

105TH CONGRESS  
1ST SESSION

# S. 983

To prohibit the sale or other transfer of highly advanced weapons to any country in Latin America.

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IN THE SENATE OF THE UNITED STATES

JUNE 27, 1997

Mr. DODD (for himself and Mr. BIDEN) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To prohibit the sale or other transfer of highly advanced weapons to any country in Latin America.

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

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Latin American Arms  
5       Control Act of 1997”.

6       **SEC. 2. FINDINGS.**

7       Congress makes the following findings:

8               (1) It has been United States policy since the  
9       Presidential directive of May 19, 1977, to refrain  
10      from making sales or other transfers to governments

1 of Latin American countries of highly advanced  
2 weapons systems that could undermine regional mili-  
3 tary balances or stimulate an arms race.

4 (2) There has only been one exception to that  
5 policy, the sale of F-16 fighter aircraft to Venezuela  
6 in 1982, in response to a perceived Cuban military  
7 buildup, including the acquisition by Cuba of Soviet-  
8 made MIG-23 fighters.

9 (3) While United States defense companies  
10 have not been able to sell highly advanced weapons  
11 to Latin America, they are a major supplier of mili-  
12 tary equipment to the region and hold the largest  
13 share of that market.

14 (4) From fiscal year 1993 through fiscal year  
15 1996 the United States Government sold  
16 \$789,000,000 in arms to Latin America.

17 (5) In August 1996, Secretary of State Warren  
18 Christopher stated that his “strong conviction is  
19 that we should be very careful about raising the level  
20 of competition between countries with respect to  
21 arms sales”.

22 (6) There are historic hostilities and mistrust in  
23 Latin America that can flare into serious conflict, as  
24 evidenced most recently by the 1995 border war be-

1       tween Peru and Ecuador that required international  
2       efforts to resolve.

3           (7) For the first time in modern history, all but  
4       one country in the Western Hemisphere is governed  
5       by democratically elected leaders.

6           (8) Latin America has just recovered from a  
7       decade of negative growth, as measured on a real  
8       per capita basis, and 18 of the countries in the  
9       Western Hemisphere currently have per capita in-  
10      come levels below those achieved by them ten years  
11      ago.

12          (9) Poverty and insufficient educational oppor-  
13      tunities continue to be a major challenge to demo-  
14      cratic governments in the Western Hemisphere, with  
15      less than one-half of the children entering first grade  
16      remaining in school until grade five, and with more  
17      than 100,000 street children in cities throughout  
18      Latin American countries.

19          (10) At the meeting of the Council of Freely  
20      Elected Heads of Government on April 29, 1997,  
21      representatives of Latin American governments on  
22      the Council discussed the issue of arms sales to  
23      Latin American countries, pledged to accept a two-  
24      year moratorium on the purchase of highly advanced  
25      weapons, called upon countries in the Western

1 Hemisphere to explore ideas to restrain future pur-  
2 chases, and called upon the United States and other  
3 governments that sell arms to affirm their support  
4 for such a moratorium.

5 **SEC. 3. SENSE OF THE SENATE.**

6 It is the sense of the Senate that the President should  
7 respect the request of Latin American heads of govern-  
8 ment for a two-year moratorium on the sale or other  
9 transfer of highly advanced weapons to Latin American  
10 countries while proposals for regional arms restraint are  
11 studied.

12 **SEC. 4. PROHIBITION.**

13 (a) IN GENERAL.—Notwithstanding any other provi-  
14 sion of law, under the Arms Export Control Act or any  
15 other Act—

16 (1) no sale or other transfer may be made of  
17 any highly advanced weapon to any Latin American  
18 country,

19 (2) no license may be issued for the export of  
20 any highly advanced weapon to any Latin American  
21 country, and

22 (3) no financing may be extended with respect  
23 to a sale or export of any highly advanced weapon  
24 to a Latin American country,

1 unless the requirements of subsection (b) are satisfied and  
2 except as provided in subsection (c).

3 (b) REQUIREMENTS.—The requirements of this sub-  
4 section are satisfied if—

5 (1) the President determines and certifies to  
6 Congress in advance that the sale, transfer, or fi-  
7 nancing, as the case may be, is necessary to further  
8 the national security interests of the United States;  
9 and

10 (2) Congress has enacted a joint resolution ap-  
11 proving the Presidential determination.

12 (c) EXCEPTION.—Subsection (a) does not apply to  
13 any sale, sales, financing, or license permitted by an inter-  
14 national agreement that provides for restraint—

15 (1) in the purchase of highly advanced weapons  
16 by countries in Latin America; or

17 (2) in the sale or other transfer of highly ad-  
18 vanced weapons to countries in Latin America.

19 **SEC. 5. DEFINITION OF HIGHLY ADVANCED WEAPONS.**

20 In this Act, the term “highly advanced weapons” in-  
21 cludes advanced combat fighter aircraft and attack heli-  
22 copters but does not include transport helicopters.

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