

104TH CONGRESS
1ST SESSION

H. R. 360

To provide for the deobligation of certain unexpended balances of funds made available for foreign economic assistance.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

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

A BILL

To provide for the deobligation of certain unexpended balances of funds made available for foreign economic assistance.

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. ANNUAL REPORTS ON UNEXPENDED BAL-**
4 **ANCES OF FOREIGN ECONOMIC ASSISTANCE**
5 **FUNDS.**

6 (a) IDENTIFICATION AND JUSTIFICATION.—The an-
7 nual congressional presentation materials for foreign eco-
8 nomic assistance shall include—

9 (1) an identification of any foreign economic as-
10 sistance funds that, as of September 30 of the pre-

1 ceding fiscal year, had been obligated for a period of
2 2 years or more but had not been expended;

3 (2) a certification that the purposes for which
4 such funds were obligated remain valid; and

5 (3) with respect to each project or other activity
6 for which such funds remain unexpended, the jus-
7 tification for such funds not having been expended.

8 (b) COMMENTS BY AID INSPECTOR GENERAL.—As
9 soon as possible after the submission to the Congress each
10 year of the information regarding unexpended balances re-
11 quired by subsection (a), the Inspector General of the
12 Agency for International Development shall submit to the
13 appropriate congressional committees—

14 (1) the Inspector General's recommendations
15 for reducing the amount of such unexpended bal-
16 ances; and

17 (2) such comments as the Inspector General
18 considers appropriate with regard to the justifica-
19 tions provided pursuant to paragraph (3) of that
20 subsection.

21 **SEC. 2. DEOBLIGATION OF CERTAIN UNEXPENDED FOR-**
22 **EIGN ECONOMIC ASSISTANCE FUNDS.**

23 (a) REQUIREMENT TO DEOBLIGATE.—Except as
24 provided in subsection (b) of this section and in the second
25 and third sentences of section 617 of the Foreign Assist-

1 ance Act of 1961, at the beginning of each fiscal year the
2 President shall deobligate, and return to the Treasury,
3 any foreign economic assistance funds that, as of the end
4 of the preceding fiscal year, have been obligated for a pe-
5 riod of more than 3 years but have not been expended.

6 (b) EXCEPTIONS.—The President, on a case-by-case
7 basis, may waive the requirement of subsection (a) if the
8 President determines, and reports to the appropriate con-
9 gressional committees, that—

10 (1) the funds are being used for a construction
11 project that requires more than 3 years to complete;
12 or

13 (2) the funds have not been expended because
14 of unforeseen circumstances, and those cir-
15 cumstances could not have been reasonably foreseen.

16 (c) COMMENTS BY AID INSPECTOR GENERAL ON
17 WAIVERS.—As soon as possible after submission of a re-
18 port pursuant to subsection (b), the Inspector General of
19 the Agency for International Development shall submit to
20 the appropriate congressional committees such comments
21 as the Inspector General considers appropriate with re-
22 gard to the determination described in that report.

23 **SEC. 3. DEFINITIONS.**

24 As used in this Act—

1 (1) the term “appropriate congressional com-
2 mittees” means the Committee on International Re-
3 lations and the Committee on Appropriations of the
4 House of Representatives and the Committee on
5 Foreign Relations and the Committee on Appropria-
6 tions of the Senate; and

7 (2) the term “economic assistance” means—

8 (A) assistance under chapter 1 of part I of
9 the Foreign Assistance Act of 1961 (relating to
10 development assistance), chapter 10 of part I of
11 that Act (relating to the Development Fund for
12 Africa), or chapter 4 of part II of that Act (re-
13 lating to the Economic Support Fund);

14 (B) assistance under the “Multilateral As-
15 sistance Initiative for the Philippines”;

16 (C) assistance under the Support for East
17 European Democracy (SEED) Act of 1989; and

18 (D) economic assistance for the independ-
19 ent States of the former Soviet Union under the
20 Foreign Assistance Act of 1961 or under any
21 Act authorizing economic assistance for the
22 independent States of the former Soviet Union.

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