

Union Calendar No. 70

102D CONGRESS
1ST SESSION

H. R. 2621

[Report No. 102-108]

Making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1992, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 12, 1991

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

A BILL

making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 1992, and for other purposes.

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

1 for the fiscal year ending September 30, 1992, and for
 2 other purposes, namely:

3 **DEPARTMENT OF THE TREASURY**

4 **FINANCIAL MANAGEMENT SERVICE**

5 **GIFTS TO THE UNITED STATES FOR REDUCTION OF THE**

6 **PUBLIC DEBT**

7 For the purpose of reducing a portion of the public
 8 debt caused by public borrowings necessary to finance
 9 those programs, projects, or activities classified as "func-
 10 tion 150" international affairs accounts pursuant to sec-
 11 tion 301(a)(4) of the Congressional Budget and Impound-
 12 ment Control Act of 1974, \$135,000,000, to pay at matu-
 13 rity, or to redeem or buy before maturity, an obligation
 14 of the Government included in the public debt as if pursu-
 15 ant to title 31, United States Code, 3113 (a)(1)(A) and
 16 (d).

17 **TITLE I—MULTILATERAL ECONOMIC**

18 **ASSISTANCE**

19 **FUNDS APPROPRIATED TO THE PRESIDENT**

20 **INTERNATIONAL FINANCIAL INSTITUTIONS**

21 **CONTRIBUTION TO THE INTERNATIONAL BANK FOR**

22 **RECONSTRUCTION AND DEVELOPMENT**

23 For payment to the International Bank for Recon-
 24 struction and Development by the Secretary of the Treas-
 25 ury, for the United States share of the paid-in share por-

1 tion of the increases in capital stock for the General Cap-
2 ital Increase, \$70,126,332, to remain available until ex-
3 pended.

4 For payment to the International Bank for Recon-
5 struction and Development by the Secretary of the Treas-
6 ury, for the United States contribution to the Global Envi-
7 ronmental Facility, \$50,000,000, to remain available until
8 expended.

9 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

10 The United States Governor of the International
11 Bank for Reconstruction and Development may subscribe
12 without fiscal year limitation to the callable capital portion
13 of the United States share of increases in capital stock
14 in an amount not to exceed \$2,267,418,063.

15 CONTRIBUTION TO THE INTERNATIONAL DEVELOPMENT

16 ASSOCIATION

17 For payment to the International Development Asso-
18 ciation by the Secretary of the Treasury, \$1,060,000,000,
19 for the United States contribution to the replenishment,
20 to remain available until expended: *Provided*, That, before
21 obligating funds made available under this heading, the
22 President shall reduce from the amount obligated, the
23 United States proportionate share of any loans approved
24 by the Board of Directors for China for non-basic human
25 needs since October 1, 1991 if China is denied most-fa-
26 vored-nation trading status by the United States Govern-

1 ment: *Provided further*, That such funds withheld from ob-
2 ligation may be obligated only if the President certifies
3 that it is in the national interest of the United States to
4 do so: *Provided further*, That fifteen days prior to the obli-
5 gation of such funds for the International Development
6 Association, the President shall report his certification to
7 the Committee on Appropriations and the Committee on
8 Banking, Finance and Urban Affairs of the House of Rep-
9 resentatives and the Committee on Appropriations and the
10 Committee on Foreign Relations of the Senate.

11 CONTRIBUTION TO THE INTERNATIONAL FINANCE

12 CORPORATION

13 For payment to the International Finance Corpora-
14 tion by the Secretary of the Treasury, \$40,330,972, for
15 the United States share of the increase in subscriptions
16 to capital stock, to remain available until expended: *Pro-*
17 *vided*, That funds appropriated under this heading are
18 available subject to authorization: *Provided further*, That
19 of the amount appropriated under this heading not more
20 than \$6,050,000 may be expended for the purchase of
21 such stock in fiscal year 1992: *Provided further*, That none
22 of the funds appropriated under this heading shall be obli-
23 gated except through the regular notification procedures
24 of the Committees on Appropriations.

1 CONTRIBUTION TO THE INTER-AMERICAN DEVELOPMENT
2 BANK

3 For payment to the Inter-American Development
4 Bank by the Secretary of the Treasury for the United
5 States share of the paid-in share portion of the increase
6 in capital stock, \$57,313,367, and for the United States
7 share of the increases in the resources of the Fund for
8 Special Operations, \$20,576,000, to remain available until
9 expended: *Provided*, That the Secretary of the Treasury
10 shall instruct the United States Executive Director of the
11 Inter-American Development Bank to use the voice and
12 vote of the United States to oppose any assistance by the
13 Bank to any recipient of assistance who refuses to agree
14 in writing that in general any procurement of goods or
15 services utilizing Bank funds shall be conducted in a man-
16 ner that does not discriminate on the basis of nationality
17 against any member country, firm or person interested in
18 providing such goods or services.

19 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

20 The United States Governor of the Inter-American
21 Development Bank may subscribe without fiscal year limi-
22 tation to the callable capital portion of the United States
23 share of such capital stock in an amount not to exceed
24 \$2,235,076,561.

1 INTER-AMERICAN INVESTMENT CORPORATION

2 For payment to the Inter-American Investment Cor-
3 poration by the Secretary of the Treasury, \$12,500,000,
4 for the United States share of the capital stock of the Cor-
5 poration, to remain available until expended.

6 CONTRIBUTION TO THE ENTERPRISE FOR THE AMERICAS

7 INVESTMENT FUND

8 For payment to the Enterprise for the Americas In-
9 vestment Fund by the Secretary of the Treasury, for the
10 United States contribution for the establishment of the
11 Fund to be administered by the Inter-American Develop-
12 ment Bank, \$100,000,000 to remain available until ex-
13 pended: *Provided*, That funds appropriated under this
14 heading are available subject to authorization: *Provided*
15 *further*, That none of the funds appropriated under this
16 heading shall be obligated except through the regular noti-
17 fication procedures of the Committees on Appropriations.

18 CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK

19 For payment to the Asian Development Bank by the
20 Secretary of the Treasury, for the paid-in share portion
21 of the United States share of the increase in capital stock,
22 \$25,526,366: *Provided*, That, before obligating funds
23 made available under this heading, the President shall re-
24 duce from the amount obligated, proportionately in paid-
25 in capital and callable capital, the United States propor-
26 tionate share of any loans approved by the Board of Direc-

1 tors for China for non-basic human needs since October
2 1, 1991, if China is denied most-favored-nation trading
3 status by the United States Government: *Provided further*,
4 That funds appropriated under this heading are available
5 subject to authorization.

6 CONTRIBUTION TO THE ASIAN DEVELOPMENT FUND

7 For the United States contribution by the Secretary
8 of the Treasury to the increases in resources of the Asian
9 Development Fund, as authorized by the Asian Develop-
10 ment Bank Act, as amended (Public Law 89-369),
11 \$158,793,050, to remain available until expended: *Provid-*
12 *ed*, That prior to obligating any of the funds appropriated
13 under this heading for the Asian Development Fund, the
14 Secretary of the Treasury shall submit a certification to
15 the Committees on Appropriations that none of such funds
16 will be made available for China.

17 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

18 The United States Governor of the Asian Develop-
19 ment Bank may subscribe without fiscal year limitation
20 to the callable capital portion of the United States share
21 of increases in the capital stock in an amount not to ex-
22 ceed \$186,972,187: *Provided*, That such funds are avail-
23 able subject to authorization.

24 CONTRIBUTION TO THE AFRICAN DEVELOPMENT FUND

25 For payment to the African Development Fund by
26 the Secretary of the Treasury, \$135,000,000, for the

1 United States contribution to the sixth replenishment of
2 the African Development Fund, to remain available until
3 expended: *Provided*, That funds appropriated under this
4 heading are available subject to authorization.

5 CONTRIBUTION TO THE AFRICAN DEVELOPMENT BANK

6 For payment to the African Development Bank by
7 the Secretary of the Treasury, for the paid-in share por-
8 tion of the United States share of the increase in capital
9 stock, \$8,987,307, to remain available until expended.

10 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

11 The United States Governor of the African Develop-
12 ment Bank may subscribe without fiscal year limitation
13 to the callable capital portion of the United States share
14 of such capital stock in an amount not to exceed
15 \$134,809,612.

16 CONTRIBUTION TO THE EUROPEAN BANK FOR

17 RECONSTRUCTION AND DEVELOPMENT

18 For payment to the European Bank for Reconstruc-
19 tion and Development by the Secretary of the Treasury,
20 \$70,020,600, for the United States share of the paid-in
21 share portion of the initial capital subscription, to remain
22 available until expended.

23 LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS

24 The United States Governor of the European Bank
25 for Reconstruction and Development may subscribe with-
26 out fiscal year limitation to the callable capital portion of

1 the United States share of such capital stock in an amount
2 not to exceed \$163,381,400.

3 **MULTILATERAL DEVELOPMENT BANKS—OTHER**

4 For necessary expenses of the Department of the
5 Treasury for reports calculating for loans, guarantees and
6 insurance commitments for each credit program within the
7 international affairs (Budget Function 150) account: (1)
8 the probability of repayment by each country of existing
9 United States international loans and the probability of
10 default by each country on existing United States interna-
11 tional guarantees, (2) subsidy estimates for each country
12 and each such credit program, and (3) risk assessments
13 for each country within each such credit program for fiscal
14 year 1993, \$3,000,000: *Provided*, That funds appropriated
15 under this heading shall be used only for contracts with
16 not less than two private firms: *Provided further*, That the
17 Secretaries of Treasury, State, Defense, and Agriculture
18 and the Administrator of the Agency for International De-
19 velopment, and the Chairman of the Export-Import Bank
20 and the President of the Overseas Private Investment Cor-
21 poration shall provide the necessary information to sup-
22 port these analyses: *Provided further*, That these reports
23 shall be simultaneously delivered to the Department of
24 Treasury, and to the Committees on Appropriations and
25 the Committees on Budget and the Congressional Budget
26 Office not later than December 1, 1991: *Provided further*,

1 That the Office of Management and Budget shall trans-
2 mit, for each credit program within Budget Function 150,
3 country by country estimates of expected international
4 loan repayments and payments by the United States under
5 international guaranty obligations included in the fiscal
6 year 1993 budget request concurrent with submission of
7 the President's budget for fiscal year 1993.

8 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

9 For necessary expenses to carry out the provisions
10 of section 301 of the Foreign Assistance Act of 1961, and
11 of section 2 of the United Nations Environment Program
12 Participation Act of 1973, \$300,612,000: *Provided*, That
13 no funds shall be available for the United Nations Fund
14 for Science and Technology: *Provided further*, That the
15 total amount of funds appropriated under this heading
16 shall be made available only as follows: \$120,700,000 for
17 the United Nations Development Program; \$85,000,000
18 for the United Nations Children's Fund, of which amount
19 75 per centum (less amounts withheld consistent with sec-
20 tion 307 of the Foreign Assistance Act of 1961 and sec-
21 tion 525 of this Act) shall be obligated and expended no
22 later than thirty days after the date of enactment of this
23 Act and 25 per centum of which shall be expended within
24 thirty days from the start of the United Nations Chil-
25 dren's Fund fourth quarter of operations for 1992;
26 \$3,000,000 for the United Nations Capital Development

1 Fund; \$1,000,000 for the United Nations Development
2 Fund for Women; \$250,000 for the United Nations Inter-
3 national Research and Training Institute for the Advance-
4 ment of Women; \$300,000 for the Intergovernmental
5 Panel on Climate Change; \$2,000,000 for the Internation-
6 al Convention and Scientific Organization Contributions;
7 \$2,000,000 for the World Meteorological Organization
8 Voluntary Cooperation Program; \$800,000 for the World
9 Meteorological Organization Special Fund for Climate
10 Studies; \$27,500,000 for the International Atomic Energy
11 Agency; \$20,000,000 for the United Nations Environment
12 Program; \$800,000 for the United Nations Educational
13 and Training Program for Southern Africa; \$500,000 for
14 the United Nations Trust Fund for South Africa;
15 \$1,000,000 for the Convention on International Trade in
16 Endangered Species; \$450,000 for the World Heritage
17 Fund; \$100,000 for the United Nations Voluntary Fund
18 for Victims of Torture; \$400,000 for the United Nations
19 Center on Human Settlements; \$500,000 for the United
20 Nations Industrial Development Organization Investment
21 Promotion Service; \$10,000,000 for the Organization of
22 American States; \$2,000,000 for the United Nations Af-
23 ghanistan Trust Fund; \$1,000,000 for the International
24 Tropical Timber Organization; \$1,000,000 for the World
25 Food Program; \$850,000 for the International Union for

1 the Conservation of Nature; \$600,000 for the United Na-
2 tions Conference on Environment and Development;
3 \$500,000 for the Ramsar Convention on Wetlands of
4 International Importance Especially as Waterfowl Habi-
5 tat; and \$18,362,000 for the United States contributions
6 to the replenishment of the International Fund for Agri-
7 cultural Development: *Provided further*, That funds appro-
8 priated under this heading may be made available for the
9 International Atomic Energy Agency only if the Secretary
10 of State determines (and so reports to the Congress) that
11 Israel is not being denied its right to participate in the
12 activities of that Agency: *Provided further*, That funds ap-
13 propriated under this heading may be made available for
14 the Tropical Forestry Action Plan (TFAP) only if the Sec-
15 retary of State determines (and so reports to the Con-
16 gress) that (1) the TFAP has been reorganized, with an
17 international steering committee and secretariat independ-
18 ent of the Food and Agriculture Organization, and in-
19 cludes the participation of a broad range of experts in its
20 administration, (2) the responsibilities of TFAP have been
21 broadened to include areas outside the forestry sector, and
22 (3) procedures exist to ensure increased participation in
23 national TFAP plans by affected populations and interest-
24 ed individuals and organizations outside the forestry sec-
25 tor.

1 TITLE II—BILATERAL ECONOMIC ASSISTANCE

2 FUNDS APPROPRIATED TO THE PRESIDENT

3 For expenses necessary to enable the President to
4 carry out the provisions of the Foreign Assistance Act of
5 1961, and for other purposes, to remain available until
6 September 30, 1992, unless otherwise specified herein, as
7 follows:

8 AGENCY FOR INTERNATIONAL DEVELOPMENT

9 DEVELOPMENT ASSISTANCE FUND

10 For necessary expenses to carry out the provisions
11 of sections 103 through 106 of the Foreign Assistance Act
12 of 1961, \$1,076,635,000, of which amount—

13 (a) not less than \$345,000,000 shall be made
14 available for health and child survival activities, and
15 activities relating to research on, and the treatment
16 and control of, acquired immune deficiency syn-
17 drome (AIDS) in developing countries: *Provided,*
18 That not less than \$65,000,000 shall be made avail-
19 able for activities relating to AIDS, of which not less
20 than \$30,000,000 shall be made available directly to
21 the World Health Organization for its use in financ-
22 ing the Global Program on AIDS (including activi-
23 ties implemented by the Pan American Health Orga-
24 nization), and not less than \$1,000,000 shall be
25 made available to UNICEF for AIDS-related activi-

1 ties: *Provided further*, That not less than
2 \$280,000,000 shall be made available for health and
3 child survival activities, of which \$140,000,000
4 should be targeted for health activities and
5 \$140,000,000 should be targeted for child survival
6 activities;

7 (b) not less than \$5,000,000 shall be made
8 available for new development projects of private en-
9 tities and cooperatives for dairy development;

10 (c) not less than \$20,000,000 shall be made
11 available for the Vitamin A Deficiency Program and
12 activities relating to iodine deficiency and other
13 micro-nutrients, of which amount not less than
14 \$13,000,000 shall be made available for the Vitamin
15 A Deficiency Program;

16 (d) not less than \$225,000 shall be made avail-
17 able to support continued United States participa-
18 tion in the Associate Professional Officers Program
19 of the international food agencies;

20 (e) not less than \$5,000,000 shall be made
21 available for activities relating to the control, preven-
22 tion, and eradication of River Blindness;

23 (f) not less than \$1,000,000 shall be made
24 available for private voluntary organizations to be
25 used to finance operations for blind children;

1 (g) not less than \$7,500,000 shall be made
2 available for cooperative projects among the United
3 States, Israel, and developing countries, of which not
4 less than \$5,000,000 shall be made available for the
5 Cooperative Development Program, and of which not
6 less than \$2,500,000 shall be made available for co-
7 operative development research projects;

8 (h) not less than \$5,000,000 shall be made
9 available for the Central and Latin American Rural
10 Electrification Support project;

11 (i) not less than \$150,000 shall be made avail-
12 able, notwithstanding any other provision of law, for
13 technical assistance and training programs for Sovi-
14 et and Czechoslovakian statisticians and economists
15 administered by the Bureau of Labor Statistics;

16 (j) up to \$500,000 may be made available for
17 child survival activities for Laos; and

18 (k) not less than \$5,000,000 shall be for Soviet
19 and East European research and training under the
20 Department of State's title VIII program on Soviet
21 and regional studies, notwithstanding any other pro-
22 vision of law.

23 CHILD SURVIVAL AND EDUCATION

24 Of the funds appropriated under the headings in this
25 title under "Agency for International Development"—

1 (1) not less than a total of \$275,000,000 shall
2 be made available for programs in support of child
3 survival activities; and

4 (2) not less than a total of \$135,000,000 shall
5 be made available for programs in support of basic
6 education activities, including early childhood educa-
7 tion, primary education, teacher training, and other
8 necessary activities in support of early childhood and
9 primary education, and literacy training for adults.

10 POPULATION, DEVELOPMENT ASSISTANCE

11 For necessary expenses to carry out the provisions
12 of section 104(b), \$300,000,000: *Provided*, That none of
13 the funds made available in this Act nor any obligated bal-
14 ances from prior appropriations may be made available to
15 any organization or program which, as determined by the
16 President of the United States, supports or participates
17 in the management of a program of coercive abortion or
18 involuntary sterilization: *Provided further*, That none of
19 the funds made available under this heading may be used
20 to pay for the performance of abortion as a method of
21 family planning or to motivate or coerce any person to
22 practice abortions; and that in order to reduce reliance
23 on abortion in developing nations, funds shall be available
24 only to voluntary family planning projects which offer, ei-
25 ther directly or through referral to, or information about
26 access to, a broad range of family planning methods and

1 services: *Provided further*, That in awarding grants for
2 natural family planning under section 104 of the Foreign
3 Assistance Act no applicant shall be discriminated against
4 because of such applicant's religious or conscientious com-
5 mitment to offer only natural family planning; and, addi-
6 tionally, all such applicants shall comply with the require-
7 ments of the previous proviso: *Provided further*, That noth-
8 ing in this subsection shall be construed to alter any exist-
9 ing statutory prohibitions against abortion under section
10 104 of the Foreign Assistance Act: *Provided further*, That
11 funds appropriated under this heading for family planning
12 purposes shall not be reduced by a proportion greater than
13 other development assistance accounts in order to comply
14 with requirements to provide assistance from funds appro-
15 priated to carry out chapter 1 of part I or to carry out
16 part I of the Foreign Assistance Act of 1961: *Provided*
17 *further*, That of the funds appropriated under this head-
18 ing, not less than 65 per centum shall be made available
19 for the Office of Population of the Agency for Internation-
20 al Development: *Provided further*, That not less than
21 \$20,000,000 of the funds appropriated under this heading
22 shall be made available only for the United Nations Popu-
23 lation Fund only for the provision of contraceptive com-
24 modities and related logistics, notwithstanding any other
25 provision of law or policy: *Provided further*, That none of

1 the funds made available under this heading shall be made
2 available for programs in the People's Republic of China:
3 *Provided further*, That prohibitions contained in section
4 104(f) of the Foreign Assistance Act of 1961 and section
5 534 of this Act (relating to prohibitions on funding for
6 abortion as a method of family planning, coercive abortion,
7 and involuntary sterilization) shall apply to the funds
8 made available for the United Nations Population Fund:
9 *Provided further*, That the United Nations Population
10 Fund shall be required to maintain the funds made avail-
11 able under this heading in a separate account and not
12 commingle them with any other funds: *Provided further*,
13 That any agreement entered into by the United States and
14 the United Nations Population Fund to obligate funds
15 earmarked under this heading shall expressly state that
16 the full amount granted by such agreement will be refund-
17 ed to the United States if, during its five-year program
18 which commenced in 1990, the United Nations Population
19 Fund provides more than \$57,000,000 for family planning
20 programs in the People's Republic of China: *Provided fur-*
21 *ther*, That none of the funds made available under this
22 paragraph for the United Nations Population Fund may
23 be obligated if China is denied most-favored-nation trad-
24 ing status by the United States Government: *Provided fur-*
25 *ther*, That in addition to funds otherwise available for such

1 purposes, of the funds appropriated under this heading up
2 to \$500,000 may be used for the administration and plan-
3 ning of family planning assistance programs in addition
4 to operating expense funds otherwise allocated for such
5 office.

6 **DEVELOPMENT FUND FOR AFRICA**

7 For necessary expenses to carry out the provisions
8 of chapter 10 of part I of the Foreign Assistance Act of
9 1961, \$1,000,000,000, to remain available until Septem-
10 ber 30, 1993: *Provided*, That not less than \$50,000,000
11 of the funds appropriated under this heading shall be
12 made available to assist activities supported by the South-
13 ern Africa Development Coordination Conference: *Provid-*
14 *ed further*, That funds appropriated under this heading
15 which are made available for activities supported by the
16 Southern Africa Development Coordination Conference
17 shall be made available notwithstanding section 518 of
18 this Act and section 620(q) of the Foreign Assistance Act
19 of 1961: *Provided further*, That up to \$2,000,000 of the
20 funds made available under this heading may be used for
21 administrative and planning costs associated with pro-
22 grams under this heading in addition to operating expense
23 funds otherwise allocated to the Agency's Bureau for Afri-
24 ca: *Provided further*, That \$10,000,000 of the funds ap-
25 propriated under this heading shall be transferred to
26 "International Organizations and Programs" and shall be

1 made available only for the International Fund for Agri-
2 cultural Development's Special Programme for Sub-Saha-
3 ran African Countries Affected by Drought and
4 Desertification.

5 ZAIRE

6 None of the funds appropriated by this Act to carry
7 out chapters 1 and 10 of part I of the Foreign Assistance
8 Act of 1961 shall be transferred to the Government of
9 Zaire: *Provided*, That this provision shall not be construed
10 to prohibit nongovernmental organizations from working
11 with appropriate ministries or departments of the Govern-
12 ment of Zaire.

13 ASSISTANCE FOR DISPLACED CHILDREN

14 Of the aggregate of the funds appropriated by this
15 Act to carry out part I of the Foreign Assistance Act of
16 1961, not less than \$8,000,000 shall be made available
17 for programs and activities to address the health, educa-
18 tion, nutrition, and other special needs of displaced chil-
19 dren who have been abandoned or orphaned as a result
20 of poverty, or manmade or natural disaster, of which not
21 less than \$1,500,000 shall be made available for assist-
22 ance for street children: *Provided*, That assistance under
23 this heading shall be made available notwithstanding any
24 other provision of law.

1 HUMANITARIAN ASSISTANCE FOR CAMBODIAN CHILDREN

2 Of the aggregate of the funds appropriated by this
3 Act to carry out part I of the Foreign Assistance Act of
4 1961, not less than \$5,000,000 shall be made available,
5 notwithstanding any other provision of law, to provide hu-
6 manitarian assistance through international relief agencies
7 and United States private and voluntary organizations to
8 children within Cambodia: *Provided*, That none of the
9 funds made available under this heading may be made
10 available, directly or indirectly, for the Khmer Rouge.

11 ASSISTANCE FOR VICTIMS OF WAR

12 Of the aggregate of the funds appropriated by this
13 Act to carry out part I of the Foreign Assistance Act of
14 1961, not less than \$5,000,000 shall be made available,
15 notwithstanding any other provision of law, for medical
16 and related assistance for civilians who have been injured
17 as a result of civil strife and warfare, including assistance
18 to address the needs of the blind, and the provision of
19 prostheses and vocational rehabilitation and training.

20 WOMEN IN DEVELOPMENT

21 In recognition that the full participation of women
22 in, and the full contribution of women to, the development
23 process are essential to achieving economic growth, a high-
24 er quality of life, and sustainable development in develop-
25 ing countries, not less than \$10,000,000 of the funds ap-
26 propriated by this Act to carry out part I of the Foreign

1 Assistance Act of 1961, in addition to funds otherwise
2 available for such purposes, shall be used to encourage and
3 promote the participation and integration of women as
4 equal partners in the development process in developing
5 countries, of which not less than \$6,000,000 shall be made
6 available as matching funds to support the activities of
7 the Agency for International Development's field missions
8 to integrate women into their programs: *Provided*, That
9 the Agency for International Development shall seek to en-
10 sure that country strategies, projects, and programs are
11 designed so that the percentage of women participants will
12 be demonstrably increased.

13 **ASSISTANCE FOR BURMESE STUDENTS**

14 Of the funds appropriated under the heading "Devel-
15 opment Assistance Fund", not less than \$1,000,000 shall
16 be made available, notwithstanding any other provision of
17 law, for assistance for Burmese students.

18 **PRIVATE AND VOLUNTARY ORGANIZATIONS**

19 None of the funds appropriated or otherwise made
20 available by this Act for development assistance may be
21 made available to any United States private and voluntary
22 organization, except any cooperative development organi-
23 zation, which obtains less than 20 per centum of its total
24 annual funding for international activities from sources
25 other than the United States Government: *Provided*, That
26 the requirements of the provisions of section 123(g) of the

1 Foreign Assistance Act of 1961 and the provisions on pri-
2 vate and voluntary organizations in title II of the "Foreign
3 Assistance and Related Programs Appropriations Act,
4 1985" (as enacted in Public Law 98-473) shall be super-
5 seded by the provisions of this section.

6 HUMANITARIAN ASSISTANCE FOR ROMANIA

7 Of the aggregate of the funds appropriated by this
8 Act to carry out chapter 1 of part I of the Foreign Assist-
9 ance Act of 1961 (other than funds under the heading
10 "Development Fund for Africa"), not less than
11 \$4,000,000 shall be made available, notwithstanding any
12 provision of law which restricts assistance to foreign coun-
13 tries, for humanitarian assistance for Romania. Of this
14 amount—

15 (1) not less than \$1,500,000 shall be made
16 available for activities related to acquired immune
17 deficiency syndrome (AIDS), and other health and
18 child survival activities particularly for the care and
19 treatment of abandoned children, including the pro-
20 vision of improved facilities, food, medicine, and
21 training of personnel;

22 (2) not less than \$1,000,000 shall be made
23 available for activities related to facilitating family
24 reunification, foster care and adoption, and training
25 of adoption and child welfare specialists; and

1 (3) not less than \$1,500,000 shall be made
2 available for family planning assistance, subject to
3 the following:

4 (A) The prohibitions contained in section
5 104(f) of the Foreign Assistance Act of 1961
6 and section 534 of this Act (relating to prohibi-
7 tions on funding for abortion as a method of
8 family planning, coercive abortion, and involun-
9 tary sterilization) shall be applicable to funds
10 made available under this paragraph.

11 (B) Any recipient of funds under this
12 paragraph shall be required to maintain them
13 in a separate account and not commingle them
14 with any other funds.

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

24 PRIVATE SECTOR LOANS PROGRAM ACCOUNT

25 During fiscal year 1992, commitments to guarantee
26 loans authorized by section 108(i) of the Foreign Assist-

1 ance Act of 1961 may be made only to the extent that
2 the total loan principal, any part of which is to be guaran-
3 teed, may not exceed \$114,000,000 and only to the extent
4 that such commitments involve no subsidy costs as defined
5 in section 13201 of the Budget Enforcement Act of 1990.
6 During fiscal year 1992, commitments for direct loans au-
7 thorized by section 108 of the Foreign Assistance Act of
8 1961 may be made only to the extent that the total loan
9 principal may not exceed \$10,000,000 and only to the ex-
10 tent that such commitments involve no subsidy costs as
11 defined in section 13201 of the Budget Enforcement Act
12 of 1990. In addition, for administrative expenses to carry
13 out guaranteed loan programs, \$1,367,000, all of which
14 may be transferred to and merged with the appropriation
15 for Operating Expenses of the Agency for International
16 Development.

17 **AMERICAN SCHOOLS AND HOSPITALS ABROAD**

18 For necessary expenses to carry out the provisions
19 of section 214, \$30,000,000.

20 **INTERNATIONAL DISASTER ASSISTANCE**

21 For necessary expenses to carry out the provisions
22 of section 491, \$70,000,000, to remain available until
23 expended.

1 PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND
2 DISABILITY FUND

3 For payment to the "Foreign Service Retirement and
4 Disability Fund", as authorized by the Foreign Service
5 Act of 1980, \$41,351,000.

6 OPERATING EXPENSES OF THE AGENCY FOR
7 INTERNATIONAL DEVELOPMENT

8 For necessary expenses to carry out the provisions
9 of section 667, \$481,300,000: *Provided*, That in order to
10 effectively monitor its program for the West Bank and
11 Gaza, the Agency for International Development shall sta-
12 tion one professional at either the Consulate General in
13 Jerusalem or the Embassy in Tel Aviv: *Provided further*,
14 That, by September 30, 1992, the Agency for Internation-
15 al Development shall increase the total number of its di-
16 rect-hire professional environmental and energy staff by
17 twenty over the number of such staff within the Agency
18 for International Development at the end of fiscal year
19 1991: *Provided further*, That the current reorganization
20 of the Agency for International Development shall be un-
21 dertaken within its existing resources and that the Admin-
22 istrator of the Agency for International Development shall
23 submit a report to the Committees on Appropriations by
24 no later than March 1, 1992, detailing the total costs to
25 date of such reorganization (including salary and equip-
26 ment costs) and projected future costs.

1 OPERATING EXPENSES OF THE AGENCY FOR INTERNA-
2 TIONAL DEVELOPMENT OFFICE OF INSPECTOR GEN-
3 ERAL

4 For necessary expenses to carry out the provisions
5 of section 667, \$37,739,000, which sum shall be available
6 only for the operating expenses of the Office of the Inspec-
7 tor General notwithstanding section 451 or 614 of the
8 Foreign Assistance Act of 1961 or any other provision of
9 law: *Provided*, That up to 3 per centum of the amount
10 made available under the heading "Operating Expenses of
11 the Agency for International Development" may be trans-
12 ferred to and merged and consolidated with amounts made
13 available under this heading: *Provided further*, That except
14 as may be required by an emergency evacuation affecting
15 the United States diplomatic missions of which they are
16 a component element, none of the funds in this Act, or
17 any other Act, may be used to relocate the overseas Re-
18 gional Offices of the Inspector General to a location within
19 the United States without the express approval of the In-
20 spector General: *Provided further*, That the total number
21 of positions authorized for the Office of Inspector General
22 in Washington and overseas shall be not less than two
23 hundred and fifty-one at September 30, 1992: *Provided*
24 *further*, That the Inspector General of the Agency for
25 International Development may, at his discretion and

1 after consultation with the Secretary of State, establish
2 a regional office in Europe in order to carry out audit and
3 other responsibilities with regard to assistance programs
4 for Eastern Europe.

5 HOUSING GUARANTY PROGRAM ACCOUNT

6 For the subsidy cost, as defined in section 13201 of
7 the Budget Enforcement Act of 1990, of guaranteed loans
8 authorized by sections 221 and 222 of the Foreign Assist-
9 ance Act of 1961, \$18,000,000: *Provided*, That these
10 funds are available to subsidize loan principal, 100 percent
11 of which shall be guaranteed, pursuant to the authority
12 of such sections: *Provided further*, That the President shall
13 enter into commitments to guarantee such loans in the
14 full amount provided under this heading, subject to the
15 availability of qualified applicants for such guarantees. In
16 addition, for administrative expenses to carry out guaran-
17 teed loan programs, \$8,500,000, all of which may be
18 transferred to and merged with the appropriation for Op-
19 erating Expenses of the Agency for International Develop-
20 ment.

21 DEBT RESTRUCTURING UNDER THE ENTERPRISE FOR

22 THE AMERICAS INITIATIVE

23 For the cost, as defined in section 13201 of the
24 Budget Enforcement Act of 1990, of modifying direct
25 loans authorized by chapter 1 of part I and chapter 4 of
26 part II of the Foreign Assistance Act of 1961 (including

1 predecessor legislation), and for the cost of modifying di-
2 rect loans made pursuant to the Export-Import Bank Act
3 of 1945, \$65,000,000, to remain available until expended:
4 *Provided*, That none of the funds appropriated under this
5 heading shall be obligated except through the regular noti-
6 fication procedures of the Committees on Appropriations.

7 **ECONOMIC SUPPORT FUND**

8 For necessary expenses to carry out the provisions
9 of chapter 4 of part II, \$3,216,624,000: *Provided*, That
10 of the funds appropriated under this heading, not less
11 than \$1,200,000,000 shall be available only for Israel,
12 which sum shall be available on a grant basis as a cash
13 transfer and shall be disbursed within thirty days of enact-
14 ment of this Act or by October 31, 1991, whichever is
15 later: *Provided further*, That not less than \$815,000,000
16 shall be available only for Egypt, which sum shall be pro-
17 vided on a grant basis, and of which sum cash transfer
18 assistance may be provided, with the understanding that
19 Egypt will undertake significant economic reforms which
20 are additional to those which were undertaken in previous
21 fiscal years, and of which not less than \$200,000,000 shall
22 be provided as Commodity Import Program assistance:
23 *Provided further*, That in exercising the authority to pro-
24 vide cash transfer assistance for Israel and Egypt, the
25 President shall ensure that the level of such assistance
26 does not cause an adverse impact on the total level of non-

1 military exports from the United States to each such coun-
2 try: *Provided further*, That it is the sense of the Congress
3 that the recommended levels of assistance for Egypt and
4 Israel are based in great measure upon their continued
5 participation in the Camp David Accords and upon the
6 Egyptian-Israeli peace treaty: *Provided further*, That none
7 of the funds appropriated under this heading (or local cur-
8 rencies generated with funds provided to El Salvador
9 under this Act) may be made available for El Salvador's
10 Special Investigative Unit until 15 days after receipt by
11 the Committees on Appropriations of a report from the
12 Secretary of State which transmits a plan of the Govern-
13 ment of El Salvador to transfer the Unit from military
14 to civilian control, including the time period within which
15 this transfer is to occur and the actions that will be taken
16 to effect such a transfer: *Provided further*, That not less
17 than \$16,000,000 of the funds appropriated under this
18 heading shall be made available for the West Bank and
19 Gaza Program through the Near East regional program:
20 *Provided further*, That not less than \$15,000,000 of the
21 funds appropriated under this heading shall be made avail-
22 able for Cyprus to be used only for scholarships or for
23 bicommunal projects: *Provided further*, That none of the
24 funds appropriated under this heading shall be made avail-
25 able for Zaire: *Provided further*, That not more than

1 \$300,000,000 of the funds appropriated under this head-
2 ing may be made available to finance tied-aid credits, un-
3 less the President determines it is in the national interest
4 to provide in excess of \$300,000,000 and so notifies the
5 Committees on Appropriations through the regular notifi-
6 cation procedures of the Committees on Appropriations:
7 *Provided further*, That none of the funds made available
8 by this Act may be used for tied-aid credits or tied-aid
9 grants except through the regular notification procedures
10 of the Committees on Appropriations: *Provided further*,
11 That none of the funds appropriated by this Act to carry
12 out the provisions of chapters 1 and 10 of part I of the
13 Foreign Assistance Act of 1961 may be used for tied-aid
14 credits: *Provided further*, That as used in this heading the
15 term "tied-aid credits" means any credit, within the mean-
16 ing of section 15(h)(1) of the Export-Import Bank Act
17 of 1945, which is used for blended or parallel financing,
18 as those terms are defined by sections 15(h) (4) and (5),
19 respectively, of such Act: *Provided further*, That up to
20 \$5,000,000 of the funds appropriated under this heading
21 may be made available for humanitarian assistance for Ar-
22 menia channeled through United States nongovernmental
23 organizations, notwithstanding any other provision of law:
24 *Provided further*, That funds appropriated under this
25 heading shall remain available until September 30, 1993.

BALTIC STATES AND SOVIETS

1
2 (a) **FUNDING.**—Of the funds appropriated under the
3 heading “Economic Support Fund”, not less than
4 \$15,000,000 shall be made available only for assistance
5 in accordance with the subsections under this heading.

6 (b) **ALLOCATIONS OF ASSISTANCE.**—Of the amount
7 made available under this heading—

8 (1) half shall be allocated for assistance to the
9 Baltic states of Estonia, Latvia, and Lithuania; and

10 (2) half shall be allocated for assistance to eligi-
11 ble recipients in the Soviet Union that request tech-
12 nical assistance from the United States.

13 (c) **TYPES OF ASSISTANCE.**—Funds made available
14 under this heading shall be used to provide technical as-
15 sistance to the Baltic states and eligible recipients in the
16 Soviet Union in support of democratic reforms or market-
17 oriented reforms.

18 (d) **WAIVER OF RESTRICTIONS ON ASSISTANCE RE-**
19 **CIPIENTS.**—Assistance may be provided under this head-
20 ing to any Baltic state or eligible recipient in the Soviet
21 Union notwithstanding any provision of law that would
22 otherwise prohibit such assistance.

23 (e) **ASSISTANCE MUST BE PROVIDED DIRECTLY OR**
24 **THROUGH NGOS.**—Assistance under this heading—

1 (1) for a Baltic state, may only be provided di-
2 rectly to the government of that state or through
3 nongovernmental organizations; and

4 (2) for a government of a Soviet republic or a
5 local government described in subsection (f)(1), may
6 only be provided directly to that government or
7 through nongovernmental organizations.

8 (f) ELIGIBLE RECIPIENTS IN THE SOVIET UNION.—

9 As used in this section, the term “eligible recipients in
10 the Soviet Union” means—

11 (1) the Government of any republic, and any
12 local government, within the Union of Soviet Social-
13 ist Republics that was elected through open, free,
14 and fair elections,

15 (2) any indigenous nongovernmental organiza-
16 tion in the Soviet Union that promotes democratic
17 reforms, human rights, the rule of law, or market-
18 oriented reforms; or

19 (3) any governmental agency in the Soviet
20 Union that promotes democratic reforms, human
21 rights, the rule of law, and/or market-oriented re-
22 forms, provided that funds may be expended for
23 technical assistance for such an agency but may not
24 be provided directly to any such agency.

1 **INTERNATIONAL FUND FOR IRELAND**

2 For necessary expenses to carry out the provisions
3 of chapter 4 of part II, \$20,000,000, which shall be avail-
4 able for the United States contribution to the Internation-
5 al Fund for Ireland and shall be made available in accord-
6 ance with the provisions of the Anglo-Irish Agreement
7 Support Act of 1986 (Public Law 99-415): *Provided,*
8 That such amount shall be expended at the minimum rate
9 necessary to make timely payment for projects and activi-
10 ties: *Provided further,* That funds made available under
11 this heading shall remain available until expended.

12 **PHILIPPINES ASSISTANCE**13 **MULTILATERAL ASSISTANCE INITIATIVE**

14 For necessary expenses to carry out the provisions
15 of the Foreign Assistance Act of 1961, \$160,000,000,
16 which shall be available for the Multilateral Assistance Ini-
17 tiative for the Philippines: *Provided,* That not less than
18 75 per centum of the funds appropriated under this para-
19 graph shall be made available for project and sector activi-
20 ties consistent with the purposes of sections 103 through
21 106 of such Act: *Provided further,* That the President shall
22 seek to channel through indigenous and United States pri-
23 vate voluntary organizations and cooperatives not less
24 than \$25,000,000 of the funds appropriated under this
25 paragraph and of the funds appropriated and allocated for

1 the Philippines to carry out sections 103 through 106 of
2 such Act: *Provided further*, That funds appropriated under
3 this paragraph shall remain available until September 30,
4 1993.

5 DEVELOPMENT ASSISTANCE

6 For necessary expenses to carry out the provisions
7 of chapter 1 of part I of the Foreign Assistance Act of
8 1961, \$100,000,000, to remain available until expended,
9 which amount shall be available only for nonproject sector
10 assistance for the Philippines.

11 NOTIFICATION AND REPORT

12 None of the development assistance funds appropri-
13 ated under this heading for the Philippines, and none of
14 the funds appropriated in this Act under the headings
15 "Economic Support Fund", "Development Assistance
16 Fund", "Population, Development Assistance", and "For-
17 eign Military Financing Program" that are allocated for
18 the Philippines shall be obligated or expended except
19 through the regular notification procedures of the Com-
20 mittees on Appropriations: *Provided*, That in the event the
21 United States and the Government of the Philippines are
22 unable to agree to a Military Base Agreement, the Presi-
23 dent shall submit a report to the Committees on Appro-
24 priations justifying requested or modified assistance levels
25 for the Philippines in light of the failure to achieve such
26 an agreement: *Provided further*, That such report shall be

1 submitted prior to the initial notification required by this
2 paragraph.

3 **ASSISTANCE FOR EASTERN EUROPE**

4 (a) For necessary expenses to carry out the provisions
5 of the Foreign Assistance Act of 1961 and the Support
6 for East European Democracy (SEED) Act of 1989,
7 \$400,000,000, to remain available until expended, which
8 shall be available, notwithstanding any other provision of
9 law, for economic assistance for Eastern Europe as
10 follows—

11 (1) \$136,000,000 shall be provided for technical
12 assistance and training, including such activities as
13 support for labor activities, scholarship programs,
14 medical assistance, and support for public and pri-
15 vate sector development, and for technical and other
16 assistance to support housing sectors;

17 (2) \$75,000,000 shall be provided for environ-
18 ment and energy activities, with emphasis on assist-
19 ance in developing policies encouraging, and provid-
20 ing incentives for, end-use energy efficiency (includ-
21 ing preparation of least-cost energy plans), conserva-
22 tion, and reliance on renewable energy resources,
23 and further including training, technical assistance
24 for related energy and environmental investments or
25 regulation, local production of environmental or en-
26 ergy-related equipment, promotion of United States

1 technologies, and dealing with health problems di-
2 rectly associated with pollution;

3 (3) \$20,000,000 shall be provided for activities
4 to foster democratic pluralism;

5 (4) \$169,000,000 shall be provided for the Pol-
6 ish-American, Hungarian-American and other En-
7 terprise Funds; and for other private enterprise ac-
8 tivities, with emphasis on technical assistance and
9 training for development of market-oriented policies,
10 restructuring and creation of financial institutions
11 (such as stock markets, insurance companies and
12 banks), creation and management of private busi-
13 ness organizations, and privatization of state busi-
14 ness organizations.

15 (b)(1) Funds allocated by this Act for any of the
16 paragraphs under subsection (a) may be reallocated for
17 the purposes of any other such paragraph if, at least 15
18 days prior to such reallocation, the Committees on Appro-
19 priations are notified in accordance with regular notifica-
20 tion procedures.

21 (2) Funds appropriated under this heading or in
22 prior appropriations Acts that have been made available
23 to an Enterprise Fund may be deposited by such Fund
24 in interest-bearing accounts prior to the Fund's disburse-
25 ment of such funds for program purposes. The Fund may

1 retain for such program purposes any interest earned on
2 such deposits without returning such interest to the Treas-
3 ury of the United States and without further appropria-
4 tion by the Congress.

5 (c) Funds made available for the Enterprise Funds
6 shall be expended at the minimum rate necessary to make
7 timely payment for projects and activities.

8 (d) Funds appropriated under this heading shall be
9 considered to be economic assistance under the Foreign
10 Assistance Act of 1961 for purposes of making available
11 the administrative authorities contained in that Act for
12 the use of economic assistance.

13 (e) On December 1, 1991, the President shall submit
14 to the Committees on Appropriations a report containing
15 the amount of funds obligated and expended for each
16 project and subproject funded from amounts appropriated
17 for Eastern Europe under this heading: *Provided*, That
18 an update of this report shall be submitted by the Presi-
19 dent on March 1, 1992, to the Committees on Appropria-
20 tions.

21 INDEPENDENT AGENCIES

22 AFRICAN DEVELOPMENT FOUNDATION

23 For necessary expenses to carry out the provisions
24 of title V of the International Security and Development
25 Cooperation Act of 1980, Public Law 96-533, and to

1 make such contracts and commitments without regard to
 2 fiscal year limitations, as provided by section 9104, title
 3 31, United States Code, \$14,950,000: *Provided*, That,
 4 when, with the permission of the Foundation, funds made
 5 available to a grantee under this heading are invested
 6 pending disbursement, the resulting interest is not re-
 7 quired to be deposited in the United States Treasury if
 8 the grantee uses the resulting interest for the purpose for
 9 which the grant was made. This provision applies with re-
 10 spect to both interest earned before and interest earned
 11 after the enactment of this provision.

12 INTER-AMERICAN FOUNDATION

13 For expenses necessary to carry out the functions of
 14 the Inter-American Foundation in accordance with the
 15 provisions of section 401 of the Foreign Assistance Act
 16 of 1969, and to make such contracts and commitments
 17 without regard to fiscal year limitations, as provided by
 18 section 9104, title 31, United States Code, \$28,794,000.

19 OVERSEAS PRIVATE INVESTMENT CORPORATION

20 PROGRAM ACCOUNT

21 For the subsidy cost as defined in section 13201 of
 22 the Budget Enforcement Act of 1990, of direct and guar-
 23 anteed loans authorized by section 234 of the Foreign As-
 24 sistance Act of 1961, as follows: cost of direct and guaran-
 25 teed loans, \$2,399,000: *Provided*, That the funds provided
 26 in this paragraph shall be available for and apply to costs,

1 direct loan obligations and loan guaranty commitments in-
2 curred or made during the period from October 1, 1991
3 through September 30, 1993.

4 In addition, for administrative expenses to carry out
5 the direct and guaranteed loan programs, \$7,000,000.

6 PEACE CORPS

7 For expenses necessary to carry out the provisions
8 of the Peace Corps Act (75 Stat. 612), \$200,000,000, in-
9 cluding the purchase of not to exceed five passenger motor
10 vehicles for administrative purposes for use outside of the
11 United States: *Provided*, That none of the funds appropri-
12 ated under this heading shall be used to pay for abortions:
13 *Provided further*, That funds appropriated under this
14 heading shall remain available until September 30, 1993.

15 DEPARTMENT OF STATE

16 INTERNATIONAL NARCOTICS CONTROL

17 For necessary expenses to carry out the provisions
18 of section 481 of the Foreign Assistance Act of 1961,
19 \$150,000,000.

20 MIGRATION AND REFUGEE ASSISTANCE

21 For expenses, not otherwise provided for, necessary
22 to enable the Secretary of State to provide, as authorized
23 by law, a contribution to the International Committee of
24 the Red Cross and assistance to refugees, including contri-
25 butions to the Intergovernmental Committee for Migration
26 and the United Nations High Commissioner for Refugees;

1 salaries and expenses of personnel and dependents as au-
2 thorized by the Foreign Service Act of 1980; allowances
3 as authorized by sections 5921 through 5925 of title 5,
4 United States Code; hire of passenger motor vehicles; and
5 services as authorized by section 3109 of title 5, United
6 States Code; \$630,000,000: *Provided*, That not less than
7 \$80,000,000 shall be available for Soviet, Eastern Europe-
8 an and other refugees resettling in Israel: *Provided fur-*
9 *ther*, That not less than \$1,500,000 shall be available for
10 Tibetan refugees: *Provided further*, That not less than
11 \$1,500,000 shall be available for voluntary repatriation of
12 Hmong refugees from Thailand to Laos through nongov-
13 ernmental organizations: *Provided further*, That not less
14 than \$315,000,000 shall be available for overseas refugee
15 programs (in addition to amounts available for Soviet,
16 Eastern European, and other refugees resettling in Isra-
17 el): *Provided further*, That not more than \$11,000,000 of
18 the funds appropriated under this heading shall be avail-
19 able for the administrative expenses of the Office of Refu-
20 gee Programs of the Department of State.

21 UNITED STATES EMERGENCY REFUGEE AND MIGRATION

22 ASSISTANCE FUND

23 For necessary expenses to carry out the provisions
24 of section 2(c) of the Migration and Refugee Assistance
25 Act of 1962, as amended (22 U.S.C. 260(c)),
26 \$50,000,000, to remain available until expended: *Provid-*

1 *ed*, That the funds made available under this heading are
2 appropriated notwithstanding the provisions contained in
3 section 2(c)(2) of the Migration and Refugee Assistance
4 Act of 1962 which would limit the amount of funds which
5 could be appropriated for this purpose.

6 **ANTI-TERRORISM ASSISTANCE**

7 For necessary expenses to carry out the provisions
8 of chapter 8 of part II of the Foreign Assistance Act of
9 1961, \$15,000,000: *Provided*, That funds appropriated
10 under this heading which exceed the amount appropriated
11 under this heading for fiscal year 1991 may be made avail-
12 able only through the regular notification procedures of
13 the Committees on Appropriations.

14 **TITLE III—MILITARY ASSISTANCE**

15 **FUNDS APPROPRIATED TO THE PRESIDENT**

16 **INTERNATIONAL MILITARY EDUCATION AND TRAINING**

17 For necessary expenses to carry out the provisions
18 of section 541 of the Foreign Assistance Act of 1961,
19 \$47,196,000: *Provided*, That none of the funds appropri-
20 ated under this heading shall be made available for grant
21 financed military education and training for any country
22 whose annual per capita GNP exceeds \$2,349 unless that
23 country agrees to fund from its own resources the trans-
24 portation cost and living allowances of its students: *Pro-*
25 *vided further*, That no country whose annual per capita
26 Gross National Product exceeds \$2,349 may receive more

1 than \$300,000 of the funds appropriated under this head-
2 ing except as provided through the regular notification
3 procedures of the Committees on Appropriations: *Provided*
4 *further*, That none of the funds appropriated under this
5 hearing shall be available for Zaire, Liberia, Sudan, and
6 Somalia.

7 FOREIGN MILITARY FINANCING PROGRAM

8 For expenses necessary for grants to enable the
9 President to carry out the provisions of section 23 of the
10 Arms Export Control Act, \$4,100,000,000: *Provided*, That
11 of the funds appropriated by this paragraph not less than
12 \$1,800,000,000 shall be available for grants only for
13 Israel, and not less than \$1,300,000,000 shall be available
14 for grants only for Egypt: *Provided further*, That the
15 funds appropriated by this paragraph for Israel shall be
16 disbursed within thirty days of enactment of this Act or
17 by October 31, 1991, whichever is later: *Provided further*,
18 That to the extent that the Government of Israel requests
19 that funds be used for such purposes, grants made avail-
20 able for Israel by this paragraph shall, as agreed by Israel
21 and the United States, be available for advanced fighter
22 aircraft programs or for other advanced weapons systems,
23 as follows: (1) up to \$150,000,000 shall be available for
24 research and development in the United States; and (2)
25 not less than \$475,000,000 shall be available for the pro-
26 curement in Israel of defense articles and defense services,

1 including research and development: *Provided further,*
2 That funds made available under this heading shall be ob-
3 ligated upon apportionment in accordance with paragraph
4 (5)(C) of title 31, United States Code, section 1501(a),
5 and shall be nonrepayable notwithstanding any require-
6 ment in section 23 of the Arms Export Control Act: *Pro-*
7 *vided further,* That none of the funds made available under
8 this heading shall be available to finance the procurement
9 of defense articles, defense services, or design and con-
10 struction services that are not sold by the United States
11 Government under the Arms Export Control Act unless
12 the foreign country proposing to make such procurements
13 has first signed a grant agreement with the United States
14 Government specifying the conditions under which such
15 procurements may be financed with such funds.

16 For the cost, as defined in section 13201 of the
17 Budget Enforcement Act of 1990, of direct loans author-
18 ized by section 23 of the Arms Export Control Act as fol-
19 lows: cost of direct loans, \$50,900,000: *Provided,* That
20 these funds are available to subsidize gross obligations for
21 the principal amount of direct loans of not to exceed
22 \$404,000,000: *Provided further,* That the rate of interest
23 charged on such loans shall be not less than 5 per centum
24 per year: *Provided further,* That all country and funding
25 level changes in requested concessional financing alloca-

1 tions shall be submitted through the regular notification
2 procedures.

3 If Turkey receives any funds under this heading on
4 a grant basis then not less than \$30,000,000 of the funds
5 provided for Greece shall be made available as grants: *Pro-*
6 *vided*, That none of the funds appropriated under this
7 heading shall be available for assistance for Guatemala ex-
8 cept through the regular notification procedures of the
9 Committees on Appropriations: *Provided further*, That
10 none of the funds appropriated under this heading shall
11 be available for Zaire, Sudan, Liberia or Somalia: *Provid-*
12 *ed further*, That funds appropriated under this hearing
13 that are allocated for Malawi may only be provided to sup-
14 port the Malawian military's efforts to secure the Nacala
15 Railroad and for military activities which assist in the Mo-
16 zambique peace process, including the protection of
17 Mozambican refugees: *Provided further*, That not more
18 than \$300,000,000 of the funds made available under this
19 heading shall be available for use in financing the procure-
20 ment of defense articles, defense services, or design and
21 construction services that are not sold by the United
22 States Government under the Arms Export Control Act
23 to countries other than Israel and Egypt: *Provided further*,
24 That only those countries for which assistance was justi-
25 fied for the "Foreign Military Sales Financing Program"

1 in the fiscal year 1989 congressional presentation for secu-
2 rity assistance programs may utilize funds made available
3 under this heading for procurement of defense articles, de-
4 fense services or design and construction services that are
5 not sold by the United States Government under the Arms
6 Export Control Act: *Provided further*, That funds appro-
7 priated under this heading shall be expended at the mini-
8 mum rate necessary to make timely payment for defense
9 articles and services: *Provided further*, That the Depart-
10 ment of Defense shall conduct during the current fiscal
11 year nonreimbursable audits of private firms whose con-
12 tracts are made directly with foreign governments and are
13 financed with funds made available under this heading (as
14 well as subcontractors thereunder) as requested by the De-
15 fense Security Assistance Agency: *Provided further*, That
16 not more than \$28,900,000 of the funds appropriated
17 under this heading may be obligated for necessary ex-
18 penses, including the purchase of passenger motor vehicles
19 for replacement only for use outside of the United States,
20 for the general costs of administering military assistance
21 and sales: *Provided further*, That not more than
22 \$325,000,000 of funds realized pursuant to section
23 21(e)(1)(A) of the Arms Export Control Act may be obli-
24 gated for expenses incurred by the Department of Defense
25 during the fiscal year 1992 pursuant to section 43(b) of

1 the Arms Export Control Act, except that this limitation
2 may be exceeded only through the regular notification pro-
3 cedures of the Committees on Appropriations: *Provided*
4 *further*, That of the funds appropriated under this heading
5 not more than \$350,000,000 shall be available for Greece,
6 not more than \$500,000,000 shall be available for Turkey,
7 not more than \$100,000,000 shall be available for Portu-
8 gal, and not more than \$100,000,000 shall be available
9 for the Philippines: *Provided*, That the total of grants and
10 the principal amount of direct loans provided for Greece
11 and Turkey under this heading shall be made available
12 according to a 7 to 10 ratio.

13 FOREIGN MILITARY SALES DEBT REFORM

14 Subsection (b) under the heading "Foreign Military
15 Sales Debt Reform" in the Foreign Operations, Export
16 Financing, and Related Programs Appropriations Act,
17 1988, is hereby repealed.

18 SPECIAL DEFENSE ACQUISITION FUND

19 (LIMITATION ON OBLIGATIONS)

20 Not to exceed \$275,000,000 may be obligated pursu-
21 ant to section 51(c)(2) of the Arms Export Control Act
22 for the purposes of the Special Defense Acquisition Fund
23 during fiscal year 1991, to remain available for obligation
24 until September 30, 1994: *Provided*, That section 632(d)
25 of the Foreign Assistance Act of 1961 shall be applicable
26 to the transfer to countries pursuant to chapter 2 of part

1 II of that Act of defense articles and defense services ac-
2 quired under chapter 5 of the Arms Export Control Act.

3 PEACEKEEPING OPERATIONS

4 For necessary expenses to carry out the provisions
5 of section 551 of the Foreign Assistance Act of 1961
6 \$28,000,000.

7 TITLE IV—EXPORT ASSISTANCE

8 EXPORT-IMPORT BANK OF THE UNITED STATES

9 The Export-Import Bank of the United States is au-
10 thorized to make such expenditures within the limits of
11 funds and borrowing authority available to such corpora-
12 tion, and in accordance with law, and to make such con-
13 tracts and commitments without regard to fiscal year limi-
14 tations, as provided by section 104 of the Government
15 Corporation Control Act, as may be necessary in carrying
16 out the program for the current fiscal year for such corpo-
17 ration: *Provided*, That none of the funds available during
18 the current fiscal year may be used to make expenditures,
19 contracts, or commitments for the export of nuclear equip-
20 ment, fuel, or technology to any country other than a nu-
21 clear-weapon State as defined in article IX of the Treaty
22 on the Non-Proliferation of Nuclear Weapons eligible to
23 receive economic or military assistance under this Act that
24 has detonated a nuclear explosive after the date of enact-
25 ment of this Act.

1 section 38 of the Arms Export Control Act and regulations
2 issued pursuant thereto: *Provided further*, That funds
3 made available by this paragraph are made available not-
4 withstanding section 2(b)(2) of the Export-Import Bank
5 Act of 1945, in connection with the purchase or lease of
6 any product by any East European country, or any agency
7 or national thereof

8 **ADMINISTRATIVE EXPENSES**

9 Not to exceed \$25,113,000 (to be computed on an
10 accrual basis) shall be available during fiscal year 1992
11 for administrative expenses, including hire of passenger
12 motor vehicles and services as authorized by section 3109
13 of title 5, United States Code, and not to exceed \$16,000
14 for official reception and representation expenses for mem-
15 bers of the Board of Directors, and there is hereby appro-
16 priated \$13,500,000 during fiscal year 1992 for adminis-
17 trative expenses incurred in connection with contracting
18 for the issuance and servicing of insurance and reinsur-
19 ance or in lieu of contracting for the performance of such
20 services by the Export-Import Bank: *Provided*, That (1)
21 fees or dues to international organizations of credit insti-
22 tutions engaged in financing foreign trade, (2) necessary
23 expenses (including special services performed on a con-
24 tract or a fee basis, but not including other personal serv-
25 ices) in connection with the acquisition, operation, mainte-
26 nance, improvement, or disposition of any real or personal

1 property belonging to the Export-Import Bank or in which
2 it has an interest, including expenses of collections of
3 pledged collateral, or the investigation or appraisal of any
4 property in respect to which an application for a loan has
5 been made, and (3) expenses (other than internal expenses
6 of the Export-Import Bank) incurred in connection with
7 the issuance and servicing of guarantees, insurance, and
8 reinsurance, shall be considered as nonadministrative ex-
9 penses for the purposes of this heading.

10 **FUNDS APPROPRIATED TO THE PRESIDENT**

11 **TRADE AND DEVELOPMENT PROGRAM**

12 For necessary expenses to carry out the provisions
13 of section 661 of the Foreign Assistance Act of 1961,
14 \$40,000,000.

15 **TITLE V—GENERAL PROVISIONS**

16 **COST BENEFIT STUDIES**

17 **SEC. 501.** None of the funds appropriated in this Act
18 (other than funds appropriated for "International Organi-
19 zations and Programs") shall be used to finance the con-
20 struction of any new flood control, reclamation, or other
21 water or related land resource project or program which
22 has not met the standards and criteria used in determin-
23 ing the feasibility of flood control, reclamation, and other
24 water and related land resource programs and projects
25 proposed for construction within the United States of

1 America under the principles, standards and procedures
2 established pursuant to the Water Resources Planning Act
3 (42 U.S.C. 1962, et seq.) or Acts amendatory or supple-
4 mentary thereto.

5 OBLIGATIONS DURING LAST MONTH OF AVAILABILITY

6 SEC. 502. Except for the appropriations entitled
7 "International Disaster Assistance", and "United States
8 Emergency Refugee and Migration Assistance Fund", not
9 more than 15 per centum of any appropriation item made
10 available by this Act shall be obligated during the last
11 month of availability.

12 PROHIBITION AGAINST PAY TO FOREIGN ARMED SERVICE

13 MEMBER

14 SEC. 503. None of the funds appropriated in this Act
15 nor any of the counterpart funds generated as a result
16 of assistance hereunder or any prior Act shall be used to
17 pay pensions, annuities, retirement pay, or adjusted serv-
18 ice compensation for any person heretofore or hereafter
19 serving in the armed forces of any recipient country.

20 TERMINATION FOR CONVENIENCE

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

1 the termination of such contract for the convenience of
2 the United States.

3 **PROHIBITION OF PAYMENTS TO UNITED NATIONS**

4 **MEMBERS**

5 **SEC. 505.** None of the funds appropriated or made
6 available pursuant to this Act for carrying out the Foreign
7 Assistance Act of 1961, may be used to pay in whole or
8 in part any assessments, arrearages, or dues of any mem-
9 ber of the United Nations.

10 **PROHIBITION OF BILATERAL FUNDING FOR**

11 **INTERNATIONAL FINANCIAL INSTITUTIONS**

12 **SEC. 506.** None of the funds contained in title II of
13 this Act may be used to carry out the provisions of section
14 209(d) of the Foreign Assistance Act of 1961.

15 **AID RESIDENCE EXPENSES**

16 **SEC. 507.** Of the funds appropriated or made avail-
17 able pursuant to this Act, not to exceed \$126,500 shall
18 be for official residence expenses of the Agency for Inter-
19 national Development during the current fiscal year: *Pro-*
20 *vided,* That appropriate steps shall be taken to assure
21 that, to the maximum extent possible, United States-
22 owned foreign currencies are utilized in lieu of dollars.

23 **AID ENTERTAINMENT EXPENSES**

24 **SEC. 508.** Of the funds appropriated or made avail-
25 able pursuant to this Act, not to exceed \$11,500 shall be

1 for entertainment expenses of the Agency for International
2 Development during the current fiscal year.

3 **REPRESENTATIONAL ALLOWANCES**

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

1 That of the funds made available by this Act under the
2 heading "Trade and Development Program", not to ex-
3 ceed \$2,300 shall be available for representation and en-
4 tertainment allowances.

5 **PROHIBITION ON FINANCING NUCLEAR GOODS**

6 **SEC. 510.** None of the funds appropriated or made
7 available (other than funds for "International Organiza-
8 tions and Programs") pursuant to this Act, for carrying
9 out the Foreign Assistance Act of 1961, may be used to
10 finance the export of nuclear equipment, fuel, or tech-
11 nology.

12 **HUMAN RIGHTS**

13 **SEC. 511.** Funds appropriated by this Act may not
14 be obligated or expended to provide assistance to any
15 country for the purpose of aiding the efforts of the govern-
16 ment of such country to repress the legitimate rights of
17 the population of such country contrary to the Universal
18 Declaration of Human Rights.

19 **PROHIBITION AGAINST DIRECT FUNDING FOR CERTAIN**
20 **COUNTRIES**

21 **SEC. 512.** None of the funds appropriated or other-
22 wise made available pursuant to this Act shall be obligated
23 or expended to finance directly any assistance or repara-
24 tions to Angola, Cambodia, Cuba, Iraq, Libya, the Social-
25 ist Republic of Vietnam, Iran, or Syria: *Provided*, That
26 for purposes of this section, the prohibition on obligations

1 or expenditures shall include direct loans, credits, insur-
2 ance and guarantees of the Export-Import Bank or its
3 agents.

4 MILITARY COUPS

5 SEC. 513. None of the funds appropriated or other-
6 wise made available pursuant to this Act shall be obligated
7 or expended to finance directly any assistance to any coun-
8 try whose duly elected Head of Government is deposed by
9 military coup or decree: *Provided*, That assistance may be
10 resumed to such country if the President determines and
11 reports to the Committees on Appropriations that subse-
12 quent to the termination of assistance a democratically
13 elected government has taken office.

14 TRANSFERS BETWEEN ACCOUNTS

15 SEC. 514. None of the funds made available by this
16 Act may be obligated under an appropriation account to
17 which they were not appropriated, unless the President,
18 prior to the exercise of any authority contained in the For-
19 eign Assistance Act of 1961 to transfer funds, consults
20 with and provides a written policy justification to the
21 Committees on Appropriations of the House of Represent-
22 atives and the Senate: *Provided*, That the exercise of such
23 authority shall be subject to the regular notification proce-
24 dures of the Committees on Appropriations.

1 DEOBLIGATION/REOBLIGATION AUTHORITY

2 SEC. 515. (a) Amounts certified pursuant to section
3 1311 of the Supplemental Appropriations Act, 1955, as
4 having been obligated against appropriations heretofore
5 made under the authority of the Foreign Assistance Act
6 of 1961 for the same general purpose as any of the head-
7 ings under the "Agency for International Development"
8 are, if deobligated, hereby continued available for the same
9 period as the respective appropriations under such head
10 ings or until September 30, 1992, whichever is later, and
11 for the same general purpose, and for countries within the
12 same region as originally obligated: *Provided*, That the
13 Appropriations Committees of both Houses of the Con-
14 gress are notified fifteen days in advance of the
15 deobligation and reobligation of such funds in accordance
16 with regular notification procedures of the Committees on
17 Appropriations.

18 (b) Obligated balances of funds appropriated to carry
19 out section 23 of the Arms Export Control Act as of the
20 end of the fiscal year immediately preceding the current
21 fiscal year are, if deobligated, hereby continued available
22 during the current fiscal year for the same purpose under
23 any authority applicable to such appropriations under this
24 Act: *Provided*, That the Appropriations Committees of
25 both Houses of the Congress are notified fifteen days in

1 advance of the deobligation and reobligation of such funds
2 in accordance with regular notification procedures of the
3 Committees on Appropriations.

4 PROHIBITION ON PUBLICITY OR PROPAGANDA

5 SEC. 516. No part of any appropriation contained in
6 this Act shall be used for publicity or propaganda purposes
7 within the United States not authorized before the date
8 of enactment of this Act by the Congress.

9 AVAILABILITY OF FUNDS

10 SEC. 517. No part of any appropriation contained in
11 this Act shall remain available for obligation after the ex-
12 piration of the current fiscal year unless expressly so pro-
13 vided in this Act: *Provided*, That funds appropriated for
14 the purposes of chapter 1 of part I, section 667, and chap-
15 ter 4 of part II of the Foreign Assistance Act of 1961,
16 as amended, shall remain available until expended if such
17 funds are initially obligated before the expiration of their
18 respective periods of availability contained in this Act:
19 *Provided further*, That, notwithstanding any other provi-
20 sion of this Act, any funds made available for the purposes
21 of chapter 1 of part I and chapter 4 of part II of the
22 Foreign Assistance Act of 1961 which are allocated or ob-
23 ligated for cash disbursements in order to address balance
24 of payments or economic policy reform objectives, shall re-
25 main available until expended: *Provided further*, That the
26 report required by section 653(a) of the Foreign Assist-

1 ance Act of 1961 shall designate for each country, to the
2 extent known at the time of submission of such report,
3 those funds allocated for cash disbursement for balance
4 of payment and economic policy reform purposes.

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

6 **SEC. 518.** No part of any appropriation contained in
7 this Act shall be used to furnish assistance to any country
8 which is in default during a period in excess of one calen-
9 dar year in payment to the United States of principal or
10 interest on any loan made to such country by the United
11 States pursuant to a program for which funds are appro-
12 priated under this Act: *Provided*, That this section and
13 section 620(q) of the Foreign Assistance Act of 1961 shall
14 not apply to funds made available in this Act for Nicara-
15 gua, and for any narcotics-related assistance for Colombia,
16 Bolivia, and Peru authorized by the Foreign Assistance
17 Act of 1961 or the Arms Export Control Act.

18 **FINANCIAL INSTITUTIONS—DOCUMENTATION**

19 **SEC. 519.** None of the funds appropriated or made
20 available pursuant to this Act shall be available to any
21 international financial institution whose United States
22 governor or representative cannot upon request obtain any
23 document developed by or in the possession of the manage-
24 ment of the international financial institution, unless the
25 United States governor or representative of the institution
26 certifies to the Committees on Appropriations that the

1 confidentiality of the information is essential to the oper-
2 ation of the institution.

3 COMMERCE AND TRADE

4 SEC. 520. (a) None of the funds appropriated or
5 made available pursuant to this Act for direct assistance
6 and none of the funds otherwise made available pursuant
7 to this Act to the Export-Import Bank and the Overseas
8 Private Investment Corporation shall be obligated or ex-
9 pended to finance any loan, any assistance or any other
10 financial commitments for establishing or expanding pro-
11 duction of any commodity for export by any country other
12 than the United States, if the commodity is likely to be
13 in surplus on world markets at the time the resulting pro-
14 ductive capacity is expected to become operative and if the
15 assistance will cause substantial injury to United States
16 producers of the same, similar, or competing commodity:
17 *Provided*, That such prohibition shall not apply to the Ex-
18 port-Import Bank if in the judgment of its Board of Direc-
19 tors the benefits to industry and employment in the Unit-
20 ed States are likely to outweigh the injury to United
21 States producers of the same, similar, or competing com-
22 modity.

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

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

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

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

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

20 (1) to procure directly feasibility studies or
21 prefeasibility studies for, or project profiles of poten-
22 tial investment in, the manufacture, for export to
23 the United States or to third country markets in di-
24 rect competition with United States exports, of im-
25 port-sensitive articles as defined by section 503(c)(1)

1 (A) and (E) of the Tariff Act of 1930 (19 U.S.C.
2 2463(c)(1) (A) and (E)); or

3 (2) to assist directly in the establishment of fa-
4 cilities specifically designed for the manufacture, for
5 export to the United States or to third country mar-
6 kets in direct competition with United States ex-
7 ports, of import-sensitive articles as defined in sec-
8 tion 503(c)(1) (A) and (E) of the Tariff Act of 1930
9 (19 U.S.C. 2463(c)(1) (A) and (E)).

10 **SURPLUS COMMODITIES**

11 **SEC. 521.** The Secretary of the Treasury shall in-
12 struct the United States Executive Directors of the Inter-
13 national Bank for Reconstruction and Development, the
14 International Development Association, the International
15 Finance Corporation, the Inter-American Development
16 Bank, the International Monetary Fund, the Asian Devel-
17 opment Bank, the Inter-American Investment Corpora-
18 tion, the African Development Bank, and the African De-
19 velopment Fund to use the voice and vote of the United
20 States to oppose any assistance by these institutions,
21 using funds appropriated or made available pursuant to
22 this Act, for the production or extraction of any commodi-
23 ty or mineral for export, if it is in surplus on world mar-
24 kets and if the assistance will cause substantial injury to
25 United States producers of the same, similar, or compet-
26 ing commodity.

1 any commitment of funds appropriated for the purposes
2 of section 23 of the Arms Export Control Act for the pro-
3 vision of major defense equipment, other than convention-
4 al ammunition, or other major defense items defined to
5 be aircraft, ships, missiles, or combat vehicles, not previ-
6 ously justified to Congress or 20 per centum in excess of
7 the quantities justified to Congress unless the Committees
8 on Appropriations are notified fifteen days in advance of
9 such commitment: *Provided further*, That this section shall
10 not apply to any reprogramming for an activity, program,
11 or project under chapter 1 of part I of the Foreign Assist-
12 ance Act of 1961 of less than 20 per centum of the
13 amount previously justified to the Congress for obligation
14 for such activity, program, or project for the current fiscal
15 year: *Provided further*, That the requirements of this sec-
16 tion or any similar provision of this Act requiring notifica-
17 tion in accordance with the regular notification procedures
18 of the Committees on Appropriations may be waived if
19 failure to do so would pose a substantial risk to human
20 health or welfare: *Provided further*, That in case of any
21 such waiver, notification to the Congress, or the appropri-
22 ate congressional committees, shall be provided as early
23 as practicable, but in no event later than three days after
24 taking the action to which such notification requirement
25 was applicable, in the context of the circumstances neces-

1 sitating such waiver: *Provided further*, That any notifica-
2 tion provided pursuant to such a waiver shall contain an
3 explanation of the emergency circumstances.

4 CONSULTING SERVICES

5 SEC. 523. The expenditure of any appropriation
6 under this Act for any consulting service through procure-
7 ment contract, pursuant to section 3109 of title 5, United
8 States Code, shall be limited to those contracts where such
9 expenditures are a matter of public record and available
10 for public inspection, except where otherwise provided
11 under existing law, or under existing Executive order pur-
12 suant to existing law.

13 PROHIBITION ON ABORTION LOBBYING

14 SEC. 524. None of the funds appropriated under this
15 Act may be used to lobby for abortion.

16 LIMITATION ON AVAILABILITY OF FUNDS FOR

17 INTERNATIONAL ORGANIZATIONS AND PROGRAMS

18 SEC. 525. (a) Notwithstanding any other provision
19 of law or of this Act, none of the funds provided for
20 "International Organizations and Programs" shall be
21 available for the United States proportionate share for any
22 programs for the Palestine Liberation Organization (or for
23 projects whose purpose is to provide benefits to the Pales-
24 tine Liberation Organization or entities associated with
25 it), Libya, Iran, or, at the discretion of the President,
26 Communist countries listed in section 620(f) of the For-

1 eign Assistance Act of 1961, as amended: *Provided*, That,
2 subject to the regular notification procedures of the Com-
3 mittees on Appropriations, funds appropriated under this
4 Act or any previously enacted Act making appropriations
5 for foreign operations, export financing, and related pro-
6 grams, which are returned or not made available for orga-
7 nizations and programs because of the implementation of
8 this section or any similar provision of law, shall remain
9 available for obligation through September 30, 1993.

10 (b) The United States shall not make any voluntary
11 or assessed contribution—

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

16 (2) to the United Nations, if the United Na-
17 tions grants full membership as a state in the Unit-
18 ed Nations to any organization or group that does
19 not have the internationally recognized attributes of
20 statehood,

21 during any period in which such membership is effective.

22 LOANS TO ISRAEL UNDER ARMS EXPORT CONTROL ACT

23 SEC. 526. Notwithstanding any other provision of
24 law, Israel may utilize any loan which is or was made
25 available under the Arms Export Control Act and for
26 which repayment is or was forgiven before utilizing any

1 other loan made available under the Arms Export Control
2 Act.

3 **PROHIBITION AGAINST UNITED STATES EMPLOYEES**

4 **RECOGNIZING OR NEGOTIATING WITH PLO**

5 **SEC. 527.** In reaffirmation of the 1975 memorandum
6 of agreement between the United States and Israel, and
7 in accordance with section 1302 of the International Secu-
8 rity and Development Cooperation Act of 1985 (Public
9 Law 99-83), no employee of or individual acting on behalf
10 of the United States Government shall recognize or negoti-
11 ate with the Palestine Liberation Organization or repre-
12 sentatives thereof, so long as the Palestine Liberation Or-
13 ganization does not recognize Israel's right to exist, does
14 not accept Security Council Resolutions 242 and 338, and
15 does not renounce the use of terrorism.

16 **ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL**

17 **SEC. 528.** The Congress finds that progress on the
18 peace process in the Middle East is vitally important to
19 United States security interests in the region. The Con-
20 gress recognizes that, in fulfilling its obligations under the
21 Treaty of Peace Between the Arab Republic of Egypt and
22 the State of Israel, done at Washington on March 26,
23 1979, Israel incurred severe economic burdens. Further-
24 more, the Congress recognizes that an economically and
25 militarily secure Israel serves the security interests of the
26 United States, for a secure Israel is an Israel which has

1 the incentive and confidence to continue pursuing the
2 peace process. Therefore, the Congress declares that it is
3 the policy and the intention of the United States that the
4 funds provided in annual appropriations for the Economic
5 Support Fund which are allocated to Israel shall not be
6 less than the annual debt repayment (interest and princi-
7 pal) from Israel to the United States Government in rec-
8 ognition that such a principle serves United States inter-
9 ests in the region.

10

CEILINGS AND EARMARKS

11

SEC. 529. Ceilings and earmarks contained in this
12 Act shall not be applicable to funds or authorities appro-
13 priated or otherwise made available by any subsequent Act
14 unless such Act specifically so directs.

15

LIMITATION ON CONTINGENCY AUTHORITY

16

SEC. 530. Not more than \$25,000,000 of the funds
17 appropriated by this Act may be used for a "Democracy
18 Contingency Fund".

19

NOTIFICATION CONCERNING AIRCRAFT IN CENTRAL

20

AMERICA

21

SEC. 531. (a) During the current fiscal year, the au-
22 thorities of part II of the Foreign Assistance Act of 1961
23 and the Arms Export Control Act may not be used to
24 make available any helicopters or other aircraft for mili-
25 tary use, and licenses may not be issued under section 38
26 of the Arms Export Control Act for the export of any such

1 aircraft, to any country in Central America unless the
2 Committees on Appropriations, the Committee on Foreign
3 Affairs of the House of Representatives and the Commit-
4 tee on Foreign Relations of the Senate are notified in writ-
5 ing at least fifteen days in advance.

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

11 ENVIRONMENT AND GLOBAL WARMING

12 SEC. 532. (a) It is the policy of the United States
13 that sustainable economic growth must be predicated on
14 the sustainable management of natural resources. The
15 Secretary of the Treasury shall instruct the United States
16 Executive Director of each multilateral development bank
17 (MDB) to promote vigorously within each MDB, and espe-
18 cially within the Asian Development Bank, the expansion
19 of programs in areas which address the problems of global
20 climate change through requirements to—

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

24 (A) continuing to augment and expand
25 professional 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;
6 and
- 7 (E) convening seminars for MDB staff and
8 board members on these areas and alternative
9 energy investment opportunities;
- 10 (2) provide analysis for each proposed loan to
11 support additional power generating capacity com-
12 paring demand reduction costs to proposal costs;
- 13 (3) continue to assure that environmental im-
14 pact assessments (EIA) of proposed energy projects
15 are conducted early in the project cycle, include con-
16 sideration of alternatives to the proposed project,
17 and encourage public participation in the EIA proc-
18 ess;
- 19 (4) continue to include the environmental costs
20 of proposed projects with significant environmental
21 impacts in economic assessments; and
- 22 (5) continue to provide technical assistance as
23 a component of energy sector lending.
- 24 (b) The Secretary of the Treasury shall vigorously
25 promote within the International Monetary Fund reforms

1 which address the problems of global climate change
2 through requirements to—

3 (1) augment and expand professional staff to
4 address the macroeconomic policies of recipient
5 countries in conjunction with environmental preser-
6 vation and sustainability;

7 (2) establish a systematic process within the
8 Fund to review environment, public health, and pov-
9 erty impacts of proposed lending prior to such lend-
10 ing taking place; and

11 (3) require that a report on the status of
12 operationalizing these reforms be submitted to Con-
13 gress prior to obligation of any additional funds to
14 the IMF.

15 (c) The Secretary of the Treasury shall, not later
16 than March 1, 1992, submit a report to the Congress
17 which shall include—

18 (1) a detailed description of how the natural re-
19 source management initiatives mandated by this sec-
20 tion have been incorporated in the Administration's
21 efforts to address Third World Debt (the Brady
22 Plan);

23 (2) a detailed description of progress made by
24 each of the MDBs in adopting and implementing
25 programs meeting the standards set out in subsec-

1 tion (a) including, in particular, efforts by the De-
2 partment of the Treasury to assure implementation
3 of this section, progress made by each MDB in sub-
4 section (a)(1)(B), and the amounts and proportion
5 of lending in the energy sector for projects or pro-
6 grams in subsection (a)(1);

7 (3) the progress the Inter-American Develop-
8 ment Bank has made in implementing environmental
9 reforms;

10 (4) an updated analysis of each MDB's forestry
11 sector loans, and a current analysis of each MDB's
12 energy sector loans, and their impact on emissions
13 of CO₂ and the status of proposals for specific for-
14 estry and energy sector activities to reduce CO₂
15 emissions; and

16 (5) the progress the International Bank for Re-
17 construction and Development has made in imple-
18 menting the recommendations set forth in the April
19 1, 1988, report on "Debt-for-Nature Swaps".

20 (d)(1) The Administrator of the Agency for Interna-
21 tional Development shall update and issue guidance to all
22 Agency missions and bureaus detailing the elements of the
23 "Global Warming Initiative", which will continue to em-
24 phasize the need to reduce emissions of greenhouse gases,
25 especially CO₂ and CFCs, through strategies consistent

1 with continued economic development. This initiative shall
2 continue to emphasize the need to accelerate sustainable
3 development strategies in areas such as reforestation,
4 biodiversity, end-use energy efficiency, least-cost energy
5 planning, and renewable energy, and shall encourage mis-
6 sion directors to incorporate the elements of this initiative
7 in developing their country programs.

8 (2) The Administrator shall pursue this initiative by,
9 among other things—

10 (A) increasing the number and expertise of per-
11 sonnel devoted to this initiative in all bureaus and
12 missions;

13 (B) devoting increased resources to technical
14 training of mission directors;

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

17 (D) focusing tropical forestry assistance pro-
18 grams on the key middle- and low-income developing
19 countries (hereinafter "key countries") which are
20 projected to contribute large amounts of greenhouse
21 gases to the global environment;

22 (E) assisting countries in developing a system-
23 atic analysis of the appropriate use of their total
24 tropical forest resources, with the goal of developing
25 a national program for sustainable forestry;

1 (F) focusing energy assistance activities on the
2 key countries, where assistance would have the
3 greatest impact on reducing emissions from green-
4 house gases; and

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

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

12 (A) result in any significant loss of tropical for-
13 ests; or

14 (B) involve commercial timber extraction in pri-
15 mary tropical forest areas unless an environmental
16 assessment:

17 (i) identifies potential impacts on biological
18 diversity;

19 (ii) demonstrates that all timber extraction
20 will be conducted according to an environmen-
21 tally sound management system which main-
22 tains the ecological functions of the natural for-
23 est and minimizes impacts on biological diversi-
24 ty; and

1 (iii) demonstrates that the activity will
2 contribute to reducing deforestation.

3 (4) Funds appropriated to carry out the provisions
4 of sections 103 and 106 of the Foreign Assistance Act
5 of 1961, as amended, may be used by the Agency for
6 International Development, notwithstanding any other
7 provision of law, for the purpose of supporting tropical for-
8 estry and energy programs aimed at reducing emissions
9 of greenhouse gases with regard to the key countries in
10 which deforestation and energy policy would make a sig-
11 nificant contribution to global warming, except that such
12 assistance shall be subject to sections 116, 502B, and
13 620A of the Foreign Assistance Act of 1961.

14 (e) Of the funds appropriated by this Act to carry
15 out the provisions of part I of the Foreign Assistance Act
16 of 1961, not less than \$130,000,000 shall be made avail-
17 able for environment and energy activities, including funds
18 earmarked under section 533 of this Act, as follows—

19 (1) not less than \$20,000,000 of the aggregate
20 of the funds appropriated to carry out the provisions
21 of sections 103 through 106 and chapter 10 of part
22 I of the Foreign Assistance Act of 1961 shall be
23 made available for biological diversity activities, of
24 which: \$5,000,000 shall be made available for the
25 Parks in Peril project pursuant to the authority of

1 section 119(b) of that Act, and \$100,000 shall be
2 for the Charles Darwin Station;

3 (2) not less than \$20,000,000 of the funds ap-
4 propriated to carry out the provisions of sections
5 103 and 106 and chapter 10 of part I of the For-
6 eign Assistance Act of 1961 shall be made available
7 to support replicable renewable energy projects, and
8 at least five new renewable energy projects are to be
9 initiated during fiscal year 1992;

10 (3) not less than \$7,000,000 of the funds ap-
11 propriated to carry out the provisions of sections
12 103 and 106 and chapter 10 of part I of the For-
13 eign Assistance Act of 1961 shall be made available
14 for assistance in support of elephant conservation
15 and preservation, of which \$2,000,000 shall be avail-
16 able for the PARCS project; and

17 (4) not less than \$25,000,000 of the funds ap-
18 propriated to carry out the provisions of sections
19 103 and 106 of the Foreign Assistance Act of 1961
20 shall be made available for the Office of Energy of
21 the Agency for International Development.

22 (f) Of the funds appropriated by this Act to carry
23 out the provisions of part I and chapter 4 of part II of
24 the Foreign Assistance Act of 1961, the Agency for Inter-
25 national Development should, to the extent feasible and

1 inclusive of funds earmarked under subsection (e) of this
2 section, target assistance for the following activities:

3 (1) \$50,000,000 for projects associated with the
4 Global Environmental Facility;

5 (2) a total of \$10,000,000 for CORECT, the
6 Environmental Technology Export Council, and the
7 International Fund for Renewable Energy Efficien-
8 cy; and

9 (3) \$55,000,000 for activities consistent with
10 the Global Warming Initiative.

11 MONTREAL PROTOCOL FACILITATION FUND

12 (INCLUDING TRANSFER OF FUNDS)

13 SEC. 533. Not less than \$15,000,000 of the funds
14 appropriated by this Act to carry out sections 103 and
15 106 of the Foreign Assistance Act of 1961 shall be used
16 to support the creation of a fund to facilitate and support
17 global participation in the Montreal Protocol on Sub-
18 stances that Deplete the Ozone Layer: *Provided*, That
19 these funds shall be transferred to the Bureau of Oceans,
20 International Environment and Scientific Affairs of the
21 Department of State and shall be made available, after
22 consultations with the Environmental Protection Agency,
23 to the United Nations Environment Program in its role
24 as Secretariat to the Protocol: *Provided further*, That the
25 United States representative to the Secretariat shall seek
26 assurances that none of these funds shall be contributed

1 to any developing country that is not a party to the Proto-
2 col and operating under Article 5 of the Protocol.

3 **PROHIBITION CONCERNING ABORTIONS AND**
4 **INVOLUNTARY STERILIZATION**

5 **SEC. 534.** None of the funds made available to carry
6 out part I of the Foreign Assistance Act of 1961, as
7 amended, may be used to pay for the performance of abor-
8 tions as a method of family planning or to motivate or
9 coerce any person to practice abortions. None of the funds
10 made available to carry out part I of the Foreign Assist-
11 ance Act of 1961, as amended, may be used to pay for
12 the performance of involuntary sterilization as a method
13 of family planning or to coerce or provide any financial
14 incentive to any person to undergo sterilizations. None of
15 the funds made available to carry out part I of the Foreign
16 Assistance Act of 1961, as amended, may be used to pay
17 for any biomedical research which relates in whole or in
18 part, to methods of, or the performance of, abortions or
19 involuntary sterilization as a means of family planning.
20 None of the funds made available to carry out part I of
21 the Foreign Assistance Act of 1961, as amended, may be
22 obligated or expended for any country or organization if
23 the President certifies that the use of these funds by any
24 such country or organization would violate any of the
25 above provisions related to abortions and involuntary steri-
26 lizations. The Congress reaffirms its commitments to Pop-

1 ulation; Development Assistance and to the need for in-
2 formed voluntary family planning.

3 AFGHANISTAN—HUMANITARIAN ASSISTANCE

4 SEC. 535. Of the aggregate amount of funds appro-
5 priated by this Act, to be derived in equal parts from the
6 funds appropriated to carry out the provisions of chapter
7 1 of part I of the Foreign Assistance Act of 1961, and
8 chapter 4 of part II of that Act, up to \$70,000,000 may
9 be made available for the provision of food, medicine, or
10 other humanitarian assistance to the Afghan people, not-
11 withstanding any other provision of law. In carrying out
12 this section, the Administrator of the Agency for Interna-
13 tional Development shall ensure that an equitable portion
14 of the funds is made available to benefit Afghan women
15 and girls, particularly in programs in refugee camps in
16 Pakistan and in reconstruction projects in Afghanistan.

17 PRIVATE VOLUNTARY ORGANIZATIONS—DOCUMENTATION

18 SEC. 536. None of the funds appropriated or made
19 available pursuant to this Act shall be available to a pri-
20 vate voluntary organization which fails to provide upon
21 timely request any document, file, or record necessary to
22 the auditing requirements of the Agency for International
23 Development, nor shall any of the funds appropriated by
24 this Act be made available to any private voluntary organi-
25 zation which is not registered with the Agency for Interna-
26 tional Development.

1 EL SALVADOR—INVESTIGATION OF MURDERS

2 SEC. 537. Of the amounts made available by this Act
3 for military assistance and financing for El Salvador
4 under chapters 2 and 5 of part II of the Foreign Assist-
5 ance Act of 1961 and under the Arms Export Control Act,
6 \$10,000,000 may not be expended until the President re-
7 ports, following the conclusion of the Appeals process in
8 the case of Captain Avila, to the Committees on Appro-
9 priations that the Government of El Salvador has (1) sub-
10 stantially concluded all investigative action with respect to
11 those responsible for the January 1981 deaths of the two
12 United States land reform consultants Michael Hammer
13 and Mark Pearlman and the Salvadoran Land Reform In-
14 stitute Director Jose Rodolfo Viera, (2) pursued all legal
15 avenues to bring to trial and obtain a verdict of those who
16 ordered and carried out the January 1981 murders, (3)
17 pursued all legal avenues to bring to trial those who or-
18 dered and carried out the September 1988 massacre of
19 ten peasants near the town of San Francisco, El Salvador,
20 and to obtain a verdict, (4) pursued all legal avenues to
21 bring to trial those who ordered and carried out the No-
22 vember 1989 murders of six Jesuit priests and their asso-
23 ciates, and to obtain a verdict, and (5) pursued all legal
24 avenues to bring to trial those responsible for the deaths
25 of the ten unionists who were killed during the October

1 31, 1989 bombing of the FENASTRAS headquarters, and
2 to obtain a verdict.

3

REFUGEE RESETTLEMENT

4 SEC. 538. It is the sense of the Congress that all
5 countries receiving United States foreign assistance under
6 the "Economic Support Fund", "Foreign Military Financ-
7 ing Program", "International Military Education and
8 Training", the Agricultural Trade Development and As-
9 sistance Act of 1954 (Public Law 480), development as-
10 sistance programs, or trade promotion programs should
11 fully cooperate with the international refugee assistance
12 organizations, the United States, and other governments
13 in facilitating lasting solutions to refugee situations. Fur-
14 ther, where resettlement to other countries is the appropri-
15 ate solution, such resettlement should be expedited in co-
16 operation with the country of asylum without respect to
17 race, sex, religion, or national origin.

18 ETHIOPIA—FORCED RESETTLEMENT, VILLAGIZATION

19 SEC. 539. None of the funds appropriated in this Act
20 shall be made available for any costs associated with the
21 Government of Ethiopia's forced resettlement or
22 villagization programs.

23

SPECIAL NOTIFICATION REQUIREMENTS

24

25 SEC. 540. None of the funds appropriated in this Act
26 shall be obligated or expended for Sudan, Liberia, Leba-
non, Zaire, Yemen, Guatemala, Chile, Uganda, or Somalia

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

3 **DEFINITION OF PROGRAM, PROJECT, AND ACTIVITY**

4 **SEC. 541.** For the purpose of this Act, "program,
5 project, and activity" shall be defined at the Appropria-
6 tions Act account level and shall include all Appropriations
7 and Authorizations Acts earmarks, ceilings, and limita-
8 tions with the exception that for the following accounts:
9 Economic Support Fund and Foreign Military Financing
10 Program, "program, project, and activity" shall also be
11 considered to include country, regional, and central pro-
12 gram level funding within each such account; for the devel-
13 opment assistance accounts of the Agency for Internation-
14 al Development "program, project, and activity" shall also
15 be considered to include central program level funding, ei-
16 ther as (1) justified to the Congress, or (2) allocated by
17 the executive branch in accordance with a report, to be
18 provided to the Committees on Appropriations within thir-
19 ty days of enactment of this Act, as required by section
20 653(a) of the Foreign Assistance Act of 1961.

21 **CHILD SURVIVAL AND AIDS ACTIVITIES**

22 **SEC. 542.** Up to \$8,000,000 of the funds made avail-
23 able by this Act for assistance for health, child survival,
24 and AIDS, may be used to reimburse United States Gov-
25 ernment agencies, agencies of State governments, institu-
26 tions of higher learning, and private and voluntary organi-

1 zations for the full cost of individuals (including for the
2 personal services of such individuals) detailed or assigned
3 to, or contracted by, as the case may be, the Agency for
4 International Development for the purpose of carrying out
5 child survival activities and activities relating to research
6 on, and the treatment and control of, acquired immune
7 deficiency syndrome in developing countries: *Provided*,
8 That such individuals shall not be included within any per-
9 sonnel ceiling applicable to any United States Government
10 agency during the period of detail or assignment: *Provided*
11 *further*, That funds appropriated by this Act that are
12 made available for child survival activities or activities re-
13 lating to research on, and the treatment and control of,
14 acquired immune deficiency syndrome may be made avail-
15 able notwithstanding any provision of law that restricts
16 assistance to foreign countries.

17

CHILE

18 SEC. 543. Funds appropriated by this Act under the
19 heading "Economic Support Fund" may be used under
20 the authority of section 534(b) (4) and (6) of the Foreign
21 Assistance Act of 1961 to support the efforts of private
22 groups and individuals seeking to develop a national con-
23 sensus on the importance of an independent judiciary and
24 the administration of justice generally in a democratic so-
25 ciety. Assistance may be provided under this section with-
26 out regard to the requirements of section 726(b) of the

1 International Security and Development Cooperation Act
2 of 1981.

3 PROHIBITION AGAINST INDIRECT FUNDING TO CERTAIN
4 COUNTRIES

5 SEC. 544. None of the funds appropriated or other-
6 wise made available pursuant to this Act shall be obligated
7 to finance indirectly any assistance or reparations to An-
8 gola, Cambodia, Cuba, Iraq, Libya, the Socialist Republic
9 of Vietnam, Iran, or Syria unless the President of the
10 United States certifies that the withholding of these funds
11 is contrary to the national interest of the United States.

12 RECIPROCAL LEASING

13 SEC. 545. Section 61(a) of the Arms Export Control
14 Act is amended by striking out "1991" and inserting in
15 lieu thereof "1992".

16 DEFENSE EQUIPMENT DRAWDOWN

17 SEC. 546. (a) Defense articles, services and training
18 drawn down under the authority of section 506(a) of the
19 Foreign Assistance Act of 1961, shall not be furnished to
20 a recipient unless such articles are delivered to, and such
21 services and training initiated for, the recipient country
22 or international organization not more than one hundred
23 and twenty days from the date on which Congress received
24 notification of the intention to exercise the authority of
25 that section: *Provided*, That if defense articles have not
26 been delivered or services and training initiated by the pe-

1 riod specified in this section, a new notification pursuant
2 to section 506(b) of such Act shall be provided, which shall
3 include an explanation for the delay in furnishing such ar-
4 ticles, services, and training, before such articles, services,
5 or training may be furnished.

6 (b) Drawdowns made pursuant to section 506(a)(2)
7 of the Foreign Assistance Act of 1961 shall be subject to
8 the regular notification procedures of the Committees on
9 Appropriations.

10 NOTIFICATION ON EXCESS DEFENSE EQUIPMENT

11 SEC. 547. Prior to providing excess Department of
12 Defense articles in accordance with section 516(a) of the
13 Foreign Assistance Act of 1961, the Department of De-
14 fense shall notify the Committees on Appropriations to the
15 same extent and under the same conditions as are other
16 committees pursuant to subsection (c) of that section: *Pro-*
17 *vided*, That before issuing a letter of offer to sell excess
18 defense articles under the Arms Export Control Act, the
19 Department of Defense shall notify the Committees on
20 Appropriations in accordance with the regular notification
21 procedures of such Committees: *Provided further*, That
22 such Committees shall also be informed of the original ac-
23 quisition cost of such defense articles.

24 AUTHORIZATION REQUIREMENT

25 SEC. 548. Funds appropriated by this Act may be
26 obligated and expended subject to section 10 of Public

1 Law 91-672 and section 15 of the State Department
2 Basic Authorities Act of 1956.

3 NOTIFICATION TO CONGRESS ON DEBT RELIEF

4 AGREEMENTS

5 SEC. 549. The Secretary of State shall transmit to
6 the Appropriations Committees of the Congress and to
7 such other Committees as appropriate, a copy of the text
8 of any agreement with any foreign government which
9 would result in any debt relief no less than thirty days
10 prior to its entry into force, other than one entered into
11 pursuant to this Act, together with a detailed justification
12 of the interest of the United States in the proposed debt
13 relief: *Provided*, That the term "debt relief" shall include
14 any and all debt prepayment, debt rescheduling, and debt
15 restructuring proposals and agreements: *Provided further*,
16 That the Secretary of State and the Secretary of the
17 Treasury should in every feasible instance notify the Ap-
18 propriations Committees of the Congress and such other
19 Committees as appropriate not less than 15 days prior to
20 any formal multilateral or bilateral negotiation for official
21 debt restructuring, rescheduling, or relief: *Provided fur-*
22 *ther*, That the Secretary of State or the Secretary of the
23 Treasury, as appropriate, shall report not later than Feb-
24 ruary 1 of each year a consolidated statement of the budg-
25 etary implications of all debt-related agreements entered
26 into force during the preceding fiscal year.

1 MIDDLE EAST REGIONAL COOPERATION AND ISRAELI-
2 ARAB SCHOLARSHIPS

3 SEC. 550. Middle East regional cooperative programs
4 which have been carried out in accordance with section
5 202(c) of the International Security and Development Co-
6 operation Act of 1985 shall continue to be funded at a
7 level of not less than \$7,000,000 from funds appropriated
8 under the heading "Economic Support Fund".

9 MEMBERSHIP DESIGNATION IN ASIAN DEVELOPMENT
10 BANK

11 SEC. 551. It is the sense of the Congress that the
12 United States Government should use its influence in the
13 Asian Development Bank to secure reconsideration of that
14 institution's decision to designate Taiwan (the Republic of
15 China) as "Taipei, China". It is further the sense of the
16 Congress that the Asian Development Bank should resolve
17 this dispute in a fashion that is acceptable to Taiwan (the
18 Republic of China).

19 DEPLETED URANIUM

20 SEC. 552. None of the funds provided in this or any
21 other Act may be made available to facilitate in any way
22 the sale of M-833 antitank shells or any comparable anti-
23 tank shells containing a depleted uranium penetrating
24 component to any country other than (1) countries which
25 are members of NATO, (2) countries which have been des-
26 ignated as a major non-NATO ally for purposes of section

1 1105 of the National Defense Authorization Act for Fiscal
2 Year 1987 or, (3) Taiwan: *Provided*, That funds may be
3 made available to facilitate the sale of such shells notwith-
4 standing the limitations of this section if the President
5 determines that to do so is in the national security interest
6 of the United States.

7

EARMARKS

8 SEC. 553. Funds appropriated by this Act which are
9 earmarked may be reprogrammed for other programs
10 within the same account notwithstanding the earmark if
11 compliance with the earmark is made impossible by oper-
12 ation of any provision of this or any other Act or, with
13 respect to a country with which the United States has an
14 agreement providing the United States with base rights
15 or base access in that country, if the President determines
16 that the recipient for which funds are earmarked has sig-
17 nificantly reduced its military or economic cooperation
18 with the United States since enactment of the Foreign Op-
19 erations, Export Financing, and Related Programs Appro-
20 priations Act, 1991; however, before exercising the author-
21 ity of this section with regard to a base rights or base
22 access country which has significantly reduced its military
23 or economic cooperation with the United States, the Presi-
24 dent shall consult with, and shall provide a written policy
25 justification to the Committees on Appropriations: *Provid-*
26 *ed*. That any such reprogramming shall be subject to the

1 regular notification procedures of the Committees on Ap-
2 propriations: *Provided further*, That assistance that is re-
3 programmed pursuant to this section shall be made avail-
4 able under the same terms and conditions as originally
5 provided.

6 OPPOSITION TO ASSISTANCE TO TERRORIST COUNTRIES
7 BY INTERNATIONAL FINANCIAL INSTITUTIONS

8 SEC. 554. (a) INSTRUCTIONS FOR UNITED STATES
9 EXECUTIVE DIRECTORS.—The Secretary of the Treasury
10 shall instruct the United States Executive Director of each
11 international financial institution to vote against any loan
12 or other use of the funds of the respective institution to
13 or for a country for which the Secretary of State has made
14 a determination under section 6(j) of the Export Adminis-
15 tration Act of 1979.

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

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

22 (2) wherever applicable, the Inter-American De-
23 velopment Bank, the Asian Development Bank, the
24 African Development Bank, and the African Devel-
25 opment Fund.

1 PROHIBITION ON BILATERAL ASSISTANCE TO TERRORIST
2 COUNTRIES

3 SEC. 555. (a) Notwithstanding any other provision
4 of law, funds appropriated for bilateral assistance under
5 any heading of this Act and funds appropriated under any
6 such heading in a provision of law enacted prior to fiscal
7 year 1990, shall not be made available to any country
8 which the President determines—

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

12 (2) otherwise supports international terrorism.

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

22 SOUTH AFRICA—SCHOLARSHIPS

23 SEC. 556. Of the funds made available by this Act
24 under the heading "Economic Support Fund",
25 \$10,000,000 may be made available for scholarships for
26 disadvantaged South Africans.

1 of part II of the Foreign Assistance Act may be made
2 available for Bolivia, Peru, Colombia, Ecuador, and Ja-
3 maica to promote the production, processing, and the mar-
4 keting of products which can be economically produced in
5 those countries, notwithstanding section 520 of this Act.

6 (3) Of the funds appropriated by this Act under the
7 heading "Foreign Military Financing Program", not more
8 than \$118,000,000 may be made available for Bolivia,
9 Peru, and Colombia: *Provided*, That no funds may be
10 made available under this paragraph to the government
11 of any country which engages in a consistent pattern of
12 gross violations of internationally recognized human
13 rights.

14 (4) Funds made available by this Act to carry out
15 the provisions of the Arms Export Control Act and section
16 534 of the Foreign Assistance Act of 1961 may be provid-
17 ed for training and equipment for law enforcement agen-
18 cies or other units in Colombia, Bolivia, and Peru that
19 are organized for the specific purpose of narcotics enforce-
20 ment: *Provided*, That assistance under this paragraph may
21 be provided notwithstanding section 660 of the Foreign
22 Assistance Act of 1961 and the second sentence of section
23 534(e) of that Act: *Provided further*, That the waiver con-
24 tained in this paragraph does not apply to Peru's Sinchi
25 police: *Provided further*, That assistance provided pursu-

1 ant to this paragraph shall be subject to the regular notifi-
2 cation procedures of the Committees on Appropriations.

3 (5) Funds made available under this subsection shall
4 be available for obligation consistent with requirements to
5 apply the provisions of section 481(h) of the Foreign As-
6 sistance Act of 1961 (relating to International Narcotics
7 Control).

8 (b) None of the funds appropriated or otherwise
9 made available under this Act may be available for any
10 country during any three-month period beginning on or
11 after October 1, 1991, immediately following a certifica-
12 tion by the President to the Congress that the government
13 of such country is failing to take adequate measures (in-
14 cluding satisfying the goals agreed to in applicable bilater-
15 al narcotics agreements as defined in section 481(h)(2)(B)
16 of the Foreign Assistance Act of 1961) to prevent narcotic
17 drugs or other controlled substances (as listed in the
18 schedules in section 202 of the Comprehensive Drug
19 Abuse and Prevention Control Act of 1971 (21 U.S.C.
20 812)) which are cultivated, produced, or processed illicitly,
21 in whole or in part, in such country, or transported
22 through such country from being sold illegally within the
23 jurisdiction of such country to United States Government
24 personnel or their dependents or from entering the United
25 States unlawfully.

1 (c) In making determinations with respect to Bolivia,
2 Colombia, Ecuador, and Peru pursuant to section
3 481(h)(2)(A)(i) of the Foreign Assistance Act of 1961, the
4 President shall take into account the extent to which the
5 Government of each country is sufficiently responsive to
6 United States Government concerns on coca control and
7 whether the provision of assistance for that country is in
8 the national interest of the United States.

9 (d) Of the funds appropriated under title II of this
10 Act for the Agency for International Development, up to
11 \$10,000,000 should be made available for narcotics educa-
12 tion and awareness programs (including public diplomacy
13 programs) of the Agency for International Development,
14 and \$40,000,000 of the funds appropriated under title II
15 of this Act should be made available for narcotics related
16 economic assistance activities.

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

18 **SEC. 558.** Any agreement for the sale or provision
19 of any article on the United States Munitions List (estab-
20 lished pursuant to section 38 of the Arms Export Control
21 Act) entered into by the United States after the enactment
22 of this section shall expressly state that the article is being
23 provided by the United States only with the understanding
24 that it will not be transferred to Cyprus or otherwise used
25 to further the severance or division of Cyprus. The Presi-
26 dent shall report to Congress any substantial evidence that

1 equipment provided under any such agreement has been
2 used in a manner inconsistent with the purposes of this
3 section.

4 COMMERCIAL LEASING OF DEFENSE ARTICLES

5 SEC. 559. Notwithstanding any other provision of
6 law, and subject to the regular notification requirements
7 of the Committees on Appropriations, the authority of sec-
8 tion 23(a) of the Arms Export Control Act may be used
9 to provide financing to Israel and Egypt and NATO and
10 major non-NATO allies for the procurement by leasing
11 (including leasing with an option to purchase) of defense
12 articles from United States commercial suppliers, not in-
13 cluding Major Defense Equipment (other than helicopters
14 and other types of aircraft having possible civilian applica-
15 tion), if the President determines that there are compel-
16 ling foreign policy or national security reasons for those
17 defense articles being provided by commercial lease rather
18 than by government-to-government sale under such Act.

19 ASSISTANCE FOR CAMBODIAN DEMOCRACY

20 SEC. 560. (a) ASSISTANCE.—(1) Not to exceed
21 \$20,000,000 of the funds appropriated by this Act under
22 the heading "Economic Support Fund" and for "develop-
23 ment assistance" may be made available for humanitarian
24 and development assistance for Cambodians, including the
25 Cambodian non-Communist resistance, along the Thai-
26 Cambodian border and throughout Cambodia, notwith-

1 standing any other provision of law (other than sections
2 531(e) and 634A of the Foreign Assistance Act of 1961,
3 section 522 of this Act, and the provisions of this section).

4 (2) The President shall terminate assistance under
5 this section to any Cambodian organization that he deter-
6 mines is cooperating, tactically or strategically, with the
7 Khmer Rouge in their military operations.

8 (3) Not later than January 1, 1992, the President
9 shall submit to the Speaker of the House of Representa-
10 tives and the President pro tempore of the Senate an un-
11 classified report describing the extent of military coopera-
12 tion since January 1, 1991, between the Khmer Rouge
13 and any individual group or faction of the non-Communist
14 resistance.

15 (b) ADMINISTRATION OF ASSISTANCE.—To the maxi-
16 mum extent possible, all funds made available under this
17 section shall be administered directly by the United States
18 Government.

19 (c) RELATION TO ASSISTANCE FOR CAMBODIAN
20 CHILDREN.—(1) Any assistance provided under this sec-
21 tion shall be in addition to the assistance provided for
22 under the heading "Humanitarian Assistance for Cambo-
23 dian Children".

24 (2) Notwithstanding any other provision of this Act,
25 funds made available under the heading "Humanitarian

1 Assistance for Cambodian Children” shall also be available
2 to civilian victims of war.

3 (d) DEFINITIONS.—For purposes of this section—

4 (1) the term “development assistance” means
5 assistance furnished to carry out any of the provi-
6 sions of chapter 1 of part I of the Foreign Assist-
7 ance Act of 1961; and

8 (2) the term “humanitarian assistance” means
9 food, clothing, medicine, or other humanitarian as-
10 sistance, and it does not include the provision of
11 weapons, weapons systems, ammunition, or other
12 equipment, vehicles, or material which can be used
13 to inflict serious bodily harm or death.

14 (e) NOTIFICATIONS.—Any funds made available dur-
15 ing fiscal year 1992 to carry out the purposes of this sec-
16 tion shall be subject to the regular notification procedures
17 of the Committees on Appropriations.

18 COMPETITIVE INSURANCE

19 SEC. 561. All Agency for International Development
20 contracts and solicitations, and subcontracts entered into
21 under such contracts, shall include a clause requiring that
22 United States marine insurance companies have a fair op-
23 portunity to bid for marine insurance when such insurance
24 is necessary or appropriate.

1

IRELAND

2 SEC. 562. It is the sense of the Congress that of the
3 funds appropriated or otherwise made available for the
4 International Fund for Ireland, the Board of the Interna-
5 tional Fund for Ireland should give great weight in the
6 allocation of such funds to projects which will create per-
7 manent, full-time jobs in the areas that have suffered most
8 severely from the consequences of the instability of recent
9 years. Areas that have suffered most severely from the
10 consequences of the instability of recent years shall be de-
11 fined as areas that have high rates of unemployment.

12

ASSISTANCE TO AFGHANISTAN

13 SEC. 563. Funds appropriated by this Act may not
14 be made available, directly or for the United States pro-
15 portionate share of programs funded under the heading
16 "International Organizations and Programs", for assist-
17 ance to be provided inside Afghanistan if that assistance
18 would be provided through the Soviet-controlled govern-
19 ment of Afghanistan. This section shall not be construed
20 as limiting the United States contributions to internation-
21 al organizations for humanitarian assistance.

22

EL SALVADOR ECONOMIC SUPPORT FUNDS

23 SEC. 564. Not less than 25 per centum of the Eco-
24 nomic Support Funds made available for El Salvador by
25 this Act shall be used for projects and activities in accord-

1 ance with the provisions applicable to assistance under
2 chapter 1 of part I of the Foreign Assistance Act of 1961.

3 DISADVANTAGED ENTERPRISES

4 SEC. 565. (a) Except to the extent that the Adminis-
5 trator of the Agency for International Development of the
6 Foreign Assistance Act of 1961 determines otherwise, not
7 less than 10 percent of the aggregate amount made avail-
8 able for the current fiscal year for the "Development As-
9 sistance Fund", "Population, Development Assistance",
10 and the "Development Fund for Africa" shall be made
11 available only for activities of United States organizations
12 and individuals that are—

13 (1) business concerns owned and controlled by
14 socially and economically disadvantaged individuals,

15 (2) historically black colleges and universities,

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

19 (4) private voluntary organizations which are
20 controlled by individuals who are socially and eco-
21 nomically disadvantaged.

22 (b)(1) In addition to other actions taken to carry out
23 this section, the actions described in paragraphs (2)
24 through (5) shall be taken with respect to development
25 assistance and assistance for sub-Saharan Africa for the
26 current fiscal year.

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

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

7 (B) to the maximum extent practicable, shall
8 enter into contracts with small business concerns
9 owned and controlled by socially and economically
10 disadvantaged individuals, and organizations con-
11 tained in paragraphs (2) through (4) of subsection
12 (a)—

13 (i) using less than full and open competi-
14 tive procedures under such terms and condi-
15 tions as the Administrator deems appropriate,
16 and

17 (ii) using an administrative system for jus-
18 tifications and approvals that, in the Adminis-
19 trator's discretion, may best achieve the pur-
20 pose of this section; and

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

1 (i) to the extent the Administrator deter-
2 mines otherwise on a case-by-case or category-
3 of-contract basis; and

4 (ii) this subparagraph does not apply to
5 any prime contractor that is an entity described
6 in subsection (a).

7 (3) Each person with contracting authority who is at-
8 tached to the agency's headquarters in Washington, as
9 well as all agency missions and regional offices, shall noti-
10 fy the agency's Office of Small and Disadvantaged Busi-
11 ness Utilization at least seven business days before adver-
12 tising a contract in excess of \$100,000, except to the ex-
13 tent that the Administrator determines otherwise on a
14 case-by-case or category-of-contract basis.

15 (4) The Administrator shall include, as part of the
16 performance evaluation of any mission director of the
17 agency, the mission director's efforts to carry out this sec-
18 tion.

19 (5) The Administrator shall submit to the Congress
20 annual reports on the implementation of this section. Each
21 such report shall specify the number and dollar value or
22 amount (as the case may be) of prime contracts, subcon-
23 tracts, grants, and cooperative agreements awarded to en-
24 tities described in subsection (a) during the preceding fis-
25 cal year.

1 (c) As used in this section, the term "socially and
2 economically disadvantaged individuals" has the same
3 meaning that term is given for purposes of section 8(d)
4 of the Small Business Act, except that the term includes
5 women.

6 STINGERS IN THE PERSIAN GULF REGION

7 SEC. 566. Except as provided in section 581 of the
8 Foreign Operations, Export Financing, and Related Pro-
9 grams Appropriations Act, 1990, the United States may
10 not sell or otherwise make available any Stingers to any
11 country bordering the Persian Gulf under the Arms Ex-
12 port Control Act or chapter 2 of part II of the Foreign
13 Assistance Act of 1961.

14 PROHIBITION ON LEVERAGING AND DIVERSION OF

15 UNITED STATES ASSISTANCE

16 SEC. 567. (a) None of the funds appropriated by this
17 Act may be provided to any foreign government (including
18 any instrumentality or agency thereof), foreign person, or
19 United States person in exchange for that foreign govern-
20 ment or person undertaking any action which is, if carried
21 out by the United States Government, a United States of-
22 ficial or employee, expressly prohibited by a provision of
23 United States law.

24 (b) For the purposes of this section the term "funds
25 appropriated by this Act" includes only (1) assistance of
26 any kind under the Foreign Assistance Act of 1961; and

1 (2) credits, and guaranties under the Arms Export Con-
2 trol Act.

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

5 (1) the ability of the President, the Vice Presi-
6 dent, or any official or employee of the United
7 States to make statements or otherwise express their
8 views to any party on any subject;

9 (2) the ability of an official or employee of the
10 United States to express the policies of the Presi-
11 dent; or

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

20 APPROPRIATIONS OF UNITED STATES-OWNED

21 CURRENCIES

22 SEC. 568. The provisions of section 1306 of title 31,
23 United States Code, shall not be waived to carry out the
24 provisions of the Foreign Assistance Act of 1961 by any
25 provision of law enacted after the date of enactment of

1 this Act unless such provision makes specific reference to
2 this section.

3 DEBT-FOR-DEVELOPMENT

4 SEC. 569. In order to enhance the continued partici-
5 pation of nongovernmental organizations in economic as-
6 sistance activities under the Foreign Assistance Act of
7 1961, including debt-for-development and debt-for-nature
8 exchanges, a nongovernmental organization may invest
9 local currencies which accrue to that organization as a re-
10 sult of economic assistance provided under the heading
11 "Agency for International Development" and any interest
12 earned on such investment may be used, including for the
13 establishment of an endowment, for the purpose for which
14 the assistance was provided to that organization.

15 LEBANON

16 SEC. 570. (a) Of the fund appropriated by this Act
17 to carry out chapter 1 of part I and chapter 4 of part
18 II of the Foreign Assistance Act of 1961 not less than
19 \$10,000,000, \$6,000,000 of which shall be derived from
20 funds appropriated to carry out chapter 1 of part I and
21 \$4,000,000 of which shall be derived from funds appropri-
22 ated to carry out chapter 4 of part II, shall be made avail-
23 able for Lebanon and may be provided in accordance with
24 the general authorities contained in section 491 of the
25 Foreign Assistance Act of 1961.

1 (b) All deliveries to Lebanon of equipment purchased
2 with Foreign Military Financing credits or grants shall be
3 subject to the regular notification procedures of the Com-
4 mittees on Appropriations.

5 LOCATION OF STOCKPILES

6 SEC. 571. Notwithstanding section 514(b) of the For-
7 eign Assistance Act of 1961, additions may be made to
8 stockpiles in Israel during fiscal year 1992 having a value
9 of \$300,000,000: *Provided*, That the word "value" as used
10 in this section shall have the same meaning as in section
11 514 of the Foreign Assistance Act of 1961.

12 ASSISTANCE FOR PAKISTAN

13 SEC. 572. (a) Section 620E(d) of the Foreign Assist-
14 ance Act of 1961 is amended by striking out "April 1,
15 1991" and inserting in lieu thereof "April 1, 1993".

16 (b) None of the funds appropriated in this Act shall
17 be obligated or expended for Pakistan except as provided
18 through the regular notification procedures of the Com-
19 mittees on Appropriations.

20 SEPARATE ACCOUNTS

21 SEC. 573. (a) SEPARATE ACCOUNTS FOR LOCAL
22 CURRENCIES.—(1) If assistance is furnished to the gov-
23 ernment of a foreign country under chapters 1 and 10 of
24 part I (including the Philippines Multilateral Assistance
25 Initiative) or chapter 4 of part II of the Foreign Assist-
26 ance Act of 1961 under agreements which result in the

1 generation of local currencies of that country, the Admin-
2 istrator of the Agency for International Development
3 shall—

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

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

8 (i) the amount of the local currencies to be
9 generated, and

10 (ii) the terms and conditions under which
11 the currencies so deposited may be utilized, con-
12 sistent with this section; and

13 (C) establish by agreement with that govern-
14 ment the responsibilities of the Agency for Interna-
15 tional Development and that government to monitor
16 and account for deposits into and disbursements
17 from the separate account.

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

23 (A) to carry out chapters 1 or 10 of part I or
24 chapter 4 of part II (as the case may be), for such
25 purposes as:

1 (i) project and sector assistance activities.

2 or

3 (ii) debt and deficit financing; or

4 (B) for the administrative requirements of the
5 United States Government.

6 (3) PROGRAMMING ACCOUNTABILITY.—The Agency
7 for International Development shall take all appropriate
8 steps to ensure that the equivalent of the local currencies
9 disbursed pursuant to subsection (a)(2)(A) from the sepa-
10 rate account established pursuant to subsection (a)(1) are
11 used for the purposes agreed upon pursuant to subsection
12 (a)(2).

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

21 (5) CONFORMING AMENDMENTS.—The provisions of
22 this subsection shall supersede the tenth and eleventh pro-
23 visos contained under the heading "Sub-Saharan Africa,
24 Development Assistance" as included in the Foreign Oper-
25 ations, Export Financing, and Related Programs Appro-

1 priations Act, 1989 and sections 531(d) and 609 of the
2 Foreign Assistance Act of 1961.

3 (b) SEPARATE ACCOUNTS FOR CASH TRANSFERS.—

4 (1) If assistance is made available to the government of
5 a foreign country, under chapters 1 or 10 of part I (includ-
6 ing the Philippines Multilateral Assistance Initiative) or
7 chapter 4 of part II of the Foreign Assistance Act of 1961,
8 as cash transfer assistance or as nonproject sector assist-
9 ance, that country shall be required to maintain such
10 funds in a separate account and not commingle them with
11 any other funds.

12 (2) APPLICABILITY OF OTHER PROVISIONS OF
13 LAW.—Such funds may be obligated and expended not-
14 withstanding provisions of law which are inconsistent with
15 the nature of this assistance including provisions which
16 are referenced in the Joint Explanatory Statement of the
17 Committee of Conference accompanying House Joint Res-
18 olution 648 (H. Report No. 98-1159).

19 (3) NOTIFICATION.—At least fifteen days prior to ob-
20 ligating any such cash transfer or nonproject sector assist-
21 ance, the President shall submit a notification through the
22 regular notification procedures of the Committees on Ap-
23 propriations, which shall include a detailed description of
24 how the funds proposed to be made available will be used,
25 with a discussion of the United States interests that will

1 be served by the assistance (including, as appropriate, a
2 description of the economic policy reforms that will be pro-
3 moted by such assistance).

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

8 ASSISTANCE FOR NICARAGUA

9 SEC. 574. None of the funds appropriated by this Act
10 shall be provided for any member of the Nicaraguan re-
11 sistance who has not disarmed and is not abiding by the
12 terms of the cease-fire agreement and the addendums to
13 the Toncontin Agreement signed on April 19, 1990.

14 COMPENSATION FOR UNITED STATES EXECUTIVE

15 DIRECTORS TO INTERNATIONAL FINANCIAL INSTITUTIONS

16 SEC. 575. (a) No funds appropriated by this Act may
17 be made as payment to any international financial institu-
18 tion while the United States Executive Director to such
19 institution is compensated by the institution at a rate
20 which, together with whatever compensation such Director
21 receives from the United States, is in excess of the rate
22 provided for an individual occupying a position at level IV
23 of the Executive Schedule under section 5315 of title 5,
24 United States Code, or while any alternate United States
25 Director to such institution is compensated by the institu-
26 tion at a rate in excess of the rate provided for an individ-

1 ual occupying a position at level V of the Executive Sched-
2 ule under section 5316 of title 5, United States Code.

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

11 FUTURE ASSISTANCE PROJECTIONS

12 SEC. 576. The Congress finds that, as is the case
13 with most domestic programs, overall constraints on the
14 Federal budget will have a significant impact on the ability
15 of the United States Government to meet program re-
16 quirements in the coming years. Therefore, in order to as-
17 sist the Congress to make the difficult policy choices at-
18 tendant to budget shortfalls, the Congressional Presenta-
19 tion Documents of departments and agencies included
20 within this Act shall contain funding projections for each
21 of its major program components for each of the three
22 years following the year for which new budget or other
23 authority is being requested.

24 HUMAN RIGHTS

25 SEC. 577. (a) COUNTRY LISTINGS.—Not later than
26 thirty days after submission of the report required by sec-

1 tion 502B(b) of the Foreign Assistance Act of 1961, the
2 Secretary of State shall submit to the Committees on Ap-
3 propriations a listing of those countries the governments
4 of which are found, based upon the criteria and findings
5 in the report required by section 502B(b) of the Foreign
6 Assistance Act of 1961, to engage in a consistent pattern
7 of gross violations of internationally recognized human
8 rights. This list shall be accompanied by a report from
9 the Secretary of State describing how, for each country
10 receiving assistance under the Foreign Military Financing
11 Program, such assistance will be conducted to promote
12 and advance human rights and how the United States will
13 avoid identification with activities which are contrary to
14 internationally recognized standards of human rights.

15 (b) HUMAN RIGHTS REPORT.—The Secretary of
16 State shall also transmit the report required by section
17 116(d) of the Foreign Assistance Act of 1961 to the Com-
18 mittees on Appropriations each year by the date specified
19 in that section: *Provided*, That each such report submitted
20 pursuant to such section shall include a review of each
21 country's commitment to children's rights and welfare as
22 called for by the Declaration of the World Summit for
23 Children.

1 COMPLIANCE WITH UNITED NATIONS SANCTIONS
2 AGAINST IRAQ

3 SEC. 578. (a) DENIAL OF ASSISTANCE.—None of the
4 funds appropriated or otherwise made available pursuant
5 to this Act to carry out the Foreign Assistance Act of
6 1961 (including title IV of chapter 2 of part I, relating
7 to the Overseas Private Investment Corporation) or the
8 Arms Export Control Act may be used to provide assist-
9 ance to any country that is not in compliance with the
10 United Nations Security Council sanctions against Iraq
11 unless the President determines and so certifies to the
12 Congress that—

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

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

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

20 (b) IMPORT SANCTIONS.—If the President considers
21 that the taking of such action would promote the effective-
22 ness of the economic sanctions of the United Nations and
23 the United States imposed with respect to Iraq, and is
24 consistent with the national interest, the President may
25 prohibit, for such a period of time as he considers appro-

1 piate, the importation into the United States of any or
2 all products of any foreign country that has not
3 prohibited—

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

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

7 EUROPEAN BANK FOR RECONSTRUCTION AND
8 DEVELOPMENT

9 SEC. 579. In all negotiations concerning the struc-
10 ture, bylaws, and operating procedures of the European
11 Bank for Reconstruction and Development (EBRD), the
12 Secretary of the Treasury shall vigorously seek—

13 (1) establishment of procedures for environmen-
14 tal assessment of all proposed operations with poten-
15 tially significant environmental impacts;

16 (2) establishment of an environmental unit with
17 sufficient staff to review proposed operations, moni-
18 tor compliance with environmental provisions, and
19 provide overall policy guidance;

20 (3) establishment of procedures for systematic
21 consultation with and involvement of the public and
22 interested nongovernmental organizations, including
23 an opportunity for comment by local communities
24 which may be affected by EBRD operations and es-
25 tablishment of a system of public notification and

1 comment during the development of EBRD policies
2 and operating procedures; and

3 (4) agreement that a significant portion of the
4 EBRD's funds shall be devoted to projects focused
5 on environmental restoration and protection.

6 REPEAL OF FISCAL YEAR 1991 PROVISION

7 SEC. 580. The amendment to section 516(a) of the
8 Foreign Assistance Act of 1961 made by section 589 of
9 the Foreign Operations, Export Financing, and Related
10 Programs Appropriations Act, 1991 (Public Law 101-
11 513) is hereby repealed.

12 CHEMICAL WEAPONS PROLIFERATION

13 SEC. 581. None of the funds appropriated by this Act
14 may be used to finance the procurement of chemicals, dual
15 use chemicals, or chemical agents that may be used for
16 chemical weapons production: *Provided*, That the provi-
17 sions of this section shall not apply to any such procure-
18 ment if the President determines that such chemicals, dual
19 use chemicals, or chemical agents are not intended to be
20 used by the recipient for chemical weapons production.

21 KENYA

22 SEC. 582. Notwithstanding any other provision of
23 law, none of the funds appropriated by this Act under the
24 headings "Economic Support Fund" and "Foreign Mili-
25 tary Financing Program", may be made available for
26 Kenya unless the President certifies, and so reports to the

1 Congress, that the Government of Kenya is taking steps
2 to—

3 (1) charge and try or release all prisoners, in-
4 cluding any persons detained for political reasons;

5 (2) cease any physical abuse or mistreatment of
6 prisoners

7 (3) restore the independence of the judiciary;
8 and

9 (4) restore freedoms of expression: *Provided,*
10 That none of the funds appropriated by this Act
11 under the headings “Economic Support Fund” and
12 “Foreign Military Financing Program” may be obli-
13 gated or expended for Kenya until 30 days after
14 such report is transmitted to the Congress.

15 **MEDITERRANEAN EXCESS DEFENSE ARTICLES**

16 **SEC. 583.** During fiscal year 1992, the provisions of
17 section 573(e) of the Foreign Operations, Export Financ-
18 ing, and Related Programs Appropriations Act, 1990,
19 shall be applicable, for the period specified therein, to ex-
20 cess defense articles made available under sections 516
21 and 519 of the Foreign Assistance Act of 1961.

22 **PRIORITY DELIVERY OF EQUIPMENT**

23 **SEC. 584.** Notwithstanding any other provision of
24 law, the delivery of excess defense articles that are to be
25 transferred on a grant basis under section 516 of the For-
26 eign Assistance Act to NATO allies and to major non-

1 NATO allies on the southern and southeastern flank of
2 NATO shall be given priority to the maximum extent fea-
3 sible over the delivery of such excess defense articles to
4 other countries.

5 ISRAEL DRAWDOWN

6 SEC. 585. Section 599B(a) of the Foreign Oper-
7 ations, Export Financing, and Related Programs Appro-
8 priations Act, 1991, is amended—

9 (a) by striking out “As a result” and all that
10 follows through “the President”, and inserting in
11 lieu thereof “During fiscal year 1992, the Presi-
12 dent”, and

13 (b) by striking out “of \$700,000,000” and all
14 that follows through the period, and inserting in lieu
15 thereof “that equals the difference between
16 \$700,000,000 and the value of any such articles,
17 services, and education and training that were au-
18 thorized to be drawn down under the authority of
19 this section before the enactment of the Foreign Op-
20 erations, Export Financing, and Related Programs
21 Appropriations Act, 1992.”.

22 CHIEF FINANCIAL OFFICERS PROHIBITION

23 SEC. 586. None of the funds appropriated in this Act
24 shall be used to implement the provisions of Public Law
25 101-576.

1 UNEXPENDED BALANCES EXTENSION

2 SEC. 587. (a) In accordance with section 1557 of title
3 31, United States Code, amounts appropriated or other-
4 wise made available in Acts making appropriations for for-
5 eign assistance and related programs for fiscal years and
6 under the headings identified in subsection (b) shall be
7 exempt from the provisions of subchapter IV of chapter
8 15 of title 31, United States Code, until September 30
9 1994.

10 (b) Subsection (a) shall apply to funds appropriated
11 under the following headings for the fiscal year 1985 and
12 1986: "International Organizations and Programs" only
13 for funds made available for the International Fund for
14 Agricultural Development, "Agriculture, rural develop-
15 ment, and Nutrition, Development Assistance", "Popula-
16 tion, Development Assistance", "Health, Development As-
17 sistance", "Child Survival Fund", "Education and human
18 resources development, Development Assistance", "Ener-
19 gy and selected development activities, Development As-
20 sistance," "Science and Technology, Development Assist-
21 ance", "American Schools and Hospitals Abroad", "Trade
22 and Development Program", "Economic Support Fund",
23 "Peacekeeping Operations".

24 PRIOR CONSULTATIONS ON IFI REPLENISHMENTS

25 SEC. 588. Prior to entering into formal negotiations
26 on any replenishment for any international financial insti-

1 tution or multilateral development bank, the Secretary of
2 the Treasury shall consult with the Committees on Appro-
3 priations and appropriate authorizing committees on the
4 United States position entering those negotiations.

5 **ARMS TRANSFER MORATORIUM**

6 **SEC. 589. ARMS TRANSFER MORATORIUM.—(a)(1)**
7 **ESTABLISHMENT.**—Except as provided in paragraphs (2)
8 and (3), the United States Government shall not agree
9 to any transfers of major military equipment to any nation
10 in the Middle East and Persian Gulf region. This morato-
11 rium is established to induce and encourage the other per-
12 manent members of the United Nations Security Council
13 to join in this effort and also to induce and encourage
14 other members of the North Atlantic Treaty Organization,
15 former members of the Warsaw Pact, and other major
16 arms supplier nations to join in this effort.

17 **(2) CONDITIONS FOR TERMINATION OF UNITED**
18 **STATES MORATORIUM.**—The requirement of paragraph
19 (1) for a moratorium on United States arms transfers of
20 major military equipment to the Middle East and Persian
21 Gulf region shall cease to apply if the President submits
22 to the Committee on Foreign Relations of the Senate and
23 the Committee on Foreign Affairs of the House of Repre-
24 sentatives and the Committees on Appropriations—

25 **(A)** a report stating that the President has de-
26 termined that there has been agreement by another

1 major arms supplier nation on or after May 21,
2 1991, to transfer any major military equipment to
3 any nation in the Middle East and Persian Gulf re-
4 gion;

5 (B) the reports required by subsection (b)(1)(A)
6 and (B).

7 (3) EMERGENCY TRANSFERS.—Paragraph (1) does
8 not apply to any transfer of major military equipment that
9 is a necessary, emergency response to major and sustained
10 hostilities in the Middle East and Persian Gulf region or
11 to an imminent threat of such hostilities.

12 (4) MAJOR MILITARY EQUIPMENT.—As used in this
13 subsection, the term “major military equipment” means—

14 (A) air-to-air, air-to-surface, and surface-to-sur-
15 face missiles and rockets;

16 (B) turbine-powered military aircraft;

17 (C) attack helicopters;

18 (D) main battle tanks;

19 (E) submarines and major naval surface com-
20 batants; and

21 (F) nuclear, biological, and chemical weapons.

22 (5) EXEMPTION OF REPLACEMENT EQUIPMENT.—
23 Paragraph (1) and paragraph (2)(A) do not apply with
24 respect to transfers which only involve the replacement on
25 a one-for-one basis of equipment of comparable quality

1 that has become inoperable after the date of enactment
2 of this Act.

3 (b)(1) REPORT ON PLAN FOR MULTILATERAL RE-
4 GIME.—As soon as practicable after the date of enactment
5 of this Act, the President shall submit to the Committee
6 on Foreign Relations of the Senate and the Committee
7 on Foreign Affairs of the House of Representatives and
8 the Committees on Appropriations the following two re-
9 ports:

10 (A) A report setting forth a United States plan
11 for leading the world community in establishing a
12 multilateral regime to restrict transfers of conven-
13 tional and unconventional arms to the Middle East.

14 (B) A report analyzing the feasibility of an
15 arms transfer and control regime among nations in
16 the Middle East and the potential elements of such
17 regime, including—

18 (i) the feasibility of opening for ratification
19 or accession by nations of the Middle East and
20 Persian Gulf region the Treaty Between the
21 United States of America and the Union of So-
22 viet Socialist Republics on the Elimination of
23 their Intermediate-Range and Shorter-Range
24 Missiles (done at Washington on December 8,
25 1987), which bans all ground-launched ballistic

1 and cruise missiles having ranges between 500
2 and 5,500 kilometers;

3 (ii) what techniques used in the Treaty on
4 Conventional Armed Forces in Europe (done at
5 Paris on November 19, 1990) can be usefully
6 applied to regional arms control initiatives in
7 the Middle East and Persian Gulf region; and

8 (iii) whether the "Open Skies" regime
9 under consideration for countries in Europe and
10 North America can be usefully applied to the
11 Middle East and Persian Gulf region.

12 (2) REPORTS ON TRANSFERS AND REGIONAL BAL-
13 ANCE.—Not later than October 1 of each year, beginning
14 in the first calendar year which begins after the date of
15 enactment of this Act, the President shall submit to the
16 Committee on Foreign Relations of the Senate and the
17 Committee on Foreign Affairs of the House of Representa-
18 tives and the Committees on Appropriations a report—

19 (A) documenting all transfers of conventional
20 and unconventional arms to the Middle East over
21 the previous year and the previous 5 years, including
22 sources, types, and acquirers of weapons;

23 (B) analyzing the current military balance in
24 the region, including the effect on the balance of
25 transfers documented under subparagraph (A);

1 (C) describing the operation of any agreements
2 comprising the multilateral arms transfer and control
3 regime envisaged by this section; and

4 (D) identifying supplier nations that have re-
5 used to participate in such a regime or that have
6 engaged in conduct that violates or undermines the
7 regime.

8 (c) EXISTING AGREEMENTS.—Subsection (a) does
9 not apply with respect to transfers of defense articles or
10 defense services pursuant to agreements entered into be-
11 fore May 21, 1991.

12 (d) CONVENING OF CONFERENCE TO NEGOTIATE A
13 MULTILATERAL ARMS TRANSFER AND CONTROL RE-
14 GIME.—As soon as practicable after the date of enactment
15 of this Act, the President shall seek negotiations among,
16 and undertake good faith efforts to convene a conference
17 of, the five permanent members of the United Nations Se-
18 curity Council and other nations as appropriate, including
19 members of the North Atlantic Treaty Organization,
20 former members of the Warsaw Pact, and other nations
21 selling military equipment and services, to establish a com-
22 prehensive multilateral arms transfer and control regime
23 with respect to the Middle East and Persian Gulf region.
24 The purposes of this regime should be—

1 REPORTING REQUIREMENT

2 SEC. 591. The President shall submit to the Commit-
3 tees on Appropriations the reports required by section
4 25(a)(1) of the Arms Export Control Act.

5 This Act may be cited as the "Foreign Operations,
6 Export Financing, and Related Programs Appropriations
7 Act, 1992".