

consideration of the bill (H.R. 1561) to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for U.S. foreign assistance programs for fiscal years 1996 and 1997, and for other purposes (Rept. 104-129). Referred to the House Calendar.

### REPORTED BILLS SEQUENTIALLY REFERRED

Under clause 5 of rule X, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

*[Pursuant to the order of the House on May 18, 1995, the following report was filed on May 19, 1995]*

Mr. GILMAN: Committee on International Relations. H.R. 1561. A bill to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes, with an amendment; referred to the Committee on Judiciary for a period ending not later than May 20, 1995, for consideration of such provisions of the amendment recommended by the Committee on International Relations as fall within the jurisdiction of that committee pursuant to clause 1(j), rule X (Rept. 104-128, Pt. 1). Ordered to be printed.

### SUBSEQUENT ACTION ON A REPORTED BILL SEQUENTIALLY REFERRED

Under clause 5 of Rule X the following action was taken by the Speaker:

*[The following action occurred on May 20, 1995]*  
H.R. 1561. The Committee on the Judiciary discharged.

### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 70: Mr. RIGGS.  
H.R. 104: Mr. JACOBS.  
H.R. 218: Ms. KAPTUR, Mr. RAHALL, and Mr. GILMAN.  
H.R. 359: Mr. MEEHAN and Mr. JOHNSON of South Dakota.  
H.R. 390: Mr. EHRLICH, Mr. WELDON of Florida, Mr. HAMILTON, Mr. KING, Mr. CAMP, and Mr. LUTHER.  
H.R. 497: Mr. HERGER, Mr. STENHOLM, Mr. BROWDER, Mr. STOCKMAN, Mr. COLLINS of Georgia, Mr. SOLOMON, Mrs. SEASTRAND, and Mr. HOEKSTRA.  
H.R. 682: Mr. KLECZKA and Mr. MORAN.  
H.R. 782: Mr. LEWIS of Georgia, Mr. MFUME, Mr. SOLOMON, Mr. HOYER, and Mr. McDERMOTT.  
H.R. 788: Mr. HOKE.  
H.R. 972: Mr. BILIRAKIS and Mr. EMERSON.  
H.R. 1103: Mr. GEKAS.  
H.R. 1118: Mr. BUNNING of Kentucky.  
H.R. 1299: Mr. MARTINEZ.  
H.R. 1383: Mr. EWING.  
H.R. 1425: Mrs. SEASTRAND.  
H.R. 1448: Mr. PETERSON of Florida.  
H.R. 1496: Mr. LEWIS of Georgia and Mr. ACKERMAN.  
H.R. 1533: Mr. BEREUTER and Mr. CHABOT.  
H.R. 1555: Mr. COX.  
H.R. 1611: Mr. STUMP.

### AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 1561

OFFERED BY: MR. BEREUTER

AMENDMENT NO. 3: In section 2104(a)(1)(A) (relating to authorizations of appropriations for migration and refugee assistance) strike "\$560,000,000" and insert "\$590,000,000".

In section 2104 subsection (a)(4), subsection (b), and subsection (d).

In section 2104 redesignate subsection (c) as subsection (b).

H.R. 1561

OFFERED BY: MR. BEREUTER

AMENDMENT NO. 4: In section 3241 of the bill strike all and insert the following.

Section 204(a) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1724(a)) is amended—

(1) in paragraph (1)(E), by striking "for fiscal year 1995" and inserting "for each of the fiscal years 1995 through 1997, is not less than 2,050,000 metric tons"; and

(2) in paragraph (2)(E), by striking "for fiscal year 1995" and inserting "for each of the fiscal years 1995 through 1997".

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OFFERED BY: MR. BROWNBAC

AMENDMENT NO. 5: In section 2101(a)(1) (relating to the Diplomatic and Consular Programs) strike "\$1,676,903,000" and insert "\$1,656,903,000".

In section 2101(a)(2) (relating to the Salaries and Expenses) strike "\$355,287,000" and insert "\$335,287,000".

In section 2101(a)(4) (relating to Acquisition and Maintenance of Buildings Abroad) strike "\$391,760,000 for fiscal year 1997" and insert "\$376,760,000 for fiscal year 1997".

In section 2101(a)(7) (relating to the Office of the Inspector General) strike "\$23,469,000 for fiscal year 1997" and insert "\$21,469,000 for fiscal year 1997".

In section 2101(a)(8) (relating to the Payment to the American Institute in Taiwan) strike "\$14,710,000" and insert "\$13,710,000".

In section 2102(a) (relating to the Assessed Contributions to International Organizations) strike "\$867,050,000" and insert "\$828,388,000".

In section 2102(b)(1) (relating to the Voluntary Contributions to International Organizations) strike "\$302,902,000" and insert "\$290,680,000".

In section 2102(c)(1) (relating to Assessed Contributions for International Peacekeeping) strike "\$345,000,000" and insert "\$300,000,000".

In section 2102(d)(1) (relating to the Voluntary Contributions to Peacekeeping Operations) strike "and \$68,260,000 for fiscal year 1997" and insert "and \$62,260,000 for fiscal year 1997".

In section 2102(e)(1) (relating to International Conferences and Contingencies) strike "\$6,000,000" and insert "\$5,000,000".

In section 2106(1) (relating to Salaries and Expenses) strike "\$428,080,000" and insert "\$407,080,000".

In section 2106(3)(A) (relating to Fulbright Academic Exchange Programs) strike "\$113,680,800" and insert "\$93,680,800".

In section 2106(3)(F) (relating to Other Programs) strike "\$87,341,400" and insert "\$67,341,400".

In section 2106(4)(A) (relating to International Broadcasting Activities) strike "\$286,191,000" and insert "\$256,191,000".

In section 2106(5) (relating to Radio Construction) strike "\$67,647,000" and insert "\$57,647,000".

In section 2106(9) (relating to the Center for Cultural and Technical Interchange be-

tween East and West) strike "\$10,000,000" and insert "\$8,000,000".

In section 2106(10) (relating to the National Endowment for Democracy) strike "\$34,000,000 for fiscal year 1997" and insert "\$32,000,000 for fiscal year 1997".

In section 2107(1) (relating to the Arms Control and Disarmament Agency) strike "\$40,500,000" and insert "\$39,500,000".

In section 3101 (relating to the Foreign Military Financing Program) strike "\$3,240,020,000" and insert "\$3,226,020,000".

In section 3201 (relating to the Economic Support Fund) strike "\$2,283,478,000" and insert "\$2,248,478,000".

In section 3221(a)(1) (relating to the Development Assistance Fund) strike "for each of the fiscal years 1996 and 1997" and insert "for fiscal year 1996 and \$745,000,000 for fiscal year 1997".

In section 3221(a)(2) (relating to the Development Fund for Africa) strike "for each of the fiscal years 1996 and 1997" and insert "for fiscal year 1996 and \$614,214,000 for fiscal year 1997".

In section 3221(a)(3) (relating to the Assistance for Independent States of the Former Soviet Union) strike "\$650,000,000" and insert "\$625,000,000".

In section 3221(a)(5) (relating to the Inter-American Foundation) strike "\$10,000,000" and insert "\$7,000,000".

In section 3221(a)(6) (relating to the African Development Foundation) strike "\$5,000,000" and insert "\$4,000,000".

In section 3232(3) (relating to the Operating Expenses of the Office of the Inspector General) strike "\$31,685,000" and insert "\$30,685,000".

In section 3261 (relating to the Peace Corps) strike "for each of the fiscal years 1966 and 1977" and insert "for fiscal year 1996 and \$215,000,000 for fiscal year 1997".

H.R. 1561

OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT NO. 6: At the end of title XXXIII (relating to regional provisions), add the following new section:

#### SEC. 3314. ASSISTANCE FOR INDIA.

(a) FINDINGS.—The Congress finds the following:

(1) In India, tens of thousands of political prisoners, including prisoners of conscience, are being held without charge or trial under special or preventive detention laws.

(2) The special and preventive detention laws most frequently cited by human rights organizations are the Terrorist and Disruptive Activities (Prevention) Act (TADA) of 1987, the National Security Act of 1980, the Armed Forces (Punjab and Chandigarh) Special Powers Act of 1983, the Armed Forces (Jammu and Kashmir) Special Powers Act of 1990, and the Jammu and Kashmir Public Safety Act of 1978.

(3) These laws provide the military and police forces of India sweeping powers of arrest and detention with broad powers to shoot to kill with virtual immunity from prosecution.

(4) These laws contravene important international human rights standards established under the International Covenant on Civil and Political Rights, to which India is a party, such as the right of liberty and security, the right to a fair trial, the right to freedom of expression, and the right not to be subjected to torture or arbitrary arrest and detention.

(5) Throughout India, political detainees are often held for several months, and in some cases a year, without access to family, friends, or legal counsel.

(6) Throughout India, the torture of detainees has been routine, and scores of people have died in police and military custody as a result.

(7) Throughout India, scores of political detainees have "disappeared" and hundreds of people are reported to have been extrajudicially executed by military and police forces.

(8) In Punjab, the Punjab Government encouraged extrajudicial executions by offering bounties for the killing of militants and paid over 41,000 such bounties between 1991 and 1993.

(9) Abuses by the military and police forces of India are particularly widespread in the states of Punjab, Assam, Manipur, Nagaland, and the portion of the disputed territory of Jammu and Kashmir under the control of the Government of India.

(10) Many victims come from underprivileged and vulnerable sections of society of India, particularly the scheduled castes and tribes.

(11) The establishment of the National Human Rights Commission by the Government of India is an important first step toward improving the human rights record of India.

(12) However, many human rights organizations are deeply concerned about the severe limitations placed on the powers, mandate, and methodology of the National Human Rights Commission.

(13) In 1994, the decision by the Government of India to allow the International Committee of the Red Cross to provide limited humanitarian assistance in the portion of the disputed territory of Jammu and Kashmir under the control of the Government of India was an important first step in providing international humanitarian organizations greater access to troubled areas of India.

(14) However, in 1994, the Government of India continued to prohibit several international human rights organizations from conducting independent investigations in the portion of the disputed territory of Jammu and Kashmir under the control of the Government of India and provided only limited access to such organizations to other states such as Punjab, Assam, Manipur, and Nagaland where significant human rights problems exist.

(15) In India, armed opposition groups have committed human rights abuses.

(16) Several human rights organizations have called on such armed opposition groups to respect basic standards of humanitarian law which require that individuals not taking part in hostilities should at all times be treated humanely.

(b) **LIMITATION ON DEVELOPMENT ASSISTANCE.**—

(1) **LIMITATION.**—The President may not provide development assistance for India for any fiscal year unless the President transmits to the Congress a report containing a certification for such fiscal year that the Government of India meets the following requirements:

(A) The Government of India has released all prisoners of conscience in India.

(B) The Government of India ensures that all political prisoners in India are brought to trial promptly and fairly, or released, and have prompt access to legal counsel and family members.

(C) The Government of India has eliminated the practice of torture in India by the military and police forces.

(D) The Government of India impartially investigates all allegations of torture and deaths of individuals in custody in India.

(E) The Government of India has established the fate or whereabouts of all political detainees in India who have "disappeared".

(F) The Government of India brings to justice those members of the military and police forces responsible for torturing or improperly treating prisoners in India.

(G) The Government of India permits citizens of India who are critical of such Government to travel abroad and return to India.

(H) The Government of India ensures that human rights monitors in India are not targeted for arrest or harassment by the military and police forces of India.

(I) The Government of India permits both international and domestic human rights organizations and international and domestic television, film, and print media full access to all states in India where significant human rights problems exist.

(2) **REQUIREMENT FOR CONTINUING COMPLIANCE.**—Any certification with respect to the Government of India for a fiscal year under paragraph (1) shall cease to be effective for that fiscal year if the President transmits to the Congress a report containing a determination that such Government has not continued to comply with the requirements contained in subparagraphs (A) through (I) of such paragraph.

(3) **WAIVER.**—The limitation on development assistance for India contained in paragraph (1) shall not apply if the President transmits to the Congress a report containing a determination that providing such assistance for India is in the national security interest of the United States.

(4) **DEFINITIONS.**—As used in this section:

(A) **DEVELOPMENT ASSISTANCE.**—The term "development assistance" means assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.).

(B) **INDIA.**—The term "India" includes the portion of the disputed territory of Jammu and Kashmir under the control of the Government of India.

(5) **EFFECTIVE DATE.**—The prohibition contained in paragraph (1) shall apply with respect to the provision of development assistance beginning 9 months after the date of the enactment of this Act.

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OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT No. 7. At the end of title XXXIII (relating to regional provisions), add the following new section:

**SEC. 3314. ASSISTANCE OF PAKISTAN.**

Section 620E(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2375(e)) is amended—

(1) by striking "No assistance shall be furnished to Pakistan and" and inserting "(1) Except as provided in paragraph (2),";

(2) by striking "assistance is to be furnished or"; and

(3) by adding at the end the following new paragraph:

"(2) The prohibition on the sale or transfer of military equipment or technology contained in paragraph (1) shall not apply with respect to military equipment or technology sold to Pakistan pursuant to agreements between the United States and Pakistan entered into before September 30, 1990."

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OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT No. 8. In paragraph (1) of section 3221(a) (relating to authorization of appropriations for development assistance fund), strike "\$858,000,000" and insert "\$650,000,000".

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OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT No. 9. In section 3231 of the bill (in section 667(a)(1) of the Foreign Assistance Act of 1961, as proposed to be amended by such section 3231; relating to operating expenses of the United States Agency for International Development), strike "\$465,774,000" and insert "\$396,770,250" and strike "\$419,196,000" and insert "\$396,770,250".

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OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT No. 10. In paragraph (3) of section 3417(d) (relating to prohibition on assist-

ance to countries that consistently oppose the United States position in the United Nations General Assembly), insert after the matter preceding subparagraph (A) the following new subparagraph (and redesignate subsequent subparagraphs accordingly):

(A) chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance),

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OFFERED BY: MR. BURTON OF INDIANA

AMENDMENT No. 11: At the end of chapter 3 of title XXXII (relating development assistance), add the following new subchapter:

**Subchapter C—Personnel of Agency for International Development**

**SEC. 3236. LIMITATION ON NUMBER OF PERSONNEL.**

On and after February 28, 1997, the number of individuals authorized to be employed by the Agency for International Development (excluding temporary and intermittent employees), as determined on a full time equivalent basis, and the number of individuals serving with such Agency under a personal service contract, shall not exceed 7,054.

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OFFERED BY: MR. LANTOS

AMENDMENT No. 12: After section 3211, insert the following new section:

**SEC. 3212. CENTRAL ASIAN ENTERPRISE FUND.**

Notwithstanding section 201(d)(3)(A) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5421(d)(3)(A)), the Central Asian-American Enterprise Fund may, in lieu of the appointment of citizens of the host countries to its Board of Directors, establish an advisory council for the host region comprised of citizens of each of the host countries or establish separate advisory councils for each of the host countries, with which such Fund shall periodically consult with respect to the Fund's policies and proposed activities. Such host country citizens shall satisfy the experience and expertise requirements set forth in section 201(d)(3)(A) and (d)(3)(C) of that Act.

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OFFERED BY: MR. LIVINGSTON

AMENDMENT No. 13. Strike section 348(e); strike section 2101(a)(1)(B); strike section 2101(a)(2)(B); strike section 2102(b)(2)(A); strike section 2102(b)(2)(B); strike section 2102(b)(2)(C); strike section 2102(b)(2)(D); strike section 2102(b)(2)(E); strike section 2102(b)(2)(G); strike section 2106(4)(B); strike section 2106(4)(C); strike section 3222; and strike section 3227.

AMENDMENT TO H.R. 1561, as Reported

OFFERED BY: MR. MCINNIS OF COLORADO

AMENDMENT No. 14. In section 2644 (relating to further steps to promote United States security and political interests with respect to North Korea) by striking paragraph (1) and inserting the following:

(1) action by the Government of North Korea to engage in a North-South dialogue with the Government of the Republic of Korea to facilitate progress toward—

(A) holding a North Korea-South Korea Summit;

(B) resuming North-South joint military discussions regarding steps to reduce tensions between North and South Korea;

(C) expanding trade relations between North and South Korea;

(D) promoting freedom of travel between North and South Korea by citizens of both North and South Korea;

(E) cooperating in science and technology, education, the arts, health, sports, the environment, publishing, journalism, and other fields of mutual interest;

(F) establishing postal and telecommunications services between North and South Korea; and

(G) reconnecting railroads and roadways between North and South Korea;

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OFFERED BY: MR. MCINNIS

AMENDMENT NO. 15 Strike chapter 2 (relating to the United States—North Korea Agreed Framework) of title XXVI (relating to foreign policy provisions) and insert the following:

CHAPTER 2—NORTH-SOUTH DIALOGUE ON THE KOREAN PENINSULA AND THE UNITED STATES—NORTH KOREA AGREED FRAMEWORK

#### SEC. 2641. FINDINGS.

The Congress makes the following findings:

(1) The Agreed Framework Between the United States and the Democratic People's Republic of Korea of October 21, 1994, states in Article III, paragraph (2), that "[t]he DPRK will consistently take steps to implement the North-South Joint Declaration on the Denuclearization of the Korean Peninsula".

(2) The Agreed Framework also states the "[t]he DPRK will engage in North-South dialogue, as this Agreed Framework will help create an atmosphere that promotes such dialogue".

(3) The two agreements entered into between North and South Korea in 1992, namely the North-South Denuclearization Agreement and the Agreement on Reconciliation, Nonaggression and Exchanges and Cooperation, provide an existing and detailed framework for dialogue between North and South Korea.

(4) The North Korean nuclear program is just one of the lingering threats to peace on the Korean Peninsula.

(5) The reduction of tensions between North and South Korea directly serve United States interests, given the substantial defense commitment of the United States to South Korea and the presence on the Korean Peninsula of United States troops.

#### SEC. 2642. STEPS TOWARD NORTH-SOUTH DIALOGUE ON THE KOREAN PENINSULA.

It is the sense of the Congress that—

(1) substantive dialogue between North and South Korea is vital to the implementation of the Agreed Framework Between the United States and North Korea, dated October 21, 1994; and

(2) together with South Korea and other concerned allies, and in keeping with the spirit and letter of the 1992 agreements between North and South Korea, the President should pursue measures to reduce tensions between North and South Korea and should facilitate progress toward—

(A) holding a North Korea-South Korea summit;

(B) initiating mutual nuclear facility inspections by North and South Korea;

(C) establishing liaison offices in both North and South Korea;

(D) resuming a North-South joint military discussion regarding steps to reduce tensions between North and South Korea;

(E) expanding trade relations between North and South Korea;

(F) promoting freedom to travel between North and South Korea by citizens of both North and South Korea;

(G) cooperating in science and technology, education, the arts, health, sports, the environment, publishing, journalism, and other fields of mutual interest;

(H) establishing postal and telecommunications services between North and South Korea; and

(I) reconnecting railroads and roadways between North and South Korea.

#### SEC. 2643. REPORT TO CONGRESS.

Beginning 3 months after the date of enactment of this Act, and every 6 months

thereafter, the President shall transmit to the appropriate congressional committees a report setting forth the progress made in carrying out section 2642.

#### SEC. 2644. DEFINITIONS.

As used in this chapter—

(1) the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives;

(2) the term "North Korea" means the Democratic People's Republic of Korea; and

(3) the term "South Korea" means the Republic of Korea.

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OFFERED BY: MS. MCKINNEY

AMENDMENT NO. 16. After chapter 5 of title XXXI of the bill, insert the following new chapter (and redesignate the subsequent chapter accordingly and make other appropriate conforming amendments):

#### CHAPTER 6—ARMS TRANSFERS CODE OF CONDUCT

##### SEC. 3174. SHORT TITLE.

This chapter may be cited as the "Code of Conduct on Arms Transfer Act of 1995".

##### SEC. 3175. FINDINGS.

The Congress finds the following:

(1) Approximately 40,000,000 people, over 75 percent civilians, died as a result of civil and international wars fought with conventional weapons during the 45 years of the cold war, demonstrating that conventional weapons can in fact be weapons of mass destruction.

(2) Conflict has actually increased in the post cold war era, with 34 major wars in progress during 1993.

(3) War is both a human tragedy and an ongoing economic disaster affecting the entire world, including the United States and its economy, because it decimates both local investment and potential export markets.

(4) International trade in conventional weapons increases the risk and impact of war in an already over-militarized world, creating far more costs than benefits for the United States economy through increased United States defense and foreign assistance spending and reduced demand for United States civilian exports.

(5) The newly established United Nations Register of Conventional Arms can be an effective first step in support of limitations on the supply of conventional weapons to developing countries and compliance with its reporting requirements by a foreign government can be an integral tool in determining the worthiness of such government for the receipt of United States military assistance and arms transfers.

(6) It is in the national security and economic interests of the United States to reduce dramatically the \$1,038,000,000,000 that all countries spend on armed forces every year, \$242,000,000,000 of which is spent by developing countries, an amount equivalent to 4 times the total bilateral and multilateral foreign assistance such countries receive every year.

(7) According to the Congressional Research Service, the United States supplies more conventional weapons to developing countries than all other countries combined, averaging \$14,956,000,000 a year in agreements to supply such weapons to developing countries since the end of the cold war, compared to \$7,300,000,000 a year in such agreements prior to the dissolution of the Soviet Union.

(8) In recent years the vast majority of United States arms transfers to developing countries are to countries with an undemocratic form of government whose citizens, according to the Department of State Country Reports on Human Rights Practices do not have the ability to peaceably change their form of government.

(9) Although a goal of United States foreign policy should be to work with foreign governments and international organizations to reduce militarization and dictatorship and therefore prevent conflicts before they arise, during 4 recent deployments of United States Armed Forces—to the Republic of Panama, the Persian Gulf, Somalia, and Haiti—such Armed Forces faced conventional weapons that had been provided or financed by the United States to undemocratic governments.

(10) The proliferation of conventional arms and conflicts around the globe are multilateral problems, and the fact that the United States has emerged as the world's primary seller of conventional weapons, combined with the world leadership role of the United States, signifies that the United States is in a position to seek multilateral restraints on the competition for and transfers of conventional weapons.

(11) The Congress has the constitutional responsibility to participate with the executive branch in decisions to provide military assistance and arms transfers to a foreign government, and in the formulation of a policy designed to reduce dramatically the level of international militarization.

(12) A decision to provide military assistance and arms transfers to a government that is undemocratic, does not adequately protect human rights, is currently engaged in acts of armed aggression, or is not fully participating in the United Nations Register of Conventional Arms, should require a higher level of scrutiny than does a decision to provide such assistance and arms transfers to a government to which these conditions do not apply.

##### SEC. 3176. PURPOSE.

The purpose of this chapter is to provide clear policy guidelines and congressional responsibility for determining the eligibility of foreign governments to be considered for United States military assistance and arms transfers.

##### SEC. 3177. PROHIBITION OF UNITED STATES MILITARY ASSISTANCE AND ARMS TRANSFERS TO CERTAIN FOREIGN GOVERNMENTS.

(a) PROHIBITION.—Except as provided in subsections (b) and (c), beginning on and after October 1, 1996, United States military assistance and arms transfers may not be provided to a foreign government for a fiscal year unless the President certifies to the Congress for that fiscal year that such government meets the following requirements:

(1) PROMOTES DEMOCRACY.—Such government—

(A) was chosen by and permits free and fair elections;

(B) promotes civilian control of the military and security forces and has civilian institutions controlling the policy, operation, and spending of all law enforcement and security institutions, as well as the armed forces;

(C) promotes the rule of law, equality before the law, and respect for individual and minority rights, including freedom to speak, publish, associate, and organize; and

(D) promotes the strengthening of political, legislative, and civil institutions of democracy, as well as autonomous institutions to monitor the conduct of public officials and to combat corruption.

(2) RESPECTS HUMAN RIGHTS.—Such government—

(A) does not engage in gross violations of internationally recognized human rights, including—

(i) extra judicial or arbitrary executions;

(ii) disappearances;

(iii) torture or severe mistreatment;

(iv) prolonged arbitrary imprisonment;

(v) systematic official discrimination on the basis of race, ethnicity, religion, gender, national origin, or political affiliation; and

(vi) grave breaches of international laws of war or equivalent violations of the laws of war in internal conflicts;

(B) vigorously investigates, disciplines, and prosecutes those responsible for gross violations of internationally recognized human rights;

(C) permits access on a regular basis to political prisoners by international humanitarian organizations such as the International Committee of the Red Cross;

(D) promotes the independence of the judiciary and other official bodies that oversee the protection of human rights;

(E) does not impede the free functioning of domestic and international human rights organizations; and

(F) provides access on a regular basis to humanitarian organizations in situations of conflict or famine.

(3) NOT ENGAGED IN CERTAIN ACTS OF ARMED AGGRESSION.—Such government is not currently engaged in acts of armed aggression in violation of international law.

(4) FULL PARTICIPATION IN U.N. REGISTER OF CONVENTIONAL ARMS.—Such government is fully participating in the United Nations Register of Conventional Arms.

(b) REQUIREMENT FOR CONTINUING COMPLIANCE.—Any certification with respect to a foreign government for a fiscal year under subsection (a) shall cease to be effective for that fiscal year if the President certifies to the Congress that such government has not continued to comply with the requirements contained in paragraphs (1) through (4) of such subsection.

(c) EXEMPTIONS.—The prohibition contained in subsection (a) shall not apply with respect to a foreign government for a fiscal year if—

(1)(A) the President submits a request for an exemption to the Congress containing a determination that it is in the national security interest of the United States to provide military assistance and arms transfer to such government; and

(B) the Congress enacts a law approving such exemption request (including a law containing an approval of such a request); or

(2) the President determines that an emergency exists under which it is vital to the interest of the United States to provide military assistance and arms transfer to such government.

(d) NOTIFICATIONS TO CONGRESS.—

(1) IN GENERAL.—The President shall submit to the Congress initial certifications under subsection (a) and requests for exemptions under subsection (c)(1) in conjunction with the submission of the annual request for enactment of authorizations and appropriations for foreign assistance programs for a fiscal year and shall, where appropriate, submit additional or amended certifications and requests for exemptions at any time thereafter in the fiscal year.

(2) DETERMINATION WITH RESPECT TO EMERGENCY SITUATIONS.—The President shall submit to the Congress at the earliest possible date reports containing determinations with respect to emergencies under subsection (c)(2). Each such report shall contain a description of—

(A) the nature of the emergency;

(B) the type of military assistance and arms transfers provided to the foreign government; and

(C) the cost to the United States of such assistance and arms transfers.

#### SEC. 3178. SENSE OF THE CONGRESS.

It is the sense of the Congress that the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate should hold hearings on—

(1) controversial certifications submitted under section 3177(a)

(2) all requests for exemptions submitted under section 3177(c)(1); and

(3) all determinations with respect to emergencies under section 3177(c)(2).

#### SEC. 3179. UNITED STATES MILITARY ASSISTANCE AND ARMS TRANSFERS DEFINED.

For purposes of this chapter, the terms "United States military assistance and arms transfers" and "military assistance and arms transfers" means—

(1) assistance under chapter 2 of part II of the Foreign Assistance Act of 1961 (relating to military assistance), including the transfer of excess defense articles under section 516 of that Act;

(2) assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training); or

(3) the transfer of defense articles, defense services, or design and construction services under the Arms Export Control Act (excluding any transfer or other assistance under section 23 of such Act), including defense articles and defense services licensed or approved for export under section 38 of that Act.

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OFFERED BY: MR. MICA

AMENDMENT NO. 17: At the end of division A insert the following new title:

#### TITLE VI—REORGANIZATION OF UNITED STATES EXPORT PROMOTION AND TRADE ACTIVITIES

##### SEC. 601. PLAN FOR REORGANIZATION OF UNITED STATES EXPORT PROMOTION AND TRADE ACTIVITIES.

(a) FINDINGS.—The Congress makes the following findings:

(1) Supporting American businesses overseas and assisting United States exporters to identify market opportunities is of increasing importance to America's economic health and competitiveness, and to the well-being of American workers.

(2) At least 18 different government-sponsored organizations or agencies spending over \$3,300,000,000 exist to provide support to American exporters and international businesses. In the past, poor coordination among these organizations and a lack of accessibility often hindered the effectiveness of the Government's trade promotion activities.

(3) Recent efforts to improve coordination between many of these organizations and to increase their availability to exporters around the country were begun through the Trade Promotion Coordination Council. These efforts appear to have generated some improvement in the Government's trade promotion capabilities.

(4) Broader governmentwide reform efforts and future funding questions currently being addressed in Congress may affect different trade promotion organizations to varying degrees.

(b) REPORT REQUIRED.—In order to fully assess the organizational structure, capability, and spending levels of United States Government trade promotion organizations, the President, not later than March 1, 1996, shall submit to the Committee on International Relations of the House of Representatives, the Committee on Foreign Relations of the Senate, and to other appropriate committees of jurisdiction, a report detailing what steps are being taken to improve accessibility and coordination among all trade promotion organizations and agencies, what additional measures should be taken to further improve the efficiency of and reduce duplication among these organizations and agencies, and any suggested legislative actions that would further improve the Government's export and trade promotion activities.

(c) CONTENT OF REPORT.—The report required by subsection (b) shall—

(1) identify the name, number, function, and budget of all Government organizations or agencies with some responsibility for supporting, advancing, or promoting international trade or United States exports;

(2) assess the amount of exports directly generated by the activities of each organization or agency;

(3) describe the overall impact of the Government's trade and export promotion programs on increasing exports and overseas market share;

(4) identify areas where increased cooperation and interoperability would improve United States export promotion efforts;

(5) identify areas where greater efficiencies can be achieved through the elimination of duplication among the organizations and agencies included in paragraph (1);

(6) identify ways to improve the audit and accountability mechanisms for each organization or agency, with particular emphasis on ensuring independent oversight capabilities for each organization;

(7) assess the trade and export promotion activities of the major trade partners and competitors of the United States, including amounts of tied aid and export subsidization provided by the governments of those grade partners and competitors; and

(8) provide a plan to reorganize the United States trade and export promotion organizations and agencies, with legislative requirements if necessary, in order to more efficiently promote trade, increase organizational assessability, organize bureaucratic effort, and expend public resources in support of American exporters and international business.

H.R. 1561

OFFERED BY: MR. SMITH OF NEW JERSEY

AMENDMENT NO. 18. In section 2104(a)(1)(A) (relating to authorizations of appropriations for migration and refugee assistance) strike "\$560,000,000" and insert "\$590,000,000".

In section 2104(a)(4) (relating to authorizations of appropriations for the resettlement of Vietnamese, Laotians, and Cambodians) strike "There" and all that follows through "who—" and insert "Of the amounts authorized to be appropriated for fiscal year 1996 under paragraph (1) there are authorized to be appropriated such amounts as are necessary for the admission and resettlement, within numerical limitations provided by law for refugee admissions, of persons who—".

At the end of section 2104 add the following new subsection:

(e) STATUTORY CONSTRUCTION.—Nothing in this section may be construed to require or permit an increase in the number of refugee admissions for fiscal year 1996 from the numerical limitation for refugee admissions for fiscal year 1995.

H.R. 1561

OFFERED BY: MR. SMITH OF NEW JERSEY

AMENDMENT NO. 19: In title XXI (relating to authorization of appropriations for Department of State and certain international affairs functions and activities) insert at the end the following new chapter.

#### CHAPTER 2—GENERAL LIMITATIONS

##### SEC. 2121. PROHIBITION ON FUNDING FOR ABORTION.

(a) IN GENERAL.—

(1) Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated by this Act for population assistance activities are authorized to be available for any private, nongovernmental, or multilateral organization that, directly or through a subcontractor or subgrantee, performs abortions in any foreign country, except where the life of the mother would be endangered if the fetus

were carried to term or in cases of forcible rape or incest.

(2) Paragraph (1) may not be construed to apply to the treatment of injuries or illnesses caused by legal or illegal abortions or to assistance provided directly to the government of a country.

(b) LIMITATION ON LOBBYING ACTIVITIES.—

(1) Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated by this Act for population assistance activities are authorized to be available for any private, nongovernmental, or multilateral organization that violates the laws of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited, or that engages in any activity or effort to alter the laws or governmental policies of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited.

(2) Paragraph (1) shall not apply to activities in opposition to coercive abortion or involuntary sterilization.

**SEC. 2122, PROHIBITION ON FUNDING FOR COERCIVE POPULATION CONTROL METHODS.**

Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated by this Act are authorized to be available for the United Nations Population Fund (UNFPA), unless the President certifies to the appropriate congressional committees that—

(a) the United Nations Population Fund has terminated all activities in the People's Republic of China; or

(b) during the 12 months preceding such certification there have been no abortions as the result of coercion associated with the family planning policies of the national government or other governmental entities within the People's Republic of China. As used in this section the term "coercion" includes physical duress or abuse, destruction or confiscation of property, loss of means of livelihood, or severe psychological pressure.

In section 2102(b)(2)(F), delete subsections (iii), (iv), and (v).

H.R. 1561

OFFERED BY: MR. SOLOMON

AMENDMENT NO. 20. In section 2201, add the following at the end:

**USE OF EARNINGS FROM FROZEN ASSETS FOR PROGRAM.—**

(1) AMOUNTS TO BE MADE AVAILABLE.—Two percent of the earnings accruing, during periods beginning October 1, 1995, on all assets of foreign countries blocked by the President pursuant to the International Emergency Powers Act (50 U.S.C. 1701 and following) shall be available, subject to appropriations Acts, to carry out section 36 of the State Department Basic Authorities Act, as amended by this section, except that the limitation contained in subsection (d)(2) of such section shall not apply to amounts made available under this paragraph.

(2) CONTROL OF FUNDS BY THE PRESIDENT.—The President shall take possession and exercise full control of so much of the earnings described in paragraph (1) as are made available under such paragraph.