

106TH CONGRESS
1ST SESSION

S. 634

To suspend certain sanctions with respect to India and Pakistan.

IN THE SENATE OF THE UNITED STATES

MARCH 16, 1999

Mr. BROWNBACK (for himself, Mr. HARKIN, Mr. HELMS, Mr. MACK, Mr. ROBB, Mr. GORTON, Mr. KYL, and Mr. ROBERTS) introduced the following bill; which was read twice and referred to the Committee on Foreign Relations

A BILL

To suspend certain sanctions with respect to India and
Pakistan.

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. SUSPENSION OF CERTAIN SANCTIONS AGAINST**
4 **INDIA AND PAKISTAN.**

5 (a) IN GENERAL.—Effective for the period of five
6 years commencing on the date of enactment of this Act,
7 the sanctions contained in the following provisions of law
8 shall not apply to India and Pakistan with respect to any
9 grounds for the imposition of sanctions under those provi-
10 sions arising prior to that date:

1 (1) Section 101 of the Arms Export Control
2 Act (22 U.S.C. 2799aa).

3 (2) Section 102 of the Arms Export Control
4 Act (22 U.S.C. 2799aa–1) other than subsection
5 (b)(2) (B), (C), or (G).

6 (3) Section 2(b)(4) of the Export Import Bank
7 Act of 1945 (12 U.S.C. 635(b)(4)).

8 (b) SPECIAL RULE FOR COMMERCIAL DEFENSE EX-
9 PORTS.—

10 (1) IN GENERAL.—Subject to paragraph (2), ef-
11 fective for the five-year period described in sub-
12 section (a), the sanction contained in section
13 102(b)(2)(B)(ii) of the Arms Export Control Act (22
14 U.S.C. 2799aa–1(b)(2)(B)(ii)) shall not apply to
15 India or Pakistan with respect to any grounds for
16 the imposition of that sanction arising prior to the
17 date of enactment of this Act if imposition of the
18 sanction (but for this paragraph) would deny any li-
19 cense for the export of any defense article, or related
20 defense service or technology, needed by that
21 country—

22 (A) as a replacement or spare part for an
23 item in the country’s inventory as of the date
24 of enactment of this Act;

1 (B) as a substitute for such an item in any
2 case where that item is no longer being manu-
3 factured and readily available; or

4 (C) as a safety enhancement that would
5 not significantly improve the country's combat
6 capabilities.

7 (2) EXCEPTIONS.—Paragraph (1) shall not
8 apply—

9 (A) with respect to a license for the export
10 of a defense article, defense service, or tech-
11 nology unless the export of such article, service,
12 or technology, regardless of dollar value, is sub-
13 ject to the same requirements as are applicable
14 to the export of items described in section 36(c)
15 of the Arms Export Control Act (22 U.S.C.
16 2776(c)), including the transmittal of informa-
17 tion and the application of congressional review
18 procedures described in that section; and

19 (B) with respect to the export of any item
20 that could contribute directly or indirectly to
21 missile development, or to a nuclear, chemical,
22 or biological weapons program.

23 (c) RENEWAL OF SUSPENSION.—Upon expiration of
24 the initial five-year period of suspension of the sanctions
25 contained in paragraph (1) or (2) of subsection (a), the

1 President may renew the suspension with respect to India,
 2 Pakistan, or both for additional periods of five years each
 3 if, not less than 30 days prior to each renewal of suspen-
 4 sion, the President certifies to the appropriate congres-
 5 sional committees that it is in the national interest of the
 6 United States to do so.

7 (d) RESTRICTION.—The authority of subsection (a)
 8 may not be used to provide assistance under chapter 4
 9 of part II of the Foreign Assistance Act of 1961 (22
 10 U.S.C. 2346 et seq.; relating to economic support fund
 11 assistance) except for—

12 (1) assistance that supports the activities of
 13 nongovernmental organizations;

14 (2) assistance that supports democracy or the
 15 establishment of democratic institutions; or

16 (3) humanitarian assistance.

17 (e) STATUTORY CONSTRUCTION.—Nothing in this
 18 Act prohibits the imposition of sanctions by the President
 19 under any provision of law specified in subsection (a) or
 20 (b) by reason of any grounds for the imposition of sanc-
 21 tions under that provision of law arising on or after the
 22 date of enactment of this Act.

23 **SEC. 2. REPEALS.**

24 The following provisions of law are repealed:

1 (1) Section 620E(e) of the Foreign Assistance
2 Act of 1961 (22 U.S.C. 2375(e)).

3 (2) The India-Pakistan Relief Act (title IX of
4 the Agriculture, Rural Development, Food and Drug
5 Administration, and Related Agencies Appropria-
6 tions Act, 1999, as contained in section 101(a) of
7 Public Law 105–277).

8 **SEC. 3. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**
9 **FINED.**

10 In this section, the term “appropriate congressional
11 committees” means the Committee on Foreign Relations
12 of the Senate and the Committee on International Rela-
13 tions of the House of Representatives.

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