

107TH CONGRESS
2^D SESSION

H. R. 3836

To establish a Russian Federation debt reduction for nonproliferation program.

IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 2002

Mrs. TAUSCHER (for herself, Mr. MCHUGH, and Mr. SCHIFF) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To establish a Russian Federation debt reduction for nonproliferation program.

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 “Russian Federation
5 Debt Reduction for Nonproliferation Act of 2002”.

6 **SEC. 2. FINDINGS AND PURPOSES.**

7 (a) FINDINGS.—Congress finds the following:

8 (1) It is in the vital security interests of the
9 United States to prevent the spread of weapons of
10 mass destruction to additional states or to terrorist

1 organizations, and to ensure that other nations' obli-
2 gations to reduce their stockpiles of such arms in ac-
3 cordance with treaties, executive agreements, or po-
4 litical commitments are fulfilled.

5 (2) In particular, it is in the vital national secu-
6 rity interests of the United States to ensure that—

7 (A) all stocks of nuclear weapons and
8 weapons-usable nuclear material in the Russian
9 Federation are secure and accounted for;

10 (B) stocks of nuclear weapons and weap-
11 ons-usable nuclear material that are excess to
12 military needs in the Russian Federation are
13 monitored and reduced;

14 (C) any chemical or biological weapons, re-
15 lated materials, and facilities in the Russian
16 Federation are destroyed;

17 (D) the Russian Federation's nuclear
18 weapons complex is reduced to a size appro-
19 priate to its post-Cold War missions, and its ex-
20 perts in weapons of mass destruction tech-
21 nologies are shifted to gainful and sustainable
22 civilian employment;

23 (E) the Russian Federation's export con-
24 trol system blocks any proliferation of weapons
25 of mass destruction, the means of delivering

1 such weapons, and materials, equipment, know-
2 how, or technology that would be used to de-
3 velop, produce, or deliver such weapons; and

4 (F) these objectives are accomplished with
5 sufficient monitoring and transparency to pro-
6 vide confidence that they have in fact been ac-
7 complished and that the funds provided to ac-
8 complish these objectives have been spent effi-
9 ciently and effectively.

10 (3) United States programs should be designed
11 to accomplish these vital objectives in the Russian
12 Federation as rapidly as possible, and the President
13 should develop and present to Congress a plan for
14 doing so.

15 (4) Substantial progress has been made in
16 United States-Russian Federation cooperative pro-
17 grams to achieve these objectives, but much more re-
18 mains to be done to reduce the urgent risks to
19 United States national security posed by the current
20 state of the Russian Federation's weapons of mass
21 destruction stockpiles and complexes.

22 (5) The threats posed by inadequate manage-
23 ment of weapons of mass destruction stockpiles and
24 complexes in the Russian Federation remain urgent.
25 Incidents in years immediately preceding 2001,

1 which have been cited by the Russia Task Force of
2 the Secretary of Energy's Advisory Board, include—

3 (A) a conspiracy at one of the Russian
4 Federation's largest nuclear weapons facilities
5 to steal nearly enough highly enriched uranium
6 for a nuclear bomb;

7 (B) an attempt by an employee of the Rus-
8 sian Federation's premier nuclear weapons fa-
9 cility to sell nuclear weapons designs to agents
10 of Iraq and Afghanistan; and

11 (C) the theft of radioactive material from
12 a Russian Federation submarine base.

13 (6) Addressing these threats to United States
14 and world security will ultimately consume billions of
15 dollars, a burden that will have to be shared by the
16 Russian Federation, the United States, and other
17 governments, if this objective is to be achieved.

18 (7) The creation of new funding streams could
19 accelerate progress in reducing these threats to
20 United States security and help the government of
21 the Russian Federation to fulfill its responsibility for
22 secure management of its weapons stockpiles and
23 complexes as United States assistance phases out.

24 (8) The Russian Federation suffers from a sig-
25 nificant foreign debt burden, a substantial propor-

1 tion of which it inherited from the Soviet Union.
2 The Russian Federation is taking full responsibility
3 for this debt, but the burden of debt repayment
4 could threaten Russian Federation economic reform,
5 particularly in 2003 and beyond.

6 (9) The Russian Federation's need for debt re-
7 lief has been the subject of discussions between the
8 United States and the Russian Federation at the
9 highest levels and is cited by United States officials
10 as one reason why the Russian Federation has rec-
11 ognized that its future lies with the West.

12 (10) Past debt-for-environment exchanges, in
13 which a portion of a country's foreign debt is can-
14 celed in return for certain environmental commit-
15 ments or payments by that country, provide a model
16 for a possible debt-for-nonproliferation exchange
17 with the Russian Federation, which could be de-
18 signed to provide additional funding for non-
19 proliferation and arms reduction initiatives.

20 (11) Most of the Russian Federation's official
21 bilateral debt is held by United States allies that are
22 advanced industrial democracies. Since the issues de-
23 scribed pose threats to United States allies as well,
24 United States leadership that results in a larger con-

1 tribution from United States allies to cooperative
2 threat reduction activities will be needed.

3 (b) **PURPOSES.**—The purposes of this Act are—

4 (1) to recognize the vital interests of the United
5 States, its allies, and the Russian Federation in re-
6 ducing the threats to international security described
7 in the findings set forth in subsection (a);

8 (2) to facilitate the accomplishment of the
9 United States objectives described in the findings set
10 forth in subsection (a) by providing for the allevi-
11 ation of a portion of the Russian Federation’s for-
12 eign debt, thus allowing the use of additional re-
13 sources for these purposes; and

14 (3) to ensure that resources freed from debt in
15 the Russian Federation are targeted to the accom-
16 plishment of the United States objectives described
17 in the findings set forth in subsection (a).

18 **SEC. 3. DEFINITIONS.**

19 In this Act:

20 (1) **AGREEMENT.**—The term “Agreement”
21 means the Russian Nonproliferation Investment
22 Agreement provided for in section 8.

23 (2) **APPROPRIATE CONGRESSIONAL COMMIT-**
24 **TEES.**—The term “appropriate congressional com-
25 mittees” means—

1 (A) the Committee on International Rela-
2 tions and the Committee on Appropriations of
3 the House of Representatives; and

4 (B) the Committee on Foreign Relations
5 and the Committee on Appropriations of the
6 Senate.

7 (3) COST.—The term “cost” has the meaning
8 given that term in section 502(5) of the Federal
9 Credit Reform Act of 1990 (2 U.S.C. 661a(5)).

10 (4) FACILITY.—The term “Facility” means the
11 Russian Nonproliferation Investment Facility estab-
12 lished in the Department of the Treasury by section
13 4.

14 (5) SECRETARY.—The term “Secretary” means
15 the Secretary of State.

16 (6) SOVIET-ERA DEBT.—The term “Soviet-era
17 debt” means debt owed as a result of loans or cred-
18 its provided by the United States (or any agency of
19 the United States) to the Union of Soviet Socialist
20 Republics.

21 **SEC. 4. ESTABLISHMENT OF THE RUSSIAN NONPROLIFERA-**
22 **TION INVESTMENT FACILITY.**

23 There is established in the Department of the Treas-
24 ury an entity to be known as the “Russian Nonprolifera-
25 tion Investment Facility” for the purpose of providing for

1 the administration of debt reduction in accordance with
2 this Act.

3 **SEC. 5. REDUCTION OF THE RUSSIAN FEDERATION'S SO-**
4 **VIET-ERA DEBT OWED TO THE UNITED**
5 **STATES, GENERALLY.**

6 (a) **AUTHORITY TO REDUCE SOVIET-ERA DEBT.—**

7 (1) **AUTHORITY.—**

8 (A) **IN GENERAL.—**Except as provided in
9 subparagraph (B), and subject to section 10,
10 the President may reduce the amount of Soviet-
11 era debt owed by the Russian Federation to the
12 United States (or any agency of the United
13 States) that is outstanding as of February 1,
14 2002.

15 (B) **EXCEPTION.—**The authority of sub-
16 paragraph (A) to reduce Soviet-era debt does
17 not include any debt that is described in section
18 6(a)(1).

19 (2) **CONGRESSIONAL NOTIFICATION.—**The
20 President shall notify the appropriate congressional
21 committees of the President's intention to reduce the
22 amount of the Russian Federation's Soviet-era debt
23 at least 15 days in advance of any formal determina-
24 tion to do so.

25 (3) **AUTHORIZATION OF APPROPRIATIONS.—**

1 (A) IN GENERAL.—For the cost of the re-
2 duction of any Soviet-era debt pursuant to this
3 section, there are authorized to be appropriated
4 to the President—

5 (i) \$50,000,000 for fiscal year 2002;

6 and

7 (ii) \$100,000,000 for fiscal year 2003.

8 (B) LIMITATION.—The authority provided
9 by this section shall be available only to the ex-
10 tent that appropriations for the cost of the
11 modification of any Soviet-era debt pursuant to
12 this section are made in advance.

13 (4) CERTAIN PROHIBITIONS INAPPLICABLE.—

14 (A) IN GENERAL.—A reduction of Soviet-
15 era debt pursuant to this section shall not be
16 considered assistance for the purposes of any
17 provision of law limiting assistance to a coun-
18 try.

19 (B) ADDITIONAL REQUIREMENT.—The au-
20 thority of this section may be exercised notwith-
21 standing section 620(r) of the Foreign Assist-
22 ance Act of 1961 or section 321 of the Inter-
23 national Development and Food Assistance Act
24 of 1975.

1 (b) IMPLEMENTATION OF SOVIET-ERA DEBT REDUC-
2 TION.—

3 (1) IN GENERAL.—Any reduction of Soviet-era
4 debt pursuant to subsection (a) shall be—

5 (A) implemented pursuant to the terms of
6 a Russian Nonproliferation Investment Agree-
7 ment authorized under section 8; and

8 (B) accomplished at the direction of the
9 Facility by the exchange of a new obligation for
10 obligations of the type referred to in such sub-
11 section that are outstanding as of February 1,
12 2002.

13 (2) EXCHANGE OF OBLIGATIONS.—

14 (A) IN GENERAL.—The Facility shall no-
15 tify the agency primarily responsible for admin-
16 istering part I of the Foreign Assistance Act of
17 1961 of an agreement entered into under para-
18 graph (1) with the Russian Federation to ex-
19 change a new obligation for outstanding obliga-
20 tions.

21 (B) ADDITIONAL REQUIREMENT.—At the
22 direction of the Facility, the old obligations that
23 are the subject of the agreement shall be can-
24 celed and a new debt obligation for the Russian
25 Federation shall be established relating to the

1 agreement, and the agency primarily respon-
2 sible for administering part I of the Foreign
3 Assistance Act of 1961 shall make an adjust-
4 ment in its accounts to reflect the debt reduc-
5 tion.

6 (c) ADDITIONAL TERMS AND CONDITIONS.—The fol-
7 lowing additional terms and conditions shall apply to the
8 reduction of Soviet-era debt under subsection (a)(1) in the
9 same manner as such terms and conditions apply to the
10 reduction of debt under section 704(a)(1) of the Foreign
11 Assistance Act of 1961:

12 (1) The provisions relating to repayment of
13 principal under section 705 of the Foreign Assist-
14 ance Act of 1961.

15 (2) The provisions relating to interest on new
16 obligations under section 706 of the Foreign Assist-
17 ance Act of 1961.

18 **SEC. 6. REDUCTION OF SOVIET-ERA DEBT OWED TO THE**
19 **UNITED STATES AS A RESULT OF CREDITS**
20 **EXTENDED UNDER TITLE I OF THE AGRICUL-**
21 **TURAL TRADE DEVELOPMENT AND ASSIST-**
22 **ANCE ACT OF 1954.**

23 (a) AUTHORITY TO REDUCE CERTAIN SOVIET-ERA
24 DEBT.—

1 (1) **AUTHORITY.**—Notwithstanding any other
2 provision of law, and subject to section 10, the
3 President may reduce the amount of Soviet-era debt
4 owed to the United States (or any agency of the
5 United States) by the Russian Federation that is
6 outstanding as of February 1, 2002, as a result of
7 any credits extended under title I of the Agricultural
8 Trade Development and Assistance Act of 1954 (7
9 U.S.C. 1701 et seq.).

10 (2) **CONGRESSIONAL NOTIFICATION.**—The
11 President shall notify the appropriate congressional
12 committees of the President’s intention to reduce the
13 amount of the Russian Federation’s Soviet-era debt
14 described in paragraph (1) at least 15 days in ad-
15 vance of any formal determination to do so.

16 (3) **AUTHORIZATION OF APPROPRIATIONS.**—

17 (A) **IN GENERAL.**—For the cost of the re-
18 duction of any Soviet-era debt pursuant to this
19 section, there are authorized to be appropriated
20 to the President—

21 (i) \$50,000,000 for fiscal year 2002;

22 and

23 (ii) \$100,000,000 for fiscal year 2003.

24 (B) **LIMITATION.**—The authority provided
25 by this section shall be available only to the ex-

1 tent that appropriations for the cost of the
2 modification of any Soviet-era debt pursuant to
3 this section are made in advance.

4 (b) IMPLEMENTATION OF SOVIET-ERA DEBT REDUC-
5 TION.—

6 (1) IN GENERAL.—Any reduction of Soviet-era
7 debt pursuant to subsection (a) shall be—

8 (A) implemented pursuant to the terms of
9 a Russian Nonproliferation Investment Agree-
10 ment authorized under section 8; and

11 (B) accomplished at the direction of the
12 Facility by the exchange of a new obligation for
13 obligations of the type referred to in such sub-
14 section that are outstanding as of February 1,
15 2002.

16 (2) EXCHANGE OF OBLIGATIONS.—

17 (A) IN GENERAL.—The Facility shall no-
18 tify the Commodity Credit Corporation of an
19 agreement entered into under paragraph (1)
20 with an eligible country to exchange a new obli-
21 gation for outstanding obligations.

22 (B) ADDITIONAL REQUIREMENT.—At the
23 direction of the Facility, the old obligations that
24 are the subject of the agreement shall be can-
25 celed and a new debt obligation shall be estab-

1 lished for the Russian Federation relating to
2 the agreement, and the Commodity Credit Cor-
3 poration shall make an adjustment in its ac-
4 counts to reflect the debt reduction.

5 (c) **ADDITIONAL TERMS AND CONDITIONS.**—The fol-
6 lowing additional terms and conditions shall apply to the
7 reduction of Soviet-era debt under subsection (a)(1) in the
8 same manner as such terms and conditions apply to the
9 reduction of debt under section 604(a)(1) of the Agricul-
10 tural Trade Development and Assistance Act of 1954 (7
11 U.S.C. 1738c(a)(1)):

12 (1) The provisions relating to repayment of
13 principal under section 605 of such Act.

14 (2) The provisions relating to interest on new
15 obligations under section 606 of such Act.

16 **SEC. 7. AUTHORITY TO ENGAGE IN DEBT-FOR-NON-**
17 **PROLIFERATION EXCHANGES AND DEBT**
18 **BUYBACKS.**

19 (a) **LOANS AND CREDITS ELIGIBLE FOR SALE, RE-**
20 **DUCTION, OR CANCELLATION.**—

21 (1) **DEBT-FOR-NONPROLIFERATION EX-**
22 **CHANGES.**—

23 (A) **IN GENERAL.**—Notwithstanding any
24 other provision of law, and subject to section
25 10, the President may, in accordance with this

1 section, sell to any purchaser eligible under sub-
2 paragraph (B), any loan or credit described in
3 section 5(a)(1), or any credit described in sec-
4 tion 6(a)(1), or on receipt of payment from an
5 eligible purchaser, reduce or cancel any such
6 loan or credit or portion thereof, only for the
7 purpose of facilitating a debt-for-nonprolifera-
8 tion exchange to support activities that further
9 United States objectives described in the find-
10 ings set forth in section 2(a).

11 (B) ELIGIBLE PURCHASER.—A loan or
12 credit may be sold, reduced, or canceled under
13 subparagraph (A) with respect to a purchaser
14 who presents plans satisfactory to the President
15 for using the loan or credit for the purpose of
16 engaging in debt-for-nonproliferation exchange
17 to support activities that further United States
18 objectives described in the findings set forth in
19 section 2(a).

20 (C) CONSULTATION REQUIREMENT.—Be-
21 fore the sale under subparagraph (A) to any
22 purchaser eligible under subparagraph (B), or
23 any reduction or cancellation under subpara-
24 graph (A), of any loan or credit made to the
25 Russian Federation, the President shall consult

1 with that country concerning the amount of
2 loans or credits to be sold, reduced, or canceled
3 and their uses for debt-for-nonproliferation ex-
4 changes to support activities that further
5 United States objectives described in the find-
6 ings set forth in section 2(a).

7 (D) AUTHORIZATION OF APPROPRIA-
8 TIONS.—For the cost of the reduction of any
9 debt pursuant to subparagraph (A), amounts
10 authorized to be appropriated under sections
11 5(a)(3) and 6(a)(3) shall be made available for
12 such reduction of debt pursuant to subpara-
13 graph (A).

14 (2) DEBT BUYBACKS.—Notwithstanding any
15 other provision of law, the President may, in accord-
16 ance with this section, sell to the Russian Federation
17 any loan or credit described in section 5(a)(1) or any
18 credit described in section 6(a)(1), or on receipt of
19 payment from the Russian Federation, reduce or
20 cancel such loan or credit or portion thereof, if the
21 purpose of doing so is to facilitate a debt buyback
22 by the Russian Federation of its own qualified debt
23 and the Russian Federation uses a substantial addi-
24 tional amount of its local currency to support activi-

1 ties that further United States objectives described
2 in the findings set forth in section 2(a).

3 (3) LIMITATION.—The authority provided by
4 paragraphs (1) and (2) shall be available only to the
5 extent that appropriations for the cost of the modi-
6 fication of any debt pursuant to such paragraphs are
7 made in advance.

8 (4) TERMS AND CONDITIONS.—Notwithstanding
9 any other provision of law, the President shall, in ac-
10 cordance with this section, establish the terms and
11 conditions under which loans and credits may be
12 sold, reduced, or canceled pursuant to this section.

13 (5) ADMINISTRATION.—

14 (A) IN GENERAL.—The Facility shall no-
15 tify the Administrator of the agency primarily
16 responsible for administering part I of the For-
17 eign Assistance Act of 1961 or the Commodity
18 Credit Corporation, as the case may be, of pur-
19 chasers that the President has determined to be
20 eligible under paragraph (1)(B), and shall di-
21 rect such agency or Corporation, as the case
22 may be, to carry out the sale, reduction, or can-
23 cellation of a loan pursuant to such paragraph.

24 (B) ADDITIONAL REQUIREMENT.—Such
25 agency or Corporation, as the case may be,

1 shall make an adjustment in its accounts to re-
2 flect the sale, reduction, or cancellation.

3 (b) DEPOSIT OF PROCEEDS.—The proceeds from a
4 sale, reduction, or cancellation of a loan sold, reduced, or
5 canceled pursuant to this section shall be deposited in the
6 United States Government account or accounts estab-
7 lished for the repayment of such loan.

8 **SEC. 8. RUSSIAN NONPROLIFERATION INVESTMENT**
9 **AGREEMENT.**

10 (a) AUTHORITY.—Subject to section 10, the Sec-
11 retary is authorized, in consultation with other appro-
12 priate officials of the Federal Government, to enter into
13 an agreement with the Russian Federation concerning the
14 use of the funds saved by that country as a result of any
15 debt relief provided pursuant to this Act. An agreement
16 entered into under this section may be referred to as the
17 “Russian Nonproliferation Investment Agreement”.

18 (b) CONTENT OF AGREEMENT.—The Russian Non-
19 proliferation Investment Agreement shall ensure that—

20 (1) a significant proportion of the funds saved
21 by the Russian Federation as a result of any debt
22 relief provided pursuant to this Act is devoted to
23 nonproliferation programs and projects;

24 (2) funding of each such program or project is
25 approved by the United States Government, either

1 directly or through its representation on any gov-
2 erning board that may be directed or established to
3 manage these funds;

4 (3) administration and oversight of non-
5 proliferation programs and projects incorporate best
6 practices from established threat reduction and non-
7 proliferation assistance programs;

8 (4) each program or project funded pursuant to
9 the Agreement is subject to audits conducted by or
10 for the United States Government;

11 (5) unobligated funds for investments pursuant
12 to the Agreement are segregated from other Russian
13 Federation funds and invested in financial instru-
14 ments guaranteed or insured by the United States
15 Government;

16 (6) the funds that are devoted to programs and
17 projects pursuant to the Agreement are not subject
18 to any taxation by the Russian Federation;

19 (7) all matters relating to the intellectual prop-
20 erty rights and legal liabilities of United States
21 firms in a given project are agreed upon before the
22 expenditure of funds is authorized for that project;
23 and

24 (8) not less than 75 percent of the funds made
25 available for each nonproliferation program or

1 project under the Agreement is spent in the Russian
2 Federation.

3 (c) USE OF EXISTING MECHANISMS.—It is the sense
4 of Congress that, to the extent practicable, the boards and
5 administrative mechanisms of existing threat reduction
6 and nonproliferation programs should be used in the ad-
7 ministration and oversight of programs and projects under
8 the Agreement.

9 **SEC. 9. STRUCTURE OF DEBT-FOR-NONPROLIFERATION AR-**
10 **RANGEMENTS.**

11 It is the sense of Congress that any debt-for-non-
12 proliferation arrangements with the Russian Federation
13 should provide for gradual debt relief over a period of
14 years, with debt relief to be suspended if more than two
15 years' worth of funds remain unobligated for approved
16 nonproliferation programs or projects.

17 **SEC. 10. NONPROLIFERATION REQUIREMENT.**

18 (a) PROLIFERATION TO STATE SPONSORS OF TER-
19 RORISM.—The authorities granted under sections 5, 6, 7,
20 and 8 may not be exercised, and funds may not be ex-
21 pended, unless and until—

22 (1) the Russian Federation makes material
23 progress in stemming the flow of sensitive goods,
24 technologies, material, and know-how related to the
25 design, development, and production of weapons of

1 mass destruction and the means to deliver them to
2 countries that have been determined by the Sec-
3 retary, for the purposes of section 40 of the Arms
4 Export Control Act, section 620A of the Foreign As-
5 sistance Act of 1961, or section 6(j) of the Export
6 Administration Act of 1979, to have repeatedly pro-
7 vided support for acts of international terrorism;
8 and

9 (2) the President certifies to the appropriate
10 congressional committees that the condition required
11 in paragraph (1) has been met.

12 (b) ANNUAL DETERMINATION.—If, in any annual re-
13 port to Congress submitted pursuant to section 13, the
14 President cannot certify that the Russian Federation con-
15 tinues to meet the condition required in subsection (a)(1),
16 then, subject to the provisions of subsection (c), the au-
17 thorities granted under sections 5, 6, 7, and 8 may not
18 be exercised, and funds may not be expended, unless and
19 until such certification is made to the appropriate congres-
20 sional committees.

21 (c) PRESIDENTIAL WAIVER.—The President may
22 waive the requirements of subsection (b) for a fiscal year
23 if the President determines that imposition of those re-
24 quirements in that fiscal year would be counter to the na-

1 tional interest of the United States and so reports to the
2 appropriate congressional committees.

3 **SEC. 11. DISCUSSION OF RUSSIAN FEDERATION DEBT RE-**
4 **DUCTION FOR NONPROLIFERATION WITH**
5 **OTHER CREDITOR STATES.**

6 The President and such other appropriate officials as
7 the President may designate shall institute discussions in
8 the Paris Club of creditor states with the objectives of—

9 (1) reaching agreement that each member of
10 the Paris Club is authorized to negotiate debt ex-
11 changes with the Russian Federation covering a por-
12 tion of its bilateral debt, to finance the accomplish-
13 ment of nonproliferation and arms reduction activi-
14 ties;

15 (2) convincing other member states of the Paris
16 Club, especially the largest holders of Soviet-era
17 Russian debt, to dedicate significant proportions of
18 their bilateral debt with the Russian Federation to
19 these purposes; and

20 (3) reaching agreement, as appropriate, to es-
21 tablish a unified debt exchange fund to manage and
22 provide financial transparency for the resources pro-
23 vided through the debt exchanges.

1 **SEC. 12. CONSULTATIONS WITH CONGRESS.**

2 The President shall consult with the appropriate con-
3 gressional committees on a periodic basis to review the op-
4 erations of the Facility and the Russian Federation's eligi-
5 bility for benefits from the Facility.

6 **SEC. 13. ANNUAL REPORT TO CONGRESS.**

7 Not later than December 31, 2002, and not later
8 than December 31 of each year thereafter, the President
9 shall prepare and transmit to Congress a report con-
10 cerning the operation of the Facility during the fiscal year
11 preceding the fiscal year in which the report is trans-
12 mitted. The report on a fiscal year shall include—

13 (1) a description of the activities undertaken by
14 the Facility during the fiscal year;

15 (2) a description of any agreement entered into
16 under this Act;

17 (3) a description of any grants that have been
18 provided pursuant to the agreement; and

19 (4) a summary of the results of audits per-
20 formed in the fiscal year pursuant to the agreement.

○