

104TH CONGRESS
1ST SESSION

H. R. 1563

To authorize appropriations for foreign assistance programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 3, 1995

Mr. GILMAN introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To authorize appropriations for foreign assistance programs,
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 **DIVISION C—FOREIGN**
4 **ASSISTANCE AUTHORIZATIONS**

5 **SECTION 3001. SHORT TITLE.**

6 This Act may be cited as the “Foreign Aid Reduction
7 Act of 1995”.

8 **SEC. 3002. TABLE OF CONTENTS.**

9 The table of contents for this Act is as follows:

DIVISION C—FOREIGN ASSISTANCE AUTHORIZATIONS

- Sec. 3001. Short title.
- Sec. 3002. Table of contents.
- Sec. 3003. Declaration of policy.

TITLE XXXI—DEFENSE AND SECURITY ASSISTANCE

CHAPTER 1—MILITARY AND RELATED ASSISTANCE

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- Sec. 3101. Authorization of appropriations.
- Sec. 3102. Assistance for Israel.
- Sec. 3103. Assistance for Egypt.
- Sec. 3104. Loans for Greece and Turkey.
- Sec. 3105. Loans for the Czech Republic, Hungary, and Poland.
- Sec. 3106. Terms of loans.

SUBCHAPTER B—OTHER ASSISTANCE

- Sec. 3121. Defense drawdown special authorities.
- Sec. 3122. Stockpiles of defense articles.
- Sec. 3123. Transfer of excess defense articles.

CHAPTER 2—INTERNATIONAL MILITARY EDUCATION AND TRAINING

- Sec. 3141. Authorization of appropriations.
- Sec. 3142. Assistance for Indonesia.
- Sec. 3143. Test pilot exchange training.

CHAPTER 3—ANTITERRORISM ASSISTANCE

- Sec. 3151. Authorization of appropriations.
- Sec. 3152. Antiterrorism training assistance.

CHAPTER 4—NARCOTICS CONTROL ASSISTANCE

- Sec. 3161. Authorization of appropriations.
- Sec. 3162. Additional requirements relating to narcotics control assistance.
- Sec. 3163. Notification requirement.
- Sec. 3164. Waiver of restrictions for narcotics-related economic assistance.

CHAPTER 5—NONPROLIFERATION AND DISARMAMENT FUND

- Sec. 3171. Nonproliferation and Disarmament Fund.

CHAPTER 6—OTHER PROVISIONS

- Sec. 3181. Standardization of congressional review procedures for arms transfers.
- Sec. 3182. Standardization of third country transfers of defense articles.
- Sec. 3183. Increased standardization, rationalization, and interoperability of assistance and sales programs.
- Sec. 3184. Repeal of price and availability reporting requirement relating to proposed sale of defense articles and services.
- Sec. 3185. Definition of significant military equipment.
- Sec. 3186. Elimination of Special Defense Acquisition Fund annual report.
- Sec. 3187. Cost of leased defense articles that have been lost or destroyed.

- Sec. 3188. Designation of major non-NATO allies.
- Sec. 3189. Certification thresholds.
- Sec. 3190. Competitive pricing for sales of defense articles and services.
- Sec. 3191. Depleted uranium ammunition.

TITLE XXXII—ECONOMIC ASSISTANCE

CHAPTER 1—ECONOMIC SUPPORT ASSISTANCE

- Sec. 3201. Economic support fund.
- Sec. 3202. Assistance for Israel.
- Sec. 3203. Assistance for Egypt.
- Sec. 3204. International Fund for Ireland.
- Sec. 3205. Law enforcement assistance.

CHAPTER 2—ASSISTANCE FOR PRIVATE SECTOR PROGRAMS AND ACTIVITIES

- Sec. 3211. Private sector enterprise funds.
- Sec. 3212. Trans-Caucasus enterprise funds.
- Sec. 3213. Micro- and small enterprise development credits.
- Sec. 3214. Microenterprise development grants.

CHAPTER 3—DEVELOPMENT ASSISTANCE

SUBCHAPTER A—DEVELOPMENT ASSISTANCE AUTHORITIES

- Sec. 3221. Authorizations of appropriations.
- Sec. 3222. Assistance for family planning.
- Sec. 3223. Assistance for the independent states of the former Soviet Union.
- Sec. 3224. Effectiveness of United States development assistance.

SUBCHAPTER B—OPERATING EXPENSES

- Sec. 3231. Operating expenses generally.
- Sec. 3232. Operating expenses of the office of the Inspector General.

CHAPTER 4—PUBLIC LAW 480

- Sec. 3241. Authorization of appropriations.

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- Sec. 3251. Authorization of appropriations for administrative expenses.

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- Sec. 3262. Activities of the Peace Corps in the former Soviet Union.
- Sec. 3263. Prohibition on use of funds for abortions.

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- Sec. 3401. Enhanced transfer authority.
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- Sec. 3411. Congressional presentation documents.
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CHAPTER 3—REPEALS

- Sec. 3421. Repeal of obsolete provisions.

TITLE XXXV—EFFECTIVE DATE

- Sec. 3501. Effective date.

1 **SEC. 3003. DECLARATION OF POLICY.**

2 The Congress declares the following:

- 3 (1) United States leadership overseas must be
 4 maintained to support our vital national security,
 5 economic, and humanitarian interests.

1 (2) As part of this leadership, United States
2 foreign assistance programs are essential to support
3 these national interests.

4 (3) However, United States foreign assistance
5 programs can be responsibly reduced while maintain-
6 ing United States leadership overseas.

7 **TITLE XXXI—DEFENSE AND**
8 **SECURITY ASSISTANCE**

9 **CHAPTER 1—MILITARY AND RELATED**
10 **ASSISTANCE**

11 **Subchapter A—Foreign Military Financing**
12 **Program**

13 **SEC. 3101. AUTHORIZATION OF APPROPRIATIONS.**

14 There are authorized to be appropriated for grant as-
15 sistance under section 23 of the Arms Export Control Act
16 (22 U.S.C. 2763) and for the subsidy cost, as defined in
17 section 502(5) of the Federal Credit Reform Act of 1990,
18 of direct loans under such section—

19 (1) \$3,341,440,000 for fiscal year 1996; and

20 (2) \$3,270,020,000 for fiscal year 1997.

21 **SEC. 3102. ASSISTANCE FOR ISRAEL.**

22 (a) MINIMUM ALLOCATION.—Of the amounts made
23 available for fiscal years 1996 and 1997 for assistance
24 under the “Foreign Military Financing Program” account
25 under section 23 of the Arms Export Control Act (22

1 U.S.C. 2763), not less than \$1,800,000,000 for each such
2 fiscal year shall be available only for Israel.

3 (b) TERMS OF ASSISTANCE.—

4 (1) GRANT BASIS.—The assistance provided for
5 Israel for each fiscal year under subsection (a) shall
6 be provided on a grant basis.

7 (2) EXPEDITED DISBURSEMENT.—Such assist-
8 ance shall be disbursed—

9 (A) with respect to fiscal year 1996, not
10 later than 30 days after the date of the enact-
11 ment of the Foreign Operations, Export Fi-
12 nancing, and Related Programs Appropriations
13 Act, 1996, or by October 31, 1995, whichever
14 is later; and

15 (B) with respect to fiscal year 1997, not
16 later than 30 days after the date of the enact-
17 ment of the Foreign Operations, Export Fi-
18 nancing, and Related Programs Appropriations
19 Act, 1997, or by October 31, 1996, whichever
20 is later.

21 (3) ADVANCED WEAPONS SYSTEMS.—To the ex-
22 tent that the Government of Israel requests that
23 funds be used for such purposes, funds described in
24 subsection (a) shall, as agreed by the Government of
25 Israel and the Government of the United States, be

1 available for advanced weapons systems, of which
2 not less than \$475,000,000 for each fiscal year shall
3 be available only for procurement in Israel of de-
4 fense articles and defense services, including re-
5 search and development.

6 (c) FOREIGN MILITARY SALES.—Section 21(h) of
7 the Arms Export Control Act (22 U.S.C. 2761(h)) is
8 amended—

9 (1) in paragraph (1)(A), by inserting “or “the
10 Government of Israel after “North Atlantic Treaty
11 Organization”; and

12 (2) in paragraph (2), by striking “or to any
13 member government of that Organization if that Or-
14 ganization or member government” and inserting
15 “, any member government of that Organization, or
16 the Government of Israel, if the Organization, mem-
17 ber government, or Government of Israel, as the
18 case may be,”.

19 **SEC. 3103. ASSISTANCE FOR EGYPT.**

20 (a) MINIMUM ALLOCATION.—Of the amounts made
21 available for fiscal years 1996 and 1997 for assistance
22 under the “Foreign Military Financing Program” account
23 under section 23 of the Arms Export Control Act (22
24 U.S.C. 2763), not less than \$1,300,000,000 for each such
25 fiscal year shall be available only for Egypt.

1 (b) TERMS OF ASSISTANCE.—The assistance pro-
2 vided for Egypt for each fiscal year under subsection (a)
3 shall be provided on a grant basis.

4 **SEC. 3104. LOANS FOR GREECE AND TURKEY.**

5 Of the amounts made available for fiscal year 1996
6 under the “Foreign Military Financing Program” account
7 under section 23 of the Arms Export Control Act (22
8 U.S.C. 2763)—

9 (1) not more than \$26,620,000 shall be made
10 available for the subsidy cost, as defined in section
11 502(5) of the Federal Credit Reform Act of 1990,
12 of direct loans for Greece; and

13 (2) not more than \$37,800,000 shall be made
14 available for such subsidy cost of direct loans for
15 Turkey.

16 **SEC. 3105. LOANS FOR THE CZECH REPUBLIC, HUNGARY,**
17 **AND POLAND.**

18 Of the amounts made available for fiscal years 1996
19 and 1997 under the “Foreign Military Financing Pro-
20 gram” account under section 23 of the Arms Export Con-
21 trol Act (22 U.S.C. 2763), not more than \$25,000,000
22 for each such fiscal year shall be made available for the
23 subsidy cost, as defined in section 502(5) of the Federal
24 Credit Reform Act of 1990, of direct loans for the Czech
25 Republic, Hungary, and Poland.

1 **SEC. 3106. TERMS OF LOANS.**

2 Section 31(c) of the Arms Export Control Act (22
3 U.S.C. 2771(c)) is amended to read as follows:

4 “(c) Loans available under section 23 shall be pro-
5 vided at rates of interest that are not less than the current
6 average market yield on outstanding marketable obliga-
7 tions of the United States of comparable maturities.”.

8 **Subchapter B—Other Assistance**

9 **SEC. 3121. DEFENSE DRAWDOWN SPECIAL AUTHORITIES.**

10 (a) **MILITARY ASSISTANCE DRAWDOWN.**—Section
11 506(a)(1) of the Foreign Assistance Act of 1961 (22
12 U.S.C. 2318(a)(1)) is amended by striking “\$75,000,000”
13 and inserting “\$100,000,000”.

14 (b) **NONMILITARY ASSISTANCE DRAWDOWN.**—Sec-
15 tion 506 of such Act (22 U.S.C. 2318) is amended—

16 (1) in subsection (a)(2)(A), by striking “di-
17 rect—” and all that follows through the period and
18 inserting the following: “direct the drawdown of
19 such articles, services, and education and training
20 for the purposes and under the authorities of—

21 “(i) chapter 8 of part I (relating to inter-
22 national narcotics control assistance),

23 “(ii) chapter 9 of part I (relating to inter-
24 national disaster assistance), or

25 “(iii) the Migration and Refugee Assistance Act
26 of 1962.”;

1 (2) in subsection (a)(2)(B)—

2 (A) by striking “\$75,000,000” and insert-
3 ing “\$150,000,000”; and

4 (B) by striking “of this paragraph” and
5 inserting the following: “of this paragraph—

6 “(i) not more than \$75,000,000 of which
7 may be provided from the drawdown from the
8 inventory and resources of the Department of
9 Defense; and

10 “(ii) not more than \$75,000,000 of which
11 may be provided pursuant to clause (i) of such
12 subparagraph”; and

13 (3) in subsection (b)(1), by adding at the end
14 the following: “In the case of drawdowns authorized
15 by clauses (i) and (iii) of subsection (a)(2)(A), noti-
16 fications shall be provided to those committees at
17 least 15 days in advance in accordance with the pro-
18 cedures applicable to reprogramming notifications
19 under section 634A.”.

20 (c) NOTICE TO CONGRESS OF EXERCISE OF SPECIAL
21 AUTHORITIES.—Section 652 of such Act (22 U.S.C.
22 2411) is amended by striking “prior to the date” and in-
23 serting “before”.

1 **SEC. 3122. STOCKPILES OF DEFENSE ARTICLES.**

2 (a) LIMITATION ON VALUE OF ADDITIONS.—Section
3 514(b)(1) of the Foreign Assistance Act of 1961 (22
4 U.S.C. 2321h(b)(1)) is amended by inserting “or in the
5 implementation of agreements with Israel” after “North
6 Atlantic Treaty Organization”.

7 (b) ADDITIONS IN FISCAL YEARS 1996 AND 1997.—
8 Section 514(b)(2) of such Act (22 U.S.C. 2321h(b)(2))
9 is amended to read as follows:

10 “(2)(A) The value of such additions to stockpiles of
11 defense articles in foreign countries shall not exceed
12 \$50,000,000 for each of the fiscal years 1996 and 1997.

13 “(B) Of the amount specified in subparagraph (A)
14 for each of the fiscal years 1996 and 1997, not more than
15 \$40,000,000 may be made available for stockpiles in the
16 Republic of Korea and not more than \$10,000,000 may
17 be made available for stockpiles in Thailand.”.

18 (c) LOCATION OF STOCKPILES OF DEFENSE ARTI-
19 CLES.—Section 514(c) of such Act (22 U.S.C. 2321h(c))
20 is amended to read as follows:

21 “(c) LOCATION OF STOCKPILES OF DEFENSE ARTI-
22 CLES.—

23 “(1) LIMITATION.—Except as provided in para-
24 graph (2), no stockpile of defense articles may be lo-
25 cated outside the boundaries of a United States mili-

1 tary base or a military base used primarily by the
2 United States.

3 “(2) EXCEPTIONS.—Paragraph (1) shall not
4 apply with respect to stockpiles of defense articles
5 located in the Republic of Korea, Thailand, any
6 country that is a member of the North Atlantic
7 Treaty Organization, any country that is a major
8 non-NATO ally, or any other country the President
9 may designate. At least 15 days before designating
10 a country pursuant to the last clause of the preced-
11 ing sentence, the President shall notify the congres-
12 sional committees specified in section 634A(a) in ac-
13 cordance with the procedures applicable to
14 reprogramming notifications under that section.”.

15 **SEC. 3123. TRANSFER OF EXCESS DEFENSE ARTICLES.**

16 (a) IN GENERAL.—Section 516 of the Foreign Assist-
17 ance Act of 1961 (22 U.S.C. 2321j) is amended to read
18 as follows:

19 **“SEC. 516. AUTHORITY TO TRANSFER EXCESS DEFENSE AR-**
20 **TICLES.**

21 “(a) AUTHORIZATION.—The President is authorized
22 to transfer excess defense articles under this section to
23 countries for which receipt of such articles was justified
24 pursuant to the annual congressional presentation docu-
25 ments for military assistance programs submitted under

1 section 634 of this Act, or for which receipt of such arti-
2 cles was separately justified, for the fiscal year in which
3 the transfer is authorized.

4 “(b) LIMITATIONS ON TRANSFERS.—The President
5 may transfer excess defense articles under this section
6 only if—

7 “(1) such articles are drawn from existing
8 stocks of the Department of Defense;

9 “(2) funds available to the Department of De-
10 fense for the procurement of defense equipment are
11 not expended in connection with the transfer;

12 “(3) the transfer of such articles will not have
13 an adverse impact on the military readiness of the
14 United States;

15 “(4) with respect to a proposed transfer of such
16 articles on a grant basis, such a transfer is pref-
17 erable to a transfer on a sales basis, after taking
18 into account the potential proceeds from, and likeli-
19 hood of, such sales, and the comparative foreign pol-
20 icy benefits that may accrue to the United States as
21 the result of a transfer on either a grant or sales
22 basis;

23 “(5) the President first considers the effects of
24 the transfer of such articles on the national tech-
25 nology and industrial base, particularly the extent, if

1 any, to which the transfer reduces the opportunities
2 of entities in the national technology and industrial
3 base to sell new equipment to the countries to which
4 such articles are transferred; and

5 “(6) the transfer of such articles is consistent
6 with the policy framework for the Eastern Medi-
7 terranean established under section 620C of this
8 Act.

9 “(c) TERMS OF TRANSFERS.—Excess defense articles
10 may be transferred under this section without cost to the
11 recipient country.

12 “(d) WAIVER OF REQUIREMENT FOR REIMBURSE-
13 MENT OF DEPARTMENT OF DEFENSE EXPENSES.—Sec-
14 tion 632(d) shall not apply with respect to transfers of
15 excess defense articles under this section.

16 “(e) TRANSPORTATION AND RELATED COSTS.—

17 “(1) IN GENERAL.—Except as provided in para-
18 graph (2), funds available to the Department of De-
19 fense may not be expended for crating, packing,
20 handling, and transportation of excess defense arti-
21 cles transferred under the authority of this section.

22 “(2) EXCEPTION.—The President may provide
23 for the transportation of excess defense articles with-
24 out charge to a country for the costs of such trans-
25 portation if—

1 “(A) it is determined that it is in the na-
2 tional interest of the United States to do so;

3 “(B) the recipient is a developing country
4 receiving less than \$10,000,000 of assistance
5 under chapter 5 of part II of this Act (relating
6 to international military education and train-
7 ing) or section 23 of the Arms Export Control
8 Act (22 U.S.C. 2763; relating to the Foreign
9 Military Financing program) in the fiscal year
10 in which the transportation is provided;

11 “(C) the total weight of the transfer does
12 not exceed 25,000 pounds; and

13 “(D) such transportation is accomplished
14 on a space available basis.

15 “(f) ADVANCE NOTIFICATION TO CONGRESS FOR
16 TRANSFER OF CERTAIN EXCESS DEFENSE ARTICLES.—

17 “(1) IN GENERAL.—The President may not
18 transfer excess defense articles that are significant
19 military equipment (as defined in section 47(9) of
20 the Arms Export Control Act) or excess defense arti-
21 cles valued (in terms of original acquisition cost) at
22 \$7,000,000 or more, under this section or under the
23 Arms Export Control Act (22 U.S.C. 2751 et seq.)
24 until 15 days after the date on which the President
25 has provided notice of the proposed transfer to the

1 congressional committees specified in section
2 634A(a) in accordance with procedures applicable to
3 reprogramming notifications under that section.

4 “(2) CONTENTS.—Such notification shall in-
5 clude—

6 “(A) a statement outlining the purposes
7 for which the article is being provided to the
8 country, including whether such article has
9 been previously provided to such country;

10 “(B) an assessment of the impact of the
11 transfer on the military readiness of the United
12 States; and

13 “(C) a statement describing the current
14 value of such article and the value of such arti-
15 cle at acquisition.

16 “(g) AGGREGATE ANNUAL LIMITATION.—The aggre-
17 gate value of excess defense articles transferred to coun-
18 tries under this section in any fiscal year may not exceed
19 \$350,000,000.

20 “(h) CONGRESSIONAL PRESENTATION DOCU-
21 MENTS.—Documents described in subsection (a) justifying
22 the transfer of excess defense articles shall include an ex-
23 planation of the general purposes of providing excess de-
24 fense articles as well as a table which provides an aggre-
25 gate annual total of transfers of excess defense articles

1 in the preceding year by country in terms of offers and
2 actual deliveries and in terms of acquisition cost and cur-
3 rent value. Such table shall indicate whether such excess
4 defense articles were provided on a grant or sale basis.

5 “(i) EXCESS COAST GUARD PROPERTY.—For pur-
6 poses of this section, the term ‘excess defense articles’
7 shall be deemed to include excess property of the Coast
8 Guard, and the term ‘Department of Defense’ shall be
9 deemed, with respect to such excess property, to include
10 the Coast Guard.”.

11 (b) REPEALS.—The following provisions of law are
12 hereby repealed:

13 (1) Section 502A of the Foreign Assistance Act
14 of 1961 (22 U.S.C. 2303).

15 (2) Sections 517 through 520 of the Foreign
16 Assistance Act of 1961 (22 U.S.C. 2321k through
17 2321n).

18 (3) Section 31(d) of the Arms Export Control
19 Act (22 U.S.C. 2771(d)).

20 **CHAPTER 2—INTERNATIONAL MILITARY**
21 **EDUCATION AND TRAINING**

22 **SEC. 3141. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to be appropriated \$28,500,000
24 for each of the fiscal years 1996 and 1997 to carry out

1 chapter 5 of part II of the Foreign Assistance Act of 1961
2 (22 U.S.C. 2347 et seq.).

3 **SEC. 3142. ASSISTANCE FOR INDONESIA.**

4 Funds made available for fiscal years 1996 and 1997
5 to carry out chapter 5 of part II of the Foreign Assistance
6 Act of 1961 (22 U.S.C. 2347 et seq.; relating to the inter-
7 national military education and training program) may be
8 obligated for Indonesia only for expanded military and
9 education training that meets the requirements of clauses
10 (i) through (iv) of the second sentence of section 541 of
11 such Act (22 U.S.C. 2347).

12 **SEC. 3143. TEST PILOT EXCHANGE TRAINING.**

13 Section 544 of the Foreign Assistance Act of 1961
14 (22 U.S.C. 2347c) is amended—

15 (1) by striking “In carrying out this chapter”
16 and inserting “(a) In carrying out this chapter”; and

17 (2) by adding at the end the following new sub-
18 section:

19 “(b) The President may provide for the attendance
20 of foreign military and civilian defense personnel at test
21 pilot flight schools in the United States without charge
22 if such attendance is pursuant to an agreement providing
23 for the exchange of students on a one-for-one basis each
24 fiscal year between those United States test pilot flight

1 schools and comparable flight test pilot schools of foreign
2 countries.”.

3 **CHAPTER 3—ANTITERRORISM**

4 **ASSISTANCE**

5 **SEC. 3151. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) IN GENERAL.—There are authorized to be appro-
7 priated \$25,000,000 for fiscal year 1996 and \$30,000,000
8 for fiscal year 1997 to carry out chapter 8 of part II of
9 the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa
10 et seq.).

11 (b) AVAILABILITY OF AMOUNTS.—Amounts author-
12 ized to be appropriated under subsection (a) are author-
13 ized to remain available until expended.

14 **SEC. 3152. ANTITERRORISM TRAINING ASSISTANCE.**

15 (a) IN GENERAL.—Section 571 of the Foreign Assist-
16 ance Act of 1961 (22 U.S.C. 2349aa) is amended by strik-
17 ing “Subject to the provisions of this chapter” and insert-
18 ing “Notwithstanding any other provision of law that re-
19 stricts assistance to foreign countries (other than sections
20 502B and 620A of this Act)”.

21 (b) LIMITATIONS.—Section 573 of such Act (22
22 U.S.C. 2349aa-2) is amended—

23 (1) in the heading, by striking “**SPECIFIC AU-**
24 **THORITIES AND**”;

25 (2) by striking subsection (a);

1 (3) by redesignating subsections (b) through (f)
2 as subsections (a) through (e), respectively; and

3 (4) in subsection (c) (as redesignated)—

4 (A) by striking paragraphs (1) and (2);

5 (B) by redesignating paragraphs (3)
6 through (5) as paragraphs (1) through (3), re-
7 spectively; and

8 (C) by amending paragraph (2) (as red-
9 igned) to read as follows:

10 “(2)(A) Except as provided in subparagraph
11 (B), funds made available to carry out this chapter
12 shall not be made available for the procurement of
13 weapons and ammunition.

14 “(B) Subparagraph (A) shall not apply to small
15 arms and ammunition in categories I and III of the
16 United States Munitions List that are integrally and
17 directly related to antiterrorism training provided
18 under this chapter if, at least 15 days before obligat-
19 ing those funds, the President notifies the appro-
20 priate congressional committees in accordance with
21 the procedures applicable to reprogramming notifica-
22 tions under section 634A.

23 “(C) The value (in terms of original acquisition
24 cost) of all equipment and commodities provided
25 under this chapter in any fiscal year may not exceed

1 25 percent of the funds made available to carry out
2 this chapter for that fiscal year.”.

3 (c) ANNUAL REPORT.—Section 574 of such Act (22
4 U.S.C. 2349aa-3) is hereby repealed.

5 (d) TECHNICAL CORRECTIONS.—Section 575 (22
6 U.S.C. 2349aa-4) and section 576 (22 U.S.C. 2349aa-
7 5) of such Act are redesignated as sections 574 and 575,
8 respectively.

9 **CHAPTER 4—NARCOTICS CONTROL**

10 **ASSISTANCE**

11 **SEC. 3161. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) IN GENERAL.—There are authorized to be appro-
13 priated \$213,000,000 for each of the fiscal years 1996
14 and 1997 to carry out chapter 8 of part I of the Foreign
15 Assistance Act of 1961 (22 U.S.C. 2349aa et seq.).

16 (b) AVAILABILITY OF AMOUNTS.—Amounts author-
17 ized to be appropriated under subsection (a) are author-
18 ized to remain available until expended.

19 **SEC. 3162. ADDITIONAL REQUIREMENTS RELATING TO** 20 **NARCOTICS CONTROL ASSISTANCE.**

21 (a) POLICY AND GENERAL AUTHORITIES.—Section
22 481(a) of the Foreign Assistance Act (22 U.S.C. 2291(a))
23 is amended—

24 (1) in paragraph (1)—

1 (A) by redesignating subparagraphs (D)
2 through (F) as subparagraphs (E) through (G),
3 respectively; and

4 (B) by inserting after subparagraph (C)
5 the following new subparagraph:

6 “(D) International criminal activities, particu-
7 larly international narcotics trafficking, money laun-
8 dering, and corruption, endanger political and eco-
9 nomic stability and democratic development, and as-
10 sistance for the prevention and suppression of inter-
11 national criminal activities should be a priority for
12 the United States.”; and

13 (2) in paragraph (4), by adding before the pe-
14 riod at the end the following: “, or for other related
15 anticrime purposes”.

16 (b) CONTRIBUTIONS AND REIMBURSEMENT.—Sec-
17 tion 482(c) of that Act (22 U.S.C. 2291a(c)) is
18 amended—

19 (1) by striking “CONTRIBUTION BY RECIPIENT
20 COUNTRY.—To” and inserting “CONTRIBUTIONS
21 AND REIMBURSEMENT.—(1) To”; and

22 (2) by adding at the end the following new
23 paragraphs:

24 “(2)(A) The President is authorized to accept con-
25 tributions from other foreign governments to carry out the

1 purposes of this chapter. Such contributions shall be de-
2 posited as an offsetting collection to the applicable appro-
3 priation account and may be used under the same terms
4 and conditions as funds appropriated pursuant to this
5 chapter.

6 “(B) At the time of submission of the annual congres-
7 sional presentation documents required by section 634(a),
8 the President shall provide a detailed report on any con-
9 tributions received in the preceding fiscal year, the amount
10 of such contributions, and the purposes for which such
11 contributions were used.

12 “(3) The President is authorized to provide assist-
13 ance under this chapter on a reimbursable basis. Such re-
14 imbursements shall be deposited as an offsetting collection
15 to the applicable appropriation and may be used under the
16 same terms and conditions as funds appropriated pursu-
17 ant to this chapter.”.

18 (c) IMPLEMENTATION OF LAW ENFORCEMENT AS-
19 SISTANCE.—Section 482 of such Act (22 U.S.C. 2291a)
20 is amended by adding at the end the following new sub-
21 sections:

22 “(f) TREATMENT OF FUNDS.—Funds transferred to
23 and consolidated with funds appropriated pursuant to this
24 chapter may be made available on such terms and condi-
25 tions as are applicable to funds appropriated pursuant to

1 this chapter. Funds so transferred or consolidated shall
2 be apportioned directly to the bureau within the Depart-
3 ment of State responsible for administering this chapter.

4 “(g) EXCESS PROPERTY.—For purposes of this chap-
5 ter, the Secretary of State may use the authority of section
6 608, without regard to the restrictions of such section, to
7 receive nonlethal excess property from any agency of the
8 United States Government for the purpose of providing
9 such property to a foreign government under the same
10 terms and conditions as funds authorized to be appro-
11 priated for the purposes of this chapter.”.

12 (d) REPORTING REQUIREMENTS.—(1) Section 489 of
13 such Act (22 U.S.C. 2291h) is amended—

14 (A) in the section heading, by striking “**FOR**
15 **FISCAL YEAR 1995**”; and

16 (B) by striking subsections (b) and (c).

17 (2) Section 489A of such Act (22 U.S.C. 2291i) is
18 hereby repealed.

19 (e) CERTIFICATION REQUIREMENTS.—(1) Section
20 490 of such Act (22 U.S.C. 2291j) is amended—

21 (A) in the section heading by striking “**FOR**
22 **FISCAL YEAR 1995**”; and

23 (B) by striking subsection (i).

24 (2) Section 490A of such Act (22 U.S.C. 2291k) is
25 hereby repealed.

1 **SEC. 3163. NOTIFICATION REQUIREMENT.**

2 (a) IN GENERAL.—The authority of section 1003(d)
3 of the National Narcotics Control Leadership Act of 1988
4 (21 U.S.C. 1502(d)) may be exercised with respect to
5 funds authorized to be appropriated pursuant to the For-
6 eign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and
7 with respect to the personnel of the Department of State
8 only to the extent that the appropriate congressional com-
9 mittees have been notified 15 days in advance in accord-
10 ance with the reprogramming procedures applicable under
11 section 634A of that Act (22 U.S.C. 2394–1).

12 (b) DEFINITION.—For purposes of this section, the
13 term “appropriate congressional committees” means the
14 Committee on International Relations and the Committee
15 on Appropriations of the House of Representatives and the
16 Committee on Foreign Relations and the Committee on
17 Appropriations of the Senate.

18 **SEC. 3164. WAIVER OF RESTRICTIONS FOR NARCOTICS-RE-**
19 **LATED ECONOMIC ASSISTANCE.**

20 For each of the fiscal years 1996 and 1997, narcot-
21 ics-related assistance under part I of the Foreign Assist-
22 ance Act of 1961 (22 U.S.C. 2151 et seq.) may be pro-
23 vided notwithstanding any other provision of law that re-
24 stricts assistance to foreign countries (other than section
25 490(e) or section 502B of that Act (22 U.S.C. 2291j(e)
26 and 2304)) if, at least 15 days before obligating funds

1 for such assistance, the President notifies the appropriate
2 congressional committees (as defined in section 481(e) of
3 that Act (22 U.S.C. 2291(e))) in accordance with the pro-
4 cedures applicable to reprogramming notifications under
5 section 634A of that Act (22 U.S.C. 2394).

6 **CHAPTER 5—NONPROLIFERATION AND**
7 **DISARMAMENT FUND**

8 **SEC. 3171. NONPROLIFERATION AND DISARMAMENT FUND.**

9 (a) IN GENERAL.—There are authorized to be appro-
10 priated \$25,000,000 for each of the fiscal years 1996 and
11 1997 to carry out section 504 of the Freedom for Russia
12 and Emerging Eurasian Democracies and Open Markets
13 Support Act of 1992 (22 U.S.C. 5854).

14 (b) AVAILABILITY OF AMOUNTS.—Amounts author-
15 ized to be appropriated under subsection (a) are author-
16 ized to remain available until expended.

17 **CHAPTER 6—OTHER PROVISIONS**

18 **SEC. 3181. STANDARDIZATION OF CONGRESSIONAL REVIEW**

19 **PROCEDURES FOR ARMS TRANSFERS.**

20 (a) THIRD COUNTRY TRANSFERS UNDER FMS
21 SALES.—Section 3(d)(2) of the Arms Export Control Act
22 (22 U.S.C. 2753(d)(2)) is amended—

23 (1) in subparagraph (A), by striking “, as pro-
24 vided for in sections 36(b)(2) and 36(b)(3) of this
25 Act”;

1 (2) in subparagraph (B), by striking “law” and
2 inserting “joint resolution”; and

3 (3) by adding at the end the following:

4 “(C) If the President states in his certification under
5 subparagraph (A) or (B) that an emergency exists which
6 requires that consent to the proposed transfer become ef-
7 fective immediately in the national security interests of the
8 United States, thus waiving the requirements of that sub-
9 paragraph, the President shall set forth in the certification
10 a detailed justification for his determination, including a
11 description of the emergency circumstances which neces-
12 sitate immediate consent to the transfer and a discussion
13 of the national security interests involved.

14 “(D)(i) Any joint resolution under this paragraph
15 shall be considered in the Senate in accordance with the
16 provisions of section 601(b) of the International Security
17 Assistance and Arms Export Control Act of 1976.

18 “(ii) For the purpose of expediting the consideration
19 and enactment of joint resolutions under this paragraph,
20 a motion to proceed to the consideration of any such joint
21 resolution after it has been reported by the appropriate
22 committee shall be treated as highly privileged in the
23 House of Representatives.”.

1 (b) THIRD COUNTRY TRANSFERS UNDER COMMER-
2 CIAL SALES.—Section 3(d)(3) of such Act (22 U.S.C.
3 2753(d)(3)) is amended—

4 (1) by inserting “(A)” after “(3)”;

5 (2) in the first sentence—

6 (A) by striking “at least 30 calendar
7 days”; and

8 (B) by striking “report” and inserting
9 “certification”; and

10 (3) by striking the last sentence and inserting
11 the following: “Such certification shall be submit-
12 ted—

13 “(i) at least 15 calendar days before such con-
14 sent is given in the case of a transfer to a country
15 which is a member of the North Atlantic Treaty Or-
16 ganization or Australia, Japan, or New Zealand; and

17 “(ii) at least 30 calendar days before such con-
18 sent is given in the case of a transfer to any other
19 country,

20 unless the President states in his certification that an
21 emergency exists which requires that consent to the pro-
22 posed transfer become effective immediately in the na-
23 tional security interests of the United States. If the Presi-
24 dent states in his certification that such an emergency ex-
25 ists (thus waiving the requirements of clause (i) or (ii),

1 as the case may be, and of subparagraph (B)) the Presi-
2 dent shall set forth in the certification a detailed justifica-
3 tion for his determination, including a description of the
4 emergency circumstances which necessitate that consent
5 to the proposed transfer become effective immediately and
6 a discussion of the national security interests involved.

7 “(B) Consent to a transfer subject to subparagraph
8 (A) shall become effective after the end of the 15-day or
9 30-day period specified in subparagraph (A)(i) or (ii), as
10 the case may be, only if the Congress does not enact, with-
11 in that period, a joint resolution prohibiting the proposed
12 transfer.

13 “(C)(i) Any joint resolution under this paragraph
14 shall be considered in the Senate in accordance with the
15 provisions of section 601(b) of the International Security
16 Assistance and Arms Export Control Act of 1976.

17 “(ii) For the purpose of expediting the consideration
18 and enactment of joint resolutions under this paragraph,
19 a motion to proceed to the consideration of any such joint
20 resolution after it has been reported by the appropriate
21 committee shall be treated as highly privileged in the
22 House of Representatives.”.

23 (c) COMMERCIAL SALES.—Section 36(c)(2) of such
24 Act (22 U.S.C. 2753(c)(2)) is amended by amending sub-
25 paragraphs (A) and (B) to read as follows:

1 “(A) in the case of a license for an export to
2 the North Atlantic Treaty Organization, any mem-
3 ber country of that Organization or Australia,
4 Japan, or New Zealand, shall not be issued until at
5 least 15 calendar days after the Congress receives
6 such certification, and shall not be issued then if the
7 Congress, within that 15-day period, enacts a joint
8 resolution prohibiting the proposed export; and

9 “(B) in the case of any other license, shall not
10 be issued until at least 30 calendar days after the
11 Congress receives such certification, and shall not be
12 issued then if the Congress, within that 30-day pe-
13 riod, enacts a joint resolution prohibiting the pro-
14 posed export.”.

15 (d) COMMERCIAL MANUFACTURING AGREEMENTS.—
16 Section 36(d) of such Act (22 U.S.C. 2753(d)) is
17 amended—

18 (1) by inserting “(1)” after “(d)”;

19 (2) by striking “for or in a country not a mem-
20 ber of the North Atlantic Treaty Organization”; and

21 (3) by adding at the end the following:

22 “(2) A certification under this subsection shall be
23 submitted—

24 “(A) at least 15 days before approval is given
25 in the case of an agreement for or in a country

1 which is a member of the North Atlantic Treaty Or-
2 ganization or Australia, Japan, or New Zealand; and

3 “(B) at least 30 days before approval is given
4 in the case of an agreement for or in any other
5 country;

6 unless the President states in his certification that an
7 emergency exists which requires the immediate approval
8 of the agreement in the national security interests of the
9 United States.

10 “(3) If the President states in his certification that
11 an emergency exists which requires the immediate ap-
12 proval of the agreement in the national security interests
13 of the United States, thus waiving the requirements of
14 paragraph (4), he shall set forth in the certification a de-
15 tailed justification for his determination, including a de-
16 scription of the emergency circumstances which neces-
17 sitate the immediate approval of the agreement and a dis-
18 cussion of the national security interests involved.

19 “(4) Approval for an agreement subject to paragraph
20 (1) may not be given under section 38 if the Congress,
21 within the 15-day or 30-day period specified in paragraph
22 (2)(A) or (B), as the case may be, enacts a joint resolution
23 prohibiting such approval.

24 “(5)(A) Any joint resolution under paragraph (4)
25 shall be considered in the Senate in accordance with the

1 provisions of section 601(b) of the International Security
2 Assistance and Arms Export Control Act of 1976.

3 “(B) For the purpose of expediting the consideration
4 and enactment of joint resolutions under paragraph (4),
5 a motion to proceed to the consideration of any such joint
6 resolution after it has been reported by the appropriate
7 committee shall be treated as highly privileged in the
8 House of Representatives.”.

9 (e) GOVERNMENT-TO-GOVERNMENT LEASES.—

10 (1) CONGRESSIONAL REVIEW PERIOD.—Section
11 62 of such Act (22 U.S.C. 2796a) is amended—

12 (A) in subsection (a), by striking “Not less
13 than 30 days before” and inserting “Before”;

14 (B) in subsection (b)—

15 (i) by striking “determines, and im-
16 mediately reports to the Congress” and in-
17 serting “states in his certification,”; and

18 (ii) by adding at the end of the sub-
19 section the following: “If the President
20 states in his certification that such an
21 emergency exists, he shall set forth in the
22 certification a detailed justification for his
23 determination, including a description of
24 the emergency circumstances which neces-
25 sitate that the lease be entered into imme-

1 diately and a discussion of the national se-
2 curity interests involved.”; and

3 (C) by adding at the end of the section the
4 following:

5 “(c) The certification required by subsection (a) shall
6 be transmitted—

7 “(1) not less than 15 calendar days before the
8 agreement is entered into or renewed in the case of
9 an agreement with the North Atlantic Treaty Orga-
10 nization, any member country of that Organization
11 or Australia, Japan, or New Zealand; and

12 “(2) not less than 30 calendar days before the
13 agreement is entered into or renewed in the case of
14 an agreement with any other organization or coun-
15 try.”.

16 (2) CONGRESSIONAL VETO.—Section 63(a) of
17 such Act (22 U.S.C. 2796b(a)) is amended—

18 (A) by striking “(a)(1)” and inserting
19 “(a)”;

20 (B) by striking out the “30 calendar days
21 after receiving the certification with respect to
22 that proposed agreement pursuant to section
23 62(a),” and inserting in lieu thereof “the 15-
24 day or 30-day period specified in section 62(c)
25 (1) or (2), as the case may be,”; and

1 (C) by striking paragraph (2).

2 (f) EFFECTIVE DATE.—The amendments made by
3 this section apply with respect to certifications required
4 to be submitted on or after the date of the enactment of
5 this Act.

6 **SEC. 3182. STANDARDIZATION OF THIRD COUNTRY TRANS-**
7 **FERS OF DEFENSE ARTICLES.**

8 Section 3 of the Arms Export Control Act (22 U.S.C.
9 2753) is amended by inserting after subsection (a) the fol-
10 low new subsection:

11 “(b) The consent of the President under paragraph
12 (2) of subsection (a) or under the third sentence of such
13 subsection shall not be required for the transfer by a for-
14 eign country or international organization of defense arti-
15 cles sold by the United States under this Act if—

16 “(1) such articles constitute components incor-
17 porated into foreign defense articles;

18 “(2) the recipient is the government of a mem-
19 ber country of the North Atlantic Treaty Organiza-
20 tion, the Government of Australia, the Government
21 of Japan, or the Government of New Zealand;

22 “(3) the United States-origin components are
23 not—

24 “(A) significant military equipment (as de-
25 fined in section 47(9));

1 “(B) defense articles for which notification
2 to Congress is required under section 36(b);
3 and

4 “(C) identified by regulation as Missile
5 Technology Control Regime items; and

6 “(4) the foreign country or international orga-
7 nization provides notification of the transfer of the
8 defense articles to the United States Government
9 not later than 30 days after the date of such trans-
10 fer.”.

11 **SEC. 3183. INCREASED STANDARDIZATION, RATIONALIZA-**
12 **TION, AND INTEROPERABILITY OF ASSIST-**
13 **ANCE AND SALES PROGRAMS.**

14 Paragraph (6) of section 515(a) of the Foreign As-
15 sistance Act of 1961 (22 U.S.C. 2321i(a)(6)) is amended
16 by striking “among members of the North Atlantic Treaty
17 Organization and with the Armed Forces of Japan, Aus-
18 tralia, and New Zealand”.

19 **SEC. 3184. REPEAL OF PRICE AND AVAILABILITY REPORT-**
20 **ING REQUIREMENT RELATING TO PROPOSED**
21 **SALE OF DEFENSE ARTICLES AND SERVICES.**

22 (a) IN GENERAL.—Section 28 of the Arms Export
23 Control Act (22 U.S.C. 2768) is hereby repealed.

1 (b) CONFORMING AMENDMENT.—Section 36(b) of
2 such Act (22 U.S.C. 2776(b)) is amended by striking
3 paragraph (4) of such section.

4 **SEC. 3185. DEFINITION OF SIGNIFICANT MILITARY EQUIP-**
5 **MENT.**

6 Section 47 of the Arms Export Control Act (22
7 U.S.C. 2794) is amended—

8 (1) in paragraph (7), by striking “and” at the
9 end;

10 (2) in paragraph (8), by striking the period at
11 the end and inserting “; and”; and

12 (3) by adding at the end the following new
13 paragraph:

14 “(9) ‘significant military equipment’ means articles—

15 “(A) for which special export controls are war-
16 ranted because of the capacity of such articles for
17 substantial military utility or capability; and

18 “(B) identified as items on the United States
19 Munitions List.”.

20 **SEC. 3186. ELIMINATION OF SPECIAL DEFENSE ACQUI-**
21 **SION FUND ANNUAL REPORT.**

22 (a) IN GENERAL.—Section 53 of the Arms Export
23 Control Act (22 U.S.C. 2795b) is hereby repealed.

1 (b) CONFORMING AMENDMENT.—Section 51(a)(4) of
2 such Act (22 U.S.C. 2795(a)(4)) is amended by striking
3 subparagraph (B) of such section.

4 **SEC. 3187. COST OF LEASED DEFENSE ARTICLES THAT**
5 **HAVE BEEN LOST OR DESTROYED.**

6 Section 61(a)(3) of the Arms Export Control Act (22
7 U.S.C. 2796(a)) is amended by striking “and the replace-
8 ment cost” and all that follows and inserting the following:

9 “and, if the articles are lost or destroyed while leased—

10 “(A) in the event the United States in-
11 tends to replace the articles lost or destroyed,
12 the replacement cost (less any depreciation in
13 the value) of the articles; or

14 “(B) in the event the United States does
15 not intend to replace the articles lost or de-
16 stroyed, an amount not less than the actual
17 value (less any depreciation in the value) speci-
18 fied in the lease agreement.”.

19 **SEC. 3188. DESIGNATION OF MAJOR NON-NATO ALLIES.**

20 (a) DESIGNATION.—

21 (1) NOTICE TO CONGRESS.—Chapter 2 of part
22 II of the Foreign Assistance Act of 1961 (22 U.S.C.
23 2311 et seq.) is amended by adding at the end the
24 following new section:

1 **“SEC. 520. DESIGNATION OF MAJOR NON-NATO ALLIES.**

2 “(a) NOTICE TO CONGRESS.—The President shall no-
3 tify the Congress in writing at least 30 days before—

4 “(1) designating a country as a major non-
5 NATO ally for purposes of this Act and the Arms
6 Export Control Act (22 U.S.C. 2751 et seq.); or

7 “(2) terminating such a designation.

8 “(b) INITIAL DESIGNATIONS.—Australia, Egypt, Is-
9 rael, Japan, the Republic of Korea, and New Zealand shall
10 be deemed to have been so designated by the President
11 as of the effective date of this section, and the President
12 is not required to notify the Congress of such designation
13 of those countries.”.

14 (2) DEFINITION.—Section 644 of such Act (22
15 U.S.C. 2403) is amended by adding at the end the
16 following:

17 “(q) ‘Major non-NATO ally’ means a country which
18 is designated in accordance with section 520 as a major
19 non-NATO ally for purposes of this Act and the Arms Ex-
20 port Control Act (22 U.S.C. 2751 et seq.).”.

21 (3) EXISTING DEFINITIONS.—(A) The last sen-
22 tence of section 21(g) of the Arms Export Control
23 Act (22 U.S.C. 2761(g)) is repealed.

24 (B) Section 65(d) of such Act is amended—

25 (i) by striking “or major non-NATO”; and

1 (ii) by striking out “or a” and all that fol-
2 lows through “Code”.

3 (b) COOPERATIVE TRAINING AGREEMENTS.—Section
4 21(g) of the Arms Export Control Act (22 U.S.C.
5 2761(g)) is amended in the first sentence by striking
6 “similar agreements” and all that follows through “other
7 countries” and inserting “similar agreements with coun-
8 tries”.

9 **SEC. 3189. CERTIFICATION THRESHOLDS.**

10 (a) INCREASE IN DOLLAR THRESHOLDS.—The Arms
11 Export Control Act (22 U.S.C. 2751 et seq.) is amended—

12 (1) in section 3(d) (22 U.S.C. 2753(d))—

13 (A) in paragraphs (1) and (3), by striking
14 “\$14,000,000” each place it appears and in-
15 serting “\$25,000,000”; and

16 (B) in paragraphs (1) and (3), by striking
17 “\$50,000,000” each place it appears and in-
18 serting “\$75,000,000”;

19 (2) in section 36 (22 U.S.C. 2776)—

20 (A) in subsections (b)(1), (b)(5)(C), and
21 (c)(1), by striking “14,000,000” each place it
22 appears and inserting “25,000,000”;

23 (B) in subsections (b)(1), (b)(5)(C), and
24 (c)(1), by striking “50,000,000” each place it
25 appears and inserting “75,000,000”; and

1 (C) in subsections (b)(1) and (b)(5)(C), by
2 striking “200,000,000” each place it appears
3 and inserting “300,000,000”; and

4 (3) in section 63(a)(1) (22 U.S.C.
5 2796b(a)(1))—

6 (A) by striking “14,000,000” and inserting
7 “25,000,000”; and

8 (B) by striking “\$50,000,000” and insert-
9 ing “75,000,000”.

10 (b) EFFECTIVE DATE.—The amendments made by
11 subsection (a) apply with respect to certifications submit-
12 ted on or after the date of the enactment of this Act.

13 **SEC. 3190. COMPETITIVE PRICING FOR SALES OF DEFENSE**
14 **ARTICLES AND SERVICES.**

15 (a) COSTING BASIS.—Section 22 of the Arms Export
16 Control Act (22 U.S.C. 2762) is amended by adding at
17 the end the following:

18 “(d) COMPETITIVE PRICING.—Procurement con-
19 tracts made in implementation of sales under this section
20 for defense articles and defense services wholly paid from
21 funds made available on a nonrepayable basis shall be
22 priced on the same costing basis with regard to profit,
23 overhead, independent research and development, bid and
24 proposal, and other costing elements, as is applicable to

1 procurements of like items purchased by the Department
2 of Defense for its own use.”.

3 (b) EFFECTIVE DATE AND IMPLEMENTING REGULA-
4 TIONS.—Section 22(d) of the Arms Export Control Act,
5 as added by subsection (a)—

6 (1) shall take effect on the 60th day following
7 the date of the enactment of this Act;

8 (2) shall be applicable only to contracts made in
9 implementation of sales made after such effective
10 date; and

11 (3) shall be implemented by revised procure-
12 ment regulations, which shall be issued prior to such
13 effective date.

14 **SEC. 3191. DEPLETED URANIUM AMMUNITION.**

15 Chapter 1 of part III of the Foreign Assistance Act
16 of 1961 (22 U.S.C. 2370 et seq.) is amended by adding
17 at the end the following new section:

18 **“SEC. 620G. DEPLETED URANIUM AMMUNITION.**

19 “(a) PROHIBITION.—Except as provided in sub-
20 section (b), none of the funds made available to carry out
21 this Act or any other Act may be made available to facili-
22 tate in any way the sale of M-833 antitank shells or any
23 comparable antitank shells containing a depleted uranium
24 penetrating component to any country other than—

1 “(1) a country that is a member of the North
2 Atlantic Treaty Organization;

3 “(2) a country that has been designated as a
4 major non-NATO ally (as defined in section 644(q));
5 or

6 “(3) Taiwan.

7 “(b) EXCEPTION.—The prohibition contained in sub-
8 section (a) shall not apply with respect to the use of funds
9 to facilitate the sale of antitank shells to a country if the
10 President determines that to do so is in the national secu-
11 rity interest of the United States.”.

12 **TITLE XXXII—ECONOMIC**
13 **ASSISTANCE**

14 **CHAPTER 1—ECONOMIC SUPPORT**
15 **ASSISTANCE**

16 **SEC. 3201. ECONOMIC SUPPORT FUND.**

17 Section 532(a) of the Foreign Assistance Act of 1961
18 (22 U.S.C. 2346a(a)) is amended to read as follows:

19 “(a) There are authorized to be appropriated to the
20 President to carry out the purposes of this chapter
21 \$2,346,378,000 for fiscal year 1996 and \$2,273,478,000
22 for fiscal year 1997.”.

23 **SEC. 3202. ASSISTANCE FOR ISRAEL.**

24 (a) MINIMUM ALLOCATION.—Of the amounts made
25 available for fiscal years 1996 and 1997 for assistance

1 under chapter 4 of part II of the Foreign Assistance Act
2 of 1961 (22 U.S.C. 2346 et seq.; relating to the economic
3 support fund), not less than \$1,200,000,000 for each such
4 fiscal year shall be available only for Israel.

5 (b) TERMS OF ASSISTANCE.—

6 (1) CASH TRANSFER.—The total amount of
7 funds allocated for Israel for each fiscal year under
8 subsection (a) shall be made available on a grant
9 basis as a cash transfer.

10 (2) EXPEDITED DISBURSEMENT.—Such funds
11 shall be disbursed—

12 (A) with respect to fiscal year 1996, not
13 later than 30 days after the date of the enact-
14 ment of the Foreign Operations, Export Fi-
15 nancing, and Related Programs Appropriations
16 Act, 1996, or by October 31, 1995, whichever
17 is later; and

18 (B) with respect to fiscal year 1997, not
19 later than 30 days after the date of the enact-
20 ment of the Foreign Operations, Export Fi-
21 nancing, and Related Programs Appropriations
22 Act, 1997, or by October 31, 1996, whichever
23 is later.

24 (3) ADDITIONAL REQUIREMENT.—In exercising
25 the authority of this subsection, the President shall

1 ensure that the amount of funds provided as a cash
2 transfer to Israel does not cause an adverse impact
3 on the total level of nonmilitary exports from the
4 United States to Israel.

5 **SEC. 3203. ASSISTANCE FOR EGYPT.**

6 (a) **MINIMUM ALLOCATION.**—Of the amounts made
7 available for fiscal years 1996 and 1997 for assistance
8 under chapter 4 of part II of the Foreign Assistance Act
9 of 1961 (22 U.S.C. 2346 et seq.; relating to the economic
10 support fund), not less than \$815,000,000 for each such
11 fiscal year shall be available only for Egypt.

12 (b) **ADDITIONAL REQUIREMENT.**—In exercising the
13 authority of this section, the President shall ensure that
14 the amount of funds provided as a cash transfer to Egypt
15 does not cause an adverse impact on the total level of non-
16 military exports from the United States to Egypt.

17 **SEC. 3204. INTERNATIONAL FUND FOR IRELAND.**

18 (a) **FUNDING.**—

19 (1) **IN GENERAL.**—Of the amounts made avail-
20 able for fiscal years 1996 and 1997 for assistance
21 under chapter 4 of part II of the Foreign Assistance
22 Act of 1961 (22 U.S.C. 2346 et seq.; relating to the
23 economic support fund), not less than \$29,600,000
24 for fiscal year 1996 and not less than \$19,600,000
25 for fiscal year 1997 shall be available for the United

1 States contribution to the International Fund for
2 Ireland in accordance with the Anglo-Irish Agree-
3 ment Support Act of 1986 (Public Law 99–415).

4 (2) AVAILABILITY.—Amounts made available
5 under paragraph (1) are authorized to remain avail-
6 able until expended.

7 (b) ADDITIONAL REQUIREMENTS.—

8 (1) PURPOSES.—Section 2(b) of the Anglo-Irish
9 Agreement Support Act of 1986 (Public Law 99–
10 415; 100 Stat. 947) is amended by adding at the
11 end the following new sentences: “United States con-
12 tributions shall be used in a manner that effectively
13 increases employment opportunities in communities
14 with rates of unemployment significantly higher than
15 the local or urban average of unemployment in
16 Northern Ireland. In addition, such contributions
17 shall be used to benefit individuals residing in such
18 communities.”.

19 (2) CONDITIONS AND UNDERSTANDINGS.—Sec-
20 tion 5(a) of such Act is amended—

21 (A) in the first sentence—

22 (i) by striking “The United States”
23 and inserting the following:

24 “(1) IN GENERAL.—The United States”;

1 (ii) by striking “in this Act may be
2 used” and inserting the following: “in this
3 Act—

4 “(A) may be used”;

5 (iii) by striking the period and insert-
6 ing “; and”; and

7 (iv) by adding at the end the follow-
8 ing:

9 “(B) may be provided to an individual or
10 entity in Northern Ireland only if such individ-
11 ual or entity is in compliance with the prin-
12 ciples of economic justice.”; and

13 (B) in the second sentence, by striking
14 “The restrictions” and inserting the following:

15 “(2) ADDITIONAL REQUIREMENTS.—The re-
16 strictions”.

17 (3) PRIOR CERTIFICATIONS.—Section 5(c)(2) of
18 such Act is amended—

19 (A) in subparagraph (A), by striking
20 “principle of equality” and all that follows and
21 inserting “principles of economic justice; and”;
22 and

23 (B) in subparagraph (B), by inserting be-
24 fore the period at the end the following: “and
25 will create employment opportunities in regions

1 and communities of Northern Ireland suffering
2 the highest rates of unemployment”.

3 (4) ANNUAL REPORTS.—Section 6 of such Act
4 is amended—

5 (A) in paragraph (2), by striking “and” at
6 the end;

7 (B) in paragraph (3), by striking the pe-
8 riod and inserting “; and”; and

9 (C) by adding at the end the following new
10 paragraph:

11 “(4) each individual or entity receiving assist-
12 ance from United States contributions to the Inter-
13 national Fund has agreed in writing to comply with
14 the principles of economic justice.”.

15 (5) DEFINITIONS.—Section 8 of such Act is
16 amended—

17 (A) in paragraph (1), by striking “and” at
18 the end;

19 (B) in paragraph (2), by striking the pe-
20 riod at the end and inserting a semicolon; and

21 (C) by adding at the end the following new
22 paragraphs:

23 “(3) the term ‘Northern Ireland’ includes the
24 counties of Antrim, Armagh, Derry, Down, Tyrone,
25 and Fermanagh; and

1 “(4) the term ‘principles of economic justice’
2 means the following principles:

3 “(A) Increasing the representation of indi-
4 viduals from underrepresented religious groups
5 in the workforce, including managerial, super-
6 visory, administrative, clerical, and technical
7 jobs.

8 “(B) Providing adequate security for the
9 protection of minority employees at the work-
10 place.

11 “(C) Banning provocative sectarian or po-
12 litical emblems from the workplace.

13 “(D) Providing that all job openings be ad-
14 vertised publicly and providing that special re-
15 cruitment efforts be made to attract applicants
16 from underrepresented religious groups.

17 “(E) Providing that layoff, recall, and ter-
18 mination procedures do not favor a particular
19 religious group.

20 “(F) Abolishing job reservations, appren-
21 ticeship restrictions, and differential employ-
22 ment criteria which discriminate on the basis of
23 religion.

24 “(G) Providing for the development of
25 training programs that will prepare substantial

1 numbers of minority employees for skilled jobs,
2 including the expansion of existing programs
3 and the creation of new programs to train, up-
4 grade, and improve the skills of minority em-
5 ployees.

6 “(H) Establishing procedures to assess,
7 identify, and actively recruit minority employees
8 with the potential for further advancement.

9 “(I) Providing for the appointment of a
10 senior management staff member to be respon-
11 sible for the employment efforts of the entity
12 and, within a reasonable period of time, the im-
13 plementation of the principles described in sub-
14 paragraphs (A) through (H).”.

15 (6) EFFECTIVE DATE.—The amendments made
16 by this subsection shall take effect 180 days after
17 the date of the enactment of this Act.

18 **SEC. 3205. LAW ENFORCEMENT ASSISTANCE.**

19 (a) IN GENERAL.—Of the amounts made available
20 for fiscal years 1996 and 1997 for assistance under chap-
21 ter 4 of part II of the Foreign Assistance Act of 1961
22 (22 U.S.C. 2346 et seq.; relating to the economic support
23 fund), not more than \$12,000,000 for each such fiscal
24 year shall be available for law enforcement assistance

1 under chapter 8 of part I of such Act (22 U.S.C. 2291
2 et seq.).

3 (b) AVAILABILITY.—Amounts made available under
4 subsection (a) are authorized to remain available until ex-
5 pended.

6 **CHAPTER 2—ASSISTANCE FOR PRIVATE**
7 **SECTOR PROGRAMS AND ACTIVITIES**

8 **SEC. 3211. PRIVATE SECTOR ENTERPRISE FUNDS.**

9 The Foreign Assistance Act of 1961 (22 U.S.C. 2151
10 et seq.) is amended by inserting after section 601 the fol-
11 lowing new section:

12 **“SEC. 601A. PRIVATE SECTOR ENTERPRISE FUNDS.**

13 “(a) AUTHORITY.—(1) The President may provide
14 funds and support to Enterprise Funds designated in ac-
15 cordance with subsection (b) that are or have been estab-
16 lished for the purposes of promoting—

17 “(A) development of the private sectors of eligi-
18 ble countries, including small businesses, the agricul-
19 tural sector, and joint ventures with United States
20 and host country participants; and

21 “(B) policies and practices conducive to private
22 sector development in eligible countries;

23 on the same basis as funds and support may be provided
24 with respect to Enterprise Funds for Poland and Hungary

1 under the Support for East European Democracy (SEED)
2 Act of 1989 (22 U.S.C. 5401 et seq.).

3 “(2) Funds may be made available under this section
4 notwithstanding any other provision of law.

5 “(b) COUNTRIES ELIGIBLE FOR ENTERPRISE
6 FUNDS.—(1) Except as provided in paragraph (2), the
7 President is authorized to designate a private, nonprofit
8 organization as eligible to receive funds and support pur-
9 suant to this section with respect to any country eligible
10 to receive assistance under part I of this Act in the same
11 manner and with the same limitations as set forth in sec-
12 tion 201(d) of the Support for East European Democracy
13 (SEED) Act of 1989 (22 U.S.C. 5421(d)).

14 “(2) The authority of paragraph (1) shall not apply
15 to any country with respect to which the President is au-
16 thorized to designate an enterprise fund under section
17 498B(c) or section 498C of this Act or section 201 of the
18 Support for East European Democracy (SEED) Act of
19 1989 (22 U.S.C. 5421).

20 “(c) TREATMENT EQUIVALENT TO ENTERPRISE
21 FUNDS FOR POLAND AND HUNGARY.—Except as other-
22 wise specifically provided in this section, the provisions
23 contained in section 201 of the Support for East Euro-
24 pean Democracy (SEED) Act of 1989 (22 U.S.C. 5421)
25 (excluding the authorizations of appropriations provided

1 in subsection (b) of that section) shall apply to any Enter-
2 prise Fund that receives funds and support under this sec-
3 tion. The officers, members, or employees of an Enterprise
4 Fund that receive funds and support under this section
5 shall enjoy the same status under law that is applicable
6 to officers, members, or employees of the Enterprise
7 Funds for Poland and Hungary under section 201 of the
8 Support for East European Democracy (SEED) Act of
9 1989 (22 U.S.C. 5421).

10 “(d) REPORTING REQUIREMENT.—Notwithstanding
11 any other provision of this section, the requirement of sec-
12 tion 201(p) of the Support for East European Democracy
13 (SEED) Act of 1989 (22 U.S.C. 5421(p)), that an Enter-
14 prise Fund shall be required to publish an annual report
15 not later than January 31 each year, shall not apply with
16 respect to an Enterprise Fund that receives funds and
17 support under this section for the first twelve months after
18 it is designated as eligible to receive such funds and sup-
19 port.

20 “(e) FUNDING.—

21 “(1) IN GENERAL.—Amounts made available
22 for a fiscal year to carry out chapter 1 of part I of
23 this Act (relating to development assistance) and to
24 carry out chapter 4 of part II of this Act (relating
25 to the economic support fund) shall be available for

1 such fiscal year to carry out this section, in addition
2 to amounts otherwise available for such purposes.

3 “(2) AFRICAN DEVELOPMENT.—In addition to
4 amounts available under paragraph (1) for a fiscal
5 year, amounts made available for such fiscal year to
6 carry out chapter 10 of part I of this Act (relating
7 to the Development Fund for Africa) shall be avail-
8 able for such fiscal year to carry out this section
9 with respect to countries in Africa.”.

10 **SEC. 3212. TRANS-CAUCASUS ENTERPRISE FUNDS.**

11 Chapter 11 of part I of the Foreign Assistance Act
12 of 1961 (22 U.S.C. 2295 et seq.) is amended—

13 (1) by redesignating section 498C as section
14 498D; and

15 (2) by inserting after section 498B the follow-
16 ing new section:

17 **“SEC. 498C. TRANS-CAUCASUS ENTERPRISE FUNDS.**

18 “(a) AUTHORITY.—The President may provide funds
19 and support in accordance with section 498B(c) to Enter-
20 prise Funds that are or have been established for the pur-
21 poses of promoting—

22 “(1) development of the private sectors of coun-
23 tries in the Trans-Caucasus region of the former So-
24 viet Union, including small businesses, the agricul-

1 tural sector, and joint ventures with United States
2 and host country participants; and

3 “(2) policies and practices conducive to private
4 sector development in countries in the Trans-
5 Caucasus region of the former Soviet Union.

6 “(b) REPORTING REQUIREMENT.—Notwithstanding
7 any other provision of this section, the requirement of sec-
8 tion 201(p) of the Support for East European Democracy
9 (SEED) Act of 1989 (22 U.S.C. 5421(p)), that an Enter-
10 prise Fund shall be required to publish an annual report
11 not later than January 31 each year, shall not apply with
12 respect to an Enterprise Fund that receives funds and
13 support under this section for the first twelve months after
14 it is designated as eligible to receive such funds and sup-
15 port.”.

16 **SEC. 3213. MICRO- AND SMALL ENTERPRISE DEVELOPMENT**
17 **CREDITS.**

18 (a) IN GENERAL.—Section 108 of the Foreign Assist-
19 ance Act of 1961 (22 U.S.C. 2151f) is amended to read
20 as follows:

21 **“SEC. 108. MICRO- AND SMALL ENTERPRISE DEVELOPMENT**
22 **CREDITS.**

23 “(a) FINDINGS AND POLICY.—The Congress finds
24 and declares that—

1 “(1) the development of micro- and small enter-
2 prise, including cooperatives, is a vital factor in the
3 stable growth of developing countries and in the de-
4 velopment and stability of a free, open, and equi-
5 table international economic system;

6 “(2) it is, therefore, in the best interests of the
7 United States to assist the development of the pri-
8 vate sector in developing countries and to engage the
9 United States private sector in that process;

10 “(3) the support of private enterprise can be
11 served by programs providing credit, training, and
12 technical assistance for the benefit of micro- and
13 small enterprises; and

14 “(4) programs that provide credit, training, and
15 technical assistance to private institutions can serve
16 as a valuable complement to grant assistance pro-
17 vided for the purpose of benefiting micro- and small
18 private enterprise.

19 “(b) PROGRAM.—To carry out the policy set forth in
20 subsection (a), the President is authorized to provide as-
21 sistance to increase the availability of credit to micro- and
22 small enterprises lacking full access to credit, including
23 through—

1 “(1) loans and guarantees to credit institutions
2 for the purpose of expanding the availability of cred-
3 it to micro- and small enterprises;

4 “(2) training programs for lenders in order to
5 enable them to better meet the credit needs of
6 micro- and small entrepreneurs; and

7 “(3) training programs for micro- and small en-
8 trepreneurs in order to enable them to make better
9 use of credit and to better manage their enter-
10 prises.”.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—

12 (1) IN GENERAL.—(A) There is authorized to
13 be appropriated to carry out section 108 of the For-
14 eign Assistance Act of 1961, in addition to funds
15 otherwise available for such purposes, \$2,000,000
16 for each of the fiscal years 1996 and 1997. Funds
17 authorized to be appropriated under this subsection
18 shall be made available for the subsidy cost, as de-
19 fined in section 502(5) of the Federal Credit Reform
20 Act of 1990, for activities under section 108 of the
21 Foreign Assistance Act of 1961.

22 (B) In addition, there are authorized to be ap-
23 propriated \$500,000 for each of the fiscal years
24 1996 and 1997 for the cost of training programs

1 and administrative expenses to carry out such sec-
2 tion.

3 (2) AVAILABILITY OF AMOUNTS.—Amounts au-
4 thorized to be appropriated under paragraph (1) are
5 authorized to remain available until expended.

6 **SEC. 3214. MICROENTERPRISE DEVELOPMENT GRANTS.**

7 Chapter 1 of part I of the Foreign Assistance Act
8 of 1961 (22 U.S.C. 2151 et seq.) is amended by adding
9 at the end the following new section:

10 “SEC. 129. MICROENTERPRISE DEVELOPMENT
11 GRANTS.—(a)(1) In carrying out this part, the adminis-
12 trator of the agency primarily responsible for administer-
13 ing this part is authorized to provide grant assistance for
14 programs of credit and other assistance for
15 microenterprises in developing countries.

16 “(2) Assistance authorized under paragraph (1) shall
17 be provided through the following organizations that have
18 a capacity to develop and implement microenterprise pro-
19 grams:

20 “(A) United States and indigenous private and
21 voluntary organizations.

22 “(B) United States and indigenous credit
23 unions and cooperative organizations.

24 “(C) Other indigenous governmental and non-
25 governmental organizations.

1 “(3) A significant portion of assistance authorized
2 under paragraph (1) shall be used for poverty lending pro-
3 grams which—

4 “(A) meet the needs of the very poor members
5 of society, particularly poor women; and

6 “(B) provide loans of \$300 or less in 1995
7 United States dollars to such poor members of
8 society.

9 “(4) The administrator of the agency primarily re-
10 sponsible for administering this part shall strengthen ap-
11 propriate mechanisms, including mechanisms for central
12 microenterprise programs, for the purpose of—

13 “(A) providing technical support for field mis-
14 sions;

15 “(B) strengthening the institutional develop-
16 ment of the intermediary organizations described in
17 paragraph (2); and

18 “(C) sharing information relating to the provi-
19 sion of assistance authorized under paragraph (1)
20 between such field missions and intermediary organi-
21 zations.

22 “(b) In order to maximize the sustainable develop-
23 ment impact of the assistance authorized under subsection
24 (a)(1), the administrator of the agency primarily respon-

1 sible for administering this part shall establish a monitor-
2 ing system that—

3 “(1) establishes performance goals for such as-
4 sistance and expresses such goals in an objective and
5 quantifiable form, to the extent feasible;

6 “(2) establishes performance indicators to be
7 used in measuring or assessing the achievement of
8 the goals and objectives of such assistance; and

9 “(3) provides a basis for recommendations for
10 adjustments to such assistance to enhance the sus-
11 tainable development impact of such assistance, par-
12 ticularly the impact of such assistance on the very
13 poor, particularly poor women.”.

14 **CHAPTER 3—DEVELOPMENT ASSISTANCE**

15 **Subchapter A—Development Assistance**

16 **Authorities**

17 **SEC. 3221. AUTHORIZATIONS OF APPROPRIATIONS.**

18 (a) IN GENERAL.—There are authorized to be appro-
19 priated the following amounts for the following purposes
20 (in addition to amounts otherwise available for such pur-
21 poses):

22 (1) DEVELOPMENT ASSISTANCE FUND.—
23 \$858,000,000 for each of the fiscal years 1996 and
24 1997 to carry out sections 103 through 106 of the

1 Foreign Assistance Act of 1961 (22 U.S.C. 2151a
2 through 2151d).

3 (2) DEVELOPMENT FUND FOR AFRICA.—
4 \$529,000,000 for each of the fiscal years 1996 and
5 1997 to carry out chapter 10 of part I of the For-
6 eign Assistance Act of 1961 (22 U.S.C. 2293 et
7 seq.).

8 (3) ASSISTANCE FOR THE INDEPENDENT
9 STATES OF THE FORMER SOVIET UNION.—
10 \$700,000,000 for fiscal year 1996 and
11 \$650,000,000 for fiscal year 1997 to carry out chap-
12 ter 11 of part I of the Foreign Assistance Act of
13 1961 (22 U.S.C. 2295 et seq.).

14 (4) ASSISTANCE FOR EAST EUROPEAN COUN-
15 TRIES.—\$300,000,000 for fiscal year 1996 and
16 \$250,000,000 for fiscal year 1997 for economic as-
17 sistance for Eastern Europe and the Baltic states
18 under the Foreign Assistance Act of 1961 (22
19 U.S.C. 2151 et seq.) and the Support for East Eu-
20 ropean Democracy (SEED) Act of 1989 (22 U.S.C.
21 5401 et seq.).

22 (5) INTER-AMERICAN FOUNDATION.—
23 \$20,000,000 for fiscal year 1996 and \$10,000,000
24 for fiscal year 1997 to carry out section 401 of the
25 Foreign Assistance Act of 1969 (22 U.S.C. 290f).

1 (6) AFRICAN DEVELOPMENT FOUNDATION.—
2 \$10,000,000 for fiscal year 1996 and \$5,000,000 for
3 fiscal year 1997 to carry out the African Develop-
4 ment Foundation Act (22 U.S.C. 290h et seq.).

5 (b) AVAILABILITY OF AMOUNTS.—Amounts author-
6 ized to be appropriated under subsection (a) are author-
7 ized to remain available until expended.

8 **SEC. 3222. ASSISTANCE FOR FAMILY PLANNING.**

9 (a) RESTRICTION ON USE OF FUNDS FOR VOL-
10 UNTARY POPULATION PLANNING.—Section 104(b) of the
11 Foreign Assistance Act of 1961 (22 U.S.C. 2151b(b)) is
12 amended by inserting after the first sentence the following
13 new sentence: “Such assistance shall be available only for
14 voluntary family planning projects which offer, either di-
15 rectly or through referral to, or information about access
16 to, a broad range of family planning methods and serv-
17 ices.”.

18 (b) PROHIBITION ON USE OF FUNDS FOR VOL-
19 UNTARY POPULATION PLANNING TO ORGANIZATIONS OR
20 PROGRAMS SUPPORTING OR PARTICIPATING IN THE MAN-
21 AGEMENT OF ABORTION OF INVOLUNTARY STERILIZA-
22 TION PROGRAMS.—Section 104(b) of such Act (22 U.S.C.
23 2151b(b)), as amended by subsection (a), is further
24 amended—

1 (1) in the first sentence, by striking “In order
2 to” and inserting “(1) In order to”; and

3 (2) by adding at the end the following new
4 paragraph:

5 “(2) None of the funds made available to carry out
6 this subsection may be made available to any organization
7 or program which, as determined by the President, sup-
8 ports or participates in the management of a program or
9 coercive abortion or involuntary sterilization.”.

10 (c) PROHIBITION ON DISCRIMINATION WITH RE-
11 SPECT TO GRANTS FOR NATURAL FAMILY PLANNING.—
12 Section 104(b) of such Act (22 U.S.C. 2151b(b)), as
13 amended by subsections (a) and (b), is further amended
14 by adding at the end the following new paragraph:

15 “(3) In providing grants for natural family planning
16 under this subsection, the administrator of the agency pri-
17 marily responsible for administering this part shall not
18 discriminate against applicants because of any religious or
19 conscientious commitment by such applicants to offer only
20 natural family planning services.”.

21 (d) CLARIFICATION WITH RESPECT TO PROHIBITION
22 ON USE OF FUNDS FOR ABORTIONS.—Section 104(f)(1)
23 of such Act (22 U.S.C. 2151b(f)(1)) is amended—

24 (1) by striking “None of the funds” and insert-
25 ing “(A) None of the funds”; and

1 (2) by adding at the end the following new sub-
2 paragraph:

3 “(B) For purposes of this paragraph, the term ‘moti-
4 vate’ shall not be construed to prohibit the provision, con-
5 sistent with local law, of information and counseling con-
6 cerning all pregnancy options, including abortion.”.

7 **SEC. 3223. ASSISTANCE FOR THE INDEPENDENT STATES OF**
8 **THE FORMER SOVIET UNION.**

9 (a) CONDITIONS ON ASSISTANCE .—Section 498A(b)
10 of the Foreign Assistance Act of 1961 (22 U.S.C.
11 2295a(b)) is amended—

12 (1) in paragraph (4), by striking “or” at the
13 end;

14 (2) by redesignating paragraph (5) as para-
15 graph (8); and

16 (3) by inserting after paragraph (4) the follow-
17 ing new paragraphs:

18 “(5) for the government of any independent
19 state that the President determines directs any ac-
20 tion in violation of the territorial integrity or na-
21 tional sovereignty of any other new independent
22 state, such as those violations included in Principle
23 Six of the Helsinki Final Act of the Conference on
24 Security and Cooperation in Europe, except that this

1 paragraph shall not apply to the provision of such
2 assistance for purposes of—

3 “(A) humanitarian, disaster, and refugee
4 relief; or

5 “(B) assisting democratic political reform
6 and the creation of private sector nongovern-
7 mental organizations that are independent of
8 government ownership and control;

9 “(6) for the purpose of enhancing the military
10 capability of any independent state, except that this
11 paragraph shall not apply to demilitarization, de-
12 fense conversion or nonproliferation programs, or
13 programs to support troop withdrawal including
14 through the support of an officer resettlement pro-
15 gram, and technical assistance for the housing sec-
16 tor;

17 “(7) for the Government of Russia if the Presi-
18 dent determines that Government—

19 “(A) is not making progress in implement-
20 ing comprehensive economic reforms based on
21 market principles, including fostering private
22 ownership, the repayment of commercial debt,
23 the respect of commercial contracts, the equi-
24 table treatment of foreign private investment;
25 or

1 “(B) applies or transfers assistance pro-
2 vided under this chapter to any entity for the
3 purpose of expropriating or seizing ownership
4 or control of assets, investments, or ventures;
5 or”.

6 (b) ASSISTANCE THROUGH THE PRIVATE SECTOR.—
7 Section 498B(a) of such Act (22 U.S.C. 2295b(a)) is
8 amended to read as follows:

9 “(a) ASSISTANCE THROUGH THE PRIVATE SEC-
10 TOR.—Assistance under this chapter shall be provided, to
11 the maximum extent feasible, through the private sector,
12 including private and voluntary organizations and other
13 nongovernmental organizations functioning in the inde-
14 pendent states of the former Soviet Union.”.

15 (c) WAIVER OF CERTAIN PROVISIONS.—Section
16 498B(j)(1) of such Act (22 U.S.C. 2295b(j)(1)) is amend-
17 ed in the matter preceding subparagraph (A)—

18 (1) by striking “for fiscal year 1993 by this
19 chapter” and inserting “to carry out this chapter”;
20 and

21 (2) by striking “appropriated for fiscal year
22 1993”.

1 **SEC. 3224. EFFECTIVENESS OF UNITED STATES DEVELOP-**
2 **MENT ASSISTANCE.**

3 Chapter 1 of part I of the Foreign Assistance Act
4 of 1961 (22 U.S.C. 2251 et seq.), as amended by section
5 3214, is further amended by adding at the end the follow-
6 ing new section:

7 **“SEC. 130. EFFECTIVENESS OF UNITED STATES DEVELOP-**
8 **MENT ASSISTANCE.**

9 “(a) **REPORTS.**—Not later than December 31, 1996,
10 and December 31 of each third year thereafter, the Presi-
11 dent shall transmit to the Congress a report which ana-
12 lyzes, on a country-by-country basis, the impact and effec-
13 tiveness of the United States development assistance pro-
14 vided during the preceding three fiscal years. Each report
15 shall include the following for each recipient country:

16 “(1) An analysis of the impact of United States
17 development assistance during the preceding three
18 fiscal years on development in that country, with a
19 discussion of the United States interests that were
20 served by the assistance. This analysis shall be done
21 on a sector-by-sector basis to the extent possible and
22 shall identify any economic policy reforms which
23 were promoted by the assistance. This analysis
24 shall—

25 “(A) include a description, quantified to
26 the extent practicable, of the specific objectives

1 the United States sought to achieve in provid-
2 ing development assistance for that country;
3 and

4 “(B) specify the extent to which those ob-
5 jectives were not achieved, with an explanation
6 of why they were not achieved.

7 “(2) A description of the amount and nature of
8 development assistance provided by other donors
9 during the preceding three fiscal years, set forth by
10 development sector to the extent possible.

11 “(3) A discussion of the commitment of the
12 host government to addressing the country’s needs
13 in each development sector, including a description
14 of the resources devoted by that government to each
15 development sector during the preceding three fiscal
16 years.

17 “(4) A description of the trends, both favorable
18 and unfavorable, in each development sector.

19 “(5) Statistical and other information necessary
20 to evaluate the impact and effectiveness of United
21 States development assistance on development in the
22 country.

23 “(b) LISTING OF MOST AND LEAST SUCCESSFUL AS-
24 SISTANCE PROGRAMS.—Each report required by this sec-
25 tion shall identify—

1 “(1) those five countries in which United States
2 development assistance has been most successful;
3 and

4 “(2) those five countries in which United States
5 development assistance has been least successful.

6 For each country listed pursuant to paragraph (2), the
7 report shall explain why the assistance was not more suc-
8 cessful and shall specify what the United States has done
9 as a result.

10 “(c) REPORT TO BE A SEPARATE DOCUMENT.—
11 Each report required by this section shall be submitted
12 to the Congress as a separate document.

13 “(d) DEFINITION.—As used in this section, the terms
14 ‘United States development assistance’ and ‘development
15 assistance’ means assistance under this chapter.”.

16 **Subchapter B—Operating Expenses**

17 **SEC. 3231. OPERATING EXPENSES GENERALLY.**

18 Section 667(a)(1) of the Foreign Assistance Act of
19 1961 (22 U.S.C. 2427(a)(1)) is amended to read as fol-
20 lows:

21 “(1) \$465,774,000 for fiscal year 1996 and
22 \$419,196,000 for fiscal year 1997 for necessary op-
23 erating expenses of the agency primarily responsible
24 for administering part I of this Act (other than the
25 office of the inspector general of such agency); and”.

1 **SEC. 3232. OPERATING EXPENSES OF THE OFFICE OF THE**
2 **INSPECTOR GENERAL.**

3 Section 667(a) of the Foreign Assistance Act of 1961
4 (22 U.S.C. 2427(a)), as amended by section 317, is fur-
5 ther amended—

6 (1) by redesignating paragraph (2) as para-
7 graph (3);

8 (2) by striking “and” at the end of paragraph
9 (1); and

10 (3) by inserting after paragraph (1) the follow-
11 ing:

12 “(2) \$35,206,000 for fiscal year 1996 and
13 \$31,685,000 for fiscal year 1997 for necessary oper-
14 ating expenses of the office of the inspector general
15 of such agency; and”.

16 **CHAPTER 4—PUBLIC LAW 480**

17 **SEC. 3241. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) TITLE II.—

19 (1) IN GENERAL.—There is authorized to be
20 appropriated \$821,000,000 for each of the fiscal
21 years 1996 and 1997 for the provision of agricul-
22 tural commodities under title II of the Agricultural
23 Trade Development and Assistance Act of 1954 (7
24 U.S.C. 1721 et seq.).

1 (2) AVAILABILITY OF AMOUNTS.—Amounts au-
2 thorized to be appropriated under paragraph (1) are
3 authorized to remain available until expended.

4 (b) TITLE III.—No funds are authorized to be appro-
5 priated for either of the fiscal years 1996 and 1997 for
6 the provision of agricultural commodities under title III
7 of such Act (7 U.S.C. 1727 et seq.).

8 **CHAPTER 5—HOUSING GUARANTEE**
9 **PROGRAM**

10 **SEC. 3251. AUTHORIZATION OF APPROPRIATIONS FOR AD-**
11 **MINISTRATIVE EXPENSES.**

12 (a) IN GENERAL.—There are authorized to be appro-
13 priated \$7,000,000 for fiscal year 1996 and \$6,000,000
14 for fiscal year 1997 for administrative expenses to carry
15 out guaranteed loan programs under sections 221 and 222
16 of the Foreign Assistance Act of 1961 (22 U.S.C. 2181
17 and 2182).

18 (b) AVAILABILITY.—Amounts authorized to be appro-
19 priated under subsection (a) are authorized to remain
20 available until expended.

21 **CHAPTER 6—PEACE CORPS**

22 **SEC. 3261. PEACE CORPS.**

23 Section 3(b) of the Peace Corps Act (22 U.S.C.
24 2502(b)) is amended to read as follows:

1 “(b) There are authorized to be appropriated to carry
2 out the purposes of this Act \$219,745,000 for each of the
3 fiscal years 1996 and 1997.”.

4 **SEC. 3262. ACTIVITIES OF THE PEACE CORPS IN THE**
5 **FORMER SOVIET UNION.**

6 (a) IN GENERAL.—Of the amounts made available
7 for fiscal years 1996 and 1997 to carry out chapter 11
8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C.
9 2295 et seq.; relating to assistance for the independent
10 states of the former Soviet Union), not more than
11 \$11,600,000 for each such fiscal year shall be available
12 for activities of the Peace Corps in the independent states
13 of the former Soviet Union.

14 (b) AVAILABILITY.—Amounts made available under
15 subsection (a)—

16 (1) with respect to fiscal year 1996 are author-
17 ized to remain available until September 30, 1997;
18 and

19 (2) with respect to fiscal year 1997 are author-
20 ized to remain available until September 30, 1998.

21 **SEC. 3263. PROHIBITION ON USE OF FUNDS FOR ABOR-**
22 **TIONS.**

23 Section 15 of the Peace Corps Act (22 U.S.C. 2514)
24 is amended by adding at the end the following new sub-
25 section:

1 **CHAPTER 8—OTHER PROVISIONS**

2 **SEC. 3281. EXEMPTION FROM RESTRICTIONS ON ASSIST-**
3 **ANCE THROUGH NONGOVERNMENTAL ORGA-**
4 **NIZATIONS.**

5 Section 123(e) of the Foreign Assistance Act of 1961
6 (22 U.S.C. 2151u(e)) is amended to read as follows:

7 “(e)(1) Subject to paragraph (3), restrictions con-
8 tained in this Act or any other provision of law with re-
9 spect to assistance for a country shall not be construed
10 to restrict assistance under this chapter or chapter 10 of
11 this part in support of programs of nongovernmental orga-
12 nizations.

13 “(2) The President shall take into consideration, in
14 any case in which a restriction on assistance for a country
15 would be applicable but for this subsection, whether assist-
16 ance for programs of nongovernmental organizations is in
17 the national interest of the United States.

18 “(3) Whenever the authority of this subsection is
19 used to furnish assistance for a program of a nongovern-
20 mental organization, the President shall notify the con-
21 gressional committees specified in section 634A(a) of this
22 Act in accordance with procedures applicable to
23 reprogramming notifications under that section. Such no-
24 tification shall describe the program assisted, the assist-

1 ance provided, and the reasons for furnishing such assist-
2 ance.”.

3 **SEC. 3282. FUNDING REQUIREMENTS RELATING TO UNITED**
4 **STATES PRIVATE AND VOLUNTARY ORGANI-**
5 **ZATIONS.**

6 (a) IN GENERAL.—Section 123(g) of the Foreign As-
7 sistance Act of 1961 (22 U.S.C. 2151u(g)) is amended
8 to read as follows:

9 “(g) Funds made available to carry out this chapter
10 and chapter 10 of this part may not be made available
11 to any United States private and voluntary organization,
12 except any cooperative development organization, that ob-
13 tains less than 20 percent of its total annual financial sup-
14 port for its international activities from sources other than
15 the United States Government.”.

16 (b) EFFECTIVE DATE.—The amendment made by
17 subsection (a) apply with respect to funds made available
18 for programs of any United States private and voluntary
19 organization on or after the date of the enactment of this
20 Act.

21 **SEC. 3283. DOCUMENTATION REQUESTED OF PRIVATE AND**
22 **VOLUNTARY ORGANIZATIONS.**

23 Section 620 of the Foreign Assistance Act of 1961
24 (22 U.S.C. 2370) is amended by inserting after subsection
25 (u) the following new subsection:

1 “(v) None of the funds made available to carry out
2 this Act shall be available to any private and voluntary
3 organization which—

4 “(1) fails to provide upon timely request any
5 document, file, or record necessary to the auditing
6 requirements of the agency primarily responsible for
7 administering part I of this Act; or

8 “(2) is not registered with the agency primarily
9 responsible for administering part I of this Act.”.

10 **SEC. 3284. FOREIGN GOVERNMENT PARKING FINES.**

11 (a) IN GENERAL.—Chapter 1 of part III of the For-
12 eign Assistance Act of 1961 (22 U.S.C. 2351 et seq.), as
13 amended by this Act, is further amended by adding at the
14 end the following new section:

15 **“SEC. 620H. FOREIGN GOVERNMENT PARKING FINES.**

16 “(a) IN GENERAL.—An amount equivalent to 110
17 percent of the total unpaid fully adjudicated parking fines
18 and penalties owed to the District of Columbia, Virginia,
19 Maryland, and New York by the government of a foreign
20 country as of the end of a fiscal year, as certified to the
21 President by the chief executive officer of each State or
22 District, shall be withheld from obligation for such country
23 out of funds available in the next fiscal year to carry out
24 part I of this Act, until the requirement of subsection (b)
25 is satisfied.

1 “(b) REQUIREMENT.—The requirement of this sub-
2 section is satisfied when the Secretary of State determines
3 and certifies to the appropriate congressional committees
4 that such fines and penalties are fully paid to the govern-
5 ments of the District of Columbia, Virginia, Maryland,
6 and New York.

7 “(c) APPROPRIATE CONGRESSIONAL COMMITTEES
8 DEFINED.—For purposes of this section, the term ‘appro-
9 priate congressional committees’ means the Committee on
10 International Relations and the Committee on Appropria-
11 tions of the House of Representatives and the Committee
12 on Foreign Relations and the Committee on Appropria-
13 tions of the Senate.”.

14 (b) EFFECTIVE DATE.—The amendment made by
15 subsection (a) shall apply with respect to fines certified
16 as of the end of fiscal year 1995 or any fiscal year there-
17 after.

18 **TITLE XXXIII—REGIONAL** 19 **PROVISIONS**

20 **SEC. 3301. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-** 21 **ERNMENTS PROVIDING ASSISTANCE TO** 22 **CUBA.**

23 (a) IN GENERAL.—Section 620 of the Foreign Assist-
24 ance Act of 1961 (22 U.S.C. 2370) is amended by insert-

1 ing after subsection (v) (as added by section 3283) the
2 following new subsection:

3 “(w)(1) No assistance may be provided under this
4 Act (other than humanitarian assistance and assistance
5 for refugees) for a fiscal year to any foreign government
6 that the President determines has provided economic as-
7 sistance to or engaged in nonmarket-based trade with the
8 Government of Cuba or any entity controlled by such Gov-
9 ernment in the preceding fiscal year.

10 “(2) The President may waive the requirements of
11 paragraph (1) if—

12 “(A) the President certifies to the congressional
13 committees specified in section 634A of this Act (in
14 accordance with procedures applicable to
15 reprogramming of funds under that section) that the
16 provision of such assistance is vital to the national
17 security of the United States; or

18 “(B) the President determines and reports to
19 the Congress that the Government of Cuba has met
20 the requirements contained in section 1708 of the
21 Cuban Democracy Act of 1992 (22 U.S.C. 6001 et
22 seq.).

23 “(3) Not later than February 1st each year, the
24 President shall prepare and transmit to the appropriate
25 congressional committees a report containing a list of all

1 foreign governments that the President has determined
2 have provided economic assistance to or engaged in
3 nonmarket-based trade with the Government of Cuba in
4 the preceding fiscal year.

5 “(4) For purposes of this subsection—

6 “(A) the term ‘appropriate congressional com-
7 mittees’ means the Committee on International Re-
8 lations and the Committee on Appropriations of the
9 House of Representatives and the Committee on
10 Foreign Relations and the Committee on Appropria-
11 tions of the Senate;

12 “(B) the term ‘humanitarian assistance’ means
13 food (including the monetization of food), clothing,
14 medicine, and medical supplies; and

15 “(C) the term ‘nonmarket-based trade’ includes
16 exports, imports, exchanges, or other trade arrange-
17 ments under which goods or services are provided on
18 terms more favorable than those generally available
19 in applicable markets or for comparable commod-
20 ities, including—

21 “(i) exports to the Government of Cuba on
22 terms that involve a grant, concessional price,
23 guaranty, insurance, or subsidy;

24 “(ii) imports from the Government of Cuba
25 at preferential tariff rates; and

1 “(iii) exchange arrangements that include
2 advance delivery of commodities, arrangements
3 in which the Government of Cuba is not held
4 accountable for unfulfilled exchange contracts,
5 and arrangements under which such Govern-
6 ment does not pay appropriate transportation,
7 insurance, or finance costs.”.

8 (b) EFFECTIVE DATE.—

9 (1) IN GENERAL.—Except as provided in para-
10 graph (2), the prohibition on assistance to a foreign
11 government contained in section 620(w) of the For-
12 eign Assistance Act of 1961, as added by subsection
13 (a), shall apply only with respect to assistance pro-
14 vided in fiscal years beginning on or after the date
15 of the enactment of this Act.

16 (2) EXCEPTION.—In the case of the fiscal year
17 in which this Act is enacted, such prohibition shall
18 apply with respect to the obligation or expenditure
19 of assistance on or after the date of the enactment
20 of this Act.

21 **SEC. 3302. ASSISTANCE FOR NICARAGUA.**

22 (a) RESTRICTIONS.—Amounts made available for fis-
23 cal years 1996 and 1997 for assistance under chapter 1
24 of part I of the Foreign Assistance Act of 1961 (22 U.S.C.
25 2151 et seq.; relating to development assistance) or chap-

1 ter 4 of part II of such Act (22 U.S.C. 2346 et seq.; relat-
2 ing to the economic support fund), including any unobli-
3 gated balances of prior appropriations, may only be made
4 available to the Government of Nicaragua if the Secretary
5 of State, in consultation with the Secretary of Defense and
6 the Director of the Central Intelligence, determines and
7 certifies to the appropriate congressional committees
8 that—

9 (1) a full and independent investigation has
10 been completed of the weapons caches discovered
11 after the May 23, 1993, Santa Rosa arms cache ex-
12 plosion, including an investigation of passports, iden-
13 tity papers, and other documents found at weapons
14 sites indicating the existence of a terrorist or kid-
15 napping ring and that the terrorist network was not
16 involved with the February 1993 World Trade Cen-
17 ter bombing;

18 (2) all individuals, including government offi-
19 cials and members of the armed forces or security
20 forces of Nicaragua, identified by the President as
21 part of a terrorist or kidnapping ring, have been
22 prosecuted;

23 (3) Nicaragua has met the requirements set
24 forth in section 527 of the Foreign Relations Au-

1 thorization Act, Fiscal Years 1994 and 1995 (relat-
2 ing to expropriation of United States property);

3 (4) the timely implementation of all rec-
4 ommendations made by the Tripartite Commission
5 with respect to individuals responsible for assassina-
6 tions has been made, including the immediate sus-
7 pension of all individuals from the Sandinista Army
8 and security forces who were named in such rec-
9 ommendations, and the expeditious prosecution of
10 such individuals;

11 (5) all individuals implicated in the murders of
12 Jean Paul Genie, Arges Sequeira, and Enrique
13 Bermúdez have been removed from the military and
14 security forces of Nicaragua, and judicial proceed-
15 ings against these individuals have been completed;

16 (6) specific changes have been implemented
17 which have resulted in verifiable civilian control over
18 the Sandinista military, security forces, and police;
19 and

20 (7) there have been genuine, effective, and con-
21 crete reforms in the Nicaraguan judicial system.

22 (b) CONTENTS OF CERTIFICATION.—

23 (1) IN GENERAL.—A certification made pursu-
24 ant to subsection (a) shall include a detailed ac-
25 counting of all evidence in support of the determina-

1 tions listed in paragraphs (1) through (7) of such
2 subsection.

3 (2) FORM.—A certification made pursuant to
4 subsection (a) shall be submitted in unclassified
5 form, and, to the extent necessary, classified form.

6 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
7 FINED.—For purposes of this section, the term “appro-
8 priate congressional committees” means the Committee on
9 International Relations and the Committee on Appropria-
10 tions of the House of Representatives and the Committee
11 on Foreign Relations and the Committee on Appropria-
12 tions of the Senate.

13 **SEC. 3303. ELIGIBILITY OF PANAMA UNDER ARMS EXPORT**
14 **CONTROL ACT.**

15 The Government of the Republic of Panama shall be
16 eligible to purchase defense articles and defense services
17 under the Arms Export Control Act (22 U.S.C. 2751 et
18 seq.), except as otherwise specifically provided by law.

19 **SEC. 3304. FUTURE OF THE UNITED STATES MILITARY**
20 **PRESENCE IN PANAMA.**

21 (a) FINDINGS.—The Congress makes the following
22 findings:

23 (1) The Panama Canal is a vital strategic asset
24 to the United States, its allies, and the world.

1 (2) The Treaty on the Permanent Neutrality
2 and Operation of the Panama Canal signed on Sep-
3 tember 7, 1977, provides that Panama and the
4 United States have the responsibility to assure that
5 the Panama Canal will remain open and secure.

6 (3) Such Treaty also provides that each of the
7 two countries shall, in accordance with their respec-
8 tive constitutional processes, defend the Canal
9 against any threat to the regime of neutrality, and
10 consequently shall have the right to act against any
11 aggression or threat directed against the Canal or
12 against the peaceful transit of vessels through the
13 Canal.

14 (4) The United States instrument of ratifica-
15 tion of such Treaty includes specific language that
16 the two countries should consider negotiating future
17 arrangements or agreements to maintain military
18 forces necessary to fulfill the responsibility of the
19 two countries of maintaining the neutrality of the
20 Canal after 1999.

21 (5) The Government of Panama, in the bilateral
22 Protocol of Exchange of instruments of ratification,
23 expressly “agreed upon” such arrangements or
24 agreements.

1 (6) The United States Navy depends upon the
2 Panama Canal for rapid transit in times of emer-
3 gency, as demonstrated during World War II, the
4 Korean War, the Vietnam conflict, the Cuban Mis-
5 sile Crisis, and the Persian Gulf conflict.

6 (7) Drug trafficking and money laundering
7 have proliferated in the Western Hemisphere since
8 the Treaty on the Permanent Neutrality and Oper-
9 ation of the Panama Canal was signed on September
10 7, 1977, and such trafficking and laundering poses
11 a grave threat to peace and security in the region.

12 (8) Certain facilities now utilized by the United
13 States Armed Forces in Panama are critical to com-
14 bat the trade in illegal drugs.

15 (9) The United States and Panama share com-
16 mon policy goals such as strengthening democracy,
17 expanding economic trade, and combating illegal
18 narcotics throughout Latin America.

19 (10) The Government of Panama has dissolved
20 its military forces and has maintained only a civilian
21 police organization to defend the Panama Canal
22 against aggression.

23 (11) Certain public opinion polls in Panama
24 suggest that many Panamanians desire a continued
25 United States military presence in Panama.

1 (b) SENSE OF THE CONGRESS.—It is the sense of
2 the Congress that—

3 (1) the President should negotiate a new base
4 rights agreement with the Government of Panama—

5 (A) to allow the stationing of United
6 States Armed Forces in Panama beyond De-
7 cember 31, 1999; and

8 (B) to ensure that the United States will
9 be able to act appropriately, consistent with the
10 Panama Canal Treaty, the Treaty Concerning
11 the Permanent Neutrality and Operation of the
12 Panama Canal, and the resolutions of ratifica-
13 tion thereto, for the purpose of assuring that
14 the Panama Canal shall remain open, neutral,
15 secure, and accessible; and

16 (2) the President should consult with the Con-
17 gress throughout the negotiations described in para-
18 graph (1).

19 **SEC. 3305. PEACE AND STABILITY IN THE SOUTH CHINA**
20 **SEA.**

21 (a) FINDINGS.—The Congress finds the following:

22 (1) The South China Sea is a critically impor-
23 tant waterway through which 25 percent of the
24 world's ocean freight and 70 percent of Japan's en-
25 ergy supplies transit.

1 (2) The South China Sea serves as a crucial sea
2 lane for United States Navy ships moving between
3 the Pacific and Indian Oceans, particularly in time
4 of emergency.

5 (3) There are a number of competing claims to
6 territory in the South China Sea.

7 (4) The 1992 Manila Declaration adhered to by
8 the Association of South East Asian Nations, the
9 Socialist Republic of Vietnam, and the People's Re-
10 public of China calls for all claimants to territory in
11 the South China Sea to resolve questions of bound-
12 aries through peaceful negotiations.

13 (5) The legislature of the People's Republic of
14 China has declared the entire South China Sea to be
15 Chinese territorial waters.

16 (6) The armed forces of the People's Republic
17 of China have asserted China's claim to the South
18 China Sea through the kidnapping of citizens of the
19 Republic of the Philippines and the construction of
20 military bases on territory claimed by the Phil-
21 ippines.

22 (7) These acts of aggression committed by the
23 armed forces of the People's Republic of China
24 against citizens of the Philippines are contrary to

1 both international law and to peace and stability in
2 East Asia.

3 (b) POLICY DECLARATIONS.—The Congress—

4 (1) declares the right of free passage through
5 the South China Sea to be vital to the national secu-
6 rity interests of the United States, its friends, and
7 allies;

8 (2) declares that any attempt by a
9 nondemocratic power to assert, through the use of
10 force or intimidation, its claims to territory in the
11 South China Sea to be a matter of grave concern to
12 the United States;

13 (3) calls upon the Government of the People's
14 Republic of China to adhere faithfully to its commit-
15 ment under the Manila Declaration of 1992; and

16 (4) calls upon the President to review the de-
17 fense needs of democratic countries with claims to
18 territory in the South China Sea.

19 **SEC. 3306. ASSISTANCE FOR ZAIRE.**

20 (a) SECURITY ASSISTANCE.—Assistance may not be
21 provided for the Government of Zaire for each of the fiscal
22 years 1996 and 1997—

23 (1) under chapter 4 of part II of the Foreign
24 Assistance Act of 1961 (22 U.S.C. 2346 et seq.; re-
25 lating to the economic support fund);

1 (2) under chapter 5 of part II of that Act (22
2 U.S.C. 2347 et seq.; relating to international mili-
3 tary education and training); or

4 (3) from the “Foreign Military Financing Pro-
5 gram” account under section 23 of the Arms Export
6 Control Act (22 U.S.C. 2763).

7 (b) DEVELOPMENT ASSISTANCE.—Assistance under
8 chapter 1 of part I of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2151 et seq.; relating to development assist-
10 ance) or chapter 10 of such part (22 U.S.C. 2293 et seq.;
11 relating to the Development Fund for Africa) for each of
12 the fiscal years 1996 and 1997 shall not be provided to
13 the Government of Zaire.

14 **TITLE XXXIV—SPECIAL AU-**
15 **THORITIES AND OTHER PRO-**
16 **VISIONS**

17 **CHAPTER 1—SPECIAL AUTHORITIES**

18 **SEC. 3401. ENHANCED TRANSFER AUTHORITY.**

19 Section 610 of the Foreign Assistance Act of 1961
20 (22 U.S.C. 2360) is amended to read as follows:

21 **“SEC. 610. TRANSFER BETWEEN ACCOUNTS.**

22 “(a) GENERAL AUTHORITY.—Whenever the Presi-
23 dent determines it to be necessary for the purposes of this
24 Act or the Arms Export Control Act (22 U.S.C. 2751 et
25 seq.), not to exceed 20 percent of the funds made available

1 to carry out any provision of this Act (except funds made
2 available pursuant to title IV of chapter 2 of part I) or
3 section 23 of the Arms Export Control Act (22 U.S.C.
4 2763)—

5 “(1) may be transferred to, and consolidated
6 with, the funds in any other account or fund avail-
7 able to carry out any provision of this Act; and

8 “(2) may be used for any purpose for which
9 funds in that account or fund may be used.

10 “(b) LIMITATION ON AMOUNT OF INCREASE.—The
11 total amount in the account or fund for the benefit of
12 which transfer is made under subsection (a) during any
13 fiscal year may not be increased by more than 20 percent
14 of the amount of funds otherwise made available.

15 “(c) NOTIFICATION.—The President shall notify in
16 writing the congressional committees specified in section
17 634A at least fifteen days in advance of each such transfer
18 between accounts in accordance with procedures applicable
19 to reprogramming notifications under such section.”.

20 **SEC. 3402. AUTHORITY TO MEET UNANTICIPATED CONTIN-**
21 **GENCIES.**

22 (a) IN GENERAL.—Chapter 1 of part III of the For-
23 eign Assistance Act of 1961 is amended by inserting after
24 section 610 (22 U.S.C. 2360) the following new section:

1 **“SEC. 610A. AUTHORITY TO MEET UNANTICIPATED CONTIN-**
2 **GENCIES.**

3 “(a) AUTHORITY.—

4 “(1) IN GENERAL.—In order to provide for any
5 unanticipated contingency in the programs, projects,
6 or activities for which assistance is provided under
7 this Act, the President is authorized to use funds
8 made available to carry out any provision of this Act
9 for the purpose of providing assistance authorized by
10 any other provision of this Act in accordance with
11 the provisions applicable to the furnishing of such
12 assistance.

13 “(2) LIMITATION.—The authority of paragraph
14 (1) may not be used to authorize the use of more
15 than \$40,000,000 in any fiscal year.

16 “(b) SUPERSEDES OTHER LAWS.—Funds authorized
17 to be appropriated under this section are authorized to
18 be made available notwithstanding any other provision of
19 law.

20 “(c) NOTIFICATION OF CONGRESS.—

21 “(1) NOTIFICATION.—Except as provided in
22 paragraph (2), the President shall notify the con-
23 gressional committees specified in section 634A(a) at
24 least 15 days before obligating any funds under this
25 section in accordance with the procedures applicable

1 to reprogramming notifications under section
2 634A(a).

3 “(2) EXCEPTION.—The President may waive
4 the requirement contained in paragraph (1) if the
5 President determines that complying with such re-
6 quirement would pose a substantial risk to human
7 health or welfare. If the President exercises the
8 waiver under the preceding sentence, the President
9 shall notify the congressional committees specified in
10 section 634A(a) as early as practicable, but in no
11 event later than 3 days after the date on which the
12 President took the action to which such notification
13 requirement was applicable.”.

14 (b) REPEAL.—Chapter 5 of part I of the Foreign As-
15 sistance Act of 1961 (22 U.S.C. 2261; relating to contin-
16 gencies) is hereby repealed.

17 **SEC. 3403. SPECIAL WAIVER AUTHORITY.**

18 Section 614 of the Foreign Assistance Act of 1961
19 (22 U.S.C. 2364) is amended to read as follows:

20 **“SEC. 614. SPECIAL WAIVER AUTHORITY.**

21 “(a) AUTHORITY.—The President may provide as-
22 sistance and make loans under the provisions of law de-
23 scribed in subsection (b), notwithstanding any other provi-
24 sion of law, if the President determines that to do so is
25 vital to the national interests of the United States.

1 “(b) LAWS WHICH MAY BE WAIVED.—The provi-
2 sions of law described in this subsection are—

3 “(1) this Act;

4 “(2) the Arms Export Control Act (22 U.S.C.
5 2751 et seq.);

6 “(3) any provision of law authorizing the provi-
7 sion of assistance to foreign countries or making ap-
8 propriations for such assistance;

9 “(4) any other provision of law that restricts
10 the authority to provide assistance or make loans
11 under a provision of law described in paragraph (1),
12 (2), or (3).

13 “(c) CONSULTATION WITH CONGRESS.—Before exer-
14 cising the authority under subsection (a), the President
15 shall consult with, and shall provide a written policy jus-
16 tification to the Committee on International Relations and
17 the Committee on Appropriations of the House of Rep-
18 resentatives and the Committee on Foreign Relations and
19 the Committee on Appropriations of the Senate.

20 “(d) NOTIFICATION TO CONGRESS.—A determination
21 under subsection (a) shall be effective only if the President
22 notifies the congressional committees specified in sub-
23 section (c) in writing of that determination.

24 “(e) ANNUAL CEILINGS.—

1 “(1) IN GENERAL.—The authority of this sec-
2 tion may not be used in any fiscal year to author-
3 ize—

4 “(A) more than \$750,000,000 in sales or
5 leases to be made under the Arms Export Con-
6 trol Act (22 U.S.C. 2751 et seq.);

7 “(B) the use of more than \$250,000,000
8 of funds made available under this Act or the
9 Arms Export Control Act; or

10 “(C) the use of more than \$100,000,000 of
11 foreign currencies accruing under this Act or
12 any other provision of law.

13 “(2) SALES UNDER THE ARMS EXPORT CON-
14 TROL ACT.—If the authority of this section is used
15 both to authorize a sale or lease under the Arms Ex-
16 port Control Act and to authorize funds to be used
17 under this Act with respect to the financing of that
18 sale or lease, then the use of the funds shall be
19 counted against the limitation in paragraph (1)(B)
20 and the portion, if any, of the sale or lease which
21 is not so financed shall be counted against the limi-
22 tation in paragraph (1)(A).

23 “(3) LEASES.—For purposes of paragraph
24 (1)(A) the replacement cost, less any depreciation in
25 the value, of the defense articles authorized to be

1 leased shall be counted against the limitation in that
2 paragraph.

3 “(4) COUNTRY LIMITS.—(A) Not more than
4 \$75,000,000 of the \$250,000,000 limitation pro-
5 vided in paragraph (1)(B) may be allocated to any
6 one country in any fiscal year unless that country is
7 a victim of active aggression.

8 “(B) Not more than \$500,000,000 of the ag-
9 gregate limitation of \$1,000,000,000 provided in
10 paragraph (1)(A) and (1)(B) may be allocated to
11 any one country in any fiscal year.”.

12 **SEC. 3404. TERMINATION OF ASSISTANCE.**

13 Section 617 of the Foreign Assistance Act of 1961
14 (22 U.S.C. 2364) is amended to read as follows:

15 **“SEC. 617. TERMINATION OF ASSISTANCE.**

16 “(a) IN GENERAL.—(1) In order to ensure the effec-
17 tiveness of assistance provided under this Act, funds made
18 available under this Act to carry out any program, project,
19 or activity of assistance shall remain available for obliga-
20 tion for a period not to exceed 8 months after the date
21 of termination of such assistance for the necessary ex-
22 penses of winding up such programs, projects, or activities
23 and, notwithstanding any other provision of law, funds so
24 obligated may remain available until expended.

1 “(2) Funds obligated to carry out any program,
2 project, or activity of assistance before the effective date
3 of the termination of such assistance are authorized to be
4 available for expenditure for the necessary expenses of
5 winding up such programs, projects, and activities, not-
6 withstanding any provision of law restricting the expendi-
7 ture of funds, and may be reobligated to meet any other
8 necessary expenses arising from the termination of such
9 assistance.

10 “(3) The necessary expenses of winding up programs,
11 projects, and activities of assistance include the obligation
12 and expenditure of funds to complete the training or stud-
13 ies outside their countries of origin of students whose
14 course of study or training program began before assist-
15 ance was terminated.

16 “(b) LIABILITY TO CONTRACTORS.—For the purpose
17 of making an equitable settlement of termination claims
18 under extraordinary contractual relief standards, the
19 President is authorized to adopt as a contract or other
20 obligation of the United States Government, and assume
21 (in whole or in part) any liabilities arising thereunder, any
22 contract with a United States or third-country contractor
23 to carry out any program, project, or activity of assistance
24 under this Act that was subsequently terminated pursuant
25 to law.

1 “(c) GUARANTEE PROGRAMS.—Provisions of this or
2 any other Act requiring the termination of assistance
3 under this Act shall not be construed to require the termi-
4 nation of guarantee commitments that were entered into
5 before the effective date of the termination of assistance.”.

6 **CHAPTER 2—OTHER PROVISIONS**

7 **SEC. 3411. CONGRESSIONAL PRESENTATION DOCUMENTS.**

8 Section 634 of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2394) is amended to read as follows:

10 **“SEC. 634. CONGRESSIONAL PRESENTATION DOCUMENTS.**

11 “(a) REQUIREMENT FOR SUBMISSION.—As part of
12 the annual requests for enactment of authorizations and
13 appropriations for foreign assistance programs for each
14 fiscal year, the President shall prepare and transmit to
15 the Congress annual congressional presentation docu-
16 ments for the programs authorized under this Act and the
17 Arms Export Control Act (22 U.S.C. 2751 et seq.).

18 “(b) MATERIALS TO BE INCLUDED.—The documents
19 submitted pursuant to subsection (a) shall include—

20 “(1) the rationale for the allocation of assist-
21 ance or contributions to each country, regional, or
22 centrally funded program, or organization, as the
23 case may be;

1 “(2) a description of how each such program or
2 contribution supports the objectives of this Act or
3 the Arms Export Control Act, as the case may be;

4 “(3) a description of planned country, regional,
5 or centrally funded programs or contributions to
6 international organizations and programs for the
7 coming fiscal year; and

8 “(4) for each country for which assistance is re-
9 quested under this Act or the Arms Export Control
10 Act—

11 “(A) the total number of years since 1946
12 that the United States has provided assistance;

13 “(B) the total amount of bilateral assist-
14 ance provided by the United States since 1946,
15 including the principal amount of all loans,
16 credits, and guarantees; and

17 “(C) the total amount of assistance pro-
18 vided to such country from all multilateral or-
19 ganizations to which the United States is a
20 member, including all international financial in-
21 stitutions, the United Nations, and other inter-
22 national organizations.

23 “(c) GRADUATION FROM DEVELOPMENT ASSIST-
24 ANCE.—

1 “(1) DETERMINATION.—As part of the congres-
2 sional presentation documents transmitted to the
3 Congress under this section, the Secretary of State
4 shall make a separate determination for each coun-
5 try identified in such documents for which bilateral
6 development assistance is requested, estimating the
7 year in which each such country will no longer be re-
8 ceiving bilateral development assistance.

9 “(2) DEVELOPMENT ASSISTANCE DEFINED.—
10 For purposes of this section, the term ‘development
11 assistance’ means assistance under—

12 “(A) chapter 1 of part I of this Act;

13 “(B) chapter 10 of part I of this Act;

14 “(C) chapter 11 of part I of this Act; and

15 “(D) the Support for East European De-
16 mocracy (SEED) Act of 1989 (22 U.S.C. 5401
17 et seq.).”.

18 **SEC. 3412. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-**
19 **ERNMENTS ENGAGED IN ESPIONAGE**
20 **AGAINST THE UNITED STATES.**

21 Chapter 1 of part III of the Foreign Assistance Act
22 of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act,
23 is further amended by adding at the end the following new
24 section:

1 **“SEC. 620I. PROHIBITION ON ASSISTANCE TO FOREIGN**
2 **GOVERNMENTS ENGAGED IN ESPIONAGE**
3 **AGAINST THE UNITED STATES.**

4 “(a) PROHIBITION.—None of the funds made avail-
5 able to carry out this Act or the Arms Export Control
6 Act (22 U.S.C. 2751 et seq.) (other than humanitarian
7 assistance or assistance for refugees) may be provided to
8 any foreign government which the President determines
9 is engaged in intelligence activities within the United
10 States harmful to the national security of the United
11 States.

12 “(b) PERIODIC REPORTS.—Beginning one year after
13 the date of enactment of this section, and annually there-
14 after, the President shall prepare and transmit to the
15 Committee on Foreign Relations and the Select Commit-
16 tee on Intelligence of the Senate and the Committee on
17 International Relations and the Permanent Select Com-
18 mittee on Intelligence of the House of Representatives a
19 report, in classified and unclassified forms, listing all for-
20 eign governments which the President determines are con-
21 ducting intelligence activities within the United States
22 harmful to the national security of the United States.

23 “(c) DEFINITION.—As used in this section, the term
24 ‘humanitarian assistance’ means food (including the
25 monetization of food), clothing, medicine, and medical
26 supplies.”.

1 **SEC. 3413. DEBT RESTRUCTURING FOR FOREIGN ASSIST-**
2 **ANCE.**

3 Chapter 1 of part III of the Foreign Assistance Act
4 of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act,
5 is further amended by adding at the end the following new
6 section:

7 **“SEC. 620J. SPECIAL DEBT RELIEF FOR POOR COUNTRIES.**

8 “(a) **AUTHORITY TO REDUCE DEBT.**—The President
9 may reduce amounts owed to the United States Govern-
10 ment by a country described in subsection (b) as a result
11 of—

12 “(1) loans or guarantees issued under this Act;

13 or

14 “(2) credits extended or guarantees issued
15 under the Arms Export Control Act (22 U.S.C.
16 2751 et seq.).

17 “(b) **COUNTRY DESCRIBED.**—A country described in
18 this subsection is a country—

19 “(1) with a heavy debt burden that is eligible
20 to borrow from the International Development Asso-
21 ciation but not from the International Bank for Re-
22 construction and Development (commonly referred
23 to as an ‘IDA-only’ country); and

24 “(2) the government of which—

25 “(A) does not have an excessive level of
26 military expenditures;

1 “(B) has not repeatedly provided support
2 for acts of international terrorism;

3 “(C) is cooperating with the United States
4 on international narcotics control matters;

5 “(4) (including the military or other security
6 forces of such government) does not engage in a
7 consistent pattern of gross violations of internation-
8 ally recognized human rights; and

9 “(5) is not prohibited from receiving assistance
10 described in section 527(a) of the Foreign Relations
11 Authorization Act, Fiscal Years 1994 and 1995 by
12 reason of such section.

13 “(c) LIMITATIONS.—The authority under subsection
14 (a) may be exercised—

15 “(1) only to implement multilateral official debt
16 relief ad referendum agreements (commonly referred
17 to as ‘Paris Club Agreed Minutes’); and

18 “(2) only to the extent that appropriations for
19 the cost of the modification, as defined in section
20 502 of the Congressional Budget Act of 1974, are
21 made in advance.

22 “(d) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-
23 duction of debt pursuant to the exercise of authority under
24 subsection (a)—

1 “(1) shall not be considered assistance for pur-
2 poses of any provision of law limiting assistance to
3 a country; and

4 “(2) may be exercised notwithstanding section
5 620(r) of this Act or any comparable provision of
6 law.

7 “(e) AUTHORIZATION OF APPROPRIATIONS.—

8 “(1) IN GENERAL.—There are authorized to be
9 appropriated to the President for the purpose of car-
10 rying out this section \$7,000,000 for each of the fis-
11 cal years 1996 and 1997.

12 “(2) AVAILABILITY.—Amounts authorized to be
13 appropriated under paragraph (1) are authorized to
14 remain available until expended.”.

15 **SEC. 3414. DEBT BUYBACKS OR SALES FOR DEBT SWAPS.**

16 Part IV of the Foreign Assistance Act of 1961 (22
17 U.S.C. 2430 et seq.) is amended by adding at the end
18 the following new section:

19 **“SEC. 711. AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR**
20 **SALES.**

21 “(a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR
22 CANCELLATION.—

23 “(1) AUTHORITY TO SELL, REDUCE, OR CANCEL
24 CERTAIN LOANS.—Notwithstanding any other provi-
25 sion of law, the President may, in accordance with

1 this section, sell to any eligible purchaser any
2 concessional loan or portion thereof made before
3 January 1, 1995, to the government of any eligible
4 country pursuant to this Act, or on receipt of pay-
5 ment from an eligible purchaser, reduce or cancel
6 such loan or portion thereof, only for the purpose of
7 facilitating—

8 “(A) debt-for-equity swaps, debt-for-devel-
9 opment swaps, or debt-for-nature swaps; or

10 “(B) a debt buyback by an eligible country
11 of its own qualified debt, only if the eligible
12 country uses an additional amount of the local
13 currency of the eligible country, equal to not
14 less than 40 percent of the price paid for such
15 debt by such eligible country, or the difference
16 between the price paid for such debt and the
17 face value of such debt, to support activities
18 that link conservation and sustainable use of
19 natural resources with local community develop-
20 ment, and child survival and other child devel-
21 opment, in a manner consistent with sections
22 707 through 710, if the sale, reduction, or can-
23 cellation would not contravene any term or con-
24 dition of any prior agreement relating to such
25 loan.

1 “(2) TERMS AND CONDITIONS.—Notwithstand-
2 ing any other provision of law, the President shall,
3 in accordance with this section, establish the terms
4 and conditions under which loans may be sold, re-
5 duced, or canceled pursuant to this section.

6 “(3) ADMINISTRATION.—The Facility shall no-
7 tify the administrator of the agency primarily re-
8 sponsible for administering part I of this Act of pur-
9 chasers that the President has determined to be eli-
10 gible, and shall direct such agency to carry out the
11 sale, reduction, or cancellation of a loan pursuant to
12 this section. Such agency shall make an adjustment
13 in its accounts to reflect the sale, reduction, or can-
14 cellation.

15 “(4) LIMITATION.—The authorities of this sub-
16 section shall be available only to the extent that ap-
17 propriations for the cost of the modification, as de-
18 fined in section 502 of the Congressional Budget Act
19 of 1974, are made in advance.

20 “(b) DEPOSIT OF PROCEEDS.—The proceeds from
21 the sale, reduction, or cancellation of any loan sold, re-
22 duced, or canceled pursuant to this section shall be depos-
23 ited in an account or accounts established in the Treasury
24 for the repayment of such loan.

1 “(c) ELIGIBLE PURCHASERS.—A loan may be sold
2 pursuant to subsection (a)(1)(A) only to a purchaser who
3 presents plans satisfactory to the President for using the
4 loan for the purpose of engaging in debt-for-equity swaps,
5 debt-for-development swaps, or debt-for-nature swaps.

6 “(d) DEBTOR CONSULTATIONS.—Before the sale to
7 any eligible purchaser, or any reduction or cancellation
8 pursuant to this section, of any loan made to an eligible
9 country, the President shall consult with the country con-
10 cerning the amount of loans to be sold, reduced, or can-
11 celed and their uses for debt-for-equity swaps, debt-for-
12 development swaps, or debt-for-nature swaps.

13 “(e) AUTHORIZATION OF APPROPRIATIONS.—

14 “(1) IN GENERAL.—For the sale, reduction,
15 and cancellation of loans or portions thereof pursu-
16 ant to this section, there are authorized to be appro-
17 priated to the President \$3,000,000 for each of the
18 fiscal years 1996 and 1997.

19 “(2) AVAILABILITY.—Amounts authorized to be
20 appropriated under paragraph (1) are authorized to
21 remain available until expended.”.

22 **SEC. 3415. IMPACT ON JOBS IN THE UNITED STATES.**

23 Section 636 of the Foreign Assistance Act of 1961
24 (22 U.S.C. 2396) is amended by adding at the end the
25 following new subsection:

1 “(j)(1) Funds made available to carry out the provi-
2 sions of this Act may not be made available to provide—

3 “(A) any financial incentive to a business enter-
4 prise located in the United States for the purpose of
5 inducing that enterprise to relocate outside the
6 United States if such incentive or inducement is
7 likely to reduce the number of individuals employed
8 in the United States by that enterprise because that
9 enterprise would replace production in the United
10 States with production outside the United States;

11 “(B) assistance for the purpose of establishing
12 or developing in a foreign country any export proc-
13 essing zone or designated area in which the tax, tar-
14 iff, labor, environment, and safety laws of that coun-
15 try do not apply, in part or in whole, to activities
16 carried out within that zone or area, unless the
17 President determines and certifies that such assist-
18 ance is not likely to cause a loss of jobs within the
19 United States; or

20 “(C) subject to paragraph (2), assistance for
21 any project or activity that contributes to the viola-
22 tion of internationally recognized workers rights (as
23 defined in section 502(a)(4) of the Trade Act of
24 1974) of workers in the foreign country, including in
25 any designated zone or area in that country.

1 “(2) Paragraph (1) shall not apply with respect to
2 the provision of assistance for microenterprises and small-
3 scale enterprises, or for small-holder agriculture in the in-
4 formal sector of the foreign country.”.

5 **SEC. 3416. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-**
6 **ERNMENTS THAT EXPORT LETHAL MILITARY**
7 **EQUIPMENT TO COUNTRIES SUPPORTING**
8 **INTERNATIONAL TERRORISM.**

9 (a) IN GENERAL.—Section 620 of the Foreign Assist-
10 ance Act of 1961 (22 U.S.C. 2370) is amended by adding
11 at the end the following new subsection:

12 “(y)(1) No assistance may be provided under this Act
13 or the Arms Export Control Act to any foreign govern-
14 ment that provides lethal military equipment to a country,
15 the government of which the Secretary of State has deter-
16 mined pursuant to section 40(d) of the Arms Export Con-
17 trol Act is a government that has repeatedly provided sup-
18 port for acts of international terrorism.

19 “(2) The prohibition under paragraph (1) with re-
20 spect to a foreign government shall terminate 12 months
21 after the date on which that government ceases to provide
22 such lethal military equipment.

23 “(3) The President may waive the requirements of
24 paragraph (1) if the President determines that the provi-

1 sion of such assistance is important to the national secu-
2 rity interests of the United States.

3 “(4) Whenever the waiver of paragraph (3) is exer-
4 cised, the President shall prepare and transmit to the ap-
5 propriate congressional committees a report with respect
6 to the furnishing of such assistance. Such report shall in-
7 clude a detailed explanation of the assistance to be pro-
8 vided, including the estimated dollar amount of such as-
9 sistance, and an explanation of how the assistance fur-
10 thers the national interests of the United States.

11 “(5) For purposes of this subsection, the term ‘appro-
12 priate congressional committees’ means the Committee on
13 International Relations and the Committee on Appropria-
14 tions of the House of Representatives and the Committee
15 on Foreign Relations and the Committee on Appropria-
16 tions of the Senate.”.

17 (b) EFFECTIVE DATE.—Section 620(y) of the For-
18 eign Assistance Act of 1961, as added by subsection (a),
19 applies with respect to lethal military equipment provided
20 pursuant to a contract entered into on or after the date
21 of enactment of this Act.

1 **CHAPTER 3—REPEALS**

2 **SEC. 3421. REPEAL OF OBSOLETE PROVISIONS.**

3 (a) 1992 JOBS THROUGH EXPORTS ACT.—Title III
4 of the Jobs Through Exports Act of 1992 is hereby re-
5 pealed.

6 (b) 1988 OPIC ACT.—The Overseas Private Invest-
7 ment Corporation Amendments Act of 1988 (as enacted
8 by reference by section 555 of the Foreign Operations, Ex-
9 port Financing, and Related Programs Appropriations
10 Act, 1989) is hereby repealed.

11 (c) 1988 FOREIGN OPERATIONS APPROPRIATIONS
12 ACT.—Section 537(h)(2) of the Foreign Operations, Ex-
13 port Financing, and Related Programs Appropriations
14 Act, 1988, as included in Public Law 100–202, is hereby
15 repealed.

16 (d) 1987 FOREIGN ASSISTANCE APPROPRIATIONS
17 ACT.—Section 539(g)(2) of the Foreign Assistance and
18 Related Programs Appropriations Act, 1987, as included
19 in Public Law 99–591, is hereby repealed.

20 (e) 1986 ASSISTANCE ACT.—The Special Foreign As-
21 sistance Act of 1986 is hereby repealed except for section
22 1 and section 204.

23 (f) 1985 ASSISTANCE ACT.—The International Secu-
24 rity and Development Cooperation Act of 1985 is hereby
25 repealed except for section 1, section 131, section 132, sec-

1 tion 504, section 505, part B of title V (other than section
2 558 and section 559), section 1302, section 1303, and sec-
3 tion 1304.

4 (g) 1985 JORDAN SUPPLEMENTAL ACT.—The Jor-
5 dan Supplemental Economic Assistance Authorization Act
6 of 1985 is hereby repealed.

7 (h) 1985 AFRICAN FAMINE ACT.—The African Fam-
8 ine Relief and Recovery Act of 1985 is hereby repealed.

9 (i) 1983 ASSISTANCE ACT.—The International Secu-
10 rity and Development Assistance Authorization Act of
11 1983 is hereby repealed.

12 (j) 1983 LEBANON ASSISTANCE ACT.—The Lebanon
13 Emergency Assistance Act of 1983 is hereby repealed.

14 (k) 1981 ASSISTANCE ACT.—The International Secu-
15 rity and Development Cooperation Act of 1981 is hereby
16 repealed except for section 1, section 709, and section 714.

17 (l) 1981 OPIC AMENDMENTS ACT.—The OPIC
18 Amendments Act of 1981 is hereby repealed.

19 (m) 1980 ASSISTANCE ACT.—The International Se-
20 curity and Development Cooperation Act of 1980 is hereby
21 repealed except for section 1, section 110, section 316, and
22 title V.

23 (n) 1979 DEVELOPMENT ASSISTANCE ACT.—The
24 International Development Cooperation Act of 1979 is
25 hereby repealed.

1 (o) 1979 SECURITY ASSISTANCE ACT.—The Inter-
2 national Security Assistance Act of 1979 is hereby re-
3 pealed.

4 (p) 1979 SPECIAL SECURITY ASSISTANCE ACT.—The
5 Special International Security Assistance Act of 1979 is
6 hereby repealed.

7 (q) 1978 DEVELOPMENT ASSISTANCE ACT.—The
8 International Development and Food Assistance Act of
9 1978 is hereby repealed, except for section 1, title IV, and
10 section 603(a)(2).

11 (r) 1978 SECURITY ASSISTANCE ACT.—The Inter-
12 national Security Assistance Act of 1978 is hereby re-
13 pealed.

14 (s) 1977 DEVELOPMENT ASSISTANCE ACT.—The
15 International Development and Food Assistance Act of
16 1977 is hereby repealed except for section 1, section
17 132(b), and section 133.

18 (t) 1977 SECURITY ASSISTANCE ACT.—The Inter-
19 national Security Assistance Act of 1977 is hereby re-
20 pealed.

21 (u) 1976 SECURITY ASSISTANCE ACT.—The Inter-
22 national Security Assistance and Arms Export Control Act
23 of 1976 is hereby repealed except for section 1, section
24 201(b), section 212(b), section 601, and section 608.

1 (v) 1975 DEVELOPMENT ASSISTANCE ACT.—The
2 International Development and Food Assistance Act of
3 1975 is hereby repealed.

4 (w) 1975 BIB ACT.—Public Law 94–104 is hereby
5 repealed.

6 (x) 1974 ASSISTANCE ACT.—The Foreign Assistance
7 Act of 1974 is hereby repealed.

8 (y) 1973 EMERGENCY ASSISTANCE ACT.—The
9 Emergency Security Assistance Act of 1973 is hereby re-
10 pealed.

11 (z) 1973 ASSISTANCE ACT.—The Foreign Assistance
12 Act of 1973 is hereby repealed.

13 (aa) 1971 ASSISTANCE ACT.—The Foreign Assist-
14 ance Act of 1971 is hereby repealed.

15 (bb) 1971 SPECIAL ASSISTANCE ACT.—The Special
16 Foreign Assistance Act of 1971 is hereby repealed.

17 (cc) 1969 ASSISTANCE ACT.—The Foreign Assist-
18 ance Act of 1969 is hereby repealed except for the first
19 section and part IV.

20 (dd) 1968 ASSISTANCE ACT.—The Foreign Assist-
21 ance Act of 1968 is hereby repealed.

22 (ee) 1964 ASSISTANCE ACT.—The Foreign Assist-
23 ance Act of 1964 is hereby repealed.

24 (ff) LATIN AMERICAN DEVELOPMENT ACT.—The
25 Latin American Development Act is hereby repealed.

1 (gg) 1959 MUTUAL SECURITY ACT.—The Mutual Se-
2 curity Act of 1959 is hereby repealed.

3 (hh) 1954 MUTUAL SECURITY ACT.—Sections 402
4 and 417 of the Mutual Security Act of 1954 are hereby
5 repealed.

6 (ii) DEPARTMENT OF STATE AUTHORIZATION ACT,
7 FISCAL YEARS 1982 and 1983.—Section 109 of the De-
8 partment of State Authorization Act, Fiscal Years 1982
9 and 1983, is hereby repealed.

10 (jj) DEPARTMENT OF STATE AUTHORIZATION ACT,
11 FISCAL YEARS 1984 AND 1985.—Sections 1004 and
12 1005(a) of the Department of State Authorization Act,
13 Fiscal Years 1984 and 1985, are hereby repealed.

14 (kk) SAVINGS PROVISION.—Except as otherwise pro-
15 vided in this Act, the repeal by this Act of any provision
16 of law that amended or repealed another provision of law
17 does not affect in any way that amendment or repeal.

18 **TITLE XXXV—EFFECTIVE DATE**

19 **SEC. 3501. EFFECTIVE DATE.**

20 Except as otherwise provided in this Act, this divi-
21 sion, and the amendments made by this division, shall take
22 effect on the date of the enactment of this Act or October
23 1, 1995, whichever occurs later.

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