

OOA FILE

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13 March 89
OCA 0849-89

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MEMORANDUM FOR: General Counsel
Comptroller

[Redacted]

FROM:

[Redacted]

Legislative Division
Office of Congressional Affairs

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SUBJECT: Request for Comments: State/AID Draft
Legislation on Transfer of Funds for
Afghanistan Humanitarian Assistance Program

1. Attached for your review and comment is draft legislation, prepared by the Department of State, to authorize the transfer of funds from other government agencies to the Agency for International Development for purposes of providing humanitarian assistance to Afghanistan.

2. We would appreciate receiving your comments by 15 March 1989.

3. Still under discussion is the issue of to what vehicle the legislation should ultimately be attached.

[Redacted]

Attachment
As Stated.

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A BILL

To authorize assistance for the people of Afghanistan, and for other purposes.

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

ASSISTANCE FOR AFGHANISTAN

SECTION 1. The President is authorized to use the funds made available pursuant to section 2 of this Act for relief, recovery, and reconstruction assistance for the Afghan people, including support for multilateral humanitarian assistance efforts. Assistance under this section shall be provided for humanitarian purposes and such assistance shall include, generally, a continuation and expansion of the activities authorized under section 537 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Public Law 100-461), including-

- (1) the provision of food, medicines, fuel, transportation assets, and other commodities,
- (2) the provision of health services,
- (3) the provision of seed, fertilizer, and other agricultural implements and traction,
- (4) support for the reconstruction of infrastructure, including assistance in clearing the land mines, and

(5) such other assistance as may be consistent with the purposes of this Act.

(b) Assistance provided under this Act shall be made available in accordance with the general authorities contained in section 491 of the Foreign Assistance Act of 1961, as amended.

(c) Funds transferred under the authority contained in section 4 of this Act may also be used for the operating expenses of the Agency for International Development to meet the necessary administrative expenses to carry out this Act.

SOURCE OF FUNDS

SEC. 2. (a) Notwithstanding any other provision of law, the President is authorized to transfer, for purposes of this Act, from any department or agency to the Agency for International Development, any funds, commodities, or services currently available for Afghanistan or which may later become available for Afghanistan.

(b) Funds transferred pursuant to the authority of this section shall remain available for obligation until expended. No funds made available pursuant to this Act may be obligated after September 30, 1994, unless the President determines that to do so is in the national interest of the United States.

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Assistance Program**

OCA/LEG/ [redacted] (13Mar89)

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