

HR 2506

Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002

**Congress:** 107 (2001–2003, Ended)

**Chamber:** House

**Policy Area:** International Affairs

**Introduced:** Jul 17, 2001

**Current Status:** Became Public Law No: 107-115.

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**Law:** 107-115 (Enacted Jan 10, 2002)

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Sponsor

**Name:** Rep. Kolbe, Jim [R-AZ-5]

**Party:** Republican • **State:** AZ • **Chamber:** House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

| Committee                | Chamber | Activity                  | Date         |
|--------------------------|---------|---------------------------|--------------|
| Appropriations Committee | House   | Reported Original Measure | Jul 17, 2001 |
| Appropriations Committee | Senate  | Reported By               | Sep 4, 2001  |

Subjects & Policy Tags

No subjects or policy tags are listed for this bill.

Related Bills

| Bill                         | Relationship         | Last Action  |
|------------------------------|----------------------|--|
| <a href="#">107 HRES 199</a> | Procedurally related | <b>Jul 19, 2001:</b> Motion to reconsider laid on the table Agreed to without objection. |

Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2002 (Kenneth M. Ludden Foreign Operations, Export Financing, and Related Programs Appropriations Act, Fiscal Year 2002) - **Title I: Export and Investment Assistance** - Makes appropriations for FY 2002 for: (1) direct loans, loan guarantees, tied-aid grants, insurance, and administrative expenses under Export-Import Bank programs; (2) Overseas Private Investment Corporation (OPIC) credit and insurance programs, including administrative expenses; and (3) the Trade and Development Agency.

**Title II: Bilateral Economic Assistance** - Makes appropriations for FY 2002 for: (1) expenses of the President in carrying out certain programs under the Foreign Assistance Act of 1961; (2) the U.S. Agency for International Development (AID) for child survival and disease programs (earmarking amounts for HIV/AIDS, polio, malaria, tuberculosis, and other infectious diseases), including family planning/reproductive health programs; (3) specified development assistance (earmarking amounts for children's basic education, Laos, plant biotechnology research and development (R&D), the International Fertilizer Development Center, the American Schools and Hospitals Abroad program, and for certain environment, clean energy, and energy conservation program activities); (4) Economic Support Fund (ESF) assistance (earmarking amounts to support democracy activities in Burma, democracy and humanitarian activities along the Burma-Thailand border, and for Burmese student groups and other organizations located outside Burma, Israel, Egypt, Jordan, Indonesia, Cyprus, Lebanon, East Timor, and the National Democratic Alliance of Sudan); (5) international disaster assistance (including such assistance to support transition to democracy and to long-term development of countries in crisis); (6) guaranteed loans for micro and small enterprise development programs and urban programs, with limitation; (7) the Foreign Service Retirement and Disability Fund; (8) operating expenses of AID and the AID Office of Inspector General (earmarking a specified amount for security-related costs); (9) the U.S. contribution to the International Fund for Ireland; (10) assistance for Eastern Europe and the Baltic States (earmarking specified amounts for Kosovo and for Bosnia and Herzegovina, and for the direct cost of modifying direct loans and guarantees for the Federal Republic of Yugoslavia); (11) assistance for the new Independent States of the former Soviet Union (subject to specified conditions, and earmarking amounts for the Southern Caucasus (especially the areas of Abkhazia and Nagorno-Karabagh), the health and other assistance needs of victims of trafficking in persons, the Russian Far East, the Ukraine, Armenia, and Georgia); (12) the Inter-American Foundation, the African Development Foundation, and the Peace Corps (with a prohibition on the use of such funds for abortions); (13) international narcotics control and law enforcement (earmarking amounts for anti-crime programs and anti-trafficking in persons programs); (14) counterdrug activities in the Andean region of South America; (15) migration and refugee assistance (earmarking a specified amount for refugees from the former Soviet Union and Eastern Europe and other refugees resettling in Israel); (16) the Emergency Refugee and Migration Assistance Fund; (17) nonproliferation, anti-terrorism, demining, and related programs and activities (including U.S. contributions to the International Atomic Energy Agency (IAEA), the Korean Peninsula Energy Development Organization (KEDO), and the Comprehensive Nuclear Test Ban Treaty Preparatory Commission), and earmarking an amount for the Nonproliferation and Disarmament Fund; (18) the Department of the Treasury for international affairs technical assistance activities; and (19) debt restructuring of concessional loans, guarantees, and credits made to, and the canceling of amounts owed to the United States by, eligible foreign countries.

Bars the availability of appropriated funds or unobligated balances from prior appropriations to any organization or program which supports coercive abortions or involuntary sterilizations. Authorizes funds to be made available, in order to reduce reliance on abortion in developing nations, to qualified voluntary family planning projects that: (1) offer directly or through referral, or offer information about access to, a broad range of family planning methods and services; and (2) meet specified requirements. Bars the use of funds under this Act to lobby for or against abortion. Bars the use of

development assistance funds for: (1) any activity which is in contravention to the Convention on International Trade in Endangered Species of Flora and Fauna (CITES); and (2) U.S. private and voluntary organizations (except any cooperative development organization) which obtain less than 20 percent of annual funding from sources other than the U.S. Government.

Authorizes the President to withhold funds for economic revitalization programs in Bosnia and Herzegovina if the President certifies to the Committees on Appropriations that: (1) the Federation of Bosnia and Herzegovina has not complied with article III of annex 1-A of the General Framework Agreement for Peace in Bosnia and Herzegovina concerning the withdrawal of foreign forces; and (2) intelligence cooperation on training, investigations, and related activities between Iranian officials and Bosnian officials has not been terminated.

**Title III: Military Assistance** - Makes appropriations for FY 2002 for: (1) expanded international military education and training (IMET) to Algeria, Indonesia, and Guatemala; (2) foreign military financing grants (earmarking amounts for Israel, Jordan, Tunisia, Egypt, Thailand, and Armenia); and (3) international peacekeeping operations (subject to certain conditions).

Prohibits foreign military financing for Sudan, Liberia, and Guatemala.

**Title IV: Multilateral Economic Assistance** - Makes appropriations for FY 2002 for the U.S. contribution to: (1) the Global Environment Facility of the International Bank for Reconstruction and Development (World Bank); (2) International Development Association (IDA); (3) the Multilateral Investment Guarantee Agency; (4) the Inter-American Investment Corporation; (5) the Asian Development Fund; (6) the African Development Bank; (7) the African Development Fund; (8) the European Bank for Reconstruction and Development; and (9) the International Fund for Agricultural Development.

Directs the Secretary of the Treasury to instruct the U.S. executive director to the World Bank to vote against any water or sewage project in India that does not prohibit the use of scavenger labor.

Makes appropriations for FY 2002 for international programs and organizations (earmarking an amount for the World Food Program). Prohibits the use of funds for the KEDO or the IAEA.

**Title V: General Provisions** - Sets forth limits on the use of appropriations, including that no more than 15 percent of such appropriations shall be obligated during the last month of availability.

(Sec. 503) Sets forth limits on the use of appropriations, including specified maximums for official residence expenses, entertainment expenses, and representation allowances for AID and for entertainment and representation allowances for the Inter-American Foundation and the Trade and Development Agency. Limits the amount of funds for entertainment expenses of the Peace Corps and entertainment allowances under IMET and for entertainment and representation allowances under the Foreign Military Financing Program.

(Sec. 506) Prohibits the use of funds for: (1) the export of nuclear equipment, fuel, or technology (except for nuclear safety purposes); (2) direct assistance or reparations to Cuba, Iraq, Libya, North Korea, Iran, Sudan, or Syria; (3) assistance (excluding assistance to promote democracy) to the government of any country whose duly elected head of government is deposed by military coup or decree; (4) certain transfers between appropriations accounts without prior presidential consultation with Congress; (5) assistance to any country in default in excess of a year on payments on a U.S. loan (unless the President determines such assistance is in the national interest); and (6) assistance (except in certain circumstances) for production of any commodity for export by a foreign country if the commodity is likely to be in surplus on world markets when the resulting productive capacity is expected to become operative, and if the assistance

will cause substantial injury to U.S. producers of a similar commodity.

(Sec. 514) Directs the Secretary of the Treasury to instruct the U.S. Executive Directors of specified international financial institutions to oppose any assistance for the production or extraction of any commodity or mineral for export if it is in surplus on world markets and such assistance will cause substantial injury to U.S. producers of a similar commodity.

(Sec. 516) Declares that funds appropriated for foreign operations, export financing, and related programs, that are returned or not made available for international organizations and programs shall remain available for obligation until FY 2003.

(Sec. 517) Prohibits the availability of assistance for the Independent States of the former Soviet Union to a government of such an Independent State: (1) unless it is making progress in implementing comprehensive economic reforms based on market principles, private ownership, respect for commercial contracts, and equitable treatment of foreign private investment; (2) if it applies or transfers U.S. assistance to any entity for the purpose of expropriating or seizing ownership of assets, investments, or ventures (unless the President determines such assistance is in the national interest); (3) if it directs action in violation of the territorial integrity or national sovereignty of any other Independent State of the former Soviet Union; or (4) to enhance its military capability (except for demilitarization, demining, or nonproliferation programs). Subjects such assistance for the Russian Federation, Armenia, Georgia, and the Ukraine to the regular notification procedures of the Committees on Appropriations.

(Sec. 518) Prohibits the use of development assistance funds for abortions or involuntary sterilizations as methods of family planning, to motivate or coerce any person to practice abortions, or to provide any financial incentive to undergo sterilization.

(Sec. 519) Limits to no more than five percent the amount of export financing funds (other than for administrative expenses) that can be transferred from one appropriation to another, with no appropriation being increased by more than 25 percent by such transfer.

(Sec. 520) Prohibits the use of funds for Colombia, Haiti, Liberia, Serbia, Sudan, Zimbabwe, Pakistan, or the Democratic Republic of Congo, except through the regular notification procedures of the Committees on Appropriations.

(Sec. 522) Makes funds available to AID for child survival and disease prevention programs in developing countries.

(Sec. 523) Bars funding for indirect assistance or reparations to Cuba, Iraq, Libya, Iran, Syria, North Korea, or Sudan, unless the President certifies that the withholding of such funds is contrary to the U.S. national security interest.

(Sec. 524) Requires the Department of Defense (DOD) to notify the Committees on Appropriations before providing excess DOD articles to certain NATO and major non-NATO countries.

(Sec. 526) Earmarks National Endowment for Democracy funds for China for activities to support democracy, human rights, and the rule of law, including specified amounts for the Human Rights and Democracy Fund of the Bureau of Democracy, Human Rights and Labor, Department of State, for such activities, and to nongovernmental organizations located outside the People's Republic of China to support activities which preserve cultural traditions and promote sustainable development and environmental conservation in Tibetan communities.

Makes ESF assistance (along with other assistance provided by this section) available for programs and activities to foster democracy, human rights, press freedoms, women's development, and the rule of law in countries with a significant Muslim population, and where such programs and activities would be important to U.S. efforts to respond to, deter, or

prevent acts of international terrorism.

(Sec. 527) Prohibits bilateral assistance funds to any country which the President determines grants sanctuary from prosecution to any individual or group which has committed an act of international terrorism or otherwise supports such activities. Authorizes a waiver of this prohibition by the President for national security and humanitarian reasons, requiring notification to the Committees on Appropriations.

(Sec. 528) Authorizes nongovernmental organizations which are AID grantees or contractors to place funds made available to them under this Act in interest bearing accounts in order to enhance their participation in economic activities under the Foreign Assistance Act of 1961, including endowments and debt-for-development and debt-for-nature exchanges.

(Sec. 529) Directs the Administrator of AID to require foreign countries that receive foreign assistance which results in the generation of local currencies to deposit such currencies in a separate account to be used to finance foreign assistance activities.

(Sec. 530) Prohibits payments to any international financial institution while the U.S. Executive Director to the institution is compensated at a rate in excess of that for Level IV of the Executive Schedule.

(Sec. 531) Bars assistance to any country that is not in compliance with the United Nations (UN) sanctions against Iraq, unless the President certifies to the Congress that such assistance: (1) is in the U.S. national interest; (2) will directly benefit the needy people in that country; or (3) will be humanitarian assistance for foreign nationals who have fled Iraq and Kuwait.

(Sec. 532) Declares that provisions under this or any other Act authorizing appropriations for foreign operations or export financing shall not be construed to prohibit activities authorized by the Peace Corps Act, the Inter-American Foundation Act, or the African Development Foundation Act. Requires an agency to report to the Committees on Appropriations whenever it is conducting or proposing activities in a country for which such assistance is prohibited.

(Sec. 533) Prohibits the use of funds to provide: (1) any financial incentive to a business for purposes of inducing it to relocate outside the United States if it will reduce the number of employees in the United States; or (2) assistance for any project that contributes to the violation of internationally recognized workers rights in the recipient country.

(Sec. 534) Declares that funds appropriated under this Act for Afghanistan, Lebanon, Montenegro, and for victims of war, displaced children, and displaced Burmese may be made available notwithstanding any other provision of law. Subjects funds to Cambodia to certain conditions.

Authorizes the use of foreign assistance funds to support tropical forestry and biodiversity conservation programs and energy programs aimed at reducing greenhouse gas emissions.

Authorizes AID to employ up to 25 personal services contractors in the United States to provide support for specified new or expanded overseas programs until permanent direct hire personnel are hired and trained.

Authorizes the President to waive certain prohibitions with respect to the Palestine Liberation Organization (PLO) if the President determines and certifies to Congress that it is in the national interest.

Authorizes the President during FY 2002 to use up to \$45 million (currently, \$25 million) of foreign assistance funds for unanticipated emergency contingencies.

Authorizes AID, in entering into multiple award indefinite-quantity contracts with funds appropriated by this Act, to provide an exception to the fair opportunity process for placing task orders under such contracts when the order is placed with any category of small or small disadvantaged business.

(Sec. 535) Expresses the sense of the Congress with respect to: (1) immediate public renunciation by Arab League countries of the boycotts of Israel (reinstated in 1997) and of American firms having commercial ties with Israel; and (2) steps the President should take to encourage such renunciation and help such countries normalize their relations with Israel.

(Sec. 536) Authorizes the use of ESF funds to strengthen the administration of justice in countries in Latin America, the Caribbean, and in other regions.

(Sec. 537) Declares that restrictions on assistance to foreign countries contained in this Act or any other Act (except those relating to international terrorism or human rights violations) shall not be construed to restrict assistance: (1) in support of certain programs of nongovernmental organizations; or (2) under specified provisions of the Agricultural Trade Development and Assistance Act of 1954.

(Sec. 538) Authorizes the reprogramming of earmarked appropriations for other programs within the same account, provided certain requirements are met. Sets forth certain other requirements with respect to ceilings and earmarks of appropriations under this Act.

(Sec. 540) Prohibits the use of funds for publicity or propaganda purposes within the United States that were not authorized before the enactment of this Act. Earmarks amounts for private and voluntary organizations to deal with world hunger problems abroad.

(Sec. 541) Declares that assistance under this Act should make full use of American resources, including commodities, products, and services, to the maximum extent practicable.

(Sec. 542) Prohibits the use of funds to pay any assessments, arrearages, or dues of any UN member (including costs for attendance of another country's delegation at international conferences held under the auspices of multilateral or international organizations).

(Sec. 543) Prohibits the provision of funds to a nongovernmental organization that fails to provide any document, file, or record necessary to the auditing requirements of AID.

(Sec. 544) Prohibits the provision of funds to any foreign government that provides lethal military equipment to a country that the Secretary of State has determined has a terrorist government, unless the President determines that the furnishing of such assistance is in the U.S. national interest.

(Sec. 545) Withholds assistance to a foreign country in an amount equal to 110 percent of the total unpaid parking fines and penalties owed by the country to the District of Columbia.

(Sec. 546) Prohibits the obligation of any appropriations for the PLO for the West Bank and Gaza unless the President has exercised certain authorities to suspend prohibitions on assistance to the PLO.

(Sec. 547) Permits the President to provide up to a specified amount of commodities and services to the UN War Crimes Tribunal if doing so will contribute to a just resolution of charges regarding genocide or other violations of international law in the former Yugoslavia.

(Sec. 548) Authorizes disposal on a grant basis in foreign countries of demining equipment used in support of the clearance of land mines and unexploded ordnance for humanitarian purposes.

Amends the National Defense Authorization Act for Fiscal Year 1993 to extend for a five year period the prohibition on the transfer of anti-personnel landmines (which currently terminates on October 23, 2003).

(Sec. 549) Prohibits the obligation of appropriations to create in Jerusalem a new U.S. agency office for the purpose of conducting U.S. business with the Palestinian Authority over Gaza and Jericho (or any successor Palestinian governing entity) provided for in the Israel-PLO Declaration of Principles.

(Sec. 550) Prohibits the obligation of certain funds to pay for: (1) alcoholic beverages; or (2) entertainment expenses for recreational activities.

(Sec. 551) Authorizes the President to reduce amounts owed to the United States by eligible countries as a result of: (1) housing guarantees made pursuant to the Foreign Assistance Act of 1961; (2) credits extended or guarantees issued under the Arms Export Control Act; or (3) any obligation to pay for purchases of U.S. agricultural commodities guaranteed by the Commodity Credit Corporation.

Permits exercise of such authority only: (1) to implement multilateral official debt relief and referendum agreements known as the Paris Club Agreed Minutes; and (2) with respect to countries with heavy debt burdens that are eligible to borrow from the International Development Association (but not from the International Bank for Reconstruction and Development) (IDA-only countries). Prescribes additional conditions for the exercise of such authority.

(Sec. 552) Authorizes the President to engage in certain debt buybacks or sales. Authorizes sale, reduction, or cancellation of certain loans to foreign governments, upon receipt of payment from an eligible purchaser that plans to use such loans only for the purposes of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps. Limits such authority to funds appropriated by this Act under the heading of debt restructuring.

(Sec. 553) Prohibits the United States from paying any voluntary contribution to the UN, including the UN Development Program, unless the President certifies to Congress 15 days in advance of such payment that the UN is not engaged in any effort to implement or impose any taxation on U.S. persons in order to raise revenue for itself or any of its specialized agencies.

(Sec. 554) Makes the Government of Haiti eligible to purchase U.S. defense articles and services for its Coast Guard.

(Sec. 555) Prohibits the obligation of any appropriations for the PLO unless the President certifies to Congress that it is in the U.S. national security interests.

(Sec. 556) Prohibits the use of funds for the security forces of a foreign country if the Secretary of State believes they have committed gross violations of human rights, unless the Secretary reports to the Committees on Appropriations that such country is taking steps to bring the responsible persons to justice.

(Sec. 557) Prohibits the use of funds for the Government of the Russian Federation unless the President certifies to specified congressional committees that the Federation has not enacted laws or promulgated executive orders that discriminate against religious minorities in violation of international agreements on human rights and religious freedoms to which it is a party.

(Sec. 558) Earmarks specified foreign assistance funds for Israel, Egypt, Jordan, Lebanon, the West Bank and Gaza, the

Israel-Lebanon Monitoring Group, the Multinational Force and Observers, the Middle East Regional Democracy Fund, Middle East Regional Cooperation, and Middle East Multilateral Working Groups.

(Sec. 559) Earmarks funds appropriated by this Act to support policies and actions in developing countries and countries in transition that promote energy conservation and efficient energy production and use, that measure, monitor, and reduce greenhouse gas emissions, increase carbon sequestration activities, and enhance climate change mitigation programs.

Directs the President to report to the Committees on Appropriations on all U.S. obligations and expenditures for the reduction of greenhouse gas emissions in the United States and in developing countries.

(Sec. 560) Directs the Secretary of the Treasury to instruct the U.S. executive director of each international financial institution to vote against the extension of any loans to the Government of Zimbabwe (except to meet basic human needs or promote democracy) unless the Secretary of State certifies to the Committees on Appropriations that the rule of law has been restored there, including respect for ownership and title to property, and freedom of speech and association.

(Sec. 561) Makes available to the Comptroller General certain funds to monitor earthquake relief and reconstruction efforts in El Salvador.

(Sec. 562) Requires the President to submit to specified congressional committees a plan for the distribution of the assets of an Enterprise Fund before any distribution resulting from liquidation, dissolution, or winding up of the Fund.

(Sec. 563) Directs the Secretary of the Treasury to instruct the U.S. executive directors of international financial institutions to oppose loans to the Central Government of Cambodia (except loans to support basic human needs). Prohibits the availability of funds under this Act for assistance for the Central Government of Cambodia unless the Secretary of State determines and reports to the Committees on Appropriations that such Government is making progress in resolving outstanding human rights cases, holding elections, and protecting the environment and its natural resources.

Permits the use of funds, notwithstanding such prohibition, for assistance to the Government of Cambodia's Ministry of Women and Veteran's Affairs to combat human trafficking, subject to regular notification procedures of the Committees on Appropriations.

Prohibits the use of funds appropriated by this Act to provide equipment, technical support, consulting services, or any other form of assistance to any tribunal established by the Government of Cambodia pursuant to a memorandum of understanding with the UN unless the President certifies to Congress that the tribunal is capable of delivering justice for crimes against humanity and genocide in an impartial and credible manner.

(Sec. 564) Directs the Secretaries of Defense and of State to report jointly to Congress on all overseas military training provided to, and proposed to be provided to, foreign military personnel under programs administered by the Defense and State Departments during FY 2001 and 2002.

(Sec. 565) Earmarks specified funds for KEDO for administrative expenses and heavy fuel oil costs associated with the Agreed Framework (Joint Declaration on Denuclearization of the Korean Peninsula). Makes such funds available to KEDO if the President certifies to Congress that North Korea is complying with the provisions of the Agreed Framework.

(Sec. 566) Imposes specified sanctions with respect to the PLO or the Palestinian Authority if the President determines, and reports to Congress, that such entities have not complied with certain commitments made with Israel. Authorizes the



President to waive such sanctions if it is in the U.S. national security interest.

(Sec. 567) Makes funds appropriated by this Act or prior similar Acts available for assistance for the Colombian Armed Forces only if the Secretary of State has certified to the appropriate congressional committees that such armed forces are cooperating in bringing to justice those members of the armed forces who have committed gross violations of human rights, including extra-judicial killings.

(Sec. 568) Prohibits the Secretary of State from issuing a visa to any alien who the Secretary determines has willfully provided (or conspired to provide) support to the Revolutionary Armed Forces of Colombia (FARC), the National Liberation Army (ELN), or the United Self-Defense Forces of Colombia (AUC). Provides for waiver of such prohibition.

(Sec. 569) Bars the use of funds appropriated under this Act to provide equipment, technical support, consulting services, or any other assistance to the Palestinian Broadcasting Corporation.

(Sec. 570) Makes ESF funds available for programs benefitting the Iraqi people and to support efforts to bring about political transition in Iraq (subject to specified conditions).

(Sec. 571) Requires the Secretary of State, 30 days prior to the obligation of ESF funds for the bilateral West Bank and Gaza Program, to certify to the appropriate congressional committees that procedures have been established to ensure that the Comptroller General will have access to appropriate U.S. financial information in order to review the uses of such funds under the Program.

(Sec. 572) Makes IMET and foreign military financing program funds available for Indonesian military personnel if the President determines and reports to the appropriate congressional committees that the Government of Indonesia and the Indonesian Armed Forces are: (1) taking effective measures to bring to justice members of the armed forces and militia groups against whom there is evidence of human rights violations in East Timor and Indonesia; (2) allowing displaced persons to return home to East Timor; (3) cooperating with investigations and prosecutions of members of the Indonesian Armed Forces and militia groups responsible for human rights violations in Indonesia and East Timor; (4) demonstrating a commitment to civilian control of the armed forces; (5) allowing UN and other international humanitarian organizations and representatives of recognized human rights organizations access to West Timor, Aceh, West Papua, and Maluku; and (6) releasing political prisoners.

(Sec. 573) Directs the Department of State to report periodically to the appropriate congressional committees on any discussions conducted between any executive branch agency and the government of Taiwan during the preceding 120 days (or, in the case of the initial briefing, since the date of enactment of this Act) on any potential purchase of defense articles or defense services by the government of Taiwan.

(Sec. 574) Bars the use of funds appropriated by this Act for assistance for the government of any country that has been determined to have: (1) knowingly facilitated the passage of weapons or other equipment, or provided lethal or non-lethal military support or equipment, directly or through intermediaries, within the previous six months to the Sierra Leone Revolutionary United Front (RUF), Liberian Armed Forces, or any group intent on destabilizing the democratically elected government of the Republic of Sierra Leone; or (2) aided or abetted, within the previous six months, in the illicit distribution, transportation, or sale of diamonds mined in Sierra Leone.

(Sec. 575) Amends the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2000 to authorize voluntary separation incentive payments to AID employees who voluntarily separate (whether by retirement or resignation) on or before December 31, 2002, in order to eliminate AID positions and functions contained in a mandatory

strategic plan outlining such payments.

(Sec. 576) Limits the amount of international organizations and programs funds for FY 2002 for the United Nations Population Fund (UNFPA). Prohibits the availability of such funds for an UNFPA country program in China. Conditions the availability of funds to UNFPA upon its maintenance of them in a separate, non-commingled account, and on its not funding abortions as a method of family planning.

(Sec. 577) Urges, to the fullest extent possible, investigation and publication of information relevant to the December 2, 1980, murders of four American churchwomen in El Salvador, and the May 5, 2001, murder of Sister Barbara Ann Ford and the murder of six others in Guatemala. since December 1999.

(Sec. 578) Directs the Secretary of the Treasury to withhold ten percent of the U.S. payment to any international financial institution until the Secretary certifies that such institution has implemented certain procurement and financial management reforms.

(Sec. 579) Makes funds for development assistance for basic education available to Indonesia and Pakistan. Transfers ESF assistance for Pakistan to operating expenses of the AID to monitor and implement U.S. economic support of basic education, health, and democracy and governance activities in Pakistan. Requires the Administrator of AID to report to specified congressional committees on AID's proposed allocation of basic education funding for Indonesia and Pakistan.

(Sec. 580) Authorizes the commercial leasing of defense articles (instead of the government-to-government sale) to Israel, Egypt, NATO, and major non-NATO allies if the President determines that there are compelling foreign policy or national security reasons.

(Sec. 581) Bars the use of funds made available by this Act for assistance (except humanitarian assistance and assistance for democratization), and the Secretary of the Treasury shall instruct the U.S. executive directors of the international financial institutions to vote against any new project involving the extension of financial or technical assistance, to any country (Bosnia and Herzegovina, Croatia and Serbia) that has failed to take necessary steps to implement its international legal obligations to apprehend and transfer to the International Criminal Tribunal for the Former Yugoslavia all persons in their territory who have been indicted by the Tribunal and to otherwise cooperate with it.

(Sec. 582) Directs the Secretary of the Treasury to instruct the U.S. executive directors at specified international financial institutions to oppose any loan that would require user fees or service charges on poor people for primary education or primary health care, including prevention and treatment efforts for HIV/AIDS, malaria, tuberculosis, and infant, child, and maternal well-being, in connection with the institution's lending programs.

(Sec. 583) Amends the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2001 to increase the authorization of appropriations for FY 2001 through 2003 for U.S. contributions to the Heavily Indebted Poor Countries (HIPC) Trust Fund of the World Bank.

(Sec. 584) Makes funds appropriated by this Act available after March 31, 2002, for assistance for Serbia if the President determines and certifies to the Committees on Appropriations that the Government of the Federal Republic of Yugoslavia is: (1) cooperating with the International Criminal Tribunal for Yugoslavia, including regarding the surrender and transfer of indictees or assistance in their apprehension; (2) taking steps consistent with the Dayton Accords to end Serbian financial, political, security and other support which has served to maintain separate Republika Srpska institutions; and (3) taking steps to implement policies which reflect a respect for minority rights and the rule of law, including the release of all political prisoners from Serbian jails and prisons. Declares that such requirements shall not apply to Montenegro,

Kosovo, humanitarian assistance, or assistance to promote democracy in municipalities.

(Sec. 585) Earmarks specified amounts of funds, subject to certain conditions, for rehabilitation and reconstruction assistance for El Salvador. Urges a specified amount of funds managed by AID to be made available for mitigation of the drought and rural food shortages elsewhere in Central America.

(Sec. 586) Amends the United States-Hong Kong Policy Act to extend through March 31, 2006, a certain requirement that the Secretary of State report annually to the Speaker of the House of Representatives and the chairman of the Senate Committee on Foreign Relations on conditions in Hong Kong of interest to the United States.

(Sec. 587) Authorizes the use of certain foreign assistance funds to enhance the effectiveness and accountability of civilian police authority in Jamaica through training and technical assistance in internationally recognized human rights, the rule of law, strategic planning, and through the promotion of civilian police roles that support democratic governance, including programs to prevent conflict and foster improved police relations with the community.

(Sec. 588) Authorizes the Secretary of the Treasury to make a U.S. contribution to the fifth replenishment of the resources of the International Fund for Agricultural Development. Earmarks specified amounts for the Asian Development Fund and for the International Fund for Agricultural Development. Requires the Export-Import Bank of the United States to continue to exercise its functions through March 31, 2002.

(Sec. 589) Authorizes for FY 2002 and 2003 the use of funds made available to the Department of Defense (DOD) for crating, packing, handling, and transportation of excess defense articles to Albania, Bulgaria, Croatia, Estonia, the Former Yugoslavia Republic of Macedonia, Georgia, India, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Moldova, Mongolia, Pakistan, Romania, Slovakia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan.

Amends Federal law to extend through FY 2003 DOD authority to transfer excess defense articles to countries eligible to participate in the Partnership for Peace program and eligible for assistance under the Support for East European Democracy (SEED) Act of 1989.

(Sec. 590) Prohibits the use of funds made available under this Act by OPIC and the Export-Import Bank of the United States to insure, reinsure, guarantee, finance, or extend credit in any project involving the mining, polishing or other process, or sale of diamonds in a country that fails to meet certain requirements with respect to the export and import of rough diamonds.

(Sec. 591) Specifies conditions for U.S. assistance in FY 2002 to any Western Hemisphere country identified by the President as a major drug-transit country or major illicit drug producing country, and designated as having failed to make substantial efforts to adhere to its obligations under international counternarcotics agreements and to take certain counternarcotics measures. Authorizes U.S. assistance to such a country only if the President reports to the appropriate congressional committees that the provision of such assistance is vital to the national interests of the United States, or that such country has made substantial efforts to adhere to its obligations under international counternarcotics agreements and has taken certain counternarcotics measures.

(Sec. 592) Declares that this Act may be cited as the Kenneth M. Ludden Foreign Operations, Export Financing, and Related Programs Appropriations Act, Fiscal Year 2002.

## Actions Timeline

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- **Jan 10, 2002:** Signed by President.
- **Jan 10, 2002:** Signed by President.
- **Jan 10, 2002:** Became Public Law No: 107-115.
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- **Jan 4, 2002:** Presented to President.
- **Jan 4, 2002:** Presented to President.
- **Dec 20, 2001:** Conference report considered in Senate by Unanimous Consent.
- **Dec 20, 2001:** Conference report agreed to in Senate: Senate agreed to conference report by Unanimous Consent.(consideration: CR S13894-13902)
- **Dec 20, 2001:** Senate agreed to conference report by Unanimous Consent. (consideration: CR S13894-13902)
- **Dec 20, 2001:** Message on Senate action sent to the House.
- **Dec 19, 2001:** Conference report filed: Conference report H. Rept. 107-345 filed.(text of conference report: CR H10373-10400)
- **Dec 19, 2001:** Conference report H. Rept. 107-345 filed. (text of conference report: CR H10373-10400)
- **Dec 19, 2001:** Conference papers: Senate report and manager's statement and message on House action held at the desk in Senate.
- **Dec 19, 2001:** AUTHORITY TO CALL UP CONFERENCE REPORT - Mr. Kolbe asked unanimous consent that it shall be in order at any time on Wednesday, December 19, 2001, to consider the conference report to accompany H.R. 2506; that all points of order be waived against the conference report and against its consideration; and that the conference report shall be considered as read when called up for consideration. Agreed to without objection.
- **Dec 19, 2001:** Mr. Kolbe brought up conference report H. Rept. 107-345 by previously agreed to special order. (consideration: CR H10373-10400, H10442-10462)
- **Dec 19, 2001:** DEBATE - The House proceeded with one hour of debate on the conference report.
- **Dec 19, 2001:** The previous question was ordered without objection.
- **Dec 19, 2001:** Conference report agreed to in House: On agreeing to the conference report Agreed to by the Yeas and Nays: 357 - 66 (Roll no. 505).
- **Dec 19, 2001:** Motions to reconsider laid on the table Agreed to without objection.
- **Dec 19, 2001:** On agreeing to the conference report Agreed to by the Yeas and Nays: 357 - 66 (Roll no. 505).
- **Dec 18, 2001:** Conference committee actions: Conferees agreed to file conference report.
- **Dec 18, 2001:** Conferees agreed to file conference report.
- **Nov 14, 2001:** Conference committee actions: Conference held.
- **Nov 14, 2001:** Conference held.
- **Nov 7, 2001:** Mr. Kolbe asked unanimous consent that the House disagree to the Senate amendment, and agree to a conference.
- **Nov 7, 2001:** On motion that the House disagree to the Senate amendment, and agree to a conference Agreed to without objection. (consideration: CR H7859)
- **Nov 7, 2001:** The Speaker appointed conferees: Kolbe, Callahan, Knollenberg, Kingston, Lewis (CA), Wicker, Bonilla, Sununu, Young (FL), Lowey, Pelosi, Jackson (IL), Kilpatrick, Rothman, and Obey.
- **Nov 7, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Oct 29, 2001:** Message on Senate action sent to the House.
- **Oct 24, 2001:** Considered by Senate. (consideration: CR S10908, S10911-10917, S10919-10922, S10924-10969)
- **Oct 24, 2001:** Passed/agreed to in Senate: Passed Senate with an amendment by Yea-Nay Vote. 96 - 2. Record Vote Number: 312.(text: CR 10/25/2001 S11131-11148)
- **Oct 24, 2001:** Passed Senate with an amendment by Yea-Nay Vote. 96 - 2. Record Vote Number: 312. (text: CR 10/25/2001 S11131-11148)
- **Oct 24, 2001:** Senate insists on its amendment, asks for a conference, appoints conferees Leahy, Inouye, Harkin, Mikulski, Durbin, Johnson, Landrieu, Reed, Byrd, McConnell, Specter, Gregg, Shelby, Bennett, Campbell, Bond and Stevens.
- **Oct 23, 2001:** Motion to proceed to measure considered in Senate. (consideration: CR S10853-10868, S10871, 10879-10899 )
- **Oct 23, 2001:** Cloture on the motion to proceed not invoked in Senate by Yea-Nay Vote. 50 - 47. Record Vote Number:

- **Oct 23, 2001:** Motion by Senator Daschle to reconsider the vote by which cloture was not invoked on the motion to proceed entered in Senate.
- **Oct 23, 2001:** Motion to reconsider withdrawn in Senate by Unanimous Consent.
- **Oct 23, 2001:** Motion to proceed to consideration of measure agreed to in Senate by Unanimous Consent.
- **Oct 23, 2001:** Measure laid before Senate by motion.
- **Oct 23, 2001:** The committee substitute agreed to by Unanimous Consent.
- **Oct 16, 2001:** Motion to proceed to measure considered in Senate. (consideration: CR S10747-10765)
- **Oct 15, 2001:** Motion to proceed to measure considered in Senate. (consideration: CR S10682-10685)
- **Oct 15, 2001:** Cloture not invoked in Senate by Yea-Nay Vote. 50 - 46. Record Vote Number: 303. (consideration: CR S10685)
- **Oct 15, 2001:** Second cloture motion on the motion to proceed presented in Senate.
- **Oct 12, 2001:** Motion to proceed to consideration of measure made in Senate. (consideration: CR 10/11/2001 S10667)
- **Oct 12, 2001:** Cloture motion on the motion to proceed presented in Senate. (consideration: CR 10/11/2001 S10667)
- **Sep 4, 2001:** Committee on Appropriations. Reported by Senator Leahy with an amendment in the nature of a substitute. With written report No. 107-58.(text of measure as reported in Senate: CR 10/23/2001 S10879-10893)
- **Sep 4, 2001:** Committee on Appropriations. Reported by Senator Leahy with an amendment in the nature of a substitute. With written report No. 107-58. (text of measure as reported in Senate: CR 10/23/2001 S10879-10893)
- **Sep 4, 2001:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 147.
- **Jul 26, 2001:** Committee on Appropriations. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 25, 2001:** Received in the Senate and Read twice and referred to the Committee on Appropriations.
- **Jul 24, 2001:** Considered as unfinished business. (consideration: CR H4437-4481; text of Title I as reported in House: CR H4437-4438; text of Title II as reported in House: CR H4454-4455, H4497-4498, H4502-4503; text of Title III as reported in House: CR H4503; text of Title IV as reported in House: CR H4503-4512, H4514-4515)
- **Jul 24, 2001:** The House resolved into Committee of the Whole House on the state of the Union for further consideration.
- **Jul 24, 2001:** DEBATE - UNLESS OTHERWISE SPECIFIED, DEBATE ON AMENDMENTS WILL PROCEED UNDER THE FIVE-MINUTE RULE.
- **Jul 24, 2001:** VOTE POSTPONED - At the conclusion of debate on the Visclosky amendment, the Chair put the question on the adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Visclosky demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 24, 2001:** VOTE POSTPONED - At the conclusion of debate on the Paul amendment, the Chair put the question on the adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Paul demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 24, 2001:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Jul 24, 2001:** VOTE POSTPONED - At the conclusion of debate on the Lee amendment, the Chair put the question on the adoption of the amendment and by voice vote, announced that the noes had prevailed. Ms. Lee demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 24, 2001:** DEBATE - The Committee of the Whole continued with debate on the McGovern amendment.
- **Jul 24, 2001:** VOTE POSTPONED - At the conclusion of debate on the McGovern amendment, the Chair put the question on the adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. McGovern demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 24, 2001:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Jul 24, 2001:** Committee of the Whole House on the state of the Union rises leaving H.R. 2506 as unfinished business.
- **Jul 24, 2001:** ORDER OF PROCEDURE - It was made in order that during further consideration of H.R. 2506 that no further amendment to the bill may be offered except (1) Pro forma amendments offered by the chairman or ranking minority member of the Committee on Appropriations or their designees for the purpose of debate; (2) The

amendments printed in the Congressional Record and numbered 4, 7, 30, 33, 38, 44 and 59 which shall be debatable for 10 minutes each; (3) the amendments printed in the Congressional Record and numbered 8, 11, 47, 50, 55 and 61 which shall be debatable for 20 minutes each; (4) the amendments printed in the Congressional Record and numbered 5, 23, and 34, which shall be debatable for 30 minutes each; (5) the amendment printed in the Congressional Record numbered 32 and an amendment by Mr. Conyers of Michigan, debatable for 40 minutes each.

- **Jul 24, 2001:** Considered as unfinished business. (consideration: CR H4481-4530)
- **Jul 24, 2001:** VOTE POSTPONED - At the conclusion of debate on the Brown (OH) amendment, the Chair put the question on the adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Brown demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 24, 2001:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 40 minutes of debate on the Pelosi amendment pending reservation of a point of order.
- **Jul 24, 2001:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Kaptur amendment, pending reservation of a point of order.
- **Jul 24, 2001:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 40 minutes of debate on the Conyers amendment.
- **Jul 24, 2001:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Hoekstra amendment.
- **Jul 24, 2001:** Mr. Smith (NJ) raised a point of order against the content of the measure. Section 539 constituted legislation in an appropriations bill. The Chair sustained the point of order.
- **Jul 24, 2001:** Mr. Smith (NJ) raised a point of order against the content of the measure. Section 577 constituted legislation in an appropriations bill. The Chair sustained the point of order.
- **Jul 24, 2001:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Smith (NJ) amendment, pending reservation of a point of order.
- **Jul 24, 2001:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Conyers amendment.
- **Jul 24, 2001:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 30 minutes of debate on the Smith (NJ) amendment.
- **Jul 24, 2001:** VOTE POSTPONED - At the conclusion of debate on the Smith (NJ) amendment, the Chair put the question on the adoption of the amendment and by voice vote, announced that the noes had prevailed. Mr. Smith (NJ) demanded a recorded vote and pursuant to the rule, the Chair postponed further proceedings on the question of adoption of the amendment until later in the legislative day.
- **Jul 24, 2001:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Brown (OH) amendment, pending reservation of a point of order.
- **Jul 24, 2001:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 30 minutes of debate on the Kucinich amendment.
- **Jul 24, 2001:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 20 minutes of debate on the Ose amendment.
- **Jul 24, 2001:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Traficant amendment.
- **Jul 24, 2001:** DEBATE - Pursuant to a previous order of the House, the Committee of the Whole proceeded with 10 minutes of debate on the Traficant amendment.
- **Jul 24, 2001:** UNFINISHED BUSINESS - The Chair announced that the unfinished business was the question of adoption of amendments which had been debated earlier and on which further proceedings had been postponed.
- **Jul 24, 2001:** The House rose from the Committee of the Whole House on the state of the Union to report H.R. 2506.
- **Jul 24, 2001:** The previous question was ordered pursuant to the rule.
- **Jul 24, 2001:** The House adopted the amendments en gross as agreed to by the Committee of the Whole House on the state of the Union.
- **Jul 24, 2001:** Passed/agreed to in House: On passage Passed by the Yeas and Nays: 381 - 46 (Roll no. 266).
- **Jul 24, 2001:** On passage Passed by the Yeas and Nays: 381 - 46 (Roll no. 266).
- **Jul 24, 2001:** Motion to reconsider laid on the table Agreed to without objection.
- **Jul 19, 2001:** Rule H. Res. 199 passed House.
- **Jul 19, 2001:** Considered under the provisions of rule H. Res. 199. (consideration: CR H4333-4350)
- **Jul 19, 2001:** Rule provides for consideration of H.R. 2506 with 1 hour of general debate. Previous question shall be

considered as ordered without intervening motions except motion to recommit with or without instructions. The amendments printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Measure will be read by paragraph. Specified amendments are in order.

- **Jul 19, 2001:** House resolved itself into the Committee of the Whole House on the state of the Union pursuant to H. Res. 199 and Rule XXIII.
- **Jul 19, 2001:** The Speaker designated the Honorable Mac Thornberry to act as Chairman of the Committee.
- **Jul 19, 2001:** GENERAL DEBATE - The Committee of the Whole proceeded with one hour of general debate on H.R. 2506.
- **Jul 19, 2001:** DEBATE - UNLESS OTHERWISE SPECIFIED, THE COMMITTEE OF THE WHOLE WILL PROCEED WITH DEBATE ON AMENDMENTS UNDER THE 5-MINUTE RULE.
- **Jul 19, 2001:** The Committee of the Whole proceeded with debate on the amendment pending reservation of a point of order.
- **Jul 19, 2001:** The Committee of the Whole proceeded with debate on the amendment pending reservation of a point of order.
- **Jul 19, 2001:** The Committee of the Whole proceeded with debate on the amendment pending reservation of a point of order.
- **Jul 19, 2001:** The Committee of the Whole proceeded with debate on the amendment pending reservation of a point of order.
- **Jul 19, 2001:** Committee of the Whole House on the state of the Union rises leaving H.R. 2506 as unfinished business.
- **Jul 18, 2001:** Rules Committee Resolution H. Res. 199 Reported to House. Rule provides for consideration of H.R. 2506 with 1 hour of general debate. Previous question shall be considered as ordered without intervening motions except motion to recommit with or without instructions. The amendments printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted in the House and in the Committee of the Whole. Measure will be read by paragraph. Specified amendments are in order.
- **Jul 17, 2001:** Introduced in House
- **Jul 17, 2001:** The House Committee on Appropriations reported an original measure, H. Rept. 107-142, by Mr. Kolbe.
- **Jul 17, 2001:** The House Committee on Appropriations reported an original measure, H. Rept. 107-142, by Mr. Kolbe.
- **Jul 17, 2001:** Placed on the Union Calendar, Calendar No. 83.