

106TH CONGRESS  
1ST SESSION

# S. 554

To amend section 490 of the Foreign Assistance Act of 1961 to provide alternative certification procedures for assistance for major drug producing countries and major drug transit countries.

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## IN THE SENATE OF THE UNITED STATES

MARCH 5, 1999

Mr. CAMPBELL introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

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## A BILL

To amend section 490 of the Foreign Assistance Act of 1961 to provide alternative certification procedures for assistance for major drug producing countries and major drug transit countries.

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. ALTERNATIVE CERTIFICATION PROCEDURES**  
4 **FOR ASSISTANCE FOR MAJOR DRUG PRODUC-**  
5 **ING AND DRUG TRANSIT COUNTRIES.**

6 (a) IN GENERAL.—Section 490 of the Foreign Assist-  
7 ance Act of 1990 (22 U.S.C. 2291j) is amended by adding  
8 at the end the following:

1 “(i) ALTERNATIVE CERTIFICATION PROCEDURES.—

2 “(1) IN GENERAL.—In lieu of submitting a cer-  
 3 tification with respect to a country under subsection  
 4 (b), the President may submit the certification de-  
 5 scribed in paragraph (2). The President shall submit  
 6 the certification under such paragraph at the time of  
 7 the submission of the report required by section  
 8 489(a).

9 “(2) CERTIFICATION.—A certification with re-  
 10 spect to a country under this paragraph is a certifi-  
 11 cation specifying—

12 “(A) that the withholding of assistance  
 13 from the country under subsection (a)(1) and  
 14 the opposition to assistance to the country  
 15 under subsection (a)(2) in the fiscal year con-  
 16 cerned is not in the national interests of the  
 17 United States; and

18 “(B) the conditions which must be met in  
 19 order to terminate the applicability of para-  
 20 graph (4) to the country.

21 “(3) EFFECT OF CERTIFICATION IN FISCAL  
 22 YEAR OF CERTIFICATION.—If the President submits  
 23 a certification with respect to a country under para-  
 24 graph (1) for a fiscal year—

1           “(A) the assistance otherwise withheld  
2           from the country pursuant to subsection (a)(1)  
3           may be obligated and expended in that fiscal  
4           year; and

5           “(B) the requirement of subsection (a)(2)  
6           to vote against multilateral development bank  
7           assistance to the country shall not apply to the  
8           country in that fiscal year.

9           “(4) EFFECT OF CERTIFICATION IN LATER FIS-  
10          CAL YEARS.—

11           “(A) IN GENERAL.—Subparagraph (B)  
12           shall apply to a country covered by a certifi-  
13           cation submitted under this subsection during  
14           the period beginning on October 1 of the year  
15           in which the President submits the certification  
16           and ending on the date on which the President  
17           notifies Congress that the conditions specified  
18           with respect to the country under paragraph  
19           (2)(B) have been met.

20           “(B) PROHIBITION ON ASSISTANCE.—

21           “(i) BILATERAL ASSISTANCE.—Dur-  
22           ing the applicability of this subparagraph  
23           to a country, no United States assistance  
24           allocated for the country in the report re-

1                   quired by section 653 may be obligated or  
2                   expended for the country.

3                   “(ii) MULTILATERAL ASSISTANCE.—

4                   During the applicability of this subpara-  
5                   graph to a country, the Secretary of the  
6                   Treasury shall instruct the United States  
7                   Executive Director of each multilateral de-  
8                   velopment bank to vote against any loan or  
9                   other utilization of the funds of such insti-  
10                  tution to or by the country.

11                  “(5) DEFINITION.—For purposes of this sub-  
12                  section, the term ‘multilateral development bank’  
13                  shall have the meaning given the term in subsection  
14                  (a)(2).”.

15                  (b) CONFORMING AMENDMENTS.—Subsection (a) of  
16                  such section is amended by striking “subsection (b)” each  
17                  place it appears and inserting “subsections (b) and (i)”.

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