

**(d) Consultation with States**

The Administrator shall consult with the participating States with regard to the educational opportunities available within each State and on the assignment of scholarship recipients.

**(e) Federal share**

The Federal share for each year for which a State receives payments under this section shall not be more than 50 percent.

**(f) Non-Federal share**

The non-Federal share of payments under this section may be in cash, including the waiver of tuition or the offering of in-State tuition or housing waivers or subsidies, or in-kind fairly evaluated, including the provision of books or supplies.

**(g) Forgiveness of scholarship assistance**

The obligation of any recipient to reimburse any entity for any or all scholarship assistance provided under this section shall be forgiven upon the recipient's prompt return to Poland or Hungary, as the case may be, for a period which is at least one year longer than the period spent studying in the United States with scholarship assistance.

**(h) Private sector participation**

To the maximum extent practicable, each participating State shall enlist the assistance of the private sector to enable the State to meet the non-Federal share of payments under this section. Wherever appropriate, each participating State shall encourage the private sector to offer internships or other opportunities consistent with the purposes of this section to students receiving scholarships under this section.

**(i) Funding**

Grants to States pursuant to this section shall be made with funds made available to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 and following; relating to development assistance) or chapter 4 of part II of that Act (22 U.S.C. 2346 and following; relating to the economic support fund). In addition to amounts otherwise available for such purpose under those chapters, there are authorized to be appropriated \$10,000,000 for the 3-year period beginning October 1, 1989, for use in carrying out this section.

**(j) Restrictions not applicable**

Prohibitions on the use of foreign assistance funds for assistance for Poland and Hungary shall not apply with respect to the funds made available to carry out this section.

**(k) "State" defined**

As used in this section, the term "State" means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, the Trust Territory of the Pacific Islands, and the Commonwealth of the Northern Mariana Islands.

(Pub. L. 101-179, title IV, § 402, Nov. 28, 1989, 103 Stat. 1315.)

## REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (i), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as

amended. Chapter 1 of part I and chapter 4 of part II of the Foreign Assistance Act of 1961 are classified generally to part I (§2151 et seq.) of subchapter I and part IV (§2346 et seq.) of subchapter II, respectively, of chapter 32 of this title. For provisions deeming references to part I of subchapter I to include a reference to section 2293 of this title, see section 2293(d)(1) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

## TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

**§ 5443. Science and technology exchange with Poland and Hungary****(a) Agreement with Poland**

There are authorized to be appropriated to the Secretary of State for purposes of continuing to implement the 1987 United States-Polish science and technology agreement—

- (1) \$1,500,000 for fiscal year 1990,
- (2) \$2,000,000 for fiscal year 1991, and
- (3) \$2,000,000 for fiscal year 1992.

**(b) Agreement with Hungary**

There are authorized to be appropriated to the Secretary of State for purposes of implementing the 1989 United States-Hungarian science and technology agreement—

- (1) \$500,000 for fiscal year 1990,
- (2) \$1,000,000 for fiscal year 1991, and
- (3) \$1,000,000 for fiscal year 1992.

**(c) Definition of agreements being funded**

For purposes of this section—

(1) the term "1987 United States-Polish science and technology agreement" refers to the agreement concluded in 1987 by the United States and Poland, entitled "Agreement Between the Government of the United States of America and the Polish People's Republic on Cooperation in Science and Technology and Its Funding", together with annexes relating thereto; and

(2) the term "1989 United States-Hungarian science and technology agreement" refers to the agreement concluded in 1989 by the United States and Hungary, entitled "Agreement Between the Government of the United States of America and the Government of the Hungarian People's Republic for Scientific and Technology Cooperation", together with annexes relating thereto.

(Pub. L. 101-179, title IV, § 403, Nov. 28, 1989, 103 Stat. 1316.)

## SUBCHAPTER IV—OTHER ASSISTANCE PROGRAMS

**§ 5451. Assistance in support of democratic institutions in Poland and Hungary****(a) Authorization of assistance**

In addition to amounts otherwise available for such purposes, there are authorized to be appropriated to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 and following; relating to the economic support fund) \$12,000,000 for the 3-year period beginning

October 1, 1989, which shall be available only for the support of democratic institutions and activities in Poland and Hungary.

**(b) Nonapplicability of other laws**

Assistance may be provided under this section notwithstanding any other provision of law.

(Pub. L. 101-179, title V, § 501, Nov. 28, 1989, 103 Stat. 1317.)

REFERENCES IN TEXT

The Foreign Assistance Act of 1961, referred to in subsec. (a), is Pub. L. 87-195, Sept. 4, 1961, 75 Stat. 424, as amended. Chapter 4 of part II of the Foreign Assistance Act of 1961 is classified to part IV (§2346 et seq.) of subchapter II of chapter 32 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

**§ 5452. Environmental initiatives for Poland and Hungary**

**(a) Priority for control of pollution**

The Congress recognizes the severe pollution problems affecting Poland and Hungary and the serious health problems which ensue from such pollution. The Congress therefore directs that a high priority be given in the implementation of assistance to Poland and Hungary to the control of pollution and the restoration of the natural resource base on which a sustainable, healthy economy depends.

**(b) EPA activities generally**

In addition to specific authorities contained in any of the environmental statutes administered by the Environmental Protection Agency, the Administrator of that Agency (hereinafter in this section referred to as the "Administrator") is authorized to undertake such educational, policy training, research, and technical and financial assistance, monitoring, coordinating, and other activities as the Administrator may deem appropriate, either alone or in cooperation with other United States or foreign agencies, governments, or public or private institutions, in protecting the environment in Poland and Hungary.

**(c) EPA activities in Poland**

The Administrator shall cooperate with Polish officials and experts to—

(1) establish an air quality monitoring network in the Krakow metropolitan area as a part of Poland's national air monitoring network; and

(2) improve both water quality and the availability of drinking water in the Krakow metropolitan area.

**(d) EPA activities in Hungary**

The Administrator shall work with other United States and Hungarian officials and private parties to establish and support a regional center in Budapest for facilitating cooperative environmental activities between governmental experts and public and private organizations from the United States and Eastern and Western Europe.

**(e) Funding of EPA activities**

To enable the Environmental Protection Agency to carry out subsections (b), (c), and (d),

there are authorized to be appropriated \$10,000,000 for the 3-year period beginning October 1, 1989, to carry out chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 and following; relating to development assistance) or chapter 4 of Part<sup>1</sup> II of that Act (22 U.S.C. 2346 and following; relating to the economic support fund). These funds may be used to carry out those subsections notwithstanding any provision of law relating to the use of foreign assistance funds.

**(f) Department of Energy activities relating to fossil fuels**

**(1) Clean coal**

The Secretary of Energy shall cooperate with Polish officials and experts to retrofit a coal-fired commercial powerplant in the Krakow, Poland, region with advanced clean coal technology that has been successfully demonstrated at a comparably scaled powerplant in the United States. Such retrofit shall be carried out by one or more United States companies using United States technology and equipment manufactured in the United States. The Secretary may vest title in any property acquired under this paragraph in an entity other than the United States.

**(2) Equipment assessment**

The Secretary of Energy shall cooperate with Polish officials and experts and companies within the United States to assess and develop the capability within Poland to manufacture or modify boilers, furnaces, smelters, or other equipment that will enable industrial facilities within Poland to use fossil fuels cleanly. The Secretary may vest title in any property acquired under this paragraph in an entity other than the United States.

**(3) Authorization of appropriations**

To carry out paragraphs (1) and (2) of this subsection, there are authorized to be appropriated \$30,000,000 for the 3-year period beginning October 1, 1989. Not more than \$10,000,000 of the funds appropriated under this paragraph may be used to carry out the requirements of paragraph (1).

**(g) Priority for efficient energy use**

In view of the high energy usage per unit of output in Hungary and Poland, the Secretary of Energy shall give high priority to assisting officials of Poland and Hungary in improving the efficiency of their energy use, through emphasis on such measures as efficient motors, lights, gears, and appliances and improvements in building insulation and design.

**(h) Alternative investments in energy in Hungary**

It is the sense of the Congress that the Executive branch should work with the Government of Hungary to achieve environmentally safe alternative investments in energy efficiency, particularly with regard to projects along the Danube River.

(Pub. L. 101-179, title V, § 502, Nov. 28, 1989, 103 Stat. 1317.)

<sup>1</sup> So in original. Probably should not be capitalized.