

## ***In the Senate of the United States,***

*June 27, 1996.*

*Resolved,* That the bill from the House of Representatives (H.R. 3121) entitled “An Act to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions under those Acts, to authorize the transfer of naval vessels to certain foreign countries, and for other purposes”, do pass with the following

### **AMENDMENTS:**

1   **(1)**Page 2, in the table of contents relating to Chapter  
2 1, strike out **[AND]** and insert: *AND*

3   **(2)**Page 2, in the table of contents relating to Chapter  
4 4, after “4—” insert: *INTERNATIONAL*

5   **(3)**Page 2, in the table of contents, strike out:  
    **[Sec. 148. Certification thresholds.]**

6 and insert:

*Sec. 148. Annual military assistance report.*

1 **(4)**Page 2, in the table of contents relating to section  
 2 152 strike out **【arms export control act】** and insert: *Arms*  
 3 *Export Control Act*

4 **(5)**Page 3, in the table of contents relating to section  
 5 154 after “under” insert: *the*

6 **(6)**Page 3, in the table of contents, after the line relat-  
 7 ing to section 154 insert:

*Sec. 155. Publication of arms sales certifications.*

*Sec. 156. Release of information.*

*Sec. 157. Repeal of termination of provisions of the Nuclear Proliferation Preven-  
 tion Act of 1994; Presidential determinations.*

8 **(7)**Page 4, lines 24 and 25, strike out **【the second】**

9 **(8)**Page 4, line 25, after “25” insert: *, as added by sec-*  
 10 *tion 112(b) of Public Law 99–83*

11 **(9)**Page 5, line 20, strike out **【new paragraph】**

12 **(10)**Page 9, line 22, after “TRANSFERS.—” insert: *(1)*

13 **(11)**Page 10, line 1, strike out **【(1)】** and insert: *(A)*

14 **(12)**Page 10, line 3, strike out **【(2)】** and insert: *(B)*

15 **(13)**Page 10, line 6, strike out **【(3)】** and insert: *(C)*

16 **(14)**Page 10, line 9, strike out **【(4)】** and insert: *(D)*

17 **(15)**Page 10, line 17, strike out **【(5)】** and insert: *(E)*

18 **(16)**Page 10, line 24, strike out **【(6)】** and insert: *(F)*

1   **(17)**Page 11, after line 2, insert:

2           “(2) *Accordingly, for the four-year period beginning*  
3 *on October 1, 1996, the President shall ensure that excess*  
4 *defense articles offered to Greece and Turkey under this sec-*  
5 *tion will be made available consistent with the manner in*  
6 *which the President made available such excess defense arti-*  
7 *cles during the four-period that began on October 1, 1992,*  
8 *pursuant to section 573(e) of the Foreign Operations, Ex-*  
9 *port Financing, and Related Programs Appropriations Act,*  
10 *1990.*

11   **(18)**Page 12, line 11, strike out **[part II]** and insert:  
12 *this part*

13   **(19)**Page 13, line 5, strike out **[15]** and insert: *30*

14   **(20)**Page 16, line 4, after “1961,” insert: *as added by*  
15 *this Act,*

16   **(21)**Page 18, line 17, after “2761” insert: *(a)(1)(C)*

17   **(22)**Page 21, line 4, after “~~4—~~” insert: **INTER-**  
18 **NATIONAL**

19   **(23)**Page 21, line 15, strike out **[new subparagraph]**

20   **(24)**Page 24, line 7, strike out **[2394]** and insert:  
21 *2394–1*

1 (25)Page 25, line 2, strike out [2394] and insert:

2 2394-1

3 (26)Page 32, line 8, strike out [out the]

4 (27)Page 32, line 11, strike out [in lieu thereof]

5 (28)Page 35, line 10, strike out [(a)] and insert: (A)

6 (29)Page 37, strike out all after line 18, over to and

7 including line 21 on page 38

8 (30)Page 38, after line 21, insert:

9 **SEC. 148. ANNUAL MILITARY ASSISTANCE REPORT.**

10 *Section 655 of the Foreign Assistance Act of 1961 (22*

11 *U.S.C. 2415) is amended to read as follows:*

12 **“SEC. 655. ANNUAL MILITARY ASSISTANCE REPORT.**

13 *“(a) REPORT REQUIRED.—Not later than February 1*

14 *of each year, the President shall transmit to the Congress*

15 *an annual report for the fiscal year ending the previous*

16 *September 30.*

17 *“(b) INFORMATION RELATING TO MILITARY ASSIST-*

18 *ANCE AND MILITARY EXPORTS.—Each such report shall*

19 *show the aggregate dollar value and quantity of defense ar-*

20 *ticles (including excess defense articles), defense services,*

21 *and international military education and training author-*

22 *ized by the United States, excluding that which is pursuant*

23 *to activities reportable under title V of the National Security*

1 *Act of 1947, to each foreign country and international orga-*  
 2 *nization. The report shall specify, by category, whether such*  
 3 *defense articles—*

4           “(1) *were furnished by grant under chapter 2 or*  
 5 *chapter 5 of part II of this Act or under any other*  
 6 *authority of law or by sale under chapter 2 of the*  
 7 *Arms Export Control Act; or*

8           “(2) *were licensed for export under section 38 of*  
 9 *the Arms Export Control Act.*

10       “(c) *INFORMATION RELATING TO MILITARY IM-*  
 11 *PORTS.—Each such report shall also include the total*  
 12 *amount of military items manufactured outside the United*  
 13 *States that were imported into the United States during*  
 14 *the fiscal year covered by the report. For each country of*  
 15 *origin the report shall show the type of item being imported*  
 16 *and the total amount of the items.”.*

17   **(31)**Page 38, line 24, strike out **[as amended by this**  
 18 **Act,]**

19   **(32)**Page 39, line 1, strike out **[further]**

20   **(33)**Page 49, line 16, after “**UNDER**” insert: ***THE***

21   **(34)**Page 49, after line 21, insert:

1 **SEC. 155. PUBLICATION OF ARMS SALES CERTIFICATIONS.**

2 *Section 36 of the Arms Export Control Act (22 U.S.C.*  
3 *2776) is amended by adding at the end the following new*  
4 *subsection:*

5 *“(e) The President shall cause to be published in the*  
6 *Federal Register, upon transmittal to the Speaker of the*  
7 *House of Representatives and to the chairman of the Com-*  
8 *mittee on Foreign Relations of the Senate, the full*  
9 *unclassified text of each numbered certification submitted*  
10 *pursuant to subsection (b) and each notification of a pro-*  
11 *posed commercial sale submitted under subsection (c).”.*

12 **SEC. 156. RELEASE OF INFORMATION.**

13 *Section 38(e) of the Arms Export Control Act (22*  
14 *U.S.C. 2778(e)) is amended by inserting in the first sen-*  
15 *tence before the period at the end the following: “, except*  
16 *that the names of the countries and the types and quantities*  
17 *of defense articles for which licenses are issued under this*  
18 *section shall not be withheld from public disclosure unless*  
19 *the President determines that the release of such informa-*  
20 *tion would be contrary to the national interest”.*

21 **SEC. 157. REPEAL OF TERMINATION OF PROVISIONS OF**  
22 **THE NUCLEAR PROLIFERATION PREVENTION**  
23 **ACT OF 1994; PRESIDENTIAL DETERMINA-**  
24 **TIONS.**

25 *(a) REPEAL.—Part D of the Nuclear Proliferation*  
26 *Prevention Act of 1994 (part D of title VIII of the Foreign*

1 *Relations Authorization Act, Fiscal Years 1994 and 1995;*  
2 *Public Law 103–236; 108 Stat. 525) is hereby repealed.*

3 (b) *JUDICIAL REVIEW.*—*Section 824 of the Nuclear*  
4 *Proliferation Prevention Act of 1994 (22 U.S.C. 3201 note)*  
5 *is amended—*

6 (1) *in subsection (c), by striking “in writing*  
7 *after opportunity for a hearing on the record”;*

8 (2) *by striking subsection (e); and*

9 (3) *by redesignating subsections (f) through (k)*  
10 *as subsections (e) through (j), respectively.*

Attest:

*Secretary.*

104<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**H. R. 3121**

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**AMENDMENTS**