, That of the amount appropriated under this heading,*
 7 *\$40,000,000 should be available only for emergency human-*
 8 *itarian assistance to the former Yugoslavia, of which*
 9 *amount not less than \$6,000,000 shall be available only for*
 10 *humanitarian assistance to Kosova.*

11 *CLARIFICATION OF RESTRICTIONS*

12 *(a) IN GENERAL.—Section 620E of the Foreign Assist-*
 13 *ance Act of 1961 (22 U.S.C. 2375) is amended—*

14 *(1) in subsection (e)—*

15 *(A) by striking the words “No assistance”*
 16 *and inserting the words “No military assist-*
 17 *ance”;*

18 *(B) by striking the words “in which assist-*
 19 *ance is to be furnished or military equipment or*
 20 *technology” and inserting the words “in which*
 21 *military assistance is to be furnished or military*
 22 *equipment or technology”;*

23 *(C) by striking the words “the proposed*
 24 *United States assistance” and inserting the*
 25 *words “the proposed United States military as-*
 26 *sistance”;*

1 (D) by inserting “(1)” immediately after
2 “(e)”; and

3 (E) by adding the following new paragraph:

4 “(2) The prohibitions in this section do not
5 apply to any assistance or transfer provided for the
6 purposes of:

7 “(A) International narcotics control (in-
8 cluding Chapter 8 of Part I of this Act) or any
9 provision of law available for providing assist-
10 ance for counternarcotics purposes;

11 “(B) Facilitating military-to-military con-
12 tact, training (including Chapter 5 of Part II of
13 this Act) and humanitarian and civic assistance
14 projects;

15 “(C) Peacekeeping and other multilateral
16 operations (including Chapter 6 of Part II of
17 this Act relating to peacekeeping) or any provi-
18 sion of law available for providing assistance for
19 peacekeeping purposes, except that lethal mili-
20 tary equipment provided under this subpara-
21 graph shall be provided on a lease or loan basis
22 only and shall be returned upon completion of
23 the operation for which it was provided;

24 “(D) Antiterrorism assistance (including
25 Chapter 8 of Part II of this Act relating to

1 *antiterrorism assistance) or any provision of law*
2 *available for antitorrism assistance purposes.*

3 “(3) *The restrictions of this subsection shall con-*
4 *tinue to apply to contracts for the delivery of F-16*
5 *aircraft to Pakistan.*

6 “(4) *Notwithstanding the restrictions contained*
7 *in this subsection, military equipment, technology, or*
8 *defense services, other than F-16 aircraft, may be*
9 *transferred to Pakistan pursuant to contracts or cases*
10 *entered into before October 1, 1990.”; and*

11 (2) *by adding at the end the following new sub-*
12 *sections:*

13 “(f) *STORAGE COSTS.—The President may release the*
14 *Government of Pakistan of its contractual obligation to pay*
15 *the United States Government for the storage costs of items*
16 *purchased prior to October 1, 1990, but not delivered by*
17 *the United States Government pursuant to subsection (e)*
18 *and may reimburse the Government of Pakistan for any*
19 *such amounts paid, on such terms and conditions as the*
20 *President may prescribe: Provided, That such payments*
21 *have no budgetary impact.*

22 “(g) *INAPPLICABILITY OF RESTRICTIONS TO PRE-*
23 *VIOUSLY OWNED ITEMS.—Section 620E(e) does not apply*
24 *to broken, worn or unupgraded items or their equivalent*
25 *which Pakistan paid for and took possession of prior to Oc-*

1 tober 1, 1990 and which the Government of Pakistan sent
 2 to the United States for repair or upgrade. Such equipment
 3 or its equivalent may be returned to the Government of
 4 Pakistan: Provided, That the President determines and so
 5 certifies to the appropriate congressional committees that
 6 such equipment or equivalent neither constitutes nor has re-
 7 ceived any significant qualitative upgrade since being
 8 transferred to the United States and that its total value
 9 does not exceed \$25,000,000.

10 “(h) BALLISTIC MISSILE SANCTIONS NOT AF-
 11 FECTED.—Nothing contained herein shall affect sanctions
 12 for transfers of missile equipment or technology required
 13 under section 11B of the Export Administration Act of 1979
 14 or section 73 of the Arms Export Control Act.”.

15 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
 16 DISABILITY FUND

17 For payment to the “Foreign Service Retirement and
 18 Disability Fund”, as authorized by the Foreign Service
 19 Act of 1980, \$43,914,000.

20 OPERATING EXPENSES OF THE AGENCY FOR
 21 INTERNATIONAL DEVELOPMENT

22 For necessary expenses to carry out the provisions
 23 of section 667, ~~(30)\$465,750,000~~ \$490,000,000~~(31):—~~
 24 ~~Provided, That of this amount not more than \$1,475,000~~
 25 may be made available to pay for printing costs: *Provided*
 26 ~~further, That none of the funds appropriated by this Act~~

1 for programs administered by the Agency for Inter-
 2 national Development may be used to finance printing
 3 costs of any report or study (except feasibility, design, or
 4 evaluation reports or studies) in excess of \$25,000 without
 5 the approval of the Administrator of that Agency or the
 6 Administrator's designee.

7 OPERATING EXPENSES OF THE AGENCY FOR INTER-
 8 NATIONAL DEVELOPMENT OFFICE OF INSPECTOR
 9 GENERAL

10 For necessary expenses to carry out the provisions
 11 of section 667, ~~(32)\$35,200,000~~ \$30,200,000, which sum
 12 shall be available for the Office of the Inspector General
 13 of the Agency for International Development.

14 OTHER BILATERAL ECONOMIC ASSISTANCE

15 ~~(33)~~ECONOMIC SUPPORT FUND

16 MIDDLE EAST FUND

17 For necessary expenses to carry out the provisions
 18 of chapter 4 of part II, ~~(34)\$2,300,000,000~~
 19 \$2,015,000,000, to remain available until September 30,
 20 1997~~(35):—Provided, That any funds appropriated under~~
 21 this heading that are made available for Israel shall be
 22 made available on a grant basis as a cash transfer and
 23 shall be disbursed within thirty days of enactment of this
 24 Act or by October 31, 1995, whichever is later: *Provided,*
 25 *That of the funds appropriated under this heading, not less*
 26 *than \$1,200,000,000 shall be available only for Israel, which*

1 *sum shall be available on a grant basis as a cash transfer*
2 *and shall be disbursed within thirty days of enactment of*
3 *this Act or by October 31, 1995, whichever is later: Provided*
4 *further, That not less than \$815,000,000 shall be available*
5 *only for Egypt, which sum shall be provided on a grant*
6 *basis, and of which sum cash transfer assistance may be*
7 *provided, with the understanding that Egypt will undertake*
8 *significant economic reforms which are additional to those*
9 *which were undertaken in previous fiscal years, and of*
10 *which not less than \$200,000,000 shall be provided as Com-*
11 *modity Import Program assistance: Provided further, That*
12 *not less than the Egyptian pound equivalent of \$85,000,000*
13 *generated from funds made available by this paragraph, or*
14 *from any source including from funds made available for*
15 *Egypt for fiscal year 1997, shall be made available to the*
16 *United States pursuant to the United States-Egypt Eco-*
17 *nomie, Technical and Related Assistance Agreements of*
18 *1978, for the following endowments established under such*
19 *Agreements: the Egyptian pound equivalent of \$50,000,000*
20 *shall be made available to replenish the existing endowment*
21 *for the American University in Cairo, and the Egyptian*
22 *pound equivalent of \$35,000,000 shall be made available to*
23 *replenish the existing endowment for projects and programs*
24 *which promote the preservation and restoration of Egyptian*
25 *antiquities: Provided further, That in exercising the author-*

1 *ity to provide cash transfer assistance for Israel and Egypt,*
 2 *the President shall ensure that the level of such assistance*
 3 *does not cause an adverse impact on the total level of non-*
 4 *military exports from the United States to each such coun-*
 5 *try: Provided further, That it is the sense of the Congress*
 6 *that the recommended levels of assistance for Egypt and Is-*
 7 *rael are based in great measure upon their continued par-*
 8 *ticipation in the Camp David Accords and upon the Egyp-*
 9 *tian-Israeli peace treaty*~~(36):—Provided further, That none~~
 10 ~~of the funds appropriated under this heading shall be~~
 11 ~~made available for Zaire.~~

12 **~~(37)~~INTERNATIONAL FUND FOR IRELAND**

13 For necessary expenses to carry out the provisions
 14 of part I of the Foreign Assistance Act of 1961, up to
 15 \$19,600,000, which shall be available for the United
 16 States contribution to the International Fund for Ireland
 17 and shall be made available in accordance with the provi-
 18 sions of the Anglo-Irish Agreement Support Act of 1986
 19 (Public Law 99-415): *Provided, That such amount shall*
 20 *be expended at the minimum rate necessary to make time-*
 21 *ly payment for projects and activities: Provided further,*
 22 *That funds made available under this heading shall re-*
 23 *main available until September 30, 1997.*

1 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
2 STATES

3 **(38)** *(a)* For necessary expenses to carry out the pro-
4 visions of the Foreign Assistance Act of 1961 and the
5 Support for East European Democracy (SEED) Act of
6 1989, **(39)** ~~\$324,000,000~~ \$335,000,000, to remain avail-
7 able until September 30, 1997, which shall be available,
8 notwithstanding any other provision of law, for economic
9 assistance and for related programs for Eastern Europe
10 and the Baltic States.

11 **(40)** *(b)* Funds appropriated under this heading or
12 in prior appropriations Acts that are or have been made
13 available for an Enterprise Fund may be deposited by
14 such Fund in interest-bearing accounts prior to the
15 Fund's disbursement of such funds for program purposes.
16 The Fund may retain for such program purposes any in-
17 terest earned on such deposits without returning such in-
18 terest to the Treasury of the United States and without
19 further appropriation by the Congress. Funds made avail-
20 able for Enterprise Funds shall be expended at the mini-
21 mum rate necessary to make timely payment for projects
22 and activities.

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

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

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

5 (a) For necessary expenses to carry out the provisions
6 of chapter 11 of part I of the Foreign Assistance Act of
7 1961 and the FREEDOM Support Act, for assistance for
8 the new independent states of the former Soviet Union
9 and for related programs, ~~(42)~~\$580,000,000
10 \$705,000,000, to remain available until September 30,
11 1997: *Provided*, That the provisions of 498B(j) of the For-
12 eign Assistance Act of 1961 shall apply to funds appro-
13 priated by this paragraph.

14 (b) None of the funds appropriated under this head-
15 ing shall be transferred to the Government of Russia—

16 (1) unless that Government is making progress
17 in implementing comprehensive economic reforms
18 based on market principles, private ownership, nego-
19 tiating repayment of commercial debt, respect for
20 commercial contracts, and equitable treatment of
21 foreign private investment; and

22 (2) if that Government applies or transfers
23 United States assistance to any entity for the pur-
24 pose of expropriating or seizing ownership or control
25 of assets, investments, or ventures.

1 (c) Funds may be furnished without regard to sub-
2 section (b) if the President determines that to do so is
3 in the national interest.

4 (d) None of the funds appropriated under this head-
5 ing shall be made available to any government of the new
6 independent states of the former Soviet Union if that gov-
7 ernment directs any action in violation of the territorial
8 integrity or national sovereignty of any other new inde-
9 pendent state~~(43)~~,—such as those violations included in
10 Principle Six of the Helsinki Final Act: *Provided, That*
11 such funds may be made available without regard to the
12 restriction in this subsection if the President determines
13 that to do so is in the national security interest of the
14 United States:—*Provided further,:* *Provided, That* the re-
15 striction of this subsection shall not apply to the use of
16 such funds for the provision of assistance for purposes of
17 humanitarian, disaster and refugee relief.

18 (e) None of the funds appropriated under this head-
19 ing for the new independent states of the former Soviet
20 Union shall be made available for any state to enhance
21 its military capability~~(44)~~: *Provided, That this restriction*
22 *does not apply to demilitarization, defense conversion or*
23 *non-proliferation programs.*

1 (f) Funds appropriated under this heading shall be
 2 subject to the regular notification procedures of the Com-
 3 mittees on Appropriations.

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

9 (h) Funds appropriated under this heading may be
 10 made available for assistance for Mongolia.

11 (i) Funds made available in this Act for assistance
 12 to the new independent states of the former Soviet Union
 13 shall be provided to the maximum extent feasible through
 14 the private sector, including small- and medium-size busi-
 15 nesses, entrepreneurs, and others with indigenous private
 16 enterprises in the region, intermediary development orga-
 17 nizations committed to private enterprise, and private vol-
 18 untary organizations ~~(45) previously functioning in the~~
 19 ~~new independent states.~~

20 ~~(46)(j) The ratio of private sector investment (in-~~
 21 ~~cluding volunteer contributions in cash or time) to United~~
 22 ~~States government assistance in projects referred to in~~
 23 ~~subsection (i) shall be no less than a ratio of 1 to 1.~~

24 ~~(47)(k) Of the funds appropriated under this heading,~~
 25 ~~not less than \$15,000,000 should be available only for a~~

1 *family planning program for the new independent states*
2 *of the former Soviet Union comparable to the family plan-*
3 *ning program currently administered by the Agency for*
4 *International Development in the Central Asian Republics*
5 *and focusing on population assistance which provides an*
6 *alternative to abortion.*

7 *(l) Notwithstanding any other provision of law or this*
8 *Act, of the funds appropriated under this heading, not less*
9 *than \$85,000,000 shall be made available for programs and*
10 *activities for Armenia, of which \$35,000,000 shall be avail-*
11 *able for food, \$40,000,000 shall be available for fuel, and*
12 *\$10,000,000 shall be available for medical supplies and*
13 *services: Provided further, That these funds shall be in addi-*
14 *tion to funds justified for programs in the fiscal year 1996*
15 *congressional presentation documents.*

16 *(m) Of the funds made available by this or any other*
17 *Act, not less than \$30,000,000 shall be made available for*
18 *programs and activities for Georgia.*

19 *(n) Of the funds appropriated under this heading, not*
20 *less than \$225,000,000 shall be made available for Ukraine:*
21 *Provided, That of these funds made available, not less than*
22 *\$3,000,000 shall be made available to assist in establishing*
23 *a commodities exchange board: Provided further, That not*
24 *less than \$5,000,000 shall be made available to support im-*
25 *provements in the delivery of social services: Provided fur-*

1 *ther, That not less than \$20,000,000 shall be available to*
2 *support the development of small and medium enterprises:*
3 *Provided further, That not less than \$2,000,000 shall be*
4 *provided to support strengthening in independent broadcast*
5 *and print media: Provided further, That not less than*
6 *\$5,000,000 shall be available for a pilot project to screen,*
7 *diagnose, and treat Chernobyl victims suffering from breast*
8 *cancer: Provided further, That not less than \$5,000,000*
9 *shall be available to support a joint United States-Ukraine*
10 *geographic survey to determine levels of contamination*
11 *caused by the Chernobyl reactor: Provided further, That not*
12 *less than \$2,000,000 shall be available to conduct an assess-*
13 *ment of the energy distribution grid with recommendations*
14 *on improvements necessary to provide comprehensive indus-*
15 *trial, commercial and residential access to power: Provided*
16 *further, That not less than \$5,000,000 shall be made avail-*
17 *able for a pilot project to establish a management and mar-*
18 *ket economics training partnership between a Ukrainian*
19 *university and a United States university with dem-*
20 *onstrated experience in Eastern Europe or the New Inde-*
21 *pendent States and an ability to plan and direct a multi-*
22 *faceted program including business management, manufac-*
23 *turing management, market economics, and public admin-*
24 *istration training.*

1 (o) *Of the funds made available for Ukraine, under*
2 *this Act or any other Act, not less than \$50,000,000 shall*
3 *be made available to improve nuclear energy self-sufficiency*
4 *and improve safety at nuclear reactors: Provided, That of*
5 *this amount, not less than \$30,000,000 shall be made avail-*
6 *able to provide technical assistance, training and equip-*
7 *ment to develop institutions and procedures to license, pur-*
8 *chase, transfer and use nuclear fuel assemblies consistent*
9 *with International Atomic Energy Agency standards: Pro-*
10 *vided further, That of this amount, not less than*
11 *\$20,000,000 shall be provided for the purchase, installation*
12 *and training for safety parameter display systems or safety*
13 *control systems at all nuclear operational nuclear reactors,*
14 *but on a priority basis at the Chernobyl facility.*

15 (p) *Notwithstanding any other provision of law or of*
16 *this Act, of the funds made available under this heading,*
17 *within 30 days of enactment of this Act, not less than*
18 *\$4,500,000 shall be transferred to the Federal Bureau of In-*
19 *vestigation to establish Legal Attaché offices and related*
20 *programs in Ukraine, Kazakhstan, and Estonia: Provided,*
21 *That these funds shall support both in country and regional*
22 *law enforcement liaison and investigation activities.*

23 (q) *Notwithstanding any other provision of law or of*
24 *this Act, of the funds made available under this heading,*
25 *within 30 days of enactment of this Act not less than*

1 \$12,600,000 shall be transferred to the Federal Bureau of
2 Investigation for international training and cooperation in
3 Central Europe and the New Independent States: Provided,
4 That these funds may support training conducted at the
5 International Law Enforcement Academy in Hungary, in
6 country training sessions in Central Europe, the Baltics,
7 and the New Independent States, and efforts to establish
8 national law enforcement institutes.

9 (r) Of the funds made available under this heading,
10 not less than \$20,000,000 shall be available for hospital
11 partnership programs.

12 (s) Of the funds made available under this heading,
13 not less than \$45,000,000 shall be provided to the Western
14 NIS Enterprise Fund.

15 (t) No funds may be made available under this head-
16 ing, until the Department of State Office of the Coordinator
17 for United States Assistance to the New Independent States
18 submits a report to the Committees on Appropriations pro-
19 viding a country by country development strategy including
20 the type of activities planned to carry out the strategy re-
21 quirements.

22 (u) No funds may be made available under this head-
23 ing for Russia unless the President determines and certifies
24 in writing to the Committees on Appropriations that the
25 Government of Russia has terminated all planning and im-

1 *plementation of arrangements to provide Iran with tech-*
 2 *nical expertise, training, technology or equipment necessary*
 3 *to develop a nuclear reactor or related nuclear research fa-*
 4 *cilities or programs.*

5 *(v) Funds appropriated under this heading or in prior*
 6 *appropriations Acts that are or have been made available*
 7 *for an Enterprise Fund may be deposited by such Fund*
 8 *in interest-bearing accounts prior to the Funds disburse-*
 9 *ment of such funds. The Fund may retain for program pur-*
 10 *poses any interest earned on such deposits without return-*
 11 *ing such interest to the Treasury of the United States and*
 12 *without further appropriation by Congress.*

13 *(w) Of the funds made available under this heading,*
 14 *not less than \$15,000,000 shall be made available to support*
 15 *establishing a Trans-Caucasus Enterprise Fund.*

16 **(48)INDEPENDENT AGENCIES**

17 **(49)AFRICAN DEVELOPMENT FOUNDATION**

18 ~~For necessary expenses to carry out the provisions~~
 19 ~~of title V of the International Security and Development~~
 20 ~~Cooperation Act of 1980, Public Law 96-533, and to~~
 21 ~~make such contracts and commitments without regard to~~
 22 ~~fiscal year limitations, as provided by 31 U.S.C. 9104,~~
 23 ~~\$11,500,000.~~

1 ~~(50)~~INTER-AMERICAN FOUNDATION

2 For expenses necessary to carry out the functions of
3 the Inter-American Foundation in accordance with the
4 provisions of section 401 of the Foreign Assistance Act
5 of 1969, and to make such contracts and commitments
6 without regard to fiscal year limitations, as provided by
7 section 9104, title 31, United States Code, \$20,000,000.

8 PEACE CORPS

9 For expenses necessary to carry out the provisions
10 of the Peace Corps Act (75 Stat. 612), ~~(51)\$210,000,000~~
11 *\$200,000,000*, including the purchase of not to exceed five
12 passenger motor vehicles for administrative purposes for
13 use outside of the United States: *Provided*, That none of
14 the funds appropriated under this heading shall be used
15 to pay for abortions~~(52)~~: *Provided further*, That funds ap-
16 propriated under this heading shall remain available until
17 September 30, 1997.

18 DEPARTMENT OF STATE

19 INTERNATIONAL NARCOTICS CONTROL

20 For necessary expenses to carry out the provisions
21 of section 481 of the Foreign Assistance Act of 1961,
22 ~~(53)\$113,000,000~~ *\$150,000,000*: *Provided*, That during
23 fiscal year 1996, the Department of State may also use
24 the authority of section 608 of the Foreign Assistance Act
25 of 1961, without regard to its restrictions, to receive non-
26 lethal excess property from an agency of the United States

1 Government for the purpose of providing it to a foreign
 2 country under chapter 8 of part I of that Act subject to
 3 the regular notification procedures of the Committees on
 4 Appropriations**(54)**: *Provided further, That of the funds*
 5 *appropriated under this heading, not less than \$1,800,000*
 6 *shall be available to establish and maintain a Federal Bu-*
 7 *reau of Investigation Legal Attaché office in Cairo, Egypt:*
 8 *Provided further, That not less than \$5,000,000 shall be*
 9 *made available to the Federal Bureau of Investigation and*
 10 *the Secret Service to establish and maintain offices in the*
 11 *Triborder area of Argentina, Brazil and Paraguay.*

12 MIGRATION AND REFUGEE ASSISTANCE

13 For expenses, not otherwise provided for, necessary
 14 to enable the Secretary of State to provide, as authorized
 15 by law, a contribution to the International Committee of
 16 the Red Cross, assistance to refugees, including contribu-
 17 tions to the International Organization for Migration and
 18 the United Nations High Commissioner for Refugees, and
 19 other activities to meet refugee and migration needs**(55)**;
 20 *salaries and expenses of personnel and dependents as au-*
 21 *thorized by the Foreign Service Act of 1980; salaries and*
 22 *expenses of personnel assigned to the bureau charged with*
 23 *carrying out the Migrations and Refugee Assistance Act; al-*
 24 *lowances as authorized by sections 5921 through 5925 of*
 25 *title 5, United States Code; purchase and hire of passenger*
 26 *motor vehicles; and services as authorized by section 3109*

1 of title 5, United States Code, \$671,000,000~~(56)~~: *Pro-*
 2 *vided, That not more than \$12,000,000 shall be available*
 3 *for administrative expenses*~~(57):—Provided, That, one of~~
 4 ~~the funds appropriated under this heading shall be avail-~~
 5 ~~able for salaries and expenses of personnel assigned to the~~
 6 ~~bureau charged with carrying out the Migration and Refu-~~
 7 ~~gee Assistance Act~~~~(58)~~: *Provided further, That not less*
 8 *than \$80,000,000 shall be made available for refugees from*
 9 *the former Soviet Union and Eastern Europe and other ref-*
 10 *ugees resettling in Israel.*

11 **(59) REFUGEE RESETTLEMENT ASSISTANCE**

12 For necessary expenses for the targeted assistance
 13 program authorized by title IV of the Immigration and
 14 Nationality Act and section 501 of the Refugee Education
 15 Assistance Act of 1980 and administered by the Office of
 16 Refugee Resettlement of the Department of Health and
 17 Human Services, in addition to amounts otherwise avail-
 18 able for such purposes, \$5,000,000.

19 UNITED STATES EMERGENCY REFUGEE AND MIGRATION
 20 ASSISTANCE FUND

21 For necessary expenses to carry out the provisions
 22 of section 2(c) of the Migration and Refugee Assistance
 23 Act of 1962, as amended (22 U.S.C. 260(c)),
 24 \$50,000,000, to remain available until expended: *Pro-*
 25 *vided, That the funds made available under this heading*
 26 *are appropriated notwithstanding the provisions contained*

1 in section 2(c)(2) of the Migration and Refugee Assistance
 2 Act of 1962 which would limit the amount of funds which
 3 could be appropriated for this purpose.

4 ANTI-TERRORISM ASSISTANCE

5 For necessary expenses to carry out the provisions
 6 of chapter 8 of part II of the Foreign Assistance Act of
 7 1961, ~~(60)\$17,000,000~~ \$15,000,000.

8 NONPROLIFERATION AND DISARMAMENT FUND

9 For necessary expenses for a “Nonproliferation and
 10 Disarmament Fund”, \$20,000,000, to remain available
 11 until expended, to promote bilateral and multilateral ac-
 12 tivities: *Provided*, That such funds may be used pursuant
 13 to the authorities contained in section 504 of the FREE-
 14 DOM Support Act: *Provided further*, That such funds may
 15 also be used for such countries other than the new inde-
 16 pendent states of the former Soviet Union and inter-
 17 national organizations when it is in the national security
 18 interest of the United States to do so: *Provided further*,
 19 That funds appropriated under this heading may be made
 20 available notwithstanding any other provision of law: *Pro-*
 21 *vided further*, That funds appropriated under this heading
 22 shall be subject to the regular notification procedures of
 23 the Committees on Appropriations.

1 TITLE III—MILITARY ASSISTANCE

2 FUNDS APPROPRIATED TO THE PRESIDENT

3 INTERNATIONAL MILITARY EDUCATION AND TRAINING

4 For necessary expenses to carry out the provisions
 5 of section 541 of the Foreign Assistance Act of 1961,
 6 ~~(\$39,000,000)~~ *\$19,000,000: Provided, That up to*
 7 *\$100,000 of the funds appropriated under this heading*
 8 *may be made available for grant financed military edu-*
 9 *cation and training for any high income country on the*
 10 *condition that that country agrees to fund from its own*
 11 *resources the transportation cost and living allowances of*
 12 *its students: Provided further, That the civilian personnel*
 13 *for whom military education and training may be provided*
 14 *under this heading may also include members of national*
 15 *legislatures who are responsible for the oversight and*
 16 *management of the military, and may also include individ-*
 17 *uals who are not members of a government: Provided fur-*
 18 *ther, That none of the funds appropriated under this head-*
 19 *ing shall be available for Zaire (62) and Guatemala (63):—*
 20 *Provided further, That funds appropriated under this*
 21 *heading for grant financed military education and training*
 22 *for Indonesia and Guatemala may only be available for*
 23 *expanded military education and training.*

24 FOREIGN MILITARY FINANCING PROGRAM

25 For expenses necessary for grants to enable the
 26 President to carry out the provisions of section 23 of the

1 Arms Export Control Act, ~~(64)~~\$3,211,279,000
 2 \$3,207,500,000~~(65)~~:~~Provided~~, That funds appropriated
 3 by this paragraph that are made available for Israel and
 4 Egypt shall be made available only as grants: *Provided*
 5 *further*, That the funds appropriated by this paragraph
 6 that are made available for Israel shall be disbursed within
 7 thirty days of enactment of this Act or by October 31,
 8 1995, whichever is later: *Provided further*, That to the ex-
 9 tent that the Government of Israel requests that funds be
 10 used for such purposes, grants made available for Israel
 11 by this paragraph shall, as agreed by Israel and the Unit-
 12 ed States, be available for advanced weapons systems, of
 13 which not to exceed \$475,000,000 shall be available for
 14 the procurement in Israel of defense articles and defense
 15 services, including research and development: *Provided*
 16 *further*, That funds made available under this paragraph
 17 shall be nonrepayable notwithstanding any requirement in
 18 section 23 of the Arms Export Control Act: : *Provided*,
 19 *That of the funds appropriated by this paragraph not less*
 20 *than \$1,800,000,000 shall be available for grants only for*
 21 *Israel, and not less than \$1,300,000,000 shall be available*
 22 *for grants only for Egypt: Provided further, That the funds*
 23 *appropriated by this paragraph for Israel shall be disbursed*
 24 *within thirty days of enactment of this Act or by October*
 25 *31, 1995, whichever is later: Provided further, That to the*

1 *extent that the Government of Israel requests that funds be*
2 *used for such purposes, grants made available for Israel by*
3 *this paragraph shall, as agreed by Israel and the United*
4 *States, be available for advanced fighter aircraft programs*
5 *or for other advanced weapons systems, as follows: (1) up*
6 *to \$150,000,000 shall be available for research and develop-*
7 *ment in the United States; and (2) not less than*
8 *\$475,000,000 shall be available for the procurement in Is-*
9 *rael of defense articles and defense services, including re-*
10 *search and development***(66)***: Provided further, That funds*
11 *made available under this paragraph shall be nonrepayable*
12 *notwithstanding any requirement in section 23 of the Arms*
13 *Export Control Act: Provided further, That, for the purpose*
14 *only of providing support for the Warsaw Initiative Pro-*
15 *gram, of the funds appropriated by this Act under the head-*
16 *ings "Assistance for Eastern Europe and the Baltic States"*
17 *and "Assistance for the New Independent States of the*
18 *Former Soviet Union", up to a total of \$20,000,000 may*
19 *be transferred, notwithstanding any other provision of law,*
20 *to the funds appropriated under this paragraph Provided*
21 *further, That none of the funds made available under this*
22 *heading shall be available for any non-NATO country par-*
23 *ticipating in the Partnership for Peace Program except*
24 *through the regular notification procedures of the Com-*
25 *mittees on Appropriations.*

1 For the cost, as defined in section 502 of the Con-
 2 gressional Budget Act of 1974, of direct loans authorized
 3 by section 23 of the Arms Export Control Act as follows:
 4 cost of direct loans, \$64,400,000: *Provided*, That these
 5 funds are available to subsidize gross obligations for the
 6 principal amount of direct loans of not to exceed
 7 \$544,000,000: *Provided further*, That the rate of interest
 8 charged on such loans shall be not less than the current
 9 average market yield on outstanding marketable obliga-
 10 tions of the United States of comparable maturities: *Pro-*
 11 *vided further*, That funds appropriated under this heading
 12 shall be made available for Greece and Turkey only on
 13 a loan basis, and the principal amount of direct loans for
 14 each country shall not exceed ~~(67)~~*the following*:
 15 \$224,000,000 ~~(68)~~*only* for Greece and ~~(69)~~*shall not ex-*
 16 ~~ceed~~ \$320,000,000 ~~(70)~~*only* for Turkey~~(71)~~: *Provided*
 17 *further*, That the President should seek the agreement of the
 18 Prime Minister of Turkey to permit access throughout Tur-
 19 key for international humanitarian organizations which
 20 operate confidentially, and report to the Committee on Ap-
 21 propriations by June 1, 1996, on progress towards such
 22 agreement.

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

1 ices that are not sold by the United States Government
2 under the Arms Export Control Act unless the foreign
3 country proposing to make such procurements has first
4 signed an agreement with the United States Government
5 specifying the conditions under which such procurements
6 may be financed with such funds: *Provided*, That all coun-
7 try and funding level increases in allocations shall be sub-
8 mitted through the regular notification procedures of sec-
9 tion 515 of this Act: *Provided further*, That funds made
10 available under this heading shall be obligated upon appor-
11 tionment in accordance with paragraph (5)(C) of title 31,
12 United States Code, section 1501(a): *Provided further*,
13 That none of the funds appropriated under this heading
14 shall be available for Zaire, Sudan, Peru, Liberia, and
15 Guatemala: *Provided further*, That none of the funds ap-
16 propriated or otherwise made available for use under this
17 heading may be made available for Colombia or Bolivia
18 until the Secretary of State certifies that such funds will
19 be used by such country primarily for counternarcotics ac-
20 tivities: *Provided further*, That funds made available under
21 this heading may be used, notwithstanding any other pro-
22 vision of law, for demining activities, and may include ac-
23 tivities implemented through nongovernmental and inter-
24 national organizations: *Provided further*, That not more
25 than \$100,000,000 of the funds made available under this

1 heading shall be available for use in financing the procure-
2 ment of defense articles, defense services, or design and
3 construction services that are not sold by the United
4 States Government under the Arms Export Control Act
5 to countries other than Israel and Egypt: *Provided further,*
6 That only those countries for which assistance was justi-
7 fied for the “Foreign Military Sales Financing Program”
8 in the fiscal year 1989 congressional presentation for secu-
9 rity assistance programs may utilize funds made available
10 under this heading for procurement of defense articles, de-
11 fense services or design and construction services that are
12 not sold by the United States Government under the Arms
13 Export Control Act: *Provided further,* That, subject to the
14 regular notification procedures of the Committees on Ap-
15 propriations, funds made available under this heading for
16 the cost of direct loans may also be used to supplement
17 the funds available under this heading for grants, and
18 funds made available under this heading for grants may
19 also be used to supplement the funds available under this
20 heading for the cost of direct loans: *Provided further,* That
21 funds appropriated under this heading shall be expended
22 at the minimum rate necessary to make timely payment
23 for defense articles and services: *Provided further,* That
24 the Department of Defense shall conduct during the cur-
25 rent fiscal year nonreimbursable audits of private firms

1 whose contracts are made directly with foreign govern-
 2 ments and are financed with funds made available under
 3 this heading (as well as subcontractors thereunder) as re-
 4 quested by the Defense Security Assistance Agency: *Pro-*
 5 *vided further*, That not more than ~~(72)~~\$24,000,000
 6 \$22,500,000 of the funds appropriated under this heading
 7 may be obligated for necessary expenses, including the
 8 purchase of passenger motor vehicles for replacement only
 9 for use outside of the United States, for the general costs
 10 of administering military assistance and sales: *Provided*
 11 *further*, That not more than \$355,000,000 of funds real-
 12 ized pursuant to section 21(e)(1)(A) of the Arms Export
 13 Control Act may be obligated for expenses incurred by the
 14 Department of Defense during fiscal year 1996 pursuant
 15 to section 43(b) of the Arms Export Control Act, except
 16 that this limitation may be exceeded only through the reg-
 17 ular notification procedures of the Committees on Appro-
 18 priations.

19 PEACEKEEPING OPERATIONS

20 For necessary expenses to carry out the provisions
 21 of section 551 of the Foreign Assistance Act of 1961,
 22 ~~(73)~~\$68,300,000 \$72,033,000: *Provided*, That none of the
 23 funds appropriated under this paragraph shall be obligated
 24 or expended except as provided through the regular notifica-
 25 tion procedures of the Committees on Appropriations.

1 TITLE IV—MULTILATERAL ECONOMIC
2 ASSISTANCE

3 FUNDS APPROPRIATED TO THE PRESIDENT
4 INTERNATIONAL FINANCIAL INSTITUTIONS
5 CONTRIBUTION TO THE INTERNATIONAL BANK FOR
6 RECONSTRUCTION AND DEVELOPMENT

7 For payment to the International Bank for Recon-
8 struction and Development by the Secretary of the Treas-
9 ury, for the United States share of the paid-in share por-
10 tion of the increases in capital stock for the General Cap-
11 ital Increase, ~~(74)\$23,009,000~~ \$28,189,963, to remain
12 available until expended~~(75)~~: *Provided further, That not*
13 *more than twenty-one days prior to the obligation of each*
14 *such sum, the Secretary shall submit a certification to the*
15 *committees on Appropriations that the Bank has not ap-*
16 *proved any loans to Iran since October 1, 1994, or the*
17 *President of the United States certifies that withholding of*
18 *these funds is contrary to the national interest of the United*
19 *States.*

20 For payment to the International Bank for Recon-
21 struction and Development by the Secretary of the Treas-
22 ury, for the United States contribution to the Global Envi-
23 ronment Facility (GEF), ~~(76)\$30,000,000~~ \$50,000,000,
24 to remain available until September 30, 1997.

1 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

2 The United States Governor of the International
3 Bank for Reconstruction and Development may subscribe
4 without fiscal year limitation to the callable capital portion
5 of the United States share of increases in capital stock
6 in an amount not to exceed ~~(77)~~\$743,900,000
7 \$911,475,013.

8 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
9 ASSOCIATION

10 For payment to the International Development Asso-
11 ciation by the Secretary of the Treasury,
12 ~~(78)~~~~\$575,000,000~~ \$775,000,000, for the United States
13 contribution to the tenth replenishment, to remain avail-
14 able until expended.

(79) CONTRIBUTION TO THE INTERNATIONAL FINANCE
CORPORATION

17 *For payment to the International Finance Corpora-*
18 *tion by the Secretary of the Treasury, \$67,550,000, for the*
19 *United States share of the increase in subscriptions to cap-*
20 *ital stock, to remain available until expended: Provided,*
21 *That of the amount appropriated under this heading not*
22 *more than \$5,269,000 may be expended for the purchase*
23 *of such stock in fiscal year 1996.*

1 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
2 BANK

3 For payment to the Inter-American Development
4 Bank by the Secretary of the Treasury, for the United
5 States share of the paid-in share portion of the increase
6 in capital stock, ~~(80)\$25,950,000~~ \$25,952,110, and for the
7 United States share of the increase in the resources of the
8 Fund for Special Operations, \$20,000,000, to remain avail-
9 able until expended.

10 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

11 The United States Governor of the Inter-American
12 Development Bank may subscribe without fiscal year limi-
13 tation to the callable capital portion of the United States
14 share of such capital stock in an amount not to exceed
15 ~~(81)\$1,523,000,000~~ \$1,523,767,142.

16 ~~(82)~~CONTRIBUTION TO THE ENTERPRISE FOR THE
17 AMERICAS MULTILATERAL INVESTMENT FUND

18 For payment to the Enterprise for the Americas Multi-
19 lateral Investment Fund by the Secretary of the Treasury,
20 for the United States contribution to the Fund to be admin-
21 istered by the Inter-American Development Bank,
22 \$70,000,000 to remain available until expended.

23 CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

24 For payment to the Asian Development Bank by the
25 Secretary of the Treasury for the United States share of
26 the paid-in portion of the increase in capital stock,

1 ~~(83)\$13,200,000~~ \$13,221,596, to remain available until
 2 expended.

3 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

4 The United States Governor of the Asian Develop-
 5 ment Bank may subscribe without fiscal year limitation
 6 to the callable capital portion of the United States share
 7 of such capital stock in an amount not to exceed
 8 ~~(84)\$647,000,000~~ \$647,858,204.

9 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

10 For the United States contribution by the Secretary
 11 of the Treasury to the increases in resources of the Asian
 12 Development Fund, as authorized by the Asian Devel-
 13 opment Bank Act, as amended (Public Law 89-369),
 14 ~~(85)\$100,000,000~~ \$110,000,000, 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 Reconstruc-
 19 tion and Development by the Secretary of the Treasury,
 20 ~~(86)\$69,180,000~~ \$70,000,000, for the United States
 21 share of the paid-in share portion of the initial capital sub-
 22 scription, to remain available until expended: *Provided,*
 23 That of the amount appropriated under this heading not
 24 more than \$54,600,000 may be expended for the purchase
 25 of such stock in fiscal year 1996.

1 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

2 The United States Governor of the European Bank
 3 for Reconstruction and Development may subscribe with-
 4 out fiscal year limitation to the callable capital portion of
 5 the United States share of such capital stock in an amount
 6 not to exceed ~~(87)\$161,400,000~~ \$163,333,333.

7 ~~(88)~~NORTH AMERICAN DEVELOPMENT BANK

8 For payment to the North American Development
 9 Bank by the Secretary of the Treasury, for the United
 10 States share of the paid-in portion of the capital stock,
 11 \$56,250,000, to remain available until expended.

12 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

13 The United States Governor of the North American
 14 Development Bank may subscribe without fiscal year limi-
 15 tation to the callable capital portion of the United States
 16 share of the capital stock of the North American Develop-
 17 ment Bank in an amount not to exceed \$318,750,000.

18 *NORTH AMERICAN DEVELOPMENT BANK*

19 *For payment to the North American Development*
 20 *Bank by the Secretary of the Treasury, for the United*
 21 *States share of the paid-in portion of the capital stock,*
 22 *\$25,000,000, to remain available until expended: Provided,*
 23 *That for the payment to the Enterprise for the Americas*
 24 *Multilateral Investment Fund by the Secretary of the Treas-*
 25 *ury, for the United States contribution to the fund to be*

1 *administered by the Inter-American Development Bank,*
 2 *\$45,000,000 is provided to remain available until expended.*

3 *LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS*

4 *The United States Governor of the North American De-*
 5 *velopment Bank may subscribe without fiscal year limita-*
 6 *tion to the callable capital portion of the United States*
 7 *share of the capital stock of the North American Develop-*
 8 *ment Bank in an amount not to exceed \$318,750,000.*

9 *INTERNATIONAL ORGANIZATIONS AND PROGRAMS*

10 For necessary expenses to carry out the provisions
 11 of section 301 of the Foreign Assistance Act of 1961, and
 12 of section 2 of the United Nations Environment Program
 13 Participation Act of 1973, ~~(89)\$155,000,000~~
 14 ~~\$260,000,000: (90)Provided~~, *Provided, That not less than*
 15 *\$3,000,000 of the funds appropriated under this heading*
 16 *shall be made available for the World Food Program: Pro-*
 17 *vided further, That none of the funds appropriated under*
 18 *this heading shall be made available for the United Na-*
 19 *tions Fund for Science and Technology: Provided further,*
 20 *That funds appropriated under this heading may be made*
 21 *available for the International Atomic Energy Agency only*
 22 *if the Secretary of State determines (and so reports to*
 23 *the Congress) that Israel is not being denied its right to*
 24 *participate in the activities of that Agency(91): Provided*
 25 *further, That any reduction in the amounts made available*
 26 *under this heading for each of the United Nations Develop-*

1 *ment Program, the United Nations Children's Fund, the*
 2 *United Nations Environment Program, and the Inter-*
 3 *national Atomic Energy Agency, from the amounts made*
 4 *available under this heading for such organization for fiscal*
 5 *year 1995, shall not exceed the percentage by which the total*
 6 *amount appropriated under this heading is reduced from*
 7 *the total amount appropriated under this heading for fiscal*
 8 *year 1995: Provided further, That none of the funds appro-*
 9 *priated under this heading that are made available to the*
 10 *United Nations Population Fund (UNFPA) shall be made*
 11 *available for activities in the People's Republic of China:*
 12 *Provided further, That not more than ~~(92)~~\$25,000,000*
 13 *\$35,000,000 of the funds appropriated under this heading*
 14 *may be made available to the UNFPA: Provided further,*
 15 *That not more than one-half of this amount may be pro-*
 16 *vided to UNFPA before March 1, 1996, and that no later*
 17 *than February 15, 1996, the Secretary of State shall sub-*
 18 *mit a report to the Committees on Appropriations indicat-*
 19 *ing the amount UNFPA is budgeting for the People's Re-*
 20 *public of China in 1996: Provided further, That any*
 21 *amount UNFPA plans to spend in the People's Republic*
 22 *of China in 1996 above \$7,000,000, shall be deducted*
 23 *from the amount of funds provided to UNFPA after*
 24 *March 1, 1996 pursuant to the previous provisos: Provided*
 25 *further, That with respect to any funds appropriated*

1 under this heading that are made available to UNFPA,
 2 UNFPA shall be required to maintain such funds in a sep-
 3 arate account and not commingle them with any other
 4 funds~~(93)~~: *Provided further, That of the funds appro-*
 5 *priated under this heading, not less than \$1,000,000 shall*
 6 *be made available to UNIFEM*~~(94)~~:~~*Provided further,*~~
 7 ~~That up to \$13,000,000 may be made available to the Ko-~~
 8 ~~rean Peninsula Energy Development Organization~~
 9 ~~(KEDO) for administrative expenses and heavy fuel oil~~
 10 ~~costs associated with the Framework Agreement:~~ *Provided*
 11 *further, That additional funds may be made available to*
 12 ~~KEDO~~ *subject to the regular notification procedures of*
 13 ~~the Committees on Appropriations~~~~(95)~~: *Provided further,*
 14 *That not less than \$1,500,000 of the funds appropriated*
 15 *under this heading shall be made available for the United*
 16 *Nations Fund for Victims of Torture.*

17 TITLE V—GENERAL PROVISIONS

18 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

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

1 PROHIBITION OF BILATERAL FUNDING FOR
2 INTERNATIONAL FINANCIAL INSTITUTIONS

3 SEC. 502. None of the funds contained in title II of
4 this Act may be used to carry out the provisions of section
5 209(d) of the Foreign Assistance Act of 1961.

6 LIMITATION ON RESIDENCE EXPENSES

7 SEC. 503. Of the funds appropriated or made avail-
8 able pursuant to this Act, not to exceed \$126,500 shall
9 be for official residence expenses of the Agency for Inter-
10 national Development during the current fiscal year: *Pro-*
11 *vided*, That appropriate steps shall be taken to assure
12 that, to the maximum extent possible, United States-
13 owned foreign currencies are utilized in lieu of dollars.

14 LIMITATION ON EXPENSES

15 SEC. 504. Of the funds appropriated or made avail-
16 able pursuant to this Act, ~~(96)not to exceed \$5,000~~ *no*
17 *funds* shall be for entertainment expenses of the Agency
18 for International Development during the current fiscal
19 year.

20 LIMITATION ON REPRESENTATIONAL ALLOWANCES

21 SEC. 505. Of the funds appropriated or made avail-
22 able pursuant to this Act, not to exceed \$95,000 shall be
23 available for representation allowances for the Agency for
24 International Development during the current fiscal year:
25 *Provided*, That appropriate steps shall be taken to assure
26 that, to the maximum extent possible, United States-

1 owned foreign currencies are utilized in lieu of dollars:
 2 *Provided further*, That of the funds made available by this
 3 Act for general costs of administering military assistance
 4 and sales under the heading “Foreign Military Financing
 5 Program”, ~~(97)not to exceed \$2,000~~ *no funds* shall be
 6 available for entertainment expenses and not to exceed
 7 \$50,000 shall be available for representation allowances:
 8 *Provided further*, That of the funds made available by this
 9 Act under the heading “International Military Education
 10 and Training”, not to exceed \$50,000 shall be available
 11 for entertainment allowances: *Provided further*, That of
 12 the funds made available by this Act for the Inter-Amer-
 13 ican Foundation, ~~(98)no funds shall be available for enter-~~
 14 *tainment and* not to exceed \$2,000 shall be available for
 15 ~~(99)entertainment and~~ representation allowances: *Pro-*
 16 *vided further*, That of the funds made available by this
 17 Act for the Peace Corps, ~~(100)not to exceed a total of~~
 18 ~~\$4,000~~ *no funds* shall be available for entertainment ex-
 19 penses: *Provided further*, That of the funds made available
 20 by this Act under the heading “Trade and Development
 21 Agency”, ~~(101)no funds shall be available for entertain-~~
 22 *ment and* not to exceed \$2,000 shall be available for rep-
 23 resentation ~~(102)and entertainment~~ allowances.

24 PROHIBITION ON FINANCING NUCLEAR GOODS

25 SEC. 506. None of the funds appropriated or made
 26 available (other than funds for “International Organiza-

1 tions and Programs’’) pursuant to this Act, for carrying
2 out the Foreign Assistance Act of 1961, may be used, ex-
3 cept for purposes of nuclear safety, to finance the export
4 of nuclear equipment, fuel, or technology.

5 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
6 COUNTRIES

7 SEC. 507. None of the funds appropriated or other-
8 wise made available pursuant to this Act shall be obligated
9 or expended to finance directly any assistance or repara-
10 tions to Cuba, Iraq, Libya, North Korea, Iran, Serbia,
11 Sudan, or Syria: *Provided*, That for purposes of this sec-
12 tion, the prohibition on obligations or expenditures shall
13 include direct loans, credits, insurance and guarantees of
14 the Export-Import Bank or its agents.

15 MILITARY COUPS

16 SEC. 508. None of the funds appropriated or other-
17 wise made available pursuant to this Act shall be obligated
18 or expended to finance directly any assistance to any coun-
19 try whose duly elected Head of Government is deposed by
20 military coup or decree: *Provided*, That assistance may be
21 resumed to such country if the President determines and
22 reports to the Committees on Appropriations that subse-
23 quent to the termination of assistance a democratically
24 elected government has taken office.

1 TRANSFERS BETWEEN ACCOUNTS

2 SEC. 509. None of the funds made available by this
3 Act may be obligated under an appropriation account to
4 which they were not appropriated, except for transfers
5 specifically provided for in this Act, unless the President,
6 prior to the exercise of any authority contained in the For-
7 eign Assistance Act of 1961 to transfer funds, consults
8 with and provides a written policy justification to the
9 Committees on Appropriations of the House of Represent-
10 atives and the Senate: *Provided*, That the exercise of such
11 authority shall be subject to the regular notification proce-
12 dures of the Committees on Appropriations, except for
13 transfers specifically referred to in this Act.

14 DEOBLIGATION/REOBLIGATION AUTHORITY

15 SEC. 510. (103)(a) Amounts certified pursuant to
16 section 1311 of the Supplemental Appropriations Act,
17 1955, as having been obligated against appropriations
18 heretofore made under the authority of the Foreign Assist-
19 ance Act of 1961 for the same general purpose as any
20 of the headings under title II of this Act are, if
21 deobligated, hereby continued available for the same pe-
22 riod as the respective appropriations under such headings
23 or until September 30, 1996, whichever is later, and for
24 the same general purpose, and for countries within the
25 same region as originally obligated: *Provided*, That the
26 Appropriations Committees of both Houses of the Con-

gress are notified fifteen days in advance of the deobligation and reobligation of such funds in accordance with regular notification procedures of the Committees on Appropriations.

(104) *(b) Obligated balances of funds appropriated to carry out section 23 of the Arms Export Control Act as of the end of the fiscal year immediately preceding the current fiscal year are, if deobligated, hereby continued available during the current fiscal year for the same purpose under any authority applicable to such appropriations under this Act: Provided, That the authority of this subsection may not be used in fiscal year 1996.*

AVAILABILITY OF FUNDS

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 and 11 of part I, section 667, and chapter 4 of part II of the Foreign Assistance Act of 1961, as amended, and funds provided under the heading "Assistance for Eastern Europe and the Baltic States", shall remain available until expended 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*

1 of chapter 1 of part I and chapter 4 of part II of the
2 Foreign Assistance Act of 1961 which are allocated or ob-
3 ligated for cash disbursements in order to address balance
4 of payments or economic policy reform objectives, shall re-
5 main available until expended: *Provided further*, That the
6 report required by section 653(a) of the Foreign Assist-
7 ance Act of 1961 shall designate for each country, to the
8 extent known at the time of submission of such report,
9 those funds allocated for cash disbursement for balance
10 of payment and economic policy reform purposes.

11 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

12 SEC. 512. No part of any appropriation contained in
13 this Act shall be used to furnish assistance to any country
14 which is in default during a period in excess of one cal-
15 endar year in payment to the United States of principal
16 or interest on any loan made to such country by the Unit-
17 ed States pursuant to a program for which funds are ap-
18 propriated under this Act: *Provided*, That this section and
19 section 620(q) of the Foreign Assistance Act of 1961 shall
20 not apply to funds made available in this Act or during
21 the current fiscal year for Nicaragua, and for any narcot-
22 ics-related assistance for Colombia, Bolivia, and Peru au-
23 thorized by the Foreign Assistance Act of 1961 or the
24 Arms Export Control Act.

COMMERCE AND TRADE

1
2 SEC. 513. (a) None of the funds appropriated or
3 made available pursuant to this Act for direct assistance
4 and none of the funds otherwise made available pursuant
5 to this Act to the Export-Import Bank and the Overseas
6 Private Investment Corporation shall be obligated or ex-
7 pended to finance any loan, any assistance or any other
8 financial commitments for establishing or expanding pro-
9 duction of any commodity for export by any country other
10 than the United States, if the commodity is likely to be
11 in surplus on world markets at the time the resulting pro-
12 ductive capacity is expected to become operative and if the
13 assistance will cause substantial injury to United States
14 producers of the same, similar, or competing commodity:
15 *Provided*, That such prohibition shall not apply to the Ex-
16 port-Import Bank if in the judgment of its Board of Direc-
17 tors the benefits to industry and employment in the Unit-
18 ed States are likely to outweigh the injury to United
19 States producers of the same, similar, or competing com-
20 modity, (105) *and the Chairman of the Board so notifies*
21 *the Committees on Appropriations.*

22 (b) None of the funds appropriated by this or any
23 other Act to carry out chapter 1 of part I of the Foreign
24 Assistance Act of 1961 shall be available for any testing
25 or breeding feasibility study, variety improvement or intro-

1 duction, consultancy, publication, conference, or training
2 in connection with the growth or production in a foreign
3 country of an agricultural commodity for export which
4 would compete with a similar commodity grown or pro-
5 duced in the United States: *Provided*, That this subsection
6 shall not prohibit—

7 (1) activities designed to increase food security
8 in developing countries where such activities will not
9 have a significant impact in the export of agricul-
10 tural commodities of the United States; or

11 (2) research activities intended primarily to
12 benefit American producers.

13 SURPLUS COMMODITIES

14 SEC. 514. The Secretary of the Treasury shall in-
15 struct the United States Executive Directors of the Inter-
16 national Bank for Reconstruction and Development, the
17 International Development Association, the International
18 Finance Corporation, the Inter-American Development
19 Bank, the International Monetary Fund, the Asian Devel-
20 opment Bank, the Inter-American Investment Corpora-
21 tion, the North American Development Bank, the Euro-
22 pean Bank for Reconstruction and Development, the Afri-
23 can Development Bank, and the African Development
24 Fund to use the voice and vote of the United States to
25 oppose any assistance by these institutions, using funds
26 appropriated or made available pursuant to this Act, for

1 the production or extraction of any commodity or mineral
 2 for export, if it is in surplus on world markets and if the
 3 assistance will cause substantial injury to United States
 4 producers of the same, similar, or competing commodity.

5 NOTIFICATION REQUIREMENTS

6 SEC. 515. For the purposes of providing the Execu-
 7 tive Branch with the necessary administrative flexibility,
 8 none of the funds made available under this Act for
 9 ~~(106)“Child Survival and Disease Programs Fund”,~~
 10 ~~“Development Assistance Fund”, “Development Fund for~~
 11 ~~Africa”, “Economic Assistance”, “International organiza-~~
 12 ~~tions and programs”, “Trade and Development Agency”,~~
 13 ~~“International narcotics control”, “Assistance for Eastern~~
 14 ~~Europe and the Baltic States”, “Assistance for the New~~
 15 ~~Independent States of the Former Soviet Union”,~~
 16 ~~(107)“Economic Support Fund”, “Peacekeeping oper-~~
 17 ~~ations”, “Operating expenses of the Agency for Inter-~~
 18 ~~national Development”, “Operating expenses of the Agen-~~
 19 ~~cy for International Development Office of Inspector Gen-~~
 20 ~~eral”, “Nonproliferation and Disarmament Fund”, “Anti-~~
 21 ~~terrorism assistance”, “Foreign Military Financing Pro-~~
 22 ~~gram”, “International military education and training”,~~
 23 ~~(108)“Inter-American Foundation”, “African Develop-~~
 24 ~~ment Foundation”, “Peace Corps”, (109)“Middle East~~
 25 ~~Fund” or “Migration and refugee assistance”, (110)or~~
 26 ~~“United States Emergency Refugee and Migration Assist-~~

1 ~~ance Fund~~’, shall be available for obligation for activities,
 2 programs, projects, type of materiel assistance, countries,
 3 or other operations not justified or in excess of the amount
 4 justified to the Appropriations Committees for obligation
 5 under any of these specific headings unless the Appropria-
 6 tions Committees of both Houses of Congress are pre-
 7 viously notified fifteen days in advance: *Provided*, That the
 8 President shall not enter into any commitment of funds
 9 appropriated for the purposes of section 23 of the Arms
 10 Export Control Act for the provision of major defense
 11 equipment, other than conventional ammunition, or other
 12 major defense items defined to be aircraft, ships, missiles,
 13 or combat vehicles, not previously justified to Congress or
 14 20 per centum in excess of the quantities justified to Con-
 15 gress unless the Committees on Appropriations are noti-
 16 fied fifteen days in advance of such commitment: *Provided*
 17 *further*, That this section shall not apply to any
 18 reprogramming for an activity, program, or project under
 19 chapter 1 of part I of the Foreign Assistance Act of 1961
 20 of less than ~~(111)~~20 10 per centum of the amount pre-
 21 viously justified to the Congress for obligation for such
 22 activity, program, or project for the current fiscal year:
 23 *Provided further*, That the requirements of this section or
 24 any similar provision of this Act or 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
3 to human health or welfare: *Provided further*, That in case
4 of any such waiver, notification to the Congress, or the
5 appropriate congressional committees, shall be provided as
6 early as practicable, but in no event later than three days
7 after taking the action to which such notification require-
8 ment was applicable, in the context of the circumstances
9 necessitating such waiver: *Provided further*, That any noti-
10 fication provided pursuant to such a waiver shall contain
11 an explanation of the emergency circumstances.

12 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 Ap-
15 propriations.

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

18 SEC. 516. Notwithstanding any other provision of law
19 or of this Act, none of the funds provided for “Inter-
20 national Organizations and Programs” shall be available
21 for the United States proportionate share, in accordance
22 with section 307(c) of the Foreign Assistance Act of 1961,
23 for any programs identified in section 307, or for Libya,
24 Iran, or, at the discretion of the President, Communist
25 countries listed in section 620(f) of the Foreign Assistance
26 Act of 1961, as amended: *Provided*, That, subject to the

1 regular notification procedures of the Committees on Ap-
 2 propriations, funds appropriated under this Act or any
 3 previously enacted Act making appropriations for foreign
 4 operations, export financing, and related programs, which
 5 are returned or not made available for organizations and
 6 programs because of the implementation of this section
 7 or any similar provision of law, shall remain available for
 8 obligation through September 30, 1997.

9 ECONOMIC ~~(112)~~SUPPORT FUND ASSISTANCE FOR
 10 ISRAEL

11 SEC. 517. The Congress finds that progress on the
 12 peace process in the Middle East is vitally important to
 13 United States security interests in the region. The Con-
 14 gress recognizes that, in fulfilling its obligations under the
 15 Treaty of Peace Between the Arab Republic of Egypt and
 16 the State of Israel, done at Washington on March 26,
 17 1979, Israel incurred severe economic burdens. Further-
 18 more, the Congress recognizes that an economically and
 19 militarily secure Israel serves the security interests of the
 20 United States, for a secure Israel is an Israel which has
 21 the incentive and confidence to continue pursuing the
 22 peace process. Therefore, the Congress declares that, sub-
 23 ject to the availability of appropriations, it is the policy
 24 and the intention of the United States that the funds pro-
 25 vided in annual appropriations for ~~(113)~~the Economic

1 ~~Support Fund~~ *economic assistance* which are allocated to
 2 Israel shall not be less than the annual debt repayment
 3 (interest and principal) from Israel to the United States
 4 Government in recognition that such a principle serves
 5 United States interests in the region.

6 PROHIBITION ~~(114)~~ ~~CONCERNING ABORTIONS ON FUND-~~
 7 ~~ING FOR ABORTIONS~~ AND INVOLUNTARY STERILIZA-
 8 TION

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

1 obligated or expended for any country or organization if
 2 the President certifies that the use of these funds by any
 3 such country or organization would violate any of the
 4 above provisions related to abortions and involuntary steri-
 5 lizations**(115)**: *Provided, That in determining eligibility*
 6 *for assistance from funds appropriated to carry out section*
 7 *104 of the Foreign Assistance Act of 1961, nongovernmental*
 8 *and multilateral organizations shall not be subjected to re-*
 9 *quirements more restrictive than the requirements applica-*
 10 *ble to foreign governments for such assistance: Provided fur-*
 11 *ther, That none of the funds made available under this Act*
 12 *may be used to lobby for or against abortion.*

13 REPORTING REQUIREMENT

14 SEC. 519. The President shall submit to the Commit-
 15 tees on Appropriations the reports required by section
 16 25(a)(1) of the Arms Export Control Act.

17 SPECIAL NOTIFICATION REQUIREMENTS

18 SEC. 520. None of the funds appropriated in this Act
 19 shall be obligated or expended for Colombia, Dominican
 20 Republic, Guatemala, Haiti, **(116)**~~Indonesia~~, Liberia,
 21 Nicaragua, Pakistan, Peru, **(117)**~~Russia~~, Sudan, or Zaire
 22 except as provided through the regular notification proce-
 23 dures of the Committees on Appropriations: *Provided,*
 24 *That this section shall not apply to funds appropriated*
 25 *by this Act to carry out the provisions of chapter 1 of*

1 part I of the Foreign Assistance Act of 1961 that are
 2 made available for ~~(118)~~Indonesia and Nicaragua.

3 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

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

21 ~~(119)~~*FAMILY PLANNING, CHILD SURVIVAL AND AIDS*

22 ACTIVITIES

23 SEC. 522. Up to \$8,000,000 of the funds made avail-
 24 able by this Act for assistance for family planning, health,
 25 child survival, and AIDS, may be used to reimburse Unit-
 26 ed States Government agencies, agencies of State govern-

1 ments, institutions of higher learning, and private and vol-
2 untary organizations for the full cost of individuals (in-
3 cluding for the personal services of such individuals) de-
4 tailed or assigned to, or contracted by, as the case may
5 be, the Agency for International Development for the pur-
6 pose of carrying out family planning activities, child sur-
7 vival activities and activities relating to research on, and
8 the treatment and control of, acquired immune deficiency
9 syndrome in developing countries: *Provided*, That funds
10 appropriated by this Act that are made available for child
11 survival activities or activities relating to research on, and
12 the treatment and control of, acquired immune deficiency
13 syndrome may be made available notwithstanding any pro-
14 vision of law that restricts assistance to foreign countries:
15 *Provided further*, That funds appropriated by this Act that
16 are made available for family planning activities may be
17 made available notwithstanding section 512 of this Act
18 and section 620(q) of the Foreign Assistance Act of 1961.

19 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
20 COUNTRIES

21 SEC. 523. None of the funds appropriated or other-
22 wise made available pursuant to this Act shall be obligated
23 to finance indirectly any assistance or reparations to
24 Cuba, Iraq, Libya, Iran, Syria, North Korea, or the Peo-
25 ple's Republic of China, unless the President of the United
26 States certifies that the withholding of these funds is con-

1 trary to the national (120) *security* interest of the United
2 States.

3 RECIPROCAL LEASING

4 SEC. 524. Section 61(a) of the Arms Export Control
5 Act is amended by striking out “1995” and inserting in
6 lieu thereof “1996”.

7 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

8 SEC. 525. Prior to providing excess Department of
9 Defense articles in accordance with section 516(a) of the
10 Foreign Assistance Act of 1961, the Department of De-
11 fense shall notify the Committees on Appropriations to the
12 same extent and under the same conditions as are other
13 committees pursuant to subsection (c) of that section: *Pro-*
14 *vided*, That before issuing a letter of offer to sell excess
15 defense articles under the Arms Export Control Act, the
16 Department of Defense shall notify the Committees on
17 Appropriations in accordance with the regular notification
18 procedures of such Committees: *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. 526. Funds appropriated by this Act may be
23 obligated and expended (121) ~~subject to~~ *notwithstanding*
24 section 10 of Public Law 91-672 and section 15 of the
25 State Department Basic Authorities Act of 1956.

1 OPPOSITION TO ASSISTANCE TO TERRORIST COUNTRIES
2 BY INTERNATIONAL FINANCIAL INSTITUTIONS

3 SEC. 527. (a) INSTRUCTIONS FOR UNITED STATES
4 EXECUTIVE DIRECTORS.—The Secretary of the Treasury
5 shall instruct the United States Executive Director of each
6 international financial institution designated in subsection
7 (b), and the Administrator of the Agency for International
8 Development shall instruct the United States Executive
9 Director of the International Fund for Agriculture Devel-
10 opment, to use the voice and vote of the United States
11 to oppose any loan or other use of the funds of the respec-
12 tive institution to or for a country for which the Secretary
13 of State has made a determination under section 6(j) of
14 the Export Administration Act of 1979.

15 (b) DEFINITION.—For purposes of this section, the
16 term “international financial institution” includes—

17 (1) the International Bank for Reconstruction
18 and Development, the International Development
19 Association, and the International Monetary Fund;
20 and

21 (2) wherever applicable, the Inter-American De-
22 velopment Bank, the Asian Development Bank, the
23 African Development Bank, the African Develop-
24 ment Fund, and the European Bank for Reconstruc-
25 tion and Development.

1 **(122)** *PROHIBITION ON BILATERAL ASSISTANCE TO*
2 *TERRORIST COUNTRIES*

3 *SEC. 527A. (a) Notwithstanding any other provision*
4 *of law, funds appropriated for bilateral assistance under*
5 *any heading of this Act and funds appropriated under any*
6 *such heading in a provision of law enacted prior to enact-*
7 *ment of this Act, shall not be made available to any country*
8 *which the President determines—*

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

12 *(2) otherwise supports international terrorism.*

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

22 *COMMERCIAL LEASING OF DEFENSE ARTICLES*

23 *SEC. 528. Notwithstanding any other provision of*
24 *law, and subject to the regular notification requirements*
25 *of the Committees on Appropriations, the authority of sec-*
26 *tion 23(a) of the Arms Export Control Act may be used*

1 to provide financing to ~~(123)~~Israel and *Israel*, Egypt and
 2 NATO and major non-NATO allies for the procurement
 3 by leasing (including leasing with an option to purchase)
 4 of defense articles from United States commercial suppli-
 5 ers, not including Major Defense Equipment (other than
 6 helicopters and other types of aircraft having possible ci-
 7 vilian application), if the President determines that there
 8 are compelling foreign policy or national security reasons
 9 for those defense articles being provided by commercial
 10 lease rather than by government-to-government sale under
 11 such Act.

12 ~~(124)~~COMPETITIVE INSURANCE

13 *SEC. 528A. All Agency for International Development*
 14 *contracts and solicitations, and subcontracts entered into*
 15 *under such contracts, shall include a clause requiring that*
 16 *United States insurance companies have a fair opportunity*
 17 *to bid for insurance when such insurance is necessary or*
 18 *appropriate.*

19 ~~(125)~~STINGERS IN THE PERSIAN GULF REGION

20 ~~SEC. 529. Except as provided in section 581 of the~~
 21 ~~Foreign Operations, Export Financing, and Related Pro-~~
 22 ~~grams Appropriations Act, 1990, the United States may~~
 23 ~~not sell or otherwise make available any Stingers to any~~
 24 ~~country bordering the Persian Gulf under the Arms Ex-~~

1 port Control Act or chapter 2 of part II of the Foreign
2 Assistance Act of 1961.

3 DEBT-FOR-DEVELOPMENT

4 SEC. 530. In order to enhance the continued partici-
5 pation of nongovernmental organizations in economic as-
6 sistance activities under the Foreign Assistance Act of
7 1961, including endowments, debt-for-development and
8 debt-for-nature exchanges, a nongovernmental organiza-
9 tion which is a grantee or contractor of the Agency for
10 International Development may place in interest bearing
11 accounts funds made available under this Act or prior Acts
12 or local currencies which accrue to that organization as
13 a result of economic assistance provided under title II of
14 this Act and any interest earned on such investment may
15 be used for the purpose for which the assistance was pro-
16 vided to that organization.

17 (126) LOCATION OF STOCKPILES

18 SEC. 531. Section 514(b)(2) of the Foreign Assist-
19 ance Act of 1961 is amended by striking out “a total of
20 \$200,000,000 for stockpiles in Israel for fiscal years 1994
21 and 1995, up to \$40,000,000 may be made available for
22 stockpiles in the Republic of Korea, and up to
23 \$10,000,000 may be made available for stockpiles in Thai-
24 land for fiscal year 1995.” and inserting in lieu thereof
25 “\$200,000,000 for stockpiles in Israel, \$40,000,000 for

1 stockpiles in the Republic of Korea and \$10,000,000 for
2 stockpiles in Thailand for fiscal year 1996”.

3 *COMPETITIVE PRICING FOR SALES OF DEFENSE ARTICLES*

4 *SEC. 531A. (a) COSTING BASIS.*—Section 22 of the
5 *Arms Export Control Act (22 U.S.C. 2762) is amended by*
6 *adding at the end the following:*

7 *“(d) COMPETITIVE PRICING.*—Procurement contracts
8 *made in implementation of sales under this section for de-*
9 *fense articles and defense services wholly paid for funds*
10 *made available on a nonrepayable basis shall be priced on*
11 *the same costing basis with regard to profit, overhead, inde-*
12 *pendent research and development, bid and proposal, and*
13 *other costing elements, as is applicable to procurements of*
14 *like items purchased by the Department of Defense for its*
15 *own use.”*

16 *(b) EFFECTIVE DATE AND IMPLEMENTING REGULA-*
17 *TIONS.*—Section 22(d) of the Arms Export Control Act, as
18 *added by subsection (a)—*

19 *(1) shall take effect on the 60th day following the*
20 *date of the enactment of this Act;*

21 *(2) shall be applicable only to contracts made in*
22 *implementation of sales made after such effective date;*
23 *and*

24 *(3) shall be implemented by revised procurement*
25 *regulations, which shall be issued prior to such effec-*
26 *tive date.*

1 *STOCKPILES OF DEFENSE ARTICLES*

2 *SEC. 531B. (a) LIMITATION ON VALUE OF ADDI-*
3 *TIONS.—Section 514(b)(1) of the Foreign Assistance Act of*
4 *1961 (22 U.S.C. 2321h(b)(1)) is amended by inserting “or*
5 *in the implementation of agreements with Israel” after*
6 *“North Atlantic Treaty Organization”.*

7 *(b) ADDITIONS IN FISCAL YEARS 1996 AND 1997.—*
8 *Section 514(b)(2) of such Act (22 U.S.C. 2321h(b)(2)) is*
9 *amended to read as follows:*

10 *“(2)(A) The value of such additions to stockpiles of de-*
11 *fense articles in foreign countries shall not exceed*
12 *\$50,000,000 for each of the fiscal years 1996 and 1997.*

13 *“(B) Of the amount specified in subparagraph (A) for*
14 *each of the fiscal years 1996 and 1997, not more than*
15 *\$40,000,000 may be made available for stockpiles in the Re-*
16 *public of Korea and not more than \$10,000,000 may be*
17 *made available for stockpiles in Thailand.”.*

18 *(c) LOCATION OF STOCKPILES OF DEFENSE AUTHORI-*
19 *TIES.—Section 514(c) of such Act (22 U.S.C. 2321h(c)) is*
20 *amended to read as follows:*

21 *“(c) LOCATION OF STOCKPILES OF DEFENSE ARTI-*
22 *CLES.—*

23 *“(1) LIMITATION.—Except as provided in para-*
24 *graph (2), no stockpile of defense articles may be lo-*
25 *cated outside the boundaries of a United States mili-*

1 *tary base or a military base used primarily by the*
 2 *United States.*

3 “(2) *EXCEPTIONS.*—Paragraph (1) shall not
 4 *apply with respect to stockpiles of defense articles lo-*
 5 *cated in the Republic of Korea, Thailand, any coun-*
 6 *try that is a member of the North Atlantic Treaty Or-*
 7 *ganization, any country that is a major non-NATO*
 8 *ally, or any other country the President may des-*
 9 *ignate. At least 15 days before designating a country*
 10 *pursuant to the last clause of the preceding sentence,*
 11 *the President shall notify the congressional commit-*
 12 *tees specified in section 634A(a) in accordance with*
 13 *the procedures applicable to reprogramming notifica-*
 14 *tions under that section.”.*

15 SEPARATE ACCOUNTS

16 SEC. 532. (a) SEPARATE ACCOUNTS FOR LOCAL
 17 CURRENCIES.—(1) If assistance is furnished to the gov-
 18 ernment of a foreign country under chapters 1 and 10 of
 19 part I or chapter 4 of part II of the Foreign Assistance
 20 Act of 1961 under agreements which result in the genera-
 21 tion of local currencies of that country, the Administrator
 22 of the Agency for International Development shall—

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

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

1 (i) the amount of the local currencies to be
2 generated, and

3 (ii) the terms and conditions under which
4 the currencies so deposited may be utilized, con-
5 sistent with this section; and

6 (C) establish by agreement with that govern-
7 ment the responsibilities of the Agency for Inter-
8 national Development and that government to mon-
9 itor and account for deposits into and disbursements
10 from the separate account.

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

16 (A) to carry out chapters 1 or 10 of part I or
17 chapter 4 of part II (as the case may be), for such
18 purposes as—

19 (i) project and sector assistance activities,
20 or

21 (ii) debt and deficit financing; or

22 (B) for the administrative requirements of the
23 United States Government.

24 (3) PROGRAMMING ACCOUNTABILITY.—The Agency
25 for International Development shall take all appropriate

1 steps to ensure that the equivalent of the local currencies
2 disbursed pursuant to subsection (a)(2)(A) from the sepa-
3 rate account established pursuant to subsection (a)(1) are
4 used for the purposes agreed upon pursuant to subsection
5 (a)(2).

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

14 (5) CONFORMING AMENDMENTS.—The provisions of
15 this subsection shall supersede the tenth and eleventh pro-
16 visos contained under the heading “Sub-Saharan Africa,
17 Development Assistance” as included in the Foreign Oper-
18 ations, Export Financing, and Related Programs Appro-
19 priations Act, 1989 and sections 531(d) and 609 of the
20 Foreign Assistance Act of 1961.

21 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—
22 (1) If assistance is made available to the government of
23 a foreign country, under chapters 1 or 10 of part I or
24 chapter 4 of part II of the Foreign Assistance Act of 1961,
25 as cash transfer assistance or as nonproject sector assist-

1 ance, that country shall be required to maintain such
2 funds in a separate account and not commingle them with
3 any other funds.

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

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

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

1 COMPENSATION FOR UNITED STATES EXECUTIVE
2 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

3 SEC. 533. (a) No funds appropriated by this Act may
4 be made as payment to any international financial institu-
5 tion while the United States Executive Director to such
6 institution is compensated by the institution at a rate
7 which, together with whatever compensation such Director
8 receives from the United States, is in excess of the rate
9 provided for an individual occupying a position at level IV
10 of the Executive Schedule under section 5315 of title 5,
11 United States Code, or while any alternate United States
12 Director to such institution is compensated by the institu-
13 tion at a rate in excess of the rate provided for an individ-
14 ual occupying a position at level V of the Executive Sched-
15 ule under section 5316 of title 5, United States Code.

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

1 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST
2 IRAQ

3 SEC. 534. ~~(127) (a) DENIAL OF ASSISTANCE.—~~

4 None of the funds appropriated or otherwise made avail-
5 able pursuant to this Act to carry out the Foreign Assist-
6 ance Act of 1961 (including title IV of chapter 2 of part
7 I, relating to the Overseas Private Investment Corpora-
8 tion) or the Arms Export Control Act may be used to pro-
9 vide assistance to any country that is not in compliance
10 with the United Nations Security Council sanctions
11 against Iraq, Serbia or Montenegro unless the President
12 determines and so certifies to the Congress that—

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

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

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

20 ~~(128)(b) IMPORT SANCTIONS.—If the President con-~~
21 ~~siders that the taking of such action would promote the~~
22 ~~effectiveness of the economic sanctions of the United Na-~~
23 ~~tions and the United States imposed with respect to Iraq,~~
24 ~~Serbia, or Montenegro, as the case may be and is consist-~~
25 ~~ent with the national interest, the President may prohibit,~~

1 for such a period of time as he considers appropriate, the
2 importation into the United States of any or all products
3 of any foreign country that has not prohibited—

4 (1) the importation of products of Iraq, Serbia,
5 or Montenegro into its customs territory, and

6 (2) the export of its products to Iraq, Serbia,
7 or Montenegro, as the case may be.

8 POW/MIA MILITARY DRAWDOWN

9 SEC. 535. (a) Notwithstanding any other provision
10 of law, the President may direct the drawdown, without
11 reimbursement by the recipient, of defense articles from
12 the stocks of the Department of Defense, defense services
13 of the Department of Defense, and military education and
14 training, of an aggregate value not to exceed \$15,000,000
15 in fiscal year 1996, as may be necessary to carry out sub-
16 section (b).

17 (b) Such defense articles, services and training may
18 be provided to Vietnam, Cambodia and Laos, under sub-
19 section (a) as the President determines are necessary to
20 support efforts to locate and repatriate members of the
21 United States Armed Forces and civilians employed di-
22 rectly or indirectly by the United States Government who
23 remain unaccounted for from the Vietnam War, and to
24 ensure the safety of United States Government personnel
25 engaged in such cooperative efforts and to support United
26 States Department of Defense-sponsored humanitarian

1 projects associated with the POW/MIA efforts. Any air-
 2 craft shall be provided under this section only to Laos and
 3 only on a lease or loan basis, but may be provided at no
 4 cost notwithstanding section 61 of the Arms Export Con-
 5 trol Act and may be maintained with defense articles, serv-
 6 ices and training provided under this section.

7 (c) The President shall, within sixty days of the end
 8 of any fiscal year in which the authority of subsection (a)
 9 is exercised, submit a report to the Congress which identi-
 10 fies the articles, services, and training drawn down under
 11 this section.

12 **(129)** *(d) There are authorized to be appropriated to*
 13 *the President such sums as may be necessary to reimburse*
 14 *the applicable appropriation, fund, or account for defense*
 15 *articles, defense services, and military education and train-*
 16 *ing provided under this section.*

17 MEDITERRANEAN EXCESS DEFENSE ARTICLES

18 SEC. 536. During fiscal year 1996, the provisions of
 19 section 573(e) of the Foreign Operations, Export Financ-
 20 ing, and Related Programs Appropriations Act, 1990,
 21 shall be applicable, for the period specified therein, to ex-
 22 cess defense articles made available under sections 516
 23 and 519 of the Foreign Assistance Act of 1961.

24 **(130)** *PRIORITY DELIVERY OF EQUIPMENT*

25 SEC. 536A. *Notwithstanding any other provision of*
 26 *law, the delivery of excess defense articles that are to be*

1 *transferred on a grant basis under section 516 of the For-*
2 *eign Assistance Act to NATO allies and to major non-NATO*
3 *allies on the southern and southeastern flank of NATO shall*
4 *be given priority to the maximum extent feasible over the*
5 *delivery of such excess defense articles to other countries.*

6 CASH FLOW FINANCING

7 SEC. 537. For each country that has been approved
8 for cash flow financing (as defined in section 25(d) of the
9 Arms Export Control Act, as added by section 112(b) of
10 Public Law 99-83) under the Foreign Military Financing
11 Program, any Letter of Offer and Acceptance or other
12 purchase agreement, or any amendment thereto, for a pro-
13 curement in excess of \$100,000,000 that is to be financed
14 in whole or in part with funds made available under this
15 Act shall be submitted through the regular notification
16 procedures to the Committees on Appropriations.

17 AUTHORITIES FOR THE PEACE CORPS, THE INTER-AMER-
18 ICAN FOUNDATION AND THE AFRICAN DEVELOP-
19 MENT FOUNDATION

20 SEC. 538. Unless expressly provided to the contrary,
21 provisions of this or any other Act, including provisions
22 contained in prior Acts authorizing or making appropria-
23 tions for foreign operations, export financing, and related
24 programs, shall not be construed to prohibit activities au-
25 thorized by or conducted under the Peace Corps Act, the
26 Inter-American Foundation Act, or the African Develop-

1 ment Foundation Act. The appropriate agency shall
2 promptly report to the Committees on Appropriations
3 whenever it is conducting activities or is proposing to con-
4 duct activities in a country for which assistance is prohib-
5 ited.

6 IMPACT ON JOBS IN THE UNITED STATES

7 SEC. 539. None of the funds appropriated by this Act
8 may be obligated or expended to provide—

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

17 (b) assistance for the purpose of establishing or
18 developing in a foreign country any export process-
19 ing zone or designated area in which the tax, tariff,
20 labor, environment, and safety laws of that country
21 do not apply, in part or in whole, to activities car-
22 ried out within that zone or area, unless the Presi-
23 dent determines and certifies that such assistance is
24 not likely to cause a loss of jobs within the United
25 States; or

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

13 AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

14 SEC. 540. (a) Congress finds as follows:

15 (1) The United Nations has imposed an embar-
16 go on the transfer of arms to any country on the
17 territory of the former Yugoslavia.

18 (2) The federated states of Serbia and
19 Montenegro have a large supply of military equip-
20 ment and ammunition and the Serbian forces fight-
21 ing the government of Bosnia-Herzegovina have
22 more than one thousand battle tanks, armored vehi-
23 cles, and artillery pieces.

24 (3) Because the United Nations arms embargo
25 is serving to sustain the military advantage of the
26 aggressor, the United Nations should exempt the

1 government of Bosnia-Herzegovina from its
2 embargo.

3 (b) Pursuant to a lifting of the United Nations arms
4 embargo, or to a unilateral lifting of the arms embargo
5 by the President of the United States, against Bosnia-
6 Herzegovina, the President is authorized to transfer, sub-
7 ject to prior notification of the Committees on Appropria-
8 tions, to the government of that nation, without reim-
9 bursement, defense articles from the stocks of the Depart-
10 ment of Defense and defense services of the Department
11 of Defense of an aggregate value not to exceed
12 ~~(\$131)\$50,000,000~~ \$100,000,000 in fiscal year 1996: *Pro-*
13 *vided*, That the President certifies in a timely fashion to
14 the Congress that the transfer of such articles would assist
15 that nation in self-defense and thereby promote the secu-
16 rity and stability of the region.

17 (c) Within 60 days of any transfer under the author-
18 ity provided in subsection (b), and every 60 days there-
19 after, the President shall report in writing to the Speaker
20 of the House of Representatives and the President pro
21 tempore of the Senate concerning the articles transferred
22 and the disposition thereof.

23 (d) There are authorized to be appropriated to the
24 President such sums as may be necessary to reimburse

1 the applicable appropriation, fund, or account for defense
2 articles provided under this section.

3 RESTRICTIONS ON THE TERMINATION OF SANCTIONS
4 AGAINST SERBIA AND MONTENEGRO

5 SEC. 540A. (a) RESTRICTIONS.—Notwithstanding
6 any other provision of law, no sanction, prohibition, or re-
7 quirement described in section 1511 of the National De-
8 fense Authorization Act for Fiscal Year 1994 (Public Law
9 103–160), with respect to Serbia or Montenegro, may
10 cease to be effective, unless—

11 (1) the President first submits to the Congress
12 a certification described in subsection (b); and

13 (2) the requirements of section 1511 of that
14 Act are met.

15 (b) CERTIFICATION.—A certification described in this
16 subsection is a certification that—

17 (1) there is substantial progress toward—

18 (A) the realization of a separate identity
19 for Kosova and the right of the people of
20 Kosova to govern themselves; or

21 (B) the creation of an international protec-
22 torate for Kosova;

23 (2) there is substantial improvement in the
24 human rights situation in Kosova;

25 (3) international human rights observers are al-
26 lowed to return to Kosova; and

1 (4) the elected government of Kosova is per-
 2 mitted to meet and carry out its legitimate mandate
 3 as elected representatives of the people of Kosova.

4 **(132)** (c) *EXPANDED AUTHORITY*.—Section 660(b) of
 5 the Foreign Assistance Act of 1961 is amended—

6 (1) in paragraph (3), by striking “or”;

7 (2) in paragraph (4), by striking the period at
 8 the end thereof and inserting “; or”; and

9 (3) adding the following new paragraphs:

10 “(5) with respect to assistance, including train-
 11 ing, relating to sanctions monitoring and enforce-
 12 ment;

13 “(6) with respect to assistance provided to recon-
 14 stitute civilian police authority and capability in the
 15 post-conflict restoration of host nation infrastructure
 16 for the purposes of supporting a nation emerging
 17 from instability, and the provision of professional
 18 public safety training, to include training in inter-
 19 nationally recognized standards of human rights, the
 20 rule of law, anti-corruption, and the promotion of ci-
 21 vilian police roles that support democracy.”.

22 SPECIAL AUTHORITIES

23 SEC. 541. (a) Funds appropriated in title II of this
 24 Act that are made available for **(133)**~~Haiti~~, Afghanistan,
 25 Lebanon, and Cambodia, and for victims of war,

1 ~~(134)~~displaced children, ~~displaced~~ ~~Burmese~~, humani-
 2 tarian assistance for Romania, and humanitarian assist-
 3 ance for the peoples of Bosnia-Hercegovina, Croatia, and
 4 Kosova, may be made available notwithstanding any other
 5 provision of law: *Provided*, That any such funds that are
 6 made available for Cambodia shall be subject to the provi-
 7 sions of section 531(e) of the Foreign Assistance Act of
 8 1961 and section 906 of the International Security and
 9 Development Cooperation Act of 1985: *Provided further*,
 10 That the President shall terminate assistance to any coun-
 11 try or organization that he determines is cooperating,
 12 ~~(135)~~~~tactically or strategically, with the Khmer Rouge in~~
 13 ~~their military operations~~ *tactically or strategically, with*
 14 *the Khmer Rouge in their military operations, or which is*
 15 *cooperating commercially with the Khmer Rouge.*

16 (b) Funds appropriated by this Act to carry out the
 17 provisions of sections 103 through 106 of the Foreign As-
 18 sistance Act of 1961 may be used, notwithstanding any
 19 other provision of law, for the purpose of supporting tropi-
 20 cal forestry and energy programs aimed at reducing emis-
 21 sions of greenhouse gases, and for the purpose of support-
 22 ing biodiversity conservation activities: *Provided*, That
 23 such assistance shall be subject to sections 116, 502B, and
 24 620A of the Foreign Assistance Act of 1961.

1 (c) During fiscal year 1996, the President may use
2 up to \$40,000,000 under the authority of section 451 of
3 the Foreign Assistance Act of 1961, notwithstanding the
4 funding ceiling contained in subsection (a) of that section.

5 (d) The Agency for International Development may
6 employ personal services contractors, notwithstanding any
7 other provision of law, for the purpose of administering
8 programs for the West Bank and Gaza.

9 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT
10 OF ISRAEL

11 SEC. 542. It is the sense of the Congress that—

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

17 (2) the President should—

18 (A) take more concrete steps to encourage
19 vigorously Arab League countries to renounce
20 publicly the primary boycotts of Israel and the
21 secondary and tertiary boycotts of American
22 firms that have commercial relations with Israel
23 as a confidence-building measure;

24 (B) take into consideration the participa-
25 tion of any recipient country in the primary
26 boycott of Israel and the secondary and tertiary

1 boycotts of American firms that have commer-
 2 cial relations with Israel when determining
 3 whether to sell weapons to said country;

4 (C) report to Congress on the specific
 5 steps being taken by the President to bring
 6 about a public renunciation of the Arab primary
 7 boycott of Israel and the secondary and tertiary
 8 boycotts of American firms that have commer-
 9 cial relations with Israel; and

10 (D) encourage the allies and trading part-
 11 ners of the United States to enact laws prohib-
 12 iting businesses from complying with the boy-
 13 cott and penalizing businesses that do comply.

14 ANTI-NARCOTICS ACTIVITIES

15 SEC. 543. (a) Of the funds appropriated ~~(136)~~
 16 ~~otherwise made available by this Act for “Economic Sup-~~
 17 ~~port Fund”~~, *under the heading “Economic Assistance”*, as-
 18 sistance may be provided to strengthen the administration
 19 of justice in countries in Latin America and the Caribbean
 20 in accordance with the provisions of section 534 of the
 21 Foreign Assistance Act of 1961, except that programs to
 22 enhance protection of participants in judicial cases may
 23 be conducted notwithstanding section 660 of that Act.

24 (b) Funds made available pursuant to this section
 25 may be made available notwithstanding the third sentence
 26 of section 534(e) of the Foreign Assistance Act of 1961.

1 Funds made available pursuant to subsection (a) for Bo-
2 livia, Colombia and Peru may be made available notwith-
3 standing section 534(c) and the second sentence of section
4 534(e) of the Foreign Assistance Act of 1961.

5 ELIGIBILITY FOR ASSISTANCE

6 SEC. 544. (a) ASSISTANCE THROUGH NONGOVERN-
7 MENTAL ORGANIZATIONS.—Restrictions contained in this
8 or any other Act with respect to assistance for a country
9 shall not be construed to restrict assistance in support of
10 programs of nongovernmental organizations from funds
11 appropriated by this Act to carry out the provisions of
12 chapters 1 and 10 of part I of the Foreign Assistance Act
13 of 1961: *Provided*, That the President shall take into con-
14 sideration, in any case in which a restriction on assistance
15 would be applicable but for this subsection, whether assist-
16 ance in support of programs of nongovernmental organiza-
17 tions is in the national interest of the United States: *Pro-*
18 *vided further*, That before using the authority of this sub-
19 section to furnish assistance in support of programs of
20 nongovernmental organizations, the President shall notify
21 the Committees on Appropriations under the regular noti-
22 fication procedures of those committees, including a de-
23 scription of the program to be assisted, the assistance to
24 be provided, and the reasons for furnishing such assist-
25 ance: *Provided further*, That nothing in this subsection
26 shall be construed to alter any existing statutory prohibi-

1 tions against abortion or involuntary sterilizations con-
 2 tained in this or any other Act.

3 (b) PUBLIC LAW 480.—During fiscal year 1996, re-
 4 strictions contained in this or any other Act with respect
 5 to assistance for a country shall not be construed to re-
 6 strict assistance under **(137)** *titles I and II of the Agricul-*
 7 *tural Trade Development and Assistance Act of 1954:*
 8 *Provided, That none of the funds appropriated to carry*
 9 *out title I of such Act and made available pursuant to*
 10 *this subsection may be obligated or expended except as*
 11 *provided through the regular notification procedures of the*
 12 *Committees on Appropriations.*

13 (c) EXCEPTION.—This section shall not apply—
 14 (1) with respect to section 620A of the Foreign
 15 Assistance Act or any comparable provision of law
 16 prohibiting assistance to countries that support
 17 international terrorism; or
 18 (2) with respect to section 116 of the Foreign
 19 Assistance Act of 1961 or any comparable provision
 20 of law prohibiting assistance to countries that violate
 21 internationally recognized human rights.

22 **(138)** *earmarks*

23 *SEC. 544A. (a) Funds appropriated by this Act which*
 24 *are earmarked may be reprogrammed for other programs*
 25 *within the same account notwithstanding the earmark if*

1 compliance with the earmark is made impossible by oper-
2 ation of any provision of this or any other Act or, with
3 respect to a country with which the United States has an
4 agreement providing the United States with base rights or
5 base access in that country, if the President determines that
6 the recipient for which funds are earmarked has signifi-
7 cantly reduced its military or economic cooperation with
8 the United States since enactment of the Foreign Oper-
9 ations, Export Financing, and Related Programs Appro-
10 priations Act, 1991; however, before exercising the authority
11 of this subsection with regard to a base rights or base access
12 country which has significantly reduced its military or eco-
13 nomic cooperation with the United States, the President
14 shall consult with, and shall provide a written policy jus-
15 tification to the Committees on Appropriations: Provided,
16 That any such reprogramming shall be subject to the regu-
17 lar notification procedures of the Committees on Appropria-
18 tions: Provided further, That assistance that is repro-
19 grammed pursuant to this subsection shall be made avail-
20 able under the same terms and conditions as originally pro-
21 vided.

22 (b) In addition to the authority contained in sub-
23 section (a), the original period of availability of funds ap-
24 propriated by this Act and administered by the Agency for
25 International Development that are earmarked for particu-

1 *lar programs or activities by this or any other Act shall*
 2 *be extended for an additional fiscal year if the Adminis-*
 3 *trator of such agency determines and reports promptly to*
 4 *the Committees on Appropriations that the termination of*
 5 *assistance to a country or a significant change in cir-*
 6 *cumstances makes it unlikely that such earmarked funds*
 7 *can be obligated during the original period of availability:*
 8 *Provided, That such earmarked funds that are continued*
 9 *available for an additional fiscal year shall be obligated*
 10 *only for the purpose of such earmark.*

11 CEILINGS ~~(139)~~ AND EARMARKS

12 SEC. 545. Ceilings and earmarks contained in this
 13 Act shall not be applicable to funds or authorities appro-
 14 priated or otherwise made available by any subsequent Act
 15 unless such Act specifically so directs.

16 EXCESS DEFENSE ARTICLES

17 SEC. 546. (a) The authority of section 519 of the
 18 Foreign Assistance Act of 1961, as amended, may be used
 19 in fiscal year 1996 to provide nonlethal excess defense ar-
 20 ticles to countries for which United States foreign assist-
 21 ance has been requested and for which receipt of such arti-
 22 cles was separately justified for the fiscal year, without
 23 regard to the restrictions in subsection (a) of section 519.

24 (b) The authority of section 516 of the Foreign As-
 25 sistance Act of 1961, as amended, may be used in fiscal
 26 year 1996 to provide defense articles to Jordan~~(140)~~—

1 except that the provision of such defense articles shall be
 2 subject to section 534 of this Act.

3 **(141)** *(c) The President may transfer to Estonia such*
 4 *excess defense articles as the President determines necessary*
 5 *to help modernize the defense capabilities of Estonia, subject*
 6 *to the requirements of subsections (b) through (f) of section*
 7 *519 of the Foreign Assistance Act of 1961 (22 U.S.C.*
 8 *2321m).*

9 PROHIBITION ON PUBLICITY OR PROPAGANDA

10 SEC. 547. No part of any appropriation contained in
 11 this Act shall be used for publicity or propaganda purposes
 12 within the United States not authorized before the date
 13 of enactment of this Act by the Congress**(142)**:~~Provided,~~
 14 ~~That none of the funds appropriated by this Act may be~~
 15 ~~made available to carry out the provisions of section 316~~
 16 ~~of Public Law 96-533.~~

17 USE OF AMERICAN RESOURCES

18 SEC. 548. To the maximum extent possible, assist-
 19 ance provided under this Act should make full use of
 20 American resources, including commodities, products, and
 21 services.

22 PROHIBITION OF PAYMENTS TO UNITED NATIONS

23 MEMBERS

24 SEC. 549. None of the funds appropriated or made
 25 available pursuant to this Act for carrying out the Foreign
 26 Assistance Act of 1961, may be used to pay in whole or

1 in part any assessments, arrearages, or dues of any mem-
2 ber of the United Nations.

3 CONSULTING SERVICES

4 SEC. 550. The expenditure of any appropriation
5 under this Act for any consulting service through procure-
6 ment contract, pursuant to section 3109 of title 5, United
7 States Code, shall be limited to those contracts where such
8 expenditures are a matter of public record and available
9 for public inspection, except where otherwise provided
10 under existing law, or under existing Executive order pur-
11 suant to existing law.

12 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

13 SEC. 551. None of the funds appropriated or made
14 available pursuant to this Act shall be available to a pri-
15 vate voluntary organization which fails to provide upon
16 timely request any document, file, or record necessary to
17 the auditing requirements of the Agency for International
18 Development.

19 PROHIBITION ON ASSISTANCE TO FOREIGN GOVERN-
20 MENTS THAT EXPORT LETHAL MILITARY EQUIP-
21 MENT TO COUNTRIES SUPPORTING INTERNATIONAL
22 TERRORISM

23 SEC. 552. (a) None of the funds appropriated or oth-
24 erwise made available by this Act may be available to any
25 foreign government which provides lethal military equip-
26 ment to a country the government of which the Secretary

1 of State has determined is a terrorist government for pur-
2 poses of section 40(d) of the Arms Export Control Act.
3 The prohibition under this section with respect to a for-
4 eign government shall terminate 12 months after that gov-
5 ernment ceases to provide such military equipment. This
6 section applies with respect to lethal military equipment
7 provided under a contract entered into after the date of
8 enactment of this Act.

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

13 (c) Whenever the waiver of subsection (b) is exer-
14 cised, the President shall submit to the appropriate con-
15 gressional committees a report with respect to the furnish-
16 ing of such assistance. Any such report shall include a de-
17 tailed explanation of the assistance to be provided, includ-
18 ing the estimated dollar amount of such assistance, and
19 an explanation of how the assistance furthers United
20 States national interests.

21 WITHHOLDING OF ASSISTANCE FOR PARKING FINES

22 OWED BY FOREIGN COUNTRIES

23 SEC. 553. (a) IN GENERAL.—Of the funds made
24 available for a foreign country under part I of the Foreign
25 Assistance Act of 1961, an amount equivalent to 110 per-
26 cent of the total unpaid fully adjudicated parking fines

1 and penalties owed to the District of Columbia by such
2 country as of the date of enactment of this Act shall be
3 withheld from obligation for such country until the Sec-
4 retary of State certifies and reports in writing to the ap-
5 propriate congressional committees that such fines and
6 penalties are fully paid to the government of the District
7 of Columbia.

8 (b) DEFINITION.—For purposes of this section, the
9 term “appropriate congressional committees” means the
10 Committee on Foreign Relations and the Committee on
11 Appropriations of the Senate and the Committee on Inter-
12 national Relations and the Committee on Appropriations
13 of the House of Representatives.

14 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE
15 WEST BANK AND GAZA

16 SEC. 554. None of the funds appropriated by this Act
17 may be obligated for assistance for the Palestine Libera-
18 tion Organization for the West Bank and Gaza unless the
19 President has exercised the authority under section 583(a)
20 of the Middle East Peace Facilitation Act of 1994 (part
21 E of title V of Public Law 103–236) or any other legisla-
22 tion to suspend or make inapplicable section 307 of the
23 Foreign Assistance Act of 1961 and that suspension is
24 still in effect: *Provided*, That if the President fails to make
25 the certification under section 583(b)(2) of the Middle
26 East Peace Facilitation Act or to suspend the prohibition

1 under other legislation, funds appropriated by this Act
2 may not be obligated for assistance for the Palestine Lib-
3 eration Organization for the West Bank and Gaza.

4 EXPORT FINANCING TRANSFER AUTHORITIES

5 SEC. 555. Not to exceed 5 percent of any appropria-
6 tion other than for administrative expenses made available
7 for fiscal year 1996 for programs under title (143)I IV
8 of this Act may be transferred between such appropria-
9 tions for use for any of the purposes, programs and activi-
10 ties for which the funds in such receiving account may
11 be used, but no such appropriation, except as otherwise
12 specifically provided, shall be increased by more than 25
13 percent by any such transfer: *Provided*, That the exercise
14 of such authority shall be subject to the regular notifica-
15 tion procedures of the Committees on Appropriations.

16 WAR CRIMES TRIBUNALS

17 SEC. 556. If the President determines that doing so
18 will contribute to a just resolution of charges regarding
19 genocide or other violations of international humanitarian
20 law, the authority of section 552(c) of the Foreign Assist-
21 ance Act of 1961, as amended, may be used to provide
22 up to \$25,000,000 of commodities and services to the
23 United Nations War Crimes Tribunal established with re-
24 gard to the former Yugoslavia by the United Nations Se-
25 curity Council or such other tribunals or commissions as
26 the Council may establish to deal with such violations,

1 without regard to the ceiling limitation contained in para-
2 graph (2) thereof: *Provided*, That the determination re-
3 quired under this section shall be in lieu of any determina-
4 tions otherwise required under section 552(c): *Provided*
5 *further*, That 60 days after the date of enactment of this
6 Act, and every 180 days thereafter, the Secretary of State
7 shall submit a report to the Committees on Appropriations
8 describing the steps the United States Government is tak-
9 ing to collect information regarding allegations of genocide
10 or other violations of international law in the former Yugo-
11 slavia and to furnish that information to the United Na-
12 tions War Crimes Tribunal for the former Yugoslavia.

13 NONLETHAL EXCESS DEFENSE ARTICLES

14 SEC. 557. Notwithstanding section 519(f) of the For-
15 eign Assistance Act of 1961, during fiscal year 1996,
16 funds available to the Department of Defense may be ex-
17 pended for crating, packing, handling and transportation
18 of nonlethal excess defense articles transferred under the
19 authority of section 519 to countries eligible to participate
20 in the Partnership for Peace and to receive assistance
21 under Public Law 101-179.

22 LANDMINES

23 SEC. 558. Notwithstanding any other provision of
24 law, demining equipment available to any department or
25 agency and used in support of the clearing of landmines
26 for humanitarian purposes may be disposed of on a grant

1 basis in foreign countries, subject to such terms and condi-
 2 tions as the President may prescribe~~(144)~~: *Provided, That*
 3 *section 1365(c) of the National Defense Authorization Act*
 4 *for Fiscal Year 1993 (Public Law 102-484; 22 U.S.C., 2778*
 5 *note) is amended by striking out “During the four-year pe-*
 6 *riod beginning on October 23, 1992” and inserting in lieu*
 7 *thereof “During the five-year period beginning on October*
 8 *23, 1993”.*

9 ~~(145)~~REPORT ON THE SALARIES AND BENEFITS OF THE
 10 IMF AND THE WORLD BANK

11 SEC. 559. The Comptroller General shall submit a
 12 report to the Committees on Appropriations not later than
 13 November 1, 1995, on the following—

14 (1) a review of the existing salaries and benefits
 15 of employees of the International Monetary Fund
 16 and the International Bank for Reconstruction and
 17 Development; and

18 (2) a review of all benefits paid to dependents
 19 of Fund and Bank employees.

20 Such report shall include a comparison of the salaries and
 21 benefits paid to employees and dependents of the Fund
 22 and the Bank with salaries and benefits paid to employees
 23 holding comparable positions in the public and private sec-
 24 tors in member countries and in the international sector.

1 RESTRICTIONS CONCERNING THE PALESTINIAN
2 AUTHORITY

3 SEC. 560. None of the funds appropriated by this Act
4 may be obligated or expended to create in any part of Je-
5 rusalem a new office of any department or agency of the
6 United States Government for the purpose of conducting
7 official United States Government business with the Pal-
8 estinian Authority over Gaza and Jericho or any successor
9 Palestinian governing entity provided for in the Israel-
10 PLO Declaration of Principles: *Provided*, That this
11 ~~(146)subsection~~ *restriction* shall not apply to the acquisi-
12 tion of additional space for the existing Consulate General
13 in Jerusalem: *Provided further*, That meetings between of-
14 ficers and employees of the United States and officials of
15 the Palestinian Authority, or any successor Palestinian
16 governing entity provided for in the Israel-PLO Declara-
17 tion of Principles, for the purpose of conducting official
18 United States Government business with such authority
19 should continue to take place in locations other than Jeru-
20 salem. As has been true in the past, officers and employees
21 of the United States Government may continue to meet
22 in Jerusalem on other subjects with Palestinians (includ-
23 ing those who now occupy positions in the Palestinian Au-
24 thority), have social contacts, and have incidental discus-
25 sions.

1 PROHIBITION OF PAYMENT OF CERTAIN EXPENSES

2 SEC. 561. None of the funds appropriated or other-
3 wise made available by this Act under the heading
4 “INTERNATIONAL MILITARY EDUCATION AND TRAINING”
5 or “FOREIGN MILITARY FINANCING PROGRAM” for Infor-
6 mational Program activities may be obligated or expended
7 to pay for—

8 (1) alcoholic beverages;

9 (2) food (other than food provided at a military
10 installation) not provided in conjunction with Infor-
11 mational Program trips where students do not stay
12 at a military installation; or

13 (3) entertainment expenses for activities that
14 are substantially of a recreational character, includ-
15 ing entrance fees at sporting events and amusement
16 parks.

17 ~~(147) LIMITATION ON ASSISTANCE TO COUNTRIES THAT~~
18 ~~RESTRICT THE TRANSPORT OR DELIVERY OF UNIT-~~
19 ~~ED STATES HUMANITARIAN ASSISTANCE~~

20 SEC. 562. (a) IN GENERAL.—None of the funds
21 made available in this Act may be used for assistance in
22 support of any country when it is made known to the
23 President that the government of such country prohibits
24 or otherwise restricts, directly or indirectly, the transport
25 or delivery of United States humanitarian assistance.

1 ~~(b) EXCEPTION.—Subsection (a) shall not apply to~~
 2 ~~assistance in support of any country when it is made~~
 3 ~~known to the President that the assistance is in the na-~~
 4 ~~tional security interest of the United States.~~

5 **(148)** *NON-OVERTIME DIFFERENTIAL PAY*

6 *SEC. 562. Title 5 of the United States Code is amended*
 7 *by inserting the following:*

8 *(1) in section 5541(2)(xiv) after a “Foreign*
 9 *Service officer” “, except for a Foreign Service Officer*
 10 *who is a criminal investigator for the Agency for*
 11 *International Development, Office of Inspector Gen-*
 12 *eral”.*

13 **(149)** *REFERENCES TO AUTHORIZATION ACTS*

14 *SEC. 563. The funds appropriated under the heading,*
 15 *“Child Survival and Disease Programs Fund” are pro-*
 16 *vided pursuant to the Foreign Assistance Act, as amend-*
 17 *ed: under sections 103 through 106 (Development Assist-*
 18 *ance Fund), in the amount of \$214,000,000; under part*
 19 *I, chapter 10 (Development Fund for Africa), in the*
 20 *amount of \$131,000,000; under the provisions of section*
 21 *498(6) (Assistance for the New Independent States of the*
 22 *Former Soviet Union), in the amount of \$15,000,000;*
 23 *under the provisions of part I, chapter 1, section 104(c)*
 24 *of the Foreign Assistance Act and the Support for East*
 25 *European Democracy (SEED) Act of 1989, in the amount*

1 of \$1,000,000; under provisions of chapter 4, part II (Eco-
 2 nomic Support Fund), in the amount of \$23,000,000;
 3 under the provisions of section 301, in the amount of
 4 \$100,000,000 as a contribution on a grant basis to the
 5 United Nation's Children's Fund (UNICEF): *Provided*,
 6 That funds derived from funds authorized under chapter
 7 4, part II, shall be made available for projects meeting
 8 criteria set forth in part I section 104(c): *Provided further*,
 9 That funds appropriated under the heading "Child Sur-
 10 vival and Disease Programs Fund" shall be in addition
 11 to amounts otherwise available for such purposes.

12 **(150) PROHIBITION ON FUNDING FOR ABORTION**

13 **SEC. 564. (a) IN GENERAL.—**

14 (1) Notwithstanding any other provision of this
 15 Act or other law, none of the funds appropriated by
 16 this Act for population assistance activities may be
 17 made available for any private, nongovernmental, or
 18 multilateral organization until the organization cer-
 19 tifies that it does not now, and will not during the
 20 period for which the funds are made available, di-
 21 rectly or through a subcontractor or sub-grantee,
 22 perform abortions in any foreign country, except
 23 where the life of the mother would be endangered if
 24 the fetus were carried to term or in cases of forcible
 25 rape or incest.

1 (2) Paragraph (1) may not be construed to
2 apply to the treatment of injuries or illnesses caused
3 by legal or illegal abortions or to assistance provided
4 directly to the government of a country.

5 (b) LOBBYING ACTIVITIES.—

6 (1) Notwithstanding any other provision of this
7 Act or other law, none of the funds appropriated by
8 this Act for population assistance activities may be
9 made available for any private, nongovernmental, or
10 multilateral organization until the organization cer-
11 tifies that it does not now, and will not during the
12 period for which the funds are made available, vio-
13 late the laws of any foreign country concerning the
14 circumstances under which abortion is permitted,
15 regulated, or prohibited, or engage in any activity or
16 effort to alter the laws or governmental policies of
17 any foreign country concerning the circumstances
18 under which abortion is permitted, regulated, or pro-
19 hibited.

20 (2) Paragraph (1) shall not apply to activities
21 in opposition to coercive abortion or involuntary
22 sterilization.

23 (c) COERCIVE POPULATION CONTROL METHODS.—

24 Notwithstanding any other provision of this Act or other
25 law, none of the funds appropriated by this Act may be

1 made available for the United Nations Population Fund
 2 (UNFPA), unless the President certifies to the appro-
 3 priate congressional committees that (1) the United Na-
 4 tions Population Fund has terminated all activities in the
 5 People's Republic of China; or (2) during the 12 months
 6 preceding such certification, there have been no abortions
 7 as the result of coercion associated with the family plan-
 8 ning policies of the national government or other govern-
 9 mental entities within the People's Republic of China. As
 10 used in this section the term "coercion" includes physical
 11 duress or abuse, destruction or confiscation of property,
 12 loss of means of livelihood, or severe psychological pres-
 13 sure.

14 WITHHOLDING OF ASSISTANCE TO COUNTRIES

15 SUPPORTING NUCLEAR PLANT IN CUBA

16 SEC. 565. **(151)** (a) *WITHHOLDING*.—The President
 17 shall withhold from assistance made available with funds
 18 appropriated or made available pursuant to this Act an
 19 amount equal to the sum of assistance and credits, if any,
 20 provided on or after the date of the enactment of this Act
 21 by that country, or any entity in that country, in support
 22 of the completion of the Cuban nuclear facility at Juragua,
 23 near Cienfuegos, Cuba.

24 **(152)** (b) *EXCEPTIONS*.—The requirement of sub-
 25 section (a) to withhold assistance shall not apply with re-
 26 spect to—

1 (1) *assistance to meet urgent humanitarian*
2 *needs, including disaster and refugee relief;*

3 (2) *democratic political reform and rule of law*
4 *activities;*

5 (3) *the creation of private sector and nongovern-*
6 *mental organizations that are independent of govern-*
7 *ment control;*

8 (4) *the development of a free market economic*
9 *system; and*

10 (5) *assistance for the purposes described in the*
11 *Cooperative Threat Reduction Act of 1993 (title XII*
12 *of Public Law 103–160).*

13 (c) *DEFINITION.—As used in subsection (a), the term*
14 *“assistance” means assistance under the Foreign Assistance*
15 *Act of 1961, credits, sales and guarantees of extensions of*
16 *credit under the Arms Export Control Act, assistance under*
17 *titles I and III of the Agricultural Trade Development and*
18 *Assistance Act of 1954, assistance under the FREEDOM*
19 *Support Act of 1992, and any other program of assistance*
20 *or credits provided by the United States to other countries*
21 *under other provisions of law, except that the term “assist-*
22 *ance” does not include humanitarian assistance, including*
23 *disaster relief assistance.*

(153) LIMITATION ON FUNDS FOR HAITI

2 SEC. 566. Effective March 1, 1996, none of the funds
3 appropriated in this Act may be made available to the
4 Government of Haiti when it is made known to the Presi-
5 dent that such Government is controlled by a regime hold-
6 ing power through means other than the democratic elec-
7 tions scheduled for calendar year 1995 and held in sub-
8 stantial compliance with the requirements of the 1987
9 Constitution of Haiti.

(154)PURCHASE OF AMERICAN-MADE EQUIPMENT AND
PRODUCTS

12 SEC. 567. SENSE OF CONGRESS.—It is the sense of
13 the Congress that, to the greatest extent practicable, all
14 equipment and products purchased with funds made avail-
15 able in this Act should be American-made.

(b) NOTICE REQUIREMENT.—In providing financial assistance to, or entering into any contract with, any entity using funds made available in this Act, the head of each Federal agency, to the greatest extent practicable, shall provide to such entity a notice describing the statement made in subsection (a) by the Congress.

(155) LIMITATION ON ASSISTANCE TO TURKEY

23 SEC. 568. Not more than \$21,000,000 of the funds
24 appropriated in this Act under the heading “ECONOMIC

1 SUPPORT FUND" may be made available to the Govern-
2 ment of Turkey.

(156) LIMITATION OF FUNDS FOR NORTH AMERICAN
DEVELOPMENT BANK

5 SEC. 569. No funds appropriated in this Act, under
6 the heading "North American Development Bank" may
7 be obligated or expended unless it is made known to the
8 Federal entity or official to which funds are appropriated
9 under this Act that the Government of Mexico has contrib-
10 uted a share of the paid-in portion of the capital stock
11 for fiscal year 1996 equivalent to that appropriated by the
12 United States.

13 (157) LIMITATION ON FUNDS FOR BURMA

14 SEC. 570. None of the funds made available in this
15 Act may be used for International Narcotics Control or
16 Crop Substitution Assistance for the Government of
17 Burma.

18 *SEC. 570. None of the funds made available in this*
19 *Act may be used for international narcotics control assist-*
20 *ance under chapter 8 of part I of the Foreign Assistance*
21 *Act of 1961, or crop substitution assistance, directly for the*
22 *Government of Burma unless the Secretary of State certifies*
23 *to the appropriate congressional committees that any such*
24 *programs are fully consistent with United States human*
25 *rights concerns in Burma and serve a vital United States*

1 *national interest. The President shall include in the annual*
 2 *International Narcotics Control Strategy Report submitted*
 3 *under chapter 8 of part I of the Foreign Assistance Act of*
 4 *1961 a description of the programs funded under this sec-*
 5 *tion.*

6 **(158)** *ASIAN DEVELOPMENT BANK*

7 *SEC. 570A. The Secretary of the Treasury may, to ful-*
 8 *fill commitments of the United States, subscribe to and*
 9 *make payment for shares of the Asian Development Bank*
 10 *in connection with the fourth general capital increase of*
 11 *the Bank. The amount authorized to be appropriated for*
 12 *paid-in shares of the Bank is limited to \$66,614,647; the*
 13 *amount authorized to be appropriated for payment for call-*
 14 *able shares of the Bank is limited to \$3,264,178,021. The*
 15 *amount to be paid in respect of each subscription is author-*
 16 *ized to be appropriated without fiscal year limitation. Any*
 17 *subscription by the United States to the capital stock of the*
 18 *Bank shall be effective only to such extent or in such*
 19 *amounts as are provided in advance in appropriations*
 20 *Acts.*

21 **(159)** *SPECIAL DEBT RELIEF FOR THE POOREST*

22 *SEC. 570B. (a) AUTHORITY TO REDUCE DEBT.—The*
 23 *President may reduce amounts owed to the United States*
 24 *(or any agency of the United States) by an eligible country*
 25 *as a result of—*

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

3 (2) *credits extended or guarantees issued under*
4 *the Arms Export Control Act.*

5 (b) *LIMITATIONS.—*

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

10 (2) *The authority provided by subsection (a)*
11 *may be exercised only in such amounts or to such ex-*
12 *tent as is provided in advance by appropriations*
13 *Acts.*

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

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

24 (1) *does not have an excessive level of military*
25 *expenditures;*

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

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

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

9 (5) *is not ineligible for assistance because of the*
 10 *application of section 527 of the Foreign Relations*
 11 *Authorization Act, fiscal years 1994 and 1995.*

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

16 (e) *CERTAIN PROHIBITIONS INAPPLICABLE.—A reduc-*
 17 *tion of debt pursuant to subsection (a) shall not be consid-*
 18 *ered assistance for purposes of any provision of law limit-*
 19 *ing assistance to a country. The authority provided by sub-*
 20 *section (a) may be exercised notwithstanding section 620(r)*
 21 *of the Foreign Assistance Act of 1961.*

22 **(160) LIMITATION ON FUNDS FOR RUSSIA**

23 **SEC. 571. Of the funds appropriated in this Act**
 24 **under the heading “Assistance for the New Independent**

1 States of the Former Soviet Union”, not more than
2 \$195,000,000 may be made available for Russia.

3 ~~(161)~~ LIMITATION ON ASSISTANCE TO MEXICO

4 ~~SEC. 572. IN GENERAL.~~—None of the funds appro-
5 priated or otherwise made available by this Act may be
6 obligated or expended for the Government of Mexico, ex-
7 cept if it is made known to the Federal entity or official
8 to which funds are appropriated under this Act that—

9 (1) the Government of Mexico is taking actions
10 to reduce the amount of illegal drugs entering the
11 United States from Mexico, as determined by the
12 Director of the Office of National Drug Control Pol-
13 icy; and

14 (2) the Government of Mexico—

15 (A) is taking effective actions to apply vig-
16 orously all law enforcement resources to inves-
17 tigate, track, capture, incarcerate, and pros-
18 ecute illegal drug kingpins and their accom-
19 plices, individuals responsible for, or otherwise
20 involved in, corruption, and individuals involved
21 in money-laundering; and

22 (B) is pursuing international anti-drug
23 trafficking initiatives.

1 (162) HUMAN RIGHTS PROGRESS IN ETHIOPIA

2 SEC. 573. The Department of State should closely
3 monitor and take into account human rights progress in
4 Ethiopia as it obligates fiscal year 1996 funds for Ethiopia
5 appropriated in this Act.

6 (163)BASIC EDUCATION FOR CHILDREN

7 Sec. 574. Not more than \$108,000,000 under the
8 Agency for International Development Children and Dis-
9 ease Programs Fund may be used for basic education for
10 children.

11 (164) KOREAN PENINSULA ENERGY DEVELOPMENT

12 ORGANIZATION

13 *SEC. 575. No funds may be made available under this*
14 *Act to the Korean Peninsula Energy Development Organi-*
15 *zation (KEDO) unless the President determines and cer-*
16 *tifies in writing to the Committees on Appropriations*
17 *that—*

(a) in accordance with Section 1 of the Agreed Framework, KEDO has designated a Republic of Korea company, corporation or entity for the purpose of negotiating a prime contract to carry out construction of the light water reactors provided for in the Agreed Framework; and

1 (b) the DPRK is maintaining the freeze on its
2 nuclear facilities as required in the Agreed Frame-
3 work; and

4 (c) the United States is taking steps to assure
5 that progress is made on (1) the North South dia-
6 logue, including efforts to reduce barriers to trade and
7 investment, such as removing restrictions on travel,
8 telecommunications services and financial trans-
9 actions; and (2) implementation of the January 1,
10 1992 Joint Declaration on the Denuclearization of the
11 Korean Peninsula;

12 (d) a report on the specific efforts with regard to
13 subsection (c) shall be submitted by the President to
14 the Committees on Appropriations six months after
15 the date of enactment, and every six months there-
16 after.

17 **(165)** DRAWDOWN AUTHORITY FOR JORDAN

18 SEC. 576. During fiscal year 1996, the President may
19 direct, for the purposes of part II of the Foreign Assistance
20 Act of 1961, the drawdown for Jordan of defense articles
21 from the stocks of the Department of Defense, defense serv-
22 ices of the Department of Defense, and military education
23 and training of up to an aggregate of \$100,000,000: Pro-
24 vided, That—

1 (a) *within six months of the last drawdown*
 2 *under subsection (a), the President shall submit a re-*
 3 *port to the Committee on Appropriations identifying*
 4 *the articles, services, training or education provided;*

5 (b) *section 506(c) of the Foreign Assistance Act*
 6 *of 1961 shall apply to the drawdown authority in this*
 7 *section; and*

8 (c) *section 632(d) of the Foreign Assistance Act*
 9 *of 1961 shall not apply with respect to drawdowns*
 10 *under this section.*

11 **(166)SEC. 577. FEDERAL PROHIBITION OF FE-**
 12 **MALE GENITAL MUTILATION.**

13 (a) *TITLE 18 AMENDMENT.—*

14 (1) *IN GENERAL.—Chapter 7 of title 18, United*
 15 *States Code, is amended by adding at the end the fol-*
 16 *lowing new section:*

17 **“§ 116. Female genital mutilation**

18 “(a) *Except as provided in subsection (b), whoever*
 19 *knowingly circumcises, excises, or infibulates the whole or*
 20 *any part of the labia majora or labia minora or clitoris*
 21 *of another person who has not attained the age of 18 years*
 22 *shall be fined under this title or imprisoned not more than*
 23 *5 years, or both.*

24 “(b) *A surgical operation is not a violation of this sec-*
 25 *tion if the operation is—*

1 “(1) necessary to the health of the person on
2 whom it is performed, and is performed by a person
3 licensed in the place of its performance as a medical
4 practitioner; or

5 “(2) performed on a person in labor or who has
6 just given birth and is performed for medical pur-
7 poses connected with that labor or birth by a person
8 licensed in the place it is performed as a medical
9 practitioner, midwife, or person in training to become
10 such a practitioner or midwife.

11 “(c) In applying subsection (b)(1), no account shall
12 be taken of the effect on the person on whom the operation
13 is to be performed of any belief on the part of that or any
14 other person that the operation is required as a matter of
15 custom or ritual.

16 “(d) Whoever knowingly denies to any person medical
17 care or services or otherwise discriminates against any per-
18 son in the provision of medical care or services, because—

19 “(1) that person has undergone female circumci-
20 sion, excision, or infibulation; or

21 “(2) that person has requested that female cir-
22 cumcision, excision, or infibulation be performed on
23 any person;

24 shall be fined under this title or imprisoned not more than
25 one year, or both.”.

1 (2) *CLERICAL AMENDMENT.*—*The table of sec-*
2 *tions at the beginning of chapter 7 of title 18, United*
3 *States Code, is amended by adding at the end the fol-*
4 *lowing new item:*

“116. Female genital mutilation.”.

5 **(b) INFORMATION AND EDUCATION REGARDING FE-**
6 **MALE GENITAL MUTILATION.**—

7 (1) *IN GENERAL.*—*The Secretary of Health and*
8 *Human Services shall carry out the following activi-*
9 *ties:*

10 (A) *Compile data on the number of females*
11 *living in the United States who have been sub-*
12 *jected to female genital mutilation (whether in*
13 *the United States or in their countries of origin),*
14 *including a specification of the number of girls*
15 *under the age of 18 who have been subjected to*
16 *such mutilation.*

17 (B) *Identify communities in the United*
18 *States that practice female genital mutilation,*
19 *and design and carry out outreach activities to*
20 *educate individuals in the communities on the*
21 *physical and psychological health effects of such*
22 *practice. Such outreach activities shall be de-*
23 *signed and implemented in collaboration with*
24 *representatives of the ethnic groups practicing*
25 *such mutilation and with representatives of or-*

ganizations with expertise in preventing such practice.

(C) Develop recommendations for the education of students of schools of medicine and osteopathic medicine regarding female genital mutilation and complications arising from such mutilation. Such recommendations shall be disseminated to such schools.

(2) DEFINITION.—For purposes of this subsection, the term “female genital mutilation” means the removal or infibulation (or both) of the whole or part of the clitoris, the labia minor, or the labia major.

(c) EFFECTIVE DATES.—

(1) Subsection (b) shall take effect immediately, and the Secretary of Health and Human Services shall commence carrying it out not later than 90 days after the date of the enactment of this Act.

(2) Subsection (a) shall take effect 180 days after the date of the enactment of this Act.

(167) LIBERIA

SEC. 578. (a) The Congress finds that—

(1) the war in Liberia begun in 1989 has devastated that country, with more than 150,000 people killed, 800,000 people forced to flee to other countries,

1 *and thousands of children conscripted into the rebel*
 2 *armies;*

3 *(2) after nearly six years of conflict, on August*
 4 *19, 1995, the Liberia factions signed a peace agree-*
 5 *ment in Abuja, Nigeria; and*

6 *(3) the Liberian faction leaders and regional*
 7 *powers appear to be committed to the most recent*
 8 *peace accord, including the installation of the new*
 9 *ruling council.*

10 *(b) It is the sense of the Congress that the United States*
 11 *should strongly support the peace process in Liberia, in-*
 12 *cluding diplomatic engagement, support for the west Africa*
 13 *peacekeeping force, humanitarian assistance, and assist-*
 14 *ance for demobilizing troops and for the resettlement of refu-*
 15 *gees.*

16 *(c) Section 1(b)(2) of Public Law 102–270 is amended*
 17 *by striking “to implement the Yamoussoukro accord”.*

18 **(168)** *SEC. 579. INDEX OF ECONOMIC FREEDOM.*

19 *(a) REPORTING REQUIREMENT.—The President shall*
 20 *include in the congressional presentation materials on*
 21 *United States bilateral economic assistance submitted to the*
 22 *appropriate congressional committees for a fiscal year a re-*
 23 *port providing a concise overview of the prospects for eco-*
 24 *nomie growth on a broad, equitable, and sustainable basis*
 25 *in the countries receiving economic assistance under title*

1 *II of this Act. For each country, the report shall discuss*
2 *the laws, policies and practices of that country that most*
3 *contribute to or detract from the achievement of this kind*
4 *of growth. The report should address relevant macro-*
5 *economic, microeconomic, social, legal, environmental, and*
6 *political factors and include economic freedom criteria re-*
7 *garding policies wage and price controls, State ownership*
8 *of production and distribution, State control of financial*
9 *institutions, trade and foreign investment, capital and*
10 *profit repatriation, tax and private property protections.*

11 *(b) COUNTRIES.—The countries referred to in sub-*
12 *section (a) are countries—*

13 *(1) for which in excess a total of \$5,000,000 has*
14 *been obligated during the previous fiscal year for as-*
15 *sistance under sections 103 through 106, chapters 10*
16 *and 11 of part I, and chapter 4 of part II of the For-*
17 *ign Assistance Act of 1961, and under the Support*
18 *for Eastern Democracy Act of 1989; or*

19 *(2) for which in excess of \$1,000,000 has been ob-*
20 *ligated during the previous fiscal year for assistance*
21 *administered by the Overseas Private Investment Cor-*
22 *poration.*

23 *(c) CONSULTATION.—The Secretary of State shall sub-*
24 *mit the report required by subsection (a) in consultation*
25 *with the Secretary of the Treasury, the Administrator of*

1 *the Agency for International Development, and the Presi-*
 2 *dent of the Overseas Private Investment Corporation.*

3 **(169)***SEC. 580. To the maximum extent possible, the*
 4 *funds provided by this Act shall be used to provide survey-*
 5 *ing and mapping related services through contracts entered*
 6 *into through competitive bidding to qualified United States*
 7 *contractors.*

8 **(170)****SEC. 581. ENERGY SAVINGS AT FEDERAL**
 9 **FACILITIES.**

10 *(a) REDUCTION IN FACILITIES ENERGY COSTS.—The*
 11 *head of each agency for which funds are made available*
 12 *under this Act shall take all actions necessary to achieve*
 13 *during fiscal year 1996 a 5 percent reduction, from fiscal*
 14 *year 1995 levels, in the energy costs of the facilities used*
 15 *by the agency.*

16 *(b) USE OF COST SAVINGS.—An amount equal to the*
 17 *amount of cost savings realized by an agency under sub-*
 18 *section (a) shall remain available for obligation through the*
 19 *end of fiscal year 1997, without further authorization or*
 20 *appropriation, as follows:*

21 *(1) CONSERVATION MEASURES.—Fifty percent of*
 22 *the amount shall remain available for the implemen-*
 23 *tation of additional energy conservation measures*
 24 *and for water conservation measures at such facilities*

1 *used by the agency as are designated by the head of*
 2 *the agency.*

3 (2) *OTHER PURPOSES.*—*Fifty percent of the*
 4 *amount shall remain available for use by the agency*
 5 *for such purposes as are designated by the head of the*
 6 *agency, consistent with applicable law.*

7 (c) *REPORT.*—

8 (1) *IN GENERAL.*—*Not later than December 31,*
 9 *1996, the head of each agency described in subsection*
 10 *(a) shall submit a report to Congress specifying the*
 11 *results of the actions taken under subsection (a) and*
 12 *providing any recommendations concerning how to*
 13 *further reduce energy costs and energy consumption*
 14 *in the future.*

15 (2) *CONTENTS.*—*Each report shall—*

16 (A) *specify the total energy costs of the fa-*
 17 *cilities used by the agency;*

18 (B) *identify the reductions achieved; and*

19 (C) *specify the actions that resulted in the*
 20 *reductions.*

21 **(171)** *SEC. 582. REPORTS REGARDING HONG KONG.*

22 (a) *EXTENSION OF REPORTING REQUIREMENT.*—*Sec-*
 23 *tion 301 of the United States-Hong Kong Policy Act of 1992*
 24 *(22 U.S.C. 5731) is amended in the text above paragraph*
 25 *(1)—*

1 (1) by inserting “March 31, 1996,” after “March
2 31, 1995,”; and

3 (2) by striking “and March 31, 2000,” and in-
4 serting “March 31, 2000, and every year thereafter,”.

5 (b) *ADDITIONAL REQUIREMENTS.*—In light of defi-
6 ciencies in reports submitted to the Congress pursuant to
7 section 301 of the United States-Hong Kong Policy Act (22
8 U.S.C. 5731), the Congress directs that reports required to
9 be submitted under that section on or after the date of enact-
10 ment of this Act include detailed information on the status
11 of, and other developments affecting, implementation of the
12 Sino-British Joint Declaration on the Question of Hong
13 Kong, including—

14 (1) the Basic Law and its consistency with the
15 Joint Declaration;

16 (2) the openness and fairness of elections to the
17 legislature;

18 (3) the openness and fairness of the election of
19 the chief executive and the executive’s accountability
20 to the legislature;

21 (4) the treatment of political parties;

22 (5) the independence of the judiciary and its
23 ability to exercise the power of final judgment over
24 Hong Kong law; and

25 (6) the Bill of Rights.

1 **(172)** *SEC. 583. HONDURAS.*

2 (a) *FINDINGS.—The Congress makes the following*
3 *findings:*

4 (1) *In 1981, a secret Honduran army death*
5 *squad known as Battalion 316 was created. During*
6 *the 1980's Battalion 316 engaged in a campaign of*
7 *systematically kidnapping, torturing and murdering*
8 *suspected subversives. Victims included Honduran*
9 *students, teachers, labor leaders and journalists. In*
10 *1993 there were reportedly 184 unsolved cases of per-*
11 *sons who were allegedly “disappeared”. They are pre-*
12 *sumed dead.*

13 (2) *At the time, Administration officials were*
14 *aware of the activities of Battalion 316, but in its*
15 *1983 human rights report the State Department stat-*
16 *ed that “There are no political prisoners in Hon-*
17 *duras”.*

18 (b) *DECLASSIFICATION OF DOCUMENTS.—It is the*
19 *sense of the Congress that the President should order the*
20 *expedited declassification of any documents in the posses-*
21 *sion of the United States Government pertaining to persons*
22 *who allegedly “disappeared” in Honduras, and promptly*
23 *make such documents available to Honduran authorities*
24 *who are seeking to determine the fate of these individuals.*

1 **(173)SEC. 584. REPORT ON RUSSIAN MILITARY**
2 **OPERATIONS.**

3 (a) *No later than three months after the date of enact-*
4 *ment of this Act, the President shall declassify, to the maxi-*
5 *imum extent possible, and resubmit to the Congress the re-*
6 *port submitted to the Congress pursuant to section 528 of*
7 *Public Law 103–236, with an addendum updating the in-*
8 *formation in the report.*

9 (b) *The addendum referred to in subsection (a) shall*
10 *be unclassified to the maximum extent possible and shall*
11 *address, inter alia—*

12 (1) *Russian compliance or lack of compliance*
13 *with the Russian-Moldovan agreement of October 24,*
14 *1994, providing for the withdrawal of Russian mili-*
15 *tary forces from Moldova, subsequent Russian deploy-*
16 *ments of military forces to Moldova and Russian ef-*
17 *forts to secure long-term military basing rights in*
18 *Moldova;*

19 (2) *possible Russian complicity in the coup at-*
20 *tempt of September-October 1994 against the Govern-*
21 *ment of Azerbaijan and the exertion of Russian pres-*
22 *sure to influence decisions regarding the path of pipe-*
23 *lines that will carry Azerbaijani oil;*

24 (3) *Russian efforts or agreements to assume par-*
25 *tial or complete responsibility for securing the borders*

1 *of countries other than Russia, using troops of the*
 2 *Russian Ministry of Defense, Ministry of the Interior*
 3 *or any other security agency of the Russian Federa-*
 4 *tion;*

5 *(4) Russian efforts to integrate its armed forces,*
 6 *other security forces, or intelligence agencies with*
 7 *those of any other country and the relationship of*
 8 *such efforts to the development of institutions under*
 9 *the Commonwealth of Independent States; and*

10 *(5) Russian compliance with the Treaty on Con-*
 11 *ventional Armed Forces in Europe and the Organiza-*
 12 *tion on Security and Cooperation in Europe's Code*
 13 *of Conduct on the Politico-Military Aspects of Secu-*
 14 *rity.*

15 **(174)** *LIMITATION ON ASSISTANCE TO COUNTRIES THAT*
 16 *RESTRICT THE TRANSPORT OR DELIVERY OF UNITED*
 17 *STATES HUMANITARIAN ASSISTANCE*

18 *SEC. 585. (a) IN GENERAL.—None of the funds made*
 19 *available in this Act may be used for assistance in support*
 20 *of any country when it is made known to the President*
 21 *that the government of such country prohibits or otherwise*
 22 *restricts, directly or indirectly, the transport or delivery of*
 23 *United States humanitarian assistance.*

24 *(b) EXCEPTION.—Subsection (a) shall not apply to as-*
 25 *sistance in support of any country when it is made known*

1 *to the President that the assistance is in the national secu-*
2 *rity interest of the United States.*

3 **(175)** *SEC. 586. Notwithstanding any other provision*
4 *of this Act, \$20,000,000 of the funds made available under*
5 *this Act for or through the Agency for International Devel-*
6 *opment shall be transferred to, and merged with, the appro-*
7 *priations account entitled “INTERNATIONAL NARCOTICS*
8 *CONTROL” and shall be available for the same purposes for*
9 *which funds in such account are available.*

10 **(176)** *SEC. 587. GUATEMALA.*

11 *(a) FINDINGS.—The Congress makes the following*
12 *findings:*

13 *(1) The Government of Guatemala, under Presi-*
14 *dent De Leon Carpio, has made significant progress*
15 *towards negotiating an end to Guatemala’s civil con-*
16 *flict which has resulted in numerous human rights*
17 *violations, claimed tens of thousands of lives and im-*
18 *peded economic development in that country;*

19 *(2) President De Leon Carpio has taken steps to*
20 *improve human rights, including his support for the*
21 *United Nations mission for the verification of human*
22 *rights and of compliance with the commitments of the*
23 *comprehensive agreement of human rights in Guate-*
24 *mala (Minugua) and his recent decision to abolish the*
25 *military commissioners, but his efforts to bring*

1 *human rights violators to justice have been impeded*
2 *by certain members of the Guatemalan armed forces;*

3 *(3) Despite numerous appeals by the families of*
4 *victims of human rights abuses, human rights organi-*
5 *zations and Members of the United States Congress,*
6 *there has been minimal progress towards resolving*
7 *specific human rights cases including cases involving*
8 *American citizens or their relatives;*

9 *(4) President De Leon Carpio deserves the sup-*
10 *port of the United States in his efforts to resolve Gua-*
11 *temala's conflict peacefully, to support Democratic*
12 *elections, and to improve respect for human rights.*

13 *(b) LIMITATIONS.—Notwithstanding any other provi-*
14 *sions of law—*

15 *(1) No assistance in this act or any other act*
16 *shall be made available to the Guatemalan Armed*
17 *Forces or the URNG;*

18 *(2) No sales of defense articles or services shall*
19 *be licensed or approved for Guatemala for the Armed*
20 *Forces or URNG; and*

21 *(3) No visas shall be granted for any member of*
22 *the Guatemalan Armed Forces or the URNG sus-*
23 *pected of participating in or ordering any violation*
24 *of human rights or of seeking to coverup or otherwise*
25 *thwart the investigation of such acts.*

1 (c) *CERTIFICATION.*—*The limitations contained in*
2 *subsection (b) shall cease to apply when the President cer-*
3 *tifies to the Committee on Appropriations and the Commit-*
4 *tee on Foreign Relations that—*

5 (1) *The Guatemalan Armed Forces and the*
6 *URNG are fully cooperating with efforts—*

7 (A) *By the family of United States citizen*
8 *Michael Devine who was murdered in 1990 to*
9 *bring to justice those responsible for the murder*
10 *or coverup of the murder;*

11 (B) *The October 1994 murders of Roderico*
12 *Baudilio De Leon and Flavio Matias Marroquin*

13 (C) *By Jennifer Harbury to exhume the*
14 *body of her husband, Efrain Bamaca Velasquez;*
15 *and*

16 (D) *By human rights organizations and the*
17 *Guatemalan Attorney General to investigate and*
18 *bring to justice those involved in the prominent*
19 *human rights cases committed by both sides to*
20 *the conflict, including those cases enumerated in*
21 *the April 7, 1995 letter to President Clinton by*
22 *twelve Members of the United States Senate.*

23 (2) *The Guatemalan Government and Armed*
24 *Forces are complying with the recommendations in*
25 *Minugua's first and second reports, particularly those*

1 *related to the investigation and prosecution of human*
2 *rights cases.*

3 *(3) The United States Representative to the*
4 *United Nations Human Rights Commission has con-*
5 *sulted with Representatives of other member States to*
6 *determine whether respect for human rights would be*
7 *enhanced by the appointment of a special United Na-*
8 *tions Rapporteur for Guatemala.*

9 **(177)***SEC. 588. (a) The Senate finds the following:*

10 *(1) Since March 1995 the Peruvian Government*
11 *has engaged in an aggressive air interdiction pro-*
12 *gram to prevent narcotics traffickers from violating*
13 *Peruvian airspace for the purpose of transporting il-*
14 *legal narcotics to Colombia.*

15 *(2) As a result of the Peruvian interdiction pro-*
16 *gram, the number of illicit flights detected in recent*
17 *months has dropped to its lowest level in over three*
18 *years and the price of transporting narcotics out of*
19 *Peru has risen by as much as 500 percent.*

20 *(3) The inability of the traffickers to move co-*
21 *caine base out of Peru has produced a glut of coca*
22 *leaf and cocaine base in Peru with a resulting 50 per-*
23 *cent decline in the price.*

24 *(4) The Peruvian Government's ability to sus-*
25 *tain the success of its interdiction program is depend-*

1 ent on the maintenance and upkeep of a very limited
2 number of aircraft.

3 (5) As a result of the internal Peruvian political
4 situation and the conflict earlier this year between
5 Peru and Ecuador, the United States suspended mili-
6 tary transfers to Peru.

7 (6) As much as 80 percent of the cocaine that
8 reaches the United States comes from coca grown in
9 Peru and the disruption of the air corridor between
10 Peru and Colombia is important to United States
11 counter narcotics efforts.

12 (7) The situations which led to the cutoff of mili-
13 tary equipment for the air interdiction effort have
14 been satisfactorily resolved or have progressed to a
15 point where the cutoff of this military equipment is
16 no longer in the interest of the United States.

17 (b) It is the sense of the Senate that the President
18 should, as soon as possible, provide limited spare parts and
19 other military equipment to the Government of Peru in sup-
20 port of Peruvian Air Force efforts to monitor, intercept and
21 interdict aircraft and other forms of transportation engaged
22 in illegal narcotics trafficking activities.

23 **(178)** SEC. 589. Of the funds appropriated for Turkey
24 under the heading "Economic Assistance", not less than
25 \$5,000,000 shall be made available only through non-gov-

1 *ernmental organizations to be used only for projects in the*
2 *ten southeastern provinces currently under a state of emer-*
3 *gency, and shall be used only for projects designed to pro-*
4 *mote economic development, cultural and ethnic tolerance,*
5 *and human rights activities, and to support the develop-*
6 *ment and activities of non-governmental organizations.*

7 **(179)SEC. 590. HONG KONG ELECTIONS.**

8 *(a) FINDINGS.—The Congress finds the following:*

9 *(1) The right to an elected legislature in Hong*
10 *Kong is guaranteed by the 1984 Sino-British Joint*
11 *Declaration on the Question of Hong Kong.*

12 *(2) The United States-Hong Kong Policy Act de-*
13 *clared the Congress's support for full implementation*
14 *of the 1984 Sino-British Joint Declaration;*

15 *(3) The People's Republic of China declared in*
16 *the Joint Declaration that Hong Kong would be*
17 *“vested legislative, executive and independent judicial*
18 *power” and would have “a legislature constituted by*
19 *elections”.*

20 *(4) On September 17, 1995, the highest number*
21 *of Hong Kong voters ever demonstrated their commit-*
22 *ment to democracy by freely expressing their right to*
23 *vote in the Legislative Council elections.*

24 *(5) The voters of Hong Kong have overwhelm-*
25 *ingly expressed their desire for the establishment of a*

1 *fully democratic government by electing 60 Legisla-*
 2 *tive Councillors for four-year terms.*

3 *(b) SENSE OF CONGRESS.—It is the sense of the Con-*
 4 *gress that—*

5 *(1) the people of Hong Kong are to be congratu-*
 6 *lated for exercising their right to vote on September*
 7 *17, 1995;*

8 *(2) the People's Republic of China should respect*
 9 *the clear will of the people of Hong Kong to have a*
 10 *fully democratic government;*

11 *(3) the Government of the People's Republic of*
 12 *China should enter into a dialogue with the democrat-*
 13 *ically elected representatives of the Hong Kong people;*
 14 *and*

15 *(4) the Government of the People's Republic of*
 16 *China should respect the mandate of the elected mem-*
 17 *bers by withdrawing its pledge to abolish the Legisla-*
 18 *tive Council in violation of the Joint Declaration's*
 19 *provisions on Hong Kong's legislature and autonomy*
 20 *in all but defense and foreign affairs.*

21 **(180)** *SEC. 591. SENSE OF THE SENATE ON THAI-*
 22 *LAND.*

23 *(a) FINDINGS.—The Senate makes the following find-*
 24 *ings—*

1 (1) *the Royal Thai Government has had a policy*
 2 *of not supporting or cooperating with the Khmer*
 3 *Rouge; and*

4 (2) *Thailand is host to large numbers of persons*
 5 *displaced from neighboring countries, including*
 6 *Burma, placing a significant burden on Thailand's*
 7 *economy.*

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

10 (1) *affirm to the Royal Thai Government the*
 11 *support of the United States for that Government's*
 12 *policy not to support or cooperate with the Khmer*
 13 *Rouge and encourage the Royal Thai Government to*
 14 *prosecute vigorously its efforts to prevent cooperation*
 15 *between individual members of the Royal Thai Armed*
 16 *Forces and the Khmer Rouge; and*

17 (2) *take appropriate steps to assist the Royal*
 18 *Thai Government in providing and facilitating relief*
 19 *to displaced persons from Burma and other neighbor-*
 20 *ing countries and to encourage that Government to*
 21 *fully cooperate in such relief efforts.*

22 **(181)** *SEC. 592. EXTENSION OF TIED AID CREDIT*
 23 *PROGRAM.—(a) Section 10(c)(2) of the Export-Import*
 24 *Bank Act of 1945 (12 U.S.C. 635i–3(c)(2)) is amended by*
 25 *striking “1995” and inserting “1997”.*

1 (b) *Section 10(e) of the Export-Import Bank Act of*
 2 *1945 (12 U.S.C. 635i-3(e)) is amended by striking “1993,*
 3 *1994, and 1995” and inserting “1996 and 1997”.*

4 *SEC. 593. AUTHORITY TO CONDUCT A DEMONSTRA-*
 5 *TION PROJECT.—Notwithstanding section 4701(a)(1)(A) of*
 6 *title 5, United States Code, the Export-Import Bank of the*
 7 *United States may conduct a demonstration project in ac-*
 8 *cordance with section 4703 of such title 5.*

9 **(182)** *CONVENTIONAL WEAPONS REVIEW*

10 *SEC. 594. (a) FINDINGS.—The Congress makes the fol-*
 11 *lowing findings:*

12 (1) *On September 26, 1994, the President de-*
 13 *clared that it is a goal of the United States to eventu-*
 14 *ally eliminate antipersonnel landmines.*

15 (2) *On December 15, 1994, the United Nations*
 16 *General Assembly adopted a resolution sponsored by*
 17 *the United States which called for international ef-*
 18 *forts to eliminate antipersonnel landmines.*

19 (3) *According to the Department of State, there*
 20 *are an estimated 80,000,000 to 110,000,000*
 21 *unexploded landmines in 62 countries.*

22 (4) *Antipersonnel landmines are routinely used*
 23 *against civilian populations and kill and maim an*
 24 *estimated 70 people each day, or 26,000 people each*
 25 *year.*

1 (5) *The Secretary of State has noted that land-*
2 *mines are “slow-motion weapons of mass destruc-*
3 *tion”.*

4 (6) *There are hundreds of varieties of anti-*
5 *personnel landmines, from a simple type available at*
6 *a cost of only two dollars to the more complex self-*
7 *destructing type, and all landmines of whatever vari-*
8 *ety kill and maim civilians, as well as combatants,*
9 *indiscriminately.*

10 (b) *CONVENTIONAL WEAPONS CONVENTION REVIEW.—*
11 *It is the sense of Congress that, at the United Nations con-*
12 *ference to review the 1980 Conventional Weapons Conven-*
13 *tion, including Protocol II on landmines, that is to be held*
14 *from September 25 to October 13, 1995, the President*
15 *should actively support proposals to modify Protocol II that*
16 *would implement as rapidly as possible the United States*
17 *goal of eventually eliminating antipersonnel landmines.*

18 (c) *MORATORIUM ON USE OF ANTIPERSONNEL LAND-*
19 *MINES.—(1) UNITED STATES MORATORIUM.—(A) For a pe-*
20 *riod of one year beginning three years after the date of the*
21 *enactment of this Act, the United States shall not use anti-*
22 *personnel landmines except along internationally recog-*
23 *nized national borders or in demilitarized zones within a*
24 *perimeter marked area that is monitored by military per-*

1 sonnel and protected by adequate means to ensure the exclu-
2 sion of civilians.

3 (B) If the President determines, before the end of the
4 one year period of the United States moratorium under sub-
5 paragraph (A), that the governments of other nations are
6 implementing moratoria on use of antipersonnel landmines
7 similar to the United States moratorium, the President
8 may extend the period of the United States moratorium for
9 such additional period as the President considers appro-
10 priate.

11 (2) OTHER NATIONS.—It is the sense of Congress that
12 the President should actively encourage the governments of
13 other nations to join the United States in solving the global
14 landmine crisis by implementing moratoria on use of anti-
15 personnel landmines similar to the United States morato-
16 rium as a step toward the elimination of antipersonnel
17 landmines.

18 (d) ANTIPERSONNEL LANDMINE EXPORTS.—It is the
19 sense of Congress that, consistent with the United States
20 moratorium on exports of antipersonnel landmines and in
21 order to further discourage the global proliferation of anti-
22 personnel landmines, the United States Government should
23 not sell, license for export, or otherwise transfer defense arti-
24 cles and services to any foreign government which, as deter-

1 *mined by the President, sells, exports, or otherwise transfers*
2 *antipersonnel landmines.*

3 *(e) DEFINITIONS.—For purposes of this Act:*

4 *(1) ANTIPERSONNEL LANDMINE.—(A) The term*
5 *“antipersonnel landmine” means any munition*
6 *placed under, on, or near the ground or other surface*
7 *area, delivered by artillery, rocket, mortar, or similar*
8 *means, or dropped from an aircraft and which is de-*
9 *signed, constructed, or adapted to be detonated or ex-*
10 *ploded by the presence, proximity, or contact of a per-*
11 *son.*

12 *(B) The term “antipersonnel landmine” does not*
13 *include command detonated Claymore munitions.*

14 *(2) 1980 CONVENTIONAL WEAPONS CONVEN-*
15 *TION.—The term “1980 Conventional Weapons Con-*
16 *vention” means the Convention on Prohibitions or*
17 *Restrictions on the Use of Certain Conventional*
18 *Weapons Which May Be Deemed To Be Excessively*
19 *Injurious or To Have Indiscriminate Effects, together*
20 *with the protocols relating thereto, done at Geneva on*
21 *October 10, 1980.*

22 **(183)SEC. 595. EXTENSION OF AU PAIR PRO-**
23 **GRAMS.**

1 *Section 8 of the Eisenhower Exchange Fellowship Act*
 2 *of 1990 is amended in the last sentence by striking “fiscal*
 3 *year 1995” and inserting “fiscal year 1998”.*

4 **(184)***SEC. 596. Funds appropriated by this Act may*
 5 *be obligated and expended notwithstanding section 10 of*
 6 *Public Law 91–672 and section 15 of the State Department*
 7 *Basic Authorities Act of 1956: Provided, That this section*
 8 *shall not apply with respect to any accounts for which a*
 9 *general authorization of appropriations for fiscal year 1996*
 10 *is enacted in law on or before April 1, 1996.*

11 **(185)***SEC. 597. CROATIAN-AMERICAN ENTER-*
 12 *PRISE FUND.*

13 *(a) DESIGNATION OF FUND.—The President shall des-*
 14 *ignate a private, nonprofit organization as eligible to re-*
 15 *ceive funds and support pursuant to this section with re-*
 16 *spect to Croatia in the same manner and with the same*
 17 *limitations as set forth in section 201(d) of the Support*
 18 *for East European Democracy (SEED) Act of 1989. Such*
 19 *organization shall be known as the “Croatian-American*
 20 *Enterprise Fund”.*

21 *(b) APPLICATION OF SEED ACT.—Except as otherwise*
 22 *specifically provided in this section, the provisions con-*
 23 *tained in section 201 of the Support for East European*
 24 *Democracy (SEED) Act of 1989 (excluding the authoriza-*
 25 *tions of appropriations provided in subsection (b) of that*

1 *section) shall apply to the Croatian-American Enterprise*
 2 *Fund. The officers, members, or employees of the Croatian-*
 3 *American Enterprise Fund shall enjoy the same status*
 4 *under law that is applicable to officers, members, or em-*
 5 *ployees of the Enterprise Funds for Poland and Hungary*
 6 *under the Support for East European Democracy (SEED)*
 7 *Act of 1989.*

8 (c) *AUTHORIZATION OF APPROPRIATIONS.—(1) There*
 9 *are authorized to be appropriated to the President for pur-*
 10 *poses of this section, in addition to funds otherwise avail-*
 11 *able for such purposes, \$12,000,000 for fiscal year 1996 to*
 12 *fund the Croatian-American Enterprise Fund established*
 13 *under subsection (a).*

14 (2) *Funds appropriated under this subsection are au-*
 15 *thorized to remain available until expended.*

16 (d) *APPROPRIATIONS.—Of the funds appropriated or*
 17 *otherwise made available by this Act under the heading en-*
 18 *titled “ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC*
 19 *STATES”, \$12,000,000 shall be available only to support the*
 20 *Croatian-American Fund established by subsection (a).*

21 **(186)SEC. 598. SANCTIONS AGAINST COUN-**
 22 **TRIES HARBORING WAR CRIMINALS.**

23 (a) *BILATERAL ASSISTANCE.—Assistance may not be*
 24 *provided in any fiscal year under the Foreign Assistance*

1 *Act of 1961 or the Arms Export Control Act for any country*
2 *described in subsection (c).*

3 (b) *MULTILATERAL ASSISTANCE.*—*The Secretary of*
4 *the Treasury shall instruct the United States executive di-*
5 *rectors of the international financial institutions each fiscal*
6 *year to work in opposition to, and vote against, any exten-*
7 *sion by such institutions of financing or financial or tech-*
8 *nical assistance to any country described in subsection (c).*

9 (c) *SANCTIONED COUNTRIES.*—*A country described in*
10 *this subsection is a country the government of which per-*
11 *mits entry into or presence in the territory of such country*
12 *to any person—*

13 (1) *who has been indicted by the International*
14 *Criminal Tribunal for the former Yugoslavia, the*
15 *International Criminal Tribunal for Rwanda, or any*
16 *other international tribunal with similar standing*
17 *under international law, or*

18 (2) *who has been indicted for war crimes or*
19 *crimes against humanity committed during the pe-*
20 *riod beginning March 23, 1933 and ending on May*
21 *8, 1945 under the direction of, or in association*
22 *with—*

23 (A) *the Nazi government of Germany;*

1 (B) any government in any area occupied
2 by the military forces of the Nazi government of
3 Germany;

4 (C) any government which was established
5 with the assistance or cooperation of the Nazi
6 government of Germany; or

7 (D) any government which was an ally of
8 the Nazi government of Germany.

9 (d) DEFINITIONS.—As used in this section—

10 (1) the term “international financial institu-
11 tions” includes the International Bank for Recon-
12 struction and Development, the International Devel-
13 opment Association, the International Monetary
14 Fund, the European Bank for Reconstruction and De-
15 velopment, the International Finance Corporation,
16 the Multilateral Investment Guarantee Agency, the
17 Inter-American Development Bank, the Inter-Amer-
18 ican Investment Corporation, the African Develop-
19 ment Bank, the African Development Fund, and the
20 Asian Development Bank; and

21 (2) the term “war crime” includes any offense
22 which is—

23 (A) a grave breach of any of the four Gene-
24 va Conventions for the Protection of War Victims
25 of August 12, 1949;

1 (B) a violation of the Hague Convention
2 (IV) Respecting the Laws and Customs of War
3 on Land of October 18, 1907, or the Regulations
4 annexed thereto;

5 (C) a violation of the Convention on the
6 Prevention and Punishment of the Crime of
7 Genocide of December 9, 1948; or

8 (D) a violation of the Charter of the Inter-
9 national Military Tribunal of August 8, 1945.

10 **(187)**SEC. 599. RUSSIAN COMPLIANCE WITH THE
11 CFE TREATY AND PRIORITIES FOR MODIFYING EXISTING
12 ARMS CONTROL TREATIES.—It is the sense of the Senate
13 that—

14 (a) the failure by the Russian Federation to meet any
15 obligation under the Treaty of the Conventional Armed
16 Forces in Europe shall constitute non-compliance with the
17 Treaty;

18 (b) the United States should insist on full compliance
19 by the Russian Federation with all of the obligations of the
20 Treaty on Conventional Armed Forces in Europe;

21 (c) the Treaty on Conventional Armed Forces in Eu-
22 rope provides adequate means by which the Russian Fed-
23 eration can meet its claimed military requirements for trea-
24 ty-limited equipment in the flank zone defined by Article
25 V of the Treaty, including movement of equipment within

1 *the flank zone, temporary deployment of additional equip-*
 2 *ment to the flank zone, and the temporary removal of equip-*
 3 *ment from designated permanent storage sites located in the*
 4 *flank zone.*

5 **●(188)** *TITLE VI—MIDDLE EAST PEACE*

6 *FACILITATION ACT OF 1995*

7 *SHORT TITLE*

8 *SEC. 601. This title may be cited as the “Middle East*
 9 *Peace Facilitation Act of 1995”.*

10 *FINDINGS*

11 *SEC. 602. The Congress finds that—*

12 *(1) the Palestine Liberation Organization (here-*
 13 *after the “P.L.O.”) has recognized the State of Israel’s*
 14 *right to exist in peace and security; accepted United*
 15 *Nations Security Council Resolutions 242 and 338;*
 16 *committed itself to the peace process and peaceful co-*
 17 *existence with Israel, free from violence and all other*
 18 *acts which endanger peace and stability; and assumed*
 19 *responsibility over all P.L.O. elements and personnel*
 20 *in order to assure their compliance, prevent viola-*
 21 *tions, and discipline violators;*

22 *(2) Israel has recognized the P.L.O. as the rep-*
 23 *resentative of the Palestinian people;*

24 *(3) Israel and the P.L.O. signed a Declaration of*
 25 *Principles on Interim Self-Government Arrangements*

1 *(hereafter the “Declaration of Principles”) on Sep-*
2 *tember 13, 1993 at the White House;*

3 *(4) Israel and the P.L.O. signed an Agreement*
4 *on the Gaza Strip and the Jericho Area (hereafter the*
5 *“Gaza-Jericho Agreement”) on May 4, 1994 which es-*
6 *tablished a Palestinian Authority for the Gaza and*
7 *Jericho areas;*

8 *(5) Israel and the P.L.O. signed an Agreement*
9 *on Preparatory Transfer of Powers and Responsibil-*
10 *ities (hereafter the “Early Empowerment Agreement”)*
11 *on August 29, 1994 which provided for the transfer*
12 *to the Palestinian Authority of certain powers and re-*
13 *sponsibilities in the West Bank outside of the Jericho*
14 *Area;*

15 *(6) under the terms of the Declaration of Prin-*
16 *ciples, the Gaza-Jericho Agreement and the Early*
17 *Empowerment Agreement, the powers and responsibil-*
18 *ities of the Palestinian Authority are to be assumed*
19 *by an elected Palestinian Council with jurisdiction in*
20 *the West Bank and Gaza Strip in accordance with*
21 *the Interim Agreement to be concluded between Israel*
22 *and the P.L.O.;*

23 *(7) permanent status negotiations relating to the*
24 *West Bank and Gaza Strip are scheduled to begin by*
25 *May 1996;*

1 (8) the Congress has, since the conclusion of the
2 *Declaration of Principles* and the P.L.O.'s renunci-
3 ation of terrorism, provided authorities to the Presi-
4 dent to suspend certain statutory restrictions relating
5 to the P.L.O., subject to Presidential certifications
6 that the P.L.O. has continued to abide by commit-
7 ments made in and in connection with or resulting
8 from the good faith implementation of, the Declara-
9 tion of Principles;

10 (9) the P.L.O. commitments relevant to Presi-
11 dential certifications have included commitments to
12 renounce and condemn terrorism, to submit to the
13 Palestinian National Council for formal approval the
14 necessary changes to those articles of the Palestinian
15 Covenant which call for Israel's destruction, and to
16 prevent acts of terrorism and hostilities against Is-
17 rael; and

18 (10) the President, in exercising the aforemen-
19 tioned authorities, has certified to the Congress on
20 four occasions that the P.L.O. was abiding by its rel-
21 evant commitments.

22 SENSE OF CONGRESS

23 SEC. 603. It is the sense of the Congress that although
24 the P.L.O. has recently shown improvement in its efforts
25 to fulfill its commitments, it must do far more to dem-
26 onstrate an irrevocable denunciation of terrorism and en-

1 *sure a peaceful settlement of the Middle East dispute, and*
2 *in particular it must—*

3 *(1) submit to the Palestine National Council for*
4 *formal approval the necessary changes to those arti-*
5 *cles of the Palestinian National Covenant which call*
6 *for Israel's destruction;*

7 *(2) make greater efforts to pre-empt acts of ter-*
8 *ror, to discipline violators and to contribute to stem-*
9 *ming the violence that has resulted in the deaths of*
10 *123 Israeli citizens since the signing of the Declara-*
11 *tion of Principles;*

12 *(3) prohibit participation in its activities and in*
13 *the Palestinian Authority and its successors by any*
14 *groups or individuals which continue to promote and*
15 *commit acts of terrorism;*

16 *(4) cease all anti-Israel rhetoric, which poten-*
17 *tially undermines the peace process;*

18 *(5) confiscate all unlicensed weapons and restrict*
19 *the issuance of licenses to those with legitimate need;*

20 *(6) transfer and cooperate in transfer proceed-*
21 *ings relating to any person accused by Israel to acts*
22 *of terrorism; and*

23 *(7) respect civil liberties, human rights and*
24 *democratic norms.*

1 *AUTHORITY TO SUSPEND CERTAIN PROVISIONS*

2 *SEC. 604. (a) IN GENERAL.—Subject to subsection (b),*
3 *beginning on the date of enactment of this Act and for*
4 *twelve months thereafter, the President may suspend for a*
5 *period of not more than 6 months at a time any provision*
6 *of law specified in subsection (d). Any such suspension shall*
7 *cease to be effective after 6 months, or at such earlier date*
8 *as the President may specify.*

9 *(b) CONDITIONS.—*

10 *(1) CONSULTATIONS.—Prior to each exercise of*
11 *the authority provided in subsection (a) or certifi-*
12 *cation pursuant to subsection (c), the President shall*
13 *consult with the relevant congressional committees.*
14 *The President may not exercise that authority or*
15 *make such certification until 30 days after a written*
16 *policy justification is submitted to the relevant con-*
17 *gressional committees.*

18 *(2) PRESIDENTIAL CERTIFICATION.—The Presi-*
19 *dent may exercise the authority provided in sub-*
20 *section (a) only if the President certifies to the rel-*
21 *evant congressional committees each time he exercises*
22 *such authority that—*

23 *(A) it is in the national interest of the*
24 *United States to exercise such authority;*

1 (B) the P.L.O. continues to comply with all
2 the commitments described in paragraph (4);
3 and

4 (C) funds provided pursuant to the exercise
5 of this authority and the authorities under sec-
6 tion 583(a) of Public Law 103–236 and section
7 3(a) of Public Law 103–125 have been used for
8 the purposes for which they were intended.

9 (3) REQUIREMENT FOR CONTINUING P.L.O. COM-
10 PLIANCE.—

11 (A) The President shall ensure that P.L.O.
12 performance is continuously monitored and if
13 the President at any time determines that the
14 P.L.O. has not continued to comply with all the
15 commitments described in paragraph (4), he
16 shall so notify the relevant congressional commit-
17 tees and any suspension under subsection (a) of
18 a provision of law specified in subsection (d)
19 shall cease to be effective.

20 (B) Beginning six months after the date of
21 enactment of this Act, if the President on the
22 basis of the continuous monitoring of the
23 P.L.O.'s performance determines that the P.L.O.
24 is not complying with the requirements described
25 in subsection (c), he shall so notify the relevant

1 *congressional committees and no assistance shall*
2 *be provided pursuant to the exercise by the Presi-*
3 *dent of the authority provided by subsection (a)*
4 *until such time as the President makes the cer-*
5 *tification provided for in subsection (c).*

6 (4) *P.L.O. COMMITMENTS DESCRIBED.*—*The*
7 *commitments referred to in paragraphs (2) and*
8 *(3)(A) are the commitments made by the P.L.O.—*

9 *(A) in its letter of September 9, 1993, to the*
10 *Prime Minister of Israel; in its letter of Septem-*
11 *ber 9, 1993, to the Foreign Minister of Norway*
12 *to—*

13 *(i) recognize the right of the State of*
14 *Israel to exist in peace and security;*

15 *(ii) accept United Nations Security*
16 *Council Resolutions 242 and 338;*

17 *(iii) renounce the use of terrorism and*
18 *other acts of violence;*

19 *(iv) assume responsibility over all*
20 *P.L.O. elements and personnel in order to*
21 *assure their compliance, prevent violations*
22 *and discipline violators;*

23 *(v) call upon the Palestinian people in*
24 *the West Bank and Gaza Strip to take part*
25 *in the steps leading to the normalization of*

1 *life, rejecting violence and terrorism, and*
2 *contributing to peace and stability; and*

3 *(vi) submit to the Palestine National*
4 *Council for formal approval the necessary*
5 *changes to the Palestinian National Cov-*
6 *enant eliminating calls for Israel's destruc-*
7 *tion, and*

8 *(B) in, and resulting from, the good faith*
9 *implementation of the Declaration of Principles,*
10 *including good faith implementation of subse-*
11 *quent agreements with Israel, with particular at-*
12 *tention to the objective of preventing terrorism,*
13 *as reflected in the provisions of the Gaza-Jericho*
14 *Agreement concerning—*

15 *(i) prevention of acts of terrorism and*
16 *legal measures against terrorists;*

17 *(ii) abstention from and prevention of*
18 *incitement, including hostile propaganda;*

19 *(iii) operation of armed forces other*
20 *than the Palestinian Police;*

21 *(iv) possession, manufacture, sale, ac-*
22 *quisition or importation of weapons;*

23 *(v) employment of police who have*
24 *been convicted of serious crimes or have*
25 *been found to be actively involved in terror-*

1 *ist activities subsequent to their employ-*
2 *ment;*

3 *(vi) transfers to Israel of individuals*
4 *suspected of, charged with, or convicted of*
5 *an offense that falls within Israeli criminal*
6 *jurisdiction;*

7 *(vii) cooperation with the government*
8 *of Israel in criminal matters, including co-*
9 *operation in the conduct of investigations;*
10 *and*

11 *(viii) exercise of powers and respon-*
12 *sibilities under the agreement with due re-*
13 *gard to internationally accepted norms and*
14 *principles of human rights and the rule of*
15 *law.*

16 *(5) POLICY JUSTIFICATION.—As part of the*
17 *President's written policy justification to be submit-*
18 *ted to the relevant Congressional Committees pursu-*
19 *ant to paragraph (1), the President will report on—*

20 *(A) the manner in which the P.L.O. has*
21 *complied with the commitments specified in*
22 *paragraph (4), including responses to individual*
23 *acts of terrorism and violence, actions to dis-*
24 *cipline perpetrators of terror and violence, and*
25 *actions to preempt acts of terror and violence;*

1 (B) the extent to which the P.L.O. has ful-
2 filled the requirements specified in subsection (c);

3 (C) actions that the P.L.O. has taken with
4 regard to the Arab League boycott of Israel;

5 (D) the status and activities of the P.L.O.
6 office in the United States; and

7 (E) the status of U.S. and international as-
8 sistance efforts in the areas subject to jurisdic-
9 tion of the Palestinian Authority or its succes-
10 sors.

11 (c) *REQUIREMENT FOR CONTINUED PROVISION OF AS-*
12 *SISTANCE.*—Six months after the enactment of this Act, no
13 assistance shall be provided pursuant to the exercise by the
14 President of the authority provided by subsection (a), unless
15 and until the President determines and so certifies to the
16 Congress that—

17 (1) if the Palestinian Council has been elected
18 and assumed its responsibilities, it has, within a rea-
19 sonable time, effectively disavowed and thereby nul-
20 lified the articles of the Palestine National Covenant
21 which call for Israel's destruction, unless the nec-
22 essary changes to the Covenant have already been sub-
23 mitted to the Palestine National Council for formal
24 approval;

1 (2) the P.L.O. has exercised its authority reso-
2 lutely to establish the necessary enforcement institu-
3 tions; including laws, police, and a judicial system,
4 for apprehending, prosecuting, convicting, and im-
5 prisoning terrorists;

6 (3) the P.L.O. has limited participation in the
7 Palestinian Authority and its successors to individ-
8 uals and groups that neither engage in nor practice
9 terrorism or violence in the implementation of their
10 political goals;

11 (4) the P.L.O. has not provided any financial or
12 material assistance or training to any group, whether
13 or not affiliated with the P.L.O., to carry out actions
14 inconsistent with the Declaration of Principles, par-
15 ticularly acts of terrorism against Israel;

16 (5) the P.L.O. has cooperated in good faith with
17 Israeli authorities in the preemption of acts of terror-
18 ism and in the apprehension and trial of perpetrators
19 of terrorist acts in Israel, territories controlled by Is-
20 rael and all areas subject to jurisdiction of the Pal-
21 estinian Authority and its successors;

22 (6) the P.L.O. has exercised its authority reso-
23 lutely to enact and implement laws requiring the dis-
24 arming of civilians not specifically licensed to possess
25 or carry weapons;

1 (7) *the P.L.O. has not funded, either partially or*
2 *wholly, or has ceased funding, either partially or*
3 *wholly, any office, or other presence of the Palestinian*
4 *Authority in Jerusalem; and*

5 (8) *the P.L.O. is cooperating fully with the Gov-*
6 *ernment of the United States on the provision of in-*
7 *formation on United States nationals known to have*
8 *been held at any time by the P.L.O. or factions there-*
9 *of.*

10 (d) *PROVISIONS THAT MAY BE SUSPENDED.—The*
11 *provisions that may be suspended under the authority of*
12 *subsection (a) are the following:*

13 (1) *Section 307 of the Foreign Assistance Act of*
14 *1961 (22 U.S.C. 2227) as it applies with respect to*
15 *the P.L.O. or entities associated with it.*

16 (2) *Section 114 of the Department of State Au-*
17 *thorization Act, fiscal years 1984 and 1985 (22*
18 *U.S.C. 287e note) as it applies with respect to the*
19 *P.L.O. or entities associated with it.*

20 (3) *Section 1003 of the Foreign Relations Au-*
21 *thorization Act, fiscal years 1988 and 1989 (22*
22 *U.S.C. 5202).*

23 (4) *Section 37 of the Bretton Woods Agreement*
24 *Act (22 U.S.C. 286W) as it applies on the granting*
25 *to the P.L.O. of observer status or other official status*

1 *at any meeting sponsored by or associated with the*
 2 *International Monetary Fund. As used in this para-*
 3 *graph, the term “other official status” does not in-*
 4 *clude membership in the International Monetary*
 5 *Fund.*

6 (e) *RELEVANT CONGRESSIONAL COMMITTEES DE-*
 7 *FINED.*—*As used in this title, the term “relevant congres-*
 8 *sional committees” means—*

9 (1) *the Committee on International Relations,*
 10 *the Committee on Banking and Financial Services,*
 11 *and the Committee on Appropriations of the House of*
 12 *Representatives; and*

13 (2) *the Committee on Foreign Relations and the*
 14 *Committee on Appropriations of the Senate.*

15 **(189)** *LIMITATION ON ASSISTANCE FOR HAITI*

16 *SEC. 605. (a) LIMITATION.*—*None of the funds appro-*
 17 *priated or otherwise made available by this Act or any other*
 18 *Act may be furnished to the Government of Haiti until the*
 19 *President determines and reports in writing to the Congress*
 20 *that—*

21 (1) *the Government of Haiti has conducted or is*
 22 *conducting a thorough and professional investigation*
 23 *into, and prosecution of those responsible for the mur-*
 24 *der of Mireille Durocher de Bertin on March 28,*
 25 *1995, and other possible cases of political or*

1 *extrajudicial killings, including the 20 cases of “com-*
2 *mando-style executions” cited by the United Nations/*
3 *Organization of American States International Civil-*
4 *ian Mission in Haiti on September 12, 1995;*

5 *(2)(A) the police and security forces of Haiti are*
6 *not assassinating or abducting civilians, are not en-*
7 *gaging in other acts of violence directed at civilians,*
8 *and are controlling such activities by elements subject*
9 *to the control of those forces; or*

10 *(B) the Government of Haiti is investigating ef-*
11 *fectively the members within its police and security*
12 *forces engaged in acts of violence against civilians,*
13 *and has put in place effective policies to deter and*
14 *punish such activities in the future.*

15 *(3) the Government of Haiti has actively sought*
16 *and encouraged a law enforcement service from out-*
17 *side Haiti to assist and monitor investigators of the*
18 *Government of Haiti in their investigation of the*
19 *murders cited in paragraph (1) above; and*

20 *(4)(A) the Government of Haiti has cooperated*
21 *fully and in a timely fashion with United States Fed-*
22 *eral Bureau of Investigation efforts to investigate the*
23 *murder of Mireille Durocher de Bertin, including pro-*
24 *viding access to Haitian Government employees in a*

1 *manner which facilitates prosecution of those respon-*
2 *sible for her murder; or*

3 *(B) the Government of Haiti has not cooperated*
4 *fully and in a timely fashion with United States Fed-*
5 *eral Bureau of Investigation efforts to investigate the*
6 *murder of Mireille Durocher de Bertin, including pro-*
7 *viding access to Haitian Government employees in a*
8 *manner which facilitates prosecution of those respon-*
9 *sible for her murder, in which case the President shall*
10 *submit a detailed accounting of the areas of non-co-*
11 *operation and his assessment of all the reasons for*
12 *such non-cooperation by the Government of Haiti.*

13 *(b) REPORT.—Not later than 60 days after enactment*
14 *of this section, the President shall report to the appropriate*
15 *committees of Congress, based on information available to*
16 *him, on the identity or identities of those responsible for*
17 *the murder and any subsequent coverup, and on the status*
18 *of the Government of Haiti's investigation of—*

19 *(1) the murder of American citizen Richard*
20 *Andre Emmanuel on February 13, 1991;*

21 *(2) the murders of Bastian Desrosiers, Stevenson*
22 *Desrosiers, Jacques Nelio, Pierre Schiller and Louis*
23 *Walky on July 26, 1991;*

24 *(3) the murder of Reverend Sylvio Claude on*
25 *September 17, 1991;*

1 (4) the murder of Roger Lanfontant on Septem-
2 ber 29, 1991;

3 (5) the murder of Antoine Izmary on September
4 11, 1993; and

5 (6) the murder of Minister of Justice Guy
6 Malary on October 14, 1993.

7 (c) HUMANITARIAN ASSISTANCE.—Nothing in this sec-
8 tion shall be construed to restrict the provision of humani-
9 tarian or electoral assistance to the Haitian people by non-
10 governmental or private voluntary organizations.

11 (d) WAIVER.—The president may waive the require-
12 ments of this section if he determines and certifies to the
13 appropriate committees of Congress that it is necessary to
14 facilitate the safe and timely withdrawal of American forces
15 from Haiti.

16 **●(190)** LIMITATION ON FUNDS TO THE TERRITORY OF THE
17 BOSNIAC-CROAT FEDERATION

18 SEC. 606. Funds appropriated by this Act for activi-
19 ties in the internationally-recognized borders of Bosnia and
20 Herzegovina (other than refugee and disaster assistance and
21 assistance for restoration of infrastructure, to include power
22 grids, water supplies and natural gas) may only be made
23 available for activities in the territory of the Bosniac-Croat
24 Federation.

1 **(191)** *PLAN RECOMMENDING A STRATEGIC*
2 *REORGANIZATION OF THE UNITED NATIONS*

3 *SEC. 607. (a) SENSE OF CONGRESS REGARDING UNIT-*
4 *ED NATIONS REFORM.—It is the sense of Congress that—*

5 *(1) the 50th anniversary of the United Nations*
6 *provides an important opportunity for a comprehen-*
7 *sive review of the strengths and weaknesses of the*
8 *United Nations and for the identification and imple-*
9 *mentation of changes in the United Nation that*
10 *would improve its ability to discharge effectively the*
11 *objectives of the United Nations set forth in the Unit-*
12 *ed Nations Charter;*

13 *(2) the structure of the United Nations system,*
14 *which has evolved over 50 years, should be subject to*
15 *a comprehensive review in order to identify the*
16 *changes to the system that will best serve the interests*
17 *of the United States and of the international commu-*
18 *nity;*

19 *(3) the United States, as the strongest member*
20 *state of the United Nations, should lead this com-*
21 *prehensive review;*

22 *(4) reforms that produce a smaller, more focused,*
23 *more efficient United Nations with clearly defined*
24 *missions are in the interest of the United States and*
25 *of the United Nations;*

1 (5) *the United States should develop a unified*
2 *position in support of reforms at the United Nations*
3 *that are broadly supported by both the legislative*
4 *branch and the executive branch;*

5 (6) *the need for reform of the United Nations is*
6 *urgent; and*

7 (7) *the failure to develop and implement prompt-*
8 *ly a strategic reorganization of the United Nations*
9 *will result in a continued diminution of the relevance*
10 *of the United Nations to United States foreign policy*
11 *and to international politics generally.*

12 (b) *UNITED NATIONS REORGANIZATION PLAN.—*

13 (1) *REQUIREMENT FOR PLAN.—The President*
14 *shall submit to Congress, together with the budget sub-*
15 *mitted pursuant to section 1105 of title 31, United*
16 *States Code, for fiscal year 1997, a plan recommend-*
17 *ing a strategic reorganization of the United Nations.*

18 (2) *REQUIREMENT RELATING TO DEVELOP-*
19 *MENT.—The President shall develop the plan in con-*
20 *sultation with Congress.*

21 (3) *PLAN ELEMENTS.—The plan should include*
22 *the elements described in subsection (c) and such other*
23 *recommendations as may be necessary to achieve the*
24 *efficient, cost-effective conduct of the responsibilities of*
25 *the United Nations.*

1 (c) *CONTENTS OF REORGANIZATION PLAN.*—*It is the*
2 *sense of the Congress that the reorganization plan required*
3 *by subsection (b)(1) should—*

4 (1) *constitute a comprehensive statement of*
5 *United States policy toward reform of the United Na-*
6 *tions;*

7 (2) *set forth an agenda to implement the reforms*
8 *set forth in the plan in a timely manner;*

9 (3) *include specific proposals to achieve—*

10 (A) *a substantial reduction in the number*
11 *of agencies within the United Nations system,*
12 *including proposals to consolidate, abolish, or re-*
13 *structure mechanisms for financing agencies of*
14 *the United Nations that have a low priority;*

15 (B) *the identification and strengthening of*
16 *the core agencies of the United Nations system*
17 *that most directly serve the objectives of the*
18 *United Nations set forth in the United Nations*
19 *Charter;*

20 (C) *the increased cooperation, and the*
21 *elimination of duplication, among United Na-*
22 *tions agencies and programs;*

23 (D) *the consolidation of the United Nations*
24 *technical cooperation activities between the Unit-*
25 *ed Nations Headquarters and the offices of the*

1 *United Nations in Geneva, Switzerland, includ-*
2 *ing the merger of the technical cooperation func-*
3 *tions of the United Nations Development Pro-*
4 *gram (UNDP), the United Nations Population*
5 *Fund (UNFPA), the United Nations Environ-*
6 *mental Program (UNEP), the United Nations*
7 *Industrial Development Organization (UNIDO),*
8 *the International Fund for Agricultural Develop-*
9 *ment (IFAD), the United Nations Capital Devel-*
10 *opment Fund (UNCDF), and the United Nations*
11 *Development Fund for Women (UNIFEM);*

12 *(E) the consolidation of the United Nations*
13 *emergency response mechanism by merging the*
14 *emergency functions of relevant United Nations*
15 *agencies, including the United Nations Chil-*
16 *dren's Fund, the World Food Program, and the*
17 *Office of the United Nations High Commissioner*
18 *for Refugees;*

19 *(F) a substantial reduction in, or elimi-*
20 *nation of, the cost and number of international*
21 *conferences sponsored by the United Nations;*

22 *(G) a significant strengthening of the ad-*
23 *ministrative and management capabilities of the*
24 *Secretary General of the United Nations, includ-*
25 *ing a cessation of the practice of reserving top*

1 *Secretariat posts for citizens of particular coun-*
 2 *tries;*

3 *(H) a significant increase in the openness*
 4 *to the public of the budget decision-making pro-*
 5 *cedures of the United Nations; and*

6 *(I) the establishment of a truly independent*
 7 *inspector general at the United Nations; and*

8 *(4) include proposals to coordinate and imple-*
 9 *ment proposals for reform of the United Nations such*
 10 *as those proposals set forth in the communique of the*
 11 *21st annual summit of the Heads of State and Gov-*
 12 *ernment of the seven major industrialized nations and*
 13 *the President of the European Commission at Hali-*
 14 *fax, Nova Scotia, dated June 15–17, 1995.*

15 **(192) TITLE VII—NATO PARTICI-**
 16 **PATION ACT AMENDMENTS**
 17 **OF 1995**

18 **SECTION 701. SHORT TITLE.**

19 *This title may be cited as the “NATO Participation*
 20 *Act Amendments of 1995”.*

21 **SEC. 702. FINDINGS.**

22 *The Congress makes the following findings:*

23 *(1) Since 1949, the North Atlantic Treaty Orga-*
 24 *nization (NATO) has played an essential role in*

1 *guaranteeing the security, freedom, and prosperity of*
2 *the United States and its partners in the Alliance.*

3 *(2) NATO has expanded its membership on three*
4 *different occasions since 1949.*

5 *(3) The sustained commitment of the member*
6 *countries of NATO to mutual defense of their security*
7 *ultimately made possible the democratic trans-*
8 *formation in Central and Eastern Europe and the de-*
9 *mise of the Soviet Union.*

10 *(4) NATO was designed to be and remains a de-*
11 *fensive military organization whose members have*
12 *never contemplated the use of, or used, military force*
13 *to expand the borders of its member states.*

14 *(5) While the immediate threat to the security of*
15 *the United States and its allies has been reduced with*
16 *the collapse of the Iron Curtain, new security threats,*
17 *such as the situation in Bosnia and Herzegovina, are*
18 *emerging to the shared interests of the member coun-*
19 *tries of NATO.*

20 *(6) NATO remains the only multilateral security*
21 *organization capable of conducting effective military*
22 *operations to protect Western security interests.*

23 *(7) NATO has played a positive role in defusing*
24 *tensions between NATO members and, as a result, no*

1 *military action has occurred between two NATO*
2 *member states since the inception of NATO in 1949.*

3 (8) *NATO is also an important diplomatic*
4 *forum for the discussion of issues of concern to its*
5 *member states and for the peaceful resolution of dis-*
6 *putes.*

7 (9) *America's security, freedom, and prosperity*
8 *remain linked to the security of the countries of Eu-*
9 *rope.*

10 (10) *Any threat to the security of the newly*
11 *emerging democracies in Europe would pose a secu-*
12 *rity threat to the United States and its European al-*
13 *lies.*

14 (11) *The admission to NATO of European coun-*
15 *tries that have been freed from Communist domina-*
16 *tion and that meet specific criteria for NATO mem-*
17 *bership would contribute to international peace and*
18 *enhance the security of the region.*

19 (12) *A number of countries have expressed vary-*
20 *ing degrees of interest in NATO membership, and*
21 *have taken concrete steps to demonstrate this commit-*
22 *ment.*

23 (13) *Full integration of Central and East Euro-*
24 *pean countries into the North Atlantic Alliance after*
25 *such countries meet essential criteria for admission*

1 *would enhance the security of the Alliance and, there-*
2 *by, contribute to the security of the United States.*

3 *(14) The expansion of NATO can create the sta-*
4 *ble environment needed to successfully complete the*
5 *political and economic transformation envisioned by*
6 *European states emerging from Communist domina-*
7 *tion.*

8 *(15) In recognition that not all countries which*
9 *have requested membership in NATO will necessarily*
10 *qualify at the same pace, the accession date for each*
11 *new member will vary.*

12 *(16) Nothing in this title should be construed as*
13 *precluding the eventual NATO membership of Euro-*
14 *pean countries never under Communist domination,*
15 *namely, Austria, Finland, and Sweden.*

16 *(17) The provision of NATO transition assist-*
17 *ance should include those countries most ready for*
18 *closer ties with NATO and should be designed to as-*
19 *sist other countries meeting specified criteria of eligi-*
20 *bility to move forward toward eventual NATO mem-*
21 *bership.*

22 *(18) The evaluation of future membership in*
23 *NATO for countries emerging from Communist domi-*
24 *nation should be based on the progress of those na-*
25 *tions in meeting criteria for NATO transition assist-*

1 *ance and evolving NATO criteria, which require en-*
2 *hancement of NATO's security and the approval of all*
3 *NATO members.*

4 **SEC. 703. UNITED STATES POLICY.**

5 *It should be the policy of the United States—*

6 *(1) to join with the NATO allies of the United*
7 *States to redefine the role of the NATO Alliance in the*
8 *post-Cold War world;*

9 *(2) to actively assist European countries emerg-*
10 *ing from Communist domination in their transition*
11 *so that such countries may eventually qualify for*
12 *NATO membership; and*

13 *(3) to work to define the political and security*
14 *relationship between an enlarged NATO and the Rus-*
15 *sian Federation.*

16 **SEC. 704. REVISIONS TO PROGRAM TO FACILITATE TRANSI-**
17 **TION TO NATO MEMBERSHIP.**

18 *(a) ESTABLISHMENT OF PROGRAM.—Subsection (a) of*
19 *section 203 of the NATO Participation Act of 1994 (title*
20 *II of Public Law 103–447; 22 U.S.C. 1928 note) is amended*
21 *to read as follows:*

22 *“(a) ESTABLISHMENT OF PROGRAM.—The President*
23 *may provide expanded security assistance and other related*
24 *assistance to countries designated under subsection (d) to*
25 *facilitate their transition to full NATO membership.”.*

1 (b) *ELIGIBLE COUNTRIES.*—

2 (1) *ELIGIBILITY.*—Subsection (d) of section 203
3 of such Act is amended to read as follows:

4 “(d) *DESIGNATION OF ELIGIBLE COUNTRIES.*—

5 “(1) *PRESIDENTIAL REVIEW AND REPORT.*—
6 Within 60 days of the enactment of the NATO Par-
7 ticipation Act Amendments of 1995, the President
8 shall transmit to the Congress an evaluation of Po-
9 land, Hungary, the Czech Republic, and Slovakia, as
10 well as all other European countries emerging from
11 Communist domination which have expressed an in-
12 terest in joining NATO, in accordance with the cri-
13 teria in paragraph (3) and specifically designate one
14 or more of these countries to be eligible to receive as-
15 sistance under the program established in subsection
16 (a). The President shall provide a report of the coun-
17 try-by-country evaluation as well as an evaluation of
18 each designated country’s progress toward conform-
19 ance with criteria for full NATO membership.

20 “(2) *OTHER EUROPEAN COUNTRIES EMERGING*
21 *FROM COMMUNIST DOMINATION.*—In addition to the
22 country or countries designated pursuant to para-
23 graph (1), the President may designate other Euro-
24 pean countries emerging from Communist domina-
25 tion. The President may make such a designation in

1 *the case of any such country only if the President de-*
2 *termines, and reports to the designated congressional*
3 *committees, that such country meets the criteria speci-*
4 *fied in paragraph (3).*

5 “(3) *CRITERIA.*—*The criteria referred to in*
6 *paragraph (2) are, with respect to each country, that*
7 *the country—*

8 “(A) *has made or is making significant*
9 *progress toward establishing—*

10 “(i) *shared values and interests;*

11 “(ii) *democratic governments;*

12 “(iii) *free market economies;*

13 “(iv) *civilian control of the military, of*
14 *the police, and of intelligence services;*

15 “(v) *adherence to the values, prin-*
16 *ciples, and political commitments embodied*
17 *in the Helsinki Final Act of the Organiza-*
18 *tion on Security and Cooperation in Eu-*
19 *rope; and*

20 “(vi) *more transparent defense budgets*
21 *and is participating in the Partnership For*
22 *Peace defense planning process;*

23 “(B) *has made public commitments—*

1 “(i) to further the principles of NATO
2 and to contribute to the security of the
3 North Atlantic area;

4 “(ii) to accept the obligations, respon-
5 sibilities, and costs of NATO membership;
6 and

7 “(iii) to implement infrastructure de-
8 velopment activities that will facilitate par-
9 ticipation in and support for NATO mili-
10 tary activities;

11 “(C) is not ineligible for assistance under
12 section 563 of Public Law 103–306, with respect
13 to transfers of equipment to a country the gov-
14 ernment of which the Secretary of State has de-
15 termined is a terrorist government for purposes
16 of section 40(d) of the Arms Export Control Act;
17 and

18 “(D) could, within five years of the deter-
19 mination of the President under paragraph (1)
20 or (2), be in a position to further the principles
21 of the North Atlantic Treaty and to contribute to
22 its own security and that of the North Atlantic
23 area.

24 “(4) PROHIBITION ON FUNDING FOR PARTNER-
25 SHIP FOR PEACE ACTIVITIES OR ON FUNDING FOR

1 *THE WARSAW INITIATIVE.*—*Effective 60 days after the*
2 *date of enactment of the NATO Participation Act*
3 *Amendments of 1995, no funds authorized to be ap-*
4 *propriated under any provision of law may be obli-*
5 *gated or expended for activities associated with the*
6 *Partnership for Peace program or the Warsaw Initia-*
7 *tive until the President has designated at least one*
8 *country to participate in the transition program es-*
9 *tablished under subsection (a).''.*

10 (2) *CONFORMING AMENDMENTS.*—

11 (A) *Subsections (b) and (c) of section 203 of*
12 *such Act are amended by striking “countries de-*
13 *scribed in such subsection” each of the two places*
14 *it appears and inserting “countries designated*
15 *under subsection (d).”.*

16 (B) *Subsection (e) of section 203 of such Act*
17 *is amended—*

18 (i) *by striking “subsection (d)” and in-*
19 *serting “subsection (d)(2)”; and*

20 (ii) *by inserting “(22 U.S.C. 2394)”*
21 *before the period at the end.*

22 (C) *Section 204(c) of such Act is amended*
23 *by striking “any other Partnership for Peace*
24 *country designated under section 203(d)” and*

1 inserting “any country designated under section
2 203(d)(2)”.

3 (c) *TYPES OF ASSISTANCE.*—Section 203(c) of such
4 *Act is amended—*

5 (1) by redesignating paragraphs (1) through (4)
6 as subparagraphs (A) through (D), respectively; and

7 (2) by inserting after subparagraph (D) (as re-
8 designated) the following new subparagraphs:

9 “(E) Assistance under chapter 4 of part II of the
10 Foreign Assistance Act of 1961 (relating to the Eco-
11 nomic Support Fund).

12 “(F) Funds appropriated under the ‘Non-
13 proliferation and Disarmament Fund’ account”.

14 “(G) Assistance under chapter 6 of part II of the
15 Foreign Assistance Act of 1961 (relating to peacekeep-
16 ing operations and other programs).”.

17 “(H) Authority for the Department of Defense to
18 pay excess defense articles costs for countries des-
19 ignated for both grant lethal and nonlethal excess de-
20 fense articles.

21 “(I) Authority to convert FMF loans to grants,
22 and grants to loans, for eligible countries.

23 (3) by inserting “(1)” immediately after “TYPE
24 OF ASSISTANCE.—”; and

1 (4) by adding at the end the following new para-
2 graphs:

3 “(2) For fiscal years 1996 and 1997, in providing as-
4 sistance under chapter 5 of part II of the Foreign Assistance
5 Act of 1961 for the countries designated under subsection
6 (d), the President shall include as an important component
7 of such assistance the provision of sufficient language train-
8 ing to enable military personnel to participate further in
9 programs for military training and in defense exchange
10 programs.

11 “(3) Of the amounts made available under chapter 5
12 of part II of the Foreign Assistance Act of 1961 (relating
13 to international military education and training),
14 \$5,000,000 for fiscal year 1996 and \$5,000,000 for fiscal
15 year 1997 should support—

16 “(A) the attendance of additional military per-
17 sonnel of countries designated under subsection (d)(1)
18 or (d)(2), particularly Poland, Hungary, the Czech
19 Republic, and Slovakia, at professional military edu-
20 cation institutions in the United States in accordance
21 with section 544 of such Act; and

22 “(B) the placement and support of United States
23 instructors and experts at military educational cen-
24 ters within the foreign countries designated under

1 *subsection (d) that are receiving assistance under that*
2 *chapter.”.*

3 **SEC. 705. ASSISTANCE FOR NATO PARTICIPATION ACT DES-**
4 **IGNEES.**

5 *The President is authorized to obligate and expend*
6 *\$60,000,000 from funds made available under the Foreign*
7 *Assistance Act of 1961 in support of countries designated*
8 *to receive transition assistance under section 203(a) of the*
9 *NATO Participation Act, as follows:*

10 *(1) Poland: \$20,000,000.*

11 *(2) Czech Republic: \$10,000,000.*

12 *(3) Hungary: \$5,000,000.*

13 *(4) Slovakia: \$5,000,000.*

14 *(5) Other European countries designated under*
15 *subsection (d)(1) or subsection (d)(2): \$20,000,000.*

16 **SEC. 706. TERMINATION OF ELIGIBILITY.**

17 *Section 203(f) of the NATO Participation Act of 1994*
18 *(title II of Public Law 103–447; 22 U.S.C. 1928 note) is*
19 *amended to read as follows:*

20 *“(f) TERMINATION OF ELIGIBILITY.—(1) The eligi-*
21 *bility of a country designated under subsection (d) for the*
22 *program established in subsection (a) shall terminate 60*
23 *days after the President makes a certification under para-*
24 *graph (2) unless, within the 60-day period, the Congress*

1 *enacts a joint resolution disapproving the termination of*
 2 *eligibility.*

3 “(2) *Whenever the President determines that the gov-*
 4 *ernment of a country designated under subsection (d)—*

5 “(A) *no longer meets the criteria set forth in sub-*
 6 *section (d)(2)(A);*

7 “(B) *is hostile to the NATO alliance; or*

8 “(C) *poses a national security threat to the*
 9 *United States,*

10 *then the President shall so certify to the appropriate con-*
 11 *gressional committees.*

12 “(3) *Nothing in this Act shall affect the eligi-*
 13 *bility of countries to participate under other provi-*
 14 *sions of law in programs described in this Act.*

15 (b) *CONGRESSIONAL PRIORITY PROCEDURES.—Sec-*
 16 *tion 203 of such Act is amended by adding at the end the*
 17 *following new subsection:*

18 “(g) *CONGRESSIONAL PRIORITY PROCEDURES.—*

19 “(1) *APPLICABLE PROCEDURES.—A joint resolu-*
 20 *tion described in paragraph (2) which is introduced*
 21 *in a House of Congress after the date on which a cer-*
 22 *tification made under subsection (f)(2) is received by*
 23 *Congress shall be considered in accordance with the*
 24 *procedures set forth in paragraphs (3) through (7) of*
 25 *section 8066(c) of the Department of Defense Appro-*

1 *priations Act, 1985 (as contained in Public Law 98–*
 2 *473 (98 Stat. 1936)), except that—*

3 *“(A) references to the ‘resolution described*
 4 *in paragraph (1)’ shall be deemed to be ref-*
 5 *erences to the joint resolution; and*

6 *“(B) references to the Committee on Appro-*
 7 *priations of the House of Representatives and to*
 8 *the Committee on Appropriations of the Senate*
 9 *shall be deemed to be references to the Committee*
 10 *on International Relations of the House of Rep-*
 11 *resentatives and the Committee on Foreign Rela-*
 12 *tions of the Senate.*

13 *“(2) TEXT OF JOINT RESOLUTION.—A joint reso-*
 14 *lution under this paragraph is a joint resolution the*
 15 *matter after the resolving clause of which is as fol-*
 16 *lows: ‘That the Congress disapproves the certification*
 17 *submitted by the President on _____ pursu-*
 18 *ant to section 203(f) of the NATO Participation Act*
 19 *of 1994.’”.*

20 **SEC. 707. REPORTS.**

21 *(a) ANNUAL REPORT.—Section 206 of the NATO Par-*
 22 *ticipation Act of 1994 (title II of Public Law 103–447; 22*
 23 *U.S.C. 1928 note), as redesignated by section 705(1) of this*
 24 *Act, is amended—*

1 (1) by inserting “**ANNUAL**” in the section head-
2 ing before the first word;

3 (2) by inserting “annual” after “include in the”
4 in the matter preceding paragraph (1);

5 (3) in paragraph (1), by striking “Partnership
6 for Peace” and inserting “European”; and

7 (4) by striking paragraph (2) and inserting in-
8 stead the following new paragraph:

9 “(2) In the event that the President determines
10 that, despite a period of transition assistance, a coun-
11 try designated under section 203(d) has not, as of
12 January 10, 1999, met criteria for NATO member-
13 ship set forth by the North Atlantic Council, the
14 President shall transmit a report to the designated
15 congressional committees containing an assessment of
16 the progress made by that country in meeting those
17 standards.”.

18 **SEC. 708. DEFINITIONS.**

19 The NATO Participation Act of 1994 (title II of Public
20 Law 103–447; 22 U.S.C. 1928 note), as amended by this
21 title, is further amended by adding at the end the following
22 new section:

23 **“SEC. 207. DEFINITIONS.**

24 “For purposes of this title:

1 “(1) NATO.—The term ‘NATO’ means the North
2 Atlantic Treaty Organization.

3 “(2) DESIGNATED CONGRESSIONAL COMMIT-
4 TEES.—The term ‘designated congressional commit-
5 tees’ means—

6 “(A) the Committee on International Rela-
7 tions, the Committee on National Security, and
8 the Committee on Appropriations of the House of
9 Representatives; and

10 “(B) the Committee on Foreign Relations,
11 the Committee on Armed Services, and the Com-
12 mittee on Appropriations of the Senate.

13 “(3) EUROPEAN COUNTRIES EMERGING FROM
14 COMMUNIST DOMINATION.—The term ‘European coun-
15 tries emerging from Communist domination’ includes,
16 but is not limited to, Albania, Bulgaria, Czech Re-
17 public, Estonia, Hungary, Latvia, Lithuania,
18 Moldova, Poland, Romania, Slovakia, Slovenia, and
19 Ukraine.”.

1 **(193) TITLE VIII—TO IMPOSE**
2 **SANCTIONS AGAINST BURMA,**
3 **AND COUNTRIES ASSISTING**
4 **BURMA, UNLESS BURMA OB-**
5 **SERVES BASIC HUMAN**
6 **RIGHTS AND PERMITS POLITI-**
7 **CAL FREEDOMS.**

8 **SEC. 801. SANCTIONS AGAINST BURMA.**

9 *Except as provided in section 4, the following sanc-*
10 *tions shall apply to Burma, effective 90 days after the date*
11 *of enactment of this Act (or on such other date as is speci-*
12 *fied in this section):*

13 *(1) INVESTMENTS.—No United States national*
14 *may make any investment in Burma.*

15 *(2) UNITED STATES ASSISTANCE.—United States*
16 *assistance for Burma is prohibited.*

17 *(3) TRADE PRIVILEGES.—The President shall*
18 *continue the suspension of special trade privileges*
19 *pursuant to the Generalized System of Preferences*
20 *(GSP), and shall continue the suspension of non-*
21 *discriminatory trade treatment (most-favored-nation*
22 *status), with respect to Burma.*

23 *(4) IMPORTATION OF GOODS.—No article which*
24 *is produced, manufactured, grown, or extracted in*
25 *Burma may be imported into the United States.*

1 (5) *TRADE AND INVESTMENT TREATIES.*—The
2 United States should continue to suspend carrying
3 out obligations under bilateral trade and investment
4 treaties with Burma.

5 (6) *TRAVEL RESTRICTIONS.*—The Secretary of
6 State shall prohibit the use of United States passports
7 for travel to Burma except for travel by United States
8 diplomatic personnel.

9 (7) *DIPLOMATIC REPRESENTATION.*—The Presi-
10 dent is urged not to accept diplomatic representation
11 from Burma at a level greater than the level of diplo-
12 matic representation accorded the United States in
13 Burma.

14 (8) *FOREIGN ASSISTANCE.*—The United States
15 shall suspend assistance under the Foreign Assistance
16 Act of 1961 and the Arms Export Control Act to any
17 foreign government which sells or otherwise transfers
18 arms to the Government of Burma.

19 (9) *INTERNATIONAL ORGANIZATIONS CONTRIBU-*
20 *TIONS.*—The United States shall withhold from each
21 international organization that funds activities in
22 Burma other than humanitarian activities an
23 amount equal to the United States proportionate
24 share of that funding.

1 (10) *MULTILATERAL ASSISTANCE.*—The Sec-
2 retary of the Treasury shall instruct the United
3 States executive director of each financial institution
4 to vote against any loan or other utilization of the
5 funds of the respective bank to or for Burma.

6 (11) *EMINENT PERSONS GROUP.*—The President,
7 acting through the United States Permanent Rep-
8 resentative to the United Nations, should urge the
9 United Nations to establish an eminent persons group
10 to report on compliance by the Government of Burma
11 with United Nations resolutions.

12 (12) *INTERNATIONAL ARMS EMBARGO.*—The
13 President, acting through the United States Perma-
14 nent Representative to the United Nations, should
15 urge the establishment by the United Nations of an
16 international arms embargo of Burma.

17 **SEC. 802. AGREEMENTS TO IMPOSE SANCTIONS ON BURMA.**

18 (a) *NEGOTIATIONS WITH TRADING PARTNERS.*—

19 (1) *IN GENERAL.*—Not later than 15 days after
20 the date of the enactment of this Act, the President
21 shall initiate negotiations with all foreign countries
22 with which the United States trades for the purpose
23 of entering into agreements with the countries—

24 (A) to support United States sanctions
25 against Burma, and

1 (B) to cease trade with and investment in
2 Burma.

3 (2) CERTIFICATION OF NEGOTIATIONS AND
4 AGREEMENTS.—Not later than 90 days after the date
5 of the enactment of this Act, the President shall cer-
6 tify to the Congress each country that—

7 (A) has failed to enter into an agreement
8 described in paragraph (1), or

9 (B) has entered into such an agreement but
10 is not enforcing it.

11 (3) ACTION BY THE PRESIDENT.—Notwithstand-
12 ing any other provision of law, if a certification is
13 made with respect to any country under paragraph
14 (2) the President shall withdraw—

15 (A) any designation of such country—

16 (i) as a beneficiary developing country
17 for purposes of title V of the Trade Act of
18 1974 (19 U.S.C. 2461 et seq.),

19 (ii) as a beneficiary country for pur-
20 poses of the Caribbean Basin Economic Re-
21 covery Act (19 U.S.C. 2701 et seq.), or

22 (iii) as a beneficiary country for pur-
23 poses of the Andean Trade Preference Act
24 (19 U.S.C. 3201 et seq.),

1 (B) from such countries the benefits of any
2 other special tariff treatment program under
3 which the special rates of duty apply under col-
4 umn 1 of the Harmonized Tariff Schedule of the
5 United States, and

6 (C) most-favored-nation trade treatment
7 with respect to any such country.

8 (b) APPLICABILITY.—

9 (1) IN GENERAL.—The provisions of this section
10 apply to goods entered, or withdrawn from warehouse
11 for consumption, originating in or imported from a
12 country with respect to which an action described in
13 subsection (a)(3) has been taken, during the period be-
14 ginning on the date that is 15 days after the date of
15 the certification described in subsection (a)(2) and
16 ending on the date that is 15 days after the earlier
17 of—

18 (A) the date the President certifies to the
19 Congress that such country has entered into an
20 agreement described in subsection (a)(1) and is
21 enforcing the agreement, or

22 (B) the date a certification described in sec-
23 tion 4 is made.

24 (2) RATE OF DUTY DURING PERIOD DESIGNATION
25 IS WITHDRAWN.—During the period described in

1 *paragraph (1), goods entered, or withdrawn from*
2 *warehouse for consumption, originating in or im-*
3 *ported from a country described in subsection (a)(3)*
4 *shall be subject to duty at the rates of duty specified*
5 *for such goods under column 2 of the Harmonized*
6 *Tariff Schedule of the United States.*

7 ***SEC. 803. CERTIFICATION.***

8 *The sanctions of section 801 shall not apply upon the*
9 *determination and certification by the President to the ap-*
10 *propriate congressional committees that the following condi-*
11 *tions are met:*

12 *(1) The Government of Burma has uncondition-*
13 *ally released all political prisoners, including Aung*
14 *San Suu Kyi.*

15 *(2) The Government of Burma has fully imple-*
16 *mented the results of the 1990 elections in Burma, in-*
17 *cluding the transfer of power to civilian authority,*
18 *the protection of basic human rights, and guarantee-*
19 *ing the right of Burmese citizens to participate freely*
20 *in the political process, assuring freedom of speech*
21 *and the right of association and assembly.*

22 *(3) The Government of Burma has implemented*
23 *an effective counternarcotics effort.*

1 **SEC. 804. SANCTIONS AGAINST THE PEOPLE'S REPUBLIC OF**
2 **CHINA.**

3 *The Secretary of the Treasury shall instruct the United*
4 *States executive director of each multilateral financial in-*
5 *stitution to vote against any loan or other utilization of*
6 *the facilities of the respective institution to or for the Peo-*
7 *ple's Republic of China until the President determines and*
8 *certifies to the appropriate congressional committees that*
9 *the People's Republic of China has terminated arms sales*
10 *and other arms transfers to Burma.*

11 **SEC. 805. SANCTIONS AGAINST THE GOVERNMENT OF THAI-**
12 **LAND.**

13 *The President shall withhold all United States assist-*
14 *ance to the Government of Thailand until the President de-*
15 *termines and certifies to the appropriate congressional com-*
16 *mittees that the Government of Thailand is fully cooperat-*
17 *ing in providing support and relief for Burmese exiles and*
18 *refugees.*

19 **SEC. 806. REPORT.**

20 *Not later than 45 days after the date of enactment of*
21 *this Act, the President shall submit a report to the appro-*
22 *priate congressional committees on—*

23 *(1) the chemical and biological weapons capabil-*
24 *ity of Burma;*

1 (2) *a plan to provide United States assistance in*
2 *support of the democracy movement active inside*
3 *Burma;*

4 (3) *the treatment by the Government of Thailand*
5 *of Burmese students, refugees, and exiles resident in*
6 *Thailand; and*

7 (4) *the status of arms sales and other arms*
8 *transfers to the Government of Burma, including the*
9 *amount of expenditures by the Government of Burma*
10 *in the acquisition of arms.*

11 **SEC. 807. DEFINITIONS.**

12 *As used in this title:*

13 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
14 *TEES.—The term “appropriate congressional commit-*
15 *tees” means the Committee on Appropriations and the*
16 *Committee on Foreign Relations of the Senate and the*
17 *Committee on Appropriations and the Committee on*
18 *International Relations of the House of Representa-*
19 *tives.*

20 (2) *INVESTMENT.—The term “investment” in-*
21 *cludes any contribution or commitment of funds, com-*
22 *modities, services, patents, processes, or techniques, in*
23 *the form of—*

24 (A) *a loan or loans;*

25 (B) *the purchase of a share of ownership;*

1 (C) participation in royalties, earnings, or
2 profits; and

3 (D) the furnishing of commodities or serv-
4 ices pursuant to a lease or other contract.

5 (3) *HUMANITARIAN ACTIVITIES.*—The term “hu-
6 manitarian activities” means the provision of food,
7 medicine, medical supplies, or clothing and does not
8 include cash transfers.

9 (4) *FINANCIAL INSTITUTIONS.*—The term “finan-
10 cial institutions” includes the International Bank for
11 Reconstruction and Development, the International
12 Development Association, the Asian Development
13 Bank, and the International Monetary Fund.

14 (5) *UNITED STATES ASSISTANCE.*—The term
15 “United States assistance” means assistance of any
16 kind which is provided by grant, sale, loan, lease,
17 credit, guaranty, or insurance, or by any other
18 means, by any agency or instrumentality of the Unit-
19 ed States Government to any foreign country, includ-
20 ing—

21 (A) assistance under the Foreign Assistance
22 Act of 1961 (including programs under title IV
23 of chapter 2 of part I of the Act);

(B) sales, credits, and guaranties under the Arms Export Control Act (22 U.S.C. 2751 et seq.);

(C) sales under title I (7 U.S.C.A. 1701 et seq.) or III (17 U.S.C.A. 1727 et seq.) and donations under title II (17 U.S.C.A. 1721 et seq.) of the Agricultural Trade Development and Assistance Act of 1954 of nonfood commodities;

9 (D) other financing programs of the Com-
10 modity Credit Corporation for export sales of
11 nonfood commodities; and

12 (E) financing under the Export-Import
13 Bank Act of 1945 (12 U.S.C.A. 635 et seq.).

14 This Act may be cited as the “Foreign Operations,
15 Export Financing, and Related Programs Appropriations
16 Act, 1996”.

Passed the House of Representatives July 11, 1995.

Attest: ROBIN H. CARLE,
Clerk.

Passed the Senate September 21 (legislative day, September 5), 1995.

Attest: KELLY D. JOHNSTON,
Secretary.

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