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I. SUBJECT: Kennedy-Humphrey Amendment (U)

II. MAJOR POINTS:

- A. The Kennedy-Humphrey Amendment to the Foreign Assistance Act (FAA) of 1961 was passed into law in August 1977 as Section 620B. ENCLOSURE 1
- Effective 1 October 1978.
 - Passed because Congress perceived serious human rights problems in Argentina.
- B. Section 620B, FAA prohibits military sales and assistance to Argentina. Specific terms are at ENCLOSURE 2.
- Prohibits military assistance, economic support funds, and IMET.
 - Precludes Foreign Military Sales (FMS)
 - Prevents issuance of munition control export licences.
- C. This amendment may have outlived any usefulness as Argentina's human rights record has improved though there are still some problems.
- D. Three options are available:
- Seek repeal of the Humphrey-Kennedy amendment. (Recommended)
 - Seek amendment of the Humphrey-Kennedy amendment. (In progress--details at ENCLOSURE 3)
 - The President use the Section 614, FAA waiver authority to authorize sales.
 - IMET - "important" to national security objectives.
 - FMS - "vital" to national security interests.

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Attachments

- ENCLOSURE 1 - Section 602B, Foreign Assistance Act
- ENCLOSURE 2 - Legislative History--Section 602B FAA
- ENCLOSURE 3 - Status of Effort to Amend Humphrey-Kennedy Amendment

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