

15 LIMITATION ON ECONOMIC SUPPORT FUND ASSISTANCE
16 FOR CERTAIN FOREIGN GOVERNMENTS THAT ARE
17 PARTIES TO THE INTERNATIONAL CRIMINAL COURT
18 SEC. 574. (a) None of the funds made available in
19 this Act in title II under the heading "Economic Support
20 Fund" may be used to provide assistance to the govern-
21 ment of a country that is a party to the International
22 Criminal Court and has not entered into an agreement
23 with the United States pursuant to Article 98 of the Rome
24 Statute preventing the International Criminal Court from
25 proceeding against United States personnel present in
26 such country.

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1 (b) The President may, without prior notice to Con-
2 gress, waive the prohibition of subsection (a) with respect
3 to a North Atlantic Treaty Organization ("NATO") mem-
4 ber country, a major non-NATO ally (including Australia,
5 Egypt, Israel, Japan, Jordan, Argentina, the Republic of
6 Korea, and New Zealand), or Taiwan if he determines and
7 reports to the appropriate congressional committees that
8 it is important to the national security interests of the
9 United States to waive such prohibition.

10 (c) The President may, without prior notice to Con-
11 gress, waive the prohibition of subsection (a) with respect
12 to a particular country if he determines and reports to
13 the appropriate congressional committees that such coun-
14 try has entered into an agreement with the United States
15 pursuant to Article 98 of the Rome Statute preventing the
16 International Criminal Court from proceeding against
17 United States personnel present in such country.

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(d) The prohibition of this section shall not apply to countries otherwise eligible for assistance under the Millennium Challenge Act of 2003, notwithstanding section 606(a)(2)(B) of such Act.