

105TH CONGRESS
2D SESSION

H. R. 4209

To amend the Arms Export Control Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 1998

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

A BILL

To amend the Arms Export Control Act, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “India-Pakistan Sanc-
5 tions Flexibility Act”.

6 **SEC. 2. SANCTIONS EXEMPTIONS.**

7 (a) Section 102(b)(2)(D) of the Arms Export Control
8 Act (22 U.S.C. 2799aa-1(b)(2)(D)) is amended as fol-
9 lows—

1 (1) in clause (ii) by striking the period and in-
2 serting in lieu thereof “, or”, and

3 (2) by inserting after clause (ii) the following
4 new clauses:

5 “(iii) any credit, credit guarantee or finan-
6 cial assistance provided by the Department of
7 Agriculture to support the purchase of food or
8 other agriculture commodity, or

9 “(iv) credit, credit guarantee, loan, insur-
10 ance or financial assistance provided by the Ex-
11 port-Import Bank of the United States or the
12 Overseas Private Investment Corporation.”.

13 (b) Amounts which may be made available by this
14 Section 102(b)(2)(D)(iii) are designated by the Congress
15 as an emergency requirement pursuant to section
16 251(b)(2)(A) of the Balanced Budget and Emergency
17 Deficit Control Act of 1985, as amended: *Provided*, That
18 such amounts shall be available only to the extent that
19 an official budget request that includes designation of the
20 entire amount of the request as an emergency requirement
21 as defined in the Balanced Budget and Emergency Deficit
22 Control Act of 1985, as amended, is transmitted by the
23 President to the Congress.

1 **SEC. 3. WAIVER AUTHORITY.**

2 (a) The President is authorized to suspend until
3 March 1, 1999, the application of any sanction or prohibi-
4 tion (or portions thereof) contained in sections 101 and
5 102 of the Arms Export Control Act, section 620E(e) of
6 the Foreign Assistance Act of 1961, or section 2(b)(4) of
7 the Export Import Bank Act of 1945 with respect to India
8 and Pakistan.

9 (b) The authority provided in subsection (a) shall not
10 apply to the restrictions in section 102(b)(2) (B) and (C)
11 of the Arms Export Control Act.

12 (c) The President shall notify the President Pro Tem-
13 pore of the Senate and the Speaker of the House of Rep-
14 resentatives upon each use of the waiver authority con-
15 tained in subsection (a) and provide a justification for
16 each use of such authority.

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