Public Law 96-92
96th Congress

An Act

To amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to authorize international security assistance programs for fiscal year 1980, and for other purposes.

Oct. 29, 1979
[H.R. 3173]

Be it enacted by the Senate and House Representatives of the United States of America in Congress assembled,

International Security Assistance Act of 1979.

SHORT TITLE

SECTION 1. This Act may be cited as the "International Security Assistance Act of 1979".

22 USC 2151 note.

CONTINGENCIES

SEC. 2. (a) The heading for chapter 5 of part I of the Foreign Assistance Act of 1961 is amended by striking out "CONTINGENCY FUND" and inserting in lieu thereof "CONTINGENCIES".

22 USC 2261.

(b) Section 451 of such Act is amended—

22 USC 2261.

(1) by striking out "CONTINGENCY FUND" and inserting in lieu thereof "CONTINGENCIES"; and

(2) by amending subsection (a) to read as follows:

"(a)(1) Notwithstanding any other provision of law, the President is authorized to use not to exceed $10,000,000 of funds made available in any fiscal year to carry out any provision of this Act (other than the provisions of chapter 1 of this part) in order to provide, for any emergency purposes, assistance authorized by this part in accordance with the provisions applicable to the furnishing of such assistance.

22 USC 2151.

"(2) The President shall report promptly to the Speaker of the House of Representatives and to the Committee on Foreign Relations and the Committee on Appropriations of the Senate each time he exercises the authority contained in this subsection.".

Report to Congress.

INTERNATIONAL NARCOTICS CONTROL

SEC. 3. (a) Section 482(a) of the Foreign Assistance Act of 1961 is amended to read as follows:

92 Stat. 731.
22 USC 2291a.

"(a)(1) To carry out the purposes of section 481, there are authorized to be appropriated to the President $51,758,000 for the fiscal year 1980.

22 USC 2291.

"(2) Of the amount authorized to be appropriated for the fiscal year 1980 by paragraph (1), $16,000,000 shall be available only for the Republic of Colombia for the interdiction of drug traffic. Such funds may be used only (A) for helicopters, patrol vessels, fixed radar equipment, transport vehicles, and fuel, which will be used exclusively for interdicting drug traffic, and (B) for training personnel with respect to the interdiction of drug traffic.

Colombia.

"(3) Funds appropriated under this subsection for the fiscal year 1980 may not be used for a contribution to the United Nations Fund for Drug Abuse Control in an amount which exceeds the lesser of $3,000,000 or 25 percent of the total contributions by all countries to

Limitation.

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such Fund for the calendar year with respect to which the United States contribution is made.

"(4) Amounts appropriated under this subsection are authorized to remain available until expended.".

92 Stat. 730.
22 USC 2291.

(b) Section 481(d)(1) of such Act is amended by striking out "or used for any program involving" and inserting in lieu thereof "for the purpose of".

HUMAN RIGHTS

22 USC 2304.

SEC. 4. Section 502B of the Foreign Assistance Act of 1961 is amended by adding at the end thereof the following new subsection:

"(f) In allocating the funds authorized to be appropriated by this Act and the Arms Export Control Act, the President shall take into account significant improvements in the human rights records of recipient countries, except that such allocations may not contravene any other provision of law.".

22 USC 2751 note.

MILITARY ASSISTANCE

22 USC 2312.

SEC. 5. (a) Section 504(a)(1) of the Foreign Assistance Act of 1961 is amended to read as follows:

Appropriation authorization.

"(a)(1) There are authorized to be appropriated to the President to carry out the purposes of this chapter not to exceed $110,200,000 for the fiscal year 1980. Not more than the following amounts of funds available to carry out this chapter may be allocated and made available for assistance to each of the following countries for the fiscal year 1980:

Limitation.

"Country	Amount
Portugal	$30,000,000
Spain	3,800,000
Jordan	30,000,000
Philippines	25,000,000

The amount specified in this paragraph for military assistance to any such country may be increased by not more than 10 percent of such amount if the President deems such increase necessary for the purposes of this chapter.".

22 USC 2318.

(b) Section 506 of such Act is amended to read as follows:

22 USC 2411.

"SEC. 506. SPECIAL AUTHORITY.—(a) If the President determines and reports to the Congress in accordance with section 652 of this Act that—

"(1) an unforeseen emergency exists which requires immediate military assistance to a foreign country or international organization; and

"(2) the emergency requirement cannot be met under the authority of the Arms Export Control Act or any other law except this section;

22 USC 2751 note.

he may direct, for the purposes of this part, the drawdown of defense articles from the stocks of the Department of Defense, defense services of the Department of Defense, and military education and training, of an aggregate value of not to exceed $10,000,000 in any fiscal year.

Notification to congressional committees.

"(b)(1) The authority contained in this section shall be effective for any such emergency only upon prior notification to the Committee on Foreign Affairs of the House of Representatives, the Committee on Foreign Relations of the Senate, and the Committee on Appropriations of each House of Congress.

"(2) The President shall keep the Congress fully and currently informed of all defense articles, defense services, and military education and training provided under this section.

"(c) There are authorized to be appropriated to the President such sums as may be necessary to reimburse the applicable appropriation, fund, or account for defense articles, defense services, and military education and training provided under this section.".

(c) Section 516(a) of such Act is amended by striking out "until September 30, 1981," and all that follows thereafter and inserting in lieu thereof "shall remain available for a period of three fiscal years next following any fiscal year after the fiscal year 1977 for which assistance under this chapter has been authorized for a country, to the extent necessary to carry out obligations incurred under this chapter with respect to such assistance for such country on or before September 30 of such fiscal year.". 22 USC 2321j.

STOCKPILING OF DEFENSE ARTICLES FOR FOREIGN COUNTRIES

SEC. 6. (a) Section 514 of the Foreign Assistance Act of 1961 is amended— 22 USC 2321h.

(1) in subsection (b)(2), by striking out "$90,000,000 for the fiscal year 1979" and inserting in lieu thereof "$95,000,000 for the fiscal year 1980"; and

(2) in subsection (c), by inserting "the Republic of Korea or" immediately after "stockpiles located in".

(b) The President shall transmit to the Congress not later than December 31, 1979, a report regarding the stockpiling authorities for the Republic of Korea. The report shall— Korea. Report, transmittal to Congress. 22 USC 2321h note.

(1) detail the goals of the stockpiling program for the Republic of Korea, including projections for additional stockpiling authority;

(2) review the procedures for the transfer of stockpiled materiel in time of war and recommend changes if necessary; and

(3) state the intentions of the executive branch with regard to the eventual peacetime disposition of the stockpiled materiel, including the general terms and conditions of any peacetime transfer.

INTERNATIONAL MILITARY ASSISTANCE AND SALES PROGRAM MANAGEMENT

SEC. 7. Section 515 of the Foreign Assistance Act of 1961 is amended— 22 USC 2321i.

(1) in subsection (b)(1)—

(A) by striking out "fiscal year 1979" and inserting in lieu thereof "fiscal year 1980"; and

(B) by inserting "Greece," immediately after "Panama,"; and

(2) in subsection (f), by striking out "December 31, 1977" and inserting in lieu thereof "December 31, 1978".

ECONOMIC SUPPORT FUND

SEC. 8. (a) Section 531(b)(1) of the Foreign Assistance Act of 1961 is amended by striking out "for the fiscal year 1979, $1,902,000,000" and inserting in lieu thereof "for the fiscal year 1980, $1,935,000,000". 92 Stat. 733. 22 USC 2346.

(b) Section 532 of such Act is amended by striking out subsection (b) and inserting in lieu thereof the following: 92 Stat. 733. 22 USC 2346a.

"(b)(1) Of the amount authorized to be appropriated to carry out this chapter for the fiscal year 1980, not less than $785,000,000 shall be available only for Israel and not less than $750,000,000 shall be available only for Egypt. Not less than two-thirds of such funds shall be provided on a grant basis to each such country.

"(2) The total amount of funds allocated for Israel under this chapter for the fiscal year 1980 may be made available as a cash transfer. In exercising the authority of this paragraph, the President shall ensure that the level of cash transfers made to Israel does not cause an adverse impact on the total amount of nonmilitary exports from the United States to Israel.

"(c) It is the sense of the Congress that programs which stress regional development or regional scientific and technical cooperation in the Middle East can contribute in an important way to the mutual understanding that must serve as the basis for permanent peace in the Middle East.

Middle East, fund restrictions.

"(d) It is the sense of the Congress that—

"(1) funds made available under this chapter for countries in the Middle East are designed to promote progress toward a comprehensive peace settlement in the Middle East; and

"(2) for Syria and Jordan to continue to receive funds under this chapter, it should be judged by the President that they are acting in good faith to achieve further progress toward a comprehensive peace settlement and that the expenditure of the funds will serve the process of peace in the Middle East.

Syria.

"(e) None of the funds authorized to be appropriated to carry out this chapter for the fiscal year 1980 may be used to provide assistance for Syria, unless the President determines, and so reports to the Congress, that assistance for Syria is in the national interest of the United States.".

92 Stat. 735.
22 USC 2346b.

(c) Section 533 of such Act is amended to read as follows:

"SEC. 533. SOUTHERN AFRICA PROGRAMS.—(a) Of the amount authorized to be appropriated to carry out this chapter for the fiscal year 1980, $68,000,000 shall be available for the countries of southern Africa and for a southern Africa regional refugee support, training, and economic planning program to address the problems caused by the economic dislocation resulting from the conflict in that region and for education and job training assistance. Such funds may be used to provide humanitarian assistance to African refugees and persons displaced by war and internal strife in southern Africa, to improve transportation links interrupted or jeopardized by regional political conflicts, and to provide support to countries in that region.

"(b) No assistance may be furnished under this section to Mozambique, Angola, Tanzania, or Zambia, except that the President may waive this prohibition with respect to any such country if he determines, and so reports to the Congress, that furnishing such assistance to such country would further the national interests of the United States.".

92 Stat. 735.
22 USC 2346c.

(d) Section 534 of such Act is amended to read as follows:

"SEC. 534. TURKEY AND CYPRUS PROGRAMS.—(a) Of the amount authorized to be appropriated to carry out this chapter for the fiscal year 1980, $15,000,000 shall be available only for Cyprus for refugee relief, reconstruction, or other activities consistent with a reconciliation on Cyprus.

"(b) Of the amount authorized to be appropriated to carry out this chapter for the fiscal year 1980, not more than $98,000,000 shall be available for Turkey.".

(e) Chapter 4 of part II of such Act is amended by adding at the end thereof the following new section:

"SEC. 535. SUDAN PROGRAM.—Of the amount authorized to be appropriated to carry out this chapter for the fiscal year 1980, not less than $40,000,000 shall be available for Sudan.". 22 USC 2346d.

INTERNATIONAL MILITARY EDUCATION AND TRAINING

SEC. 9. Section 542 of the Foreign Assistance Act of 1961 is amended by striking out "$31,800,000 for the fiscal year 1979" and inserting in lieu thereof "$31,800,000 for the fiscal year 1980, except that no part of such amount may be made available for Inter-American regional programs unless the foreign countries participating in such programs collectively contribute an equivalent amount to carry out the purposes of such programs". 22 USC 2347a.

PEACEKEEPING OPERATIONS

SEC. 10. (a) Section 552(a) of the Foreign Assistance Act of 1961 is amended by striking out "$30,900,000 for the fiscal year 1979" and inserting in lieu thereof "$21,100,000 for the fiscal year 1980". 92 Stat. 736. 22 USC 2348a.

(b) Section 551 of such Act is amended by adding at the end thereof the following new sentence: "Such assistance may include reimbursement to the Department of Defense for expenses incurred pursuant to section 7 of the United Nations Participation Act of 1945, except that such reimbursements may not exceed $5,000,000 in any fiscal year unless a greater amount is specifically authorized by this section.". 92 Stat. 736. 22 USC 2348. 22 USC 287d-1.

(c) Section 552 of such Act is amended by adding at the end thereof the following new subsection: 92 Stat. 736. 22 USC 2348a.

"(c) If the President determines that, as the result of an unforeseen emergency, the provision of assistance under this chapter in amounts in excess of funds otherwise available for such assistance is important to the national interests of the United States, the President may exercise the authority of section 610(a) of this Act to transfer funds available to carry out chapter 4 of this part for use under this chapter without regard to the 20-percent increase limitation contained in such section, except that (1) the total amount so transferred in any fiscal year may not exceed $10,000,000, and (2) earmarked funds may not be transferred.". 22 USC 2360. 92 Stat. 733. 22 USC 2346.

COOPERATIVE CROSS SERVICING AND LEAD-NATION PROCUREMENT ARRANGEMENTS WITHIN THE NORTH ATLANTIC TREATY ORGANIZATION

SEC. 11. Subparagraph (C) of section 3(d)(3) of the Arms Export Control Act is amended to read as follows: 22 USC 2753.

"(C) to arrangements among members of the North Atlantic Treaty Organization or between the North Atlantic Treaty Organization and any of its member countries—

"(i) for cooperative cross servicing, or

"(ii) for lead-nation procurement if the certification transmitted to the Congress pursuant to section 36(b) of this Act with regard to such lead-nation procurement identified the transferees on whose behalf the lead-nation procurement was proposed.". 22 USC 2776.

RECIPROCAL QUALITY ASSURANCE, INSPECTION, AND CONTRACT AUDIT SERVICES

SEC. 12. Section 21 of the Arms Export Control Act is amended— 22 USC 2761.

(1) by redesignating subsection (h) as subsection (i); and

(2) by inserting the following new subsection (h) immediately after subsection (g):

"(h) The President is authorized to provide (without charge) quality assurance, inspection, and contract audit defense services under this section—

"(1) in connection with the placement or administration of any contract or subcontract for defense articles or defense services entered into after the date of enactment of this subsection by, or under this Act on behalf of, a foreign government which is a member of the North Atlantic Treaty Organization, if such government provides such services in accordance with an agreement on a reciprocal basis, without charge, to the United States Government; or

"(2) in connection with the placement or administration of any contract or subcontract for defense articles or defense services pursuant to the North Atlantic Treaty Organization Infrastructure Program in accordance with an agreement under which the foreign governments participating in such program provide such services, without charge, in connection with similar contracts or subcontracts.".

MODIFICATION OF THE ANNUAL ARMS SALES PROPOSAL

92 Stat. 740.
22 USC 2765.

SEC. 13. Section 25(d) of the Arms Export Control Act is amended—

(1) by inserting "weapons or weapons-related" immediately after "major";

(2) by striking out "defense articles or defense services" and inserting in lieu thereof "weapons or weapons-related defense equipment";

(3) by adding at the end thereof the following new sentence: "Sales deemed most likely actually to result in the issuance of a letter of offer during such fiscal year shall be appropriately so identified in the reports submitted pursuant to this paragraph and paragraph (2) of this subsection."; and

(4) by inserting "(1)" immediately after "(d)" and by adding at the end thereof the following new paragraph:

Notification to Congress.

"(2) The President shall notify the Congress in writing at intervals of six months of any changes in the Arms Sales Proposal for such fiscal year, together with the reasons therefor.".

MULTILATERAL ARMS SALES INFORMATION

22 USC 2765.

SEC. 14. Section 25 of the Arms Export Control Act is amended by adding at the end thereof the following new subsection:

Report, transmittal to Congress.

"(e) The President shall transmit to the Congress, at the time of the transmittal of each Arms Sales Proposal required by subsection (d)(1), a classified report detailing the executive branch's best estimates with regard to the international volume of arms traffic. The report shall include estimates on an annual basis of the sale and delivery of weapons and weapons-related defense equipment by all major arms suppliers to all major recipient countries during the preceding three years.".

NORTH ATLANTIC TREATY ORGANIZATION COOPERATIVE PROJECTS

SEC. 15. Chapter 2 of the Arms Export Control Act is amended by adding at the end thereof the following new section:

22 USC 2767.
"Cooperative project."

"SEC. 27. NORTH ATLANTIC TREATY ORGANIZATION COOPERATIVE PROJECTS.—(a) For purposes of this section, the term 'cooperative project' means a project described in an agreement, entered into after the date of enactment of this section, under which—

"(1) the North Atlantic Treaty Organization, or one or more member countries thereof, agrees to share with the United States the costs of research on and development, testing, and evaluation of certain defense articles, and the costs of any agreed joint production ensuing therefrom, in order to further the objectives of standardization and interoperability of the armed forces of North Atlantic Treaty Organization member countries; or

"(2) the North Atlantic Treaty Organization, or one or more member countries thereof other than the United States, agrees to bear the costs of research on and development, testing, and evaluation of certain defense articles (or categories of defense articles) and to have such articles produced for sale to, and licensed for production within, other participant member countries including the United States, and the United States agrees to bear the costs of research on and development, testing, and evaluation of other defense articles (or categories of defense articles) and to have such defense articles produced for sale to, and licensed for production within, other participant member countries in order to further the objectives of rationalization of the industrial and technological resources within the North Atlantic Treaty area.

Charges, reduction or waiver. 22 USC 2761.

"(b)(1) The President may reduce or waive the charge or charges which would otherwise be considered appropriate under section 21(e) of this Act (and, in the case of agreements described in subsection (a)(2) of this section, may reduce or waive the charges for reimbursement of the costs of officers and employees of the United States Government which would otherwise be required) in connection with sales under section 21 and section 22 of this Act in furtherance of cooperative projects. Notwithstanding the provisions of section 21(e)(1)(A) and section 43(b) of this Act, administrative surcharges shall not be increased on other sales made under this Act in order to compensate for reductions or waivers of such surcharges under this section. Funds received pursuant to such other sales shall not be available to reimburse the costs incurred by the United States Government for which reduction or waiver is approved by the President under this section.

22 USC 2762.

22 USC 2792.

Applicability.

"(2) The provisions of paragraph (1) shall apply only if for each cooperative project the other countries which participate in such cooperative project reciprocate by waiving comparable charges for their sales related to such cooperative project and if the President determines that the magnitude of the contribution of a member country of the North Atlantic Treaty Organization to such cooperative project would help the United States conserve defense resources and promote a stronger alliance.

Certification, transmittal to Congress.

"(c)(1) Not less than thirty days prior to signature on behalf of the United States of an agreement for a cooperative project, the President shall transmit to the Speaker of the House of Representatives, the chairman of the Committee on Foreign Relations of the Senate, and the chairman of the Committee on Armed Services of the Senate, a numbered certification with respect to such proposed agreement, setting forth—

"(A) a detailed description of the cooperative project with respect to which the certification is made;

"(B) an estimate of the amount of sales and exports expected to be made or approved under this Act in furtherance of such cooperative project;

"(C) an estimate of the dollar value of any charges expected to be reduced or waived under this section in connection with such

cooperative project, such dollar value to consist of expenses that will be charged against Department of Defense funds without reimbursement and amounts not to be recovered and deposited to the General Fund of the Treasury;

"(D) an estimate of the dollar value of the costs to be borne by the North Atlantic Treaty Organization or by the member countries thereof in connection with such cooperative project; and

"(E) a statement of the foreign policy and national security benefits anticipated to be derived from such cooperative project.

22 USC 2776.
22 USC 2761, 2762.
22 USC 2778.

"(2) The provisions of subsection (b) of section 36 of this Act shall not apply to sales made under section 21 or section 22 of this Act, and the provisions of subsection (c) of section 36 of this Act shall not apply to the issuance of licenses or other approvals under section 38 of this Act, if such sales are made, or such licenses or approvals are issued, in furtherance of a cooperative project.".

REPORTS ON PRICE AND AVAILABILITY ESTIMATES

Ante, p. 706.

SEC. 16. (a) Chapter 2 of the Arms Export Control Act, as amended by section 15 of this Act, is further amended by adding at the end thereof the following new section:

Transmittal to congressional committees.
22 USC 2768.

"SEC. 28. REPORTS ON PRICE AND AVAILABILITY ESTIMATES.—(a) The President shall transmit to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate, within five days after the end of each calendar quarter, a report listing each price and availability estimate provided by the United States Government during such quarter to a foreign country with respect to a possible sale under this Act of major defense equipment for $7,000,000 or more or of any other defense articles or defense services for $25,000,000 or more. Each such listing shall specify the name of the country to which the estimate was provided, the defense articles or services involved, the quantity involved, and the price estimate provided.

"(b) Such reports shall also list each request received by the United States Government from a foreign country, during the quarter in question, for the issuance of a letter of offer to sell defense articles or defense services if (1) the proposed sale has not been the subject of a listing pursuant to subsection (a) of this section, and (2) the issuance of a letter of offer in accordance with such request would be subject to the requirements of section 36(b) of this Act. Each such listing shall include the name of the country making the request, the date of the request, the defense articles or services involved, the quantity involved, and the price and availability terms requested.".

22 USC 2776.

22 USC 2776.

(b) Section 36(b) of such Act is amended by adding at the end thereof the following new paragraph:

Certification, submittal to Congress.

"(4) In addition to the other information required to be contained in a certification submitted to the Congress under this subsection, each such certification shall cite any quarterly report submitted pursuant to section 28 of this Act which listed a price and availability estimate, or a request for the issuance of a letter of offer, which was a basis for the proposed sale which is the subject of such certification.".

Supra.

AUTHORIZATION AND AGGREGATE CEILING FOR FOREIGN MILITARY SALES CREDITS

22 USC 2771.

SEC. 17. (a) Section 31 of the Arms Export Control Act is amended—

(1) in subsection (a), by striking out "$682,000,000 for the fiscal year 1978 and $674,300,000 for the fiscal year 1979" and inserting in lieu thereof "$673,500,000 for the fiscal year 1980";

(2) in subsection (b), by striking out "$2,152,350,000 for the fiscal year 1978 and $2,085,500,000 for the fiscal year 1979, of which amount for each such year" and inserting in lieu thereof "$2,235,000,000 for the fiscal year 1980, of which";

(3) in subsection (c), by striking out "fiscal year 1979" and inserting in lieu thereof "fiscal year 1980"; and

(4) in subsection (d), by striking out "$150,000,000" and inserting in lieu thereof "$250,000,000".

(b) Of the principal amount of loans guaranteed for the fiscal year 1980 under section 24 of the Arms Export Control Act— 22 USC 2771 note. 22 USC 2764.

(1) with respect to Turkey, not to exceed $50,000,000,

(2) with respect to Greece, not to exceed $42,000,000, and

(3) with respect to Sudan, not to exceed $25,000,000,

shall be repaid in not less than 20 years, following a grace period of 10 years on repayment of principal.

RESTRAINT IN ARMS SALES TO SUB-SAHARAN AFRICA

SEC. 18. Section 33 of the Arms Export Control Act is amended to read as follows: 22 USC 2773.

"SEC. 33. RESTRAINT IN ARMS SALES TO SUB-SAHARAN AFRICA.—It is the sense of the Congress that the problems of Sub-Saharan Africa are primarily those of economic development and that United States policy should assist in limiting the development of costly military conflict in that region. Therefore, the President shall exercise restraint in selling defense articles and defense services, and in providing financing for sales of defense articles and defense services, to countries in Sub-Saharan Africa.".

REPORTS TO THE CONGRESS

SEC. 19. (a) Section 36(a) of the Arms Export Control Act is amended— 22 USC 2776.

(1) by striking out "thirty" in the text preceding paragraph (1) and inserting in lieu thereof "sixty";

(2) by inserting "and" immediately after the semicolon at the end of paragraph (7);

(3) by striking out "; and" at the end of paragraph (8) and inserting in lieu thereof a period; and

(4) by striking out paragraph (9).

(b) Section 43 of such Act is amended by adding at the end thereof the following new subsection: 22 USC 2792.

"(c) Not later than January 15 of each year, the President shall submit to the Congress a report containing an analysis and description of the services performed during the preceding fiscal year by officers and employees of the United States Government carrying out functions on a full-time basis under this Act for which reimbursement is provided under subsection (b) of this section or under section 21(a) of this Act. Such reports shall specify the number of personnel involved in performing such services.". 22 USC 2761.

(c) Section 36(b)(1) of such Act is amended by adding at the end thereof the following: "If the President states in his certification that an emergency exists which requires the proposed sale in the national security interest of the United States, thus waiving the congressional review requirements of this subsection, he shall set forth in the certification a detailed justification for his determination, including a 22 USC 2776.

description of the emergency circumstances which necessitate the immediate issuance of the letter of offer and a discussion of the national security interests involved ".

NATIONAL DISCLOSURE POLICY FOR SENSITIVE WEAPONS TECHNOLOGY

22 USC 2776 note.

SEC. 20. (a) The President shall undertake a thorough review of the interagency procedures and disclosure criteria used by the United States in determining whether sensitive weapons technology will be transferred to other countries. Not later than February 15, 1980, the President shall transmit a report to the Congress setting forth the results of such review, together with such recommendations as are necessary to improve the current disclosure system.

Report, transmittal to Congress.

22 USC 2776.

(b) Section 36(b)(1) of the Arms Export Control Act is amended by inserting after the first sentence the following: "Such numbered certifications shall also contain an item, classified if necessary, identifying the sensitivity of technology contained in the defense articles or defense services proposed to be sold."

CEILING ON COMMERCIAL ARMS SALES

22 USC 2778.

SEC. 21. Section 38(b)(3) of the Arms Export Control Act is amended by striking out "$25,000,000" and inserting in lieu thereof "$35,000,000".

DEFINITIONS

22 USC 2403.
22 USC 2794.

SEC. 22. Section 644(d) of the Foreign Assistance Act of 1961 and section 47(3) of the Arms Export Control Act are each amended by inserting "(except uranium depleted in the isotope 235 which is incorporated in defense articles solely to take advantage of high density or pyrophoric characteristics unrelated to radioactivity)" immediately after "source material".

TRANSFER OF WAR RESERVE MATERIEL AND OTHER PROPERTY TO TAIWAN

22 USC 3302 note.

SEC. 23. (a) Notwithstanding any other provision of law, during the calendar year 1980 the President is authorized to transfer to Taiwan, under such terms and conditions as he may deem appropriate, such United States war reserve materiel that was located on Taiwan on January 1, 1979, as he may determine.

(b) Notwithstanding any other provision of law, during the calendar years 1979 and 1980 the President is authorized to transfer to Taiwan, under such terms and conditions as he may deem appropriate, such rights of the United States in property (other than war reserve materiel) that was located on Taiwan on January 1, 1979, as he may determine.

AMMUNITION SOLD TO THAILAND

SEC. 24. The Royal Thai Government shall be released from its contractual obligation to pay to the United States Government such amount as is due on or before October 30, 1979, as a condition precedent under the letter of offer accepted by the Royal Thai Government on April 12, 1977, to the transfer of title to the last increment of United States ammunition stocks sold to the Royal Thai Government under such letter of offer pursuant to the Memorandum of Agreement of March 22, 1977, relating to the storage of ammunition in Thailand.

ASSISTANCE FOR JORDAN

SEC. 25. Funds authorized to be appropriated by the amendments made by sections 5, 9, and 17 of this Act may be used to furnish assistance for Jordan only if the President determines and reports to the Congress that Jordan is acting in good faith to achieve further progress toward a comprehensive peace settlement in the Middle East and that the expenditures of such funds will serve the process of peace in the Middle East. 22 USC 2151 note.

SHABA AIRLIFT

SEC. 26. Notwithstanding any other provision of law, the President is authorized to make available the services of the Department of Defense for the purpose of facilitating the removal from Zaire of those foreign armed forces which were transported to Zaire by the United States at the time of the crisis in Shaba Province in 1978.

FISCAL YEAR 1979 SUPPLEMENTAL AUTHORIZATION FOR TURKEY

SEC. 27. (a) It is hereby determined that the national interests of the United States would be served by the furnishing of additional economic support fund assistance to Turkey in order to promote the economic and political stability of that country, and to strengthen its ability to fulfill its responsibilities as a member of the North Atlantic Treaty Organization. 22 USC 2346c note.

(b) In furtherance of subsection (a) of this section, and in addition to amounts otherwise available for such purposes, there are authorized to be appropriated to the President to carry out the purposes of chapter 4 of part II of the Foreign Assistance Act of 1961 $100,000,000 for the fiscal year 1979, which amount shall be available only for Turkey. 92 Stat. 733. 22 USC 2346.

(c) Amounts appropriated under this section may be made available until expended.

(d) Notwithstanding any assistance authorized for Turkey under this Act, it remains the policy of the United States that all foreign troops in Cyprus, except those stationed in Cyprus under the auspices of the United Nations, should be withdrawn from Cyprus. Cyprus.

(e) It is the sense of the Congress that the recent announcement by the leaders of the Greek Cypriots and the Turkish Cypriots to resume intercommunal negotiations is an encouraging recognition by the parties that the human rights and fundamental freedoms of all the citizens of the Republic of Cyprus will be respected. The Congress urges all parties to the negotiations to demonstrate good faith in the negotiations and to move promptly toward a full, just, and lasting settlement.

PROHIBITION ON ASSISTANCE TO PANAMA

SEC. 28. None of the funds authorized to be appropriated by this Act shall be made available to the Republic of Panama or its agencies or instrumentalities. The President may waive this prohibition in order to provide assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (international military education and training), or to provide assistance under section 23 or 24 of the Arms Export Control Act (foreign military sales financing) involving the 22 USC 2151 note. 22 USC 2347. 22 USC 2763, 2764.

financing of sales of defense articles (other than weapons) and defense services, if the President determines that providing such assistance would further the national interests of the United States and reports that determination to the Congress at last 30 days before providing such assistance.

Approved October 29, 1979.

LEGISLATIVE HISTORY:

HOUSE REPORTS: No. 96-70 (Comm. on Foreign Affairs) and No. 96-495 (Comm. of Conference).
SENATE REPORT No. 96-136 accompanying S. 584 (Comm. on Foreign Relations).
CONGRESSIONAL RECORD, Vol. 125 (1979):
Mar. 29, considered and passed House.
May 22, considered and passed Senate, amended, in lieu of S. 584.
Oct. 4, Senate agreed to conference report.
Oct. 16, House agreed to conference report.