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2D SESSION

H. R. 5114

SUPERCEDED

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 24, 1990

Ordered to be printed with the amendments of the Senate numbered

AN ACT

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1991, and for other purposes.

- 1 *Be it enacted by the Senate and House of Representa-*
- 2 *tives of the United States of America in Congress assembled,*
- 3 *That the following sums are appropriated, out of any money*
- 4 *in the Treasury not otherwise appropriated, for foreign oper-*
- 5 *ations, export financing, and related programs for the fiscal*
- 6 *year ending September 30, 1991, and for other purposes,*
- 7 *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 Reconstruc-
8 tion and Development by the Secretary of the Treasury, for
9 the United States share of the paid-in share portion of the
10 increases in capital stock for the General Capital Increase,
11 **(1)** ~~\$50,000,795~~ **\$110,592,409**, to remain available until
12 expended **(2)**: *Provided, That 25 per centum of the funds*
13 *appropriated under this heading shall be withheld from obli-*
14 *gation until the Secretary of the Treasury submits a report to*
15 *the Committees on Appropriations which describes in detail*
16 *the actions the International Bank for Reconstruction and*
17 *Development has taken during the fiscal year 1990, and the*
18 *actions it is contemplating for the fiscal year 1991, in sup-*
19 *port of energy and forestry conservation and family planning*
20 *activities.*

21 **(3)** *Section 38(a)(1) of the Arms Export Control Act*
22 *is amended by inserting after the second sentence the follow-*
23 *ing new sentence: "Such regulations shall not include provi-*
24 *sions for recoupment of research and development costs on*
25 *night vision equipment contracts of \$10,000,000 or less."*

1 tion, the President shall report his certification to the Com-
2 mittee on Appropriations and the Committee on Banking, Fi-
3 nance and Urban Affairs of the House of Representatives and
4 the Committee on Appropriations and the Committee on For-
5 eign Relations of the Senate.

6 CONTRIBUTION TO THE INTERNATIONAL FINANCE

7 CORPORATION

8 For payment to the International Finance Corporation
9 by the Secretary of the Treasury, \$40,330,972, for the
10 United States share of the increase in subscriptions to capital
11 stock, to remain available until expended.

12 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT

13 BANK

14 For payment to the Inter-American Development Bank
15 by the Secretary of the Treasury for the United States share
16 of the paid-in share portion of the increase in capital stock,
17 \$57,449,324, and for the United States share of the in-
18 creases in the resources of the Fund for Special Operations,
19 \$20,850,016, to remain available until expended: *Provided,*
20 That the Secretary of the Treasury shall instruct the United
21 States Executive Director of the Inter-American Develop-
22 ment Bank to use the voice and vote of the United States to
23 oppose any assistance by the Bank to any recipient of assist-
24 ance who refuses to agree in writing that in general any pro-
25 curement of goods or services utilizing Bank funds shall be
26 conducted in a manner that does not discriminate on the basis

1 of nationality against any member country, firm or person
2 interested in providing such goods or services.

3 **LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS**

4 The United States Governor of the Inter-American De-
5 velopment Bank may subscribe without fiscal year limitation
6 to the callable capital portion of the United States share of
7 such capital stock in an amount not to exceed
8 \$2,235,076,561.

9 **(6) ~~INTER-AMERICAN INVESTMENT CORPORATION~~**

10 For payment to the ~~Inter-American Investment Corpo-~~
11 ~~ration by the Secretary of the Treasury, \$13,000,000, for the~~
12 ~~United States share of the capital stock of the Corporation,~~
13 ~~to remain available until expended.~~

14 **CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND**

15 For the United States contribution by the Secretary of
16 the Treasury to the increases in resources of the Asian De-
17 velopment Fund, as authorized by the Asian Development
18 Bank Act, as amended (Public Law 89-369),
19 **(7) ~~\$243,900,000~~ \$271,382,000**, to remain available until
20 expended.

21 **CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND**

22 For payment to the African Development Fund by the
23 Secretary of the Treasury, \$105,451,500, for the United
24 States contribution to the fifth replenishment of the African
25 Development Fund, to remain available until expended.

1 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

2 For payment to the African Development Bank by the
3 Secretary of the Treasury, for the paid-in share portion of the
4 United States share of the increase in capital stock,
5 \$10,135,766, to remain available until expended.

6 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

7 The United States Governor of the African Develop-
8 ment Bank may subscribe without fiscal year limitation to the
9 callable capital portion of the United States share of such
10 capital stock in an amount not to exceed \$135,389,294.

11 CONTRIBUTION TO THE EUROPEAN BANK FOR

12 RECONSTRUCTION AND DEVELOPMENT

13 For payment to the European Bank for Reconstruction
14 and Development by the Secretary of the Treasury,
15 ~~(8) \$70,020,600~~ \$56,820,600, for the United States share
16 of the paid-in share portion of the initial capital subscription,
17 to remain available until expended ~~(9)~~: *Provided, That none*
18 *of the funds appropriated under this heading may be obligat-*
19 *ed or expended until the enactment of a statute which—*

20 “(1) authorizes the President to accept member-
21 ship for the United States in the European Bank for
22 Reconstruction and Development (EBRD);

23 “(2) authorizes the appropriation of the full
24 amount of the paid-in and callable capital required
25 during the first five years of United States member-
26 ship;

1 “(3) authorizes the Secretary of the Treasury to
2 subscribe to shares of the capital stock of such Bank;
3 and

4 “(4) stipulates the role of Federal Reserve Banks,
5 the applicability of United States laws relevant to such
6 membership, and the legal status of the EBRD with
7 regard to the jurisdiction of United States Courts.

8 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

9 The United States Governor of the European Bank for
10 Reconstruction and Development may subscribe without
11 fiscal year limitation to the callable capital portion of the
12 United States share of such capital stock in an amount not to
13 exceed \$163,381,400.

14 CONTRIBUTION TO THE ENHANCED STRUCTURAL ADJUST-
15 MENT FACILITY OF THE INTERNATIONAL MONETARY
16 FUND

17 For payment to the Interest Subsidy Account of the En-
18 hanced Structural Adjustment Facility of the International
19 Monetary Fund, \$10,602,000 to remain available until
20 expended.

21 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

22 For necessary expenses to carry out the provisions of
23 sections 301 and 103(g) of the Foreign Assistance Act of
24 1961, and of section 2 of the United Nations Environment
25 Program Participation Act of 1973, ~~(10)~~ \$268,750,000
26 \$284,730,000: *Provided*, That no funds shall be available for

1 the United Nations Fund for Science and Technology: *Pro-*
2 *vided further*, That the total amount of funds appropriated
3 under this heading shall be made available only as follows:
4 **(11) ~~\$104,000,000~~ \$109,000,000** for the United Nations
5 Development Program; \$75,000,000 for the United Nations
6 Children's Fund, of which amount 75 per centum (less
7 amounts withheld consistent with section 307 of the Foreign
8 Assistance Act of 1961 and section 526 of this Act) shall be
9 obligated and expended no later than thirty days after the
10 date of enactment of this Act and 25 per centum of which
11 shall be expended within thirty days from the start of the
12 United Nations Children's Fund fourth quarter of operations
13 for 1991; \$2,000,000 for the United Nations Capital Devel-
14 opment Fund; \$800,000 for the United Nations Development
15 Fund for Women; \$200,000 for the United Nations Interna-
16 tional Research and Training Institute for the Advancement
17 of Women; \$200,000 for the Intergovernmental Panel on
18 Climate Change; \$2,000,000 for the International Conven-
19 tion and Scientific Organization Contributions; \$2,000,000
20 for the World Meteorological Organization Voluntary Coop-
21 eration Program; \$500,000 for the World Meteorological Or-
22 ganization Special Fund for Climate Studies; \$23,555,000
23 for the International Atomic Energy Agency; \$15,800,000
24 for the United Nations Environment Program; \$800,000 for
25 the United Nations Educational and Training Program for

1 Southern Africa; \$500,000 for the United Nations Trust
2 Fund for South Africa; \$750,000 for the Convention on
3 International Trade in Endangered Species; ~~(12)~~ ~~\$220,000~~
4 ~~\$450,000~~ for the World Heritage Fund; \$100,000 for the
5 United Nations Voluntary Fund for Victims of Torture;
6 \$245,000 for the United Nations Fellowship Program;
7 \$400,000 for the United Nations Center on Human Settle-
8 ments; \$500,000 for the United Nations Industrial Develop-
9 ment Organization Investment Promotion Service;
10 \$10,000,000 for the Organization of American States;
11 \$6,500,000 for the United Nations Afghanistan Trust Fund;
12 \$1,000,000 for the International Tropical Timber
13 Organization; \$1,000,000 for the World Food Program;
14 \$680,000 for the International Union for the Conservation of
15 Nature; ~~(13)~~ ~~\$500,000~~ *for the Tropical Forestry Action*
16 *Plan; \$250,000 for the Ramsar Convention on Wetlands of*
17 *International Importance Especially as Waterfowl Habitat;*
18 and ~~(14)~~ ~~\$20,000,000~~ ~~\$30,000,000~~ for the United States
19 contributions to the replenishment of the International Fund
20 for Agricultural Development: *Provided further, That funds*
21 *appropriated under this heading may be made available for*
22 *the International Atomic Energy Agency only if the Secre-*
23 *tary of State determines (and so reports to the Congress) that*
24 *Israel is not being denied its right to participate in the activi-*
25 *ties of that Agency (15):* *Provided further, That funds ap-*

1 *propriated under this heading may be made available for the*
 2 *Tropical Forestry Action Plan (TFAP) only if the Secretary*
 3 *of State determines (and so reports to the Congress) that (1)*
 4 *the TFAP has been reorganized, with an international steer-*
 5 *ing committee and secretariat independent of the Food and*
 6 *Agriculture Organization, and includes the participation of a*
 7 *broad range of experts in its administration, (2) the responsi-*
 8 *bilities of TFAP have been broadened to include areas out-*
 9 *side the forestry sector, and (3) procedures exist to ensure*
 10 *increased participation in national TFAP plans by affected*
 11 *populations and interested individuals and organizations out-*
 12 *side the forestry sector.*

13 TITLE II—BILATERAL ECONOMIC ASSISTANCE

14 FUNDS APPROPRIATED TO THE PRESIDENT

15 For expenses necessary to enable the President to carry
 16 out the provisions of the Foreign Assistance Act of 1961, and
 17 for other purposes, to remain available until September 30,
 18 1991, unless otherwise specified herein, as follows:

19 AGENCY FOR INTERNATIONAL DEVELOPMENT

20 AGRICULTURE, RURAL DEVELOPMENT, AND NUTRITION,

21 DEVELOPMENT ASSISTANCE

22 For necessary expenses to carry out the provisions of
 23 section 103, \$481,635,000: *Provided*, That not less than
 24 \$5,000,000 shall be provided for new development projects
 25 of private entities and cooperatives for dairy development:

1 *Provided further*, That not less than \$10,000,000 shall be
2 provided for the Vitamin A Deficiency Program (16):—*Pro-*
3 *vided further*, That not less than \$375,000 shall be provided
4 to support continued United States participation in the Asso-
5 ciate Professional Officers Program of the international food
6 agencies (17):—*Provided further*, That in addition to the
7 funds provided under the heading “International Organiza-
8 tions and Programs”, not less than \$5,000,000 of the funds
9 appropriated under this paragraph shall be made available for
10 United States contributions to the replenishment of the Inter-
11 national Fund for Agricultural Development.

12 POPULATION, DEVELOPMENT ASSISTANCE

13 For necessary expenses to carry out the provisions of
14 section 104(b), \$250,000,000: *Provided*, That none of the
15 funds made available in this Act nor any unobligated balances
16 from prior appropriations may be made available to any orga-
17 nization or program which, as determined by the President of
18 the United States, supports or participates in the manage-
19 ment of a program of coercive abortion or involuntary sterili-
20 zation: *Provided further*, That none of the funds made avail-
21 able under this heading may be used to pay for the perform-
22 ance of abortion as a method of family planning or to moti-
23 vate or coerce any person to practice abortions; and that in
24 order to reduce reliance on abortion in developing nations,
25 funds shall be available only to voluntary family planning
26 projects which offer, either directly or through referral to, or

1 information about access to, a broad range of family planning
2 methods and services: *Provided further*, That in awarding
3 grants for natural family planning under section 104 of the
4 Foreign Assistance Act no applicant shall be discriminated
5 against because of such applicant's religious or conscientious
6 commitment to offer only natural family planning; and, addi-
7 tionally, all such applicants shall comply with the require-
8 ments of the previous proviso: *Provided further*, That nothing
9 in this subsection shall be construed to alter any existing
10 statutory prohibitions against abortion under section 104 of
11 the Foreign Assistance Act (18-19): *Provided further*, That
12 notwithstanding any other provision of this or any other Act
13 which provides authority to use funds appropriated under
14 this heading for purposes other than to carry out the provi-
15 sions of section 104(b) of the Foreign Assistance Act of 1961,
16 funds appropriated under this heading shall be made avail-
17 able only to carry out the provisions of that section (20):
18 *Provided further*, That of the funds appropriated under this
19 heading, not less than 65 per centum shall be made available
20 for the Office of Population of the Agency for International
21 Development (21): *Provided further*, That in addition to
22 funds otherwise available for such purposes, of the funds ap-
23 propriated under this heading up to 5 per centum may be
24 used for operating expenses for the administration of family
25 planning assistance programs.

1 HEALTH, DEVELOPMENT ASSISTANCE

2 For necessary expenses to carry out the provisions of
 3 section 104(c), \$135,000,000: *Provided*, That of the funds
 4 appropriated under this heading not less than \$5,000,000
 5 shall be provided for activities relating to the control, preven-
 6 tion, and eradication of River Blindness (22): ~~*Provided fur-*~~
 7 ~~*ther*~~, That of the funds appropriated under this heading
 8 \$3,500,000 shall be provided as a contribution to the Pan
 9 American Health Organization for funding for the Gorgas
 10 Memorial Institute of Tropical and Preventive Medicine in
 11 Panama.

12 INTERNATIONAL AIDS PREVENTION AND CONTROL

13 PROGRAM

14 For necessary expenses to carry out the provisions of
 15 chapter 1 of part I of the Foreign Assistance Act of 1961,
 16 \$52,000,000, which shall be made available only for activi-
 17 ties relating to research on, and the treatment and control of,
 18 acquired immune deficiency syndrome (AIDS) in developing
 19 countries: *Provided*, That of the funds appropriated under
 20 this heading (23) ~~\$26,000,000~~ \$21,000,000 shall be pro-
 21 vided directly to the World Health Organization for its use in
 22 financing the Global Program on AIDS, including activities
 23 implemented by the Pan American Health Organiza-
 24 tion (24): *Provided further*, That funds appropriated under
 25 this heading may be made available notwithstanding any
 26 provision of law (except section 620A of the Foreign Assist-

1 *ance Act of 1961 and sections 512 and 556 of this Act)*
 2 *which restricts assistance to foreign countries.*

3 CHILD SURVIVAL FUND

4 For necessary expenses to carry out the provisions of
 5 section 104(c)(2), \$100,000,000.

6 EDUCATION AND HUMAN RESOURCES

7 DEVELOPMENT, DEVELOPMENT ASSISTANCE

8 For necessary expenses to carry out the provisions of
 9 section 105, \$134,201,000: *Provided*, That not less than
 10 \$1,500,000 of the funds appropriated under this heading
 11 shall be made available for the Caribbean Law Insti-
 12 tute (25): ~~*Provided further*, That \$5,400,000 of the funds~~
 13 ~~appropriated under this heading shall be provided for Soviet~~
 14 ~~and East European research and training under the Depart-~~
 15 ~~ment of State's Title VIII program on Soviet and regional~~
 16 ~~studies, notwithstanding any other provision of law (26):-~~
 17 ~~*Provided further*, That \$10,000,000 of the funds appropri-~~
 18 ~~ated by this paragraph shall be made available to carry out~~
 19 ~~section 206 (relating to the Center for Cultural and Technical~~
 20 ~~Interchange Between North and South) of the House en-~~
 21 ~~grossed amendment (as passed the House of Representatives~~
 22 ~~on May 24, 1990) to the bill S. 2264, and that section is~~
 23 ~~hereby enacted (27): *Provided further*, That not less than~~
 24 ~~\$67,100,000 of the funds appropriated under this heading~~
 25 ~~and under the heading "Sub-Saharan Africa, Development~~
 26 ~~Assistance" shall be available only for programs in basic pri-~~

1 *mary and secondary education: Provided further, That in*
 2 *fiscal year 1991 the Agency for International Development*
 3 *shall initiate three new bilateral projects in basic primary*
 4 *and secondary education, at least two of which shall be ini-*
 5 *tiated in sub-Saharan Africa (28): Provided further, That*
 6 *not less than \$20,000,000 of the funds appropriated under*
 7 *this heading shall be made available for the International*
 8 *Student Exchange Program (for the Cooperative Association*
 9 *of States for Scholarships and the East Central European*
 10 *Scholarship Program), of which \$3,000,000 shall be avail-*
 11 *able, notwithstanding any other provision of law, for students*
 12 *from Poland and Hungary.*

13 PRIVATE SECTOR, ENVIRONMENT, AND ENERGY,

14 DEVELOPMENT ASSISTANCE

15 For necessary expenses to carry out the provisions of
 16 section 106, \$152,223,000: *Provided*, That not less than
 17 \$7,500,000 shall be made available only for cooperative
 18 projects among the United States, Israel and developing
 19 countries of which not less than \$5,000,000 shall be made
 20 available for the Cooperative Development Program, and of
 21 which not less than \$2,500,000 shall be made available for
 22 cooperative development research projects: *Provided further*,
 23 That not less than \$5,000,000 shall be made available only
 24 for the Central American Rural Electrification Support
 25 project (29): ~~*Provided further*~~, That not less than
 26 \$5,000,000 of the funds appropriated under this heading or

1 under the heading "Sub-Saharan Africa, Development As-
 2 sistance", shall be made available for assistance in support of
 3 elephant conservation and preservation (30):—*Provided fur-*
 4 *ther*, That not less than \$20,000,000 shall be for the Office of
 5 Energy of the Agency for International Development (31):—
 6 *Provided further*, That not less than \$75,000,000 of the
 7 funds appropriated under this heading shall be made available
 8 for environment and global warming activities (32):—*Pro-*
 9 *vided further*, That funds made available under this heading
 10 for the purposes of the earmarks contained under this head-
 11 ing and those contained in sections 533 and 534 of this Act
 12 may be used to meet the funding requirements of the previous
 13 proviso (33):—*Provided further*, That not less than
 14 \$150,000 shall be for technical assistance and training pro-
 15 grams for Soviet and Czechoslovakian statisticians and
 16 economists administered by the Bureau of Labor Statistics,
 17 notwithstanding any other provision of law.

18 SCIENCE AND TECHNOLOGY, DEVELOPMENT ASSISTANCE

19 For necessary expenses to carry out the provisions of
 20 section 106, \$8,624,000.

21 (34) MICRO-ENTERPRISE DEVELOPMENT

22 *Of the funds appropriated by this Act to carry out chap-*
 23 *ter 1 of part I and chapter 4 of part II of the Foreign Assist-*
 24 *ance Act of 1961, not less than \$75,000,000 shall be made*
 25 *available for programs of credit and other assistance for*
 26 *micro-enterprises in developing countries: Provided, That*

1 *local currencies which accrue as a result of assistance provid-*
 2 *ed to carry out the provisions of the Foreign Assistance Act of*
 3 *1961 and the Agricultural Trade Development and Assist-*
 4 *ance Act of 1954 may be used for assistance for micro-enter-*
 5 *prises: Provided further, That such local currencies which*
 6 *are used for this purpose shall be in lieu of funds earmarked*
 7 *under this heading and shall reduce the amount earmarked*
 8 *for assistance for micro-enterprises by an equal amount.*

9 SUB-SAHARAN AFRICA, DEVELOPMENT ASSISTANCE

10 **(35)** For necessary expenses to carry out the provi-
 11 sions of sections 103 through 106 and section 121 of the
 12 Foreign Assistance Act of 1961, \$800,000,000, for assist-
 13 ance only for Sub-Saharan Africa, which shall be in addition
 14 to any amounts otherwise available for such purposes: *Pro-*
 15 *vided, That the authorities contained under this heading in*
 16 *the Foreign Operations, Export Financing, and Related Pro-*
 17 *grams Appropriations Act, 1989 (Public Law 100-461),*
 18 *shall be applicable to amounts appropriated under this head-*
 19 *ing until an Act authorizing assistance for such purposes for*
 20 *the fiscal year 1991 is enacted into law: Provided further,*
 21 *That not less than \$50,000,000 of the funds appropriated*
 22 *under this heading shall be made available only to assist ac-*
 23 *tivities supported by the Southern Africa Development Co-*
 24 *ordination Conference: Provided further, That funds appro-*
 25 *priated under this heading which are made available for ac-*
 26 *tivities supported by the Southern Africa Development Co-*

1 ordination Conference shall be made available notwithstand-
2 ing section 518 of this Act and section 620(q) of the Foreign
3 Assistance Act of 1961: *Provided further, That funds appro-*
4 *priated under this heading shall remain available until Sep-*
5 *tember 30, 1992.*

6 *For necessary expenses to carry out the provisions of*
7 *chapter 10 of part I of the Foreign Assistance Act of 1961, as*
8 *enacted by this Act, \$800,000,000, to remain available until*
9 *September 30, 1992: Provided, That up to \$3,500,000 of the*
10 *funds appropriated under this heading may be made avail-*
11 *able, notwithstanding any other provision of law, to support*
12 *the participation of disadvantaged South Africans in private*
13 *enterprise development in South Africa: Provided further,*
14 *That such assistance provided to support the participation of*
15 *disadvantaged South Africans in private enterprise shall not*
16 *be used to provide support to organizations or groups which*
17 *are financed or controlled by the Government of South*
18 *Africa: Provided further, That up to \$50,000,000 of the*
19 *funds appropriated under this heading may be made avail-*
20 *able to assist activities supported by the Southern Africa De-*
21 *velopment Coordination Conference: Provided further, That*
22 *funds appropriated under this heading which are made avail-*
23 *able for activities supported by the Southern Africa Develop-*
24 *ment Coordination Conference shall be made available not-*

1 *withstanding section 518 of this Act and section 620(q) of the*
2 *Foreign Assistance Act of 1961.*

3 *Title III of S. 2944, as reported by the Committee on*
4 *Foreign Relations of the Senate on July 31, 1990, is hereby*
5 *enacted into law: Provided, That the enactment of title III of*
6 *S. 2944 shall not include section 496(n) (relating to local*
7 *currency generations, as contained in section 302(a) of that*
8 *title), and all subsequent subsections of section 496 shall be*
9 *redesignated accordingly.*

10

ZAIRE

11 ~~(36) Funds appropriated by this Act to carry out chap-~~
12 ~~ter 1 of part I which are allocated for Zaire shall be made~~
13 ~~available only through private and voluntary organizations.~~

14 *None of the funds appropriated by this Act to carry out*
15 *chapter 10 of part I shall be made available to the Govern-*
16 *ment of Zaire: Provided, That this provision shall not be*
17 *applicable to assistance provided through nongovernmental*
18 *organizations, either directly or with appropriate ministries*
19 *or departments of the Government of Zaire, or made avail-*
20 *able from funds made available for child survival activities.*

21

ASSISTANCE FOR DISPLACED CHILDREN

22 *Of the aggregate of the funds appropriated by this Act*
23 *to carry out part I of the Foreign Assistance Act of 1961,*
24 *not less than \$5,000,000 shall be made available for pro-*
25 *grams and activities for children who have become orphans*
26 *as a result of the effects of drought, civil strife, and other*

1 natural and man-made disasters: *Provided*, That assistance
 2 under this heading shall be made available in accordance
 3 with the policies and general authorities contained in section
 4 491 of the Foreign Assistance Act of 1961.

5 HUMANITARIAN ASSISTANCE FOR CAMBODIAN CHILDREN

6 Of the aggregate of the funds appropriated by this Act
 7 to carry out part I of the Foreign Assistance Act of 1961,
 8 not less than \$5,000,000 shall be made available, notwith-
 9 standing any other provision of law, to provide humanitaria
 10 assistance through international relief agencies (37) and
 11 United States private and voluntary organizations to chil-
 12 dren within Cambodia: *Provided*, That none of the funds
 13 made available under this heading may be made available,
 14 directly or indirectly, for the Khmer Rouge.

15 ASSISTANCE FOR VICTIMS OF WAR

16 Of the aggregate of the funds appropriated by this Act
 17 to carry out part I of the Foreign Assistance Act of 1961,
 18 not less than \$5,000,000 shall be made available, notwith-
 19 standing any other provision of law, for medical and related
 20 assistance, including the provision of prostheses and voca-
 21 tional rehabilitation and training, for civilians who have been
 22 injured as a result of civil strife and warfare.

23 (38) ASSISTANCE FOR LATVIA, LITHUANIA, AND

24 ESTONIA

25 Notwithstanding any other provision of law, of the ag-
 26 gregate of the funds appropriated by this Act to carry out the

1 *provisions of chapter 1 of part I and chapter 4 of part II of*
2 *the Foreign Assistance Act of 1961, \$15,000,000 shall be*
3 *made available for assistance through United States private*
4 *and voluntary organizations for the purpose of assisting orga-*
5 *nizations and individuals in Latvia, Lithuania, and Estonia*
6 *to foster the development of their private agricultural, indus-*
7 *trial, and commercial sectors.*

8 **WOMEN IN DEVELOPMENT**

9 In recognition that the full participation of women in,
10 and the full contribution of women to, the development proc-
11 ess are essential to achieving economic growth, a higher
12 quality of life, and sustainable development in developing
13 countries, not less than \$5,000,000 of the funds appropriated
14 by this Act to carry out part I of the Foreign Assistance Act
15 of 1961, in addition to funds otherwise available for such
16 purposes, shall be used to encourage and promote the partici-
17 pation and integration of women as equal partners in the de-
18 velopment process in developing countries, of which not less
19 than \$3,000,000 shall be made available as matching funds
20 to support the activities of the Agency for International
21 Development's field missions to integrate women into their
22 programs: *Provided*, That the Agency for International De-
23 velopment shall seek to ensure that country strategies,
24 projects, and programs are designed so that the percentage of
25 women participants will be demonstrably increased.

1 PRIVATE AND VOLUNTARY ORGANIZATIONS

2 None of the funds appropriated or otherwise made avail-
3 able by this Act for development assistance may be made
4 available to any United States private and voluntary organi-
5 zation, except any cooperative development organization,
6 which obtains less than 20 per centum of its total annual
7 funding for international activities from sources other than
8 the United States Government: *Provided*, That the require-
9 ments of the provisions of section 123(g) of the Foreign As-
10 sistance Act of 1961 and the provisions on private and volun-
11 tary organizations in title II of the "Foreign Assistance and
12 Related Programs Appropriations Act, 1985" (as enacted
13 in Public Law 98-473) shall be superseded by the provi-
14 sions of this section.

15 (39) APPROPRIATE TECHNOLOGY

16 Of the aggregate of the funds appropriated by this Act
17 to carry out chapter 1 of part I of the Foreign Assistance Act
18 of 1961, not less than \$2,000,000 shall be available for Ap-
19 propriate Technology International: *Provided*, That these
20 funds shall be in addition to \$2,000,000 in funds available to
21 Appropriate Technology International under its existing co-
22 operative agreement with the Agency for International De-
23 velopment: *Provided further*, That Appropriate Technology
24 International shall qualify, along with any cooperative devel-
25 opment organization, for development assistance funds appro-

1 priated or otherwise made available by this Act for United
2 States private and voluntary organizations.

3 HUMANITARIAN ASSISTANCE FOR ROMANIA

4 (40) (a) The Congress finds that—

5 (1) from 20,000 to 200,000 children live in public
6 institutions in Romania, having been abandoned by
7 parents too poor to provide their children with food,
8 clothing, and other basic needs;

9 (2) children deposited in these "Homes for the
10 Deficient and Unsalvageable" suffer from hunger, ac-
11 quired immune deficiency syndrome (AIDS) and other
12 diseases, and neglect, to the extent that it is not un-
13 common for 25 percent of the children in such an insti-
14 tution to die each year;

15 (3) these terrible conditions result from family
16 planning policies of the Ceausescu government which
17 prohibited all forms of contraception and from econom-
18 ic policies which made it impossible for parents to pro-
19 vide the bare necessities for their children and which
20 provided woefully inadequate resources to the institu-
21 tions to which many parents were forced to abandon
22 their children;

23 (4) the United Nations Children's Fund
24 (UNICEF), World Vision, and other international and
25 private and voluntary organizations are working with
26 the new government in Romania to reverse the effects

1 of these policies; however, still greater efforts are
2 needed by that government and the world community if
3 these children are to be afforded minimum levels of
4 health care and to see to it that such circumstances are
5 never again to be repeated; and

6 (5) it is in the national interest of the United
7 States, and consistent with the humanitarian spirit of
8 the American people, to support efforts to address the
9 anticontraception policies of the Ceausescu regime and
10 the legacy of health and social problems that were its
11 result.

12 (b) Of the aggregate of the funds appropriated by the
13 preceding paragraphs of this title to carry out chapter 1 of
14 part I of the Foreign Assistance Act of 1961 (other than
15 funds under the heading "Sub-Saharan Africa, Development
16 Assistance"), not less than \$2,000,000 shall be made avail-
17 able for humanitarian assistance for Romania of which
18 \$1,500,000 shall be for activities related to:

19 (1) acquired immune deficiency syndrome (AIDS),
20 and other health and child survival activities particular-
21 ly for the care and treatment of abandoned children in-
22 cluding the provision of food, medicines, and training of
23 personnel;

24 (2) improving the facilities available for the care
25 of abandoned children; and

1 (3) facilitating family reunification or adoption of
2 abandoned children: *Provided*, That funds provided
3 under this section may be made available notwithstand-
4 ing any provision of law which restricts assistance to
5 foreign countries: *Provided further*, That \$1,500,000
6 shall be for family planning assistance, subject to the
7 following:

8 (A) The prohibitions contained in section
9 104(f) of the Foreign Assistance Act of 1961 (22
10 U.S.C. 215(b)(f) and section 535 of this Act (re-
11 lating to prohibitions on funding for abortion as a
12 method of family planning, coercive abortion, and
13 involuntary sterilization) shall apply to the funds
14 made available pursuant to this subsection.

15 (B) Any recipient of these funds under this
16 heading shall be required to maintain the funds
17 made available pursuant to this subsection in a
18 separate account and not commingle them with
19 any other funds.

20 (C) Any agreements entered into by the
21 United States to obligate funds under this subsec-
22 tion shall expressly state that the full amount
23 granted by such agreements will be refunded to
24 the United States if any United States funds are
25 used for any family planning programs in coun-

1 tries other than Romania, or for abortion services,
2 involuntary sterilization, or coercive activities of
3 any kind.

4 *Of the aggregate of the funds appropriated by this Act to*
5 *carry out chapter 1 of part I of the Foreign Assistance Act of*
6 *1961 (other than funds under the heading "Sub-Saharan*
7 *Africa, Development Assistance"), not less than \$3,000,000*
8 *shall be made available, notwithstanding any provision of*
9 *law which restricts assistance to foreign countries, for hu-*
10 *manitarian assistance for Romania. Of this amount—*

11 (1) *\$1,500,000 shall be made available for activi-*
12 *ties related to—*

13 (A) *acquired immune deficiency syndrome*
14 *(AIDS), and other health and child survival ac-*
15 *tivities particularly for the care and treatment of*
16 *abandoned children, including the provision of*
17 *food, medicine, and training of personnel;*

18 (B) *improving the facilities available for the*
19 *care of abandoned children; and*

20 (C) *facilitating family reunification or adop-*
21 *tion of abandoned children, including training of*
22 *professional adoption specialists; and*

23 (2) *\$1,500,000 shall be made available for family*
24 *planning assistance, subject to the following:*

1 (A) *The prohibitions contained in section*
2 *104(f) of the Foreign Assistance Act of 1961 and*
3 *section 535 of this Act (relating to prohibitions on*
4 *funding for abortion as a method of family plan-*
5 *ning, coercive abortion, and involuntary steriliza-*
6 *tion) shall be applicable to funds made available*
7 *under this paragraph.*

8 (B) *Any recipient of funds under this para-*
9 *graph shall be required to maintain them in a*
10 *separate account and not commingle them with*
11 *any other funds.*

12 (C) *Each agreement entered into by the*
13 *United States to obligate funds made available*
14 *under this paragraph shall expressly state that the*
15 *full amount granted by such agreement will be re-*
16 *funded to the United States if any United States*
17 *funds are used for any family planning program*
18 *in a country other than Romania, or for abortion*
19 *services, involuntary sterilization, or coercive ac-*
20 *tivities of any kind.*

21 **PRIVATE SECTOR REVOLVING FUND**

22 During fiscal year 1991, total commitments to guaran-
23 tee loans shall not exceed **(41)** ~~\$12,500,000~~ \$62,500,000 of
24 contingent liability for loan principal **(42)**: *Provided, That,*
25 *notwithstanding any other provision of law, the authority of*
26 *section 108(i) of the Foreign Assistance Act of 1961 may be*

1 used to provide up to \$15,000,000 in loan guarantees for any
 2 one project: *Provided further, That, notwithstanding any*
 3 *other provision of law, there shall be held as a reserve in the*
 4 *revolving fund account established pursuant to section 108 of*
 5 *that Act only such amounts as are estimated to be sufficient*
 6 *to cover the expected net liabilities on loan guarantees out-*
 7 *standing under the program authorized by section 108(i).*

8 **AMERICAN SCHOOLS AND HOSPITALS ABROAD**

9 For necessary expenses to carry out the provisions of
 10 section 214, ~~(43)~~ ~~\$23,000,000~~ \$35,000,000.

11 **INTERNATIONAL DISASTER ASSISTANCE**

12 For necessary expenses to carry out the provisions of
 13 section 491, \$40,000,000, to remain available until ex-
 14 pended: *Provided, That not less than \$500,000 of the funds*
 15 *appropriated under this heading may be made available for*
 16 *assistance for children who have become orphans as a result*
 17 *of natural disasters.*

18 **PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND**

19 **DISABILITY FUND**

20 For payment to the "Foreign Service Retirement and
 21 Disability Fund", as authorized by the Foreign Service Act
 22 of 1980, \$40,341,000.

23 **OPERATING EXPENSES OF THE AGENCY FOR**

24 **INTERNATIONAL DEVELOPMENT**

25 For necessary expenses to carry out the provisions of
 26 section 667, \$435,000,000 ~~(44)~~:—*Provided, That not more*

1 than \$15,000,000 (except that payment may be made under
2 this limitation only for those categories of services for which
3 charges have been made under Foreign Affairs Administra-
4 tive Support both in prior years and in the current year) of
5 this amount shall be for Foreign Affairs Administrative
6 Support.

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

10 For necessary expenses to carry out the provisions of
11 section 667, ~~(45) \$31,384,000~~ \$33,884,000, which sum
12 shall be available only for the operating expenses of the
13 Office of the Inspector General notwithstanding section 451
14 or 614 of the Foreign Assistance Act of 1961 or any other
15 provision of law: *Provided*, That up to 3 per centum of the
16 amount made available under the heading "Operating Ex-
17 penses of the Agency for International Development" may be
18 transferred to and merged and consolidated with amounts
19 made available under this heading: *Provided further*, That
20 except as may be required by an emergency evacuation af-
21 fecting the United States diplomatic missions of which they
22 are a component element, none of the funds in this Act, or
23 any other Act, may be used to relocate the overseas Regional
24 Offices of the Inspector General to a location within the
25 United States without the express approval of the Inspector
26 General: *Provided further*, That the total number of positions

1 authorized for the Office of Inspector General in Washington
2 and overseas shall be not less than (46) ~~two hundred and~~
3 ~~forty two hundred and fifty one~~ at September 30
4 1991 (47): *Provided further, That \$1,000,000 of the funds*
5 *appropriated under the heading "Assistance for Eastern*
6 *Europe" shall be made available for the Office of the Inspec-*
7 *tor General of the Agency for International Development to*
8 *carry out audit and other responsibilities with regard to as-*
9 *sistance programs for Eastern Europe (48): *Provided fur-**
10 *ther, That after consultation with the Secretary of State, the*
11 *Inspector General of the Agency for International Develop-*
12 *ment shall, by March 31, 1991, establish a regional office*
13 *located in Europe in order to carry out audit and other re-*
14 *sponsibilities with regard to assistance programs for Eastern*
15 *Europe.*

16 HOUSING AND OTHER CREDIT GUARANTY PROGRAMS

17 During the fiscal year 1991, total commitments to guar-
18 antee loans shall not exceed \$150,000,000 of contingent li-
19 ability for loan principal: *Provided, That the President shall*
20 *enter into commitments to guarantee such loans in the full*
21 *amount provided under this heading, subject only to the*
22 *availability of qualified applicants for such guarantees: *Pro-**
23 *vided further, That guarantees issued under this heading*
24 *shall guarantee 100 per centum of the principal and interest*
25 *payable on such loans: *Provided further, That no loans guar-**
26 *anteed under this heading shall be issued or held by the Fed-*

1 eral Financing Bank: *Provided further*, That the limitation
 2 under this heading on total guarantee commitments which
 3 may be made in fiscal year 1991 shall not include the addi-
 4 tional authority to enter into guarantee commitments provid-
 5 ed in Public Law 101-302: *Provided further*, That pursuant
 6 to section 223(e)(2) of the Foreign Assistance Act of 1961,
 7 and notwithstanding the dollar limitation contained in that
 8 section, the borrowing authority provided therein may be ex-
 9 ercised in such amounts as may be necessary to retain an
 10 adequate level of contingency reserves for the fiscal year
 11 1991: *Provided further*, That section 222(a) of the Foreign
 12 Assistance Act of 1961 is amended by striking out "Septem-
 13 ber 30, 1991" and inserting in lieu thereof "September 30,
 14 1992": *Provided further*, That section 223(j) of the Foreign
 15 Assistance Act of 1961 shall not apply to commitments to
 16 guaranty loans, for which authority is provided under this
 17 heading, for Chile and Poland.

18 ECONOMIC SUPPORT FUND

19 For necessary expenses to carry out the provisions of
 20 chapter 4 of part II, ~~(49) \$3,460,000,000~~ \$3,141,000,000:
 21 *Provided*, That of the funds appropriated under this heading,
 22 not less than \$1,200,000,000 shall be available only for
 23 Israel, which sum shall be available on a grant basis as a
 24 cash transfer and shall be disbursed within thirty days of en-
 25 actment of this Act or by October 31, 1990, whichever is
 26 later ~~(50)~~: *Provided further*, That of the funds made avail-

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1 able under this heading for Israel, during the period of the
2 Desert Shield emergency up to \$200,000,000 may be used
3 by Israel, notwithstanding section 531(e) of the Foreign As-
4 sistance Act of 1961, for any of the purposes for which mili-
5 tary assistance is provided: Provided further, That not less
6 than \$815,000,000 shall be available only for Egypt, which
7 sum shall be provided on a grant basis, and of which sum
8 cash transfer assistance may be provided, with the under-
9 standing that Egypt will undertake significant economic re-
10 forms which are additional to those which were undertaken in
11 previous fiscal years, and of which not less than
12 \$200,000,000 shall be provided as Commodity Import Pro-
13 gram assistance: *Provided further*, That in exercising the au-
14 thority to provide cash transfer assistance for Israel and
15 Egypt, the President shall ensure that the level of such as-
16 sistance does not cause an adverse impact on the total level
17 of nonmilitary exports from the United States to each such
18 country: *Provided further*, That it is the sense of the Con-
19 gress that the recommended levels of assistance for Egypt
20 and Israel are based in great measure upon their continued
21 participation in the Camp David Accords and upon the Egyp-
22 tian-Israeli peace treaty: *Provided further*, That of the funds
23 appropriated under this heading and allocated for El Salva-
24 dor, up to \$1,500,000 (or the equivalent in local currencies
25 generated with funds provided to El Salvador under this

1 heading) may be made available, notwithstanding section 660
2 of the Foreign Assistance Act of 1961, to assist the Govern-
3 ment of El Salvador's Special Investigative Unit, including
4 for the purpose of bringing to justice those responsible for the
5 murders of United States citizens in El Salvador (51): *Pro-*
6 *vided further, That none of the funds appropriated under this*
7 *heading may be made available for El Salvador's Special*
8 *Investigative Unit until 15 days after receipt by the Commit-*
9 *tees on Appropriations of a report from the Secretary of State*
10 *which transmits a plan of the Government of El Salvador to*
11 *transfer the Unit from military to civilian control, including*
12 *the time period within which this transfer is to occur and the*
13 *actions that will be taken to effect such a transfer: Provided*
14 *further, That section 534(e) of the Foreign Assistance Act of*
15 *1961 is amended by (1) striking "fiscal year 1990" and in-*
16 *serting in lieu thereof "fiscal year 1991"; and (2) striking*
17 *"September 30, 1990" and inserting in lieu thereof "Sep-*
18 *tember 30, 1991 (52)":* *Provided further, That not less*
19 *than \$25,000,000 shall be made available for Jordan: Pro-*
20 *vided further, That not less than \$12,000,000 of the funds*
21 *appropriated under this heading shall be made available for*
22 *the West Bank and Gaza Program through the Asia and*
23 *Near East regional program: Provided further, That not less*
24 *than \$15,000,000 of the funds appropriated under this head-*
25 *ing shall be made available for Cyprus, including bicomunal*

1 projects and confidence building measures designed to reduce
2 tensions and to promote peace and cooperation between the
3 two communities on Cyprus, with highest priority given to
4 the resettlement of the Famagusta/Varosha area under the
5 auspices of the United Nations (53): *Provided further,*
6 *That not less than \$20,000,000 of the funds appropriated*
7 *under this heading shall be made available for Morocco*
8 (54): *Provided further, That of the funds appropriated*
9 *under this heading up to \$125,000,000 may be used, subject*
10 *to the regular notification procedures of the Committees on*
11 *Appropriations, to provide economic, administration of jus-*
12 *tice, military and law enforcement assistance for the coun-*
13 *tries in the Andean region notwithstanding sections 531(e)*
14 *and 660 of the Foreign Assistance Act of 1961: Provided*
15 *further, That any funds made available under the authority*
16 *of the previous proviso which are used for military and law*
17 *enforcement assistance shall be considered Foreign Military*
18 *Financing Program funds for purposes of the limitation on*
19 *the use of such funds contained in section 559(a)(4) of this*
20 *Act: Provided further, That none of the funds appropriated*
21 *under this heading shall be made available for Zaire: Provid-*
22 *ed further, That prior to the initial obligation of assistance for*
23 *El Salvador from funds appropriated under this heading, the*
24 *President shall report to the Congress on the extent to which*
25 *the Government of El Salvador has made demonstrable*

1 progress in settling outstanding expropriation claims of
2 American citizens in compliance with the judgment of the
3 Supreme Court of El Salvador (55): *Provided further, That*
4 *during fiscal years 1991 and 1992, of the local currencies*
5 *generated from funds made available under this heading for*
6 *El Salvador by this Act and prior appropriations Acts, the*
7 *United States and El Salvador shall jointly program the El*
8 *Salvador colones equivalent of a total of \$10,000,000 for the*
9 *purpose of retiring the debt owed by the University of Cen-*
10 *tral America to the Inter-American Development Bank: Pro-*
11 *vided further, That not more than (56) \$50,000,000 of the*
12 *funds appropriated under this heading may be made available*
13 *to finance tied aid credits, unless the President determines it*
14 *is in the national interest to provide in excess of \$50,000,000*
15 *and so notifies the Committees on \$300,000,000 of the funds*
16 *appropriated under this heading may be made available to*
17 *finance tied aid credits, unless the President determines it is*
18 *in the national interest to provide in excess of \$300,000,000*
19 *and so notifies the Committees on Appropriations through the*
20 *regular notification procedures of the Committees on Appro-*
21 *priations (57):—Provided further, That up to \$20,000,000 of*
22 *the funds appropriated under this heading may be made*
23 *available to provide grant assistance to capitalize an endow-*
24 *ment to be used by nongovernmental organizations to enable*
25 *such organizations to purchase the discounted commercial*

1 debt of Mexico as part of a debt-for-development exchange:
2 *Provided further*, That a grant for the purposes of such an
3 endowment may be made only if nongovernmental contribu-
4 tions have been made in an equal amount to capitalize the
5 endowment: *Provided further*, That such debt-for-develop-
6 ment exchanges for Mexico shall support the objectives of
7 chapter 1 of part I of the Foreign Assistance Act of 1961:
8 *Provided further*, That funds made available under this head-
9 ing shall remain available until September 30,
10 1992 (58): *Provided further*, That of the funds appropriated
11 under this heading, not less than \$7,500,000 shall be avail-
12 able only for Lebanon.

13 (59) INTERNATIONAL FUND FOR IRELAND

14 For necessary expenses to carry out the provisions of
15 chapter 4 of part II, \$20,000,000, which shall be available
16 for the United States contribution to the International Fund
17 for Ireland and shall be made available in accordance with
18 the provisions of the Anglo-Irish Agreement Support Act of
19 1986 (Public Law 99-415): *Provided*, That such amount
20 shall be expended at the minimum rate necessary to make
21 timely payment for projects and activities: *Provided further*,
22 That funds made available under this heading shall remain
23 available until expended.

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

3 ASSISTANCE FOR EASTERN EUROPE

4 (a) For necessary expenses to carry out the
 5 provisions of the Foreign Assistance Act of 1961 and the
 6 Support for East European Democracy (SEED) Act of 1989,
 7 ~~(62) \$418,675,000~~ \$320,000,000, to remain available until
 8 expended, which shall be available, notwithstanding any
 9 other provision of law, for economic assistance for Eastern
 10 Europe as follows—

11 (1) ~~(63) \$80,000,000~~ \$35,000,000 shall be pro-
 12 vided for technical assistance and training, including
 13 such activities as support for labor activities, scholar-
 14 ship programs, ~~(64) medical assistance~~, and support
 15 for private sector development *and medical assistance*;

16 (2) ~~(65) \$30,000,000~~ \$15,000,000 shall be pro-
 17 vided for technical and other assistance to support
 18 ~~(66) the housing sectors~~ (67) in East European
 19 countries;

20 (3) \$75,000,000 shall be provided for environment
 21 and energy activities ~~(68)~~, *with emphasis on assist-*
 22 *ance in developing policies encouraging, and providing*
 23 *incentives for, end-use energy efficiency (including*
 24 *preparation of least-cost energy plans), conservation,*
 25 *and reliance on renewable energy resources;*

1 (4) ~~(69)~~ ~~\$20,000,000~~ \$7,500,000 shall be pro-
2 vided for activities to foster democratic plural-
3 ism ~~(70)~~, *including support, based on recommenda-*
4 *tions of the bipartisan joint leadership of Congress, for*
5 *the newly elected parliaments in Eastern Europe*
6 *through, among other things, exchanges involving mem-*
7 *bers, staff, and support agencies of Congress and the*
8 *parliaments in Eastern Europe;*

9 (5) ~~(71)~~ ~~\$112,675,000~~ \$72,500,000 shall be pro-
10 vided for the Polish-American and Hungarian-Ameri-
11 can Enterprise Funds; ~~(72)~~ and

12 (6) ~~(73)~~ ~~\$100,000,000~~ \$65,000,000 shall be pro-
13 vided for other private enterprise activities ~~(74)~~, *with*
14 *emphasis on technical assistance and training for de-*
15 *velopment of market-oriented policies, restructuring*
16 *and creation of financial institutions (such as stock*
17 *markets, insurance companies and banks), creation*
18 *and management of private business organizations, and*
19 *privatization of State business organizations; and*

20 (7) \$50,000,000 shall be provided for agricultural
21 activities, *with emphasis on technical assistance and*
22 *training for development of market-oriented policies, re-*
23 *structuring and creation of agricultural financial insti-*
24 *tutions and marketing systems, creation and manage-*
25 *ment of agribusiness organizations (including farmer-*

1 *owned cooperatives), and privatization of State farms,*
2 *agribusiness and credit institutions.*

3 (b)(1) Funds allocated by this Act for any of the para-
4 graphs under subsection (a) may be reallocated for the pur-
5 poses of any other such paragraph if, at least 15 days prior to
6 such reallocation, the Committees on Appropriations are no-
7 tified in accordance with regular notification procedures.

8 (2) None of the funds appropriated under this heading
9 shall be made available except as provided through the regu-
10 lar notification procedures of the Committees on Appro-
11 priations.

12 (75) (3) *Not more than 50 per centum of the funds*
13 *provided under subsections (a) (1) and (3) which are made*
14 *available for environment and health-related assistance ac-*
15 *tivities may be made available for any single country.*

16 (c) Funds made available for the Polish-American and
17 Hungarian-American Enterprise Funds shall be expended at
18 the minimum rate necessary to make timely payment for
19 projects and activities.

20 (76) (d) *Up to \$1,000,000 of the funds appropriated*
21 *under this heading may be used for the administrative ex-*
22 *penses incurred by the Agency for International Development*
23 *in connection with administering programs for Eastern*
24 *Europe: Provided, That the authority of this subsection shall*
25 *supersede for fiscal year 1991 the provisions of section 803 of*

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

3 **(77)(e)** *Funds appropriated under this heading shall*
4 *be considered to be economic assistance under the Foreign*
5 *Assistance Act of 1961 for purposes of making available the*
6 *administrative authorities contained in that Act for the use of*
7 *economic assistance.*

8 **INDEPENDENT AGENCIES**

9 **AFRICAN DEVELOPMENT FOUNDATION**

10 For necessary expenses to carry out the provisions of
11 title V of the International Security and Development Coop-
12 eration Act of 1980, Public Law 96-533, and to make such
13 contracts and commitments without regard to fiscal year limi-
14 tations, as provided by section 9104, title 31, United States
15 Code, \$13,000,000: *Provided*, That, when, with the permis-
16 sion of the Foundation, funds made available to a grantee
17 under this heading are invested pending disbursement, the
18 resulting interest is not required to be deposited in the United
19 States Treasury if the grantee uses the resulting interest for
20 the purpose for which the grant was made. This provision
21 applies with respect to both interest earned before and inter-
22 est earned after the enactment of this provision.

23 **INTER-AMERICAN FOUNDATION**

24 For expenses necessary to carry out the functions of the
25 Inter-American Foundation in accordance with the provisions
26 of section 401 of the Foreign Assistance Act of 1969, and to

1 make such contracts and commitments without regard to
2 fiscal year limitations, as provided by section 9104, title 31,
3 United States Code, \$25,000,000.

4 OVERSEAS PRIVATE INVESTMENT CORPORATION

5 The Overseas Private Investment Corporation is au-
6 thorized to make such expenditures within the limits of funds
7 available to it and in accordance with law (including not to
8 exceed \$35,000 for official reception and representation ex-
9 penses), and to make such contracts and commitments with-
10 out regard to fiscal year limitations, as provided by section
11 9104 of title 31, United States Code, as may be necessary in
12 carrying out the program set forth in the budget for the cur-
13 rent fiscal year.

14 During the fiscal year 1991 and within the resources
15 and authority available, gross obligations for the amount of
16 direct loans shall not exceed \$40,000,000.

17 During the fiscal year 1991, total commitments to guar-
18 antee loans shall not exceed \$250,000,000 of contingent li-
19 ability for loan principal.

20 PEACE CORPS

21 For expenses necessary to carry out the provisions of
22 the Peace Corps Act (75 Stat. 612), \$186,000,000, including
23 the purchase of not to exceed five passenger motor vehicles
24 for administrative purposes for use outside of the United
25 States: *Provided*, That none of the funds appropriated under
26 this heading shall be used to pay for abortions.

DEPARTMENT OF STATE

INTERNATIONAL NARCOTICS CONTROL

For necessary expenses to carry out the provisions of section 481 of the Foreign Assistance Act of 1961, \$150,000,000 (78): *Provided, That of the funds appropriated under this heading not more than \$117,792,000 may be obligated or expended until 15 days after the receipt by the Committees on Appropriations of a report from the Secretary of State describing measures being taken to correct management deficiencies in the Bureau of International Narcotics Matters identified in the report of the Inspector General of the Department of State dated January 1990.*

(79) ANTI-NARCOTICS RESOURCE REQUIREMENTS

(a) *The President, shall undertake an analysis of the requirements necessary to bolster anti-narcotic efforts and assets of transshipment countries identified in the President's strategy.*

(b) *The President shall submit to the Congress, at the time of the submission of the President's budget request for fiscal year 1992, a report describing the requirements indicated by the analysis under subsection (a).*

MIGRATION AND REFUGEE ASSISTANCE

For expenses, not otherwise provided for, necessary to enable the Secretary of State to provide, as authorized by law, a contribution to the International Committee of the Red Cross and assistance to refugees, including contributions

1 to the Intergovernmental Committee for Migration and the
2 United Nations High Commissioner for Refugees; salaries
3 and expenses of personnel and dependents as authorized by
4 the Foreign Service Act of 1980; allowances as authorized
5 by sections 5921 through 5925 of title 5, United States
6 Code; hire of passenger motor vehicles; and services as au-
7 thorized by section 3109 of title 5, United States Code;
8 \$485,648,000: *Provided*, That not less than \$45,000,000
9 shall be available for Soviet, Eastern European and other
10 refugees resettling in Israel (80): *Provided further*, That
11 not less than \$1,000,000 shall be available for Tibetan refu-
12 gees (81): *Provided further*, That not less than \$1,500,000
13 shall be available for the Thai-Cambodian border protection
14 program (82): *Provided further*, That not less than
15 \$1,500,000 shall be available for the antipiracy pro-
16 gram (83): *Provided further*, That not less than \$5,000,000
17 shall be available for a United States contribution to the
18 Thai Village Program (84): *Provided further*, That not less
19 than \$10,000,000 shall be available for implementation of
20 the Comprehensive Plan of Action: *Provided further*, That
21 funds appropriated under this heading shall be administered
22 in a manner that ensures equity in the treatment of all refu-
23 gees receiving Federal assistance: *Provided further*, That no
24 funds herein appropriated shall be used to assist directly in
25 the migration to any nation in the Western Hemisphere of

1 any person not having a security clearance based on reasona-
2 ble standards to ensure against Communist infiltration in the
3 Western Hemisphere: *Provided further*, That section
4 584(a)(1)(B) of the Foreign Operations, Export Financing,
5 and Related Programs Appropriations Act, 1988 (as con-
6 tained in section 101(e) of Public Law 100-202), is amended
7 by striking "during the period beginning on March 22, 1988,
8 and ending on September 30, 1990", and inserting "on or
9 after March 22, 1988": *Provided further*, That the ninth pro-
10 viso under Migration and Refugee Assistance, Department of
11 State, in title II of the Foreign Operations, Export Financ-
12 ing, and Related Programs Appropriations Act, 1989 is
13 amended by striking "and before the end" and all that fol-
14 lows through "subsection (a)(1)(B) of such section": *Provided*
15 *further*, That effective as of December 22, 1987, section
16 584(b)(2) of the Foreign Operations, Export Financing, and
17 Related Programs Appropriations Act, 1988 (as contained in
18 section 101(e) of Public Law 100-202) is amended by strik-
19 ing "the principal alien involved is unmarried and": *Provided*
20 *further*, That not more than ~~(85) \$8,250,000~~ \$8,528,000 of
21 the funds appropriated under this heading shall be available
22 for the administrative expenses of the Office of Refugee Pro-
23 grams of the Department of State: *Provided further*, That of
24 the funds appropriated under this heading, \$250,000 shall be
25 made available, notwithstanding any other provision of law,

1 for food, medicine, medical supplies, medical training, cloth-
2 ing, and other humanitarian assistance for any Burmese
3 person in Burma or Thailand who is displaced as a result of
4 events relating to civil conflict (86): *Provided further, That*
5 *the transfer of any funds appropriated under this heading to*
6 *programs for refugee admissions shall be subject to the reg-*
7 *ular notification procedures of the Committees on*
8 *Appropriations.*

9 UNITED STATES EMERGENCY REFUGEE AND MIGRATION

10 ASSISTANCE FUND

11 For necessary expenses to carry out the provisions of
12 section 2(c) of the Migration and Refugee Assistance Act
13 of 1962, as amended (22 U.S.C. 260(c)), ~~\$35,000,000~~
14 ~~\$26,500,000~~, to remain available until expended: *Provided,*
15 *That the funds made available under this heading are appro-*
16 *riated notwithstanding the provisions contained in section*
17 *2(c)(2) of the Migration and Refugee Assistance Act of 1962*
18 *which would limit the amount of funds which could be appro-*
19 *riated for this purpose.*

20 ANTI-TERRORISM ASSISTANCE

21 For necessary expenses to carry out the provisions of
22 chapter 8 of part II of the Foreign Assistance Act of 1961,
23 \$12,026,000.

1 TITLE III—MILITARY ASSISTANCE

2 FUNDS APPROPRIATED TO THE PRESIDENT

3 INTERNATIONAL MILITARY EDUCATION AND TRAINING

4 For necessary expenses to carry out the provisions of
5 section 541, \$47,196,000: *Provided*, That none of the funds
6 appropriated under this heading shall be made available for
7 grant financed military education and training for any coun-
8 try whose annual per capita GNP exceeds \$2,349 unless that
9 country agrees to fund from its own resources the transporta-
10 tion cost and living allowances of its students (87): *Provid-*
11 *ed further*, That not less than \$1,000,000 of the funds appro-
12 *priated under this heading shall be made available for devel-*
13 *oping, initiating, conducting and evaluating courses and*
14 *other programs for training foreign civilian and military offi-*
15 *cials in managing and administering military establishments*
16 *and budgets, and for training foreign military and civilian*
17 *officials in creating and maintaining effective military judi-*
18 *cial systems and military codes of conduct, including observ-*
19 *ance of internationally recognized human rights (88): Pro-*
20 *vided further*, That none of the funds appropriated under this
21 *heading shall be available for Malaysia, Zaire, Liberia,*
22 *Sudan, and Somalia (89): Provided further*, That section
23 *541 of the Foreign Assistance Act of 1961 is amended by*
24 *inserting the following sentence immediately after the first*
25 *sentence: "Such civilian personnel shall include foreign gov-*

1 *ernmental personnel of ministries other than ministries of de-*
 2 *fense if the military education and training would (i) con-*
 3 *tribute to responsible defense resource management, (ii) foster*
 4 *greater respect for and understanding of the principle of civil-*
 5 *ian control of the military, or (iii) improve military justice*
 6 *systems and procedures in accordance with internationally*
 7 *recognized human rights."*

8 FOREIGN MILITARY FINANCING PROGRAM

9 For expenses necessary for grants to enable the Presi-
 10 dent to carry out the provisions of section 23 of the Arms
 11 Export Control Act, (90) \$4,229,920,800 \$4,692,268,056:
 12 *Provided*, That of the funds appropriated by this paragraph
 13 not less than \$1,800,000,000 shall be available for grants
 14 only for Israel (91),—not less than \$50,000,000 shall be
 15 available for grants only for Jordan, and not less than
 16 \$1,300,000,000 shall be available for grants only for
 17 Egypt (92):—*Provided further*, That of the funds made
 18 available for Egypt not less than \$100,000,000 may be used
 19 for repayments pursuant to section 23(e) of the Arms Export
 20 Control Act (93): *Provided further*, That of the funds ap-
 21 propriated by this paragraph for Israel \$1,695,000,000 shall
 22 be disbursed within thirty days of enactment of this Act or by
 23 October 31, 1990, whichever is later: *Provided further*, That
 24 to the extent that the Government of Israel requests that
 25 funds be used for such purposes, grants made available for
 26 Israel by this paragraph shall, as agreed by Israel and the

1 United States, be available for advanced fighter aircraft pro-
2 grams or for other advanced weapons systems, as follows: (1)
3 up to \$150,000,000 shall be available for research and devel-
4 opment in the United States; and (2) not less than
5 \$475,000,000 shall be available for the procurement in Israel
6 of defense articles and defense services, including research
7 and development (94) :- *Provided further, That grants pro-*
8 *vided with funds made available by this paragraph shall be*
9 *implemented by grant documents which do not include a re-*
10 *quirement to repay the United States Government, notwith-*
11 *standing any requirement in section 23 of the Arms Export*
12 *Control Act: Provided further, That funds made available*
13 *under this heading shall be obligated upon apportionment in*
14 *accordance with paragraph (5)(C) of title 31, United States*
15 *Code, section 1501(a), and shall be nonrepayable notwith-*
16 *standing any requirement in section 23 of the Arms Export*
17 *Control Act: Provided further, That none of the funds made*
18 *available under this heading shall be available to finance the*
19 *procurement of defense articles, defense services, or design*
20 *and construction services that are not sold by the United*
21 *States Government under the Arms Export Control Act*
22 *unless the foreign country proposing to make such procure-*
23 *ments has first signed a grant agreement with the United*
24 *States Government specifying the conditions under which*
25 *such procurements may be financed with such funds.*

1 (95) For expenses necessary for loans to enable the
2 President to carry out the provisions of section 23 of the
3 Arms Export Control Act, \$405,000,000: *Provided*, That
4 any funds made available by this paragraph, except as other-
5 wise specified, may be made available at concessional rates of
6 interest: *Provided further*, That the concessional rate of in-
7 terest on Foreign Military Financing Program loans shall be
8 not less than 5 per centum per year: *Provided further*, That
9 all country and funding level changes in requested concess-
10 sional financing allocations shall be submitted through the
11 regular notification procedures: *Provided further*, That
12 during fiscal year 1991, gross obligations for the principal
13 amount of direct loans under this heading, exclusive of loan
14 guarantee defaults, shall not exceed \$405,000,000.

15 (96) Funds appropriated under this heading that are
16 allocated to Greece and Turkey shall be provided according
17 to a 7 to 10 ratio: *Provided*, That if Turkey receives any
18 funds under this heading on a grant basis then not less than
19 \$20,000,000 of the funds provided for Greece shall be made
20 available as grants: *Provided further*, That funds

21 *Funds* previously obligated for the Philippines under the
22 heading "Foreign Military Credit Sales" but uncommitted on
23 the date of enactment of this Act, shall be used at any time
24 hereafter only to finance sales made under the Arms Export
25 Control Act (97):—*Provided further*, That uncommitted bal-

1 ances of loans for the Philippines made under the authority of
2 section 23 of the Arms Export Control Act may be commit-
3 ted to a contract only until January 1, 1991 (98): *Provided*
4 *further, That the second sentence of section 505(f) of the For-*
5 *ign Assistance Act of 1961 is amended by striking out*
6 *"1975" and inserting "1985" in lieu thereof (99): Provided*
7 *further, That funds appropriated under this heading may be*
8 *used to provide aircraft (including helicopters) notwithstand-*
9 *ing any provision of law that would require them to be pro-*
10 *vided on a lease or loan basis: Provided further, That of the*
11 *funds appropriated under this heading not more than*
12 *\$2,887,000 shall be available for non-lethal assistance for*
13 *Guatemala: Provided further, That funds made available*
14 *under this heading for Guatemala shall be made available*
15 *only through the regular notification procedures of the Com-*
16 *mittees on Appropriations: Provided further, That none of*
17 *the funds appropriated under this heading shall be available*
18 *for Zaire Sudan (100), Liberia or Somalia: Provided fur-*
19 *ther, That not more than \$300,000,000 of the funds made*
20 *available under this heading shall be available for use in fi-*
21 *nancing the procurement of defense articles, defense services,*
22 *or design and construction services that are not sold by the*
23 *United States Government under the Arms Export Control*
24 *Act to countries other than Israel and Egypt: Provided fur-*
25 *ther, That only those countries for which assistance was jus-*

1 titled for the "Foreign Military Sales Financing Program" in
2 the fiscal year 1989 congressional presentation for security
3 assistance programs may utilize funds made available under
4 this heading for procurement of defense articles, defense serv-
5 ices or design and construction services that are not sold by
6 the United States Government under the Arms Export Con-
7 trol Act: *Provided further*, That any material assistance pro-
8 vided with funds appropriated under this heading for Haiti
9 shall be limited to non-lethal items such as transportation and
10 communications equipment and uniforms: *Provided further*,
11 That funds made available under this heading for Haiti shall
12 be made available only through the regular notification pro-
13 cedures of the Committees on Appropriations: *Provided fur-*
14 *ther*, That funds appropriated under this heading shall be ex-
15 pended at the minimum rate necessary to make timely pay-
16 ment for defense articles and services: *Provided further*, That
17 the Department of Defense shall conduct during the current
18 fiscal year nonreimbursable audits of private firms whose
19 contracts are made directly with foreign governments and are
20 financed with funds made available under this heading (as
21 well as subcontractors thereunder) as requested by the De-
22 fense Security Assistance Agency: *Provided further*, That
23 not more than \$27,920,800 of the funds appropriated under
24 this heading may be obligated for necessary expenses, includ-
25 ing the purchase of passenger motor vehicles for replacement

1 only for use outside of the United States, for the general
 2 costs of administering military assistance and sales: *Provided*
 3 *further*, That of the funds appropriated under this heading,
 4 ~~(101)~~ *not less than \$52,000,000 shall be available for Mo-*
 5 *rocco, (102) not more than ~~\$301,000,000~~ \$381,500,000*
 6 *only shall be available for Greece, (103) not more than*
 7 *~~\$430,000,000~~ \$545,000,000 only shall be available for*
 8 *Turkey (104),—and not more than ~~\$95,000,000~~ shall be*
 9 *available for Portugal.*

10 FOREIGN MILITARY SALES DEBT REFORM

11 Funds made available by the Foreign Operations;
 12 Export Financing, and Related Programs Appropriations
 13 Act, 1988, for obligation and expenditure after October 1,
 14 1988, subject to a Presidential budget request, under the
 15 heading "Foreign Military Sales Debt Reform", subsection
 16 (b) "Interest Rate Reduction" shall be available, subject to
 17 the same conditions and provisos, only after October 1, 1991.

18 GUARANTY RESERVE FUND

19 If during fiscal year 1991 the funds available in the
 20 Guaranty Reserve Fund (Fund) are insufficient to enable the
 21 Secretary of Defense (Secretary) to discharge his responsibil-
 22 ities, as guarantor of loans guaranteed pursuant to section 24
 23 of the Arms Export Control Act (AECA) or pursuant to the
 24 Foreign Operations, Export Financing, and Related Pro-
 25 grams Appropriations Act, 1988, under the heading "For-
 26 eign Military Sales Debt Reform", the Secretary shall issue

1 to the Secretary of the Treasury notes or other obligations in
2 such forms and denominations, bearing such maturities, and
3 subject to such terms and conditions, as may be prescribed by
4 the Secretary of the Treasury. Such notes or obligations may
5 be redeemed by the Secretary from appropriations and other
6 funds available, including repayments by the borrowers of
7 amounts paid pursuant to guarantees issued under section 24
8 of the AECA. Such notes or other obligations shall bear in-
9 terest at a rate determined by the Secretary of the Treasury,
10 taking into consideration the average market yield on out-
11 standing marketable obligations of the United States of com-
12 parable maturities during the month preceding the issuance
13 of the notes or other obligations. The Secretary of the Treas-
14 ury shall purchase any notes or other obligations issued here-
15 under and for that purpose he is authorized to use as a public
16 debt transaction the proceeds from the sale of any securities
17 issued under the Second Liberty Bond Act, and the purposes
18 for which securities may be issued under the Second Liberty
19 Bond Act are extended to include any purchase of such notes
20 or obligations. The Secretary of the Treasury may at any
21 time sell any of the notes or other obligations acquired by
22 him under this heading. All redemptions, purchases, and
23 sales by the Secretary of the Treasury of such notes or other
24 obligations shall be treated as public debt transactions of the
25 United States.

1 SPECIAL DEFENSE ACQUISITION FUND

2 (LIMITATION ON OBLIGATIONS)

3 (105)(a) Not to exceed (106) ~~\$278,796,000~~
4 \$350,000,000 may be obligated pursuant to section 51(c)(2)
5 of the Arms Export Control Act for the purposes of the Spe-
6 cial Defense Acquisition Fund during fiscal year 1991, to
7 remain available for obligation until September 30, 1993:
8 *Provided*, That section 632(d) of the Foreign Assistance Act
9 of 1961 shall be applicable to the transfer to countries pursu-
10 ant to chapter 2 of part II of that Act of defense articles and
11 defense services acquired under chapter 5 of the Arms
12 Export Control Act.

13 (107)(b)(1) *To the extent provided for in paragraph*
14 *(2) of this subsection, the President is authorized notwith-*
15 *standing any other provision of law to finance the purchase*
16 *by Israel of defense articles and defense services acquired by*
17 *the Secretary of Defense under chapter 5 of the Arms Export*
18 *Control Act under terms and conditions pursuant to which*
19 *Israel shall be required to pay one-third of the value thereof*
20 *by September 30, 1991, an additional one-third of the value*
21 *thereof by September 30, 1992, and the final one-third of the*
22 *value thereof by September 30, 1993.*

23 (2) *Of the funds available for Israel under this Act to*
24 *enable the President to carry out the provisions of section 23*
25 *of the Arms Export Control Act, not less than \$100,000,000*
26 *shall be available to finance the amount required to be paid*

1 *by Israel in connection with purchases under the authority of*
2 *paragraph (1) of this subsection during fiscal year 1991.*

3 **PEACEKEEPING OPERATIONS**

4 For necessary expenses to carry out the provisions of
5 section 551, \$32,800,000.

6 **TITLE IV—EXPORT ASSISTANCE**

7 **EXPORT-IMPORT BANK OF THE UNITED STATES**

8 The Export-Import Bank of the United States is author-
9 ized to make such expenditures within the limits of funds and
10 borrowing authority available to such corporation, and in ac-
11 cordance with law, and to make such contracts and commit-
12 ments without regard to fiscal year limitations, as provided
13 by section 104 of the Government Corporation Control Act,
14 as may be necessary in carrying out the program for the
15 current fiscal year for such corporation: *Provided*, That none
16 of the funds available during the current fiscal year may be
17 used to make expenditures, contracts, or commitments for the
18 export of nuclear equipment, fuel, or technology to any coun-
19 try other than a nuclear-weapon State as defined in article
20 IX of the Treaty on the Non-Proliferation of Nuclear Weap-
21 ons eligible to receive economic or military assistance under
22 this Act that has detonated a nuclear explosive after the date
23 of enactment of this Act.

24 **LIMITATION ON PROGRAM ACTIVITY**

25 During the fiscal year 1991 and within the resources
26 and authority available, gross obligations for the principal

1 amount of direct loans shall not exceed \$750,000,000: *Pro-*
2 *vided*, That there are hereby appropriated \$150,000,000 to
3 be made available for tied aid grants in accordance with sec-
4 tion 15 of the Export-Import Bank Act of 1945, as amended,
5 or, at the discretion of the Chairman of the Export-Import
6 Bank, in accordance with the Trade and Development En-
7 hancement Act of 1983, as amended: *Provided further*, That
8 there are hereby appropriated ~~(108)~~ \$8,000,000
9 \$25,000,000 to be made available for interest subsidy pay-
10 ments in accordance with the Export-Import Bank Act of
11 1945, as amended: *Provided further*, That the funds made
12 available under this heading for both grant and subsidy pur-
13 poses, including tied aid financed in part through the com-
14 bined use of concessional financing or grants offered by the
15 Agency for International Development, shall be subject to
16 the regular notification procedures of the Committees on Ap-
17 propriations of the House of Representatives and the Senate:
18 *Provided*, That \$150,000,000 of the funds made available for
19 tied aid grant purposes and ~~(109)~~ \$8,000,000 \$25,000,000
20 of the funds made available for interest subsidy payments
21 shall be subject to the limitation on the gross obligations for
22 the principal amount of direct loans specified under this head-
23 ing: *Provided further*, That the Bank shall use all amounts
24 appropriated to carry out the interest subsidy program to
25 make commitments to commercial lending institutions and

1 other lenders, subject only to the availability of qualified
2 lenders under the program: *Provided further*, That during the
3 fiscal year 1991, total commitments to guarantee loans shall
4 not exceed \$10,599,064,000 of contingent liability for loan
5 principal (110): *Provided further*, *That the authorities made*
6 *available under this title for the Export-Import Bank may be*
7 *used by the Bank, notwithstanding section 2(b)(2) of the*
8 *Export-Import Bank Act of 1945, in connection with the*
9 *purchase or lease of any product by any East European*
10 *country, or any agency or national thereof: Provided further,*
11 *That section 2(b)(6)(B)(vi) of the Export-Import Bank Act*
12 *of 1945 (12 U.S.C. 635(b)(6)(B)(vi)) is amended by strik-*
13 *ing out "1990" and inserting in lieu thereof "1992": Pro-*
14 *vided further*, That the direct loan, tied aid grant and interest
15 subsidy authority provided under this heading shall remain
16 available until September 30, 1992.

17 LIMITATION ON ADMINISTRATIVE EXPENSES

18 Not to exceed \$23,171,000 (to be computed on an ac-
19 crual basis) shall be available during fiscal year 1991 for ad-
20 ministrative expenses, including hire of passenger motor ve-
21 hicles and services as authorized by section 3109 of title 5,
22 United States Code, and not to exceed \$16,000 for official
23 reception and representation expenses for members of the
24 Board of Directors: *Provided*, That (1) fees or dues to inter-
25 national organizations of credit institutions engaged in financ-
26 ing foreign trade, (2) necessary expenses (including special

1 services performed on a contract or a fee basis, but not in-
2 cluding other personal services) in connection with the acqui-
3 sition, operation, maintenance, improvement, or disposition of
4 any real or personal property belonging to the Export-Import
5 Bank or in which it has an interest, including expenses of
6 collections of pledged collateral, or the investigation or ap-
7 praisal of any property in respect to which an application for
8 a loan has been made, and (3) expenses (other than internal
9 expenses of the Export-Import Bank) incurred in connection
10 with the issuance and servicing of guarantees, insurance, and
11 reinsurance, shall be considered as nonadministrative ex-
12 penses for the purposes of this heading.

13 **FUNDS APPROPRIATED TO THE PRESIDENT**

14 **TRADE AND DEVELOPMENT PROGRAM**

15 For necessary expenses to carry out the provisions of
16 section 661 of the Foreign Assistance Act of 1961,
17 \$35,000,000.

18 **AGENCY FOR INTERNATIONAL DEVELOPMENT**

19 **TRADE CREDIT INSURANCE PROGRAM**

20 During fiscal year 1991 total commitments to guarantee
21 or insure loans for the "Trade Credit Insurance Program"
22 for Central America pursuant to the authorities of section
23 224 of the Foreign Assistance Act of 1961, shall not exceed
24 \$200,000,000 of contingent liability for loan principal: *Pro-*
25 *vided*, That section 224(c) of the Foreign Assistance Act of

1 1961, is amended by striking out "September 30, 1990" and
2 inserting in lieu thereof "September 30, 1991".

3 During fiscal year 1991, total commitments to guaran-
4 tee or insure loans for the "Trade Credit Insurance Pro-
5 gram" for Poland, pursuant to the authorities of section 225
6 of the Foreign Assistance Act of 1961, shall not exceed
7 \$200,000,000 of contingent liability for loan principal: *Pro-*
8 *vided*, That notwithstanding section 225(b) of such Act guar-
9 antees provided under this paragraph may be available for
10 medium-term guarantees and insurance extended by the
11 Export-Import Bank.

12 TITLE V—GENERAL PROVISIONS

13 COST BENEFIT STUDIES

14 SEC. 501. None of the funds appropriated in this Act
15 (other than funds appropriated for "International Organiza-
16 tions and Programs") shall be used to finance the construc-
17 tion of any new flood control, reclamation, or other water or
18 related land resource project or program which has not met
19 the standards and criteria used in determining the feasibility
20 of flood control, reclamation, and other water and related
21 land resource programs and projects proposed for construc-
22 tion within the United States of America under the princi-
23 ples, standards and procedures established pursuant to the
24 Water Resources Planning Act (42 U.S.C. 1962, et seq.) or
25 Acts amendatory or supplementary thereto.

1 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

2 SEC. 502. Except for the appropriations entitled "Inter-
3 national Disaster Assistance", and "United States Emer-
4 gency Refugee and Migration Assistance Fund", not more
5 than 15 per centum of any appropriation item made available
6 by this Act shall be obligated during the last month of
7 availability.

8 PROHIBITION AGAINST PAY TO FOREIGN ARMED SERVICE**9 MEMBER**

10 SEC. 503. None of the funds appropriated in this Act
11 nor any of the counterpart funds generated as a result of
12 assistance hereunder or any prior Act shall be used to pay
13 pensions, annuities, retirement pay, or adjusted service com-
14 pensation for any person heretofore or hereafter serving in
15 the armed forces of any recipient country.

16 TERMINATION FOR CONVENIENCE

17 SEC. 504. None of the funds appropriated or made
18 available pursuant to this Act for carrying out the Foreign
19 Assistance Act of 1961, may be used for making payments
20 on any contract for procurement to which the United States
21 is a party entered into after the date of enactment of this Act
22 which does not contain a provision authorizing the termina-
23 tion of such contract for the convenience of the United
24 States.

1 **REPRESENTATIONAL ALLOWANCES**

2 **SEC. 509.** Of the funds appropriated or made available
3 pursuant to this Act, not to exceed \$115,000 shall be avail-
4 able for representation allowances for the Agency for Inter-
5 national Development during the current fiscal year: *Provid-*
6 *ed,* That appropriate steps shall be taken to assure that, to
7 the maximum extent possible, United States-owned foreign
8 currencies are utilized in lieu of dollars: *Provided further,*
9 That of the funds made available by this Act for general costs
10 of administering military assistance and sales under the head-
11 ing "Foreign Military Financing Program", not to exceed
12 \$2,875 shall be available for entertainment expenses and not
13 to exceed \$75,000 shall be available for representation allow-
14 ances: *Provided further,* That of the funds made available by
15 this Act under the heading "International Military Education
16 and Training", not to exceed \$125,000 shall be available for
17 entertainment allowances: *Provided further,* That of the
18 funds made available by this Act for the Inter-American
19 Foundation, not to exceed \$2,875 shall be available for en-
20 tertainment and representation allowances: *Provided further,*
21 That of the funds made available by this Act for the Peace
22 Corps, not to exceed a total of \$4,600 shall be available for
23 entertainment expenses: *Provided further,* That of the funds
24 made available by this Act under the heading "Trade and

1 Development Program", not to exceed \$2,300 shall be avail-
2 able for representation and entertainment allowances.

3 PROHIBITION ON FINANCING NUCLEAR GOODS

4 SEC. 510. None of the funds appropriated or made
5 available (other than funds for "International Organizations
6 and Programs") pursuant to this Act, for carrying out the
7 Foreign Assistance Act of 1961, may be used to finance the
8 export of nuclear equipment, fuel, or technology.

9 HUMAN RIGHTS

10 SEC. 511. Funds appropriated by this Act may not be
11 obligated or expended to provide assistance to any country
12 for the purpose of aiding the efforts of the government of
13 such country to repress the legitimate rights of the population
14 of such country contrary to the Universal Declaration of
15 Human Rights.

16 PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN

17 COUNTRIES

18 SEC. 512. None of the funds appropriated or otherwise
19 made available pursuant to this Act shall be obligated or ex-
20 pended to finance directly any assistance or reparations to
21 Angola, Cambodia, Cuba, Iraq, Libya, the Socialist Republic
22 of Vietnam, Iran, or Syria: *Provided*, That for purposes of
23 this section, the prohibition on obligations or expenditures
24 shall include direct loans, credits, insurance and guarantees
25 of the Export-Import Bank or its agents.

MILITARY COUPS

1
2 SEC. 513. None of the funds appropriated or otherwise
3 made available pursuant to this Act shall be obligated or ex-
4 pended to finance directly any assistance to any country
5 whose duly elected Head of Government is deposed by mili-
6 tary coup or decree: *Provided*, That assistance may be re-
7 sumed to such country if the President determines and re-
8 ports to the Committees on Appropriations that subsequent
9 to the termination of assistance a democratically elected
10 government has taken office.

TRANSFERS BETWEEN ACCOUNTS

11
12 SEC. 514. None of the funds made available by this Act
13 may be obligated under an appropriation account to which
14 they were not appropriated, unless the President, prior to the
15 exercise of any authority contained in the Foreign Assistance
16 Act of 1961 to transfer funds, consults with and provides a
17 written policy justification to the Committees on Appropria-
18 tions of the House of Representatives and the Senate:
19 *Provided* (111) *further*, That the exercise of such authority
20 shall be subject to the regular notification procedures of the
21 Committees on Appropriations.

DEOBLIGATION/REOBLIGATION AUTHORITY

22
23 SEC. 515. (112) (a) Amounts certified pursuant to sec-
24 tion 1311 of the Supplemental Appropriations Act, 1955, as
25 having been obligated against appropriations heretofore made
26 under the authority of the Foreign Assistance Act of 1961 for

1 the same general purpose as any of the headings under the
2 "Agency for International Development" are, if deobligated,
3 hereby continued available for the same period as the respec-
4 tive appropriations under such headings or until Septem-
5 ber 30, 1991, whichever is later, and for the same general
6 purpose, and for countries within the same region as original-
7 ly obligated: *Provided*, That the Appropriations Committees
8 of both Houses of the Congress are notified fifteen days in
9 advance of the deobligation and reobligation of such funds in
10 accordance with regular notification procedures of the Com-
11 mittees on Appropriations.

12 **(113)(b)** *Obligated balances of funds appropriated to*
13 *carry out section 23 of the Arms Export Control Act as of the*
14 *end of the fiscal year immediately preceding the current*
15 *fiscal year are, if deobligated in accordance with amendments*
16 *of applicable grant or loan agreements, hereby continued*
17 *available during the current fiscal year for the same purpose*
18 *under any authority applicable to such appropriations under*
19 *this Act: Provided*, That the Appropriations Committees of
20 both Houses of the Congress are notified fifteen days in ad-
21 vance of the deobligation and reobligation of such funds in
22 accordance with regular notification procedures of the Com-
23 mittee on Appropriations.

24 **PROHIBITION ON PUBLICITY OR PROPAGANDA**

25 **SEC. 516.** No part of any appropriation contained in this
26 Act shall be used for publicity or propaganda purposes within

1 the United States not authorized before the date of enact-
2 ment of this Act by the Congress.

3 AVAILABILITY OF FUNDS

4 SEC. 517. No part of any appropriation contained in this
5 Act shall remain available for obligation after the expiration
6 of the current fiscal year unless expressly so provided in this
7 Act: *Provided*, That funds appropriated for the purposes of
8 chapter 1 of part I (114), *section 667*, and chapter 4 of part
9 II of the Foreign Assistance Act of 1961, as amended, shall
10 remain available until expended if such funds are initially ob-
11 ligated before the expiration of their respective periods of
12 availability contained in this Act: *Provided further*, That,
13 notwithstanding any other provision of this Act, any
14 funds made available for the purposes of chapter 1 of part
15 I (115), ~~*section 667*~~, and chapter 4 of part II of the For-
16 eign Assistance Act of 1961 which are allocated or obligated
17 for cash disbursements in order to address balance of pay-
18 ments or economic policy reform objectives, shall remain
19 available until expended: *Provided further*, That the report
20 required by section 653(a) of the Foreign Assistance Act of
21 1961 shall designate for each country, to the extent known at
22 the time of submission of such report, those funds allocated
23 for cash disbursement for balance of payment and economic
24 policy reform purposes.

1 **LIMITATION ON ASSISTANCE TO COUNTRIES IN DEFAULT**

2 **SEC. 518.** No part of any appropriation contained in this
3 Act shall be used to furnish assistance to any country which
4 is in default during a period in excess of one calendar year in
5 payment to the United States of principal or interest on any
6 loan made to such country by the United States pursuant to a
7 program for which funds are appropriated under this Act:
8 *Provided,* That this section and section 620(q) of the Foreign
9 Assistance Act of 1961 shall not apply to funds made avail-
10 able in this Act (116) for Nicaragua, and for any narcotics-
11 related assistance in Colombia, Bolivia, and Peru authorized
12 by the Foreign Assistance Act of 1961, as amended, or the
13 Arms Export Control Act.

14 **FINANCIAL INSTITUTIONS—NAMES OF BORROWERS**

15 **SEC. 519.** None of the funds appropriated or made
16 available pursuant to this Act shall be available to any inter-
17 national financial institution whose United States governor or
18 representative cannot upon request obtain the amounts and
19 the names of borrowers for all loans of the international fi-
20 nancial institution, including loans to employees of the insti-
21 tution, or the compensation and related benefits of employees
22 of the institution.

23 **FINANCIAL INSTITUTIONS—DOCUMENTATION**

24 **SEC. 520.** None of the funds appropriated or made
25 available pursuant to this Act shall be available to any inter-
26 national financial institution whose United States governor or

1 (b) None of the funds appropriated by this or any other
2 Act to carry out chapter 1 of part I of the Foreign Assistance
3 Act of 1961 shall be available for any testing or breeding
4 feasibility study, variety improvement or introduction, consul-
5 tancy, publication, conference, or training in connection with
6 the growth or production in a foreign country of an agricul-
7 tural commodity for export which would compete with a simi-
8 lar commodity grown or produced in the United States: *Pro-*
9 *vided*, That this subsection shall not prohibit—

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

14 (2) research activities intended primarily to benefit
15 American producers.

16 (c) None of the funds provided in this Act to the Agency
17 for International Development, other than funds made avail-
18 able to carry out Caribbean Basin Initiative programs under
19 the Tariff Schedules of the United States, section 1202 of
20 title 19, United States Code, schedule 8, part I, subpart B,
21 item 807.00, shall be obligated or expended—

22 (1) to procure directly feasibility studies or prefea-
23 sibility studies for, or project profiles of potential in-
24 vestment in, the manufacture, for export to the United
25 States or to third country markets in direct competition

1 with United States exports, of import-sensitive articles
2 as defined by section 503(c)(1) (A) and (E) of the Tariff
3 Act of 1930 (19 U.S.C. 2463(c)(1) (A) and (E)); or
4 (2) to assist directly in the establishment of facili-
5 ties specifically designed for the manufacture, for
6 export to the United States or to third country markets
7 in direct competition with United States exports, of
8 import-sensitive articles as defined in section 503(c)(1)
9 (A) and (E) of the Tariff Act of 1930 (19 U.S.C.
10 2463(c)(1) (A) and (E)).

11 **SURPLUS COMMODITIES**

12 **SEC. 522.** The Secretary of the Treasury shall instruct
13 the United States Executive Directors of the International
14 Bank for Reconstruction and Development, the International
15 Development Association, the International Finance Corpo-
16 ration, the Inter-American Development Bank, the Interna-
17 tional Monetary Fund, the Asian Development Bank, the
18 Inter-American Investment Corporation, the African Devel-
19 opment Bank, and the African Development Fund to use the
20 voice and vote of the United States to oppose any assistance
21 by these institutions, using funds appropriated or made avail-
22 able pursuant to this Act, for the production or extraction of
23 any commodity or mineral for export, if it is in surplus on
24 world markets and if the assistance will cause substantial
25 injury to United States producers of the same, similar, or
26 competing commodity.

1 amount justified to the Appropriations Committees for obliga-
2 tion under any of these specific headings for the current fiscal
3 year unless the Appropriations Committees of both Houses of
4 Congress are previously notified fifteen days in advance: *Pro-*
5 *vided*, That the President shall not enter into any commit-
6 ment of funds appropriated for the purposes of section 23 of
7 the Arms Export Control Act for the provision of major de-
8 fense equipment, other than conventional ammunition, or
9 other major defense items defined to be aircraft, ships, mis-
10 siles, or combat vehicles, not previously justified to Congress
11 or 20 per centum in excess of the quantities justified to Con-
12 gress unless the Committees on Appropriations are notified
13 fifteen days in advance of such commitment (117) or unless
14 such commitment is necessitated by an emergency and the
15 Committees are notified within three days after the commit-
16 ment is made with an explanation of the emergency circum-
17 stances (118): *Provided further*, That with respect to as-
18 sistance provided under chapter 1 of part I of the Foreign
19 Assistance Act of 1961, as amended, the requirements of this
20 section for notification prior to reprogramming funds shall
21 apply only for a project, program, or activity (1) which was
22 not justified in Congressional presentation documents for the
23 current fiscal year and for which assistance was not provided
24 in the preceding fiscal year, (2) the purpose for which is sig-
25 nificantly different from the purpose previously justified, or

1 (3) the assistance would cause the total amount allocated for
 2 a country from such chapter to exceed the amount allocated
 3 for that country from such chapter (or would be in excess of
 4 the total amount allocated from such chapter) in the report
 5 required by section 653(a) of the Foreign Assistance Act of
 6 1961 (119): *Provided further, That this section shall not*
 7 *apply to any reprogramming for an activity, program, or*
 8 *project under chapter 1 of part I of the Foreign Assistance*
 9 *Act of 1961 of less than 20 per centum of the amount previ-*
 10 *ously justified to the Congress for obligation for such activi-*
 11 *ty, program, or project for the current fiscal year.*

12 CONSULTING SERVICES

13 SEC. 524. The expenditure of any appropriation under
 14 this Act for any consulting service through procurement con-
 15 tract, pursuant to section 3109 of title 5, United States Code,
 16 shall be limited to those contracts where such expenditures
 17 are a matter of public record and available for public inspec-
 18 tion, except where otherwise provided under existing law, or
 19 under existing Executive order pursuant to existing law.

20 PROHIBITION ON ABORTION LOBBYING

21 SEC. 525. None of the funds appropriated under this
 22 Act may be used to lobby for abortion.

23 LIMITATION ON AVAILABILITY OF FUNDS FOR

24 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

25 SEC. 526. (a) Notwithstanding any other provision of
 26 law or of this Act, none of the funds provided for "Interna-

1 tional Organizations and Programs" shall be available for the
2 United States proportionate share for any programs for the
3 Palestine Liberation Organization (or for projects whose pur-
4 pose is to provide benefits to the Palestine Liberation Organi-
5 zation or entities associated with it), Libya, Iran, or, at the
6 discretion of the President, Communist countries listed in
7 section 620(f) of the Foreign Assistance Act of 1961, as
8 amended: *Provided*, That, subject to the regular notification
9 procedures of the Committees on Appropriations, funds ap-
10 propriated under this Act or any previously enacted Act
11 making appropriations for foreign operations, export financ-
12 ing, and related programs, which are returned or not made
13 available for organizations and programs because of the im-
14 plementation of this section or any similar provision of law,
15 shall remain available for obligation through September 30,
16 1992.

17 (b) The United States shall not make any voluntary or
18 assessed contribution—

19 (1) to any affiliated organization of the United Na-
20 tions which grants full membership as a state to any
21 organization or group that does not have the interna-
22 tionally recognized attributes of statehood, or

23 (2) to the United Nations, if the United Nations
24 grants full membership as a state in the United Na-

1 tions to any organization or group that does not have
2 the internationally recognized attributes of statehood,
3 during any period in which such membership is effective.

4 LOANS TO ISRAEL UNDER ARMS EXPORT CONTROL ACT

5 SEC. 527. Notwithstanding any other provision of law,
6 Israel may utilize any loan which is or was made available
7 under the Arms Export Control Act and for which repayment
8 is or was forgiven before utilizing any other loan made avail-
9 able under the Arms Export Control Act.

10 (120) PROHIBITION AGAINST UNITED STATES

11 EMPLOYEES RECOGNIZING OR NEGOTIATING WITH PLO

12 SEC. 528. In reaffirmation of the 1975 memorandum of
13 agreement between the United States and Israel, and in ac-
14 cordance with section 1302 of the International Security
15 and Development Cooperation Act of 1985 (Public Law 99-
16 83), no employee of or individual acting on behalf of the
17 United States Government shall recognize or negotiate with
18 the Palestine Liberation Organization or representatives
19 thereof, so long as the Palestine Liberation Organization does
20 not recognize Israel's right to exist, does not accept Security
21 Council Resolutions 242 and 338, and does not renounce the
22 use of terrorism.

1 **PROHIBITION ON CONTRACTS WITH THE PALESTINE**
2 **LIBERATION ORGANIZATION**

3 *SEC. 528. Notwithstanding any other provision of law,*
4 *no funds appropriated or otherwise made available to the*
5 *President by this Act for fiscal year 1991 or thereafter shall*
6 *be used to support, enhance, develop, or otherwise sustain*
7 *contacts with the Palestine Liberation Organization or any*
8 *of its constituent parts, persons, or entities under its control*
9 *or influence by any department, agency, official or entity*
10 *under the jurisdiction of the Government of the United*
11 *States.*

12 **ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL**

13 **SEC. 529.** The Congress finds that progress on the
14 peace process in the Middle East is vitally important to
15 United States security interests in the region. The Congress
16 recognizes that, in fulfilling its obligations under the Treaty
17 of Peace Between the Arab Republic of Egypt and the State
18 of Israel, done at Washington on March 26, 1979, Israel
19 incurred severe economic burdens. Furthermore, the Con-
20 gress recognizes that an economically and militarily secure
21 Israel serves the security interests of the United States, for a
22 secure Israel is an Israel which has the incentive and confi-
23 dence to continue pursuing the peace process. Therefore, the
24 Congress declares that it is the policy and the intention of the
25 United States that the funds provided in annual appropria-
26 tions for the Economic Support Fund which are allocated to

1 Israel shall not be less than the annual debt repayment (in-
 2 terest and principal) from Israel to the United States Govern-
 3 ment in recognition that such a principle serves United States
 4 interests in the region.

5 CEILINGS AND EARMARKS

6 SEC. 530. Ceilings and earmarks contained in this Act
 7 shall not be applicable to funds or authorities appropriated or
 8 otherwise made available by any subsequent Act unless such
 9 Act specifically so directs.

10 ASSISTANCE FOR EL SALVADOR

11 (121) SEC. 531. (a) STATEMENT OF POLICY.—It
 12 shall be the policy of the United States—

13 (1) to support the Central American Presidents'
 14 Agreement of December 12, 1980, calling upon the
 15 Farabundo Marti National Liberation Front (hereafter
 16 in this section referred to as the "FMLN") to cease its
 17 hostilities and renounce all types of violent actions that
 18 may directly or indirectly affect the civilian population
 19 of El Salvador;

20 (2) to support an active role for the Secretary
 21 General of the United Nations and the Secretary Gen-
 22 eral of the Organization of American States in negotia-
 23 tions between the Government of El Salvador and the
 24 FMLN for the purpose of achieving a ceasefire and a
 25 permanent settlement to the conflict in El Salvador;
 26 and

1 (3) to review the level of military assistance for
2 El Salvador on a periodic basis, taking into account
3 both—

4 (A) the demonstrated willingness of the Gov-
5 ernment of El Salvador and the FMLN to negoti-
6 ate seriously and in good faith for the purpose of
7 achieving a ceasefire and a permanent settlement
8 to the conflict in El Salvador; and

9 (B) the actions of each side that affect the
10 basic human rights of the Salvadoran people.

11 (b) INCENTIVES FOR PEACE: AMOUNTS OF MILITARY
12 ASSISTANCE AVAILABLE FOR EL SALVADOR.—

13 (1) FISCAL YEAR 1991.—

14 (A) MAXIMUM LEVEL OF MILITARY ASSIST-
15 ANCE.—The amount allocated for military assist-
16 ance for El Salvador for fiscal year 1991 may not
17 exceed \$85,000,000.

18 (B) CONDITIONAL WITHHOLDING OF HALF
19 OF MILITARY ASSISTANCE.—Half of the funds al-
20 located for military assistance for El Salvador for
21 fiscal year 1991 shall be withheld from obligation
22 for military assistance unless and until the Presi-
23 dent submits to the Congress a report containing
24 the determination regarding the FMLN described
25 in subsection (c).

(C) **FRANCHISING OF ASSISTANCE.**—Not more than half of the amount allocated for military assistance for El Salvador for fiscal year 1991 that is not being withheld from obligation pursuant to subparagraph (B) may be obligated before March 1, 1991. In order to provide time for congressional review of the report required to be submitted on that date by subsection (g), funds that become available for obligation under this subparagraph as of that date may not be expended during the 30-day period beginning on that date.

(2) **USE OF FUNDS IF DETERMINATION REGARDING FMLN NOT MADE.**—At the end of fiscal year 1991, the President shall transfer any military assistance funds then being withheld pursuant to paragraph (1)(B) to appropriations accounts for development assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 and following) for use in providing assistance for child nutrition, health, housing, education, or other programs serving the basic human needs of the people of El Salvador. Funds so transferred shall remain available until expended notwithstanding any other provision of law. Section 684A of the Foreign Assistance Act of 1961

1 (22 U.S.C. 2394-1; relating to reprogramming proce-
2 dures) applies with respect to the obligation of any
3 funds so transferred.

4 (3) **TERMINATION OF MILITARY ASSISTANCE.**—If
5 the President submits to the Congress a report con-
6 taining the determination regarding the Government of
7 El Salvador described in subsection (d), all military as-
8 sistance for El Salvador for fiscal year 1991 shall be
9 terminated, including deliveries of previously obligated
10 military assistance. All military assistance shall be ter-
11 minated pursuant to this paragraph without regard to
12 whether a report is submitted containing the determi-
13 nation regarding the FMLN described in subsection (c).

14 (4) **RESUMPTION OF MILITARY ASSISTANCE.**—If,
15 after submitting to the Congress a report containing
16 the determination regarding the Government of El Sal-
17 vador described in subsection (d), the President finds
18 that the facts giving rise to that determination no
19 longer prevail, the President may submit to the Con-
20 gress a report describing the reasons for such finding.
21 If the President submits such a report under this para-
22 graph, military assistance for El Salvador may be re-
23 sumed, subject to the requirements of this section.

24 (e) **CONDUCT OF THE FMLN RESULTING IN A RE-**
25 **LEASE OF WITHHELD ASSISTANCE.**—The determination

1 described in this subsection is a determination by the Presi-
2 dent that—

3 (1) the representatives of the FMLN—

4 (A) are declining to participate in good faith
5 in negotiations for a ceasefire and a permanent
6 settlement to the armed conflict in El Salvador,
7 or

8 (B) are rejecting or otherwise failing to sup-
9 port an active role for the Secretary General of
10 the United Nations in those negotiations;

11 (2) the United States Government has proof that
12 the FMLN is continuing to acquire or receive signifi-
13 cant shipments of lethal military equipment from out-
14 side El Salvador, and this proof has been shared with
15 the Congress;

16 (3) the survival of the constitutional Government
17 of El Salvador is being jeopardized by substantial and
18 sustained offensive military actions or operations by the
19 FMLN; or

20 (4) the FMLN is assassinating or abducting civil-
21 ian noncombatants, is engaging in other acts of vio-
22 lence directed at civilian targets, or is failing to control
23 such activities by elements subject to FMLN control.

24 (d) CONDUCT OF THE GOVERNMENT OF EL SALVADOR
25 RESULTING IN A TERMINATION OF ASSISTANCE.—The de-

1 termination described in this subsection is a determination by
2 the President that—

3 (1) the duly-elected Head of Government of El
4 Salvador has been deposed by military coup or decree;

5 (2) the Government of El Salvador is declining to
6 participate in good faith in negotiations for a ceasefire
7 and a permanent settlement to the armed conflict, or is
8 rejecting or otherwise failing to support an active role
9 for the Secretary General of the United Nations in
10 those negotiations;

11 (3) the Government of El Salvador is failing to
12 conduct a thorough and professional investigation into,
13 and prosecution of those responsible for, the eight mur-
14 ders at the University of Central America on Novem-
15 ber 16, 1989; or

16 (4) the military or security forces of El Salvador
17 are assassinating or abducting civilian noncombatants,
18 are engaging in other acts of violence directed at civil-
19 ian targets, or are failing to control such activities by
20 elements subject to the control of those forces.

21 (e) **SUBMISSION OF REPORTS CONTAINING DETERMI-**
22 **NATIONS.**—The President may submit to the Congress at
23 any time a report containing the determination regarding the
24 FMLN described in subsection (c) or containing the determi-
25 nation regarding the Government of El Salvador described in

1 subsection (d). If the President determines that any of the
2 conditions described in subsection (e) or subsection (d) exist,
3 the President shall immediately report that determination to
4 the Congress.

5 (f) **STRENGTHENING CIVILIAN CONTROL OVER THE**
6 **MILITARY.**—In order to strengthen the control of the demo-
7 cratically elected civilian government of El Salvador over the
8 armed forces of that country, military assistance for fiscal
9 year 1991 may be delivered to the armed forces of El Salva-
10 dor only with the prior approval of the President of El
11 Salvador.

12 (g) **REPORTS ON SITUATION IN EL SALVADOR.**—
13 Thirty days after the date of enactment of this Act and on
14 March 1, 1991, the President shall submit to the Congress a
15 report describing—

16 (1) the willingness or unwillingness of the Gov-
17 ernment of El Salvador and the FMLN to negotiate
18 seriously and in good faith for the purpose of achieving
19 a ceasefire and a permanent settlement to the conflict
20 in El Salvador;

21 (2) the status of the negotiations;

22 (3) the criteria that the President will use in de-
23 ciding whether to make the determinations described in
24 subsections (e) and (d) with respect to negotiations and
25 other issues; and

1 (4)(A) any actions of the Government of El Salva-
2 dor (including the armed forces) and the FMLN that
3 are having an adverse impact on the basic human
4 rights of the Salvadoran people;

5 (B) progress made by the Government of El Sal-
6 vador toward—

7 (i) the establishment of an effective judicial
8 system, including the establishment of an inde-
9 pendent, civilian investigative service;

10 (ii) ensuring freedom of the press and assem-
11 bly; and

12 (iii) military reform, including the establish-
13 ment of an officer promotion system based on
14 merit and professional competence, respect for
15 human rights, and respect for civilian control over
16 the armed forces;

17 (C) the effects on the civilian population of El
18 Salvador of economic sabotage and other acts of vio-
19 lence committed against civilian targets by the FMLN;
20 and

21 (D) the status of investigations into the politically
22 motivated murders of prominent political, religious,
23 labor, and other officials in recent years, and the
24 extent to which the armed forces of El Salvador and

1 the FMLN are each cooperating in those investiga-
2 tions.

3 (h) **SUPPORT FOR DEMOCRACY PROGRAM.—**

4 (1) **ESTABLISHMENT OF PROGRAM.—**The Secre-
5 tary of State, through agreement with the National
6 Endowment for Democracy or other qualified organiza-
7 tions, shall establish and carry out a program of educa-
8 tion, training, and dialogue for the purpose of strength-
9 ening democratic political and legal institutions in El
10 Salvador. The program shall be designed to—

11 (A) assist and involve all prodemocratic sec-
12 tors in El Salvador in efforts to strengthen civil-
13 ian control over the armed forces;

14 (B) establish an effective judicial system;

15 (C) facilitate the free and open exchange of
16 political views;

17 (D) provide for monitoring and other activi-
18 ties in support of free and fair elections; and

19 (E) increase respect for basic civil and
20 human rights.

21 (2) **ELECTION MONITORING.—**Of the amount
22 made available to carry out this subsection,
23 \$2,000,000 may be used only for support for monitor-
24 ing the 1991 municipal and National Assembly elec-
25 tions in El Salvador, and for monitoring the registra-

1 tion and campaign processes leading up to those elec-
 2 tions, by appropriate organizations such as the Secre-
 3 tary General of the United Nations, the Organization
 4 of American States, the Carter Center, the National
 5 Democratic Institute for International Affairs, the Na-
 6 tional Republican Institute for International Affairs,
 7 and the Center for Electoral Assistance and Promotion
 8 (CAPEL) of San Jose, Costa Rica.

9 (3) ASSISTANCE.—Up to \$10,000,000 of the
 10 funds appropriated under the heading “Economic Sup-
 11 port Fund”, may be used to carry out this subsection.

12 (i) EXPEDITED CONGRESSIONAL REVIEW PROC-
 13 EDURES.—

14 (1) DEFINITION OF PRIVILEGED JOINT RESOLU-
 15 TION.—For purposes of this subsection, the term
 16 “privileged joint resolution” means a joint resolution—

17 (A) which—

18 (i) in the case of the House of Repre-
 19 sentatives, is reported by the Committee on
 20 Foreign Affairs, and

21 (ii) in the case of the Senate, is reported
 22 by the Committee on Foreign Relations,
 23 during the thirty-day period beginning on
 24 March 1, 1991;

1 (B) which would place conditions or limita-
2 tions, or both, on expenditures of military assist-
3 ance funds for El Salvador for fiscal year 1991;

4 (C) which does not contain any provision
5 which is not germane to the conditions and limita-
6 tions provided for in the joint resolution; and

7 (D) the title of which is as follows: "Joint
8 resolution relating to military assistance for El
9 Salvador for fiscal year 1991."

10 (2) MOTION FOR FLOOR CONSIDERATION.—On or
11 after the third calendar day (excluding Saturdays, Sun-
12 days, and legal holidays) after the day on which a priv-
13 ileged joint resolution is reported by the Committee on
14 Foreign Affairs or the Committee on Foreign Relations
15 (as the case may be), it shall be in order (even though
16 a previous motion to the same effect has been dis-
17 agreed to) for the chairman of that committee (or his
18 designee) to move to proceed to the consideration of
19 that joint resolution. In the House of Representatives
20 the motion shall be that the House resolve itself into
21 the Committee of the Whole House on the State of the
22 Union for the consideration of the joint resolution. The
23 motion may be made in the Senate notwithstanding
24 any rule or precedent of the Senate, including Rule 22.
25 All points of order against the joint resolution (and

1 against consideration of the joint resolution) are
2 waived. The motion to proceed to the consideration of
3 the joint resolution is highly privileged in the House of
4 Representatives and is privileged in the Senate and is
5 not debatable. The motion is not subject to amend-
6 ment, to a motion to postpone, or to a motion to pro-
7 ceed to the consideration of other business. A motion
8 to reconsider the vote by which the motion is agreed to
9 or disagreed to shall not be in order. If a motion to
10 proceed to the consideration of the joint resolution is
11 agreed to by a House of Congress, that House shall
12 immediately proceed to the consideration of the joint
13 resolution without intervening motion, order, or other
14 business, and that joint resolution shall remain the un-
15 finished business of the respective House until disposed

16
17 (2) **DEBATE TIME.**—Debate on a privileged joint
18 resolution, and on all debatable motions and appeals in
19 connection therewith (other than amendments made in
20 order in the House of Representatives under paragraph
21 (4) and a motion to recommit in the House under para-
22 graph (7)), shall be limited to not more than four
23 hours, which shall be divided equally between a
24 Member favoring and a Member opposing the joint res-

1 olution. A motion further to limit debate is in order
2 and not debatable.

3 (4) AMENDMENTS IN THE HOUSE OF REPRESENTATIVES.—Amendments to a privileged joint reso-
4 solution shall be in order, and shall be debatable, in the
5 House of Representatives to the extent ordered by the
6 House.
7

8 (5) AMENDMENTS IN THE SENATE.—Amend-
9 ments to a privileged joint resolution are not in order
10 in the Senate.

11 (6) CERTAIN MOTIONS NOT IN ORDER.—A
12 motion to postpone or to proceed to the consideration
13 of other business is not in order. A motion to reconsid-
14 er the vote by which a privileged joint resolution is
15 agreed to or disagreed to is not in order.

16 (7) FINAL PASSAGE IN THE HOUSE OF REPRESENTATIVES.—In the House of Representatives, at
17 the conclusion of debate on a privileged joint resolution
18 and consideration of any amendments made in order to
19 the joint resolution, the Committee of the Whole shall
20 rise and report the resolution back to the House, and
21 the previous question shall be considered as ordered on
22 the joint resolution, with any amendments adopted in
23 the time, in the same manner, and to the same extent
24 as in the case of any other rule of that House.
25

1 (j) **DEFINITION OF MILITARY ASSISTANCE.**—For pur-
2 poses of this section, the term “military assistance” means
3 assistance under section 23 of the Arms Export Control Act
4 (22 U.S.C. 2763; relating to the foreign military financing
5 program) or under chapter 2 of part II of the Foreign Assist-
6 ance Act of 1961 (22 U.S.C. 2311 and following; relating to
7 the grant military assistance program).

8 **SEC. 531. (a) STATEMENT OF POLICY.**—United
9 States military assistance to the Government of El Salvador
10 shall seek three principal foreign policy objectives, as follows:
11 (1) to promote a permanent settlement and cease-fire to the
12 conflict in El Salvador, with the Secretary General of the
13 United Nations serving as an active mediator between the
14 opposing parties; (2) to foster greater respect for basic human
15 rights, and the rule of law; and (3) to advance political ac-
16 commodation and national reconciliation.

17 (b) **MAXIMUM LEVEL OF MILITARY ASSISTANCE.**—
18 Of the funds available for United States military assistance
19 for fiscal year 1991, not more than \$85,000,000 shall be
20 made available for El Salvador.

21 (c) **PROHIBITION OF MILITARY ASSISTANCE.**—(1)
22 **PROHIBITION.**—Subject to paragraph (2), no United States
23 military assistance may be furnished to the Government of
24 El Salvador if the President determines and reports in writ-
25 ing to the Congress that—

1 (A) after he has consulted with the Secretary
2 General of the United Nations, the Government of El
3 Salvador has declined to participate in good faith in
4 negotiations for a permanent settlement and cease-fire
5 to the armed conflict of El Salvador;

6 (B) the Government of El Salvador has rejected
7 or otherwise failed to support an active role for the
8 Secretary General of the United Nations in mediating
9 that settlement;

10 (C) the Government of El Salvador has rejected a
11 plan for the settlement of the conflict which—

12 (i) has been put forward by the Secretary
13 General of the United Nations in accordance with
14 the terms and procedures in the April 4, 1990
15 Geneva Communiqué and the May 21, 1990 Ca-
16 racas Accord between the Government of El Sal-
17 vador and the FMLN;

18 (ii) includes a proposal for an international-
19 ly monitored cease-fire; and

20 (iii) has been accepted, within 15 days from
21 its announcement, by the FMLN and is being
22 complied with by the FMLN;

23 (D) the Government of El Salvador has failed to
24 conduct a thorough and professional investigation into,
25 and prosecution of those responsible for the eight mur-

1 *ders at the University of Central America on Novem-*
2 *ber 16, 1989; or*

3 *(E) the military and security forces of El Salva-*
4 *dor are assassinating or abducting civilian noncombat-*
5 *ants, are engaging in other acts of violence directed at*
6 *civilian targets, or are failing to control such activities*
7 *by elements subject to the control of those forces.*

8 *(F) the Government of El Salvador has failed to*
9 *actively seek and encourage a law enforcement service*
10 *from outside El Salvador, such as Scotland Yard or*
11 *INTERPOL, to accompany and monitor investigators*
12 *of the Government of El Salvador in their investiga-*
13 *tion into the eight murders at the University of Cen-*
14 *tral America on November 16, 1989.*

15 **(2) REQUIREMENT FOR RESUMPTION OF ASSIST-**
16 **ANCE.**—*Assistance prohibited under paragraph (1) may only*
17 *be resumed pursuant to a law subsequently enacted by the*
18 *Congress.*

19 **(d) WITHHOLDING OF MILITARY ASSISTANCE.—(1)**
20 **IN GENERAL.**—*Fifty percent of the total United States mili-*
21 *tary assistance allocated for El Salvador for fiscal year 1990*
22 *and prior fiscal years which has not been obligated, expend-*
23 *ed, or otherwise made available to the Government of El Sal-*
24 *vador as of the date of enactment of this Act, and 50 percent*
25 *of all military assistance allocated for El Salvador for fiscal*

1 year 1991, shall be withheld from obligation or expenditure
2 (as the case may be) except as provided in paragraphs (2)
3 and (3).

4 (2) *RELEASE OF ASSISTANCE.*—*The United States*
5 *military assistance withheld pursuant to paragraph (1) may*
6 *be obligated and expended only if the President determines*
7 *and reports in writing to the Congress that—*

8 (A) *after he has consulted with the Secretary*
9 *General of the United Nations, the representatives of*
10 *the FMLN—*

11 (i) *have declined to participate in good faith*
12 *in negotiations for a permanent settlement and*
13 *cease-fire to the armed conflict in El Salvador, or*

14 (ii) *have rejected or otherwise failed to sup-*
15 *port an active role for the Secretary General of*
16 *the United Nations in mediating that settlement;*

17 (B) *the FMLN has rejected a plan for the settle-*
18 *ment of the conflict which—*

19 (i) *has been put forward by the Secretary*
20 *General of the United Nations in accordance with*
21 *the terms and procedures in the April 4, 1990*
22 *Geneva Communiqué and the May 21, 1990 Ca-*
23 *racas Accord between the Government of El Sal-*
24 *vador and the FMLN;*

1 (ii) includes a proposal for an international-
2 ly monitored cease-fire, and

3 (iii) has been accepted, within 15 days from
4 its announcement, by the Government of El Sal-
5 vador and is being complied with by the Govern-
6 ment of El Salvador;

7 (C) the survival of the constitutional Government
8 of El Salvador is being jeopardized by substantial and
9 sustained offensive military actions or operations by
10 the FMLN;

11 (D) proof exists that the FMLN is continuing to
12 acquire or receive significant shipments of lethal mili-
13 tary assistance from outside El Salvador, and this
14 proof has been shared with the Congress; or

15 (E) the FMLN is assassinating or abducting ci-
16 vilian noncombatants, is engaging in other acts of vio-
17 lence directed at civilian targets, or is failing to control
18 such activities by elements subject to FMLN control.

19 (3) **EXCEPTION.**—Notwithstanding any other provision
20 of law, funds withheld pursuant to paragraph (1) of this sub-
21 section may be disbursed to pay the cost of any contract pen-
22 alties which may be incurred as a result of such withholding
23 of funds under this subsection.

24 (e) **CONDITION FOR TERMINATION OF ALL UNITED**
25 **STATES ASSISTANCE.**--(1) **PROHIBITION.**—Subject to

1 paragraph (2), no United States assistance may be furnished
2 to El Salvador if the duly-elected head of Government of El
3 Salvador is deposed by military coup or decree.

4 (2) REQUIREMENT FOR RESUMPTION OF ASSIST-
5 ANCE.—Assistance prohibited under paragraph (1) may only
6 be resumed pursuant to a law subsequently enacted by the
7 Congress.

8 (f) ESTABLISHMENT OF A FUND FOR CEASE-FIRE
9 MONITORING, DEMOBILIZATION, AND TRANSITION TO
10 PEACE.—(1) ESTABLISHMENT OF FUND.—There is hereby
11 established in the Treasury of the United States a fund to
12 assist with the costs of monitoring a permanent settlement of
13 the conflict, including a cease-fire, and the demobilization of
14 combatants in the conflict in El Salvador, and their transi-
15 tion to peaceful pursuits, which shall be known as the “De-
16 mobilization and Transition Fund” (hereafter in this section
17 referred to as the “Fund”). Amounts in this Fund shall be
18 available for obligation and expenditure only upon notifica-
19 tion by the President of the Congress that the Government of
20 El Salvador and representatives of the FMLN have reached
21 a permanent settlement of the conflict, including a final
22 agreement on a cease-fire.

23 (2) TRANSFER OF CERTAIN MILITARY ASSISTANCE
24 FUNDS.—Upon notification of the Congress of a permanent
25 settlement of the conflict, including an agreement on a cease-

1 fire, or on September 30, 1991, if no such notification has
2 occurred prior to that date, the President shall transfer to the
3 Fund any United States military assistance funds withheld
4 pursuant to subsection (d) of this section.

5 (3) *USE OF THE FUND.*—Notwithstanding any other
6 provision of law, amounts in the Fund shall be available for
7 El Salvador solely to support costs of demobilization, retrain-
8 ing, relocation, and reemployment in civilian pursuits of
9 former combatants in the conflict in El Salvador, and of the
10 monitoring of the permanent settlement and cease-fire.

11 (4) *DURATION OF AVAILABILITY OF FUNDS.*—Not-
12 withstanding any other provision of law, amounts transferred
13 to the Fund shall remain available until expended.

14 (g) *STRENGTHENING CIVILIAN CONTROL OVER THE*
15 *MILITARY.*—In order to strengthen the control of the demo-
16 cratically elected civilian government of El Salvador over the
17 armed forces of that country, United States military assist-
18 ance for any fiscal year may be delivered to the armed forces
19 of El Salvador only with the prior approval of the duly elect-
20 ed President of El Salvador.

21 (h) *SUPPORT FOR DEMOCRACY.*—(1) *ESTABLISHING*
22 *A PROGRAM.*—The Secretary of State, through agreement
23 with the National Endowment for Democracy or other quali-
24 fied organizations, shall establish and carry on a program of
25 education, training, and dialogue for the purpose of strength-

1 ening democratic political and legal institutions in El
2 Salvador.

3 (2) *ELECTION MONITORING.*—Of the amounts made
4 available to carry out this subsection, up to \$2,000,000 may
5 be used for support for monitoring the 1991 municipal and
6 National Assembly elections in El Salvador, and for moni-
7 toring the registration and campaign processes leading up to
8 those elections, by appropriate organizations such as the
9 United Nations, the Organization of American States, the
10 Carter Center, the National Democratic Institute for Inter-
11 national Affairs, the National Republican Institute for Inter-
12 national Affairs, and the Center for Electoral Assistance and
13 Promotion (CAPEL) of San Jose, Costa Rica.

14 (3) *ASSISTANCE.*—Up to \$10,000,000 of funds appro-
15 priated under the heading “Economic Support Fund” for
16 fiscal year 1991 may be used to carry out this subsection.

17 (i) *REPORTING REQUIREMENTS.*—Sixty days after
18 the date of enactment of this Act and every 180 days thereaf-
19 ter, the President shall submit to the Congress a report
20 describing—

21 (1) the willingness or unwillingness of the Gov-
22 ernment of El Salvador and the FMLN to negotiate
23 seriously and in good faith for the purpose of achieving
24 a permanent settlement to the conflict in El Salvador,
25 including a cease-fire, and providing appropriate infor-

1 mation regarding criteria described in subsections (c)
2 and (d)(2); and

3 (2) the status of investigations into the politically
4 motivated murders listed in section 538 of this Act.

5 (j) **DEFINITIONS.**—For purposes of this section—

6 (1) the term “United States assistance” has the
7 same meaning as is given to such term by section
8 481(i)(4) of the Foreign Assistance Act of 1961 (22
9 U.S.C. 2291(i)(4)) and includes United States mili-
10 tary assistance as defined in paragraph (2); and

11 (2) the term “United States military assistance”
12 means—

13 (A) assistance to carry out chapter 2 (relat-
14 ing to grant military assistance) or chapter 5 (re-
15 lating to international military education and
16 training) of part II of Foreign Assistance Act of
17 1961; and

18 (B) sales, credits, and guaranties under the
19 Arms Export Control Act.

20 **NOTIFICATION CONCERNING AIRCRAFT IN CENTRAL**

21 **AMERICA**

22 **SEC. 532.** (a) During the current fiscal year, the au-
23 thorities of part II of the Foreign Assistance Act of 1961 and
24 the Arms Export Control Act may not be used to make avail-
25 able any helicopters or other aircraft for military use, and
26 licenses may not be issued under section 38 of the Arms

1 Export Control Act for the export of any such aircraft, to any
2 country in Central America unless the Committees on Appro-
3 priations, the Committee on Foreign Affairs of the House of
4 Representatives and the Committee on Foreign Relations of
5 the Senate are notified in writing at least fifteen days in
6 advance.

7 (b) During the current fiscal year, the Secretary of State
8 shall promptly notify the committees designated in subsection
9 (a) whenever any helicopters or other aircraft for military use
10 are provided to any country in Central America by any
11 foreign country.

12 ENVIRONMENT AND GLOBAL WARMING

13 SEC. 533. (a) It is the policy of the United States that
14 sustainable economic growth must be predicated on the sus-
15 tainable management of natural resources. The Secretary of
16 the Treasury shall instruct the United States Executive Di-
17 rector of each multilateral development bank (MDB) to pro-
18 mote vigorously within each MDB the expansion of programs
19 in areas which address the problems of global climate change
20 through requirements to—

21 (1) expand programs in energy conservation, end-
22 use energy efficiency, and renewable energy and pro-
23 motion by—

24 (A) continuing to augment and expand pro-
25 fessional staffs with expertise in these areas;

1 (B) giving priority to these areas in the
2 "least cost" energy sector investment plans;

3 (C) encouraging and promoting these areas
4 in policy-based energy sector lending;

5 (D) developing loans for these purposes; and

6 (E) convening seminars for MDB staff and
7 board members on these areas and alternative
8 energy investment opportunities;

9 (2) provide analysis for each proposed loan to sup-
10 port additional power generating capacity comparing
11 demand reduction costs to proposal costs;

12 (3) continue to assure that environmental impact
13 assessments (EIA) of proposed energy projects are con-
14 ducted early in the project cycle, include consideration
15 of alternatives to the proposed project, and encourage
16 public participation in the EIA process;

17 (4) continue to include the environmental costs of
18 proposed projects with significant environmental im-
19 pacts in economic assessments; and

20 (5) continue to provide technical assistance as a
21 component of energy sector lending.

22 (b) The Secretary of the Treasury shall, not later than
23 March 1, 1991, submit an annual report to the Congress
24 which shall include—

1 (1) a detailed description of how the natural re-
2 source management initiatives mandated by this section
3 have been incorporated in the Administration's efforts
4 to address Third World Debt (the Brady Plan);

5 (2) a detailed description of progress made by
6 each of the MDBs in adopting and implementing pro-
7 grams meeting the standards set out in subsection (a)
8 including, in particular, efforts by the Department of
9 the Treasury to assure implementation of this section,
10 progress made by each MDB in subsection (a)(1)(B),
11 and the amounts and proportion of lending in the
12 energy sector for projects or programs in subsection
13 (a)(1);

14 (3) the progress the Inter-American Development
15 Bank has made in implementing environmental
16 reforms;

17 (4) an updated analysis of each MDB's forestry
18 sector loans, and a current analysis of each MDB's
19 energy sector loans, and their impact on emissions of
20 CO₂ and the status of proposals for specific forestry
21 and energy sector activities to reduce CO₂ emissions;
22 and

23 (5) the progress the International Bank for Recon-
24 struction and Development has made in implementing
25 the recommendations set forth in the April 1, 1988,

1 report on "Debt-for-Nature Swaps" by the World
2 Bank.

3 (c)(1) The Administrator of the Agency for International
4 Development shall update and issue guidance to all Agency
5 missions and bureaus detailing the elements of the "Global
6 Warming Initiative", which will continue to emphasize the
7 need to reduce emissions of greenhouse gases, especially CO₂
8 and CFCs, through strategies consistent with continued eco-
9 nomic development. This initiative shall continue to empha-
10 size the need to accelerate sustainable development strategies
11 in areas such as reforestation, biodiversity, end-use energy
12 efficiency, least-cost energy planning, and renewable energy,
13 and shall encourage mission directors to incorporate the ele-
14 ments of this initiative in developing their country programs.

15 (2) The Administrator shall pursue this initiative by,
16 among other things—

17 (A) increasing the number and expertise of per-
18 sonnel devoted to this initiative in all bureaus and
19 missions;

20 (B) devoting increased resources to technical
21 training of mission directors;

22 (C) accelerating the activities of the Multi-Agency
23 Working Group on Power Sector Innovation;

24 (D) focusing tropical forestry assistance programs
25 on the key middle- and low-income developing coun-

1 tries (hereinafter "key countries") which are projected
2 to contribute large amounts of greenhouse gases to the
3 global environment;

4 (E) assisting countries in developing a systematic
5 analysis of the appropriate use of their total tropical
6 forest resources, with the goal of developing a national
7 program for sustainable forestry;

8 (F) focusing energy assistance activities on the
9 key countries, where assistance would have the great-
10 est impact on reducing emissions from greenhouse
11 gases; and

12 (G) continuing to follow the directives with re-
13 spect to key countries and countries that receive large
14 Economic Support Fund assistance contained in section
15 534(b)(3) of Public Law 101-167.

16 ~~(122) (3) None of the funds appropriated in this Act~~
17 ~~shall be used for any project that would result in any signifi-~~
18 ~~cant loss of tropical forests.~~

19 *(3) None of the funds appropriated in this Act shall be*
20 *available for any program, project or activity which would—*

21 *(A) result in any significant loss of tropical for-*
22 *ests; or*

23 *(B) involve industrial timber extraction in pri-*
24 *mary tropical forest areas.*

1 (4) Funds appropriated to carry out the provisions of
2 sections 103 and 106 of the Foreign Assistance Act of 1961,
3 as amended, may be used by the Agency for International
4 Development, notwithstanding any other provision of law, for
5 the purpose of supporting tropical forestry and energy pro-
6 grams aimed at reducing emissions of greenhouse gases with
7 regard to the key countries in which deforestation and energy
8 policy would make a significant contribution to global warm-
9 ing, except that such assistance shall be subject to sections
10 116, 502B, and 620A of the Foreign Assistance Act of 1961.

11 (5) Funds appropriated by this Act to carry out the pro-
12 visions of sections 103 and 106 of the Foreign Assistance
13 Act of 1961 may be used for expenses (including related sup-
14 port costs) relating to the environment and energy sectors, of
15 employees or individuals detailed to or employed by the
16 Agency for International Development, particularly those in-
17 volved with the "Global Warming Initiative" described in
18 this subsection.

19 (123)(6) Not less than \$15,000,000 of the aggregate
20 of the funds appropriated to carry out the provisions of sec-
21 tions 103 through 106 of the Foreign Assistance Act of 1961
22 (including funds for sub-Saharan Africa) shall be made avail-
23 able for biological diversity activities, of which \$2,000,000
24 shall be made available for the Parks in Peril project pursu-
25 ant to the authority of section 119(b) of that Act.

1 (7) Not less than \$80,000,000 of the funds appropriated
2 to carry out the provisions of section 106 of the Foreign As-
3 sistance Act of 1961 shall be made available to support the
4 "Global Warming Initiative" as described in this subsection.

5 (d) Of the funds appropriated by this Act to carry out
6 the provisions of part I of the Foreign Assistance Act of
7 1961, not less than \$80,000,000 shall be made available for
8 environment and energy activities, including funds ear-
9 marked under section 534 of this Act, as follows—

10 (1) not less than \$15,000,000 of the aggregate of
11 the funds appropriated to carry out the provisions of
12 sections 103 through 106 and chapter 10 of part I of
13 the Foreign Assistance Act of 1961 shall be made
14 available for biological diversity activities, of which:
15 \$3,000,000 shall be made available for the Parks in
16 Peril project pursuant to the authority of section
17 119(b) of that Act, \$500,000 shall be for neotropical
18 migratory bird conservation in Latin America and the
19 Caribbean, \$750,000 shall be for Project Noah, and
20 \$1,500,000 shall be for the National Science Founda-
21 tion's international biological diversity program;

22 (2) not less than \$30,000,000 of the funds appro-
23 priated to carry out the provisions of sections 103 and
24 106 of the Foreign Assistance Act of 1961 shall be

1 *made available to support the "Global Warming Initi-*
2 *ative" as described in this section;*

3 (3) *not less than \$5,000,000 of the funds appro-*
4 *priated to carry out the provisions of sections 103, 106*
5 *and chapter 10 of part I of the Foreign Assistance Act*
6 *of 1961 shall be made available for assistance in sup-*
7 *port of elephant conservation and preservation; and*

8 (4) *not less than \$20,000,000 of the funds appro-*
9 *priated to carry out the provisions of sections 103 and*
10 *106 of the Foreign Assistance Act of 1961 shall be*
11 *made available for the Office of Energy of the Agency*
12 *for International Development.*

13 (e) *Of the funds appropriated by this Act to carry out*
14 *the provisions of section 23 of the Arms Export Control Act,*
15 *not less than \$15,000,000 shall be made available to coun-*
16 *tries in Africa for programs which support conservation and*
17 *biological diversity.*

18 (f) *Chapter 1 of part II of the Foreign Assistance Act of*
19 *1961 is amended by adding the following new section:*

20 "SEC. 518. NATURAL RESOURCES AND WILDLIFE
21 MANAGEMENT.—(a) AUTHORITY TO TRANSFER EXCESS
22 DEFENSE ARTICLES.—Subject to the limitations in this
23 section, the President may transfer excess defense articles to
24 friendly countries, and to international organizations and

1 *private and voluntary organizations for the purposes con-*
 2 *tained in section 119 of this Act.*

3 “(b) *LIMITATION ON TRANSFERS.—Transfers under*
 4 *this section shall be subject to the limitations contained in*
 5 *section 516(b), and shall be subject to the notification re-*
 6 *quirements of section 516(c), of this Act.*

7 “(c) *TRANSPORTATION.—The Department is author-*
 8 *ized to transport excess defense articles made available pur-*
 9 *suant to this section without charge on a space available*
 10 *basis.*

11 “(d) *WAIVER OF REQUIREMENTS FOR REIMBURSE-*
 12 *MENT OF DOD EXPENSES.—Section 632(d) shall not*
 13 *apply with respect to transfers of excess defense articles under*
 14 *this section or the transportation of such articles as author-*
 15 *ized by subsection (c).”.*

16 “(g) *Notwithstanding any other provision of law, none of*
 17 *the funds appropriated by this Act for programs of the*
 18 *Agency for International Development may be made avail-*
 19 *able for any project or activity except in accordance with the*
 20 *requirements of section 117(c) of the Foreign Assistance Act*
 21 *of 1961 and the regulations issued pursuant thereto (22*
 22 *CFR 216).*

23 **MONTREAL PROTOCOL FACILITATION FUNDS**

24 **(INCLUDING TRANSFER OF FUNDS)**

25 **SEC. 534.** Not less than \$10,000,000 of the funds ap-
 26 **propriated by this Act to carry out (124) section sections**

1 103 and 106 of the Foreign Assistance Act of 1961 shall be
2 used to support the creation of a fund to facilitate and support
3 global participation in the Montreal Protocol on Substances
4 that Deplete the Ozone Layer: *Provided*, That these funds
5 shall be transferred to the Bureau of Oceans, International
6 Environment and Scientific Affairs of the Department of
7 State and shall be made available, after consultations with
8 the Environmental Protection Agency, to the United Nations
9 Environment Program in its role as Secretariat to the Proto-
10 col: *Provided further*, That the United States representative
11 to the Secretariat shall seek assurances that none of these
12 funds shall be contributed to any developing country that is
13 not a party to the Protocol and operating under Article 5 of
14 the Protocol.

15 PROHIBITION CONCERNING ABORTIONS AND INVOLUNTARY
16 STERILIZATION

17 SEC. 535. None of the funds made available to carry out
18 part I of the Foreign Assistance Act of 1961, as amended,
19 may be used to pay for the performance of abortions as a
20 method of family planning or to motivate or coerce any
21 person to practice abortions. None of the funds made avail-
22 able to carry out part I of the Foreign Assistance Act of
23 1961, as amended, may be used to pay for the performance of
24 involuntary sterilization as a method of family planning or to
25 coerce or provide any financial incentive to any person to
26 undergo sterilizations. None of the funds made available to

1 carry out part I of the Foreign Assistance Act of 1961, as
 2 amended, may be used to pay for any biomedical research
 3 which relates in whole or in part, to methods of, or the per-
 4 formance of, abortions or involuntary sterilization as a means
 5 of family planning. None of the funds made available to carry
 6 out part I of the Foreign Assistance Act of 1961, as amend-
 7 ed, may be obligated or expended for any country or organi-
 8 zation if the President certifies that the use of these funds by
 9 any such country or organization would violate any of the
 10 above provisions related to abortions and involuntary sterili-
 11 zations. The Congress reaffirms its commitments to Popula-
 12 tion, Development Assistance and to the need for informed
 13 voluntary family planning.

14 AFGHANISTAN—HUMANITARIAN ASSISTANCE

15 SEC. 536. Of the aggregate amount of funds appropri-
 16 ated by this Act, to be derived in equal parts from the funds
 17 appropriated to carry out the provisions of chapter 1 of part I
 18 of the Foreign Assistance Act of 1961, and chapter 4 of part
 19 II of that Act, (125) ~~up to \$70,000,000~~ *may* \$70,000,000
 20 *shall* be made available for the provision of food, medicine, or
 21 other humanitarian assistance to the Afghan people, notwith-
 22 standing any other provision of law. In carrying out this sec-
 23 tion, the Administrator of the Agency for International De-
 24 velopment shall ensure that an equitable portion of the funds
 25 is made available to benefit Afghan women and girls, particu-

1 larly in programs in refugee camps in Pakistan and in recon-
 2 struction projects in Afghanistan.

3 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

4 SEC. 537. None of the funds appropriated or made
 5 available pursuant to this Act shall be available to a private
 6 voluntary organization which fails to provide upon timely re-
 7 quest any document, file, or record necessary to the auditing
 8 requirements of the Agency for International Development,
 9 nor shall any of the funds appropriated by this Act be made
 10 available to any private voluntary organization which is not
 11 registered with the Agency for International Development.

12 EL SALVADOR—INVESTIGATION OF MURDERS

13 SEC. 538. Of the amounts made available by this Act
 14 for military assistance and financing for El Salvador under
 15 chapters 2 and 5 of part II of the Foreign Assistance Act of
 16 1961 and under the Arms Export Control Act, \$5,000,000
 17 may not be expended until the President reports, following
 18 the conclusion of the Appeals process in the case of Captain
 19 Avila, to the Committees on Appropriations that the Govern-
 20 ment of El Salvador has (1) substantially concluded all inves-
 21 tigative action with respect to those responsible for the Janu-
 22 ary 1981 deaths of the two United States land reform con-
 23 sultants Michael Hammer and Mark Pearlman and the Salva-
 24 doran Land Reform Institute Director Jose Rodolfo Viera,
 25 (2) pursued all legal avenues to bring to trial and obtain a
 26 verdict of those who ordered and carried out the January

1 1981 murders, (3) pursued all legal avenues to bring to trial
 2 those who ordered and carried out the September 1988 mas-
 3 sacre of ten peasants near the town of San Francisco, El
 4 Salvador, and to obtain a verdict, (126) and (4) pursued all
 5 legal avenues to bring to trial those who ordered and carried
 6 out the November 1989 murders of six Jesuit priests and
 7 their associates, and to obtain a verdict (127), and (5) pur-
 8 sued all legal avenues to bring to trial those responsible for
 9 the deaths of the ten unionists who were killed during the
 10 November 11, 1989 bombing of the FENASTRAS head-
 11 quarters, and to obtain a verdict.

12

REFUGEE RESETTLEMENT

13 SEC. 539. It is the sense of the Congress that all coun-
 14 tries receiving United States foreign assistance under the
 15 "Economic Support Fund", "Foreign Military Financing
 16 Program", "International Military Education and Training",
 17 the Agricultural Trade Development and Assistance Act of
 18 1954 (Public Law 480), development assistance programs, or
 19 trade promotion programs should fully cooperate with the
 20 international refugee assistance organizations, the United
 21 States, and other governments in facilitating lasting solutions
 22 to refugee situations. Further, where resettlement to other
 23 countries is the appropriate solution, such resettlement
 24 should be expedited in cooperation with the country of
 25 asylum without respect to race, sex, religion, or national
 26 origin.

1 ETHIOPIA—FORCED RESETTLEMENT, VILLAGIZATION

2 SEC. 540. None of the funds appropriated in this Act
3 shall be made available for any costs associated with the
4 Government of Ethiopia's forced resettlement or villagization
5 programs.

6 SPECIAL NOTIFICATION REQUIREMENTS

7 SEC. 541. None of the funds appropriated in this Act
8 shall be obligated or expended for Sudan, Liberia, Lebanon,
9 Zaire, Chile, Yemen, Haiti, (128) *Guatemala*, or Somalia
10 except as provided through the regular notification proce-
11 dures of the Committees on Appropriations.

12 DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY

13 SEC. 542. For the purpose of this Act, "program,
14 project, and activity" shall be defined at the Appropriations
15 Act account level and shall include all Appropriations and
16 Authorizations Acts earmarks, ceilings, and limitations with
17 the exception that for the following accounts: Economic Sup-
18 port Fund and Foreign Military Financing Program, "pro-
19 gram, project, and activity" shall also be considered to in-
20 clude country, regional, and central program level funding
21 within each such account; for the development assistance ac-
22 counts of the Agency for International Development "pro-
23 gram, project, and activity" shall also be considered to in-
24 clude central program level funding, either as (1) justified to
25 the Congress, or (2) allocated by the executive branch in ac-
26 cordance with a report, to be provided to the Committees on

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

4 CHILD SURVIVAL AND AIDS ACTIVITIES

5 SEC. 543. Of the funds made available by this Act for
6 assistance for health, child survival, and AIDS, up to
7 \$8,000,000 may be used to reimburse United States Govern-
8 ment agencies, agencies of State governments, (129) and
9 institutions of higher learning for the full cost of employees
10 detailed or assigned, as the case may be, to institutions of
11 higher learning, and private and voluntary organizations for
12 the full cost of individuals (including for the personal serv-
13 ices of such individuals) detailed or assigned to, or contracted
14 by, as the case may be, the Agency for International Devel-
15 opment for the purpose of carrying out child survival activi-
16 ties and activities relating to research on, and the treatment
17 and control of, acquired immune deficiency syndrome in de-
18 veloping countries: *Provided*, That (130) personnel who are
19 detailed or assigned for the purposes of this section such indi-
20 viduals shall not be included within any personnel ceiling ap-
21 plicable to any United States Government agency during the
22 period of detail or assignment.

23 CHILE

24 SEC. 544. (131) (a) Funds appropriated by this Act
25 under the heading "Economic Support Fund" may be used
26 under the authority of section 534(b)(4) and (6) of the Foreign

1 be provided pursuant to paragraphs (1) and (2) of this
2 subsection."

3 (134)(e) (b) Drawdowns made pursuant to section
4 506(a)(2) of the Foreign Assistance Act of 1961 shall be sub-
5 ject to the regular notification procedures of the Committees
6 on Appropriations.

7 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

8 SEC. 548. Prior to providing excess Department of De-
9 fense articles in accordance with section 516(a) of the For-
10 eign Assistance Act of 1961, the Department of Defense
11 shall notify the Committees on Appropriations to the same
12 extent and under the same conditions as are other commit-
13 tees pursuant to subsection (c) of that section: *Provided*, That
14 before issuing a letter of offer to sell excess defense articles
15 under the Arms Export Control Act, the Department of De-
16 fense shall notify the Committees on Appropriations in ac-
17 cordance with the regular notification procedures of such
18 Committees: *Provided further*, That such Committees shall
19 also be informed of the original acquisition cost of such de-
20 fense articles.

21 AUTHORIZATION REQUIREMENT

22 SEC. 549. Funds appropriated by this Act may be obli-
23 gated and expended (135) subject to *notwithstanding* sec-
24 tion 10 of Public Law 91-672 and section 15 of the State
25 Department Basic Authorities Act of 1956.

1 (b) Section 556(b) of the Foreign Operations, Export Fi-
2 nancing, and Related Programs Appropriations Act, 1990, is
3 amended by striking out "September 30, 1990" and inserting
4 in lieu thereof "July 31, 1991".

5 MEMBERSHIP DESIGNATION IN ASIAN DEVELOPMENT

6 BANK

7 SEC. 552. It is the sense of the Congress that the
8 United States Government should use its influence in the
9 Asian Development Bank to secure reconsideration of that
10 institution's decision to designate Taiwan (the Republic of
11 China) as "Taipei, China". It is further the sense of the Con-
12 gress that the Asian Development Bank should resolve this
13 dispute in a fashion that is acceptable to Taiwan (the Repub-
14 lic of China).

15 DEPLETED URANIUM

16 SEC. 553. None of the funds provided in this or any
17 other Act may be made available to facilitate in any way the
18 sale of M-833 antitank shells or any comparable antitank
19 shells containing a depleted uranium penetrating component
20 to any country other than (1) countries which are members of
21 NATO, (2) countries which have been designated as a major
22 non-NATO ally for purposes of section 1105 of the National
23 Defense Authorization Act for Fiscal Year 1987 or, (3)
24 Pakistan (137): *Provided, That funds may be made avail-*
25 *able to facilitate the sale of such shells notwithstanding the*

1 *limitations of this section if the President determines that to*
2 *do so is in the national security interest of the United States.*

3 EARMARKS

4 SEC. 554. Funds appropriated by this Act which are
5 earmarked may be reprogrammed for other programs within
6 the same account notwithstanding the earmark if compliance
7 with the earmark is made impossible by operation of any pro-
8 vision of this or any other Act or, with respect to a country
9 with which the United States has an agreement providing the
10 United States with base rights or base access in that country,
11 if the President determines that the recipient for which funds
12 are earmarked has significantly reduced its military or eco-
13 nomic cooperation with the United States since enactment of
14 the Foreign Operations, Export Financing, and Related Pro-
15 grams Appropriations Act, 1990; however, before exercising
16 the authority of this section with regard to a base rights or
17 base access country which has significantly reduced its mili-
18 tary or economic cooperation with the United States, the
19 President shall consult with, and shall provide a written
20 policy justification to the Committees on Appropriations:
21 *Provided*, That any such reprogramming shall be subject to
22 the regular notification procedures of the Committees on Ap-
23 propriations: *Provided further*, That assistance that is repro-
24 grammed pursuant to this section shall be made available
25 under the same terms and conditions as originally provided.

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

3 **SEC. 555. (a) INSTRUCTIONS FOR UNITED STATES**
4 **EXECUTIVE DIRECTORS.**—The Secretary of the Treasury
5 shall instruct the United States Executive Director of each
6 international financial institution to vote against any loan or
7 other use of the funds of the respective institution to or for a
8 country for which the Secretary of State has made a determi-
9 nation under section 6(j) of the Export Administration Act of
10 1979.

11 **b) DEFINITION.**—For purposes of this section, the term
12 “international financial institution” includes—

13 (1) the International Bank for Reconstruction and
14 Development, the International Development Associa-
15 tion, and the International Monetary Fund; and

16 (2) wherever applicable, the Inter-American De-
17 velopment Bank, the Asian Development Bank, the
18 African Development Bank, and the African Develop-
19 ment Fund.

20 **PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST**
21 **COUNTRIES**

22 **SEC. 556. (a)** Notwithstanding any other provision of
23 law, funds appropriated for bilateral assistance under any
24 heading of this Act and funds appropriated under any such
25 heading in a provision of law enacted prior to fiscal year

1 1990, shall not be made available to any country which the
2 President determines—

3 (1) grants sanctuary from prosecution to any indi-
4 vidual or group which has committed an act of interna-
5 tional terrorism, or

6 (2) otherwise supports international terrorism.

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

16 (138) ~~HONDURAS—RAMIREZ CASE~~

17 ~~SEC. 557. It is the sense of the Congress that, pursuant~~
18 ~~to the procedures contained in section (j) under the heading~~
19 ~~“Assistance for Central America” enacted in Public Law~~
20 ~~100-71, the Honduran Government appears to have made a~~
21 ~~reasonable and good faith settlement offer based on a factual~~
22 ~~analysis by third parties, and the owner of the property in~~
23 ~~question is strongly encouraged to accept the proposed settle-~~
24 ~~ment. Therefore, notwithstanding the provisions of such sec-~~
25 ~~tion, \$5,000,000 of the Economic Support Fund assistance~~

1 made available by Public Law 100-71 for Honduras but
2 withheld from expenditure shall be available for expenditure
3 upon enactment of this Act: *Provided*, That if a settlement is
4 reached on the property in question, then the additional
5 \$10,000,000 withheld from expenditure pursuant to such
6 section shall then be available for expenditure.

7 *COMMISSION ON FOREIGN ASSISTANCE MANAGEMENT*

8 *SEC. 557. (a) FINDINGS.—The Congress finds that,*
9 *although it has effectively carried out United States foreign*
10 *assistance programs under markedly changed economic and*
11 *political circumstances since enactment of the Foreign Assist-*
12 *ance Act in 1961, the Agency for International Development*
13 *has in recent years begun to experience serious management*
14 *difficulties in the areas of program implementation, control*
15 *and accountability, and deployment of limited personnel re-*
16 *sources. The Congress also finds that a pattern of pervasive*
17 *management problems and weaknesses has persisted in the*
18 *Agency for several years without significant action by the*
19 *Agency to remedy or remove these problems and weaknesses.*
20 *These systemic management problems and weaknesses, cou-*
21 *pled with the continued expansion of the Agency's programs*
22 *to include additional countries and program responsibilities,*
23 *raise serious concerns about the effectiveness of present man-*
24 *agement structures, practices, and procedures in the Agency.*
25 *The Congress recognizes that these persistent management*
26 *problems and weaknesses are occurring at a time when*

1 *budget limitations make it imperative that the Agency is able*
2 *to carry out its mandate efficiently and in a coordinated*
3 *fashion. Therefore, the Congress believes that the establish-*
4 *ment of an independent commission to examine management*
5 *issues arising from the implementation of the United States*
6 *bilateral economic assistance program will enhance the effec-*
7 *tiveness of that program and serve the national interest.*

8 **(b) ESTABLISHMENT.**—*There is established the Com-*
9 *mission on Management of Agency for International Devel-*
10 *opment Programs (hereafter in this section referred to as the*
11 *“Commission”).*

12 **(c) MEMBERSHIP.**—*The Commission shall consist of 5*
13 *members appointed by the President after consultation with*
14 *the Chairmen of the Committee on Appropriations and the*
15 *Committee on Foreign Affairs of the House of Representa-*
16 *tives and the Chairmen of the Committee on Appropriations*
17 *and the Committee on Foreign Relations of the Senate. Indi-*
18 *vidual members of the Commission shall be from the private*
19 *sector or Members of Congress. The President shall designate*
20 *the Chairman of the Commission from among its members.*

21 **(d) DUTIES.**—*The Commission shall conduct a thor-*
22 *ough study and investigation and recommend appropriate ad-*
23 *ministrative action and legislation necessary in connection*
24 *with the following:*

1 (1) *the adequacy of systems of program and man-*
2 *agement evaluation and coordination, taking into con-*
3 *sideration, among other things—*

4 (A) *the need to identify central foci within*
5 *the Agency to coordinate its program and manage-*
6 *ment responsibilities and to evaluate the Agency's*
7 *program and management performance;*

8 (B) *the need to develop specific indicators of*
9 *effective performance for both program and man-*
10 *agement functions;*

11 (C) *the need to ensure that the results of pro-*
12 *gram and management evaluations are widely dis-*
13 *seminated and taken into consideration in future*
14 *Agency actions;*

15 (D) *the need to focus the review of the Agen-*
16 *cy's programs by the Administration and the*
17 *Congress on the impact of those programs;*

18 (2) *the adequacy of personnel management sys-*
19 *tems, taking into consideration, among other things—*

20 (A) *the need to systematically ensure the in-*
21 *tegration of program, operating expense, and per-*
22 *sonnel levels;*

23 (B) *the need to adjust personnel and operat-*
24 *ing expense levels among organizational units in*
25 *order to meet changing program requirements;*

1 (C) *the capacity to meet changing require-*
2 *ments for program and management skills in*
3 *headquarters offices and field missions;*

4 (D) *the significance of operating and pro-*
5 *gram funding distinctions as they affect the abili-*
6 *ty of the Agency to adjust its personnel to pro-*
7 *gram requirements;*

8 (3) *the adequacy of systems of personal account-*
9 *ability for program management, taking into consider-*
10 *ation, among other things—*

11 (A) *the need to establish and identify clear*
12 *lines of decision-making responsibility among*
13 *headquarters offices and between headquarters*
14 *and field missions;*

15 (B) *the need to ensure that an individual's*
16 *performance in the implementation and manage-*
17 *ment of the Agency's program portfolio is appro-*
18 *priately reflected in its promotion and assignment*
19 *processes.*

20 (e) *REPORT.—The Commission shall submit a compre-*
21 *hensive report to the President and to the Congress, not later*
22 *than six months from the date after which all members of the*
23 *Commission have been appointed, containing the findings*
24 *and recommendations of the Commission with respect to its*
25 *study and investigation. The Commission shall cease to exist*

1 *on the thirtieth day after the date on which it files the com-*
2 *prehensive report under this subsection.*

3 (f) *COMPENSATION AND PER DIEM.—(1) COMPENSA-*
4 *TION.—Members of the Commission shall receive no pay on*
5 *account of their service on the Commission.*

6 (2) *PER DIEM.—While away from their homes or regu-*
7 *lar places of business in the performance of services for the*
8 *Commission, members of the Commission shall be allowed*
9 *travel expenses, including per diem in lieu of subsistence, in*
10 *the same manner as persons employed intermittently in the*
11 *Government service are allowed expenses under section 5703*
12 *of title 5 of the United States Code.*

13 (g) *AUTHORITIES.—(1) IN GENERAL.—The Commis-*
14 *sion or any member it authorizes may, for the purposes of*
15 *carrying out this section, hold such hearings, sit and act at*
16 *such times and places, request such attendance, take such*
17 *testimony, and receive such evidence, as the Commission con-*
18 *siders appropriate.*

19 (2) *APPOINTMENTS.—Subject to such rules as may be*
20 *adopted by the Commission, the Chairman of the Commis-*
21 *sion, without regard to the provisions of title 5, United States*
22 *Code, governing appointments in the competitive service and*
23 *without regard to the provisions of chapter 51 and subchapter*
24 *III of chapter 53 of such title relating to classifications and*
25 *General Schedule pay rates, may appoint and fix the com-*

1 *pensation of a Director and such other staff as the Chairman*
2 *considers necessary.*

3 (3) *TEMPORARY SERVICES.*—*The Chairman of the*
4 *Commission may procure temporary and intermittent serv-*
5 *ices to the same extent as is authorized by section 3109(b) of*
6 *title 5 of the United States Code, but at rates for individuals*
7 *not to exceed the daily equivalent of the maximum annual*
8 *rate of basic pay then in effect for grade GS-18 of the Gen-*
9 *eral Schedule (5 U.S.C. 5332(a)).*

10 (4) *ADMINISTRATIVE SUPPORT.*—*Upon the request of*
11 *the Chairman of the Commission, the head of any Federal*
12 *department or agency may detail, on a reimbursable basis,*
13 *any of the personnel of such department or agency to the*
14 *Commission to assist it in carrying out its duties under this*
15 *section. The Administrator of the Agency for International*
16 *Development shall provide to the Commission on a reimburs-*
17 *able basis such administrative support services as the Chair-*
18 *man of the Commission may request.*

19 (5) *INFORMATION FROM FEDERAL AGENCIES.*—*The*
20 *Commission may secure directly from any department or*
21 *agency of the United States any information necessary to*
22 *enable it to carry out this section. Upon the request of the*
23 *Chairman of the Commission, the head of such department or*
24 *agency shall furnish such information to the Commission.*

1 (h) *FUNDING.*—*In addition to funds otherwise avail-*
2 *able for such purposes, up to \$500,000 of the funds appropri-*
3 *ated under the heading "Operating Expenses of the Agency*
4 *for International Development", of the Foreign Assistance*
5 *Act of 1961 may be used to carry out the provisions of this*
6 *section.*

7 SOUTH AFRICA—SCHOLARSHIPS

8 SEC. 558. Of the funds made available by this Act under
9 the heading "Economic Support Fund", \$10,000,000 may
10 be made available for scholarships for disadvantaged South
11 Africans.

12 NARCOTICS CONTROL PROGRAM

13 SEC. 559. (a)(1) Of the funds appropriated by this Act
14 under the heading "Economic Support Fund", \$59,900,000
15 may be made available for Bolivia, Ecuador, Jamaica, and
16 Peru.

17 (2) In addition to funds made available under paragraph
18 (1), of the funds appropriated by this Act under the heading
19 "Economic Support Fund", \$195,000,000 may be made
20 available for Peru, Bolivia, Colombia, and Ecuador: *Pro-*
21 *vided*, That funds under this paragraph may be made avail-
22 able to a country only if such country is making significant
23 progress, as appropriate, in (A) satisfying the goals agreed to
24 in the applicable bilateral narcotics agreement between such
25 country and the United States, or a comparable multilateral
26 agreement, (B) preventing narcotic drugs and other con-

1 trolled substances from being sold illegally within the juris-
2 diction of such country to United States Government person-
3 nel or their dependents or from being transported, directly or
4 indirectly, into the United States, (C) preventing and punish-
5 ing the laundering in that country of drug-related profits or
6 drug-related moneys, and (D) preventing and punishing
7 public corruption which facilitates the illicit production, proc-
8 essing, or shipment of narcotic drugs and other controlled
9 substances, or which discourages the investigation and pros-
10 ecution of such acts.

11 (3) For the purpose of reducing dependence upon the
12 production of crops from which narcotic and psychotropic
13 drugs are derived, funds appropriated by this Act to carry out
14 the provisions of chapter 1 of part I and chapter 4 of part II
15 of the Foreign Assistance Act may be made available for
16 (139) ~~Bolivia, Peru, Colombia, Ecuador, and Jamaica~~ a
17 *country which, because of its coca production, is a major il-*
18 *licit drug producing country* to promote the production, proc-
19 essing, and the marketing of products which can be economi-
20 cally produced in those countries, notwithstanding section
21 521 of this Act.

22 (4) Of the funds appropriated by this Act under the
23 heading "Foreign Military Financing Program", not more
24 than \$118,000,000 may be made available for Bolivia, Peru,
25 and Colombia: *Provided*, That no funds may be made avail-

1 able under this paragraph to the government of any country
2 which engages in a consistent pattern of gross violations of
3 internationally recognized human rights.

4 (5)(A) Of the funds appropriated by this Act to carry out
5 the provisions of section 541 of the Foreign Assistance Act of
6 1961, up to \$2,000,000, except through the regular notifica-
7 tion procedures of the Committees on Appropriations, may be
8 made available for Bolivia, Peru, Colombia, and Ecuador,
9 notwithstanding section 660 of such Act, for—

10 (i) education and training in the operation and
11 maintenance of equipment used in narcotics control
12 interdiction and eradication efforts; and

13 (ii) the expenses of deploying, upon the request of
14 the government of such foreign country, Department of
15 Defense mobile training teams in that foreign country
16 to conduct training in military-related individual and
17 collective skills that will enhance that country's ability
18 to conduct tactical operations in narcotics interdiction.

19 (B) Education and training under this paragraph may be
20 provided only for foreign law enforcement agencies, or other
21 units, that are organized for the specific purpose of narcotics
22 enforcement.

23 (6) Funds made available by this Act to carry out the
24 provisions of the Arms Export Control Act and section 534
25 of the Foreign Assistance Act of 1961 may be provided for

1 training and equipment for law enforcement agencies or other
2 units in Colombia, Bolivia, and Peru that are organized for
3 the specific purpose of narcotics enforcement: *Provided*, That
4 assistance under this paragraph may be provided notwith-
5 standing section 660 of the Foreign Assistance Act of 1961
6 and the second sentence of section 534(e) of that Act: *Pro-*
7 *vided further*, That assistance provided pursuant to this para-
8 graph shall be subject to the regular notification procedures
9 of the Committees on Appropriations.

10 (7) Funds made available under this subsection shall be
11 available for obligation consistent with (140) *requirements*
12 *to apply* the provisions of section 481(h) of the Foreign As-
13 sistance Act of 1961 (relating to International Narcotics
14 Control).

15 (b) None of the funds appropriated or otherwise made
16 available under this Act may be available for any country
17 during any three-month period beginning on or after
18 October 1, 1990, immediately following a certification by the
19 President to the Congress that the government of such coun-
20 try is failing to take adequate measures (including satisfying
21 the goals agreed to in applicable bilateral narcotics agree-
22 ments as defined in section 481(h)(2)(B) of the Foreign As-
23 sistance Act of 1961) to prevent narcotic drugs or other con-
24 trolled substances (as listed in the schedules in section 202 of
25 the Comprehensive Drug Abuse and Prevention Control Act

1 of 1971 (21 U.S.C. 812)) which are cultivated, produced, or
2 processed illicitly, in whole or in part, in such country, or
3 transported through such country from being sold illegally
4 within the jurisdiction of such country to United States Gov-
5 ernment personnel or their dependents or from entering the
6 United States unlawfully.

7 (c) In making determinations with respect to Bolivia,
8 Colombia, Ecuador, and Peru pursuant to section
9 481(h)(2)(A)(i) of the Foreign Assistance Act of 1961, the
10 President shall take into account the extent to which the
11 Government of each country is sufficiently responsive to
12 United States Government concerns on coca control and
13 whether the provision of assistance for that country is in the
14 national interest of the United States.

15 (d) Of the funds appropriated under title II of this Act
16 for the Agency for International Development, up to
17 \$10,000,000 should be made available for narcotics educa-
18 tion and awareness programs (including public diplomacy
19 programs) of the Agency for International Development, and
20 \$40,000,000 of the funds appropriated under title II of this
21 Act should be made available for narcotics related economic
22 assistance activities.

23 **TURKISH AND GREEK MILITARY FORCES ON CYPRUS**

24 **SEC. 560.** Any agreement for the sale or provision of
25 any article on the United States Munitions List (established
26 pursuant to section 38 of the Arms Export Control Act) en-

1 tered into by the United States after the enactment of this
 2 section shall expressly state that the article is being provided
 3 by the United States only with the understanding that it will
 4 not be transferred to Cyprus or otherwise used to further the
 5 severance or division of Cyprus. The President shall report to
 6 Congress any substantial evidence that equipment provided
 7 under any such agreement has been used in a manner incon-
 8 sistent with the purposes of this section.

9 **COMMERCIAL LEASING OF DEFENSE ARTICLES**

10 **SEC. 561.** Notwithstanding any other provision of law,
 11 and subject to the regular notification requirements of the
 12 Committees on Appropriations, the authority of section 23(a)
 13 of the Arms Export Control Act may be used to provide fi-
 14 nancing to Israel and Egypt and NATO and major non-
 15 NATO allies for the procurement by leasing (including leas-
 16 ing with an option to purchase) of defense articles from
 17 United States commercial suppliers, not including Major De-
 18 fense Equipment (other than helicopters and other types of
 19 aircraft having possible civilian application), if the President
 20 determines that there are compelling foreign policy or nation-
 21 al security reasons for those defense articles being provided
 22 by commercial lease rather than by government-to-govern-
 23 ment sale under such Act.

24 **(141) CAMBODIAN NONCOMMUNIST RESISTANCE FORCES**

25 **SEC. 562. (a) ASSISTANCE.**—Not to exceed \$7,000,000
 26 of the funds appropriated by this Act under the heading

1 "ECONOMIC SUPPORT FUND" may be made available for as-
2 sistance for the Cambodian noncommunist resistance forces
3 and noncommunist civilians in Cambodia, notwithstanding
4 any other provision of law (except that sections 521(e) and
5 624A of the Foreign Assistance Act of 1961 and section 522
6 of this Act apply with respect to funds used under this sec-
7 tion).

8 (b) PROHIBITION ON DIRECT OR INDIRECT ASSIST-
9 ANCE FOR THE KHMER ROUGE.—(1) Funds made available
10 under this section shall be subject to the prohibitions con-
11 tained in section 906 of the International Security and De-
12 velopment Cooperation Act of 1985.

13 (2) The President shall terminate assistance under this
14 section to any noncommunist resistance organization that he
15 determines is engaged in a pattern of military cooperation
16 and coordination designed to assist the Khmer Rouge.

17 (c) ADMINISTRATION OF ASSISTANCE.—To the maxi-
18 mum extent possible, all funds made available under this sec-
19 tion shall be administered directly by the United States Gov-
20 ernment.

21 (d) RELATION TO ASSISTANCE FOR CAMBODIAN CHIL-
22 DREN.—Any assistance provided under this section shall be
23 in addition to the assistance provided for under the heading
24 "HUMANITARIAN ASSISTANCE FOR CAMBODIAN CHIL-
25 DREN".

1 *ment of this Act, the President shall submit to the Committee*
2 *on Foreign Relations of the Senate and the Committee on*
3 *Foreign Affairs of the House of Representatives a report de-*
4 *scribing the expenditure of funds under paragraph (1).*

5 **(b) PROHIBITION ON DIRECT OR INDIRECT ASSIST-**
6 **ANCE FOR THE KHMER ROUGE.**—(1) *Funds made avail-*
7 *able under this section shall be subject to the prohibitions*
8 *contained in section 906 of the International Security Devel-*
9 *opment Cooperation Act of 1985 (Public Law 99-83).*

10 (2) *The President shall terminate assistance under this*
11 *section to any Cambodian organization that he determines is*
12 *cooperating, tactically or strategically, with the Khmer*
13 *Rouge in their military operations.*

14 (3) *Not later than January 1, 1991, the President shall*
15 *submit to the Speaker of the House of Representatives and*
16 *the President pro tempore of the Senate an unclassified*
17 *report describing the extent of military cooperation since*
18 *1986 between the Khmer Rouge and any individual group or*
19 *faction of the noncommunist resistance.*

20 **(c) ADMINISTRATION OF ASSISTANCE.**—*To the maxi-*
21 *mum extent possible, all funds made available under this sec-*
22 *tion shall be administered directly by the United States Gov-*
23 *ernment.*

24 **(d) REPORTING REQUIREMENT.**—(1) *The Administra-*
25 *tor of the Agency for International Development shall con-*

1 duct within 180 days of enactment of this Act an on-site
2 assessment along the Thai-Cambodian border and within
3 Cambodia, including Phnom Penh, determining the prior-
4 ities of the humanitarian and development needs of the Cam-
5 bodian people, including noncombatant civilians in all sec-
6 tors of Cambodia.

7 (2) Not later than January 1, 1991, the President shall
8 submit to the Speaker of the House of Representatives and
9 the President pro tempore of the Senate a report setting forth
10 the priorities determined by the assessment made under para-
11 graph (1).

12 (e) **RELATION TO ASSISTANCE FOR CAMBODIAN**
13 **CHILDREN.**—(1) Any assistance provided under this section
14 shall be in addition to the assistance provided for under the
15 heading “humanitarian assistance for Cambodian children”.

16 (2) Notwithstanding any other provision of this Act,
17 funds made available under the heading “humanitarian as-
18 sistance for Cambodian children” shall also be available to
19 civilian victims of war.

20 (f) **DEFINITIONS.**—For purposes of this section—

21 (1) the term “development assistance” means as-
22 sistance furnished to carry out any of the provisions of
23 chapter 1 of part I of the Foreign Assistance Act of
24 1961; and

1 made available only for activities of United States organiza-
2 tions and individuals that are—

3 (1) business concerns owned and controlled by so-
4 cially and economically disadvantaged individuals,

5 (2) historically black colleges and universities,

6 (3) colleges and universities having a student body
7 in which more than 40 per centum of the students are
8 Hispanic American, and

9 (4) private voluntary organizations which are con-
10 trolled by individuals who are socially and economic-
11 ally disadvantaged.

12 (b)(1) In addition to other actions taken to carry out this
13 section, the actions described in paragraphs (2) through (5)
14 shall be taken with respect to development assistance and
15 assistance for famine recovery and development in Africa for
16 fiscal year 1990.

17 (2) Notwithstanding any other provision of law, in order
18 to achieve the goals of this section, the Administrator—

19 (A) to the maximum extent practicable, shall uti-
20 lize the authority of section 8(a) of the Small Business
21 Act (15 U.S.C. 637(a));

22 (B) to the maximum extent practicable, shall enter
23 into contracts with small business concerns owned and
24 controlled by socially and economically disadvantaged

1 individuals, and organizations contained in paragraphs
2 (2) through (4) of subsection (a)—

3 (i) using less than full and open competitive
4 procedures under such terms and conditions as the
5 Administrator deems appropriate, and

6 (ii) using an administrative system for justifi-
7 cations and approvals that, in the Administrator's
8 discretion, may best achieve the purpose of this
9 section; and

10 (C) shall issue regulations to require that any con-
11 tract in excess of \$500,000 contain a provision requir-
12 ing that no less than 10 per centum of the dollar value
13 of the contract be subcontracted to entities described in
14 subsection (a), except—

15 (i) to the extent the Administrator deter-
16 mines otherwise on a case-by-case or category-of-
17 contract basis; and

18 (ii) this subparagraph does not apply to any
19 prime contractor that is an entity described in
20 subsection (a).

21 (3) Each person with contracting authority who is at-
22 tached to the agency's headquarters in Washington, as well
23 as all agency missions and regional offices, shall notify the
24 agency's Office of Small and Disadvantaged Business Utiliza-
25 tion at least seven business days before advertising a contract

1 in excess of \$100,000, except to the extent that the Adminis-
2 trator determines otherwise on a case-by-case or category-of-
3 contract basis.

4 (4) The Administrator shall include, as part of the per-
5 formance evaluation of any mission director of the agency,
6 the mission director's efforts to carry out this section.

7 (5) The Administrator shall submit to the Congress
8 annual reports on the implementation of this section. Each
9 such report shall specify the number and dollar value or
10 amount (as the case may be) of prime contracts, subcontracts,
11 grants, and cooperative agreements awarded to entities de-
12 scribed in subsection (a) during the preceding fiscal year.

13 (6) The Administrator shall issue interim regulations to
14 carry out this section within ninety days after the date of the
15 enactment of this Act and final regulations within one hun-
16 dred and eighty days after that date.

17 (c) As used in this section, the term "socially and eco-
18 nomically disadvantaged individuals" has the same meaning
19 that term is given for purposes of section 8(d) of the Small
20 Business Act, except that the term includes women.

21 STINGERS IN THE PERSIAN GULF REGION

22 SEC. 568. (143) (a) Except as provided in section 581
23 of the Foreign Operations, Export Financing, and Related
24 Programs Appropriations Act, 1990, the United States may
25 not sell or otherwise make available any Stingers to any
26 country bordering the Persian Gulf under the Arms Export

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

3 **(144)** *(b) Section 5669(d) of the Foreign Operations,*
4 *Export Financing, and Related Programs Appropriations*
5 *Act, 1989, is hereby repealed.*

6 PROHIBITION ON LEVERAGING AND DIVERSION OF UNITED
7 STATES ASSISTANCE

8 SEC. 569. (a) None of the funds appropriated by this
9 Act may be provided to any foreign government (including
10 any instrumentality or agency thereof), foreign person, or
11 United States person in exchange for that foreign govern-
12 ment or person undertaking any action which is, if carried
13 out by the United States Government, a United States offi-
14 cial or employee, expressly prohibited by a provision of
15 United States law.

16 (b) For the purposes of this section the term "funds ap-
17 propriated by this Act" includes only (1) assistance of any
18 kind under the Foreign Assistance Act of 1961; and (2) cred-
19 its, and guaranties under the Arms Export Control Act.

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

21 (1) the ability of the President, the Vice Presi-
22 dent, or any official or employee of the United States
23 to make statements or otherwise express their views to
24 any party on any subject;

1 (2) the ability of an official or employee of the
2 United States to express the policies of the President;
3 or

4 (3) the ability of an official or employee of the
5 United States to communicate with any foreign country
6 government, group or individual, either directly or
7 through a third party, with respect to the prohibitions
8 of this section including the reasons for such prohibi-
9 tions, and the actions, terms, or conditions which might
10 lead to the removal of the prohibitions of this section.

11 APPROPRIATIONS OF EXCESS CURRENCIES

12 SEC. 570. The provisions of section 1306 of title 31,
13 United States Code, shall not be waived to carry out the
14 provisions of the Foreign Assistance Act of 1961 by any pro-
15 vision of law enacted after the date of enactment of this Act
16 unless such provision makes specific reference to this section.

17 DEBT-FOR-DEVELOPMENT

18 SEC. 571. In order to enhance the continued participa-
19 tion of nongovernmental organizations in economic assistance
20 activities under the Foreign Assistance Act of 1961, includ-
21 ing debt-for-development and debt-for-nature exchanges, a
22 nongovernmental organization may invest local currencies
23 which accrue to that organization as a result of economic
24 assistance provided under the heading "Agency for Interna-
25 tional Development" and any interest earned on such invest-
26 ment may be used, including for the establishment of an en-

1 dowment, for the purpose for which the assistance was pro-
2 vided to that organization.

3 LEBANON

4 SEC. 572. (145) *Funds Of the funds* appropriated by
5 this Act to carry out chapter 1 of part I and chapter 4 of part
6 II of the Foreign Assistance Act of 1961 (146) which are
7 not less than \$7,500,000 shall be made available for Lebanon
8 (147) and may be provided in accordance with the general
9 authorities contained in section 491 of the Foreign Assist-
10 ance Act of 1961.

11 LOCATION OF STOCKPILES

12 (148) SEC. 573. (a) Except for stockpiles located in
13 the Republic of Korea, Thailand, a country which is a
14 member of the North Atlantic Treaty Organization, or a
15 country which is a major non-NATO ally, no stockpile may
16 be located outside the boundaries of a United States military
17 base or a military base used primarily by the United States.

18 (149) SEC. 573. (a) Section 514(c) of the Foreign As-
19 sistance Act of 1961 is amended by inserting "or major non-
20 NATO allies," after "Organization,".

21 (b) Section 514(b)(2) of the Foreign Assistance Act of
22 1961 (22 U.S.C. 2321h) is amended by striking out
23 "\$165,000,000 for fiscal year 1990" and inserting in lieu
24 thereof (150) "\$178,000,000 for fiscal year 1991"
25 "\$278,000,000 for fiscal year 1991, of which amount not
26 less than \$200,000,000 shall be for stockpiles in Israel".

ASSISTANCE FOR PAKISTAN

1
2 SEC. 574. (151)(a) Section 620E(d) of the Foreign
3 Assistance Act of 1961 is amended by striking out "April 1,
4 1991" and inserting in lieu thereof "April 1, 1992".

5 (152)(b) *Notwithstanding any other provision of law,*
6 *none of the funds appropriated by this Act under the head-*
7 *ings "Economic Support Fund", "Foreign Military Financ-*
8 *ing Program", and "International Military Education and*
9 *Training", may be made available for Pakistan unless the*
10 *President certifies, and so reports to the Congress, that—*

11 (1) *the state of emergency in Pakistan was lifted,*
12 *and full civil liberties restored, in time to allow for the*
13 *fair conduct of National Assembly elections;*

14 (2) *the Government of Pakistan held timely, free,*
15 *fair, and internationally monitored National Assembly*
16 *elections, open to the full participation of all legal par-*
17 *ties and all candidates of those parties;*

18 (3) *the proceedings of the Special Courts estab-*
19 *lished on August 8 and August 21, 1990, did not*
20 *interfere with the conduct of free and fair elections;*
21 *and*

22 (4) *the National Assembly has convened and that*
23 *no elected member of the Assembly has been denied a*
24 *seat for political reasons.*

1 for deposits into and disbursements from the separate
2 account.

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

7 (A) to carry out chapter 1 of part I or chapter 4
8 of part II (as the case may be), ~~(155)~~ or for—

9 (i) *project and sector assistance activities, or*

10 (ii) *general budget support, including debt*
11 *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 separate
18 account established pursuant to subsection (a)(1) are used for
19 the purposes agreed upon pursuant to subsection (a)(2).

20 (4) TERMINATION OF ASSISTANCE PROGRAMS.—Upon
21 termination of assistance to a country under chapter 1 of part
22 I or chapter 4 of part II (as the case may be), any unencum-
23 bered balances of funds which remain in a separate account
24 established pursuant to subsection (a) shall be disposed of for

1 such purposes as may be agreed to by the government of that
2 country and the United States Government.

3 **(156)(5) AMOUNT OF LOCAL CURRENCIES DEPOS-**
4 *ITED.—(A) For purposes of this section and section 609 of*
5 *the Foreign Assistance Act of 1961, the amount of local cur-*
6 *rencies deposited shall be whatever amount is agreed upon for*
7 *joint programming by the Administrator and the foreign gov-*
8 *ernment and which amount, for the purposes of this section,*
9 *is specified in the agreement required by subsection*
10 *(a)(1)(B).*

11 *(B) The provisions of this subsection shall supersede the*
12 *tenth and eleventh provisos contained under the heading*
13 *“Sub-Saharan Africa, Development Assistance” as included*
14 *in the Foreign Operations, Export Financing, and Related*
15 *Programs Appropriations Act, 1989 and sections 531(d) and*
16 *609 of the Foreign Assistance Act of 1961.*

17 **(b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—**
18 **(1)** If assistance is made available to the government of a
19 foreign country, under chapter 1 of part I (including assist-
20 ance for sub-Saharan Africa and the Philippines Multilateral
21 Assistance Initiative) or chapter 4 of part II of the Foreign
22 Assistance Act of 1961, as cash transfer assistance or as
23 nonproject sector assistance, that country shall be required to
24 maintain such funds in a separate account and not commingle
25 them with any other funds.

1 (157) "Czechoslovakia "or any other East European coun-
2 try," after "Hungary,".

3 (158) (b) PARTICIPATION BY NONGOVERNMENTAL
4 SECTOR.—(1) In accordance with its mandate to foster pri-
5 vate initiative and competition and enhance the ability of pri-
6 vate enterprise to make its full contribution to the develop-
7 ment process, the Overseas Private Investment Corporation
8 shall support projects in Poland, Hungary, and Czechoslova-
9 kia which will result in enhancement of the nongovernmental
10 sector and reduction of state involvement in the economy.

11 (2) For purposes of this subsection, the term "nongov-
12 ernmental sector" in Poland, Hungary, and Czechoslovakia
13 includes private enterprises, cooperatives (insofar as they are
14 not administered by the Governments of Poland, Hungary, or
15 Czechoslovakia), joint ventures (including partners which are
16 not the Governments of Poland, Hungary, or Czechoslovakia
17 or instrumentalities thereof), businesses in Poland, Hungary,
18 or Czechoslovakia that are wholly or partly owned by United
19 States citizens, including those of Polish, Hungarian, or
20 Czechoslovak descent, religious and ethnic groups (including
21 the Catholic Church), and other independent social
22 organizations.

23 (c) DEFINITION OF ELIGIBLE INVESTOR.—Notwith-
24 standing subsection (b), the term "eligible investor" with re-
25 spect to OPIC's programs in Czechoslovakia, Poland and

1 Hungary has the same meaning as contained in section
2 238(c) of the Foreign Assistance Act of 1961.

3 (d) EFFECTIVE DATE.—The authority of the Overseas
4 Private Investment Corporation to issue insurance, reinsur-
5 ance, guarantees, and to provide any assistance under its
6 direct loan and equity programs with respect to projects un-
7 dertaken in Czechoslovakia, Poland and Hungary shall take
8 effect upon the date of enactment of this Act and shall remain
9 in effect until September 30, 1992.

10 (b) PARTICIPATION BY NONGOVERNMENTAL
11 SECTOR.—(1) *In accordance with its mandate to foster pri-
12 vate initiative and competition and enhance the ability of pri-
13 vate enterprise to make its full contribution to the develop-
14 ment process, the Overseas Private Investment Corporation
15 shall support projects in Poland, Hungary, and other East
16 European countries which will result in enhancement of the
17 nongovernmental sector and reduction of state involvement in
18 the economy.*

19 (2) *For purpose of this subsection the term “nongovern-
20 mental sector” includes private enterprises, cooperatives (in-
21 sofar as they are not administered by the government), joint
22 ventures (including partners which are not governments of
23 East European countries or instrumentalities thereof), busi-
24 nesses that are wholly or partly owned by United States citi-*

1 zens, religious and ethnic groups (including the Catholic
2 Church), and other independent social organizations.

3 (c) *DEFINITION OF ELIGIBLE INVESTOR.*—Notwith-
4 standing subsection (b), the term “eligible investor” with re-
5 spect to OPIC’s programs in Eastern Europe has the same
6 meaning as contained in section 238(c) of the Foreign Assist-
7 ance Act of 1961.

8 (d) *EXPIRATION DATE.*—The authority of the Over-
9 seas Private Investment Corporation to issue insurance, re-
10 insurance, and guarantees, and to provide any assistance
11 under its direct loan and equity programs with respect to
12 projects undertaken in Eastern Europe shall remain in effect
13 until September 30, 1992.

14 ASSISTANCE FOR NICARAGUA

15 SEC. 577. (a) None of the funds appropriated by this
16 Act shall be provided for any member of the Nicaraguan re-
17 sistance who has not disarmed and is not abiding by the
18 terms of the cease-fire agreement and the addendums to the
19 Toncontin Agreement signed on April 19, 1990.

20 (b) Section 1 of the Act entitled “An Act to provide
21 survival assistance to victims of civil strife in Central Amer-
22 ica”, approved December 11, 1989 (Public Law 101-215), is
23 amended by repealing subsection (c).

1 COMPENSATION FOR UNITED STATES EXECUTIVE DIREC-
2 TOBS TO INTERNATIONAL FINANCIAL INSTITUTIONS

3 SEC. 578. (a) No funds appropriated by this Act may be
4 made as payment to any international financial institution
5 while the United States Executive Director to such institu-
6 tion is compensated by the institution at a rate which, togeth-
7 er with whatever compensation such Director receives from
8 the United States, is in excess of the rate provided for an
9 individual occupying a position at level IV of the Executive
10 Schedule under section 5315 of title 5, United States Code,
11 or while any alternate United States Director to such institu-
12 tion is compensated by the institution at a rate in excess of
13 the rate provided for an individual occupying a position at
14 level V of the Executive Schedule under section 5316 of title
15 5, United States Code.

16 (b) For purposes of this section, "international financial
17 institutions" are: the International Bank for Reconstruction
18 and Development, the Inter-American Development Bank,
19 the Asian Development Bank, the Asian Development Fund,
20 the African Development Bank, the African Development
21 Fund, the International Monetary Fund, and the European
22 Bank for Reconstruction and Development.

1 WITHHOLDING OF OBLIGATIONS FOR THE EUROPEAN
2 BANK FOR RECONSTRUCTION AND DEVELOPMENT

3 (159) SEC. 570. (a) None of the funds made available
4 by this Act for the European Bank for Reconstruction and
5 Development may be obligated until—

6 (1) the President reaches an agreement, the au-
7 thority to enter into which he is hereby granted not-
8 withstanding any other provision of law, which accu-
9 rately reflects the real collectability of debts of the
10 Polish Government to the Government of the United
11 States, and

12 (2)(A) an International Monetary Fund agreement
13 is in effect with respect to Poland, and that it is the
14 intent of the Polish Government to continue full imple-
15 mentation of that program,

16 (B) the recent historic change of the Polish Gov-
17 ernment into a democracy is being maintained,

18 (C) the Polish Government is seeking comparable
19 treatment of both public and private external debt, and

20 (D) final debt adjustment agreements provide
21 comparable treatment of both public and private exter-
22 nal creditors in order to avoid inequity between differ-
23 ent categories of creditors.

24 (b) Debt adjustment agreements for the democratic Gov-
25 ernment of Poland should recognize that Polish economic

1 conditions and therefore the collectability of Polish debt are
2 far worse than the economic conditions which faced the Fed-
3 eral Republic of Germany in the early 1950's when its exter-
4 nal debts were adjusted under both the London Agreement
5 on German External Debts and under other postwar official
6 bilateral debt agreements reached with the Allied powers and
7 Denmark. At that time, the German debt to GNP ratio was
8 15.6 percent and the German debt to export ratio was 87.1
9 percent. For Poland today these same ratios, which reflect
10 the dire economic circumstances in Poland and the inability
11 of the Polish Government to service its debt, are 63.9 per-
12 cent and 300.7 percent.

13 (e) Funds may be obligated notwithstanding subsection
14 (a) subject to the regular notification procedures of the Com-
15 mittees on Appropriations.

16 *SEC. 579. (a) None of the funds made available by this*
17 *Act for the European Bank for Reconstruction and Develop-*
18 *ment may be obligated until—*

19 (1) *the President has reached an agreement, the*
20 *authority to enter into which he is hereby granted not-*
21 *withstanding any other provision of law, which accu-*
22 *rately reflects the real collectability of debts of the Gov-*
23 *ernment of Poland to the Government of the United*
24 *States, and*

1 “(2) Funds made available to carry out this section may
2 not be used for prepayment of principal or interest pursuant
3 to the authority of paragraph (1).”

4 **(160) CASH FLOW FINANCING LIMITATION**

5 **SEC. 581.** Effective October 1, 1993, not more than 75
6 percent of the funds allocated to each country in any fiscal
7 year under the Foreign Military Financing Program may be
8 used for the practice of “cash flow financing” as defined in
9 section 25(d) of the Arms Export Control Act.

10 **SEC. 582.** Except for amounts appropriated for Sub-Sa-
11 haran Africa Development Assistance, the Peace Corps,
12 Anti-Terrorism Assistance, International Narcotics Control,
13 Migration and Refugee Assistance, Emergency Refugee Mi-
14 gration Assistance, the Export Import Bank, Payment to the
15 Foreign Service Retirement and Disability Fund, and the
16 Guaranty Reserve Fund, appropriations contained in this Act
17 for each account shall be reduced by 2 percent of the aggre-
18 gate of the appropriated and unearmarked funds.

19 **(161) FUTURE ASSISTANCE PROJECTIONS**

20 **SEC. 581.** *The Congress finds that, as is the case with*
21 *most domestic programs, overall constraints on the Federal*
22 *budget will have a significant impact on the ability of the*
23 *United States Government to meet program requirements in*
24 *the coming years. Therefore, in order to assist the Congress*
25 *to make the difficult policy choices attendant to budget short-*

1 falls, the Congressional Presentation Documents of depart-
2 ments and agencies included within this Act shall contain
3 funding projections for each of its major program components
4 for each of the two years following the year for which new
5 budget or other authority is being requested. The require-
6 ments of this section shall be effective for the Congressional
7 Presentation Documents submitted for the fiscal year 1992.

8 (162) HUMAN RIGHTS

9 SEC. 582. Not later than thirty days after submission
10 of the report required by section 502B(b) of the Foreign As-
11 sistance Act of 1961, the Secretary of State shall submit to
12 the Committees on Appropriations a listing of those countries
13 the governments of which are found, based upon the criteria
14 and findings in the report required by section 502B(b) of the
15 Foreign Assistance Act of 1961, to engage in a consistent
16 pattern of gross violations of internationally recognized
17 human rights. This list shall be accompanied by a report
18 from the Secretary of State describing how, for each country
19 receiving assistance under the Foreign Military Financing
20 Program, such assistance will be conducted to promote and
21 advance human rights and how the United States will avoid
22 identification with activities which are contrary to interna-
23 tionally recognized standards of human rights.

1 (1) establishment of procedures for environmental
2 assessment of all proposed operations with potentially
3 significant environmental impacts;

4 (2) establishment of an environmental unit with
5 sufficient staff to review proposed operations, monitor
6 compliance with environmental provisions, and provide
7 overall policy guidance;

8 (3) establishment of procedures for systematic con-
9 sultation with and involvement of the public and inter-
10 ested nongovernmental organizations, including an op-
11 portunity for comment by local communities which
12 may be affected by EBRD operations;

13 (4) agreement that a significant portion of the
14 EBRD's funds shall be devoted to projects focussed on
15 environmental restoration and protection; and

16 (5) establishment of an Environment Fund to
17 provide grants and loans for technical assistance, devel-
18 opment of environmental institutions and regulatory
19 systems, public education, and training.

20 **(165) PROPERTY MANAGEMENT FUND**

21 **SEC. 585. (a)** The proceeds of overseas property ac-
22 quired by the Agency for International Development under
23 the authority of section 636(c) of the Foreign Assistance Act
24 of 1961 may be deposited in a separate fund, which shall be
25 known as the Property Management Fund. Such proceeds

1 shall be available for use only for the purposes of section
2 636(c) of that Act, and shall remain available until expend-
3 ed. The Administrator of the Agency for International Devel-
4 opment shall report all uses of funds deposited into the Prop-
5 erty Management Fund as part of the annual Congressional
6 Presentation materials submitted by the Agency for Interna-
7 tional Development.

8 (b) The provisions of subsection (a) shall be applicable
9 to property acquired prior to the date of enactment of this Act
10 and at any time thereafter.

11 **(166) COMPLIANCE WITH UNITED NATIONS SANCTIONS**
12 **AGAINST IRAQ**

13 **SEC. 586. (a) IN GENERAL.**—No United States assist-
14 ance appropriated by this Act may be provided to any coun-
15 try which is not in compliance with the United Nations-spon-
16 sored economic sanctions against Iraq unless the President
17 determines and so certifies to the Congress that—

18 (1) it is in the national interest of the United
19 States to do so;

20 (2) such assistance would directly benefit the
21 needy people in that country;

22 (3) such assistance would be used to provide hu-
23 manitarian assistance to refugees in that country; or

1 *international military education and training under chapter*
2 *5 of part II of the Foreign Assistance Act of 1961.*

3 **(168) MANDATORY RETIREMENT FOR CERTAIN**

4 **INSPECTOR GENERAL STAFF**

5 **SEC. 588. (a) COMPUTATION OF ANNUITIES.**—*Sec-*
6 *tion 806(a) of the Foreign Service Act of 1980 (22 U.S.C.*
7 *4046) is amended—*

8 (1) *by inserting “(1)” immediately after “(a)”;*
9 *and*

10 (2) *by adding at the end thereof the following new*
11 *paragraphs:*

12 “(2) *Notwithstanding the percentage limitation con-*
13 *tained in paragraph (1) of this subsection—*

14 “(A) *utilizing the definition of average pay con-*
15 *tained in section 8331(4) of title 5, United States*
16 *Code, the annuity of a Foreign Service criminal inves-*
17 *tigator/inspector of the Office of the Inspector General,*
18 *Agency for International Development, who was ap-*
19 *pointed to a law enforcement position, as defined in*
20 *section 8331(20) of the title 5, United States Code,*
21 *prior to January 1, 1984, and would have been eligible*
22 *to retire pursuant to section 8336(c) of that title, after*
23 *attaining 50 years of age and completing 20 years as a*
24 *law enforcement officer had the employee remained in*
25 *the civil service shall be computed in the same manner*

1 as that of a law enforcement officer pursuant to section
2 8339(d) of that title, except as provided in paragraph
3 (3); and

4 “(B) the annuity of a Foreign Service criminal
5 investigator/inspector of such office, who was appoint-
6 ed to a law enforcement position as defined in section
7 8401(17) of that title on or after January 1, 1984, and
8 who would have been eligible to retire pursuant to sec-
9 tion 8412(d) of that title, after attaining 50 years of
10 age and completing 20 years of service as such a law
11 enforcement officer, had the employee remained in the
12 civil service, shall be computed in the same manner as
13 that of a law enforcement officer pursuant to section
14 8415(d) of that title.

15 “(3) The annuity of a Foreign Service investigator/in-
16 spector of the Office of the Inspector General, Agency for
17 International Development, appointed to a law enforcement
18 position prior to January 1, 1984, who exercised election
19 rights under section 860 of the Foreign Service Act of 1980,
20 shall be computed as follows: for the period prior to election
21 the annuity shall be computed in accordance with section
22 8339(d) of title 5, United States Code; for the period follow-
23 ing election the annuity shall be computed in accordance with
24 section 8415(d) of that title.

1 (4) *All service in a law enforcement position, as de-*
2 *fin ed in section 8331(20) or 8401(17) of that title, as appli-*
3 *cable, in any agency or combination of agencies shall be in-*
4 *cluded in the computation of time for purposes of this para-*
5 *graph.*

6 “(5) *The annuity of a Foreign Service criminal investi-*
7 *gator/inspector of the Office of the Inspector General of the*
8 *Agency for International Development who has not completed*
9 *20 years of service as a law enforcement officer, as defined in*
10 *section 8331(20) or 8401(17) of that title, shall be computed*
11 *in accordance with paragraph (1).*

12 “(6) *For purposes of paragraphs (2), (3) and (4) of this*
13 *subsection, the term ‘basic pay’ includes pay as provided in*
14 *accordance with section 412 of this Act or section 5545(a)(2)*
15 *of title 5, United States Code.”*

16 (b) *Section 812 of the Foreign Service Act of 1980 is*
17 *amended—*

18 (1) *by inserting “(1)” after “(a)”;* and

19 (2) *by adding the following new paragraph:*

20 “(2) *Notwithstanding paragraph (1), a Foreign Service*
21 *criminal investigator/inspector of the Office of Inspector*
22 *General of the Agency for International Development who*
23 *would have been eligible for retirement pursuant to either sec-*
24 *tion 8336(c) or 8412(d) of title 5, United States Code, as*
25 *applicable, had the employee remained in civil service, shall*

1 be separated from the Service on the last day of the month in
 2 which that Foreign Service criminal investigator/inspector
 3 attains 55 years of age or completes 20 years of service if
 4 then over that age. If the head of the agency judges that the
 5 public interest so requires, that agency head may exempt
 6 such an employee from automatic separation under this sub-
 7 section until that employee attains 60 years of age. The em-
 8 ploying office shall notify the employee in writing of the date
 9 of separation at least 60 days before that date. Action to sepa-
 10 rate the employee is not effective without the consent of the
 11 employee, until the last day of the month in which the 60-day
 12 notice expires.”

13 **(169) PRESIDENTIAL FOREIGN ASSISTANCE**

14 **CONTINGENCY AUTHORITIES**

15 **SEC. 589.** Section 451(a) of the Foreign Assistance Act
 16 of 1961 is amended by—

17 (1) striking out the phrases “not to exceed
 18 \$10,000,000 of” and “in any fiscal year”;

19 (2) striking out the phrase “emergency purposes”
 20 and inserting in lieu thereof “unanticipated contingen-
 21 cies”; and

22 (3) inserting the following immediately before the
 23 period: “, except that the authority of this subsection
 24 may not be used to authorize the use of more than
 25 \$50,000,000 during any fiscal year”.

(170) IRAQ SANCTIONS**SEC. 590. (a) GENERAL PROHIBITION ON SUPPORT FOR IRAQ.—**

(1) Notwithstanding any other provision of law, no funds, credits, guarantees or insurance appropriated or otherwise made available by any Act for fiscal year 1990 or thereafter, shall be used to support or administer any financial or commercial operation, of any United States Government department, agency, entity or persons subject to United States jurisdiction, involving the Government of Iraq, its agencies, institutions or persons working on its behalf, including the processing of any "validated" or "general" export licenses or any documentation related to the importation of Iraqi-origin products into the United States or its territories, or possessions thereof.

(2) The Department of Commerce is instructed to include Iraq within Country Group S within supplement Number 1 to section 770 of the Export Administration Regulations ("EAR").

(3) This subsection shall become effective immediately upon the enactment of this Act, except for the performance of a contract or agreement entered into before the enactment of this Act.

1 (4) *The penalties for violation of the general pro-*
2 *hibition contained in this subsection by exporters, ex-*
3 *porting agents and entities under the jurisdiction of the*
4 *United States, shall be the same as those contained in*
5 *section 11 of the Export Administration Act of 1979,*
6 *as amended, Public Law 96-72 (93 Stat. 529, as*
7 *amended).*

8 **(b) IRAQ TO BE CONSIDERED A TERRORIST**
9 **NATION.**—(1) *Notwithstanding any other provision of law,*
10 *for the purpose of the application of prohibitions, limitations,*
11 *restrictions, and other requirements of the provisions of law*
12 *contained in paragraph (2), Iraq shall be considered a coun-*
13 *try which grants sanctuary from prosecution to any individ-*
14 *ual or group which has committed an act of international*
15 *terrorism, has repeatedly provided support for acts of interna-*
16 *tional terrorism, or otherwise supports international*
17 *terrorism.*

18 (2) *The provisions of law referred to in subsection (a)*
19 *include—*

20 (A) *section 620A of the Foreign Assistance Act of*
21 *1961, as amended;*

22 (B) *sections 563 and 564 of the Foreign Oper-*
23 *ations, Export Financing, and Related Programs Ap-*
24 *propriations Act, 1990;*

1 (C) section 555 of the International Security and
2 Development Cooperation Act of 1985; and

3 (D) similar provisions of law.

4 (3) The President may not use any waiver authority
5 provided under Acts referred to in paragraph (2) of this sub-
6 section, or statutes made applicable by virtue of paragraph
7 (2)(D), or under subsection 40(b) of the Arms Export Con-
8 trol Act, with respect to Iraq.

9 (c) **STUDY AND REPORT ON THE INTERNATIONAL**
10 **EXPORT TO IRAQ OF NUCLEAR, BIOLOGICAL, CHEMICAL,**
11 **AND BALLISTIC MISSILE TECHNOLOGY.**—(1) The Presi-
12 dent shall conduct a study on the sale, export and third party
13 transfer or development of nuclear, biological, chemical and
14 ballistic missile technology to or with Iraq including—

15 (A) an identification of specific countries, as well
16 as companies and individuals, both foreign and domes-
17 tic, engaged in such sale or export of, nuclear, biologi-
18 cal, chemical and ballistic missile technology;

19 (B) a detailed description and analysis of the
20 international supply, information, support and co-pro-
21 duction network, individual, corporate and state, re-
22 sponsible for Iraq's current capability in the area of
23 nuclear, biological, chemical and ballistic missile
24 technology;

1 (C) a recommendation of standards and proce-
2 dures against which to measure and verify a decision
3 of the Government of Iraq to terminate the develop-
4 ment, production, co-production and deployment of nu-
5 clear, biological, chemical and offensive ballistic mis-
6 sile technology as well as the destruction of all existing
7 facilities associated with such technologies.

8 (2) The President shall include in the study required by
9 paragraph (1) specific recommendations on new mechanisms,
10 to include, but not limited to, legal, political, economic and
11 regulatory, whereby the United States might contribute, in
12 conjunction with its friends, allies, and the international
13 community, to the management, control or elimination of the
14 threat of nuclear, biological, chemical and ballistic missile
15 proliferation.

16 (3) Not later than March 30, 1991, the President shall
17 submit to the Committee on Appropriations of the Senate and
18 the Committee on Appropriations of the House of Representa-
19 tives, a report, in both classified and unclassified form, set-
20 ting forth the findings of the study required by paragraph (1)
21 of this subsection.

22 (d) **STUDY AND REPORT ON IRAQ'S OFFENSIVE**
23 **MILITARY CAPABILITY.**—(1) The President shall conduct a
24 study on Iraq's offensive military capability and its affect on
25 the Middle East balance of power including an assessment of

1 *Iraq's power projection capability, the prospects for another*
2 *sustained conflict with Iran, joint Iraqi-Jordanian military*
3 *cooperation, the threat Iraq's arms transfer activities pose to*
4 *United States allies in the Middle East, and the extension of*
5 *Iraq's political-military influence into Africa and Latin*
6 *America.*

7 (2) *Not later than March 30, 1991, the President shall*
8 *submit to the Committee on Appropriations of the Senate and*
9 *the Committee on Appropriations of the House of Representa-*
10 *tives, a report, in both classified and unclassified form, set-*
11 *ting forth the findings of the study required by paragraph (1)*
12 *of this subsection.*

13 (e) *REPORT ON SANCTIONS TAKEN BY OTHER NA-*
14 *TIONS AGAINST IRAQ.—(1) The President shall prepare a*
15 *report on the steps taken by other nations, both before and*
16 *after the August 2, 1990 invasion of Kuwait, to curtail the*
17 *export of goods, services and technologies to Iraq which might*
18 *contribute to, or enhance, Iraq's nuclear, biological, chemical*
19 *and ballistic missile capability.*

20 (2) *The President shall provide a complete accounting of*
21 *international compliance with each of the sanctions resolu-*
22 *tions passed by the United Nations Security Council against*
23 *Iraq since August 2, 1990, and shall list, by name, each*
24 *country which to his knowledge, has provided any assistance*

1 to Iraq and the amount and type of that assistance in viola-
2 tion of each United Nations resolution.

3 (3) The President shall make every effort to encourage
4 other nations, in whatever forum or context, to adopt sanc-
5 tions toward Iraq similar to those contained in this section.

6 (4) Not later than every six months from the date of
7 enactment of this section, the President shall submit to the
8 Committee on Appropriations of the Senate and the Commit-
9 tee on Appropriations of the House of Representatives, a
10 report in both classified and unclassified form, setting forth
11 the findings of the study required by paragraph (1) of this
12 subsection.

13 (171) SANCTIONS AGAINST IRAQ

14 SEC. 591. SHORT TITLE.

15 This title may be cited as the "Iraq International Law
16 Compliance Act of 1990".

17 Subtitle A—Response to Iraq's Invasion of Kuwait

18 SEC. 592. DECLARATIONS REGARDING IRAQ'S INVASION OF

19 KUWAIT.

20 The Congress—

21 (1) condemns Iraq's invasion of Kuwait on
22 August 2, 1990;

23 (2) supports the actions that have been taken by
24 the President in response to that invasion;

1 (3) *calls for the immediate and unconditional*
2 *withdrawal of Iraqi forces from Kuwait;*

3 (4) *supports the efforts of the United Nations Se-*
4 *curity Council to end this violation of international*
5 *law and threat to international peace;*

6 (5) *supports the imposition and enforcement of*
7 *multilateral sanctions against Iraq;*

8 (6) *calls on United States allies and other coun-*
9 *tries to support fully the efforts of the United Nations*
10 *Security Council, and to take other appropriate ac-*
11 *tions, to bring about an end to Iraq's occupation of*
12 *Kuwait; and*

13 (7) *condemns the brutal occupation of Kuwait by*
14 *Iraq and its gross violations of internationally recog-*
15 *nized human rights in Kuwait, including widespread*
16 *arrests, torture, summary executions, and mass extra-*
17 *judicial killings.*

18 **SEC. 593. CONSULTATIONS WITH CONGRESS.**

19 *The President shall keep the Congress fully informed,*
20 *and shall consult with the Congress, with respect to current*
21 *and anticipated events regarding the international crisis*
22 *caused by Iraq's invasion of Kuwait, including with respect*
23 *to United States actions.*

1 **SEC. 594. TRADE EMBARGO AGAINST IRAQ.**

2 (a) **CONTINUATION OF EMBARGO.**—*Except as other-*
3 *wise provided in this section, the President shall continue to*
4 *impose the trade embargo and other economic sanctions with*
5 *respect to Iraq and Kuwait that the United States is impos-*
6 *ing, in response to Iraq's invasion of Kuwait, pursuant to*
7 *Executive Orders Number 12724 and 12725 (August 9,*
8 *1990) and, to the extent they are still in effect, Executive*
9 *Orders Number 12722 and 12723 (August 2, 1990).*

10 (b) **HUMANITARIAN ASSISTANCE.**—*To the extent that*
11 *transactions involving foodstuffs of payments for foodstuffs*
12 *are exempted "in humanitarian circumstances" from the pro-*
13 *hibitions established by the United States pursuant to United*
14 *Nations Security Council Resolution 661 (1990), those ex-*
15 *emptions shall be limited to foodstuffs that are to be provided*
16 *consistent with United Nations Security Council Resolution*
17 *666 (1990) and other relevant Security Council resolutions.*

18 (c) **NOTICE TO CONGRESS OF EXCEPTIONS TO AND**
19 **TERMINATION OF SANCTIONS.**—

20 (1) **NOTICE OF REGULATIONS.**—*Any regulations*
21 *issued after the date of enactment of this Act with re-*
22 *spect to the economic sanctions imposed with respect to*
23 *Iraq and Kuwait by the United States under Execu-*
24 *tive Orders Number 12722 and 12723 (August 2,*
25 *1990) and Executive Orders Number 12724 and*

1 12725 (August 9, 1990) shall be submitted to the Con-
2 gress before those regulations take effect.

3 (2) NOTICE OF TERMINATION OF SANCTIONS.—

4 The President shall notify the Congress before the ter-
5 mination, in whole or in part, of any sanction imposed
6 with respect to Iraq or Kuwait pursuant to those Exec-
7 utive Orders.

8 (d) RELATION TO OTHER LAWS.—

9 (1) SANCTIONS LEGISLATION.—The sanctions
10 that are described in subsection (a) are in addition to,
11 and not in lieu of the sanctions provided for in subtitle
12 B of this title, title IV of this Act, or any other provi-
13 sion of law.

14 (2) NATIONAL EMERGENCIES AND UNITED NA-
15 TIONS LEGISLATION.—Nothing in this section super-
16 sedes any provision of the National Emergencies Act
17 or any authority of the President under the Interna-
18 tional Emergency Economic Powers Act or section
19 5(a) of the United Nations Participation Act of 1945.

20 SEC. 595. ADDITIONAL IMPORT SANCTIONS.

21 If the President considers that the taking of such action
22 would promote the effectiveness of the economic sanctions of
23 the United Nations and the United States imposed with re-
24 spect to Iraq, and is consistent with the national interest, the
25 President may prohibit, for such a period of time as he con-

1 *siders appropriate, the importation into the United States of*
2 *any or all products of any foreign country that has not pro-*
3 *hibited—*

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

6 (2) *the export of its products to Iraq.*

7 **SEC. 596. PENALTIES FOR VIOLATIONS OF EMBARGO.**

8 *Notwithstanding section 206 of the International Emer-*
9 *gency Economic Powers Act (50 U.S.C. 1705) and section*
10 *5(b) of the United Nations Participation Act of 1945 (22*
11 *U.S.C. 287c(b))—*

12 (1) *a civil penalty of not to exceed \$250,000 may*
13 *be imposed on any person who, after the date of enact-*
14 *ment of this Act, violates or evades or attempts to vio-*
15 *late or evade Executive Order Number 12722, 12723,*
16 *12724, or 12725 or any license, order, or regulation*
17 *issued under any such Executive Order; and*

18 (2) *whoever, after the date of enactment of this*
19 *Act, willfully violates or evades or attempts to violate*
20 *or evade Executive Order Number 12722, 12723,*
21 *12724, or 12725 or any license, order, or regulation*
22 *issued under any such Executive Order—*

23 (A) *shall, upon conviction, be fined not more*
24 *than \$1,000,000, if a person other than a natural*
25 *person; or*

1 (B) if a natural person, shall, upon conviction,
2 be fined not more than \$1,000,000, be imprisoned
3 for not more than 12 years, or both.

4 Any officer, director, or agent of any corporation who knowingly
5 participates in a violation, evasion, or attempt described in
6 paragraph (2) may be punished by imposition of
7 the fine or imprisonment (or both) specified in subparagraph
8 (B) of that paragraph.

9 *Subtitle B—Response to Iraq's Long-Standing Violations*
10 *of International Law*

11 **SEC. 597. DECLARATIONS REGARDING IRAQ'S LONG-STANDING**
12 **VIOLATIONS OF INTERNATIONAL LAW.**

13 (a) *IRAQ'S VIOLATIONS OF INTERNATIONAL LAW.—*

14 *The Congress determines that—*

15 (1) *the Government of Iraq has demonstrated repeated*
16 *and blatant disregard for its obligations under international*
17 *law by violating the Charter of the United Nations, the Protocol for the Prohibition of the Use in*
18 *War of Asphyxiating, Poisonous or Other Gases, and*
19 *of Bacteriological Methods of Warfare (done at*
20 *Geneva, June 17, 1925), as well as other international*
21 *treaties;*

22
23 (2) *the Government of Iraq is a party to the*
24 *International Covenant on Civil and Political Rights*
25 *and the International Covenant on Economic, Social,*

1 *and Cultural Rights and is obligated under the Cov-*
2 *enants, as well as the Universal Declaration of*
3 *Human Rights, to respect internationally recognized*
4 *human rights;*

5 (3) *The State Department's Country Reports on*
6 *Human Rights Practices for 1989 again characterizes*
7 *Iraq's human rights record as "abysmal";*

8 (4) *Amnesty International, Middle East Watch,*
9 *and other independent human rights organizations have*
10 *documented extensive, systematic, and continuing*
11 *human rights abuses by the Government of Iraq, in-*
12 *cluding summary executions, mass political killings,*
13 *disappearances, widespread use of torture, arbitrary ar-*
14 *rests and prolonged detention without trial of thou-*
15 *sands of political opponents, forced relocation and de-*
16 *portation, denial of nearly all civil and political rights*
17 *such as freedom of association, assembly, speech, and*
18 *the press, and the imprisonment, torture, and execution*
19 *of children;*

20 (5) *since 1987, the Government of Iraq has inten-*
21 *sified its severe repression of the Kurdish minority of*
22 *Iraq, deliberately destroyed more than 3,000 villages*
23 *and towns in the Kurdish regions, and forcibly ex-*
24 *pelled more than 500,000 people, thus effectively de-*
25 *populating the rural areas of Iraqi Kurdistan;*

1 (6) *Iraq has blatantly violated international law*
2 *by initiating use of chemical weapons in the Iran-Iraq*
3 *war;*

4 (7) *Iraq has also violated international law by*
5 *using chemical weapons against its own Kurdish citi-*
6 *zens, resulting in tens of thousands of deaths and more*
7 *than 65,000 refugees;*

8 (8) *Iraq continues to expand its chemical weapons*
9 *capability, and President Saddam Hussein has threat-*
10 *ened to use chemical weapons against other nations;*

11 (9) *persuasive evidence exists that Iraq is develop-*
12 *ing biological weapons in violation of international*
13 *law;*

14 (10) *there are strong indications that Iraq has*
15 *taken steps to produce nuclear weapons and has at-*
16 *tempted to smuggle from the United States, in viola-*
17 *tion of United States law, components for triggering*
18 *devices used in nuclear warheads whose manufacture*
19 *would contravene the Treaty on the Non-Proliferation*
20 *of Nuclear Weapons, to which Iraq is a party; and*

21 (11) *Iraqi President Saddam Hussein has threat-*
22 *ened to use terrorism against other nations in violation*
23 *of international law and has increased Iraq's support*
24 *for the Palestine Liberation Organization and other*
25 *Palestinian groups that have conducted terrorist acts.*

1 **(b) HUMAN RIGHTS VIOLATIONS.**—*The Congress de-*
2 *termines that the Government of Iraq is engaged in a consist-*
3 *ent pattern of gross violations of internationally recognized*
4 *human rights. All provisions of law that impose sanctions*
5 *against a country whose government is engaged in a consist-*
6 *ent pattern of gross violations of internationally recognized*
7 *human rights shall be fully enforced against Iraq.*

8 **(c) MULTILATERAL COOPERATION.**—*The Congress*
9 *calls on the President to seek multilateral cooperation—*

10 **(1) to deny dangerous technologies to Iraq;**

11 **(2) to induce Iraq to respect internationally recog-**
12 *nized human rights; and*

13 **(3) to induce Iraq to allow appropriate interna-**
14 *tional humanitarian and human rights organizations to*
15 *have access to Iraq and Kuwait, including the areas in*
16 *northern Iraq traditionally inhabited by Kurds.*

17 **SEC. 598. SANCTIONS AGAINST IRAQ.**

18 **(a) IMPOSITION.**—*Except as provided in section 543,*
19 *the following sanctions shall apply with respect to Iraq:*

20 **(1) FMS SALES.**—*The United States Govern-*
21 *ment may not enter into any sale with Iraq under the*
22 *Arms Export Control Act.*

23 **(2) COMMERCIAL ARMS SALES.**—*Licenses may*
24 *not be issued for the export to Iraq of any item on the*
25 *United States Munitions List.*

1 (3) *EXPORTS OF CERTAIN GOODS AND TECH-*
2 *NOLOGY.—The authorities of section 6 of the Export*
3 *Administration Act of 1979 (50 U.S.C. App. 2405)*
4 *shall be used to prohibit the export to Iraq of any*
5 *goods or technology on the control list established pur-*
6 *suant to subsection (1) of that section or on the control*
7 *list established pursuant to section 5(c)(1) of that Act*
8 *(50 U.S.C. App. 2404(c)(1)).*

9 (4) *NUCLEAR EQUIPMENT, MATERIALS, AND*
10 *TECHNOLOGY.—*

11 (A) *NRC LICENSES.—The Nuclear Regula-*
12 *tory Commission may not issue any license or*
13 *other authorization under the Atomic Energy Act*
14 *of 1954 (42 U.S.C. 2011 and following) for the*
15 *export to Iraq of any source or special nuclear*
16 *material, any production or utilization facility,*
17 *any sensitive nuclear technology, any component,*
18 *item, or substance determined to have significance*
19 *for nuclear explosive purposes pursuant to section*
20 *109b. of the Atomic Energy Act of 1954 (42*
21 *U.S.C. 2139(b)), or any other material or tech-*
22 *nology requiring such a license or authorization.*

23 (B) *DISTRIBUTION OF NUCLEAR MATERI-*
24 *ALS.—The authority of the Atomic Energy Act of*
25 *1954 may not be used to distribute any special*

1 *nuclear material, source material, or byproduct*
2 *material to Iraq.*

3 **(C) DOE AUTHORIZATIONS.**—*The Secre-*
4 *tary of Energy may not provide a specific author-*
5 *ization under section 57b. (2) of the Atomic*
6 *Energy Act of 1954 (42 U.S.C. 2077(b)(2)) for*
7 *any activity that would constitute directly or indi-*
8 *rectly engaging in Iraq in activities that require a*
9 *specific authorization under that section.*

10 **(5) ASSISTANCE FROM INTERNATIONAL FINAN-**
11 *CIAL INSTITUTIONS.*—*The United States shall oppose*
12 *any loan or financial or technical assistance to Iraq by*
13 *international financial institutions in accordance with*
14 *section 701 of the International Financial Institutions*
15 *Act (22 U.S.C. 262d).*

16 **(6) ASSISTANCE THROUGH THE EXPORT-**
17 *IMPORT BANK.*—*Credits and credit guarantees through*
18 *the Export-Import Bank of the United States shall be*
19 *denied to Iraq.*

20 **(7) ASSISTANCE THROUGH THE COMMODITY**
21 *CREDIT CORPORATION.*—*Credit, credit guarantees,*
22 *and other assistance through the Commodity Credit*
23 *Corporation shall be denied to Iraq.*

24 **(8) FOREIGN ASSISTANCE.**—*All forms of assist-*
25 *ance under the Foreign Assistance Act of 1961 (22*

1 U.S.C. 2151 and following) other than emergency as-
2 sistance for medical supplies and other forms of emer-
3 gency humanitarian assistance, and under the Arms
4 Export Control Act (22 U.S.C. 2751 and following)
5 shall be denied to Iraq.

6 (b) **CONTRACT SANCTITY**.—For purposes of the export
7 controls imposed pursuant to subsection (a)(3), the date de-
8 scribed in section 6(m)(1) of the Export Administration Act
9 of 1979 (50 U.S.C. App. 2405(m)(1)) shall be deemed to be
10 August 1, 1990.

11 **SEC. 599. WAIVER AUTHORITY.**

12 (a) **IN GENERAL**.—The President may waive the re-
13 quirements of any paragraph of section 542(a) if the Presi-
14 dent makes a certification under subsection (b) or subsection
15 (c).

16 (b) **CERTIFICATION OF FUNDAMENTAL CHANGES IN**
17 **IRAQI POLICIES AND ACTIONS**.—The authority of subsec-
18 tion (a) may be exercised 60 days after the President certifies
19 to the Congress that—

20 (1) the Government of Iraq—

21 (A) has demonstrated, through a pattern of
22 conduct, substantial improvement in its respect for
23 internationally recognized human rights;

24 (B) is not acquiring, developing, or manufac-
25 turing chemical, biological, or nuclear weapons,

1 *components for such weapons, or delivery systems*
2 *for such weapons, and has forsworn the first use*
3 *of such weapons; and*

4 (C) *does not provide support for internation-*
5 *al terrorism;*

6 (2) *the Government of Iraq is in substantial com-*
7 *pliance with its obligations under international law,*
8 *including—*

9 (A) *the Charter of the United Nations;*

10 (B) *the International Covenant on Civil and*
11 *Political Rights (done at New York, December*
12 *16, 1966) and the International Covenant on*
13 *Economic, Social, and Cultural Rights (done at*
14 *New York, December 16, 1966);*

15 (C) *the Convention on the Prevention and*
16 *Punishment of the Crime of Genocide (done at*
17 *Paris, December 9, 1948);*

18 (D) *the Protocol for the Prohibition of the*
19 *Use in War of Asphyxiating, Poisonous or Other*
20 *Gases, and of Bacteriological Methods of Warfare*
21 *(done at Geneva, June 17, 1925);*

22 (E) *the Treaty on the Non-Proliferation of*
23 *Nuclear Weapons (done at Washington, London,*
24 *and Moscow, July 1, 1968); and*

1 (F) the Convention on the Prohibition of the
2 Development, Production and Stockpiling of Bac-
3 teriological (Biological) and Toxin Weapons and
4 on Their Destruction (done at Washington,
5 London, and Moscow, April 10, 1972); and

6 (3) the President has determined that it is essen-
7 tial to the national interests of the United States to ex-
8 ercise the authority of subsection (a).

9 (c) CERTIFICATION FUNDAMENTAL CHANGES IN
10 IRAQI LEADERSHIP AND POLICIES.—The authority of sub-
11 section (a) may be exercised 30 days after the President cer-
12 tifies to the Congress that—

13 (1) there has been a fundamental change in the
14 leadership of the Government of Iraq; and

15 (2) the new Government of Iraq has provided reli-
16 able and credible assurances that—

17 (A) it respects internationally recognized
18 human rights and it will demonstrate such respect
19 through its conduct;

20 (B) it is not acquiring, developing, or man-
21 ufacturing and it will not acquire, develop, or man-
22 ufacture chemical, biological, or nuclear weapons,
23 components for such weapons, or delivery systems
24 for such weapons, and has forsworn the first use
25 of such weapons.

1 *use chemicals, or chemical agents that may be used for chem-*
 2 *ical weapons production: Provided, That the provisions of*
 3 *this section shall not apply to any such procurement if the*
 4 *President determines that such chemicals, dual use chemi-*
 5 *cals, or chemical agents are not intended to be used by the*
 6 *recipient for chemical weapons production.*

7 **(174) JUDICIAL REVIEW OF GRIEVANCES ALLEGING**
 8 **DISCRIMINATION IN THE FOREIGN SERVICE**

9 *SEC. 599C. (a) Section 1101(a)(1) of the Foreign*
 10 *Service Act of 1980 (22 U.S.C. 4131(a)(1)) is amended*
 11 *by—*

12 *(1) by striking out “and” at the end of subpara-*
 13 *graph (F);*

14 *(2) by striking out the period at the end of sub-*
 15 *paragraph (G) and inserting in lieu thereof “; and”;*
 16 *and*

17 *(3) by adding at the end thereof the following new*
 18 *subparagraph:*

19 *“(H) any discrimination prohibited by—*

20 *“(i) section 717 of the Civil Rights Act*
 21 *of 1964 (42 U.S.C. 2000e-16),*

22 *“(ii) section 6(d) of the Fair Labor*
 23 *Standards Act of 1938 (29 U.S.C. 206(d)),*

24 *“(iii) section 501 of the Rehabilitation*
 25 *Act of 1973 (29 U.S.C. 791),*

1 “(iv) sections 12 and 15 of the Age
2 Discrimination in Employment Act of 1967
3 (29 U.S.C. 631, 633a), or

4 “(v) any rule, regulation, or policy di-
5 rective prescribed under any provision of law
6 described in clauses (i) through (v).”.

7 (b) Section 1101(b) of the Foreign Service Act of 1980
8 (22 U.S.C. 4131(b)) is amended by striking out paragraph
9 (4) and inserting in lieu thereof the following:

10 “(4) any complaint brought with respect to the
11 mandatory retirement age in section 812(a).”.

12 (c) Section 1110 of the Foreign Service Act of 1980 (22
13 U.S.C. 4140) is amended by—

14 (1) striking out “Any” and inserting in lieu
15 thereof “(a) Any”; and

16 (2) adding at the end thereof the following new
17 subsections:

18 “(b) Any case seeking judicial review of alleged dis-
19 crimination under section 1101(a)(1)(H) shall be filed under
20 section 717(c) of the Civil Rights Act of 1964 (42 U.S.C.
21 2000e-16(c)), section 15(c) of the Age Discrimination in
22 Employment Act of 1967 (29 U.S.C. 633a(c)), or section
23 16(b) of the Fair Labor Standards Act of 1938 (29 U.S.C.
24 216(b)), as applicable. Notwithstanding any other provision
25 of law, any such case filed under this subsection must be filed

1 *within 180 days after the date the individual filing the case*
2 *received written notice of the judicially reviewable final*
3 *action of the Secretary or Board.*

4 “(c) *Notwithstanding any other provision of law, noth-*
5 *ing in this section shall be construed to affect the right to trial*
6 *de novo under any provision of law described in section*
7 *1101(a)(1)(H) after a judicially reviewable action, including*
8 *the decision of an agency made pursuant to a specific statuto-*
9 *ry hearing procedure provided pursuant to such provision of*
10 *law, or after a final action of the Secretary or the Board.*
11 *Notwithstanding any other provision of law, any such case*
12 *seeking a trial de novo must be filed within 180 days after*
13 *the date the individual filing the case received written notice*
14 *of the judicially reviewable final action, of the Secretary or*
15 *Board.”.*

16 “(d) *The amendments made by this section shall apply to*
17 *grievances filed under chapter 11 of the Foreign Service Act*
18 *of 1980 on or after the date of enactment of this Act.*

19 **(175) NOTIFICATIONS FOR EMERGENCY ASSISTANCE**

20 **SEC. 599D.** *Any requirement to provide advance notifi-*
21 *cation to the Congress, or any congressional committees,*
22 *under any provision of this Act, or of any Act authorizing or*
23 *appropriating funds for use under the Foreign Assistance Act*
24 *of 1961 or the Arms Export Control Act, may be waived if*
25 *failure to do so would pose a substantial risk to human health*

1 or welfare, or would be inconsistent with the need to meet an
2 imminent military threat: Provided, That in case of any such
3 waiver, notification to the Congress, or the appropriate con-
4 gressional committees, shall be provided as early as practica-
5 ble, but in no event later than three days after taking the
6 action to which such notification requirement was applicable,
7 in the context of the circumstances necessitating such waiver:
8 Provided further, That any notification provided pursuant to
9 this section shall contain an explanation of the circumstances
10 necessitating the use of the authority of this section.

11 **(176) SUPPORT FOR EGYPTIAN MILITARY DEPLOYMENTS**
12 **IN THE GULF**

13 **SEC. 599E. (a) SENSE OF THE SENATE.—***It is the*
14 *sense of the Senate that—*

15 *(1) United States deployments in the Persian*
16 *Gulf are dependent upon the support of United States*
17 *friends and allies in the region;*

18 *(2) deployments of Egyptian armed forces in*
19 *Saudi Arabia, and Egyptian logistical support for*
20 *United States air operations in the region, are an es-*
21 *sential element to the success of Operation Desert*
22 *Shield;*

23 *(3) Egyptian troops in Saudi Arabia have de-*
24 *ployed with United States-made and supplied equip-*

1 *ment, which are supplied under United States military*
2 *loan and grant aid programs;*

3 *(4) in addition to their role in support of Egypt's*
4 *security, these deployments serve direct United States*
5 *national security interests; and*

6 *(5) the forgiveness of debts on United States mili-*
7 *tary aid loans to Egypt will enhance Egypt's ability to*
8 *maintain deployments in Saudi Arabia and is in the*
9 *direct national security interests of the United States.*

10 *(b) DEBT.—Notwithstanding any other provision of*
11 *law—*

12 *(1) the Secretary of Defense shall (A) issue to the*
13 *Secretary of the Treasury sufficient notes or other obli-*
14 *gations to purchase all notes made by Egypt evidenc-*
15 *ing amounts owed by Egypt to the United States (or*
16 *any agency of the United States), other than amounts*
17 *already owed to the Secretary of Defense, as a result of*
18 *loans made before October 1, 1990, by the United*
19 *States (or any agency of the United States) to Egypt*
20 *under the Arms Export Control Act (all such loans*
21 *being hereinafter collectively referred to as the "AECA*
22 *Loans") and (B) purchase all such notes made by*
23 *Egypt, such purchase being considered in discharge of*
24 *the responsibilities of the Secretary of Defense as guar-*
25 *antor of such notes;*

1 (2) the President shall thereupon cancel all
2 amounts owed by Egypt to the Secretary of Defense as
3 a result of all AECA Loans; and

4 (3) the President shall also cancel all amounts
5 owed by the Secretary of Defense under all notes or
6 other obligations issued by the Secretary of Defense to
7 the Secretary of the Treasury that are related to any
8 guarantees of any AECA Loans, including all notes or
9 other obligations issued under paragraph (1).

10 (c) In conformity with the requirements of subsection
11 (d), the President shall convene an international conference
12 on Egypt's debt crisis and the need for multilateral relief of
13 Egypt's debt to all donor nations, for the purpose of securing
14 multilateral agreement by all donors for a comprehensive so-
15 lution to Egypt's international debt problem. Such a confer-
16 ence shall be convened at the earliest possible time after en-
17 actment of this Act, and shall focus not only Egypt's military
18 assistance debts, but, for those countries which have not made
19 military assistance loans to Egypt, shall also focus on eco-
20 nomic assistance debt owed by Egypt. The President shall
21 submit a report to Congress, not later than January 1, 1991,
22 containing such information as the President deems appro-
23 priate regarding the results of such efforts, and recommend-
24 ing any additional steps needed to work effectively to resolve

1 *successfully the issue of Egyptian debt on a multilateral*
2 *basis.*

3 *(d) The authorities provided in subsection (b) shall not*
4 *become effective until December 31, 1990. As soon as possi-*
5 *ble after enactment of this Act the President shall issue invi-*
6 *tations to Egypt's principal creditors and allies for an inter-*
7 *national conference. Such conference should be convened and*
8 *concluded prior to December 31, 1990.*

9 **(177) KENYA**

10 *SEC. 599F. Notwithstanding any other provision of*
11 *law, none of the funds appropriated by this Act under the*
12 *headings "Economic Support Fund" and "Foreign Military*
13 *Financing Program", may be made available for Kenya*
14 *unless the President certifies, and so reports to the Congress,*
15 *that the Government of Kenya is taking steps to—*

16 *(1) charge and try or release all prisoners, includ-*
17 *ing any persons detained for political reasons;*

18 *(2) cease any physical abuse or mistreatment of*
19 *prisoners;*

20 *(3) restore the independence of the judiciary; and*

21 *(4) restore freedoms of expression: Provided, That*
22 *no funds under the headings "Economic Support*
23 *Fund" and "Foreign Military Financing Program"*
24 *may be obligated or expended until 30 days after such*
25 *report is transmitted to the Congress.*

1 **(178) POLICE TRAINING FOR EAST CARIBBEAN**2 **REGIONAL SECURITY SYSTEM**

3 *SEC. 599G. Section 660 of the Foreign Assistance Act*
4 *of 1961 is amended by striking out "or" at the end of para-*
5 *graph (2), by striking out the period at the end of paragraph*
6 *(3) and inserting "; or" in lieu thereof, and by adding the*
7 *following paragraph at the end of the subsection:*

8 *"(4) with respect to assistance provided to police forces*
9 *in connection with their participation in the regional security*
10 *system of the Eastern Caribbean states."*

11 **(179) ENTERPRISE FOR THE AMERICAS INITIATIVE**

12 *SEC. 599H. (a) It is the sense of the Congress that the*
13 *President's Enterprise for the Americas Initiative could en-*
14 *courage and support market-oriented reform and economic*
15 *growth in Latin America and the Caribbean through inter-*
16 *related actions to promote investment reforms, debt reduction*
17 *and environmental protection.*

18 *(b) It is further the sense of the Congress that the Presi-*
19 *dent's proposal for the Enterprise for the Americas Initiative*
20 *should be given prompt consideration.*

21 **(180) EXCESS DEFENSE ARTICLES**

22 *SEC. 599I. (a) The Congress finds that impending*
23 *changes in the United States armed forces are likely to result*
24 *in increased availability of excess defense articles to meet*
25 *security assistance requirements. The Congress urges the*

1 *President to make maximum use of available excess defense*
2 *articles as a cost-effective supplement to funded security as-*
3 *sistance programs to meet the legitimate defense requirements*
4 *of eligible allies and friends. Accordingly, the President is*
5 *urged to establish policies and procedures to ensure that*
6 *excess assets are applied against such requirements. Accord-*
7 *ingly, the Foreign Assistance Act of 1961 is amended as*
8 *follows:*

9 *(b) Chapter 2 of part II of the Foreign Assistance Act of*
10 *1961 is amended by adding the following at the end:*

11 **“SEC. 519. ADDITIONAL AUTHORITIES RELATING TO**
12 **MODERNIZATION OF MILITARY CAPABILITIES.—(a) AU-**
13 **THORITY TO TRANSFER EXCESS DEFENSE ARTICLES.—**
14 *Notwithstanding any other provision of law (except title V of*
15 *the National Security Act of 1947) and subject to subsection*
16 *(b), the President may transfer to countries for whom a for-*
17 *eign military financing program was justified for the fiscal*
18 *year in which the transfer is authorized, such excess defense*
19 *articles as the President determines necessary to help mod-*
20 *ernize the defense capabilities of such countries, in accord-*
21 *ance with the provisions of this section.*

22 **“(b) LIMITATIONS ON TRANSFERS.—The President**
23 *may transfer excess defense articles under this section only*
24 *if—*

1 “(1) the equipment is drawn from existing stocks
2 of the Department of Defense;

3 “(2) no funds available to the Department of De-
4 fense for the procurement of defense equipment are
5 expended in connection with the transfer;

6 “(3) the President determines that the transfer of
7 the excess defense articles will not have an adverse
8 impact on the military readiness of the United States;
9 and

10 “(4) the President determines that transferring the
11 articles under the authority of this section is preferable
12 to selling them, after taking into account the potential
13 proceeds from, and likelihood of, such sales, and the
14 comparative foreign policy benefits that may accrue to
15 the United States as the result of either a transfer or
16 sale.

17 “(c) NOTIFICATION TO CONGRESS.—The President
18 shall notify the Committees on Appropriations, Armed Serv-
19 ices, and Foreign Relations of the Senate, and the Commit-
20 tees on Appropriations, Armed Services, and Foreign Affairs
21 of the House of Representatives fifteen days before transfer-
22 ring excess defense articles under subsection (a), in accord-
23 ance with the regular notification procedures of those
24 committ

1 “(d) **WAIVER OF REQUIREMENT FOR REIMBURSE-**
2 **MENT OF DOD EXPENSES.**—Section 632(d) shall not
3 apply with respect to transfers of excess defense articles
4 under this section.

5 “(e) **ANNUAL REPORT.**—Commencing in 1991, not
6 later than December 15 of each year, the President shall
7 transmit to the committees described in subsection (c) a report
8 with respect to the previous fiscal year which contains—

9 “(1) a list of the countries to which the President
10 has furnished excess defense articles under the author-
11 ity of this section; and

12 “(2) the value of the excess defense articles that
13 were furnished to each such country.

14 “(f) **TRANSPORTATION AND RELATED COSTS.**—(1)
15 Except as provided in paragraph (2), funds available to the
16 Department of Defense shall not be expended for crating,
17 packing, handling and transportation of excess defense arti-
18 cles transferred under the authority of this section.

19 “(2) Notwithstanding section 632(d) or any other provi-
20 sion of law, the President may direct the crating, packing,
21 handling and transport of excess defense articles without
22 charge to a country if—

23 “(A) that country has an agreement providing the
24 United States with base rights in that country;

1 “(B) that country is eligible for assistance from
2 the International Development Association; and

3 “(C) the excess defense articles are being provided
4 to that country under the authority of this section.”.

5 (c) In section 31(d) of the Arms Export Control Act,
6 insert the following after the word “law” “, and of any de-
7 fense articles with respect to which the President submits a
8 certification under section 36(b) of this Act.”.

9 **(181) JUDICIAL REFORM IN EL SALVADOR**

10 **SEC. 599J. (a) JUDICIAL REFORM PROGRAM.—An**
11 *amount equivalent to 10 percent of the United States mili-*
12 *tary assistance deposited in the Fund established pursuant to*
13 *section 531(f) of this Act may be obligated and expended to*
14 *assist in the carrying out of judicial reforms in El Salvador*
15 *as described in this subsection only if the President certifies*
16 *to Congress by October 1, 1991, that—*

17 (1) *the Government of El Salvador has satisfied*
18 *the Commission established in subsection (c) of this*
19 *section that significant progress in establishing an in-*
20 *dependent civilian judiciary and prosecutorial and in-*
21 *vestigative system has been made. For purposes of this*
22 *paragraph “significant progress” means certification*
23 *by the Commission that—*

24 (A) *the Legislative Assembly and the Su-*
25 *preme Court are acting to consider the National*

1 *Legislative Revisory Commission (CORELE-*
2 *SAL) proposals which should include admission*
3 *of co-conspirator testimony in murder cases and a*
4 *commitment to the reform of labor law;*

5 *(B) the Salvadoran Government has reactiv-*
6 *ated the Judicial Protection Unit and that the*
7 *safety of judges and witnesses is being adequately*
8 *provided;*

9 *(C) the procedures for detaining suspects and*
10 *the treatment of detainees are in compliance with*
11 *standards set forth by the U.N. Human Rights*
12 *Commission; and*

13 *(D) the Government of El Salvador has de-*
14 *vised and commenced implementation of a plan to*
15 *place the police force under civilian control, in-*
16 *cluding the time period within which such plan is*
17 *to be implemented and the actions that will be*
18 *taken to effect its implementation; and*

19 *(2) the conditions set forth in section 538 of this*
20 *Act with respect to investigation of murders are satis-*
21 *fied and reported by the President to the Committees*
22 *on Appropriations.*

23 *(b) REFORMS.—Assistance for judiciary reform pursu-*
24 *ant to subsection (a) shall be administered through the Ad-*

1 *ministration of Justice program to support activities which*
 2 *further the progress described in paragraph (1).*

3 (c) *ESTABLISHMENT OF BIPARTISAN COMMISSION.—*

4 (1) *ESTABLISHMENT.—There shall be established a Biparti-*
 5 *san Commission no more than 30 days after enactment of*
 6 *this Act to study, advise, and make recommendations in ac-*
 7 *cordance with subsection (a) that significant progress in es-*
 8 *tablishing an independent civilian judiciary and prosecuto-*
 9 *rial and investigative system has been made.*

10 (2) *COMPOSITION.—The Commission established by*
 11 *this subsection shall be composed of four members—one to be*
 12 *appointed by the Speaker of the House, one to be appointed*
 13 *by the House Minority Leader, one to be appointed by the*
 14 *Senate Majority Leader, and one by the Senate Minority*
 15 *Leader.*

16 (3) *FUNDING.—Funds for the Commission established*
 17 *by this subsection shall be derived from unobligated fiscal*
 18 *year 1990 Economic Support Funds for the Administration*
 19 *of Justice program in El Salvador.*

20 (182) *EXTENSION OF PROVISIONS*

21 *SEC. 599K. (a) Section 599D of the Foreign Oper-*
 22 *ations, Export Financing, and Related Programs Appropria-*
 23 *tions Act, 1990, is amended—*

1 (1) in subsection (b)(3), by striking "fiscal year
2 1990" and inserting "for each of fiscal years 1990,
3 1991, and 1992", and

4 (2) in subsection (e), by striking "October 1,
5 1990" each place it appears and inserting "October 1,
6 1992".

7 (b) Section 599E(b)(2) of such Act is amended by strik-
8 ing "September 30, 1990" and inserting "September 30,
9 1992".

10 **(183) EXPEDITED RELEASE OF EQUIPMENT**

11 *SEC. 599L. (a) Notwithstanding any other provision of*
12 *law, property supplied under any United States military as-*
13 *sistance program, Foreign Military Financing program or*
14 *the Special Defense Acquisition Fund shall be offered first to*
15 *NATO allies which are contiguous to Iraq and to major non-*
16 *NATO allies on the southern and southeastern flank of*
17 *NATO which do not receive financial assistance from any*
18 *country in the Near East region before being made available*
19 *to any other country or entity not subject to United States*
20 *jurisdiction.*

21 (b) Any country eligible under subsection (a) shall be
22 able to use any funds made available to it by the United
23 States under any military assistance program for the remov-
24 al, transport and installation of such excess property.

1 (c) *For the purposes of this provision, the term "proper*
2 *ty" shall include excess defense articles and temporary shel-*
3 *ters.*

4 (d) *In the administration of this provision, the Depart-*
5 *ment of Defense shall take such measures as are necessary to*
6 *expedite the transfer of equipment referred to in subsection*
7 *(a).*

8 **(184) ASSISTANCE FOR YUGOSLAVIA**

9 *Sec. 599M. None of the funds appropriated or otherwise*
10 *made available pursuant to this Act shall be obligated or ex-*
11 *pended to provide any direct assistance to the Federal Repub-*
12 *lic of Yugoslavia: Provided, That for purposes of this section,*
13 *the prohibition on obligation or expenditures shall include*
14 *direct loans, credits, insurance, and guarantees of the*
15 *Export-Import Bank of the United States or its agents: Pro-*
16 *vided further, That the Secretary of the Treasury shall in-*
17 *struct the United States Executive Director of each interna-*
18 *tional financial institution to use the voice and vote of the*
19 *United States to oppose any assistance of the respective insti-*
20 *tution to the Federal Republic of Yugoslavia: Provided fur-*
21 *ther, That this section shall not apply if substantially all of*
22 *the assistance provided to any program, project, or activity is*
23 *used in a Yugoslav Republic which has held free and fair*
24 *elections and which is not engaged in the systematic abuse of*
25 *human rights: Provided further, That this section shall not*

1 *apply to assistance intended to support democratic parties or*
2 *movements, emergency or humanitarian assistance, or the*
3 *furtherance of human rights: Provided further, That this sec-*
4 *tion shall not apply if the Secretary of State certifies to the*
5 *Congress that the Federal Republic of Yugoslavia is in com-*
6 *pliance with the obligations of the Helsinki Accords.*

7 **(185) SEC. 599N.** *The Foreign Assistance Act of*
8 *1961 is amended by adding at the end thereof the following*
9 *new section:*

10 **"SEC. 671. INDEX OF ECONOMIC FREEDOM.—(a)**
11 **DEVELOPMENT OF INDEX.—***Not later than six months after*
12 *the date of enactment of this section, the Administrator of the*
13 *Agency for International Development, in consultation with*
14 *the Secretary of the Treasury and private indigenous institu-*
15 *tions in less developed countries, shall develop a system for*
16 *evaluating, on a country-by-country basis, the economic free-*
17 *dom and opportunities of individuals in countries eligible for*
18 *assistance under part I of the Foreign Assistance Act of*
19 *1961. Such system shall be referred to as the 'Index of Eco-*
20 *nomics Freedom' (hereafter in this section referred to as the*
21 *'Index').*

22 **"(b) EXTENSION OF TIME.—***The President may*
23 *extend the date by which the Index is required to be devel-*
24 *oped by an additional ninety days if he determines that the*

1 *period specified under subsection (a) for the development of*
2 *the Index is inadequate.*

3 “(c) *FACTORS EVALUATED BY THE INDEX.—The*
4 *Index shall assign a numerical rating for each of the follow-*
5 *ing factors based on the degree to which each such factor*
6 *reflects the degree of economic freedom and opportunity in a*
7 *country and other relevant economic factors:*

8 “(1) *PROPERTY RIGHTS.—The extent to which*
9 *poor or landless individuals are illegally or otherwise*
10 *artificially constrained from acquiring land or other*
11 *forms of property or are unable to gain secure legal*
12 *title to land, the degree to which laws and an inde-*
13 *pendent judiciary protect private property and enforce*
14 *contracts for individuals against the government, the*
15 *extent of nationalization of property and the state's*
16 *power to nationalize private property, and the degree of*
17 *access of private parties to the judicial system.*

18 “(2) *REGULATIONS.—The difficulty and costli-*
19 *ness of securing a business license, regulations which*
20 *inherently favor established business at the expense of*
21 *newcomers, and limitations on the freedom and ability*
22 *of citizens to establish businesses or add prohibitive*
23 *costs or additional risks to maintaining such busi-*
24 *nesses.*

1 “(3) *INFORMAL SECTOR.*—*The extent to which*
2 *government policies force economic activity into nomi-*
3 *nally illegal informal sectors where otherwise legal ac-*
4 *tivities are conducted outside of government regulations*
5 *and requirements, and the extent to which those poli-*
6 *cies discourage the development of locally controlled*
7 *non-governmental institutions.*

8 “(4) *WAGE AND PRICE CONTROLS.*—*The identi-*
9 *ty of industries or goods which are subject to govern-*
10 *ment mandated wages or prices, the value of goods sold*
11 *wholesale and retail subject to price controls, the degree*
12 *to which private farmers are forced to sell produce at*
13 *government established prices, and the degree to which*
14 *farmers are not allowed to profit from the real market*
15 *price of their products.*

16 “(5) *TAXATION.*—*The highest rate of taxation,*
17 *the income level at which this rate takes effect, the re-*
18 *lationship between per-capita income and the level of*
19 *which the highest rate of taxation takes effect, rate of*
20 *the value added tax (VAT), the level of taxation on*
21 *assets, and the rate of monetary inflation.*

22 “(6) *TRADE POLICY.*—*Customs duty rates, quan-*
23 *titative restrictions on imports, import quotas, import*
24 *prohibitions, foreign exchange availability for those en-*
25 *gaged in international trade, export taxes, restrictive*

1 *export practices, market-distorting export incentives*
2 *such as subsidies, import licenses, and country-of-*
3 *origin restrictions.*

4 *“(7) RESTRICTIONS ON INVESTMENT AND CAP-*
5 *ITAL FLOWS.—Limitations on foreign investment and*
6 *foreign ownership, limits on repatriation of principal*
7 *and profits for foreign investors, and restrictions on re-*
8 *moval of foreign or domestic capital from the home*
9 *country.*

10 *“(8) SIZE OF STATE SECTOR.—Value of indus-*
11 *tries owned by the government, percentage of GNP*
12 *produced by state-owned industries, prohibitions on*
13 *private economic activities in certain sectors and the*
14 *value of the state sector assets.*

15 *“(9) BANKING.—Degree of government ownership*
16 *of banking sector, private citizens rights to own and*
17 *operate banks and citizens’ access to private sources of*
18 *credit.*

19 *“(d) REPORT.—(1) Beginning two years after the date*
20 *of enactment of this section, and every twelve months thereaf-*
21 *ter, the Administrator shall apply the Index to each country*
22 *which is eligible for assistance under part I of the Foreign*
23 *Assistance Act of 1961 on that date and, based upon such*
24 *evaluation, shall submit to the Speaker of the House of Rep-*
25 *resentatives and the chairman of the Committee on Foreign*

1 *Relations of the Senate a report setting forth the findings of*
2 *that evaluation. In making that evaluation, the Administra-*
3 *tor shall rely, to the maximum extent practicable, on data*
4 *supplied by private indigenous institutions in less developed*
5 *countries.*

6 “(2) *The annual congressional presentation materials*
7 *for foreign assistance shall include, for each country for*
8 *which assistance is proposed, the corresponding data from the*
9 *latest report submitted under paragraph (1).*

10 “(e) *DETERMINATION OF COUNTRIES ELIGIBLE FOR*
11 *UNITED STATES SUPPORT.—Beginning two years after the*
12 *date of enactment of this section, no assistance, financing,*
13 *guaranty, insurance, or reinsurance may be extended under*
14 *part I of this Act (other than chapters 8 and 9 relating to*
15 *international narcotics control and disaster assistance), with*
16 *respect to a foreign country unless the advisability of furnish-*
17 *ing support for that country has been considered, in light of*
18 *the data on that country contained in the latest report submit-*
19 *ted under subsection (d).*

20 “(f) *USE OF INDEX TO EVALUATE COUNTRIES RE-*
21 *CEIVING UNITED STATES ASSISTANCE.—In furnishing*
22 *development assistance under chapter 1 of part I of this Act,*
23 *the Administrator shall use the Index to promote improve-*
24 *ments in the underlying economic conditions evaluated by the*
25 *Index while retaining flexibility in designing and imple-*

1 *menting development programs and projects. The Adminis-*
2 *trator shall use the Index as a basis for evaluating the direc-*
3 *tion of policy changes in less developed countries and as a*
4 *basis for evaluating specific projects and programs assisted*
5 *by the Agency for International Development."*

6 **(186) SEC. 5990.** *(a) As a result of circumstances*
7 *arising from the recent invasion by Iraq of Kuwait, Israel*
8 *faces a heightened threat to its national security. In order to*
9 *assist Israel in meeting this threat, the President may direct*
10 *for the purposes of Part II of the Foreign Assistance Act of*
11 *1961, the drawdown, for Israel, of defense articles from the*
12 *stocks of the Department of Defense, defense services of the*
13 *Department of Defense, and military education and training,*
14 *of an aggregate value of not less than \$700,000,000 within*
15 *nine months from the date of enactment of this Act.*

16 **(b)** *To the maximum extent feasible, drawdowns under*
17 *subsection (a) shall be made from units withdrawn or to be*
18 *withdrawn from Europe.*

19 **(c)** *In the event the President determines that the timing*
20 *of the drawdown under subsection (a) would have an adverse*
21 *impact on the readiness of the Armed Forces of the United*
22 *States, the President may have such additional time as he*
23 *deems appropriate to comply with the requirements of subsec-*
24 *tion (a). The President shall notify the Committees on Ap-*
25 *propriations of any determination under this subsection, in-*

1 *cluding an estimate as to when the total amount of the draw-*
2 *down under subsection (a) will be completed.*

3 *(d) The President shall, within six months of the last*
4 *drawdown under subsection (a), submit a report to the Com-*
5 *mittees on Appropriations which identifies the articles, serv-*
6 *ices, and training drawn down under this section.*

7 *(e) Section 506(c) of the Foreign Assistance Act of*
8 *1961 (regarding the reimbursement of accounts) shall be ap-*
9 *plicable to the drawdown authority contained in this section.*

10 *(f) Section 632(d) of the Foreign Assistance Act of*
11 *1961 shall not apply with respect to drawdowns under this*
12 *section.*

13 **(187) FAMINE ASSISTANCE TO THE ANGOLAN PEOPLE**

14 *SEC. 599P. The Congress finds that—*

15 *(a) the looming famine in Angola is the world's*
16 *leading humanitarian crisis, and puts at risk of star-*
17 *vation an estimated 1.9 million Angolans in the ab-*
18 *sence effective international assistance;*

19 *(b) the majority of the potential famine victims*
20 *reside in areas of conflict;*

21 *(c) the continuing civil war is the primary im-*
22 *pediment to effective international famine relief efforts;*
23 *and*

24 *(d) the impact of famine on the Angolan civilian*
25 *population is compounded by the massive effects of pro-*

1 *longed war and deprivation, including the loss in the*
2 *course of the civil war of over 500,000 lives including*
3 *330,000 children, high malnutrition, and high civilian*
4 *casualties due to land mines.*

5 *SEC. 599Q. It is the sense of the Senate that—*

6 *(a) the United States and the rest of the interna-*
7 *tional community should respond generously to the An-*
8 *golan famine by providing immediate emergency assist-*
9 *ance through appropriate international and private vol-*
10 *untary organizations to Angolan civilians on both sides*
11 *of the Angolan conflict;*

12 *(b) the United States and the international com-*
13 *munity should strongly urge both sides of the Angolan*
14 *conflict to cooperate in the famine relief effort, to facili-*
15 *tate the provision of emergency assistance under appro-*
16 *priate international auspices and to work to establish a*
17 *lasting ceasefire and an end to the civil war;*

18 *(c) the efforts of the United Nations, the Interna-*
19 *tional Committee of the Red Cross and voluntary*
20 *agencies to provide famine relief are to be commended*
21 *and supported.*

22 **(188) BENEFITS FOR UNITED STATES HOSTAGES IN**

23 **IRAQ AND KUWAIT.**

24 *Sec. 599R. (a) ELIGIBILITY.—United States hostages*
25 *in Iraq and Kuwait shall be entitled to the benefits described*

1 *in this section. Except as otherwise provided in this section*
2 *or other provision of law, no such individual or any family*
3 *member shall receive any benefit under the provisions of title*
4 *5, United States Code.*

5 **(b) PAYMENTS FOR DURATION OF HOSTAGE STATUS,**
6 **LIFE INSURANCE, AND HEALTH INSURANCE.—**(1) *Not*
7 *later than 30 days after the date of enactment of this Act, the*
8 *Office of Personnel Management, after consultation with the*
9 *Department of State, shall prescribe regulations, consistent*
10 *with this section, for the application of the provisions of chap-*
11 *ter 87 (relating to life insurance) and chapter 89 (relating to*
12 *health insurance) of title 5, United States Code, to the*
13 *United States hostages in Iraq or Kuwait and their family*
14 *members for the period that such hostages remain in hostage*
15 *status.*

16 (2) *United States hostages in Iraq or Kuwait shall be*
17 *paid at the rate of pay for a position at GS-9 of the General*
18 *Schedule for the period in which such hostages remained in a*
19 *hostage status without the hostages (or their family members*
20 *on their behalf) receiving salaries or wages from their em-*
21 *ployers.*

22 (3) *During the period of an individual's hostage status*
23 *and during the 12-month period after the hostage status of*
24 *that individual ceases, such individual and his family mem-*
25 *bers shall be entitled to health benefits covered by paragraph*

1 (1) if such benefits were not provided by any other insurance
2 coverage.

3 (4) During the period of all individual's hostage status
4 and during the 12-month period after the hostage status of
5 that individual ceases, that individual shall be entitled to life
6 insurance benefits covered by paragraph (1) if such benefits
7 were not provided by any other insurance coverage.

8 (c) ADMINISTRATION OF AUTHORITIES.—(1) For pur-
9 poses of this section, the Secretary of State shall certify to
10 such officer of the United States as may require such infor-
11 mation the names of the United States hostages in Iraq and
12 Kuwait and their family members.

13 (2) For purposes of the protection of the identity of any
14 individual, the Secretary of State may submit any certifica-
15 tion under this subsection in classified form.

16 (3) The Secretary of State may require of any individ-
17 ual such verification of hostage status as he may deem neces-
18 sary.

19 (d) DEFINITIONS.—For purposes of this section—

20 (1) the term "hostage status" means the status of
21 being held in custody by governmental or military au-
22 thorities of a country or taking refuge within that
23 country in fear of being taken into such custody (in-
24 cluding residing in any diplomatic mission or consular
25 post in that country);

1 (2) the term "family members" means spouses,
2 dependents, and any individuals who are members of
3 such hostages' households;

4 (3) the term "United States economic sanctions
5 against Iraq" means the exercise of authorities under
6 the International Emergency Economic Powers Act by
7 the President with respect to financial transactions
8 with Iraq;

9 (4) the term "United States hostages in Iraq and
10 Kuwait" means United States nationals, or family
11 members of United States nationals, who are in a hos-
12 tage status in Iraq or Kuwait during the period begin-
13 ning on August 2, 1990, and terminating on the date
14 on which United States economic sanctions against
15 Iraq are lifted; and

16 (5) the term "United States national" means any
17 individual who is a citizen of the United States or
18 who, though not a citizen of the United States, owes
19 permanent allegiance to the United States.

20 (e) ALLOCATION OF FUNDS.—Of the funds appropri-
21 ated by this Act under the heading "Economic Support
22 Fund," \$10,000,000 shall be available to carry out this
23 section.

1 **(189) HUMANITARIAN ASSISTANCE TO THE REPUBLICS**
2 **OF LITHUANIA, LATVIA, AND ESTONIA**

3 *SEC. 599S. Of the funds appropriated by this Act*
4 *under the heading "Economic Support Fund" and the funds*
5 *appropriated by this Act to carry out chapter 1 of part I of*
6 *the Foreign Assistance Act of 1961, \$10 million shall be*
7 *available to the President only for medical and humanitarian*
8 *assistance for the people of Lithuania, Latvia, and Estonia.*

9 **(190) SEC. 599T.** *Amend section 116 of the Foreign*
10 *Assistance Act of 1961 to add a new subsection:*

11 *"(b) No assistance may be provided to any government*
12 *failing to take appropriate and adequate measures, within*
13 *their means, to protect children from exploitation, abuse or*
14 *forced conscription into military or paramilitary services."*

15 **(191) SEC. 599U.** *(a) The Congress finds that—*

16 *(1) the international community has defined as*
17 *criminal conduct in various international conventions,*
18 *certain acts such as war crimes, crimes against hu-*
19 *manity, torture, piracy and crimes on board commer-*
20 *cial vessels, aircraft hijacking and sabotage of aircraft,*
21 *crimes against diplomats and other internationally pro-*
22 *TECTED persons, hostage-taking, and illicit drug cultiva-*
23 *tion and trafficking;*

24 *(2) in spite of these international conventions, the*
25 *effective prosecution of those who commit criminal acts*

1 *has been seriously obstructed in certain cases because*
2 *of problems of extradition and differences between the*
3 *legal and judicial systems of individual nations;*

4 (3) *the jurisdiction of the International Court of*
5 *Justice extends only to cases involving governments,*
6 *and not to individual criminal cases;*

7 (4) *the concept of an international criminal court*
8 *has been under consideration in the United Nations*
9 *and other international fora for many years, including*
10 *proposals and reviews undertaken in 1990 by the*
11 *United Nations General Assembly, the International*
12 *Law Commission, and the Eighth United Nations*
13 *Congress on the Prevention of Crime and the Treat-*
14 *ment of Offenders;*

15 (5) *the international military tribunals estab-*
16 *lished in Nuremburg, Germany, and Tokyo, Japan,*
17 *following World War II also establish a precedent for*
18 *international criminal tribunals; and*

19 (6) *there is growing movement among nations of*
20 *the world to formulate their economic, political and*
21 *legal systems on a multilateral basis.*

22 (b) *It is the sense of Congress that—*

23 (1) *the United States should explore the need for*
24 *the establishment of an International Criminal Court*
25 *on a universal or regional basis to assist the interna-*

1 *tional community in dealing more effectively with*
2 *criminal acts defined in international conventions; and*

3 *(2) the establishment of such a court or courts for*
4 *the more effective prosecution of international crimi-*
5 *nals should not derogate from established standards of*
6 *due process, the rights of the accused to a fair trial and*
7 *the sovereignty of individual nations.*

8 *(c) The President shall report to the Congress by Octo-*
9 *ber 1, 1991, the results of his efforts in regard to the estab-*
10 *lishment of an International Criminal Court to deal with*
11 *criminal acts defined in international conventions.*

12 *(d) The Judicial Conference of the United States shall*
13 *report to the Congress by October 1, 1991, on the feasibility*
14 *of, and the relationship to, the Federal judiciary of an Inter-*
15 *national Criminal Court.*

16 **(192) PROGRESS AND LEADERSHIP OF THE CITIZENS**

17 **DEMOCRACY CORPS**

18 *SEC. 599V. The President shall report to Congress the*
19 *name of a qualified individual from the private sector who*
20 *will serve as the Chairman of the Citizens Democracy Corps*
21 *(CDC) Commission who will select other private citizens*
22 *from business, educational, agricultural, voluntary, or phil-*
23 *anthropic activities to serve on the Commission; and*

24 *By December 15, 1990, the President shall submit a*
25 *report to Congress regarding the CDC's strategic implemen-*

1 *tation plan, to include: (1) private sector funding; (2) cumu-*
2 *lative and planned government funding; (3) a strategy and*
3 *timetable for making the CDC self-financing through private*
4 *donations; (4) details on CDC volunteer assignments and*
5 *assignment priorities in Eastern Europe; and (5) a plan for*
6 *acquiring State and Federal charters for the CDC.*

7
8 **(193) POLAND**

8 *SEC. 599W. (a)(1) The freely elected Government of*
9 *Poland has reshaped the country's economic policies with*
10 *great courage and consistency in a manner that will foster*
11 *the establishment of a functioning market economy in the*
12 *near future.*

13 *(2) The Government of Poland and people alike have*
14 *proven their willingness to endure economic hardships, such*
15 *as a marked drop in the standard of living, in employment*
16 *levels, and in the Nation's industrial output, in order to*
17 *create the necessary conditions for a comprehensive economic*
18 *reform.*

19 *(3) The economic program is based on the recognition of*
20 *the Polish authorities that a stable and easily convertible cur-*
21 *rency is paramount to the economic transformation of*
22 *Poland.*

23 *(4) Inflation in Poland has actually declined and the*
24 *budget deficit been reduced as a consequence of the determi-*
25 *nation of Poland's policymakers.*

1 (5) *Private ownership of the means of production has*
2 *been achieved on a broad basis.*

3 (6) *The continued success of economic reform hinges*
4 *upon tangible improvements in the economic conditions for*
5 *each and every citizen.*

6 (7) *Private sector companies from the United States*
7 *and elsewhere have responded very favorably to the Govern-*
8 *ment of Poland's determination to bring about meaningful*
9 *reform.*

10 (8) *The greatest challenge for the new government is to*
11 *service the staggering debt run up by the previous Commu-*
12 *nist regime.*

13 (9) *The servicing of this debt out of current revenues*
14 *endangers a successful completion of the reform process be-*
15 *cause it consumes a large part of the resources needed for*
16 *economic expansion: Now, therefore, be it*

17 (b) *The sense of the Senate that—*

18 (1) *Poland's debt service should be reduced in the*
19 *appropriate manner to safeguard the promising reform*
20 *concept;*

21 (2) *any solution of this problem should entail a*
22 *broad range of approaches, such as outright debt reduc-*
23 *tion, debt service reduction, and lengthening of maturi-*
24 *ties, as well as an infusion of new capital;*

25 (3) *the Western governments, which are Poland's*
26 *major creditors, should take speedy action in this area*

1 *and private banks should also be prepared to contribute*
2 *their share to this effort of reducing Poland's debt in*
3 *order to allow the newly democratized country to bring*
4 *its market reform program to a successful conclusion;*
5 *and*

6 *(4) the President should undertake the appropriate*
7 *measures on the part of the United States to bring the*
8 *deliberations in the Paris Club to a favorable decision*
9 *on the issue of reducing Poland's debt.*

10 **(194) SEC. 599X. (a) NEGOTIATIONS.**—*(1) The At-*
11 *torney General shall enter into negotiations with the appro-*
12 *priate law enforcement and judicial agencies and any other*
13 *officials of any foreign country with jurisdiction over compa-*
14 *nies who manufacture, market, sell or purchase certain pre-*
15 *cursor and/or essential chemicals used in the production of*
16 *illicit narcotics. The priority of negotiations should be deter-*
17 *mined based on an assessment by the Attorney General*
18 *which countries have jurisdiction over companies that may be*
19 *knowingly or unknowingly supplying chemicals for the illicit*
20 *manufacture of controlled substances.*

21 *(2) The purposes of the negotiations shall be to (a) es-*
22 *tablish a list of precursor and essential chemicals contribut-*
23 *ing to the illicit manufacture of controlled substances, as de-*
24 *finied in Section 102 of the Controlled Substances Act [21*
25 *USC 802]; (b) reach one or more international agreements*

1 on a method for maintaining records of transactions of these
2 listed chemicals; (c) establish a procedure by which such
3 records may be made available to (and kept confidential as
4 necessary by) United States law enforcement authorities for
5 the exclusive purpose of conducting an investigation relative
6 to precursor chemicals, essential chemicals and/or controlled
7 substances contributing to the manufacture of illicit narcot-
8 ics; and (d) encourage chemical source countries to enact na-
9 tional chemical control legislation which would (i) impose
10 specific recordkeeping and reporting requirements for domes-
11 tic transactions involving listed chemicals; (ii) establish a
12 system of permits or declarations for imports and exports of
13 listed chemicals; and (iii) authorize government officials to
14 seize or suspend shipments of listed chemicals based on evi-
15 dence that they may be destined for the illicit manufacture of
16 controlled substances.

17 (b) *REPORTS.*—Not later than one year after the date of
18 enactment of this Act, the Attorney General shall submit an
19 interim report to the Judiciary Committee and the Foreign
20 Relations Committee of the Senate on progress in the negoti-
21 ations. Not later than eighteen months from date of enact-
22 ment, the Attorney General shall submit a final report to the
23 aforementioned Senate Committees on the result of negotia-
24 tions identifying countries with which agreements have not
25 been reached and which have jurisdiction over companies be-

1 *lieved to be engaged in the manufacture, marketing, sale or*
2 *purchase of precursor and/or essential chemicals used in il-*
3 *licit manufacture of controlled substances.*

4 (c) *PENALTIES.*—*After consulting with the Attorney*
5 *General and the Director of the Office of National Drug*
6 *Control Policy, the President shall impose penalties or sanc-*
7 *tions including temporarily or permanently prohibiting any*
8 *corporation, partnership, individual or business association*
9 *(i) refusing to maintain records for the purpose of monitoring*
10 *and regulating transactions of listed precursor chemicals, or*
11 *(ii) refusing to make such records available to United States*
12 *law enforcement authorities for investigative purposes from*
13 *engaging in any or all transactions within the commerce of*
14 *the United States.*

15 (d) *DEFINITIONS.*—*A record under subsection (a) shall*
16 *be retrievable and include the date of the transaction, the*
17 *identity of each party to the transaction, including the ulti-*
18 *mate consignee, an accounting of the quantity and form of*
19 *listed chemical(s) and a description of the method of transfer.*

20 (e) *This section shall not apply to the manufacture, dis-*
21 *tribution, sale import or export of any drug which may,*
22 *under the Federal Food, Drug and Cosmetic Act be lawfully*
23 *sold over-the-counter without prescription.*

1 **(195) SEC. 599Y. (a) The Senate hereby finds:**

2 (1) *the government of the United States has*
3 *maintained economic sanctions against the government*
4 *of the Socialist Republic of Vietnam since April 30,*
5 *1975 under the auspices of the Trading with the*
6 *Enemy Act, and as regulated by the Office of Foreign*
7 *Assets Control of the United States Department of*
8 *Treasury,*

9 (2) *individual citizens of the United States are*
10 *authorized to travel to Vietnam but are limited in mon-*
11 *etary expenditures to \$100 per day, to be use only for*
12 *personal travel related expenses, and are prohibited*
13 *from conducting business dealings with Vietnam or*
14 *citizens of Vietnam,*

15 (3) *the international community, exclusive of the*
16 *United States, has significantly increased its commer-*
17 *cial contacts within Vietnam, and that foreign invest-*
18 *ment in Vietnam doubled from January 1989 to Janu-*
19 *ary 1990,*

20 (4) *the government of the Socialist Republic*
21 *of Vietnam has been cooperative in working with*
22 *the United States and other nations toward a set-*
23 *tlement of the Cambodian political situation,*

1 (5) by the end of 1989, the government of Viet-
2 nam had completed a withdrawal of its combat troops
3 from the territory of Cambodia,

4 (6) pending a final Cambodian settlement, the re-
5 maining questions regarding United States POWs and
6 MIAs are the most important factor in determining the
7 future course of United States-Vietnamese relations

8 (b) It is the Sense of the Senate, that in recognition of
9 the fact that the government of Vietnam has been cooperative
10 in working toward a resolution of longstanding issues of con-
11 flict with the United States, that the \$100.00 per day limit
12 on personal expenses of United States citizens travelling in
13 Vietnam should be raised to an appropriate level.

14 **(196) SEC. 599Z.** *The United States Congress com-
15 mends Israel's decision to open the schools on the West Bank
16 announced on June 22, 1989, including the opening of all
17 colleges, the Al-Quds University on June 16, 1990, and
18 Bethlehem University on August 30, 1990. The Congress
19 understands that all schools will be opened at an early date,
20 and expresses the hope that they will remain open, and will
21 be respected and regarded by all parties as places of learning.*

22 **(197) FIRST CLASS AIR TRAVEL RESTRICTIONS**

23 **SEC. 599AA.** *The Secretary of the Treasury shall in-
24 struct the United States Executive Directors of the multilat-*

1 *eral development banks and of the International Monetary*
2 *Fund—*

3 (1) *to seek the adoption, within 12 months after*
4 *the date of the enactment of this section, of administra-*
5 *tive procedures prohibiting personnel of their respective*
6 *banks and the affiliates of such banks, and of the*
7 *Fund, from using first class air travel for business of*
8 *such banks or of the Fund.*

9 (2) *if such procedures are not so adopted, report to*
10 *the Secretary and Congress on the estimated additional*
11 *costs (if any) incurred by their respective banks or the*
12 *Fund by reason of the use of first class air travel by*
13 *personnel of such banks or of the Fund in lieu of coach*
14 *or business class air travel, who shall make such report*
15 *available to the Congress on request.*

16 **(198) BENEFITS FOR UNITED STATES HOSTAGES**

17 **CAPTURED IN LEBANON**

18 **SEC. 599BB. (a) ELIGIBILITY.**—*United States na-*
19 *tionals held hostage in Lebanon since January 1, 1990 shall*
20 *be entitled to the same health benefits accorded under this Act*
21 *to U.S. hostages in Iraq and Kuwait.*

22 **(b) DEFINITION.**—*For purposes of this section the term*
23 *“hostage” means forcibly detained, held hostage, or interned*
24 *by an enemy government or its agents, or a hostile force.*

1 **(199) TITLE VI—INTERNATIONAL FORESTRY**
2 **COOPERATION**

3 **SEC. 601. SHORT TITLE.**

4 *This title may be cited as the "International Forestry*
5 *Cooperation Act of 1990".*

6 **SEC. 602. FORESTRY AND RELATED NATURAL RESOURCE AS-**
7 **SISTANCE.**

8 **(a) FOCUS OF ACTIVITIES.**—*To achieve the maximum*
9 *impact from activities undertaken under the authority of this*
10 *title, the Secretary shall focus such activities on the key*
11 *countries which could have a substantial impact on emissions*
12 *of greenhouse gases related to global warming.*

13 **(b) AUTHORITY FOR INTERNATIONAL FORESTRY AC-**
14 *TIVITIES.*—*In support of forestry and related natural re-*
15 *source activities outside of the United States and its territo-*
16 *ries and possessions, the Secretary of Agriculture (herein-*
17 *after referred to in this title as the Secretary) may—*

18 **(1) provide assistance that promotes sustainable**
19 *development and global environmental stability, includ-*
20 *ing assistance for—*

21 **(A) conservation and sustainable manage-**
22 *ment of forest land;*

23 **(B) forest plantation technology and tree im-**
24 *provement;*

1 (C) rehabilitation of cutover lands, eroded
2 watersheds, and areas damaged by wildfires or
3 other natural disasters;

4 (D) prevention and control of insects, dis-
5 eases, and other damaging agents;

6 (E) preparedness planning, training, and
7 operational assistance to combat natural disasters;

8 (F) more complete utilization of forest prod-
9 ucts leading to resource conservation;

10 (G) range protection and enhancement; and

11 (H) wildlife and fisheries habitat protection
12 and improvement;

13 (2) share technical, managerial, extension, and
14 administrative skills related to public and private natu-
15 ral resource administration;

16 (3) provide education and training opportunities
17 to promote the transfer and utilization of scientific in-
18 formation and technologies;

19 (4) engage in scientific exchange and cooperative
20 research with foreign governmental, educational, tech-
21 nical and research institutions; and

22 (5) cooperate with domestic and international or-
23 ganizations that further international programs for the
24 management and protection of forests, rangelands,

1 *wildlife and fisheries, and related natural resource*
2 *activities.*

3 (c) *ELIGIBLE COUNTRIES.*—*The Secretary shall un-*
4 *dertake the activities described in subsection (b), in countries*
5 *that receive assistance from the Agency for International De-*
6 *velopment only at the request, or with the concurrence, of the*
7 *Administrator of the Agency for International Development.*

8 **SEC. 603. TROPICAL DEFORESTATION ASSESSMENT AND ASSIST-**
9 **ANCE.**

10 *In support of the Tropical Forestry Action Plan and to*
11 *specifically address tropical deforestation and degradation,*
12 *the Secretary may—*

13 (1) *support and actively participate in global and*
14 *regional meetings that seek to reform such Plan;*

15 (2) *together with the United States Agency for*
16 *International Development, and other Federal agencies,*
17 *provide technical assistance to tropical countries for the*
18 *formulation of national forestry sector development*
19 *strategies; and*

20 (3) *cooperate with tropical countries on research,*
21 *training, and technical programs aimed at implement-*
22 *ing national forestry sector development strategies.*

23 **SEC. 604. INSTITUTE OF TROPICAL FORESTRY.**

24 (a) *EXPANSION.*—*The Secretary shall expand the ca-*
25 *pabilities of and construct additional facilities at the Carib-*

1 *bean National Forest and Institute of Tropical Forestry in*
2 *Puerto Rico, as the Secretary determines necessary to sup-*
3 *port the purpose of this title, and as funds are appropriated*
4 *for such expansion and construction.*

5 **(b) TROPICAL FORESTRY PLANS.**—*Not later than 1*
6 *year after the date of enactment of this Act, the Secretary*
7 *shall prepare and submit to the Committee on Agriculture,*
8 *Nutrition, and Forestry of the Senate, the Committee on Ag-*
9 *riculture of the House of Representatives, and to the Commit-*
10 *tees on Appropriations of the Senate and House of Repre-*
11 *sentatives, a tropical forestry plan for the expansion and con-*
12 *struction of additional facilities under subsection (a). Such*
13 *plan shall include provisions for—*

14 **(1)** *the construction or acquisition of a major*
15 *center for education, interpretation, and appreciation of*
16 *the benefits and methods of the intelligent management*
17 *of tropical forests;*

18 **(2)** *the acquisition or construction of facilities for*
19 *housing and classroom instruction near the Caribbean*
20 *National Forest/Luguillo Experimental Forest; and*

21 **(3)** *the acquisition or construction of facilities for*
22 *the study and recovery of endangered tropical wildlife,*
23 *fish and plant species.*

1 **SEC. 605. ADMINISTRATIVE PROVISIONS.**

2 (a) *COORDINATION OF ACTIVITIES.*—*The Secretary*
3 *shall coordinate all activities outside of the United States*
4 *under this title with other Federal officials, departments,*
5 *agencies, and international organizations, as the President*
6 *may require.*

7 (b) *ASSISTANCE.*—*The Secretary may provide assist-*
8 *ance, as determined appropriate by the Secretary to carry out*
9 *this title, including technical and financial assistance, equip-*
10 *ment, and facilities without reimbursement.*

11 **SEC. 606. AUTHORIZATION OF APPROPRIATIONS.**

12 *There are authorized to be appropriated such sums as*
13 *may be necessary to carry out this title.*

14 **SEC. 607. CONFORMING AMENDMENTS.**

15 (a) *FOREST AND RANGELAND RENEWABLE RE-*
16 *SOURCES RESEARCH ACT.*—*The Forest and Rangeland*
17 *Renewable Resources Research Act of 1978 (16 U.S.C.*
18 *1641 et seq.) is amended—*

19 (1) *in section 2 (16 U.S.C. 1641)—*

20 (A) *by inserting “(1)” after “(a)”;*

21 (B) *by adding at the end of subsection (a)*

22 *the following new paragraph:*

23 (2) *Congress further finds that the forest and range-*
24 *land renewable resources of the world are threatened by de-*
25 *forestation due to conversion to agriculture of lands better*
26 *suited to other uses, over-grazing, over-harvesting, and other*

1 *causes that pose a direct adverse threat to people, the global*
2 *environment, and the world economy.”; and*

3 *(C) by adding at the end thereof the follow-*
4 *ing new subsection:*

5 *“(c) It is the purpose of this Act to authorize the Secre-*
6 *tary to expand research activities to encompass international*
7 *forestry and natural resource issues on a global scale.”; and*

8 *(2) in the first section of section 4(c) (16 U.S.C.*
9 *1643(c)), by inserting “international,” before “Feder-*
10 *al”.*

11 *(b) COOPERATIVE FORESTRY ASSISTANCE ACT.—*
12 *The Cooperative Forestry Assistance Act of 1978 (16 U.S.C.*
13 *et seq.) is amended—*

14 *(1) in section 2(a)—*

15 *(A) by striking “and” at the end of para-*
16 *graph (16);*

17 *(B) by striking the period at the end of para-*
18 *graph (17) and inserting “; and”; and*

19 *(C) by adding at the end thereof the follow-*
20 *ing new paragraph:*

21 *“(18) the same forest resource supply, protection,*
22 *and management issues that exist in the United States*
23 *are also present on an international scale, and the*
24 *forest and rangeland renewable resources of the world*
25 *are threatened by deforestation due to conversion to ag-*

1 *riculture of lands better suited to other purposes, over-*
2 *grazing, over-harvesting, and other causes which pose a*
3 *direct adverse threat to people, the global environment,*
4 *and the world economy.”;*

5 *2) in section 2(b), by inserting “in the United*
6 *States, and forest lands in foreign countries,” after*
7 *“non-Federal forest lands,” the first place it appears*
8 *and in paragraph (10); and*

9 *(3) in section 12, by adding at the end thereof the*
10 *following new subsection:*

11 *“(h) In addition to the authority provided elsewhere in*
12 *this Act, the Secretary may provide assistance to other coun-*
13 *tries with respect to the activities described in paragraphs (1)*
14 *through (10) of section 3(b), paragraphs (1) through (5) of*
15 *section 7(b), and paragraphs (1) through (3) of section 9(b).*
16 *For the purposes of providing assistance to other countries*
17 *under this subsection, the term ‘non-Federal forest land’ shall*
18 *mean any forest land and related renewable natural re-*
19 *sources in such countries. In providing the assistance author-*
20 *ized under this subsection, the Secretary shall coordinate*
21 *with other Federal officials, departments, agencies, or inter-*
22 *national organizations, as the President may direct. The ref-*
23 *erences to ‘State foresters or equivalent State officials’ in this*
24 *Act shall not apply to the assistance provided by the Secre-*
25 *tary to other countries under this subsection.”.*

1 This Act may be cited as the "Foreign Operations,
2 Export Financing, and Related Programs Appropriations
3 Act, 1991"

Passed the House of Representatives June 27, 1990.

Attest: DONNALD K. ANDERSON,
Clerk.

Passed the Senate October 24 (legislative day, October
2), 1990.

Attest: WALTER J. STEWART,
Secretary.