

Public Law 96-533
96th Congress

An Act

To authorize appropriations for the fiscal year 1981 for international security and development assistance, the Peace Corps, and refugee assistance, and for other purposes.

Dec. 16, 1980

[H.R. 6942]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

International Security and Development Cooperation Act of 1980.

22 USC 2151 note.

SHORT TITLE

SECTION 1. This Act may be cited as the "International Security and Development Cooperation Act of 1980".

TITLE I—MILITARY AND RELATED ASSISTANCE AND SALES PROGRAMS

THIRD COUNTRY TRANSFERS

SEC. 101. (a)(1) Section 3(d) of the Arms Export Control Act is amended—

22 USC 2753.

(A) by redesignating existing paragraph (3) as paragraph (4); and

(B) by inserting the following new paragraph (3) immediately after paragraph (2):

"(3) The President may not give his consent to the transfer to a third country of a defense article or a defense service valued (in terms of its original acquisition costs) at \$25,000,000 or more, or of major defense equipment valued (in terms of its original acquisition costs) at \$7,000,000 or more, the export of which has been licensed or approved under section 38 of this Act, unless at least 30 calendar days before giving such consent the President submits to the Speaker of the House of Representatives and the Chairman of the Committee on Foreign Relations of the Senate a report containing the information specified in subparagraphs (A) through (E) of paragraph (1)."

Report to Congress.

22 USC 2778.

(2) Such section is further amended—

(A) in the last sentence of paragraph (1) by striking out "subsection" and inserting in lieu thereof "paragraph"; and

(B) in paragraph (2) by inserting "paragraph (1) of" immediately before "this subsection".

(b) Paragraph (4) of section 3(d) of such Act, as so redesignated by subsection (a)(1)(A) of this section, is amended—

(1) by striking out "or" at the end of subparagraph (B);

(2) by striking out the period at the end of clause (ii) of subparagraph (C) and inserting in lieu thereof "; or"; and

(3) by adding at the end thereof the following new subparagraph:

"(D) to transfers to the North Atlantic Treaty Organization, any member country of such Organization, Japan, Australia, or New Zealand, of any major defense equipment valued (in terms of its original acquisition cost) at less than \$7,000,000 or of any

defense article or related training or other defense service valued (in terms of its original acquisition cost) at less than \$25,000,000.”.

PERFORMANCE OF DEFENSE SERVICES

22 USC 2761.

SEC. 102. Section 21(c) of the Arms Export Control Act is amended—

(1) by striking out “training, advising, or otherwise providing assistance regarding combat activities” and inserting in lieu thereof “training and advising that may engage United States personnel in combat activities”;

(2) by inserting “(1)” immediately after “(c)”; and

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

Report to
Congress.

“(2) Within 48 hours after the outbreak of significant hostilities involving a country in which United States personnel are performing defense services pursuant to this Act or the Foreign Assistance Act of 1961, the President shall submit to the Speaker of the House of Representatives and to the President pro tempore of the Senate a report, in writing, setting forth—

22 USC 2151
note.

“(A) the identity of such country and a description of such hostilities; and

“(B) the number of members of the United States Armed Forces and the number of United States civilian personnel performing defense services related to such hostilities in such country, their location, the precise nature of their activities, and the likelihood of their becoming engaged in or endangered by hostilities.”.

RECIPROCAL TRAINING AGREEMENTS

22 USC 2761.

10 USC 2451
note.

SEC. 103. Section 21(g) of the Arms Export Control Act is amended by striking out “In carrying out section 814 of the Act of October 7, 1975 (Public Law 94-106), the President may enter into North Atlantic Treaty Organization standardization agreements” and inserting in lieu thereof “The President may enter into North Atlantic Treaty Organization standardization agreements in carrying out section 814 of the Act of October 7, 1975 (Public Law 94-106), and may enter into similar agreements with Japan, Australia, and New Zealand.”.

GUARANTY RESERVE

22 USC 2764.

SEC. 104. (a) Section 24(c) of the Arms Export Control Act is amended to read as follows:

Ante, p. 3131.

“(c) Funds obligated under this section before the date of enactment of the International Security and Development Cooperation Act of 1980 which constitute a single reserve for the payment of claims under guaranties issued under this section shall remain available for expenditure for the purposes of this section on and after that date. The President shall report promptly to the Congress whenever the payment of a claim under any such guaranty reduces the total amount of funds in the single reserve under this subsection to an amount less than \$750,000,000, together with his recommendations for the authorization of appropriations of additional funds for such reserve. For purposes of any provision in this Act or any other Act relating to a prohibition or limitation on the availability of funds under this Act, whenever a guaranty is issued under this section, the

Report to
Congress.

principal amount of the loan so guaranteed shall be deemed to be funds made available for use under this Act. Any guaranties issued hereunder shall be backed by the full faith and credit of the United States.”

(b) Section 37 of such Act is amended by adding at the end thereof the following: 22 USC 2777.

“(c) Notwithstanding the provisions of subsection (b), to the extent that any of the funds constituting the reserve under section 24(c) are paid out for a claim arising out of a loan guaranteed under section 24, amounts received from a foreign government or international organization after the date of such payment, with respect to such claim, shall be credited to such reserve, shall be merged with the funds in such reserve, and shall be available for any purpose for which funds in such reserve are available.” Ante, p. 3132.

(c) Section 25(a) of such Act is amended— 22 USC 2765.

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5); and

(2) by inserting after paragraph (2) the following:

“(3) the total amount of funds in the reserve under section 24(c) at the end of the fiscal year immediately preceding the fiscal year in which a report under this section is made, together with an assessment of the adequacy of such total amount of funds as a reserve for the payment of claims under guaranties issued pursuant to section 24 in view of the current debt servicing capacity of borrowing countries, as reported to the Congress pursuant to section 634(a)(5) of the Foreign Assistance Act of 1961;” Ante, p. 3132.

(d) Section 31(a) of such Act is amended by inserting immediately after the first sentence the following new sentence: “Credits may not be extended under section 23 of this Act in an amount, and loans may not be guaranteed under section 24(a) of this Act in a principal amount, which exceeds any maximum amount which may be established with respect to such credits or such loan guaranties in legislation appropriating funds to carry out this Act.” 22 USC 2394.
22 USC 2771.
22 USC 2763.
22 USC 2764.

MILITARY CONSTRUCTION

SEC. 105. (a) The Arms Export Control Act is amended by inserting immediately after chapter 2 the following new chapter:

“CHAPTER 2A—FOREIGN MILITARY CONSTRUCTION SALES

“SEC. 29. FOREIGN MILITARY CONSTRUCTION SALES.—The President may sell design and construction services to any eligible foreign country or international organization if such country or international organization agrees to pay in United States dollars not less than the full cost to the United States Government of furnishing such services. Payment shall be made to the United States Government in advance of the performance of such services by officers or employees of the United States Government. The President may, without requirement for charge to any appropriation or contract authorization otherwise provided, enter into contracts for the procurement of design and construction services for sale under this section if such country or international organization provides the United States Government with a dependable undertaking (1) to pay the full amount of such contract which will assure the United States Government against any loss on the contract, and (2) to make funds available in such amounts and at such time as may be required to meet the Contracts. 22 USC 2769.

payments required by the contract and any damages and costs that may accrue from the cancellation of such contract, in advance of the time such payments, damages, or costs are due.”

22 USC 2761.

(b)(1) Section 21(h) of such Act is amended by striking out “defense articles or defense services” both places it appears and inserting in lieu thereof “defense articles, defense services, or design and construction services”.

22 USC 2762.
50 USC app. 1211
note.

(2) Section 22(c) of such Act is amended to read as follows:
“(c) The provisions of the Renegotiation Act of 1951 do not apply to procurement contracts heretofore or hereafter entered into under this section, section 29, or predecessor provisions of law.”

Ante, p. 3133.
22 USC 2763,
2764, 2771.

(3) Sections 23, 24(a), and 31(c) of such Act are each amended by striking out “defense articles and defense services” each place it appears and inserting in lieu thereof “defense articles, defense services, and design and construction services”.

22 USC 2776.

(c) Section 36(a) of such Act is amended—

(1) by striking out “and” immediately after the semicolon at the end of paragraph (7);

(2) by striking out the period at the end of paragraph (8) and inserting in lieu thereof a semicolon; and

Ante, p. 3133.

(3) by adding at the end thereof the following new paragraph:
“(9) a listing of each sale under section 29 during the quarter for which such report is made, specifying (A) the purchaser, (B) the United States Government department or agency responsible for implementing the sale, (C) an estimate of the dollar amount of the sale, and (D) a general description of the real property facilities to be constructed pursuant to such sale; and”.

22 USC 2776.

(d)(1) Section 36(b)(1) of such Act is amended in the first sentence by inserting “any design and construction services for \$200,000,000 or more,” immediately after “\$25,000,000 or more,”.

(2) Such section is further amended—

(A) in the first sentence by inserting “, or (in the case of a sale of design and construction services) the information specified in clauses (A) through (D) of paragraph (9) of subsection (a),” immediately after “subsection (a)” the first place it appears;

(B) in the second sentence by striking out “or defense services” and inserting in lieu thereof “, defense services, or design and construction services,”; and

(C) in the third sentence—

(i) in subparagraph (A) by striking out “or services” and inserting in lieu thereof “, defense services, or design and construction services”;

(ii) in subparagraph (C) by striking out “or defense service” and inserting in lieu thereof “, defense service, or design and construction service”;

(iii) in subparagraph (E) by striking out “or services” both places it appears and inserting in lieu thereof “, defense services, or design and construction services”;

(iv) in subparagraph (I) by striking out “or services” both places it appears and inserting in lieu thereof “, defense services, or design and construction services”;

(v) in subparagraph (J) by striking out “or services” and inserting in lieu thereof “, defense services, or design and construction services”;

(vi) in subparagraph (K) by striking out “or services” and inserting in lieu thereof “, defense services, or design and construction services”;

(vii) in subparagraph (L) by striking out “or services” and inserting in lieu thereof “, defense services, or design and construction services”;

(viii) in subparagraph (M) by striking out “services, or” the first place it appears and inserting in lieu thereof “defense services, design and construction services, or defense”;

(ix) in subparagraph (N) by inserting “, defense services, or design and construction services” immediately after “defense articles”.

(e)(1) Section 37(a) of such Act is amended by striking out “sections 21 and 22” and inserting in lieu thereof “sections 21, 22, and 29”. 22 USC 2777.

(2) Section 39 of such Act is amended— 22 USC 2779.

(A) in subsection (a) by inserting “, or of design and construction services under section 29,” immediately after “section 22”; and

(B) in subsection (c) by inserting “or section 29” immediately after “section 22”.

(3) Section 42 of such Act is amended— 22 USC 2791.

(A) in subsection (d) by striking out “and 24” and inserting in lieu thereof “24, and 29”; and

(B) in subsection (e) by striking out “and 22” both places that it appears and inserting in lieu thereof “, 22, and 29”.

(f) Section 47 of such Act is amended— 22 USC 2794.

(1) in paragraph (4) by inserting “, but does not include design and construction services under section 29 of this Act” immediately after “military sales”;

(2) in paragraph (6) by striking out “and” immediately after the semicolon;

(3) in paragraph (7) by striking out the period and inserting in lieu thereof “; and”; and

(4) by adding at the end thereof the following new paragraph:

“(8) ‘design and construction services’ means, with respect to sales under section 29 of this Act, the design and construction of real property facilities, including necessary construction equipment and materials, engineering services, construction contract management services relating thereto, and technical advisory assistance in the operation and maintenance of real property facilities provided or performed by any department or agency of the Department of Defense or by a contractor pursuant to a contract with such department or agency.”

“Design and construction services.”
Ante, p. 3133.

FOREIGN MILITARY SALES AUTHORIZATION AND AGGREGATE CEILING

SEC. 106. (a) Section 31(a) of the Arms Export Control Act is amended by striking out “\$673,500,000 for the fiscal year 1980” and inserting in lieu thereof “\$500,000,000 for the fiscal year 1981”. 22 USC 2771.

(b) Section 31(b) of such Act is amended to read as follows:

“(b)(1) The total amount of credits, or participations in credits, extended pursuant to section 23 of this Act for the fiscal year 1981 shall not exceed \$500,000,000. 22 USC 2763.

“(2) The total principal amount of loans guaranteed pursuant to section 24(a) of this Act for the fiscal year 1981 shall not exceed \$2,616,000,000. 22 USC 2764.

“(3) Of the aggregate total of such credits, or participations in credits, and of the total principal amount of such loans guaranteed, not less than \$1,400,000,000 for the fiscal year 1981 shall be available only for Israel, of which \$200,000,000 shall be available only for costs associated with the relocation of Israeli forces from the Sinai.”

- 22 USC 2771. (c) Section 31(c) of such Act is amended—
 (1) in the first sentence by striking out “fiscal year 1980” and inserting in lieu thereof “fiscal year 1981”; and
 (2) in the last sentence by striking out “one-half” and inserting in lieu thereof “\$500,000,000”.
- 22 USC 2764. (d) The principal amount of the loans guaranteed under section 24(a) of such Act for the fiscal year 1981 with respect to Egypt, the Sudan, Greece, and Turkey shall be repaid, and with respect to Somalia may be repaid, in not less than twenty years, following a grace period of ten years on repayment of principal.

COMMERCIAL EXPORTS OF DEFENSE ARTICLES AND DEFENSE SERVICES

- 22 USC 2778. SEC. 107. (a) Section 38(b)(3) of the Arms Export Control Act is amended by striking out “\$35,000,000” and inserting in lieu thereof “\$100,000,000”.

- 22 USC 2776. (b) Section 36(c) of such Act is amended—
 (1) in the first sentence by striking out “not less than 30 days”;
 (2) by redesignating paragraphs (1), (2), and (3) as clauses (A), (B), and (C), respectively;
 (3) in the last sentence by striking out “paragraph (2)” and inserting in lieu thereof “clause (B)” and by striking out “paragraph (3)” and inserting in lieu thereof “clause (C)”;
 (4) by inserting “(1)” immediately after “(c)”; and
 (5) by adding at the end thereof the following:

Export license. “(2) Unless the President states in his certification that an emergency exists which requires the proposed export in the national security interests of the United States, a license for export described in paragraph (1)—

“(A) shall not be issued until at least 30 calendar days after the Congress receives such certification; and

“(B) shall not be issued then if the Congress, within such 30-day period, adopts a concurrent resolution stating that it objects to the proposed export, except that this subparagraph does not apply with respect to a license issued for an export to the North Atlantic Treaty Organization, any member country of that Organization, Japan, Australia, or New Zealand.

If the President states in his certification that an emergency exists which requires the proposed export in the national security interests of the United States, thus waiving the requirements of subparagraphs (A) and (B) of this paragraph, he shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate the immediate issuance of the export license and a discussion of the national security interests involved.

- 90 Stat. 765. “(3)(A) Any resolution under this subsection shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

“(B) For the purpose of expediting the consideration and adoption of concurrent resolutions under this subsection, a motion to proceed to the consideration of any such resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.”

- 22 USC 2778. (c) Section 38(a) of such Act is amended by adding at the end thereof the following new paragraph:

“(3) In exercising the authorities conferred by this section, the President may require that any defense article or defense service be

sold under this Act as a condition of its eligibility for export, and may require that persons engaged in the negotiation for the export of defense articles and services keep the President fully and currently informed of the progress and future prospects of such negotiations.”.

(d) Section 25(d)(1) of such Act is amended—

22 USC 2765.

(1) in the first sentence by inserting “and licensed commercial exports” immediately after “sales” both places it appears; and

(2) in the second sentence—

(A) by inserting “and licensed commercial exports” immediately after “Sales”, and

(B) by inserting “or of an export license” immediately after “letter of offer”.

EXPORT CONTROLS ON CERTAIN ITEMS ON THE MUNITIONS LIST

SEC. 108. (a) The President shall review the categories of defense articles and defense services on the United States Munitions List in order to determine which of such articles and services, if any, should be removed from such List. The President shall report to the Congress concerning the results of this review not later than 120 days after the date of enactment of this Act. With respect to this review, it is the sense of the Congress that defense articles and services should not be removed from the United States Munitions List—

Review.

(1) if they are specifically designed, modified, adapted, or equipped for military application or use;

(2) if they do contain sensitive technology used for military, security, intelligence, or cryptographic purposes;

(3) if they are related to nuclear weapons development, production, or testing, or to systems capable of delivering nuclear weapons, or to spacecraft; or

(4) if they are otherwise of such a particular nature as to warrant continued export control under section 38 of the Arms Export Control Act.

Report to Congress.

(b) In addition, the President shall study whether section 620B of the Foreign Assistance Act of 1961 should be amended in order to allow the issuance of licenses under section 38 of the Arms Export Control Act for the export of (1) communications and electronics equipment with a direct civilian application; (2) transport, utility, or training helicopters with a direct civilian application; (3) propeller-driven transport, utility, or training aircraft; (4) trucks and vehicles with a direct civilian application; or (5) defense services related to any of the items described in clauses (1) through (4). The President shall report the results of this study to the Congress within 120 days after the date of enactment of this Act.

22 USC 2778.

Study.

22 USC 2372.

Report to Congress.

LEASING OF DEFENSE PROPERTY

SEC. 109. (a) Not less than thirty days before the Secretary of a military department exercises his authority under section 2667 of title 10, United States Code, in order to lease defense property to a foreign government for a period of more than six months, the President shall transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, a written notification which specifies—

Notification of Congress.

10 USC 2667 note.

(1) the country to which such defense property is to be leased;

(2) the type, quantity, and value of the defense property to be leased;

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

(4) a justification for the lease.

(b) Each such lease agreement shall be subject to the approval of the Secretary of State.

(c) Each such lease agreement shall be provided to the Congress not later than thirty days after its date of signature.

Waiver; report to Congress.

(d) The President may waive the requirements of subsections (a) and (b) of this section if he determines and immediately reports such determination to the Congress that an emergency exists which requires such lease in the national security interests of the United States.

"Defense property."
22 USC 2794.

(e) As used in this section, the term "defense property" means any major defense equipment (as defined in section 47(6) of the Arms Export Control Act) valued at \$7,000,000 or more and any other property valued at \$25,000,000 or more.

22 USC 2776.

(f) Section 36(a) of the Arms Export Control Act is amended by inserting the following new paragraph immediately after paragraph (9), as added by section 105(c) of this Act:

"(10) a listing (classified if necessary) of all property valued at \$1,000,000 or more which was leased, during the quarter for which such report is submitted, to a foreign government for a period of more than six months under section 2667 of title 10, United States Code."

EXPORTATION OF URANIUM DEPLETED IN THE ISOTOPE 235

22 USC 2778a.

SEC. 110. Upon a finding that an export of uranium depleted in the isotope 235 is incorporated in defense articles or commodities solely to take advantage of high density or pyrophoric characteristics unrelated to its radioactivity, such exports shall be exempt from the provisions of the Atomic Energy Act of 1954 and of the Nuclear Non-Proliferation Act of 1978 when such exports are subject to the controls established under the Arms Export Control Act or the Export Administration Act of 1979.

42 USC 2011
note.
22 USC 3201
note.
22 USC 2751
note.

NOTIFICATION OF CERTAIN COMMERCIAL EXPORTS TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM

50 USC app. 2401
note.

50 USC app. 2405.

SEC. 111. Section 6(i) of the Export Administration Act of 1979 is amended in text preceding paragraph (1) by striking out "of the Senate" and inserting in lieu thereof "and the Committee on Foreign Relations of the Senate at least 30 days".

MILITARY ASSISTANCE

22 USC 2311.

SEC. 112. (a) Section 503(a) of the Foreign Assistance Act of 1961 is amended—

Funds, transfer.

- (1) by striking out "or" at the end of paragraph (1);
- (2) by striking out the period at the end of paragraph (2) and inserting in lieu thereof "; or"; and
- (3) by inserting at the end thereof the following new paragraph:

Post, p. 3139.

"(3) transferring such of the funds appropriated or otherwise made available under this chapter as the President may determine for assistance to a recipient specified in section 504(a)(1) of this Act, within the dollar limitations of that section, to the account in which funds for the procurement of defense articles and defense services under section 21 and section 22 of the Arms Export Control Act have been deposited for such recipient, to be

22 USC 2761,
2762.

merged with such deposited funds, and to be used solely to meet obligations of the recipient for payment for sales under that Act.”.

(b) Section 504(a)(1) of such Act is amended to read as follows:

Appropriation authorization.
22 USC 2312.

“(a)(1) There are authorized to be appropriated to the President to carry out the purposes of this chapter not to exceed \$106,100,000 for the fiscal year 1981. Not more than the following amounts of funds available to carry out this chapter may be allocated and made available for assistance to each of the following countries for the fiscal year 1981:

Portugal.....	\$51,000,000
Spain.....	3,600,000
The Philippines.....	25,000,000
The Sudan.....	1,700,000

The amount specified in this paragraph for military assistance to any such country may be increased by not more than 10 percent of such amount if the President deems such increase necessary for the purposes of this chapter.”.

(c) Section 506(a) of such Act is amended by striking out “\$10,000,000” and inserting in lieu thereof “\$50,000,000”.

22 USC 2318.

(d) Section 516(a) of such Act is amended—

22 USC 2321j.

(1) by striking out “September 30, 1980” and inserting in lieu thereof “September 30, 1982”; and

(2) by striking out “three” and inserting in lieu thereof “five”.

STOCKPILING OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES

SEC. 113. Section 514(b)(2) of the Foreign Assistance Act of 1961 is amended by striking out “\$95,000,000 for the fiscal year 1980” and inserting in lieu thereof “\$85,000,000 for the fiscal year 1981”.

22 USC 2321h.

INTERNATIONAL MILITARY ASSISTANCE AND SALES PROGRAM MANAGEMENT

SEC. 114. Section 515 of the Foreign Assistance Act of 1961 is amended—

22 USC 2321i.

(1) in subsection (b)(1)—

(A) by striking out “fiscal year 1980” and inserting in lieu thereof “fiscal year 1981”;

(B) by striking out “the countries specified in section 504(a)(1) and in” and inserting in lieu thereof “Portugal, Spain, Jordan, the Philippines,”; and

Supra.

(C) by striking out “Iran, Kuwait” and inserting in lieu thereof “Egypt”;

(2) in subsection (b)(3)—

(A) by striking out “Iran, Kuwait, and”;

(B) by striking out “countries” and inserting in lieu thereof “country”; and

(C) by striking out “each”; and

(3) in the last sentence of subsection (f)—

(A) by inserting “six more than” immediately after “may not exceed”;

(B) by striking out “December 31, 1978” and inserting in lieu thereof “December 31, 1979”; and

(C) by inserting “and countries to which military personnel have been assigned pursuant to subsection (c)” immediately after “such countries”.

INTERNATIONAL MILITARY EDUCATION AND TRAINING

- 22 USC 2347a. SEC. 115. (a) The first sentence of section 542 of the Foreign Assistance Act of 1961 is amended by striking out all that follows "the purposes of this chapter" and inserting in lieu thereof "\$34,000,000 for the fiscal year 1981."
- 22 USC 2403. (b)(1) Section 644(m) of such Act is amended—
 - (A) by striking out "and" at the end of paragraph (3);
 - (B) by striking out the period at the end of paragraph (4) and inserting in lieu thereof "; and"; and
 - (C) by adding at the end thereof the following new paragraph:
 - "(5) with respect to military education and training, the additional costs that are incurred by the United States Government in furnishing such assistance."
- 22 USC 2761. (2) Section 21(a)(3) of the Arms Export Control Act is amended by inserting immediately before the period the following: ", except that in the case of training sold to a purchaser who is concurrently receiving assistance under chapter 5 of part II of the Foreign Assistance Act of 1961, only those additional costs that are incurred by the United States Government in furnishing such training".
- 22 USC 2347.

PEACEKEEPING OPERATIONS

- 22 USC 2348a. SEC. 116. (a) Section 552(a) of the Foreign Assistance Act of 1961 is amended by striking out "\$21,100,000 for the fiscal year 1980" and inserting in lieu thereof "\$25,000,000 for the fiscal year 1981".
- Repeal. (b) Section 553 of such Act is repealed and section 554 is redesignated as section 553.
- 22 USC 2348b, 2348c.

SPECIAL AUTHORITY

- 22 USC 2364. SEC. 117. (a) Section 614(a) of the Foreign Assistance Act of 1961 is amended to read as follows:
 - "(a)(1) The President may authorize the furnishing of assistance under this Act without regard to any provision of this Act, the Arms Export Control Act, any law relating to receipts and credits accruing to the United States, and any Act authorizing or appropriating funds for use under this Act, in furtherance of any of the purposes of this Act, when the President determines, and so notifies in writing the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, that to do so is important to the security interests of the United States.
 - "(2) The President may make sales, extend credit, and issue guaranties under the Arms Export Control Act, without regard to any provision of this Act, the Arms Export Control Act, any law relating to receipts and credits accruing to the United States, and any Act authorizing or appropriating funds for use under the Arms Export Control Act, in furtherance of any of the purposes of such Act, when the President determines, and so notifies in writing the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, that to do so is vital to the national security interests of the United States.
 - "(3) Before exercising the authority granted in this subsection, the President shall consult with, and shall provide a written policy justification to, the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.
- Notification of Congress. 22 USC 2751 note.
- Notification of Congress.
- Policy justification.

“(4) The authority of this subsection may not be used to authorize the use of more than \$250,000,000 of funds made available for use under this Act or the Arms Export Control Act, or the use of more than \$100,000,000 of foreign currencies accruing under this Act or any other law, in any fiscal year. Not more than \$50,000,000 of the funds available under this subsection may be allocated to any one country in any fiscal year, unless such country is a victim of active Communist or Communist-supported aggression.

22 USC 2751
note.

“(5) The authority of this section may not be used to waive the limitations on transfers contained in section 610(a) of this Act.”

22 USC 2360.

(b) Section 652 of such Act is amended by striking out “, 610(a), or 614(a)” and inserting in lieu thereof “or 610(a)”.

22 USC 2411.

MILITARY OR PARAMILITARY OPERATIONS IN ANGOLA

SEC. 118. (a) Notwithstanding any other provision of law, no assistance of any kind may be provided for the purpose, or which would have the effect, of promoting or augmenting, directly or indirectly, the capacity of any nation, group, organization, movement, or individual to conduct military or paramilitary operations in Angola unless and until—

22 USC 2293
note.

(1) the President determines that such assistance should be furnished in the national security interests of the United States;

(2) the President submits to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report containing—

Report to
congressional
committees.

(A) a description of the amounts and categories of assistance which he recommends be furnished and the identity of the proposed recipients of such assistance; and

(B) a certification that he has determined that the furnishing of such assistance is important to the national security interests of the United States and a detailed statement of the reasons supporting such determination; and

(3) the Congress enacts a joint resolution approving the furnishing of such assistance.

Joint resolution.

(b) If introduced within 30 days after the submission of the report required by paragraph (2) of subsection (a), a resolution under paragraph (3) of subsection (a) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976 and in the House of Representatives in accordance with the procedures applicable to the consideration of resolutions of disapproval under section 36(b) of the Arms Export Control Act.

90 Stat. 765.

22 USC 2776.

(c) The prohibition contained in subsection (a) does not apply with respect to assistance which is furnished solely for humanitarian purposes.

(d) The provisions of this section may not be waived under any other provision of law.

(e) Section 404 of the International Security Assistance and Arms Export Control Act of 1976 is repealed.

Repeal.
22 USC 2293
note.

PROHIBITION ON MILITARY ASSISTANCE TO NICARAGUA

SEC. 119. None of the funds authorized to be appropriated by this title shall be made available for any aid or assistance to Nicaragua.

22 USC 2151
note.

TITLE II—ECONOMIC SUPPORT FUND

AUTHORIZATION OF APPROPRIATIONS

22 USC 2346. SEC. 201. Section 531(b)(1) of the Foreign Assistance Act of 1961 is amended by striking out "fiscal year 1980, \$1,935,000,000" and inserting in lieu thereof "fiscal year 1981, \$2,065,300,000".

USE OF FUNDS

22 USC 2346a-2346e. SEC. 202. Chapter 4 of part II of the Foreign Assistance Act of 1961 is amended by striking out all that follows section 531 and inserting in lieu thereof the following:

22 USC 2346a. "SEC. 532. USE OF FISCAL YEAR 1981 FUNDS.—(a)(1) Of the funds authorized to be appropriated to carry out this chapter for the fiscal year 1981, not less than \$785,000,000 shall be available only for Israel and not less than \$750,000,000 shall be available only for Egypt.

"(2) All of the funds made available to Israel and to Egypt under this chapter for the fiscal year 1981 shall be provided on a grant basis.

Cash transfer. "(3) The total amount of funds allocated for Israel under this chapter for the fiscal year 1981 may be made available as a cash transfer. In exercising the authority of this paragraph, the President shall ensure that the level of cash transfers made to Israel does not cause an adverse impact on the total amount of nonmilitary exports from the United States to Israel.

"(b) Of the funds authorized to be appropriated to carry out this chapter for the fiscal year 1981, not less than \$200,000,000 shall be available only for Turkey. Not less than two-thirds of the funds made available to Turkey under this chapter for the fiscal year 1981 shall be provided on a grant basis.

"(c) Of the funds authorized to be appropriated to carry out this chapter for the fiscal year 1981, \$15,000,000 shall be available only for Cyprus for refugee relief, reconstruction, and educational exchange programs.

"(d)(1) Of the amount authorized to be appropriated to carry out this chapter for the fiscal year 1981, \$12,500,000 may be used for special requirements in the Middle East, including regional programs and development programs on the West Bank and in Gaza.

"(2) The President may obligate or expend funds under this subsection only if—

Report to Congress. "(A) he has transmitted to the Speaker of the House of Representatives, and to the chairman of the Committee on Foreign Relations and the chairman of the Committee on Appropriations of the Senate, a report setting forth—

"(i) the name of the proposed recipient of such funds,

"(ii) the amount of funds to be made available to such recipient, and

"(iii) the purpose for which such funds are to be made available;

"(B) a period of 30 calendar days has elapsed since the Congress received such report; and

"(C) the Congress did not adopt, during such 30-day period, a concurrent resolution stating in substance that the Congress does not approve the proposed use of funds described in such report.

Emergency use. "(e)(1) Up to \$50,000,000 of the funds appropriated to carry out this chapter for the fiscal year 1981 may be made available for emergency use under this chapter when the national interests of the United

States urgently require economic support to promote economic or political stability.

“(2) Notwithstanding subsections (a)(1), (b), (c), and (d)(1) of this section, up to 5 percent of the funds available for any country or region pursuant to such subsections may be used under paragraph (1) of this subsection.

“(f) None of the funds appropriated to carry out this chapter for fiscal year 1981 may be made available for Syria.

“(g) Funds available to carry out this chapter for the fiscal year 1981 may not be used to finance the construction of, the operation or maintenance of, or the supplying of fuel for, any nuclear facility in a foreign country unless the President certifies to the Congress that use of funds for such purpose is indispensable to the achievement of nonproliferation objectives which are uniquely significant and of paramount importance to the United States.

“SEC. 533. CENTRAL AMERICAN ECONOMIC SUPPORT.—(a) The Congress finds that peaceful and democratic development in Central America is in the interest of the United States and of the community of American States generally, that the recent civil strife in Nicaragua has caused great human suffering and disruption to the economy of that country, and that substantial external assistance to Nicaragua is necessary to help alleviate that suffering and to promote economic recovery within a peaceful and democratic process. The Congress further finds that peaceful and democratic development in certain other Central American countries will be significantly assisted by additional economic support at this time.

Nicaragua,
assistance.
22 USC 2346b.

“(b) In furnishing assistance under this chapter to the Government of Nicaragua, the President shall take into account the extent to which that Government has engaged in violations of the right to organize and operate labor unions free from political oppression, has engaged in or permitted violations of human rights, has engaged in violations of the right to freedom of the press, or has engaged in violations of the right to freedom of religion.

“(c) The President shall encourage the Government of Nicaragua to respect the right to freedom of the press, the right to organize and operate free labor unions, the right to freedom of religion, as well as all other fundamental human rights.

“(d) The Congress reaffirms the requirement of section 502B(a)(1) of this Act that a principal goal of the foreign policy of the United States shall be to promote the increased observance of internationally recognized human rights by all countries. In furtherance of the goal, assistance to Nicaragua for the fiscal year 1981 under this chapter shall be terminated, in accordance with sections 116 and 502B of this Act, if the Government of Nicaragua engages in a consistent pattern of gross violations of internationally recognized human rights.

22 USC 2304.

“(e) The President shall transmit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate a report for each 6-month period in which funds are expended under this chapter for Nicaragua for the fiscal year 1981. Each such report shall discuss fully and completely the status of respect in Nicaragua for human rights, political pluralism, freedom of the press and assembly, freedom of religion, and freedom of labor to organize and bargain collectively.

Report to
Congress.

“(f) Prior to releasing any assistance to the Government of Nicaragua under this chapter, the President shall transmit a certification to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate that the Government of Nicaragua has not cooperated with or harbored any international terrorist

Certification,
transmittal to
Congress.

22 USC 2151n.

organization and is not aiding, abetting, or supporting acts of violence or terrorism in other countries. In the event that the President transmits such a certification, but at a later date he determines that the Government of Nicaragua cooperates with or harbors any international terrorist organization or is aiding, abetting, or supporting acts of violence or terrorism in other countries, the President shall terminate assistance to the Government of Nicaragua under this chapter, and the outstanding balance of any loan to the Government of Nicaragua, or any of its agencies or instrumentalities, with funds authorized to be appropriated by this chapter shall become immediately due and payable.

“(g) It is the sense of the Congress that the United States should support those traditionally faithful allies of the United States which are responsible members of the Organization of American States, including Guatemala, El Salvador, Costa Rica, Nicaragua, Panama, and Honduras, against terrorism and external subversion.

“(h) Funds made available under this chapter for the National School of Agriculture in Nicaragua shall be used under an understanding with the Autonomous National University of Nicaragua that the National School of Agriculture will cooperate in programs with United States institutions of higher education.

Private sector,
assistance.

“(i) Any agreement between the United States and the Government of Nicaragua regarding the use of funds authorized to be appropriated under this chapter, which are to be made available in the form of loans, shall specifically require that at least 60 percent of such loan funds, and any local currency generated in conjunction therewith, shall be used for assistance to the private sector. Insofar as practicable, local currency used for assistance to the private sector in Nicaragua shall, consistent with the accomplishment of the purposes set forth in subsection (a) of this section, be used in ways which will strengthen private financial institutions which will help keep the private sector in Nicaragua financially independent. Local currency loan programs in Nicaragua shall be monitored and audited in accordance with section 624(g) of this Act. The President shall report on the implementation of this subsection in the reports required under subsection (e) of this section.

Post, p. 3158.

“(j) The President shall terminate assistance to the Government of Nicaragua under this chapter if he determines and reports to the Congress that Soviet, Cuban, or other foreign combat military forces are stationed or situated within the borders of Nicaragua and that the presence of such forces constitutes a threat to the national security of the United States or to any Latin American ally of the United States.

“(k) The President shall terminate assistance to Nicaragua under this chapter for the fiscal year 1981 if he determines that the Government of Nicaragua has engaged in a consistent pattern of violations of the right to organize and operate labor unions free from political oppression.

Elections.

“(l) The President shall encourage the holding of free, open elections in Nicaragua within a reasonable period of time and shall, in providing any additional assistance to Nicaragua, take into consideration the progress which is being made toward holding such elections.

“(m) None of the funds made available for Nicaragua under this chapter may be used for assistance for any school or other educational instrumentality or facility which would house, employ, or be made available to Cuban personnel.

“(n) The President shall terminate assistance to Nicaragua under this chapter if he determines that the Government of Nicaragua engages in systematic violations of free speech and press.

“(o) Any agreement between the United States and the Government of Nicaragua regarding the use of funds authorized to be appropriated under this chapter, which are to be made available in the form of loans, shall specifically require that such loan funds shall be used for the purchase of goods or services of United States origin.

“(p) Up to one percent of the funds made available to Nicaragua under this chapter for the fiscal year 1981 shall be used to make publicly known to the people of Nicaragua the extent of United States aid programs to them. The President shall periodically report to the Congress on the effectiveness of his efforts to carry out this subsection.”

Report to
Congress.

CONSTRUCTION OF PRODUCTIVE ENTERPRISE IN EGYPT

SEC. 203. The first sentence of section 620(k) of the Foreign Assistance Act of 1961 is amended by inserting “, fiscal year 1980, or fiscal year 1981” immediately after “fiscal year 1977”.

22 USC 2370.

TITLE III—DEVELOPMENT ASSISTANCE PROGRAMS

AGRICULTURE, RURAL DEVELOPMENT, AND NUTRITION

SEC. 301. The first sentence of section 103(a)(2) of the Foreign Assistance Act of 1961 is amended to read as follows: “There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, \$713,500,000 for the fiscal year 1981.”

22 USC 2151a.

POPULATION AND HEALTH

SEC. 302. (a) Section 104(b) of the Foreign Assistance Act of 1961 is amended by inserting after “information and services” in the second sentence the following: “, including also information and services which relate to and support natural family planning methods.”

22 USC 2151b.

(b) The first sentence of section 104(g) of such Act is amended to read as follows: “There are authorized to be appropriated to the President, in addition to funds otherwise available for such purposes—

“(1) \$238,000,000 for the fiscal year 1981 to carry out subsection (b) of this section, of which not less than \$3,000,000 shall be available only to support the World Health Organization’s Special Program of Research, Development and Research Training in Human Reproduction; and

“(2) \$145,300,000 for the fiscal year 1981 to carry out subsection (c) of this section.”

EDUCATION AND HUMAN RESOURCES DEVELOPMENT

SEC. 303. The second sentence of section 105(a) of the Foreign Assistance Act of 1961 is amended to read as follows: “There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, \$101,000,000 for the fiscal year 1981, which are authorized to remain available until expended.”

22 USC 2151c.

ENERGY, PRIVATE VOLUNTARY ORGANIZATIONS, AND SELECTED
DEVELOPMENT ACTIVITIES

22 USC 2151d.

SEC. 304. (a) The section caption of section 106 of the Foreign Assistance Act of 1961 is amended by striking out "technical assistance, energy, research, reconstruction, and selected development problems" and inserting in lieu thereof "energy, private voluntary organizations, and selected development activities".

(b) Subsection (a) of such section is amended—

(1) by inserting "(A)" immediately after "(a)(1)";

(2) by striking out "(2)", "(3)", and "(4)" and inserting in lieu thereof "(B)", "(C)", and "(D)", respectively;

(3) by striking out "(A)", "(B)", and "(C)" in paragraph (3) and inserting in lieu thereof "(i)", "(ii)", and "(iii)", respectively; and

(4) by adding at the end thereof the following new paragraph:

Findings.

"(2) The Congress also finds that energy production from renewable, decentralized sources and energy conservation are vital elements in the development process. Inadequate access by the poor to energy sources as well as the prospect of depleted fossil fuel reserves and higher energy prices require an enhanced effort to expand the energy resources of developing countries through greater emphasis on renewable sources. Renewable and decentralized energy technologies have particular applicability for the poor, especially in rural areas."

(c) Subsection (b) of such section is amended—

(1) by inserting "(A)" immediately after "(b)(1)";

(2) by striking out "(2)" and inserting in lieu thereof "(B)"; and

(3) by striking out "fiscal year 1980 shall be used for purposes of paragraph (1)" and inserting in lieu thereof "fiscal year 1981 shall be used for purposes of subparagraph (A)".

(d) Such section is further amended by inserting at the end of subsection (b) the following:

Cooperative programs.

"(2) The President is authorized to furnish assistance under this chapter for cooperative programs with developing countries in energy production and conservation through research on and development and use of small-scale, decentralized, renewable energy sources for rural areas carried out as integral parts of rural development efforts in accordance with section 103 of this Act. Such programs shall also be directed toward the earliest practicable development and use of energy technologies which are environmentally acceptable, require minimum capital investment, are most acceptable to and affordable by the people using them, are simple and inexpensive to use and maintain, and are transferable from one region of the world to another. Such programs may include research on and the development, demonstration, and application of suitable energy technologies (including use of wood); analysis of energy uses, needs, and resources; training and institutional development; and scientific interchange.

Agency coordination.

"(c) The agency primarily responsible for administering this part and the Department of Energy shall coordinate with one another, to the maximum extent possible, the planning and implementation of energy programs under this chapter."

(e) Existing subsection (c) of such section is redesignated as subsection (d).

(f) Existing subsection (d) of such section is amended to read as follows:

“(e)(1) There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes, \$140,000,000 for the fiscal year 1981. Appropriation authorization.

“(2) Amounts appropriated under this section are authorized to remain available until expended.”

(g) Section 119 of such Act is repealed.

Repeal.
22 USC 2151q.

HUMAN RIGHTS IN DEVELOPING COUNTRIES

SEC. 305. Section 116(e) of the Foreign Assistance Act of 1961 is amended by striking out “fiscal year 1980” and inserting in lieu thereof “fiscal year 1981”. 22 USC 2151n.

SAHEL DEVELOPMENT PROGRAM

SEC. 306. Section 121(c) of the Foreign Assistance Act of 1961 is amended by inserting immediately after the second sentence the following new sentence: “In addition to the amounts authorized in the preceding sentences and to funds otherwise available for such purposes, there are authorized to be appropriated to the President for purposes of this section \$88,442,000 for the fiscal year 1981.”. 22 USC 2151s.

PRIVATE AND VOLUNTARY ORGANIZATIONS AND COOPERATIVES

SEC. 307. Section 123 of the Foreign Assistance Act of 1961 is amended— 22 USC 2151u.

(1) in subsection (a) by inserting before the period at the end of the fourth sentence the following: “and, if necessary and determined on a case-by-case basis, for the purpose of sharing the cost of developing programs related to such activities”;

(2) in subsection (a) by inserting before the period at the end of the fifth sentence the following: “and to establish simplified procedures for the development and approval of programs to be carried out by such private and voluntary organizations and cooperatives as have demonstrated a capacity to undertake effective development activities”; and

(3) by adding at the end thereof the following new subsection:

“(e) Prohibitions on assistance to countries contained in this or any other Act shall not be construed to prohibit assistance by the agency primarily responsible for administering this part in support of programs of private and voluntary organizations and cooperatives already being supported prior to the date such prohibition becomes applicable. The President shall take into consideration, in any case in which statutory prohibitions on assistance would be applicable but for this subsection, whether continuation of support for such programs is in the national interest of the United States. If the President continues such support after such date, he shall prepare and transmit, not later than thirty days after such date, to the Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate a report setting forth the reasons for such continuation.”.

Report to
Congress.

RELATIVELY LEAST DEVELOPED COUNTRIES

SEC. 308. The last sentence of section 124(c)(2) of the Foreign Assistance Act of 1961 is amended— 22 USC 2151v.

(1) by striking out “1980” and inserting in lieu thereof “1981”; and

(2) by striking out "\$18,800,000" and inserting in lieu thereof "\$10,845,000".

INTERNATIONAL ORGANIZATIONS AND PROGRAMS

22 USC 2222. SEC. 309. Section 302(a)(1) of the Foreign Assistance Act of 1961 is amended to read as follows:

"(a)(1) There are authorized to be appropriated to the President for grants to carry out the purposes of this chapter, in addition to funds available under any other Acts for such purposes, \$233,350,000 for the fiscal year 1981."

PARTICIPANT TRAINING

22 USC 2367. SEC. 310. Section 617 of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new sentence: "In order to ensure the effectiveness of assistance under this Act, such expenses for orderly termination of programs may include the obligation and expenditure of funds to complete the training or studies outside their countries of origin of students whose course of study or training program began before assistance was terminated."

REIMBURSABLE DEVELOPMENT PROGRAMS

22 USC 2421. SEC. 311. Section 661 of the Foreign Assistance Act of 1961 is amended in the first sentence by striking out "\$3,800,000 of the funds made available for the purposes of this Act for the fiscal year 1980" and inserting in lieu thereof "\$4,000,000 of the funds made available for the fiscal year 1981 for the purposes of this Act".

INSTITUTE FOR SCIENTIFIC AND TECHNOLOGICAL COOPERATION

22 USC 3510. SEC. 312. The first sentence of section 410 of the International Development Cooperation Act of 1979 is amended by striking out "\$23,750,000 for the fiscal year 1980" and inserting in lieu thereof "\$12,000,000 for the fiscal year 1981".

ASSISTANCE TO THE EASTERN CARIBBEAN

SEC. 313. (a) The Congress urges the President to use up to \$7,000,000 for the fiscal year 1981 for bilateral development assistance for the countries of the eastern Caribbean.

Report to Congress.

(b) Not later than February 1, 1981, the President shall report to the Congress on the implementation of this section.

ASSISTANCE FOR EQUATORIAL GUINEA

SEC. 314. The President is urged to provide up to \$3,000,000 of the funds authorized to be appropriated for the fiscal year 1981 by this title for assistance to Equatorial Guinea if he deems that conditions in that country warrant such assistance.

CARIBBEAN DEVELOPMENT BANK

22 USC 2370 note.

SEC. 315. Notwithstanding section 620(r) of the Foreign Assistance Act of 1961, the President may, after consultation with the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, make arrangements at his discretion for the assumption by the recipient members of the

Caribbean Development Bank of any loans made to the Bank under the authority of that Act.

WORLD HUNGER

SEC. 316. (a) In order to further the purposes of section 103 of the Foreign Assistance Act of 1961, the Director of the United States International Development Cooperation Agency shall encourage the ongoing work of private and voluntary organizations to deal with world hunger problems abroad. To this end, the Director shall help facilitate widespread public discussion, analysis, and review of the issues raised by the Report of the Presidential Commission on World Hunger of March 1980, especially the issues raised by the Commission's call for increased public awareness of the political, economic, technical, and social factors relating to hunger and poverty.

22 USC 2151a
note.

(b) As a means of carrying out subsection (a), and to ensure the effectiveness of private and voluntary organizations in dealing with world hunger abroad, the Director is urged to provide assistance to private and voluntary organizations engaged in facilitating public discussion of hunger and other related issues.

REDUCTION OF POSTHARVEST LOSSES OF FOOD

SEC. 317. It is the sense of the Congress that—

(1) the President should reaffirm the policy of the United States Government to support the goal established by the United Nations General Assembly of reducing by 50 percent postharvest losses of food in developing countries; and

(2) the President, acting through the Agency for International Development, should increase substantially the proportion of funds made available under the Foreign Assistance Act of 1961 for the purpose of assisting, together with other donor countries and with developing countries, in the reduction of postharvest losses of food in developing countries.

22 USC 2151a
note.

22 USC 2151
note.

TITLE IV—OTHER ASSISTANCE PROGRAMS

AMERICAN SCHOOLS AND HOSPITALS ABROAD

SEC. 401. Section 214(c) of the Foreign Assistance Act of 1961 is amended by striking out "\$25,000,000 for the fiscal year 1980" and inserting in lieu thereof "\$30,000,000 for the fiscal year 1981".

22 USC 2174.

INTERNATIONAL NARCOTICS CONTROL

SEC. 402. (a) Section 482(a) of the Foreign Assistance Act of 1961 is amended to read as follows:

22 USC 2291a.

"(a)(1) To carry out the purposes of section 481, there are authorized to be appropriated to the President \$38,573,000 for the fiscal year 1981.

22 USC 2291.

"(2) Funds appropriated under this subsection for the fiscal year 1981 may not be used for a contribution to the United Nations Fund for Drug Abuse Control in an amount which exceeds the lesser of \$3,000,000 or 50 percent of the total contributions by all countries to such Fund for the calendar year with respect to which the United States contribution is made.

U.N. drug abuse
control fund.

"(3) Amounts appropriated under this subsection are authorized to remain available until expended."

(b) Section 482 of such Act is amended by adding at the end thereof the following new subsection:

Pakistan.
31 USC 724.

75 Stat. 283.
7 USC 1705.

22 USC 2291.

Colombia.
22 USC 2291a
note.

22 USC 2291.

“(c) Notwithstanding section 1415 of the Supplemental Appropriation Act, 1953, section 508 of the General Government Matters, Department of Commerce, and Related Agencies Appropriation Act, 1962, and section 105 of the Agricultural Trade Development and Assistance Act of 1954, up to the equivalent of \$10,000,000 in currencies or credits of the Government of Pakistan held by the United States shall, to such extent as may be provided in an appropriation Act, be available to the President for the fiscal year 1981 (and shall remain available until expended) to carry out the purposes of section 481 through assistance to the Government of Pakistan. Notwithstanding any other provision of law, the availability or expenditure of such foreign currencies shall not affect or reduce appropriations otherwise available to carry out the administration of the international narcotics control program.”

(c) Notwithstanding the provisions of section 482(a)(2) of the Foreign Assistance Act of 1961 as in effect immediately prior to the enactment of this Act, funds appropriated for the fiscal year 1980 to carry out the purposes of section 481 of that Act which were obligated for assistance for Colombia may be used for fixed-wing aircraft, communications equipment, and such other equipment and operational support, including aviation services, as are essential to the Colombian anti-narcotics enforcement program.

INTERNATIONAL DISASTER ASSISTANCE

22 USC 2292a.

SEC. 403. Section 492 of the Foreign Assistance Act of 1961 is amended by striking out “\$21,800,000 for the fiscal year 1980” and inserting in lieu thereof “\$25,000,000 for the fiscal year 1981”.

DISASTER ASSISTANCE BORROWING AUTHORITY

SEC. 404. (a) Section 492 of the Foreign Assistance Act of 1961 is amended—

(1) by inserting “(a)” immediately before “There is”; and

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

“(b) In addition to amounts otherwise available to carry out this chapter, up to \$50,000,000 in any fiscal year may be obligated against appropriations under this part (other than this chapter) for use in providing assistance in accordance with the authorities and general policies of section 491. Amounts subsequently appropriated under this chapter with respect to a disaster may be used to reimburse any appropriation account against which obligations were incurred under this subsection with respect to that disaster.”

22 USC 2292.

22 USC 2292.

(b) Section 491(b) of such Act is amended by striking out “limitation on appropriations” and inserting in lieu thereof “limitations”.

AFRICAN REHABILITATION AND RESETTLEMENT

SEC. 405. Section 495F of the Foreign Assistance Act of 1961 is amended to read as follows:

22 USC 2292f.

“SEC. 495F. AFRICAN REHABILITATION AND RESETTLEMENT.—(a) The Congress recognizes that United States assistance is necessary to help developing countries in Africa meet the longer term rehabilitation and resettlement needs of displaced persons and other innocent victims of civil strife. Therefore, the President is authorized to furnish assistance, on such terms and conditions as he may determine, for the longer term rehabilitation and resettlement needs of such victims. Funds for this purpose should be used to assist African

governments in providing semipermanent housing, potable water supply systems, and sanitary facilities which are generally not provided by existing refugee relief agencies.

“(b) There are authorized to be appropriated to the President for the purposes of this section, in addition to amounts otherwise available for such purposes, \$15,000,000 for the fiscal year 1981. Amounts appropriated under this subsection are authorized to remain available until expended.

“(c) Assistance under this section shall be provided in accordance with the policies and general authorities contained in section 491.”.

22 USC 2292.

MIGRATION AND REFUGEE ASSISTANCE

SEC. 406. Section 102(a)(4) of the Department of State Authorization Act, Fiscal Years 1980 and 1981, is amended by striking out “\$457,798,000” and inserting in lieu thereof “\$517,209,000”.

93 Stat. 395, 843.

PUBLIC LAW 480 TRANSFER AUTHORITY

SEC. 407. Section 403 of the Agricultural Trade Development and Assistance Act of 1954 is amended by adding at the end thereof the following:

7 USC 1733.

“(c) Notwithstanding any other provision of this Act or any other Act, if the President determines it to be necessary for the purposes of this Act, he may direct that not to exceed 15 percent of the funds available in any fiscal year for carrying out any title of this Act be used to carry out any other title of this Act.”.

EAST TIMOR

SEC. 408. It is the sense of the Congress that the President should take all appropriate measures to—

(1) continue to support and encourage relief operations by the Government of Indonesia and by international relief agencies in East Timor;

(2) assist the Government of Indonesia to facilitate the reuniting of families separated because of developments in recent years in East Timor; and

(3) encourage the Government of Indonesia to allow access to East Timor by international journalists.

TITLE V—AFRICAN DEVELOPMENT FOUNDATION

African Development Foundation Act.

SHORT TITLE

SEC. 501. This title may be cited as the “African Development Foundation Act”.

22 USC 290h note.

FINDINGS

SEC. 502. The Congress finds that—

22 USC 290h.

(1) social and economic development ultimately depends on the active participation of individuals within a society and on the enhancement of opportunities for those individuals;

(2) the development of individuals and institutions in African countries can benefit by the provision of support for community-based self-help activities;

(3) by enacting title IX of chapter 2 of part I of the Foreign Assistance Act of 1961, and recent amendments to that Act, the

22 USC 2218.

Congress has sought to enable the poor to participate in the process of development;

22 USC 2151
note.

(4) the Inter-American Foundation, established by Congress in the Foreign Assistance Act of 1969 to support the efforts of the people of Latin America and the Caribbean to solve their development problems, has demonstrated a successful approach to development; and

(5) an African Development Foundation similar in structure to the Inter-American Foundation, but adapted to the specific needs of Africa, can complement current United States development programs in Africa.

ESTABLISHMENT

22 USC 290h-1.

SEC. 503. (a) There is established a body corporate to be known as the "African Development Foundation" (hereafter in this title referred to as the "Foundation").

(b) The Foundation shall establish a principal office in the United States and may establish such branch offices in Africa as may be necessary to carry out its functions.

PURPOSES

22 USC 290h-2.

SEC. 504. (a) In order to enable the people of African countries to develop their potential, fulfill their aspirations, and enjoy better, more productive lives, the purposes of the Foundation shall be—

(1) to strengthen the bonds of friendship and understanding between the people of Africa and the United States;

(2) to support self-help activities at the local level designed to enlarge opportunities for community development;

(3) to stimulate and assist effective and expanding participation of Africans in their development process; and

(4) to encourage the establishment and growth of development institutions which are indigenous to particular countries in Africa and which can respond to the requirements of the poor in those countries.

(b) The Foundation shall carry out the purposes specified in subsection (a) in cooperation with, and in response to, organizations indigenous to Africa which are representative of the needs and aspirations of the poor in Africa and, in carrying out such purposes, the Foundation shall, to the extent possible, coordinate its development assistance activities with the activities of the United States Government and private, regional, and international organizations.

FUNCTIONS

Grants and
loans.
22 USC 290h-3.

SEC. 505. (a)(1) In order to carry out the purposes set forth in section 504, the Foundation may make grants, loans, and loan guarantees to any African private or public group, association, or other entity engaged in peaceful activities for—

(A) the fostering of local development institutions and the support of development efforts initiated by communities themselves;

(B) the development of self-evaluation techniques by participants in projects supported under this section, for the purpose of transferring experience gained in such projects to similar development activities;

(C) development research by Africans and the transfer of development resources, expertise, and knowledge within Africa;

(D) the procurement of such technical or other assistance as is deemed appropriate by the recipient of such grant, loan, or guarantee, to carry out the purposes of this title; and

(E) other projects that would carry out the purposes set forth in section 504.

(2) The total amount of grants, loans, and loan guarantees that may be made under this section for a project may not exceed \$250,000.

(3) The Foundation may disseminate to the American public and to United States and multilateral development institutions insights gained from African development projects assisted under this title.

(b) In making grants, loans, and loan guarantees under subsection (a), the Foundation shall give priority to projects which community groups undertake to foster their own development and in the initiation, design, implementation, and evaluation of which there is the maximum feasible participation of the poor. Where appropriate and in keeping with the purposes of this title, the Foundation may make such grants, loans, and loan guarantees to African entities which are representative and knowledgeable of, and sensitive to, the needs and aspirations of the poor and which would disburse funds acquired under such grants, loans, and loan guarantees to other African entities to carry out the purposes of this title.

POWERS

SEC. 506. (a) The Foundation, as a corporation—

22 USC 290h-4.

(1) shall have perpetual succession unless dissolved by an Act of Congress;

(2) may sue and be sued, complain, and defend, in its corporate name in any court of competent jurisdiction;

(3) may adopt, alter, and use a seal, which shall be judicially noticed;

(4) may prescribe, amend, and repeal such rules and regulations as may be necessary for carrying out the functions of the Foundation;

(5) may make and perform such contracts and other agreements with any individual, corporation, or other private or public entity however designated and wherever situated, as may be necessary for carrying out the functions of the Foundation;

(6) may determine and prescribe the manner in which its obligations shall be incurred and its expenses allowed and paid, including expenses for representation not exceeding \$10,000 in any fiscal year;

(7) may, as necessary for carrying out the functions of the Foundation, employ and fix the compensation of not to exceed the following number of persons at any one time: 25 during the fiscal year 1981, 50 during the fiscal year 1982, and 75 thereafter;

(8) may lease, purchase, or otherwise acquire, own, hold, improve, use, or otherwise deal in and with such property (real, personal, or mixed) or any interest therein, wherever situated, as may be necessary for carrying out the functions of the Foundation;

(9) may accept gifts or donations of services or of property (real, personal, or mixed), tangible or intangible, in furtherance of the purposes of this title;

(10) may use the United States mails in the same manner and on the same conditions as the executive departments of the Government;

(11) may, with the consent of any agency of the United States, use the information, services, facilities, and personnel of that agency in carrying out the purposes of this title; and

(12) shall have such other powers as may be necessary and incident to carrying out this title.

(b) The Foundation shall be a nonprofit corporation and shall have no capital stock. No part of its revenue, earnings, or other income or property shall inure to the benefit of any of its directors, officers, or employees, and such revenue, earnings, or other income or property shall only be used for carrying out the purposes of this title. No director, officer, or employee of the corporation shall in any manner directly or indirectly participate in the deliberation upon or the determination of any question affecting his or her personal interests or the interests of any corporation, partnership, or organization in which he or she is directly or indirectly interested.

(c) The Foundation, including its franchise and income, shall be exempt from taxation now or hereafter imposed by the United States, by any territory or possession of the United States, or by any State, county, municipality, or local taxing authority.

(d) Upon termination of the corporate life of the Foundation its assets shall be liquidated and, unless otherwise provided by Congress, shall be transferred to the United States Treasury as the property of the United States.

MANAGEMENT

Board of
directors.
22 USC 290h-5.

SEC. 507. (a)(1) The management of the Foundation shall be vested in a board of directors (hereafter in this title referred to as the "Board") composed of seven members appointed by the President, by and with the advice and consent of the Senate. The President shall designate one member of the Board to serve as Chairperson of the Board and one member to serve as Vice Chairperson of the Board. Five members of the Board shall be appointed from private life. Two members of the Board shall be appointed from among officers and employees of agencies of the United States concerned with African affairs. All members of the Board shall be appointed on the basis of their understanding of and sensitivity to community level development processes.

Terms.

(2) Members of the Board shall be appointed for terms of six years, except that of the members first appointed, as designated by the President at the time of their appointment, two shall be appointed for terms of two years and two shall be appointed for terms of four years. A member of the Board appointed to fill a vacancy occurring before the expiration of the term for which that member's predecessor was appointed shall be appointed only for the remainder of that term. Upon the expiration of his or her term a member shall continue to serve until a successor is appointed and shall have qualified.

Expenses.

(b) Members of the Board shall serve without additional compensation, but may be reimbursed for actual and necessary expenses not exceeding \$100 per day, and for transportation expenses, while engaged in their duties on behalf of the Foundation.

Quorum.

(c) A majority of the Board shall constitute a quorum.

President.

(d)(1) The Board of Directors shall appoint a president of the Foundation on such terms as the Board may determine. The president of the Foundation shall receive compensation at a rate not to exceed that provided for level IV of the Executive Schedule under section 5315 of title 5, United States Code.

Experts and
consultants.

(2) Experts and consultants may be employed by the Board as authorized by section 3109 of title 5, United States Code.

(e)(1) The Board shall establish an advisory council to be composed of such number of individuals as may be selected by the Board from among individuals knowledgeable about development activities in Africa. The advisory council may include African recipients of grants, loans, or loan guarantees under this title. Advisory council.

(2) The Board shall, at least once each year, consult the advisory council concerning the objectives and activities of the Foundation.

(3) Members of the advisory council shall receive no compensation for their services but may be allowed travel and other expenses in accordance with section 5703 of title 5, United States Code, which are incurred by them in the performance of their functions under this subsection. Expenses.

GOVERNMENT CORPORATION CONTROL ACT

SEC. 508. The Foundation shall be subject to title I of the Government Corporation Control Act. 22 USC 290h-6.
31 USC 846.

LIMITATION ON SPENDING AUTHORITY

SEC. 509. Any authority provided by this title involving the expenditure of funds (other than the funds made available pursuant to section 510) shall be effective for a fiscal year only to such extent or in such amounts as are provided in advance in appropriation Acts. 22 USC 290h-7.

USE OF CERTAIN FUNDS

SEC. 510. Of the funds appropriated for the fiscal year 1981 to carry out part I of the Foreign Assistance Act of 1961, other than funds appropriated for the Economic Support Fund, \$2,000,000 shall be used to carry out this title. 22 USC 290h-8.
22 USC 2151.

EXPIRATION OF AUTHORITIES

SEC. 511. The authority of the Foundation to make grants, loans, and loan guarantees and otherwise to carry out the purposes of this title shall expire on September 30, 1985, except that this section shall not preclude the Foundation from acquiring obligations prior to that date which mature subsequent to that date or from assuming liability prior to that date as a guarantor of obligations which mature subsequent to that date or from continuing as a body corporate and exercising any of its powers subsequent to that date for purposes of the orderly liquidation of its activities. 22 USC 290h-9.

TITLE VI—PEACE CORPS

AUTHORIZATION OF APPROPRIATIONS

SEC. 601. (a) Section 3(b) of the Peace Corps Act is amended by striking out "fiscal year 1980 not to exceed \$105,404,000" and inserting in lieu thereof "fiscal year 1981 not to exceed \$118,000,000". 22 USC 2502.

(b) Section 3(c) of such Act is amended by striking out "fiscal year 1980" and inserting in lieu thereof "fiscal year 1981".

(c) Section 15(d)(7) of such Act is amended by striking out "\$5,000" and inserting in lieu thereof "\$20,000". 22 USC 2514.

AMENDMENTS TO THE DOMESTIC VOLUNTEER SERVICE ACT

SEC. 602. (a) Section 401 of the Domestic Volunteer Service Act of 1973 is amended— 42 USC 5041.

(1) by striking out "two Associate Directors" in the fifth sentence and inserting in lieu thereof "one Associate Director";

(2) by striking out "One such" and by inserting in lieu thereof "Such"; and

(3) by striking out ", and the other such Associate Director" and all that follows through "(22 U.S.C. 2501 et seq.)".

42 USC 5045.

(b) Section 405 of such Act is amended—

(1) in subsection (a) by striking out "and the Peace Corps Act (22 U.S.C. 2501 et seq.)";

(2) in subsection (b)(1) by striking out "and the Peace Corps Act (22 U.S.C. 2501 et seq.)"; and

(3) in subsection (b)(2)—

(A) by striking out "and the Peace Corps Act", and

(B) by striking out "Acts" both places it appears and inserting in lieu thereof "Act".

UTILIZATION OF RETURNED PEACE CORPS VOLUNTEERS

SEC. 603. The Director of the Peace Corps shall develop a plan providing for more effective utilization of returned Peace Corps volunteers in order to promote a better understanding of other peoples and cultures on the part of the American people. The Director shall report to the Congress no later than January 15, 1981, on the plan and necessary procedures for implementing the plan.

Report to Congress.

TITLE VII—MISCELLANEOUS PROVISIONS

HUMAN RIGHTS

22 USC 2151n.

SEC. 701. (a) Section 116(a) of the Foreign Assistance Act of 1961 is amended by inserting "causing the disappearance of persons by the abduction and clandestine detention of those persons," immediately after "without charges,".

22 USC 2304.

(b) Section 502B(d)(1) of such Act is amended by inserting "causing the disappearance of persons by the abduction and clandestine detention of those persons," immediately after "trial,".

7 USC 1712.

(c) Section 112(a) of the Agricultural Trade Development and Assistance Act of 1954 is amended by inserting "causing the disappearance of persons by the abduction and clandestine detention of those persons," immediately after "without charges,".

AUDITING OF INTERNATIONAL PROGRAMS

Report to President and Congress.

22 USC 2221.

SEC. 702. (a) Section 301(d) of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following: "The Comptroller General shall report simultaneously to the Congress and the President the results of the audits conducted under this subsection.".

(b) Section 301(e) of such Act is amended—

(1) in the first sentence of paragraph (1)—

(A) by striking out "a single professionally qualified group" and inserting in lieu thereof "of external, professionally qualified groups", and

(B) by striking out "and evaluation" and inserting in lieu thereof "evaluation, and audits";

(2) in the second sentence of paragraph (1)—

(A) by striking out "group" both places it appears and inserting in lieu thereof "groups", and

- (B) by striking out “and evaluation” and inserting in lieu thereof “evaluation, or audit”;
- (3) in the third sentence of paragraph (1) by striking out “group” and inserting in lieu thereof “groups”;
- (4) in the first sentence of paragraph (2) by striking out “and evaluation” and inserting in lieu thereof “evaluation, and audits”;
- (5) in the second sentence of paragraph (2) by striking out “and evaluation” and inserting in lieu thereof “evaluation, or audit”;
- and
- (6) in the second sentence of paragraph (3) by inserting “his evaluation of such reports and related information,” immediately after “to the President”.

REPORTS ON INTERNATIONAL ORGANIZATIONS

SEC. 703. Chapter 3 of part I of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new section:

“SEC. 306. REPORTS ON INTERNATIONAL ORGANIZATIONS.—(a) The annual reports to the Congress under section 2 of the Act of September 21, 1950 (64 Stat. 902; 22 U.S.C. 262a), shall be submitted within nine months after the end of the fiscal year to which they relate.

22 USC 2226.

“(b)(1) The President shall submit semiannual reports to the Congress listing all voluntary contributions by the United States Government to international organizations. One of the semiannual reports shall be submitted no later than July 1 and shall list all contributions made during the first six months of the then current fiscal year. The other semiannual report shall be submitted no later than January 1 and shall list all contributions made during the last six months of the preceding fiscal year. Each such report shall specify the Government agency making the voluntary contribution, the international organization to which the contribution was made, the amount and form of the contribution, and the purpose of the contribution. Contributions shall be listed on both an agency-by-agency basis and an organization-by-organization basis.

Submittal to Congress.

“(2) In order to facilitate the preparation of the reports required by paragraph (1), the head of any Government agency which makes a voluntary contribution to any international organization shall promptly report that contribution to the Director of the Office of Management and Budget.

Report to OMB Director.

“(3) As used in this subsection, the term ‘contribution’ means any contribution of any kind, including the furnishing of funds or other financial support, services of any kind (including the use of experts or other personnel), or commodities, equipment, supplies, or other materiel.”.

“Contribution.”

TECHNICAL AMENDMENT CORRECTING CROSS REFERENCE

SEC. 704. Section 502B(a)(2) of the Foreign Assistance Act of 1961 is amended by striking out “Export Administration Act of 1969” and inserting in lieu thereof “Export Administration Act of 1979”.

22 USC 2304.

PROCUREMENT

SEC. 705. (a) Section 604(e) of the Foreign Assistance Act of 1961 is amended by inserting the following immediately before the period at the end thereof: “, unless the commodity to be financed could not reasonably be procured in the United States in fulfillment of the

22 USC 2354.

objectives of a particular assistance program under which such commodity procurement is to be financed”.

22 USC 2354.

(b) Section 604 of such Act is amended by adding at the end thereof the following new subsection:

“(g) None of the funds authorized to be appropriated or made available for obligation or expenditure under this Act may be made available for the procurement of construction or engineering services from advanced developing countries, eligible under the Geographic Code 941, which have attained a competitive capability in international markets for construction services or engineering services.”.

INSPECTOR GENERAL

22 USC 2384.

SEC. 706. Section 624(g) of the Foreign Assistance Act of 1961 is amended—

(1) by striking out “Auditor General” each place it appears and inserting in lieu thereof “Inspector General”;

(2) in paragraph (3)—

(A) by striking out “and investigative” and inserting in lieu thereof “, investigative, and security”; and

(B) by adding at the end thereof the following: “In addition, to the extent requested by the Director of the United States International Development Cooperation Agency (after consultation with the Administrator), the Inspector General shall with respect to the duties and responsibilities of that Agency supervise, direct, and control all audit, investigative, and security activities relating to programs and operations within the United States International Development Cooperation Agency.”;

(3) in paragraph (4) by inserting “and the Director” immediately after “Administrator”;

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

Subpena.

“(6) The Inspector General shall have the authority to require by subpoena the production of all information, documents, reports, answers, records, accounts, papers, and other data and documentary evidence necessary in the performance of functions under this subsection. Any such subpoena, in the case of contumacy or refusal to obey, shall be enforceable by order of any appropriate United States district court. Procedures other than subpoenas shall be used to obtain documents and information from agencies of the United States Government.

Auditing activities.

“(7) In carrying out the responsibilities specified in paragraph (3), the Inspector General shall—

(A) comply with standards established by the Comptroller General of the United States for audits of Federal establishments, organizations, programs, activities, and functions;

(B) establish guidelines for determining when it is appropriate to use non-Federal auditors; and

(C) take appropriate steps to assure that any work performed by non-Federal auditors complies with the standards established by the Comptroller General as described in subparagraph (A).

Administrative assistance.

“(8) The Administrator shall provide the Inspector General with appropriate and adequate office space at central and field office locations of the agency primarily responsible for administering part I of this Act, together with such equipment, office supplies, and communications facilities and services as may be necessary for the operation of such offices and the equipment and facilities located in such offices. In establishing and staffing such field offices, the

22 USC 2151.

Administrator shall not be bound by overseas personnel ceilings established under the Monitoring Overseas Direct Employment policy.

“(9)(A) The Inspector General may receive and investigate complaints or information from any employee of or under the United States International Development Cooperation Agency concerning the possible existence of an activity constituting a violation of law, rules, or regulations, constituting mismanagement, gross waste of funds, abuse of authority, or constituting a substantial and specific danger to the public health and safety.

Complaints or information.

“(B) The Inspector General shall not, after receipt of a complaint or information from an employee, disclose the identity of the employee without the consent of the employee, unless the Inspector General determines such disclosure is unavoidable during the course of the investigation.

“(C) Any employee who has authority to take, direct others to take, recommend, or approve any personnel action shall not exercise or threaten to exercise such authority in order to take any action against any employee as a reprisal for making a complaint or disclosing information to the Inspector General, unless the complaint was made or the information disclosed with the knowledge that it was false or with willful disregard for its truth or falsity.”

ANNUAL REPORT

SEC. 707. Section 634(a) of the Foreign Assistance Act of 1961 is amended—

22 USC 2394.

(1) by striking out “and” at the end of paragraph (5);

(2) by redesignating paragraph (6) as paragraph (8); and

(3) by inserting after paragraph (5) the following new paragraphs:

“(6) the dollar value of all official development assistance, security assistance, international disaster assistance, refugee assistance, and international narcotics control assistance provided by each government of a country which is a member of the Organization for Economic Cooperation and Development or of the Organization of Petroleum Exporting Countries;

“(7) the percentage which each type of assistance described in paragraph (6) represents of (A) the gross national product of each country referred to in paragraph (6), and (B) the budget of the government of such country, as well as the per capita contribution for each country for each type of assistance described in paragraph (6); and”.

SHIPPING DIFFERENTIAL

SEC. 708. Section 640C of the Foreign Assistance Act of 1961 is amended by striking out “Part V” and inserting in lieu thereof “chapter 4 of part II”.

22 USC 2399d.

OPERATING EXPENSES

SEC. 709. Section 667(a) of the Foreign Assistance Act of 1961 is amended—

22 USC 2427.

(1) by striking out “fiscal year 1980” and inserting in lieu thereof “fiscal year 1981”; and

(2) in paragraph (1) by striking out “\$263,000,000” and inserting in lieu thereof “\$293,800,000”.

INTERAGENCY GROUP ON HUMAN RIGHTS AND FOREIGN ASSISTANCE

SEC. 710. It is the sense of the Congress that—

- (1) the Interagency Group on Human Rights and Foreign Assistance has been an effective mechanism for coordinating and implementing United States human rights policies;
- (2) the President should consider establishing the Interagency Group on a more permanent basis;
- (3) the Interagency Group should examine proposals for not only economic assistance but also for security assistance; and
- (4) the President should report his recommendations for strengthening the Interagency Group to the Congress no later than July 1, 1981.

PEACE IN THE MIDDLE EAST

22 USC 3401
note.

SEC. 711. (a) It is the sense of the Congress that all parties to the Arab-Israeli conflict need to reaffirm their unequivocal commitment to the peace process in order to achieve further progress toward a comprehensive settlement, to reinforce the principles of the Camp David accords, and to take actions to encourage parties not currently involved in the peace process to become active participants in peace efforts.

(b) It is further the sense of the Congress that to further these goals (1) all parties to the conflict should accept Israel's unequivocal right to exist within secure and recognized borders; (2) the Governments of Israel and Egypt should maintain and strengthen their commitment to the process of normalization of relations and continue actions to support that commitment; (3) the Governments of Israel and Egypt should reaffirm their commitment to United Nations Resolution 242 and its applicability, in all its aspects, to territories under negotiations; and (4) the governments of countries in the Middle East should assure that their policies and actions are consistent with the objectives of achieving peace and of involving other parties in the peace process.

ASSISTANCE FOR JORDAN

22 USC 2151
note.

SEC. 712. It is the sense of the Congress that for Jordan to receive any funds authorized to be appropriated by this Act, it should be judged by the President that Jordan is acting in good faith to achieve peace in the Middle East and that the expenditure of such funds for Jordan will serve to further peace in the Middle East.

EXTERNAL DEBT BURDENS OF EGYPT, ISRAEL, PORTUGAL, AND TURKEY

Report to
Congress.

SEC. 713. The Congress finds that the Governments of Egypt, Israel, Portugal, and Turkey each have an enormous external debt burden which may be made more difficult by virtue of financing provided for those governments under various United States assistance programs. In order to assist the Congress in examining United States assistance for these countries, the President shall transmit to the Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate, no later than January 15, 1981, a report regarding economic conditions prevailing in Egypt, Israel, Portugal, and Turkey which may affect their respective ability to meet their international debt obligations and to stabilize their economies.

SOVIET MILITARY PERSONNEL AND ACTIVITIES IN CUBA

SEC. 714. (a) At intervals of 90 days during the first year after the date of enactment of this Act, the President shall prepare and transmit to the Congress a report identifying the military capabilities and deployment of Soviet military personnel in Cuba, together with his appraisal of the mission performed by such personnel.

Reports to
Congress.
22 USC 2370
note.

(b) At intervals of one year after the date of enactment of this Act, the President shall prepare and transmit to the Congress a report setting forth the amount and nature of Soviet military assistance to the armed forces of Cuba during the preceding year and the military capabilities of those armed forces.

CUBAN REFUGEES

SEC. 715. (a) The Congress finds that—

(1) the flow of refugees for political, economic, or other compelling reasons is a growing and world-wide phenomenon;

(2) the United States represents freedom of thought and action and economic opportunity and has historically played a major role in providing a home to the refugees of the world;

(3) an orderly and lawful refugee process is necessary for the furtherance of United States domestic well-being;

(4) continuation of the traditional compassionate and humanitarian policy of the United States regarding entry to its shores of refugees and other victims of oppression is threatened by the precipitate influx of large numbers of Cubans fleeing their country;

(5) the United States has sought to negotiate with the Government of Cuba to establish a lawful, safe, and orderly process by which Cubans may be allowed to leave their country; and

(6) the Cuban refugee crisis is a problem of international concern and other nations should contribute to its resolution.

22 USC 2151
note.

(b)(1) The Congress urges the President to take the necessary steps to encourage and secure greater international cooperation with respect to the large number of Cuban natives who have recently fled or are attempting to flee Cuba. Such steps should include seeking the agreement of other countries to admit some of those persons into their respective countries and to contribute funds and other assistance for the resettlement of those persons.

(2) In order to encourage countries throughout the world which are recipients of United States bilateral and multilateral assistance to permit and to help finance the resettlement of Cuban and other refugees within their borders, the President shall, to the maximum extent feasible, attempt to channel such assistance to countries which have demonstrated a willingness to provide assistance to Cuban and other refugees.

(c) It is the sense of the Congress that, in carrying out subsection (b)(1), the President should seek the discussion, in an appropriate international forum such as the United Nations or the Organization of American States, of the situation involving the flight of large numbers of Cuban natives from Cuba, of the resettlement of Cuban refugees, and of means by which a more orderly process may be established to handle future crises of a similar nature.

INCARCERATION AND DEPORTATION OF CERTAIN CUBANS

8 USC 1522 note.

SEC. 716. The Congress finds that the United States Government has already incarcerated recently arrived Cubans who are admitted criminals, are security threats, or have incited civil disturbances in Federal processing facilities. The Congress urges the Executive branch, consistent with United States law, to seek the deportation of such individuals.

PROHIBITION ON ASSISTANCE TO THE GOVERNMENTS OF CUBA, VIETNAM, AND CAMBODIA

22 USC 2151 note.

SEC. 717. None of the funds authorized to be appropriated by this Act may be used to provide assistance to the Governments of Cuba, Vietnam, or Cambodia. Nothing in this section shall be construed to prohibit food assistance or humanitarian assistance which is distributed directly to the people of Cambodia.

COOPERATION OF OTHER GOVERNMENTS IN THE BOYCOTT OF THE 1980 SUMMER OLYMPIC GAMES IN MOSCOW

SEC. 718. In determining the levels of assistance to be provided to a foreign government with funds authorized to be appropriated by this Act, the President shall take into account the position of that government with respect to the United States-proposed boycott of the 1980 summer Olympic games in Moscow.

ELECTIONS IN UGANDA

SEC. 719. The President shall encourage the holding of free, open elections in Uganda and shall, in considering assistance for Uganda with funds authorized to be appropriated by this Act, take into account whether such elections are held.

REPORT TO CONGRESS ON THE IMPLEMENTATION OF THE LANCASTER HOUSE DECLARATION OF RIGHTS IN ZIMBABWE

SEC. 720. If Zimbabwe receives assistance from funds authorized to be appropriated by this Act, the President shall report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives every sixty days after the obligation of such funds on the internal situation in Zimbabwe, particularly upon the implementation of the Declaration of Rights contained in Annex C of the agreement signed at Lancaster House, London, by the participants in the Constitutional Conference on Southern Rhodesia on December 22, 1979.

RESTRICTION ON ASSISTANCE TO EL SALVADOR

SEC. 721. None of the funds authorized to be appropriated by this Act may be made available for the provision of assistance to El Salvador for the purpose of planning for compensation, or for the purpose of compensation, for the confiscation, nationalization, acquisition, or expropriation of any agricultural or banking enterprise, or of the properties or stock shares which may be pertaining thereto.

Approved December 16, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 96-884, pt. 1 (Comm. on Foreign Affairs), No. 96-884, pt. 2, (Permanent Select Comm. on Intelligence), and No. 96-1471 (Comm. of Conference).

SENATE REPORT No. 96-732 accompanying S. 2714 (Comm. on Foreign Relations).
CONGRESSIONAL RECORD, Vol. 126 (1980):

May 22, 28, 20, June 5, considered and passed House.

June 17, considered and passed Senate, amended, in lieu of S. 2714.

Dec. 2, House agreed to conference report.

Dec. 3, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 16, No. 51:

Dec. 16, Presidential statement.