

99TH CONGRESS

2D..... SESSION

H. J. RES.

(Original signature of Member)

H.L.C.

Relating to the provision of assistance to the Nicaraguan
democratic resistance.

Insert
title
here



IN THE HOUSE OF REPRESENTATIVES

_____, 19____

Insert
sponsor's
names
here



Mr. CHAPMAN introduced the following joint resolution; which was
referred to the Committee on _____

JOINT RESOLUTION

- 1 *Resolved by the Senate and House of Representatives of the United States*
- 2 *of America in Congress assembled,*

1 **SECTION 1. SUPPORT FOR NEGOTIATION OF A CONTADORA AGREEMENT.**

2 (a) The Secretary of State shall make available to the
3 Central American democracies (Costa Rica, El Salvador,
4 Guatemala, and Honduras) \$2,000,000 to facilitate their
5 participation in regional meetings and negotiations. These
6 funds shall be drawn from the funds made available under the
7 joint resolution entitled ``Joint Resolution relating to
8 Central America pursuant to the International Security and
9 Development Cooperation Act of 1985`` for assistance to the
10 Nicaraguan democratic resistance.

11 (b) The Secretary of State shall encourage the
12 governments of the Central American democracies and the
13 Contadora and Support Group nations to make regular and
14 public reports on the status of negotiations, the likelihood
15 of achieving a comprehensive agreement, progress toward
16 national reconciliation, and the obstacles to achieving a
17 comprehensive agreement and national reconciliation.

18 **SEC. 2. COOPERATION WITH BIPARTISAN CONGRESSIONAL COMMISSION.**

19 The heads of executive agencies shall, to the extent
20 permitted by law, cooperate fully with any bipartisan
21 commission which may be established by the Congress to report
22 on the status and prospects of negotiations to achieve a
23 comprehensive agreement based on the Contadora Document of
24 Objectives of September 9, 1983. Such cooperation shall
25 include provision to the commission of such information,

1 including classified information, as it may require for
2 purposes of carrying out its functions.

3 **SEC. 3. LIMITATION ON ASSISTANCE TO NICARAGUAN DEMOCRATIC**
4 **RESISTANCE.**

5 Prior to 90 days following enactment of the joint
6 resolution entitled ``Joint Resolution relating to Central
7 America pursuant to the International Security and
8 Development Cooperation Act of 1985'', the funds for
9 assistance to the Nicaraguan democratic resistance made
10 available by that joint resolution shall be provided only for
11 humanitarian assistance, as defined in section 722(g) of
12 Public Law 99-83, including support for programs and
13 activities to strengthen respect for human rights; logistics
14 advice and assistance; equipment and supplies necessary for
15 defense against air attack; support for democratic political
16 and diplomatic activities; and training of members of the
17 resistance in radio communications, collection and
18 utilization of intelligence, logistics, and small-unit skills
19 and tactics.

20 **SEC. 4. PRESIDENTIAL DETERMINATION AND REPORT.**

21 Following the end of the 90-day period referred to in
22 section 3, additional types of assistance may be provided to
23 the Nicaraguan democratic resistance only if--

24 (1) the President has determined, after consultation
25 with the Congress, that--

1 (A) the Central American countries have not
2 concluded a comprehensive agreement based on the
3 Contadora Document of Objectives of September 9,
4 1983;

5 (B) the Government of Nicaragua is not engaged in
6 a serious dialogue with representatives of all
7 elements of the democratic opposition, accompanied by
8 a cease fire and an effective end to the existing
9 constraints on freedom of speech, assembly, and
10 religion; and

11 (C) there is no reasonable prospect of achieving
12 these developments through further diplomatic
13 measures, multilateral or bilateral, without
14 additional assistance to the Nicaraguan democratic
15 resistance;

16 (2) the President has reported this determination to
17 the Congress; and

18 (3) fifteen days have elapsed following the
19 President's report.

20 **SEC. 5. SUSPENSION OF ASSISTANCE.**

21 If either of the conditions described in subparagraphs
22 (A) and (B) of paragraph (1) of section 4 is achieved at any
23 time following the Presidential determination and report
24 referred to in that section, assistance pursuant to the joint
25 resolution entitled ``Joint Resolution relating to Central

1 America pursuant to the International Security and
2 Development Cooperation Act of 1985'' shall again be limited
3 to the categories described in section 3 for so long as the
4 Government of Nicaragua acts in good faith to maintain those
5 conditions.

6 SEC. 6. ELIGIBILITY FOR ASSISTANCE.

7 (a) The Secretary of State shall encourage the democratic
8 resistance to increase its unity and its appeal to the
9 Nicaraguan people. Toward this end, \$5,000,000 of the funds
10 made available by the joint resolution entitled ``Joint
11 Resolution relating to Central America pursuant to the
12 International Security and Development Cooperation Act of
13 1985'' shall be reserved for assistance to resistance forces
14 otherwise eligible and not currently included with the United
15 Nicaraguan Opposition (UNO), including the Southern
16 Opposition Bloc (BOS) and the Indian resistance force
17 Misurasata.

18 (b) No assistance shall be provided to any group which
19 retains in its ranks any individual who engages in--

20 (1) gross violations of human rights (including
21 summary executions, torture, kidnapping, forced
22 recruitment, or other such violations of the integrity of
23 the person); or

24 (2) drug smuggling or significant misuse of private
25 or public funds.

1 SEC. 7. SOURCE OF FUNDING.

2 No funds available to the Central Intelligence Agency or
3 any other agency shall be provided to the Nicaraguan
4 democratic resistance unless specifically approved for that
5 purpose by the Congress.

6 SEC. 8. COORDINATION OF ASSISTANCE TO THE NICARAGUAN
7 DEMOCRATIC RESISTANCE.

8 The Secretary of State or his designee shall be
9 responsible for policy guidance and coordination of United
10 States Government activities under this joint resolution.

11 SEC. 9. EXTENSION OF NICARAGUAN HUMANITARIAN ASSISTANCE
12 OFFICE.

13 (a) The Nicaraguan Humanitarian Assistance Office
14 (hereafter in this section referred to as ``the Office'')
15 established by Executive order 12530 is hereby extended
16 through September 30, 1987, and thereafter until one month
17 following completion of disbursement of the funds made
18 available under the joint resolution entitled ``Joint
19 Resolution relating to Central America pursuant to the
20 International Security and Development Cooperation Act of
21 1985'' or other provision of law and for the administration
22 of which it is responsible.

23 (b) The Office shall continue to operate in accordance
24 with the terms of Executive order 12530 except as follows:

25 (1) Section 4(b) of Executive order 12530 shall be

1 deemed to be amended to read:

2 ``(b) The Director may, to the extent permitted by law,
3 including but not limited to section 621 of the Foreign
4 Assistance Act of 1961 (22 U.S.C. 2381), employ such staff
5 from Federal agencies as may be necessary, plus appropriate
6 support personnel.''.
7

8 (2) Section 7 of Executive order 12530 shall be
9 deemed to be amended to read:

10 ``Sec. 7. *Procurement*. In accordance with the provisions
11 of section 633 of the Foreign Assistance Act of 1961 (22
12 U.S.C. 2393), it is hereby determined to be in furtherance of
13 the purposes of the Foreign Assistance Act of 1961 that the
14 functions authorized thereunder, as set forth in section 2 of
15 this Order, may be performed by the Director without regard
16 to the provisions of law and limitations of authority
17 specified in Executive Order No. 11223 of May 12, 1965, as
18 amended, and subsections 604(a) and 604(e) of the Foreign
19 Assistance Act of 1961.''.
20

21 **SEC. 10. PLAN FOR ASSISTANCE TO CENTRAL AMERICA.**

22 The Secretary of State, the Administrator of the Agency
23 for International Development, and the Director of the Office
24 of Management and Budget are directed to develop a plan for
25 fully funding the aid to the Central American democracies
(Costa Rica, El Salvador, Guatemala, and Honduras) proposed
in the January 1984 Report of the National Bipartisan

1 Commission on Central America. This report shall be provided
2 to the President and the Congress by no later than May 31,
3 1986.