

104TH CONGRESS  
1ST SESSION

# S. 422

To authorize the appropriations for international economic and security assistance.

---

## IN THE SENATE OF THE UNITED STATES

FEBRUARY 15 (legislative day, JANUARY 30), 1995

Mr. McCONNELL (for himself, Mr. COVERDELL, and Mr. D'AMATO) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

---

## A BILL

To authorize the appropriations for international economic and security assistance.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “International Partner-  
5 ship and Prosperity Act of 1995”.

6 **SEC. 2. ORGANIZATION OF ACT AND TABLE OF CONTENTS.**

7 (a) ORGANIZATION.—This act is organized into titles  
8 as follows:

TITLE I—BILATERAL ECONOMIC ASSISTANCE

TITLE II—SECURITY ASSISTANCE AND RELATED PROGRAMS

TITLE III—TRADE, INVESTMENT AND EXPORT PROMOTION

TITLE IV—INTERNATIONAL FINANCIAL INSTITUTIONS

TITLE V—MIDDLE EAST

TITLE VI—EUROPE AND THE NEW INDEPENDENT STATES

TITLE VII—SPECIAL AUTHORITIES

TITLE VIII—REPORTS, LIMITATIONS, AND GENERAL PROVISIONS

- 1 (b) TABLE OF CONTENTS.—The table of contents is  
2 as follows:

- Sec. 1. Short title.
- Sec. 2. Organization of Act and table of contents.
- Sec. 3. Statement of United States foreign assistance policy.

TITLE I—BILATERAL ECONOMIC ASSISTANCE

- Sec. 101. General policy and objectives.
- Sec. 102. International organizations and programs.
- Sec. 103. Disaster assistance.
- Sec. 104. Migration and refugee assistance.
- Sec. 105. Peace corps.
- Sec. 106. Authorization of appropriations for economic aid.
- Sec. 107. Administrative authority.

TITLE II—SECURITY ASSISTANCE AND RELATED PROGRAMS

- Sec. 201. General policy and basic objectives.
- Sec. 202. General authority.
- Sec. 203. Conditions of eligibility.
- Sec. 204. International military education and training.
- Sec. 205. Peacekeeping operations.
- Sec. 206. Antiterrorism assistance.
- Sec. 207. Modernization of defense capabilities.
- Sec. 208. Special authority.
- Sec. 209. Overseas management of assistance.
- Sec. 210. Authorization of appropriation for security assistance and related programs.

TITLE III—TRADE, INVESTMENT AND EXPORT PROMOTION

- Sec. 301. General policy and basic objectives.
- Sec. 302. Authority and consolidation of functions.

TITLE IV—INTERNATIONAL FINANCIAL INSTITUTIONS

- Sec. 401. Authorization of appropriation.
- Sec. 402. Enterprise for the Americas.

TITLE V—MIDDLE EAST

- Sec. 501. General policy and basic objectives.
- Sec. 502. Camp David accord authorization of appropriation.

- Sec. 503. Middle East Peace Facilitation Act.
- Sec. 504. Loan guarantees for Israel.

#### TITLE VI—EUROPE AND THE NEW INDEPENDENT STATES

- Sec. 601. General policy.
- Sec. 602. Authorization for appropriation for SEED Act activities.
- Sec. 603. Authorization of assistance for the new independent states.
- Sec. 604. Eligibility for assistance for new independent states.
- Sec. 605. Administrative authorities.

#### TITLE VII—SPECIAL AUTHORITIES

- Sec. 701. Contingencies.
- Sec. 702. Transfer between accounts.
- Sec. 703. Special waiver authority.

#### TITLE VIII—REPORTS, LIMITATIONS AND GENERAL PROVISIONS

##### CHAPTER A—REPORTING REQUIREMENTS

- Sec. 801. Report on human rights.
- Sec. 802. Report on narcotics control.
- Sec. 803. Notification of program changes.
- Sec. 804. Annual allocation report.
- Sec. 805. Presidential findings and determinations.

##### CHAPTER B—LIMITATIONS ON ASSISTANCE

- Sec. 811. Ineligible countries.

##### CHAPTER C—ADMINISTRATIVE PROVISIONS

###### Subchapter 1—Procurement

- Sec. 821. Procurement standards and procedures.
- Sec. 822. Shipping on United States vessels.
- Sec. 823. Retention and use of certain items and funds.

###### Subchapter 2—Inter-Agency Authorities

- Sec. 831. Allocation of funds and reimbursement among agencies.
- Sec. 832. Authority to conduct reimbursable programs.

###### Subchapter 3—General Administration

- Sec. 841. General authorities.
- Sec. 842. Authorized administrative uses of funds.
- Sec. 843. Termination expenses.

###### Subchapter 4—Personnel

- Sec. 851. Employment of personnel.
- Sec. 852. Detail of personnel to foreign governments and international organizations.
- Sec. 853. Offices abroad.

###### Subchapter 5—Definitions, Conforming Changes, Repeals

- Sec. 861. Definitions.

Sec. 862. Effective date.  
Sec. 863. Savings provisions.  
Sec. 864. Conforming amendments.  
Sec. 865. Repeal of obsolete provisions.

1 **SEC. 3. GENERAL STATEMENT OF UNITED STATES ASSIST-**  
2 **ANCE POLICY.**

3 The Congress finds that American peace and prosper-  
4 ity require the United States to exercise global leadership  
5 to advance economic and political freedom. Budgetary con-  
6 straints and the end of the cold war compel a fundamental  
7 change in how the United States develops, implements and  
8 fulfills its international goals and mandate. Policy, assist-  
9 ance programs, and institutions must be integrated in  
10 order to execute a coherent, effective international strat-  
11 egy.

12 Assistance under this Act shall be provided to achieve  
13 the following goals:

14 (1) Protect United States security interests.

15 (2) Strengthen United States economic inter-  
16 ests through the promotion of trade, investment, and  
17 free market principles.

18 (3) Advance United States interests in stability  
19 through the promotion of democratic institutions  
20 and the effective management of transnational  
21 threats.

1           **TITLE I—BILATERAL ECONOMIC**  
2                           **ASSISTANCE**

3 **SEC. 101. GENERAL POLICY AND OBJECTIVES.**

4           (a) **GENERAL POLICY.**—Development is the respon-  
5 sibility of the citizens of each sovereign nation. In consid-  
6 ering a nation's request for assistance in carrying out  
7 those activities, Congress recognizes that expansion of the  
8 private sector produces jobs, income and real economic  
9 growth. Nations which emphasize government control and  
10 intervention restrict economic opportunity and impede the  
11 alleviation of poverty and related health and human crises.

12           (b) **BASIC OBJECTIVES.**—The President is authorized  
13 to provide bilateral economic assistance for the following  
14 purposes:

15                   (1) To promote economic reforms, conditions,  
16                   and institutions which contribute to the transition to  
17                   free markets and democracy.

18                   (2) To meet urgent disaster and humanitarian  
19                   needs.

20                   (3) To control transnational threats.

21           (c) **ECONOMIC OPPORTUNITY.**—United States assist-  
22 ance policy and programs shall take into consideration a  
23 nation's commitment to free market principles. The  
24 United States shall provide assistance under subsection

1 (b)(1) of this section based upon an evaluation of each  
2 nation's progress and plans in the following areas:

3 (1) Limiting the size of the state sector includ-  
4 ing an assessment of policies regarding wage and  
5 price controls, state ownership of production and  
6 distribution, and control of financial institutions.

7 (2) Encouragement of trade and foreign invest-  
8 ment including an assessment of tariff levels, quotas,  
9 and opportunity to repatriate capital and profits.

10 (3) Protection of the private sector including an  
11 assessment of general tax policy and rights of own-  
12 ership and property.

13 (d) DEMOCRATIC INSTITUTIONS.—Growth and pros-  
14 perity can best be sustained when all people have the op-  
15 portunity to actively participate in the economic, social,  
16 and political life of a nation. United States assistance shall  
17 contribute to the strengthening of institutions and organi-  
18 zations which expand political freedom and civil liberty.

19 **SEC. 102. INTERNATIONAL ORGANIZATIONS AND PRO-**  
20 **GRAMS.**

21 (a) GENERAL AUTHORITY.—Consistent with the  
22 basic objectives in section 102 of this title the President  
23 is authorized to make voluntary contributions on a grant  
24 basis to international organizations and to programs ad-  
25 ministered by such organizations.

1 (b) WITHHOLDING OF UNITED STATES SHARE.—  
2 Notwithstanding any other provision of law, none of the  
3 funds available to carry out this section shall be made  
4 available for the United States proportionate share for  
5 programs for Iran, Iraq, Libya, Cuba, the Democratic  
6 People's Republic of Korea, or Burma.

7 (c) REPORT.—Beginning on March 15, 1996, and an-  
8 nually thereafter, the Secretary of State shall report to  
9 the Committees on Foreign Relations and Appropriations  
10 of the Senate and the Committees on International Rela-  
11 tions and Appropriations of the House of Representatives  
12 on—

13 (1) the budgets and accounts of all inter-  
14 national organizations receiving payments of any  
15 funds available to carry out this section; and

16 (2) the amount of funds expended by each  
17 international organization or program including the  
18 amount contributed by the United States.

19 (d) AVAILABILITY OF APPROPRIATIONS.—Of the  
20 funds appropriated under section 106, up to \$200,000,000  
21 shall be available to carry out the activities of this section.

22 **SEC. 103. DISASTER ASSISTANCE.**

23 (a) GENERAL AUTHORITY.—The President is author-  
24 ized to provide assistance under this title, notwithstanding  
25 any other provision of law, to alleviate human suffering

1 caused by man-made and natural disasters, including re-  
2 construction activities arising from such disasters. Em-  
3 phasis should be given to protecting children, the most vul-  
4 nerable population, and may include assistance relating to  
5 disaster preparedness, and to the prediction of, and con-  
6 tingency planning for, natural disasters abroad.

7 (b) AVAILABILITY OF APPROPRIATIONS.—Of the  
8 funds appropriated under section 106, \$170,000,000 shall  
9 be available to carry out the activities of this section.

10 **SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.**

11 (a) GENERAL POLICY.—Record levels of refugees  
12 from regional and ethnic conflicts as well as national poli-  
13 cies of persecution continue to strain international re-  
14 sources. Consistent with American humanitarian concerns  
15 and traditions, the Congress recognizes the need to pro-  
16 vide assistance in resettling refugees.

17 (b) AVAILABILITY OF APPROPRIATIONS.—Of the  
18 funds appropriated under section 106, \$721,000,000 shall  
19 be available for the purposes of this section, and in accord-  
20 ance with the authorities contained in, the Migration and  
21 Refugee Assistance Act of 1962. Of this amount,  
22 \$80,000,000 shall be provided for refugees from the  
23 former Soviet Union, Eastern Europe, and other nations  
24 resettling in Israel.

1 **SEC. 105. PEACE CORPS.**

2 (a) AVAILABILITY OF APPROPRIATIONS.—Of the  
3 funds appropriated under section 106, such funds as may  
4 be necessary shall be available for the purposes of, and  
5 in accordance with the authorities contained in, the Peace  
6 Corps Act.

7 **SEC. 106. AUTHORIZATION OF APPROPRIATION.**

8 There are authorized to be appropriated to the Presi-  
9 dent to carry out the purposes of this title,  
10 \$3,100,000,000.

11 **SEC. 107. ADMINISTRATIVE AUTHORITY.**

12 The Secretary of State shall coordinate all policies  
13 and programs and carry out all activities and programs  
14 under this title.

15 **TITLE II—SECURITY ASSISTANCE AND**  
16 **RELATED PROGRAMS**

17 **SEC. 201. GENERAL POLICY AND BASIC OBJECTIVES.**

18 (a) GENERAL POLICY.—For more than four decades,  
19 United States security interests and commitments have re-  
20 flected the imperatives of the cold war. The maintenance  
21 of United States military superiority, both nuclear and  
22 conventional, remains vital to American interests. Emerg-  
23 ing threats, including the proliferation of weapons of mass  
24 destruction, terrorism, and the spread of ethnic and reli-  
25 gious violence, call for new approaches to bilateral, re-  
26 gional and collective security arrangements.

1 (b) BASIC OBJECTIVES.—United States security as-  
2 sistance shall only be provided to—

3 (1) enhance the military capabilities of a friend-  
4 ly nation to meet legitimate self defense and security  
5 needs;

6 (2) strengthen the military capabilities of a  
7 friendly nation to permit effective participation in  
8 collective security or peacekeeping activities;

9 (3) support the efforts of a foreign government  
10 to combat mutual, transnational threats including  
11 narcotics trafficking and terrorism;

12 (4) strengthen civilian and military relations  
13 consistent with democratic principles with emphasis  
14 on improving military standards of professionalism;

15 (5) promote self defense and defense coopera-  
16 tion with United States allies and friendly nations  
17 through the acquisition of United States defense ar-  
18 ticles and services; and

19 (6) support the transition to democracy.

20 **SEC. 202. GENERAL AUTHORITY.**

21 The President is authorized to furnish security assist-  
22 ance to any friendly country, which is otherwise eligible  
23 to receive such assistance, by—

1           (1) acquiring from any source and providing  
2           (by loan or grant) any defense article or defense  
3           service;

4           (2) assigning or detailing members of the  
5           Armed Forces of the United States and other per-  
6           sonnel to perform duties of a noncombatant nature;  
7           or

8           (3) transferring such of the funds appropriated  
9           or otherwise made available under this section as the  
10          President may determine for assistance to a recipi-  
11          ent country, to the account in which funds for the  
12          procurement of defense articles and defense services  
13          under sections 21 and 22 of the Arms Export Con-  
14          trol Act have been deposited for such recipient, to be  
15          merged with such deposited funds, and to be used  
16          solely to meet obligations of the recipient for pay-  
17          ment for sales under that Act. Sales which are whol-  
18          ly paid from funds transferred under paragraph (3)  
19          or from funds made available on a nonrepayable  
20          basis under section 23 of the Arms Export Control  
21          Act shall be priced to exclude the cost of salaries of  
22          Members of the Armed Forces of the United States  
23          (other than the Coast Guard).

1 **SEC. 203. CONDITIONS OF ELIGIBILITY.**

2 In addition to such other provisions as the President  
3 may require, no defense articles, related training or other  
4 defense services under this title shall be furnished to any  
5 country unless it shall have agreed that—

6 (1) it will not, without the consent of the Presi-  
7 dent—

8 (A) transfer title to or possession of such  
9 articles or services to anyone who is not an offi-  
10 cer, employees or agent of that country; or

11 (B) use or permit the use of such article  
12 or services for purposes other than those for  
13 which furnished; and

14 (2) it will maintain the security of such articles  
15 or services, and will provide substantially the same  
16 security protection afforded such article or services  
17 by the United States Government.

18 **SEC. 204. INTERNATIONAL MILITARY EDUCATION AND**  
19 **TRAINING.**

20 (a) GENERAL AUTHORITY.—The President is author-  
21 ity to furnish on such terms and conditions consistent with  
22 this title, military education and training to military and  
23 related civilian personnel of foreign nations. Such civilian  
24 personnel may include foreign government personnel of  
25 ministries other than defense, or legislators, if the training  
26 or education contributes to responsible defense resource

1 management, improvement in the relationship and under-  
2 standing between the civilian and military sectors, or im-  
3 provements in military justice systems. Such training and  
4 education may be provided through attendance in the  
5 United States of military educational and training facili-  
6 ties (other than the Service academies), attendance at spe-  
7 cial courses of instruction at schools and institutes of  
8 learning, or observation and orientation visits to military  
9 facilities.

10 (b) AVAILABILITY OF APPROPRIATIONS.—Of the funds  
11 appropriated under Section 210, \$55,000,000 shall be  
12 available to carry out this section. Of these funds,  
13 \$15,000,000 shall be available to develop and administer  
14 programs in Lithuania, Estonia, Latvia, Poland, Hungary,  
15 the Czech Republic, and Slovakia.

16 **SEC. 205. PEACEKEEPING OPERATIONS.**

17 (a) GENERAL AUTHORITY.—The President is author-  
18 ized to furnish assistance to friendly countries and inter-  
19 national organizations for peacekeeping operations in fur-  
20 therance of the national security interests of the United  
21 States. Such assistance may include reimbursement to the  
22 Department of Defense for expense incurred pursuant to  
23 section 7 of the United Nations Participation Act, except  
24 that such reimbursement may not exceed \$10,000,000,  
25 unless specifically authorized and appropriated.

1 (b) None of the funds made available under this sec-  
2 tion may be used to train, equip, or support United States  
3 military personnel serving under United Nation's com-  
4 mand.

5 (c) AVAILABILITY OF APPROPRIATIONS.—Of the  
6 funds appropriated under section 210, up to \$75,000,000  
7 shall be available to carry out this section. Of these funds,  
8 \$10,000,000 shall be available to support a joint Baltic  
9 peacekeeping battalion, including training, equipment and  
10 other necessary services.

11 **SEC. 206. ANTITERRORISM ASSISTANCE.**

12 (a) GENERAL AUTHORITY.—The President is author-  
13 ized to provide assistance, training, services and commod-  
14 ities to foreign governments to enhance their ability to  
15 deter terrorists and terrorist groups from engaging in  
16 international acts such as bombings, hijackings,  
17 kidnappings, hostage taking, and assassinations.

18 (b) REPORT.—Not less than thirty days before pro-  
19 viding assistance to a foreign government under this sec-  
20 tion, the President shall submit to the Committees on For-  
21 eign Relations and Appropriations of the Senate and the  
22 Committees on Appropriations and International Rela-  
23 tions of the House of Representatives, a written notifica-  
24 tion which specifies—

25 (1) the country receiving the assistance;

1           (2) the value and type of services, equipment,  
2           or other commodities to be provided;

3           (3) the terms and duration of assistance; and

4           (4) an explanation of how the assistance will  
5           further the objectives of subsection (a).

6 **SEC. 207. MODERNIZATION OF DEFENSE CAPABILITIES.**

7           (a) **AUTHORITY TO TRANSFER EXCESS DEFENSE**  
8 **ARTICLES.**—Notwithstanding any other provision of law  
9 and subject to subsection (b) the President may transfer—

10           (1) to those member countries of the North At-  
11           lantic Treaty Organization which are eligible for  
12           United States security assistance and which are in-  
13           tegrated into NATO’s military structure;

14           (2) to major non-NATO allies on the south and  
15           southeastern flank of NATO which are eligible for  
16           United States security assistance;

17           (3) to Latvia, Lithuania, Estonia, Poland, Hun-  
18           gary, the Czech Republic, and Slovakia; and

19           (4) to those countries in Latin America or the  
20           Caribbean which have democratic governments and  
21           are major drug producing or drug transit countries,  
22 such excess defense articles as the President determines  
23 necessary to help modernize the defense capabilities of  
24 such countries. Such excess defense articles may be trans-  
25 ferred without cost to the recipient countries.

1 (b) ADDITIONAL TRANSFER AUTHORITIES.—The  
2 President may transfer to countries which are otherwise  
3 eligible, such nonlethal excess defense articles as the Presi-  
4 dent deems necessary.

5 (c) NOTIFICATIONS.—The President may not trans-  
6 fer excess defense articles under this section until thirty  
7 days after he has notified the Committees on Foreign Re-  
8 lations, Appropriations, and Armed Services of the Senate  
9 and the Committees on International Relations, Appro-  
10 priations, and National Security of the House of Rep-  
11 resentatives, of the proposed transfer.

12 **SEC. 208. SPECIAL AUTHORITY.**

13 (a) DRAWDOWN OF DEFENSE ARTICLES.—If the  
14 President determines and reports to Congress in advance  
15 that—

16 (1) an unforeseen emergency exists which re-  
17 quires immediate military assistance to a foreign  
18 government or international organization;

19 (2) the emergency requirement cannot be met  
20 under the authority of the Arms Export and Control  
21 Act, or any other law except this section; and

22 (3) the emergency threatens the vital national  
23 security interests of the United States,

24 he may direct the drawdown of defense articles from the  
25 stocks of the Department of Defense, defense services of

1 the Department of Defense and military education and  
2 training.

3 (b) **DRAWDOWN FOR HUMANITARIAN PURPOSES.**—If  
4 the President determines and reports in writing to Con-  
5 gress in advance that it is the national interest to draw  
6 down defense articles of the Department of Defense, de-  
7 fense services of the Department of Defense or military  
8 education or training, he may direct—

9 (1) the drawdown of such articles, services or  
10 provision of training under the purposes and under  
11 the authority of section 103 of title I of this Act; or

12 (2) the drawdown of such articles, services, or  
13 provision of training for the purposes and under the  
14 authority of the Migration and Refugee Act of 1962.

15 (c) **CEILING ON THE USE OF AUTHORITY.**—An ag-  
16 gregate value of not to exceed \$75,000,000 in any fiscal  
17 year of defense articles, services, education or training  
18 may be provided pursuant to this section.

19 **SEC. 209. OVERSEAS MANAGEMENT OF ASSISTANCE.**

20 (a) **AUTHORITY TO ASSIGN.**—In order to carry out  
21 his responsibilities for the management of international se-  
22 curity assistance programs under this title, and the Arms  
23 Export Control Act, the President may assign members  
24 of the Armed Forces of the United States to a foreign  
25 country to perform one or more of the following functions:

1 (1) Equipment and services case management.

2 (2) Training management.

3 (3) Program monitoring.

4 (4) Evaluation and planning of the host govern-  
5 ment's military capabilities and requirements.

6 (5) Administrative support.

7 (6) Promoting rationalization, standardization,  
8 interoperability, and other defense cooperation meas-  
9 ures.

10 (7) Liaison functions exclusive of advisory and  
11 training assistance.

12 (b) COST OF MANAGEMENT.—The entire costs (ex-  
13 cluding the salaries of military personnel other than the  
14 Coast Guard) of management of international security as-  
15 sistance programs under this section shall be charged to  
16 or reimbursed from funds made available to carry out this  
17 title or the Arms Export Control Act, other than such  
18 costs which are either directly paid for such defense serv-  
19 ices under section 21(a) of the Arms Export Control Act  
20 or reimbursed from charges for services collected from for-  
21 eign governments, pursuant to sections 21(e) and 43(b)  
22 of that Act.

23 (c) SUPERVISION.—Members of the Armed Forces  
24 assigned to a foreign country under this section shall serve

1 under the direction and supervision of the Chief of the  
2 United States Diplomatic Mission to that country.

3 **SEC. 210. AUTHORIZATION OF APPROPRIATION FOR SECU-**  
4 **RITY ASSISTANCE AND RELATED PROGRAMS.**

5 There are authorized to be appropriated to the Presi-  
6 dent to carry out the purposes of this title, \$400,000,000  
7 including for the subsidy cost of direct and guaranteed  
8 loans under section 23 of the Arms Export Control Act.

9 **TITLE III—TRADE, INVESTMENT AND**  
10 **EXPORT PROMOTION**

11 **SEC. 301. GENERAL POLICY AND BASIC OBJECTIVES.**

12 (a) GENERAL POLICY.—With the end of the Cold  
13 War's military rivalry, policy and resources should focus  
14 on the importance of establishing the United States as a  
15 competitive international economic power. Developing na-  
16 tions represent the largest and fastest growing markets  
17 for American goods and services. United States govern-  
18 ment support for American led private sector activities  
19 promotes economic growth abroad while increasing export  
20 and job opportunities at home.

21 (b) BASIC OBJECTIVES.—United States assistance  
22 shall be provided to expand American job, trade, and in-  
23 vestment opportunities abroad.

1 **SEC. 302. AUTHORITY AND CONSOLIDATION OF FUNC-**  
2 **TIONS.**

3 (a) GENERAL AUTHORITY.—

4 (1) AUTHORITY.—Sections 231 through 240B  
5 of the Foreign Assistance Act of 1961, as in effect  
6 before the effective date of this Act, shall be deemed  
7 to remain in effect on and after that date.

8 (2) CONSOLIDATION OF FUNCTIONS.—To effec-  
9 tively coordinate the use of resources available to  
10 promote United States trade and investment oppor-  
11 tunities, notwithstanding any other provision of law,  
12 the President shall consolidate the activities and pro-  
13 grams of the Trade and Development Agency with  
14 those of the Overseas Private Investment Corpora-  
15 tion, and the functions and programs contained in  
16 sections 661(a) and (b) of the Foreign Assistance  
17 Act of 1961 as in effect before the effective date of  
18 this Act shall be performed by such Corporation.

19 (b) REPORT.—Within sixty days from the date of en-  
20 actment of this Act, the President shall submit a report  
21 to the Committees on Foreign Relations and Appropria-  
22 tions of the Senate and the Committees on International  
23 Relations and Appropriations of the House of Representa-  
24 tives on plans and legislative requirements necessary to  
25 achieve the goals of subsection (a)(2).

26 (c) AUTHORIZATION OF APPROPRIATIONS.—

1           (1) There are authorized to be appropriated to  
2 the President to carry out the purposes of subsection  
3 (a)(1), \$135,000,000 for the subsidy cost of direct  
4 loans and guarantees for activities in furtherance of  
5 the objectives of such subsection. In addition, there  
6 are authorized to be appropriated to the President  
7 \$40,000,000 for administrative expenses to carry  
8 out the programs referenced in subsection (a)(1).

9           (2) There are authorized to be appropriated to  
10 the President to carry out the consolidation of the  
11 Trade and Development Agency and the Overseas  
12 Private Investment Corporation, such funds as may  
13 be necessary.

14       **TITLE IV—INTERNATIONAL FINANCIAL**  
15                                   **INSTITUTIONS**

16       **SEC. 401. AUTHORIZATION OF APPROPRIATION.**

17           There are authorized to be appropriated to the Presi-  
18 dent to fulfill obligations to international financial institu-  
19 tions, \$1,800,000,000.

20       **SEC. 402. ENTERPRISE FOR THE AMERICAS.**

21           Part IV of the Foreign Assistance Act of 1961, as  
22 in effect before the effective date of this Act, shall be  
23 deemed to remain in effect on and after that date.

1                   **TITLE V—MIDDLE EAST**

2   **SEC. 501. GENERAL POLICY AND BASIC OBJECTIVES.**

3           (a) **GENERAL POLICY.**—(1) American interests in re-  
4 gional stability and security have been directly served by  
5 the close, cooperative relationship between Israel and the  
6 United States. The Congress strongly supports continuing  
7 to build and expand this economic, political and security  
8 partnership.

9           (2) American interests are also enhanced by an ex-  
10 pansion of the peace process begun with the historic ac-  
11 cord achieved between Israel and Egypt at Camp David.  
12 Egypt's leadership during the Gulf war and the peace  
13 process has been key to expanding regional stability.

14          (3) The Congress also recognizes the important ac-  
15 complishments of the signing of the Declaration of Prin-  
16 ciples between Israel and the Palestinian Liberation Orga-  
17 nization and the Peace Treaty signed between Israel and  
18 Jordan. The Congress supports a continued United States  
19 role in facilitating the fulfillment of the obligations and  
20 commitments included in these agreements, as well as ex-  
21 panding the peace process and improving regional eco-  
22 nomic ties.

23          (b) **BASIC OBJECTIVES.**—United States policy and  
24 assistance should—

1 (1) expand the political, economic, and security  
2 alliance between the United States and Israel;

3 (2) sustain the commitments achieved in the  
4 Camp David accord recognizing Egypt's leadership  
5 and contribution to expanding regional cooperation,  
6 security and peace;

7 (3) contribute to and encourage multilateral ef-  
8 forts to support the implementation of the Declara-  
9 tion of Principles;

10 (4) support the implementation of the Peace  
11 Treaty between Israel and Jordan;

12 (5) support regional efforts to combat terrorism  
13 and political extremism; and

14 (6) pursue concrete steps to end the Arab boy-  
15 cott.

16 **SEC. 502. CAMP DAVID ACCORD AUTHORIZATION OF AP-**  
17 **PROPRIATION.**

18 There are authorized to be appropriated to the Presi-  
19 dent to carry out the purposes of this title and, as appro-  
20 priate, section 23 of the Arms Export Control Act, the  
21 following amounts:

22 (1) For Israel, \$1,800,000,000 for the fiscal  
23 year 1996. This amount shall be made available on  
24 a grant basis as a cash transfer and shall be dis-  
25 bursed thirty days after enactment of an Act or

1 Joint Resolution appropriating funds for foreign op-  
2 erations, export financing, and related programs for  
3 fiscal year 1996, or October 31, 1995, whichever is  
4 later. Of these funds, up to \$150,000,000 shall be  
5 available for research and development in the United  
6 States and \$475,000,000 shall be available for pro-  
7 curement in Israel of defense articles and defense  
8 services, including research and development. Provi-  
9 sions relating to such assistance are included in sec-  
10 tion 201 and section 501 of this Act.

11 (2) For Israel, \$1,200,000,000 for fiscal year  
12 1996. This amount shall be made available on a  
13 grant basis as a cash transfer and shall be disbursed  
14 thirty days after enactment of an Act or Joint Reso-  
15 lution appropriating funds for foreign operations, ex-  
16 port financing, and related programs for fiscal year  
17 1996, or by October 31, 1995, whichever is later.  
18 Provisions relating to such assistance are included  
19 in section 3, section 101, section 201, and section  
20 501 of this Act.

21 (3) For Egypt, \$1,300,000,000 for fiscal year  
22 1996. Provisions relating to such assistance are in-  
23 cluded in section 201 and section 501 of this Act.

24 (4) For Egypt, \$815,000,000 for fiscal year  
25 1996. Provisions relating to this assistance are in-

1       cluded in section 3, section 101, section 201, and  
2       section 501 of this Act.

3       **SEC. 503. MIDDLE EAST PEACE FACILITATION ACT.**

4       (a) GENERAL POLICY.—The Congress reaffirms the  
5       expectations contained in the Middle East Peace Facilita-  
6       tion Act regarding progress in implementing the Declara-  
7       tion of Principles and necessary Presidential certifications.

8       (b) AUTHORIZATION OF APPROPRIATIONS.—There  
9       are authorized to be appropriated to the President,  
10      \$75,000,000 to facilitate progress in fulfilling conditions  
11      of agreements reached between Israel and the PLO, and  
12      between Israel and Jordan.

13      **SEC. 504. LOAN GUARANTEES FOR ISRAEL.**

14      Section 226 of the Foreign Assistance Act of 1961,  
15      as in effect before the effective date of this Act, shall be  
16      deemed to remain in effect on and after that date.

17                   **TITLE VI—EUROPE AND THE NEW**  
18                   **INDEPENDENT STATES**

19      **SEC. 601. GENERAL POLICY.**

20      The United States has a direct interest in supporting  
21      and sustaining economic and political reform in Eastern  
22      Europe and the New Independent States. If reform fails  
23      and the former Soviet Republics revert to dictatorship or  
24      anarchy the potential for nuclear confrontation could be  
25      revived. In enacting the Support for East European De-

1 mocracy (SEED) Act and the Freedom Support Act, the  
2 Congress recognized that economic growth and political  
3 freedom cannot be subsidized by the American taxpayer.  
4 Real change will be generated by the expansion of the pri-  
5 vate sector and meaningful participation of all citizens in  
6 the political process. Nonetheless, given the dramatic  
7 scope and pace of the changes needed, the Congress sup-  
8 ports carefully targeted, timely assistance to facilitate the  
9 full transition to free markets and democracy.

10 **SEC. 602. AUTHORIZATION OF APPROPRIATION FOR SEED**  
11 **ACT ACTIVITIES.**

12 There are authorized to be appropriated to the Presi-  
13 dent, \$355,000,000 to carry out activities and programs  
14 in Eastern Europe and the Baltics consistent with the  
15 terms and conditions, and in furtherance of the purposes  
16 of the SEED Act.

17 **SEC. 603. AUTHORIZATION OF ASSISTANCE FOR THE NEW**  
18 **INDEPENDENT STATES.**

19 (a) AUTHORIZATION OF APPROPRIATIONS.—There  
20 are authorized to be appropriated to the President,  
21 \$750,000,000 to carry out activities and programs de-  
22 scribed in subsection (b) for the New Independent States.  
23 Of the amount appropriated under this section—

24 (1) not less than \$200,000,000 shall be avail-  
25 able for Ukraine;

1           (2) not less than \$75,000,000 shall be available  
2 for Armenia;

3           (3) not less than \$50,000,000 shall be available  
4 for Georgia; and

5           (4) not less than \$15,000,000 shall be available  
6 to carry out joint law enforcement and training ac-  
7 tivities.

8           (b) ELIGIBLE ACTIVITIES AND PROGRAMS.—The ac-  
9 tivities and programs referred to in subsection (a) are in  
10 support of the following purposes:

11           (1) Private sector development, including enter-  
12 prise funds, technical assistance and training, and  
13 support for small and medium private enterprise and  
14 privatization efforts.

15           (2) Enhancing trade with and investment in the  
16 New Independent States.

17           (3) Enhancing democratic initiatives, including  
18 through exchange programs and training, rule of law  
19 programs, and fostering independent media.

20           (4) Support troop withdrawal, including  
21 through officer resettlement programs and technical  
22 assistance for the housing sector.

23           (5) Supporting the energy and environment sec-  
24 tors.

25           (6) Meeting humanitarian assistance needs.

1 **SEC. 604. ELIGIBILITY FOR ASSISTANCE FOR THE NEW**  
2 **INDEPENDENT STATES.**

3 (a) PROHIBITION.—None of the funds appropriated  
4 under section 603(a) may be made available to Russia if  
5 the Government of Russia directs, supports, or encourages  
6 any action which violates the territorial integrity or na-  
7 tional sovereignty of any other state, other than consistent  
8 with the articles of self defense in the Charter of the  
9 United Nations.

10 (b) HUMANITARIAN ASSISTANCE.—Subsection (a)  
11 shall not apply to the provision of assistance for disaster,  
12 humanitarian, or refugee relief.

13 (c) The Secretary of State shall submit a report to  
14 Congress, no later than January 15 of each fiscal year,  
15 on any steps taken by any government of a nation in the  
16 New Independent States in violation of the territorial in-  
17 tegrity or national sovereignty of any other state. In pre-  
18 paring this report the Secretary shall provide a full ac-  
19 count of any extra territorial deployment of a nation's  
20 troops, including the number, equipment and activities of  
21 those troops, and an assessment of the terms governing  
22 the deployment. If the troops are deployed consistent with  
23 a formal understanding or agreement the Secretary shall  
24 include copies of such agreements with the transmittal of  
25 the report.

1 **SEC. 605. ADMINISTRATIVE AUTHORITIES.**

2 (a) BILATERAL NATURE OF PROGRAMS.—Assistance  
3 programs under this title shall be developed and carried  
4 out exclusively on a bilateral basis.

5 (b) ADMINISTRATIVE AUTHORITIES.—The provisions  
6 of section 498B of the Foreign Assistance Act of 1961,  
7 as in effect before the effective date of this Act, shall be  
8 applicable to amounts appropriated under sections 602  
9 and 603 of this Act. References in section 498B of the  
10 Foreign Assistance Act of 1961 to other provisions of that  
11 Act shall be deemed to be references, as appropriate, to  
12 comparable provisions in this Act or the Arms Export  
13 Control Act.

14 **SEC. 701. CONTINGENCIES.**

15 (a) AUTHORITY.—Notwithstanding any other provi-  
16 sion of law, the President is authorized to use funds made  
17 available to carry out any provision of this Act in order  
18 to provide, for any unanticipated contingencies, assistance  
19 authorized by this Act in accordance with the provisions  
20 applicable to the furnishing of such assistance, except that  
21 the authority of this subsection may not be used to author-  
22 ize the use of more than \$75,000,000 during any fiscal  
23 year.

24 (b) PRIOR REPORT.—The President shall report in  
25 advance to the Committees on Appropriations and Foreign  
26 Relations of the Senate and the Committees on Appropria-

1 tions and International Relations of the House of Rep-  
2 resentatives the justification of the use of the authority,  
3 each time he exercises the authority.

4 **SEC. 702. TRANSFER BETWEEN ACCOUNTS.**

5 (a) GENERAL AUTHORITY.—Whenever the President  
6 determines it to be necessary for the purposes of this Act,  
7 not to exceed 10 percent of the funds made available to  
8 carry out any provision of this Act, or for section 23 of  
9 the Arms Export Control Act—

10 (1) may be transferred to, and consolidated  
11 with the funds in any other account or fund avail-  
12 able to carry out any provision of such Act; and

13 (2) may be used for any purposes for which  
14 funds in that account or fund may be used.

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

20 (c) NOTIFICATION.—The Secretary shall notify in  
21 writing the Committees on Foreign Relations and Appro-  
22 priations of the Senate and the Committees on Inter-  
23 national Relations and Appropriations of the House of  
24 Representatives at least fifteen days in advance of such  
25 transfer between accounts.

1 **SEC. 703. SPECIAL WAIVER AUTHORITY.**

2 (a) GENERAL AUTHORITY.—The President may au-  
3 thorize the furnishing of assistance under this Act, the  
4 Arms Export Control Act, or any foreign assistance au-  
5 thorization or appropriations Acts, without regard to any  
6 of the provisions described in subsection (c), if he deter-  
7 mines that to do so is in the national security interests  
8 of the United States and so notifies in writing the Speaker  
9 of the House of Representatives and the Chairmen of the  
10 Committees on Foreign Relations and Appropriations in  
11 the Senate.

12 (b) LIMITATIONS.—The authority of subsection (a)  
13 may not be used in any fiscal year to authorize—

14 (1) more than \$750,000,000 in sales under the  
15 Arms Export Control Act;

16 (2) more than \$250,000,000 of funds made  
17 available for use under this Act or the Arms Export  
18 Control Act; and

19 (3) the use of more than \$100,000,000 of for-  
20 eign currencies accruing under this Act.

21 (c) LAWS WHICH MAY BE WAIVED.—The provisions  
22 referred to in subsection (a) are—

23 (1) the provisions of this Act,

24 (2) the provisions of the Arms Export Control  
25 Act,

1           (3) any other provisions of law that restrict the  
2 authority to provide assistance or make sales or  
3 leases under the Acts in paragraphs (1) and (2), and

4           (4) any law relating to receipts and credits ac-  
5 cruing to the United States, except for those provi-  
6 sions of law contained in section 861(6).

7           (d) COUNTRY LIMITATION.—Not more than  
8 \$50,000,000 of the \$250,000,000 made available in sub-  
9 section (a)(2) may be allocated to one country in any fiscal  
10 year unless that country is a victim of active aggression.

11           (e) APPLICATION TO TRANSFERS.—The authority of  
12 this section may not be used to waive the limitations on  
13 transfer in section 702 of this Act.

14       **TITLE VIII—REPORTS, LIMITATIONS, AND**  
15                               **GENERAL PROVISIONS**

16               **Chapter A—Reporting Requirements**

17       **SEC. 801. REPORT ON HUMAN RIGHTS.**

18           (a) REQUIREMENT FOR REPORTS.—The Secretary of  
19 State shall transmit to the Speaker of the House and the  
20 Committees on Foreign Relations and Appropriations of  
21 the Senate, by January 31 of each year, a full and com-  
22 plete report on all countries which receive assistance under  
23 this Act or are members of the United Nations regard-  
24 ing—

1           (1) the status of internationally recognized  
2 human rights, including torture or cruel, inhuman,  
3 or degrading treatment or punishment, prolonged  
4 detention without charges, causing the disappear-  
5 ance of persons by abduction and clandestine deten-  
6 tion of such persons, or other flagrant denial of the  
7 right to life, liberty and the security of a person;

8           (2) wherever applicable, practices regarding co-  
9 ercion in population control, including coerced abor-  
10 tion and involuntary sterilization; and

11           (3) the steps the Secretary has taken to alter  
12 United States programs because of human rights  
13 considerations.

14 **SEC. 802. REPORT ON NARCOTICS CONTROL.**

15           Consistent with the terms and conditions of the Inter-  
16 national Narcotics Control Act of 1992, as amended, the  
17 Secretary shall report to the Committee on Foreign Rela-  
18 tions. The report shall include the same information, and  
19 shall be submitted in the same manner, as the report re-  
20 quired by Section 489 of the Foreign Assistance Act of  
21 1961 as in effect before the effective date of this Act.

22 **SEC. 803. NOTIFICATION OF PROGRAM CHANGES.**

23           (a) GENERAL REQUIREMENT.—Except as provided in  
24 subsection (b), none of the funds appropriated pursuant  
25 to authority contained in this Act may be obligated for

1 any activities, programs, projects, types of materiel assist-  
2 ance, countries, or other operations not justified, or in ex-  
3 cess of the amount justified to the Congress for obligation,  
4 unless the Committees on Appropriations and Foreign Re-  
5 lations of the Senate and the Committees on Appropria-  
6 tions and International Relations of the House of Rep-  
7 resentatives are notified fifteen days in advance of such  
8 obligation.

9 (b) EXCEPTION.—The requirement contained in sub-  
10 section (a) shall not apply to funds appropriated or other-  
11 wise made available for—

12 (1) international disaster assistance,

13 (2) emergency refugee and migration assistance  
14 activities under section 2(c) of the Migration and  
15 Refugee Assistance Act of 1962,

16 (3) the Overseas Private Investment Corpora-  
17 tion or successor organization, and

18 (4) title IV of this Act.

19 (c) LIMITED REPROGRAMMINGS.—The notification  
20 requirement of this section does not apply to—

21 (1) reprogramming of funds to be used for an  
22 activity, program, or project under title I if the  
23 amounts to be obligated for that activity, program,  
24 or project for the appropriate fiscal year do not ex-  
25 ceed by more than 20 percent the amount justified

1 to the Congress for that activity, program, or project  
2 for that fiscal year;

3 (2) reprogramming of less than \$25,000 to be  
4 used under section 204 of this Act, for a country for  
5 which a program under that section for that fiscal  
6 year was justified to the Congress; and

7 (3) the commitment of funds appropriated for  
8 the purposes of section 23 of the Arms Export Con-  
9 trol Act for the provision of major defense equip-  
10 ment, other than conventional ammunition, or other  
11 major defense items defined to be aircraft, ships,  
12 missiles, or combat vehicles, if the quantity of such  
13 equipment or defense items does not exceed by more  
14 than 20 percent the amount justified to the Con-  
15 gress.

16 **SEC. 804. ANNUAL ALLOCATION REPORT.**

17 (a) REPORT ON ALLOCATIONS OF ASSISTANCE.—Not  
18 later than thirty days after the enactment of any law ap-  
19 propriating funds to carry out any provision of this Act,  
20 the President shall notify the Congress of—

21 (1) each foreign country and international orga-  
22 nization to which the United States Government in-  
23 tends to provide any portion of the funds under such  
24 law; and

1           (2) the amount of funds under that law, by cat-  
2           egory of assistance, that the United States Govern-  
3           ment intends to provide to each such country or or-  
4           ganization.

5           (b) EXCEPTIONS.—Subsection (a) does not apply  
6           with respect to any law making continuing appropriations.

7           (c) USE OF SPECIAL AUTHORITY.—The authority of  
8           section 703 of this Act may not be used to waive the provi-  
9           sions of this section.

10   **SEC. 805. PRESIDENTIAL FINDINGS AND DETERMINATIONS.**

11           (a) FINDINGS AND DETERMINATIONS TO BE WRIT-  
12           TEN AND SIGNED.—In any case in which the President  
13           is required to make a report by any provision of this Act,  
14           the Arms Export Control Act, or any annual or periodic  
15           foreign assistance authorizing or appropriations legisla-  
16           tion, to the Congress or to any committee or officer of  
17           either House of Congress concerning any finding or deter-  
18           mination, that finding or determination shall be reduced  
19           to writing and signed by the President.

20           (b) RESTRICTION.—No action shall be taken pursu-  
21           ant to any such finding or determination prior to the date  
22           on which that finding or determination is reduced to writ-  
23           ing and signed by the President.

24           (c) PUBLICATION IN FEDERAL REGISTER.—Each  
25           such finding or determination shall be published in the

1 Federal Register as soon as practicable after it has been  
2 reduced to writing and signed by the President. In any  
3 case in which the President concludes that such publica-  
4 tion would be harmful to the national security of the  
5 United States, only a statement that a determination or  
6 finding has been made by the President, including the  
7 name and section of the Act under which it was made,  
8 shall be published.

9 (d) COMMITTEE ACCESS.—No committee or officer of  
10 either House of Congress shall be denied any requested  
11 information relating to any finding or determination which  
12 the President is required to report to the Congress, or to  
13 any committee or officer of either House of Congress,  
14 under any provision of this Act, the Arms Export Control  
15 Act, or any annual or periodic foreign assistance authoriz-  
16 ing or appropriations legislation, even though such report  
17 has not yet been transmitted to the appropriate committee  
18 or officer of either House of Congress.

## 19 **Chapter B—Limitations on Assistance**

### 20 **SEC. 811. INELIGIBLE COUNTRIES.**

21 (a) RESTRICTIONS.—Except as provided in sub-  
22 section (b), assistance under this Act may not be furnished  
23 to the government of a country that is:

24 (1) COMMUNIST COUNTRIES.—A communist  
25 country, as designated under subsection (d).

1           (2) HUMAN RIGHTS VIOLATORS.—A country de-  
2           scribed in subsection (e).

3           (3) COUNTRY INDEBTED TO UNITED STATES  
4           CITIZENS.—A country whose government is indebted  
5           to any United States citizen or person under section  
6           527 of the Foreign Relations Authorization Act, fis-  
7           cal years 1994 and 1995.

8           (4) MILITARY COUPS.—A country whose duly-  
9           elected Head of Government is deposed by military  
10          coup or decree unless subsequent to the military  
11          coup or decree a democratically-elected government  
12          has taken office.

13          (5) TERRORIST COUNTRIES.—A country whose  
14          government the President determines repeatedly pro-  
15          vides support for acts of international terrorism.

16          (6) MAJOR ILLICIT DRUG PRODUCING OR  
17          MAJOR DRUG TRANSIT COUNTRIES.—A country that  
18          is ineligible for assistance under section 490 of the  
19          Foreign Assistance Act of 1961 in effect before the  
20          effective date of this Act.

21          (7) COUNTRIES IN ARREARS.—A country that  
22          is more than one year in arrears to the United  
23          States Government on any payment of interest or  
24          principal on any loan made or credit extended under  
25          this Act, the Arms Export Control Act, or the

1 former authorities of the Foreign Assistance Act of  
2 1961.

3 (b) EXCEPTIONS.—Funds may be obligated and ex-  
4 pended for assistance restricted by subsection (a), or com-  
5 parable provisions of law that restrict assistance to coun-  
6 tries, under any of the following circumstances:

7 (1) NATIONAL SECURITY INTEREST.—The  
8 President determines that the furnishing of such as-  
9 sistance is important to the national security inter-  
10 ests of the United States.

11 (2) ALLEVIATING SUFFERING RESULTING FROM  
12 A DISASTER.—The assistance is for the alleviation of  
13 suffering resulting from a natural or manmade dis-  
14 aster.

15 (3) REFUGEES AND DISPLACED PERSONS.—The  
16 assistance is for the purposes described in section  
17 104.

18 (c) REPORT TO CONGRESS.—Assistance restricted by  
19 subsection (a) may not be provided under subsection (b)  
20 until the President has submitted to the Committees on  
21 Appropriations and Foreign Relations of the Senate and  
22 the Committees on Appropriations and International Rela-  
23 tions of the House of Representatives, a report with re-  
24 spect to such assistance. Any such report shall include a  
25 detailed explanation of the assistance to be provided, in-

1 cluding the estimated dollar amount of such assistance,  
2 and an explanation of how the assistance meets the cri-  
3 teria specified in subsection (b).

4 (d) COMMUNIST COUNTRY LIST.—

5 (1) ESTABLISHMENT.—The President shall des-  
6 ignate those countries that are communist countries  
7 for purposes of subsection (a)(1).

8 (2) PUBLICATION OF LIST.—The initial list of  
9 countries designated pursuant to this subsection  
10 shall be published in the Federal Register and shall  
11 be provided to the Congress. Thereafter, any addi-  
12 tions to or deletions from such list shall be similarly  
13 published and provided.

14 (3) REMOVAL OF COUNTRIES FROM THE LIST;  
15 EXEMPTIONS.—The President may remove a country  
16 from the communist country list established pursu-  
17 ant to this section, or may exempt a listed country  
18 from the application of subsection (a)(1) or other  
19 provisions of law that reference subsection (a)(1), if  
20 the President promptly reports such removal or ex-  
21 emption to the Speaker of the House of Representa-  
22 tives and the chairman of the Committee on Foreign  
23 Relations of the Senate.

24 (e) HUMAN RIGHTS VIOLATORS.—

1           (1) INELIGIBILITY.—Subsection (a)(2) shall  
2 apply to any country the government of which en-  
3 gages in a consistent pattern of gross violations of  
4 internationally recognized human rights.

5 (f) TERRORIST COUNTRIES.—

6           (1) ESTABLISHMENT.—The President shall des-  
7 ignate those countries which are terrorist countries  
8 for the purposes of subsection (a)(5) and shall pub-  
9 lish the initial list in the Federal Register.

10          (2) RESCISSION.—Any determination made  
11 under subsection (a)(5) may not be rescinded unless  
12 the President submits thirty days in advance to the  
13 Speaker of the House of Representatives and the  
14 chairman of the Committee on Foreign Relations of  
15 the Senate the proposed rescission and a report cer-  
16 tifying—

17               (A) there has been a fundamental change  
18 of leadership and policies of the government  
19 concerned; or

20               (B) the government concerned has not pro-  
21 vided any support for international terrorism or  
22 terrorist organizations during the preceding six  
23 month period, and the government concerned  
24 has provided assurances that it will not support  
25 such acts.

1 (g) RELATED RESTRICTIONS ON ASSISTANCE.—

2 (1) HUMAN RIGHTS VIOLATORS.—Subsection  
3 (a)(2) shall be deemed to prohibit, in addition to the  
4 furnishing of assistance under this Act—

5 (A) sales of defense articles, defense serv-  
6 ices, or design and construction services under  
7 the Arms Export Control Act;

8 (B) licenses under section 38 of the Arms  
9 Export Control Act with respect to the export  
10 of defense articles or defense services to or for  
11 the armed forces, police, intelligence, or other  
12 internal security forces of a foreign country;  
13 and

14 (C) licenses required under the Export Ad-  
15 ministration Act of 1979 for the export of crime  
16 control and detection instruments and equip-  
17 ment.

18 (2) TERRORIST COUNTRIES.—Subsection (a)(5)  
19 shall be deemed to prohibit, in addition to the fur-  
20 nishing of assistance under this Act, the furnishing  
21 of assistance under the Agricultural Trade Develop-  
22 ment and Assistance Act of 1954 and the Peace  
23 Corps Act, and the provision of loans, guaranties,  
24 and insurance under the Export-Import Bank Act of  
25 1945.

1           (3) MAJOR ILLICIT DRUG PRODUCING AND  
2 MAJOR DRUG TRANSIT COUNTRIES—

3           (A) Subsection (a)(6) shall be deemed to  
4 prohibit, in addition to the furnishing of assist-  
5 ance under this Act, (i) sales under the Arms  
6 Export Control Act, (ii) the provision of agri-  
7 cultural commodities other than food under the  
8 Agricultural Trade Development and Assistance  
9 Act of 1954, and (iii) loans, guarantees and in-  
10 surance under the Export-Import Bank Act of  
11 1945.

12           (B) Notwithstanding subparagraph (A),  
13 subsection (a)(6) shall not be deemed to pro-  
14 hibit (i) disaster relief assistance, refugee as-  
15 sistance or assistance that involves the provi-  
16 sion of food (including monetization of food) or  
17 medicine and (ii) assistance for narcotics edu-  
18 cation and awareness activities.

19           (C) With respect to any country for which  
20 assistance is prohibited under section (a)(6),  
21 the President shall instruct the United States  
22 Executive Director of the International Bank  
23 for Reconstruction and Development, the  
24 United States Executive Director of the Inter-  
25 national Development Association, the United

1 States Executive Director of the Inter-American  
2 Development Bank, and the United States Ex-  
3 ecutive Director of the Asian Development  
4 Bank to vote, during the period in which assist-  
5 ance is prohibited under subsection (a)(6),  
6 against any loan or other utilization of the  
7 funds of their respective institution to or for  
8 any major illicit drug producing country or  
9 major drug-transit country, except as provided  
10 in subsection (b).

11 (h) RETENTION OF EXISTING CERTIFICATION RE-  
12 QUIREMENT.—Section 490 of the Foreign Assistance Act  
13 of 1961, as in effect before the effective date of this Act,  
14 shall be deemed to remain in effect on and after that date.

## 15 **Chapter C—Administrative Provisions**

### 16 **Subchapter 1—Procurement**

17 **SEC. 821. PROCUREMENT STANDARDS AND PROCEDURES.**

18 (a)(1) LIMITATIONS ON PROCUREMENT OUTSIDE  
19 THE UNITED STATES.—Funds made available for pro-  
20 grams under this Act may be used by the President for  
21 procurement—

22 (A) only in the United States, the recipient  
23 country, or developing countries; or

24 (B) in any other country but only if—

1 (i) such program requires articles or serv-  
2 ices of a type that are not produced in and  
3 available for purchase in any country specified  
4 in subparagraph (A); or

5 (ii) the President determines, on a case-by-  
6 case basis, that procurement in such other  
7 country is necessary—

8 (I) to meet unforeseen circumstances,  
9 such as emergency situations, where it is  
10 important to permit procurement in a  
11 country not specified in subparagraph (A);  
12 or

13 (II) to promote efficiency in the use of  
14 United States foreign assistance resources,  
15 including to avoid impairment of foreign  
16 assistance objectives.

17 (2) For purposes of this subsection, the term “devel-  
18 oping countries” shall not include advanced developing  
19 countries.

20 (b) EXCEPTION.—The provisions of this section shall  
21 not apply to sections 102 through 105 and title IV of this  
22 Act.

23 **SEC. 822. SHIPPING ON UNITED STATES VESSELS.**

24 (a) CERTAIN LAWS NOT APPLICABLE.—The ocean  
25 transportation between foreign countries of articles pur-

1 chased with foreign currencies made available or derived  
2 from funds made available under this Act or the Agricul-  
3 tural Trade Development and Assistance Act of 1954 (7  
4 U.S.C. 1691 and following), or any predecessor Acts, and  
5 transfers of fresh fruit and fresh fruit products under this  
6 Act, shall not be governed by section 901(b) of the Mer-  
7 chant Marine Act, 1936 (49 U.S.C. app. 1241(b)), or any  
8 other law relating to the ocean transportation of commod-  
9 ities on United States flag vessels.

10 (b) SHIPPING DIFFERENTIAL.—For purposes of fa-  
11 cilitating implementation of section 901(b) of the Mer-  
12 chant Marine Act, 1936 (46 U.S.C. app. 1241(b)), funds  
13 made available for commodities and services under this  
14 Act may be used to make grants to recipients or otherwise  
15 pay all or any portion of such differential as is determined  
16 by the Secretary of Transportation to exist between  
17 United States and foreign-flag vessel charter or freight  
18 rates. Grants made under this section shall be paid with  
19 United States-owned foreign currencies wherever feasible.

20 **SEC. 823. RETENTION AND USE OF CERTAIN ITEMS AND**  
21 **FUNDS.**

22 (a) RETENTION AND USE OF CERTAIN ARTICLES.—  
23 (1) AUTHORITY TO RETAIN, TRANSFER, AND  
24 USE.—Any articles procured to carry out this Act  
25 shall be retained by, or (upon reimbursement) trans-

1       ferred to and for the use of, such agency of the  
2       United States Government as the President deems  
3       appropriate in lieu of being disposed of to a foreign  
4       country or international organization, whenever in  
5       the judgment of the President the best interests of  
6       the United States will be served thereby.

7           (2) LAWS GOVERNING DISPOSAL OF GOVERN-  
8       MENT PROPERTY.—Any articles so retained may be  
9       disposed of without regard to provisions of law relat-  
10      ing to the disposal of property owned by the United  
11      States Government, when necessary to prevent spoil-  
12      age or wastage of such articles or to conserve their  
13      usefulness.

14          (3) PROCEEDS CREDITED TO APPROPRIA-  
15      TIONS.—Funds realized from any disposal or trans-  
16      fer shall revert to the respective appropriation, fund,  
17      or account used to procure such articles or to the  
18      appropriation, fund, or account currently available  
19      for the same general purpose.

20          (b) ARTICLES RECEIVED AS PAYMENT.—Whenever  
21      articles are transferred to the United States Government  
22      as repayment of assistance under this Act or the former  
23      authority of the Foreign Assistance Act, such articles may  
24      be used in furtherance of the purposes and within the limi-  
25      tations of this Act.

1 (c) FAILED TRANSACTIONS.—Funds realized as a re-  
2 sult of any failure of a transaction financed under this  
3 Act to conform to the requirements of this Act, to applica-  
4 ble rules and regulations of the United States Govern-  
5 ment, or to the terms of any agreement or contract en-  
6 tered into under this Act, shall revert to the respective  
7 appropriation, fund, or account used to finance such  
8 transaction or to the appropriation, fund, or account cur-  
9 rently available for the same general purpose.

10 (d) DISPOSAL OF DEFENSE ARTICLES.—Funds real-  
11 ized by the United States Government from the sale,  
12 transfer, or disposal of defense articles furnished under  
13 the former authority of chapter 2 of part II of the Foreign  
14 Assistance Act of 1961, and no longer needed for the pur-  
15 poses for which furnished, shall be credited to the respec-  
16 tive appropriation, fund, or account currently available for  
17 the same general purpose.

18 **Subchapter 2—Inter-Agency Authorities**

19 **SEC. 831. ALLOCATION OF FUNDS AND REIMBURSEMENT**  
20 **AMONG AGENCIES.**

21 (a) ALLOCATIONS OR TRANSFERS TO AGENCIES.—  
22 The President, or with respect to funds appropriated to  
23 any agency, the head of such agency, as the case may be,  
24 may allocate or transfer to any agency of the United  
25 States Government any funds available for providing for-

1 eign assistance under this or any other Act, including any  
2 advance to the United States Government by any country  
3 or international organization of the procurement of arti-  
4 cles or services. Such funds shall be available for obliga-  
5 tion and expenditure for the purposes for which author-  
6 ized, in accordance with the authority pursuant to which  
7 they were made available or the authority governing the  
8 activities of the agency to which such funds are allocated  
9 or transferred.

10 (b) PROCUREMENT FROM OTHER AGENCIES.—

11 (1) AUTHORITY.—Any officer of the United  
12 States Government carrying out functions under this  
13 Act may utilize the services and the facilities of, or  
14 procure articles from, any agency of the United  
15 States Government as the President shall direct, or  
16 with the consent of the head of such agency.

17 (2) SEPARATE ACCOUNT.—Funds allocated pur-  
18 suant to this subsection to any such agency may be  
19 established in separate appropriation accounts on  
20 the books of the Treasury.

21 (c) REIMBURSEMENT TO AGENCIES.—

22 (1) GENERAL.—In the case of any article, serv-  
23 ice, or facility procured from any agency of the  
24 United States Government to carry out any provi-  
25 sion of this Act (except with respect to assistance

1 under section 208), reimbursement or payment shall  
2 be made to such agency from funds available to  
3 carry out that provision.

4 (2) AMOUNT OF REIMBURSEMENT.—Such reim-  
5 bursement or payment shall be at—

6 (A) replacement cost,

7 (B) if required by law, actual cost,

8 (C) in the case of defense articles procured  
9 from the Department of Defense, value as de-  
10 fined in section 861(15), or, if required by law,  
11 actual costs,

12 (D) in the case of services procured from  
13 the Department of Defense, the amount of the  
14 additional costs incurred by the Department of  
15 Defense in providing such services, or, if re-  
16 quired by law, actual costs, or

17 (E) at any other cost agreed to by the  
18 owning or disposing agency.

19 (3) CREDITING OF REIMBURSEMENT.—The  
20 amount of any such reimbursement or payment shall  
21 either be credited to current applicable appropria-  
22 tions, funds, or accounts of such agency, to be avail-  
23 able for the same purposes and for the same time  
24 period as the appropriation, fund or account to

1       which transferred, or any such credited funds shall  
2       remain available for such purposes until expended.

3       (d) REIMBURSEMENT TO THE DEPARTMENT OF DE-  
4 FENSE.—Reimbursement or payment to the Department  
5 of Defense under subsection (c) shall exclude salaries of  
6 members of the Armed Forces (other than the Coast  
7 Guard) and unfunded estimated costs of civilian retire-  
8 ment and other benefits, unless otherwise required by law.

9       (e) ESTABLISHMENT OF ACCOUNTS.—

10           (1) AUTHORITY TO ESTABLISH; USES.—In fur-  
11 nishing assistance under this or any other Act, ac-  
12 counts may be established on the books of any agen-  
13 cy of the United States Government or, on terms  
14 and conditions approved by the Secretary of the  
15 Treasury, in banking institutions in the United  
16 States—

17           (A) against which letters of commitment  
18           may be issued which shall constitute recordable  
19           obligations of the United States Government,  
20           and moneys due or to become due under such  
21           letters of commitment shall be assignable under  
22           the last sentence of section 3727(b) and section  
23           3727(c) of title 31, United States Code, and the  
24           second and third paragraphs of section 3737 of

1 the Revised Statutes of the United States (41  
2 U.S.C. 15); and

3 (B) from which disbursements may be  
4 made to, or withdrawals may be made by, recip-  
5 ient countries or agencies, organizations, or per-  
6 sons upon presentation of contracts, invoices, or  
7 other appropriate documentation.

8 (2) ACCOUNTING FOR EXPENDITURES.—Ex-  
9 penditure of funds which have been made available  
10 through accounts established under paragraph (1)  
11 shall be accounted for on standard documentation  
12 required for expenditure of funds of the United  
13 States Government.

14 (f) CHARGING TO APPROPRIATIONS.—

15 (1) INITIAL CHARGING.—Any appropriation or  
16 account available to carry out provisions of this Act  
17 may initially be charged in any fiscal year, within  
18 the limit of available funds, to finance expenses for  
19 which funds are available in other appropriations or  
20 accounts under that title.

21 (2) FINAL CHARGING.—As of the end of such  
22 fiscal year, such expenses shall be finally charged to  
23 applicable appropriations or accounts with proper  
24 credit to the appropriations or accounts initially uti-  
25 lized for financing purposes, except that such final

1 charges shall not be required in the case of expenses  
2 incurred in furnishing assistance where it is deter-  
3 mined that the accounting costs of identifying the  
4 applicable appropriation or account to which such  
5 expenses should be charged would be disproportion-  
6 ate to the advantage to be gained.

7 (3) APPLICATION TO PROGRAMS ADMINISTERED  
8 THROUGH DOD.—This subsection shall not apply to  
9 assistance administered through the Department of  
10 Defense under this Act.

11 (g) RESPONSIBILITY OF AGENCIES.—The agency re-  
12 ceiving the funds pursuant to the authority of subsection  
13 (a) shall be the agency responsible for the management  
14 and use of such funds.

15 **SEC. 832. AUTHORITY TO CONDUCT REIMBURSABLE PRO-**  
16 **GRAMS.**

17 (a) GENERAL AUTHORITY.—Whenever the President  
18 considers it consistent with and within the limitations of  
19 this Act, any agency of the United States Government is  
20 authorized to furnish services and articles on an advance-  
21 of-funds or reimbursement basis to friendly countries,  
22 international organizations and arrangements, and non-  
23 governmental organizations and may contract in advance  
24 of appropriations or reimbursement for such purposes.

1 (b) PERSONAL SERVICE CONTRACTS.—When any  
2 agency of the United States Government provides services  
3 on an advance-of-funds or reimbursable basis under this  
4 section, such agency may contract with individuals for per-  
5 sonal service abroad or in the United States to perform  
6 such services or to replace officers or employees of the  
7 United States Government in a manner otherwise per-  
8 mitted by law (or Office of Management and Budget Cir-  
9 cular A-76 or any successor circular) who are assigned  
10 by the agency to provide such services. Such individuals  
11 shall not be regarded as employees of the United States  
12 Government for the purpose of any law administered by  
13 the Office of Personnel Management.

14 (c) LIMITATIONS ON ASSISTANCE NOT APPLICA-  
15 BLE.—Limitations in this or any other Act on assistance  
16 do not apply with respect to this section.

17 (d) USE OF PAYMENTS.—Advances and reimburse-  
18 ments received under this section may either be credited  
19 to the currently applicable appropriation, account, or fund  
20 of the agency concerned or shall be available until ex-  
21 pended.

## 22 **Subchapter 3—General Administration**

### 23 **SEC. 841. GENERAL AUTHORITIES.**

24 (a) TERMS OF ASSISTANCE.—Except as otherwise  
25 specifically prohibited in this Act, assistance under this

1 Act may be furnished on a grant, loan, or guaranty basis,  
2 or on such terms, including cash, credit, or other terms  
3 of repayment (including repayment in foreign currencies  
4 or by transfer to the United States Government of arti-  
5 cles), or as a contribution to an international organization  
6 or arrangement, as may be determined to be best suited  
7 to the achievement of the purposes of this Act.

8 (b) TERMS AND CONDITIONS.—The President may  
9 furnish assistance under this Act on such terms and condi-  
10 tions (consistent with other provisions of law) as the Presi-  
11 dent deems appropriate, and, consistent with the provi-  
12 sions of this Act, may charge such fees for guarantees and  
13 loans under this Act as the President deems appropriate.  
14 Credit assistance shall be consistent with the provisions  
15 of the Federal Credit Reform Act of 1990. In the case  
16 of contributions or other assistance provided for an inter-  
17 national organization or arrangement under this or any  
18 other Act, such organization or arrangement may utilize  
19 its own procurement, administrative, accounting, and  
20 audit rules and procedures.

21 (c) ADVANCES, CONTRACTS, ETC.—In furtherance of  
22 the purposes and subject to the limitations of this Act,  
23 the President in providing assistance under this or any  
24 other Act may make loans (in conformity with the provi-  
25 sions of the Federal Credit Reform Act of 1990), ad-

1 vances, and grants to, make and perform agreements and  
2 contracts with, or enter into other transactions with, any  
3 person, corporation, or other body of persons, any govern-  
4 ment or government agency, and any international organi-  
5 zation or arrangement.

6 (d) GIFTS.—The President may accept and use in  
7 furtherance of the purposes of this Act, money, funds,  
8 property, and services of any kind made available by gift,  
9 devise, bequest, grant, or otherwise for such purpose.

10 (e) INSURANCE.—

11 (1) FOREIGN PARTICIPANTS.—Any agency of  
12 the United States Government is authorized to pay  
13 the cost of health and accident insurance for foreign  
14 participants in any program of furnishing assistance  
15 administered by such agency while such participants  
16 are absent from their homes for the purpose of par-  
17 ticipation in such program.

18 (2) FOREIGN EMPLOYEES.—Any agency of the  
19 United States Government is authorized to pay the  
20 cost of health and accident insurance for foreign em-  
21 ployees of that agency while those employees are ab-  
22 sent from their places of employment abroad for  
23 purposes of training or other official duties.

24 (f) ADMISSION TO UNITED STATES.—Alien partici-  
25 pants in any program of furnishing assistance under this

1 Act may be admitted to the United States if otherwise  
2 qualified as nonimmigrants under section 101(a)(15) of  
3 the Immigration and Nationality Act (8 U.S.C.  
4 1101(a)(15)), for such time and under such conditions as  
5 may be prescribed by regulations promulgated by the Sec-  
6 retary of State and the Attorney General.

7 (g) ASSISTANCE AUTHORITIES.—In furnishing and  
8 administering assistance under this Act, the President—

9 (1) may issue letters of credit and letters of  
10 commitment;

11 (2) may collect, compromise, reschedule or oth-  
12 erwise settle any obligations assigned to, or held by,  
13 and any legal or equitable rights accruing to, the  
14 President and may (as the President deems appro-  
15 priate) refer any such obligations or rights to the  
16 Attorney General for suit or collection;

17 (3) may—

18 (A) acquire and dispose of (upon such  
19 terms and conditions as the President deems  
20 appropriate) any property, including any instru-  
21 ment evidencing indebtedness of ownership, and

22 (B) guarantee payment against any such  
23 instrument;

24 (4) may establish the character of, and decide  
25 the necessity for, obligations, and expenditures of

1 funds used in furnishing and administering such as-  
2 sistance and the manner in which such obligations  
3 and expenditures shall be incurred, allowed, and  
4 paid, subject to provisions of law specifically applica-  
5 ble to corporations of the United States Govern-  
6 ment; and

7 (5) shall cause to be maintained in integral set  
8 of accounts which shall be audited by the General  
9 Accounting Office in accordance with principles and  
10 procedures applicable to commercial corporate trans-  
11 actions as provided by chapter 91 of title 31, United  
12 States Code;

13 (h) GUARANTEES.—Guarantees issued to carry out  
14 the purposes of this Act shall be subject to the following:

15 (1) FULL FAITH AND CREDIT.—The full faith  
16 and credit of the United States may be pledged for  
17 the full payment and performance of guarantees is-  
18 sued under this Act of predecessor legislation.

19 (2) CHARGES.—The President may charge ap-  
20 propriate fees and/or interest in connection with the  
21 activities carried out under such authority.

22 (3) RELATIONSHIP TO OTHER PROVISIONS OF  
23 LAW.—Guarantees may be provided under this Act  
24 without regard to section 821 of this Act.

1           (4) DENOMINATION OF LIABILITY.—The losses  
2           guaranteed may be in dollars or in other currencies.  
3           In the case of losses guaranteed in currencies other  
4           than dollars, the guarantees issued shall be subject  
5           to an overall payment limitation expressed in dollars.

6           (i) SUBSIDY COST OF GUARANTEES AND LOANS.—  
7           The President may use funds made available under this  
8           Act to pay the cost (as defined in section 502 of the Con-  
9           gressional Budget Enforcement Act of 1974) of direct  
10          loans and loan guarantees made or entered into (and asso-  
11          ciated administrative costs) in furtherance of the purposes  
12          of this Act. Funds appropriated to pay the cost (as defined  
13          in section 502 of the Congressional Budget Act of 1974)  
14          of direct loans and loan guarantees made or entered into  
15          the carry out the provisions of this Act shall be provided  
16          in conformity with section 504(b)(1) of such Act.

17          (j) CLAIMS RELATING TO GUARANTEES.—Claims  
18          arising as a result of any guarantee program authorized  
19          by this Act may be settled, and disputes arising as the  
20          result thereof may be arbitrated with the consent of the  
21          parties, on such terms and conditions as the President  
22          may direct. Payment made pursuant to any such settle-  
23          ment, or as a result of an arbitration award, shall be final  
24          and conclusive notwithstanding any other provision of law.

1 (k) FINANCIAL TRANSACTIONS WITH FOREIGN GOV-  
2 ERNMENTS IN DEFAULT OF OBLIGATIONS TO THE  
3 UNITED STATES.—Section 955 of title 18, United States  
4 Code, shall not apply to any person—

5 (1) who acts for or participates in any oper-  
6 ation or transaction arising under this Act, or

7 (2) who acquires any obligation issued in con-  
8 nection with any operation or transaction arising  
9 under this Act.

10 (l) MULTIYEAR COMMITMENTS.—A contract or  
11 agreement which entails commitments for the expenditure  
12 of funds under this Act may, subject to any future action  
13 of the Congress, extend at any time for not more than  
14 5 years.

15 **SEC. 842. AUTHORIZED ADMINISTRATIVE USES OF FUNDS.**

16 (a) PERSONNEL, PRINTING, PROCUREMENT OF SUP-  
17 PLIES, AND OTHER ADMINISTRATIVE EXPENSES.—Funds  
18 made available to carry out this Act may be used for the  
19 following:

20 (1) Compensation, allowances, and travel of  
21 personnel, including Foreign Service personnel,  
22 whose services are utilized primarily for the purposes  
23 of this Act, and for other administrative and operat-  
24 ing expense purposes (other than compensation of  
25 personnel) without regard to such laws and regula-

1 tions governing the obligation and expenditure of  
2 funds of the United States Government as may be  
3 necessary to accomplish the purposes of this Act.

4 (2) Printing and binding without regard to the  
5 provisions of any other law.

6 (3) Expenditures outside the United States for  
7 the procurement of supplies and services and for  
8 other administrative and operating purposes (other  
9 than compensation of personnel) without regard to  
10 the Claims Act, 31 U.S.C. 3721 and such laws and  
11 regulations governing the obligation and expenditure  
12 of funds of the United States Government (other  
13 than sections 1341, 1342, and 1517 of title 31,  
14 United States Code) as may be necessary to accom-  
15 plish the purposes of this Act.

16 (b) USES OF ASSISTANCE FUNDS.—

17 (1) AUTHORIZED USES.—Funds described in  
18 paragraph (2) shall be available for the following:

19 (A) Expenses of attendance at meetings  
20 concerned with the purposes of this Act, includ-  
21 ing (notwithstanding sections 1346(a) and  
22 1346(c) of title 31, United States Code), ex-  
23 penses in connection with meetings of persons  
24 whose employment is authorized by section 852.

1           (B) Contracting with individuals for per-  
2           sonal services. Such individuals shall not be re-  
3           garded as employees of the United States Gov-  
4           ernment for the purpose of any law adminis-  
5           tered by the Office of Personnel Management,  
6           except that the head of the contracting agency  
7           may determine the applicability to such individ-  
8           uals of any other law administered by such  
9           agency concerning the employment of such indi-  
10          viduals.

11          (C) Purchase, maintenance, operation, and  
12          hire of aircraft, except that aircraft for admin-  
13          istrative purposes may be purchased only as  
14          specifically provided for in an appropriation or  
15          other Act.

16          (D)(i) Purchase and hire of passenger  
17          motor vehicles, for replacement only, subject to  
18          clause (ii).

19          (ii) Passenger motor vehicles may be pur-  
20          chased for use in the United States only as may  
21          be specifically provided in an appropriation or  
22          other Act.

23          (E) Entertainment and representation.

24          (F) Exchange of funds without regard to  
25          loss by exchange.

1 (G) Insurance of official motor vehicles or  
2 aircraft acquired for use in foreign countries.

3 (H) Expenses of—

4 (i) preparing and transporting to their  
5 former homes (or with respect to foreign  
6 participants engaged in any program under  
7 this Act to their former homes or places of  
8 burial), and

9 (ii) caring for and disposing of the re-  
10 mains of an individual, or the remains of  
11 a member of an individual's family, who  
12 may die while such individual is away from  
13 home participating in activities carried out  
14 with funds described in paragraph (2).

15 (I) Payment of per diem in lieu of subsist-  
16 ence to foreign participants engaged in any pro-  
17 gram under this Act while such participants are  
18 away from their homes in countries other than  
19 the United States, at rates not in excess of  
20 those prescribed by the standardized Govern-  
21 ment travel regulations, notwithstanding any  
22 other provision of law.

23 (J) Use in accordance with authorities of  
24 the Foreign Service Act of 1980 (22 U.S.C.  
25 3901 et seq.) not otherwise provided for.

1 (K) Services of commissioned officers of  
2 the National Oceanic and Atmospheric Admin-  
3 istration. For the purposes of providing such  
4 services, the National Oceanic and Atmospheric  
5 Administration may appoint not to exceed 20  
6 commissioned officers in addition to those oth-  
7 erwise authorized.

8 (L) Expenses in connection with—

9 (i) travel of personnel outside the  
10 United States, including travel expenses of  
11 dependents (including expenses during nec-  
12 essary stopovers while engaged in such  
13 travel), and the transportation of personal  
14 effects, household goods, and automobiles  
15 of such personnel when any part of such  
16 travel or transportation begins in one fiscal  
17 year pursuant to travel orders issued in  
18 that fiscal year, notwithstanding the fact  
19 that such travel or transportation may not  
20 be completed during the same fiscal year;  
21 and

22 (ii) the costs of transporting auto-  
23 mobiles to and from a place of storage,  
24 and the costs of storing automobiles of  
25 such personnel, when it is in the public in-

1           terest or more economical to authorize  
2           storage.

3           (M) Assistance for the implementation of  
4           programs under the Agricultural Trade Devel-  
5           opment and Assistance Act of 1954, the Agri-  
6           cultural Act of 1949, and the Food for Progress  
7           Act of 1985.

8           (N) Other expenses determined by the  
9           President to be necessary to carry out the pur-  
10          poses of this Act.

11          (2) FUNDS WHICH MAY BE USED.—Paragraph  
12          (1) applies to—

13               (A) appropriations to carry out this Act,  
14               and

15               (B) allocations or transfers to or from any  
16               agency of the United States Government, from  
17               other appropriations, for functions directly re-  
18               lated to the purposes of this Act.

19          (c) FACILITIES.—

20               (1) LIVING QUARTERS, OFFICES, SCHOOLS, AND  
21               HOSPITALS.—Notwithstanding any other provision  
22               of law, funds available for assistance under this Act  
23               may be used in any fiscal year (in addition to funds  
24               available for such use under other authorities in this  
25               Act)—

1 (A) to rent, lease, construct or otherwise  
2 acquire essential living quarters, office space,  
3 and necessary supporting facilities for use of  
4 personnel carrying out activities authorized by  
5 this Act, including to maintain, furnish, im-  
6 prove, and make necessary repairs to such  
7 property, which may also include the cost of  
8 fuel, water, and utilities for such properties;

9 (B) to construct or otherwise acquire out-  
10 side the United States schools (including dor-  
11 mitories and boarding facilities) and hospitals  
12 for use of personnel carrying out activities au-  
13 thorized by this Act, United States Government  
14 personnel, and their dependents; and

15 (C) to staff, operate, and maintain such  
16 schools and hospitals.

17 (2) DISPOSAL.—Property acquired under this  
18 subsection (or predecessor provisions of this Act)  
19 may be disposed of, and the proceeds of such dis-  
20 posal shall remain available until expended for use  
21 for the purposes specified in paragraph (1).

22 (d) EDUCATION OF DEPENDENTS.—Funds available  
23 for assistance under this Act may be used in any fiscal  
24 year to provide assistance to schools established, or to be  
25 established, outside the United States whenever it is deter-

1 mined that such action would be more economical or would  
2 best serve the interests of the United States in providing  
3 for the education of dependents of personnel carrying out  
4 activities authorized by this Act and dependents of United  
5 States Government personnel, in lieu of acquisition or con-  
6 struction pursuant to subsection (c) of this section.

7 (e) TRAINING OF PERSONNEL.—

8 (1) PAYMENT OF COSTS.—Funds available  
9 under this Act may be used to pay costs of training  
10 United States citizen personnel employed or assigned  
11 pursuant to section 852(d), through interchange or  
12 otherwise, at any State or local unit of government,  
13 public or private nonprofit institution, trade, labor,  
14 agricultural, or scientific association or organization,  
15 or commercial firm.

16 (2) LIMITATION ON DUAL EMPLOYMENT.—Such  
17 training shall not be considered employment or hold-  
18 ing of office under section 5533 of title 5, United  
19 States Code.

20 (3) ACCEPTANCE OF CERTAIN PAYMENTS.—Any  
21 payments or contributions in connection with such  
22 training may, as deemed appropriate by the head of  
23 the agency of the United States Government author-  
24 izing such training, be made by private or public  
25 sources and be accepted by any trainee, or may be

1       accepted by and credited to the current applicable  
2       appropriation of such agency. Any such payments or  
3       contributions to any employee in the nature of com-  
4       pensation shall be in lieu, or in reduction, of com-  
5       pensation received from the United States Govern-  
6       ment.

7       **SEC. 843. TERMINATION EXPENSES.**

8       (a) IN GENERAL.—Funds made available under this  
9       Act, the former authority of the Foreign Assistance Act  
10      of 1961, the authority of section 23 of the Arms Export  
11      Control Act, or other predecessor legislation shall remain  
12      available for obligation for a period not to exceed eight  
13      months from the date of any termination of assistance  
14      under such Acts for the necessary expenses of winding up  
15      programs related to such termination and may remain  
16      available until expended. Funds obligated under the au-  
17      thority of such Acts prior to the effective date of the termi-  
18      nation of assistance may remain available for expenditure  
19      for the necessary expenses of winding up programs related  
20      to such termination notwithstanding any provision of law  
21      restricting the expenditure of funds. In order to ensure  
22      the effectiveness of such assistance, such expenses for or-  
23      derly termination of programs may include the obligation  
24      and expenditure of funds to complete the training or stud-  
25      ies outside their countries of origin of students whose

1 course of study or training program began before assist-  
2 ance was terminated.

3 (b) LIABILITY TO CONTRACTORS.—For the purpose  
4 of making an equitable settlement of termination claims  
5 under extraordinary contractual relief standards, the  
6 President is authorized to adopt as a contract or other  
7 obligation of the United States Government, and assume  
8 (in whole or in part) any liabilities arising thereunder, any  
9 contract with a United States or third-country contractor  
10 that had been funded with assistance under such Acts  
11 prior to the termination of assistance.

12 (c) TERMINATION EXPENSES.—Amounts certified as  
13 having been obligated for assistance subsequently termi-  
14 nated by the President, or pursuant to any provision of  
15 law, shall continue to remain available and may be  
16 reobligated to meet any necessary expenses arising from  
17 the termination of such assistance.

18 (d) GUARANTY PROGRAMS.—Provisions of this or  
19 any other Act requiring the termination of assistance  
20 under this or any other Act shall not be construed to re-  
21 quire the termination of guarantee commitments that were  
22 entered into prior to the effective date of the termination  
23 of assistance.

24 (e) RELATION TO OTHER PROVISIONS.—Unless spe-  
25 cifically made inapplicable by another provision of law, the

1 provisions of this section shall be applicable to the termi-  
2 nation of assistance pursuant to any provision of law.

3 **Subchapter 4—Personnel**

4 **SEC. 851. EMPLOYMENT OF PERSONNEL.**

5 (a) **AUTHORITY.**—Any agency or officer of the United  
6 States Government carrying out functions under this Act  
7 is authorized to employ such personnel as the President  
8 deems necessary to carry out the provisions and purposes  
9 of this Act.

10 (b) **PERFORMANCE OF FUNCTIONS OUTSIDE THE**  
11 **UNITED STATES.**—

12 (1) **AUTHORITY TO EMPLOY OR ASSIGN.**—For  
13 the purpose of performing functions under this Act  
14 outside the United States, the President may—

15 (A) employ or assign individuals, or

16 (B) authorize the employment or assign-  
17 ment of officers or employees by agencies of the  
18 United States Government which are not au-  
19 thorized to utilize the Foreign Service personnel  
20 system.

21 (2) **COMPENSATION.**—Individuals employed or  
22 assigned under paragraph (1) shall receive com-  
23 pensation at any of the rates provided for under sec-  
24 tion 402 or section 403 of the Foreign Service Act  
25 of 1980, or under chapter 53 of title 5, United

1 States Code, or at any other rate authorized by law,  
2 together with allowances and benefits under the For-  
3 eign Service Act of 1980.

4 (3) REEMPLOYMENT RIGHTS.—Individuals so  
5 employed or assigned shall be entitled to the same  
6 benefits as are provided by section 310 of that Act  
7 for individuals appointed to the Foreign Service, ex-  
8 cept to the extent that the President may specify  
9 otherwise in cases in which the period of employ-  
10 ment or assignment exceeds 30 months.

11 (c) CERTAIN FUNDS DEEMED OBLIGATED FOR CER-  
12 TAIN SERVICES.—Funds provided for in agreements with  
13 foreign countries for the furnishing of services under this  
14 Act with respect to specific projects shall be deemed to  
15 be obligated for the services of personnel employed by  
16 agencies of the United States Government (other than the  
17 United States Agency for International Development or  
18 the Department of Defense) as well as personnel not em-  
19 ployed by the United States Government.

20 **SEC. 852. DETAIL OF PERSONNEL TO FOREIGN GOVERN-**  
21 **MENTS AND INTERNATIONAL ORGANIZA-**  
22 **TIONS.**

23 (a) DETAILS TO FOREIGN GOVERNMENTS.—When  
24 consistent with and in furtherance of the purposes of this  
25 Act, the head of any agency of the United States Govern-

1 ment is authorized to detail any officer or employee of that  
2 agency to any office or position with any foreign govern-  
3 ment or foreign government agency, where acceptance of  
4 such office or position does not involve the taking of an  
5 oath of allegiance to another government or acceptance of  
6 compensation or other benefits from any foreign country  
7 by such officer or employee.

8 (b) DETAILS TO INTERNATIONAL ORGANIZATIONS.—  
9 When consistent with and in furtherance of the purposes  
10 of this Act, the head of any agency of the United States  
11 Government is authorized to detail to any international  
12 organization or arrangement, any officer or employee of  
13 that agency to serve with, or as a member of, the inter-  
14 national staff of such organization, or to render any tech-  
15 nical, scientific, or professional advice or service to, or in  
16 cooperation with, such organization.

17 (c) STATUS OF PERSONNEL DETAILED.—

18 (1) RETENTION OF BENEFITS.—Any officer or  
19 employee, while detailed under this section—

20 (A) shall be considered an officer or em-  
21 ployee of the United States Government and of  
22 the agency of the United States Government  
23 from which detailed for the purpose of preserv-  
24 ing his or her allowances, privileges, rights, se-  
25 niority, and other benefits as such; and

1 (B) shall continue to receive compensation,  
2 allowances, and benefits from funds appro-  
3 priated to that agency or made available to that  
4 agency under this Act, or may be detailed on a  
5 leave without pay status.

6 (2) ALLOWANCES.—Any officer or employee as-  
7 signed, detailed, or appointed under this section may  
8 receive (under such regulations as the President may  
9 prescribe) representation allowances similar to those  
10 allowed under section 905 of the Foreign Service Act  
11 of 1980. The authorization of such allowances and  
12 other benefits and the payment thereof out of any  
13 appropriations available therefor shall be considered  
14 as meeting all the requirements of section 5536 of  
15 title 5, United States Code.

16 (d) TERMS OF DETAIL.—Details may be made under  
17 this section or section 408 of the Mutual Security Act of  
18 1954 in accordance with any of the following paragraphs:

19 (1) Without reimbursement to the United  
20 States Government by the foreign government or  
21 international organization.

22 (2) Upon agreement by the foreign government  
23 or international organization to reimburse the  
24 United States Government for compensation, travel  
25 expenses, benefits, and allowances, or any part

1       thereof, payable to the officer or employee concerned  
2       during the period of detail. Such reimbursements  
3       (including foreign currencies) shall be credited to the  
4       appropriation, fund, or account utilized for paying  
5       such compensation, travel expenses, benefits, or al-  
6       lowances, or to the appropriation, fund, or account  
7       currently available for such purposes.

8           (3) Upon an advance of funds, property, or  
9       services by the foreign government or international  
10      organization to the United States Government ac-  
11      cepted with the approval of the President for speci-  
12      fied uses in furtherance of the purposes of this Act.  
13      Funds so advanced may be established as a separate  
14      fund in the Treasury of the United States Govern-  
15      ment, to be available for the specified uses, and to  
16      be used for reimbursement of appropriations or di-  
17      rect expenditure subject to the provisions of this  
18      Act, any unexpended balance of such account to be  
19      returned to the foreign government or international  
20      organization.

21           (4) Subject to the receipts by the United States  
22      Government of a credit to be applied against the  
23      payment by the United States Government of its  
24      share of the expenses of the international organiza-  
25      tion to which the officer or employee is detailed,

1 such credit to be based upon the compensation, trav-  
2 el expenses, benefits and allowances, or any part  
3 thereof, payable to such officer or employee during  
4 the period of detail in accordance with subsection  
5 (c).

6 **SEC. 853. OFFICES ABROAD.**

7 (a) ESTABLISHMENT.—The President may maintain  
8 offices or staffs outside the United States in such coun-  
9 tries and for such periods of time as may be necessary  
10 to carry out this Act.

11 (b) APPOINTMENT.—The President may appoint a  
12 head and deputy head of each office or staff maintained  
13 under subsection (a).

14 (c) COMPENSATION AND ALLOWANCES.—Such head  
15 shall be entitled to receive such compensation and allow-  
16 ances as are authorized by the Foreign Service Act of  
17 1980, not to exceed those authorized for a chief of mission  
18 (as defined in section 102(a)(3) of that Act), as the Presi-  
19 dent deems appropriate.

20 **Subchapter 5—Definitions, Conforming**  
21 **Changes, Repeals**

22 **SEC. 861. DEFINITIONS.**

23 For purposes of this Act, the following terms have  
24 the following meanings:

1           (1) AGENCY OF THE UNITED STATES GOVERN-  
2           MENT.—The term “agency of the United States  
3           Government” includes any agency, department,  
4           board, wholly or partly owned corporation, instru-  
5           mentality, commission, or establishment of the  
6           United States Government.

7           (2) COUNTRY.—The term “country” includes  
8           area.

9           (3) FUNCTION.—The term “function” includes  
10          any duty, obligation, power, authority, responsibility,  
11          right, privilege, discretion, or activity.

12          (4) GROSS VIOLATIONS OF INTERNATIONALLY  
13          RECOGNIZED HUMAN RIGHTS.—The term “gross vio-  
14          lations of internationally recognized human rights”  
15          includes torture or cruel, inhuman, or degrading  
16          treatment or punishment, prolonged detention with-  
17          out charges and trial, causing the disappearance of  
18          persons by the abduction and clandestine detention  
19          of those persons, and other flagrant denial of the  
20          right to life, liberty, or the security of person.

21          (5) INCLUDES.—The term “includes” means in-  
22          cludes but is not limited to.

23          (6) NOTWITHSTANDING.—The terms “notwith-  
24          standing any other provision of law” and “notwith-  
25          standing any provision of this or any other Act”

1 shall not apply to title 31, United States Code, the  
2 Congressional Budget and Impoundment Control  
3 Act of 1974, the Balanced Budget and Emergency  
4 Deficit Control Act of 1985, and the Budget En-  
5 forcement Act of 1990.

6 (7) OFFICER OR EMPLOYEE.—The term “offi-  
7 cer or employee” means civilian personnel of the  
8 United States Government and members of the  
9 Armed Forces.

10 (8) UNITED STATES.—The term “United  
11 States”, when used in the geographic sense, includes  
12 the Commonwealth of Puerto Rico, the Common-  
13 wealth of the Northern Mariana Islands, Guam,  
14 American Samoa, the Virgin Islands, and any other  
15 territory or possession of the United States.

16 (9) MAJOR ILLICIT DRUG PRODUCING COUN-  
17 TRY.—The term “major illicit drug producing coun-  
18 try” has the same meaning as is given to such term  
19 in section 481(e) of the Foreign Assistance Act of  
20 1961 as in effect before the effective date of this  
21 Act.

22 (10) MAJOR DRUG TRANSIT COUNTRY.—The  
23 term “major drug transit country” means a coun-  
24 try—

1 (A) that is a significant direct source of il-  
2 licit narcotic or psychotropic drugs or other  
3 controlled substances significantly affecting the  
4 United States;

5 (B) through which are transported such  
6 drugs or substances; or

7 (C) through which significant sums of  
8 drug-related profits or monies are laundered  
9 with the knowledge or complicity of the govern-  
10 ment.

11 (11) NARCOTIC AND PSYCHOTROPIC DRUGS  
12 AND OTHER CONTROLLED SUBSTANCES.—The term  
13 “narcotic and psychotropic drugs and other con-  
14 trolled substances” has the same meaning as is  
15 given by any applicable international narcotics con-  
16 trol agreement or domestic law of the country or  
17 countries concerned.

18 (12) ARMED FORCES.—The term “Armed  
19 Forces” means the Army, Navy, Air Force, Marine  
20 Corps, and Coast Guard of the United States.

21 (13) DEFENSE ARTICLE AND RELATED  
22 TERMS.—The terms “defense article”, “significant  
23 military equipment”, and “major defense equip-  
24 ment” shall have the same meaning as in the Arms  
25 Export Control Act. The term “defense service” in-

1 includes any service (including education and train-  
2 ing), test, inspection, repair, publication, or technical  
3 or other assistance or defense information used for  
4 the purpose of furnishing assistance administered  
5 through the Department of Defense under this Act.

6 (14) EXCESS DEFENSE ARTICLES.—The term  
7 “excess defense articles” means the quantity of de-  
8 fense articles owned by the United States Govern-  
9 ment, and not procured in anticipation of defense  
10 assistance or sales requirements, or pursuant to a  
11 defense assistance or sales order, which is in excess  
12 of the Approved Acquisition Objective of all Depart-  
13 ment of Defense Components at the time such arti-  
14 cles are dropped from inventory by the supplying  
15 agency for delivery to countries or international or-  
16 ganizations under this Act.

17 (15) VALUE.—The term “value” means—

18 (A) with respect to an excess defense arti-  
19 cle, the actual value of the article plus the gross  
20 cost incurred by the United States Government  
21 in repairing, rehabilitating, or modifying the ar-  
22 ticle, except that for purposes of section 831(c)  
23 such actual value shall not be taken into ac-  
24 count;

1 (B) with respect to a nonexcess defense ar-  
2 ticle delivered from inventory to a foreign coun-  
3 try or international organization under this Act,  
4 the acquisition cost to the United States Gov-  
5 ernment, adjusted as appropriate for condition  
6 and market value; and

7 (C) with respect to a nonexcess defense ar-  
8 ticle delivered from new procurement to a for-  
9 eign country or international organization  
10 under this Act, the contract or production costs  
11 of such article.

12 **SEC. 862. EFFECTIVE DATE.**

13 Except as otherwise provided in this Act, the provi-  
14 sions of this Act shall take effect on October 1, 1995.

15 **SEC. 863. SAVINGS PROVISIONS.**

16 (a) IN GENERAL.—(1) Except as may be expressly  
17 provided to the contrary in this Act, all determinations,  
18 authorizations, regulations, orders, contracts, agreements,  
19 and other actions issued, undertaken, or entered into  
20 under authority of any provision of law repealed by this  
21 Act shall continue in full force and effect until modified  
22 by appropriate authority.

23 (2) Wherever provisions of this Act establish condi-  
24 tions which must be complied with before use may be  
25 made of authority contained in, or funds made available

1 to carry out the provisions of, this Act, compliance with,  
2 or satisfaction of, substantially similar conditions under  
3 provisions repealed by this Act shall be deemed to con-  
4 stitute compliance with the conditions established by this  
5 Act.

6 (3) Funds made available pursuant to provisions of  
7 law repealed by this Act shall, unless otherwise authorized  
8 or provided by law, remain available for their original pur-  
9 poses in accordance with the provisions of law originally  
10 applicable thereto, or in accordance with the provisions of  
11 law currently applicable to those purposes.

12 (4) Funds made available pursuant to provisions of  
13 this Act may be used to complete or otherwise terminate  
14 programs, projects, and activities authorized under prede-  
15 cessor legislation.

16 (5) References in law to provisions repealed by this  
17 Act may hereafter be deemed to be references to cor-  
18 responding provisions of this Act, on a case-by-case basis  
19 as may be appropriate.

20 (b) CERTAIN PRESIDENTIAL APPOINTEES.—The re-  
21 peal by this Act of any provision of the Foreign Assistance  
22 Act of 1961 providing for the appointment of an individual  
23 to a position by the President, by and with the advice and  
24 consent of the Senate, and the reenactment by this Act  
25 of that provision in substantively identical form does not

1 require the reappointment of the individual holding that  
2 position on the effective date specified in section 862.

3 (c) SECTION 124(c) AUTHORITY.—Section 124(c) of  
4 the Foreign Assistance Act of 1961, as in effect before  
5 the effective date specified in section 862 of this Act, shall  
6 be deemed to remain in effect on and after that date. For  
7 purposes of this section, references in section 124(c) to  
8 sections 101 and 102 of the Foreign Assistance Act of  
9 1961 shall be deemed to be references to sections 3 and  
10 101 of this Act, respectively.

11 (d) GUARANTEES AND LOANS UNDER FORMER AU-  
12 THORITY.—Guarantees committed or outstanding under  
13 the former authorities of sections 108, 222, and 222A of  
14 the Foreign Assistance Act of 1961, as in effect before  
15 the effective date specified in section 862 of this Act, loans  
16 obligated under section 108 on or before such date, the  
17 fees and interest collected in connection with such guaran-  
18 tees and loans, and income on claims receivable with re-  
19 spect to such guarantees and loans, shall continue to be  
20 subject to provisions of such Act originally applicable to  
21 those guarantees and loans and the Federal Credit Reform  
22 Act of 1990.

23 (e) If any provision of this Act, or the application  
24 of any provision to any circumstances or persons shall be  
25 held invalid, the validity of the remainder of this Act, and

1 of the applicability of such provision to other cir-  
2 cumstances or persons shall not be affected thereby.

3 (f) FEDERAL ACT OF STATE DOCTRINE.—

4 (1) IN GENERAL.—Notwithstanding any other  
5 provision of law, no court in the United States shall  
6 decline on the ground of the federal act of state doc-  
7 trine to make a determination on the merits giving  
8 effect to the principles of international law in a case  
9 in which claim of title or other right to property is  
10 asserted by any party, including a foreign state (or  
11 a party claiming through such state), based upon (or  
12 traced through) a confiscation or other taking after  
13 January 1, 1959, by an act of that state in violation  
14 of the principles of international law, including the  
15 principles of compensation and the other standards  
16 set out in section 620(e)(1) of the Foreign Assist-  
17 ance Act of 1961 as in effect before the effective  
18 date of this section.

19 (2) EXCEPTIONS.—This subsection shall not be  
20 applicable—

21 (A) in any case in which an act of a for-  
22 eign state is not contrary to international law  
23 or with respect to a claim of title or other right  
24 to property acquired pursuant to an irrevocable  
25 letter of credit of not more than 180 days dura-

1           tion issued in good faith prior to the time of the  
2           confiscation or other taking; or

3                   (B) in any case with respect to which the  
4           President determines that application of the act  
5           of state doctrine is required in that particular  
6           case by the foreign policy interests of the  
7           United States and a suggestion to this effect is  
8           filed on his behalf in that case with the court.

9   **SEC. 864. CONFORMING AMENDMENTS.**

10       (a) ADMINISTRATOR OF THE AGENCY FOR INTER-  
11   NATIONAL DEVELOPMENT.—References in any Act to the  
12   “Administrator of the Agency for International Develop-  
13   ment”, the “Administrator of the agency primarily respon-  
14   sible for administering part I”, or the “Administrator of  
15   the agency primarily responsible for administering this  
16   part” shall be deemed to be a reference to the Secretary  
17   of State.

18       (b) AGENCY FOR INTERNATIONAL DEVELOPMENT.—  
19   References in any Act to the “Agency for International  
20   Development”, the “Agency primarily responsible for ad-  
21   ministering part I”, or the “Agency primarily responsible  
22   for administering this part” shall be deemed to be a ref-  
23   erence to the Department of State.

24       (c) DIRECTOR OF THE TRADE AND DEVELOPMENT  
25   AGENCY.—References in any Act to the “Director of the

1 Trade and Development Agency” shall be deemed to be  
 2 a reference to the Chair of the Board of Directors of the  
 3 Overseas Private Investment Corporation.

4 (d) TRADE AND DEVELOPMENT AGENCY.—Ref-  
 5 erences in any Act to the “Trade and Development Agen-  
 6 cy” shall be deemed to be a reference to the Overseas Pri-  
 7 vate Investment Corporation.

8 (e) CHAPTER 1 OF PART I.—References in any Act  
 9 to “sections 103 through 106” or “chapter 1 of part I”  
 10 of the Foreign Assistance Act of 1961 shall be deemed  
 11 to be a reference to section 101 of this Act.

12 (f) CHAPTER 4 OF PART II.—References in any Act  
 13 to “chapter 4 of part II” of the Foreign Assistance Act  
 14 of 1961 shall be deemed to be a reference to section 101  
 15 or title V of this Act, as the case may be.

16 **SEC. 865. REPEAL OF OBSOLETE PROVISIONS.**

17 (a) FOREIGN ASSISTANCE ACT OF 1961.—The For-  
 18 eign Assistance Act of 1961, as amended, is repealed ex-  
 19 cept for the first section, section 226, chapter 11 of part  
 20 I, and part IV.

21 (b) 1979 REORGANIZATION PLAN.—Reorganization  
 22 Plan No. 2 of 1979 is repealed.

○

S 422 IS—2

S 422 IS—3

S 422 IS—4

S 422 IS—5