

108TH CONGRESS
2D SESSION

H. R. 4558

To authorize the Comptroller General to conduct audits, evaluations, and investigations of the Millennium Challenge Corporation, to establish the Millennium Challenge Advisory Council, to transfer the Millennium Challenge program to the Foreign Assistance Act of 1961, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 14, 2004

Mr. HYDE introduced the following bill; which was referred to the Committee on International Relations

A BILL

To authorize the Comptroller General to conduct audits, evaluations, and investigations of the Millennium Challenge Corporation, to establish the Millennium Challenge Advisory Council, to transfer the Millennium Challenge program to the Foreign Assistance Act of 1961, and for other purposes.

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

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Millennium Challenge Accountability Act of 2004”.

1 (b) TABLE OF CONTENTS.—The table of contents of
 2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—MILLENNIUM CHALLENGE ACT OF 2003

Sec. 101. Oversight by General Accounting Office.

Sec. 102. Millennium Challenge Advisory Council.

Sec. 103. Findings; Statement of policy.

Sec. 104. Definitions.

Sec. 105. Principal objectives.

Sec. 106. Transfer to Foreign Assistance Act of 1961.

TITLE II—MISCELLANEOUS PROVISIONS

Subtitle A—HELP Commission Act; Foreign Aid Impact Assessment Act

Sec. 201. HELP Commission Act.

Sec. 202. Foreign Aid Impact Assessment Act.

Subtitle B—Repeals; Related Provisions

Sec. 211. Repeals; conforming amendments.

Sec. 212. General authorities.

3 **TITLE I—MILLENNIUM** 4 **CHALLENGE ACT OF 2003**

5 **SEC. 101. OVERSIGHT BY GENERAL ACCOUNTING OFFICE.**

6 Section 614 of title VI of division D of the Consoli-
 7 dated Appropriations Act, 2004 (Public Law 108–199; 22
 8 U.S.C. 7713) is amended by adding at the end the fol-
 9 lowing new subsection:

10 “(h) COMPTROLLER GENERAL.—

11 “(1) IN GENERAL.—The Comptroller General
 12 shall conduct on an annual basis and as appropriate
 13 audits, evaluations, and investigations of the Cor-
 14 poration.

15 “(2) SCOPE.—In carrying out this subsection,
 16 the Comptroller General may conduct audits, evalua-

1 tions, and investigations of the activities and finan-
2 cial transactions of the Corporation for any fiscal
3 year during which Federal funds are available to fi-
4 nance any portion of its operations in accordance
5 with such rules and regulations as may be prescribed
6 by the Comptroller General.

7 “(3) LOCATION; ACCESS TO DOCUMENTS.—

8 “(A) LOCATION.—The Comptroller Gen-
9 eral shall conduct an audit, evaluation, or inves-
10 tigation under this subsection at the place or
11 places where pertinent information of the Cor-
12 poration is normally kept.

13 “(B) ACCESS TO DOCUMENTS.—In con-
14 ducting an audit, evaluation, or investigation
15 under this subsection, representatives of the
16 General Accounting Office shall have access to
17 all books, accounts, financial records, reports,
18 files, and other papers or property belonging to
19 or in use by the Corporation and necessary to
20 facilitate the audit, evaluation, or investigation.
21 In addition, the representatives shall be af-
22 farded full facilities for verifying transactions
23 with the balances and securities held by deposi-
24 tories, fiscal agents, and custodians of the Cor-
25 poration.

1 “(C) RULE OF CONSTRUCTION.—All books,
 2 accounts, financial records, reports, files, and
 3 other papers or property of belonging to or in
 4 use by the Corporation shall remain in the pos-
 5 session and custody of the Corporation through-
 6 out the period beginning on the date such pos-
 7 session or custody commences and ending three
 8 years after such date, but the General Account-
 9 ing Office may require the retention of such
 10 books, accounts, financial records, reports, files,
 11 papers, or property for a longer period under
 12 section 3523(c) of title 31, United States Code.

13 “(4) REPORT.—The Comptroller General shall
 14 prepare and submit to the President and the appro-
 15 priate congressional committees a report that con-
 16 tains the results of each audit, evaluation, or inves-
 17 tigation conducted under this subsection, including
 18 any recommendations as the Comptroller General
 19 determines to be appropriate.”.

20 **SEC. 102. MILLENNIUM CHALLENGE ADVISORY COUNCIL.**

21 Title VI of division D of the Consolidated Appropria-
 22 tions Act, 2004 (Public Law 108–199; 22 U.S.C. 7701
 23 et seq.) is amended by adding at the end the following
 24 new section:

1 **“SEC. 620. MILLENNIUM CHALLENGE ADVISORY COUNCIL.**

2 “(a) ESTABLISHMENT.—There is hereby established
3 in the executive branch an advisory council to the Corpora-
4 tion to be known as the Millennium Challenge Advisory
5 Council.

6 “(b) FUNCTIONS.—

7 “(1) GENERAL FUNCTIONS.—The Council shall
8 advise and consult with the Chief Executive Officer
9 of the Corporation and the Board of Directors with
10 respect to policies and programs designed to further
11 the purposes of this division and shall periodically
12 report to the Congress with respect to the activities
13 of the Corporation. In addition, the Council shall re-
14 view on an annual basis the criteria and method-
15 ology used to determine eligibility of countries for
16 assistance under this title and make recommenda-
17 tions to the Chief Executive Officer and the Board
18 to improve the effectiveness of such criteria and
19 methodology in order to achieve the purposes of this
20 division.

21 “(2) ADDITIONAL FUNCTIONS.—Members of
22 the Council shall (subject to subsection (d)(1)) con-
23 duct on-site inspections, and make examinations, of
24 the activities of the Corporation in the United States
25 and in other countries in order to—

1 “(A) evaluate the accomplishments of the
2 Corporation;

3 “(B) assess the potential capabilities and
4 the future role of the Corporation;

5 “(C) make recommendations to the Chief
6 Executive Officer, the Board of Directors, and
7 Congress, for the purpose of guiding the future
8 direction of the Corporation and of helping to
9 ensure that the purposes and programs of the
10 Corporation are carried out in ways that are ec-
11 onomical, efficient, responsive to changing
12 needs in developing countries and to changing
13 relationships among people, and in accordance
14 with law;

15 “(D) make such other evaluations, assess-
16 ments, and recommendations as the Council
17 considers appropriate.

18 “(3) PUBLIC PARTICIPATION.—The Council
19 may provide for public participation in its activities,
20 consistent with section 552b of title 5, United States
21 Code.

22 “(c) MEMBERSHIP.—

23 “(1) IN GENERAL.—The Council shall consist of
24 seven individuals, who shall be appointed by the
25 Chief Executive Officer, and who shall be broadly

1 representative of nongovernmental entities with ex-
2 pertise and interest in international trade and eco-
3 nomic development, including business and business
4 associations, trade and labor unions, private and vol-
5 untary organizations, foundations, public policy or-
6 ganizations, academia, and other entities as the
7 Chief Executive Officer determines appropriate.

8 “(2) ADDITIONAL REQUIREMENT.—No member
9 appointed under paragraph (1) may be an officer or
10 employee of the United States Government.

11 “(d) COMPENSATION.—

12 “(1) IN GENERAL.—Except as provided in para-
13 graph (2), a member of the Council—

14 “(A) shall be paid compensation out of
15 funds made available for the purposes of this
16 title at the daily equivalent of the highest rate
17 payable under section 5332 of title 5, United
18 States Code, for each day (including travel
19 time) during which the member is engaged in
20 the actual performance of duties as a member
21 of the Council; and

22 “(B) while away from the member’s home
23 or regular place of business on necessary travel,
24 as determined by the Chief Executive Officer, in
25 the actual performance of duties as a member

1 of the Council, shall be paid per diem, travel,
2 and transportation expenses in the same man-
3 ner as is provided under subchapter I of chap-
4 ter 57 of title 5, United States Code.

5 “(2) LIMITATION.—A member of the Council
6 may not be paid compensation under paragraph
7 (1)(A) for more than thirty days in any calendar
8 year.

9 “(e) QUORUM.—A majority of the members of the
10 Council shall constitute a quorum for the purposes of
11 transacting any business.

12 “(f) FINANCIAL INTERESTS OF MEMBERS.—A mem-
13 ber of the Council shall disclose to the Chairperson of the
14 Council and the Chief Executive Officer of the existence
15 of any direct or indirect financial interest of that member
16 in any particular matter before the Council and may not
17 vote or otherwise participate as a Council member with
18 respect to that particular matter.

19 “(g) CHAIRPERSON.—The Chief Executive Officer
20 shall designate one of the members of the Council as
21 Chairperson, who shall serve in that capacity for a term
22 of two years. The Chief Executive Officer may renew the
23 term of the member appointed as Chairperson under the
24 preceding sentence.

25 “(h) MEETINGS; BYLAWS AND REGULATIONS.—

1 “(1) MEETINGS.—The Council shall hold a reg-
2 ular meeting during each calendar quarter and shall
3 meet at the call of the President, the Chief Execu-
4 tive Officer, the Chairperson of the Board, the
5 Chairperson of the Council, or two members of the
6 Council.

7 “(2) BYLAWS AND REGULATIONS.—The Council
8 shall prescribe such bylaws and regulations as it
9 considers necessary to carry out its functions. Such
10 bylaws and regulations shall include procedures for
11 fixing the time and place of meetings, giving or
12 waiving of notice of meetings, and keeping of min-
13 utes of meetings.

14 “(i) REPORT TO THE PRESIDENT, CHIEF EXECUTIVE
15 OFFICER, AND BOARD.—

16 “(1) REPORT.—Not later than January 1,
17 2005, and not later than January 1 of each year
18 thereafter that the Corporation is in existence, the
19 Council shall submit to the President, the Chief Ex-
20 ecutive Officer, and the Board a report on its views
21 on the programs and activities of the Corporation.

22 “(2) CONTENTS.—Each report shall contain a
23 summary of the advice and recommendations pro-
24 vided by the Council to the Chief Executive Officer
25 and the Board during the period covered by the re-

1 port and such recommendations (including rec-
2 ommendations for administrative or legislative ac-
3 tion) as the Council considers appropriate to make
4 to the Congress.

5 “(3) ADDITIONAL REQUIREMENT.—Not later
6 than 90 days after receiving each such report, the
7 Chief Executive Officer shall transmit to Congress a
8 copy of the report, together with any comments con-
9 cerning the report that the Chief Executive Officer
10 considers appropriate.

11 “(j) ADMINISTRATIVE ASSISTANCE.—The Chief Ex-
12 ecutive Officer shall make available to the Council such
13 personnel, administrative support services, and technical
14 assistance as are necessary to carry out its functions effec-
15 tively.

16 “(k) TERMINATION.—Section 14(a)(2)(B) of the
17 Federal Advisory Committee Act (5 U.S.C. App.; relating
18 to the termination of advisory committees) shall not apply
19 to the Council. Notwithstanding section 102 of this Act,
20 the authorities of the Council shall terminate on December
21 31, 2007.”.

22 **SEC. 103. FINDINGS; STATEMENT OF POLICY.**

23 Title VI of division D of the Consolidated Appropria-
24 tions Act, 2004 (Public Law 108–199; 22 U.S.C. 7701

1 et seq.) is amended by inserting after section 601 the fol-
2 lowing new section:

3 **“SEC. 601A. FINDINGS; STATEMENT OF POLICY.**

4 “(a) FINDINGS.—Congress finds the following:

5 “(1) A principal objective of United States for-
6 eign assistance programs, as stated in section 101 of
7 this Act, is the ‘encouragement and sustained sup-
8 port of the people of developing countries in their ef-
9 forts to acquire the knowledge and resources essen-
10 tial to development and to build the economic, polit-
11 ical, and social institutions which will improve the
12 quality of their lives’.

13 “(2) The expanding acceptance of free trade
14 and open markets and the spread of democracy and
15 the rule of law have brought a better way of life to
16 an increasing number of people in the world.

17 “(3) Inequalities between men and women un-
18 dermine development and poverty-reduction efforts
19 in fundamental ways. A woman’s limited access to
20 resources and restrictions on the exercise of her
21 rights, including the right to participate in social
22 and political processes, disables her from maximizing
23 her contribution to her family’s health, education,
24 and general well-being.

1 “(4) On March 14, 2002, the President noted
2 the successes of development assistance programs:
3 ‘The advances of free markets and trade and democ-
4 racy and rule of law have brought prosperity to an
5 ever-widening circle of people in this world. During
6 our lifetime, per capita income in the poorest coun-
7 tries has nearly doubled. Illiteracy has been cut by
8 one-third, giving more children a chance to learn. In-
9 fant mortality has been almost halved, giving more
10 children a chance to live.’.

11 “(5) Development is neither an easy process
12 nor a linear one. There are successes and there are
13 failures. Today, too many people are still living in
14 poverty, disease has eroded many of the economic
15 and social gains of previous decades, and many
16 countries have not adopted policies, for a variety of
17 reasons, that would enable them to compete in an
18 open and equitable international economic system.

19 “(6) More countries and more people will be
20 able to participate in and benefit from the opportu-
21 nities afforded by the global economy if the following
22 conditions for sound and sustainable economic devel-
23 opment are met:

24 “(A) SECURITY.—Security is necessary for
25 economic development. Persistent poverty and

1 oppression can lead to hopelessness, despair,
2 and to failed states that become havens for ter-
3 rorists.

4 “(B) POLICIES THAT SUPPORT BROAD-
5 BASED ECONOMIC GROWTH.—Successful long-
6 term development can only occur through
7 broad-based economic growth that enables the
8 poor to increase their incomes and have access
9 to productive resources and services so that
10 they can lead lives of decency, dignity, and
11 hope.

12 “(C) DEMOCRACY AND THE RULE OF
13 LAW.—Democratic development, political plu-
14 ralism, and respect for internationally recog-
15 nized human rights are intrinsically linked to
16 economic and social progress. The ability of
17 people to participate in the economic and polit-
18 ical processes affecting their lives is essential to
19 sustained growth. The rule of law and a com-
20 mitment to fight corruption is also critical to
21 the development of a prosperous society.

22 “(D) INVESTMENTS IN PEOPLE.—Eco-
23 nomic growth and democracy can be sustained
24 only if both men and women have the basic
25 tools and capabilities that foster the oppor-

1 tunity for participation in the economic, social,
2 and political life of their countries. Successful
3 development of countries requires citizens who
4 are literate, healthy, and prepared and able to
5 work.

6 “(7) Economic assistance programs authorized
7 under this part, as administered by the United
8 States Agency for International Development and
9 other Federal agencies, are of critical importance in
10 assisting countries to be in a position to maximize
11 the effectiveness of assistance authorized by this
12 title.

13 “(8) It is in the national interest of the United
14 States to help those countries that are implementing
15 the economic and political reforms necessary for de-
16 velopment to occur.

17 “(9) On March 14, 2002, the President stated
18 that the ‘growing divide between wealth and poverty,
19 between opportunity and misery, is both a challenge
20 to our compassion and a source of instability . . .
21 [w]e must confront it . . . [w]e must include every
22 African, every Asian, every Latin American, every
23 Muslim, in an expanding circle of development.’.

24 “(10) The President has pledged that funds re-
25 quested for the Millennium Challenge Account shall

1 be in addition to, and not a substitute for, existing
2 development and humanitarian programs.

3 “(11) Development assistance alone is not suffi-
4 cient to stimulate economic growth and development.
5 Assistance has been shown to have a positive impact
6 on growth and development in developing countries
7 with sound policies and institutions. If countries
8 have poor policies and institutions, however, it is
9 highly unlikely that assistance will have a net posi-
10 tive effect.

11 “(12) Economic development, and the achieve-
12 ment of the Millennium Development Goals, must be
13 a shared responsibility between donor and recipient
14 countries.

15 “(b) STATEMENT OF POLICY REGARDING A NEW
16 COMPACT FOR GLOBAL DEVELOPMENT.—It is, therefore,
17 the policy of the United States to support a new compact
18 for global development that—

19 “(1) increases support by donor countries to
20 those developing countries that are fostering democ-
21 racy and the rule of law, investing in their people,
22 and promoting economic freedom for all their people;

23 “(2) recognizes, however, that it is the devel-
24 oping countries themselves that are primarily re-
25 sponsible for the achievement of those goals;

1 “(3) seeks to coordinate the disparate develop-
2 ment assistance policies of donor countries, and to
3 harmonize the trade and finance policies of donor
4 countries with their respective development assist-
5 ance programs; and

6 “(4) aims to reduce poverty by significantly in-
7 creasing the economic growth trajectory of bene-
8 ficiary countries through investing in the productive
9 potential of the people of such countries.”.

10 **SEC. 104. DEFINITIONS.**

11 (a) COUNCIL.—Section 603 of title VI of division D
12 of the Consolidated Appropriations Act, 2004 (Public Law
13 108–199; 22 U.S.C. 7702) is amended—

14 (1) by redesignating paragraph (7) as para-
15 graph (8); and

16 (2) by inserting after paragraph (6) the fol-
17 lowing new paragraph:

18 “(7) COUNCIL.—The term ‘Council’ means the
19 Millennium Challenge Advisory Council established
20 under section 620 of this title.”.

21 (b) MILLENNIUM DEVELOPMENT GOALS.—Section
22 603 of title VI of division D of the Consolidated Appro-
23 priations Act, 2004, as amended by subsection (a), is fur-
24 ther amended by adding at the end the following new para-
25 graph:

1 “(9) MILLENNIUM DEVELOPMENT GOALS.—The
 2 term ‘Millennium Development Goals’ means the key
 3 development objectives described in the United Na-
 4 tions Millennium Declaration, as contained in
 5 United Nations General Assembly Resolution 55/2
 6 (September 2000), which aim to eradicate extreme
 7 poverty and hunger, achieve universal primary edu-
 8 cation, promote gender equality and empower
 9 women, reduce child mortality, improve maternal
 10 health, combat HIV/AIDS, malaria, and other infec-
 11 tious diseases, ensure environmental sustainability,
 12 and develop a global partnership for development.”.

13 **SEC. 105. PRINCIPAL OBJECTIVES.**

14 Section 605(a) of title VI of division D of the Consoli-
 15 dated Appropriations Act, 2004 (Public Law 108–199; 22
 16 U.S.C. 7704(a)) is amended—

17 (1) by striking “Notwithstanding” and insert-
 18 ing the following:

19 “(1) IN GENERAL.—Notwithstanding”; and

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

21 “(2) PRINCIPAL OBJECTIVES.—Assistance pro-
 22 vided under paragraph (1) should advance a coun-
 23 try’s progress toward promoting the following prin-
 24 cipal objectives:

1 “(A) FOSTERING DEMOCRATIC SOCIETIES,
2 HUMAN RIGHTS, AND THE RULE OF LAW.—The
3 assistance should promote—

4 “(i) political, social, and economic plu-
5 ralism;

6 “(ii) respect for the rule of law;

7 “(iii) anti-corruption initiatives and
8 law enforcement;

9 “(iv) development of institutions of
10 democratic governance, including electoral
11 and legislative processes;

12 “(v) transparent and accountable pub-
13 lic administration at all levels of govern-
14 ment;

15 “(vi) a fair, competent, and inde-
16 pendent judiciary; and

17 “(vii) a free and independent media.

18 “(B) FOSTERING INVESTMENT IN EDU-
19 CATION AND HEALTH INFRASTRUCTURE AND
20 SYSTEMS.—The assistance should foster im-
21 proved educational opportunities and health
22 conditions, particularly for women and children,
23 including through—

24 “(i) support for programs and per-
25 sonnel that promote broad-based primary

1 education, including through the develop-
2 ment of academic curricula, by making
3 available textbooks and other educational
4 materials, and through appropriate use of
5 technology;

6 “(ii) support for programs to
7 strengthen and build institutions, including
8 primary health care systems, infrastruc-
9 ture, facilities, and personnel that provide
10 quality health care;

11 “(iii) support for improved systems
12 for the delivery of healthy water and sani-
13 tation services; and

14 “(iv) support for programs that re-
15 duce child mortality (including those pro-
16 grams that combat HIV/AIDS, malaria,
17 tuberculosis, and other infectious diseases,
18 consistent with sections 104(c), 104A,
19 104B, and 104C of this Act).

20 “(C) PROMOTING ECONOMIC FREEDOM,
21 BROAD-BASED ECONOMIC GROWTH, AND FOS-
22 TERING FREE MARKET SYSTEMS.—The assist-
23 ance should foster the institutions and condi-
24 tions needed to promote free market systems,
25 trade, and investment, including—

1 “(i) the reform and restructuring of
2 banking and financial systems, including
3 by allowing foreign competition in the
4 banking and financial sectors, where ap-
5 propriate;

6 “(ii) the development of transparent
7 and efficient commercial codes and reduc-
8 tion in the regulatory burden on business;

9 “(iii) the protection of property rights,
10 including—

11 “(I) private property and intellec-
12 tual property rights, including
13 through the adoption and effective en-
14 forcement of intellectual property
15 treaties or international agreements;
16 and

17 “(II) the establishment and
18 maintenance of an efficient and inte-
19 grated legal property system that,
20 among other things, facilitates the
21 ability of the poor, particularly
22 women, to convert physical and intel-
23 lectual assets into capital, such as uti-
24 lizing existing practices and customs
25 that allow assets to be documented in

1 a manner that makes the assets wide-
 2 ly transferable, leveragable, and fun-
 3 gible, that allows individuals to hold
 4 legal title to their property, and that
 5 holds owners accountable for trans-
 6 actions involving their property;

7 “(iv) support for market-based poli-
 8 cies that support increased agricultural
 9 production;

10 “(v) a strong commitment to sound
 11 monetary and budgetary policies;

12 “(vi) the development of small busi-
 13 nesses, private cooperatives, credit unions,
 14 and trade and labor unions;

15 “(vii) the protection of internationally
 16 recognized workers’ rights; and

17 “(viii) the capacity of eligible coun-
 18 tries to ameliorate damage to the environ-
 19 ment and respect other environmental
 20 standards.”.

21 **SEC. 106. TRANSFER TO FOREIGN ASSISTANCE ACT OF 1961.**

22 (a) TRANSFER.—Title VI of division D of the Con-
 23 solidated Appropriations Act, 2004 (Public Law 108–199)
 24 (other than the short title of such division) is hereby—

1 (1) transferred from the Consolidated Appro-
 2 priations Act, 2004, to the Foreign Assistance Act
 3 of 1961 (22 U.S.C. 2151 et seq.); and

4 (2) inserted after title V of chapter 2 of part
 5 I of the Foreign Assistance Act of 1961.

6 (b) REDESIGNATION.—Title VI of chapter 2 of part
 7 I of the Foreign Assistance Act of 1961 (as added by sub-
 8 section (a)) is amended—

9 (1) by redesignating sections 601 through 620
 10 as sections 251 through 270, respectively; and

11 (2) by striking each reference in such title to
 12 any of sections 601 through 620 and inserting a ref-
 13 erence to the corresponding section number (as re-
 14 designated by paragraph (1)).

15 (c) CONFORMING AMENDMENT.—The table of con-
 16 tents of the Consolidated Appropriations Act, 2004 (Pub-
 17 lic Law 108–199) is amended by striking the item relating
 18 to title VI of division D of such Act.

19 **TITLE II—MISCELLANEOUS** 20 **PROVISIONS**

21 **Subtitle A—HELP Commission Act;** 22 **Foreign Aid Impact Assessment Act**

23 **SEC. 201. HELP COMMISSION ACT.**

24 (a) TRANSFER TO THE FOREIGN ASSISTANCE ACT
 25 OF 1961.—Section 637 of title VI of division B of the

1 Consolidated Appropriations Act, 2004 (Public Law 108–
2 199) is hereby—

3 (1) transferred from the Consolidated Approp-
4 riations Act, 2004, to the Foreign Assistance Act
5 of 1961 (22 U.S.C. 2151 et seq.); and

6 (2) inserted after section 134 of the Foreign
7 Assistance Act of 1961.

8 (b) REDESIGNATION.—Chapter 1 of part I of the
9 Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.)
10 is amended by redesignating section 637 (as added by sub-
11 section (a)) as section 135.

12 (c) CONFORMING AMENDMENT.—Section 135 of the
13 Foreign Assistance Act of 1961 (as redesignated by sub-
14 section (b)) is amended by striking the section designation
15 and all that follows through “(a) This section” and insert-
16 ing the following:

17 **“SEC. 135. HELP COMMISSION ACT.**

18 **“(a) This section”.**

19 **SEC. 202. FOREIGN AID IMPACT ASSESSMENT ACT.**

20 (a) REDESIGNATION.—Section 135 of the Foreign
21 Assistance Act of 1961 (as added by section 201) is
22 amended by redesignating subsection (k) of such section
23 as section 136.

1 (b) CONFORMING AMENDMENTS.—Section 136 of the
 2 Foreign Assistance Act of 1961 (as added by subsection
 3 (a)) is amended—

4 (1) by redesignating each paragraph, subpara-
 5 graph, and clause of such section as a subsection,
 6 paragraph, or subparagraph, respectively;

7 (2) by striking the section designation and all
 8 that follows through “(a) Not later than” and in-
 9 serting the following:

10 **“SEC. 136. FOREIGN AID IMPACT ASSESSMENT ACT.**

11 “(a) Not later than”;

12 (3) in paragraphs (1) and (2) of subsection (b)
 13 (as redesignated by paragraph (1)), by striking
 14 “paragraph (1)(A)(i)” each place it appears and in-
 15 serting “subsection (a)(1)(A)”; and

16 (4) in subsection (c) (as redesignated by para-
 17 graph (1)), by striking “paragraphs (1) and (2)”
 18 and inserting “subsections (a) and (b)”.

19 **Subtitle B—Repeals; Related**
 20 **Provisions**

21 **SEC. 211. REPEALS; CONFORMING AMENDMENTS.**

22 (a) REPEALS.—

23 (1) GENERAL DEVELOPMENT ASSISTANCE.—

24 The following provisions of chapter 1 of part I of the
 25 Foreign Assistance Act of 1961 (22 U.S.C. 2151 et

1 seq.) are hereby repealed: Sections 107, 110, 120,
2 124, 125, 127, and 128.

3 (2) PROTOTYPE DESALTING PLANT.—Section
4 219 of the Foreign Assistance Act of 1961 (22
5 U.S.C. 2179) is hereby repealed.

6 (3) INTERNATIONAL DISASTER ASSISTANCE.—
7 The following provisions of chapter 9 of part I of the
8 Foreign Assistance Act of 1961 (22 U.S.C. 2292 et
9 seq.) are hereby repealed: Sections 494, 495, and
10 495B through 495K.

11 (b) CONFORMING AMENDMENTS.—(1) Section
12 299(a) of the Foreign Assistance Act of 1961 (22 U.S.C.
13 2220d(a)) is amended by striking “sections 110(b) and”
14 and inserting “section”.

15 (2) Section 210 of title 35, United States Code, is
16 amended by striking paragraph (15).

17 **SEC. 212. GENERAL AUTHORITIES.**

18 (a) AMENDMENT.—Section 635(a) of the Foreign As-
19 sistance Act of 1961 (22 U.S.C. 2395(a)) is amended to
20 read as follows: “(a) Except as otherwise specifically pro-
21 vided in this Act, assistance under this Act may be pro-
22 vided on such terms and conditions as the President may
23 determine to countries, organizations, and areas on a
24 grant basis or on such terms, including cash, credit, or
25 other terms of repayment (including repayment in foreign

1 currencies or by transfer to the United States Government
2 of commodities) as may be deemed to be best suited to
3 the achievement of the purposes of this Act. Assistance
4 may be provided on a bilateral basis or through regional,
5 multilateral, private, or other entities.”.

6 (b) REPEAL.—Section 122 of the Foreign Assistance
7 Act of 1961 (22 U.S.C. 2151t) is hereby repealed.

○