

FOREIGN RELATIONS AUTHORIZATION BILL

MARKUP

BEFORE THE
SUBCOMMITTEE ON INTERNATIONAL OPERATIONS
AND HUMAN RIGHTS

OF THE

COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTH CONGRESS

FIRST SESSION

ON

H.R. 1253

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MARKUP OF THE FISCAL YEAR 1998-1999 FOREIGN RELATIONS AUTHORIZATION BILL

THURSDAY, APRIL 10, 1997

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND
HUMAN RIGHTS,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to notice, at 1:15 p.m., in room 2172, Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the Subcommittee) presiding.

Mr. SMITH. The Subcommittee will come to order. I am very pleased to convene this meeting of the Subcommittee on International Operations and Human Rights, pursuant to notice, in open session for the purpose of marking up H.R. 1253, The Foreign Relations Authorization Act for Fiscal Years 1998 and 1999.

I believe this bill is a solid, thoughtful product, the result of bipartisan co-operation. We fund most programs at or near the Administration's budget request. For instance, the three principal State Department accounts are funded at \$2.284 billion in Fiscal Year 1998. This is 7.5 percent higher than actual spending on these items in Fiscal Year 1995, and is 99 percent of the level requested by the Administration. On a few items of compelling importance, such as refugee protection, the World Food Program, assistance to torture victims, and combatting international child labor, the bill provides a modest increase above the Administration request.

Like our Subcommittee, this bill is not only about international operations, it is also about human rights. Every structural and fiscal decision has been taken with an eye toward preserving core humanitarian programs, saving lives, and promoting the just interests of the American people.

While providing adequate funding for foreign relations programs, the bill also attempts to improve efficiency, transparency, and accountability in these programs. It puts the State Department's fee accounts "on budget"—an important reform suggested by the Administration which will require further legislation from the Budget Committee as well as the provisions contained in this bill—so that the funding will reflect workload. It also restores the power of the Secretary of State to terminate the employment of convicted felons, a power that has been inexplicably curtailed by the administrative grievance board.

Other provisions we had hoped to include will have to wait for Full Committee markup of this bill or for consideration of the bill by the full House.

In particular, we had hoped to provide a comprehensive U.N. reform package as part of a comprehensive settlement of the arrearages question. We have not yet been able to secure agreements on this provision among the Administration and Republican and Democratic Members of both houses of Congress. This bill does, however, provide \$100 million in arrearage payments for Fiscal Year 1998, in anticipation of an agreement on a reform package within the very near future. If a reform agreement is reached—and if it addresses the real concerns of the American people, not only with respect to financial and institutional integrity but also with respect to national sovereignty and the alarming increase in international “social engineering” by U.N.-affiliated organizations and conferences—then I believe this installment, and perhaps another for Fiscal Year 1999, will be appropriate. If, on the other hand, there is no real U.N. reform, the arrearages will be dead on arrival on the House floor. Indeed, if we do not get these reforms I will offer the amendment myself to strip out the arrearage payment. Nevertheless, we have included it at this stage as a token of good faith and of commitment to work for a comprehensive solution.

We also hope that by the time the bill reaches the House floor the Secretary of State and the Senate Foreign Relations Committee will have reached agreement on a plan for consolidating many of the functions of our foreign policy institutions. And we are working with Committee Members from both parties to fashion an amendment to be offered in the Full Committee that will address the issue of staff duplication and lines of authority between USIA and the Board of Broadcasting Governors.

Any such provision will be calculated to provide the maximum protection for the integrity of our broadcasting services which have been so important in promoting freedom and democracy around the world.

Mr. SMITH. I would like to, at this point, yield to my very good friend, Mr. Lantos, the Ranking Member of the Committee, and thank him in advance, because he and his staff director, Bob King—worked very, very closely with Joseph Rees, our staff director for the Subcommittee, and others—such as Kristen Gilley with the Full Committee—to try to work out many of the problems so that we could be where we are right now, in marking up this bill.

Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. Let me first explain that, in an adjacent hearing room, the Burton Committee is meeting and I am on that Committee and I may be called away for a vote, for which I want to apologize in advance.

First of all, Mr. Chairman, I want to commend you and the Members of the Republican staff for your efforts on this bill. More important than the bill, however, I want to commend you for the way in which both you and your staff have worked to develop this legislation. You worked in a cooperative and bipartisan manner to fashion this bill, and I strongly welcome this effort.

As I have said on so many occasions, the most successful and best U.S. foreign policy initiatives are always within the framework

of a bipartisan foreign policy in which Democrats and Republicans work together in the best interests of our nation. I am grateful for your willingness to include in this bill provisions that are of deep concern to me and to make changes in provisions that I think will avoid problems for us in the future.

I would like to acknowledge the efforts that have been made by the Republican and Democratic staff members of the Committee, the Subcommittee and the Full Committee. On the Republican side, Joseph Rees, the majority counsel of the Subcommittee; Doug Anderson, of the Subcommittee staff; and Kristen Gilley and Hillel Weinberg, of the Full Committee staff.

On the Democratic side, I want to thank Elaina Brotman, of the Democratic Full Committee; and, most particularly, Dr. Bob King, the minority staff director of this Subcommittee.

Let me say at the outset, Mr. Chairman, that this legislation is of enormous importance for U.S. foreign policy. While many of the provisions deal with the routine nuts-and-bolts issues of operating the Department of State or USIA, in fact, this bill deals with the issue of how we allocate the critical resources necessary for the conduct of our nation's international relations. The bill contains a number of technical provisions, many of them requested by the Department of State and other foreign policy agencies.

I welcome your efforts to work with me and with my staff and with the Administration in finding good solutions to many of these matters.

There are several major issues that this legislation deals with only peripherally that are extremely important. I want to make a comment about those. First of all is the matter of the resources necessary to conduct our nation's foreign affairs.

As Secretary Madeleine Albright has said, "You cannot conduct foreign policy on the cheap. We are a world power. We are the one superpower on the face of this planet. We have global interests and we have global concerns."

We cannot conduct U.S. foreign policy by closing embassies, by reducing our presence, by cutting the number of vital Foreign Service staff. Maintaining our diplomatic capability is absolutely essential if we are to succeed in preventing international crises and if we are to be fully aware of potential problems that might face us.

I am pleased that Chairman Gilman has worked successfully with our friend, the Ranking Democratic Member, Congressman Hamilton, in trying to increase the authorized levels of spending on foreign policy programs.

I profoundly regret, Mr. Chairman, that agreement has not been reached to increase the spending on foreign affairs to the levels that the President and Secretary Albright have requested. I believe that the President's request, the Secretary's request, is the minimum necessary to carry out the foreign policy of the United States.

Levels of funding in this bill are below the levels that I would like to see us approve. It is my hope that we can work to increase the overall funding levels for the conduct of our foreign policy, and I will do my utmost at the Full Committee level to achieve that goal.

The second issue I want to deal with is the question of U.N. arrearages and U.N. reform. I strongly support the efforts of Presi-

dent Clinton and Secretary Albright to resolve the arrearages in U.S. payments to the United Nations. There were clearly serious problems historically with the management and the operations of the United Nations. As chairman of this Subcommittee, the Subcommittee on International Security Organizations and Human Rights, in the 103d Congress, I conducted a number of hearings on U.N. reform and I have supported legislation to encourage reform at the United Nations.

I think it is important to note, Mr. Chairman, we have made a great deal of progress. The new Secretary-General of the United Nations, my dear friend, Kofi Annan, has made some significant progress in dealing with these issues. We must continue to encourage him to make those changes in U.N. operations that will improve the efficiency of that important organization.

I should mention parenthetically, just a couple of days ago, Ambassador Bill Richardson was in my city of San Francisco, on a university campus, talking about this issue. And speaking to a very heterogeneous audience, discussing the question of paying our debt to the United Nations, he received overwhelming support. I believe the American people are prepared to pay their debt to the United Nations as the new Secretary-General introduces reforms.

We must pay what we owe that organization. It is unseemly for a superpower to be a deadbeat. By and large, the effective operation of the United Nations serves our national interest. And it is in our national interest to continue to work to shape U.N. policies that meet our national concerns. Our ability to influence the United Nations is dramatically decreased if we do not pay our fair share of the operations of that organization.

The matter of dealing with U.N. arrearages and U.N. reform are issues that, as you know, a bipartisan House and Senate task force are working to resolve. And we will not deal with those provisions in our bill today. I expect language and funding for the bipartisan agreement that will be included in the bill at some point during the legislative process.

This is an extremely important element of our work, Mr. Chairman, and I want to reaffirm my commitment to resolving this problem in supporting the Administration's efforts to resolve our debt to the United Nations.

I am not going to discuss many of the specifics of this bill. There are some provisions that, quite candidly, I would have drafted differently. And there are other provisions with which I profoundly disagree. On the whole, however, I think we have a good bill that should move forward to the Full Committee for its consideration.

I do not plan to offer my amendments to the bill today. Many of my concerns are reflected in the Chairman's mark and the Chairman's amendment that we will consider today. Some of the issues that I am very much concerned about will be fully debated in Full Committee. And I expect that some of my colleagues will propose amendments when the bill is considered at that level.

On the whole, however, I believe this bill should move on to the next step in the legislative process. I commend you for your spirit of cooperation, for your enormous energy and for your efforts to make this bill bipartisan.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you very much, Mr. Chairman. Ah, former Mr. Chairman.

Mr. LANTOS. That is all right. Next session of Congress.

[Laughter.]

Mr. SMITH. When Tom held those hearings on U.N. reform, I sat about two seats down and joined very vigorously with him in questioning the many witnesses that we had, including our former Attorney General.

The Chair lays the bill before the Subcommittee and the clerk will report the title of the bill.

The CLERK. Be it enacted by the Senate and House of Representatives of the United States in Congress assembled, Section 1, Short Title. This Act may be cited as the "Foreign Relations Authorization Act, Fiscal Years 1998 and 1999".

Section 2—

Mr. SMITH. Without objection, the bill will be considered as read. And the clerk will read the bill for amendment.

I am opening it for amendment at any point. Is there any objection to that?

We are opening the bill to amendment at any point. Without objection, it is so ordered.

The Chair has an amendment at the desk and the clerk will report the amendment.

The CLERK. This is an en bloc amendment to H.R. 1253, offered by Mr. Smith of New Jersey.

Mr. SMITH. Without objection, the amendment will be considered as having been read and the Chair will recognize himself for 5 minutes in support of the amendment.

And let me just say, this package of some 19 amendments—many of them are technical amendments—have been cleared and worked with Members on the minority side. Some of these are very technical in nature. Others are suggestions, like one that we got from the Chair of the Africa Committee, Mr. Royce, asking that there be a report done on the feasibility of a Radio Free Africa and a Radio Free Iran.

And I think that the idea of a report and a study to ascertain that is a good idea.

There are other noncontroversial issues here. And those that were controversial I think have been worked out to the satisfaction of my good friend and colleague. And some of the amendments that he wanted to offer, including that which pertains to Tibetan refugees, are also included in this package of some 19 amendments.

So, would the gentleman want to be heard on the en bloc amendment?

Mr. LANTOS. I support the amendment.

Mr. SMITH. The question, then, is on the Smith amendment. As many as in favor will say, "Aye."

Voices. Aye.

Mr. SMITH. As many as are opposed to the amendment will say, "No."

[No response.]

The "ayes" appear to have it.

Are there any other amendments to the bill?

Mr. LANTOS. No.

Mr. SMITH. The gentlelady from Georgia.

Ms. MCKINNEY. Mr. Chairman, I have an amendment at the desk.

Mr. SMITH. OK, the clerk will disseminate the amendment. Do all Members have a copy? No? And then the clerk will report the amendment.

Ms. MCKINNEY. Actually, I have two amendments. So, which one are you passing out first?

Mr. SMITH. It is up to you.

Ms. MCKINNEY. The long one.

Mr. SMITH. OK, the clerk will report the amendment, now that everyone has a copy.

Ms. MCKINNEY. Mr. Chairman, it is very clear that—

Mr. SMITH. If the gentlelady would withhold, just so the amendment can be reported.

Ms. MCKINNEY. All right.

The CLERK. Amendment to H.R. 1253 offered by Ms. McKinney. After Section 324, insert the following new section.

Mr. SMITH. I ask for unanimous consent that the further reading of the amendment be dispensed with. And the gentlelady is recognized for 5 minutes in support of her amendment.

Ms. MCKINNEY. Thank you, Mr. Chairman.

It is very clear that the State Department has a severe problem with recruitment and maintaining its minority Foreign Service Officers and their promotion. The State Department is currently involved in litigation that has cost the State Department untold sums of money that I think is unnecessary. If the State Department would commit itself to the retention, recruitment and promotion of minority Foreign Service Officers, such problems would not arise.

In the senior Foreign Service Officer ranks, the trend is only minimally up since 1984. And with respect to Chiefs of Mission, the trend is down since 1984.

I personally know that the lives and careers of many African American Foreign Service Officers have been unfortunately hampered as a result of barriers to promotion. For these reasons, I would encourage the passage of this amendment.

Mr. LANTOS. Mr. Chairman.

Mr. SMITH. Mr. Lantos.

Mr. LANTOS. Mr. Chairman, I would like to support with great enthusiasm the amendment of my friend from Georgia. I have seen minority Foreign Service Officers in many posts across the globe. They contribute enormously to the effectiveness of our diplomatic service, particularly in a world which is overwhelmingly nonwhite. I think the gentlelady's amendment addresses this issue effectively and intelligently, and I ask all of my colleagues to support it.

Mr. SMITH. Do any other Members want to be heard on the amendment?

Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Mr. Chairman, I, too, would like to offer my strongest support for the gentlelady's proposed amendment.

Mr. Chairman, this is not a new issue. In the years that I have served as a Member of this Subcommittee and a Member of this Committee for the past 8 years, it seems that every time we go

through this circle of raising questions with our friends from the—not just this Administration, but other Administrations as well, in terms of exactly what concrete actions have been taken to see that there is a better sense of diversity, if you will, on the makeup of our Foreign Service system.

And I believe that this proposed amendment will add to that. I think there are tremendous opportunities out there, but I believe that maybe our friends could work just a little harder to make sure that there is this kind of opportunity from those members of our community.

It always seems to, in my mind, unfortunately, the stereotyping that most Foreign Service Officers come from these Ivy League schools and that they never seem to come from anywhere else, other than these particular areas that the State Department has a fond affection for. And I believe that this amendment will send a real good, positive message to our friends that we need to work on this.

How many times I have raised these questions and issues every year that we have hearings on this issue, and it seems that we are going in circles. I hope that we've now come to the complete circle and, hopefully, that the gentlelady's amendment will be accepted and I fully support it. And I ask my colleagues that we support this amendment.

Mr. SMITH. It is my understanding the Administration would like to comment on the amendment.

Assistant Secretary Larkin.

Ms. LARKIN. Thank you, Mr. Chairman, Mr. Lantos, and Congresswoman McKinney.

I just want to note that Secretary Albright strongly supports the points that you have been making and has stated publicly that she will dedicate herself to the recruitment and retention of minorities in the Foreign Service. So, we are happy to take your amendment.

I would also note that we already supply reports to the EEOC, so those are available for you now. I also would like to point out there is a provision in the bill, as it is currently configured, which are the limits on authorized strength of the Foreign Service, which has a very detrimental effect on our ability to recruit. It has several detrimental effects.

First, we are now recruiting new Foreign Service Officers at only half the rate of attrition. So, to the extent that it limits the number of new people that we can bring in and, also, the people that we can retain. Because, under a system with caps, there is a limit on—you have to get out if you are not promoted. So, that, in another way, has a detrimental effect on the Department's and the Secretary's ability to attract and retain minority Foreign Service Officers. Thank you.

Mr. SMITH. I thank—

Mr. FALEOMAVAEGA. Would the Chairman yield?

Mr. SMITH. The Chair will yield.

Mr. FALEOMAVAEGA. I just want, for purposes of greater clarity on the terms, at least in the wording of the proposed amendment, and I want to make sure, absolutely certain, that minorities include women, if there is any misunderstanding of that, to make

sure that women are to be just as much part of this concern, as far as the makeup of our State Department.

Mr. LANTOS. It is my private judgment that Secretary Albright may be friendly to the concept of including women.

Mr. FALEOMAVAEGA. Well, if I yield to my good friend from California, yes, in concept, but I want to be absolutely certain that women, by law, that the women are just as much given the same opportunities.

Mr. SMITH. Are there any other Members who would like to be heard on the amendment?

[No response.]

Let me just say that, from my point of view, I think this is a good amendment. I think the information that can be garnered by this kind of reporting gives us a clearer, more accurate picture of what the makeup is of the State Department. And I think information is always more helpful, not less. And I think the gentlelady makes a contribution to the bill by offering her amendment.

The Chair will put the question on the McKinney amendment. As many as are in favor will say, "Aye."

Voices. Aye.

Mr. SMITH. Those opposed say, "No."

[No response.]

The "ayes" appear to have it. The "ayes" do have it. And the amendment is agreed to.

Are there other amendments from Members of the Subcommittee?

Mr. HILLIARD. Yes, Mr. Chairman, I have an amendment.

Mr. SMITH. The clerk will report the amendment. And if you could just withhold while the amendment is being disseminated to the membership.

Have you given a copy of the amendment to the desk?

Mr. HILLIARD. Yes.

Mr. SMITH. I would ask the gentleman, does he have multiple copies of the amendment? If not, could he hold off on that while copies are made? Apparently, there is only one. And I think Ms. McKinney has an additional amendment.

Ms. MCKINNEY. (Comments inaudible because her microphone was not turned on.)

Mr. SMITH. Only one? Good.

The CLERK. Amendment to H.R. 1253 offered by Mr. Hilliard of Alabama. In Section 101(2)(B)(ii), concerning limitations on authorizations of appropriations for salaries and expenses of the Department of State, strike clause (ii) and insert the following:

"Of the amounts authorized to be appropriated by subparagraph (A), \$1,000,000 for Fiscal Year 1998 and \$1,000,000 for Fiscal Year_____"

Mr. SMITH. Without objection, the amendment will be considered as read.

The gentleman is recognized for 5 minutes in support of his amendment.

Mr. HILLIARD. Thank you very much, Mr. Chairman.

Mr. Chairman, the only thing this amendment does is give the State Department additional funds to recruit minorities. And, already, there is a clause that allows for \$500,000 for the recruit-

ment of Hispanic Americans. And we have increased that amount to \$1,000,000. And we have included for the training of Hispanic Americans, African Americans and Asian Pacific Americans.

Mr. LANTOS. Mr. Chairman.

Mr. SMITH. Mr. Lantos.

Mr. LANTOS. I would like to support strongly the amendment of my friend from Alabama. I think this amendment is appropriate, long overdue, and it puts some substance behind the expressions of good will along these lines. And I call on my colleagues to support the amendment.

Mr. SMITH. Are there any other additional Members who would like to be recognized in support or opposition to the amendment?
[No response.]

If not, the Chair will put the question on the amendment by Mr. Hilliard. All those in—would you like to comment?

Ms. LARKIN. Yes.

Mr. SMITH. OK. The State Department would like to comment.

Ms. LARKIN. Thank you, Mr. Chairman.

Mr. SMITH. Assistant Secretary Larkin.

Ms. LARKIN. Might you be saying, from what Mr. Hilliard described it, that he views that this is additional money given to the Department?

Mr. HILLIARD. Absolutely.

Ms. LARKIN. I think the way we have read it, as drafted, it is not additional money; it is an earmark. So, the money would come from elsewhere. We would be in a position to support an amendment if it were additional money, but may not, if it is coming from somewhere else.

The one portion of this bill that has been cut severely is our salaries and expenses. So, perhaps, we could redraft the amendment so that it was an additional \$1,000,000 and we would be glad to support it.

Mr. SMITH. Let me ask Mr. Hilliard if the gentleman would consider withdrawing his amendment, with the idea that he could take it up in the Full Committee and we could work out any details—

Mr. HILLIARD. OK.

Mr. SMITH [continuing]. to see whether or not we could find some offset or some accommodation for the gentleman. And he will have every right, obviously, in Full Committee to—

Mr. HILLIARD. Well, I appreciate that.

Mr. SMITH [continuing]. support it.

Mr. HILLIARD. But, Mr. Chairman, what I would like to do is adopt the amendment. And, between now and the time the bill comes to the Full Committee, we will have another amendment to increase their budget by that amendment, or, we will have found some other offsetting amount.

Mr. SMITH. It is 50 of one or half a dozen of the other. Let me just say this, speaking for myself as Chairman of the Subcommittee, I will move to accept the amendment, with the caveat that we will try to find some way to work on some additional language to make sure that either there is an offset or some other kind of way of making this work out. Because we have worked for several weeks now on every comma, semicolon, crossing every "t" to make sure that money is available.

Mr. Menendez has an amendment which was then added to by Mr. Faleomavaega in the manager's amendment that provided a half a million dollars for this purpose. And that is not to say that the million isn't necessary, but I think we will take a further look at it.

So, in trying to accommodate the gentleman, I will move that our side accept the amendment when we put the question, which is right now.

Is there anybody else who would like to speak to it at this point?

[No response.]

If not, the Chair will put the question on the amendment by Mr. Hilliard. As many as are in favor will say, "Aye."

Voices. Aye.

Mr. SMITH. As many as are opposed say, "No."

[No response.]

The "ayes" appear to have it. The "ayes" do have it. And the amendment is agreed to.

Are there any other amendments to the bill?

Mr. PAYNE. Mr. Chairman.

Mr. SMITH. Mr. Payne.

Mr. PAYNE. Yes, I do not have an amendment right now. As you know, we entered into some discussion prior to the meeting on the exchange programs in South Africa, where, in Section 408, there has been a recommendation that the Africa Training for Leadership and Advanced Skills and the Mandela Economic Scholarships Program be transferred from USAID to USIA.

Perhaps at this time, I might ask, Mr. Chairman, through you, if we could ask the representative from the Administration if she could give us the position of the Administration on this particular item. And we will, in the future, as we indicated, perhaps on discussion before it comes before the Full Committee.

Mr. SMITH. Mr. Payne, I would ask Assistant Secretary Larkin if she would want to respond to that question.

Ms. LARKIN. Thank you. And I would ask Mr. Boyer, from AID, if you want to join me. My understanding is that the Administration position is we support having the program remain at AID.

Mr. PAYNE. OK. Thank you.

Ms. LARKIN. Does that answer your question?

Mr. PAYNE. That answers it, yes.

Ms. LARKIN. OK. Thank you.

Mr. SMITH. Let me just say, as I did in a conversation with Mr. Payne earlier in the day, we will work with him on that.

Mr. PAYNE. Right.

Mr. SMITH. Generally speaking, having the Mandela and ATLAS programs under USIA appears, at least on the surface, to be a very good idea, and I am sure there are some reasons why it might not be. The program, as we all know, is relatively new. But between now and markup in Full Committee, as I indicated earlier in our conversation, I would be more than happy to look at it.

All that I hope, and the intent behind it, is to make the scholarship programs, the educational programs, work more efficiently. And when it is feasible and when it is in the best interests of the program and all involved to have it under one roof, rather than multiple roofs.

So, we will work with the Chairman——

Ms. LARKIN. Right.

Mr. SMITH. And we will look forward to hearing from USIA and AID—additional response on this.

Ms. LARKIN. Mr. Payne, we will be glad to work with you and your staff and answer any questions and work it through with you.

Mr. PAYNE. All right. Thank you. And, thank you, Mr. Chairman.

Mr. SMITH. If there are no further amendments or Members seeking recognition, the Chair would like to recognize Mr. Lantos to offer a motion.

Mr. LANTOS. Mr. Chairman, I would like to move that we approve the bill as amended.

Mr. SMITH. And report it to the Full Committee?

Mr. LANTOS. Report it to the Full Committee.

Mr. SMITH. The question is on the motion from the gentleman from California. As many as are in favor of the motion will say, "Aye."

Voices. Aye.

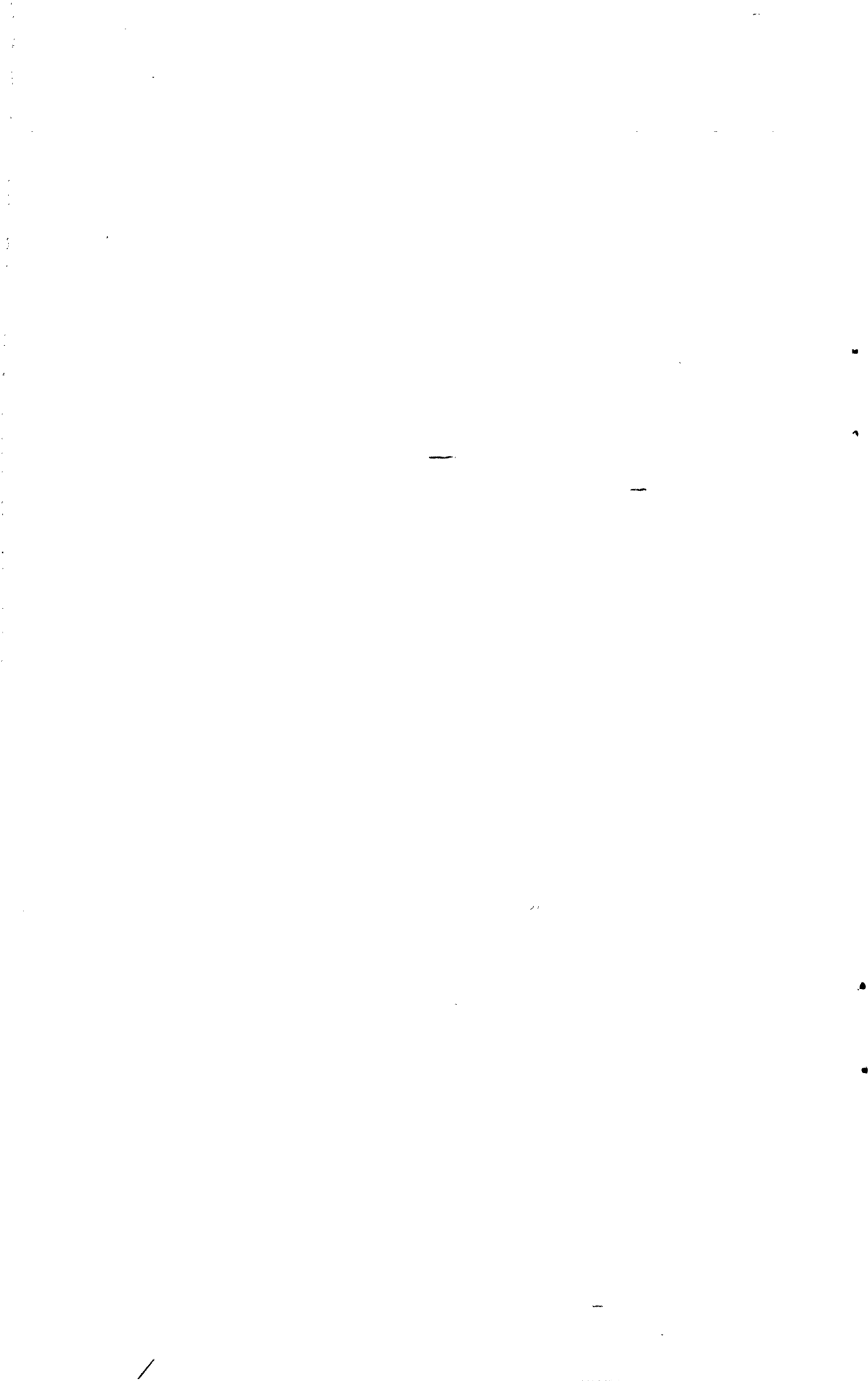
Mr. SMITH. As many as are opposed will say, "No."

[No response.]

The "ayes" appear to have it. The "ayes" do have it. And the amendment is agreed to.

The Subcommittee markup is adjourned. And I thank all. And we will look forward to the Full Committee markup.

[Whereupon, at 1:46 p.m., the Subcommittee was adjourned, subject to the call of the Chair.]



APPENDIX

105TH CONGRESS
1ST SESSION

H. R. 1253

To authorize appropriations for the Department of State and related agencies for the fiscal years 1998 and 1999, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 1997

Mr. SMITH of New Jersey introduced the following bill; which was referred to the Committee on International Relations

A BILL

To authorize appropriations for the Department of State and related agencies for the fiscal years 1998 and 1999, and for other purposes.

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. SHORT TITLE.**

4 This Act may be cited as the "Foreign Relations Au-
5 thorization Act, Fiscal Years 1998 and 1999".

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

TITLE I—AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF STATE AND CERTAIN INTERNATIONAL AFFAIRS FUNCTIONS AND ACTIVITIES

CHAPTER 1—AUTHORIZATIONS OF APPROPRIATIONS

- Sec. 101. Administration of Foreign Affairs.
- Sec. 102. International organizations, programs, and conferences.
- Sec. 103. International Commissions.
- Sec. 104. Migration and refugee assistance.
- Sec. 105. Certain other international affairs programs.
- Sec. 106. United States informational, educational, and cultural programs.
- Sec. 107. United States Arms Control and Disarmament.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

CHAPTER 1—AUTHORITIES AND ACTIVITIES

- Sec. 201. Revision of Department of State rewards program.
- Sec. 202. Consolidation of United States diplomatic missions and consular posts.
- Sec. 203. Capital Investment Fund.
- Sec. 204. Efficiency in procurement.
- Sec. 205. Proceeds of sale of foreign properties.
- Sec. 206. Reduction of reporting.
- Sec. 207. Contracting for local guards services overseas.
- Sec. 208. Preadjudication of claims.
- Sec. 209. Expenses relating to certain international claims and proceedings.
- Sec. 210. Establishment of fee account and providing for passport information services.
- Sec. 211. Establishment of machine readable fee account.
- Sec. 212. Retention of additional defense trade controls registration fees.
- Sec. 213. Training.
- Sec. 214. Recovery of costs of health care services.
- Sec. 215. Fee for use of diplomatic reception rooms.
- Sec. 216. Fees for commercial services.
- Sec. 217. Concerning the use of funds to further normalize relations with Vietnam.
- Sec. 218. Extension of certain adjudication provisions.

CHAPTER 2—CONSULAR AUTHORITIES OF THE DEPARTMENT OF STATE

- Sec. 241. Use of certain passport processing fees for enhanced passport services.
- Sec. 242. Consular officers.
- Sec. 243. Repeal of outdated consular receipt requirements.
- Sec. 244. Elimination of duplicate publication requirements.
- Sec. 245. Report on compliance with the Hague Convention on International Child Abduction.

CHAPTER 3—REFUGEES AND MIGRATION

- Sec. 261. Report to Congress concerning Cuban emigration policies.
- Sec. 262. Reprogramming of migration and refugee assistance funds.

**TITLE III—ORGANIZATION OF THE DEPARTMENT OF STATE;
DEPARTMENT OF STATE PERSONNEL; THE FOREIGN SERVICE**

CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE

- Sec. 301. Coordinator for counterterrorism.
- Sec. 302. Elimination of statutory establishment of certain positions of the Department of State.
- Sec. 303. Establishment of Assistant Secretary of State for Human Resources.
- Sec. 304. Establishment of Assistant Secretary of State for Diplomatic Security.
- Sec. 305. Special envoy for Tibet.
- Sec. 306. Responsibilities for bureau charged with refugee assistance.

CHAPTER 2—PERSONNEL OF THE DEPARTMENT OF STATE; THE FOREIGN SERVICE

- Sec. 321. Authorized strength of the Foreign Service.
- Sec. 322. Nonovertime differential pay.
- Sec. 323. Authority of Secretary to separate convicted felons from service.
- Sec. 324. Career counseling.

**TITLE IV—UNITED STATES PUBLIC DIPLOMACY: AUTHORITIES
AND ACTIVITIES FOR UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS**

CHAPTER 1—GENERAL PROVISIONS

- Sec. 401. Extension of au pair programs.
- Sec. 402. Retention of interest.
- Sec. 403. Center for Cultural and Technical Interchange Between North and South.
- Sec. 404. Use of English teaching program fees.
- Sec. 405. Law and business training program for graduate students from the Soviet Union, Lithuania, Latvia, and Estonia.
- Sec. 406. Working group on United States Government sponsored international exchanges and training.
- Sec. 407. Educational and cultural exchanges and scholarships for Tibetans and Burmese.
- Sec. 408. Exchange programs in South Africa.

**TITLE V—INTERNATIONAL ORGANIZATIONS; UNITED NATIONS
AND RELATED AGENCIES**

CHAPTER 1—GENERAL PROVISIONS

- Sec. 501. Service in international organizations.

CHAPTER 2—UNITED NATIONS AND RELATED AGENCIES

- Sec. 521. Reform in budget decisionmaking procedures of the United Nations and its specialized agencies.

TITLE VI—ARMS CONTROL AND DISARMAMENT AGENCY

- Sec. 601. Comprehensive compilation of arms control and disarmament studies.
- Sec. 602. Use of funds.

TITLE VII—FOREIGN POLICY PROVISIONS

- Sec. 701. United States policy regarding the involuntary return of refugees.
Sec. 702. United States policy with respect to the involuntary return of persons in danger of subjection to torture.
Sec. 703. Reports on claims by United States firms against the Government of Saudi Arabia.
Sec. 704. Human rights reports.
Sec. 705. Prohibition on funding for coercive population control methods.
Sec. 706. Reports and policy concerning diplomatic immunity.
Sec. 707. Congressional statement with respect to efficiency in the conduct of foreign policy.

1 **SEC. 3. DEFINITIONS.**

2 The following terms have the following meaning for
3 the purposes of this division:

4 (1) The term "AID" means the Agency for
5 International Development.

6 (2) The term "ACDA" means the United
7 States Arms Control and Disarmament Agency.

8 (3) The term "appropriate congressional com-
9 mittees" means the Committee on International Re-
10 lations of the House of Representatives and the
11 Committee of Foreign Relations of the Senate.

12 (4) The term "Department" means the Depart-
13 ment of State.

14 (5) The term "Federal agency" has the mean-
15 ing given to the term "agency" by section 551(1) of
16 title 5, United States Code.

17 (6) The term "Secretary" means the Secretary
18 of State.

1 (7) The term "USIA" means the United States
2 Information Agency.

3 **TITLE I—AUTHORIZATION OF**
4 **APPROPRIATIONS FOR DE-**
5 **PARTMENT OF STATE AND**
6 **CERTAIN INTERNATIONAL AF-**
7 **FAIRS FUNCTIONS AND AC-**
8 **TIVITIES**

9 **CHAPTER 1—AUTHORIZATIONS OF**
10 **APPROPRIATIONS**

11 **SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.**

12 The following amounts are authorized to be appro-
13 priated for the Department of State under "Administra-
14 tion of Foreign Affairs" to carry out the authorities, func-
15 tions, duties, and responsibilities in the conduct of the for-
16 eign affairs of the United States and for other purposes
17 authorized by law, including the diplomatic security pro-
18 gram:

19 (1) **DIPLOMATIC AND CONSULAR PROGRAMS.—**

20 For "Diplomatic and Consular Programs", of the
21 Department of State \$1,280,300,000 for the fiscal
22 year 1998 and \$1,291,977,000 for the fiscal year
23 1999.

24 (2) **SALARIES AND EXPENSES.—**

1 (A) AUTHORIZATION OF APPROPRIA-
2 TIONS.—For “Salaries and Expenses”, of the
3 Department of State \$352,300,000 for the fis-
4 cal year 1998 and \$352,300,000 for the fiscal
5 year 1999.

6 (B) LIMITATIONS.—

7 (i) Of the amounts authorized to be
8 appropriated by subparagraph (A),
9 \$12,000,000 for fiscal year 1998 and
10 \$12,000,000 for fiscal year 1999 are au-
11 thORIZED to be appropriated for salaries
12 and expenses of the Bureau of Refugee
13 and Migration Assistance.

14 (ii) Of the amounts authorized to be
15 appropriated by subparagraph (A)
16 \$500,000 for fiscal year 1998 and
17 \$500,000 for fiscal year 1999 are author-
18 ized to be appropriated only for the re-
19 cruitment of Hispanic Americans and for
20 the training of Hispanic Americans for ca-
21 reers in the Foreign Service and inter-
22 national affairs.

23 (3) CAPITAL INVESTMENT FUND.—For “Cap-
24 ital Investment Fund”, of the Department of State

1 \$56,000,000 for the fiscal year 1998 and
2 \$56,000,000 for the fiscal year 1999.

3 (4) ACQUISITION AND MAINTENANCE OF BUILD-
4 INGS ABROAD.—For “Acquisition and Maintenance
5 of Buildings Abroad”, \$373,081,000 for the fiscal
6 year 1998 and \$373,081,000 for the fiscal year
7 1999.

8 (5) REPRESENTATION ALLOWANCES.—For
9 “Representation Allowances”, \$4,300,000 for the
10 fiscal year 1998 and \$4,300,000 for the fiscal year
11 1999.

12 (6) EMERGENCIES IN THE DIPLOMATIC AND
13 CONSULAR SERVICE.—For “Emergencies in the Dip-
14 lomatic and Consular Service”, \$5,500,000 for the
15 fiscal 1998 and \$5,500,000 for the fiscal year 1999.

16 (7) OFFICE OF THE INSPECTOR GENERAL.—
17 For “Office of the Inspector General”, \$28,300,000
18 for the fiscal year 1998 and \$28,300,000 for the fis-
19 cal year 1999.

20 (8) PAYMENT TO THE AMERICAN INSTITUTE IN
21 TAIWAN.—For “Payment to the American Institute
22 in Taiwan”, \$14,490,000 for the fiscal year 1998
23 and \$14,490,000 for the fiscal year 1999.

24 (9) PROTECTION OF FOREIGN MISSIONS AND
25 OFFICIALS.—For “Protection of Foreign Missions

1 and Officials”, \$7,900,000 for the fiscal year 1998
2 and \$7,900,000 for the fiscal year 1999.

3 (10) REPATRIATION LOANS.—For “Repatri-
4 ation Loans”, \$1,200,000 for the fiscal year 1998
5 and \$1,200,000 for the fiscal year 1999, for admin-
6 istrative expenses.

7 **SEC. 102. INTERNATIONAL ORGANIZATIONS, PROGRAMS,**
8 **AND CONFERENCES.**

9 (a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL
10 ORGANIZATIONS.—There are authorized to be appro-
11 priated for “Contributions to International Organiza-
12 tions”, \$1,014,389,000 for the fiscal year 1998 and
13 \$987,590,000 for the fiscal year 1999 for the Department
14 of State to carry out the authorities, functions, duties, and
15 responsibilities in the conduct of the foreign affairs of the
16 United States with respect to international organizations
17 and to carry out other authorities in law consistent with
18 such purposes.

19 (b) VOLUNTARY CONTRIBUTIONS TO INTER-
20 NATIONAL ORGANIZATIONS.—

21 (1) AUTHORIZATION OF APPROPRIATIONS.—
22 There are authorized to be appropriated for “Vol-
23 untary Contributions to International Organiza-
24 tions”, \$360,725,000 for the fiscal year 1998 and
25 \$360,725,000 for the fiscal year 1999.

1 (2) LIMITATIONS.—

2 (A) WORLD FOOD PROGRAM.—Of the
3 amounts authorized to be appropriated under
4 paragraph (1), \$5,000,000 for the fiscal year
5 1998 and \$5,000,000 for the fiscal year 1999
6 are authorized to be appropriated only for a
7 United States contribution to the World Food
8 Program.

9 (B) UNITED NATIONS VOLUNTARY FUND
10 FOR VICTIMS OF TORTURE.—Of the amount au-
11 thorized to be appropriated under paragraph
12 (1), \$3,000,000 for the fiscal year 1998 and
13 \$3,000,000 for the fiscal year 1999 are author-
14 ized to be appropriated only for a United States
15 contribution to the United Nations Voluntary
16 Fund for Victims of Torture.

17 (C) INTERNATIONAL PROGRAM ON THE
18 ELIMINATION OF CHILD LABOR.—Of the
19 amounts authorized to be appropriated under
20 paragraph (1), \$10,000,000 for the fiscal year
21 1998 and \$10,000,000 for the fiscal year 1999
22 are authorized to be appropriated only for a
23 United States contribution to the International
24 Labor Organization for the activities of the

1 International Program on the Elimination of
2 Child Labor.

3 (3) AVAILABILITY OF FUNDS.—Amounts au-
4 thorized to be appropriated under paragraph (1) are
5 authorized to remain available until expended.

6 (c) ASSESSED CONTRIBUTIONS FOR INTERNATIONAL
7 PEACEKEEPING ACTIVITIES.—There are authorized to be
8 appropriated for “Contributions for International Peace-
9 keeping Activities”, \$286,000,000 for the fiscal year 1998
10 and \$240,000,000 for the fiscal year 1999 for the Depart-
11 ment of State to carry out the authorities, functions, du-
12 ties, and responsibilities in the conduct of the foreign af-
13 fairs of the United States with respect to international
14 peacekeeping activities and to carry out other authorities
15 in law consistent with such purposes.

16 (d) VOLUNTARY CONTRIBUTIONS TO PEACEKEEPING
17 OPERATIONS.—There are authorized to be appropriated
18 for “Peacekeeping Operations”, \$87,600,000 for the fiscal
19 year 1998 and \$67,000,000 for the fiscal year 1999 for
20 the Department of State to carry out section 551 of Public
21 Law 87-195.

22 (e) INTERNATIONAL CONFERENCES AND CONTIN-
23 GENCIES.—There are authorized to be appropriated for
24 “International Conferences and Contingencies”,
25 \$3,000,000 for the fiscal year 1998 and \$3,000,000 for

1 the fiscal year 1999 for the Department of State to carry
2 out the authorities, functions, duties, and responsibilities
3 in the conduct of the foreign affairs of the United States
4 with respect to international conferences and contin-
5 gencies and to carry out other authorities in law consistent
6 with such purposes.

7 (f) FOREIGN CURRENCY EXCHANGE RATES.—In ad-
8 dition to amounts otherwise authorized to be appropriated
9 by subsections (a) and (b) of this section, there are au-
10 thorized to be appropriated such sums as may be nec-
11 essary for each of the fiscal years 1998 and 1999 to offset
12 adverse fluctuations in foreign currency exchange rates.
13 Amounts appropriated under this subsection shall be avail-
14 able for obligation and expenditure only to the extent that
15 the Director of the Office of Management and Budget de-
16 termines and certifies to Congress that such amounts are
17 necessary due to such fluctuations.

18 (g) LIMITATION ON UNITED STATES VOLUNTARY
19 CONTRIBUTIONS TO UNITED NATIONS DEVELOPMENT
20 PROGRAM.—

21 (1) Of the amounts made available for fiscal
22 years 1998 and 1999 for United States voluntary
23 contributions to the United Nations Development
24 Program—

1 (A) not more than \$76,350,000 shall be
2 made available for fiscal year 1998 unless, dur-
3 ing fiscal year 1998, the President submits to
4 the appropriate committees of Congress the cer-
5 tification described in paragraph (2), and

6 (B) not more than \$76,350,000 shall be
7 available for fiscal year 1999 unless, during fis-
8 cal year 1999, the President submits to the ap-
9 propriate committees of Congress the certifi-
10 cation described in paragraph (2).

11 (2) The certification referred to in paragraph
12 (1) is a certification by the President that all pro-
13 grams and activities of the United Nations Develop-
14 ment Program (including United Nations Develop-
15 ment Program—Administered Funds) in Burma—

16 (A) are focused on eliminating human suf-
17 fering and addressing the needs of the poor;

18 (B) are undertaken only through inter-
19 national or private voluntary organizations that
20 have been deemed independent of the State
21 Law and Order Restoration Council (SLORC)
22 by the leadership of the National League for
23 Democracy and the leadership of the National
24 Coalition Government of the Union of Burma;

1 (C) provide no financial, political, or mili-
2 tary benefit to the SLORC; and

3 (D) are supported by the leadership of the
4 National League for Democracy and the leader-
5 ship of the National Coalition Government of
6 the Union of Burma.

7 **SEC. 108. INTERNATIONAL COMMISSIONS.**

8 The following amounts are authorized to be appro-
9 priated under "International Commissions" for the De-
10 partment of State to carry out the authorities, functions,
11 duties, and responsibilities in the conduct of the foreign
12 affairs of the United States and for other purposes author-
13 ized by law:

14 (1) INTERNATIONAL BOUNDARY AND WATER
15 COMMISSION, UNITED STATES AND MEXICO.—For
16 "International Boundary and Water Commission,
17 United States and Mexico"—

18 (A) for "Salaries and Expenses"
19 \$18,490,000 for the fiscal year 1998 and
20 \$18,490,000 for the fiscal year 1999; and

21 (B) for "Construction" \$6,493,000 for the
22 fiscal year 1998 and \$6,493,000 for the fiscal
23 year 1999.

24 (2) INTERNATIONAL BOUNDARY COMMISSION,
25 UNITED STATES AND CANADA.—For "International

1 Boundary Commission, United States and Canada”,
2 \$785,000 for the fiscal year 1998 and \$666,000 for
3 the fiscal year 1999.

4 (3) INTERNATIONAL JOINT COMMISSION.—For
5 “International Joint Commission”, \$3,225,000 for
6 the fiscal year 1998 and \$3,225,000 for the fiscal
7 year 1999.

8 (4) INTERNATIONAL FISHERIES COMMIS-
9 SIONS.—For “International Fisheries Commissions”,
10 \$14,549,000 for the fiscal year 1998 and
11 \$14,549,000 for the fiscal year 1999.

12 **SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.**

13 (a) MIGRATION AND REFUGEE ASSISTANCE.—There
14 are authorized to be appropriated for “Migration and Ref-
15 ugee Assistance” for authorized activities, \$623,000,000
16 for the fiscal year 1998 and \$623,000,000 for the fiscal
17 year 1999.

18 (b) REFUGEES RESETTLING IN ISRAEL.—There are
19 authorized to be appropriated \$80,000,000 for the fiscal
20 year 1998 and \$80,000,000 for the fiscal year 1999 for
21 assistance for refugees resettling in Israel from other
22 countries.

23 (c) HUMANITARIAN ASSISTANCE FOR DISPLACED
24 BURMESE.—There are authorized to be appropriated
25 \$1,500,000 for the fiscal year 1998 and \$1,500,000 for

1 the fiscal year 1999 for humanitarian assistance, includ-
2 ing but not limited to food, medicine, clothing, and medi-
3 cal and vocational training to persons displaced as a result
4 of civil conflict in Burma, including persons still within
5 Burma.

6 (d) LIMITATION.—None of the funds authorized to
7 be appropriated by this section are authorized to be appro-
8 priated for salaries and administrative expenses of the Bu-
9 reau of Migration and Refugee Assistance.

10 (e) AVAILABILITY OF FUNDS.—Funds appropriated
11 pursuant to this section are authorized to be available
12 until expended.

13 **SEC. 105. CERTAIN OTHER INTERNATIONAL AFFAIRS PRO-**
14 **GRAMS.**

15 The following amounts are authorized to be appro-
16 priated for the Department of State to carry out the au-
17 thorities, functions, duties, and responsibilities in the con-
18 duct of the foreign affairs of the United States and for
19 other purposes authorized by law:

20 (1) ASIA FOUNDATION.—For “Asia Founda-
21 tion”, \$10,000,000 for the fiscal year 1998 and
22 \$10,000,000 for the fiscal year 1999.

1 **SEC. 106. UNITED STATES INFORMATIONAL, EDUCATIONAL,**
2 **AND CULTURAL PROGRAMS.**

3 The following amounts are authorized to be appro-
4 priated to carry out international information activities
5 and educational and cultural exchange programs under
6 the United States Information and Educational Exchange
7 Act of 1948, the Mutual Educational and Cultural Ex-
8 change Act of 1961, Reorganization Plan Number 2 of
9 1977, the United States International Broadcasting Act
10 of 1994, the Radio Broadcasting to Cuba Act, the Tele-
11 vision Broadcasting to Cuba Act, the Board for Inter-
12 national Broadcasting Act, the North/South Center Act of
13 1991, the National Endowment for Democracy Act, and
14 to carry out other authorities in law consistent with such
15 purposes:

16 (1) **SALARIES AND EXPENSES.**—For “Salaries
17 and Expenses”, \$434,097,000 for the fiscal year
18 1998 and \$434,097,000 for the fiscal year 1999.

19 (2) **TECHNOLOGY FUND.**—For “Technology
20 Fund” for the United States Information Agency,
21 \$6,350,000 for the fiscal year 1998 and \$6,350,000
22 for the fiscal year 1999.

23 (3) **EDUCATIONAL AND CULTURAL EXCHANGE**
24 **PROGRAMS.**—

25 (A) **FULBRIGHT ACADEMIC EXCHANGE**
26 **PROGRAMS.**—For the “Fulbright Academic Ex-

1 change Programs”, \$94,236,000 for the fiscal
2 year 1998 and \$94,236,000 for the fiscal year
3 1999.

4 (B) SOUTH PACIFIC EXCHANGES.—For the
5 “South Pacific Exchanges”, \$500,000 for the
6 fiscal year 1998 and \$500,000 for the fiscal
7 year 1999.

8 (C) EAST TIMORESE SCHOLARSHIPS.—For
9 the “East Timorese Scholarships”, \$500,000
10 for the fiscal year 1998 and \$500,000 for the
11 fiscal year 1999.

12 (D) TIBETAN EXCHANGES.—For the
13 “Educational and Cultural Exchanges with
14 Tibet” under section 236 of the Foreign Rela-
15 tions Authorization Act, Fiscal Years 1994 and
16 1995 (Public Law 103-236), \$500,000 for the
17 fiscal year 1998 and \$500,000 for the fiscal
18 year 1999.

19 (E) OTHER PROGRAMS.—For “Hubert H.
20 Humphrey Fellowship Program”, “Edmund S.
21 Muskie Fellowship Program”, “International
22 Visitors Program”, “Mike Mansfield Fellowship
23 Program”, “Claude and Mildred Pepper Schol-
24 arship Program of the Washington Workshops
25 Foundation”, “Citizen Exchange Programs”,

1 "Congress-Bundestag Exchange Program",
2 "Newly Independent States and Eastern Eu-
3 rope Training", and "Institute for Representa-
4 tive Government", \$97,995,000 for the fiscal
5 year 1998 and \$97,995,000 for the fiscal year
6 1999.

7 (4) INTERNATIONAL BROADCASTING ACTIVI-
8 TIES.—

9 (A) AUTHORIZATION OF APPROPRIA-
10 TIONS.—For "International Broadcasting Ac-
11 tivities", \$334,655,000 for the fiscal year 1998,
12 and \$334,655,000 for the fiscal year 1999.

13 (B) ALLOCATION.—Of the amounts au-
14 thorized to be appropriated under subparagraph
15 (A), the Director of the United States Informa-
16 tion Agency and the Board of Broadcasting
17 Governors shall seek to ensure that the
18 amounts made available for broadcasting to na-
19 tions whose people do not fully enjoy freedom of
20 expression do not decline in proportion to the
21 amounts made available for broadcasting to
22 other nations.

23 (5) RADIO CONSTRUCTION.—For "Radio Con-
24 struction", \$30,000,000 for the fiscal year 1998,
25 and \$30,000,000 for the fiscal year 1999.

1 (6) RADIO FREE ASIA.—For “Radio Free
2 Asia”, \$10,000,000 for the fiscal year 1998 and
3 \$10,000,000 for the fiscal year 1999.

4 (7) BROADCASTING TO CUBA.—For “Broad-
5 casting to Cuba”, \$22,095,000 for the fiscal year
6 1998 and \$22,095,000 for the fiscal year 1999.

7 (8) CENTER FOR CULTURAL AND TECHNICAL
8 INTERCHANGE BETWEEN EAST AND WEST.—For
9 “Center for Cultural and Technical Interchange be-
10 tween East and West”, \$10,000,000 for the fiscal
11 year 1998 and \$10,000,000 for the fiscal year 1999.

12 (9) NATIONAL ENDOWMENT FOR DEMOC-
13 RACY.—For “National Endowment for Democracy”,
14 \$30,000,000 for the fiscal year 1998 and
15 \$30,000,000 for the fiscal year 1999.

16 (10) CENTER FOR CULTURAL AND TECHNICAL
17 INTERCHANGE BETWEEN NORTH AND SOUTH.—For
18 “Center for Cultural and Technical Interchange be-
19 tween North and South” \$2,000,000 for the fiscal
20 year 1998 and \$2,000,000 for the fiscal year 1999.

21 **SEC. 107. UNITED STATES ARMS CONTROL AND DISAR-**
22 **MAMENT.**

23 There are authorized to be appropriated to carry out
24 the purposes of the Arms Control and Disarmament Act—

1 (1) \$41,500,000 for the fiscal year 1998 and
2 \$41,500,000 for the fiscal year 1999; and

3 (2) such sums as may be necessary for each of
4 the fiscal years 1998 and 1999 for increases in sal-
5 ary, pay, retirement, other employee benefits author-
6 ized by law, and to offset adverse fluctuations in for-
7 eign currency exchange rates.

8 **TITLE II—DEPARTMENT OF**
9 **STATE AUTHORITIES AND AC-**
10 **TIVITIES**

11 **CHAPTER 1—AUTHORITIES AND**
12 **ACTIVITIES**

13 **SEC. 201. REVISION OF DEPARTMENT OF STATE REWARDS**
14 **PROGRAM.**

15 (a) IN GENERAL.—Section 36 of the State Depart-
16 ment Basic Authorities Act of 1956 (22 U.S.C. 2708) is
17 amended to read as follows:

18 **“SEC. 36. DEPARTMENT OF STATE REWARDS PROGRAM.**

19 “(a) ESTABLISHMENT.—(1) There is established a
20 program for the payment of rewards to carry out the pur-
21 poses of this section.

22 “(2) The rewards program established by this section
23 shall be administered by the Secretary of State, in con-
24 sultation, where appropriate, with the Attorney General.

1 “(b) PURPOSE.—(1) The rewards program estab-
2 lished by this section shall be designed to assist in the
3 prevention of acts of international terrorism, international
4 narcotics trafficking, and other related criminal acts.

5 “(2) At the sole discretion of the Secretary of State
6 and in consultation, as appropriate, with the Attorney
7 General, the Secretary may pay a reward to any individual
8 who furnishes information leading to—

9 “(A) the arrest or conviction in any country of
10 any individual for the commission of an act of inter-
11 national terrorism against a United States person or
12 United States property;

13 “(B) the arrest or conviction in any country of
14 any individual conspiring or attempting to commit
15 an act of international terrorism against a United
16 States person or United States property;

17 “(C) the arrest or conviction in any country of
18 any individual for committing, primarily outside the
19 territorial jurisdiction of the United States, any nar-
20 cotics-related offense if that offense involves or is a
21 significant part of conduct that involves—

22 “(i) a violation of United States narcotics
23 laws and which is such that the individual
24 would be a major violator of such laws; or

25 “(ii) the killing or kidnapping of—

1 “(I) any officer, employee, or contract
2 employee of the United States Government
3 while such individual is engaged in official
4 duties, or on account of that individual’s
5 official duties, in connection with the en-
6 forcement of United States narcotics laws
7 or the implementing of United States nar-
8 cotics control objectives; or

9 “(II) a member of the immediate fam-
10 ily of any such individual on account of
11 that individual’s official duties, in connec-
12 tion with the enforcement of United States
13 narcotics laws or the implementing of
14 United States narcotics control objectives;
15 or

16 “(iii) an attempt or conspiracy to commit
17 any of the acts described in clause (i) or (ii);
18 or

19 “(D) the arrest or conviction in any country of
20 any individual aiding or abetting in the commission
21 of an act described in subparagraphs (A) through
22 (C); or

23 “(E) the prevention, frustration, or favorable
24 resolution of an act described in subparagraphs (A)
25 through (C).•

1 “(c) COORDINATION.—(1) To ensure that the pay-
2 ment of rewards pursuant to this section does not dupli-
3 cate or interfere with the payment of informants or the
4 obtaining of evidence or information, as authorized to the
5 Department of Justice, the offering, administration, and
6 payment of rewards under this section, including proce-
7 dures for—

8 “(A) identifying individuals, organizations, and
9 offenses with respect to which rewards will be of-
10 fered;

11 “(B) the publication of rewards;

12 “(C) offering of joint rewards with foreign gov-
13 ernments;

14 “(D) the receipt and analysis of data; and

15 “(E) the payment and approval of payment,

16 shall be governed by procedures developed by the Sec-
17 retary of State, in consultation with the Attorney General.

18 “(2) Before making a reward under this section in
19 a matter over which there is Federal criminal jurisdiction,
20 the Secretary of State shall advise and consult with the
21 Attorney General.

22 “(d) FUNDING.—(1) There is authorized to be appro-
23 priated to the Department of State from time to time such
24 amounts as may be necessary to carry out the purposes
25 of this section, notwithstanding section 102 of the Foreign

1 Relations Authorization Act, Fiscal Years 1986 and 1987
2 (Public Law 99-93).

3 “(2) No amount of funds may be appropriated which,
4 when added to the amounts previously appropriated but
5 not yet obligated, would cause such amounts to exceed
6 \$15,000,000.

7 “(3) To the maximum extent practicable, funds made
8 available to carry out this section should be distributed
9 equally for the purpose of preventing acts of international
10 terrorism and for the purpose of preventing international
11 narcotics trafficking.

12 “(4) Amounts appropriated to carry out the purposes
13 of this section shall remain available until expended.

14 “(e) LIMITATION AND CERTIFICATION.—(1) A re-
15 ward under this section may not exceed \$2,000,000.

16 “(2) A reward under this section of more than
17 \$100,000 may not be made without the approval of the
18 President or the Secretary of State.

19 “(3) Any reward granted under this section shall be
20 approved and certified for payment by the Secretary of
21 State.

22 “(4) The authority of paragraph (2) may not be dele-
23 gated to any other officer or employee of the United States
24 Government.

1 “(5) If the Secretary determines that the identity of
2 the recipient of a reward or of the members of the recipi-
3 ent’s immediate family must be protected, the Secretary
4 may take such measures in connection with the payment
5 of the reward as he considers necessary to effect such pro-
6 tection.

7 “(f) INELIGIBILITY.—An officer or employee of any
8 governmental entity who, while in the performance of his
9 or her official duties, furnishes information described in
10 subsection (b) shall not be eligible for a reward under this
11 section.

12 “(g) REPORTS.—(1) Not later than 30 days after
13 paying any reward under this section, the Secretary of
14 State shall submit a report to the appropriate congress-
15 sional committees with respect to such reward. The report,
16 which may be submitted on a classified basis if necessary,
17 shall specify the amount of the reward paid, to whom the
18 reward was paid, and the acts with respect to which the
19 reward was paid. The report shall also discuss the signifi-
20 cance of the information for which the reward was paid
21 in dealing with those acts.

22 “(2) Not later than 60 days after the end of each
23 fiscal year, the Secretary of State shall submit an annual
24 report to the appropriate congressional committees with
25 respect to the operation of the rewards program author-

1 ized by this section. Such report shall provide information
2 on the total amounts expended during such fiscal year to
3 carry out the purposes of this section, including amounts
4 spent to publicize the availability of rewards.

5 “(h) PUBLICATION REGARDING REWARDS OFFERED
6 BY FOREIGN GOVERNMENTS.—Notwithstanding any other
7 provision of this section, at the sole discretion of the Sec-
8 retary of State the resources of the rewards program au-
9 thorized by this section, shall be available for the publica-
10 tion of rewards offered by foreign governments regarding
11 acts of international terrorism which do not involve United
12 States persons or property or a violation of the narcotics
13 laws of the United States.

14 “(i) DEFINITIONS.—As used in this section—

15 “(1) the term ‘appropriate congressional com-
16 mittees’ means the Committee on International Re-
17 lations of the House of Representatives and the
18 Committee on Foreign Relations of the Senate;

19 “(2) the term ‘act of international terrorism’ in-
20 cludes, but is not limited to—

21 “(A) any act substantially contributing to
22 the acquisition of unsafeguarded special nuclear
23 material (as defined in section 830(8) of the
24 Nuclear Proliferation Prevention Act of 1994)
25 or any nuclear explosive device (as defined in

1 section 830(4) of that Act) by an individual,
2 group, or non-nuclear weapon state (as defined
3 in section 830(5) of that Act); and

4 “(B) any act, as determined by the Sec-
5 retary of State, which materially supports the
6 conduct of international terrorism, including the
7 counterfeiting of United States currency or the
8 illegal use of other monetary instruments by an
9 individual, group, or country supporting inter-
10 national terrorism as determined for purposes
11 of section 6(j) of the Export Administration Act
12 of 1979;

13 “(3) the term ‘United States narcotics laws’
14 means the laws of the United States for the preven-
15 tion and control of illicit traffic in controlled sub-
16 stances (as such term is defined for purposes of the
17 Controlled Substances Act); and

18 “(4) the term ‘member of the immediate family’
19 includes—

20 “(A) a spouse, parent, brother, sister, or
21 child of the individual;

22 “(B) a person to whom the individual
23 stands in loco parentis; and

1 “(C) any other person living in the individ-
2 ual’s household and related to the individual by
3 blood or marriage.

4 “(j) DETERMINATIONS OF THE SECRETARY.—A de-
5 termination made by the Secretary of State under this sec-
6 tion shall be final and conclusive and shall not be subject
7 to judicial review.”.

8 (b) SENSE OF CONGRESS.—It is the sense of the
9 Congress that the Secretary of State should pursue addi-
10 tional means of funding the program established by sec-
11 tion 36 of the State Department Basic Authorities Act
12 of 1956 (22 U.S.C. 2708), including the authority to seize
13 and dispose of assets used in the commission of any of-
14 fense under sections 1028, 1541 through 1544, and 1546
15 of title 18, United States Code, and to retain the proceeds
16 derived from the disposition of such assets, or to partici-
17 pate in asset sharing programs conducted by the Depart-
18 ment of Justice, to carry out the purposes of section 36
19 of that Act.

20 (c) USE OF EARNINGS FROM FROZEN ASSETS FOR
21 PROGRAM.—

22 (1) AMOUNTS TO BE MADE AVAILABLE.—Up to
23 2 percent of the earnings accruing, during periods
24 beginning October 1, 1998, on all assets of foreign
25 countries blocked by the President pursuant to the

1 International Emergency Powers Act (50 U.S.C.
2 1701 and following) shall be available, subject to ap-
3 propriations Acts, to carry out section 36 of the
4 State Department Basic Authorities Act, as amend-
5 ed by this section, except that the limitation con-
6 tained in subsection (d)(2) of such section shall not
7 apply to amounts made available under this para-
8 graph.

9 (2) CONTROL OF FUNDS BY THE PRESIDENT.—

10 The President is authorized and directed to take
11 possession and exercise full control of so much of the
12 earnings described in paragraph (1) as are made
13 available under such paragraph.

14 **SEC. 202. CONSOLIDATION OF UNITED STATES DIPLOMATIC**
15 **MISSIONS AND CONSULAR POSTS.**

16 (a) CONSOLIDATION PLAN.—The Secretary of State
17 shall develop a worldwide plan for the consolidation, wher-
18 ever practicable, on a regional or areawide basis, of United
19 States missions and consular posts abroad.

20 (b) CONTENTS OF PLAN.—The plan shall—

21 (1) identify specific United States diplomatic
22 missions and consular posts for consolidation;

23 (2) identify those missions and posts at which
24 the resident ambassador would also be accredited to
25 other specified states in which the United States ei-

1 ther maintained no resident official presence or
2 maintained such a presence only at staff level; and

3 (3) provide an estimate of—

4 (A) the amount by which expenditures
5 would be reduced through the reduction in the
6 number of United States Government personnel
7 assigned abroad;

8 (B) the reduction in the costs of maintain-
9 ing United States properties abroad; and

10 (C) the amount of revenues generated to
11 the United States through the sale or other dis-
12 position of United States properties associated
13 with the posts to be consolidated abroad.

14 (c) TRANSMITTAL.—Not later than 180 days after
15 the date of the enactment of this Act, the Secretary of
16 State shall transmit a copy of the plan to the appropriate
17 congressional committees.

18 **SEC. 203. CAPITAL INVESTMENT FUND.**

19 Section 135 of the Foreign Relations Authorization
20 Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2684a) is
21 amended—

22 (1) in subsection (a) by inserting “and enhance-
23 ment” after “procurement”;

24 (2) in subsection (c) by striking “are authorized
25 to” and inserting “shall”;

1 (3) in subsection (d) by striking “for expendi-
2 ture to procure capital equipment and information
3 technology” and inserting in lieu thereof “for pur-
4 poses of subsection (a)”; and

5 (4) by amending subsection (e) to read as fol-
6 lows:

7 “(e) REPROGRAMMING PROCEDURES.—Funds cred-
8 ited to the Capital Investment Fund shall not be available
9 for obligation or expenditure except in compliance with the
10 procedures applicable to reprogrammings under section 34
11 of the State Department Basic Authorities Act of 1956
12 (22 U.S.C. 2710).”.

13 **SEC. 204. EFFICIENCY IN PROCUREMENT.**

14 (a) IN GENERAL.—To the maximum extent prac-
15 ticable, United States Government agencies performing
16 functions at diplomatic and consular posts abroad shall
17 avoid duplicative acquisition actions.

18 (b) AUTHORITY.—Notwithstanding any other provi-
19 sion of law, a contract awarded using full and open com-
20 petition, or using maximum practicable competition if
21 under the simplified acquisition threshold, or under the
22 commercial item simplified procedures threshold in section
23 4202 of the Clinger-Cohen Act of 1996, by an agency of
24 the United States Government performing functions at
25 diplomatic and consular posts abroad, may be amended

1 without competition to permit other United States Govern-
2 ment agencies at diplomatic and consular posts abroad to
3 obtain goods or services under such contract if neither
4 unit prices nor the contract scope of work are increased
5 as a result of any such amendment. This authority shall
6 be available only where supplies or services could not be
7 obtained as conveniently or economically by contracting
8 for such supplies or services directly.

9 **SEC. 205. PROCEEDS OF SALE OF FOREIGN PROPERTIES.**

10 Section 9 of the Foreign Service Buildings Act, 1926
11 (22 U.S.C. 300) is amended by adding at the end the fol-
12 lowing new subsection:

13 “(d) Any proceeds held or deposited pursuant to this
14 section may be deposited in interest bearing accounts. The
15 Secretary of State may retain interest earned on such de-
16 posits without returning such interest to the Treasury of
17 the United States and interest earned may be obligated
18 and expended without further appropriation.”

19 **SEC. 206. REDUCTION OF REPORTING.**

20 (a) **REPORT ON FOREIGN SERVICE PERSONNEL IN**
21 **EACH AGENCY.**—Section 601(c)(4) of the Foreign Service
22 Act of 1980 (22 U.S.C. 4001(c)(4)) is repealed.

23 (b) **REPORT ON PARTICIPATION BY U.S. MILITARY**
24 **PERSONNEL ABROAD IN U.S. ELECTIONS.**—Section
25 101(b)(6) of the Uniformed and Overseas Citizens Absen-

1 the Voting Act (42 U.S.C. 1973ff(b)(6)) is amended by
2 striking “of voter participation” and inserting “of uni-
3 formed services voter participation, a general assessment
4 of overseas nonmilitary participation.”.

5 (c) COUNTRY REPORTS ON ECONOMIC POLICY AND
6 TRADE PRACTICES.—Section 2202 of the Omnibus Trade
7 and Competitiveness Act of 1988 (15 U.S.C. 4711) is re-
8 pealed.

9 (d) ANNUAL REPORT ON SOCIAL AND ECONOMIC
10 GROWTH.—Section 574 of the Foreign Operations, Ex-
11 port Financing, and Related Programs Appropriations
12 Act, 1996 (Public Law 104-107) is repealed.

13 **SEC. 207. CONTRACTING FOR LOCAL GUARDS SERVICES**
14 **OVERSEAS.**

15 Section 136(c) of the Foreign Relations Authoriza-
16 tion Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864(e))
17 is amended—

18 (1) by amending paragraph (3) to read as fol-
19 lows:

20 “(3) in evaluating proposals for such contracts,
21 award contracts to the technically acceptable firm
22 offering the lowest evaluated price, except that pro-
23 posals of United States persons and qualified United
24 States joint venture persons (as defined in sub-

1 section (d)) shall be evaluated by reducing the bid
2 price by 5 percent;”;

3 (2) by inserting “and” at the end of paragraph
4 (5);

5 (3) by striking “; and” at the end of paragraph
6 (6) and inserting a period; and

7 (4) by striking paragraph (7).

8 **SEC. 208. PREADJUDICATION OF CLAIMS.**

9 Section 4(a) of the International Claims Settlement
10 Act (22 U.S.C. 1623(a)) is amended—

11 (1) in the first sentence by striking “1948, or”
12 and inserting “1948,”;

13 (2) by inserting before the period at the end of
14 the first sentence “, or included in a category of
15 claims against a foreign government which is re-
16 ferred to the Commission by the Secretary of State”;

17 (3) by inserting after the first sentence the fol-
18 lowing new sentence: “The Secretary of State shall
19 provide fair notice to all persons whose claims are to
20 be preadjudicated by the Commission under the au-
21 thority of this section.”; and

22 (4) in paragraph (1) by striking “the applica-
23 ble” and inserting “any applicable”.

1 **SEC. 209. EXPENSES RELATING TO CERTAIN INTER-**
2 **NATIONAL CLAIMS AND PROCEEDINGS.**

3 (a) **RECOVERY OF CERTAIN EXPENSES.**—The De-
4 partment of State Appropriation Act of 1937 (49 Stat.
5 1321, 22 U.S.C. 2661) is amended in the fifth undesig-
6 nated paragraph under the heading entitled “INTER-
7 NATIONAL FISHERIES COMMISSION” by striking “extraor-
8 dinary”.

9 (b) **PROCUREMENT OF SERVICES.**—Section 38(c) of
10 the State Department Basic Authorities Act of 1956 (22
11 U.S.C. 2710(c)) is amended in the first sentence by insert-
12 ing “personal and” before “other support services”.

13 **SEC. 210. ESTABLISHMENT OF FEE ACCOUNT AND PROVID-**
14 **ING FOR PASSPORT INFORMATION SERVICES.**

15 (a) **DISPOSITION OF FEES.**—Amounts collected by
16 the Department of State pursuant to section 281 of the
17 Immigration and Nationality Act (8 U.S.C. 1351), section
18 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214),
19 section 16 of the Act of August 18, 1856 (22 U.S.C.
20 4219), and section 9701 of title 31, United States Code,
21 shall be deposited in a special fund of the Treasury.

22 (b) **USE OF FUNDS.**—Subject to subsection (e),
23 amounts collected and deposited in the special fund in the
24 Treasury pursuant to subsection (a) shall be available to
25 the extent and in such amounts as are provided in advance
26 in appropriations Acts for the following purposes:

1 (1) To pay all necessary expenses of the De-
2 partment of State and the Foreign Service, including
3 expenses authorized by the State Department Basic
4 Authorities Act of 1956.

5 (2) Representation to certain international or-
6 ganizations in which the United States participates
7 pursuant to treaties ratified pursuant to the advice
8 and consent of the Senate or specific Acts of Con-
9 gress.

10 (3) Acquisition by exchange or purchase of pas-
11 senger motor vehicles as authorized by section 1343
12 of title 31, United States Code, section 201(c) of the
13 Federal Property and Administrative Services Act of
14 1949 (40 U.S.C. 481(c)), and section 7 of the State
15 Department Basic Authorities Act (22 U.S.C. 2674).

16 (4) Expenses of general administration of the
17 Department of State.

18 (c) AVAILABILITY OF FUNDS.—Amounts collected
19 and deposited in the special fund pursuant to subsection
20 (a) are authorized to remain available until expended.

21 (d) LIMITATION.—For any fiscal year, the total
22 amount deposited in the special fund under subsection (a)
23 pursuant to the authority of this section may not exceed
24 \$455,000,000.

1 (c) **PASSPORT INFORMATION SERVICES.**—For each
2 of the fiscal years 1998 and 1999, \$5,000,000 of the
3 amounts available in the fund shall be available only for
4 the purpose of providing passport information without
5 charge to citizens of the United States, including—

6 (1) information about who is eligible to receive
7 a United States passport and how and where to
8 apply;

9 (2) information about the status of pending ap-
10 plications; and

11 (3) names, addresses, and telephone numbers of
12 State and Federal officials who are authorized to
13 provide passport information in cooperation with the
14 Department of State.

15 **SEC. 211. ESTABLISHMENT OF MACHINE READABLE FEE**
16 **ACCOUNT.**

17 Section 140(a) of the Foreign Relations Authoriza-
18 tion Act, Fiscal Years 1994 and 1995 (Public Law 103-
19 236) is amended—

20 (1) by redesignating paragraph (4) as para-
21 graph (6);

22 (2) by striking paragraph (5);

23 (3) by striking paragraphs (2) and (3) and in-
24 serting the following:

1 “(2) For fiscal years 1998 and 1999, not more
2 than \$140,000,000 in fees collected under the au-
3 thority of paragraph (1) for each fiscal year shall be
4 deposited in a special fund of the Treasury.

5 “(3) Fees deposited in the special fund pursu-
6 ant to paragraph (2) shall be available to the extent
7 and in such amounts as are provided in advance in
8 appropriations Acts for costs of the Department of
9 State’s border security program, including the costs
10 of—

11 “(A) installation and operation of the ma-
12 chine readable visa and automated name-check
13 process;

14 “(B) improving the quality and security of
15 the United States passport;

16 “(C) passport and visa fraud investiga-
17 tions; and

18 “(D) the technological infrastructure to
19 support and operate the programs referred to in
20 subparagraphs (A) through (C).

21 “(4) Amounts deposited pursuant to paragraph
22 (2) shall remain available for obligation until ex-
23 pended.

24 “(5) For any fiscal year, fees collected under
25 the authority of paragraph (1) in excess of the

1 amount specified for such fiscal year under para-
2 graph (2) shall be deposited in the general fund of
3 the Treasury as miscellaneous receipts.”.

4 **SEC. 212. RETENTION OF ADDITIONAL DEFENSE TRADE**
5 **CONTROLS REGISTRATION FEES.**

6 Section 45(a) of the State Department Basic Au-
7 thorities Act of 1956 (22 U.S.C. 2717(a)) is amended—

8 (1) by striking “\$700,000 of the” and inserting
9 “all”;

10 (2) at the end of paragraph (1) by striking
11 “and”;

12 (3) in paragraph (2)—

13 (A) by striking “functions” and inserting
14 “functions, including compliance and enforce-
15 ment activities,”; and

16 (B) by striking the period at the end and
17 inserting “; and”; and

18 (4) by adding at the end the following new
19 paragraph (3):

20 “(3) the enhancement of defense trade export
21 compliance and enforcement activities to include
22 compliance audits of United States and foreign par-
23 ties, the conduct of administrative proceedings, end-
24 use monitoring of direct commercial arms sales and

1 transfer, and cooperation in criminal proceedings re-
2 lated to defense trade export controls.”.

3 **SEC. 213. TRAINING.**

4 (a) **INSTITUTE FOR TRAINING.**—Section 701 of the
5 Foreign Service Act of 1980 (22 U.S.C. 4021) is amend-
6 ed—

7 (1) by redesignating subsection (d)(4) as sub-
8 section (g); and

9 (2) by inserting after paragraph (3) of sub-
10 section (d) the following new subsections:

11 “(e)(1) The Secretary of State may, in the discretion
12 of the Secretary, provide appropriate training and related
13 services through the institution to employees of United
14 States companies engaged in business abroad, and to the
15 families of such employees.

16 “(2) In the case of any company under contract to
17 provide services to the Department of State, the Secretary
18 of State is authorized to provide job-related training and
19 related services to any company employee who is perform-
20 ing such services.

21 “(3) Training under this subsection shall be on a re-
22 imburseable or advance-of-funds basis. Such reimburse-
23 ments or advances shall be credited to the currently avail-
24 able applicable appropriation account.

1 “(4) Training and related services under this sub-
2 section is authorized only to the extent that it will not
3 interfere with the institution’s primary mission of training
4 employees of the Department and of other agencies in the
5 field of foreign relations.

6 “(f)(1) The Secretary of State is authorized to pro-
7 vide on a reimbursable basis training programs to Mem-
8 bers of Congress or the judiciary.

9 “(2) Congressional staff members and employees of
10 the judiciary may participate on a reimbursable, space-
11 available basis in training programs offered by the institu-
12 tion.

13 “(3) Reimbursements collected under this subsection
14 shall be credited to the currently available applicable ap-
15 propriation account.

16 “(4) Training under this subsection is authorized
17 only to the extent that it will not interfere with the institu-
18 tion’s primary mission of training employees of the De-
19 partment of State and of other agencies in the field of
20 foreign relations.”.

21 **(b) FEES FOR USE OF NATIONAL FOREIGN AFFAIRS**
22 **TRAINING CENTER.**—The State Department Basic Au-
23 thorities Act of 1956 (22 U.S.C. 2669 et seq.) is amended
24 by adding after section 52 the following new section:

1 **"SEC. 53. FEES FOR USE OF THE NATIONAL FOREIGN AF-**
2 **FAIRS TRAINING CENTER.**

3 "The Secretary is authorized to charge a fee for use
4 of the National Foreign Affairs Training Center Facility
5 of the Department of State. Funds collected under the au-
6 thority of this section, including reimbursements, sur-
7 charges, and fees, shall be deposited as an offsetting col-
8 lection to any Department of State appropriation to re-
9 cover the costs of such use and shall remain available for
10 obligation until expended. Funds deposited pursuant to
11 the authority of this section may be obligated and ex-
12 pended only in such amounts as are provided in advance
13 in an appropriation Act."

14 **SEC. 214. RECOVERY OF COSTS OF HEALTH CARE SERV-**
15 **ICES.**

16 (a) **AUTHORITIES.**—Section 904 of the Foreign Serv-
17 ice Act of 1980 (22 U.S.C. 4084) is amended—

18 (1) in subsection (a)—

19 (A) by striking "and" after "employees,";

20 and

21 (B) by inserting before the period ",", and
22 (for care provided abroad) such other persons
23 as are designated by the Secretary of State, ex-
24 cept that such persons shall be considered per-
25 sons other than covered beneficiaries for pur-
26 poses of subsections (g) and (h)";

1 (2) in subsection (d) by inserting “, subject to
2 the provisions of subsections (g) and (h)” before the
3 period; and

4 (3) by adding at the end the following new sub-
5 sections:

6 “(g)(1) In the case of a person who is a covered bene-
7 ficiary, the Secretary of State is authorized to collect from
8 a third-party payer the reasonable costs incurred by the
9 Department of State on behalf of such person for health
10 care services to the same extent that the covered bene-
11 ficiary would be eligible to receive reimbursement or in-
12 demnification from the third-party payer for such costs.

13 “(2) If the insurance policy, plan, contract or similar
14 agreement of that third-party payer includes a require-
15 ment for a deductible or copayment by the beneficiary of
16 the plan, then the Secretary of State may collect from the
17 third-party payer only the reasonable cost of the care pro-
18 vided less the deductible or copayment amount.

19 “(3) A covered beneficiary shall not be required to
20 pay any deductible or copayment for health care services
21 under this subsection.

22 “(4) In the case of—

23 “(A) care provided directly or indirectly by a
24 governmental entity; or

1 “(B) care provided to an individual who has not
2 paid a required deductible or copayment,
3 no provision of any insurance, medical service, or health
4 plan contract or agreement having the effect of excluding
5 from coverage or limiting payment of charges for care in
6 such a case shall operate to prevent collection by the Sec-
7 retary of State under paragraph (1).

8 “(5) No law of any State, or of any political subdivi-
9 sion of a State, and no provision of any contract or agree-
10 ment shall operate to prevent or hinder recovery or collec-
11 tion by the United States under this section.

12 “(6) As to the authority provided in paragraph (1)
13 of this subsection—

14 “(A) the United States shall be subrogated to
15 any right or claim that the covered beneficiary may
16 have against a third-party payer;

17 “(B) the United States may institute and pros-
18 ecute legal proceedings against a third-party payer
19 to enforce a right of the United States under this
20 subsection; and

21 “(C) the Secretary may compromise, settle, or
22 waive a claim of the United States under this sub-
23 section.

24 “(7) The Secretary shall prescribe regulations for the
25 administration of this subsection and subsection (h). Such

1 regulations shall provide for computation of the reasonable
2 cost of health care services.

3 “(8) Regulations prescribed under this subsection
4 shall provide that medical records of a covered beneficiary
5 receiving health care under this section shall be made
6 available for inspection and review by representatives of
7 the third-party payer from which collection by the United
8 States is sought for the sole purpose of permitting the
9 third-party payer to verify, consistent with this sub-
10 section—

11 “(A) that the care or services for which recov-
12 ery or collection is sought were furnished to the cov-
13 ered beneficiary; and

14 “(B) that the provision of such care or services
15 to the covered beneficiary meets criteria generally
16 applicable under the health plan contract involved.

17 “(9) Amounts collected under this subsection, under
18 subsection (h), or under any authority referred to in sub-
19 section (i), from a third-party payer or from any other
20 payer shall be deposited as an offsetting collection to any
21 Department of State appropriation and shall remain avail-
22 able until expended. Amounts deposited shall be available,
23 to the extent and in such amounts as are provided in ad-
24 vance in appropriation Acts.

25 “(10) For purposes of this section—

1 “(A) the term ‘covered beneficiary’ means an
2 individual eligible to receive health care under this
3 section whose health care costs are to be paid by a
4 third-party payer under a contractual agreement
5 with such payer;

6 “(B) the term ‘services’ as used in ‘health care
7 services’ includes products; and

8 “(C) the term ‘third-party payer’ means an en-
9 tity that provides a fee-for-service insurance policy,
10 contract, or similar agreement through the Federal
11 Employees Health Benefit program, under which the
12 expenses of health care services for individuals are
13 paid.

14 “(h) In the case of a person, other than a covered
15 beneficiary, who receives health care services pursuant to
16 this section, the Secretary of State is authorized to collect
17 from such person the reasonable costs of health care serv-
18 ices incurred by the Department of State on behalf of such
19 person. The United States shall have the same rights
20 against persons subject to the provisions of this subsection
21 as against third-party payers covered by subsection (g).

22 “(i) Nothing in subsection (g) or (h) of this section
23 may be construed as limiting any authority the Secretary
24 otherwise has with respect to payment and obtaining reim-

1 bursement for the costs of medical treatment of an individ-
2 ual eligible under this section for health care.”.

3 (b) EFFECTIVE DATE.—The amendments made by
4 subsection (a) shall take effect on the earlier of—

5 (1) the date on which regulations promulgated
6 by the Secretary of State to implement such amend-
7 ments are published in final form in the Federal
8 Register; or

9 (2) October 1, 1998.

10 **SEC. 215. FEE FOR USE OF DIPLOMATIC RECEPTION**
11 **ROOMS.**

12 The State Department Basic Authorities Act of 1956
13 (22 U.S.C. 2651a et seq.) is amended by adding after sec-
14 tion 53 (as added by section 213(b)) the following new
15 section:

16 **“SEC. 54. FEE FOR USE OF DIPLOMATIC RECEPTION**
17 **ROOMS.**

18 “The Secretary of State is authorized to charge a fee
19 for use of the diplomatic reception rooms of the Depart-
20 ment of State. Amounts collected under the authority of
21 this section (including any reimbursements and sur-
22 charges) shall be deposited as an offsetting collection to
23 any Department of State appropriation to recover the
24 costs of such use and shall remain available for obligation
25 until expended. Amounts deposited under this section may

1 be obligated and expended only to the extent and in such
2 amounts as are provided in advance in an appropriation
3 Act.”.

4 **SEC. 216. FEES FOR COMMERCIAL SERVICES.**

5 Section 52 of the State Department Basic Authorities
6 Act of 1956 (22 U.S.C. 2724) is amended in subsection
7 (b) by adding at the end the following: “Funds deposited
8 under this subsection shall remain available for obligation
9 until expended. Deposited funds may be obligated and ex-
10 pended only in such amounts as are provided in advance
11 in an appropriation Act.”.

12 **SEC. 217. CONCERNING THE USE OF FUNDS TO FURTHER**
13 **NORMALIZE RELATIONS WITH VIETNAM.**

14 (a) **IN GENERAL.**—Subject to subsection (a), none of
15 the funds authorized to be appropriated or otherwise made
16 available by this Act may be obligated or expended to pay
17 for any cost incurred for—

18 (1) opening or operating any United States dip-
19 lomatic or consular post in the Socialist Republic of
20 Vietnam that was not operating on the date of en-
21 actment of this Act;

22 (2) expanding any United States diplomatic or
23 consular post in the Socialist Republic of Vietnam;
24 or

1 (3) increasing the total number of personnel as-
2 signed in United States diplomatic or consular posts
3 in the Socialist Republic of Vietnam above the levels
4 existing on the date of enactment of this Act.

5 (b) CERTIFICATION.—Not less than 60 days prior to
6 any obligation or expenditure of funds under subsection
7 (a), the President submits a certification to the appro-
8 priate congressional committees that—

9 (1) the Government of the Socialist Republic of
10 Vietnam is fully cooperating with the United States
11 in providing the fullest possible accounting of all un-
12 resolved POW/MIA cases and the recovery and repa-
13 triation of American remains;

14 (2) the Government of the Socialist Republic of
15 Vietnam has made substantial progress toward the
16 release of all political and religious prisoners, includ-
17 ing Catholic, Protestant, and Buddhist clergy;

18 (3) the Government of the Socialist Republic of
19 Vietnam is fully cooperating with requests by the
20 United States to obtain full and free access to per-
21 sons of humanitarian interest to the United States
22 for interviews under the Orderly Departure (ODP)
23 and Resettlement Opportunities for Vietnamese Ref-
24 ugees (ROVR) programs and in providing exit visas
25 for such persons, and has taken vigorous action to

1 end extortion, bribery, and other corrupt practices in
2 connection with such exit visas; and

3 (4) the Government of the United States is
4 making vigorous efforts to interview and resettle
5 former re-education camp victims, their immediate
6 families (including unmarried sons and daughters),
7 former United States Government employees, and
8 other persons eligible for the ODP program, and to
9 give such persons the full benefit of all applicable
10 United States laws including sections 599D and
11 599E of the Foreign Operations, Export Financing,
12 and Related Programs Appropriations Act of 1990
13 (Public Law 101-167) and will continue to make
14 such efforts during the time for which such funds
15 are made available.

16 **SEC. 218. EXTENSION OF CERTAIN ADJUDICATION PROVI-**
17 **SIONS.**

18 The Foreign Operations, Export Financing, and Re-
19 lated Programs Appropriations Act, 1990 (Public Law
20 101-167) is amended—

21 (1) in section 599D (8 U.S.C. 1157 note)—

22 (A) in subsection (b)(3), by striking “and
23 1997” and inserting “1997, 1998, and 1999”;
24 and

1 (B) in subsection (c), by striking "October
2 1, 1997" each place it appears and inserting
3 "October 1, 1999"; and

4 (2) in section 599E (8 U.S.C. 1255 note) in
5 subsection (b)(2), by striking "September 30, 1997"
6 and inserting "September 30, 1999".

7 **CHAPTER 2—CONSULAR AUTHORITIES OF**
8 **THE DEPARTMENT OF STATE**

9 **SEC. 241. USE OF CERTAIN PASSPORT PROCESSING FEES**
10 **FOR ENHANCED PASSPORT SERVICES.**

11 For each of the fiscal years 1998 and 1999, of the
12 fees collected for expedited passport processing and depos-
13 ited to an offsetting collection pursuant to the Department
14 of State and Related Agencies Appropriations Act for Fis-
15 cal Year 1995 (Public Law 103-317; 22 U.S.C. 214), 30
16 percent shall be available only for enhancing passport
17 services for United States citizens, improving the integrity
18 and efficiency of the passport issuance process, improving
19 the secure nature of the United States passport, inves-
20 tigating passport fraud, and deterring entry into the Unit-
21 ed States by terrorists, drug traffickers, or other crimi-
22 nals.

23 **SEC. 242. CONSULAR OFFICERS.**

24 (a) **PERSONS AUTHORIZED TO ISSUE REPORTS OF**
25 **BIRTH ABROAD.**—Section 33 of the State Department

1 Basic Authorities Act of 1956 (22 U.S.C. 2705) is amend-
2 ed in paragraph (2) by inserting “(or any United States
3 citizen employce of the Department of State designated
4 by the Secretary of State to adjudicate nationality abroad
5 pursuant to such regulations as the Secretary may pre-
6 scribe)” after “consular officer”.

7 (b) PROVISIONS APPLICABLE TO CONSULAR OFFI-
8 CERS.—Section 31 of the Act of August 18, 1856 (Rev.
9 Stat. 1689, 22 U.S.C. 4191), is amended by inserting
10 “and to such other United States citizen employees of the
11 Department of State as may be designated by the Sec-
12 retary of State pursuant to such regulations as the Sec-
13 retary may prescribe” after “such officers”.

14 **SEC. 243. REPEAL OF OUTDATED CONSULAR RECEIPT RE-**
15 **QUIREMENTS.**

16 Sections 1726, 1727, and 1728 of the Revised Stat-
17 utes of the United States (22 U.S.C. 4212, 4213, and
18 4214) (concerning accounting for consular fees) are re-
19 pealed.

20 **SEC. 244. ELIMINATION OF DUPLICATE PUBLICATION RE-**
21 **QUIREMENTS.**

22 (a) FEDERAL REGISTER PUBLICATION OF TRAVEL
23 ADVISORIES.—Section 44908(a) of title 49, United States
24 Code, is amended—

25 (1) by striking paragraph (2); and

1 (2) by redesignating paragraph (3) as para-
2 graph (2).

3 (b) PUBLICATION IN THE FEDERAL REGISTER OF
4 TRAVEL ADVISORIES CONCERNING SECURITY AT FOR-
5 EIGN PORTS.—Section 908(a) of the International Mari-
6 time and Port Security Act of 1986 (Public Law 99-399;
7 100 Stat. 891; 46 U.S.C. App. 1804(a)) is amended by
8 striking the second sentence.

9 **SEC. 245. REPORT ON COMPLIANCE WITH THE HAGUE CON-**
10 **VENTION ON INTERNATIONAL CHILD ABDUC-**
11 **TION.**

12 Beginning 6 months after the date of the enactment
13 of this Act and every subsequent 6 months during fiscal
14 years 1998 and 1999, the Secretary shall provide to the
15 appropriate congressional committees a report on the com-
16 pliance of the signatories to the Hague Convention on the
17 Civil Aspects of International Child Abduction with the
18 provisions of the convention, which shall include—

19 (1) the number of applications for the return of
20 children submitted by United States citizens to the
21 Central Authority for the United States that remain
22 unresolved;

23 (2) the countries to which the children listed in
24 the unresolved applications are alleged to have been
25 abducted;

1 (3) whether, in the judgment of the Secretary
2 of State, each of the countries listed in one or more
3 resolved applications is in full compliance with its
4 obligations under the convention; and

5 (4) in each unresolved case, the actions taken
6 by the Department of State to secure the return of
7 the child or children alleged to have been abducted.

8 **CHAPTER 3—REFUGEES AND MIGRATION**

9 **SEC. 261. REPORT TO CONGRESS CONCERNING CUBAN EMI-** 10 **GRATION POLICIES.**

11 Beginning 3 months after the date of the enactment
12 of this Act and every subsequent 6 months, the Secretary
13 of State shall include in the monthly report to Congress
14 entitled "Update on Monitoring of Cuban Migrant Return-
15 ees" additional information concerning the methods em-
16 ployed by the Government of Cuba to enforce the United
17 States-Cuba agreement of September 1994 to restrict the
18 emigration of the Cuban people from Cuba to the United
19 States and the treatment by the Government of Cuba of
20 persons who have returned to Cuba pursuant to the Unit-
21 ed States-Cuba agreement of May 1995.

1 **SEC. 262. REPROGRAMMING OF MIGRATION AND REFUGEE**
2 **ASSISTANCE FUNDS.**

3 Section 34 of the State Department Basic Authorities
4 Act of 1956 (22 U.S.C. 2706) is amended by adding at
5 the end the following new subsection:

6 “(c) **EMERGENCY WAIVER OF NOTIFICATION RE-**
7 **QUIREMENT.**—The Secretary of State may waive the noti-
8 fication requirement of subsection (a), if the Secretary de-
9 termines that failure to do so would pose a substantial
10 risk to human health or welfare. In the case of any waiver
11 under this subsection, notification to the appropriate con-
12 gressional committees shall be provided as soon as prac-
13 ticable, but not later than 3 days after taking the action
14 to which the notification requirement was applicable, and
5 shall contain an explanation of the emergency cir-
6 cumstances.”.

1 TITLE III—ORGANIZATION OF
2 THE DEPARTMENT OF STATE;
3 DEPARTMENT OF STATE PER-
4 SONNEL; THE FOREIGN SERV-
5 ICE

6 CHAPTER 1—ORGANIZATION OF THE
7 DEPARTMENT OF STATE

8 SEC. 301. COORDINATOR FOR COUNTERTERRORISM.

9 (a) ESTABLISHMENT.—Section 1(e) of the State De-
10 partment Basic Authorities Act of 1956 (22 U.S.C.
11 2651a(e)) is amended—

12 (1) by striking “In” and inserting the following:

13 “(1) In”; and

14 (2) by inserting at the end the following:

15 “(2) COORDINATOR FOR
16 COUNTERTERRORISM.—

17 “(A) There shall be within the office of the
18 Secretary of State a Coordinator for
19 Counterterrorism (hereafter in this paragraph
20 referred to as the ‘Coordinator’) who shall be
21 appointed by the President, by and with the ad-
22 vice and consent of the Senate.

23 “(B)(i) The Coordinator shall perform
24 such duties and exercise such power as the Sec-
25 retary of State shall prescribe.

1 “(ii) The principal duty of the Coordinator
2 shall be the overall supervision (including policy
3 oversight of resources) of international
4 counterterrorism activities. The Coordinator
5 shall be the principal adviser to the Secretary
6 of State on international counterterrorism mat-
7 ters. The Coordinator shall be the principal
8 counterterrorism official within the senior man-
9 agement of the Department of State and shall
10 report directly to the Secretary of State.

11 “(C) The Coordinator shall have the rank
12 and status of Ambassador-at-Large. The Coor-
13 dinator shall be compensated at the annual rate
14 of basic pay in effect for a position at level IV
15 of the Executive Schedule under section 5314
16 of title 5, United States Code, or, if the Coordi-
17 nator is appointed from the Foreign Service,
18 the annual rate of pay which the individual last
19 received under the Foreign Service Schedule,
20 whichever is greater.”.

21 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
22 Section 161 of the Foreign Relations Authorization Act,
23 Fiscal Years 1994 and 1995 (Public Law 103-236) is
24 amended by striking subsection (e).

1 (c) **TRANSITION PROVISION.**—The individual serving
2 as Coordinator for Counterterrorism of the Department
3 of State on the day before the effective date of this division
4 may continue to serve in that position.

5 **SEC. 302. ELIMINATION OF STATUTORY ESTABLISHMENT**
6 **OF CERTAIN POSITIONS OF THE DEPART-**
7 **MENT OF STATE.**

8 (a) **ASSISTANT SECRETARY OF STATE FOR SOUTH**
9 **ASIAN AFFAIRS.**—Section 122 of the Foreign Relations
10 Authorization Act, Fiscal Years 1992 and 1993 (22
11 U.S.C. 2652b) is repealed.

12 (b) **DEPUTY ASSISTANT SECRETARY OF STATE FOR**
13 **BURDENSARING.**—Section 161 of the Foreign Relations
14 Authorization Act, Fiscal Years 1994 and 1995 (22
15 U.S.C. 2651a note) is amended by striking subsection (f).

16 (c) **ASSISTANT SECRETARY FOR OCEANS AND INTER-**
17 **NATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS.**—
18 Section 9 of the Department of State Appropriations Au-
19 thorization Act of 1973 (22 U.S.C. 2655a) is repealed.

20 **SEC. 303. ESTABLISHMENT OF ASSISTANT SECRETARY OF**
21 **STATE FOR HUMAN RESOURCES.**

22 Section 1(c) of the State Department Basic Authori-
23 ties Act of 1956 (22 U.S.C. 2651a(c)) is amended by add-
24 ing after paragraph (2) the following new paragraph:

1 “(3) ASSISTANT SECRETARY FOR HUMAN RE-
2 SOURCES.—There shall be in the Department of
3 State an Assistant Secretary for Human Resources
4 who shall be responsible to the Secretary of State
5 for matters relating to human resources including
6 the implementation of personnel policies and pro-
7 grams within the Department of State and inter-
8 national affairs functions and activities carried out
9 through the Department of State. The Assistant
10 Secretary shall have substantial professional quali-
11 fications in the field of human resource policy and
12 management.”.

13 **SEC. 304. ESTABLISHMENT OF ASSISTANT SECRETARY OF**
14 **STATE FOR DIPLOMATIC SECURITY.**

15 Section 1(c) of the State Department Basic Authori-
16 ties Act of 1956 (22 U.S.C. 2651a(c)) as amended by sec-
17 tion 303 is further amended by adding after paragraph
18 (3) the following new paragraph:

19 “(4) ASSISTANT SECRETARY FOR DIPLOMATIC
20 SECURITY.—There shall be in the Department of
21 State an Assistant Secretary for Diplomatic Security
22 who shall be responsible to the Secretary of State
23 for matters relating to diplomatic security. The As-
24 sistant Secretary shall have substantial professional

1 qualifications in the field of Federal law enforce-
2 ment, intelligence, or security.”.

3 **SEC. 305. SPECIAL ENVOY FOR TIBET.**

4 (a) UNITED STATES SPECIAL ENVOY FOR TIBET.—

5 The President should appoint within the Department of
6 State a United States Special Envoy for Tibet, who shall
7 hold office at the pleasure of the President.

8 (b) RANK.—A United States Special Envoy for Tibet
9 appointed under subsection (a) shall have the personal
10 rank of ambassador and shall be appointed by and with
11 the advice and consent of the Senate.

12 (c) SPECIAL FUNCTIONS.—The United States Special
13 Envoy for Tibet should be authorized and encouraged—

14 (1) to promote substantive negotiations between
15 the Dalai Lama or his representatives and senior
16 members of the Government of the People’s Republic
17 of China;

18 (2) to promote good relations between the Dalai
19 Lama and his representatives and the United States
20 Government, including meeting with members or
21 representatives of the Tibetan government-in-exile;
22 and

23 (3) to travel regularly throughout Tibet and Ti-
24 betan refugee settlements.

1 (d) DUTIES AND RESPONSIBILITIES.—The United
2 States Special Envoy for Tibet should—

3 (1) consult with the Congress on policies rel-
4 evant to Tibet and the future and welfare of all Ti-
5 betan people;

6 (2) coordinate United States Government poli-
7 cies, programs, and projects concerning Tibet; and

8 (3) report to the Secretary of State regarding
9 the matters described in section 536(a)(2) of the
10 Foreign Relations Authorization Act, Fiscal Years
11 1994 and 1995 (Public Law 103-236).

12 **SEC. 306. RESPONSIBILITIES FOR BUREAU CHARGED WITH**
13 **REFUGEE ASSISTANCE.**

14 The Bureau of Migration and Refugee Assistance
15 shall be the bureau within the Department of State with
16 principal responsibility for assisting the Secretary in car-
17 rying out the Migration and Refugee Assistance Act of
18 1962 and shall not be charged with responsibility for as-
19 sisting the Secretary in matters relating to family plan-
20 ning or population policy.

1 **CHAPTER 2—PERSONNEL OF THE DE-**
2 **PARTMENT OF STATE; THE FOREIGN**
3 **SERVICE**

4 **SEC. 321. AUTHORIZED STRENGTH OF THE FOREIGN SERV-**
5 **ICE.**

6 (a) **END FISCAL YEAR 1998 LEVELS.**—The number
7 of members of the Foreign Service authorized to be em-
8 ployed as of September 30, 1998—

9 (1) for the Department of State, shall not ex-
10 ceed 8,000, of whom not more than 750 shall be
11 members of the Senior Foreign Service;

12 (2) for the United States Information Agency,
13 shall not exceed 1,000, of whom not more than 140
14 shall be members of the Senior Foreign Service; and

15 (3) for the Agency for International Develop-
16 ment, not to exceed 1070, of whom not more than
17 140 shall be members of the Senior Foreign Service.

18 (b) **END FISCAL YEAR 1999 LEVELS.**—The number
19 of members of the Foreign Service authorized to be em-
20 ployed as of September 30, 1999—

21 (1) for the Department of State, shall not ex-
22 ceed 8,000, of whom not more than 750 shall be
23 members of the Senior Foreign Service;

1 (2) for the United States Information Agency,
2 not to exceed 1,000 of whom not more than 140
3 shall be members of the Senior Foreign Service; and

4 (3) for the Agency for International Develop-
5 ment, not to exceed 1065 of whom not more than
6 135 shall be members of the Senior Foreign Service.

7 (c) DEFINITION.—For the purposes of this section,
8 the term “members of the Foreign Service” is used within
9 the meaning of such term under section 103 of the For-
10 eign Service Act of 1980 (22 U.S.C 3903), except that
11 such term does not include—

12 (1) members of the Service under paragraphs
13 (6) and (7) of such section;

14 (2) members of the Service serving under tem-
15 porary resident appointments abroad;

16 (3) members of the Service employed on less
17 than a full-time basis;

18 (4) members of the Service subject to involun-
19 tary separation in cases in which such separation
20 has been suspended pursuant to section 1106(8) of
21 the Foreign Service Act of 1980; and

22 (5) members of the Service serving under non-
23 career limited appointments.

24 (d) WAIVER AUTHORITY.—(1) Subject to paragraph
25 (2), the President may waive any limitation under sub-

1 section (a) or (b) to the extent that such waiver is nec-
2 essary to carry on the foreign affairs functions of the
3 United States.

4 (2) Not less than 15 days before the President exer-
5 cises a waiver under paragraph (1), such agency head
6 shall notify the Chairman of the Committee on Foreign
7 Relations of the Senate and the Chairman of the Commit-
8 tee on International Relations of the House of Representa-
9 tives. Such notice shall include an explanation of the cir-
10 cumstances and necessity for such waiver.

11 **SEC. 322. NONOVERTIME DIFFERENTIAL PAY.**

12 Title 5 of the United States Code is amended—

13 (1) in section 5544(a), by inserting after the
14 fourth sentence the following new sentence: “For
15 employees serving outside the United States in areas
16 where Sunday is a routine workday and another day
17 of the week is officially recognized as the day of rest
18 and worship, the Secretary of State may designate
19 the officially recognized day of rest and worship as
20 the day with respect to which the preceding sentence
21 shall apply instead of Sunday.”; and

22 (2) at the end of section 5546(a), by adding the
23 following new sentence: “For employees serving out-
24 side the United States in areas where Sunday is a
25 routine workday and another day of the week is offi-

1 cially recognized as the day of rest and worship, the
2 Secretary of State may designate the officially recog-
3 nized day of rest and worship as the day with re-
4 spect to which the preceding sentence shall apply in-
5 stead of Sunday.”.

6 **SEC. 323. AUTHORITY OF SECRETARY TO SEPARATE CON-**
7 **VICTED FELONS FROM SERVICE.**

8 Section 610(a)(2) of the Foreign Service Act of 1980
9 (22 U.S.C. 4010(a)(2)) is amended in the first sentence
10 by striking “A member” and inserting “Except in the case
11 of an individual who has been convicted of a crime for
12 which a sentence of imprisonment of more than 1 year
13 may be imposed, a member”.

14 **SEC. 324. CAREER COUNSELING.**

15 (a) IN GENERAL.—Section 706(a) of the Foreign
16 Service Act of 1980 (22 U.S.C. 4026(a)) is amended by
17 adding at the end the following sentence: “Career counsel-
18 ing and related services provided pursuant to this Act shall
19 not be construed to permit an assignment to training or
20 to another assignment that consists primarily of paid time
21 to conduct a job search and without other substantive du-
22 ties, except that career members of the Service who upon
23 their separation are not eligible to receive an immediate
24 annuity and have not been assigned to a post in the Unit-
25 ed States during the 12 months prior to their separation

1 from the Service may be permitted up to 2 months of paid
2 time to conduct a job search.”.

3 (b) EFFECTIVE DATE.—The amendment made by
4 subsection (a) shall be effective 180 days after the date
5 of the enactment of this Act.

6 **TITLE IV—UNITED STATES PUB-**
7 **LIC DIPLOMACY: AUTHORI-**
8 **TIES AND ACTIVITIES FOR**
9 **UNITED STATES INFORMA-**
10 **TIONAL, EDUCATIONAL, AND**
11 **CULTURAL PROGRAMS**
12 **CHAPTER 1—GENERAL PROVISIONS**

13 **SEC. 401. EXTENSION OF AU PAIR PROGRAMS.**

14 Section 1(b) of the Act entitled “An Act to extend
15 au pair programs.” (Public Law 104-72; 109 Stat.
16 1065(b)) is amended by striking “, through fiscal year
17 1997”.

18 **SEC. 402. RETENTION OF INTEREST.**

19 Notwithstanding any other provision of law, with the
20 approval of the National Endowment for Democracy,
21 grant funds made available by the National Endowment
22 for Democracy may be deposited in interest-bearing ac-
23 counts pending disbursement and any interest which ac-
24 crues may be retained by the grantee without returning
25 such interest to the Treasury of the United States and

1 interest earned by be obligated and expended for the pur-
2 poses for which the grant was made without further ap-
3 propriation.

4 **SEC. 403. CENTER FOR CULTURAL AND TECHNICAL INTER-**
5 **CHANGE BETWEEN NORTH AND SOUTH.**

6 Section 208(e) of the Foreign Relations Authoriza-
7 tion Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075(e))
8 is amended by striking "\$10,000,000" and inserting
9 "\$4,000,000".

10 **SEC. 404. USE OF ENGLISH TEACHING PROGRAM FEES.**

11 Section 810 of the United States Information and
12 Educational Exchange Act of 1948 (22 U.S.C. 1475e) is
13 amended by inserting "educational advising and counsel-
14 ing, exchange visitor program services, advertising sold by
15 the Voice of America, receipts from cooperating inter-
16 national organizations and from the privatization of VOA
17 Europe," after "library services,".

18 **SEC. 405. LAW AND BUSINESS TRAINING PROGRAM FOR**
19 **GRADUATE STUDENTS FROM THE SOVIET**
20 **UNION, LITHUANIA, LATVIA, AND ESTONIA.**

21 Section 227(c)(5) of the Foreign Relations Author-
22 ization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452
23 note) is amended—

24 (1) in the first sentence by inserting "journal-
25 ism and communications, education administration,

1 public policy, library and information science," after
2 "business administration,"; and

3 (2) in the second sentence by inserting "jour-
4 nalism and communications, education administra-
5 tion, public policy, library and information science,"
6 after "business administration,".

7 **SEC. 406. WORKING GROUP ON UNITED STATES GOVERN-**
8 **MENT SPONSORED INTERNATIONAL EX-**
9 **CHANGES AND TRAINING.**

10 Section 112 of the Mutual Educational and Cultural
11 Exchange Act of 1961 (22 U.S.C. 2460) is amended by
12 adding at the end the following new subsection:

13 "(g) WORKING GROUP ON UNITED STATES GOVERN-
14 MENT SPONSORED INTERNATIONAL EXCHANGES AND
15 TRAINING.—(1) In order to carry out the purposes of sub-
16 section (f) and to improve the coordination, efficiency, and
17 effectiveness of United States Government sponsored
18 international exchanges and training, there is established
19 within the United States Information Agency a senior-
20 level interagency working group to be known as the Work-
21 ing Group on United States Government Sponsored Inter-
22 national Exchanges and Training (hereinafter in this sec-
23 tion referred to as "the Working Group").

24 "(2) For purposes of this subsection, the term 'Gov-
25 ernment sponsored international exchanges and training'

1 means the movement of people between countries to pro-
2 mote the sharing of ideas, to develop skills, and to foster
3 mutual understanding and cooperation, financed wholly or
4 in part, directly or indirectly, with United States Govern-
5 ment funds.

6 “(3) The Working Group shall be composed of 6
7 members as follows:

8 “(A) The Associate Director for Educational
9 and Cultural Affairs of the United States Informa-
10 tion Agency, who shall act as Chair.

11 “(B) A senior representative designated by the
12 Secretary of State.

13 “(C) A senior representative designated by the
14 Secretary of Defense.

15 “(D) A senior representative designated by the
16 Secretary of Education.

17 “(E) A senior representative designated by the
18 Attorney General.

19 “(F) A senior representative designated by the
20 Administrator of the Agency for International Devel-
21 opment.

22 “(4) At the discretion of the Chair, representatives
23 of other departments and agencies may participate in
24 meetings of the Working Group as ex parte nonvoting
25 members. Representatives of the National Security Ad-

1 viser and the Director of the Office of Management and
2 Budget may participate in the Working Group at the dis-
3 cretion of the adviser and the director, respectively.

4 “(5) The Working Group shall be supported by an
5 interagency staff office established in the Bureau of Edu-
6 cational and Cultural Affairs of the United States Infor-
7 mation Agency.

8 “(6) The Working Group shall have the following
9 purposes and responsibilities:

10 “(A) To collect, analyze, and report data pro-
11 vided by all United States Government departments
12 and agencies conducting international exchanges and
13 training programs.

14 “(B) To promote greater understanding and co-
15 operation among concerned United States Govern-
16 ment departments and agencies of common issues
17 and challenges in conducting international exchanges
18 and training programs, including through the estab-
19 lishment of a clearinghouse for information on inter-
20 national exchange and training activities in the gov-
21 ernmental and nongovernmental sectors.

22 “(C) In order to achieve the most efficient and
23 cost-effective use of Federal resources, to identify
24 administrative and programmatic duplication and
25 overlap of activities by the various United States

1 Government departments and agencies involved in
2 Government sponsored international exchange and
3 training programs, and to report thereon.

4 “(D) Not later than 1 year after the date of the
5 enactment of the Foreign Relations Authorization
6 Act, Fiscal Years 1998 and 1999, to develop and
7 thereafter assess, annually, a coordinated strategy
8 for all United States Government sponsored inter-
9 national exchange and training programs, and to
10 issue a report on such strategy.

11 “(E) Not later than 2 years after the date of
12 the enactment of the Foreign Relations Authoriza-
13 tion Act, Fiscal Years 1998 and 1999, to develop
14 recommendations on common performance measures
15 for all United States Government sponsored inter-
16 national exchange and training programs, and to
17 issue a report.

18 “(F) To develop strategies for expanding public
19 and private partnerships in, and leveraging private
20 sector support for, United States Government spon-
21 sored international exchange and training activities.

22 “(7) All reports prepared by the Working Group shall
23 be submitted to the President, through the Director of the
24 United States Information Agency.

1 “(8) The Working Group shall meet at least on a
2 quarterly basis.

3 “(9) Four of the members of the Working Group
4 shall constitute a quorum. All decisions of the Working
5 Group shall be by majority vote of the members present
6 and voting.

7 “(10) The members of the Working Group shall serve
8 without additional compensation for their service on the
9 Working Group. Any expenses incurred by a member of
10 the Working Group in connection with service on the
11 Working Group shall be compensated by that member's
12 department or agency.

13 “(11) With respect to any report promulgated pursu-
14 ant to paragraph (6), a member may submit dissenting
15 views to be submitted as part of the report of the Working
16 Group.”.

17 **SEC. 407. EDUCATIONAL AND CULTURAL EXCHANGES AND**
18 **SCHOLARSHIPS FOR TIBETANS AND BUR-**
19 **MESE.**

20 (a) **ESTABLISHMENT OF EDUCATIONAL AND CUL-**
21 **TURAL EXCHANGE FOR TIBETANS.**—The Director of the
22 United States Information Agency shall establish pro-
23 grams of educational and cultural exchange between the
24 United States and the people of Tibet. Such programs
25 shall include opportunities for training and, as the Direc-

1 tor considers appropriate, may include the assignment of
2 personnel and resources abroad:

3 (b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—

4 (1) IN GENERAL.—For each of the fiscal years
5 1998 and 1999, at least 30 scholarships shall be
6 made available to Tibetan students and professionals
7 who are outside Tibet, and at least 15 scholarships
8 shall be made available to Burmese students and
9 professionals who are outside Burma.

10 (2) WAIVER.—Paragraph (1) shall not apply to
11 the extent that the Director of the United States In-
12 formation Agency determines that there are not
13 enough qualified students to fulfill such allocation
14 requirement.

15 (3) SCHOLARSHIP DEFINED.—For the purposes
16 of this section, the term “scholarship” means an
17 amount to be used for full or partial support of tui-
18 tion and fees to attend an educational institution,
19 and may include fees, books, and supplies, equip-
20 ment required for courses at an educational institu-
21 tion, living expenses at a United States educational
22 institution, and travel expenses to and from, and
23 within, the United States.

1 **SEC. 408. EXCHANGE PROGRAMS IN SOUTH AFRICA.**

2 (a) STATEMENT OF CONGRESS CONCERNING THE
3 FULBRIGHT COMMISSION IN SOUTH AFRICA.—The Con-
4 gress makes the following findings:

5 (1) The governments of the United States and
6 South Africa have established a bilateral commis-
7 sion, the J. William Fulbright Commission, in Pre-
8 toria, South Africa, with the primary purpose of
9 managing and providing oversight of cultural and
10 educational exchange programs for South Africans
11 and Americans, particularly the Fulbright Academic
12 Exchange Program in South Africa.

13 (2) The Fulbright commission is a model for bi-
14 lateral partnership and cooperative engagement and
15 provides a single administrative mechanism to im-
16 prove the management of United States-supported
17 educational programs in South Africa.

18 (3) Such bilateral commissions, known as Ful-
19 bright commissions, have been established around
20 the world to manage efficient and heavily leveraged
21 international exchange programs supported by the
22 United States.

23 (4) Two programs funded through the United
24 States Agency for International Development, the
25 Mandela Fellows and ATLAS, are long-term aca-
26 demic training programs at the post-baccalaureate

1 level comparable to the Fulbright Academic Ex-
2 change Program administered by the United States
3 Information Agency.

4 (5) The Fulbright Commission in South Africa
5 can provide local management of the ATLAS and
6 Mandela Fellows programs to provide an integrated
7 strategic plan for United States exchange and train-
8 ing programs.

9 (6) The Fulbright commissions usually require
10 that exchange programs feature some level of cost-
11 sharing with host governments and the private sec-
12 tor. The ATLAS and Mandela Fellows programs
13 would benefit from such an arrangement.

14 (7) The Fulbright Commission in South Africa
15 affirms continuity and consistency in the manage-
16 ment of the ATLAS and Mandela Fellows programs
17 in conjunction with the long-term commitment to
18 share in the costs of the commission and its pro-
19 grams.

20 (8) The Fulbright Commission in South Africa
21 will enhance the prestige and authority of exchange
22 grants and awards as well as reduce the possibility
23 of duplication of programs.

1 (b) POLICY REGARDING ADMINISTRATION AND MAN-
2 AGEMENT OF UNITED STATES EXCHANGE PROGRAMS IN
3 SOUTH AFRICA.—

4 (1) ADMINISTRATION BY USIA.—Notwithstand-
5 ing any other provision of law, educational, cultural,
6 and other exchange programs funded by the United
7 States in South Africa, including any such programs
8 for secondary school students, shall be administered
9 by the United States Information Agency (USIA).
10 Funds appropriated or allocated to the United
11 States Agency for International Development
12 (USAID) for the ATLAS and Mandela Fellows pro-
13 grams shall be transferred to the United States In-
14 formation Agency.

15 (2) MANAGEMENT BY FULBRIGHT COMMISSION
16 IN SOUTH AFRICA.—The United States Information
17 Agency shall enter into agreements with the J. Wil-
18 liam Fulbright Commission in South Africa to pro-
19 vide for the oversight and management of the
20 ATLAS and Mandela Fellows programs by the com-
21 mission.

1 **TITLE V—INTERNATIONAL OR-**
2 **GANIZATIONS; UNITED NA-**
3 **TIONS AND RELATED AGEN-**
4 **CIES**

5 **CHAPTER 1—GENERAL PROVISIONS**

6 **SEC. 501. SERVICE IN INTERNATIONAL ORGANIZATIONS.**

7 (a) **IN GENERAL.**—Section 3582(b) of title 5, United
8 States Code, is amended by striking all after the first sen-
9 tence and inserting the following: “On reemployment, he
10 is entitled to the rate of basic pay to which he would have
11 been entitled had he remained in the civil service. On re-
12 employment, the agency shall restore his sick leave ac-
13 count, by credit or charge, to its status at the time of
14 transfer. The period of separation caused by his employ-
15 ment with the international organization and the period
16 necessary to effect reemployment are deemed creditable
17 service for all appropriate civil service employment pur-
18 poses. This subsection does not apply to a congressional
19 employee.”.

20 (b) **APPLICATION.**—The amendment made by sub-
21 section (a) shall apply with respect transfers which take
22 effect on or after the date of the enactment of this Act.

1 **CHAPTER 2—UNITED NATIONS AND**
2 **RELATED AGENCIES**

3 **SEC. 521. REFORM IN BUDGET DECISIONMAKING PROCE-**
4 **DURES OF THE UNITED NATIONS AND ITS**
5 **SPECIALIZED AGENCIES.**

6 (a) **ASSESSED CONTRIBUTIONS.**—Of amounts au-
7 thORIZED to be appropriated for “Assessed Contributions
8 to International Organizations” by this Act, the President
9 may withhold 20 percent of the funds appropriated for the
10 United States assessed contribution to the United Nations
11 or to any of its specialized agencies for any calendar year
12 if the Secretary of State determines that the United Na-
13 tions or any such agency has failed to implement or to
14 continue to implement consensus-based decisionmaking
15 procedures on budgetary matters which assure that suffi-
16 cient attention is paid to the views of the United States
17 and other member states that are the major financial con-
18 tributors to such assessed budgets.

19 (b) **NOTICE TO CONGRESS.**—The President shall no-
20 tify the Congress when a decision is made to withhold any
21 share of the United States assessed contribution to the
22 United Nations or its specialized agencies pursuant to
23 subsection (a) and shall notify the Congress when the deci-
24 sion is made to pay any previously withheld assessed con-
25 tribution. A notification under this subsection shall include

1 appropriate consultation between the President (or the
2 President's representative) and the Committee on Inter-
3 national Relations of the House of Representatives and
4 the Committee on Foreign Relations of the Senate.

5 (e) CONTRIBUTIONS FOR PRIOR YEARS.—Subject to
6 the availability of appropriations, payment of assessed
7 contributions for prior years may be made to the United
8 Nations or any of its specialized agencies notwithstanding
9 subsection (a) if such payment would further United
10 States interests in that organization.

11 (d) REPORT TO CONGRESS.—Not later than Feb-
12 ruary 1 of each year, the President shall submit to the
13 appropriate congressional committees a report concerning
14 the amount of United States assessed contributions paid
15 to the United Nations and each of its specialized agencies
16 during the preceding calendar year.

17 **TITLE VI—ARMS CONTROL AND** 18 **DISARMAMENT AGENCY**

19 **SEC. 601. COMPREHENSIVE COMPILATION OF ARMS CON-** 20 **TROL AND DISARMAMENT STUDIES.**

21 Section 39 of the Arms Control and Disarmament
22 Act (22 U.S.C. 2579) is repealed.

23 **SEC. 602. USE OF FUNDS.**

24 Section 48 of the Arms Control and Disarmament
25 Act (22 U.S.C. 2588) is amended by striking "section 11

1 of the Act of March 1, 1919 (44 U.S.C. 111)" and insert-
2 ing "any other Act".

3 **TITLE VII—FOREIGN POLICY**
4 **PROVISIONS**

5 **SEC. 701. UNITED STATES POLICY REGARDING THE INVOL-**
6 **UNTARY RETURN OF REFUGEES.**

7 (a) **IN GENERAL.**—No funds authorized to be appro-
8 priated by this Act shall be available to effect the involun-
9 tary return of any person to a country in which the person
10 has a well founded fear of persecution on account of race,
11 religion, nationality, membership in a particular social
12 group, or political opinion.

13 (b) **MIGRATION AND REFUGEE ASSISTANCE.**—No
14 funds authorized by section 104 of this Act or by section
15 2(c) of the Migration and Refugee Assistance Act of 1962
16 (22 U.S.C. 2601(c)) shall be available to effect the invol-
17 untary return of any person to any country.

18 (c) **INVOLUNTARY RETURN DEFINED.**—As used in
19 this section, the term "to effect the involuntary return"
20 means to take action by which it is reasonably foreseeable
21 that a person will be required to return to a country
22 against the person's will, regardless of whether such re-
23 turn is induced by physical force and regardless of whether
24 the person is physically present in the United States.

1 **SEC. 702. UNITED STATES POLICY WITH RESPECT TO THE**
2 **INVOLUNTARY RETURN OF PERSONS IN DAN-**
3 **GER OF SUBJECTION TO TORTURE.**

4 (a) **IN GENERAL.**—The United States shall not expel,
5 extradite, or otherwise effect the involuntary return of any
6 person to a country in which there are reasonable grounds
7 for believing the person would be in danger of subjection
8 to torture.

9 (b) **DEFINITIONS.**—

10 (1) **IN GENERAL.**—Except as otherwise pro-
11 vided, terms used in this section have the meanings
12 given such terms under the United Nations Conven-
13 tion Against Torture and Other Cruel, Inhuman or
14 Degrading Treatment or Punishment, subject to any
15 reservations, understandings, declarations, and pro-
16 visos contained in the United States resolution of
17 advice and consent to ratification to such conven-
18 tion.

19 (2) **INVOLUNTARY RETURN.**—As used in this
20 section, the term “effect the involuntary return”
21 means to take action by which it is reasonably fore-
22 seeable that a person will be required to return to
23 a country against the person’s will, regardless of
24 whether such return is induced by physical force and
25 regardless of whether the person is physically
26 present in the United States.

1 **SEC. 703. REPORTS ON CLAIMS BY UNITED STATES FIRMS**
2 **AGAINST THE GOVERNMENT OF SAUDI ARA-**
3 **BIA.**

4 (a) **IN GENERAL.**—Within 60 days after the date of
5 the enactment of this Act and every 120 days thereafter,
6 the Secretary of State, in coordination with the Secretary
7 of Defense and the Secretary of Commerce, shall report
8 to the appropriate congressional committees on specific ac-
9 tions taken by the Department of State, the Department
10 of Defense, and the Department of Commerce toward
11 progress in resolving the commercial disputes between
12 United States firms and the Government of Saudi Arabia
13 that are described in the June 30, 1993, report by the
14 Secretary of Defense pursuant to section 9140(c) of the
15 Department of Defense Appropriations Act, 1993 (Public
16 Law 102-396), including the additional claims noticed by
17 the Department of Commerce on page 2 of that report.

18 (b) **TERMINATION.**—Subsection (a) shall cease to
19 have effect when the Secretary of State, in coordination
20 with the Secretary of Defense and the Secretary of Com-
21 merce, certifies in writing to the appropriate congressional
22 committees that the commercial disputes referred to in
23 subsection (a) have been resolved satisfactorily.

1 **SEC. 704. HUMAN RIGHTS REPORTS.**

2 Section 116(d) of the Foreign Assistance Act of 1961
3 (22 U.S.C. 2151n) is amended by striking "January 31"
4 and inserting "February 15".

5 **SEC. 705. PROHIBITION ON FUNDING FOR COERCIVE POPU-**
6 **LATION CONTROL METHODS.**

7 (a) **LIMITATION.**—Notwithstanding any other provi-
8 sion of law or of this Act, none of the funds authorized
9 to be appropriated by this Act are authorized to be avail-
10 able for the United Nations Population Fund (UNFPA),
11 unless the President certifies to the appropriate congres-
12 sional committees that (1) the United Nations Population
13 Fund has terminated all activities in the People's Republic
14 of China; or (2) during the 12 months preceding such cer-
15 tification there have been no abortions as the result of co-
16 ercion associated with the family planning policies of the
17 national government or other governmental entities within
18 the People's Republic of China.

19 (b) **USE OF TERM "COERCION"**.—As used in this
20 section the term "coercion" includes physical duress or
21 abuse, destruction or confiscation of property, loss of
22 means of livelihood, or severe psychological pressure.

23 **SEC. 706. REPORTS AND POLICY CONCERNING DIPLOMATIC**
24 **IMMUNITY.**

25 (a) **ANNUAL REPORT CONCERNING DIPLOMATIC IM-**
26 **MUNITY.**—

1 (1) REPORT TO CONGRESS.—The Secretary of
2 State shall prepare and submit to the Congress, an-
3 nually, a report concerning diplomatic immunity en-
4 titled “Report on Cases Involving Diplomatic Immu-
5 nity”.

6 (2) CONTENT OF REPORT.—In addition to such
7 other information as the Secretary of State may con-
8 sider appropriate, the report under paragraph (1)
9 shall include the following:

10 (A) The number of persons residing in the
11 United States entitled to immunity from the
12 criminal jurisdiction of the United States under
13 laws extending diplomatic privileges and immu-
14 nities.

15 (B) Each case involving an alien entitled to
16 immunity as described in subparagraph (A) in
17 which the appropriate authorities of the United
18 States had reasonable cause to believe the alien
19 committed a serious criminal offense within the
20 United States which was not subject to the
21 criminal jurisdiction of the United States.

22 (C) Each case in which the United States
23 has certified that a person is entitled to immu-
24 nity from the criminal jurisdiction of the United

1 States under laws extending diplomatic privi-
2 leges and immunities.

3 (D) The number of United States citizens
4 who are residing in a receiving state and who
5 are entitled to immunity from the criminal ju-
6 risdiction of such state under laws extending
7 diplomatic privileges and immunities.

8 (E) Each case involving a United States
9 citizen under subparagraph (D) in which the
10 United States has been requested by the gov-
11 ernment of a receiving state to waive the immu-
12 nity from criminal jurisdiction of the United
13 States citizen.

14 (3) SERIOUS CRIMINAL OFFENSE DEFINED.—
15 The term “serious criminal offense” means—

16 (A)(i) any felony under Federal, State, or
17 local law; and

18 (ii) any Federal, State, or local offense
19 punishable by a term of imprisonment of more
20 than 1 year ;

21 (B) any crime of violence as defined for
22 purposes of section 16 of title 18, United States
23 Code; and

1 (C) driving under the influence of alcohol
2 or drugs or driving while intoxicated if the case
3 involves personal injury to another individual.

4 (b) UNITED STATES POLICY CONCERNING REFORM
5 OF DIPLOMATIC IMMUNITY.—It is the sense of the Con-
6 gress that the Secretary of State should explore, in appro-
7 priate fora, whether states should enter into agreements
8 and adopt legislation—

9 (1) to provide jurisdiction in the sending state
10 to prosecute crimes committed in the receiving state
11 by persons entitled to immunity from criminal juris-
12 diction under laws extending diplomatic privileges
13 and immunities; and

14 (2) to provide that where there is probable
15 cause to believe that an individual who is entitled to
16 immunity from the criminal jurisdiction of the re-
17 ceiving state under laws extending diplomatic privi-
18 leges and immunities committed a serious crime, the
19 sending state will waive such immunity or the send-
20 ing state will prosecute such individual.

21 **SEC. 707. CONGRESSIONAL STATEMENT WITH RESPECT TO**
22 **EFFICIENCY IN THE CONDUCT OF FOREIGN**
23 **POLICY.**

24 It is the sense of the Congress that the Secretary,
25 after consultation with the appropriate congressional com-

1 mittees, should submit a plan to the Congress to consoli-
2 date some or all of the functions currently performed by
3 the Department of State, the agency for International De-
4 velopment, and the Arms Control and Disarmament Agen-
5 cy, in order to increase efficiency and accountability in the
6 conduct of the foreign policy of the United States.

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

In section 101(2)(B) (concerning limitations on authorizations of appropriations for salaries and expenses of the Department of State) strike clause (ii) and insert the following:

- 1 (ii) Of the amounts authorized to be ap-
- 2 propriated by subparagraph (A), \$500,000 for
- 3 fiscal year 1998 and \$500,000 for fiscal year
- 4 1999 are authorized to be appropriated only for
- 5 the recruitment of Hispanic Americans and
- 6 Asian-Pacific Americans and for the training of
- 7 Hispanic Americans and Asian-Pacific Ameri-
- 8 cans for careers in the Foreign Service and
- 9 international affairs.

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

In section 104 (concerning migration and refugee assistance) after subsection (c) insert the following new subsection (d) (and redesignate the subsequent subsections accordingly):

Of the amounts ¹ (d) TIBETAN REFUGEES IN INDIA AND NEPAL.—
² ~~There are~~ authorized to be appropriated, ^{in subsection (a),} \$1,000,000 for
³ the fiscal year 1998 and \$1,000,000 for the fiscal year
⁴ 1999 ^{and these amounts are authorized to be available only} for humanitarian assistance, including but not lim-
⁵ ited to food, medicine, clothing, and medical and voca-
⁶ tional training to Tibetan refugees in India and Nepal who
⁷ have fled Chinese-occupied Tibet.

Amendment to H.R. 1253

Offered by Mr. Smith of New Jersey

In section 107(1), strike "\$41,500,000" wherever it appears and insert "\$44,000,000".

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

At the end of section 206 (concerning reduction of reporting) insert the following new subsection:

- 1 (e) REPORT.—Section 308 of the Chemical and Bio-
- 2 logical Weapons and Warfare Elimination Act of 1991 (22
- 3 U.S.C. 5606) is repealed.

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

In section 208 (concerning preadjudication of claims) strike paragraph (3) and redesignate the subsequent paragraphs accordingly.

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

In section 210 (concerning establishment of fee account and providing for passport information services)—

(1) in subsection (b) insert the following new paragraph after paragraph (4):

1 (5) To carry out the Foreign Service
2 Buildings Act of 1926 (22 U.S.C. 292-300) and
3 the Diplomatic Security Construction Program
4 as authorized by title IV of the Omnibus Diplo-
5 matic Security and Antiterrorism Act of 1986
6 (22 U.S.C. 4851).

(2) strike subsection (d) and insert the following:

7 (d) **LIMITATION.**—For any fiscal year, any amount
8 deposited in the special fund under subsection (a) that ex-
9 ceeds \$455,000,000 is authorized to be made available
10 only if a notification is submitted in compliance with the
11 procedures applicable to a reprogramming of funds under
12 section 84 of the State Department Basic Authorities Act
13 of 1956.

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

In section 211 (concerning establishment of machine readable fee account) in the amendatory provisions of paragraph (3) as follows:

(1) By striking paragraph "(2)" and inserting the following:

1 “(2) Amounts collected under the authority of
2 paragraph (1) shall be deposited in a special fund of
3 the Treasury.

(2) In paragraph "(3)" by striking "Fees" and inserting "Subject to paragraph (5), fees".

(3) By striking paragraph "(5)" and inserting the following:

4 “(5) For any fiscal year, any amount collected
5 pursuant to the authority of paragraph (1) that ex-
6 ceeds \$140,000,000 is authorized to be made avail-
7 able only if a notification is submitted in compliance
8 with the procedures applicable to a reprogramming
9 of funds under section 34 of the State Department
10 Basic Authorities Act of 1956.”.

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

In section 217(b) (concerning the use of funds to further normalize relations with Vietnam) in paragraph (3) strike "persons," and all that follows through the end of such paragraph and insert "persons;"

In section 217(b) after paragraph (3) insert the following new paragraph (4) (and redesignate the subsequent paragraphs accordingly):

- 1 (4) The Government of the Socialist Republic of
- 2 Vietnam has taken vigorous action to end extortion,
- 3 bribery, and other corrupt practices in connection
- 4 with exit visas; and".

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

After section 218, insert the following new section:

1 **SEC. 219. FOREIGN SERVICE NATIONAL SEPARATION LI-**
2 **ABILITY TRUST FUND.**

3 Section 151 of the Foreign Relations Authorization
4 Act, Fiscal Years 1992 and 1993 (22 U.S.C. 4012a) is
5 amended by adding at the end the following new sub-
6 section:

7 “(e) **INTEREST.**—The Secretary of the Treasury shall
8 deposit amounts in the fund in interest-bearing accounts.
9 Any interest earned on such deposits may be credited to
10 the fund without further appropriation by the Congress.”.

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

219,

After section ~~218~~, insert the following new section:

1 SEC. ~~218~~. INTERNATIONAL CENTER RESERVE FUNDS.

2 Section 5 of the International Center Act (Public
3 Law 90-533) is amended by adding at the end the follow-
4 ing new sentence: "Amounts in the reserve may be depos-
5 ited in interest-bearing accounts and the Secretary may
6 retain for the purposes set forth in that section any inter-
7 est earned on such deposits without returning such inter-
8 est to the Treasury of the United States and without fur-
9 ther appropriation."

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

In section 242 (concerning consular officers) add the following new subsections:

1 (c) **PERSONS AUTHORIZED TO AUTHENTICATE FOR-**
2 **SIGN DOCUMENTS**—Section 3492(c) of title 18, United
3 States Code, is amended by adding at the end the follow-
4 ing: "For purposes of this section and sections 3493
5 through 3496 of this title, a consular officer shall include
6 any United States citizen employee of the Department of
7 State designated to perform notarial functions pursuant
8 to section 24 of the Act of August 18, 1856 (Rev. Stat.
9 1750, 22 U.S.C. 4221).

10 (d) **PERSONS AUTHORIZED TO ADMINISTER**
11 **OATHS**—Section 115 of title 35, United States Code, is
12 amended by adding at the end the following: "For pur-
13 poses of this section a consular officer shall include any
14 United States citizen employee of the Department of State
15 designated to perform notarial functions pursuant to sec-
16 tion 24 of the Act of August 18, 1856 (Rev. Stat. 1750,
17 22 U.S.C. 4221).

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

Strike the heading of section 404 and insert the following:

1 SEC. 404. USE OF SELECTED PROGRAM FEES.

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

In section 406 (concerning a working group on United States Government sponsored international exchanges and training), in subsection "(g)" of the amendatory provision—

(1) in paragraph (3) by striking "of 6 members";

(2) in paragraph (3) adding after subparagraph (F) the following:

1 “(G) Senior representatives of other de-
2 partments and agencies as the Chair determines
3 to be appropriate;

(3) in paragraph (4) by striking the first sentence; and

(4) in paragraph (9) by striking the first sentence.

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

In section 408(b)(1) (concerning exchange programs in South Africa) strike the first sentence.

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

At the end of title IV (relating to United States public diplomacy) insert the following new section:

1 SEC. 409. SURROGATE BROADCASTING STUDIES.

2 (a) RADIO FREE AFRICA.—Not later than 6 months
3 after the date of the enactment of this Act, the United
4 States Information Agency and the Board of Broadcasting
5 Governors should conduct a study of the appropriateness,
6 feasibility, and projected costs of providing surrogate
7 broadcasting service to Africa and transmit the results of
8 the study to the appropriate congressional committees.

9 (b) RADIO FREE IRAN.—Not later than 6 months
10 after the date of the enactment of this Act, the United
11 States Information Agency and the Board of Broadcasting
12 Governors should conduct a study of the appropriateness,
13 feasibility, and projected costs of a Radio Free Europe/
14 Radio Liberty broadcasting service to Iran and transmit
15 the results of the study to the appropriate congressional
16 committees.

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

After section 707 insert the following new section:

1 **SEC. 708. GRANTS TO REMEDY INTERNATIONAL CHILD AB-**
2 **DUCTIONS.**

3 **(a) GRANT AUTHORITY.**—Section 7 of the Inter-
4 national Child Abduction Remedies Act (42 U.S.C. 11606;
5 Public Law 100-300) is amended by adding at the end
6 the following new subsection:

7 **“(e) GRANT AUTHORITY.**—The United States
8 Central Authority is authorized to make grants to, or
9 enter into contracts or agreements with, any individual,
10 corporation, other Federal, State, or local agency, or pri-
11 vate entity or organization in the United States for pur-
12 poses of accomplishing its responsibilities under the con-
13 vention and this Act.”.

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

At the end of title VII insert the following new section:

1 **SEC. 502. UNITED STATES POLICY WITH RESPECT TO JERU-**
2 **SALEM AS THE CAPITAL OF ISRAEL.**

3 (a) **LIMITATION.**—Of the amounts authorized to be
4 appropriated by section 101(4) for "Acquisition and Main-
5 tenance of Buildings Abroad" \$25,000,000 for the fiscal
6 year 1998 and \$75,000,000 for the fiscal year 1999 is
7 authorized to be appropriated ~~()~~ for the construction of
8 a United States Embassy in Jerusalem, Israel.

9 (b) **LIMITATION ON USE OF FUNDS FOR CONSULATE**
10 **IN JERUSALEM.**—None of the funds authorized to be ap-
11 propriated by this Act may be expended for the operation
12 of a United States consulate or diplomatic facility in Jeru-
13 salem unless such consulate or diplomatic facility is under
14 the supervision of the United States Ambassador to Israel.

15 (c) **LIMITATION ON USE OF FUNDS FOR PUBLICA-**
16 **TIONS.**—None of the funds authorized to be appropriated
17 by this Act may be available for the publication of any
18 official government document which lists countries and
19 their capital cities unless the publication identifies Jerusa-
20 lem as the capital of Israel.

1 (d) RECORD OF PLACE OF BIRTH AS JERUSALEM, IS-
2 RAEI, FOR PASSPORT PURPOSES.—For purposes of the
3 registration of birth, certification of nationality, or issu-
4 ance of a passport of a United States citizen born in the
5 city of Jerusalem, upon request, the Secretary of State
6 shall permit the place of birth to be recorded as Jerusa-
7 lem, Israel.

AMENDMENT TO H.R. 1253
OFFERED BY MR. SMITH OF NEW JERSEY

At the end of title VII (concerning foreign policy provisions) insert the following new section:

1 SEC. 701A. CONGRESSIONAL STATEMENT OF RADIO FREE
2 EUROPE/RADIO LIBERTY.

3 It is the sense of the Congress that Radio Europe/
4 Radio Liberty should continue surrogate broadcasting be-
5 yond the year 2000 to countries whose people do not yet
6 fully enjoy freedom of expression. Recent events in Serbia,
7 Belarus, and Slovakia, among other nations, demonstrate
8 that even after the end of communist rule in such nations,
9 tyranny under other names still threatens the freedom of
10 their peoples, and hence the stability of Europe and the
11 national security interest of the United States. The Broad-
12 casting Board of Governors should therefore continue to
13 allocate sufficient funds to Radio Free Europe/Radio Lib-
14 erty to continue broadcasting at current levels to target
15 countries and to increase these levels in response to re-
16 newed threats to freedom.

**AMENDMENT TO H.R.
OFFERED BY MR. MURPHY**

At the appropriate place insert the following:

1 SEC. ____ PROGRAMS OR PROJECTS OF THE INTER-
2 NATIONAL ATOMIC ENERGY AGENCY IN CUBA
3 AND CERTAIN OTHER COUNTRIES.

4 (a) WITHHOLDING OF UNITED STATES PROPOR-
5 TIONAL SHARE OF ASSISTANCE.—

6 (1) IN GENERAL.—Section 807(e) of the For-
7 eign Assistance Act of 1961 (22 U.S.C. 2327(e)) is
8 amended—

9 (A) by striking "The limitations" and in-
10 serting "(1) Subject to paragraph (2), the limi-
11 tations"; and

12 (B) by adding at the end the following:

13 "(2)(A) Except as provided in subparagraph (B),
14 with respect to funds authorized to be appropriated by this
15 chapter and available for the International Atomic Energy
16 Agency, the limitations of subsection (a)—

17 "(i) shall apply to programs or projects of such
18 Agency in Cuba; and

19 ~~"(ii) shall apply to programs or projects of such~~
20 ~~Agency in all other countries covered in subsection—~~
21 ~~(a) unless the Secretary of State makes a determination—~~

3

1 ~~tion that the withholding of funds to any such coun-~~
 2 ~~try under such subsection would be contrary to the~~
 3 ~~national security interests of the United States.~~

4 ~~"(B)(i) Except as provided in clause (ii),~~ Subpara-
 5 graph (A) shall not apply with respect to programs or
 6 projects of the International Atomic Energy Agency that
 7 provide for the discontinuation, dismantling, or safety in-
 8 spection of nuclear facilities or related materials, or for
 9 inspections and similar activities designed to prevent the
 10 development of nuclear weapons by a country described
 11 in subsection (a).

12 "(ii) Clause (i) shall not apply with respect to the
 13 Juragua Nuclear Power Plant near Cienfuegos, Cuba, or
 14 the Padre FI Nuclear Research Center unless Cuba—

15 "(I) ratifies the Treaty on the Non-Prolifera-
 16 tion of Nuclear Weapons (TI UNT 483); or Treaty of Tlatelco.

17 "(II) negotiates full-scope safeguards of the
 18 International Atomic Energy Agency not later than
 19 two years after ratification by Cuba of such Treaty;
 20 and

21 "(III) incorporates internationally accepted nu-
 22 clear safety standards."

23 (3) EFFECTIVE DATE.—The amendments made
 24 by paragraph (1) shall take effect on October 1,

3

1 1997, or the date of the enactment of this Act,
2 whichever occurs later.

3 (b) **OPPOSITION TO CERTAIN PROGRAMS OR**
4 **PROJECTS.**—The Secretary of State shall direct the United
5 States representative to the International Atomic Energy
6 Agency to use the vote and vote of the United States
7 to oppose the following: *Technical Assistance.*

8 (1) **Programs or projects of the Agency at the**
9 **Juraguá Nuclear Power Plant near Cienfuegos,**
10 **Cuba, and at the Padre Pi Nuclear Research Center.**

11 (2) **Any other program or project of the Agency**
12 **in Cuba that is, or could become, a threat to the se-**
13 **curity of the United States.**

14 (c) **ENFORCEMENT REQUIREMENTS.**—

15 (1) **REQUIREMENT FOR IAEA REPORTS.**—The Sec-
16 retary of State shall direct the United States rep-
17 resentative to the International Atomic Energy
18 Agency to request the Director-General of the Agen-
19 cy to submit to the United States all reports pre-
20 pared with respect to all programs or projects of the
21 Agency that are of concern to the United States, in-
22 cluding the programs or projects described in sub-
23 section (b).

24 (2) **ANNUAL REPORTS TO THE CONGRESS.**—Not
25 later than 180 days after the date of the enactment

4

1 of this Act, and on an annual basis thereafter, the
2 Secretary of State, in consultation with the United
3 States representative to the International Atomic
4 Energy Agency, shall prepare and submit to the
5 Congress a report containing a description of all
6 programs or projects of the Agency in each country
7 described in section 307(a) of the Foreign Assist-
8 ance Act of 1961 (22 U.S.C. 2227(a)).

**AMENDMENT TO H.R.
OFFERED BY Ms. MCKINNEY**

After section 324, insert the following new section:

1 **SEC. 325. REPORT CONCERNING MINORITIES AND THE**
2 **FOREIGN SERVICE.**

3 The Secretary of State shall annually submit a report
4 to the Congress concerning minorities and the Foreign
5 Service officer corps. In addition to such other information
6 as is relevant to this issue, the report shall include the
7 following data (reported in terms of real numbers and per-
8 centages and not as ratios):

9 (1) The numbers and percentages of all minori-
10 ties taking the written foreign service examination.

11 (2) The numbers and percentages of all minori-
12 ties successfully completing and passing the written
13 foreign service examination.

14 (3) The numbers and percentages of all minori-
15 ties successfully completing and passing the oral for-
16 eign service examination.

17 (4) The numbers and percentages of all minori-
18 ties entering the junior officers class of the Foreign
19 Service.

20 (5) The numbers and percentages of all minori-
21 ties in the Foreign Service officer corps.

1 (6) The numbers and percentages of all minor-
2 ity Foreign Service officers at each grade, particu-
3 larly at the senior levels in policy directive positions.

4 (7) The numbers of and percentages of minori-
5 ties promoted at each grade of the Foreign Service
6 officer corps.

AMENDMENT TO H.R. 1253

OFFERED BY MR. HILLIARD OF ALABAMA

In section 101(2)(B) (concerning limitations on authorizations of appropriations for salaries and expenses of the Department of State) strike clause (ii) and insert the following:

1 (ii) Of the amounts authorized to be
 2 appropriated by subparagraph (A)
 3 \$1,000,000 for fiscal year 1998 and
 4 \$1,000,000 for fiscal year 1999 are au-
 5 thorized to be appropriated only for the re-
 6 cruitment of Hispanic Americans and Afri-
 7 can Americans and for training of His-
 8 panic Americans and African Americans
 9 for careers in the Foreign Service and
 10 international affairs.

Asian-Pacific Americans

○