

Calendar No. 471

103D CONGRESS
2D SESSION

H. R. 4426

[Report No. 103-287]

AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995.

JUNE 8 (legislative day, JUNE 7), 1994

Received; read twice and referred to the Committee on Appropriations

JUNE 16 (legislative day, JUNE 7), 1994

Reported with amendments and an amendment to the title

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IN THE SENATE OF THE UNITED STATES

JUNE 8 (legislative day, JUNE 7), 1994

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Reported by Mr. LEAHY, with amendments and an amendment to the title

[Omit the part struck through and insert the part printed in italic]

AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1995.

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 for-
5 eign operations, export financing, and related programs
6 for the fiscal year ending September 30, 1995, and for
7 other purposes, namely:

1 TITLE I—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, \$23,009,101, to remain available until ex-
12 pended: *Provided, That one quarter of such funds may be*
13 *obligated only after April 1, 1995: Provided further, That*
14 *one quarter of such funds may be obligated only after Sep-*
15 *tember 1, 1995: Provided further, That not more than twen-*
16 *ty-one days prior to the obligation of each such sum, the*
17 *Secretary shall submit a certification to the Committees on*
18 *Appropriations that the Bank has not approved any loans*
19 *to Iran since October 1, 1994, or the President of the United*
20 *States certifies that withholding of these funds is contrary*
21 *to the national interest of the United States.*

22 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

23 The United States Governor of the International
24 Bank for Reconstruction and Development may subscribe
25 without fiscal year limitation to the callable capital portion

1 of the United States share of increases in capital stock
2 in an amount not to exceed \$743,923,914.

3 For payment to the International Bank for Recon-
4 struction and Development by the Secretary of the Treas-
5 ury, for the United States contribution to the Global Envi-
6 ronment Facility (GEF), ~~\$88,800,000~~ \$98,800,000, to re-
7 main available until expended.

8 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT
9 ASSOCIATION

10 For payment to the International Development Asso-
11 ciation by the Secretary of the Treasury, ~~\$1,235,000,000~~
12 \$1,207,750,000, for the United States contribution to the
13 replenishment, to remain available until expended.

14 CONTRIBUTION TO THE INTERNATIONAL FINANCE
15 CORPORATION

16 For payment to the International Finance Corpora-
17 tion by the Secretary of the Treasury, \$68,743,028, for
18 the United States share of the increase in subscriptions
19 to capital stock, to remain available until expended: *Pro-*
20 *vided*, That of the amount appropriated under this head-
21 ing not more than \$5,364,000 may be expended for the
22 purchase of such stock in fiscal year 1995.

23 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
24 BANK

25 For payment to the Inter-American Development
26 Bank by the Secretary of the Treasury, for the United

1 States share of the paid-in share portion of the increase
2 in capital stock, \$28,111,959, and for the United States
3 share of the increases in the resources of the Fund for
4 Special Operations, \$21,338,000, and for the United
5 States share of the capital stock of the Inter-American In-
6 vestment Corporation, \$190,000, to remain available until
7 expended: ~~Provided, That \$25,269,224 of the amount~~
8 made available for the paid-in share portion of the in-
9 crease in capital stock, and \$20,317,000 of the resources
10 of the Fund for Special Operations shall be subject to the
11 regular notification procedures of the Committees on Ap-
12 propriations.

13 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

14 The United States Governor of the Inter-American
15 Development Bank may subscribe without fiscal year limi-
16 tation to the callable capital portion of the United States
17 share of such capital stock in an amount not to exceed
18 \$1,594,568,180.

1 CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS
2 MULTILATERAL INVESTMENT FUND

3 For payment to the Enterprise for the Americas Mul-
4 tilateral Investment Fund by the Secretary of the Treas-
5 ury, for the United States contribution to the Fund to
6 be administered by the Inter-American Development
7 Bank, \$75,000,000 to remain available until expended.

8 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

9 For the United States contribution by the Secretary
10 of the Treasury to the increases in resources of the Asian
11 Development Fund, as authorized by the Asian Devel-
12 opment Bank Act, as amended (Public Law 89-369),
13 \$167,960,000, to remain available until expended.

14 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

15 For payment to the African Development Fund by
16 the Secretary of the Treasury, \$124,229,309, for the
17 United States contribution to the African Development
18 Fund, to remain available until expended: ~~Provided, That~~
19 ~~of the funds appropriated under this heading,~~
20 ~~\$20,000,000 shall be subject to the regular notification~~
21 ~~procedures of the Committees on Appropriations.~~

22 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

23 For payment to the African Development Bank by
24 the Secretary of the Treasury, for the paid-in share por-
25 tion of the United States share of the increase in capital
26 stock, \$133,000, to remain available until expended.

1 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

2 The United States Governor of the African Develop-
3 ment Bank may subscribe without fiscal year limitation
4 to the callable capital portion of the United States share
5 of such capital stock in an amount not to exceed
6 \$2,002,540.

7 CONTRIBUTION TO THE EUROPEAN BANK FOR
8 RECONSTRUCTION AND DEVELOPMENT

9 For payment to the European Bank for Reconstruc-
10 tion and Development by the Secretary of the Treasury,
11 \$69,180,353, for the United States share of the paid-in
12 share portion of the initial capital subscription, to remain
13 available until expended: *Provided*, That during fiscal year
14 1995 the number of shares of stock purchased shall be
15 not more than 600.

16 LIMITATION OF CALLABLE CAPITAL SUBSCRIPTIONS

17 The United States Governor of the European Bank
18 for Reconstruction and Development may subscribe with-
19 out fiscal year limitation to the callable capital portion of
20 the United States share of such capital stock in an amount
21 not to exceed \$161,420,824.

22 *CONTRIBUTION TO THE ENHANCED STRUCTURAL ADJUST-*
23 *MENT FACILITY OF THE INTERNATIONAL MONETARY*
24 *FUND*

25 *For payment to the Interest Subsidy Account of the*
26 *Enhanced Structural Adjustment Facility of the Inter-*

1 *national Monetary Fund, \$25,000,000, to remain available*
2 *until expended.*

3 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

4 For necessary expenses to carry out the provisions
5 of section 301 of the Foreign Assistance Act of 1961, and
6 of section 2 of the United Nations Environment Program
7 Participation Act of 1973, ~~\$366,000,000~~ *\$382,000,000:*
8 *Provided, That none of the funds appropriated under this*
9 *heading shall be made available for the United Nations*
10 *Fund for Science and Technology: Provided further, That*
11 *funds appropriated under this heading may be made avail-*
12 *able for the International Atomic Energy Agency only if*
13 *the Secretary of State determines (and so reports to the*
14 *Congress) that Israel is not being denied its right to par-*
15 *ticipate in the activities of that Agency: Provided further,*
16 *That of the funds appropriated under this heading that*
17 *are made available for the United Nations Children's*
18 *Fund (UNICEF), 75 per centum shall be obligated and*
19 *expended no later than thirty days after the date of enact-*
20 *ment of this Act and 25 per centum shall be expended*
21 *within thirty days from the start of UNICEF's fourth*
22 *quarter of operations for 1995: Provided further, That*
23 *none of the funds appropriated under this heading that*
24 *are made available to the United Nations Population Fund*
25 *(UNFPA) shall be made available for activities in the Peo-*
26 *ple's Republic of China: Provided further, That not more*

1 than ~~\$40,000,000~~ \$60,000,000 of the funds appropriated
2 under this heading may be made available to the UNFPA:
3 *Provided further,* That not more than one-half of this
4 amount may be provided to UNFPA before March 1,
5 1995, and that no later than February 15, 1995, the Sec-
6 retary of State shall submit a report to the Committees
7 on Appropriations indicating the amount UNFPA is budg-
8 eting for the People's Republic of China in 1995: *Provided*
9 *further,* That any amount UNFPA plans to spend in the
10 People's Republic of China in 1995 above \$7,000,000,
11 shall be deducted from the amount of funds provided to
12 UNFPA after March 1, 1995 pursuant to the previous
13 provisos: *Provided further,* That with respect to any funds
14 appropriated under this heading that are made available
15 to UNFPA, UNFPA shall be required to maintain such
16 funds in a separate account and not commingle them with
17 any other funds: ~~*Provided further,* That notwithstanding~~
18 ~~the fifth proviso of this heading,~~ if UNFPA decides not
19 to initiate a new program in China after its current pro-
20 gram ends in 1995, up to an additional \$20,000,000 of
21 funds appropriated under this heading may be made avail-
22 able to UNFPA.

1 TITLE II—BILATERAL ECONOMIC ASSISTANCE

2 FUNDS APPROPRIATED TO THE PRESIDENT

3 For expenses necessary to enable the President to
4 carry out the provisions of the Foreign Assistance Act of
5 1961, and for other purposes, to remain available until
6 September 30, 1995, unless otherwise specified herein, as
7 follows:

8 AGENCY FOR INTERNATIONAL DEVELOPMENT

9 DEVELOPMENT ASSISTANCE FUND

10 For necessary expenses to carry out the provisions
11 of sections 103 through 106 of the Foreign Assistance Act
12 of 1961, ~~\$811,000,000~~ \$882,000,000, to remain available
13 until September 30, 1996: *Provided, That of the funds ap-*
14 *propriated under this title under the heading "Agency for*
15 *International Development", (1) not less than \$285,000,000*
16 *shall be made available for activities which have as their*
17 *objective the reduction of childhood mortality, including*
18 *such activities as immunization programs, oral rehydration*
19 *programs, and education programs which address improved*
20 *nutrition, and water and sanitation programs, (2) not less*
21 *than \$135,000,000 shall be made available for basic edu-*
22 *cation programs, and (3) not less than \$25,000,000 shall*
23 *be made available for micronutrient programs: Provided*
24 *further, That of the funds appropriated under this heading,*
25 *not less than \$1,000,000 shall be made available for support*

1 *of displaced Burmese including for cross border activities:*
2 *Provided further, That of the funds appropriated under this*
3 *heading, not less than \$600,000 shall be available to support*
4 *parliamentary training and democracy programs in the*
5 *People's Republic of China: Provided further, That the*
6 *Agency for International Development shall make funds*
7 *available for the activities described in the previous proviso*
8 *on a grant basis to the International Republican Institute*
9 *and the National Democratic Institute, notwithstanding*
10 *any other provision of law.*

11 POPULATION, DEVELOPMENT ASSISTANCE

12 For necessary expenses to carry out the provisions
13 of section 104(b), \$450,000,000, to remain available until
14 September 30, 1996: *Provided, That none of the funds*
15 *made available in this Act nor any unobligated balances*
16 *from prior appropriations may be made available to any*
17 *organization or program which, as determined by the*
18 *President of the United States, supports or participates*
19 *in the management of a program of coercive abortion or*
20 *involuntary sterilization: Provided further, That none of*
21 *the funds made available under this heading may be used*
22 *to pay for the performance of abortion as a method of*
23 *family planning or to motivate or coerce any person to*
24 *practice abortions; and that in order to reduce reliance*
25 *on abortion in developing nations, funds shall be available*
26 *only to voluntary family planning projects which offer, ei-*

1 ther directly or through referral to, or information about
2 access to, a broad range of family planning methods and
3 services: *Provided further*, That in awarding grants for
4 natural family planning under section 104 of the Foreign
5 Assistance Act of 1961 no applicant shall be discriminated
6 against because of such applicant's religious or conscien-
7 tious commitment to offer only natural family planning;
8 and, additionally, all such applicants shall comply with the
9 requirements of the previous proviso: *Provided further*,
10 *That for purposes of this or any other Act authorizing or*
11 *appropriating funds for foreign operations, export financ-*
12 *ing, and related programs, the term "motivate", as it re-*
13 *lates to family planning assistance, shall not be construed*
14 *to prohibit the provision, consistent with local law, of infor-*
15 *mation or counselling about, or referral for, all pregnancy*
16 *options including abortion: Provided further*, That nothing
17 in this subsection shall be construed to alter any existing
18 statutory prohibitions against abortion under section 104
19 of the Foreign Assistance Act of 1961.

20 DEVELOPMENT FUND FOR AFRICA

21 For necessary expenses to carry out the provisions
22 of chapter 10 of part I of the Foreign Assistance Act of
23 1961, ~~\$790,000,000~~ \$802,000,000, to remain available
24 until September 30, 1996: *Provided*, That none of the
25 funds appropriated by this Act to carry out chapters 1
26 and 10 of part I of the Foreign Assistance Act of 1961

1 shall be transferred to the Government of Zaire: *Provided*
2 *further*, That funds appropriated under this heading which
3 are made available for activities supported by the South-
4 ern Africa Development Community shall be made avail-
5 able notwithstanding section 512 of this Act and section
6 620(q) of the Foreign Assistance Act of 1961.

7 PRIVATE AND VOLUNTARY ORGANIZATIONS

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

21 INTERNATIONAL DISASTER ASSISTANCE

22 For necessary expenses for international disaster re-
23 lief, rehabilitation, and reconstruction assistance pursuant
24 to section 491 of the Foreign Assistance Act of 1961, as
25 amended, \$169,998,000 to remain available until ex-
26 pended.

1 DEBT RESTRUCTURING

2 For the cost, as defined in section 13201 of the
3 Budget Enforcement Act of 1990, of modifying direct
4 loans and loan guarantees, as the President may deter-
5 mine, for which funds have been appropriated or otherwise
6 made available for programs within the International Af-
7 fairs Budget Function 150, \$7,000,000, to remain
8 available until expended: ~~Provided~~, That it is the sense of
9 the Congress that a program should be developed to un-
10 dertake direct buy backs of bilateral debt from eligible
11 poor and lower-middle income countries with local cur-
12 rency offsets to fund development and environmental ac-
13 tivities, provided that such a program would have no budg-
14 etary impact. The Administration should consider how cre-
15 ative use of the sale of impaired Third World debts might
16 be used to lower debt overhangs and generate local cur-
17 rencies for development and environmental activities.

18 MICRO AND SMALL ENTERPRISE DEVELOPMENT PROGRAM

19 ACCOUNT

20 For the subsidy cost of direct loans and loan guaran-
21 tees, \$1,500,000, as authorized by section 108 of the For-
22 eign Assistance Act of 1961, as amended: *Provided*, That
23 such costs shall be as defined in section 502 of the Con-
24 gressional Budget Act of 1974: *Provided further*, That
25 *guarantees of loans made under this heading in support*
26 *of microenterprise activities may guarantee up to 70 per-*

1 *cent of the principal amount of any such loans notwith-*
2 *standing section 108 of the Foreign Assistance Act of 1961.*

3 In addition, for administrative expenses to carry out pro-
4 grams under this heading, \$500,000, all of which may be
5 transferred to and merged with the appropriation for Op-
6 erating Expenses of the Agency for International Develop-
7 ment.

8 HOUSING GUARANTY PROGRAM ACCOUNT

9 For the subsidy cost, as defined in section 13201 of
10 the Budget Enforcement Act of 1990, of guaranteed loans
11 authorized by sections 221 and 222 of the Foreign Assist-
12 ance Act of 1961, \$19,300,000: *Provided*, That these
13 funds are available to subsidize loan principal, 100 percent
14 of which shall be guaranteed, pursuant to the authority
15 of such sections: *Provided further*, That the President shall
16 enter into commitments to guarantee such loans in the
17 full amount provided under this heading, subject to the
18 availability of qualified applicants for such guarantees. In
19 addition, for administrative expenses to carry out guaran-
20 teed loan programs, \$8,000,000, all of which may be
21 transferred to and merged with the appropriation for Op-
22 erating Expenses of the Agency for International Develop-
23 ment: *Provided further*, That commitments to guarantee
24 loans under this heading may be entered into notwith-
25 standing the second and third sentences of section 222(a)
26 and, with regard to programs for Eastern Europe and pro-

1 grams for the benefit of South Africans disadvantaged by
2 apartheid, section 223(j) of the Foreign Assistance Act of
3 1961: *Provided further*, That none of the funds appro-
4 priated under this heading shall be obligated except
5 through the regular notification procedures of the Com-
6 mittees on Appropriations.

7 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
8 DISABILITY FUND

9 For payment to the “Foreign Service Retirement and
10 Disability Fund”, as authorized by the Foreign Service
11 Act of 1980, \$45,118,000.

12 OPERATING EXPENSES OF THE AGENCY FOR
13 INTERNATIONAL DEVELOPMENT

14 For necessary expenses to carry out the provisions
15 of section 667, ~~\$517,500,000~~ *\$517,800,000: Provided,*
16 ~~That of this amount not more than \$900,000 may be~~
17 ~~made available to pay for printing costs.~~

18 OPERATING EXPENSES OF THE AGENCY FOR INTER-
19 NATIONAL DEVELOPMENT OFFICE OF INSPECTOR
20 GENERAL

21 For necessary expenses to carry out the provisions
22 of section 667, \$39,118,000, which sum shall be available
23 for the Office of the Inspector General of the Agency for
24 International Development.

ECONOMIC SUPPORT FUND

1
2 For necessary expenses to carry out the provisions
3 of chapter 4 of part II, ~~\$2,339,000,000~~ \$2,359,200,000,
4 to remain available until September 30, 1996: *Provided,*
5 That any funds appropriated under this heading that are
6 made available for Israel shall be made available on a
7 grant basis as a cash transfer and shall be disbursed with-
8 in thirty days of enactment of this Act or by October 31,
9 1994, whichever is later: *Provided further,* That any funds
10 appropriated under this heading that are made available
11 for Egypt shall be provided on a grant basis, of which sum
12 cash transfer assistance may be provided with the under-
13 standing that Egypt will undertake significant economic
14 reforms which are additional to those which were under-
15 taken in previous fiscal years: *Provided, That of the funds*
16 *appropriated under this heading, not less than*
17 *\$1,200,000,000 shall be available only for Israel, which sum*
18 *shall be available on a grant basis as a cash transfer and*
19 *shall be disbursed within thirty days of enactment of this*
20 *Act or by October 31, 1994, whichever is later: Provided*
21 *further, That not less than \$815,000,000 shall be available*
22 *only for Egypt, which sum shall be provided on a grant*
23 *basis, and of which sum cash transfer assistance may be*
24 *provided, with the understanding that Egypt will undertake*
25 *significant economic reforms which are additional to those*

1 *which were undertaken in previous fiscal years, and of*
2 *which not less than \$200,000,000 shall be provided as Com-*
3 *modity Import Program assistance: Provided further, That*
4 *in exercising the authority to provide cash transfer assist-*
5 *ance for Israel and Egypt, the President shall ensure that*
6 *the level of such assistance does not cause an adverse im-*
7 *pact on the total level of nonmilitary exports from the*
8 *United States to each such country: Provided further, That*
9 *it is the sense of the Congress that the recommended levels*
10 *of assistance for Egypt and Israel are based in great*
11 *measure upon their continued participation in the Camp*
12 *David Accords and upon the Egyptian-Israeli peace treaty:*
13 *Provided further, That none of the funds appropriated*
14 *under this heading shall be made available for Zaire: Pro-*
15 *vided further, That not more than \$50,000,000 of the funds*
16 *appropriated under this heading may be made available to*
17 *finance tied-aid credits, unless the President determines it*
18 *is in the national interest to provide in excess of*
19 *\$50,000,000 and so notifies the Committees on Appropria-*
20 *tions through the regular notification procedures of the*
21 *Committees on Appropriations: Provided further, That*
22 *none of the funds made available or limited by this Act*
23 *may be used for tied-aid credits or tied-aid grants except*
24 *through the regular notification procedures of the Commit-*
25 *tees on Appropriations: Provided further, That none of the*

1 *funds appropriated by this Act to carry out the provisions*
2 *of chapters 1 and 10 of part I of the Foreign Assistance*
3 *Act of 1961 may be used for tied-aid credits: Provided fur-*
4 *ther, That as used in this heading the term “tied-aid cred-*
5 *its” means any credit, within the meaning of section*
6 *15(h)(1) of the Export-Import Bank Act of 1945, which is*
7 *used for blended or parallel financing, as those terms are*
8 *defined by sections 15(h) (4) and (5), respectively, of such*
9 *Act: Provided further, That not less than \$15,000,000 of the*
10 *funds appropriated under this heading shall be made avail-*
11 *able for Cyprus to be used only for scholarships,*
12 *bicommunal projects, and measures aimed at the reunifica-*
13 *tion of the island and designed to reduce tensions, and pro-*
14 *mote peace and cooperation between the two communities*
15 *on Cyprus: Provided further, That not less than \$7,000,000*
16 *of the funds appropriated under this heading shall be avail-*
17 *able only for the Middle East Regional Cooperation Pro-*
18 *gram.*

19 INTERNATIONAL FUND FOR IRELAND

20 For necessary expenses to carry out the provisions
21 of part I of the Foreign Assistance Act of 1961, up to
22 ~~\$19,600,000~~ \$15,000,000, which shall be available for the
23 United States contribution to the International Fund for
24 Ireland and shall be made available in accordance with the
25 provisions of the Anglo-Irish Agreement Support Act of
26 1986 (Public Law 99–415): *Provided, That such amount*

1 shall be expended at the minimum rate necessary to make
2 timely payment for projects and activities: *Provided fur-*
3 *ther*, That funds made available under this heading shall
4 remain available until expended.

5 ASSISTANCE FOR EASTERN EUROPE AND THE BALTIC
6 STATES

7 (a) For necessary expenses to carry out the provisions
8 of the Foreign Assistance Act of 1961 and the Support
9 for East European Democracy (SEED) Act of 1989,
10 ~~\$360,000,000~~ \$359,000,000, to remain available until ex-
11 pended, which shall be available, notwithstanding any
12 other provision of law, for economic assistance *and for re-*
13 *lated* programs for Eastern Europe and the Baltic States.

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

25 (c) Funds appropriated under this heading shall be
26 considered to be economic assistance under the Foreign

1 Assistance Act of 1961 for purposes of making available
2 the administrative authorities contained in that Act for
3 the use of economic assistance.

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

6 (a) For necessary expenses to carry out the provisions
7 of chapter 11 of part I of the Foreign Assistance Act of
8 1961 and the FREEDOM Support Act, for assistance for
9 the new independent states of the former Soviet Union
10 and for related programs, ~~\$875,500,000~~ \$839,000,000, to
11 remain available until expended: *Provided*, That the provi-
12 sions of 498B(j) of the Foreign Assistance Act of 1961
13 shall apply to funds appropriated 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, such as those violations included in Prin-
10 ciple Six of the Helsinki Final Act: *Provided*, That such
11 funds may be made available without regard to the restric-
12 tion in this subsection if the President determines that
13 to do so is in the national interest of the United States:
14 *Provided further*, That the restriction of this subsection
15 shall not apply to the use of such funds for the provision
16 of assistance for purposes of humanitarian, disaster and
17 refugee relief: ~~*Provided further*, That thirty days after the~~
18 ~~date of enactment of this Act, and then annually there-~~
19 ~~after, the Secretary of State shall report to the Commit-~~
20 ~~tees on Appropriations on steps taken by the governments~~
21 ~~of the new independent states concerning violations re-~~
22 ~~ferred to in this subsection: *Provided further*, That in pre-~~
23 ~~paring this report the Secretary shall consult with the~~
24 ~~United States Representative to the Conference on Secu-~~
25 ~~rity and Cooperation in Europe.~~

1 (e) None of the funds appropriated under this head-
2 ing for the new independent states of the former Soviet
3 Union shall be made available for any state to enhance
4 its military capability: *Provided*, That this restriction does
5 not apply to demilitarization, defense conversion or non-
6 proliferation programs, or programs to support troop
7 withdrawal including through the support of an officer re-
8 settlement program, and technical assistance for the hous-
9 ing sector.

10 (f) Funds appropriated under this heading shall be
11 subject to the regular ~~reprogramming~~ *notification* proce-
12 dures of the Committees on Appropriations.

13 (g) Funds appropriated under this heading may be
14 made available for assistance for Mongolia.

15 (h) Funds made available in this Act for assistance
16 to the new independent states of the former Soviet Union
17 shall be provided to the maximum extent feasible through
18 the private sector, including private voluntary organiza-
19 tions and nongovernmental organizations functioning in
20 the new independent states.

21 (i) *Of the funds appropriated under this heading,*
22 *\$15,000,000 shall be available only for a family planning*
23 *program for the new independent states of the former Soviet*
24 *Union comparable to the family planning program cur-*
25 *rently administered by the Agency for International Devel-*

1 *opment in the Central Asian Republics and focusing on*
2 *population assistance which provides an alternative to*
3 *abortion: Provided, That of such amount, \$6,000,000 shall*
4 *be available only for such a family planning program in*
5 *Russia, \$3,000,000 shall be available only for such a family*
6 *planning program in Ukraine, Moldova, and Belarus, and*
7 *\$6,000,000 shall be available only for such a family plan-*
8 *ning program in the Central Asian Republics.*

9 *(j) Of the funds appropriated under this heading, not*
10 *less than \$150,000,000 shall be available for programs for*
11 *Ukraine: Provided, That of these funds not less than*
12 *\$25,000,000 shall be made available for land privatization*
13 *activities and development of small and medium size busi-*
14 *nesses, including agriculture enterprises.*

15 *(k) Not less than \$75,000,000 of the funds appro-*
16 *priated under this heading shall be available for programs*
17 *and activities for Armenia.*

18 *(l) Not less than \$50,000,000 of the funds appropriated*
19 *under this heading shall be made available for programs*
20 *for Georgia.*

21 *(m) Every 180 days, the Administrator for the Agency*
22 *for International Development shall provide the Committees*
23 *on Appropriations with a report listing grants and con-*
24 *tracts issued from funds under this heading including the*
25 *type, amount and country where assistance is expended.*

1 INDEPENDENT AGENCIES

2 AFRICAN DEVELOPMENT FOUNDATION

3 For necessary expenses to carry out the provisions
4 of title V of the International Security and Development
5 Cooperation Act of 1980, Public Law 96-533, and to
6 make such contracts and commitments without regard to
7 fiscal year limitations, as provided by section 9104, title
8 31, United States Code, \$16,905,000: *Provided*, That,
9 when, with the permission of the President of the Founda-
10 tion, funds made available to a grantee under this heading
11 are invested pending disbursement, the resulting interest
12 is not required to be deposited in the United States Treas-
13 ury if the grantee uses the resulting interest for the pur-
14 pose for which the grant was made: *Provided further*, That
15 this provision applies with respect to both interest earned
16 before and interest earned after the enactment of this pro-
17 vision: *Provided further*, That notwithstanding section
18 505(a)(2) of the African Development Foundation Act, in
19 exceptional circumstances the board of directors of the
20 Foundation may waive the dollar limitation contained in
21 that section with respect to a project: *Provided further*,
22 That the Foundation shall provide a report to the Com-
23 mittees on Appropriations after each time such waiver au-
24 thority is exercised.

1 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, \$30,960,000.

8 PEACE CORPS

9 For expenses necessary to carry out the provisions
10 of the Peace Corps Act (75 Stat. 612), ~~\$219,745,000~~
11 *\$221,745,000*, 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: *Provided further*, That funds appro-
16 priated under this heading shall remain available until
17 September 30, 1996.

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 ~~\$115,000,000~~ *\$100,000,000: Provided, That during fiscal*
23 *year 1995, the Department of State may also use the au-*
24 *thority of section 608 of the Foreign Assistance Act of 1961,*
25 *without regard to its restrictions, to receive non-lethal excess*
26 *property from an agency of the United States Government*

1 *for the purpose of providing it to a foreign country under*
2 *chapter 8 of part I of that Act subject to the regular notifi-*
3 *cation procedures of the Committees on Appropriations:*
4 *Provided further, That notwithstanding sections 489A and*
5 *490A of the Foreign Assistance Act of 1961 and any ref-*
6 *erence in any provision of law to such sections, and not-*
7 *withstanding section 6(a) of the International Narcotics*
8 *Control Act of 1992, the provisions of sections 489 and 490*
9 *of the Foreign Assistance Act of 1961 shall apply during*
10 *fiscal year 1995.*

11 MIGRATION AND REFUGEE ASSISTANCE

12 For expenses, not otherwise provided for, necessary
13 to enable the Secretary of State to provide, as authorized
14 by law, a contribution to the International Committee of
15 the Red Cross and assistance to refugees, including con-
16 tributions to the Intergovernmental Committee for Migra-
17 tion and the United Nations High Commissioner for Refu-
18 gees; salaries and expenses of personnel and dependents
19 as authorized by the Foreign Service Act of 1980; allow-
20 ances as authorized by sections 5921 through 5925 of title
21 5, United States Code; hire of passenger motor vehicles;
22 and services as authorized by section 3109 of title 5,
23 United States Code, ~~\$670,688,000~~ \$671,000,000: *Pro-*
24 *vided, That not more than \$11,500,000 of the funds ap-*
25 *propriated under this heading shall be available for the*
26 *administrative expenses of the Office of Refugee Programs*

1 ANTI-TERRORISM ASSISTANCE

2 For necessary expenses to carry out the provisions
3 of chapter 8 of part II of the Foreign Assistance Act of
4 1961, \$15,244,000.

5 NONPROLIFERATION AND DISARMAMENT FUND

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

21 TITLE III—MILITARY ASSISTANCE

22 FUNDS APPROPRIATED TO THE PRESIDENT

23 INTERNATIONAL MILITARY EDUCATION AND TRAINING

24 For necessary expenses to carry out the provisions
25 of section 541 of the Foreign Assistance Act of 1961,
26 \$25,500,000: *Provided*, That up to \$300,000 of the funds

1 appropriated under this heading may be made available
2 for grant financed military education and training for any
3 country whose annual per capita GNP exceeds \$2,349 on
4 the condition that that country agrees to fund from its
5 own resources the transportation cost and living allow-
6 ances of its students: *Provided further*, That the civilian
7 personnel for whom military education and training may
8 be provided under this heading may also include members
9 of national legislatures who are responsible for the over-
10 sight and management of the military, *and may also in-*
11 *clude individuals who are not members of a government.*
12 *Provided further*, That none of the funds appropriated
13 under this heading shall be available for ~~Indonesia~~, *Rwan-*
14 *da and Zaire: Provided further*, ~~That none of the funds~~
15 ~~appropriated by this Act shall be used to facilitate the pro-~~
16 ~~vision of IMET to Indonesia:~~ *Provided further*, That a re-
17 port is to be submitted to the Committees on Appropria-
18 tions addressing how the proposed School of the Americas
19 IMET program *for fiscal year 1995* will contribute to the
20 promotion of human rights, respect for civilian authority
21 and the rule of law, the establishment of legitimate judicial
22 mechanisms for the military, and achieving the goal of
23 right sizing military forces: *Provided further*, *That none*
24 *of the funds appropriated under this heading may be made*
25 *available for Thailand or Algeria except through the regular*

1 notification procedures of the Committees on Appropria-
2 tions: Provided further, That the Secretary of State shall
3 submit, by February 1, 1995, a report to the Committees
4 on Appropriations on the Thai military's support for the
5 Khmer Rouge and the Thai Government's efforts to impede
6 support for Burmese democracy advocates, exiles, and refu-
7 gees.

8 *MILITARY-TO-MILITARY CONTACT PROGRAM*

9 For necessary expenses, for the military-to-military
10 contact program of the Department of Defense,
11 \$12,000,000; ~~to~~: Provided, That of this amount, \$2,800,000
12 shall be made available only for activities in the area of
13 responsibility of the United States Pacific Command and
14 \$9,200,000 shall be made available only for activities for
15 East European countries and the Baltic States.

16 *FOREIGN MILITARY FINANCING PROGRAM*

17 For expenses necessary for grants to enable the
18 President to carry out the provisions of section 23 of the
19 Arms Export Control Act, \$3,149,279,000
20 ~~\$3,151,279,000~~: ~~Provided, That funds appropriated by this~~
21 ~~paragraph that are made available for Israel and Egypt~~
22 ~~shall be available only as grants: Provided further, That~~
23 ~~the funds appropriated by this paragraph that are made~~
24 ~~available for Israel shall be disbursed within thirty days~~
25 ~~of enactment of this Act or by October 31, 1994, which-~~
26 ~~ever is later: Provided, That of the funds appropriated by~~

1 *this paragraph not less than \$1,800,000,000 shall be avail-*
2 *able for grants only for Israel, and not less than*
3 *\$1,300,000,000 shall be available for grants only for Egypt:*
4 *Provided further, That the funds appropriated by this para-*
5 *graph for Israel shall be disbursed within thirty days of*
6 *enactment of this Act or by October 31, 1994, whichever*
7 *is later: Provided further, That to the extent that the Gov-*
8 *ernment of Israel requests that funds be used for such pur-*
9 *poses, grants made available for Israel by this paragraph*
10 *shall, as agreed by Israel and the United States, be avail-*
11 *able for advanced fighter aircraft programs or for other ad-*
12 *vanced weapons systems, as follows: (1) up to \$150,000,000*
13 *shall be available for research and development in the*
14 *United States; and (2) not less than \$475,000,000 shall be*
15 *available for the procurement in Israel of defense articles*
16 *and defense services, including research and development.*
17 *Provided further, That funds made available under this*
18 *paragraph shall be nonrepayable notwithstanding any re-*
19 *quirement in section 23 of the Arms Export Control Act.*

20 For the cost, as defined in section 13201 of the
21 Budget Enforcement Act of 1990, of direct loans author-
22 ized by section 23 of the Arms Export Control Act as fol-
23 lows: cost of direct loans, \$47,917,000: *Provided, That*
24 *these funds are available to subsidize gross obligations for*
25 *the principal amount of direct loans of not to exceed*

1 \$619,650,000: *Provided further*, That the rate of interest
2 charged on such loans shall be not less than the current
3 average market yield on outstanding marketable obliga-
4 tions of the United States of comparable maturities: ~~*Pro-*~~
5 ~~*vided further*~~, That the principal amount of direct loans
6 for Greece and Turkey shall be made available according
7 to a 7 to 10 ratio: *Provided further*, That funds appro-
8 priated under this heading shall be made available for
9 Greece and Turkey only on a loan basis, and the principal
10 amount of direct loans for each country shall not exceed
11 the following: \$255,150,000 only for Greece and
12 \$364,500,000 only for Turkey: ~~*Provided further*~~, That 25
13 percent of the principal amount of direct loans for Turkey
14 shall be withheld until the Secretary of State, in consulta-
15 tion with the Secretary of Defense, has submitted to the
16 Committees on Appropriations a report addressing, among
17 other things, the allegations of abuses against civilians by
18 the Turkish armed forces and the situation in Cyprus, and
19 a separate notification has been submitted at least 15 days
20 prior to the obligation of such funds: *Provided further*,
21 ~~*That*~~ 25 percent of the principal amount of direct loans
22 for Greece shall be withheld until the Secretary of State
23 has submitted to the Committees on Appropriations a re-
24 port on the allegations of Greek violations of the United
25 Nations sanctions against Serbia and of the United Na-

1 tions Charter, and a separate notification has been sub-
2 mitted at least 15 days prior to the obligation of such
3 funds *Provided further, That any agreement for the sale*
4 *or provision of any equipment on the United States Muni-*
5 *tions List (established pursuant to section 38 of the Arms*
6 *Export Control Act) to Turkey that is entered into by the*
7 *United States during fiscal year 1995 shall expressly state*
8 *that the equipment is being provided by the United States*
9 *only with the understanding that it will not be used for*
10 *internal security purposes: Provided further, That any*
11 *agreement for the sale or provision of any equipment on*
12 *the United States Munitions List (established pursuant to*
13 *section 38 of the Arms Export Control Act) to Greece that*
14 *is entered into by the United States during fiscal year 1995,*
15 *shall expressly state that the equipment is being provided*
16 *by the United States only with the understanding that it*
17 *will not be used in violation of the United Nations sanctions*
18 *against Serbia or the United Nations Charter.*

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

1 specifying the conditions under which such procurements
2 may be financed with such funds: *Provided*, That all coun-
3 try and funding level increases in allocations shall be sub-
4 mitted through the regular notification procedures of sec-
5 tion 515 of this Act: *Provided further*, That funds made
6 available under this heading shall be obligated upon appor-
7 tionment in accordance with paragraph (5)(C) of title 31,
8 United States Code, section 1501(a): *Provided further*,
9 That none of the funds appropriated under this heading
10 shall be available for Zaire, Sudan, Liberia, Guatemala,
11 Peru, and Malawi: *Provided further*, That none of the
12 funds appropriated under this heading may be made avail-
13 able for Colombia or Bolivia until the Secretary of State
14 certifies that such funds will be used by such country pri-
15 marily for counternarcotics activities: *Provided further*,
16 *That funds made available under this heading may be used,*
17 *notwithstanding any other provision of law, for demining*
18 *activities, and may include activities implemented through*
19 *nongovernmental and international organizations: Pro-*
20 *vided further, That any agreement for the sale or provision*
21 *of any equipment on the United States Munitions List (es-*
22 *tablished pursuant to section 38 of the Arms Export Control*
23 *Act) to Indonesia that is entered into by the United States*
24 *during fiscal year 1995 shall expressly state the understand-*
25 *ing that the equipment may not be used in East Timor:*

1 *Provided further*, That not more than \$100,000,000 of the
2 funds made available under this heading shall be available
3 for use in financing the procurement of defense articles,
4 defense services, or design and construction services that
5 are not sold by the United States Government under the
6 Arms Export Control Act to countries other than Israel
7 and Egypt: *Provided further*, That only those countries for
8 which assistance was justified for the “Foreign Military
9 Sales Financing Program” in the fiscal year 1989 con-
10 gressional presentation for security assistance programs
11 may utilize funds made available under this heading for
12 procurement of defense articles, defense services or design
13 and construction services that are not sold by the United
14 States Government under the Arms Export Control Act:
15 *Provided further*, That, subject to the regular notification
16 procedures of the Committees on Appropriations, funds
17 made available under this heading for the cost of direct
18 loans may also be used to supplement the funds available
19 under this heading for necessary expenses for grants if
20 countries specified under this heading as eligible for such
21 direct loans decline to utilize such loans: *Provided further*,
22 That funds appropriated under this heading shall be ex-
23 pended at the minimum rate necessary to make timely
24 payment for defense articles and services: *Provided fur-*
25 *ther*, That the Department of Defense shall conduct dur-

1 ing the current fiscal year nonreimbursable audits of pri-
2 vate firms whose contracts are made directly with foreign
3 governments and are financed with funds made available
4 under this heading (as well as subcontractors thereunder)
5 as requested by the Defense Security Assistance Agency:
6 *Provided further*, That not more than \$22,150,000 of the
7 funds appropriated under this heading may be obligated
8 for necessary expenses, including the purchase of pas-
9 senger motor vehicles for replacement only for use outside
10 of the United States, for the general costs of administer-
11 ing military assistance and sales: *Provided further*, That
12 not more than \$335,000,000 of funds realized pursuant
13 to section 21(e)(1)(A) of the Arms Export Control Act
14 may be obligated for expenses incurred by the Department
15 of Defense during ~~the fiscal year 1994~~ *fiscal year 1995*
16 pursuant to section 43(b) of the Arms Export Control Act,
17 except that this limitation may be exceeded only through
18 the regular notification procedures of the Committees on
19 Appropriations: *Provided further*, That none of the funds
20 appropriated under this heading, and no employee of the
21 Defense Security Assistance Agency, may be used to facili-
22 tate the transport of aircraft to commercial arms sales
23 shows.

24 *SPECIAL DEFENSE ACQUISITION FUND*

25 *Notwithstanding any provision of Public Law 102-*
26 *391 as amended by Public Law 103-87, not to exceed*

1 *\$140,000,000 of the obligational authority provided in that*
2 *Act under the heading “Special Defense Acquisition Fund”*
3 *may be obligated pursuant to section 51(c)(2) of the Arms*
4 *Export Control Act.*

5 *Not to exceed \$20,000,000 may be obligated pursuant*
6 *to section 51(c)(2) of the Arms Export Control Act for the*
7 *purposes of closing the Special Defense Acquisition Fund,*
8 *to remain available for obligation until September 30,*
9 *1998: Provided, That the authority provided in this Act is*
10 *not used to initiate new procurements.*

11 PEACEKEEPING OPERATIONS

12 *(INCLUDING TRANSFER OF FUNDS)*

13 For necessary expenses to carry out the provisions
14 of section 551 of the Foreign Assistance Act of 1961,
15 \$75,000,000: *Provided, That of this amount up to \$850,000*
16 *may be transferred to, and merged with, funds appro-*
17 *priated under the heading “International Military Edu-*
18 *cation and Training” to carry out the provisions of section*
19 *541 of the Act: Provided further, That funds transferred*
20 *under the previous proviso shall be in addition to amounts*
21 *that may be transferred between accounts under the author-*
22 *ity of any other provision of law.*

23 TITLE IV—EXPORT ASSISTANCE

24 EXPORT-IMPORT BANK OF THE UNITED STATES

25 The Export-Import Bank of the United States is au-
26 thorized to make such expenditures within the limits of

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

16 SUBSIDY APPROPRIATION

17 For the cost of direct loans, loan guarantees, insur-
18 ance, and tied-aid grants as authorized by section 10 of
19 the Export-Import Bank Act of 1945, as amended,
20 ~~\$792,653,000~~ \$786,551,000 to remain available until Sep-
21 tember 30, 1996: *Provided*, That such costs, including the
22 cost of modifying such loans, shall be as defined in section
23 502 of the Congressional Budget Act of 1974: *Provided*
24 ~~further~~, That these funds are available to subsidize gross
25 obligations for the principal amount of direct loans, and
26 tied-aid grants, and total loan principal, any part of which

1 is to be guaranteed, including insurance, of not to exceed
2 ~~\$19,000,000,000~~: *Provided further*, That such sums shall
3 remain available until 2010 for the disbursement of direct
4 loans, loan guarantees, insurance and tied-aid grants obli-
5 gated in fiscal years 1995 and 1996: *Provided further*,
6 That up to \$100,000,000 of funds appropriated by this
7 paragraph shall remain available until expended and may
8 be used for tied-aid grant purposes: *Provided further*, That
9 none of the funds appropriated by this paragraph may be
10 used for tied-aid credits or grants except through the regu-
11 lar notification procedures of the Committees on Appro-
12 priations: *Provided further*, That funds appropriated by
13 this paragraph are made available notwithstanding section
14 2(b)(2) of the Export-Import Bank Act of 1945, in con-
15 nection with the purchase or lease of any product by any
16 East European country, any Baltic State, or any agency
17 or national thereof.

18 ADMINISTRATIVE EXPENSES

19 For administrative expenses to carry out the direct
20 and guaranteed loan and insurance programs (to be com-
21 puted on an accrual basis), including hire of passenger
22 motor vehicles and services as authorized by 5 U.S.C.
23 3109, and not to exceed \$20,000 for official reception and
24 representation expenses for members of the Board of Di-
25 rectors, ~~\$44,550,000~~ \$45,228,000: *Provided*, That nec-
26 essary expenses (including special services performed on

1 a contract or fee basis, but not including other personal
2 services) in connection with the collection of moneys owed
3 the Export-Import Bank, repossession or sale of pledged
4 collateral or other assets acquired by the Export-Import
5 Bank in satisfaction of moneys owed the Export-Import
6 Bank, or the investigation or appraisal of any property,
7 or the evaluation of the legal or technical aspects of any
8 transaction for which an application for a loan, guarantee
9 or insurance commitment has been made, shall be consid-
10 ered nonadministrative expenses for the purposes of this
11 heading: *Provided further, That, notwithstanding sub-*
12 *section (b) of section 117 of the Export Enhancement Act*
13 *of 1992, subsection (a) thereof shall remain in effect until*
14 *October 1, 1995.*

15 OVERSEAS PRIVATE INVESTMENT CORPORATION

16 PROGRAM ACCOUNT

17 ~~For the subsidy cost as defined in section 13201 of~~
18 ~~the Budget Enforcement Act of 1990, of direct and guar-~~
19 ~~anteed loans authorized by section 234 of the Foreign As-~~
20 ~~sistance Act of 1961, as follows: cost of direct and guaran-~~
21 ~~teed loans, \$23,296,000. In addition, for administrative~~
22 ~~expenses to carry out the direct and guaranteed loan pro-~~
23 ~~grams, \$7,933,000: *Provided, That the funds provided in*~~
24 ~~this paragraph shall be available for and apply to costs,~~
25 ~~direct loan obligations and loan guaranty commitments in-~~
26 ~~curred or made during the period from October 1, 1994~~

1 through September 30, 1996: *Provided further*, That such
2 sums are to remain available through fiscal year 2003 for
3 the disbursement of direct and guaranteed loans obligated
4 in fiscal year 1995, and through 2004 for the disburse-
5 ment of direct and guaranteed loans obligated in fiscal
6 year 1996.

7 The Overseas Private Investment Corporation is au-
8 thorized to make, without regard to fiscal year limitations,
9 as provided by 31 U.S.C. 9104, such noncredit expendi-
10 tures and commitments within the limits of funds available
11 to it and in accordance with law (including an amount for
12 official reception and representation expenses which shall
13 not exceed \$35,000) as may be necessary.

14 *NONCREDIT ACCOUNT*

15 *The Overseas Private Investment Corporation is au-*
16 *thorized to make, without regard to fiscal year limitations,*
17 *as provided by 31 U.S.C. 9104, such expenditures and com-*
18 *mitments within the limits of funds available to it and in*
19 *accordance with law as may be necessary: Provided, That*
20 *the amount available for administrative expenses to carry*
21 *out the credit and insurance programs (including an*
22 *amount for official reception and representation expenses*
23 *which shall not exceed \$35,000) shall not exceed*
24 *\$24,322,000: Provided further, That project-specific trans-*
25 *action costs, including direct and indirect costs incurred*
26 *in claims settlements, and other direct costs associated with*

1 *services provided to specific investors or potential investors*
2 *pursuant to section 234 of the Foreign Assistance Act of*
3 *1961 shall not be considered administrative expenses for the*
4 *purposes of this heading.*

5 *PROGRAM ACCOUNT*

6 *For the cost of direct and guaranteed loans,*
7 *\$34,944,000, as authorized by section 234 of the Foreign*
8 *Assistance Act of 1961, to be derived by transfer from the*
9 *Overseas Private Investment Corporation Noncredit Ac-*
10 *count: Provided, That such costs, including the cost of modi-*
11 *fying such loans, shall be as defined in section 502 of the*
12 *Congressional Budget Act of 1974: Provided further, That*
13 *not less than \$24,944,000 of such subsidy shall be available*
14 *for direct loan obligations and loan guaranty commitments*
15 *incurred or made during fiscal years 1995 and 1996, and*
16 *the remainder of such subsidy shall be available for such*
17 *purposes without fiscal year limitation: Provided further,*
18 *That such sums that are made available during fiscal years*
19 *1995 and 1996 shall remain available through fiscal year*
20 *2003 for the disbursement of direct and guaranteed loans*
21 *obligated in fiscal year 1995, and through 2004 for the dis-*
22 *bursement of direct and guaranteed loans obligated in fiscal*
23 *year 1996: Provided further, That such sums that are obli-*
24 *gated after fiscal year 1996 shall remain available for the*
25 *disbursement of direct and guaranteed loans through the*
26 *end of the eighth fiscal year after the fiscal year in which*

1 *such sums were obligated. In addition, such sums as may*
2 *be necessary for administrative expenses to carry out the*
3 *credit program may be derived from amounts available for*
4 *administrative expenses to carry out the credit and insur-*
5 *ance programs in the Overseas Private Investment Corpora-*
6 *tion Noncredit Account and merged with said account.*

7 FUNDS APPROPRIATED TO THE PRESIDENT

8 TRADE AND DEVELOPMENT AGENCY

9 For necessary expenses to carry out the provisions
10 of section 661 of the Foreign Assistance Act of 1961,
11 \$44,986,000.

12 TITLE V—GENERAL PROVISIONS

13 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

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

20 PROHIBITION OF BILATERAL FUNDING FOR

21 INTERNATIONAL FINANCIAL INSTITUTIONS

22 SEC. 502. None of the funds contained in title II of
23 this Act may be used to carry out the provisions of section
24 209(d) of the Foreign Assistance Act of 1961.

1 LIMITATION ON RESIDENCE EXPENSES

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

9 LIMITATION ON EXPENSES

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

14 LIMITATION ON REPRESENTATIONAL ALLOWANCES

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

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

15 PROHIBITION ON FINANCING NUCLEAR GOODS

16 SEC. 506. None of the funds appropriated or made
17 available (other than funds for “International Organiza-
18 tions and Programs”) pursuant to this Act, for carrying
19 out the Foreign Assistance Act of 1961, may be used, ex-
20 cept for purposes of nuclear safety, to finance the export
21 of nuclear equipment, fuel, or technology.

22 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN
23 COUNTRIES

24 SEC. 507. None of the funds appropriated or other-
25 wise made available pursuant to this Act shall be obligated
26 or expended to finance directly any assistance or repara-

1 tions to Cuba, Iraq, Libya, the Socialist Republic of Viet-
2 nam, Iran, Serbia, Sudan, or Syria: *Provided*, That for
3 purposes of this section, the prohibition on obligations or
4 expenditures shall include direct loans, credits, insurance
5 and guarantees of the Export-Import Bank or its agents.

6

MILITARY COUPS

7 SEC. 508. 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 to any coun-
10 try whose duly elected Head of Government is deposed by
11 military coup or decree: *Provided*, That assistance may be
12 resumed to such country if the President determines and
13 reports to the Committees on Appropriations that subse-
14 quent to the termination of assistance a democratically
15 elected government has taken office.

16

TRANSFERS BETWEEN ACCOUNTS

17 SEC. 509. None of the funds made available by this
18 Act may be obligated under an appropriation account to
19 which they were not appropriated, unless the President,
20 prior to the exercise of any authority contained in the For-
21 eign Assistance Act of 1961 to transfer funds, consults
22 with and provides a written policy justification to the
23 Committees on Appropriations of the House of Represent-
24 atives and the Senate: *Provided*, That the exercise of such
25 authority shall be subject to the regular notification proce-
26 dures of the Committees on Appropriations.

1 DEOBLIGATION/REOBLIGATION AUTHORITY

2 SEC. 510. (a) Amounts certified pursuant to section
3 1311 of the Supplemental Appropriations Act, 1955, as
4 having been obligated against appropriations heretofore
5 made under the authority of the Foreign Assistance Act
6 of 1961 for the same general purpose as any of the head-
7 ings under the “Agency for International Development”
8 are, if deobligated, hereby continued available for the same
9 period as the respective appropriations under such head-
10 ings or until September 30, 1995, whichever is later, and
11 for the same general purpose, and for countries within the
12 same region as originally obligated: *Provided*, That the
13 Appropriations Committees of both Houses of the Con-
14 gress are notified fifteen days in advance of the
15 deobligation and reobligation of such funds in accordance
16 with regular notification procedures of the Committees on
17 Appropriations.

18 (b) Obligated balances of funds appropriated to carry
19 out section 23 of the Arms Export Control Act as of the
20 end of the fiscal year immediately preceding the current
21 fiscal year are, if deobligated, hereby continued available
22 during the current fiscal year for the same purpose under
23 any authority applicable to such appropriations under this
24 Act: *Provided*, That the authority of this subsection may
25 not be used in fiscal year 1995.

1 AVAILABILITY OF FUNDS

2 SEC. 511. No part of any appropriation contained in
3 this Act shall remain available for obligation after the ex-
4 piration of the current fiscal year unless expressly so pro-
5 vided in this Act: *Provided*, That funds appropriated for
6 the purposes of chapters 1 and 8 of part I, section 667,
7 and chapter 4 of part II of the Foreign Assistance Act
8 of 1961, as amended, shall remain available until ex-
9 pended if such funds are initially obligated before the expi-
10 ration of their respective periods of availability contained
11 in this Act: *Provided further*, That, notwithstanding any
12 other provision of this Act, any funds made available for
13 the purposes of chapter 1 of part I and chapter 4 of part
14 II of the Foreign Assistance Act of 1961 which are allo-
15 cated or obligated for cash disbursements in order to ad-
16 dress balance of payments or economic policy reform ob-
17 jectives, shall remain available until expended: *Provided*
18 *further*, That the report required by section 653(a) of the
19 Foreign Assistance Act of 1961 shall designate for each
20 country, to the extent known at the time of submission
21 of such report, those funds allocated for cash disburse-
22 ment for balance of payment and economic policy reform
23 purposes.

24 LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT

25 SEC. 512. No part of any appropriation contained in
26 this Act shall be used to furnish assistance to any country

1 which is in default during a period in excess of one cal-
2 endar year in payment to the United States of principal
3 or interest on any loan made to such country by the
4 United States pursuant to a program for which funds are
5 appropriated under this Act: *Provided*, That this section
6 and section 620(q) of the Foreign Assistance Act of 1961
7 shall not apply to funds made available in this Act or dur-
8 ing the current fiscal year for Nicaragua, and for any nar-
9 cotics-related assistance for Colombia, Bolivia, and Peru
10 authorized by the Foreign Assistance Act of 1961 or the
11 Arms Export Control Act.

12 COMMERCE AND TRADE

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

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

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

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

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

22 (c) None of the funds provided in this Act to the
23 Agency for International Development, other than funds
24 made available to carry out Caribbean Basin Initiative
25 programs under the Tariff Schedules of the United States,

1 section 1202 of title 19, United States Code, schedule 8,
2 part I, subpart B, item 807.00, shall be obligated or ex-
3 pended—

4 (1) to procure directly feasibility studies or
5 prefeasibility studies for, or project profiles of poten-
6 tial investment in, the manufacture, for export to
7 the United States or to third country markets in di-
8 rect competition with United States exports, of im-
9 port-sensitive articles as defined by section 503(c)(1)
10 (A) and (E) of the Tariff Act of 1930 (19 U.S.C.
11 2463(c)(1) (A) and (E)); or

12 (2) to assist directly in the establishment of fa-
13 cilities specifically designed for the manufacture, for
14 export to the United States or to third country mar-
15 kets in direct competition with United States ex-
16 ports, of import-sensitive articles as defined in sec-
17 tion 503(c)(1) (A) and (E) of the Tariff Act of 1930
18 (19 U.S.C. 2463(c)(1) (A) and (E)).

19 SURPLUS COMMODITIES

20 SEC. 514. The Secretary of the Treasury shall in-
21 struct the United States Executive Directors of the Inter-
22 national Bank for Reconstruction and Development, the
23 International Development Association, the International
24 Finance Corporation, the Inter-American Development
25 Bank, the International Monetary Fund, the Asian Devel-
26 opment Bank, the Inter-American Investment Corpora-

1 tion, the European Bank for Reconstruction and Develop-
2 ment, the African Development Bank, and the African De-
3 velopment Fund to use the voice and vote of the United
4 States to oppose any assistance by these institutions,
5 using funds appropriated or made available pursuant to
6 this Act, for the production or extraction of any commod-
7 ity or mineral for export, if it is in surplus on world mar-
8 kets and if the assistance will cause substantial injury to
9 United States producers of the same, similar, or compet-
10 ing commodity.

11 NOTIFICATION REQUIREMENTS

12 SEC. 515. For the purposes of providing the Execu-
13 tive Branch with the necessary administrative flexibility,
14 none of the funds made available under this Act for “De-
15 velopment Assistance Fund”, “Population, Development
16 Assistance”, “Development Fund for Africa”, “Inter-
17 national organizations and programs”, “Trade and Devel-
18 opment Agency”, “International narcotics control”, “As-
19 sistance for Eastern Europe and the Baltic States”, “As-
20 sistance for the New Independent States of the Former
21 Soviet Union”, “Economic Support Fund”, “Peacekeeping
22 operations”, “Operating expenses of the Agency for Inter-
23 national Development”, “Operating expenses of the Agen-
24 cy for International Development Office of Inspector Gen-
25 eral”, “Anti-terrorism assistance”, “Foreign Military Fi-
26 nancing Program”, “International military education and

1 training” (~~including the military-to-military contact pro-~~
2 ~~gram~~), “*Military-to-Military Contact Program*”, “Inter-
3 American Foundation”, “African Development Founda-
4 tion”, “Peace Corps”, or “Migration and refugee assist-
5 ance”, shall be available for obligation for activities, pro-
6 grams, projects, type of materiel assistance, countries, or
7 other operation not justified or in excess of the amount
8 justified to the Appropriations Committees for obligation
9 under any of these specific headings unless the Appropria-
10 tions Committees of both Houses of Congress are pre-
11 viously notified fifteen days in advance: *Provided*, That the
12 President shall not enter into any commitment of funds
13 appropriated for the purposes of section 23 of the Arms
14 Export Control Act for the provision of major defense
15 equipment, other than conventional ammunition, or other
16 major defense items defined to be aircraft, ships, missiles,
17 or combat vehicles, not previously justified to Congress or
18 20 per centum in excess of the quantities justified to Con-
19 gress unless the Committees on Appropriations are noti-
20 fied fifteen days in advance of such commitment: *Provided*
21 *further*, That this section shall not apply to any
22 reprogramming for an activity, program, or project under
23 chapter 1 of part I of the Foreign Assistance Act of 1961
24 of less than 20 per centum of the amount previously justi-
25 fied to the Congress for obligation for such activity, pro-

1 gram, or project for the current fiscal year: *Provided fur-*
2 *ther*, That the requirements of this section or any similar
3 provision of this Act requiring notification in accordance
4 with the regular notification procedures of the Committees
5 on Appropriations may be waived if failure to do so would
6 pose a substantial risk to human health or welfare: *Pro-*
7 *vided further*, That in case of any such waiver, notification
8 to the Congress, or the appropriate congressional commit-
9 tees, shall be provided as early as practicable, but in no
10 event later than three days after taking the action to
11 which such notification requirement was applicable, in the
12 context of the circumstances necessitating such waiver:
13 *Provided further*, That any notification provided pursuant
14 to such a waiver shall contain an explanation of the emer-
15 gency circumstances.

16 Drawdowns made pursuant to section 506(a)(2) of
17 the Foreign Assistance Act of 1961 shall be subject to the
18 regular notification procedures of the Committees on Ap-
19 propriations.

20 LIMITATION ON AVAILABILITY OF FUNDS FOR
21 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

22 SEC. 516. (a) Notwithstanding any other provision
23 of law or of this Act, none of the funds provided for
24 “International Organizations and Programs” shall be
25 available for the United States proportionate share, in ac-
26 cordance with section 307(c) of the Foreign Assistance

1 Act of 1961, for any programs identified in section 307,
2 or for Libya, Iran, or, at the discretion of the President,
3 Communist countries listed in section 620(f) of the For-
4 eign Assistance Act of 1961, as amended: *Provided*, That,
5 subject to the regular notification procedures of the Com-
6 mittees on Appropriations, funds appropriated under this
7 Act or any previously enacted Act making appropriations
8 for foreign operations, export financing, and related pro-
9 grams, which are returned or not made available for orga-
10 nizations and programs because of the implementation of
11 this section or any similar provision of law, shall remain
12 available for obligation through September 30, 1996.

13 (b) The United States shall not make any voluntary
14 or assessed contribution—

15 (1) to any affiliated organization of the United
16 Nations which grants full membership as a state to
17 any organization or group that does not have the
18 internationally recognized attributes of statehood, or

19 (2) to the United Nations, if the United Na-
20 tions grants full membership as a state in the
21 United Nations to any organization or group that
22 does not have the internationally recognized at-
23 tributes of statehood,
24 during any period in which such membership is effective.

1 ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL

2 SEC. 517. The Congress finds that progress on the
3 peace process in the Middle East is vitally important to
4 United States security interests in the region. The Con-
5 gress recognizes that, in fulfilling its obligations under the
6 Treaty of Peace Between the Arab Republic of Egypt and
7 the State of Israel, done at Washington on March 26,
8 1979, Israel incurred severe economic burdens. Further-
9 more, the Congress recognizes that an economically and
10 militarily secure Israel serves the security interests of the
11 United States, for a secure Israel is an Israel which has
12 the incentive and confidence to continue pursuing the
13 peace process. Therefore, the Congress declares that it is
14 the policy and the intention of the United States that the
15 funds provided in annual appropriations for the Economic
16 Support Fund which are allocated to Israel shall not be
17 less than the annual debt repayment (interest and prin-
18 cipal) from Israel to the United States Government in rec-
19 ognition that such a principle serves United States inter-
20 ests in the region.

21 PROHIBITION CONCERNING ABORTIONS AND

22 INVOLUNTARY STERILIZATION

23 SEC. 518. None of the funds made available to carry
24 out part I of the Foreign Assistance Act of 1961, as
25 amended, may be used to pay for the performance of abor-
26 tions as a method of family planning or to motivate or

1 coerce any person to practice abortions. None of the funds
2 made available to carry out part I of the Foreign Assist-
3 ance Act of 1961, as amended, may be used to pay for
4 the performance of involuntary sterilization as a method
5 of family planning or to coerce or provide any financial
6 incentive to any person to undergo sterilizations. None of
7 the funds made available to carry out part I of the Foreign
8 Assistance Act of 1961, as amended, may be used to pay
9 for any biomedical research which relates in whole or in
10 part, to methods of, or the performance of, abortions or
11 involuntary sterilization as a means of family planning.
12 None of the funds made available to carry out part I of
13 the Foreign Assistance Act of 1961, as amended, may be
14 obligated or expended for any country or organization if
15 the President certifies that the use of these funds by any
16 such country or organization would violate any of the
17 above provisions related to abortions and involuntary steri-
18 lizations. The Congress reaffirms its commitments to Pop-
19 ulation, Development Assistance and to the need for in-
20 formed voluntary family planning.

21 REPORTING REQUIREMENT

22 SEC. 519. The President shall submit to the Commit-
23 tees on Appropriations the reports required by section
24 25(a)(1) of the Arms Export Control Act.

1 SPECIAL NOTIFICATION REQUIREMENTS

2 SEC. 520. None of the funds appropriated in this Act
3 shall be obligated or expended for Colombia, *Dominican*
4 *Republic*, El Salvador, Guatemala, Haiti, Indonesia, Libe-
5 ria, Nicaragua, Pakistan, Peru, Rwanda, Sudan, or Zaire
6 except as provided through the regular notification proce-
7 dures of the Committees on Appropriations: *Provided*,
8 That this section shall not apply to funds appropriated
9 by this Act to carry out the provisions of chapter 1 of
10 part I of the Foreign Assistance Act of 1961 that are
11 made available for El Salvador and Nicaragua.

12 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

13 SEC. 521. For the purpose of this Act, “program,
14 project, and activity” shall be defined at the Appropria-
15 tions Act account level and shall include all Appropriations
16 and Authorizations Acts earmarks, ceilings, and limita-
17 tions with the exception that for the following accounts:
18 Economic Support Fund and Foreign Military Financing
19 Program, “program, project, and activity” shall also be
20 considered to include country, regional, and central pro-
21 gram level funding within each such account; for the devel-
22 opment assistance accounts of the Agency for Inter-
23 national Development “program, project, and activity”
24 shall also be considered to include central program level
25 funding, either as (1) justified to the Congress, or (2) allo-
26 cated by the executive branch in accordance with a report,

1 to be provided to the Committees on Appropriations within
2 thirty days of enactment of this Act, as required by section
3 653(a) of the Foreign Assistance Act of 1961.

4 FAMILY PLANNING, CHILD SURVIVAL AND AIDS

5 ACTIVITIES

6 SEC. 522. Up to \$8,000,000 of the funds made avail-
7 able by this Act for assistance for family planning, health,
8 child survival, and AIDS, may be used to reimburse
9 United States Government agencies, agencies of State gov-
10 ernments, institutions of higher learning, and private and
11 voluntary organizations for the full cost of individuals (in-
12 cluding for the personal services of such individuals) de-
13 tailed or assigned to, or contracted by, as the case may
14 be, the Agency for International Development for the pur-
15 pose of carrying out family planning activities, child sur-
16 vival activities and activities relating to research on, and
17 the treatment and control of, acquired immune deficiency
18 syndrome in developing countries: *Provided*, That such in-
19 dividuals shall not be included within any personnel ceiling
20 applicable to any United States Government agency dur-
21 ing the period of detail or assignment: *Provided further*,
22 That funds appropriated by this Act that are made avail-
23 able for child survival activities or activities relating to re-
24 search on, and the treatment and control of, acquired im-
25 mune deficiency syndrome may be made available notwith-
26 standing any provision of law that restricts assistance to

1 foreign countries: *Provided further*, That funds appro-
2 priated by this Act that are made available for family
3 planning activities may be made available notwithstanding
4 section 512 of this Act and section 620(q) of the Foreign
5 Assistance Act of 1961.

6 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
7 COUNTRIES

8 SEC. 523. None of the funds appropriated or other-
9 wise made available pursuant to this Act shall be obligated
10 to finance indirectly any assistance or reparations to
11 Cuba, Iraq, Libya, ~~the Socialist Republic of Vietnam,~~
12 Iran, Syria, North Korea, *or the* People's Republic of
13 China, ~~or Laos~~ unless the President of the United States
14 certifies that the withholding of these funds is contrary
15 to the national interest of the United States.

16 RECIPROCAL LEASING

17 SEC. 524. Section 61(a) of the Arms Export Control
18 Act is amended by striking out "1994" and inserting in
19 lieu thereof "1995".

20 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

21 SEC. 525. Prior to providing excess Department of
22 Defense articles in accordance with section 516(a) of the
23 Foreign Assistance Act of 1961, the Department of De-
24 fense shall notify the Committees on Appropriations to the
25 same extent and under the same conditions as are other
26 committees pursuant to subsection (c) of that section: *Pro-*

1 *vided*, That before issuing a letter of offer to sell excess
2 defense articles under the Arms Export Control Act, the
3 Department of Defense shall notify the Committees on
4 Appropriations in accordance with the regular notification
5 procedures of such Committees: *Provided further*, That
6 such Committees shall also be informed of the original ac-
7 quisition cost of such defense articles.

8 AUTHORIZATION REQUIREMENT

9 SEC. 526. Funds appropriated by this Act may be
10 obligated and expended ~~subject to~~ *notwithstanding* section
11 10 of Public Law 91-672 and section 15 of the State De-
12 partment Basic Authorities Act of 1956: *Provided, That*
13 *the Secretary of the Treasury may, to fulfill commitments*
14 *of the United States, (a) subscribe to and make payment*
15 *for shares of the Inter-American Development Bank, make*
16 *contributions to the Fund for Special Operations of that*
17 *Bank, and vote for resolutions (including amendments to*
18 *that Bank's constitutive agreement), all in connection with*
19 *the eighth general increase in resources of that Bank; and*
20 *(b) contribute to the Restructured Global Environment Fa-*
21 *cility under its Instrument, to the African Development*
22 *Fund in connection with the seventh general replenishment*
23 *of its resources, and to the Interest Subsidy Account of the*
24 *successor to the Enhanced Structural Adjustment Facility*
25 *of the International Monetary Fund. The amount to be paid*
26 *in respect of each such contribution or subscription is au-*

1 *thorized to be appropriated without fiscal year limitation.*
2 *Each such subscription or contribution shall be effective*
3 *only to such extent or in such amounts as are provided in*
4 *advance in appropriations Acts.*

5 DEPLETED URANIUM

6 SEC. 527. None of the funds provided in this or any
7 other Act may be made available to facilitate in any way
8 the sale of M-833 antitank shells or any comparable anti-
9 tank shells containing a depleted uranium penetrating
10 component to any country other than (1) countries which
11 are members of NATO, (2) countries which have been des-
12 ignated as a major non-NATO ally for purposes of section
13 1105 of the National Defense Authorization Act for Fiscal
14 Year 1987 or, (3) Taiwan: *Provided*, That funds may be
15 made available to facilitate the sale of such shells notwith-
16 standing the limitations of this section if the President
17 determines that to do so is in the national security interest
18 of the United States.

19 OPPOSITION TO ASSISTANCE TO TERRORIST COUNTRIES
20 BY INTERNATIONAL FINANCIAL INSTITUTIONS

21 SEC. 528. (a) INSTRUCTIONS FOR UNITED STATES
22 EXECUTIVE DIRECTORS.—The Secretary of the Treasury
23 shall instruct the United States Executive Director of each
24 international financial institution designated in subsection
25 (b), and the Administrator of the Agency for International
26 Development shall instruct the United States Executive

1 Director of the International Fund for Agriculture Devel-
2 opment, to use the voice and vote of the United States
3 to oppose any loan or other use of the funds of the respec-
4 tive institution to or for a country for which the Secretary
5 of State has made a determination under section 6(j) of
6 the Export Administration Act of 1979.

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

9 (1) the International Bank for Reconstruction
10 and Development, the International Development
11 Association, and the International Monetary Fund;
12 and

13 (2) wherever applicable, the Inter-American De-
14 velopment Bank, the Asian Development Bank, the
15 African Development Bank, the African Develop-
16 ment Fund, and the European Bank for Reconstruc-
17 tion and Development.

18 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
19 COUNTRIES

20 SEC. 529. (a) Notwithstanding any other provision
21 of law, funds appropriated for bilateral assistance under
22 any heading of this Act and funds appropriated under any
23 such heading in a provision of law enacted prior to enact-
24 ment of this Act, shall not be made available to any coun-
25 try which the President determines—

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

4 (2) otherwise supports international terrorism.

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

14 COMMERCIAL LEASING OF DEFENSE ARTICLES

15 SEC. 530. Notwithstanding any other provision of
16 law, and subject to the regular notification requirements
17 of the Committees on Appropriations, the authority of sec-
18 tion 23(a) of the Arms Export Control Act may be used
19 to provide financing to Israel and Egypt and NATO and
20 major non-NATO allies for the procurement by leasing
21 (including leasing with an option to purchase) of defense
22 articles from United States commercial suppliers, not in-
23 cluding Major Defense Equipment (other than helicopters
24 and other types of aircraft having possible civilian applica-
25 tion), if the President determines that there are compel-
26 ling foreign policy or national security reasons for those

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

3 COMPETITIVE INSURANCE

4 SEC. 531. All Agency for International Development
5 contracts and solicitations, and subcontracts entered into
6 under such contracts, shall include a clause requiring that
7 United States ~~marine~~ insurance companies have a fair op-
8 portunity to bid for ~~marine~~ insurance when such insurance
9 is necessary or appropriate.

10 STINGERS IN THE PERSIAN GULF REGION

11 SEC. 532. Except as provided in section 581 of the
12 Foreign Operations, Export Financing, and Related Pro-
13 grams Appropriations Act, 1990, the United States may
14 not sell or otherwise make available any Stingers to any
15 country bordering the Persian Gulf under the Arms Ex-
16 port Control Act or chapter 2 of part II of the Foreign
17 Assistance Act of 1961.

18 PROHIBITION ON LEVERAGING AND DIVERSION OF

19 UNITED STATES ASSISTANCE

20 SEC. 533. (a) None of the funds appropriated by this
21 Act may be provided to any foreign government (including
22 any instrumentality or agency thereof), foreign person, or
23 United States person in exchange for that foreign govern-
24 ment or person undertaking any action which is, if carried
25 out by the United States Government, a United States of-

1 ficial or employee, expressly prohibited by a provision of
2 United States law.

3 (b) For the purposes of this section the term “funds
4 appropriated by this Act” includes only (1) assistance of
5 any kind under the Foreign Assistance Act of 1961; and
6 (2) credits, and guaranties under the Arms Export Con-
7 trol Act.

8 (c) Nothing in this section shall be construed to
9 limit—

10 (1) the ability of the President, the Vice Presi-
11 dent, or any official or employee of the United
12 States to make statements or otherwise express their
13 views to any party on any subject;

14 (2) the ability of an official or employee of the
15 United States to express the policies of the Presi-
16 dent; or

17 (3) the ability of an official or employee of the
18 United States to communicate with any foreign
19 country government, group or individual, either di-
20 rectly or through a third party, with respect to the
21 prohibitions of this section including the reasons for
22 such prohibitions, and the actions, terms, or condi-
23 tions which might lead to the removal of the prohibi-
24 tions of this section.

DEBT-FOR-DEVELOPMENT

1
2 SEC. 534. In order to enhance the continued partici-
3 pation of nongovernmental organizations in economic as-
4 sistance activities under the Foreign Assistance Act of
5 1961, including endowments, debt-for-development and
6 debt-for-nature exchanges, a nongovernmental organiza-
7 tion which is a grantee or contractor of the Agency for
8 International Development may place in interest bearing
9 accounts funds made available under this Act or prior Acts
10 or local currencies which accrue to that organization as
11 a result of economic assistance provided under the heading
12 “Agency for International Development” and any interest
13 earned on such investment may be for the purpose for
14 which the assistance was provided to that organization.

LOCATION OF STOCKPILES

15
16 SEC. 535. Section 514(b)(2) of the Foreign Assist-
17 ance Act of 1961 is amended by striking out
18 “\$200,000,000 for stockpiles in Israel for fiscal year
19 1994” and inserting in lieu thereof “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”.

1 SEPARATE ACCOUNTS

2 SEC. 536. (a) SEPARATE ACCOUNTS FOR LOCAL
3 CURRENCIES.—(1) If assistance is furnished to the gov-
4 ernment of a foreign country under chapters 1 and 10 of
5 part I (including the Philippines Multilateral Assistance
6 Initiative) or chapter 4 of part II of the Foreign Assist-
7 ance Act of 1961 under agreements which result in the
8 generation of local currencies of that country, the Admin-
9 istrator of the Agency for International Development
10 shall—

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

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

15 (i) the amount of the local currencies to be
16 generated, and

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

20 (C) establish by agreement with that govern-
21 ment the responsibilities of the Agency for Inter-
22 national Development and that government to mon-
23 itor and account for deposits into and disbursements
24 from the separate account.

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

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

9 (i) project and sector assistance activities,

10 or

11 (ii) debt and deficit financing; or

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

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

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

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

4 (5) CONFORMING AMENDMENTS.—The provisions of
5 this subsection shall supersede the tenth and eleventh pro-
6 visos contained under the heading “Sub-Saharan Africa,
7 Development Assistance” as included in the Foreign Oper-
8 ations, Export Financing, and Related Programs Appro-
9 priations Act, 1989 and sections 531(d) and 609 of the
10 Foreign Assistance Act of 1961.

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

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

1 Committee of Conference accompanying House Joint Res-
2 olution 648 (H. Report No. 98–1159).

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

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

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

19 SEC. 537. (a) No funds appropriated by this Act may
20 be made as payment to any international financial institu-
21 tion while the United States Executive Director to such
22 institution is compensated by the institution at a rate
23 which, together with whatever compensation such Director
24 receives from the United States, is in excess of the rate
25 provided for an individual occupying a position at level IV
26 of the Executive Schedule under section 5315 of title 5,

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

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

14 COMPLIANCE WITH UNITED NATIONS SANCTIONS AGAINST
15 IRAQ

16 SEC. 538. (a) DENIAL OF ASSISTANCE.—None of the
17 funds appropriated or otherwise made available pursuant
18 to this Act to carry out the Foreign Assistance Act of
19 1961 (including title IV of chapter 2 of part I, relating
20 to the Overseas Private Investment Corporation) or the
21 Arms Export Control Act may be used to provide assist-
22 ance to any country that is not in compliance with the
23 United Nations Security Council sanctions against Iraq
24 unless the President determines and so certifies to the
25 Congress that—

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

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

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

8 (b) IMPORT SANCTIONS.—If the President considers
9 that the taking of such action would promote the effective-
10 ness of the economic sanctions of the United Nations and
11 the United States imposed with respect to Iraq, and is
12 consistent with the national interest, the President may
13 prohibit, for such a period of time as he considers appro-
14 priate, the importation into the United States of any or
15 all products of any foreign country that has not prohib-
16 ited—

17 (1) the importation of products of Iraq into its
18 customs territory, and

19 (2) the export of its products to Iraq.

20 POW/MIA MILITARY DRAWDOWN

21 SEC. 539. (a) Notwithstanding any other provision
22 of law, the President may direct the drawdown, without
23 reimbursement by the recipient, of defense articles from
24 the stocks of the Department of Defense, defense services
25 of the Department of Defense, and military education and
26 training, of an aggregate value not to exceed \$15,000,000

1 in fiscal year 1995, as may be necessary to carry out sub-
2 section (b).

3 (b) Such defense articles, services and training may
4 be provided to *Vietnam*, Cambodia and Laos, under sub-
5 section (a) as the President determines are necessary to
6 support efforts to locate and repatriate members of the
7 United States Armed Forces and civilians employed di-
8 rectly or indirectly by the United States Government who
9 remain unaccounted for from the Vietnam War, and to
10 ensure the safety of United States Government personnel
11 engaged in such cooperative efforts and to support United
12 States Department of Defense-sponsored humanitarian
13 projects associated with the POW/MIA efforts. Any air-
14 craft shall be provided under this section only to Laos and
15 only on a lease or loan basis, but may be provided at no
16 cost notwithstanding section 61 of the Arms Export Con-
17 trol Act and may be maintained with defense articles, serv-
18 ices and training provided under this section.

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

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

1 the applicable appropriation, fund, or account for defense
2 articles, defense services, and military education and
3 training provided under this section.

4 MEDITERRANEAN EXCESS DEFENSE ARTICLES

5 SEC. 540. During fiscal year 1995, the provisions of
6 section 573(e) of the Foreign Operations, Export Financ-
7 ing, and Related Programs Appropriations Act, 1990,
8 shall be applicable, for the period specified therein, to ex-
9 cess defense articles made available under sections 516
10 and 519 of the Foreign Assistance Act of 1961.

11 PRIORITY DELIVERY OF EQUIPMENT

12 SEC. 541. Notwithstanding any other provision of
13 law, the delivery of excess defense articles that are to be
14 transferred on a grant basis under section 516 of the For-
15 eign Assistance Act to NATO allies and to major non-
16 NATO allies on the southern and southeastern flank of
17 NATO shall be given priority to the maximum extent fea-
18 sible over the delivery of such excess defense articles to
19 other countries.

20 ISRAEL DRAWDOWN

21 SEC. 542. Section 599B(a) of the Foreign Oper-
22 ations, Export Financing, and Related Programs Appro-
23 priations Act, 1991 (as amended by Public Law 102-145,
24 as amended, and Public Law 102-391), is further amend-
25 ed—

1 (a) by striking out “fiscal year 1994” and in-
2 sserting in lieu thereof “fiscal year 1995”;

3 (b) by striking out “Appropriations Act, 1994”
4 and inserting in lieu thereof “Appropriations Act,
5 1995”; and

6 (c) by striking out “\$700,000,000” and insert-
7 ing in lieu thereof “\$775,000,000”.

8 CASH FLOW FINANCING

9 SEC. 543. For each country that has been approved
10 for cash flow financing (as defined in section 25(d) of the
11 Arms Export Control Act, as added by section 112(b) of
12 Public Law 99–83) under the Foreign Military Financing
13 Program, any Letter of Offer and Acceptance or other
14 purchase agreement, or any amendment thereto, for a pro-
15 curement in excess of \$100,000,000 that is to be financed
16 in whole or in part with funds made available under this
17 Act shall be submitted through the regular notification
18 procedures to the Committees on Appropriations.

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

22 SEC. 544. Unless expressly provided to the contrary,
23 provisions of this or any other Act, including provisions
24 contained in prior Acts authorizing or making appropria-
25 tions for foreign operations, export financing, and related
26 programs, shall not be construed to prohibit activities au-

1 thORIZED by or conducted under the Peace Corps Act, the
2 Inter-American Foundation Act, or the African Develop-
3 ment Foundation Act. The appropriate agency shall
4 promptly report to the Committees on Appropriations
5 whenever it is conducting activities or is proposing to con-
6 duct activities in a country for which assistance is prohib-
7 ited.

8 IMPACT ON JOBS IN THE UNITED STATES

9 SEC. 545. None of the funds appropriated by this Act
10 may be obligated or expended to provide—

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

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

1 not likely to cause a loss of jobs within the United
2 States; or

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

15 AUTHORITY TO ASSIST BOSNIA-HERCEGOVINA

16 SEC. 546. (a) Congress finds as follows:

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

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

1 (3) Because the United Nations arms embargo
2 is serving to sustain the military advantage of the
3 aggressor, the United Nations should exempt the
4 government of Bosnia-Hercegovina from its embar-
5 go.

6 (b) Pursuant to a lifting of the United Nations arms
7 embargo, or to a unilateral lifting of the arms embargo
8 by the President of the United States, against Bosnia-
9 Hercegovina, the President is authorized to transfer, *sub-*
10 *ject to the regular notification procedures of the Committees*
11 *on Appropriations*, to the government of that nation, with-
12 out reimbursement, defense articles from the stocks of the
13 Department of Defense of an aggregate value not to ex-
14 ceed \$50,000,000 in fiscal year 1995: *Provided*, That the
15 President certifies in a timely fashion to the Congress
16 that—

17 (1) the transfer of such articles would assist
18 that nation in self-defense and thereby promote the
19 security and stability of the region; and

20 (2) United States allies are prepared to join in
21 such a military assistance effort.

22 (c) Within 60 days of any transfer under the author-
23 ity provided in subsection (b), and every 60 days there-
24 after, the President shall report in writing to the Speaker
25 of the House of Representatives and the President pro

1 tempore of the Senate concerning the articles transferred
2 and the disposition thereof.

3 (d) There are authorized to be appropriated to the
4 President such sums as may be necessary to reimburse
5 the applicable appropriation, fund, or account for defense
6 articles provided under this section.

7 (e) If the President determines that doing so will con-
8 tribute to a just resolution of charges regarding genocide
9 or other violations of international law in the former Yugo-
10 slavia, the authority of section 552(c) of the Foreign As-
11 sistance Act of 1961, as amended, may be used to provide
12 up to \$25,000,000 of commodities and services to the
13 United Nations War Crimes Tribunal, without regard to
14 the ceiling limitation contained in paragraph (2) thereof:
15 *Provided*, That the determination required under this sub-
16 section shall be in lieu of any determinations otherwise
17 required under section 552(c).

18 SPECIAL AUTHORITIES

19 SEC. 547. (a) Funds appropriated in title II of this
20 Act that are made available for Haiti, Afghanistan, Leb-
21 anon, and Cambodia, and for victims of war, displaced
22 children, displaced Burmese, humanitarian assistance for
23 Romania, and humanitarian assistance for the peoples of
24 Bosnia-Hercegovina, Croatia, and Kosova, may be made
25 available notwithstanding any other provision of law: *Pro-*
26 *vided*, That any such funds that are made available for

1 Cambodia shall be subject to the provisions of section
2 531(e) of the Foreign Assistance Act of 1961 and section
3 906 of the International Security and Development Co-
4 operation Act of 1985: *Provided further*, That the Presi-
5 dent shall terminate assistance to any ~~Cambodian~~ organi-
6 zation that he determines is cooperating, tactically or stra-
7 tegically, with the Khmer Rouge in their military oper-
8 ations.

9 (b) Funds appropriated by this Act to carry out the
10 provisions of sections 103 through 106 of the Foreign As-
11 sistance Act of 1961 may be used, notwithstanding any
12 other provision of law, for the purpose of supporting tropi-
13 cal forestry and energy programs aimed at reducing emis-
14 sions of greenhouse gases with regard to the key countries
15 in which deforestation and energy policy would make a
16 significant contribution to global warming, *and for the*
17 *purpose of supporting biodiversity conservation activities*:
18 *Provided*, That such assistance shall be subject to sections
19 116, 502B, and 620A of the Foreign Assistance Act of
20 1961.

21 (c) During fiscal year 1995, the President may use
22 up to \$50,000,000 under the authority of section 451 of
23 the Foreign Assistance Act of 1961, notwithstanding the
24 funding ceiling contained in subsection (a) of that section.

1 (d) The Agency for International Development may
2 employ personal services contractors, notwithstanding any
3 other provision of law, for the purpose of administering
4 programs for the West Bank and Gaza.

5 POLICY ON TERMINATING THE ARAB LEAGUE BOYCOTT
6 OF ISRAEL

7 SEC. 548. (a) FINDINGS.—The Congress finds that—

8 (1) since 1948 the Arab countries have main-
9 tained a primary boycott against Israel, refusing to
10 do business with Israel;

11 (2) since the early 1950s the Arab League has
12 maintained a secondary and tertiary boycott against
13 American and other companies that have commercial
14 ties with Israel;

15 (3) the boycott seeks to coerce American firms
16 by blacklisting those that do business with Israel
17 and harm America's competitiveness;

18 (4) the United States has a longstanding policy
19 opposing the Arab League boycott and United
20 States law prohibits American firms from providing
21 information to Arab countries to demonstrate com-
22 pliance with the boycott;

23 (5) with real progress being made in the Middle
24 East peace process and the serious confidence-build-
25 ing measures taken by the State of Israel an end to
26 the Arab boycott of Israel and of American compa-

1 nies that have commercial ties with Israel is long
2 overdue and would represent a significant con-
3 fidence-building measure; and

4 (6) in the interest of Middle East peace and
5 free commerce, the President must take more con-
6 crete steps to press the Arab states to end their
7 practice of blacklisting and boycotting American
8 companies that have trade ties with Israel.

9 (b) POLICY.—It is the sense of the Congress that—

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

15 (2) the President should—

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

22 (B) take into consideration the participa-
23 tion of any recipient country in the primary
24 boycott of Israel and the secondary and tertiary
25 boycotts of American firms that have commer-

1 cial relations with Israel when determining
2 whether to sell weapons to said country;

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

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

13 ANTI-NARCOTICS ACTIVITIES

14 SEC. 549. (a) Of the funds appropriated by this Act
15 under the heading "Economic Support Fund", assistance
16 may be provided to strengthen the administration of jus-
17 tice in countries in Latin America and the Caribbean in
18 accordance with the provisions of section 534 of the For-
19 eign Assistance Act of 1961, except that programs to en-
20 hance protection of participants in judicial cases may be
21 conducted notwithstanding section 660 of that Act.

22 ***(b) Of the funds appropriated by this Act under the***
23 ***heading "Economic Support Fund", notwithstanding sec-***
24 ***tion 660 of the Foreign Assistance Act of 1961, up to***
25 ***\$3,000,000 may be made available, subject to the regular***
26 ***notification procedures of the Committees on Appropria-***

1 sideration, in any case in which a restriction on assistance
2 would be applicable but for this subsection, whether assist-
3 ance in support of programs of nongovernmental organiza-
4 tions is in the national interest of the United States: *Pro-*
5 *vided further*, That before using the authority of this sub-
6 section to furnish assistance in support of programs of
7 nongovernmental organizations, the President shall notify
8 the Committees on Appropriations under the regular noti-
9 fication procedures of those committees, including a de-
10 scription of the program to be assisted, the assistance to
11 be provided, and the reasons for furnishing such assist-
12 ance: *Provided further*, That nothing in this subsection
13 shall be construed to alter any existing statutory prohibi-
14 tions against abortion or involuntary sterilizations con-
15 tained in this or any other Act.

16 (b) PUBLIC LAW 480.—During fiscal year 1995, re-
17 strictions contained in this or any other Act with respect
18 to assistance for a country shall not be construed to re-
19 strict assistance under titles I and II of the Agricultural
20 Trade Development and Assistance Act of 1954: *Provided*,
21 That none of the funds appropriated to carry out title I
22 of such Act and made available pursuant to this subsection
23 may be obligated or expended except as provided through
24 the regular notification procedures of the Committees on
25 Appropriations.

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

2 (1) with respect to section 529 of this Act or
3 any comparable provision of law prohibiting assist-
4 ance to countries that support international terror-
5 ism; or

6 (2) with respect to section 116 of the Foreign
7 Assistance Act of 1961 or any comparable provision
8 of law prohibiting assistance to countries that violate
9 internationally recognized human rights.

10 EARMARKS

11 SEC. 551. (a) Funds appropriated by this Act which
12 are earmarked may be reprogrammed for other programs
13 within the same account notwithstanding the earmark if
14 compliance with the earmark is made impossible by oper-
15 ation of any provision of this or any other Act or, with
16 respect to a country with which the United States has an
17 agreement providing the United States with base rights
18 or base access in that country, if the President determines
19 that the recipient for which funds are earmarked has sig-
20 nificantly reduced its military or economic cooperation
21 with the United States since enactment of the Foreign Op-
22 erations, Export Financing, and Related Programs Appro-
23 priations Act, 1991; however, before exercising the author-
24 ity of this subsection with regard to a base rights or base
25 access country which has significantly reduced its military
26 or economic cooperation with the United States, the Presi-

1 dent shall consult with, and shall provide a written policy
2 justification to the Committees on Appropriations: *Pro-*
3 *vided*, That any such reprogramming shall be subject to
4 the regular notification procedures of the Committees on
5 Appropriations: *Provided further*, That assistance that is
6 reprogrammed pursuant to this subsection shall be made
7 available under the same terms and conditions as origi-
8 nally provided.

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

23 CEILINGS AND EARMARKS

24 SEC. 552. Ceilings and earmarks contained in this
25 Act shall not be applicable to funds or authorities appro-

1 priated or otherwise made available by any subsequent Act
2 unless such Act specifically so directs.

3 EXCESS DEFENSE ARTICLES

4 SEC. 553. (a) The authority of section 519 of the
5 Foreign Assistance Act of 1961, as amended, may be used
6 in fiscal year 1995 to provide nonlethal excess defense ar-
7 ticles to countries for which United States foreign assist-
8 ance has been requested and for which receipt of such arti-
9 cles was separately justified for the fiscal year, without
10 regard to the restrictions in subsection (a) of section 519.

11 (b) *The authority of section 518 of the Foreign Assist-*
12 *ance Act of 1961 may be exercised in any fiscal year to*
13 *transfer, for the purposes of that section, nonlethal excess*
14 *defense articles to international organizations and non-*
15 *governmental organizations notwithstanding section 502 of*
16 *that Act.*

17 PROHIBITION ON PUBLICITY OR PROPAGANDA

18 SEC. 554. No part of any appropriation contained in
19 this Act shall be used for publicity or propaganda purposes
20 within the United States not authorized before the date
21 of enactment of this Act by the Congress.

22 DISADVANTAGED ENTERPRISES

23 SEC. 555. (a) Except to the extent that the Adminis-
24 trator of the Agency for International Development deter-
25 mines otherwise, not less than 10 percent of the aggregate
26 amount made available for the current fiscal year for the

1 “Development Assistance Fund”, “Population, Develop-
2 ment Assistance”, and the “Development Fund for Afri-
3 ca” shall be made available only for activities of United
4 States organizations and individuals that are—

5 (1) business concerns owned and controlled by
6 socially and economically disadvantaged individuals,

7 (2) historically black colleges and universities,

8 (3) colleges and universities having a student
9 body in which more than 40 per centum of the stu-
10 dents are Hispanic American, and

11 (4) private voluntary organizations which are
12 controlled by individuals who are socially and eco-
13 nomically disadvantaged.

14 (b)(1) In addition to other actions taken to carry out
15 this section, the actions described in paragraphs (2)
16 through (5) shall be taken with respect to development
17 assistance and assistance for sub-Saharan Africa for the
18 current fiscal year.

19 (2) Notwithstanding any other provision of law, in
20 order to achieve the goals of this section, the Adminis-
21 trator—

22 (A) to the maximum extent practicable, shall
23 utilize the authority of section 8(a) of the Small
24 Business Act (15 U.S.C. 637(a));

1 (B) to the maximum extent practicable, shall
2 enter into contracts with small business concerns
3 owned and controlled by socially and economically
4 disadvantaged individuals, and organizations con-
5 tained in paragraphs (2) through (4) of subsection
6 (a)—

7 (i) using less than full and open competi-
8 tive procedures under such terms and condi-
9 tions as the Administrator deems appropriate,
10 and

11 (ii) using an administrative system for jus-
12 tifications and approvals that, in the Adminis-
13 trator's discretion, may best achieve the pur-
14 pose of this section; and

15 (C) shall issue regulations to require that any
16 contract in excess of \$500,000 contain a provision
17 requiring that no less than 10 per centum of the dol-
18 lar value of the contract be subcontracted to entities
19 described in subsection (a), except—

20 (i) to the extent the Administrator deter-
21 mines otherwise on a case-by-case or category-
22 of-contract basis; and

23 (ii) this subparagraph does not apply to
24 any prime contractor that is an entity described
25 in subsection (a).

1 (3) Each person with contracting authority who is at-
2 tached to the Agency's headquarters in Washington, as
3 well as all Agency missions and regional offices, shall no-
4 tify the Agency's Office of Small and Disadvantaged Busi-
5 ness Utilization at least seven business days before adver-
6 tising a contract in excess of \$100,000, except to the ex-
7 tent that the Administrator determines otherwise on a
8 case-by-case or category-of-contract basis.

9 (4) The Administrator shall include, as part of the
10 performance evaluation of any mission director of the
11 agency, the mission director's efforts to carry out this sec-
12 tion.

13 (5) The Administrator shall submit to the Congress
14 annual reports on the implementation of this section. Each
15 such report shall specify the number and dollar value or
16 amount (as the case may be) of prime contracts, sub-
17 contracts, grants, and cooperative agreements awarded to
18 entities described in subsection (a) during the preceding
19 fiscal year.

20 (c) As used in this section, the term "socially and
21 economically disadvantaged individuals" has the same
22 meaning that term is given for purposes of section 8(d)
23 of the Small Business Act, except that the term includes
24 women.

1 USE OF AMERICAN RESOURCES

2 SEC. 556. To the maximum extent possible, assist-
3 ance provided under this Act should make full use of
4 American resources, including commodities, products, and
5 services.

6 LIMITATIONS ON ASSISTANCE FOR NICARAGUA

7 SEC. 557. (a) Funds appropriated by this Act under
8 the heading “Economic Support Fund” may only be made
9 available to the Government of Nicaragua upon the notifi-
10 cation, in writing, by the Secretary of State to the appro-
11 priate committees that he has determined that significant
12 and tangible progress is being made by the Government
13 of Nicaragua toward—

14 (1) the prosecution of any individual identified
15 as part of a terrorist/kidnapping ring by the inves-
16 tigation of issues raised by the discovery, after the
17 May 23, 1993, explosion in Managua, of weapons
18 caches, false passports, identity papers and other
19 documents, suggesting the existence of such a ring,
20 including all government officials (including any
21 members of the armed forces or security forces);

22 (2) the resolution of expropriation claims and
23 the effective compensation of legitimate claims;

24 (3) the timely implementation of recommenda-
25 tions made by the Tripartite Commission as it un-
26 dertakes to review and identify those responsible for

1 gross human rights violations, including the expedi-
2 tious prosecution of individuals identified by the
3 commission in connection with such violations;

4 (4) the enactment into law of legislation to re-
5 form the Nicaraguan military and security forces in
6 order to guarantee civilian control over the armed
7 forces;

8 (5) the establishment of civilian control over the
9 police, and the independence of the police from the
10 military; and

11 (6) the effective reform of the Nicaraguan judi-
12 cial system.

13 (b) The notification pursuant to subsection (a) above
14 shall include a detailed listing of the tangible evidence that
15 forms the basis for such determination.

16 (c) For purposes of this section, the term “appro-
17 priate committees” means the Committees on Foreign Re-
18 lations and Appropriations of the Senate and Committees
19 on Foreign Affairs and Appropriations of the House of
20 Representatives.

21 PROHIBITION OF PAYMENTS TO UNITED NATIONS

22 MEMBERS

23 SEC. 558. None of the funds appropriated or made
24 available pursuant to this Act for carrying out the Foreign
25 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. 559. 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. 560. 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, nor shall any of the funds appropriated by
19 this Act be made available to any private voluntary organi-
20 zation which is not registered with the Agency for Inter-
21 national Development.

22 SPECIAL DEBT RELIEF FOR THE POOREST

23 ~~SEC. 561. (1) AUTHORITY TO REDUCE DEBT.—The~~
24 ~~President may reduce amounts owed to the United States~~
25 ~~(or any agency of the United States) by an eligible country~~
26 ~~as a result of—~~

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

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

5 (2) LIMITATIONS.—

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

10 (B) The authority provided by paragraph (1)
11 may be exercised only in such amounts or to such
12 extent as is provided in advance by appropriations
13 Acts.

14 (C) The authority provided by paragraph (1)
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 (3) CONDITIONS.—The authority provided by para-
22 graph (1) may be exercised only with respect to a country
23 whose government—

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

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

3 ~~(C)~~ is not failing to cooperate on international
4 narcotics control matters; and

5 ~~(D)~~ (including its military or other security
6 forces) does not engage in a consistent pattern of
7 gross violations of internationally recognized human
8 rights.

9 ~~(4) AVAILABILITY OF FUNDS.—~~The authority pro-
10 vided by paragraph ~~(1)~~ may be used only with regard to
11 funds appropriated by this Act under the heading “Debt
12 Restructuring”.

13 ~~(5) CERTAIN PROHIBITIONS INAPPLICABLE.—~~A re-
14 duction of debt pursuant to paragraph ~~(1)~~ shall not be
15 considered assistance for purposes of any provision of law
16 limiting assistance to a country.

17 *SEC. 561. (a) AUTHORITY TO REDUCE DEBT.—*The
18 *President may reduce amounts owed to the United States*
19 *(or any agency of the United States) by an eligible country*
20 *as a result of—*

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

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

25 ~~(b) LIMITATIONS.—~~

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

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

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

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

19 (1) *does not have an excessive level of military*
20 *expenditures;*

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

23 (3) *is not failing to cooperate on international*
24 *narcotics control matters; and*

1 The prohibition under this section with respect to a for-
2 eign government shall terminate 12 months after that gov-
3 ernment ceases to provide such military equipment. This
4 section applies with respect to lethal military equipment
5 provided under a contract entered into after the date of
6 enactment of this Act.

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

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

19 WITHHOLDING OF ASSISTANCE FOR PARKING FINES
20 OWED BY FOREIGN COUNTRIES

21 SEC. 564. (a) IN GENERAL.—Of the funds made
22 available for a foreign country under part I of the Foreign
23 Assistance Act of 1961, an amount equivalent to 110 per-
24 cent of the total unpaid fully adjudicated parking fines
25 and penalties owed to the District of Columbia by such
26 country as of the date of enactment of this Act shall be

1 withheld from obligation for such country until the Sec-
2 retary of State certifies and reports in writing to the ap-
3 propriate congressional committees that such fines and
4 penalties are fully paid to the government of the District
5 of Columbia.

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

12 LIMITATION ON ASSISTANCE FOR THE PLO FOR THE
13 WEST BANK AND GAZA

14 SEC. 565. None of the funds appropriated by this Act
15 may be obligated for assistance for the Palestine Libera-
16 tion Organization for the West Bank and Gaza unless the
17 President has exercised the authority under section 583(a)
18 of the Middle East Peace Facilitation Act of 1994 (part
19 E of title V of Public Law 103–236) or any other legisla-
20 tion to suspend or make inapplicable section 307 of the
21 Foreign Assistance Act of 1961 and that suspension is
22 still in effect: *Provided*, That if the President fails to make
23 the certification under section 583(b)(2) of the Middle
24 East Peace Facilitation Act or to suspend the prohibition
25 under other legislation, funds appropriated by this Act
26 may not be obligated for assistance for the Palestine Lib-

1 eration Organization for the West Bank and Gaza unless
2 the President determines that it is in the national interest
3 to do so and so reports to the Congress.

4 PROCUREMENT REDUCTION

5 SEC. 566. (a) Of the budgetary resources available
6 to the Agency for International Development during fiscal
7 year 1995, \$1,598,000 are permanently canceled.

8 (b) The Administrator of the Agency for Inter-
9 national Development shall allocate the amount of budg-
10 etary resources canceled among the Agency's accounts
11 available for procurement and procurement-related ex-
12 penses. Amounts available for procurement and procure-
13 ment-related expenses in each such account shall be re-
14 duced by the amount allocated to such account.

15 (c) For the purposes of this section, the definition
16 of "procurement" includes all stages of the process of ac-
17 quiring property or services, beginning with the process
18 of determining a need for a product or services and ending
19 with contract completion and closeout, as specified in sec-
20 tion 403(a)(2) of title 41, United States Code.

21 IMPLEMENTATION OF WAPENHANS REPORT

22 RECOMMENDATIONS

23 ~~SEC. 567. Funds appropriated by title I of this Act~~
24 ~~under the headings "Contribution to the International~~
25 ~~Bank for Reconstruction and Development", "Contribu-~~
26 ~~tion to the International Development Association", and~~

1 “Contribution to the International Finance Corporation”
2 shall not be available for payment to any such institution
3 unless the Secretary of the Treasury (1) determines that
4 the recommendations contained in the report entitled Re-
5 port of the Portfolio Management Task Force (commonly
6 referred to as the “Wapenhans Report”) continue to be
7 implemented, and (2) reports that determination to the
8 Committee on Appropriations and the Committee on
9 Banking, Finance and Urban Affairs of the House of Rep-
10 resentatives and the Committee on Appropriations and the
11 Committee on Foreign Relations of the Senate.

12 *IMPLEMENTATION OF WORLD BANK RECOMMENDATIONS*

13 *SEC. 567. (a) Funds appropriated by title I of this*
14 *Act under the headings “Contribution to the International*
15 *Bank for Reconstruction and Development” and “Contribu-*
16 *tion to the International Development Association” shall be*
17 *available for payment to such institutions as follows:*

18 *(1) 50 percent of the funds appropriated under*
19 *each such heading shall be made available prior to*
20 *April 1, 1995, only if the Secretary of the Treasury*
21 *makes the determination (and so reports to the Com-*
22 *mittees on Appropriations) described in paragraph*
23 *(3) of this subsection at any time prior to that date.*

24 *(2) 50 percent of the funds appropriated under*
25 *each such heading shall be made available on April*
26 *1, 1995, or thereafter, only if the Secretary of the*

1 *Treasury makes the determination (and so reports to*
2 *the Committees on Appropriations) described in para-*
3 *graph (3) of this subsection at any time on or after*
4 *that date.*

5 *(3) The determinations referred to in paragraphs*
6 *(1) and (2) are determinations that the International*
7 *Bank for Reconstruction and Development is—*

8 *(A) implementing the recommendations con-*
9 *tained in “Next Steps”, the follow-up to the*
10 *Wapenhans Report;*

11 *(B) implementing the action plan contained*
12 *in chapter 8 of its April 8, 1994, resettlement re-*
13 *view entitled “Resettlement and Development”;*

14 *(C) implementing the Bank’s procedures on*
15 *Disclosure of Operational Information issued in*
16 *September 1993; and*

17 *(D) actively encouraging borrowing govern-*
18 *ments to publicly disclose information on struc-*
19 *tural adjustment programs.*

20 *(b) Funds appropriated by title I of this Act under*
21 *the heading “Contribution to the International Finance*
22 *Corporation” shall be available for payment to such institu-*
23 *tion as follows:*

24 *(1) 50 percent of the funds appropriated under*
25 *such heading shall be made available prior to April*

1 *1, 1995, only if the Secretary of the Treasury makes*
2 *the determination (and so reports to the Committees*
3 *on Appropriations) described in paragraph (3) of this*
4 *subsection.*

5 *(2) 50 percent of the funds appropriated under*
6 *such heading shall be made available on or after*
7 *April 1, 1995, only if the Secretary of the Treasury*
8 *makes the determination (and so reports to the Com-*
9 *mittees on Appropriations) described in paragraph*
10 *(3) of this subsection.*

11 *(3) The determinations referred to in paragraphs*
12 *(1) and (2) are determinations that the International*
13 *Finance Corporation is pursuing reforms comparable*
14 *to those adopted by the International Bank for Recon-*
15 *struction and Development regarding the environ-*
16 *ment, information disclosure, and resettlement.*

17 RESTRICTIONS ON ASSISTANCE TO RUSSIA

18 SEC. 568. (a) RESTRICTION.—None of the funds ap-
19 propriated or otherwise made available by this Act may
20 be obligated for assistance for the Government of Russia
21 after December 31, 1994, unless it has been made known
22 to the President that all armed forces of Russia and the
23 Commonwealth of Independent States have been removed
24 from all Baltic countries or that the status of those armed
25 forces have been otherwise resolved by mutual agreement
26 of the parties.

1 (b) EXEMPTION.—Subsection (a) does not apply to
 2 assistance that involves the provision of student exchange
 3 programs, food, clothing, medicine, or other humanitarian
 4 assistance or to housing assistance for officers of the
 5 armed forces of Russia or the Commonwealth of Independ-
 6 ent States who are removed from the territory of Estonia,
 7 Latvia, and ~~Lithuania~~ *Lithuania, or countries other than*
 8 *Russia.*

9 (c) WAIVER.—Subsection (a) does not apply if after
 10 December 31, 1994, the President determines that the
 11 provision of funds to the Government of Russia is in the
 12 national interest.

13 ~~ADDITIONAL LIMITATION ON FUNDS TO ENSURE IMPLE-~~
 14 ~~MENTATION OF WAPENHANS REPORT RECOMMENDA-~~
 15 ~~TIONS~~

16 ~~SEC. 569. (a) LIMITATION ON AMOUNTS AVAILABLE~~
 17 ~~BEFORE APRIL 1, 1995.—If amounts appropriated by~~
 18 ~~title I become available pursuant to section 567—~~

19 (1) ~~not more than \$30,000,000 shall be avail-~~
 20 ~~able for obligation before April 1, 1995, for “Con-~~
 21 ~~tribution to the International Bank for Reconstruc-~~
 22 ~~tion and Development” for payment for contribution~~
 23 ~~to the Global Environment Facility;~~

24 (2) ~~not more than \$1,024,332,000 shall be~~
 25 ~~available for obligation before April 1, 1995, for~~

1 “Contribution to the International Development As-
2 sociation”; and

3 ~~(3) not more than \$35,761,500 shall be avail-~~
4 ~~able for obligation before April 1, 1995, for “Con-~~
5 ~~tribution to the International Finance Corporation”.~~

6 ~~(b) REQUIREMENTS FOR AVAILABILITY OF ADDI-~~
7 ~~TIONAL AMOUNTS.—No amount in excess of any sum~~
8 ~~specified in subsection (a) with respect to an account or~~
9 ~~activity shall become available on or after April 1, 1995,~~
10 ~~unless the Secretary of the Treasury—~~

11 ~~(1) determines that the recommendations con-~~
12 ~~tained in the report entitled Report of the Portfolio~~
13 ~~Management Task Force (commonly referred to as~~
14 ~~the “Wapenhans Report”) continue to be imple-~~
15 ~~mented as of such date;~~

16 ~~(2) reports such determination to the Commit-~~
17 ~~tee on Appropriations and the Committee on Bank-~~
18 ~~ing, Finance and Urban Affairs of the House of~~
19 ~~Representatives and the Committee on Appropria-~~
20 ~~tions and the Committee on Foreign Relations of the~~
21 ~~Senate; and~~

22 ~~(3) complies with the regular notification proce-~~
23 ~~dures of the Committee on Appropriations.~~

1 WEST BANK AND GAZA ECONOMIC DEVELOPMENT FUND

2 SEC. 571. Of the funds appropriated by this Act under
3 the heading "Economic Support Fund", not less than
4 \$20,000,000 should be made available to support the cre-
5 ation and expansion of small and medium-sized businesses,
6 including agricultural enterprises, in the West Bank and
7 Gaza. All or any part of such funds may be used for the
8 subsidy cost of direct loans and loan guarantees as defined
9 in section 502 of the Congressional Budget Act of 1974.
10 Funds made available under this heading shall be subject
11 to the regular notification procedures of the Committees on
12 Appropriations.

13 AGRICULTURAL AID TO THE NEW INDEPENDENT STATES OF
14 THE FORMER SOVIET UNION

15 SEC. 572. Of the funds appropriated by title II of this
16 Act under the heading "Assistance for the New Independent
17 States of the Former Soviet Union" up to \$50,000,000
18 should be made available only for provision of United
19 States agricultural commodities to address the food and nu-
20 trition needs of the people of the new independent states
21 of the former Soviet Union: Provided, That in providing
22 assistance under this section, primary emphasis shall be
23 given to meeting the food and nutrition needs of children
24 and pregnant and post-partum women: Provided further,
25 That funds made available for the purposes of this section
26 may be used for transportation of United States agricul-

1 *tural commodities provided under this section: Provided*
2 *further, That the President may enter into agreements with*
3 *the governments of the new independent states and non-*
4 *governmental organizations to provide for the sale of any*
5 *part of the United States agricultural commodities in the*
6 *new independent states for local currencies: Provided fur-*
7 *ther, That any such local currencies shall be used in the*
8 *new independent states to process, transport, store, distrib-*
9 *ute or otherwise enhance the effectiveness of the use of*
10 *United States agricultural commodities provided under this*
11 *section, and to support agricultural and rural development*
12 *activities.*

13 *EXPORT FINANCING TRANSFER AUTHORITIES*

14 *SEC. 573. Not to exceed 5 percent of any appropriation*
15 *other than for administrative expenses made available for*
16 *the current fiscal year for programs under title IV of this*
17 *Act may be transferred between such appropriations for use*
18 *for any of the purposes, programs and activities for which*
19 *the funds in such receiving account may be used, but no*
20 *such appropriation, except as otherwise specifically pro-*
21 *vided, shall be increased by more than 25 percent by any*
22 *such transfer: Provided, That the exercise of such authority*
23 *shall be subject to the regular notification procedures of the*
24 *Committees on Appropriations: Provided further, That*
25 *\$12,000,000 shall be immediately transferred from funds*
26 *available to the Export-Import Bank for fiscal year 1994*

1 *to the Overseas Private Investment Corporation, and*
2 *\$1,000,000 shall be immediately transferred from funds*
3 *available to the Export-Import Bank for fiscal year 1994*
4 *to the Trade and Development Agency: Provided further,*
5 *That the provisions of the previous proviso shall be effective*
6 *on the date of enactment of this Act.*

7 *INCAE*

8 *SEC. 574. The Government of Nicaragua may assume*
9 *the obligation of the Central American Institute of Business*
10 *Administration (INCAE) to make payment to the United*
11 *States under a loan made to INCAE pursuant to an Alli-*
12 *ance for Progress Loan Agreement dated April 25, 1972:*
13 *Provided, That such payment shall be for the cost, as de-*
14 *finied in section 13201 of the Budget Enforcement Act of*
15 *1990, of such obligation and shall relieve INCAE of any*
16 *further liability to the United States for payment of interest*
17 *and principal under such loan notwithstanding section*
18 *620(r) of the Foreign Assistance Act of 1961.*

19 *MONGOLIA*

20 *SEC. 575. Section 620(f) of the Foreign Assistance Act*
21 *of 1961 is amended by striking “Mongolian People’s Repub-*
22 *lic.” from the list contained therein.*

23 *REPORT ON COMPLIANCE WITH COMMITMENTS*

24 *SEC. 576. Section 804(b) of title VIII of Public Law*
25 *101–246 (PLO Commitments Compliance Act of 1989) is*
26 *amended—*

