

Calendar No. 202

103D CONGRESS
1ST SESSION

S. 1467

[Report No. 103-144]

A BILL

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

SEPTEMBER 16, 1993

Read twice and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 16, 1993

Mr. PELL, from the Committee on Foreign Relations, reported under authority of the order of the Senate of September 15 (legislative day, September 7), 1993, the following original bill; which was read twice and placed on the calendar

A BILL

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

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Assistance Act
5 of 1993”.

6 **SEC. 2. TABLE OF CONTENTS.**

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

- Sec. 1. Short title.
- Sec. 2. Table of contents.

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- Sec. 101. Statement of United States foreign policy.
- Sec. 102. Need for comprehensive foreign aid reform.
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- Sec. 104. Development assistance reform.
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1 **TITLE I—REFORM OF FOREIGN** 2 **ASSISTANCE POLICIES AND** 3 **PROGRAMS**

4 **SEC. 101. STATEMENT OF UNITED STATES FOREIGN POL-** 5 **ICY.**

6 Section 101 of the Foreign Assistance Act of 1961
 7 (22 U.S.C. 2151) is amended to read as follows:

8 **“SEC. 101. STATEMENT OF UNITED STATES FOREIGN POL-** 9 **ICY.**

10 “The Congress finds that peace and prosperity de-
 11 pend on the United States providing leadership in a world
 12 community increasingly receptive to democracy, open and
 13 competitive markets, and cooperation against aggression.
 14 The United States has assisted other countries to
 15 strengthen the capacity to develop their economies and
 16 human resources, improve security, and build responsible
 17 democratic institutions. The Congress recognizes that for
 18 over 40 years the threat of international communism
 19 weighed heavily on the programs and priorities of United
 20 States economic and security assistance.

21 “The economic prosperity and security of the people
 22 of the United States and of the world are best maintained

1 and enhanced in an international community that respects
2 individual civil and political rights and economic freedoms,
3 provides for fundamental human needs, uses wisely the
4 world's limited resources in a sustainable manner, and
5 works toward the achievement of economic well-being for
6 all people. Freedom can only be sustained by governments
7 whose legitimacy rests firmly on the expressed consent of
8 the governed; who are themselves agents and protectors
9 of individual civil, political and economic rights; and who
10 are committed to building the economic, political and so-
11 cial institutions which will improve the quality of the lives
12 of all their people.

13 “Fostering economic, military, and other forms of
14 international cooperation is vital to United States foreign
15 policy. Likewise, addressing the manifestations of perva-
16 sive poverty through development assistance is essential
17 to establishing the political, economic, and social environ-
18 ment necessary for sustained economic growth. Assistance
19 under this Act should serve the following five mutually re-
20 inforcing goals:

21 “(1) Building democracy.

22 “(2) Promoting and maintaining peace.

23 “(3) Promoting economic growth and sustain-
24 able development.

25 “(4) Addressing global problems.

1 “(5) Providing humanitarian assistance.

2 “‘In order to ensure that international programs of
3 the United States Government are effectively coordinated
4 and are consistent in their furtherance of the foreign pol-
5 icy interests of the United States, the head of any depart-
6 ment or agency carrying out international programs or ac-
7 tivities shall ensure that such programs and activities are
8 undertaken pursuant to the foreign policy guidance of the
9 Secretary of State.

10 “‘Because strong and effective multilateralism will im-
11 prove the prospects for peace and prosperity regionally
12 and globally, other countries able to contribute should be
13 urged to join in undertaking to meet common goals and
14 objectives.’”.

15 **SEC. 102. NEED FOR COMPREHENSIVE FOREIGN AID RE-**
16 **FORM.**

17 (a) NEED FOR REFORM.—The Congress—

18 (1) welcomes the President’s comprehensive re-
19 view of United States foreign assistance programs
20 and the Agency for International Development;

21 (2) agrees with the President that United
22 States foreign assistance programs and the Agency
23 for International Development are in need of reform;
24 and

1 (3) remains prepared to enact reform legislation
2 in time for the fiscal year 1995 authorization and
3 appropriations cycle.

4 (b) COMPREHENSIVE REFORM PLAN.—To facilitate
5 this reform process, the President shall consult with the
6 Congress on administrative and legislative actions to be
7 taken on reform and submit to the Congress, within 60
8 days after enactment of this Act, a plan for comprehensive
9 reform of United States foreign assistance programs and
10 of the agency primarily responsible for administering part
11 I of the Foreign Assistance Act of 1961.

12 (c) IMMEDIATE ACTIONS TO BE TAKEN.—The Con-
13 gress finds that to accomplish United States foreign as-
14 sistance objectives within strict budget limitations and to
15 assure the viability and effectiveness of these programs,
16 several immediate reform actions are required. In order
17 to further the reform process during fiscal year 1994, the
18 President shall take the following steps:

19 (1) Strengthen and elevate the Office of Donor
20 Coordination within the agency primarily responsible
21 for administering part I of the Foreign Assistance
22 Act of 1961 and have such office report directly to
23 the Administrator of that agency.

24 (2) Strengthen coordination within the United
25 States Government on policies and programs for for-

1 eign assistance by revitalizing section 640B of the
2 Foreign Assistance Act of 1961.

3 (3) In consultation with the Congress, establish
4 a set of criteria for the closure or termination, as
5 the case may be, of field offices or programs of the
6 agency primarily responsible for administering part
7 I of the Foreign Assistance Act of 1961.

8 (4) By the end of fiscal year 1994, reduce by
9 20 percent the number of countries in which the
10 agency primarily responsible for administering part
11 I of the Foreign Assistance Act of 1961 currently
12 has either a field presence or programs, and provide
13 a report to the appropriate congressional committees
14 (as defined in section 644(q) of such Act) on
15 planned future reductions.

16 (5) Begin the administrative task of streamlin-
17 ing and rationalizing contracting and grant proce-
18 dures within the agency primarily responsible for ad-
19 ministering part I of the Foreign Assistance Act of
20 1961.

21 (d) EXPANDED FLEXIBILITY.—In order to assist the
22 President and the agency primarily responsible for admin-
23 istering part I of the Foreign Assistance Act of 1961 to
24 carry out these reforms, that Act is amended—

25 (1) in section 109—

1 (A) by striking “15” and inserting in lieu
2 thereof “20”;

3 (B) by striking “, except that the total in
4 the provision for the benefit of which the trans-
5 fer is made shall not be increased by more than
6 25 per centum of the amount of funds made
7 available for such provision”; and

8 (C) by striking in the last sentence “five”
9 and inserting in lieu thereof “ten”;
10 (2) in section 610(a)—

11 (A) by striking “10” and inserting in lieu
12 thereof “20”; and

13 (B) by striking “, except that the total in
14 the provision for the benefit of which the trans-
15 fer is made shall not be increased by more than
16 20 per centum of the amount of funds made
17 available for such provision”; and

18 (3) in section 451(a), by striking out
19 “\$25,000,000” and inserting in lieu thereof
20 “\$45,000,000”.

21 (e) GREATER LEVERAGING POWER.—In order to off-
22 set the strict budgetary constraints on United States de-
23 velopment assistance, as well as to leverage further con-
24 tributions for development from the private sector, and to

1 ensure the financial independence of private and voluntary
2 organizations—

3 (1) it is the sense of Congress that private and
4 voluntary organizations participating in part I of
5 this Act should obtain a greater share of their re-
6 sources from private contributions; and

7 (2) the Administrator of the agency primarily
8 responsible for administering part I of the Foreign
9 Assistance Act of 1961 shall review annually those
10 private and voluntary organizations which receive 50
11 percent or more of their funding for international
12 activities from the United States Government to as-
13 sess whether those organizations are sufficiently
14 independent and sustainable.

15 **SEC. 103. EVALUATION AND ACCOUNTABILITY.**

16 Section 125 of the Foreign Assistance Act of 1961
17 (22 U.S.C. 2151w) is amended to read as follows:

18 **“SEC. 125. EVALUATION AND ACCOUNTABILITY.**

19 “(a) NEED FOR EVALUATION.—In order to manage
20 effectively and responsibly the resources with which such
21 agency is provided, the agency primarily responsible for
22 administering this part must have a capacity to evaluate
23 objectively the extent of its progress in achieving develop-
24 ment results and to derive lessons from its development
25 experience.

1 “(b) ACTIONS TO BE TAKEN.—In furtherance of
2 subsection (a), the President shall establish a program
3 performance evaluation capacity within the agency pri-
4 marily responsible for administering this part that will do
5 the following:

6 “(1) Enhance, through training and other
7 means, the use of program performance, monitoring,
8 and evaluation as a management tool, by both the
9 agency and its counterparts in countries receiving
10 assistance, in the planning, designing, and imple-
11 mentation of foreign assistance projects and pro-
12 grams.

13 “(2) Develop a program performance informa-
14 tion system to afford agency managers at all levels
15 a means for monitoring and assessing achievement
16 of impact and interim performance of the agency’s
17 major programs in support of the strategic manage-
18 ment of economic assistance.

19 “(3) Prepare and disseminate objective and
20 periodic reports on the progress of the agency in
21 meeting development objectives and on lessons
22 learned from its development programs.

23 “(4) Strengthen the capacity to utilize the find-
24 ings of program performance, measurement, and

1 evaluation in decisions of the agency about program
2 direction and resource allocation.

3 “(5) Coordinate with the Inspector General of
4 the agency so as to ensure appropriate complemen-
5 tary of efforts, recognizing that—

6 “(A) it is the responsibility of the agency
7 to direct a system of performance measurement
8 and independent evaluation of its programs and
9 policies, as well as the operational and manage-
10 ment systems that affect the development im-
11 pact of those programs and policies; and

12 “(B) it is the responsibility of the Inspec-
13 tor General to conduct regular and comprehen-
14 sive assessments and audits of financial man-
15 agement and administrative systems, including
16 the adequacy of the systems for monitoring and
17 evaluating agency projects and programs.

18 “(c) ACCOUNTABILITY.—The President shall prepare
19 an annual report to the Congress as a separate part of
20 the congressional presentation materials of the agency pri-
21 marily responsible for administering this part. This report
22 shall include the following:

23 “(1) An assessment of progress toward the
24 achievement of sustainable development objectives,
25 based on the findings of program performance, mon-

1 itoring, and evaluation studies conducted by the
2 agency and on such other empirical analyses as may
3 be appropriate.

4 “(2) An analysis, on a country-by-country basis,
5 of the impact on economic development in each such
6 country during the preceding 3 to 5 fiscal years of
7 United States economic assistance programs, with a
8 discussion of the United States interests that were
9 served by the assistance. Each country receiving eco-
10 nomic assistance under this part or under the Sup-
11 port for East European Democracy (SEED) Act of
12 1989 shall be included in such an analysis at least
13 once every 5 years. For each country the analysis
14 shall—

15 “(A) describe the specific objectives the
16 United States sought to achieve in providing
17 economic assistance, and specify the extent to
18 which those objectives were or were not
19 achieved;

20 “(B) to the extent possible, be done on a
21 sector-by-sector basis and identify trends (both
22 favorable and unfavorable) within each sector
23 and, if relevant, identify any economic policy re-
24 forms conducive to sustainable economic growth
25 that were promoted by the assistance and the

1 progress being made by the country in adopting
2 economic policies that foster and enhance the
3 freedom and opportunity of individuals to par-
4 ticipate in economic growth in that country;

5 “(C) as part of the context of United
6 States economic assistance, describe the amount
7 and nature of economic assistance provided by
8 other major donors during the preceding 3 to 5
9 fiscal years, set forth by the development sector
10 to the extent possible;

11 “(D) discuss the commitment of the host
12 government to addressing the country’s needs
13 in each development sector, including, to the ex-
14 tent possible, a description of the resources de-
15 voted by that government to each development
16 sector during the preceding 3 to 5 fiscal years;

17 “(E) contain statistical and other informa-
18 tion necessary to evaluate the impact and effec-
19 tiveness of United States economic assistance
20 on development in the country; and

21 “(F) identify any funds that, as of Sep-
22 tember 30 of the preceding fiscal year, either
23 had remained unobligated for three fiscal years
24 or more, or had been obligated but not ex-
25 pended for three fiscal years or more, and pro-

1 vide an explanation for the failure to obligate or
2 expend such funds.”.

3 **SEC. 104. DEVELOPMENT ASSISTANCE REFORM.**

4 (a) BASIC OBJECTIVES.—Section 102 of the Foreign
5 Assistance Act of 1961 (22 U.S.C. 2151–1) is amended
6 to read as follows:

7 **“SEC. 102. BASIC OBJECTIVES OF UNITED STATES DEVEL-**
8 **OPMENT ASSISTANCE.**

9 “(a) FOUR BASIC OBJECTIVES.—The primary pur-
10 pose of United States development assistance is the pro-
11 motion of broad based, sustainable, participatory develop-
12 ment, with particular focus on the poor. In pursuit of that
13 purpose, development assistance programs specified in this
14 Act, and United States economic cooperation policy gen-
15 erally, shall have the following four basic objectives, which
16 are interrelated and mutually reinforcing:

17 “(1) PROMOTING SUSTAINABLE ECONOMIC
18 GROWTH AND DEVELOPMENT.—Sustainable develop-
19 ment calls for a long-term participatory process,
20 with a particular focus on the disadvantaged major-
21 ity, that provides opportunities for the citizens of as-
22 sisted countries to improve their incomes and the
23 quality of their lives. Sustainable development tar-
24 gets the elimination of hunger, poverty, illness and
25 ignorance, while protecting the natural resource

1 base. These goals are achieved primarily by activities
2 in the areas of enhancing human capital, expanding
3 income opportunities, building institutions, and de-
4 veloping and transferring knowledge and technology.

5 “(2) BUILDING DEMOCRATIC PARTICIPATION IN
6 DEVELOPMENT.—Encouraging democratization re-
7 quires using development assistance to promote the
8 elements of good governance, and to create an envi-
9 ronment where democratic values are understood
10 and utilized in policy and decision-making processes
11 at all levels.

12 “(3) ADDRESSING GLOBAL ISSUES.—United
13 States development assistance should support coop-
14 erative efforts to prevent, alleviate and resolve
15 transnational problems such as population growth,
16 environmental degradation, narcotics trafficking,
17 international crime, migration and refugee flows,
18 and contagious diseases.

19 “(4) RESPONDING TO EMERGENCY HUMANI-
20 TARIAN NEEDS.—In addition to efforts to promote
21 long-term development, United States development
22 assistance programs should be designed to respond
23 to natural or man-made disasters through humani-
24 tarian actions that limit long-term damage and

1 begin the process of political and economic recon-
2 struction.

3 “(b) IMPLEMENTATION OF OBJECTIVES.—Funds
4 made available to carry out the purposes of section 103
5 of the Foreign Assistance Act of 1961 shall be used only
6 for purposes consistent with the four objectives listed in
7 subsection (a).”.

8 (b) DEVELOPMENT ASSISTANCE.—Section 103 of the
9 Foreign Assistance Act of 1961 (22 U.S.C. 2151a) is
10 amended to read as follows:

11 **“SEC. 103. DEVELOPMENT ASSISTANCE.**

12 “(a) GENERAL AREAS OF ASSISTANCE.—In support
13 of the objectives described in section 102, the President
14 is authorized to furnish assistance, on such terms and con-
15 ditions as he may determine, in the following general
16 areas:

17 “(1) Agriculture, rural development, and nutri-
18 tion, for the purposes of—

19 “(A) eliminating famine and famine-relat-
20 ed deaths, substantially reducing starvation and
21 widespread chronic hunger, malnutrition and
22 undernutrition, especially among children,
23 women and the aged, and addressing important
24 micronutrient deficiencies including those of vi-
25 tamin A, iodine and iron;

1 “(B) expanding significantly the provision
2 of basic services to rural poor people to enhance
3 their capacity for self-help;

4 “(C) helping to create productive farm and
5 off-farm employment in rural areas to provide
6 a more viable economic base and enhance op-
7 portunities for improved incomes, living stand-
8 ards, and contributions by rural poor people to
9 the economic and social development of their
10 countries; and

11 “(D) promoting development of farming
12 techniques that are environmentally sound,
13 technologically appropriate and economically
14 sustainable.

15 Such assistance may include assistance for reforest-
16 ation projects which are essential to fulfill the fun-
17 damental purposes of this section.

18 “(2) Population and health, for the purposes
19 of—

20 “(A) reducing population growth rates to
21 levels consistent with sustainable development,
22 promoting the rights of couples and individuals
23 to determine freely and responsibly the number
24 and spacing of their children, and improving in-

1 dividual reproductive health, with special atten-
2 tion to the needs of women and adolescents;

3 “(B) expanding programs of primary
4 health care and disease prevention and control,
5 through development of safe water sources and
6 improved sanitation and hygiene, health plan-
7 ning and research, training of health care work-
8 ers, dietary education and reduction of diet-re-
9 lated diseases, and prevention and treatment of
10 AIDS; and

11 “(C) reduction of childhood mortality
12 through improved and expanded immunization
13 programs, oral rehydration, programs aimed at
14 removing social and other impediments to
15 breast-feeding, and improved nutrition, health
16 and sanitation.

17 Such assistance may include support for appropriate
18 activities of the types described in this paragraph
19 which are carried out by international organizations
20 and private and voluntary organizations, subject to
21 the restrictions described in subsection (b) and those
22 that apply to United States contributions to inter-
23 national organizations and programs.

24 “(3) Education and human resources develop-
25 ment, for the purposes of reducing illiteracy, extend-

1 ing basic education and vocational training, and im-
2 proving productive skills.

3 “(4) Energy development and production, for
4 the purposes of improving energy efficiency, develop-
5 ing indigenous energy resources, expanding access
6 by poor and rural populations to energy sources,
7 promoting conservation, increasing awareness of and
8 emphasis on renewable energy sources, and develop-
9 ing environmentally responsible means and patterns
10 of energy use.

11 “(5) Building democratic, pluralistic institu-
12 tions, for the purposes of expanding popular partici-
13 pation in government and policymaking, increasing
14 awareness of and respect for human rights, promot-
15 ing harmony among diverse racial, religious, and
16 ethnic groups, developing stable free market econo-
17 mies, and creating an environment in which small
18 business and private enterprise can flourish.

19 “(6) Disaster preparedness and reconstruction,
20 for the purposes of prediction and contingency plan-
21 ning for natural disasters, reconstruction of physical
22 infrastructure following crises, and nation-building
23 efforts in the wake of military conflicts and social
24 upheaval.

1 “(7) Environmental management, for the pur-
2 poses of enhancing the human and natural environ-
3 ment and conserving environmental resources, in-
4 cluding through facilitation of the adoption of envi-
5 ronmentally sound policies and technologies, environ-
6 mental restoration, and sustainable use of natural
7 resources; promotion of the use of environmental
8 technology, education, and training by United States
9 businesses, not-for-profit organizations, and institu-
10 tions of higher education; and promotion of coopera-
11 tive research efforts to improve the use of natural
12 resources and to validate and track the environ-
13 mental consequences of resource use.

14 “(8) Programs designed to help solve special
15 development problems in the poorest countries, in-
16 cluding developing income-generating opportunities
17 for the unemployed and underemployed in urban and
18 rural areas through, among other things, expanding
19 opportunities for off-farm employment in micro- and
20 small-scale enterprises.

21 “(b) RESTRICTIONS ON ASSISTANCE.—

22 “(1) None of the funds made available to carry
23 out this part may be used to pay for the perform-
24 ance of abortions as a method of family planning or

1 to motivate or coerce any person to practice abor-
2 tions.

3 “(2) None of the funds made available to carry
4 out this part may be used to pay for the perform-
5 ance of involuntary sterilizations as a method of
6 family planning or to coerce or provide any financial
7 incentive to any person to undergo sterilization.

8 “(3) None of the funds made available to carry
9 out this part may be used to pay for any biomedical
10 research which relates, in whole or in part, to meth-
11 ods of, or the performance of, abortions or involun-
12 tary sterilization as a means of family planning.”.

13 (c) REPEAL OF DEVELOPMENT ASSISTANCE AU-
14 THORITIES.—Sections 104 through 107 of the Foreign
15 Assistance Act of 1961 are hereby repealed.

16 (d) RULE OF CONSTRUCTION.—Any reference in any
17 law in effect on the date of enactment of this Act to sec-
18 tion 103, 104, 105, 106, or 107 of the Foreign Assistance
19 Act of 1961 shall, on and after such date, be deemed to
20 be a reference to section 103 of the Foreign Assistance
21 Act of 1961.

22 **SEC. 105. MILITARY ASSISTANCE REFORM.**

23 (a) IN GENERAL.—Section 501 of the Foreign Assist-
24 ance Act of 1961 (22 U.S.C. 2301) is amended to read
25 as follows:

1 **“SEC. 501. MILITARY ASSISTANCE POLICIES.**

2 “(a) STATEMENT OF POLICY.—United States policy
3 must foster a climate in which all nations can live in peace,
4 security, and stability. It is in the interest of the United
5 States to address those threats to such a climate that arise
6 through the persistence of regional conflicts, the threat of
7 aggression fostered by military imbalances among neigh-
8 boring nations, the proliferation of weapons of mass de-
9 struction, the continued proliferation of conventional
10 weapons of increasing capability, or the persistent at-
11 tempts by armed groups violently to overthrow democrat-
12 ically elected governments.

13 “The United States is prepared to consider requests
14 for assistance by foreign countries lacking the resources
15 to meet their legitimate national security needs. Together
16 with other assistance provided under this Act, military as-
17 sistance should contribute to the development of economic
18 and social improvements that enhance the development
19 and maintenance of democratic political systems. Military
20 assistance provided to friendly foreign countries should
21 serve as a necessary transition to achieve self-sufficiency.

22 “Military assistance should foster cooperative secu-
23 rity arrangements and support multilateral efforts
24 through the United Nations and other international orga-
25 nizations to promote peaceful settlement of disputes.

1 “The President should continue to seek, through ne-
2 gotiations with other principal countries supplying or re-
3 ceiving defense articles and defense services, the establish-
4 ment of effective multilateral controls on the transfer of
5 defense articles and defense services, including controls on
6 the furnishing of assistance for the procurement of such
7 articles and services.

8 “(b) OBJECTIVES OF MILITARY ASSISTANCE.—The
9 authorities to furnish military assistance that are provided
10 in this part shall be exercised (subject to the supervision
11 and direction of the Secretary of State pursuant to section
12 622(c)) solely to achieve the following objectives:

13 “(1) Exerting maximum efforts to achieve
14 international arms control and reduction.

15 “(2) Promoting the establishment of a relation-
16 ship between civilian and military sectors appro-
17 priate to a democratic system of government.

18 “(3) Enhancing the military capability of for-
19 eign countries to meet their legitimate security
20 needs, and permitting the recipient countries to par-
21 ticipate in regional or collective arrangements or
22 measures consistent with the Charter of the United
23 Nations or as requested by the United Nations.

24 “(4) Providing support to foreign countries to
25 meet transnational threats, in particular to combat

1 the flow of illicit narcotics and to combat inter-
2 national terrorism and international crime.

3 “(5) Meeting urgent humanitarian needs by im-
4 proving the capability of the armed forces of foreign
5 countries to respond to natural and manmade disas-
6 ters.

7 “(6) Increasing the awareness of nationals of
8 friendly countries of basic issues involving demo-
9 cratic values and institutions, especially respect for
10 internationally recognized human rights.

11 “(7) Promoting self-defense and defense co-
12 operation by assisting friendly countries to acquire
13 United States defense articles and services.

14 “(8) Promoting the effectiveness and profes-
15 sionalism of military forces of friendly foreign coun-
16 tries.

17 “(9) Promoting rationalization, standardization,
18 and interoperability of the military forces of friendly
19 foreign countries with the Armed Forces of the
20 United States.”.

21 (b) CONFORMING AMENDMENT.—Section 502 of that
22 Act (22 U.S.C. 2302) is amended to read as follows:

1 **“SEC. 502. UTILIZATION OF DEFENSE ARTICLES AND DE-**
 2 **FENSE SERVICES BY RECIPIENT COUNTRIES.**

3 “Defense articles and defense services may be fur-
 4 nished to a foreign country under chapter 2 of this part
 5 for use solely for the following purposes:

6 “(1) Legitimate self-defense.

7 “(2) Participation in regional or collective ar-
 8 rangements or measures consistent with the Charter
 9 of the United Nations, or participation in collective
 10 measures requested by the United Nations for the
 11 purpose of maintaining or restoring international
 12 peace and security.

13 “(3) Internal security.

14 “(4) Responding to natural and manmade dis-
 15 asters in order to meet urgent humanitarian needs.

16 “(5) Meeting transnational threats, in particu-
 17 lar to combat the flow of illicit narcotics and to com-
 18 bat international terrorism and international crime.

19 “(6) Such other purposes as may be explicitly
 20 provided for in particular provisions of law.”.

21 (c) INTERNATIONAL MILITARY EDUCATION AND
 22 TRAINING.—Section 541 of the Foreign Assistance Act of
 23 1961 (22 U.S.C. 2347) is amended to read as follows:

24 **“SEC. 541. GENERAL AUTHORITY.**

25 “(a) OBJECTIVES OF ASSISTANCE.—(1) The Presi-
 26 dent is authorized to furnish, on such terms and condi-

1 tions consistent with this Act as the President may deter-
2 mine (but whenever feasible on a reimbursable basis), mili-
3 tary education and training to military and related civilian
4 personnel (including legislators and personnel of min-
5 istries other than defense ministries) of foreign countries,
6 if the military education and training would—

7 “(A) foster greater respect for and understand-
8 ing of democracy and civilian rule of law, including
9 the principle of civilian control of the military; and
10 “(B) foster greater respect for internationally
11 recognized human rights.

12 “(2) In addition to carrying out the objectives of
13 paragraph (1), senior professional military education
14 courses shall also be designed to contribute to responsible
15 defense resource management, improve military justice
16 systems and procedures, and promote understanding of
17 the role of cooperative security arrangements through the
18 United Nations and other international organizations, as
19 well as contribute to an ability to participate in multilat-
20 eral peacekeeping operations.

21 “(b) IMPLEMENTATION OF ASSISTANCE.—Education
22 and training under this section may be provided
23 through—

1 “(1) attendance at military educational and
2 training facilities in the United States (other than
3 Service academies) and abroad;

4 “(2) attendance in special courses of instruction
5 at schools and institutions of learning or research in
6 the United States and abroad; and

7 “(3) observation and orientation visits to mili-
8 tary facilities and related activities in the United
9 States and abroad.”.

10 **SEC. 106. ASSISTANCE FOR HUMAN RIGHTS AND DEMO-**
11 **CRATIC INITIATIVES.**

12 (a) ASSISTANCE FOR HUMAN RIGHTS AND DEMO-
13 CRATIC INITIATIVES.—Section 116(e) of the Foreign As-
14 sistance Act of 1961 (22 U.S.C. 2151n(e)) is amended to
15 read as follows:

16 “(e) SUPPORT FOR HUMAN RIGHTS.—

17 “(1) AUTHORIZATION AND GENERAL PURPOSES
18 OF ASSISTANCE.—The President may use funds
19 made available to carry out chapter 1 or 10 of this
20 part or chapter 4 of part II to furnish assistance to
21 support the programs and activities described in
22 paragraph (2) in order to—

23 “(A) promote increased adherence to inter-
24 nationally recognized human rights, as set forth

1 in the Universal Declaration of Human Rights;
2 and

3 “(B) improve the performance of institu-
4 tions of democracy.

5 “(2) PROGRAMS AND ACTIVITIES THAT MAY BE
6 SUPPORTED.—Funds made available under this sec-
7 tion shall be available to support only the following:

8 “(A) Programs and activities to enhance
9 the independence and effectiveness of institu-
10 tions of democratic governance, including sup-
11 port for administrative, judicial, electoral, and
12 legislative processes.

13 “(B) Programs and activities—

14 “(i) to encourage the growth of inde-
15 pendent associations by strengthening pro-
16 fessional, civic, trade union, business, com-
17 munity, and other organizations that con-
18 tribute to the promotion of democracy, and

19 “(ii) to enhance the organizational
20 and leadership skills of the members of
21 such organizations in order to increase ef-
22 fective citizen participation in democratic
23 processes.

24 “(C) Programs and activities to increase
25 awareness of internationally recognized human

1 rights (including by increasing the availability
2 of information concerning the status of respect
3 for internationally recognized human rights)
4 and to improve the effective exercise of those
5 rights.

6 “(D) Programs and activities—

7 “(i) to support victims of abuses of
8 internationally recognized human rights,
9 including the direct provision of legal serv-
10 ices, and the provision of rehabilitation
11 services for victims of torture; and

12 “(ii) to support organizations and in-
13 stitutions seeking to bring to justice those
14 responsible for perpetrating such abuses.

15 “(E) Programs and activities to support a
16 free and independent media.

17 “(F) Programs and activities to strengthen
18 respect for the rule of law, including by—

19 “(i) providing specialized professional
20 training, scholarships, and exchanges for
21 continuing legal education;

22 “(ii) promoting the role of the bar in
23 judicial selection, enforcement of ethical
24 standards, and legal reform;

1 “(iii) increasing the availability of
2 legal materials and publications; and

3 “(iv) supporting the revision and mod-
4 ernization of legal codes and procedures.

5 “(3) ELIGIBLE RECIPIENTS OF ASSISTANCE.—
6 Assistance under this section may be furnished to
7 countries and organizations, whether public or non-
8 governmental, including local, national, regional, and
9 international organizations. A substantial portion of
10 the funds made available each fiscal year to carry
11 out this section shall be used for assistance provided
12 to nongovernmental organizations.

13 “(4) PROHIBITION RELATING TO ELECTIONS.—
14 Assistance under this section may not be used to in-
15 fluence the outcome of any election in any country.

16 “(5) NOTIFICATION TO CONGRESS.—At least 15
17 days before obligating funds under this subsection,
18 the President shall notify the appropriate congres-
19 sional committees (as defined in section 644(q) of
20 the Foreign Assistance Act of 1961) in accordance
21 with the procedures applicable to reprogramming no-
22 tifications under section 634A.

23 “(6) LIMITATION ON USE OF FUNDS FOR AFRI-
24 CA.—Funds made available for assistance under
25 chapter 10 of this part may be used to carry out this

1 section only with respect to countries in sub-Saharan
2 Africa.”.

3 (b) REPEALS.—Subsections (f) and (g) of section 116
4 of such Act (22 U.S.C. 2151n(f), (g)) are hereby repealed.

5 **SEC. 107. NOTIFICATION OF PROGRAM CHANGES.**

6 Section 634A of the Foreign Assistance Act of 1961
7 (22 U.S.C. 2394) is amended to read as follows:

8 **“SEC. 634A. NOTIFICATION OF PROGRAM CHANGES.**

9 “(a) INCREASED ASSISTANCE AND NEW PRO-
10 GRAMS.—Unless the appropriate congressional committees
11 (as defined in section 644(q)) are notified at least 15 days
12 in advance, funds appropriated for a fiscal year to carry
13 out the purposes of this Act or the Arms Export Control
14 Act may not be obligated for the following:

15 “(1) INCREASE IN ASSISTANCE LEVEL.—Any
16 assistance under any provision of those Acts—

17 “(A) for a country or international organi-
18 zation for which assistance under that provision
19 was not justified in congressional presentation
20 documents for that fiscal year; or

21 “(B) in excess of the amount justified in
22 the congressional presentation documents and
23 allocated pursuant to section 653(a) for that
24 country or organization under that provision for
25 that fiscal year.

1 “(2) NEW ACTIVITIES.—Any economic assist-
2 ance for a program, project, or activity under any
3 provision of those Acts—

4 “(A) which was not justified in congres-
5 sional presentation documents for that fiscal
6 year; and

7 “(B) for which assistance was not fur-
8 nished for the preceding fiscal year.

9 “(b) CONGRESSIONAL PRESENTATION DOCU-
10 MENTS.—For purposes of this section, the term ‘congres-
11 sional presentation documents’ means documents submit-
12 ted annually to the Congress by the President with respect
13 to a budget request involving assistance under this Act
14 or the Arms Export Control Act or the justification docu-
15 ments accompanying a request by the President for sup-
16 plemental authorizations of appropriations or supple-
17 mental appropriations for assistance under those Acts.

18 “(c) APPROPRIATIONS SUBJECT TO REQUIRE-
19 MENT.—Subsection (a) shall apply with respect to all
20 funds made available under this Act (including assistance
21 provided under chapter 8 of part I of this Act (relating
22 to international narcotics control)) and the Arms Export
23 Control Act other than—

1 “(1) assistance under section 221 of this Act
2 (relating to the housing and other credit guarantee
3 program);

4 “(2) assistance under title IV of chapter 2 of
5 part I of this Act (relating to the Overseas Private
6 Investment Corporation);

7 “(3) assistance for programs of disaster relief
8 and rehabilitation, including international disaster
9 assistance programs under chapter 9 of part I of
10 this Act; and

11 “(4) assistance under section 661 of this Act
12 (relating to the Trade and Development Agency).

13 “(d) WAIVER.—(1) Subject to paragraph (2), the
14 President may waive the requirement of subsection (a),
15 or any similar requirement contained in any law which au-
16 thorizes appropriations or appropriates funds for foreign
17 assistance activities to provide advance notification to the
18 Congress or specified congressional committees, if the
19 President determines that failure to do so would pose a
20 substantial risk to human health or welfare.

21 “(2) Before exercising the authority of this sub-
22 section, the President shall notify the appropriate congres-
23 sional committees, the Congress, or the specified congres-
24 sional committees (as the case may be). Any notification
25 under this paragraph shall contain an explanation of the

1 circumstances necessitating the use of the authority of this
 2 subsection.

3 “(e) PROCEDURES APPLICABLE FOR NOTIFICATIONS
 4 TO AUTHORIZING COMMITTEES.—The President shall no-
 5 tify the Chairman of the Committee on Foreign Relations
 6 of the Senate and the Chairman of the Committee on For-
 7 eign Affairs of the House of Representatives concerning
 8 any reprogramming of funds in the International Affairs
 9 Budget Function 150, the authorizations of appropria-
 10 tions for which are in their respective jurisdictions, to the
 11 same degree and with the same conditions as the Presi-
 12 dent notifies the Committees on Appropriations of the
 13 House of Representatives and the Senate. The require-
 14 ments of this section are in addition to, and not in lieu
 15 of, other notification requirements.”.

16 **SEC. 108. TERMINATION EXPENSES.**

17 Section 617 of the Foreign Assistance Act of 1961
 18 (22 U.S.C. 2367) is amended to read as follows:

19 **“SEC. 617. TERMINATION EXPENSES.**

20 “(a) IN GENERAL.—Funds made available under this
 21 Act shall remain available for obligation for a period not
 22 to exceed 8 months from the date of any termination of
 23 assistance under this Act for the necessary expenses of
 24 winding up programs related to such termination. Funds
 25 obligated under the authority of this Act before the effec-

1 tive date of the termination of assistance are authorized
 2 to remain available for expenditure for the necessary ex-
 3 penses of winding up programs related to such termi-
 4 nation notwithstanding any provision of law restricting the
 5 expenditure of funds. In order to ensure the effectiveness
 6 of assistance under this Act, such expenses for orderly ter-
 7 mination of programs may include the obligation and ex-
 8 penditure of funds to complete the training or studies out-
 9 side their countries of origin of students whose course of
 10 study or training program began before assistance was
 11 terminated.

12 “(b) GUARANTY PROGRAMS.—Provisions of this or
 13 any other Act requiring the termination of assistance
 14 under this Act shall not be construed to require the termi-
 15 nation of guarantee commitments that were entered into
 16 before the effective date of the termination of assistance.

17 “(c) RELATION TO OTHER PROVISIONS.—Unless spe-
 18 cifically made inapplicable by another provision of law, the
 19 provisions of this section shall be applicable to the termi-
 20 nation of foreign assistance pursuant to any provision of
 21 law.”.

22 **SEC. 109. IMPACT OF FOREIGN ASSISTANCE PROGRAMS ON**
 23 **JOB IN THE UNITED STATES.**

24 The Foreign Assistance Act of 1961 is amended by
 25 inserting after section 617 the following new section:

1 **“SEC. 618. IMPACT OF FOREIGN ASSISTANCE PROGRAMS**
2 **ON JOBS IN THE UNITED STATES.**

3 “(a) PROHIBITIONS.—Funds made available by this
4 Act may not be obligated or expended to provide—

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

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

22 “(3) direct support for any project or activity
23 that is specifically designed to increase exports of
24 any agricultural, import-sensitive textile, or apparel
25 commodity from a developing country if such ex-
26 ports—

1 “(A) would be in direct competition with
2 United States exports; and

3 “(B) can reasonably be expected to cause
4 substantial injury to United States exporters of
5 the same or substantially similar commodity,
6 except that this subsection shall not prohibit activi-
7 ties designed to increase food security in developing
8 countries; or

9 “(4) assistance for any project or activity that
10 contributes to the violation of internationally recog-
11 nized workers rights (as defined in section 502(a)(4)
12 of the Trade Act of 1974) of workers in the recipi-
13 ent country, including in any designated zone or
14 area in that country.

15 “(b) EXCEPTION.—In recognition that the applica-
16 tion of subsection (a)(4) should be commensurate with the
17 level of development of the recipient country and sector,
18 that paragraph does not preclude assistance for the infor-
19 mal sector in such country, for microenterprises and
20 small-scale enterprises, or for small-holder agriculture.”.

21 **SEC. 110. DONATION OF SERVICES FOR DEMOCRACY DE-**
22 **VELOPMENT.**

23 Section 635(d) of the Foreign Assistance Act of 1961
24 (22 U.S.C. 2395(d)) is amended—

25 (1) by inserting “(1)” after “(d)”; and

1 (2) by adding at the end the following:

2 “(2) With respect to programs, projects, and activi-
3 ties under this Act to promote the development of democ-
4 racies overseas—

5 “(A) the President shall encourage the use of
6 donated services by individuals to the greatest extent
7 possible; and

8 “(B) the Administrator of the agency primarily
9 responsible for administering part I of this Act shall
10 prescribe regulations ensuring the greatest possible
11 use of donated services by individuals.”.

12 **SEC. 111. AUTHORITY TO DEOBLIGATE GRANT FUNDS.**

13 Section 636 of the Foreign Assistance Act of 1961
14 (22 U.S.C. 2396) is amended by adding at the end the
15 following new subsection:

16 “(j) No funds made available under chapter 1 of part
17 I or chapter 4 of part II of this Act may be provided on
18 a grant basis for a foreign country except pursuant to a
19 grant agreement which authorizes the agency primarily re-
20 sponsible for administering part I of this Act to deobligate
21 such funds without obtaining the approval of the govern-
22 ment of such country.”.

1 **SEC. 112. DEOBLIGATION OF CERTAIN UNEXPENDED ECO-**
2 **NOMIC ASSISTANCE FUNDS.**

3 (a) REQUIREMENT TO DEOBLIGATE.—Except as
4 provided in subsection (b), at the beginning of each fiscal
5 year the President shall deobligate, and return to the
6 Treasury, any funds that, as of the end of the preceding
7 fiscal year, have been obligated for a period of more than
8 4 years for development assistance, economic support fund
9 assistance, assistance from the Development Fund for Af-
10 rica, assistance under chapter 4 of part I of the Foreign
11 Assistance Act of 1961 (relating to the Multilateral Assist-
12 ance Initiative for the Philippines), assistance under the
13 Support for East European Democracy (SEED) Act of
14 1989, and assistance to carry out chapter 11 of part I
15 of the Foreign Assistance Act of 1961 (relating to assist-
16 ance to the independent states of the former Soviet
17 Union), but have not been expended.

18 (b) EXCEPTIONS.—The President, on a case-by-case
19 basis, may waive the requirement of subsection (a) if the
20 President determines, and reports to the appropriate con-
21 gressional committees, that—

22 (1) the funds are being used for a capital or
23 long-term participant training project that requires
24 more than 4 years to complete; or

1 (2) the funds have not been expended because
2 of unforeseen circumstances, and those cir-
3 cumstances could not have been reasonably foreseen.

4 (c) COMMENTS ON REPORTS.—As soon as possible
5 after submission of a report pursuant to subsection (b),
6 the Inspector General for the agency primarily responsible
7 for administering part I of the Foreign Assistance Act of
8 1961 shall submit to the appropriate congressional com-
9 mittees (as defined in section 644(q) of the Foreign As-
10 sistance Act of 1961) such comments as the Inspector
11 General considers appropriate with regard to the deter-
12 mination described in that report.

13 (d) EFFECTIVE DATE.—The requirements of this
14 section shall be effective beginning October 1, 1994.

15 **SEC. 113. UNITED STATES ECONOMIC AND MILITARY AS-**
16 **SISTANCE.**

17 (a) FINDINGS.—The Congress finds that—

18 (1) the failure of socialist economies in the
19 former Eastern bloc countries has fostered an explo-
20 sion of countries attempting to develop effectively
21 functioning free market economies;

22 (2) coupled with a breakup of monolithic power
23 blocs and a rise of nationalist sentiment, these newly
24 empowered economies create a completely new set of

1 challenges, opportunities, and potential instabilities
2 for the United States;

3 (3) for instance, ancient trade routes which lay
4 dormant across countries separated by decades of
5 hostility are once again springing to life, but in some
6 cases, age-old conflicts may threaten the expansion
7 of trade;

8 (4) just as the rebirth of Western Europe's
9 economy after the Second World War under the
10 Marshall Plan created a huge market for American
11 goods and services, so these newly emerging econo-
12 mies carry much similar potential;

13 (5) in many cases, United States assistance re-
14 mains targeted at military threats that have evapo-
15 rated, while the urgency of economic assistance to
16 vital economic reforms grows;

17 (6) United States economic assistance must be
18 focused to provide support for market-oriented re-
19 forms that will yield self-sustaining economic
20 progress; and

21 (7) countries with a proven record of successful
22 application of United States economic assistance,
23 such as the nations of Western Europe, Taiwan,
24 Japan, and others, should be studied as prototypes

1 of effective application of United States taxpayer
2 funds.

3 (b) STUDY AND REPORT.—(1) Not later than 180
4 days after the date of enactment of this Act, the Secretary
5 of State, in consultation with the Secretaries of Defense
6 and Treasury and the Administrator of the Agency for
7 International Development, shall submit to the Speaker of
8 the House of Representatives and to the Chairman of the
9 Committee on Foreign Relations of the Senate a report
10 on United States military and economic assistance, focus-
11 ing on the balance between and the appropriate uses of
12 each.

13 (2) The report shall include—

14 (A) an analysis of security threats to recipients
15 of United States assistance;

16 (B) an analysis of the economic challenges to
17 such recipients;

18 (C) an overall strategy for the application of
19 United States economic assistance in a manner that
20 will most effectively contribute to the long-term eco-
21 nomic strength of each nation;

22 (D) the status of privatization in recipient
23 countries and an examination of how United States
24 assistance is being used to advance that goal; and

1 (E) a list of countries in which a shift of United
2 States military assistance to United States economic
3 assistance would be feasible and desirable because
4 they face a minimal military threat or do not face
5 a military threat posed by countries on the terrorism
6 list of the Secretary of State.

7 (c) CLASSIFIED ANNEX.—To ensure a complete anal-
8 ysis of military threats facing those countries receiving
9 United States assistance, the report may include a classi-
10 fied annex if necessary.

11 **SEC. 114. ASSISTANCE TO PROMOTE CONFLICT RESOLU-**
12 **TION.**

13 (a) FINDINGS.—Congress finds that—

14 (1) ethnic conflict in the former Yugoslavia,
15 Eastern Europe, the former Soviet Union, the Mid-
16 dle East, and other critically important regions of
17 the world poses an enormous barrier to democratiza-
18 tion and sustainable development, as well as a direct
19 threat to international security;

20 (2) such circumstances are often characterized
21 by a basic deficiency of available mechanisms and
22 facilities to promote the human contacts, delibera-
23 tions, and negotiations necessary for conflict resolu-
24 tion; and

1 (3) where such mechanisms and facilities can be
2 brought into being through the assistance and good
3 offices of the United States Government, such ef-
4 forts may prove highly cost-effective in promoting
5 United States national security interests.

6 (b) POLICY.—Congress urges the President to direct
7 the foreign affairs agencies of the United States, including
8 the Agency for International Development and the United
9 States Information Agency, to develop programs and allo-
10 cate resources to provide assistance of the kind described
11 in subsection (a).

12 (c) REPORT.—Not later than March 1, 1994, the Ad-
13 ministrator of the Agency for International Development
14 shall submit to the Speaker of the House of Representa-
15 tives and the Chairman of the Committee on Foreign Re-
16 lations of the Senate a report—

17 (1) analyzing the potential for programs to pro-
18 vide the kind of assistance described in subsection
19 (a); and

20 (2) describing any actions undertaken by the
21 Agency for International Development and other
22 agencies to provide such assistance.

1 **SEC. 115. INSPECTOR GENERAL OF THE AGENCY FOR**
2 **INTERNATIONAL DEVELOPMENT.**

3 Section 8A of the Inspector General Act of 1978 (5
4 U.S.C. App. 3) is amended—

5 (1) by redesignating subsection (h) as sub-
6 section (i); and

7 (2) by inserting after subsection (g) the follow-
8 ing:

9 “(h) The Inspector General of the Agency for Inter-
10 national Development shall serve a term of 6 years and
11 may be reappointed in accordance with section 3(a) of this
12 Act.”.

13 **SEC. 116. REPEAL OF OBSOLETE PROVISIONS OF LAW.**

14 (a) REPEAL OF PROVISIONS FROM PRIOR FOREIGN
15 ASSISTANCE ACTS.—The following provisions of law are
16 hereby repealed:

17 (1) 1986 ASSISTANCE ACT.—The Special For-
18 eign Assistance Act of 1986, except for section 1,
19 title I, and section 204.

20 (2) 1985 ASSISTANCE ACT.—The International
21 Security and Development Cooperation Act of 1985,
22 except for section 1, section 131, section 132, sec-
23 tion 202(c), section 203(b), section 305, section 502,
24 section 504, section 505, part B of title V (other
25 than section 558 and section 559), section 803, sec-

1 tion 904, section 906, section 1302, and section
2 1303.

3 (3) 1985 JORDAN SUPPLEMENTAL ACT.—The
4 Jordan Supplemental Economic Assistance Author-
5 ization Act of 1985.

6 (4) 1985 AFRICAN FAMINE ACT.—The African
7 Famine Relief and Recovery Act of 1985.

8 (5) 1983 ASSISTANCE ACT.—The International
9 Security and Development Assistance Authorizations
10 Act of 1983.

11 (6) 1983 LEBANON ASSISTANCE ACT.—The
12 Lebanon Emergency Assistance Act of 1983.

13 (7) 1981 ASSISTANCE ACT.—The International
14 Security and Development Cooperation Act of 1981,
15 except for sections 1, 709, 712, 714, 735, and 737.

16 (8) 1980 ASSISTANCE ACT.—The International
17 Security and Development Cooperation Act of 1980,
18 except for sections 1, 110, 315, and 408, and title
19 V.

20 (9) 1979 DEVELOPMENT ASSISTANCE ACT.—
21 The International Development Cooperation Act of
22 1979.

23 (10) 1979 SECURITY ASSISTANCE ACT.—The
24 International Security Assistance Act of 1979.

1 (11) 1979 SPECIAL SECURITY ASSISTANCE
2 ACT.—The Special International Security Assistance
3 Act of 1979, except for sections 1 and 10.

4 (12) 1978 DEVELOPMENT ASSISTANCE ACT.—
5 The International Development and Food Assistance
6 Act of 1978, except for section 1, title IV, and sec-
7 tion 603(a)(2).

8 (13) 1978 SECURITY ASSISTANCE ACT.—The
9 International Security Assistance Act of 1978.

10 (14) 1977 DEVELOPMENT ASSISTANCE ACT.—
11 The International Development and Food Assistance
12 Act of 1977, except for sections 1, 132, and 133.

13 (15) 1977 SECURITY ASSISTANCE ACT.—The
14 International Security Assistance Act of 1977.

15 (16) 1976 SECURITY ASSISTANCE ACT.—The
16 International Security Assistance and Arms Export
17 Control Act of 1976, except for sections 1, 201(b),
18 212(b), 601, and 608.

19 (17) 1975 DEVELOPMENT ASSISTANCE ACT.—
20 The International Development and Food Assistance
21 Act of 1975.

22 (18) 1974 ASSISTANCE ACT.—The Foreign As-
23 sistance Act of 1974.

24 (19) 1973 EMERGENCY ASSISTANCE ACT.—The
25 Emergency Security Assistance Act of 1973.

1 (20) 1973 ASSISTANCE ACT.—The Foreign As-
2 sistance Act of 1973.

3 (21) 1971 ASSISTANCE ACT.—The Foreign As-
4 sistance Act of 1971.

5 (22) 1971 SPECIAL ASSISTANCE ACT.—The
6 Special Foreign Assistance Act of 1971, except for
7 sections 1 and 7.

8 (23) 1971 FMS ACT.—The Act entitled “An Act
9 to amend the Foreign Military Sales Act, and for
10 other purposes”, approved January 12, 1971 (Public
11 Law 91–672), except for sections 8(d), 10, 11, 12,
12 and 13.

13 (b) PROVISIONS OF THE FOREIGN ASSISTANCE ACT
14 OF 1961.—The following provisions of the Foreign Assist-
15 ance Act of 1961 are repealed: section 120, title I of chap-
16 ter 2 of part I, section 219, section 494, section 495B
17 through 495G, section 495I, and section 611.

18 (c) REPEAL OF UNNECESSARY REPORTING RE-
19 QUIREMENTS.—The following provisions of law are hereby
20 repealed:

21 (1) Section 45(b–c) of the Bretton Woods
22 Agreement Act (22 U.S.C. 286cc(b)), relating to
23 loans by the International Monetary Fund to coun-
24 tries having high debt service ratios.

1 (2) Section 49(c)(2) of the Bretton Woods
2 Agreement Act (22 U.S.C. 286gg(c)(2)), relating to
3 trade and investment practices and to International
4 Monetary Fund programs.

5 (3) Section 3 of the joint resolution entitled
6 “Joint resolution to promote peace and stability in
7 the Middle East”, approved March 9, 1957 (Public
8 Law 85–7), relating to Eisenhower Doctrine funds
9 for fiscal year 1959.

10 (4) Section 39(d)(1) of the Arms Export Con-
11 trol Act (22 U.S.C. 2779), relating to verification of
12 arms control agreements.

13 (5) Section 53(b) of the Arms Export Control
14 Act (22 U.S.C. 2795(b)), relating to special defense
15 acquisition fund—likely procurement.

16 (6) Section 702 of the Support for East Euro-
17 pean Democracy (SEED) Act of 1989 (22 U.S.C.
18 5472), relating to confidence-building measures by
19 Poland and Hungary.

20 (7) Section 705 of the Support for East Euro-
21 pean Democracy (SEED) Act of 1989 (22 U.S.C.
22 5475), relating to report on espionage activities.

23 (8) Section 2(b) (1) and (2) of the Authoriza-
24 tion for Use of Military Force Against Iraq Resolu-

1 tion (105 Stat. 3), relating to the determination to
2 use military force against Iraq.

3 (9) Section 1310(c) of the National Defense
4 Authorization Act, Fiscal Year 1989 (Public Law
5 100–456), relating to human rights abuses and di-
6 versions of humanitarian assistance by the Govern-
7 ment of Ethiopia.

8 (d) SAVINGS PROVISION.—The repeal by this Act of
9 any provision of law that amended or repealed another
10 provision of law does not affect in any way that amend-
11 ment or repeal.

12 **TITLE II—BILATERAL ECONOMIC**
13 **AND DEVELOPMENT ASSIST-**
14 **ANCE**

15 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

16 (a) AUTHORIZATION.—There are authorized to be ap-
17 propriated for fiscal year 1994 the following amounts for
18 the following purposes:

19 (1) DEVELOPMENT ASSISTANCE.—In addition
20 to funds otherwise available for such purposes,
21 \$921,480,000 to carry out the purposes of section
22 103 of the Foreign Assistance Act of 1961 (as
23 amended by this Act), which funds are authorized to
24 remain available until expended.

1 (2) POPULATION ASSISTANCE.—In addition to
2 funds otherwise available for such purposes,
3 \$400,000,000 to carry out section 103(a)(2)(A) of
4 the Foreign Assistance Act of 1961 (as amended by
5 this Act), which funds are authorized to remain
6 available until expended.

7 (3) DEVELOPMENT FUND FOR AFRICA.—
8 \$800,000,000 to carry out chapter 10 of part I of
9 the Foreign Assistance Act of 1961.

10 (4) INTERNATIONAL DISASTER ASSISTANCE.—
11 \$148,965,000 to carry out section 491 of the For-
12 eign Assistance Act of 1961. Of this amount, the
13 Congress expects that not less than \$100,000,000
14 will be made available for sub-Saharan Africa.

15 (5) AMERICAN SCHOOLS AND HOSPITALS
16 ABROAD.—\$35,000,000 to carry out section 214 of
17 the Foreign Assistance Act of 1961. If funds are not
18 specifically appropriated to carry out section 214,
19 then up to \$35,000,000 of the total amount of funds
20 made available to carry out section 103 and chapter
21 4 of part II of the Foreign Assistance Act of 1961
22 may be made available for the same purposes for
23 which funds are authorized by section 214.

24 (6) ASSISTANCE FOR EASTERN EUROPE AND
25 THE BALTIC STATES.—\$408,951,000 for Eastern

1 Europe and the Baltic states under the Foreign As-
2 sistance Act of 1961 and the Support for East Eu-
3 ropean Democracy (SEED) Act of 1989.

4 (7) ASSISTANCE FOR THE INDEPENDENT
5 STATES OF THE FORMER SOVIET UNION.—
6 \$903,820,000 to carry out chapter 11 of part I of
7 the Foreign Assistance Act of 1961 and the Free-
8 dom for Russia and Emerging Eurasian Democ-
9 racies and Open Markets (FREEDOM) Support Act
10 of 1992.

11 (8) INTERNATIONAL FUND FOR IRELAND.—
12 \$20,000,000 for the United States contribution to
13 the International Fund for Ireland in accordance
14 with the Anglo-Irish Agreement Support Act of
15 1986.

16 (9) MULTILATERAL ASSISTANCE INITIATIVE
17 FOR THE PHILIPPINES.—\$40,000,000 for assistance
18 for the Philippines under chapter 4 of part I of the
19 Foreign Assistance Act of 1961.

20 (10) INTER-AMERICAN FOUNDATION.—
21 \$30,960,000 to carry out section 401 of the Foreign
22 Assistance Act of 1969.

23 (11) AFRICAN DEVELOPMENT FOUNDATION.—
24 \$16,905,000 to carry out the African Development
25 Foundation Act.

1 (12) PEACE CORPS.—\$219,745,000 to carry
 2 out the Peace Corps Act, which are authorized to re-
 3 main available until September 30, 1995.

4 (b) RULE OF CONSTRUCTION.—In order to ensure
 5 that all otherwise applicable authorities, restrictions, and
 6 other provisions of law apply with respect to the amounts
 7 that are authorized to be appropriated by this Act for fis-
 8 cal year 1994, those amounts shall be deemed to be au-
 9 thorized to be appropriated by the provision of the Foreign
 10 Assistance Act of 1961 or other Act that provided the cor-
 11 responding authorization of appropriations for prior fiscal
 12 years.

13 **SEC. 202. SPECIAL DEBT REDUCTION AUTHORITY.**

14 (a) GENERAL AUTHORITY.—The Foreign Assistance
 15 Act of 1961 is amended by inserting at the end of part
 16 I the following new chapter:

17 **“CHAPTER 12—SPECIAL DEBT REDUCTION**
 18 **AUTHORITY**

19 **“SEC. 499. SPECIAL DEBT REDUCTION AUTHORITY.**

20 “(a) AUTHORITY TO REDUCE DEBT.—The President
 21 may reduce amounts owed to the United States (or any
 22 agency of the United States) by an eligible country as a
 23 result of—

24 “(1) guarantees issued under sections 221 and
 25 222 of the Foreign Assistance Act of 1961;

1 “(2) credits extended or guarantees issued
2 under the Arms Export Control Act; or

3 “(3) loans or guarantees made pursuant to the
4 Export-Import Bank Act of 1945.

5 “(b) LIMITATIONS.—(1) The authority provided by
6 this section may be exercised only to implement multilat-
7 eral official debt relief ad referendum agreements com-
8 monly referred to as ‘Paris Club Agreed Minutes’.

9 “(2) The authority provided by this section may be
10 exercised only in such amounts or to such extent as is pro-
11 vided in advance in appropriations Acts.

12 “(3) The authority provided by this section may be
13 exercised only with respect to countries with heavy debt
14 burdens that are eligible to borrow from the International
15 Development Association but not from the International
16 Bank for Reconstruction and Development (commonly re-
17 ferred to as ‘IDA-only countries’).

18 “(c) ELIGIBILITY.—The authority provided by this
19 section may be exercised only with respect to a country—

20 “(1) whose government is making reasonable
21 progress toward democracy;

22 “(2) whose government has not repeatedly pro-
23 vided support for acts of international terrorism;

24 “(3) whose government is not failing to cooper-
25 ate on international narcotics control matters; and

1 “(4) whose government (including its military
2 or other security forces) does not engage in a con-
3 sistent pattern of gross violations of internationally
4 recognized human rights.

5 “(d) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-
6 duction of debt pursuant to this section shall not be con-
7 sidered assistance for purposes of any provision of law lim-
8 iting assistance to a country.”.

9 (b) AUTHORIZATION OF APPROPRIATIONS.—For debt
10 reduction pursuant to this section, there are authorized
11 to be appropriated to the President \$7,000,000 for fiscal
12 year 1994, to be available until expended.

13 **SEC. 203. MICROENTERPRISE DEVELOPMENT.**

14 Chapter 2 of part I of the Foreign Assistance Act
15 of 1961 is amended by adding after title V the following
16 new title:

17 **“TITLE VI—MICROENTERPRISE**
18 **DEVELOPMENT**

19 **“SEC. 251. MICROENTERPRISE DEVELOPMENT.**

20 “(a) CENTRALLY MANAGED FUND.—

21 “(1) ESTABLISHMENT AND MANAGEMENT.—

22 The Administrator of the agency primarily respon-
23 sible for administering this part shall establish with-
24 in the agency a centrally managed fund to be known
25 as the Microenterprise Development Fund (hereafter

1 in this section referred to as the ‘Fund’). The Fund
2 shall be managed by the office in that agency that
3 has primary responsibility for working with private
4 and voluntary organizations.

5 “(2) DISBURSEMENTS THROUGH THE FUND.—

6 All funds made available to carry out this part that
7 are used to promote microenterprise development
8 shall be disbursed through the Fund.

9 “(b) ACTIVITIES TO BE SUPPORTED.—The Fund
10 shall be used to support—

11 “(1) the institutional development of the orga-
12 nizations described in subsection (c);

13 “(2) the provision of microenterprise credit and
14 related technical assistance through the organiza-
15 tions described in subsection (c); and

16 “(3) research on microenterprise development
17 and evaluation of microenterprise activities funded
18 under this section.

19 “(c) INTERMEDIARY ORGANIZATIONS.—Funds dis-
20 bursed through the Fund shall be channeled primarily
21 through—

22 “(1) United States and indigenous private and
23 voluntary organizations,

24 “(2) United States and indigenous credit union
25 organizations, and

1 “(3) other indigenous governmental and non-
2 governmental organizations,
3 that have demonstrated a capacity to develop sustainable
4 microenterprise service institutions.

5 “(d) ALLOCATION OF FUNDS.—(1)(A)(i) Of amounts
6 disbursed through the Fund each fiscal year pursuant to
7 subsection (b)(2), at least 50 percent shall be used for pov-
8 erty lending.

9 “(ii) As used in this paragraph, the term ‘poverty
10 lending’ means a loan of \$300 or less or, in the case of
11 an initial loan, of \$150 or less.

12 “(B) The Administrator of the agency primarily re-
13 sponsible for administering this part shall seek to ensure
14 that not less than 60 percent of the borrowers of funds
15 disbursed through the Fund pursuant to subsection (b)(2)
16 are women.

17 “(2) Not more than 5 percent of funds disbursed
18 through the Fund each fiscal year may be used for re-
19 search and evaluation activities under subsection (b)(3).”.

20 **SEC. 204. CHILD SURVIVAL ACTIVITIES.**

21 The Congress expects that \$275,000,000 of the funds
22 made available for fiscal year 1994 to carry out part I
23 of the Foreign Assistance Act of 1961 will be used for
24 child survival activities in accordance with section
25 103(a)(2)(C) of that Act (as amended by this Act).

1 **SEC. 205. VITAMIN A DEFICIENCY PROGRAM.**

2 The Congress expects that \$25,000,000 of the funds
3 made available for fiscal year 1994 to carry out part I
4 of the Foreign Assistance Act of 1961 will be made avail-
5 able for the Vitamin A Deficiency Program and activities
6 relating to deficiencies of other micronutrients.

7 **SEC. 206. HOUSING GUARANTEE PROGRAM.**

8 (a) COST OF GUARANTEED LOANS.—There are au-
9 thorized to be appropriated to the President \$16,407,000
10 for fiscal year 1994 for the cost (as defined in section
11 502(5) of the Federal Credit Reform Act of 1990) of guar-
12 anteed loans under sections 221 and 222 of the Foreign
13 Assistance Act of 1961.

14 (b) PROGRAM LIMITATION.—Section 222(a) of that
15 Act (22 U.S.C. 2182(a)) is amended by striking
16 “\$2,558,000,000” in the second sentence and inserting
17 “\$2,800,000,000”.

18 (c) PROGRAM EXPIRATION DATE.—Section 222(a) of
19 that Act (22 U.S.C. 2182(a)) is amended in the third sen-
20 tence by striking “1992” and inserting “1994”.

21 (d) ADMINISTRATIVE EXPENSES.—(1)(A) There are
22 authorized to be appropriated to the President \$8,407,000
23 for fiscal year 1994 for administrative expenses to carry
24 out guaranteed loan programs under sections 221 and 222
25 of the Foreign Assistance Act of 1961.

1 (B) Amounts authorized to be appropriated under
2 this paragraph are authorized to remain available until
3 expended.

4 (2) Amounts made available under this subsection
5 may be transferred to, merged with, and used for the same
6 purposes as, appropriations made pursuant to section 667
7 of the Foreign Assistance Act of 1961 (relating to operat-
8 ing expenses of the agency primarily responsible for ad-
9 ministering part I of that Act).

10 **SEC. 207. DEVELOPMENT EDUCATION PROGRAMS.**

11 Section 123 of the Foreign Assistance Act of 1961
12 (22 U.S.C. 2151u) is amended by adding at the end the
13 following new subsection:

14 “(i) DEVELOPMENT EDUCATION PROGRAMS.—The
15 Administrator of the agency primarily responsible for ad-
16 ministering this part is authorized to support fully and
17 encourage development education programs. Private and
18 voluntary organizations and cooperatives can play an im-
19 portant and catalytic role in development education to in-
20 form, motivate, and involve United States citizens in pro-
21 grams about developing countries or in the development
22 process. Such programs—

23 “(1) increase the understanding of Americans
24 about the importance of the developing world;

1 “(2) transfer factual information on global, so-
2 cial, economic, and political structures and problems;
3 and

4 “(3) foster understanding of development as a
5 process that involves all nations.”.

6 **SEC. 208. EXEMPTION FROM RESTRICTIONS OF ASSIST-**
7 **ANCE THROUGH NONGOVERNMENTAL ORGA-**
8 **NIZATIONS.**

9 Chapter 1 of part III of the Foreign Assistance Act
10 of 1961 is amended by inserting before section 620 the
11 following:

12 **“SEC. 619. EXEMPTION FROM RESTRICTIONS OF ASSIST-**
13 **ANCE THROUGH NONGOVERNMENTAL ORGA-**
14 **NIZATIONS.**

15 “(a) FINDINGS.—The Congress finds that assistance
16 provided through nongovernmental organizations, such as
17 assistance that directly benefits poor people or directly
18 promotes increased respect for human rights, should not
19 be affected by prohibitions of assistance to governments.
20 The President should consult closely with Congress when
21 assistance is provided under this section, particularly if
22 assistance is provided to countries which fail to meet the
23 conditions for the provision of assistance under this Act
24 relating to human rights, support for international terror-
25 ism, or counternarcotics cooperation.

1 “(b) PRESIDENTIAL DETERMINATION.—If the Presi-
2 dent determines that it is in the interest of the United
3 States to do so, and notifies the appropriate congressional
4 committees in accordance with subsection (d), the Presi-
5 dent may provide assistance under chapter 1 or chapter
6 10 of part I of this Act through nongovernmental organi-
7 zations to the people of a country that would otherwise
8 be restricted from receiving assistance under this Act.

9 “(c) CRITERIA.—In making such a determination,
10 the President shall take into consideration whether assist-
11 ance for programs of nongovernmental organizations
12 would directly benefit poor people, would directly promote
13 increased respect for human rights and the development
14 of democracy, or otherwise would be in the national inter-
15 est of the United States.

16 “(d) NOTICE TO CONGRESS.—At least 15 days in ad-
17 vance of using the authority of this section to furnish as-
18 sistance in support of the programs of nongovernmental
19 organizations, the President shall notify the appropriate
20 congressional committees in accordance with procedures
21 applicable to reprogramming notifications under section
22 634A of this Act. Such notification shall include a descrip-
23 tion of the program to be assisted, the assistance to be
24 provided, and the reasons for furnishing such assistance.”.

1 **SEC. 209. CONSULTATIONS WITH PRIVATE AND VOLUNTARY**
2 **ORGANIZATIONS.**

3 Section 123(a) of the Foreign Assistance Act of 1961
4 (22 U.S.C. 2151u(a)) is amended by striking the last sen-
5 tence and inserting in lieu thereof the following: “The
6 Congress urges the Administrator of the agency primarily
7 responsible for implementing this part to establish a mech-
8 anism for ensuring the participation of the rural and
9 urban poor, including women, in the planning process for
10 project and program assistance under this part. Such
11 mechanism should provide for close consultations with
12 United States-based private and voluntary organizations
13 as well as local, indigenous nongovernmental organizations
14 that have demonstrated effectiveness in or commitment to
15 the promotion of long-term development. The Congress
16 further urges that the Administrator establish simplified
17 procedures for the development and approval of programs
18 to be carried out by such private and voluntary organiza-
19 tions and cooperatives.”.

20 **SEC. 210. OPERATING EXPENSES, AGENCY FOR INTER-**
21 **NATIONAL DEVELOPMENT.**

22 Section 667(a) of the Foreign Assistance Act of 1961
23 (22 U.S.C. 2427) is amended—

24 (1) by redesignating paragraph (2) as para-
25 graph (3); and

1 (2) by striking paragraph (1) and inserting in
2 lieu thereof the following:

3 “(1) \$512,000,000 for fiscal year 1994 for nec-
4 essary operating expenses of the agency primarily
5 responsible for administering part I of this Act;

6 “(2) \$39,916,000 for necessary operating ex-
7 penses of the Office of the Inspector General of the
8 agency primarily responsible for administering part
9 I of this Act; and”.

10 **TITLE III—SECURITY** 11 **ASSISTANCE**

12 **SEC. 301. AUTHORIZATION OF APPROPRIATIONS.**

13 (a) FOREIGN MILITARY FINANCING PROGRAM
14 GRANTS.—There are authorized to be appropriated for fis-
15 cal year 1994 the following amounts for the following
16 purposes:

17 (1) For Israel, \$1,800,000,000 for grants under
18 section 23 of the Arms Export Control Act, to be
19 disbursed within 30 days after the date of enactment
20 of the Foreign Operations, Export Financing, and
21 Related Programs Appropriations Act, 1994, or by
22 October 31, 1993, whichever is later. To the extent
23 that the Government of Israel requests that funds be
24 used for such purposes, up to \$150,000,000 of the
25 assistance provided to Israel under this paragraph

1 shall, as agreed by Israel and the United States, be
2 available for research and development in the United
3 States of advanced fighter aircraft programs or for
4 other advanced weapons systems, and \$475,000,000
5 of the assistance provided to Israel under this para-
6 graph shall be available for the procurement in Is-
7 rael of defense articles and defense services, includ-
8 ing research and development on such articles and
9 services.

10 (2) For Egypt, \$1,300,000,000 for grants
11 under section 23 of the Arms Export Control Act.

12 (3) For recipients or purposes other than those
13 specified in paragraphs (1) and (2), \$100,157,000
14 for grants under section 23 of the Arms Export
15 Control Act.

16 Funds made available under this subsection shall be
17 nonrepayable notwithstanding any requirement of section
18 23 of the Arms Export Control Act.

19 (b) FOREIGN MILITARY FINANCING PROGRAM
20 LOANS.—To subsidize obligations for the principal
21 amount of direct loans of \$450,000,000 for Turkey,
22 \$315,000,000 for Greece, and \$90,000,000 for Portugal,
23 there are authorized to be appropriated \$120,457,000 for
24 the cost (as defined in section 502(5) of the Federal Credit

1 Reform Act of 1990) of loans under section 23 of the
2 Arms Export Control Act.

3 (c) ECONOMIC SUPPORT FUND.—To carry out chap-
4 ter 4 of part II of the Foreign Assistance Act of 1961,
5 there are authorized to be appropriated to the President
6 the following amounts for the following purposes:

7 (1) For Israel, \$1,200,000,000, which amount
8 shall be made available on a grant basis as a cash
9 transfer and disbursed within 30 days after the date
10 of enactment of the Foreign Operations, Export Fi-
11 nancing, and Related Programs Appropriations Act,
12 1994, or by October 31, 1993, whichever is later.

13 (2) For Egypt, \$815,000,000.

14 (3) For Cyprus, \$15,000,000.

15 (4) For cooperative projects among the United
16 States, Israel, and developing countries, including
17 projects under the Cooperative Development Pro-
18 gram, cooperative development research projects,
19 and cooperative projects among the United States
20 and Israel and the countries of Eastern Europe, the
21 Baltic states, and the independent states of the
22 former Soviet Union, \$10,000,000.

23 (5) For Middle East regional cooperative pro-
24 grams carried out in accordance with section 202(c)

1 of the International Security and Development Co-
2 operation Act of 1985, \$7,000,000.

3 (6) For recipients or purposes other than those
4 specified in paragraphs (1) through (5) of this sub-
5 section, \$417,000,000.

6 (d) INTERNATIONAL MILITARY EDUCATION AND
7 TRAINING.—There are authorized to be appropriated to
8 the President for fiscal year 1994 \$40,500,000 to carry
9 out chapter 5 of part II of the Foreign Assistance Act
10 of 1961.

11 (e) ANTI-TERRORISM ASSISTANCE.—There are au-
12 thorized to be appropriated to the President for fiscal year
13 1994 \$15,555,000 to carry out chapter 8 of part II of
14 the Foreign Assistance Act of 1961.

15 (f) PEACEKEEPING OPERATIONS.—There are author-
16 ized to be appropriated to the President for fiscal year
17 1994 \$77,166,000 to carry out section 551 of the Foreign
18 Assistance Act of 1961.

19 (g) NONPROLIFERATION AND DISARMAMENT ACTIVI-
20 TIES.—There are authorized to be appropriated to the
21 President for fiscal year 1994 \$20,000,000 for the pur-
22 pose of promoting bilateral and multilateral nonprolifera-
23 tion and disarmament activities under subsections (a) and
24 (b) of section 504 of the FREEDOM Support Act, except
25 that such amounts shall be available for countries other

1 than the independent states of the former Soviet Union
 2 and for international organizations when it is in the na-
 3 tional security interest of the United States to do so.

4 **SEC. 302. SPECIAL DEFENSE ACQUISITION FUND.**

5 Notwithstanding section 51(b) of the Arms Export
 6 Control Act, collections described in that section that are
 7 in excess of obligational authority provided in foreign op-
 8 erations, export financing, and related appropriations Acts
 9 for the Special Defense Acquisition Fund of fiscal years
 10 before fiscal year 1994 shall be deposited in the Treasury
 11 of the United States as miscellaneous receipts.

12 **SEC. 303. ADDITIONS TO WAR RESERVE STOCKPILES FOR**
 13 **ALLIES.**

14 Section 514(b)(2) of the Foreign Assistance Act of
 15 1961 (22 U.S.C. 2321h(b)(2)) is amended—

16 (1) by inserting “(A)” immediately after “(2)”;
 17 and

18 (2) by adding at the end the following:

19 “(B)(i) Except as provided in clause (ii), the value
 20 of such additions to stockpiles in foreign countries in fiscal
 21 year 1994 shall not exceed \$72,000,000, which shall be
 22 available for stockpiles in the Republic of Korea.

23 “(ii) In addition, to the extent that the authority of
 24 subsection (b)(2)(A) has not been exercised with respect
 25 to Israel in fiscal year 1993, that authority may be exer-

1 cised during fiscal year 1994, except that the aggregate
 2 value of such additions for Israel in both such fiscal years
 3 may not exceed \$200,000,000. Defense articles having an
 4 aggregate value of not to exceed \$20,000,000 may be
 5 added to stockpiles in Thailand in fiscal years 1993 and
 6 1994.”.

7 **SEC. 304. ELIGIBILITY OF MAJOR NON-NATO ALLIES TO RE-**
 8 **CEIVE CERTAIN CONTRACT SERVICES IN**
 9 **CONNECTION WITH SALES OF DEFENSE ARTI-**
 10 **CLES AND DEFENSE SERVICES.**

11 (a) AUTHORIZATION.—Section 21(h) of the Arms Ex-
 12 port Control Act (22 U.S.C. 2761) is amended—

13 (1) in paragraph (1)(A), by inserting “or which
 14 is a major non-NATO ally” after “Treaty Organiza-
 15 tion”;

16 (2) in paragraph (2), by striking “if that Orga-
 17 nization or member government” and inserting “or
 18 to any major non-NATO ally, if that Organization,
 19 member government, or major non-NATO ally”; and

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

21 “(3) As used in this subsection, the term ‘major
 22 non-NATO ally’ has the meaning given such term in
 23 section 2350a(i)(3) of title 10, United States
 24 Code.”.

1 (b) EFFECTIVE DATE.—Notwithstanding section
 2 21(h)(1) of that Act, the amendment made by subsection
 3 (a)(1) applies with respect to contracts and subcontracts
 4 entered into on or after the date of enactment of this Act.

5 (c) LIMITATIONS.—The authority provided by this
 6 section may be exercised only in such amounts or to such
 7 extent as is provided in advance in appropriations Acts.

8 **SEC. 305. EXCESS DEFENSE ARTICLES.**

9 Section 516 of the Foreign Assistance Act of 1961
 10 (22 U.S.C. 2321j) is amended—

11 (1) by striking out the last sentence of sub-
 12 section (a); and

13 (2) by adding at the end the following new sub-
 14 section:

15 “(g) MAINTENANCE OF MILITARY BALANCE IN THE
 16 EASTERN MEDITERRANEAN.—

17 “(1) UNITED STATES POLICY.—Excess defense
 18 articles made available under this section and sec-
 19 tion 519 shall be provided consistent with the United
 20 States policy, established in section 620C of this
 21 Act, of maintaining the military balance in the East-
 22 ern Mediterranean.

23 “(2) MAINTENANCE OF BALANCE.—Accord-
 24 ingly, the President shall ensure that, during the 4-

1 year period beginning on October 1, 1992, the ratio
2 of—

3 “(A) the value of excess defense articles
4 made available for Turkey under this section, to

5 “(B) the value of excess defense articles
6 made available for Greece under this section,

7 closely approximates the ratio of—

8 “(i) the amount of foreign military financ-
9 ing provided for Turkey, to

10 “(ii) the amount of foreign military financ-
11 ing provided for Greece.

12 “(3) EXCEPTION TO REQUIREMENT.—This sub-
13 section shall not apply if Greece or Turkey ceases to
14 be eligible to receive excess defense articles under
15 this section and section 519.

16 “(4) DEFINITION.—As used in this subsection,
17 the term ‘made available’ means a good faith offer
18 is made by the United States to furnish the excess
19 defense articles to a country.”.

20 **SEC. 306. STANDARDIZING CONGRESSIONAL REVIEW PRO-**
21 **CEDURES FOR ARMS TRANSFERS.**

22 (a) THIRD COUNTRY TRANSFERS UNDER FMS
23 SALES.—Section 3(d)(2) of the Arms Export Control Act
24 (22 U.S.C. 2753(d)(2)) is amended—

1 (1) in subparagraph (A), by striking out “, as
2 provided for in sections 36(b)(2) and 36(b)(3) of
3 this Act”;

4 (2) in subparagraph (B), by striking out “law”
5 and inserting in lieu thereof “joint resolution”; and

6 (3) by adding at the end the following new sub-
7 paragraph:

8 “(C) If the President states in his certifi-
9 cation under subparagraph (A) or (B) that an
10 emergency exists which requires that consent to
11 the proposed transfer become effective imme-
12 diately in the national security interests of the
13 United States, thus waiving the requirements of
14 that subparagraph, the President shall set forth
15 in the certification a detailed justification for
16 his determination, including a description of the
17 emergency circumstances which necessitate im-
18 mediate consent to the transfer and a discus-
19 sion of the national security interests involved.

20 “(D)(i) Any joint resolution under this
21 paragraph shall be considered in the Senate in
22 accordance with the provisions of section 601(b)
23 of the International Security Assistance and
24 Arms Export Control Act of 1976.

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

8 (b) THIRD COUNTRY TRANSFERS UNDER COMMER-
9 CIAL SALES.—Section 3(d)(3) of that Act (22 U.S.C.
10 2753(d)(3)) is amended—

11 (1) by inserting “(A)” after “(3)”;

12 (2) in the first sentence—

13 (A) by striking out “at least 30 calendar
14 days”, and

15 (B) by striking out “report” and inserting
16 in lieu thereof “certification”;

17 (3) by striking out the last sentence and insert-
18 ing in lieu thereof the following: “Such certification
19 shall be submitted—

20 “(i) at least 15 calendar days before such
21 consent is given in the case of a transfer to a
22 country which is a member of the North Atlan-
23 tic Treaty Organization or Australia, Japan, or
24 New Zealand; and

1 “(ii) at least 30 calendar days before such
2 consent is given in the case of a transfer to any
3 other country,
4 unless the President states in his certification that
5 an emergency exists which requires that consent to
6 the proposed transfer become effective immediately
7 in the national security interests of the United
8 States. If the President states in his certification
9 that such an emergency exists (thus waiving the re-
10 quirements of clause (i) or (ii), as the case may be,
11 and of subparagraph (B)) the President shall set
12 forth in the certification a detailed justification of
13 his determination, including a description of the
14 emergency circumstances which necessitate that con-
15 sent to the proposed transfer become effective imme-
16 diately and a discussion of the national security in-
17 terests involved.”; and

18 (4) by adding at the end the following:

19 “(B) Consent to a transfer subject to subparagraph
20 (A) shall become effective after the end of the 15-day or
21 30-day period specified in subparagraph (A) (i) or (ii), as
22 the case may be, only if the Congress does not enact, with-
23 in that period, a joint resolution prohibiting the proposed
24 transfer.

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

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

11 (c) COMMERCIAL SALES.—Section 36(c)(2) of that
12 Act (22 U.S.C. 2776(c)(2)) is amended by amending sub-
13 paragraphs (A) and (B) to read as follows:

14 “(A) in the case of a license for an export
15 to the North Atlantic Treaty Organization, any
16 member country of that Organization, or Aus-
17 tralia, Japan, or New Zealand, shall not be is-
18 sued until at least 15 calendar days after the
19 Congress receives such certification, and shall
20 not be issued then if the Congress, within that
21 15-day period, enacts a joint resolution prohib-
22 iting the proposed export; and

23 “(B) in the case of any other license, shall
24 not be issued until at least 30 calendar days
25 after the Congress receives such certification,

1 and shall not be issued then if the Congress,
2 within that 30-day period, enacts a joint resolu-
3 tion prohibiting the proposed export.”.

4 (d) COMMERCIAL MANUFACTURING AGREEMENTS.—
5 Section 36(d) of that Act (22 U.S.C. 2776(d)) is amend-
6 ed—

7 (1) by inserting “(1)” after “(d)”;

8 (2) by striking out “for or in a country not a
9 member of the North Atlantic Treaty Organization”;
10 and

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

12 “(2) A certification under this subsection shall
13 be submitted—

14 “(A) at least 15 days before approval is
15 given in the case of an agreement for or in a
16 country which is a member of the North Atlan-
17 tic Treaty Organization, Australia, Japan, or
18 New Zealand; and

19 “(B) at least 30 days before approval is
20 given in the case of an agreement for or in any
21 other country,

22 unless the President states in his certification that
23 an emergency exists which requires the immediate
24 approval of the agreement in the national security
25 interests of the United States.

1 “(3) If the President states in his certification
2 that an emergency exists which requires the imme-
3 diate approval of the agreement in the national secu-
4 rity interests of the United States, thus waiving the
5 requirements of paragraph (4), he shall set forth in
6 the certification a detailed justification for his deter-
7 mination, including a description of the emergency
8 circumstances which necessitate the immediate ap-
9 proval of the agreement and a discussion of the na-
10 tional security interests involved.

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

17 “(5)(A) Any joint resolution under paragraph
18 (4) shall be considered in the Senate in accordance
19 with the provisions of section 601(b) of the Inter-
20 national Security Assistance and Arms Export Con-
21 trol Act of 1976.

22 “(B) For the purpose of expediting the consid-
23 eration and enactment of joint resolutions under
24 paragraph (4), a motion to proceed to the consider-
25 ation of any such joint resolution after it has been

1 reported by the appropriate committee shall be
2 treated as highly privileged in the House of Rep-
3 resentatives.”.

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

5 (1) CONGRESSIONAL REVIEW PERIOD.—Section
6 62 of that Act (22 U.S.C. 2796a) is amended—

7 (A) in subsection (a), by striking out “Not
8 less than 30 days before” and inserting in lieu
9 thereof “Before”;

10 (B) in subsection (b)—

11 (i) by striking out “determines, and
12 immediately reports to the Congress” and
13 inserting in lieu thereof “states in his cer-
14 tification”; and

15 (ii) by adding at the end the following
16 new sentence: “If the President states in
17 his certification that such an emergency
18 exists, he shall set forth in the certification
19 a detailed justification for his determina-
20 tion, including a description of the emer-
21 gency circumstances which necessitate that
22 the lease be entered into immediately and
23 a discussion of the national security inter-
24 ests involved.”; and

1 (C) by adding at the end the following new
2 subsection:

3 “(c) The certification required by subsection (a) shall
4 be transmitted—

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

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

14 (2) CONGRESSIONAL REVIEW.—Section 63(a) of
15 that Act (22 U.S.C. 2796b) is amended—

16 (A) by striking out “(a)(1)” and inserting
17 in lieu thereof “(a)”;

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

24 (C) by striking out paragraph (2).

1 (f) EFFECTIVE DATE.—The amendments made by
2 this section shall apply with respect to certifications re-
3 quired to be submitted on or after the effective date of
4 those amendments.

5 **SEC. 307. CLASSIFICATION OF NOTIFICATIONS.**

6 (a) GOVERNMENT SALES.—Section 36(b)(1) of the
7 Arms Export Control Act (22 U.S.C. 2776(b)(1)) is
8 amended in the text below subparagraph (P)—

9 (1) by striking out “the information specified in
10 clause (ii) and”; and

11 (2) by inserting after the end of the first sen-
12 tence (as amended by paragraph (1)) the following
13 new sentence: “In every event, however, the descrip-
14 tion required by clause (iii) shall be unclassified with
15 respect to the quantity and the general characteris-
16 tics of the defense article or defense service offered
17 or sold, as the case may be.”.

18 (b) COMMERCIAL SALES.—Section 36(c)(1) of the
19 Arms Export Control Act (22 U.S.C. 2776(c)(1)) is
20 amended—

21 (1) in the last sentence, by striking out “the in-
22 formation specified in clause (B) and”; and

23 (2) by adding at the end the following new sen-
24 tence: “In every event, however, the description re-
25 quired by subparagraph (C) shall be unclassified

1 with respect to the quantity and the general charac-
2 teristics of the defense article or defense service of-
3 fered or sold, as the case may be.”.

4 **SEC. 308. REPORTS UNDER THE ARMS EXPORT CONTROL**
5 **ACT.**

6 (a) QUARTERLY REPORTS.—Section 36(a) of the
7 Arms Export Control Act (22 U.S.C. 2776(a)) is amend-
8 ed—

9 (1) by striking “and” at the end of paragraph
10 (10);

11 (2) by striking the period at the end of para-
12 graph (11) and inserting “; and”; and

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

15 “(12) a listing of all offset agreements proposed
16 to be entered into in connection with the sale of any
17 defense article or defense service.”.

18 (b) NUMBERED CERTIFICATIONS WITH RESPECT
19 TO GOVERNMENT-TO-GOVERNMENT SALES.—Section
20 36(b)(1) of the Arms Export Control Act (22 U.S.C.
21 2776(b)(1)) is amended after the second sentence by in-
22 serting the following new sentence: “Each such numbered
23 certification shall contain a description of any offset agree-
24 ment proposed to be entered into in connection with such
25 letter of offer to sell.”.

1 (c) NUMBERED CERTIFICATIONS WITH RESPECT TO
2 COMMERCIAL EXPORTS.—Section 36(c)(1) of the Arms
3 Export Control Act (22 U.S.C. 2776(c)(1)) is amended
4 after the first sentence by inserting the following new sen-
5 tence: “Each such numbered certification shall also con-
6 tain a description of any offset agreement proposed to be
7 entered into in connection with such export.”.

8 (d) DEFINITIONS.—Section 36 of the Arms Export
9 Control Act (22 U.S.C. 2776) is amended by adding at
10 the end the following:

11 “(e) For purposes of this section—

12 “(1) the term ‘offset agreement’ means an
13 agreement, arrangement, or understanding between
14 a United States supplier of defense articles or de-
15 fense services and a foreign country under which the
16 supplier agrees to purchase or acquire, or to pro-
17 mote the purchase or acquisition by other United
18 States persons of, goods or services produced, manu-
19 factured, grown, or extracted, in whole or in part, in
20 that foreign country in consideration for the pur-
21 chase by the foreign country of defense articles or
22 defense service from the supplier; and

23 “(2) the term ‘United States person’ means—

24 “(A) an individual who is a national or
25 permanent resident alien of the United States;

1 “(B) any corporation, business association,
2 partnership, trust, or other juridical entity—

3 “(i) organized under the laws of the
4 United States or any State, district, terri-
5 tory, or possession thereof; or

6 “(ii) owned or controlled in fact by in-
7 dividuals described in subparagraph (A);
8 and

9 “(C) the United States Government or any
10 agency or instrumentality thereof.”.

11 **SEC. 309. PROHIBITION ON THIRD PARTY INCENTIVE PAY-**
12 **MENTS UNDER THE ARMS EXPORT CONTROL**
13 **ACT.**

14 Section 39 of the Arms Export Control Act (22
15 U.S.C. 2779) is amended by adding at the end the follow-
16 ing new subsection:

17 “(e)(1) No sale may be made, no credits may be ex-
18 tended, no guarantees may be issued, and no licenses may
19 be approved under this Act with respect to the sale of any
20 defense article or defense service to a foreign country un-
21 less the United States supplier of such articles or services
22 first certifies that neither the supplier nor any employee,
23 agent, or subcontractor thereof will make any third-party
24 incentive payments for the purpose of satisfying, in whole
25 or in part, any offset agreement with that country.

1 “(2) For purposes of this subsection—

2 “(A) the term ‘offset agreement’ means an
3 agreement, arrangement, or understanding between
4 a United States supplier of defense articles or de-
5 fense services and a foreign country under which the
6 supplier agrees to purchase or acquire, or to pro-
7 mote the purchase or acquisition by other United
8 States persons of, goods or services produced, manu-
9 factured, grown, or extracted, in whole or in part, in
10 that foreign country in consideration for the pur-
11 chase by the foreign country of defense articles or
12 defense services from the supplier;

13 “(B) the term ‘third-party incentive payments’
14 means cash incentives, fees, or compensation of any
15 kind made by a United States supplier of defense ar-
16 ticles or defense services or by any employee, agent,
17 or subcontractor thereof to any other United States
18 person to induce that United States person to pur-
19 chase or acquire goods or services produced, manu-
20 factured, grown, or extracted, in whole or in part, in
21 the foreign country which is purchasing those de-
22 fense articles or services; and

23 “(C) the term ‘United States person’ means—

24 “(i) an individual who is a national or per-
25 manent resident alien of the United States;

“(ii) any corporation, business association,
partnership, trust, or other juridical entity—

“(I) organized under the laws of the
United States or any State, district, terri-
tory, or possession thereof; or

“(II) owned or controlled in fact by
individuals described in subparagraph (A);
and

“(iii) the United States Government or any
agency or instrumentality thereof.”.

SEC. 310. COPRODUCTION AGREEMENTS.

(a) QUARTERLY REPORTS ON COPRODUCTION
AGREEMENTS.—

(1) INFORMATION TO BE REPORTED.—Section
36(a) of the Arms Export Control Act (as amended
by this Act) (22 U.S.C. 2776(a)) is further amend-
ed—

(A) by striking out “and” at the end of
paragraph (11);

(B) by striking out the period at the end
of paragraph (12) and inserting in lieu thereof
“; and”; and

(C) by inserting at the end the following
new paragraph:

1 “(13) a report on all concluded government-to-
2 government agreements governing foreign
3 coproduction of defense articles of United States ori-
4 gin (including coproduction memoranda of under-
5 standing or agreement) that have not been pre-
6 viously reported under this paragraph, which shall
7 include—

8 “(A) the identity of the foreign countries
9 or international organizations involved;

10 “(B) a description and the estimated value
11 of the articles authorized to be produced, and
12 an estimate of the quantity of the articles au-
13 thorized to be produced;

14 “(C) a description of any restrictions on
15 third party transfers of the foreign-manufac-
16 tured articles; and

17 “(D) if any such agreement does not pro-
18 vide for United States access to and verification
19 of quantities of articles produced overseas and
20 their disposition in the coproducing country, a
21 description of alternative measures and controls
22 incorporated in the coproduction program to en-
23 sure compliance with restrictions in the agree-
24 ment on production quantities and third party
25 transfers.”.

1 (2) EFFECTIVE DATE.—The amendment made
 2 by paragraph (1)(C) does not apply with respect to
 3 agreements entered into before the date of enact-
 4 ment of this Act.

5 (b) SANCTIONS FOR UNAUTHORIZED THIRD COUN-
 6 TRY TRANSFERS OF COPRODUCED DEFENSE ARTI-
 7 CLES.—The Arms Export Control Act is amended by in-
 8 serting after section 31 the following new section:

9 **“SEC. 32. UNAUTHORIZED THIRD COUNTRY TRANSFERS OF**
 10 **DEFENSE ARTICLES COPRODUCED OR MANU-**
 11 **FACTURED UNDER LICENSE ABROAD.**

12 “(a) WHEN SANCTIONS REQUIRED.—The sanctions
 13 described in subsection (c) shall apply, in accordance with
 14 this section, if—

15 “(1) the foreign party to a coproduction agree-
 16 ment violates the restrictions in that agreement re-
 17 garding unauthorized third country or third party
 18 transfers or other unauthorized dispositions of—

19 “(A) defense articles produced under that
 20 agreement; or

21 “(B) technical data or defense services
 22 provided under that agreement; and

23 “(2) that violation is substantial (either in
 24 terms of quantities or in terms of the gravity of the
 25 consequences regardless of the quantities involved).

1 “(b) DETERMINATION REQUIRED.—The sanctions
2 described in this section shall apply if—

3 “(1) the President so determines and states in
4 writing to the Congress; or

5 “(2) the Congress enacts a bill or joint resolu-
6 tion stating that such sanctions shall apply.

7 “(c) SANCTIONS TO BE APPLIED.—If a determina-
8 tion is made under subsection (b)(1), or a bill or joint res-
9 olution is enacted pursuant to subsection (b)(2), with re-
10 spect to a foreign party to a coproduction agreement—

11 “(1) the authority or license to produce defense
12 articles abroad that is granted by all coproduction
13 agreements to which that foreign party is a party
14 shall be suspended during the sanction period; and

15 “(2) licenses may not be issued, and approval
16 may not be granted under section 38, with respect
17 to that foreign party during the sanction period.

18 “(d) SANCTION PERIOD.—As used in this section, the
19 term ‘sanction period’ means the period—

20 “(1) beginning on the date on which the Presi-
21 dent notifies the Congress that he has made a deter-
22 mination pursuant to subsection (b)(1) or on which
23 the Congress enacts a bill or joint resolution pursu-
24 ant to subsection (b)(2); and

1 “(2) ending on the date on which the President
2 reports to the Congress that—

3 “(A) the violation has ceased; and

4 “(B) the foreign party has given assur-
5 ances satisfactory to the President that such a
6 violation will not recur.

7 “(e) REPORT TO CONGRESS.—The President shall re-
8 port to the Congress promptly on the receipt of informa-
9 tion that a violation described in subsection (a) may have
10 occurred.

11 “(f) DEFINITIONS.—As used in this section—

12 “(1) the term ‘coproduction agreement’ means
13 an arrangement for foreign production of United
14 States origin defense articles—

15 “(A) that is authorized or approved by an
16 agreement entered into by a foreign government
17 and the United States Government pursuant to
18 authorities contained in this Act, the Foreign
19 Assistance Act of 1961, or predecessor legisla-
20 tion, or

21 “(B) that is pursuant to a manufacturing
22 license agreement approved under section 38 of
23 this Act; and

24 “(2) the term ‘foreign party’ means a foreign
25 government or foreign business entity that is grant-

1 ed authority or license to produce defense articles
2 abroad by a coproduction agreement.

3 “(g) EFFECTIVE DATE.—This section does not apply
4 to violations occurring before the effective date of this sec-
5 tion, but does apply with respect to all coproduction agree-
6 ments without regard to whether they were entered into
7 before or after that date.”.

8 (c) FINANCING FOR COPRODUCTION OR LICENSED
9 PRODUCTION.—Section 503 of the Foreign Assistance Act
10 of 1961 (22 U.S.C. 2311) is amended by adding at the
11 end the following new subsection:

12 “(d) FINANCING FOR COPRODUCTION OR LICENSED
13 PRODUCTION.—Assistance may not be furnished under
14 this chapter in any case involving coproduction or licensed
15 production outside the United States of any defense article
16 of United States origin unless the President furnishes full
17 information regarding the proposed transaction to the ap-
18 propriate congressional committees. Such information
19 shall be furnished before the coproduction or licensed pro-
20 duction arrangement is approved by the United States
21 Government or, if the decision to provide assistance is
22 made after the arrangement is approved, before the assist-
23 ance is furnished. Such information shall include—

1 “(1) a description of the defense article that
2 would be coproduced or produced under license out-
3 side the United States;

4 “(2) the estimated value of such coproduction
5 or licensed production; and

6 “(3) an analysis of the economic impact on the
7 United States of furnishing or not furnishing the
8 proposed assistance.”.

9 **SEC. 311. ARAB BOYCOTT.**

10 (a) PROHIBITION ON CERTAIN SALES AND
11 LEASES.—Defense articles and defense services may not
12 be sold or leased by the United States Government to any
13 country or international organization which as a matter
14 of policy or practice is known to have sent letters to
15 United States firms requesting compliance with, or solicit-
16 ing information regarding compliance with, the secondary
17 or tertiary Arab boycott, unless the President determines,
18 and reports to the relevant congressional committees, that
19 that country or organization does not now send such let-
20 ters as a matter of policy or practice.

21 (b) WAIVER OF PROHIBITION.—

22 (1) 1-YEAR WAIVER.—After the effective date of
23 this section, the President may waive, for a period
24 of 1 year, the application of subsection (a) with re-
25 spect to any country or organization if the President

1 determines, and reports to the relevant congressional
2 committees, that—

3 (A) such waiver is in the national interest
4 of the United States, and such waiver will pro-
5 mote the objectives of this section to eliminate
6 the Arab boycott; or

7 (B) such waiver is in the national security
8 interest of the United States.

9 (2) EXTENSION OF WAIVER.—If the President
10 determines that the further extension of a waiver
11 will promote the objectives of this section, the Presi-
12 dent, with appropriate notification to relevant con-
13 gressional committees, may grant further extensions
14 of such waiver for successive 12-month periods.

15 (3) TERMINATION OF WAIVER.—The President
16 may, at any time terminate any waiver granted
17 under this subsection.

18 (c) RELEVANT CONGRESSIONAL COMMITTEES.—As
19 used in this section, the term “relevant congressional com-
20 mittees” means the Committee on Foreign Relations of
21 the Senate and the Committee on Foreign Affairs of the
22 House of Representatives.

23 (d) EFFECTIVE DATE.—This section shall not take
24 effect until one year after the date of enactment of this
25 Act.

1 **SEC. 312. PURCHASE OF UNITED STATES GOODS AND SERV-**
2 **ICES.**

3 (a) ECONOMIC SUPPORT FUND ASSISTANCE.—Chap-
4 ter 4 of part II of the Foreign Assistance Act of 1961
5 is amended by adding at the end the following new section:

6 **“SEC. 536. PURCHASE OF UNITED STATES GOODS AND**
7 **SERVICES.**

8 “(a) GENERAL POLICY.—The Congress finds that in
9 recent years, a growing proportion of Economic Support
10 Fund assistance has been provided in the form of cash
11 transfers, largely at the expense of commodity import pro-
12 grams. It is the sense of the Congress that United States
13 foreign policy is best served when Economic Support Fund
14 assistance is provided either in the form of United States
15 goods and services or in the form of direct support for
16 specific projects in the recipient country.

17 “(b) USE OF ECONOMIC SUPPORT FUNDS.—Not less
18 than 15 percent of the aggregate amount of Economic
19 Support Fund assistance made available in any fiscal year
20 shall be provided in the form of commodity import pro-
21 grams.

22 “(c) LIMITATIONS.—This section shall not be con-
23 strued to alter or restrict the availability of cash transfers
24 to a country for which Economic Support Fund assistance
25 is specifically required to be made available on a grant
26 basis as a cash transfer.

1 “(d) DEFINITION.—For purposes of this section
 2 ‘Economic Support Fund assistance’ means assistance
 3 provided under this chapter.”.

4 **TITLE IV—MULTILATERAL** 5 **ASSISTANCE**

6 **Part A—International Development** 7 **Association**

8 **SEC. 401. TENTH REPLENISHMENT.**

9 The International Development Association Act (22
 10 U.S.C. 284–284s) is amended by adding at the end the
 11 following:

12 **“SEC. 22. TENTH REPLENISHMENT.**

13 “(a) AUTHORITY TO AGREE TO REPLENISHMENT
 14 RESOLUTION.—The United States Governor is authorized,
 15 on behalf of the United States, to agree to the resolution
 16 of the Association entitled ‘Additions to Resources: Tenth
 17 Replenishment’.

18 “(b) CONTRIBUTION AUTHORITY.—The United
 19 States Governor is authorized, on behalf of the United
 20 States, to contribute funds to the Association for the sub-
 21 scription and contribution of the United States in accord-
 22 ance with the resolution specified in subsection (a), subject
 23 to obtaining the necessary appropriations.

24 “(c) LIMITATIONS ON AUTHORIZATION OF APPRO-
 25 PRIATIONS.—In order to pay for the United States con-

1 tribution authorized by subsection (b), there are author-
2 ized to be appropriated for payment by the Secretary of
3 the Treasury \$3,750,000,000, without fiscal year limita-
4 tion.”.

5 **SEC. 402. ADVOCACY OF CERTAIN POLICIES.**

6 (a) IN GENERAL.—Title XVI of the International Fi-
7 nancial Institutions Act (22 U.S.C. 262p–262p–5) is
8 amended—

9 (1) by redesignating section 1620 as section
10 1621; and

11 (2) by inserting after section 1619 the follow-
12 ing:

13 **“SEC. 1620. ADVOCACY OF CERTAIN POLICIES.**

14 “The Secretary of the Treasury shall instruct the
15 United States Executive Director of the International
16 Bank for Reconstruction and Development and the Inter-
17 national Development Association to encourage vigorously
18 those institutions—

19 “(1) to develop new methodologies to evaluate
20 adequately the effectiveness of the projects and pro-
21 grams of the respective institution in improving, on
22 a sustainable basis, the standard of living of the
23 poorest segments of the populations of the borrowing
24 countries, and to increase the amount of resources

1 of the respective institution devoted to the projects
2 and programs identified as most effective;

3 “(2) to include affected populations, local gov-
4 ernments, and nongovernmental organizations in all
5 phases of the project cycle, from project identifica-
6 tion to post-project evaluation;

7 “(3) to include the economic empowerment of
8 women as a factor in evaluating the projects and
9 programs of the respective institution;

10 “(4) to encourage borrowing countries to redi-
11 rect military expenditures to fund investments in
12 human capital, including measures that promote
13 education, training, and health;

14 “(5) to evaluate adequately, through environ-
15 mental impact assessments, the effect on the envi-
16 ronment and nonrenewable resource base of recipi-
17 ents’ economic growth strategies and the structural
18 adjustment and sector lending programs of the re-
19 spective institution;

20 “(6) to examine appropriate debt relief pro-
21 grams; and

22 “(7) to promote good governance and the rule
23 of law in borrowing countries, by promoting fair and
24 workable laws that are—

1 “(A) necessary for economic development,
 2 private sector development, and human rights;
 3 “(B) fully communicated to the public; and
 4 “(C) administered by an independent and
 5 well-trained judiciary.”.

6 (b) REPORT TO THE CONGRESS.—Not later than
 7 September 30, 1994, the Secretary of the Treasury shall
 8 submit to the Committee on Banking, Finance and Urban
 9 Affairs of the House of Representatives and the Commit-
 10 tee on Foreign Relations of the Senate a report describing
 11 the efforts made pursuant to section 1620 of the Inter-
 12 national Financial Institutions Act and the results of such
 13 efforts.

14 **Part B—Asian Development Fund**

15 **SEC. 411. FIFTH REPLENISHMENT.**

16 The Asian Development Bank Act (22 U.S.C. 285–
 17 285aa) is amended by adding at the end the following new
 18 section:

19 **“SEC. 31. FIFTH REPLENISHMENT.**

20 “(a) AUTHORITY TO AGREE TO REPLENISHMENT
 21 RESOLUTION.—The United States Governor is authorized,
 22 on behalf of the United States, to agree to the resolution
 23 of the Bank entitled ‘Fifth Replenishment of the Asian
 24 Development Fund and Second Regularized Replenish-
 25 ment of the Technical Assistance Special Fund’.

1 “(b) CONTRIBUTION AUTHORITY.—The United
 2 States Governor is authorized, on behalf of the United
 3 States, to contribute funds to the Asian Development
 4 Fund, a special fund of the Bank, for the subscription and
 5 contribution of the United States in accordance with the
 6 resolution specified in subsection (a), subject to obtaining
 7 the necessary appropriations.

8 “(c) LIMITATIONS ON AUTHORIZATION OF APPRO-
 9 PRIATIONS.—In order to pay for the United States con-
 10 tribution authorized by subsection (b), there are author-
 11 ized to be appropriated for payment by the Secretary of
 12 the Treasury \$680,000,000 without fiscal year limita-
 13 tion.”.

14 **Part C—Global Environment Facility**

15 **SEC. 421. GLOBAL ENVIRONMENT FACILITY.**

16 The Bretton Woods Agreement Act (22 U.S.C. 286–
 17 286mm) is amended by adding at the end the following
 18 new section:

19 **“SEC. 61. GLOBAL ENVIRONMENT FACILITY.**

20 “(a) CONTRIBUTION AUTHORIZED.—The Secretary
 21 of the Treasury is authorized to contribute to the Global
 22 Environment Facility \$30,810,000, subject to obtaining
 23 the necessary appropriations.

24 “(b) LIMITATIONS ON AUTHORIZATION OF APPRO-
 25 PRIATIONS.—In order to pay for the United States con-

1 tribution provided for in subsection (a), there are author-
 2 ized to be appropriated for payment by the Secretary of
 3 the Treasury, \$30,810,000 without fiscal year limitation,
 4 if, not later than September 30, 1994, the Secretary of
 5 the Treasury has certified that—

6 “(1) the Facility has established clear proce-
 7 dures ensuring public availability of documentary in-
 8 formation on all Facility projects;

9 “(2) the Facility has established clear proce-
 10 dures ensuring that affected peoples in recipient
 11 countries are consulted on all aspects of identifica-
 12 tion, preparation, and implementation of Facility
 13 projects; and

14 “(3) the Facility governance process will pro-
 15 vide for contributor country oversight of individual
 16 projects in the work program, and specific provisions
 17 will be established for the participation of non-gov-
 18 ernmental organizations in all phases of the project
 19 cycle, including identification, appraisal, implemen-
 20 tation, and evaluation.”.

21 **Part D—European Bank for Reconstruction** 22 **and Development**

23 **SEC. 431. CHARTER AMENDMENTS OF THE BANK.**

24 Section 562(c) of the Foreign Operations, Export Fi-
 25 nancing, and Related Programs Appropriations Act, 1991,

1 is amended by adding at the end the following new para-
2 graph:

3 “(12) CHARTER AMENDMENTS.—Unless au-
4 thorized by law, neither the President, nor any other
5 person or agency, shall, on behalf of the United
6 States, vote for or agree to any amendment of the
7 agreement establishing the Bank, signed on May 29,
8 1990, which increases the obligation of the United
9 States, or which changes the purpose or function, in-
10 cluding its focus on private sector development, of
11 the Bank.”.

12 **SEC. 432. INSTRUCTIONS TO THE UNITED STATES EXECU-**
13 **TIVE DIRECTOR.**

14 Section 562(c) of the Foreign Operations, Export Fi-
15 nancing, and Related Programs Appropriations Act, 1991,
16 as amended by section 431, is further amended by adding
17 at the end the following new paragraphs:

18 “(13) LOANS TO NARCOTICS TRAFFICKING
19 COUNTRIES.—The Secretary of the Treasury shall
20 instruct the United States Executive Director of the
21 European Bank for Reconstruction and Development
22 to vote against any loan or other utilization of the
23 funds of the Bank for the benefit of any country
24 with respect to which the President has made a de-
25 termination, and so notified the Secretary of the

1 Treasury, that the government of such country has
2 failed to take adequate steps to prevent narcotic
3 drugs or other controlled substances (as defined by
4 the Comprehensive Drug Abuse Prevention and Con-
5 trol Act of 1970) produced or processed, in whole or
6 in part, in such country, or transported through
7 such country, from being sold illegally within the ju-
8 risdiction of such country to United States Govern-
9 ment personnel or their dependents or from entering
10 the United States unlawfully. Such instruction shall
11 continue in effect until the President determines,
12 and so notifies the Secretary of the Treasury, that
13 the government of such country has taken adequate
14 steps to prevent such sale or entry of narcotic drugs
15 and other controlled substances.

16 “(14) LOANS TO COUNTRIES WHICH EXPROPRI-
17 ATE PROPERTY OF UNITED STATES CITIZENS.—The
18 Secretary of the Treasury shall instruct the United
19 States Executive Director to the European Bank for
20 Reconstruction and Development to vote against any
21 loan or other utilization of the funds of the Bank for
22 the benefit of any country which has—

23 “(A) nationalized or expropriated or seized
24 ownership or control of property owned by any
25 United States citizen or by any corporation,

1 partnership, or association not less than 50 per
2 centum of which is beneficially owned by the
3 United States citizens;

4 “(B) taken steps to repudiate or nullify ex-
5 isting contracts or agreements with any United
6 States citizen or any corporation, partnership,
7 or association not less than 50 per centum of
8 which is beneficially owned by the United
9 States citizens; or

10 “(C) imposed or enforced discriminatory
11 taxes or other exactions, or restrictive mainte-
12 nance or operational conditions, or has taken
13 other actions, which have the effect of national-
14 izing, expropriating, or otherwise seizing owner-
15 ship or control of property so owned;

16 unless the President determines that (i) an arrange-
17 ment for prompt, adequate, and effective compensa-
18 tion has been made, (ii) the parties have submitted
19 the dispute to arbitration under rules of the Conven-
20 tion for the Settlement of Investment Disputes, or
21 (iii) good faith negotiations are in progress aimed at
22 providing prompt, adequate, and effective compensa-
23 tion under the applicable principles of international
24 law.”.

1 **Part E—Other Provisions**

2 **SEC. 441. VOLUNTARY CONTRIBUTIONS TO INTER-**
 3 **NATIONAL ORGANIZATIONS AND PROGRAMS.**

4 (a) IN GENERAL.—There are authorized to be appro-
 5 priated \$390,000,000 for fiscal year 1994 to carry out
 6 chapter 3 of part I of the Foreign Assistance Act of 1961.

7 (b) WITHHOLDINGS.—Section 307 of the Foreign As-
 8 sistance Act of 1961 (22 U.S.C. 2227(a)) is amended—

9 (1) in subsection (a), by striking “the South-
 10 West Africa People’s Organization” and inserting
 11 “Myanmar (Burma), Iraq, North Korea, Syria”; and

12 (2) by inserting after subsection (b) the follow-
 13 ing new subsection:

14 “(c) The withholding in subsection (a) shall not apply
 15 to contributions to the International Atomic Energy Agen-
 16 cy or the United Nations Children’s Fund (UNICEF).”.

17 (c) UNITED NATIONS POPULATION FUND.—Up to
 18 \$50,000,000 of the funds authorized to be appropriated
 19 for fiscal year 1994 to carry out this section may be made
 20 available for the United Nations Population Fund, subject
 21 to the following restrictions:

22 (1) Amounts made available under this sub-
 23 section for the United Nations Population Fund
 24 shall be maintained in a separate account, to be ad-
 25 ministered jointly by the Fund and the Permanent

1 Representative of the United States to the United
2 Nations General Assembly, and not commingled with
3 any other funds.

4 (2) Amounts made available under this sub-
5 section for the United Nations Population Fund
6 shall only be disbursed to Fund projects subject to
7 the approval of the Permanent Representative of the
8 United States to the United Nations General Assem-
9 bly.

10 (3) Amounts made available under this sub-
11 section for the United Nations Population Fund
12 shall not be made available for programs in the Peo-
13 ple's Republic of China.

14 (4) The prohibitions contained in subsection
15 103(b) of the Foreign Assistance Act of 1961 (as
16 amended by this Act) apply to funds made available
17 pursuant to this section.

18 (5) Any agreement entered into by the United
19 States and the United Nations Population Fund to
20 obligate funds from an account established pursuant
21 to paragraph (1) shall expressly state that if more
22 than \$9,700,000 is made available for programs in
23 the People's Republic of China during calendar year
24 1993, the United States contribution to the United
25 Nations Population Fund for fiscal year 1994 shall

1 be reduced by the amount by which funding was in-
2 creased for programs in the People's Republic of
3 China.

4 **SEC. 442. PROHIBITION ON TECHNICAL ASSISTANCE TO**
5 **MULTILATERAL DEVELOPMENT BANKS.**

6 Section 209(d) of the Foreign Assistance Act of 1961
7 (22 U.S.C. 2169(d)) is amended—

8 (1) by inserting “(1)” immediately after “(d)”;
9 and

10 (2) by adding at the end the following:

11 “(2) Notwithstanding paragraph (1), none of the
12 funds made available under this Act may be furnished to
13 finance technical assistance to the International Bank for
14 Reconstruction and Development, the International Devel-
15 opment Association, the International Finance Corpora-
16 tion, the Multilateral Investment Guarantee Agency, the
17 Inter-American Development Bank, the Fund for Special
18 Operations, the Inter-American Investment Corporation,
19 the Asian Development Bank, the Asian Development
20 Fund, the African Development Bank, the African Devel-
21 opment Fund, the European Bank for Reconstruction and
22 Development, or the International Monetary Fund.”.

1 **SEC. 443. AMENDMENT TO THE INTERNATIONAL FINANCIAL**
2 **INSTITUTIONS ACT.**

3 The International Financial Institutions Act (22
4 U.S.C. 262c et seq.) is amended by adding at the end
5 thereof the following new title:

6 **“TITLE XXI—THIRD WORLD DE-**
7 **VELOPMENT AND THREAT**
8 **ABATEMENT**

9 **“SEC. 2001. CONGRESSIONAL FINDINGS.**

10 “The Congress finds that—

11 “(1) a principal focus of United States policy in
12 the international financial institutions has been and
13 should be to promote greater economic growth and
14 human development in the borrowing countries of
15 such institutions;

16 “(2) large military and military-related expendi-
17 tures in developing countries impede economic
18 growth and human development by diverting capital
19 and other resources away from productive public and
20 private investment; and

21 “(3) investment in primary education and basic
22 health care is an economic investment that leads to
23 successful development.

24 **“SEC. 2002. STATEMENT OF POLICY.**

25 “The Congress declares that, in order to promote eco-
26 nomic growth and human development in the Third World,

1 it shall be the policy of the United States to encourage
2 developing countries—

3 “(1) to reduce military and military-related ex-
4 penditures and to dedicate greater resources to
5 health, education, and other productive enterprises;
6 and

7 “(2) to allocate an appropriate amount of
8 health and education resources to meet the needs of
9 the majority of their populations.

10 **“SEC. 2003. IMPLEMENTATION.**

11 “For the purpose of carrying out the policy described
12 in this Act, the Secretary of the Treasury shall instruct
13 the United States executive director of each international
14 financial institution to use the United States voice and
15 vote in fiscal year 1994 and each fiscal year thereafter—

16 “(1) to advocate and promote policies within
17 such institutions designed to encourage developing
18 countries—

19 “(A) to reduce significantly military and
20 military-related expenditures wherever such in-
21 stitutions determine that such expenditures are
22 excessive and that a reduction would be appro-
23 priate; and

24 “(B) to enhance, appropriately, the
25 amount of resources dedicated for primary

1 health care and basic education as a percentage
2 of general government expenditures; and

3 “(2) to develop procedures and mechanisms
4 within the appropriate institutions to collect data on
5 military and military-related expenditures, primary
6 health care, and basic education for developing coun-
7 tries and to take into account such information in
8 carrying out paragraph (1).

9 **“SEC. 2004. REPORT.**

10 “Each annual report to the Congress by the National
11 Advisory Council on International Monetary and Financial
12 Policies shall include a description of the actions taken
13 by the United States executive director of each inter-
14 national financial institution in carrying out the provisions
15 of this title.

16 **“SEC. 2005. DEFINITIONS.**

17 “For purposes of this title—

18 “(1) the term ‘developing country’ means a
19 country with a per capita income not in excess of
20 \$4,000;

21 “(2) the term ‘international financial institu-
22 tion’ means the International Monetary Fund, the
23 International Bank for Reconstruction and Develop-
24 ment, the International Development Association,
25 the African Development Fund, the Inter-American

1 Development Bank, the Asian Development Bank,
2 and the European Bank for Reconstruction and De-
3 velopment; and

4 “(3) the term ‘military expenditures’ includes
5 all expenditures necessary for the maintenance and
6 support of the armed forces of a country, but does
7 not include funds allocated for civilian law enforce-
8 ment, unless such law enforcement is under the con-
9 trol of the military forces or a paramilitary organiza-
10 tion.”.

11 **SEC. 444. INDEPENDENT AUDIT AGENCIES AT INTER-**
12 **NATIONAL FINANCIAL INSTITUTIONS.**

13 It is the sense of Congress that—

14 (1) the establishment of independent audit and
15 review agencies at each international financial insti-
16 tution and multilateral development organization to
17 which the United States is a member should be one
18 of the top United States priorities at each institu-
19 tion; and

20 (2) the President should consider withholding
21 United States payments to any multilateral develop-
22 ment organization or international financial institu-
23 tion to which the United States is a member that
24 does not take clear steps to establish an independent
25 audit and review agency.

1 **SEC. 445. INTERNATIONAL FINANCING OF AGRICULTURAL**
 2 **AND COMMODITY PRODUCTION.**

3 Section 1403(b) of the International Financial Insti-
 4 tutions Act (22 U.S.C. 262n-2) is amended in paragraphs
 5 (1) and (2) by inserting “, including textiles and apparel,”
 6 after “export” each place it appears.

7 **TITLE V—REGIONAL**
 8 **PROVISIONS**

9 **Part A—Provisions Relating to Sub-Saharan**
 10 **Africa**

11 **SEC. 501. AFRICAN DEVELOPMENT FOUNDATION.**

12 (a) INTEREST ACCRUING TO GRANTEES.—The Afri-
 13 can Development Foundation Act (22 U.S.C. 490h et seq.)
 14 is amended by adding at the end the following:

15 **“SEC. 511. INTEREST ACCRUING TO GRANTEES.**

16 “Whenever, with the permission of the Foundation,
 17 funds made available to a grantee under this title are in-
 18 vested pending disbursement, the resulting interest is not
 19 required to be deposited in the United States Treasury
 20 if the grantee uses the resulting interest for the purposes
 21 for which the grant was made. This section applies with
 22 respect to interest earned before, on, or after the date of
 23 enactment of this section.”.

24 (b) AUTHORITY TO EMPLOY ALIENS.—Section
 25 506(a) of that Act (22 U.S.C. 290h-4) is amended—

1 (1) by striking “and” at the end of paragraph
2 (11);

3 (2) by striking the period at the end of para-
4 graph (12) and inserting “; and”; and

5 (3) by adding at the end the following new
6 paragraph:

7 “(13) may, when determined by the president of
8 the African Development Foundation to be nec-
9 essary, and subject to such security investigations as
10 the Foundation may determine to be appropriate,
11 employ persons who are not citizens of the United
12 States without regard to statutory provisions prohib-
13 iting payment of compensation to persons who are
14 not citizens of the United States or to statutory pro-
15 visions relating to employment in the competitive
16 service.”.

17 (c) TRAVEL EXPENSES.—Section 507(b) of that Act
18 (22 U.S.C. 290h–5) is amended by striking “actual and
19 necessary expenses not exceeding \$100 per day, and for
20 transportation expenses” and inserting “necessary travel
21 expenses in accordance with subchapter I of chapter 57,
22 title 5, United States Code,”.

23 **SEC. 502. SADC PROJECTS.**

24 (a) WAIVER OF BROOKE AMENDMENT.—Notwith-
25 standing section 620(q) of the Foreign Assistance Act of

1 1961 or any other provision of law restricting the provi-
2 sion of assistance to countries in default on loan obliga-
3 tions, assistance may be provided during fiscal year 1994
4 under section 496(o) of the Foreign Assistance Act of
5 1961 (relating to support for SADC projects).

6 (b) TECHNICAL AMENDMENTS.—Section 496(o) of
7 the Foreign Assistance Act of 1961 (22 U.S.C. 2293(o))
8 is amended—

9 (1) in the subsection heading by striking
10 “SADCC” and inserting “SADC”; and

11 (2) in paragraph (1) by striking “Coordination
12 Conference (SADCC)” and inserting “Community
13 (SADC)”.

14 **SEC. 503. RESTRICTIONS ON ASSISTANCE FOR SUDAN.**

15 (a) RESTRICTIONS ON ASSISTANCE.—Except as pro-
16 vided in subsection (b), assistance may not be provided
17 for Sudan for fiscal year 1994—

18 (1) under chapter 1 or chapter 10 of part I of
19 the Foreign Assistance Act of 1961 (relating to de-
20 velopment assistance and the Development Fund for
21 Africa);

22 (2) under chapter 4 of part II of that Act (re-
23 lating to the Economic Support Fund);

1 (3) under chapter 5 of part II of that Act (re-
2 lating to International Military Education and
3 Training); or

4 (4) under section 23 of the Arms Export Con-
5 trol Act.

6 (b) WAIVER OF RESTRICTIONS.—

7 (1) AUTHORITY.—The President may waive the
8 prohibitions in subsection (a) if he determines, and
9 reports in accordance with paragraph (2), that the
10 Government of Sudan has made substantial progress
11 toward resolving the conflict in the south, respecting
12 human rights, and establishing a democratically
13 elected government.

14 (2) CONGRESSIONAL REVIEW OF DETERMINA-
15 TION.—A determination under paragraph (1) shall
16 not become effective until 15 days after it is re-
17 ported to the appropriate congressional committees
18 in accordance with the procedures applicable to
19 reprogramming notifications under section 634A of
20 the Foreign Assistance Act of 1961.

21 **SEC. 504. RESTRICTIONS ON ASSISTANCE FOR KENYA.**

22 (a) CONSIDERATIONS IN PROVIDING ASSISTANCE.—
23 In providing economic and development assistance to the
24 Government of Kenya, the President shall take into ac-
25 count the Kenyan government's progress toward increas-

1 ing respect for human rights, permitting freedom of ex-
2 pression, expanding cooperation and dialogue with demo-
3 cratic opposition parties, improving management of the
4 economy, and reducing economic corruption, especially at
5 the state-run Kenya Central Bank.

6 (b) PROHIBITION.—No funds under section 23 of the
7 Arms Export Control Act may be provided for the Govern-
8 ment of Kenya during fiscal year 1994 unless the Presi-
9 dent determines that providing such assistance is in the
10 national security interests of the United States and
11 consults with Congress before making such a determina-
12 tion.

13 **SEC. 505. RECONSTRUCTION ASSISTANCE FOR SOMALIA.**

14 Notwithstanding section 620(q) of the Foreign As-
15 sistance Act of 1961 or any other provision of law restrict-
16 ing the provision of assistance to countries in default on
17 loan obligations, the President is authorized and encour-
18 aged to provide assistance under chapter 10 of part I of
19 that Act to Somalia for the purposes of reconstruction.

20 **SEC. 506. RESTRICTION ON ASSISTANCE FOR ZAIRE.**

21 (a) STATEMENT OF THE CONGRESS.—The Con-
22 gress—

23 (1) strongly condemns the disruptive measures
24 taken by President Mobutu, and holds President

1 Mobutu responsible for the current political crisis in
2 Zaire;

3 (2) stresses the importance of a successful tran-
4 sition to democracy in Zaire;

5 (3) urges the President of the United States—

6 (A) to pressure President Mobutu to leave
7 Zaire so that the legitimate transitional govern-
8 ment can proceed with the process of democra-
9 tization as mandated by the Sovereign National
10 Conference;

11 (B) to recognize and support the legit-
12 imacy of the transitional government selected
13 by the High Council of the Republic;

14 (C) to continue cooperation with Belgium,
15 France, and other allies, in applying diplomatic
16 pressure necessary for democratic change in
17 Zaire;

18 (D) to impose, in conjunction with our al-
19 lies, a variety of sanctions on President
20 Mobutu, including—

21 (i) freezing the bank accounts of
22 President Mobutu, his family and associ-
23 ates; and

24 (ii) denying visas to President
25 Mobutu, his family and associates;

1 (E) to urge the United Nations to address,
2 actively and energetically, issues relating to
3 Zaire's transition to democracy and the human-
4 itarian crisis; and

5 (F) to provide financial and technical sup-
6 port to nongovernmental organizations for—

7 (i) humanitarian relief efforts; and

8 (ii) preparation for free and fair elec-
9 tions, including voter education, acquisition
10 of ballots and other polling materials, and
11 international monitoring; and

12 (4) if the actions under paragraphs (1) through
13 (3) are unsuccessful, recommends that the President
14 encourage Belgium, France, and other allies to join
15 the United States in urging the United Nations Se-
16 curity Council to consider other options, including
17 comprehensive sanctions against Zaire.

18 (b) RESTRICTIONS ON ASSISTANCE.—

19 (1) SECURITY ASSISTANCE.—Except as pro-
20 vided in subsection (c), assistance may not be made
21 available for Zaire for fiscal year 1994—

22 (A) under chapter 4 of part II of the For-
23 eign Assistance Act of 1961 (relating to the
24 Economic Support Fund),

1 (B) under chapter 5 of part II of that Act
2 (relating to international military education and
3 training), or

4 (C) under section 23 of the Arms Export
5 Control Act (relating to Foreign Military Fi-
6 nancing).

7 (2) DEVELOPMENT ASSISTANCE.—Except as
8 provided in subsection (c), assistance may not be
9 made available for the Government of Zaire for fis-
10 cal year 1994 under chapter 1 or chapter 10 of part
11 I of the Foreign Assistance Act of 1961 (relating to
12 development assistance and the Development Fund
13 for Africa), except that this shall not be construed
14 to prohibit nongovernmental organizations from
15 working with appropriate ministries or departments
16 of the Government of Zaire.

17 (c) WAIVER WHEN THE DEMOCRATIC PROCESS IS
18 RESTORED.—

19 (1) AUTHORIZATION.—The President may
20 waive the prohibitions in subsection (b) if the Presi-
21 dent determines, and reports to Congress in accord-
22 ance with paragraph (2), that democracy has been
23 restored in Zaire, that President Mobutu is no
24 longer a threat to the elected government, and that
25 the elected government is committed to bringing

1 about freedom of expression for the people of Zaire,
2 a reformed and independent judiciary, and reform
3 of, and applications of the rule of law to, Zaire secu-
4 rity forces.

5 (2) CONGRESSIONAL REVIEW OF DETERMINA-
6 TION.—A determination under paragraph (1) shall
7 not become effective until 15 days after it is re-
8 ported to the appropriate congressional committees
9 in accordance with the procedures applicable to
10 reprogramming notifications under section 634A of
11 the Foreign Assistance Act of 1961.

12 **SEC. 507. AUTHORITY TO PROVIDE HIGHER EDUCATION AS-**
13 **SISTANCE UNDER THE DEVELOPMENT FUND**
14 **FOR AFRICA.**

15 Section 496 of the Foreign Assistance Act of 1961
16 (22 U.S.C. 2293) is amended by adding at the end the
17 following new subsection:

18 “(p) UTILIZATION AND STRENGTHENING OF AFRI-
19 CAN INSTITUTIONS OF HIGHER EDUCATION.—(1) The
20 agency primarily responsible for administering this chap-
21 ter shall ensure that development activities assisted under
22 this chapter utilize, to a significant extent, the research
23 and analytical capacity of indigenous African institutions
24 of higher education during the identification, design, im-
25 plementation, and evaluation of such activities.

1 “(2) Assistance provided under this chapter for edu-
2 cation and human resources development shall include ac-
3 tivities to strengthen and develop the faculties and staffs
4 of indigenous African institutions of higher education
5 where these activities are consistent with the objectives of
6 fostering long-term, sustainable economic development in
7 sub-Saharan Africa.”.

8 **SEC. 508. CONFLICT RESOLUTION INITIATIVE FOR AFRICA.**

9 (a) IMPROVING OAU’S CONFLICT RESOLUTION CA-
10 PABILITIES.—

11 (1) DESCRIPTION OF ASSISTANCE.—The Presi-
12 dent is authorized to provide assistance to help es-
13 tablish a permanent conflict resolution capability
14 within the Organization of African Unity (referred
15 to in this subsection as the “OAU”), as follows:

16 (A) Funds may be provided to the OAU
17 for use in supporting its conflict resolution ca-
18 pability.

19 (B) Funds may be used for expenses of
20 sending individuals with expertise in conflict
21 resolution (who may include United States Gov-
22 ernment employees) from the United States to
23 work with the OAU for a period of up to 2
24 years.

1 (C) Funds may be provided to the OAU to
2 support the establishment and maintenance of
3 an African Conflict Resolution Research Center
4 that is linked to the OAU secretariat.

5 (2) FUNDING.—Of the funds made available for
6 sub-Saharan Africa for fiscal year 1994, \$1,500,000
7 should be used to carry out paragraph (1), in addi-
8 tion to funds otherwise available for such purposes.

9 (3) REQUIREMENT FOR APPROVAL OF CERTAIN
10 REFORMS.—Assistance may be provided pursuant to
11 this subsection only if the President determines that
12 the OAU has approved and is in the process of im-
13 plementing the reforms proposed by the Secretary
14 General of the OAU in February 1993 in the In-
15 terim Report of the Secretary General on the Mech-
16 anisms for Conflict Prevention, Resolution and
17 Management.

18 (b) IMPROVING CONFLICT RESOLUTION CAPABILI-
19 TIES OF MULTILATERAL SUBREGIONAL ORGANIZA-
20 TIONS.—

21 (1) TYPES OF ASSISTANCE TO BE PROVIDED.—
22 The President is authorized to provide assistance to
23 help establish permanent conflict resolution capabili-
24 ties within subregional organizations established by
25 countries in sub-Saharan Africa, as follows:

1 (A) Funds may be provided to such an or-
2 ganization for use in supporting its conflict res-
3 olution capability.

4 (B) Funds may be used for the expenses of
5 sending individuals with expertise in conflict
6 resolution (who may include United States Gov-
7 ernment employees) from the United States to
8 work with such an organization for a period of
9 up to 2 years.

10 (2) FUNDING.—Of the funds made available for
11 sub-Saharan Africa for fiscal year 1994 under chap-
12 ter 4 of part II of the Foreign Assistance Act of
13 1961 (relating to the Economic Support Fund), up
14 to \$1,500,000 may be used to carry out paragraph
15 (1).

16 (c) AFRICAN DEMOBILIZATION AND RETRAINING
17 PROGRAM.—

18 (1) IN GENERAL.—In order to facilitate reduc-
19 tions in the size of the armed forces of countries of
20 sub-Saharan Africa, the President is authorized to
21 provide assistance for—

22 (A) encampment and related activities as-
23 sociated with demobilization of such forces; and

1 (B) the retraining for civilian occupations
2 of military personnel who have been demobi-
3 lized.

4 (2) FUNDING.—(A) Of the funds made avail-
5 able for sub-Saharan Africa for fiscal year 1994
6 under chapter 4 of part II of the Foreign Assistance
7 Act of 1961 (relating to the Economic Support
8 Fund) and under section 23 of the Arms Export
9 Control Act (relating to Foreign Military Financ-
10 ing), \$10,000,000 should be used for the assistance
11 described in paragraph (1)(A).

12 (B) A portion of the funds made available for
13 fiscal year 1994 to carry out chapter 10 of part I
14 of the Foreign Assistance Act of 1961 (relating to
15 the Development Fund for Africa) may be used for
16 the assistance described in paragraph (1)(B).

17 (d) IMET CONFLICT RESOLUTION PROGRAM.—
18 Chapter 5 of part II of the Foreign Assistance Act of 1961
19 is amended by adding at the end the following:

20 **“SEC. 546. CONFLICT RESOLUTION PROGRAM FOR AFRICA.**

21 “In addition to the other education and training ac-
22 tivities carried out under this chapter, the President is au-
23 thorized to establish a program to provide education and
24 training in conflict resolution for civilian and military per-
25 sonnel of countries in sub-Saharan Africa.”.

1 **Part B—Provisions Relating to East Asia and**
2 **the Pacific**

3 **SEC. 511. MULTILATERAL ASSISTANCE INITIATIVE FOR THE**
4 **PHILIPPINES.**

5 Part I of the Foreign Assistance Act of 1961 is
6 amended by inserting after chapter 3 the following new
7 chapter:

8 **“CHAPTER 4—MULTILATERAL ASSIST-**
9 **ANCE INITIATIVE FOR THE PHIL-**
10 **IPPINES**

11 **“SEC. 401. ASSISTANCE.**

12 “(a) **AUTHORITY.**— In order to promote the four
13 basic objectives set forth in section 102 of this Act, the
14 President is authorized to provide assistance for the Phil-
15 ippines to carry out the purposes of this chapter. Such
16 assistance shall have as its ultimate objective, in conjunc-
17 tion with assistance provided by other donors, support of
18 democracy in the Philippines, promotion of sustained eco-
19 nomic growth led by the private sector, and improvement
20 of living conditions for the people of the Philippines, and
21 shall build upon the progress that the Government of the
22 Philippines has made in the development and implementa-
23 tion of economic, structural, judicial, and administrative
24 reforms and the implementation of sustainable natural re-
25 source management programs.

1 “(b) PROGRESS OF REFORMS NECESSARY FOR PRO-
2 VISION OF ASSISTANCE.—The provision of assistance
3 under this chapter shall be linked to progress by the Gov-
4 ernment of the Philippines in the implementation of its
5 economic, structural, judicial, and administrative reform
6 program.

7 “(c) USES OF ASSISTANCE.—Assistance under this
8 chapter may include support for—

9 “(1) economic, structural, and administrative
10 reforms, and voluntary debt reduction programs,
11 that are necessary to stimulate growth led by the
12 private sector, import liberalization, export growth
13 and diversification, and the privatization of enter-
14 prises owned or controlled by the government;

15 “(2) infrastructure needed by the private sec-
16 tor, particularly in rural areas;

17 “(3) strengthening the private sector, including
18 promoting greater participation of the United States
19 private sector in the development of the Philippines;

20 “(4) natural resource management (including
21 coastal environment management) which supports
22 sustained economic growth; and

23 “(5) such other programs as are consistent with
24 the purposes of this chapter.

1 “(d) AUTHORIZATION FOR EXTENDED PERIOD OF
2 AVAILABILITY.—Amounts authorized to be appropriated
3 to carry out this chapter are authorized to remain avail-
4 able until expended.”.

5 **SEC. 512. ASSISTANCE FOR MONGOLIA.**

6 The President is authorized to use funds made avail-
7 able to carry out chapter 11 of part I of the Foreign As-
8 sistance Act of 1961 (relating to assistance for the inde-
9 pendent states of the former Soviet Union) to provide as-
10 sistance for Mongolia in accordance with the same au-
11 thorities, restrictions, and other provisions that are appli-
12 cable to assistance under that chapter for the independent
13 states of the former Soviet Union.

14 **SEC. 513. LIST OF COMMUNIST COUNTRIES.**

15 (a) REMOVAL FROM LIST.—Section 620(f)(1) of the
16 Foreign Assistance Act of 1961 (22 U.S.C. 2370(f)(1))
17 is amended by striking “Mongolian People’s Republic”.

18 (b) ADDITION TO LIST.—Section 620(f)(1) of the
19 Foreign Assistance Act of 1961 (22 U.S.C. 2370(f)(1))
20 is amended by inserting at the end “Lao People’s Demo-
21 cratic Republic.”.

22 **SEC. 514. ARMS SALES TO INDONESIA.**

23 (a) CONSULTATION AND DETERMINATION RE-
24 QUIRED.—Before approval of the sale or transfer of any
25 defense article, defense service, or design and construction

1 service under the Arms Export Control Act (22 U.S.C.
2 2751 et seq.) for which a numbered certification is re-
3 quired under section 36(b) of that Act, to the Government
4 of Indonesia, and before issuance of any license with re-
5 spect to the commercial sale of any major defense article
6 or defense service under section 36(c)(1) of that Act to
7 such Government, the President shall consult with the
8 Congress and make a determination as to whether there
9 have been improvements in the human rights situation in
10 East Timor.

11 (b) FACTORS FOR CONSIDERATION.—In making this
12 determination, the President shall carefully consider—

13 (1) whether the civilians convicted in connection
14 with the November 1991 East Timor incident have
15 been treated in accordance with international stand-
16 ards of fairness, including whether the Government
17 of Indonesia has reviewed the sentences of these in-
18 dividuals for the purpose of their commutation, re-
19 duction or remission;

20 (2) whether the Government of Indonesia is
21 taking steps to curb human rights violations by its
22 security forces, including whether all military per-
23 sonnel responsible for ordering, authorizing or initi-
24 ating the use of lethal force against demonstrators

1 in East Timor in November 1991, are being brought
2 to justice;

3 (3) whether there has been a full, public ac-
4 counting of the individuals missing after the Novem-
5 ber 1991 incident;

6 (4) whether international humanitarian organi-
7 zations, human rights groups and others have been
8 granted expanded access to East Timor;

9 (5) whether the Government of Indonesia has
10 implemented stated plans to decrease its military
11 presence in East Timor; and

12 (6) whether the Government of Indonesia is co-
13 operating constructively with the United Nations
14 Secretary General's efforts to promote dialogue be-
15 tween Indonesia and Portugal to resolve issues con-
16 cerning East Timor.

17 **SEC. 515. HUMAN RIGHTS IN INDIA.**

18 The Congress—

19 (1) recognizes that India is the world's largest
20 democracy and has a long tradition of free elections,
21 competing political parties, and vibrant civilian insti-
22 tutions, including an independent judiciary and a
23 free press;

24 (2) acknowledges that the Indian Constitution
25 guarantees fundamental human rights, including

1 freedom of speech, freedom of assembly, and rights
2 of due process;

3 (3) expresses its deep concern that, despite In-
4 dia's history of democratic government and tradition
5 of respect for the rule of law, in many parts of India
6 there are serious human rights problems that Indian
7 human rights organizations and many political and
8 community leaders are working to redress;

9 (4) expresses its deep concern that these serious
10 human rights problems include abuses committed by
11 some members of the security forces such as arbi-
12 trary arrests and detentions without trial, torture,
13 disappearances and extrajudicial killings of civilians
14 and suspected militants in Kashmir, and credible re-
15 ports of burning of homes and other civilian prop-
16 erty and of violations of international humanitarian
17 laws requiring the protection of medical workers, the
18 sick, and wounded;

19 (5) expresses its deep concern that militants in
20 Kashmir have repeatedly engaged in gross violations
21 of human rights, including kidnapping, murder, and
22 attacks on civilian institutions, such as journalists,
23 the judiciary, and elected officials, and against fam-
24 ily members of policemen, amounting to a "reign of

1 terror'' in Kashmir according to the Department of
2 State;

3 (6) expresses its deep concern over credible re-
4 ports that Pakistani authorities have facilitated seri-
5 ous gross abuses by militants in Kashmir against ci-
6 vilians through the supply of arms and training to
7 terrorist groups, and notes reports that the Paki-
8 stani Government has recently taken steps to guard
9 against such support;

10 (7) notes that, according to the Department of
11 State—

12 (A) in 1992 alone at least 2,000 persons
13 were reported to have been killed by all sides of
14 the conflict in Kashmir, the vast majority of
15 them civilians;

16 (B) during the past 3 years some 15,000
17 persons have been detained by Indian security
18 forces; and

19 (C) a substantial portion of the Kashmir
20 Pandit community has been driven from their
21 homes in the Valley;

22 (8) notes with deep concern that the Depart-
23 ment of State reports it has been able to confirm
24 only 6 cases where army and paramilitary personnel

1 in Kashmir received sentences of longer than 1
2 month for human rights abuses in 1992;

3 (9) welcomes the introduction of a bill in par-
4 liament by the Government of India to create a na-
5 tional human rights commission with broad powers
6 to investigate and punish abuses;

7 (10) recognizes that numerous Indian human
8 rights organizations and journalists actively inves-
9 tigate abuses throughout India, including Kashmir,
10 and welcomes the recent decision of the Indian Gov-
11 ernment to permit international human rights orga-
12 nizations to conduct investigations in India, includ-
13 ing the recent visit by the International Commission
14 of Jurists to Kashmir, and the invitation to the
15 International Committee of the Red Cross to con-
16 duct seminars with paramilitary forces on the re-
17 quirements of the Geneva Conventions, as well;

18 (11) calls upon the Government of India to take
19 further action to promote adherence to internation-
20 ally recognized human rights standards, including—

21 (A) allowing international humanitarian
22 organizations to provide medical assistance in
23 Kashmir and to engage in other humanitarian
24 activities on behalf of the victims of the conflict
25 there,

1 (B) providing, as stated publicly by state
2 authorities and army and paramilitary officials
3 in Kashmir, explicit guarantees for the security
4 of medical personnel and institutions operating
5 in Kashmir,

6 (C) fully implementing the publicly stated
7 plan to permit international human rights orga-
8 nizations to conduct investigations in India,

9 (D) working to secure the swift passage of
10 legislation creating a strong and independent
11 human rights commission and fully implement-
12 ing the legislation and providing adequate funds
13 for the commission,

14 (E) revising security laws whose applica-
15 tion has contributed to human rights abuses,

16 (F) ensuring that all detainees are brought
17 before a judicial authority promptly after ar-
18 rest, and permitting family members and law-
19 yers immediate access to all persons in deten-
20 tion, and

21 (G) affirming that all members of the se-
22 curity forces will be held responsible and sub-
23 ject to prosecution for human rights abuses in
24 areas of civil strife, investigating all reports of
25 human rights violations by members of the se-

1 curity forces, prosecuting those who are found
2 responsible, and working with impartial parties
3 to demonstrate that persons guilty of abuses re-
4 ceive appropriate punishment;

5 (12) condemns the reign of terror conducted by
6 militants in Kashmir, who have been responsible for
7 kidnapping, executions of civilians, and attacks on
8 civilian institutions, and urges all militant groups to
9 cease the use of force to achieve political objectives;
10 and

11 (13) calls upon the Government of Pakistan to
12 end the provision of any arms, equipment, or train-
13 ing to militants in Kashmir, and to take action to
14 ensure that persons committing acts of terror do not
15 receive support or sanctuary in Pakistan.

16 **SEC. 516. HIGH-LEVEL VISITS TO TAIWAN.**

17 (a) FINDINGS.—The Congress finds that—

18 (1) Taiwan is the world's fourteenth largest
19 economy and the United States' sixth largest trading
20 partner;

21 (2) Taiwan serves as an effective springboard
22 for United States businesses planning for future
23 business in mainland China and in southeast Asia;

24 (3) some of the world's fastest economic growth
25 in the next 10 years is projected to come in the Pa-

1 cific Rim countries, mainland China and in south-
2 east Asia;

3 (4) the attention of the United States Govern-
4 ment to Taiwan is an important component of the
5 success of United States business in Taiwan;

6 (5) United States businesses operating in Tai-
7 wan currently enjoy both official and unofficial sup-
8 port above that of other countries operating in Tai-
9 wan; and

10 (6) maintaining this special status for American
11 business should be an important part of United
12 States foreign policy with Taiwan.

13 (b) SENSE OF CONGRESS.—Therefore, it is the sense
14 of the Congress that—

15 (1) the President should send Cabinet-level ap-
16 pointees to Taiwan to promote American interests
17 and ensure the continued success of American busi-
18 ness in Taiwan; and

19 (2) the President should take steps to show
20 clear United States support for Taiwan, both in our
21 bilateral relationship as well as multilaterally.

1 **Part C—Provisions Relating to Europe and**
2 **the Former Soviet Union**

3 **SEC. 521. ASSISTANCE FOR EASTERN EUROPE AND THE**
4 **BALTIC STATES.**

5 (a) ECONOMIC ASSISTANCE.—Section 3 of the Sup-
6 port for East European Democracy (SEED) Act of 1989
7 (22 U.S.C. 5402) is amended—

8 (1) by redesignating subsection (c) as sub-
9 section (e); and

10 (2) by inserting after subsection (b) the follow-
11 ing:

12 “(c) INAPPLICABILITY OF RESTRICTIONS AND RE-
13 QUIREMENTS.—Assistance provided for an East European
14 country under this Act or under part I of the Foreign As-
15 sistance Act of 1961 may be provided notwithstanding any
16 other provision of law, other than section 634A of that
17 Act, section 1341 of title 31, United States Code (com-
18 monly referred to as the ‘Anti-Deficiency Act’), the Con-
19 gressional Budget and Impoundment Act of 1974, the
20 Balanced Budget and Emergency Deficit Control Act of
21 1985, and the Budget Enforcement Act of 1990. Section
22 634A of the Foreign Assistance Act of 1961 shall also
23 apply to funds made available to carry out this Act.

24 “(d) AUTHORIZATION FOR EXTENDED PERIOD OF
25 AVAILABILITY.—Funds appropriated for economic assist-

1 ance for East European countries under this Act or the
2 Foreign Assistance Act of 1961 are authorized to remain
3 available until expended.”.

4 (b) ASSISTANCE FOR VICTIMS OF WAR CRIMES IN
5 THE FORMER YUGOSLAVIA.—Assistance provided under
6 section 491 of the Foreign Assistance Act of 1961 (22
7 U.S.C. 2292; relating to disaster assistance), under the
8 Support for East European Democracy (SEED) Act of
9 1989, and under the Migration and Refugee Assistance
10 Act of 1962 may include assistance for the victims of tor-
11 ture, rape, and other war crimes stemming from the con-
12 flict in the former Yugoslavia and for the families of such
13 victims (especially children), with a particular focus on vic-
14 tims of the war in Bosnia-Herzegovina. Such assistance
15 may include activities such as—

16 (1) the provision (in the United States or
17 abroad)—

18 (A) of medical, psychological, and psy-
19 chiatric care and crisis counseling for such vic-
20 tims and their families, and

21 (B) of training of individuals in the former
22 Yugoslavia to provide such care and counseling;
23 and

24 (2) the procurement of necessary medical and
25 training supplies.

1 (c) CORRECTION OF REFERENCE.—Subsection (e) of
2 section 3 of the Support for East European Democracy
3 (SEED) Act of 1989 (22 U.S.C. 5402), as so redesignated
4 by subsection (a) of this section, is amended—

5 (1) by striking “and Slovak Federal”; and

6 (2) by inserting “the Slovak Republic,” after
7 “Romania,”.

8 **SEC. 522. ELIGIBILITY OF EAST EUROPEAN COUNTRIES TO**
9 **RECEIVE NONLETHAL EXCESS DEFENSE AR-**
10 **TICLES.**

11 (a) IN GENERAL.—Section 519(a) of the Foreign As-
12 sistance Act of 1961 (22 U.S.C. 2321m(a)) is amended
13 by inserting “or to any East European country (as defined
14 in section 3 of the Support for East European Democracy
15 (SEED) Act of 1989) other than an East European coun-
16 try that is prohibited from receiving assistance under any
17 provision of law” after “in which the transfer is author-
18 ized”.

19 (b) CONFORMING AMENDMENTS.—Section 906(a) of
20 the FREEDOM Support Act (22 U.S.C. 2753 note) is
21 amended—

22 (1) by striking paragraph (2);

23 (2) by striking “eligible—” through “(1) to
24 purchase” and inserting “eligible to purchase”;

1 (3) by redesignating subparagraphs (A) and
2 (B) as paragraphs (1) and (2), respectively, and by
3 resetting their left margins on a 2-em indentation;
4 and

5 (4) by striking “; and” at the end of paragraph
6 (2), as so redesignated, and inserting a period.

7 **SEC. 523. AUTHORITY TO WAIVE CERTAIN RESTRICTIONS.**

8 Section 498B(j)(1) of the Foreign Assistance Act of
9 1961 (22 U.S.C. 2295b(j)(1)) is amended—

10 (1) by striking “Funds authorized to be appro-
11 priated” and inserting “Funds made available”;

12 (2) by inserting “or 1994” after “1993” each
13 place it appears; and

14 (3) by striking “by this chapter” and inserting
15 “to carry out this chapter”.

16 **SEC. 524. REMOVAL OF TROOPS FROM THE BALTIC STATES.**

17 (a) SENSE OF SENATE.—It is the sense of the Senate
18 that Russia should be commended for removing the armed
19 forces of Russia and the Commonwealth of Independent
20 States from Lithuania and for reducing troop levels in
21 Latvia and Estonia.

22 (b) INELIGIBILITY FOR ASSISTANCE.—Effective Oc-
23 tober 1, 1993, paragraph (5) of section 498A(b) of the
24 Foreign Assistance Act of 1961 is amended to read as
25 follows:

1 “(5) for the Government of Russia until the
2 President—

3 “(A) certifies to the Congress that the
4 Government of Russia has made further signifi-
5 cant progress since the President’s certification
6 to the Congress on June 1, 1993, on the re-
7 moval of all of the armed forces of Russia and
8 the Commonwealth of Independent States from
9 Estonia, Latvia, and Lithuania (including any
10 units of such forces that are demobilized), or
11 has completed and is complying with negotiated
12 agreements with the governments of such coun-
13 tries that include timetables for such removal;
14 and

15 “(B) includes with such certification a de-
16 scription of the extent to which the Government
17 of Russia has undertaken good faith efforts,
18 such as negotiations, to end other military prac-
19 tices by Russia and the Commonwealth of Inde-
20 pendent States that violate the sovereignty of
21 Estonia, Latvia, or Lithuania,

22 except that this paragraph does not apply with re-
23 spect to (i) housing assistance for officers of the
24 armed forces of Russia and the Commonwealth of
25 Independent States who are withdrawn from the ter-

1 ritories of Estonia, Latvia, and Lithuania, or (ii)
2 food, clothing, medicine, or other humanitarian
3 assistance.”.

4 **SEC. 525. POLICY ON PROVISION OF WINTER-RELATED RE-**
5 **LIEF FOR PEOPLE OF BOSNIA-HERCEGOVINA.**

6 (a) USE OF FUNDS.—Of the funds authorized to be
7 appropriated by this Act to carry out part I of the Foreign
8 Assistance Act of 1961, \$20,000,000 should be used for
9 the provision of winter-related and other emergency assist-
10 ance, including fuel, food, medicines and medical supplies,
11 water pumping and purification equipment, sanitation
12 equipment, materials for shelter and winterization, includ-
13 ing portable heating units, reinforced plastic, tents, con-
14 struction materials, candles, clothing, mattresses, and
15 blankets, and other urgently needed commodities to the
16 people of Bosnia-Herzegovina, and for the transportation
17 of such commodities.

18 (b) DISTRIBUTION OF ASSISTANCE.—Such assistance
19 shall be distributed through nongovernmental and private
20 voluntary organizations.

21 (c) SUPERSEDING ANY OTHER PROVISION OF
22 LAW.—Funds used for the purpose of this section shall
23 be made available notwithstanding any other provision of
24 law other than section 1341 of title 31, United States
25 Code (commonly referred to as the “Anti-Deficiency

1 Act’), the Congressional Budget and Impoundment Con-
2 trol Act of 1974, the Balanced Budget and Emergency
3 Deficit Control Act of 1985, and the Budget Enforcement
4 Act of 1990.

5 **SEC. 526. STATEMENT OF POLICY WITH RESPECT TO AS-**
6 **SISTANCE FOR UKRAINE.**

7 It is the sense of the Senate that the United States
8 should allocate more resources for Ukraine and should ini-
9 tiate a larger, more effective assistance program for
10 Ukraine that promotes political and economic reform, and
11 that is commensurate with Ukraine’s size and stature.

12 **Part D—Provisions Relating to the Middle**
13 **East**

14 **SEC. 531. RESTRICTION ON ASSISTANCE FOR SYRIA.**

15 (a) RESTRICTION.—United States assistance may not
16 be provided for Syria until the President determines, and
17 so reports to the appropriate congressional committees
18 that the Government of Syria—

19 (1) does not deny its citizens, or any segment
20 of its citizens, the right or opportunity to emigrate;

21 (2) does not impose any taxes or surcharges in
22 connection with emigration or the expressed desire
23 to emigrate that would serve as a financial barrier
24 to emigration;

1 (3) does not support groups responsible for acts
2 of international terrorism or provide safe haven for
3 terrorists;

4 (4) is not building or acquiring chemical, bio-
5 logical, or nuclear weapons, and has given credible
6 assurances that any such weapons already in its ar-
7 senal will not be used offensively;

8 (5) has complied with the Taif Accords and has
9 withdrawn its armed forces from Lebanon;

10 (6) is fully cooperating with United States
11 antinarcotics efforts; and

12 (7) has improved its compliance with inter-
13 nationally recognized human rights standards.

14 (b) DEFINITION.—As used in this section, the term
15 “United States assistance” has the meaning given that
16 term by section 481(e)(4) of the Foreign Assistance Act
17 of 1961.

18 **SEC. 532. RESTRICTION ON ASSISTANCE FOR JORDAN.**

19 (a) FINDINGS.—The Congress finds that—

20 (1) Jordan is cooperating in the Middle East
21 peace process;

22 (2) Jordan is making significant steps toward
23 democracy, as evidenced by the elections which are
24 scheduled to be held in late 1993;

1 (3) Jordan has taken steps to comply with
2 United Nations Security Council resolutions with re-
3 spect to Iraq;

4 (4) full compliance with the United Nations Se-
5 curity Council resolutions with respect to Iraq is an
6 important foreign policy objective of the United
7 States; and

8 (5) goods continue to cross the Jordanian-Iraq
9 border in violation of those resolutions.

10 (b) REPORT.—Beginning 180 days after the date of
11 enactment of this Act, and every 180 days thereafter, the
12 Secretary of State shall submit to the Chairman of the
13 Committee on Foreign Relations of the Senate and the
14 Speaker of the House of Representatives a report describ-
15 ing—

16 (1) Jordanian efforts to halt the flow of goods
17 to Iraq, including a description of the type of goods
18 stopped and the smugglers who have been detained;

19 (2) the role of United States assistance for Jor-
20 dan in ensuring the end of the flow of goods to Iraq;
21 and

22 (3) Jordanian compliance with the United Na-
23 tions Security Council resolutions with respect to
24 Iraq.

1 (c) RESTRICTION.—If the Secretary of State deter-
 2 mines that Jordan has not substantially complied with the
 3 United Nations Security Council resolutions with respect
 4 to Iraq, the President shall withhold all assistance for Jor-
 5 dan until Jordan is in substantial compliance with such
 6 resolutions.

7 **SEC. 533. MILITARY DRAWDOWNS FOR ISRAEL.**

8 Section 599B(a) of the Foreign Operations, Export
 9 Financing, and Related Programs Appropriations Act,
 10 1991, is amended by inserting “and fiscal year 1994”
 11 after “fiscal year 1993”.

12 **Part E—Provisions Relating to Latin America**

13 **SEC. 541. ADMINISTRATION OF JUSTICE AND OTHER LAW**
 14 **ENFORCEMENT ASSISTANCE PROGRAMS FOR**
 15 **LATIN AMERICA AND THE CARIBBEAN.**

16 (a) EXTENSION OF PROGRAM AUTHORITY.—Section
 17 534 of the Foreign Assistance Act of 1961 (22 U.S.C.
 18 2346c) is amended—

19 (1) by striking the last sentence of subsection
 20 (e); and

21 (2) by inserting at the end the following new
 22 subsection:

23 “(f) The authority of this section shall expire on Sep-
 24 tember 30, 1994.”.

1 (b) ELIMINATION OF PROGRAM LIMITATIONS.—Sec-
2 tion 534 of that Act is amended—

3 (1) by repealing the second sentence of sub-
4 section (e); and

5 (2) by amending subsection (c) to read as fol-
6 lows:

7 “(c) Funds made available to carry out this chapter
8 may be used to provide assistance under this section.”.

9 (c) PROTECTION OF PARTICIPANTS IN JUDICIAL
10 CASES.—Section 534(b)(3) of that Act (22 U.S.C. 2346c)
11 is amended—

12 (1) by redesignating subparagraphs (C) and
13 (D) as subparagraphs (D) and (E), respectively; and

14 (2) by inserting after subparagraph (B) the fol-
15 lowing:

16 “(C) programs to enhance protection of
17 participants in judicial cases;”.

18 (d) SPECIAL AUTHORITIES FOR CERTAIN COUN-
19 TRIES.—Funds made available for fiscal year 1994 to
20 carry out section 534 of that Act may be used, notwith-
21 standing section 660 of that Act, to provide assistance as
22 follows:

23 (1) PANAMA.—Up to \$5,000,000 may be made
24 available for Panama for the following:

1 (A) Technical assistance, training, and
2 commodities with the objective of creating a
3 professional civilian police force, except that as-
4 sistance under this subparagraph—

5 (i) shall not include more than
6 \$1,000,000 for the procurement of equip-
7 ment for law enforcement purposes, and

8 (ii) shall not include lethal equipment.

9 (B) Programs to improve penal institutions
10 and the rehabilitation of offenders, which may
11 include programs that are not conducted
12 through multilateral or regional institutions.

13 (2) EL SALVADOR.—Funds allocated for El Sal-
14 vador may be used for law enforcement assistance in
15 a manner consistent with the Salvadoran Peace Ac-
16 cords, except that any assistance, training, or provi-
17 sions of equipment and materials designated for the
18 Salvadoran police shall be available only for the new
19 National Police Force established by the Peace Ac-
20 cords.

21 **SEC. 542. SPECIAL NOTIFICATION REQUIREMENTS FOR**
22 **GUATEMALA, HAITI, NICARAGUA, AND PERU.**

23 Funds made available for fiscal year 1994, and any
24 funds which remain available from the previous fiscal
25 years which have not been obligated or expended upon the

1 date of enactment of this Act, to carry out the Foreign
2 Assistance Act of 1961 or the purposes of the Arms Ex-
3 port Control Act, may not be obligated or expended, as
4 the case may be, for assistance to Guatemala, Haiti, Nica-
5 ragua, or Peru unless the appropriate congressional com-
6 mittees are notified at least 15 days in advance in accord-
7 ance with the procedures applicable to reprogramming no-
8 tifications under section 634A of the Foreign Assistance
9 Act of 1961.

10 **SEC. 543. RESTRICTION ON ASSISTANCE TO PERU.**

11 (a) IN GENERAL.—Until the President determines
12 and so certifies to Congress that the Government of Peru
13 has paid fair and equitable compensation to the survivors
14 of Master Sergeant Joseph Beard, Jr., United States Air
15 Force, who was killed during the attack by aircraft of the
16 military forces of Peru on April 24, 1992, against a
17 United States Air Force C-130 aircraft operating off the
18 coast of Peru in international airspace—

19 (1) no assistance under the Foreign Assistance
20 Act of 1961, including assistance which has already
21 been obligated, may be furnished to the Government
22 of Peru; and

23 (2) the Secretary of the Treasury shall instruct
24 the United States executive directors of the appro-
25 priate multilateral development banks to vote

1 against any loan or other financial assistance for
2 Peru.

3 (b) DEFINITION.—For purposes of this section, the
4 term “appropriate multilateral development banks” means
5 the International Bank for Reconstruction and Develop-
6 ment, the International Development Association, and the
7 Inter-American Development Bank.

8 **TITLE VI—BOSNIA AND HERCE-**
9 **GOVINA SELF-DEFENSE ACT**
10 **OF 1993**

11 **SEC. 601. SHORT TITLE.**

12 This title may be cited as the “Bosnia and
13 Hercegovina Self-Defense Act of 1993”.

14 **SEC. 602. FINDINGS.**

15 The Congress makes the following findings:

16 (1) On July 10, 1991, the United States adopt-
17 ed a policy suspending all licenses and other approv-
18 als to export or otherwise transfer defense articles
19 and defense services to Yugoslavia.

20 (2) On September 25, 1991, the United Na-
21 tions Security Council adopted Resolution 713,
22 which imposed a mandatory international embargo
23 on all deliveries of weapons and military equipment
24 to Yugoslavia.

1 (3) The United States considered the policy
2 adopted July 10, 1991, to comply fully with Resolu-
3 tion 713 and therefore took no additional action in
4 response to that resolution.

5 (4) On January 8, 1992, the United Nations
6 Security Council adopted Resolution 727, which de-
7 cided that the mandatory arms embargo imposed by
8 Resolution 713 should apply to any independent
9 states that might thereafter emerge on the territory
10 of Yugoslavia.

11 (5) On February 29 and March 1, 1992, the
12 people of Bosnia and Hercegovina voted in a ref-
13 erendum to declare independence from Yugoslavia.

14 (6) On April 7, 1992, the United States recog-
15 nized the Government of Bosnia and Hercegovina.

16 (7) On May 22, 1992, the Government of
17 Bosnia and Hercegovina was admitted to full mem-
18 bership in the United Nations.

19 (8) Consistent with Resolution 727, the United
20 States has continued to apply the policy adopted
21 July 10, 1991, to independent states that have
22 emerged on the territory of the former Yugoslavia,
23 including Bosnia and Hercegovina.

24 (9) Subsequent to the adoption of Resolution
25 727 and Bosnia and Hercegovina's independence

1 referendum, the siege of Sarajevo began and fighting
2 spread to other areas of Bosnia and Hercegovina.

3 (10) The Government of Serbia intervened di-
4 rectly in the fighting by providing significant mili-
5 tary, financial, and political support and direction to
6 Serbian-allied irregular forces in Bosnia and
7 Hercegovina.

8 (11) In statements dated May 1 and May 12,
9 1992, the Conference on Security and Cooperation
10 in Europe declared that the Government of Serbia
11 and the Serbian-controlled Yugoslav National Army
12 were committing aggression against the Government
13 of Bosnia and Hercegovina and assigned to them
14 prime responsibility for the escalation of bloodshed
15 and destruction.

16 (12) On May 30, 1992, the United Nations Se-
17 curity Council adopted Resolution 757, which con-
18 demned the Government of Serbia for its continued
19 failure to respect the territorial integrity of Bosnia
20 and Hercegovina.

21 (13) Serbian-allied irregular forces have, over
22 the last year, occupied approximately 70 percent of
23 the territory of Bosnia and Hercegovina, committed
24 gross violations of human rights in the areas they

1 have occupied, and established a secessionist govern-
2 ment committed to eventual unification with Serbia.

3 (14) The military and other support and direc-
4 tion provided to Serbian-allied irregular forces in
5 Bosnia and Hercegovina constitutes an armed attack
6 on the Government of Bosnia and Hercegovina by
7 the Government of Serbia within the meaning of Ar-
8 ticle 51 of the United Nations Charter.

9 (15) Under Article 51, the Government of
10 Bosnia and Hercegovina, as a member of the United
11 Nations, has an inherent right of individual or col-
12 lective self-defense against the armed attack from
13 the Government of Serbia until the United Nations
14 Security Council has taken measures necessary to
15 maintain international peace and security.

16 (16) The measures taken by the United Nations
17 Security Council in response to the armed attack on
18 Bosnia and Hercegovina have not been adequate to
19 maintain international peace and security.

20 (17) Bosnia and Hercegovina has been unable
21 successfully to resist the armed attack from Serbia
22 because it lacks the means to counter heavy weap-
23 onry that Serbia obtained from the Yugoslav Na-
24 tional Army upon the dissolution of Yugoslavia, and
25 because the mandatory international arms embargo

1 has prevented Bosnia and Hercegovina from obtain-
2 ing from other countries the means to counter such
3 heavy weaponry.

4 (18) On December 18, 1992, with the affirma-
5 tive vote of the United States, the United Nations
6 General Assembly adopted Resolution 47/121, which
7 urged the United Nations Security Council to ex-
8 empt Bosnia and Hercegovina from the mandatory
9 arms embargo imposed by Resolution 713.

10 (19) In the absence of adequate measures to
11 maintain international peace and security, continued
12 application to the Government of Bosnia and
13 Hercegovina of the mandatory international arms
14 embargo imposed by the United Nations Security
15 Council prior to the armed attack on Bosnia and
16 Hercegovina undermines that government's right of
17 individual or collective self-defense and therefore
18 contravenes Article 51 of the United Nations
19 Charter.

20 (20) Bosnia and Hercegovina's right of self-de-
21 fense under Article 51 of the United Nations Char-
22 ter includes the right to ask for military assistance
23 from other countries and to receive such assistance
24 if offered.

1 **SEC. 603. UNITED STATES ARMS EMBARGO OF THE GOV-**
2 **ERNMENT OF BOSNIA AND HERCEGOVINA.**

3 (a) TERMINATION.—The President should terminate
4 the United States arms embargo of the Government of
5 Bosnia and Hercegovina upon receipt from that govern-
6 ment of a request for assistance in exercising its right of
7 self-defense under Article 51 of the United Nations
8 Charter.

9 (b) DEFINITION.—As used in this section, the term
10 “United States arms embargo of the Government of
11 Bosnia and Hercegovina” means the application to the
12 Government of Bosnia and Hercegovina of—

13 (1) the policy adopted July 10, 1991, and pub-
14 lished in the Federal Register of July 19, 1991 (58
15 Fed. Reg. 33322) under the heading “Suspension of
16 Munitions Export Licenses to Yugoslavia”; and

17 (2) any similar policy being applied by the
18 United States Government as of the date of receipt
19 of the request described in subsection (a) pursuant
20 to which approval is routinely denied for transfers of
21 defense articles and defense services to the former
22 Yugoslavia.

23 **SEC. 604. UNITED STATES MILITARY ASSISTANCE FOR**
24 **BOSNIA AND HERCEGOVINA.**

25 (a) POLICY.—The President should provide appro-
26 priate military assistance to the Government of Bosnia

1 and Hercegovina upon receipt from that government of
2 a request for assistance in exercising its right of self-de-
3 fense under Article 51 of the United Nations Charter.

4 (b) AUTHORIZATION OF MILITARY ASSISTANCE.—

5 (1) DRAWDOWN AUTHORITY.—If the Govern-
6 ment of Bosnia and Hercegovina requests United
7 States assistance in exercising its right of self-de-
8 fense under Article 51 of the United Nations Char-
9 ter, the President is authorized to direct the
10 drawdown of defense articles from the stocks of the
11 Department of Defense, defense services of the De-
12 partment of Defense, and military education and
13 training in order to provide assistance to the Gov-
14 ernment of Bosnia and Hercegovina. Such assistance
15 shall be provided on such terms and conditions as
16 the President may determine.

17 (2) LIMITATION ON VALUE OF TRANSFERS.—

18 The aggregate value (as defined in section 664(m)
19 of the Foreign Assistance Act of 1961) of defense
20 articles, defense services, and military education and
21 training provided under this subsection may not ex-
22 ceed \$200,000,000.

23 (3) EXPIRATION OF AUTHORIZATION.—The au-
24 thority provided to the President in paragraph (1)
25 expires at the end of fiscal year 1994.

1 (4) LIMITATION ON ACTIVITIES.—Members of
2 the United States Armed Forces who perform de-
3 fense services or provide military education and
4 training outside the United States under this sub-
5 section may not perform any duties of a combatant
6 nature, including any duties related to training and
7 advising that may engage them in combat activities.

8 (5) REPORTS TO CONGRESS.—Within 60 days
9 after any exercise of the authority of paragraph (1),
10 and every 60 days thereafter, the President shall re-
11 port in writing to the Speaker of the House of Rep-
12 resentatives and the President pro tempore of the
13 Senate concerning the defense articles, defense serv-
14 ices, and military education and training being pro-
15 vided and the use made of such articles, services,
16 and education and training.

17 (6) REIMBURSEMENT.—(A) Defense articles,
18 defense services, and military education and training
19 provided under this subsection shall be made avail-
20 able without reimbursement to the Department of
21 Defense except to the extent that funds are appro-
22 priated pursuant to subparagraph (B).

23 (B) There are authorized to be appropriated to
24 the President such sums as may be necessary to re-
25 imburse the applicable appropriation, fund, or ac-

1 count for the value (as defined in section 664(m) of
2 the Foreign Assistance Act of 1961) of defense arti-
3 cles, defense services, or military education and
4 training provided under this subsection.

5 **TITLE VII—SOUTH AFRICAN**
6 **DEMOCRATIC TRANSITION**
7 **SUPPORT ACT OF 1993**

8 **SEC. 701. SHORT TITLE.**

9 This title may be cited as the “South African Demo-
10 cratic Transition Support Act of 1993”.

11 **SEC. 702. FINDINGS.**

12 The Congress makes the following findings:

13 (1) After decades of apartheid, South Africa
14 has entered a new era which presents a historic op-
15 portunity for a transition to a peaceful, stable, and
16 democratic future.

17 (2) Through broad and open negotiations, the
18 parties in South Africa have reached a landmark
19 agreement on the future of their country. This
20 agreement includes the establishment of a Transi-
21 tional Executive Council and the setting of a date
22 for nonracial elections.

23 (3) The international community has a vital in-
24 terest in supporting the transition from apartheid
25 toward nonracial democracy.

1 (4) The success of the transition in South Afri-
2 ca is crucial to the stability and economic develop-
3 ment of the southern African region.

4 (5) Representative leaders in South Africa, in-
5 cluding Nelson Mandela of the African National
6 Congress, have called for an end to all remaining
7 measures limiting economic contacts with South
8 Africa.

9 (6) In light of recent developments, the continu-
10 ation of such measures is detrimental to persons dis-
11 advantaged by apartheid.

12 **SEC. 703. UNITED STATES POLICY.**

13 It is the sense of the Congress that—

14 (1) the United States should—

15 (A) strongly support the Transitional Ex-
16 ecutive Council in South Africa,

17 (B) encourage rapid progress toward the
18 establishment of a nonracial democratic govern-
19 ment in South Africa, and

20 (C) support a consolidation of democracy
21 in South Africa through democratic elections
22 for an interim government and a new nonracial
23 constitution;

24 (2) the United States should continue to pro-
25 vide assistance to support the transition to a

1 nonracial democracy in South Africa, and should
2 urge international financial institutions and other
3 donors to also provide such assistance;

4 (3) to the maximum extent practicable, the
5 United States should consult closely with inter-
6 national financial institutions, other donors, and
7 South African entities on a coordinated strategy to
8 support the transition to a nonracial democracy in
9 South Africa;

10 (4) in order to provide ownership and manage-
11 rial opportunities, professional advancement, train-
12 ing, and employment for disadvantaged South Afri-
13 cans and to respond to the historical inequities cre-
14 ated under apartheid, the United States should—

15 (A) promote the expansion of private en-
16 terprise and free markets in South Africa,

17 (B) encourage the South African private
18 sector to take a special responsibility and inter-
19 est in providing such opportunities, advance-
20 ment, training, and employment for disadvan-
21 taged South Africans, and

22 (C) encourage United States private sector
23 investment in and trade with South Africa;

24 (5) the United States should urge the Govern-
25 ment of South Africa to liberalize its trade and in-

1 vestment policies to facilitate the expansion of the
2 economy, and to shift resources to meet the needs of
3 disadvantaged South Africans; and

4 (6) the United States should promote coopera-
5 tion between South Africa and other countries in the
6 region to foster regional stability and economic
7 growth.

8 **SEC. 704. REPEAL OF APARTHEID SANCTIONS LAWS AND**
9 **OTHER PROVISIONS DIRECTED AT SOUTH**
10 **AFRICA.**

11 (a) COMPREHENSIVE ANTI-APARTHEID ACT.—

12 (1) IN GENERAL.—All provisions of the Com-
13 prehensive Anti-Apartheid Act of 1986 (22 U.S.C.
14 5001 and following) are repealed as of the date of
15 enactment of this Act, except as provided in para-
16 graph (2).

17 (2) EFFECTIVE DATE OF REPEAL OF CODE OF
18 CONDUCT REQUIREMENTS.—Sections 1, 3, 203(a),
19 203(b), 205, 207, 208, 601, 603, and 604 of the
20 Comprehensive Anti-Apartheid Act of 1986 are re-
21 pealed as of the date on which the President certifies
22 to the Congress that an interim government that
23 was elected on a nonracial basis through free and
24 fair elections has taken office in South Africa.

1 (3) CONFORMING AMENDMENTS.—(A) Section
2 3 of the Comprehensive Anti-Apartheid Act of 1986
3 is amended by striking paragraphs (2) through (4)
4 and paragraphs (7) through (9), by inserting “and”
5 at the end of paragraph (5), and by striking “; and”
6 at the end of paragraph (6) and inserting a period.

7 (B) The following provisions of the Foreign As-
8 sistance Act of 1961 that were enacted by the Com-
9 prehensive Anti-Apartheid Act of 1986 are repealed:
10 section 117 (relating to assistance for disadvantaged
11 South Africans), and section 535.

12 (b) OTHER PROVISIONS.—The following provisions
13 are repealed or amended as follows:

14 (1) Subsections (c) and (d) of section 802 of
15 the International Security and Development Co-
16 operation Act of 1985 (99 Stat. 261) is repealed.

17 (2) Section 211 of the Foreign Relations Au-
18 thorization Act, Fiscal Years 1986 and 1987 (99
19 Stat. 432) is repealed, and section 1(b) of that Act
20 is amended by striking the item in the table of con-
21 tents relating to section 211.

22 (3) Sections 1223 and 1224 of the Foreign Re-
23 lations Authorization Act, Fiscal Years 1988 and
24 1989 (101 Stat. 1415) is repealed, and section 1(b)

1 of that Act is amended by striking the items in the
2 table of contents relating to sections 1223 and 1224.

3 (4) Section 362 of the Foreign Relations Au-
4 thorization Act, Fiscal Years 1992 and 1993 (105
5 Stat. 716) is repealed, and section 2 of that Act is
6 amended by striking the item in the table of con-
7 tents relating to section 362.

8 (5) Section 2(b)(9) of the Export-Import Bank
9 Act of 1945 (12 U.S.C. 635(b)(9)) is repealed.

10 (6) Section 43 of the Bretton Woods Agree-
11 ments Act (22 U.S.C. 286aa) is amended by repeal-
12 ing subsection (b) and by striking “(a)”.

13 (c) SANCTIONS MEASURES ADOPTED BY STATE OR
14 LOCAL GOVERNMENTS OR PRIVATE ENTITIES.—The Con-
15 gress urges all State or local governments and all private
16 entities in the United States that have adopted any re-
17 striction on economic interactions with South Africa, or
18 any policy discouraging such interaction, to rescind such
19 restriction or policy.

20 **SEC. 705. UNITED STATES ASSISTANCE FOR THE TRANSI-**
21 **TION TO A NONRACIAL DEMOCRACY.**

22 (a) IN GENERAL.—The President is authorized and
23 encouraged to provide assistance under chapter 10 of part
24 I of the Foreign Assistance Act of 1961 (relating to the
25 Development Fund for Africa) or chapter 4 of part II of

1 that Act (relating to the Economic Support Fund) to sup-
2 port the transition to nonracial democracy in South
3 Africa. Such assistance shall—

4 (1) focus on building the capacity of disadvan-
5 tagged South Africans to take their rightful place in
6 the political, social, and economic systems of their
7 country;

8 (2) give priority to working with and through
9 South African nongovernmental organizations whose
10 leadership and staff represent the majority popu-
11 lation and which have the support of the disadvan-
12 tagged communities being served by such organiza-
13 tions;

14 (3) in the case of education programs—

15 (A) be used to increase the capacity of
16 South African institutions to better serve the
17 needs of individuals disadvantaged by apart-
18 heid;

19 (B) emphasize education within South Af-
20 rica to the extent that assistance takes the form
21 of scholarships for disadvantaged South African
22 students; and

23 (C) fund nontraditional training activities;

24 (4) support activities to prepare South Africa
25 for elections, including voter and civic education pro-

grams, political party building, and technical electoral assistance;

(5) support activities and entities, such as the Peace Accord structures, which are working to end the violence in South Africa; and

(6) support activities to promote human rights, democratization, and a civil society.

(b) GOVERNMENT OF SOUTH AFRICA.—

(1) LIMITATION ON ASSISTANCE.—Except as provided in paragraph (2), assistance provided in accordance with this section may not be made available to the Government of South Africa, or organizations financed and substantially controlled by that government, unless the President certifies to the Congress that an interim government that was elected on a nonracial basis through free and fair elections has taken office in South Africa.

(2) EXCEPTIONS.—Notwithstanding paragraph (1), assistance may be provided for—

(A) the Transitional Executive Council;

(B) South African higher education institutions, particularly those traditionally disadvantaged by apartheid policies; and

(C) any other organization, entity, or activity if the President that the assistance would

1 promote the transition to nonracial democracy
2 in South Africa.

3 Any determination under subparagraph (C) shall be
4 based on consultations with South African individ-
5 uals and organizations representative of the majority
6 population in South Africa (particularly consulta-
7 tions through the Transitional Executive Council)
8 and consultations with the appropriate congressional
9 committees.

10 **SEC. 706. UNITED STATES INVESTMENT AND TRADE.**

11 (a) TAX TREATY.—The President should begin im-
12 mediately to negotiate a tax treaty with South Africa to
13 facilitate United States investment in that country.

14 (b) OPIC.—The President should immediately initi-
15 ate negotiations with the Government of South Africa for
16 an agreement authorizing the Overseas Private Invest-
17 ment Corporation to carry out programs with respect to
18 South Africa in order to expand United States investment
19 in that country.

20 (c) TRADE AND DEVELOPMENT AGENCY.—In carry-
21 ing out section 661 of the Foreign Assistance Act of 1961,
22 the Director of the Trade and Development Agency should
23 provide additional funds for activities related to projects
24 in South Africa.

1 (d) EXPORT-IMPORT BANK.—The Export-Import
2 Bank of the United States should expand its activities in
3 connection with exports to South Africa.

4 (e) PROMOTING DISADVANTAGED ENTERPRISES.—

5 (1) INVESTMENT AND TRADE PROGRAMS.—

6 Each of the agencies referred to in subsections (b)
7 through (d) should take active steps to encourage
8 the use of its programs to promote business enter-
9 prises in South Africa that are majority-owned by
10 South Africans disadvantaged by apartheid.

11 (2) UNITED STATES GOVERNMENT PROCURE-
12 MENT.—Notwithstanding any law relating to the
13 making or performance of, or the expenditure of
14 funds for, United States Government contracts, the
15 Secretary of State and the head of any other depart-
16 ment or agency of the United States carrying out
17 activities in South Africa shall, to the maximum ex-
18 tent practicable, in procuring goods or services,
19 make affirmative efforts to contract with business
20 enterprises having more than 50 percent beneficial
21 ownership by South African blacks or other
22 nonwhite South Africans.

1 **SEC. 707. INFORMATION AND EDUCATIONAL EXCHANGE**
2 **PROGRAMS.**

3 The Director of the United States Information Agen-
4 cy should use the authorities of the United States Infor-
5 mation and Educational Exchange Act of 1948 to promote
6 the development of a nonracial democracy in South Africa.

7 **SEC. 708. OTHER COOPERATIVE AGREEMENTS.**

8 In addition to the actions specified in the preceding
9 sections of this title, the President should seek to conclude
10 cooperative agreements with South Africa on a range of
11 issues, including cultural and scientific issues.

12 **SEC. 709. INTERNATIONAL FINANCIAL INSTITUTIONS AND**
13 **OTHER DONORS.**

14 (a) IN GENERAL.—The President should encourage
15 other donors, particularly Japan and the European Com-
16 munity countries, to expand their activities in support of
17 the transition to nonracial democracy in South Africa.

18 (b) INTERNATIONAL FINANCIAL INSTITUTIONS.—
19 The Secretary of the Treasury shall instruct the United
20 States executive director of each relevant international fi-
21 nancial institution, including the International Bank for
22 Reconstruction and Development and the International
23 Development Association, to urge that institution to initi-
24 ate or expand its lending and other financial assistance
25 activities to South Africa in order to support the transition
26 to nonracial democracy in South Africa.

1 **SEC. 710. CONSULTATION WITH SOUTH AFRICANS.**

2 In carrying out this title, the President shall consult
3 closely with South African individuals and organizations
4 representative of the majority population in South Africa
5 (particularly consultations through the Transitional Exec-
6 utive Council) and others committed to abolishing the
7 remnants of apartheid.

8 **TITLE XIII—GENERAL**
9 **PROVISIONS**

10 **SEC. 801. VIOLATION OF TERMS OF ASSISTANCE.**

11 Part III of the Foreign Assistance Act of 1961 is
12 amended by inserting after section 617 the following new
13 section:

14 **“SEC. 617A. VIOLATION OF TERMS OF ASSISTANCE.**

15 “Assistance and deliveries of assistance pursuant to
16 an agreement under this Act shall be terminated if the
17 head of the appropriate administering agency determines
18 that the recipient of such assistance has substantially vio-
19 lated that agreement by using (without the authorized
20 consent of the United States) any part of such assistance
21 for a purpose not authorized by the agreement.”.

22 **SEC. 802. PROHIBITION ON LOBBYING.**

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

1 “(m) None of the funds made available under this
2 Act may be used for lobbying activities, including lobbying
3 for abortion.”.

4 **SEC. 803. PRIVATE AND VOLUNTARY ORGANIZATIONS; DOC-**
5 **UMENTATION.**

6 Section 620 of the Foreign Assistance Act of 1961
7 (22 U.S.C. 2370) is amended by inserting after subsection
8 (m), as added by section 802, the following:

9 “(n) No assistance shall be furnished under this Act
10 to any private and voluntary organization which fails to
11 provide, upon timely request, to the agency primarily re-
12 sponsible for administering part I of this Act any docu-
13 ment, file, or record necessary to meet the auditing re-
14 quirements of the agency primarily responsible for admin-
15 istering part I of this Act.”.

16 **SEC. 804. PROHIBITION OF PAYMENTS TO UNITED NATIONS**
17 **MEMBERS.**

18 Section 620 of the Foreign Assistance Act of 1961
19 (22 U.S.C. 2370) is amended by inserting after subsection
20 (u) the following:

21 “(v) No assistance under this Act may be furnished
22 to pay in whole or in part any assessment, arrearage, or
23 dues to the United Nations of any foreign member country
24 of the United Nations.”.

1 **SEC. 805. MILITARY COUPS.**

2 Section 620 of the Foreign Assistance Act of 1961
3 (22 U.S.C. 2370) is amended by inserting after subsection
4 (v), as added by section 804, the following:

5 “(w) No assistance under this Act may be furnished
6 to any country whose duly elected head of government is
7 deposed by military coup or decree unless subsequent to
8 the military coup or decree a democratically elected gov-
9 ernment has taken office.”.

10 **SEC. 806. PROHIBITION ON ASSISTANCE TO COUNTRIES**
11 **THAT EXPORT LETHAL MILITARY EQUIP-**
12 **MENT TO COUNTRIES SUPPORTING INTER-**
13 **NATIONAL TERRORISM.**

14 Section 620 of the Foreign Assistance Act of 1961
15 (22 U.S.C. 2370) is amended by adding at the end the
16 following new subsection:

17 “(z)(1) No assistance may be furnished under this
18 Act to a country which provides lethal military equipment
19 to a country the government of which the Secretary of
20 State has determined is a terrorist government for pur-
21 poses of section 40(d) of the Arms Export Control Act.
22 The prohibition under this section with respect to a coun-
23 try shall terminate 12 months after that country ceases
24 to provide such military equipment. This section applies
25 with respect to lethal military equipment provided under

1 a contract entered into after the date of enactment of this
2 Act.

3 “(2) Assistance restricted by subsection (a) or any
4 other similar provision of law, may be furnished if the
5 President determines that furnishing such assistance is
6 important to the national interests of the United States.

7 “(3) Whenever the waiver of paragraph (2) is exer-
8 cised, the President shall submit to the appropriate con-
9 gressional committees a report with respect to the furnish-
10 ing of such assistance. Any such report shall include a de-
11 tailed explanation of the assistance to be provided, includ-
12 ing the estimated dollar amount of such assistance, and
13 an explanation of how the assistance furthers United
14 States national interests. Any such report shall be submit-
15 ted, in accordance with the procedures applicable to
16 reprogramming notifications under section 634A, at least
17 15 days before any funds are obligated for such
18 assistance.”.

19 **SEC. 807. DEADLINE FOR RESPONDING TO CONGRES-**
20 **SIONAL COMMUNICATIONS.**

21 Part III of the Foreign Assistance Act of 1961 is
22 amended by inserting after section 633A the following new
23 section:

1 **“SEC. 633B. DEADLINE FOR RESPONDING TO CONGRES-**
2 **SIONAL COMMUNICATIONS.**

3 “An officer or employee of the agency primarily re-
4 sponsible for administering part I of this Act to whom a
5 written question is addressed by any member of any ap-
6 propriate congressional committee shall respond to such
7 question within 21 days unless the Administrator of such
8 agency submits a letter to such member explaining why
9 a timely response cannot be made.”.

10 **SEC. 808. QUARTERLY REPORTS ON OBLIGATION OF**
11 **FUNDS.**

12 Part III of the Foreign Assistance Act of 1961 is
13 amended by inserting after section 634B the following new
14 section:

15 “SEC. 634C. QUARTERLY REPORTS ON OBLIGATION
16 OF FUNDS.—Upon request of the chairman or ranking mi-
17 nority member of any of the appropriate congressional
18 committees, the Administrator of the agency primarily re-
19 sponsible for administering part I of this Act shall make
20 available to such committee the agency’s reports on the
21 funds obligated during the current fiscal year quarter for
22 assistance under chapter 1 of part I and chapter 4 of part
23 II of this Act, and shall consult with such committees on
24 these reports. These reports shall identify obligations by
25 the beneficiary country or regional program and by
26 account.”.

1 **SEC. 809. DEFINITION.**

2 Section 644 of the Foreign Assistance Act of 1961
3 (22 U.S.C. 2403) is amended by adding at the end thereof
4 the following:

5 “(q) ‘Appropriate congressional committees’ means
6 the Committee on Foreign Relations and the Committee
7 on Appropriations of the Senate and the Committee on
8 Foreign Affairs and the Committee on Appropriations of
9 the House of Representatives.”.

10 **SEC. 810. NOTIFICATION OF ALLOCATIONS OF ASSISTANCE.**

11 Section 653(a) of the Foreign Assistance Act of 1961
12 (22 U.S.C. 2413(a)) is amended—

13 (1) by inserting “(1)” immediately after “(a)”;

14 and

15 (2) by adding at the end the following:

16 “(2) The notification required by this subsection shall
17 include a list of all countries ineligible to receive assistance
18 under this Act at any time during the preceding fiscal
19 year, and shall include the date on which such ineligibility
20 was determined, and the specific provisions of law under
21 which such countries were determined to be ineligible for
22 assistance.”.

23 **SEC. 811. SPECIAL WAIVER AUTHORITY.**

24 Chapter 3 of part III of the Foreign Assistance Act
25 of 1961 is amended by adding at the end thereof the fol-
26 lowing new section:

1 **“SEC. 671. SPECIAL WAIVER AUTHORITY.**

2 “Funds appropriated to carry out the provisions of
3 part I or chapter 4 of part II of this Act specifically relat-
4 ing to child survival, primary health care, displaced chil-
5 dren, individuals with disabilities, or AIDS prevention and
6 control activities may be made available notwithstanding
7 any provision of law which restricts assistance to foreign
8 countries, except that such assistance shall be subject to
9 sections 116, 502B, and 620A of this Act.”.

10 **SEC. 812. STRENGTHENING OF THE NONPROLIFERATION**
11 **REGIME.**

12 (a) **POLICY.**—It is the sense of the Congress that the
13 President should instruct the United States Permanent
14 Representative to the United Nations to enhance the role
15 of that institution in the enforcement of nonproliferation
16 treaties through the adoption by the United Nations Secu-
17 rity Council of a resolution which would state that any
18 non-nuclear-weapon state that is found by the United Na-
19 tions Security Council, after consultation with the Inter-
20 national Atomic Energy Agency (IAEA), to have termi-
21 nated, abrogated, or materially violated an IAEA full-
22 scope safeguards agreement would be subjected to inter-
23 national economic sanctions.

24 (b) **PROHIBITION.**—None of the funds made available
25 under this Act or the Arms Export Control Act may be
26 used to provide any United States assistance to any non-

1 nuclear-weapon state that is found by the President to
2 have terminated, abrogated, or materially violated an
3 IAEA full-scope safeguard agreement.

4 (c) DEFINITIONS.—For purposes of this section—

5 (1) the term “IAEA full-scope safeguards”
6 means the full-scope safeguards set forth in an
7 agreement between a country and the International
8 Atomic Energy Agency, as authorized by Article
9 III(A)(5) of the Statute of the International Atomic
10 Energy Agency;

11 (2) the term “nonnuclear weapon state” means
12 any country which is not a nuclear weapon state, as
13 defined in Article IX(3) of the Treaty on Non-Pro-
14 liferation of Nuclear Weapons, signed at Washing-
15 ton, London, and Moscow on July 1, 1968; and

16 (3) the term “United States assistance”
17 means—

18 (A) economic assistance (including assist-
19 ance under chapter 4 of part II of the Foreign
20 Assistance Act (relating to the Economic Sup-
21 port Fund));

22 (B) military assistance under chapter 2 of
23 part II of that Act or grant international mili-
24 tary education and training under chapter 5 of
25 part II of that Act;

1 (C) international peacekeeping assistance
2 under chapter 6 of part II of that Act; and

3 (D) sales, credits, and guarantees under
4 the Arms Export Control Act.

5 **SEC. 813. CONGRESSIONAL NOTIFICATION OF PROPOSED**
6 **DEPARTMENT OF DEFENSE CIVIC ACTION**
7 **AND HUMANITARIAN ASSISTANCE PRO-**
8 **GRAMS.**

9 (a) IN GENERAL.—The Secretary of State, after con-
10 sultation with the Secretary of Defense, shall notify in
11 writing the Committees on Foreign Relations and Appro-
12 priations of the Senate and the Committees on Foreign
13 Affairs and Appropriations of the House of Representa-
14 tives at least 15 days in advance of any proposed deploy-
15 ments of United States military personnel (including Na-
16 tional Guard Units) to undertake civic action or humani-
17 tarian assistance programs in a foreign country.

18 (b) CONTENTS OF NOTIFICATION.—Such notification
19 shall include a description of the proposed programs, the
20 number of United States personnel to be deployed, and
21 the duration of the mission.

22 **SEC. 814. WITHHOLDING OF ASSISTANCE FOR PARKING**
23 **FINES OWED BY FOREIGN COUNTRIES.**

24 (a) IN GENERAL.—Of the funds made available for
25 a foreign country under part I of the Foreign Assistance

1 Act of 1961, an amount equivalent to the total unpaid
2 parking fines and penalties owed to the District of Colum-
3 bia by such country as of the date of enactment of this
4 Act shall be withheld from obligation for such country
5 until the Secretary of State certifies and reports in writing
6 to the appropriate congressional committees that such
7 fines and penalties are fully paid.

8 (b) DEFINITION.—For purposes of this section, the
9 term “appropriate congressional committees” has the
10 same meaning given to such term by section 644(q) of the
11 Foreign Assistance Act of 1961.

12 **SEC. 815. DISABILITY RIGHTS IN UNITED STATES FOREIGN**
13 **POLICY.**

14 (a) FINDINGS.—The Congress finds that—

15 (1) at least 500,000,000 people throughout the
16 world have a disability, most of whom live in devel-
17 oping countries;

18 (2) legal and other forms of discrimination
19 against people with disabilities are pervasive world-
20 wide;

21 (3) such discrimination involves not only active
22 exclusion, but a lack of accommodations and acces-
23 sibility that would allow participation by people with
24 disabilities;

1 (4) discrimination against people with disabili-
2 ities is a violation of their human rights; and

3 (5) discrimination against people with disabili-
4 ities has not historically been addressed by existing
5 standards of human rights employed in American
6 foreign policy.

7 (b) POLICY.—It should be the policy of the United
8 States to promote recognition of the human rights of peo-
9 ple with disabilities and to promote the elimination of dis-
10 crimination against such people.

11 (c) REPORT ON DISCRIMINATION AGAINST PEOPLE
12 WITH DISABILITIES.—Not later than 6 months after the
13 date of enactment of this Act, the Secretary of State shall
14 report to Congress on—

15 (1) United States efforts to promote the elimi-
16 nation of discrimination against people with disabili-
17 ties; and

18 (2) discriminatory practices and policies toward
19 people with disabilities around the world.

20 The report required by this subsection may be included
21 in the report required by section 116(d) of the Foreign
22 Assistance Act of 1961.

23 **SEC. 816. TECHNICAL CORRECTIONS.**

24 (a) CORRECTION OF CROSS REFERENCES TO INTER-
25 NATIONAL TRAFFIC IN ARMS REGULATIONS.—

1 (1) FOREIGN ASSISTANCE ACT.—Section 505(e)
2 of the Foreign Assistance Act of 1961 (22 U.S.C.
3 2314(e)) is amended in the second sentence—

4 (A) by striking out “significant defense ar-
5 ticles” and inserting in lieu thereof “significant
6 military equipment”; and

7 (B) by striking out “such defense articles”
8 both places it appears and inserting in lieu
9 thereof “such significant military equipment”.

10 (2) ARMS EXPORT CONTROL ACT.—(A) Section
11 3(a) of the Arms Export Control Act (22 U.S.C.
12 2753(a)) is amended in the second sentence follow-
13 ing paragraph (4)—

14 (i) by striking out “significant defense ar-
15 ticles” and inserting in lieu thereof “significant
16 military equipment”; and

17 (ii) by striking out “such defense articles”
18 both places it appears and inserting in lieu
19 thereof “such significant military equipment”.

20 (B) Section 36(d) is amended by striking out
21 “combat” and inserting in lieu thereof “military”.

22 (b) CLERICAL ERRORS IN 1985 AUTHORIZATION
23 ACT.—Section 25 of the Arms Export Control Act (22
24 U.S.C. 2765) is amended—

1 (1) in subsection (d), as added by section
2 112(b) of the International Security and Develop-
3 ment Cooperation Act of 1985—

4 (A) by redesignating that subsection as
5 subsection (e); and

6 (B) by striking out the semicolon at the
7 end and inserting in lieu thereof a period; and

8 (2) in subsection (a)(5)(B), by striking out
9 “(d)” and inserting in lieu thereof “(e)”.

10 (c) CLERICAL ERROR IN 1988 DOD APPROPRIA-
11 TIONS ACT.—Section 38(b)(1) of the Arms Export Con-
12 trol Act (22 U.S.C. 2778(b)(1)) is amended by redesignat-
13 ing subparagraph (B), as enacted by the Department of
14 Defense Appropriations Act, 1988, as subparagraph (C).

15 (d) OBSOLETE REFERENCES IN ARMS EXPORT CON-
16 TROL ACT.—The Arms Export Control Act is amended—

17 (1) in section 94(b)(3)(B) (22 U.S.C.
18 2799c(b)(3)(B)) and section 95(5) (22 U.S.C.
19 2799d(5)), by striking “Warsaw Pact country” each
20 place it appears and inserting in lieu thereof “coun-
21 try of the Eastern Group of States Parties”; and

22 (2) at the end of section 95 (22 U.S.C. 2799d),
23 by inserting before the period “or a successor state
24 to such a country”.

1 **TITLE IX—EFFECTIVE DATE**

2 **SEC. 901. EFFECTIVE DATE.**

3 Except as otherwise provided in this Act, or in any
 4 amendment made by this Act, this Act and the amend-
 5 ments made by this Act shall take effect on October 1,
 6 1993.

S 1467 PCS—2

S 1467 PCS—3

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