

on obligations and activities under section 504 of the Act [22 U.S.C. 5854].

3. Funds appropriated or otherwise made available to the President for a “Nonproliferation and Disarmament Fund” authorized under section 504 of the Act [22 U.S.C. 5854] shall be deemed to be allocated to the Secretary of State without any further action of the President. Such funds may be reallocated or transferred as appropriate by the Secretary of State to any agency or part thereof for obligation or expenditure consistent with applicable law.

The Secretary of State is authorized and directed to publish this memorandum in the Federal Register.

WILLIAM J. CLINTON.

#### § 5855. Limitations on defense conversion authorities

Notwithstanding any other provision of law (including any other provision of this Act), funds may not be obligated in any fiscal year for purposes of facilitating the conversion of military technologies and capabilities and defense industries of the former Soviet Union into civilian activities, as authorized by sections 5853(a)(6) and 5854(a)(6) of this title or any other provision of law, unless the President has previously obligated in the same fiscal year an amount equal to or greater than that amount of funds for defense conversion and defense transition activities in the United States. For purposes of this section, the term “defense conversion and defense transition activities in the United States” means those United States Government funded programs whose primary purpose is to assist United States private sector defense workers, United States companies that manufacture or otherwise provide defense goods or services, or United States communities adversely affected by reductions in United States defense spending, such as programs funded through the Office of Economic Adjustment in the Department of Defense or through the Economic Development Administration.

(Pub. L. 102-511, title V, § 505, Oct. 24, 1992, 106 Stat. 3340; Pub. L. 105-277, div. A, § 101(f) [title IV, § 405(d)(20)], Oct. 21, 1998, 112 Stat. 2681-337, 2681-422.)

#### REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 102-511, Oct. 24, 1992, 106 Stat. 3320, as amended, known as the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 and also as the FREEDOM Support Act. For complete classification of this Act to the Code, see Short Title note set out under section 5801 of this title and Tables.

#### AMENDMENTS

1998—Pub. L. 105-277 substituted “or through” for “, through the Defense Conversion Adjustment Program (as authorized by the Job Training Partnership Act), or through” in last sentence.

#### § 5856. Soviet weapons destruction

##### (a), (b) Omitted

##### (c) Avoidance of duplicative amendments

The amendments made by this section shall not be effective if the National Defense Authorization Act for Fiscal Year 1993 enacts an amendment to section 221(a) of the Soviet Nuclear Threat Reduction Act of 1991 that author-

izes the transfer of an amount that is the same or greater than the amount that is authorized by the amendment made by subsection (a)(1) of this section and enacts amendments identical to those in subsections (a)(2) and (b) of this section. If that Act enacts such amendments, sections 5853 and 5858 of this title shall be deemed to apply with respect to the funds made available under such amendments.

(Pub. L. 102-511, title V, § 506, Oct. 24, 1992, 106 Stat. 3341.)

#### REFERENCES IN TEXT

For the amendments made by this section, referred to in subsec. (c), see Codification note below.

The National Defense Authorization Act for Fiscal Year 1993, referred to in subsec. (c), is Pub. L. 102-484, Oct. 23, 1992, 106 Stat. 2315. For complete classification of this Act to the Code, see Tables. See, also, Codification note below.

Section 221(a) of the Soviet Nuclear Threat Reduction Act of 1991, referred to in subsec. (c), was section 221(a) of Pub. L. 102-228, which was set out in a note under section 2551 of this title prior to repeal by Pub. L. 113-291, div. A, title XIII, § 1351(1), Dec. 19, 2014, 128 Stat. 3606. See Codification note below.

#### CODIFICATION

Section is comprised of section 506 of Pub. L. 102-511. Subsec. (a) of this section directed the amendment of section 221 of Pub. L. 102-228, which was set out in a note under section 2551 of this title and was repealed by Pub. L. 113-291, div. A, title XIII, § 1351(1), Dec. 19, 2014, 128 Stat. 3606. Subsec. (b) of this section directed the amendment of sections 108 and 109 of Pub. L. 102-229, which are not classified to the Code. Because of amendments by section 1421(a)(2)(B), (3) and (b) of Pub. L. 102-484, div. A, title XIV, Oct. 23, 1992, 106 Stat. 2565, to section 221 of Pub. L. 102-228 and sections 108 and 109 of Pub. L. 102-229, the amendments directed by subsecs. (a) and (b) of this section did not take effect pursuant to subsec. (c) of this section.

#### § 5857. Waiver of certain provisions

##### (a) In general

Funds made available for fiscal year 1993 under sections 5853 and 5854 of this title to provide assistance or otherwise carry out programs and activities with respect to the independent states of the former Soviet Union under those sections may be used notwithstanding any other provision of law, other than the provisions cited in subsection (b).

##### (b) Exceptions

Subsection (a) does not apply with respect to—

- (1) this subchapter; and
- (2) section 1341 of title 31 (commonly referred to as the “Anti-Deficiency Act”), the Congressional Budget and Impoundment Control Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, and the Budget Enforcement Act of 1990.

(Pub. L. 102-511, title V, § 507, Oct. 24, 1992, 106 Stat. 3341.)

#### REFERENCES IN TEXT

The Congressional Budget and Impoundment Control Act of 1974, referred to in subsec. (b)(2), is Pub. L. 93-344, July 12, 1974, 88 Stat. 297, as amended. For complete classification of this Act to the Code, see Short Title note set out under section 621 of Title 2, The Congress, and Tables.