

AMERICAN OVERSEAS INTERESTS ACT

MARKUP
BEFORE THE
SUBCOMMITTEE ON
INTERNATIONAL OPERATIONS AND HUMAN RIGHTS
OF THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED FOURTH CONGRESS
FIRST SESSION
ON
H.R. 1561

MAY 8 AND 9, 1995

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MARKUP OF THE AMERICAN OVERSEAS INTERESTS ACT—H.R. 1561

MONDAY, MAY 8, 1995

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

The subcommittee met, pursuant to call, at 10:10 a.m. in room 2255, Rayburn House Office Building, Hon. Christopher Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The subcommittee will come to order.

Ladies and gentlemen, the committee meets today to consider the bill H.R. 1561. The Chair wishes to make an opening statement, and I will do so at this time.

I am very pleased to convene this meeting for the purpose of marking up the first Foreign Relations Authorization Act to be produced by the Subcommittee on International Operations and Human Rights.

Today's action is but a step in what promises to be a very arduous and a very difficult process, especially for those of us like myself who are very much in favor of important foreign aid to our friends around the world.

I believe that this product reflects some important qualities of this new subcommittee. This document 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.

In these difficult times, no area of government is immune from close scrutiny and from the need to cut spending that is not absolutely essential. This bill authorizes \$12 billion over 2 years, but it also cuts \$721 million, or about 12 percent, over the same period from fiscal year 1995 levels.

I am particularly proud that we were able to hold harmless a small number of programs including refugees, security at our embassies overseas, democracy initiatives and freedom broadcasting. We also provided vital funds for peacekeeping, arms control, cultural exchanges and scholarships, as well as for the basic structure through which the U.S. foreign policy is conducted.

I am pleased that UNICEF actually gets a modest increase to \$206 million over 2 years, provided that it remains faithful to its mission of protecting and helping children. I am also pleased that the bill includes a \$15 million earmark for each year for the War

Crimes Tribunal for the former Yugoslavia, and \$30 million to allow us to end the so-called comprehensive plan of action for Southeast Asian refugees with honor rather than dishonor. These programs will serve the just interests of the United States and the freedom-loving people everywhere.

I also would remind my colleagues that we have had as part of our preparation for the beginning of this process five hearings. On Tuesday, February 7, we heard from the Honorable Richard Moose, the Under Secretary for Management for the U.S. Department of State.

On February 8, we heard from Madeleine Albright, our Permanent Representative to the United Nations, and Doug Bennet, the Assistant Secretary for International Organizations Affairs at the Department of State for International Organizations, Conferences and Committees.

On February 22, we heard from Ambassador Brunson McKinley, who spoke to us about the situation regarding refugees.

On Thursday, February 23, we heard from John Holum, the Director of the Arms Control and Disarmament Agency, to describe the administration's budget as it relates to ACDA.

And on March 1, we heard from Joseph Duffey, the Director of the U.S. Information Agency, and Carl Gershman, the President for the National Endowment for Democracy, to talk about those important programs.

At this point I would like to yield to my good friend, but first just let me say also parenthetically that the leadership of the House had asked us to begin markup last Monday. I asked that that be postponed for a week. My feeling was that coming off of the recess, that members might not have enough time to look at the hearing records of those five hearings that I just described and other proposals and would not have time to prepare amendments. And again, this is only the first step in what promises to be a very, very long process.

I understand in my consultations with the majority leader that his job is not unlike that of an air traffic controller. He has got many bills that have to fit into a glide slope that eventually gets on the floor at a certain time, or our committee runs the risk, both subcommittee and full committee, of becoming irrelevant, and of this committee essentially punting, and the appropriators taking on the necessary job and task of writing foreign aid.

So I think it is important that we move quickly. I am not happy with the schedule. I can say that up front. I wish we had more time. We just don't have it. But I did get an extra week as a result of my request, and I am very grateful to the leadership for that.

I would like to yield to my good friend, Mr. Lantos, for any opening statement he might have.

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

I need not tell you the degree of friendship and affection I have for you as a colleague and as an individual, and I trust that my comments will not be misunderstood.

I find the procedure preposterous and unacceptable, and I will not participate in this markup. I am sick and tired of functioning in a deliberative legislative body as if we had lubrication jobs to finish before the midnight closing at the gas station.

Today the House is not in session. None of my colleagues on the Democratic side are here. I came in as a personal courtesy to you because of our long-standing friendship and I believe mutual respect.

We did not receive the final version of this proposal until late Friday evening. I had other commitments over the weekend, and I believe that the scope, nature, extent of the proposed revisions in our international policymaking and the agencies that carried out do not lend themselves to haphazard, slipshod, quickie solutions.

We really have two options. The Republicans on the subcommittee may proceed to markup by themselves, which is fine, although a quorum is not present, and I make a point of order at the conclusion of my remarks that a quorum is not present, or we can reschedule this meeting to give the Democratic Members a tiny fraction of the courtesy and decency we have shown our Republican colleagues throughout the years in evolving a bipartisan foreign policy.

This is no way to run a railroad. I don't think Dick Arney is running an air traffic control center; I think he is fortunate for this term to be majority leader in the U.S. House of Representatives. He needs to show the degree of courtesy that every member here deserves and the subject matter merits.

So we have really one of two options. You may choose to go ahead on your own without Democratic participation, in which case we shall raise all of the objections, propose our amendments, make our points in full committee, or if it is your pleasure, and I am happy to accommodate you either way, we may reschedule this session for tomorrow afternoon, giving the Democratic Members, most of whom, as I understand it, are still out of town, at least a few hours' opportunity to review this very complex piece of legislation.

I had a lengthy discussion with the Secretary of State yesterday afternoon who shares my concern that this is a serious matter, which cannot be handled in this preposterous fashion.

This is not surgery that needs to be performed by noon today. Mr. Helms, Mr. Gilman and others are proposing dramatic changes in the way the United States of America conducts its foreign affairs. For the life of me, I can't see any rational human being feeling that we are under the gun to act, with my colleagues never having seen this legislation, with my never having seen this legislation.

My friendship and affection for you is undiminished, but I find the procedure preposterous, unacceptable, and I will have no part of it, and I make a point of order that a quorum is not present.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you, Mr. Lantos, for your statement, and I certainly have some empathy for what you are saying, because I too feel like we are under the gun. But as I said in my opening, there has been several months of deliberations on this, the hearings have been held, and again, this is just a first step. There will be several areas where various parts of this legislation will be considered, and at that point amendments will obviously be offered, and then it continues right on to the floor and to conference committee. So this is not the end of the game.

I would like to direct the staff to take measures to secure a quorum, and the subcommittee will be in recess for 15 minutes.

[Recess.]

Mr. SMITH. The subcommittee will reconvene, having secured a quorum.

Just let me say again with regret, I am very sorry that Mr. Lantos and other Democrats have not been here. We did give notice on Tuesday and Wednesday that this markup would occur, and again, it was postponed a full week to enable members to take the time to get here and to look over proposals in the legislation that was pending before them.

Now, let me just—

Mr. KING. Mr. Chairman.

Mr. SMITH. The Chair recognizes the gentleman from New York.

Mr. KING. I move that the chairman be authorized to declare a recess as appropriate.

Mr. SMITH. The question is on a motion from the gentleman from New York.

All those in favor say aye.

All those opposed.

The ayes have it.

The subcommittee will now proceed to the consideration of the bill with the Chair's amendment in the nature of a substitute, and without objection, the first reading of the bill will be dispensed with.

[The bill, H.R. 1561, appears in the appendix.]

Mr. SMITH. Without objection, the amendment in the nature of a substitute will be considered as read.

[The amendment offered by Mr. Smith appears in the appendix.]

Mr. SMITH. The Chair now recognizes himself for a brief statement on the amendment in the nature of a substitute.

Just let me say that as I said in my opening statement, that this amendment in the nature of a substitute represents an important step forward in the process by which we move forward toward integrating foreign policy concerns, human rights concerns and our responsibility to the American taxpayer.

Having said that, this amendment is respectfully submitted to all of the members of the subcommittee and then hopefully to the full committee, and I know there will be several changes and amendments offered as we go through this process.

Although the amendment in the nature of a substitute is open to amendment at any point, for the sake of convenience I would ask for unanimous consent that it be considered for amendment title by title.

Without objection, the amendment in the nature of the substitute will be considered title by title. And as I said, the Staff Director will designate the first title, which is Title XXI.

Mr. REES. Authorization of appropriations for Department of State, and certain international affairs functions and activities.

Mr. SMITH. Are there any amendments to Title XXI? The Chair recognizes Mr. Royce.

Mr. ROYCE. Yes, Mr. Chairman. I have got—I think the members here have a suggested amendment, add the following new paragraph at the end of section 2104.

Mr. SMITH. The clerk will read the amendment.

Mr. ROYCE. Let me just read the amendment. It is just a clarifying amendment, Mr. Chairman, and it says, as used in this section, refugee camp means anyplace in which people who left Vietnam, Cambodia or Laos are housed or held by a government or international organization, no matter how such place is designated by such government or organization. So I would just like to make that clarifying amendment if I could at this time, Mr. Chairman.

Mr. SMITH. Is there any further comment on the amendment?

I thank the gentleman for his amendment. I was consulted by the gentleman on his amendment and I think it makes a very important addition to the language in the bill and the underlying substitute.

All those in favor of the amendment as offered by the gentleman from California say aye.

All those opposed.

The ayes appear to have it, and the amendment is agreed to.

Are there any other amendments to Title XXI?

If not, we will designate Title XXII, the Staff Director will designate Title XXII.

Mr. REES. Title XXII, Department of State authorities and activities.

Mr. SMITH. Is there any amendments to Title XXII?

Hearing none, the clerk will designate Title XXIII.

Mr. REES. Title XXIII, organization of the Department of State, Department of State personnel, the Foreign Service.

Mr. SMITH. Are there any amendments to Title XXIII?

Hearing none, the Staff Director will designate Title XXIV.

Mr. REES. Title XXIV, United States public diplomacy activities for United States informational, educational and cultural programs.

Mr. SMITH. Are there any amendments to this title?

Hearing none, the Staff Director will designate the next title.

Mr. REES. Title XXV, international organizations and commissions.

Mr. SMITH. Are there any amendments to Title XXV?

Hearing none, the Staff Director will designate Title XXVI.

Mr. REES. Title XXVI, foreign policy provisions.

Mr. SMITH. Are there any amendments to this title of the substitute?

Hearing none, the Staff Director will designate the Title XXVII.

Mr. REES. Title XXVII, congressional statements.

Mr. SMITH. Are there any amendments to this Title?

Hearing none—OK. We have gotten to where we are now much sooner than we thought we would.

Mr. KING. Mr. Chairman, I move the previous question on the bill and amendment thereto.

Mr. SMITH. The previous question has been ordered.

No further debate is in order. The question is on the amendment in the nature of a substitute as amended.

All those in favor say aye. Aye.

All those opposed.

The question now occurs on the bill.

The subcommittee will recess to garner the requisite number of members to report the bill to the full committee.

We are recessed until 12 o'clock.

[Recess.]

Mr. SMITH. The subcommittee will reconvene just to announce to the members and to those interested that the subcommittee will stand in recess until tomorrow at 12:30, at which time we will take up the amendment in the nature of a substitute. And we will convene in 2172, and that is at 12:30. So the subcommittee stands in recess.

[Whereupon, at 12:09 p.m., the subcommittee recessed, to reconvene at 12:36 p.m., Tuesday, May 9, 1995.]

MARKUP OF THE AMERICAN OVERSEAS INTERESTS ACT—H.R. 1561

TUESDAY, MAY 9, 1995

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

The subcommittee met, pursuant to call, at 12:36 p.m., in room 2712, Rayburn House Office Building, Hon. Christopher H. Smith (chairman of the subcommittee) presiding.

Mr. SMITH. The subcommittee will reconvene.

And I want to thank my colleagues for being here this afternoon.

Before we recessed this markup yesterday, the subcommittee had considered the amendment in the nature of a substitute for amendment title by title.

One amendment was agreed to. It was an amendment that was offered by the distinguished gentleman, Mr. Royce.

The previous question was then moved and ordered on the substitute amendment and on the bill.

The subcommittee then agreed to the amendment in the nature of a substitute.

The question is now on whether to report the bill to the full committee.

And do I hear a motion.

Mr. GILMAN. So moved.

Mr. SMITH. OK. The question now occurs on reporting the amendment in the nature of a substitute to the full committee.

All those in favor, say aye.

All those opposed.

In the opinion of the Chair, the ayes have it. The motion is agreed to. The bill, as amended, will be reported with a favorable recommendation.

Mr. HYDE. Does the gentleman want a roll call for the record?

Mr. SMITH. OK. The Chief of Staff will call the role.

Mr. REES. Mr. Gilman.

Mr. GILMAN. Aye.

Mr. REES. Mr. Hyde.

Mr. HYDE. Aye.

Mr. REES. Mr. Goodling.

Mr. GOODLING. Aye.

Mr. REES. Mr. King.

Mr. KING. Aye.

Mr. REES. Mr. Royce.

Mr. ROYCE. Aye.

Mr. REES. Mr. Funderburk.

Mr. FUNDERBURK. Aye.

Mr. REES. Mr. Salmon.

Mr. SALMON. Aye.

Mr. SMITH. And the Chair votes aye.

The clerk will report the tally.

Mr. REES. The vote is eight in favor, zero opposed.

Mr. SMITH. Thank you very much.

The subcommittee is adjourned.

[Whereupon, at 12:38 p.m., the subcommittee was adjourned.]

APPENDIX

104TH CONGRESS
1ST SESSION

H. R. 1561

To consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 3, 1995

MR. GILMAN introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "American Overseas Interests Act of 1995".

SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF CONTENTS.

(a) DIVISIONS.—This Act is organized into three divisions as follows:

- (1) Division A—Consolidation of Foreign Affairs Agencies.
- (2) Division B—Foreign Relations Authorizations.
- (3) Division C—Foreign Assistance Authorizations.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

DIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS AGENCIES

TITLE I—GENERAL PROVISIONS

Sec. 101. Short title.

Sec. 102. Congressional findings.

Sec. 103. Purposes.

Sec. 104. Definitions.

TITLE II—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

CHAPTER 1—GENERAL PROVISIONS

Sec. 201. Effective date.

Sec. 202. References in title.

CHAPTER 2—ABOLITION OF UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

Sec. 211. Abolition of United States Arms Control and Disarmament Agency.

Sec. 212. Transfer of functions to Secretary of State.

CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE

Sec. 221. Reorganization plan.

Sec. 222. Principal officers.

CHAPTER 4—CONFORMING AMENDMENTS

- Sec. 241. References.
- Sec. 242. Repeal of establishment of agency.
- Sec. 243. Repeal of positions and offices.
- Sec. 244. Transfer of authorities and functions under the Arms Control and Disarmament Act to the Secretary of State.
- Sec. 245. Conforming amendments to other provisions of law.

TITLE III—UNITED STATES INFORMATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

- Sec. 301. Effective date.

CHAPTER 2—ABOLITION OF UNITED STATES INFORMATION AGENCY AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

- Sec. 311. Abolition of United States Information Agency.
- Sec. 312. Transfer of functions to Secretary of State.

CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE

- Sec. 321. Reorganization plan.
- Sec. 322. Principal officers.

CHAPTER 4—CONFORMING AMENDMENTS

- Sec. 341. References.
- Sec. 342. Abolition of Office of Inspector General of the United States Information Agency and transfer of functions to Office of Inspector General of the Department of State.
- Sec. 343. Amendments to title 5.
- Sec. 344. Amendments to United States Information and Educational Exchange Act of 1948.
- Sec. 345. Amendments to the Mutual Educational and Cultural Exchange Act of 1961 (Fulbright-Hays Act).
- Sec. 346. International broadcasting activities.
- Sec. 347. Television broadcasting to Cuba.
- Sec. 348. Radio broadcasting to Cuba.
- Sec. 349. National Endowment for Democracy.
- Sec. 350. United States scholarship program for developing countries.
- Sec. 351. Fawcett Fellowship Board.
- Sec. 352. National Security Education Board.
- Sec. 353. Center for Cultural and Technical Interchange between North and South.
- Sec. 354. East-West Center.
- Sec. 355. Mission of the Department of State.
- Sec. 356. Consolidation of administrative services.
- Sec. 357. Grants.
- Sec. 358. Ban on domestic activities.
- Sec. 359. Conforming repeal to the Arms Control and Disarmament Act.
- Sec. 360. Repeal relating to procurement of legal services.
- Sec. 361. Repeal relating to payment of subsistence expenses.
- Sec. 362. Conforming amendment to the Seed Act.
- Sec. 363. International Cultural and Trade Center Commission.
- Sec. 364. Foreign Service Act of 1980.
- Sec. 365. Au pair programs.
- Sec. 366. Exchange program with countries in transition from totalitarianism to democracy.
- Sec. 367. Edmund S. Muskie Fellowship program.
- Sec. 368. Implementation of convention on cultural property.
- Sec. 369. Mike Mansfield Fellowships.

TITLE IV—AGENCY FOR INTERNATIONAL DEVELOPMENT

CHAPTER 1—GENERAL PROVISIONS

- Sec. 401. Effective date.
- Sec. 402. References in title.

CHAPTER 2—ABOLITION OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

- Sec. 411. Abolition of Agency for International Development and the International Development Cooperation Agency.
- Sec. 412. Transfer of functions to Secretary of State.

CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE

- Sec. 421. Reorganization plan.
- Sec. 422. Principal officers.
- Sec. 423. International Development Foundation.

CHAPTER 4—CONFORMING AMENDMENTS

- Sec. 441. References.
- Sec. 442. Abolition of Office of Inspector General of the Agency for International Development and transfer of functions to Office of Inspector General of the Department of State.
- Sec. 443. Abolition of Chief Financial Officer of the Agency for International Development and transfer of functions to Chief Financial Officer Department of State.
- Sec. 444. Amendments to title 5, United States Code.
- Sec. 445. Public Law 480 program.

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- Sec. 501. Reorganization authority.

- Sec. 502. Transfer and allocation of appropriations and personnel.
- Sec. 503. Incidental transfers.
- Sec. 504. Effect on personnel.
- Sec. 505. Voluntary separation incentives.
- Sec. 506. Savings provisions.
- Sec. 507. Property and facilities.
- Sec. 508. Authority of Secretary to facilitate transition.
- Sec. 509. Recommendations for additional conforming amendments.
- Sec. 510. Final report.
- Sec. 511. Severability.

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TITLE XX—GENERAL PROVISIONS

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- Sec. 2002. Definitions.

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

CHAPTER 1—AUTHORIZATIONS OF APPROPRIATIONS

- Sec. 2101. Administration of Foreign Affairs.
- Sec. 2102. International organizations, programs, and conferences.
- Sec. 2103. International commissions.
- Sec. 2104. Migration and refugee assistance.
- Sec. 2105. Certain other international affairs programs.
- Sec. 2106. United States informational, educational, and cultural programs.
- Sec. 2107. United States arms control and disarmament.

TITLE XXII—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

CHAPTER 1—AUTHORITIES AND ACTIVITIES

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- Sec. 2202. Authorities of Secretary of State.
- Sec. 2203. Buying power maintenance account.
- Sec. 2204. Expenses relating to certain international claims and proceedings.
- Sec. 2205. Consolidation of United States diplomatic missions and consular posts.
- Sec. 2206. Authority of United States permanent representative to the United Nations.

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- Sec. 2234. Consular officers.

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- Sec. 2252. Report to congress concerning Cuban emigration policies.
- Sec. 2253. Extension of certain adjudication provisions.

TITLE XXIII—ORGANIZATION OF THE DEPARTMENT OF STATE; DEPARTMENT OF STATE PERSONNEL; THE FOREIGN SERVICE

CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE

- Sec. 2301. Coordinator for counterterrorism.
- Sec. 2302. Special envoy for Tibet.
- Sec. 2303. Establishment of Coordinator for Human Rights and Refugees and Bureau of Refugee and Migration Assistance.
- Sec. 2304. Elimination of statutory establishment of certain positions of the Department of State.
- Sec. 2305. Establishment of Assistant Secretary of State for Human Resources.
- Sec. 2306. Authority of United States permanent representative to the United Nations.

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

- Sec. 2351. Authorized strength of the Foreign Service.
- Sec. 2352. Repeal of authority for Senior Foreign Service performance pay.

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CHAPTER 1—GENERAL PROVISIONS

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- Sec. 2403. Educational and cultural exchanges with Hong Kong.
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TITLE XXXV—EFFECTIVE DATE

Sec. 3501. Effective date.

DIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS AGENCIES

TITLE I—GENERAL PROVISIONS

SEC. 101. SHORT TITLE.

This division may be cited as the “Foreign Affairs Agencies Consolidation Act of 1995”.

SEC. 102. CONGRESSIONAL FINDINGS.

The Congress makes the following findings:

(1) With the end of the Cold War, the international challenges facing the United States have changed, but the fundamental national interests of the United States have not. The security, economic, and humanitarian interests of the United States require continued American engagement in international affairs. The leading role of the United States in world affairs will be as important in the twenty-first century as it has been in the twentieth.

(2) The United States budget deficit requires that the foreign as well as the domestic programs and activities of the United States be carefully reviewed for potential savings. Wherever possible, foreign programs and activities must be streamlined, managed more efficiently, and adapted to the requirements of the post-Cold War era.

(3) In order to downsize the foreign programs and activities of the United States without jeopardizing United States interests, strong and effective leadership will be required. As the official principally responsible for the conduct of foreign policy, the Secretary of State must have the authority to allocate efficiently the resources within the international affairs budget. As a first step in the downsizing process, the proliferation of foreign affairs agencies that occurred during the Cold War must be reversed, and the functions of these agencies must be restored to the Secretary of State.

(4) A streamlined and reorganized foreign affairs structure under the strengthened leadership of the Secretary of State can more effectively promote the international interests of the United States in the next century than the existing structure.

SEC. 103. PURPOSES.

The purposes of this division are—

(1) to consolidate and reinvent foreign affairs agencies of the United States within the Department of State;

(2) to provide for the reorganization of the Department of State to maximize the efficient use of resources, eliminate redundancy in functions, effect budget savings, and improve the management of the State Department;

(3) to strengthen—

(A) the coordination of United States foreign policy; and

(B) the leading role of the Secretary of State in the formulation and articulation of United States foreign policy; and

(4) to abolish, not later than March 1, 1997, the United States Arms Control and Disarmament Agency, the United States Information Agency, the International Development Cooperation Agency, and the Agency for International Development.

SEC. 104. DEFINITIONS.

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

(1) The term “AID” means the Agency for International Development.

(2) The term “ACDA” means the United States Arms Control and Disarmament Agency.

(3) The term “appropriate congressional committees” means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

- (4) The term "Department" means the Department of State.
 (5) The term "Federal agency" has the meaning given to the term "agency" by section 551(1) of title 5, United States Code.
 (6) The term "function" means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program.
 (7) The term "office" includes any office, administration, agency, institute, unit, organizational entity, or component thereof.
 (8) The term "Secretary" means the Secretary of State.
 (9) The term "USIA" means the United States Information Agency.

TITLE II—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

CHAPTER 1—GENERAL PROVISIONS

SEC. 201. EFFECTIVE DATE.

(a) **IN GENERAL.**—Except as provided in subsection (b), this title, and the amendments made by this title, shall take effect—

- (1) March 1, 1997; or
- (2) on such earlier date as the President shall determine to be appropriate and announce by notice published in the Federal Register, which date may be not earlier than 60 calendar days (excluding any day on which either House of Congress is not in session because of an adjournment sine die) after the President has submitted a reorganization plan to the appropriate congressional committees pursuant to section 221.

(b) **REORGANIZATION PLAN.**—Section 221 shall take effect on the date of enactment of this Act.

SEC. 202. REFERENCES IN TITLE.

Except as specifically provided in this title, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the Arms Control and Disarmament Act.

CHAPTER 2—ABOLITION OF UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY AND TRANSFER OF FUNCTIONS TO SEC- RETARY OF STATE

SEC. 211. ABOLITION OF UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY.

The United States Arms Control and Disarmament Agency is abolished.

SEC. 212. TRANSFER OF FUNCTIONS TO SECRETARY OF STATE.

There are transferred to the Secretary of State all functions of the Director of the United States Arms Control and Disarmament Agency and all functions of the United States Arms Control and Disarmament Agency and any officer or component of such agency under any statute, reorganization plan, Executive order, or other provision of law before the effective date of this title, except as otherwise provided in this title.

CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE

SEC. 221. REORGANIZATION PLAN.

(a) **SUBMISSION OF PLAN.**—Not later than March 1, 1996, the President, in consultation with the Secretary and the Director of the Arms Control and Disarmament Agency, shall transmit to the appropriate congressional committees a reorganization plan providing for—

- (1) the abolition of the Arms Control and Disarmament Agency in accordance with this title;
- (2) the transfer to the Department of State of the functions and personnel of the Arms Control and Disarmament Agency consistent with the provisions of this title; and

(3) the consolidation, reorganization, and streamlining of the Department upon the transfer of functions under this title in order to carry out such functions.

(b) **PLAN ELEMENTS.**—The plan under subsection (a) shall—

(1) identify the functions of the Arms Control and Disarmament Agency that will be transferred to the Department under the plan;

(2) identify the personnel and positions of the Agency (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department, separated from service with the Agency, or be eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, or eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to the Arms Control and Disarmament Agency that will be transferred to the Department as a result of the transfer of functions of the Agency to the Department;

(6) specify the proposed allocations within the Department of unexpended funds transferred in connection with the transfer of functions under the plan; and

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the Agency in connection with the transfer of the functions of the Agency to the Department.

(c) ASSISTANT SECRETARY POSITIONS.—The plan under subsection (a) shall provide for an appropriate number of Assistant Secretaries of State to carry out the functions transferred to the Department under this title.

SEC. 222. PRINCIPAL OFFICERS.

(a) UNDER SECRETARY OF STATE FOR INTERNATIONAL SECURITY AND ARMS CONTROL.—

(1) ESTABLISHMENT.—Section 1(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)) is amended—

(A) by striking "There" and inserting the following:

"(1) IN GENERAL.—There"; and

(B) by adding at the end the following:

"(2) UNDER SECRETARY FOR INTERNATIONAL SECURITY AND ARMS CONTROL.—

There shall be in the Department of State an Under Secretary for International Security and Arms Control who shall have responsibility to assist the Secretary and the Deputy Secretary in the formation and implementation of United States policies and activities concerning international security, arms control and disarmament, and export controls."

(2) TRANSITION PROVISION.—The President may appoint the individual serving as Director of the Arms Control and Disarmament Agency on the day before the effective date of this title, or such other official appointed by and with the advice and consent of the Senate and serving within the Department of State or the Arms Control and Disarmament Agency on the day before the effective date of the title as the President considers appropriate, to serve as the acting Under Secretary for International Security and Arms Control until an individual is appointed to that office in accordance with section 1(b)(1) of the Department of State Basic Authorities Act of 1956, as amended by this Act.

(b) COORDINATOR FOR ARMS CONTROL AND DISARMAMENT.—Section 1(e) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(e)) is amended by adding after paragraph (3) the following new paragraph:

"(4) COORDINATOR FOR ARMS CONTROL AND DISARMAMENT.—

"(A) There shall be within the office of the Secretary of State a Coordinator for Arms Control and Disarmament (hereafter in this paragraph referred to as the "Coordinator" who shall be appointed by the President, by and with the advice and consent of the Senate. The Coordinator shall report directly to the Secretary of State.

"(B) The individual appointed to serve as Coordinator for Arms Control and Disarmament shall be the same individual appointed to serve as Assistant Secretary for Arms Control and Disarmament.

"(C) The Coordinator shall have the rank and status of Ambassador-at-Large. The Coordinator shall be compensated at the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5314 of title 5, United States Code, or, if the Coordinator is appointed

from the Foreign Service, the annual rate of pay which the individual last received under the Foreign Service Schedule, whichever is greater.”.

(c) ASSISTANT SECRETARIES.—

(1) ESTABLISHMENT OF ASSISTANT SECRETARY FOR ARMS CONTROL AND DISARMAMENT.—Section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)) is amended by adding after paragraph (2) the following:

“(3) ASSISTANT SECRETARY FOR ARMS CONTROL AND DISARMAMENT.—

“(A) There shall be in the Department of State an Assistant Secretary for Arms Control and Disarmament who shall be responsible for arms control and disarmament matters and who shall report to the Under Secretary for International Security and Arms Control.

“(B) The individual appointed to serve as Assistant Secretary for Arms Control and Disarmament shall be the same individual appointed to serve as the Coordinator for Arms Control and Disarmament. The Assistant Secretary for Arms Control and Disarmament shall be compensated in accordance with subsection (e)(4)(C).

“(4) ASSISTANT SECRETARY FOR NONPROLIFERATION AND EXPORT CONTROLS.—

There shall be in the Department of State an Assistant Secretary for Nonproliferation and Export Controls who shall be responsible for arms transfers, nonproliferation policy, and export controls and who shall report to the Under Secretary for International Security and Arms Control.”.

(2) TRANSITION PROVISION.—The President may appoint the individual serving as Director of the Arms Control and Disarmament Agency on the day before the effective date of this title, or such other officials appointed by and with the advice and consent of the Senate and serving within the Department of State or the Arms Control and Disarmament Agency on the day before the effective date of this title as the President considers appropriate, to serve as the acting Assistant Secretary for Arms Control and Disarmament and to serve as the acting Assistant Secretary for Nonproliferation and Export Controls until individuals are appointed to those offices in accordance with section 1(c)(1) of the State Department Basic Authorities Act of 1956, as amended by this Act.

CHAPTER 4—CONFORMING AMENDMENTS

SEC. 241. REFERENCES.

Any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to—

(1) the Director of the United States Arms Control and Disarmament Agency or any other officer or employee of the United States Arms Control and Disarmament Agency shall be deemed to refer to the Secretary of State; and

(2) the United States Arms Control and Disarmament Agency shall be deemed to refer to the Department of State.

SEC. 242. REPEAL OF ESTABLISHMENT OF AGENCY.

Section 21 of the Arms Control and Disarmament Act (22 U.S.C. 2561; relating to the establishment of the agency) is repealed.

SEC. 243. REPEAL OF POSITIONS AND OFFICES.

The following sections of the Arms Control and Disarmament Act are repealed:

- (1) Section 22 (22 U.S.C. 2562; relating to the Director).
- (2) Section 23 (22 U.S.C. 2563; relating to the Deputy Director).
- (3) Section 24 (22 U.S.C. 2564; relating to Assistant Directors).
- (4) Section 25 (22 U.S.C. 2565; relating to bureaus, offices, and divisions).
- (5) Section 50 (22 U.S.C. 2593; relating to the ACDA Inspector General).

SEC. 244. TRANSFER OF AUTHORITIES AND FUNCTIONS UNDER THE ARMS CONTROL AND DISARMAMENT ACT TO THE SECRETARY OF STATE.

(a) IN GENERAL.—The Arms Control and Disarmament Act (22 U.S.C. 2551 et seq.) is amended—

(1) by striking “Agency” each place it appears and inserting “Department”; and

(2) by striking “Director” each place it appears and inserting “Secretary”.

(b) PURPOSE.—Section 2 (22 U.S.C. 2551) is repealed.

(c) DEFINITIONS.—Section 3 (22 U.S.C. 2552) is amended by striking paragraph (c) and inserting the following:

“(c) The term ‘Department’ means the Department of State.

“(d) The term ‘Secretary’ means the Secretary of State.”.

(d) **SCIENTIFIC AND POLICY ADVISORY COMMITTEE.**—Section 26(b) (22 U.S.C. 2566(b)) is amended by striking “, the Secretary of State, and the Director” and inserting “and the Secretary of State”.

(e) **PRESIDENTIAL SPECIAL REPRESENTATIVES.**—Section 27 (22 U.S.C. 2567) is amended by striking “, acting through the Director”.

(f) **PROGRAM FOR VISITING SCHOLARS.**—Section 28 (22 U.S.C. 2568) is amended—

(1) in the second sentence, by striking “Agency’s activities” and inserting “Department’s arms control, nonproliferation, and disarmament activities”; and

(2) in the fourth sentence, by striking “, and all former Directors of the Agency”.

(g) **POLICY FORMULATION.**—Section 33(a) (22 U.S.C. 2573(a)) is amended by striking “shall prepare for the President, the Secretary of State,” and inserting “shall prepare for the President”.

(h) **NEGOTIATION MANAGEMENT.**—Section 34 (22 U.S.C. 2574) is amended—

(1) in subsection (a), by striking “the President and the Secretary of State” and inserting “the President”; and

(2) by striking subsection (b).

(i) **VERIFICATION OF COMPLIANCE.**—Section 37(d) (22 U.S.C. 2577(d)) is amended by striking “Director’s designee” and inserting “Secretary’s designee”.

(j) **GENERAL AUTHORITY.**—Section 41 (22 U.S.C. 2581) is repealed.

(k) **SECURITY REQUIREMENTS.**—Section 45(a) (22 U.S.C. 2585(a)) is amended in the second sentence by striking “Agency’s” and inserting “Department’s”.

(l) **USE OF FUNDS.**—Section 48 (22 U.S.C. 2588) is repealed.

(m) **ANNUAL REPORT.**—Section 51(a) (22 U.S.C. 2593(a)) is amended by striking “the Secretary of State”.

(n) **REQUIREMENT FOR AUTHORIZATION OF APPROPRIATIONS.**—Section 53 (22 U.S.C. 2593c) is repealed.

(o) **ON-SITE INSPECTION AGENCY.**—Section 61 (22 U.S.C. 2595) is amended—

(1) in paragraph (1), by striking “United States Arms Control and Disarmament Agency” and inserting “Department of State”; and

(2) in paragraph (7), by striking “the United States Arms Control and Disarmament Agency and”.

SEC. 245. CONFORMING AMENDMENTS TO OTHER PROVISIONS OF LAW.

(a) **ARMS EXPORT CONTROL ACT.**—The Arms Export Control Act is amended—

(1) in section 36(b)(1)(D) (22 U.S.C. 2776(b)(1)(D)), by striking “Director of the Arms Control and Disarmament Agency in consultation with the Secretary of State and” and inserting “Secretary of State in consultation with”;

(2) in section 38(a)(2) (22 U.S.C. 2778(a)(2))—

(A) in the first sentence, by striking “Director of the United States Arms Control and Disarmament Agency, taking into account the Director’s” and inserting “Secretary of State, taking into account the Secretary’s”; and

(B) in the second sentence, by striking “The Director of the Arms Control and Disarmament Agency is authorized, whenever the Director” and inserting “The Secretary of State is authorized, whenever the Secretary”;

(3) in section 42(a) (22 U.S.C. 2791(a))—

(A) in paragraph (1)(C), by striking “Director of the United States Arms Control and Disarmament Agency” and inserting “Secretary of State”; and

(B) in paragraph (2)—

(i) in the first sentence, by striking “Director of the United States Arms Control and Disarmament Agency” and inserting “Secretary of State”; and

(ii) in the second sentence, by striking “Director of the Arms Control and Disarmament Agency is authorized, whenever the Director” and inserting “Secretary of State, whenever the Secretary”;

(4) in section 71(a) (22 U.S.C. 2797(a)), by striking “, the Director of the Arms Control and Disarmament Agency,” and inserting “, Secretary of State,”;

(5) in section 71(b)(1) (22 U.S.C. 2797(b)(1)), by striking “Director of the United States Arms Control and Disarmament Agency” and inserting “Secretary of State”;

(6) in section 71(b)(2) (22 U.S.C. 2797(b)(2))—

(A) by striking “Director of the United States Arms Control and Disarmament Agency” and inserting “Secretary of State”; and

(B) by striking “, or the Director”;

(7) in section 71(c) (22 U.S.C. 2797(c)), by striking “Director of the United States Arms Control and Disarmament Agency,” and inserting “Secretary of State”; and

(8) in section 73(d) (22 U.S.C. 2797(d)), by striking "Director of the United States Arms Control and Disarmament Agency" and inserting "Secretary of State".

(b) UNITED STATES INSTITUTE OF PEACE ACT.—Section 1706(b) of the United States Institute of Peace Act (22 U.S.C. 4605(b)) is amended—

(1) by striking out paragraph (3);

(2) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

(3) in paragraph (4) (as redesignated by paragraph (2)), by striking "Eleven" and inserting "Twelve".

(c) THE ATOMIC ENERGY ACT OF 1954.—The Atomic Energy Act of 1954 is amended—

(1) in section 57 b. (42 U.S.C. 2077(b))—

(A) in the first sentence, by striking "the Arms Control and Disarmament Agency," and

(B) in the second sentence, by striking "the Director of the Arms Control and Disarmament Agency," and

(2) in section 123 (42 U.S.C. 2153)—

(A) in subsection a. (in the text after paragraph (9))—

(i) by striking "and in consultation with the Director of the Arms Control and Disarmament Agency (the Director)", and

(ii) by striking "and the Director" and inserting "and the Secretary of Defense",

(B) in subsection d., in the first proviso, by striking "Director of the Arms Control and Disarmament Agency" and inserting "Secretary of Defense", and

(C) in the first undesignated paragraph following subsection d., by striking "the Arms Control and Disarmament Agency,".

(d) THE NUCLEAR NON-PROLIFERATION ACT OF 1978.—The Nuclear Non-Proliferation Act of 1978 is amended—

(1) in section 4, by striking paragraph (2);

(2) in section 102, by striking "the Secretary of State, and the Director of the Arms Control and Disarmament Agency" and inserting "and the Secretary of State"; and

(3) in section 602(c), by striking "the Arms Control and Disarmament Agency,".

(e) TITLE 5, UNITED STATES CODE.—Title 5, United States Code, is amended—

(1) in section 5313, by striking "Director of the United States Arms Control and Disarmament Agency,";

(2) in section 5314, by striking "Deputy Director of the United States Arms Control and Disarmament Agency,"; and

(3) in section 5315, by striking "Assistant Directors, United States Arms Control and Disarmament Agency (4).".

TITLE III—UNITED STATES INFORMATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

SEC. 301. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), this title, and the amendments made by this title, shall take effect—

(1) March 1, 1997; or

(2) on such earlier date as the President shall determine to be appropriate and announce by notice published in the Federal Register, which date may be not earlier than 60 calendar days (excluding any day on which either House of Congress is not in session because of an adjournment sine die) after the President has submitted a reorganization plan to the appropriate congressional committees pursuant to section 321.

(b) REORGANIZATION PLAN.—Section 321 shall take effect on the date of enactment of this Act.

CHAPTER 2—ABOLITION OF UNITED STATES INFORMATION AGENCY AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

SEC. 311. ABOLITION OF UNITED STATES INFORMATION AGENCY.

The United States Information Agency is abolished.

SEC. 312. TRANSFER OF FUNCTIONS TO SECRETARY OF STATE.

There are transferred to the Secretary of State all functions of the Director of the United States Information Agency and all functions of the United States Information Agency and any officer or component of such agency under any statute, reorganization plan, Executive order, or other provision of law before the effective date of this title, except as otherwise provided in this title.

CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE

SEC. 321. REORGANIZATION PLAN.

(a) **SUBMISSION OF PLAN.**—Not later than March 1, 1996, the President, in consultation with the Secretary and the Director of the United States Information Agency, shall transmit to the appropriate congressional committees a reorganization plan providing for—

(1) the abolition of the United States Information Agency in accordance with this title;

(2) the transfer to the Department of State of the functions and personnel of the United States Information Agency consistent with the provisions of this title; and

(3) the consolidation, reorganization, and streamlining of the Department upon the transfer of functions under this title in order to carry out such functions.

(b) **PLAN ELEMENTS.**—The plan under subsection (a) shall—

(1) identify the functions of the United States Information Agency that will be transferred to the Department under the plan;

(2) identify the personnel and positions of the Agency (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department, separated from service with the Agency, or be eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, or eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to the United States Information Agency that will be transferred to the Department as a result of the transfer of functions of the Agency to the Department;

(6) specify the proposed allocations within the Department of unexpended funds transferred in connection with the transfer of functions under the plan; and

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the Agency in connection with the transfer of the functions of the Agency to the Department.

(c) **ASSISTANT SECRETARY POSITIONS.**—The plan under subsection (a) shall provide for an appropriate number of Assistant Secretaries of State to carry out the functions transferred to the Department under this title.

SEC. 322. PRINCIPAL OFFICERS.

(a) **UNDER SECRETARY OF STATE FOR PUBLIC DIPLOMACY.**—

(1) **ESTABLISHMENT.**—Section 1(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)) is amended by adding after paragraph (2) the following new paragraph:

“(3) **UNDER SECRETARY FOR PUBLIC DIPLOMACY.**—There shall be in the Department of State an Under Secretary for Public Diplomacy who shall have responsibility to assist the Secretary and the Deputy Secretary in the formation and implementation of United States public diplomacy policies and activities, including international educational and cultural exchange programs, information, and international broadcasting.”.

(2) **TRANSITION PROVISION.**—The President may appoint the individual serving as Director of the United States Information Agency on the day before the effective date of this title, or such other official appointed by and with the advice and consent of the Senate and serving within the Department of State or the United States Information Agency as the President considers appropriate, to serve as the acting Under Secretary for Public Diplomacy until an individual is appointed to that office in accordance with section (1)(b)(1) of the State Department Basic Authorities Act of 1956, as amended by this Act.

(b) **ASSISTANT SECRETARIES.**—

(1) **ESTABLISHMENT.**—Section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)) is amended by adding after paragraph (3) the following:

“(4) **ASSISTANT SECRETARY FOR ACADEMIC PROGRAMS AND CULTURAL EXCHANGES.**—There shall be in the Department of State an Assistant Secretary for Academic Programs and Cultural Exchanges who shall report to the Under Secretary for Public Diplomacy.

“(5) **ASSISTANT SECRETARY FOR INFORMATION, POLICY, AND PROGRAMS.**—There shall be in the Department of State an Assistant Secretary for Information, Policy, and Programs who shall report to the Under Secretary for Public Diplomacy.”

(2) **TRANSITION PROVISION.**—The President may appoint such officials appointed by and with the advice and consent of the Senate and serving within the Department of State or the United States Information Agency as the President considers appropriate to serve as the acting Assistant Secretary for Academic Programs and Cultural Exchanges and to serve as the acting Assistant Secretary for Information, Policy, and Programs until individuals are appointed to those offices in accordance with section 1(c)(1) of the State Department Basic Authorities Act of 1956, as amended by this Act.

CHAPTER 4—CONFORMING AMENDMENTS

SEC. 341. REFERENCES.

Any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to—

(1) the Director of the United States Information Agency, the Director of the International Communication Agency, or any other officer or employee of the United States Information Agency shall be deemed to refer to the Secretary of State; and

(2) the United States Information Agency, USIA, or the International Communication Agency shall be deemed to refer to the Department of State.

SEC. 342. ABOLITION OF OFFICE OF INSPECTOR GENERAL OF THE UNITED STATES INFORMATION AGENCY AND TRANSFER OF FUNCTIONS TO OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE.

(a) **ABOLITION OF OFFICE OF INSPECTOR GENERAL OF THE USIA.**—

(1) The Office of Inspector General of the United States Information Agency is abolished.

(2) Section 11 of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in paragraph (1) by striking “, the Office of Personnel Management or the United States Information Agency” and inserting “or the Office of Personnel Management”; and

(B) in paragraph (2) by striking “the United States Information Agency.”

(3) Section 5315 of title 5, United States Code, is amended by striking the following:

“Inspector General, United States Information Agency.”

(b) **FUNCTIONS OF OFFICE OF INSPECTOR GENERAL OF THE UNITED STATES INFORMATION AGENCY TRANSFERRED TO OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE.**—There are transferred to the Office of the Inspector General of the Department of State the functions that the Office of Inspector General of the United States Information Agency exercised before the effective date of this title (including all related functions of the Inspector General of the United States Information Agency).

(c) **TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.**—The Director of the Office of Management and Budget, in consultation with the Secretary of State, is authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available

to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this section.

SEC. 343. AMENDMENTS TO TITLE 5.

Title 5, United States Code, is amended—

- (1) in section 5313, by striking "Director of the United States Information Agency.";
- (2) in section 5315, by striking "Deputy Director of the United States Information Agency."; and
- (3) in section 5316, by striking "Deputy Director, Policy and Plans, United States Information Agency." and striking "Associate Director (Policy and Plans), United States Information Agency."

SEC. 344. AMENDMENTS TO UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948.

(a) **IN GENERAL.**—Except as otherwise provided in this section, the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.) is amended—

- (1) by striking "United States Information Agency" each place it appears and inserting "Department of State";
- (2) by striking "Director of the United States Information Agency" each place it appears and inserting "Secretary of State";
- (3) by striking "Director" each place it appears and inserting "Secretary of State";
- (4) by striking "USIA" each place it appears and inserting "Department of State"; and
- (5) by striking "Agency" each place it appears and inserting "Department of State".

(b) **SATELLITE AND TELEVISION BROADCASTS.**—Section 505 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1464a) is amended—

- (1) by striking "Director of the United States Information Agency" each of the four places it appears and inserting "Secretary of State";
- (2) in subsection (b), by striking "To be effective, the United States Information Agency" and inserting "To be effective in carrying out this subsection, the Department of State";
- (3) by striking "USIA-TV" each place it appears and inserting "DEPARTMENT OF STATE-TV"; and
- (4) by striking subsection (c).

(c) **UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.**—Section 604 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469) is amended—

- (1) in subsection (c)(1)—
 - (A) by striking "the Director of the United States Information Agency,"; and
 - (B) by striking "Director or the Agency, and shall appraise the effectiveness of policies and programs of the Agency" and inserting "Secretary of State or the Department of State, and shall appraise the effectiveness of the information, educational, and cultural policies and programs of the Department";
- (2) in subsection (c)(2)—
 - (A) in the first sentence by striking "the Secretary of State, and the Director of the United States Information Agency" and inserting "and the Secretary of State";
 - (B) in the second sentence by striking "by the Agency" and inserting "by the Department of State"; and
 - (C) by striking "Director for effectuating the purposes of the Agency" and inserting "Secretary for effectuating the information, educational, and cultural functions of the Department";
- (3) in subsection (c)(3), by striking "programs conducted by the Agency" and inserting "information, educational, and cultural programs conducted by the Department of State"; and
- (4) in subsection (c)(4), by striking "Director of the United States Information Agency" and inserting "Secretary of State".

SEC. 345. AMENDMENTS TO THE MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT OF 1961 (FULBRIGHT-HAYS ACT).

(a) **IN GENERAL.**—The Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is amended by striking "Director of the International Com-

munication Agency" and "Director" each place either term appears and inserting "Secretary of State".

(b) **REPEAL OF DEFUNCT ADVISORY COMMISSIONS.**—Section 106 of such Act (22 U.S.C. 2456) is amended by striking subsection (c).

(c) **BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS.**—Section 112 of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2460) is amended—

(1) by striking the first sentence of subsection (a);

(2) by striking "Bureau" each place it appears and inserting "Department of State"; and

(3) by striking subsection (e).

SEC. 346. INTERNATIONAL BROADCASTING ACTIVITIES.

(a) **IN GENERAL.**—Title III of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) is amended—

(1) in section 305(b)(1), by striking "Agency's" and inserting "Department's";

(2) in section 306, by striking ", acting through the Director of the United States Information Agency," and inserting ", acting through the Under Secretary of State for Public Diplomacy,";

(3) by striking "Director of the United States Information Agency" each place it appears and inserting "Secretary of State";

(4) by striking all references to "United States Information Agency" that were not stricken in paragraph (3) and inserting "Department of State";

(5) by striking "Bureau" each place it appears and inserting "Office"; and

(6) in section 305(a)(1), by striking "title," and inserting "title (including activities of the Voice of America previously carried out by the United States Information Agency),".

(b) **CONFORMING AMENDMENT TO TITLE 5.**—Section 5315 of title 5, United States Code, is amended by striking "Director of the International Broadcasting Bureau, the United States Information Agency" and inserting "Director of the International Broadcasting Office, the Department of State".

SEC. 347. TELEVISION BROADCASTING TO CUBA.

(a) **AUTHORITY.**—Section 243(a) of the Television Broadcasting to Cuba Act (as contained in part D of title II of Public Law 101-246) (22 U.S.C. 1465bb(a)) is amended by striking "United States Information Agency (hereafter in this part referred to as the 'Agency')" and inserting "Department of State (hereafter in this part referred to as the 'Department')".

(b) **TELEVISION MARTI SERVICE.**—Section 244 of such Act (22 U.S.C. 1465cc) is amended—

(1) in subsection (a)—

(A) by amending the first sentence to read as follows: "The Secretary of State shall administer within the Voice of America the Television Marti Service."; and

(B) in the third sentence, by striking "Director of the United States Information Agency" and inserting "Secretary of State";

(2) in subsection (b)—

(A) in the subsection heading, by striking "USIA" and inserting "DEPARTMENT OF STATE";

(B) by striking "Agency facilities" and inserting "Department facilities"; and

(C) by striking "United States Information Agency Television Service" and inserting "Department of State Television Service"; and

(3) in subsection (c)—

(A) by striking "USIA AUTHORITY.—The Agency" and inserting "SECRETARY OF STATE AUTHORITY.—The Secretary of State"; and

(B) by striking "Agency" the second place it appears and inserting "Secretary of State".

(c) **ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.**—Section 246 of such Act (22 U.S.C. 1465dd) is amended—

(1) by striking "United States Information Agency" and inserting "Department of State"; and

(2) by striking "the Agency" and inserting "the Department".

(d) **AUTHORIZATION OF APPROPRIATIONS.**—Section 247(a) of such Act (22 U.S.C. 1465ee(a)) is repealed.

SEC. 348. RADIO BROADCASTING TO CUBA.

(a) **FUNCTIONS OF THE DEPARTMENT OF STATE.**—Section 3 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465a) is amended—

(1) in the section heading, by striking "UNITED STATES INFORMATION AGENCY" and inserting "DEPARTMENT OF STATE";

(2) in subsection (a), by striking "United States Information Agency (hereafter in this Act referred to as the 'Agency')" and inserting "Department of State (hereafter in this Act referred to as the 'Department')"; and

(3) in subsection (f), by striking "Director of the United States Information Agency" and inserting "Secretary of State".

(b) CUBA SERVICE.—Section 4 of such Act (22 U.S.C. 1465b) is amended—

(1) by amending the first sentence to read as follows: "The Secretary of State shall administer within the Voice of America the Cuba Service (hereafter in this section referred to as the 'Service')."; and

(2) in the third sentence, by striking "Director of the United States Information Agency" and inserting "Secretary of State".

(c) ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.—Section 6 of such Act (22 U.S.C. 1465d) is amended—

(1) in subsection (a)—

(A) by striking "United States Information Agency" and inserting "Department of State"; and

(B) by striking "the Agency" and inserting "the Department"; and

(2) in subsection (b)—

(A) by striking "The Agency" and inserting "The Department"; and

(B) by striking "the Agency" and inserting "the Secretary of State".

(d) FACILITY COMPENSATION.—Section 7 of such Act (22 U.S.C. 1465e) is amended—

(1) in subsection (b), by striking "the Agency" and inserting "the Department"; and

(2) in subsection (d), by striking "Agency" and inserting "Department".

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 8 of such Act (22 U.S.C. 1465f) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

"(a) The amount obligated by the Department of State each fiscal year to carry out this Act shall be sufficient to maintain broadcasts to Cuba under this Act at rates no less than the fiscal year 1985 level of obligations by the former United States Information Agency for such broadcasts."; and

(2) by redesignating subsection (c) as subsection (b).

SEC. 349. NATIONAL ENDOWMENT FOR DEMOCRACY.

(a) GRANTS.—Section 503 of Public Law 98-164, as amended (22 U.S.C. 4412) is amended—

(1) in subsection (a)—

(A) by striking "Director of the United States Information Agency" and inserting "Secretary of State";

(B) by striking "the Agency" and inserting "the Department of State"; and

(C) by striking "the Director" and inserting "the Secretary of State"; and

(2) in subsection (b), by striking "United States Information Agency" and inserting "Department of State".

(b) AUDITS.—Section 504(g) of such Act (22 U.S.C. 4413(g)) is amended by striking "United States Information Agency" and inserting "Department of State".

(c) FREEDOM OF INFORMATION.—Section 506 of such Act (22 U.S.C. 4415) is amended—

(1) in subsection (b)—

(A) by striking "Director" each of the three places it appears and inserting "Secretary"; and

(B) by striking "of the United States Information Agency" and inserting "of State"; and

(2) in subsection (c)—

(A) in the subsection heading by striking "USIA" and inserting "DEPARTMENT OF STATE";

(B) by striking "Director" each of the three places it appears and inserting "Secretary";

(C) by striking "of the United States Information Agency" and inserting "of State"; and

(D) by striking "United States Information Agency" and inserting "Department of State".

SEC. 350. UNITED STATES SCHOLARSHIP PROGRAM FOR DEVELOPING COUNTRIES.

(a) **PROGRAM AUTHORITY.**—Section 603 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 4703) is amended by striking “United States Information Agency” and inserting “Department of State”.

(b) **GUIDELINES.**—Section 604(11) of such Act (22 U.S.C. 4704(11)) is amended by striking “United States Information Agency” and inserting “Department of State”.

(c) **POLICY REGARDING OTHER INTERNATIONAL EDUCATIONAL PROGRAMS.**—Section 606(b) of such Act (22 U.S.C. 4706(b)) is amended—

(1) in the subsection heading, by striking “USIA” and inserting “STATE DEPARTMENT”; and

(2) by striking “Director of United States Information Agency” and inserting “Secretary of State”.

(d) **GENERAL AUTHORITIES.**—Section 609(e) of such Act (22 U.S.C. 4709(e)) is amended by striking “United States Information Agency” and inserting “Department of State”.

SEC. 351. FASCELL FELLOWSHIP BOARD.

Section 1003(b) of the Fascell Fellowship Act (22 U.S.C. 4902(b)) is amended—

(1) in the text above paragraph (1), by striking “9 members” and inserting “8 members”; and

(2) by striking paragraph (3); and

(3) by redesignating paragraph (4) as paragraph (3).

SEC. 352. NATIONAL SECURITY EDUCATION BOARD.

Section 803 of the Intelligence Authorization Act, Fiscal Year 1992 (50 U.S.C. 1903(b)) is amended—

(1) in subsection (b)—

(A) by striking paragraph (6); and

(B) by redesignating paragraphs (7) and (8) as paragraphs (6) and (7);

and

(2) in subsection (c), by striking “subsection (b)(7)” and inserting “subsection (b)(6)”.

SEC. 353. CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN NORTH AND SOUTH.

Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075) is amended by striking “Director of the United States Information Agency” each place it appears and inserting “Secretary of State”.

SEC. 354. EAST-WEST CENTER.

(a) **DUTIES.**—Section 703 of the Mutual Security Act of 1960 (22 U.S.C. 2055) is amended—

(1) in the text above paragraph (1), by striking “Director of the United States Information Agency (hereinafter referred to as the ‘Director’)” and inserting “Secretary of State (hereinafter referred to as the ‘Secretary’)”; and

(2) in paragraph (1), by striking “establishment and”.

(b) **ADMINISTRATION.**—Section 704 of such Act (22 U.S.C. 2056) is amended—

(1) by striking “Director of the United States Information Agency” and inserting “Secretary of State”; and

(2) by striking “Director” each place it appears and inserting “Secretary”.

SEC. 355. MISSION OF THE DEPARTMENT OF STATE.

Section 202 of the Foreign Relations Authorization Act, Fiscal Year 1979 (22 U.S.C. 1461-1) is amended—

(1) in the first sentence, by striking “mission of the International Communication Agency” and inserting “mission of the Department of State in carrying out its information, educational, and cultural functions”; and

(2) in the second sentence, in the text above paragraph (1), by striking “International Communication Agency” and inserting “Department of State”; and

(3) in paragraph (1)(B), by striking “Agency” and inserting “Department”; and

(4) in paragraph (5), by striking “mission of the Agency” and inserting “mission described in this section”.

SEC. 356. CONSOLIDATION OF ADMINISTRATIVE SERVICES.

Section 23(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2695(a)) is amended—

(1) by striking “(including” and all that follows through “Agency)”; and

(2) by striking “other such agencies” and inserting “other Federal agencies”.

SEC. 357. GRANTS.

Section 212 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 1475h) is amended—

(1) in subsection (a), by striking "United States Information Agency" and inserting "Department of State, in carrying out its international information, educational, and cultural functions";

(2) in subsection (b), by striking "United States Information Agency" and inserting "Department of State";

(3) in subsection (c)—

(A) in paragraph (1), by striking "United States Information Agency shall substantially comply with United States Information Agency" and inserting "Department of State, in carrying out its international information, educational, and cultural functions, shall substantially comply with Department of State"; and

(B) in paragraphs (2) and (3)—

(i) by striking "United States Information Agency" and inserting "Department of State"; and

(ii) by striking "Agency" each of the places it appears and inserting "Department"; and

(4) by striking subsection (d).

SEC. 358. BAN ON DOMESTIC ACTIVITIES.

Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461-1a) is amended—

(1) by striking out "United States Information Agency" each of the two places it appears and inserting "Department of State"; and

(2) by inserting "in carrying out its international information, educational, and cultural activities" before "shall be distributed".

SEC. 359. CONFORMING REPEAL TO THE ARMS CONTROL AND DISARMAMENT ACT.

Section 34(b) of the Arms Control and Disarmament Act (22 U.S.C. 2574(b)) is repealed.

SEC. 360. REPEAL RELATING TO PROCUREMENT OF LEGAL SERVICES.

Section 26(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2698(b)) is repealed.

SEC. 361. REPEAL RELATING TO PAYMENT OF SUBSISTENCE EXPENSES.

Section 32 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2704) is amended by striking the second sentence.

SEC. 362. CONFORMING AMENDMENT TO THE SEED ACT.

Section 2(c) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401(c)) is amended in paragraph (17) by striking "United States Information Agency" and inserting "Department of State".

SEC. 363. INTERNATIONAL CULTURAL AND TRADE CENTER COMMISSION.

Section 7(c) of the Federal Triangle Development Act (40 U.S.C. 1106(c)) is amended—

(1) in the text above subparagraph (A), by striking "15 members" and inserting "14 members";

(2) by striking subparagraph (F); and

(3) by redesignating subparagraphs (G) through (J) as subparagraphs (F) through (I), respectively.

SEC. 364. FOREIGN SERVICE ACT OF 1980.

(a) **OTHER AGENCIES UTILIZING SERVICE.**—Section 202(a) of the Foreign Service Act of 1980 (22 U.S.C. 3922(a)) is amended by striking paragraph (1).

(b) **BOARD OF THE FOREIGN SERVICE.**—Section 210 of such Act (22 U.S.C. 3930) is amended by striking "the United States Information Agency, the United States International Development Cooperation Agency,".

SEC. 365. AU PAIR PROGRAMS.

Section 8 of the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101-454) is amended by striking "Director of the United States Information Agency" and inserting "Secretary of State".

SEC. 366. EXCHANGE PROGRAM WITH COUNTRIES IN TRANSITION FROM TOTALITARIANISM TO DEMOCRACY.

Section 602 of the National and Community Service Act of 1990 (22 U.S.C. 2452a) is amended—

(1) in the second sentence of subsection (a), by striking "United States Information Agency" and inserting "Department of State"; and

(2) in subsection (b)—

(A) by striking "appropriations account of the United States Information Agency" and inserting "appropriate appropriations account of the Department of State"; and

(B) by striking "and the United States Information Agency".

SEC. 367. EDMUND S. MUSKIE FELLOWSHIP PROGRAM.

Section 227 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note) is amended—

(1) by striking "United States Information Agency" and inserting "Department of State"; and

(2) by striking subsection (d).

SEC. 368. IMPLEMENTATION OF CONVENTION ON CULTURAL PROPERTY.

Title III of the Convention on Cultural Property Implementation Act (19 U.S.C. 2601 et seq.) is amended by striking "Director of the United States Information Agency" each place it appears and inserting "Secretary of State".

SEC. 369. MIKE MANSFIELD FELLOWSHIPS.

Section 252(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6101(a)) is amended by striking "Director of the United States Information Agency" and inserting "Secretary of State".

TITLE IV—AGENCY FOR INTERNATIONAL DEVELOPMENT

CHAPTER 1—GENERAL PROVISIONS

SEC. 401. EFFECTIVE DATE.

(a) **IN GENERAL.**—Except as provided in subsection (b), this title, and the amendments made by this title, shall take effect—

(1) on March 1, 1997; or

(2) on such earlier date as the President shall determine to be appropriate and announce by notice published in the Federal Register, which date may be not earlier than 60 calendar days (excluding any day on which either House of Congress is not in session because of an adjournment sine die) after the President has submitted a reorganization plan to the appropriate congressional committees pursuant to section 421.

(b) **REORGANIZATION PLAN.**—Section 421 shall take effect on the date of enactment of this Act.

SEC. 402. REFERENCES IN TITLE.

Except as specifically provided in this title, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a provision, the reference shall be considered to be made to a provision of the Foreign Assistance Act of 1961.

CHAPTER 2—ABOLITION OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT AND TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

SEC. 411. ABOLITION OF AGENCY FOR INTERNATIONAL DEVELOPMENT AND THE INTERNATIONAL DEVELOPMENT COOPERATION AGENCY.

The Agency for International Development and the International Development Cooperation Agency are abolished.

SEC. 412. TRANSFER OF FUNCTIONS TO SECRETARY OF STATE.

There are transferred to the Secretary of State all functions of the Administrator of the Agency for International Development and the Director of the International Development Cooperation Agency and all functions of the Agency for International Development and the International Development Cooperation Agency and any officer or component of such agencies under any statute, reorganization plan, Executive order, or other provision of law before the effective date of this title, except as otherwise provided in this title.

**CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE
RELATING TO FUNCTIONS TRANSFERRED UNDER THIS TITLE**

SEC. 431. REORGANIZATION PLAN.

(a) **SUBMISSION OF PLAN.**—Not later than March 1, 1996, the President, in consultation with the Secretary and the Administrator of the Agency for International Development, shall transmit to the appropriate congressional committees a reorganization plan providing for—

(1) the abolition of the Agency for International Development in accordance with this title;

(2) the transfer to the Department of State of the functions and personnel of the Agency for International Development consistent with the provisions of this title; and

(3) the consolidation, reorganization, and streamlining of the Department upon the transfer of functions under this title in order to carry out such functions.

(b) **PLAN ELEMENTS.**—The plan under subsection (a) shall—

(1) identify the functions of the Agency for International Development that will be transferred to the Department under the plan;

(2) identify the personnel and positions of the Agency (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department, separated from service with the Agency, or be eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, or eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to the Agency for International Development that will be transferred to the Department under this title as a result of the transfer of functions of the Agency to the Department;

(6) specify the proposed allocations within the Department of unexpended funds transferred in connection with the transfer of functions under the plan; and

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the Agency in connection with the transfer of the functions of the Agency to the Department.

(c) **ASSISTANT SECRETARY POSITIONS.**—The plan under subsection (a) shall provide for an appropriate number of Assistant Secretaries of State to carry out the functions transferred to the Department under this title.

SEC. 432. PRINCIPAL OFFICERS.

(a) **UNDER SECRETARY OF STATE FOR DEVELOPMENT, TRADE PROMOTION, AND ECONOMIC AFFAIRS.**—

(1) **ESTABLISHMENT.**—Section 1(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)) is amended by adding after paragraph (3) the following new paragraph:

“(4) **UNDER SECRETARY FOR DEVELOPMENT, TRADE PROMOTION, AND ECONOMIC AFFAIRS.**—There shall be in the Department of State an Under Secretary for Development, Trade Promotion, and Economic Affairs who shall assist the Secretary and the Deputy Secretary in the formation and implementation of United States policies and activities concerning international development, trade promotion, and economic affairs.”

(b) **TRANSITION PROVISION.**—The President may appoint the individual serving as Administrator of the Agency for International Development on the day before the effective date of this title, or such other official appointed by and with the advice and consent of the Senate and serving within the Department of State or the Agency for International Development as the President considers appropriate, to serve as the acting Under Secretary for Development, Trade Promotion, and Economic Affairs until an individual is appointed to that office in accordance with section 1(b)(1) of the State Department Basic Authorities Act of 1956, as amended by this Act.

SEC. 423. INTERNATIONAL DEVELOPMENT FOUNDATION.

(a) **ESTABLISHMENT.**—There shall be within the Department of State an International Development Foundation (hereafter in this title referred to as the "Foundation").

(b) **PRESIDENT AND CHIEF EXECUTIVE OFFICER.**—The Foundation shall be headed by the Under Secretary of State for Development, Trade Promotion, and Economic Affairs, who shall be the President and Chief Executive Officer of the Foundation. The President and Chief Executive Officer shall be responsible, and shall report, directly to the Secretary.

(c) **FUNCTIONS.**—All development functions under the Foreign Assistance Act of 1961 of the Department of State shall be carried out through the Foundation.

(d) **CONDUCT OF DEVELOPMENT PROJECTS.**—Under the direction of the Secretary, the President and Chief Executive Officer of the Foundation shall consult with the appropriate Assistant Secretaries of State concerning all development projects of the Foundation. A development project of the Foundation may be carried out only with the approval of the appropriate Assistant Secretary of State with regional responsibility for any country involved with the project.

CHAPTER 4—CONFORMING AMENDMENTS**SEC. 441. REFERENCES.**

Any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to—

(1) the Administrator of the Agency for International Development, or any other officer or employee of the Agency for International Development shall be deemed to refer to the Secretary of State;

(2) the Director or any other officer or employee of the International Development Cooperation Agency (IDCA) shall be deemed to refer to the Secretary of State; or

(3) the Agency for International Development, AID, the agency primarily responsible for administering part I of the Foreign Assistance Act of 1961, or the International Development Cooperation Agency (IDCA) shall be deemed to refer to the Department of State.

SEC. 442. ABOLITION OF OFFICE OF INSPECTOR GENERAL OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT AND TRANSFER OF FUNCTIONS TO OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE.

(a) **ABOLITION OF OFFICE OF INSPECTOR GENERAL OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT.**—The Office of Inspector General of the Agency for International Development is abolished.

(b) **AMENDMENTS TO THE INSPECTOR GENERAL ACT OF 1978.**—The Inspector General Act of 1978 (5 U.S.C. App.) is amended as follows:

(1) Section 8A is repealed.

(2) Section 11(1) is amended by striking "the Administrator of the Agency for International Development,".

(3) Section 11(2) is amended by striking "the Agency for International Development,".

(c) **AMENDMENTS TO TITLE 5, UNITED STATES CODE.**—Section 5315 of title 5, United States Code, is amended by striking the following: "Inspector General, Agency for International Development,".

(d) **FUNCTIONS OF OFFICE OF INSPECTOR GENERAL OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT TRANSFERRED TO OFFICE OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE.**—There are transferred to the Office of Inspector General of the Department of State the functions that the Office of Inspector General of the Agency for International Development exercised before the effective date of this title (including all related functions of the Inspector General of the Agency for International Development).

(e) **TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.**—The Inspector General of the Department of State, is authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this section.

SEC. 443. ABOLITION OF CHIEF FINANCIAL OFFICER OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT AND TRANSFER OF FUNCTIONS TO CHIEF FINANCIAL OFFICER DEPARTMENT OF STATE.

(a) **ABOLITION OF OFFICE OF CHIEF FINANCIAL OFFICER OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT.**—The Office of Chief Financial Officer of the Agency for International Development is abolished.

(b) **AMENDMENT TO TITLE 31, UNITED STATES CODE.**—Section 901(b)(2) of title 31, United States Code, is amended by striking subparagraph (A).

(c) **FUNCTIONS OF OFFICE OF CHIEF FINANCIAL OFFICER OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT TRANSFERRED TO OFFICE OF CHIEF FINANCIAL OFFICER OF THE DEPARTMENT OF STATE.**—There are transferred to the Office of Chief Financial Officer of the Department of State the functions that the Office of Chief Financial Officer of the Agency for International Development exercised before the effective date of this title (including all related functions of the Chief Financial Officer of the Agency for International Development).

(d) **TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.**—The Director of the Office of Management and Budget, in consultation with the Secretary of State, is authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this section.

SEC. 444. AMENDMENTS TO TITLE 5, UNITED STATES CODE.

Title 5, United States Code, is amended—

(1) in section 5313, by striking “Administrator, Agency for International Development.”;

(2) in section 5314, by striking “Deputy Administrator, Agency for International Development.”;

(3) in section 5315—

(A) by striking “Assistant Administrators, Agency for International Development (6).”; and

(B) by striking “Regional Assistant Administrators, Agency for International Development (4).”; and

(4) in section 5316 by striking “General Counsel of the Agency for International Development.”.

SEC. 445. PUBLIC LAW 480 PROGRAM.

The Agricultural Trade Development and Assistance Act of 1954 (Public Law 83-480; 7 U.S.C. 1691 et seq.) is amended by striking “Administrator” each place it appears and inserting “Secretary of State”.

TITLE V—TRANSITION

SEC. 501. REORGANIZATION AUTHORITY.

(a) **IN GENERAL.**—The Secretary is authorized, subject to the requirements of this division, to allocate or reallocate any function transferred to the Department under any title of this division among the officers of the Department, and to establish, consolidate, alter, or discontinue such organizational entities within the Department as may be necessary or appropriate to carry out any reorganization under this division, but the authority of the Secretary under this section does not extend to—

(1) the abolition of organizational entities or officers established by this Act or any other Act; or

(2) the alteration of the delegation of functions to any specific organizational entity or officer required by this Act or any other Act.

(b) **REQUIREMENTS AND LIMITATIONS ON REORGANIZATION PLANS.**—A reorganization plan pursuant to any title of this division may not have the effect of—

(1) creating a new executive department;

(2) continuing a function beyond the period authorized by law for its exercise or beyond the time when it would have terminated if the reorganization had not been made;

(3) authorizing an agency to exercise a function which is not authorized by law at the time the plan is transmitted to Congress;

(4) creating a new agency which is not a component or part of an existing executive department or independent agency; or

(5) increasing the term of an officer beyond that provided by law for the office.

SEC. 507. TRANSFER AND ALLOCATION OF APPROPRIATIONS AND PERSONNEL.

(a) **IN GENERAL.**—Except as otherwise provided in this Act, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available to, or to be made available in connection with the functions and offices, or portions thereof transferred by any title of this division, subject to section 1531 of title 31, United States Code, shall be transferred to the Secretary for appropriate allocation.

(b) **LIMITATION ON USE OF TRANSFERRED FUNDS.**—Unexpended and unobligated funds transferred pursuant to any title of this division shall be used only for the purposes for which the funds were originally authorized and appropriated.

(c) **AUTHORIZED STRENGTH OF THE FOREIGN SERVICE.**—When an agency is abolished under this division, the limitations for fiscal years 1996 and 1997 under section 2351 of this Act on the members of the Foreign Service authorized to be employed by such agency shall be added to the limitations under such section which apply to the Department of State.

SEC. 503. INCIDENTAL TRANSFERS.

The Director of the Office of Management and Budget, in consultation with the Secretary of State, is authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of any title of this division. The Director of the Office of Management and Budget, in consultation with the Secretary of State, shall provide for the termination of the affairs of all entities terminated by this division and for such further measures and dispositions as may be necessary to effectuate the purposes of any title of this division.

SEC. 504. EFFECT ON PERSONNEL.

(a) **EXECUTIVE SCHEDULE POSITIONS.**—Except as otherwise provided in this division, any person who, on the day preceding the date of the abolition of an agency the functions of which are transferred under any title of this division, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Department to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position.

(b) **TERMINATION OF CERTAIN POSITIONS.**—Positions whose incumbents are appointed by the President, by and with the advice and consent of the Senate, the functions of which are transferred by any title of this division, shall terminate on the effective date of that title.

(c) **EXCEPTED SERVICE.**—(1) Subject to paragraph (2), in the case of employees occupying positions in the excepted service or the Senior Executive Service, any appointment authority established pursuant to law or regulations of the Office of Personnel Management for filling such positions shall be transferred.

(2) The Department of State may decline a transfer of authority under paragraph (1) (and the employees appointed pursuant thereto) to the extent that such authority relates to positions excepted from the competitive service because of their confidential, policy-making, policy-determining, or policy-advocating character, and noncareer positions in the Senior Executive Service (within the meaning of section 3132(a)(7) of title 5, United States Code).

(d) **EMPLOYEE BENEFIT PROGRAMS.**—(1) Any employee accepting employment with the Department of State as a result of a transfer pursuant to any title of this division may retain for 1 year after the date such transfer occurs membership in any employee benefit program of the former agency, including insurance, to which such employee belongs on the date of the enactment of this Act if—

(A) the employee does not elect to give up the benefit or membership in the program; and

(B) the benefit or program is continued by the Secretary of State.

(2) The difference in the costs between the benefits which would have been provided by such agency or entity and those provided by this section shall be paid by the Secretary of State. If any employee elects to give up membership in a health insurance program or the health insurance program is not continued by the Secretary of State, the employee shall be permitted to select an alternate Federal

health insurance program within 30 days of such election or notice, without regard to any other regularly scheduled open season.

(e) SENIOR EXECUTIVE SERVICE.—Any employee in the career Senior Executive Service who is transferred pursuant to any title of this division shall be placed in a position at the Department of State which is comparable to the position the employee held in the agency.

(f) ASSIGNMENTS.—(1) Transferring employees shall be provided reasonable notice of new positions and assignments prior to their transfer pursuant to any title of this division.

(2) Foreign Service personnel transferred to the Department of State pursuant to any title of this division shall be eligible for any assignment open to Foreign Service personnel within the Department for which such transferred personnel are qualified.

(g) TREATMENT OF PERSONNEL EMPLOYED IN TERMINATED FUNCTIONS.—The provisions of this subsection shall apply with respect to officers and employees of the agencies identified in section 505(b) whose employment is terminated as a result of the abolition of the agency or the reorganization and consolidation of functions of the Department of State under any title of this division:

(1) Under such regulations as the Office of Personnel Management may prescribe, the head of any agency in the executive branch may appoint in the competitive service any person who is certified by the head of the former agency as having served satisfactorily in the former agency and who passes such examination as the Office of Personnel Management may prescribe. Any person so appointed shall, upon completion of the prescribed probationary period, acquire a competitive status.

(2) The head of any agency in the executive branch having a established merit system in the excepted service may appoint in such service any person who is certified by the head of the former agency as having served satisfactorily in the former agency and who passes such examination as the head of such agency in the executive branch may prescribe.

(3) Any appointment under this subsection shall be made within a period of one year after completion of the appointee's service in the former agency.

(4) Any law, Executive order, or regulation which would disqualify an applicant for appointment in the competitive service or in the excepted service concerned shall also disqualify an applicant for appointment under this subsection.

SEC. 505. VOLUNTARY SEPARATION INCENTIVES.

(a) AUTHORITY TO PAY INCENTIVES.—The head of an agency referred to in subsection (b) may pay voluntary incentive payments to employees of the agency in order to avoid or minimize the need for involuntary separations from the agency as a result of the abolition of the agency and the reorganization and consolidation of functions of the Department of State under any title of this division.

(b) COVERED AGENCIES.—Subsection (a) applies to the following agencies:

- (1) The Department of State.
- (2) The United States Arms Control and Disarmament Agency.
- (3) The United States Information Agency.
- (4) The Agency for International Development.

(c) PAYMENT REQUIREMENTS.—The head of an agency shall pay voluntary separation incentive payments in accordance with the provisions of section 3 of the Federal Workforce Restructuring Act of 1994 (Public Law 103-226; 108 Stat. 111), except that an employee of the agency shall be deemed to be eligible for payment of a voluntary separation incentive payment under that section if the employee separates from service with the agency during the period beginning on the date of enactment of this Act and ending—

(1) in the case of an agency referred to in paragraph (2), (3), or (4) of subsection (b), on the date of the abolition of that agency under this division; and

(2) in the case of the Department of State, on March 1, 1997.

(d) TERMINATION OF AUTHORITY.—The authority of the head of an agency to authorize payment of voluntary separation incentive payments under this section shall expire on—

(1) in the case of an agency referred to in paragraph (2), (3), or (4) of subsection (b), on the date of the abolition of that agency under this division; and

(3) in the case of the Department of State, March 1, 1997.

(e) BUDGET ACT COMPLIANCE.—Any new spending authority (within the meaning of section 401 of the Congressional Budget Act of 1974) which is provided under this section shall be effective for any fiscal year only to the extent or in such amounts as are provided in advance in appropriations Acts.

SEC. 504. SAVINGS PROVISIONS.

(a) **CONTINUING LEGAL FORCE AND EFFECT.**—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(1) that have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions that are transferred under any title of this division; and

(2) that are in effect at the time such title takes effect, or were final before the effective date of such title and are to become effective on or after the effective date of such title,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Secretary, or other authorized official, a court of competent jurisdiction, or by operation of law.

(b) **PENDING PROCEEDINGS.**—(1) The provisions of any title of this division shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending on the effective date of any title of this division before any department, agency, commission, or component thereof, functions of which are transferred by any title of this division. Such proceedings and applications, to the extent that they relate to functions so transferred, shall be continued.

(2) Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted. Orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the Secretary, by a court of competent jurisdiction, or by operation of law.

(3) Nothing in this Act shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this Act had not been enacted.

(4) The Secretary is authorized to promulgate regulations providing for the orderly transfer of proceedings continued under this subsection to the Department.

(c) **NO EFFECT ON JUDICIAL PROCEEDINGS.**—Except as provided in subsection (e)—

(1) the provisions of this Act shall not affect suits commenced prior to the effective date of this Act, and

(2) in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and effect as if this Act had not been enacted.

(d) **NON-ABATEMENT OF PROCEEDINGS.**—No suit, action, or other proceeding commenced by or against any officer in the official capacity of such individual as an officer of any department or agency, functions of which are transferred by any title of this division, shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by any title of this division, or by or against any officer thereof in the official capacity of such officer shall abate by reason of the enactment of this Act.

(e) **CONTINUATION OF PROCEEDING WITH SUBSTITUTION OF PARTIES.**—If, before the date on which any title of this division takes effect, any department or agency, or officer thereof in the official capacity of such officer, is a party to a suit, and under this Act any function of such department, agency, or officer is transferred to the Secretary or any other official of the Department, then such suit shall be continued with the Secretary or other appropriate official of the Department substituted or added as a party.

(f) **REVIEWABILITY OF ORDERS AND ACTIONS UNDER TRANSFERRED FUNCTIONS.**—Orders and actions of the Secretary in the exercise of functions transferred under any title of this division shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the agency or office, or part thereof, exercising such functions immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by any title of this division shall apply to the exercise of such function by the Secretary.

SEC. 507. PROPERTY AND FACILITIES.

The Secretary of State shall review the property and facilities transferred to the Department under this division to determine whether such property and facilities are required by the Department.

SEC. 508. AUTHORITY OF SECRETARY TO FACILITATE TRANSITION.

Prior to, or after, any transfer of a function under any title of this division, the Secretary is authorized to utilize—

(1) the services of such officers, employees, and other personnel of an agency with respect to functions that will be or have been transferred to the Department by any title of this division; and

(2) funds appropriated to such functions for such period of time as may reasonably be needed to facilitate the orderly implementation of any title of this division.

SEC. 509. RECOMMENDATIONS FOR ADDITIONAL CONFORMING AMENDMENTS.

The Congress urges the President, in consultation with the Secretary of State and the heads of other appropriate agencies, to develop and submit to the Congress recommendations for such additional technical and conforming amendments to the laws of the United States as may be appropriate to reflect the changes made by this division.

SEC. 510. FINAL REPORT.

Not later than October 1, 1998, the President, in consultation with the Secretary of the Treasury and the Director of the Office of Management and Budget shall submit to the appropriate congressional committees a report which provides a final accounting of the finances and operations of the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development.

SEC. 511. SEVERABILITY.

If a provision of this division or its application to any person or circumstance is held invalid, neither the remainder of this division nor the application of the provision to other persons or circumstances shall be affected.

DIVISION B—FOREIGN RELATIONS AUTHORIZATIONS

TITLE XX—GENERAL PROVISIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the “Foreign Relations Authorization Act, Fiscal Years 1996 and 1997”.

SEC. 2002. DEFINITIONS.

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

(1) The term “AID” means the Agency for International Development.

(2) The term “ACDA” means the United States Arms Control and Disarmament Agency.

(3) The term “appropriate congressional committees” means the Committee on International Relations of the House of Representatives and the Committee of Foreign Relations of the Senate.

(4) The term “Department” means the Department of State.

(5) The term “Federal agency” has the meaning given to the term “agency” by section 551(1) of title 5, United States Code.

(6) The term “function” means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program.

(7) The term “office” includes any office, administration, agency, institute, unit, organizational entity, or component thereof.

(8) The term “Secretary” means the Secretary of State.

(9) The term “USIA” means the United States Information Agency.

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

CHAPTER 1—AUTHORIZATIONS OF APPROPRIATIONS

SEC. 2101. ADMINISTRATION OF FOREIGN AFFAIRS.

(a) AUTHORIZATION OF APPROPRIATIONS.—The following amounts are authorized to be appropriated for the Department of State under "Administration of Foreign Affairs" to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law, including the diplomatic security program:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For "Diplomatic and Consular Programs", of the Department of State \$1,728,797,000 for the fiscal year 1996 and \$1,676,903,000 for the fiscal year 1997.

(B) LIMITATION.—Of the amounts authorized to be appropriated by subparagraph (A), \$5,000,000 for fiscal year 1996 and \$5,000,000 for fiscal year 1997 are authorized to be appropriated only for the purpose of processing immigrant visas for persons who are outside their countries of nationality, have asserted a fear of returning to their countries of nationality and a credible basis for such fear, and for whom immigrant visas are currently available.

(2) SALARIES AND EXPENSES.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For "Salaries and Expenses", of the Department of State \$366,276,000 for the fiscal year 1996 and \$355,287,000 for the fiscal year 1997.

(B) LIMITATION.—Of the amounts authorized to be appropriated by subparagraph (A), \$11,900,000 for fiscal year 1996 and \$11,900,000 for fiscal year 1997 are authorized to be appropriated only for salaries and expenses of the Bureau of Refugee and Migration Assistance.

(3) CAPITAL INVESTMENT FUND.—For "Capital Investment Fund", of the Department of State \$20,000,000 for the fiscal year 1996 and \$20,000,000 for the fiscal year 1997.

(4) ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD.—For "Acquisition and Maintenance of Buildings Abroad", \$391,760,000 for the fiscal year 1996 and \$391,760,000 for the fiscal year 1997.

(5) REPRESENTATION ALLOWANCES.—For "Representation Allowances", \$4,780,000 for the fiscal year 1996 and \$4,780,000 for the fiscal year 1997.

(6) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For "Emergencies in the Diplomatic and Consular Service", \$6,000,000 for the fiscal 1996 and \$6,000,000 for the fiscal year 1997.

(7) OFFICE OF THE INSPECTOR GENERAL.—For "Office of the Inspector General", \$23,469,000 for the fiscal year 1996 and \$23,469,000 for the fiscal year 1997.

(8) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For "Payment to the American Institute in Taiwan", \$15,165,000 for the fiscal year 1996 and \$14,710,000 for the fiscal year 1997.

(9) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—For "Protection of Foreign Missions and Officials", \$9,579,000 for the fiscal year 1996 and \$9,579,000 for the fiscal year 1997.

(10) REPATRIATION LOANS.—For "Repatriation Loans", \$776,000 for the fiscal year 1996 and \$776,000 for the fiscal year 1997, for administrative expenses.

SEC. 2102. INTERNATIONAL ORGANIZATIONS, PROGRAMS, AND CONFERENCES.

(a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—There are authorized to be appropriated for "Contributions to International Organizations", \$873,605,000 for the fiscal year 1996 and \$867,050,000 for the fiscal year 1997 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(b) VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for "Voluntary Contributions to International Organizations", \$309,375,000 for the fiscal year 1996 and \$302,902,000 for the fiscal year 1997.

(2) **LIMITATIONS.**—

(A) **UNICEF.**—

(i) Of the amounts authorized to be appropriated under paragraph (1), \$103,000,000 for fiscal year 1996 and \$103,000,000 for fiscal year 1997 is authorized to be appropriated only for the United Nations Children's Fund (UNICEF).

(ii) For fiscal year 1996, not more than 25 percent of the amount under clause (i) may be made available to the United Nations Children's Fund (UNICEF) until 30 days after the submission to Congress of the report required by section 2524.

(B) **INTERNATIONAL ATOMIC ENERGY AGENCY.**—Of the amounts authorized to be appropriated under paragraph (1), for each of the fiscal years 1996 and 1997 funds are authorized to be made available to the International Atomic Energy Agency only if the Secretary of State determines and reports to the appropriate congressional committees that Israel is not being denied its right to participate in the activities of that agency.

(C) **WAR CRIMES TRIBUNAL FOR THE FORMER YUGOSLAVIA.**—Of the amounts authorized to be appropriated under paragraph (1), \$15,000,000 for fiscal year 1996 and \$15,000,000 for fiscal year 1997 are authorized to be appropriated only for the United Nations Voluntary Fund for the United Nations International Criminal Tribunal for the Former Yugoslavia, located at The Hague.

(D) **WORLD FOOD PROGRAM.**—Of the amounts authorized to be appropriated under paragraph (1), \$5,000,000 for fiscal year 1996 and \$5,000,000 for fiscal year 1997 are authorized to be appropriated only for the World Food Program.

(E) **UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.**—Of the amounts authorized to be appropriated under paragraph (1) \$1,500,000 for fiscal year 1996 and \$3,000,000 for fiscal year 1997 are authorized to be appropriated only to the United Nations Voluntary Fund for Victims of Torture.

(F) **ORGANIZATION FOR AMERICAN STATES.**—Of the amounts authorized to be appropriated under paragraph (1), \$15,000,000 for fiscal year 1996 and \$15,000,000 for fiscal year 1997 are authorized to be appropriated only for the Organization for American States.

(G) **LIMITATION CONCERNING USE OF FUNDS UNDER SECTION 307 OF THE FOREIGN ASSISTANCE ACT OF 1961.**—Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated under paragraph (1) are authorized to be appropriated for the United States proportionate share, in accordance with section 307(c) of the Foreign Assistance Act of 1961, for any programs identified in section 307, or for Libya, Iran, or any Communist country listed in section 620(f) of the Foreign Assistance Act of 1961.

(H) **UNITED NATIONS DEVELOPMENT PROGRAM.**—

(i) **TOTAL LIMITATION.**—Of the amounts authorized to be appropriated under paragraph (1), for each of the fiscal years 1996 and 1997 not to exceed \$70,000,000 shall be available for the United Nations Development Program.

(ii) **BURMA.**—

(I) Subject to subclauses (II) and (III), for each of the fiscal years 1996 and 1997 none of the funds made available for United Nations Development Program (or United Nations Development Program—Administered Funds) shall be available for programs and activities in or for Burma.

(II) Of the amount made available for United Nations Development Program (and United Nations Development Program—Administered Funds) for fiscal year 1996, \$18,200,000 of such amount shall be disbursed only if the President certifies to the Congress that the United Nations Development Program has terminated its activities in and for Burma.

(III) Of the amount made available for United Nations Development Program (and United Nations Development Program—Administered Funds) for fiscal year 1997, \$25,480,000 shall be disbursed only if the President certifies to the Congress that the Unit-

ed Nations Development Program has terminated its activities in and for Burma.

(iii) **DISPLACED PERSONS.**—Of the amounts authorized to be appropriated under paragraph (1), \$20,000,000 for fiscal year 1996 and \$20,000,000 for fiscal year 1997 are authorized to be appropriated only for the United Nations Development Program to be made available only for programs and services conducted in cooperation with the International Organization for Migration for persons who are displaced within their countries of nationality.

(iv) **UNITED NATIONS DEVELOPMENT PROGRAM/WORLD HEALTH ORGANIZATION SPECIAL PROGRAM FOR RESEARCH AND TRAINING IN TROPICAL DISEASES.**—Of the amounts authorized to be appropriated under paragraph (1), \$10,000,000 for fiscal year 1996 and \$10,000,000 for fiscal year 1997 is authorized to be appropriated only for the United Nations Development Program, to be available only for the United Nations Development Program/World Health Organization Special Program for Research and Training and Tropical Diseases.

(I) **WORLD HEALTH ORGANIZATION.**—Of the amounts authorized to be appropriated under paragraph (1), \$20,000,000 for fiscal year 1996 and \$20,000,000 for fiscal year 1997 is authorized to be appropriated only for the World Health Organization to be available only for the United Nations Development Program/World Health Organization Special Program for Research and Training in Tropical Diseases.

(c) **ASSESSED CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.**—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for “Contributions for International Peacekeeping Activities”, \$400,000,000 for the fiscal year 1996 and \$300,000,000 for the fiscal year 1997 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

(2) **LIMITATION.**—None of the funds authorized to be appropriated under paragraph (1) may be made available for contributions to the United Nations Protection Force unless the President determines and reports to the Congress during the calendar year in which the funds are to be provided that—

(A) the Government of Bosnia and Herzegovina supports the continued presence of the United Nations Protection Force within its territory;

(B) the United Nations Protection Force is effectively carrying out its mandate under United Nations Security Council resolutions 776 and 836, and is effectively encouraging compliance with United Nations Security Council resolutions 752, 757, 770, 787, 820, and 824.

(C) the United Nations Protection Force is providing full cooperation and support consistent with its mandate to the efforts of the United Nations War Crimes Tribunal for the former Yugoslavia to investigate war crimes and to apprehend and prosecute suspected war criminals;

(D) the United Nations Protection Force is providing full cooperation and support consistent with its mandate to United States diplomatic, military, and relief personnel in Bosnia; and

(E) the United Nations Protection Force has investigated and taken appropriate action against any United Nations Protection Force personnel or units suspected of participating in illegal or improper activities, such as black marketeering, embezzlement, expropriation of property, and assaults on civilians.

(d) **PEACEKEEPING OPERATIONS.**—There are authorized to be appropriated for “Peacekeeping Operations”, \$50,360,000 for the fiscal year 1996 and \$50,360,000 for the fiscal year 1997 for the Department of State to carry out section 551 of Public Law 87-195.

(e) **INTERNATIONAL CONFERENCES AND CONTINGENCIES.**—

(1) **GENERAL PROVISION.**—There are authorized to be appropriated for “International Conferences and Contingencies”, \$3,000,000 for the fiscal year 1996 and \$6,000,000 for the fiscal year 1997 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international conferences and contingencies and to carry out other authorities in law consistent with such purposes.

(2) **CONDITIONAL AUTHORITY.**—

(A) Subject to subparagraph (B), in addition to such amounts as are authorized to be appropriated under paragraph (1), there is authorized to be

appropriated for "International Conferences and Contingencies", \$3,000,000 for the fiscal year 1996 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international conferences and contingencies and to carry out other authorities in law consistent with such purposes.

(B) The authorization of appropriations under subparagraph (A) shall be take effect only after the Secretary of State certifies to the appropriate congressional committees that—

(i) no funds of the Department of State were expended for travel by any United States official or delegate to the Fourth World Conference on Women, to be held in Beijing, August and September 1995, or

(ii)(I) that the process of accrediting nongovernmental organizations for the conference was conducted fairly, according to clear criteria, with full opportunity for substantive appeal of denials of accreditation;

(II) that no nongovernmental organization seeking accreditation to such a conference was denied such accreditation by the conference organizers on the basis of that organization's actual or supposed political orientation, or its affiliation with a particular ethnic or religious group;

(III) that accreditation was granted to—

(A) at least one group representing the people of Taiwan, and

(B) at least one group representing the people of Tibet;

(IV) that all representatives of nongovernmental organizations whose names were submitted to conference officials in a timely fashion were granted visas by the People's Republic of China; and

(V) that arrangements were made by the People's Republic of China to provide the accredited nongovernmental organizations with access to the main conference site that is substantially equivalent in manner and degree to access afforded at previous major United Nations conferences.

(f) **FOREIGN CURRENCY EXCHANGE RATES.**—In addition to amounts otherwise authorized to be appropriated by subsections (a) and (b) of this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1996 and 1997 to offset adverse fluctuations in foreign currency exchange rates. Amounts appropriated under this subsection shall be available for obligation and expenditure only to the extent that the Director of the Office of Management and Budget determines and certifies to Congress that such amounts are necessary due to such fluctuations.

SEC. 2103. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under "International Commissions" for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

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

(A) for "Salaries and Expenses" \$13,858,000 for the fiscal year 1996 and \$12,472,000 for the fiscal year 1997; and

(B) for "Construction" \$10,393,000 for the fiscal year 1996 and \$9,353,000 for the fiscal year 1997.

(2) **INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.**—For "International Boundary Commission, United States and Canada", \$740,000 for the fiscal year 1996 and \$666,000 for the fiscal year 1997.

(3) **INTERNATIONAL JOINT COMMISSION.**—For "International Joint Commission", \$3,500,000 for the fiscal year 1996 and \$3,195,000 for the fiscal year 1997.

(4) **BORDER ENVIRONMENT COOPERATION COMMISSION.**—For "Border Environment Cooperation Commission", \$2,000,000 for the fiscal year 1996 and \$1,800,000 for the fiscal year 1997.

(5) **INTERNATIONAL FISHERIES COMMISSIONS.**—For "International Fisheries Commissions", \$14,669,000 for the fiscal year 1996 and \$13,202,000 for the fiscal year 1997.

SEC. 2104. MIGRATION AND REFUGEE ASSISTANCE.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **MIGRATION AND REFUGEE ASSISTANCE.**—

(A) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for "Migration and Refugee Assistance" for authorized activities, \$560,000,000 for the fiscal year 1996 and \$590,000,000 for the fiscal year 1997.

(B) **LIMITATION.**—None of the funds authorized to be appropriated by subparagraph (A) are authorized to be appropriated for salaries and administrative expenses of the Bureau of Migration and Refugee Assistance.

(2) **REFUGEES RESETTLING IN ISRAEL.**—There are authorized to be appropriated \$80,000,000 for the fiscal year 1996 and \$80,000,000 for the fiscal year 1997 for assistance for refugees resettling in Israel from other countries.

(3) **HUMANITARIAN ASSISTANCE FOR DISPLACED BURMESE.**—There are authorized to be appropriated \$1,500,000 for the fiscal year 1996 and \$1,500,000 for the fiscal year 1997 for humanitarian assistance, including but not limited to food, medicine, clothing, and medical and vocational training to persons displaced as a result of civil conflict in Burma, including persons still within Burma.

(4) **RESETTLEMENT OF VIETNAMESE, LAOTIANS, AND CAMBODIANS.**—There are authorized to be appropriated \$30,000,000 for fiscal year 1996 for the admission and resettlement of persons who—

(A) are or were nationals and residents of Vietnam, Laos, or Cambodia;

(B) are within a category of aliens referred to in section 599D(b)(2)(C) of the Foreign Operations Export Financing and Related Programs Appropriation Act, 1990 (Public Law 101-167); and

(C) are or were at any time after January 1, 1989, residents of refugee camps in Hong Kong, Thailand, Indonesia, Malaysia, or the Philippines.

(b) **GENERAL LIMITATIONS.**—None of the funds authorized to be appropriated by subsection (a) are authorized to be available for any program or activity that provides for, promotes, or assists in the repatriation of any person to Vietnam, Laos, or Cambodia, unless the President has certified that—

(1) all persons described in subsection (a)(4) have been offered resettlement outside their countries of nationality;

(2) all nationals of Vietnam, Laos, or Cambodia who were residents of refugee camps as of the date of enactment of this Act who are not persons described in subsection (a)(4) have, at any time after such date, either had access to a process for the determination of whether they are refugees, or been offered resettlement outside their countries of nationality; and

(3) the process referred to in paragraph (2) is genuinely calculated to determine whether each applicant is a refugee, and that the procedures, standards, and personnel employed in such process ensure that the risk of return to persecution is no greater than in the process available under United States law to persons physically present in the United States.

(c) **AVAILABILITY OF FUNDS.**—Funds appropriated pursuant to subsection (a) are authorized to be available until expended.

SEC. 2105. CERTAIN OTHER INTERNATIONAL AFFAIRS PROGRAMS.

The following amounts are authorized to be appropriated for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) **ASIA FOUNDATION.**—For "Asia Foundation", \$10,000,000 for the fiscal year 1996 and \$9,000,000 for the fiscal year 1997.

SEC. 2106. UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS.

The following amounts are authorized to be appropriated to carry out international information activities and educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the United States International Broadcasting Act of 1994, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, the Board for International Broadcasting Act, the Inspector General Act of 1978, the North/South Center Act of 1991, the National Endowment for Democracy Act, and to carry out other authorities in law consistent with such purposes:

(1) **SALARIES AND EXPENSES.**—For "Salaries and Expenses", \$450,645,000 for the fiscal year 1996 and \$428,080,000 for the fiscal year 1997.

(2) **TECHNOLOGY FUND.**—For "Technology Fund" for the United States Information Agency, \$5,050,000 for the fiscal year 1996 and \$5,050,000 for the fiscal year 1997.

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

(A) **FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.**—For the “Fulbright Academic Exchange Programs”, \$117,484,200 for the fiscal year 1996 and \$113,680,800 for the fiscal year 1997.

(B) **SOUTH PACIFIC EXCHANGES.**—For the “South Pacific Exchanges”, \$900,000 for the fiscal year 1996 and \$900,000 for the fiscal year 1997.

(C) **EAST TIMORESE SCHOLARSHIPS.**—For the “East Timorese Scholarships”, \$800,000 for the fiscal year 1996 and \$800,000 for the fiscal year 1997.

(D) **CAMBODIAN SCHOLARSHIPS.**—For the “Cambodian Scholarships”, \$141,000 for the fiscal year 1996 and \$141,000 for the fiscal year 1997.

(E) **TIBETAN EXCHANGES.**—For the “Educational and Cultural Exchanges with Tibet” under section 236 of the Foreign Relations Authorization Act, Fiscal Years 1995 and 1996, \$500,000 for the fiscal year 1996 and \$500,000 for the fiscal year 1997.

(F) **OTHER PROGRAMS.**—For “Hubert H. Humphrey Fellowship Program”, “Edmund S. Muskie Fellowship Program”, “International Visitors Program”, “Mike Mansfield Fellowship Program”, “Claude and Mildred Pepper Scholarship Program of the Washington Workshops Foundation”, “Citizen Exchange Programs”, “Congress-Bundestag Exchange Program”, “Newly Independent States and Eastern Europe Training”, “Institute for Representative Government”, and “Arts America”, \$87,265,800 for the fiscal year 1996 and \$87,341,400 for the fiscal year 1997.

(4) **INTERNATIONAL BROADCASTING ACTIVITIES.**—

(A) **AUTHORIZATION OF APPROPRIATIONS.**—For “International Broadcasting Activities”, \$321,191,000 for the fiscal year 1996, and \$286,191,000 for the fiscal year 1997.

(B) **LIMITATION.**—Of the amounts authorized to be appropriated under subparagraph (A) \$3,000,000 for fiscal year 1996 and \$3,000,000 for fiscal year 1997 are authorized to be appropriated only to carry out the Pilot Project for Freedom Broadcasting to Asia authorized by section 2443.

(5) **RADIO CONSTRUCTION.**—For “Radio Construction”, \$75,164,000 for the fiscal year 1996, and \$67,647,000 for the fiscal year 1997.

(6) **RADIO FREE ASIA.**—For “Radio Free Asia”, \$10,000,000 for the fiscal year 1996 and \$10,000,000 for the fiscal year 1997.

(7) **BROADCASTING TO CUBA.**—For “Broadcasting to Cuba”, \$24,809,000 for the fiscal year 1996 and \$24,809,000 for the fiscal year 1997.

(8) **OFFICE OF THE INSPECTOR GENERAL.**—For “Office of the Inspector General”, \$4,300,000 for the fiscal year 1996 and \$3,870,000 for the fiscal year 1997.

(9) **CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.**—For “Center for Cultural and Technical Interchange between East and West”, \$15,000,000 for the fiscal year 1996 and \$10,000,000 for the fiscal year 1997.

(10) **NATIONAL ENDOWMENT FOR DEMOCRACY.**—For “National Endowment for Democracy”, \$34,000,000 for the fiscal year 1996 and \$34,000,000 for the fiscal year 1997.

(11) **CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN NORTH AND SOUTH.**—For “Center for Cultural and Technical Interchange between North and South” \$4,000,000 for the fiscal year 1996 and \$3,000,000 for the fiscal year 1997.

SEC. 5107. UNITED STATES ARMS CONTROL AND DISARMAMENT.

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

(1) \$44,000,000 for the fiscal year 1996 and \$40,500,000 for the fiscal year 1997; and

(2) such sums as may be necessary for each of the fiscal years 1996 and 1997 for increases in salary, pay, retirement, other employee benefits authorized by law, and to offset adverse fluctuations in foreign currency exchange rates.

TITLE XXII—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

CHAPTER 1—AUTHORITIES AND ACTIVITIES

SEC. 2201. REVISION OF DEPARTMENT OF STATE REWARDS PROGRAM.

(a) **IN GENERAL.**—Section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended to read as follows:

*SEC. 36. DEPARTMENT OF STATE REWARDS PROGRAM.

“(a) **ESTABLISHMENT.**—(1) There is established a program for the payment of rewards to carry out the purposes of this section.

“(2) The rewards program established by this section shall be administered by the Secretary of State, in consultation, where appropriate, with the Attorney General.

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

“(2) The Secretary of State may pay a reward to any individual who furnishes information leading to—

“(A) the arrest or conviction in any country of any individual for the commission of an act of international terrorism against a United States person or United States property;

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

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

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

“(ii) the killing or kidnapping of—

“(I) any officer, employee, or contract employee of the United States Government while such individual is engaged in official duties, or on account of that individual's official duties, in connection with the enforcement of United States narcotics laws or the implementing of United States narcotics control objectives; or

“(II) a member of the immediate family of any such individual on account of that individual's official duties, in connection with the enforcement of United States narcotics laws or the implementing of United States narcotics control objectives; or

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

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

“(E) the prevention or frustration of an act described in subparagraphs (A) through (C).

“(c) **COORDINATION.**—(1) To ensure that the payment of rewards pursuant to this section does not duplicate or interfere with the payment of informants or the purchase of evidence or information, as authorized to the Department of Justice, the offering, administration, and payment of rewards under this section, including procedures for—

“(A) identifying individuals, organizations, and offenses with respect to which rewards will be offered;

“(B) the publication of rewards;

“(C) offering of joint rewards with foreign governments;

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

“(E) the payment and approval of payment,

shall be governed by procedures developed by the Secretary of State, in consultation with the Attorney General.

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

“(d) **FUNDING.**—(1) There is authorized to be appropriated to the Department of State from time to time such amounts as may be necessary to carry out the pur-

poses of this section, notwithstanding section 102 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99-93).

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

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

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

"(e) ADDITIONAL FUNDING.—(1) In extraordinary circumstances and when it is important to the national security of the United States, the Secretary of State may use fees collected or processing machine readable nonimmigrant visas and machine readable combined border crossing identification cards and nonimmigrant visas provided under (section 140 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, Public Law 103-236; 8 U.S.C. 1351 note) to carry out the purposes of this section, subject to the limitation contained in subsection (d)(2).

"(2) The authority contained in paragraph (1) may be used only if the Secretary notifies the appropriate congressional committees 15 days in advance in accordance with regular reprogramming procedures. Such notification shall contain a detailed justification of the circumstances necessitating the use of such fees for the purposes of this section.

"(f) LIMITATION AND CERTIFICATION.—(1) A reward under this section may not exceed \$2,000,000.

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

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

"(4) The authority of paragraph (2) may not be delegated to any other officer or employee of the United States Government.

"(5) If the Secretary determines that the identity of the recipient of a reward or of the members of the recipient's immediate family must be protected, the Secretary may take such measures in connection with the payment of the reward as he considers necessary to effect such protection.

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

"(h) REPORTS.—(1) Not later than 30 days after paying any reward under this section, the Secretary of State shall submit a report to the appropriate congressional committees with respect to such reward. The report, which may be submitted on a classified basis if necessary, shall specify the amount of the reward paid, to whom the reward was paid, and the acts with respect to which the reward was paid. The report shall also discuss the significance of the information for which the reward was paid in dealing with those acts.

"(2) Not later than 60 days after the end of each fiscal year, the Secretary of State shall submit an annual report to the appropriate congressional committees with respect to the operation of the rewards program authorized by this section. Such report shall provide information on the total amounts expended during such fiscal year to carry out the purposes of this section, including amounts spent to publicize the availability of rewards. Such report shall also include information on all requests for the payment of rewards under this section, including the reasons for the denial of any such requests.

"(i) DEFINITIONS.—As used in this section—

"(1) the term 'appropriate congressional committees' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate;

"(2) the term 'act of international terrorism' includes, but is not limited to—

"(A) any act substantially contributing to the acquisition of unsafeguarded special nuclear material (as defined in section 830(8) of the Nuclear Proliferation Prevention Act of 1994) or any nuclear explosive device (as defined in section 830(4) of that Act) by an individual, group, or non-nuclear weapon state (as defined in section 830(5) of that Act); and

"(B) any act, as determined by the Secretary of State, which materially supports the conduct of international terrorism, including the counterfeiting of United States currency or the illegal use of other monetary instruments by an individual, group, or country supporting international terrorism as

determined for purposes of section 6(j) of the Export Administration Act of 1979;

"(3) the term 'United States narcotics laws' means the laws of the United States for the prevention and control of illicit traffic in controlled substances (as such term is defined for purposes of the Controlled Substances Act); and

"(4) the term 'member of the immediate family' includes—

"(A) a spouse, parent, brother, sister, or child of the individual;

"(B) a person to whom the individual stands in loco parentis; and

"(C) any other person living in the individual's household and related to the individual by blood or marriage."

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Secretary of State should pursue additional means of funding the program established by section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708), including the authority to seize and dispose of assets used in the commission of any offense under sections 1541 through 1544 and section 1546 of title 18, United States Code, and section 1028 of title 22, United States Code, and to retain the proceeds derived from the disposition of such assets, or to participate in asset sharing programs conducted by the Department of Justice, to carry out the purposes of section 36 of that Act.

SEC. 2202. AUTHORITIES OF SECRETARY OF STATE.

Section 203(4) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4303(4)) is amended in the third sentence by striking "should" both places it appears and inserting "shall".

SEC. 2203. BUYING POWER MAINTENANCE ACCOUNT.

Section 24(b)(7) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696(b)(7)) is amended by striking subparagraph (D).

SEC. 2204. EXPENSES RELATING TO CERTAIN INTERNATIONAL CLAIMS AND PROCEEDINGS.

(a) RECOVERY OF CERTAIN EXPENSES.—The Department of State Appropriation Act, 1937 (49 Stat. 1321, 22 U.S.C. 2661, as amended by section 142(b) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-204)) is amended in the fifth undesignated paragraph under the heading entitled "INTERNATIONAL FISHERIES COMMISSION" by striking "extraordinary".

(b) PROCUREMENT OF SERVICES.—Section 38(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710(c)) is amended in the first sentence by inserting "personal and" before "other support services".

SEC. 2205. CONSOLIDATION OF UNITED STATES DIPLOMATIC MISSIONS AND CONSULAR POSTS.

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

(b) CONTENTS OF PLAN.—The plan shall—

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

(2) identify those missions and posts at which the resident ambassador would also be accredited to other specified states in which the United States either maintained no resident official presence or maintained such a presence only at staff level; and

(3) provide an estimate of—

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

(B) the reduction in the costs of maintaining United States properties abroad; and

(C) the amount of revenues generated to the United States through the sale or other disposition of United States properties associated with the posts to be consolidated abroad.

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

CHAPTER 2—CONSULAR AUTHORITIES OF THE DEPARTMENT OF STATE

SEC. 2231. SURCHARGE FOR PROCESSING CERTAIN MACHINE READABLE VISAS.

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

(1) by striking paragraphs (2) and (3) and inserting the following:

"(2) For fiscal years 1996 and 1997, not more than \$250,000,000 in fees collected under the authority of paragraph (1) shall be deposited as an offsetting collection to any Department of State appropriation to recover the costs of enhancements in the efficiency and security of the process of visa issuance. Such fees shall remain available for obligation until expended.

"(3) For any fiscal year, fees collected under the authority of paragraph (1) in excess of the amount specified for such fiscal year under paragraph (2) shall be deposited in the general fund of the Treasury as miscellaneous receipts.";

and
(2) by striking paragraph (5).

SEC. 2332. FINGERPRINT CHECK REQUIREMENT.

Section 140 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) is amended by adding at the end the following:

"(e) FINGERPRINT CHECK REQUIREMENT.—If a visa applicant is determined to have a criminal history record under subsection (d)(1), has been physically present in the United States, and is more than 16 years of age, the applicant shall provide a fingerprint record for submission with the application, at no cost to the Department of State. The Department of State shall submit such fingerprint record to the Federal Bureau of Investigation for analysis to determine whether the applicant has been convicted of a felony under State or Federal law in the United States."

SEC. 2333. USE OF CERTAIN PASSPORT PROCESSING FEES FOR ENHANCED PASSPORT SERVICES.

For each of the fiscal years 1996 and 1997, of the fees collected for expedited passport processing and deposited to an offsetting collection pursuant to the Department of State and Related Agencies Appropriations Act for Fiscal Year 1995 (Public Law 103-317; 22 U.S.C. 214), 10 percent shall be available only for enhancing passport services for United States citizens, improving the integrity and efficiency of the passport issuance process, improving the secure nature of the United States passport, investigating passport fraud, and deterring entry into the United States by terrorists, drug traffickers, or other criminals.

SEC. 2334. CONSULAR OFFICERS.

(a) PERSONS AUTHORIZED TO ISSUE REPORTS OF BIRTH ABROAD.—Section 33 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2705) is amended in paragraph (2) by inserting "(or any United States citizen employee of the Department of State designated by the Secretary of State to adjudicate nationality abroad pursuant to such regulations as the Secretary may prescribe)" after "consular officer".

(b) PROVISIONS APPLICABLE TO CONSULAR OFFICERS.—Section 31 of the Act of August 18, 1856 (Rev. Stat. 1689, 22 U.S.C. 4191), is amended by inserting "and to such other United States citizen employees of the Department of State as may be designated by the Secretary of State pursuant to such regulations as the Secretary may prescribe" after "such officers".

CHAPTER 3—REFUGEES AND MIGRATION

SEC. 2351. UNITED STATES EMERGENCY REFUGEE AND MIGRATION ASSISTANCE FUND.

(a) LIMITATION ON TRANSFERS FROM EMERGENCY FUND.—Section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) is amended by adding after paragraph (3) the following:

"(4) Notwithstanding any other provision of this Act, the President shall notify the appropriate congressional committees not less than 15 days before transferring or otherwise making available amounts from the United States Emergency Refugee and Migration Assistance Fund under paragraph (1)."

(b) NOTIFICATION OF EXPENDITURES FROM FUND.—Section 2(d) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) is amended to read as follows:

"(d)(1) Except as provided in paragraph (2), and notwithstanding any other provision of this Act, the President shall notify the appropriate congressional committees at least 15 days in advance of the obligation or expenditure of sums from the United States Emergency Refugee and Migration Assistance Fund under subsection (c).

"(2) Notwithstanding the notification requirement of paragraph (1), the President may obligate and expend sums from the United States Emergency Refugee and Migration Assistance Fund if the President determines, and promptly certifies to the appropriate congressional committees, that unforeseen emergency circumstances re-

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

(c) **TRANSITION PROVISION.**—The President may appoint the individual serving as Coordinator for Counterterrorism of the Department of State on the day before the effective date of this division, or such other official of the Department of State appointed by and with the advice and consent of the Senate as the President considers appropriate to serve as the acting Coordinator for Counterterrorism until an individual is appointed to that office in accordance with section 1(e) of the State Department Basic Authorities Act of 1956 as amended by this Act.

SEC. 2302. SPECIAL ENVOY FOR TIBET.

(a) **FINDINGS.**—The Congress makes the following findings:

(1) The Government of the People's Republic of China withholds meaningful participation in the governance of Tibet from Tibetans and has failed to abide by its own constitutional guarantee of autonomy for Tibetans.

(2) The Government of the People's Republic of China is responsible for the destruction of much of Tibet's cultural and religious heritage since 1959 and continues to threaten the survival of Tibetan culture and religion.

(3) The Government of the People's Republic of China, through direct and indirect incentives, has established discriminatory development programs which have resulted in an overwhelming flow of Chinese immigrants into Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu, and Qinghai in recent years, and have excluded Tibetans from participation in important policy decisions, further threatening traditional Tibetan life.

(4) The Government of the People's Republic of China denies Tibetans their fundamental human rights, as reported in the Department of State's Country Reports on Human Rights Practices for 1995.

(5) The President and the Congress have determined that the promotion of human rights in Tibet and the protection of Tibet's religion and culture are important elements in United States-China relations and have urged senior members of the Government of the People's Republic of China to enter into substantive negotiations on these matters with the Dalai Lama or his representative.

(6) The Dalai Lama has repeatedly stated his willingness to begin substantive negotiations without preconditions.

(7) The Government of the People's Republic of China has failed to respond in a good faith manner by reciprocating a willingness to begin negotiations without preconditions, and no substantive negotiations have begun.

(b) **UNITED STATES SPECIAL ENVOY FOR TIBET.**—Section 1(e) of the State Department Basic Authorities Act (U.S.C. 2651a(e)) is amended by adding after paragraph (2) the following new paragraph:

“(3) **UNITED STATES SPECIAL ENVOY FOR TIBET.**—

“(A) There shall be within the Department of State a United States Special Envoy for Tibet, who shall be appointed by the President, by and with the advice and consent of the Senate. The United States Special Envoy for Tibet shall hold office at the pleasure of the President.

“(B) The United States Special Envoy for Tibet shall have the personal rank of ambassador.

“(C) The United States Special Envoy for Tibet is authorized and encouraged—

“(i) to promote substantive negotiations between the Dalai Lama or his representatives and senior members of the Government of the People's Republic of China;

“(ii) to promote good relations between the Dalai Lama and his representatives and the United States Government, including meeting with members or representatives of the Tibetan government-in-exile; and

“(iii) to travel regularly throughout Tibet and Tibetan refugee settlements.

“(D) The United States Special Envoy for Tibet shall—

“(i) consult with the Congress on policies relevant to Tibet and the future and welfare of all Tibetan people;

“(ii) coordinate United States Government policies, programs, and projects concerning Tibet; and

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

SEC. 2303. ESTABLISHMENT OF COORDINATOR FOR HUMAN RIGHTS AND REFUGEES AND BUREAU OF REFUGEE AND MIGRATION ASSISTANCE.

(a) **ESTABLISHMENT OF COORDINATOR FOR HUMAN RIGHTS AND REFUGEES.**—Section 1(e) of the State Department Basic Authorities Act (22 U.S.C. 2651a(e)) is amended by adding after paragraph (3) the following new paragraph:

“(4) **COORDINATOR FOR HUMAN RIGHTS AND REFUGEES.**—

“(A) There shall be within the office of the Secretary of State a Coordinator for Human Rights and Refugees (hereafter in this paragraph referred to as the ‘Coordinator’) who shall be appointed by the President, by and with the advice and consent of the Senate. The Coordinator shall report directly to the Secretary of State.

“(B) The Coordinator shall be responsible for matters pertaining to human rights, refugees, and humanitarian affairs (including matters relating to prisoners of war and members of the United States Armed Forces missing in action) in the conduct of foreign policy. The Coordinator shall head the Bureau of Refugee and Migration Assistance and the Bureau of Democracy, Human Rights, and Labor.

“(C) The Coordinator shall have the rank and status of Ambassador-at-Large. The Coordinator shall be compensated at the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5314 of title 5, United States Code, or, if the Coordinator is appointed from the Foreign Service, the annual rate of pay which the individual last received under the Foreign Service Schedule, whichever is greater.

“(D) For purposes of diplomatic protocol among officers of the Department of State, the Coordinator shall take precedence after the Secretary of State, the Deputy Secretary of State, and the Under Secretaries of State and shall take precedence among the Assistant Secretaries of State in the order prescribed by the Secretary of State.”.

(b) **TERMINATION OF ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.**—

(1) **IN GENERAL.**—Section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)) is amended by striking paragraph (2).

(2) **CONFORMING AMENDMENTS.**—The Foreign Assistance Act of 1961 is amended—

(A) in section 116(c) (22 U.S.C. 2151n), by striking “Assistant Secretary of State for Democracy, Human Rights, and Labor” and inserting “Secretary”;

(B) in sections 502B and 505(g)(4)(A) by striking “, prepared with the assistance of the Assistant Secretary of State for Democracy, Human Rights, and Labor,”; and

(C) in section 573(c) by striking “Assistant Secretary of State for Democracy, Human Rights, and Labor” and inserting “Secretary of State”.

(c) **ESTABLISHMENT OF BUREAU OF REFUGEE AND MIGRATION ASSISTANCE.**—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding after subsection (e) the following new subsection:

“(f) **ESTABLISHMENT OF CERTAIN BUREAUS, OFFICES, AND OTHER ORGANIZATIONAL ENTITIES WITHIN THE DEPARTMENT OF STATE.**—

“(1) **BUREAU OF REFUGEE AND MIGRATION ASSISTANCE.**—There is established within the Department of State the Bureau of Refugee and Migration Assistance which shall assist the Secretary of State in carrying out the Migration and Refugee Assistance Act of 1962. The Bureau shall be headed by the Coordinator for Human Rights and Refugees.”.

SEC. 2304. ELIMINATION OF STATUTORY ESTABLISHMENT OF CERTAIN POSITIONS OF THE DEPARTMENT OF STATE.

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

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

(c) **ASSISTANT SECRETARY FOR OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS.**—Section 9 of the Department of State Appropriations Authorization Act of 1973 (22 U.S.C. 2655a) is repealed.

SEC. 2305. ESTABLISHMENT OF ASSISTANT SECRETARY OF STATE FOR HUMAN RESOURCES.

Section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)) is amended by adding after paragraph (1) the following new paragraph:

"(2) ASSISTANT SECRETARY FOR HUMAN RESOURCES.—There shall be in the Department of State an Assistant Secretary for Human Resources who shall be responsible to the Secretary of State for matters relating to human resources including the implementation of personnel policies and programs within the Department of State and international affairs functions and activities carried out through the Department of State. The Assistant Secretary shall have substantial professional qualifications in the field of human resource policy and management."

SEC. 2306. AUTHORITY OF UNITED STATES PERMANENT REPRESENTATIVE TO THE UNITED NATIONS.

Section 2(a) of the United Nations Participation Act of 1945 (22 U.S.C. 287(a)) is amended by striking "hold office at the pleasure of the President" and inserting "serve at the pleasure of the President and subject to the direction of the Secretary of State, acting through the Assistant Secretary of State with principal responsibility for the conduct of international organization affairs".

CHAPTER 2—PERSONNEL OF THE DEPARTMENT OF STATE; THE FOREIGN SERVICE**SEC. 2351. AUTHORIZED STRENGTH OF THE FOREIGN SERVICE.**

(a) END FISCAL YEAR 1996 LEVELS.—The number of members of the Foreign Service authorized to be employed as of September 30, 1996—

(1) for the Department of State, shall not exceed 9,000, of whom not more than 720 shall be members of the Senior Foreign Service;

(2) for the United States Information Agency, shall not exceed 1,150, of whom not more than 165 shall be members of the Senior Foreign Service; and

(3) for the Agency for International Development, not to exceed 1,800, of whom not more than 240 shall be members of the Senior Foreign Service.

(b) END FISCAL YEAR 1997 LEVELS.—The number of members of the Foreign Service authorized to be employed as of September 30, 1997—

(1) for the Department of State, shall not exceed 8,800, of whom not more than 680 shall be members of the Senior Foreign Service;

(2) for the United States Information Agency, not to exceed 1,100 of whom not more than 160 shall be members of the Senior Foreign Service; and

(3) for the Agency for International Development, not to exceed 1,775 of whom not more than 230 shall be members of the Senior Foreign Service.

(c) DEFINITION.—For the purposes of this section, the term "members of the Foreign Service" is used within the meaning of such term under section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3903), except that such term does not include—

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

(2) members of the Service serving under temporary resident appointments abroad;

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

(4) members of the Service subject to involuntary separation in cases in which such separation has been suspended pursuant to section 1106(8) of the Foreign Service Act of 1980; and

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

(d) WAIVER AUTHORITY.—(1) Subject to paragraph (2), the Secretary of State, the Director of the United States Information Agency, and the Director of the Agency for International Development may waive any limitation under subsection (a) or (b) which applies to the Department of State, the United States Information Agency, or the Agency for International Development as the case may be, to the extent that such waiver is necessary to carry on the foreign affairs functions of the United States.

(2) Not less than 15 days before any agency head implements a waiver under paragraph (1), such agency head shall notify the Chairman of the Committee on Foreign Relations of the Senate and the Chairman of the Committee on International Relations of the House of Representatives. Such notice shall include an explanation of the circumstances and necessity for such waiver.

SEC. 2352. REPEAL OF AUTHORITY FOR SENIOR FOREIGN SERVICE PERFORMANCE PAY.

(a) REPEAL.—Section 405 of the Foreign Service Act of 1980 (22 U.S.C. 3965) is repealed.

(b) CONFORMING AMENDMENT.—Section 2 of the Foreign Service Act of 1980 is amended in the table of contents by striking the item related to section 405.

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

CHAPTER 1—GENERAL PROVISIONS

SEC. 2401. ELIMINATION OF PERMANENT AUTHORIZATION.

Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 is amended by striking subsection (e).

SEC. 2402. EXTENSION OF AU PAIR PROGRAMS.

Section 8 of the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101-454) is amended in the last sentence by striking "fiscal year 1995" and inserting "fiscal year 1997".

SEC. 2403. EDUCATIONAL AND CULTURAL EXCHANGES WITH HONG KONG.

The Director of the United States Information Agency shall establish programs of educational and cultural exchange between the United States and the people of Hong Kong.

SEC. 2404. CONDUCT OF EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

In carrying out programs of educational and cultural exchange in Hong Kong, China, Vietnam, Cambodia, Tibet, Burma, and East Timor, the Director of the United States Information Agency shall take appropriate steps to provide opportunities for participation in such programs to human rights and democracy leaders of such countries and persons who are nationals but not residents of such countries.

SEC. 2405. EDUCATIONAL AND CULTURAL EXCHANGES AND SCHOLARSHIPS FOR TIBETANS AND BURMESE.

(a) ESTABLISHMENT OF EDUCATIONAL AND CULTURAL EXCHANGE FOR TIBETANS.—The Director of the United States Information Agency shall establish programs of educational cultural exchange between the United States and the people of Tibet. Such programs shall include opportunities for training and, as the Director considers appropriate, may include the assignment of personnel and resources abroad.

(b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—

(1) For each of the fiscal years 1996 and 1997, at least 30 scholarships shall be made available to Tibetan students and professionals who are outside Tibet, and at least 15 scholarships shall be made available to Burmese students and professionals who are outside Burma.

(2) WAIVER.—Paragraph (1) shall not apply to the extent that the Director of the United States Information Agency determines that there are not enough qualified students to fulfill such allocation requirement.

(3) SCHOLARSHIP DEFINED.—For the purposes of this section, the term "scholarship" means an amount to be used for full or partial support of tuition and fees to attend an educational institution, and may include fees, books, and supplies, equipment required for courses at an educational institution, living expenses at a United States educational institution, and travel expenses to and from, and within, the United States.

SEC. 2406. AVAILABILITY OF VOICE OF AMERICA AND RADIO MARTI MULTILINGUAL COMPUTER READABLE TEXT AND VOICE RECORDINGS.

(a) IN GENERAL.—Notwithstanding section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461-1a) and the second sentence of section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461), the Director of the United States Information Agency is authorized to make available, upon request, to the Linguistic Data Consortium of the University of Pennsylvania computer readable multilingual text and recorded speech in various languages. The Consortium shall, directly or indirectly as appropriate, reimburse the Director for any expenses involved in making such materials available.

(b) TERMINATION.—Subsection (a) shall cease to have effect 5 years after the date of the enactment of this Act.

SEC. 2407. RETENTION OF INTEREST.

Notwithstanding any other provision of law, with the approval of the National Endowment for Democracy, grant funds made available by the National Endowment for Democracy may be deposited in interest-bearing accounts pending disbursement and any interest which accrues may be retained by the grantee and used for the purposes for which the grant was made.

CHAPTER 2—INTERNATIONAL BROADCASTING**SEC. 2431. EXPANSION OF BROADCASTING BOARD OF GOVERNORS.**

Section 304(b) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203) is amended—

- (1) in paragraph (1) by striking "9" and inserting "11";
- (2) in paragraph (1)(A) by striking "8" and inserting "10"; and
- (3) in paragraph (3) by striking "4" and inserting "5".

SEC. 2432. PLAN FOR RADIO FREE ASIA.

Not later than 90 days after the date of the enactment of this Act, the Director of the United States Information Agency shall submit to the Congress a detailed plan for the establishment and operation of Radio Free Asia.

SEC. 2433. PILOT PROJECT FOR FREEDOM BROADCASTING TO ASIA.

(a) **AUTHORITY.**—The Director of the United States Information Agency shall make grants for broadcasting to the People's Republic of China, Burma, Cambodia, Laos, North Korea, Tibet, and Vietnam. Such broadcasting shall provide accurate and timely information, news, and commentary about events in the respective countries of Asia and elsewhere, and shall be a forum for a variety of opinions and voices from within Asian nations whose people do not fully enjoy freedom of expression.

(b) **PURPOSE.**—The purpose of such grants shall be to provide such broadcasting on an interim basis during the period before Radio Free Asia becomes fully operational.

(c) **APPLICATIONS.**—In considering applications for grants, the Director of the United States Information Agency shall give strong preference to entities which (1) take advantage of the expertise of political and religious dissidents and pro-democracy and human rights activists from within the countries to whom broadcasting is directed, including exiles from these countries; and (2) take advantage of contracts or similar arrangements with existing broadcast facilities so as to provide immediate broadcast coverage with low overhead.

(d) **PLAN.**—Not later than 30 days after the date of the enactment of this Act, the Director of the United States Information Agency shall submit to the appropriate congressional committees a plan for implementing this section which shall include details concerning timetable for implementation, grant criteria, and grant application procedures. The procedures and timetable should be designed to ensure that grantees will begin broadcasting not later than 120 days after the date of the enactment of this Act.

TITLE XXV—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS**CHAPTER 1—GENERAL PROVISIONS****SEC. 2501. INTERNATIONAL BOUNDARY AND WATER COMMISSION.**

The Act of May 13, 1924 (49 Stat. 660, 22 U.S.C. 277–277f), is amended in section 3 (22 U.S.C. 277b) by adding the following new subsection at the end:

"(d) Pursuant to the authority of subsection (a) and in order to facilitate further compliance with the terms of the Convention for Equitable Distribution of the Waters of the Rio Grande, May 21, 1906, United States-Mexico, the Secretary of State, acting through the United States Commissioner of the International Boundary and Water Commission, may make improvements to the Rio Grande Canalization Project, originally authorized by the Act of August 29, 1935 (49 Stat. 961). Such improvements may include all such works as may be needed to stabilize the Rio Grande in the reach between the Percha Diversion Dam in New Mexico and the American Diversion Dam in El Paso."

CHAPTER 2—UNITED NATIONS AND AFFILIATED AGENCIES AND ORGANIZATIONS

SEC. 2521. REFORM IN BUDGET DECISIONMAKING PROCEDURES OF THE UNITED NATIONS AND ITS SPECIALIZED AGENCIES.

(a) **ASSESSED CONTRIBUTIONS.**—Of amounts authorized to be appropriated for "Assessed Contributions to International Organizations" by this Act, the President may withhold 20 percent of the funds appropriated for the United States assessed contribution to the United Nations or to any of its specialized agencies for any calendar year if the United Nations or any such agency has failed to implement or to continue to implement consensus-based decisionmaking procedures on budgetary matters which assure that sufficient attention is paid to the views of the United States and other member states that are the major financial contributors to such assessed budgets.

(b) **NOTICE TO CONGRESS.**—The President shall notify the Congress when a decision is made to withhold any share of the United States assessed contribution to the United Nations or its specialized agencies pursuant to subsection (a) and shall notify the Congress when the decision is made to pay any previously withheld assessed contribution. A notification under this subsection shall include appropriate consultation between the President (or the President's representative) and the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

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

(d) **REPORT TO CONGRESS.**—Not later than February 1 of each year, the President shall submit to the appropriate congressional committees a report concerning the amount of United States assessed contributions paid to the United Nations and each of its specialized agencies during the preceding calendar year.

SEC. 2523. LIMITATION ON CONTRIBUTIONS TO THE UNITED NATIONS OR UNITED NATIONS AFFILIATED ORGANIZATIONS.

The United States shall not make any voluntary or assessed contribution—

(1) to any affiliated organization of the United Nations which grants full membership as a state to any organization or group that does not have the internationally recognized attributes of statehood, or

(2) to the United Nations, if the United Nations grants full membership as a state in the United Nations to any organization or group that does not have the internationally recognized attributes of statehood, during any period in which such membership is effective.

SEC. 2524. REPORT ON UNICEF.

Not later than December 31, 1995, the Secretary of State shall transmit to the appropriate congressional committees a report on (1) the progress of UNICEF toward effective financial, program, and personnel management; (2) the progress of UNICEF in shifting its health, child survival, and maternal survival programs toward efficient and low-overhead contractors, with particular emphasis on non-governmental organizations; and (3) the extent to which UNICEF has demonstrated its commitment to its traditional mission of child health and welfare and resisted pressure to become involved in functions performed by other United Nations agencies.

TITLE XXVI—FOREIGN POLICY PROVISIONS

CHAPTER 1—MISCELLANEOUS FOREIGN POLICY PROVISIONS

SEC. 2601. APPLICABILITY OF TAIWAN RELATIONS ACT.

Section 3 of the Taiwan Relations Act (22 U.S.C. 3302) is amended by adding at the end the following new subsection:

"(d) The provisions of subsections (a) and (b) supersede any provision of the Joint Communique of the United States and China of August 17, 1982."

SEC. 2602. REPORT ON OCCUPIED TIBET.

(a) **FINDINGS AND DECLARATIONS OF CONGRESS.**—The Congress makes the following findings and declarations:

(1) Tibet is an occupied sovereign country under international law and its true representatives are the Dalai Lama and the Tibetan Government, in exile.

(2) The United States should seek to establish a dialogue with those recognized by Congress as the true representatives of the Tibetan people, the Dalai Lama, his representatives, and the Tibetan Government in exile, concerning the situation in Tibet and the future of the Tibetan people and to expand and strengthen United States-Tibet cultural and educational relations, including promoting bilateral exchanges arranged directly with the Tibetan Government in exile.

(b) **REPORT ON UNITED STATES-TIBET RELATIONS.**— Not later than 6 months after the date of enactment of this Act, and every 12 months thereafter, the Secretary of State shall transmit to the Chairman of the Committee on Foreign Relations and the Speaker of the House of Representatives a report on the state of relations between the United States and those recognized by Congress as the true representatives of the Tibetan people, the Dalai Lama, his representatives, and the Tibetan Government in exile, and on conditions in Tibet.

(c) **SEPARATE TIBET REPORTS.**—

(1) It is the sense of the Congress that whenever an executive branch report is transmitted to the Congress on a country-by-country basis there should be included in such report, where applicable, a separate report on Tibet listed alphabetically with its own state heading.

(2) The reports referred to in paragraph (1) include, but are not limited to, reports transmitted under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (relating to human rights).

SEC. 2603. BOSNIA GENOCIDE JUSTICE ACT.

(a) **SHORT TITLE.**—This section may be cited as the “Bosnia Genocide Justice Act”.

(b) **POLICY.**—

(1) **IN GENERAL.**—Consistent with international law, it is the policy of the United States to bring to justice persons responsible for genocide, war crimes, crimes against humanity and other serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991.

(2) **SENSE OF CONGRESS.**—The Congress urges the President—

(A) to collect or assist appropriate organizations and individuals to collect relevant data on these crimes committed in the former Yugoslavia;

(B) to share such data with the War Crimes Tribunal for the former Yugoslavia established by the Security Council of the United Nations;

(C) to assist United Nations efforts to investigate, prosecute, and try those responsible for genocide, war crimes, crimes against humanity and other serious violations of international humanitarian law committed in the territory of the former Yugoslavia since 1991;

(D) to submit to the Congress implementing legislation to enable compliance with requests and orders of the Tribunal; and

(E) to support the ongoing work of the Tribunal through a cash contribution of not less than \$3,000,000 to the United Nations Voluntary Fund for the War Crimes Tribunal for the former Yugoslavia for 1996 and 1997.

(c) **REPORTING REQUIREMENT.**—Beginning 6 months after the date of enactment of this Act, and every 6 months thereafter during fiscal years 1996 and 1997, the President shall submit a report describing the steps taken to implement the provisions of this section to the appropriate congressional committees.

CHAPTER 2—RELATING TO THE UNITED STATES-NORTH KOREA AGREED FRAMEWORK AND THE OBLIGATIONS OF NORTH KOREA UNDER THAT AND PREVIOUS AGREEMENTS WITH RESPECT TO THE DENUCLEARIZATION OF THE KOREAN PENINSULA AND DIALOGUE WITH THE REPUBLIC OF KOREA

SEC. 2641. FINDINGS.

The Congress makes the following findings:

(1) The United States-Democratic People's Republic of Korea Agreed Framework (“Agreed Framework”), entered into on October 21, 1994, between the United States and North Korea, requires North Korea to stop and eventually dismantle its graphite-moderated nuclear reactor program and related facilities, and comply fully with its obligations under the Treaty on the Non-Proliferation of Nuclear Weapons, in exchange for alternative energy sources, including interim supplies of bunker oil for electric generators and more proliferation-resistant light water reactor technology.

(2) The Agreed Framework also commits North Korea to “consistently take steps to implement the North-South Joint Declaration on the Denuclearization

of the Korean Peninsula" and "engage in North-South" dialogue with the Republic of Korea.

(3) The Agreed Framework does not indicate specific criteria for full normalization of relations between the United States and North Korea, and does not link the sequencing of actions in the Agreed Framework with any time-frame for carrying out the provisions of the North-South Joint Declaration on the Denuclearization of the Korean Peninsula and carrying out the dialogue between North Korea and the Republic of Korea.

(4) The commitment by North Korea to carry out the letter and spirit of the Agreed Framework has been put into doubt by actions of North Korea since October 21, 1994, including the suspected diversion of United States heavy fuel oil in apparent contravention of the agreed purpose of the interim fuel deliveries, the refusal to accept light water reactors from the Republic of Korea, the harsh denunciations of the Government of the Republic of Korea, and other actions contrary to the commitment by North Korea to engage in a dialogue with such Government, and the continued conduct of provocative, offensive oriented military exercises.

(5) The nuclear threat posed by North Korea is just one of a number of security concerns of the United States arising out of the policies of North Korea.

SEC. 2642. CLARIFICATION OF NUCLEAR NONPROLIFERATION OBLIGATIONS OF NORTH KOREA UNDER THE AGREED FRAMEWORK.

It is the sense of the Congress that in discussions or negotiations with the Government of North Korea pursuant to the implementation of the United States-Democratic People's Republic of Korea Agreed Framework (in this joint resolution referred to as the "Agreed Framework"), entered into on October 21, 1994, the President should uphold the following minimum conditions relating to nuclear non-proliferation:

(1) All spent fuel from the graphite-moderated nuclear reactors and related facilities of North Korea should be removed from the territory of North Korea as is consistent with the Agreed Framework.

(2) The International Atomic Energy Agency should have the freedom to conduct any and all inspections that it deems necessary to fully account for the stocks of plutonium and other nuclear materials in North Korea, including special inspections of suspected nuclear waste sites, before any nuclear components controlled by the Nuclear Supplier Group Guidelines are delivered for a light water reactor for North Korea.

(3) The dismantlement of all declared graphite-based nuclear reactors and related facilities in North Korea, including reprocessing units, should be completed in accordance with the Agreed Framework and in a manner that effectively bars in perpetuity any reactivation of such reactors and facilities.

(4) The United States should suspend actions described in the Agreed Framework if North Korea attempts to reload its existing 5 megawatt nuclear reactor or resumes construction of nuclear facilities other than those permitted to be built under the Agreed Framework.

SEC. 2643. ROLE OF THE REPUBLIC OF KOREA UNDER THE AGREED FRAMEWORK.

It is further the sense of the Congress that the Republic of Korea should play the central role in the project to provide light water reactors to North Korea under the Agreed Framework.

SEC. 2644. FURTHER STEPS TO PROMOTE UNITED STATES SECURITY AND POLITICAL INTERESTS WITH RESPECT TO NORTH KOREA.

It is further the sense of the Congress that, after the date of the enactment of this Act, the President should not take further steps toward upgrading diplomatic relations with North Korea beyond opening liaison offices or relaxing trade and investment barriers imposed against North Korea without—

(1) action by the Government of North Korea to engage in a North-South dialogue with the Government of the Republic of Korea;

(2) implementation of the North-South Joint Declaration on the Denuclearization of the Korean Peninsula; and

(3) progress toward the achievement of several long-standing United States policy objectives regarding North Korea and the Korean Peninsula, including—

(A) reducing the number of military forces of North Korea along the Demilitarized Zone and relocating such military forces away from the Demilitarized Zone;

(B) prohibiting any movement by North Korea toward the deployment of an intermediate range ballistic missile system; and

(C) prohibiting the export by North Korea of missiles and other weapons of mass destruction, including related technology and components.

SEC. 2645. RESTRICTIONS ON ASSISTANCE TO NORTH KOREA AND THE KOREAN PENINSULA ENERGY DEVELOPMENT ORGANIZATION.

Funds authorized to be appropriated or appropriated under any provision of law may be used to provide assistance to North Korea or the Korean Peninsula Energy Development Organization only if such assistance is provided under the same terms and conditions that govern the provision of assistance to North Korea or such organization under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) including, inter alia—

(1) the requirement that the congressional committees specified in section 634A of such Act (22 U.S.C. 2394) be notified pursuant to that section in the case of any reprogramming of funds; and

(2) the requirement that a special authority, such as section 614 of such Act, be used to waive the application of provisions of law subject to such special authority that would otherwise restrict or prohibit the provision of such assistance.

CHAPTER 3—BURMA

SEC. 2651. UNITED STATES POLICY CONCERNING THE DICTATORSHIP IN BURMA.

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that the President should take steps to encourage the United Nations Security Council to—

(1) impose an international arms embargo on Burma;

(2) affirm support for human rights and the protection of all Karen, Karenni, and other minorities in Burma;

(3) condemn Burmese officials responsible for crimes against humanity;

(4) take steps to encourage multilateral assistance programs for refugees from Burma in Thailand and India; and

(5) reduce United Nations activities in Burma, including UNDP (United Nations Development Program), UNICEF (United Nations Childrens Fund), UNFPA (United Nations Family Planning Agency), World Health Organization (WHO), Food and Agriculture Organization (FAO), and UNIDCP (United Nations International Drug Control Program) activities.

(b) REDUCTION IN DIPLOMATIC PRESENCE.—It is the sense of the Congress that the President should reduce the diplomatic presence of the United States in Burma by reducing the total number of the members of the Foreign Service stationed in Burma on the date of enactment of this Act.

TITLE XXVII—CONGRESSIONAL STATEMENTS

SEC. 2701. INTER-AMERICAN ORGANIZATIONS.

Taking into consideration the long-term commitment by the United States to the affairs of this Hemisphere and the need to build further upon the linkages between the United States and its neighbors, the Secretary of State, in allocating the level of resources for international organizations, should pay particular attention to funding levels of the Inter-American organizations.

SEC. 2702. TERRITORIAL INTEGRITY OF BOSNIA AND HERZEGOVINA.

(a) FINDINGS.—The Congress makes the following findings:

(1) The sovereign and independent state of Bosnia-Herzegovina was formally recognized by the United States of America on April 7, 1992.

(2) The sovereign and independent state of Bosnia-Herzegovina was admitted as a full participating State of the Conference on Security and Cooperation in Europe on April 30, 1992.

(3) The sovereign and independent state of Bosnia-Herzegovina was admitted as a Member state of the United Nations on May 22, 1992.

(4) The United States has declared its determination to respect and put into practice the Declaration on Principles Guiding Relations between Participating States contained in the Final Act of the Conference on Security and Cooperation in Europe.

(5) Each of the principles has been violated during the course of war in Bosnia-Herzegovina: sovereign equality and respect for the rights inherent in sovereignty, refraining from the threat or use of force; inviolability of frontiers; territorial integrity of States; peaceful settlement of disputes; nonintervention in internal affairs; respect for human rights and fundamental freedoms, including the free-

dom of thought, conscience, religion or belief; equal rights and self-determination of peoples; cooperation among States; and fulfillment in good faith of obligations under international law.

(6) Principle II of the Final Act commits the participating States to "refrain from any manifestation of force for the purpose of inducing another participating State to renounce the full exercise of its sovereign rights".

(7) Principle III of the Final Act commits the participating States to "refrain from any demand for, or act of, seizure and usurpation of part or all of the territory of any participating State".

(8) Principle IV of the Final Act commits the participating States to "respect the territorial integrity of each of the participating States" and "refrain from any action inconsistent with the purposes and principles of the Charter of the United Nations against the territorial integrity, political independence or the unity of any participating State".

(9) The Charter of Paris for a New Europe commits the participating States "to cooperate in defending democratic institutions against activities which violate the independence, sovereign equality, or territorial integrity of the participating States".

(10) The Helsinki Document 1992 reaffirms "the validity of the guiding principles and common values of the Helsinki Final Act and the Charter of Paris, embodying responsibilities of States towards each other and of governments towards their own people" which serve as the "collective conscience of our community".

(11) The Charter of the United Nations calls upon Member states to respect the territorial integrity and political independence of any state in keeping with the Purposes of the United Nations.

(12) The sovereign and independent state of Bosnia-Herzegovina has been and continues to be subjected to armed aggression by Bosnian Serb forces, Croatian Serb forces, and others in violation of Final Act and the Charter.

(13) Unchecked armed aggression and genocide threatens the lives of innocent civilians as well as the very existence of the sovereign and independent state of Bosnia-Herzegovina.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the United States should refuse to recognize the incorporation of any of the territory of Bosnia-Herzegovina into the territory of any neighboring state or the creation of any new state or states within the borders of Bosnia-Herzegovina resulting from the threat or use of force, coercion, or any other means inconsistent with international law.

SEC. 2703. THE LAOGAI SYSTEM OF POLITICAL PRISONS.

(a) FINDINGS.—The Congress makes the following findings:

(1) The Chinese gulag, known as the Laogai, was created as a primary means of political repression and control when the Communists assumed power in China in 1949.

(2) The Laogai has caused millions of people to suffer grave human rights abuses over the past 46 years, including countless deaths.

(3) The Laogai continues to be used to incarcerate unknown numbers of ordinary citizens for political reasons, including workers, students, intellectuals, religious believers, and Tibetans.

(4) So-called "thought reform" is a standard practice of Laogai officials, and reports of torture are routinely received by human rights organizations from Laogai prisoners and survivors.

(5) Negotiations about unlettered access to Laogai prisoners between the Chinese Government and the International Red Cross have ceased.

(6) The Laogai is in reality a huge system of forced labor camps in which political and penal criminals are slave laborers producing an array of products for export throughout the world, including the United States.

(7) The Chinese Government continues to maintain, as part of its official propaganda and in defiance of significant evidence to the contrary gathered by many human rights organizations, that the Laogai is a prison system like any other in the world.

(8) Testimony delivered before the Subcommittee on International Operations and Human Rights of the Committee on International Relations of the House of Representatives has documented human rights abuses in the Laogai which continue to this day.

(9) The American people have repeatedly expressed their abhorrence of forced labor camps systems, whether they be operated by the Nazis, Soviet Communists, or any other political ideology.

(b) **SENSE OF CONGRESS.**—It is the sense of the Congress that the President should—

(1) publicly condemn the continued existence of the Laogai, and call upon the Government of the People's Republic of China to dismantle it, and release all of its political prisoners; and

(2) instruct the appropriate diplomatic representatives of the United States to cause a resolution condemning the Laogai to be put before the United Nations Human Rights Commission and work for its passage.

SEC. 2704. CONCERNING THE USE OF FUNDS TO FURTHER NORMALIZE RELATIONS WITH VIETNAM.

It is the sense of the Congress that none of the funds authorized to be appropriated or otherwise made available by this Act may be obligated or expended to further normalize diplomatic relations between the United States and Vietnam, until Vietnam—

(1) releases all of its political and religious prisoners;

(2) accounts for American POWs and MIAs from the Vietnam War;

(3) holds democratic elections; and

(4) institutes policies which protect human rights.

SEC. 2705. DECLARATION OF CONGRESS REGARDING UNITED STATES GOVERNMENT HUMAN RIGHTS POLICY TOWARD CHINA.

(a) **FINDINGS.**—The Congress makes the following findings:

(1) According to the 1994 State Department Country Reports on Human Rights Practices there continue to be "widespread and well-documented human rights abuses in China, in violation of internationally accepted norms . . . (including) arbitrary and lengthy incommunicado detention, torture, and mistreatment of prisoners. The regime continued severe restrictions on freedoms of speech, press assembly and association, and tightened controls on the exercise of these rights during 1994. Serious human rights abuses persisted in Tibet and other areas populated by ethnic minorities".

(2) The President, in announcing his decision on Most Favored Nation trading status for China in May 1994 stated that, "China continues to commit very serious human rights abuses. Even as we engage the Chinese on military, political, and economic issues, we intend to stay engaged with those in China who suffer from human rights abuses. The United States must remain a champion of their liberties".

(b) **SENSE OF CONGRESS.**—It is the sense of the Congress that the President should take the following actions:

(1) Decline the invitation to visit China until and unless there is dramatic overall progress on human rights in China and Tibet and communicate to the Government of China that such a visit cannot take place without such progress. Indications of overall progress would include the release of hundreds of political, religious, and labor activists; an agreement to allow unhindered confidential access to prisoners by international humanitarian agencies; enactment of major legal reforms such as an end to all restrictions on the exercise of freedom of religion, revocation of the 1993 state security law, and the abolition of all so-called "counter-revolutionary" crimes; and a decision to allow unrestricted access to Tibet by foreign media and international human rights monitors.

(2) Seek to develop an agreement on a multilateral strategy to promote human rights in China with other members of the G-7, beginning with the meeting of the G-7 industrial partners scheduled for June 1995 in Halifax, Nova Scotia. Such an agreement should include efforts to encourage greater cooperation by the Government of China with the human rights rapporteurs and working groups of the United Nations Human Rights Commission, as well as bilateral and multilateral initiatives to secure the unconditional release of imprisoned peaceful pro-democracy advocates such as Wei Jingsheng.

(3) Instruct the United States delegates to the United Nations Fourth World Conference on Women in September 1995 to vigorously and publicly support nongovernmental organizations that may be subjected to harassment or to restrictions or limitations on their activities, access to the media, or to channels of communication during the conference by the Government of China and to protest publicly and privately any actions by the Government of China aimed at punishing or repressing Chinese citizens who seek to peacefully express their views or communicate with foreign citizens or media during or following the United Nations Conference.

(4) Extend an invitation to the Dalai Lama to visit Washington, District of Columbia, in 1995.

(c) **UNITED STATES GOVERNMENT HUMAN RIGHTS POLICY TOWARD CHINA.**—It shall be the policy of the United States Government to continue to promote internationally recognized human rights and worker rights in China and Tibet. The President shall submit the following reports on the formulation and implementation of United States human rights policy toward China and the results of that policy to the International Relations Committee of the House of Representatives:

(1) Not later than 90 days after the date of enactment of this Act, the President shall report on the status of the "new United States Human Rights Policy for China" announced by the President on May 26, 1994, including an assessment of the implementation and effectiveness of the policy in bringing about human rights improvements in China and Tibet, with reference to the following specific initiatives announced on that date:

(A) High-level dialogue on human rights.

(B) Voluntary principles in the area of human rights for United States businesses operating in China.

(C) Increased contact with and support for groups and individuals in China promoting law reform and human rights.

(D) Increased exchanges to support human rights law reform in China.

(E) The practice of all United States officials who visit China to meet with the broadest possible spectrum of Chinese citizens.

(F) Increased efforts to press United States views on human rights in China at the United Nations, the United Nations Human Rights Commission, and other international organizations.

(G) A plan of international actions to address Tibet's human rights problems and to promote substantive discussions between the Dalai Lama and the Chinese Government.

(H) Efforts to use the 1995 United Nations Women's Conference in Beijing to expand freedoms of speech, association, and assembly, as well as the rights of women, in China.

(I) An information strategy for promoting human rights by expanding Chinese and Tibetan language broadcasts on the Voice of America and establishing Radio Free Asia.

(J) Encouraging the Chinese Government to permit international human rights groups to operate in and visit China.

(2) Not later than 120 days after the date of enactment of this Act, the President shall report on the status of Chinese Government compliance with United States laws prohibiting the importation into the United States of forced labor products, including (but not limited to) a complete assessment and report on the implementation of the Memorandum of Understanding signed by the United States and China in 1992. The report shall include (but not be limited to) the following:

(A) All efforts made by the United States Customs Service from 1992 until the date of the report to investigate forced labor exports and to conduct unannounced unrestricted inspections of suspected forced labor sites in China, and the extent to which Chinese authorities cooperated with such investigations.

(B) Recommendations of what further steps might be taken to enhance United States effectiveness in prohibiting forced labor exports to the United States from China.

SEC. 3706. CONCERNING THE UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.

It is the sense of the Congress that the President, acting through the United States Permanent Representative to the United Nations, should—

(1) request the United Nations Voluntary Fund for Victims of Torture—

(A) to find new ways to support and protect treatment centers that are carrying out rehabilitative services for victims of torture; and

(B) to encourage the development of new such centers;

(2) use the voice and vote of the United States to support the work of the Special Rapporteur on Torture and the Committee Against Torture established under the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; and

(3) use the voice and vote of the United States to establish a country rapporteur or similar procedural mechanism to investigate human rights violations in a country if either the Special Rapporteur or the Committee Against Torture indicates that a systematic practice of torture is prevalent in that country.

DIVISION C—FOREIGN ASSISTANCE AUTHORIZATIONS

SEC. 3001. SHORT TITLE.

This division may be cited as the "Foreign Aid Reduction Act of 1995".

SEC. 3002. DECLARATION OF POLICY.

The Congress declares the following:

(1) United States leadership overseas must be maintained to support our vital national security, economic, and humanitarian interests.

(2) As part of this leadership, United States foreign assistance programs are essential to support these national interests.

(3) However, United States foreign assistance programs can be responsibly reduced while maintaining United States leadership overseas.

TITLE XXXI—DEFENSE AND SECURITY ASSISTANCE

CHAPTER 1—MILITARY AND RELATED ASSISTANCE

Subchapter A—Foreign Military Financing Program

SEC. 3101. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for grant assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2763) and for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans under such section—

(1) \$3,341,440,000 for fiscal year 1996; and

(2) \$3,270,020,000 for fiscal year 1997.

SEC. 3102. ASSISTANCE FOR ISRAEL.

(a) **MINIMUM ALLOCATION.**—Of the amounts made available for fiscal years 1996 and 1997 for assistance under the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act (22 U.S.C. 2763), not less than \$1,800,000,000 for each such fiscal year shall be available only for Israel.

(b) **TERMS OF ASSISTANCE.**—

(1) **GRANT BASIS.**—The assistance provided for Israel for each fiscal year under subsection (a) shall be provided on a grant basis.

(2) **EXPEDITED DISBURSEMENT.**—Such assistance shall be disbursed—

(A) with respect to fiscal year 1996, not later than 30 days after the date of the enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996, or by October 31, 1995, whichever is later; and

(B) with respect to fiscal year 1997, not later than 30 days after the date of the enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, or by October 31, 1996, whichever is later.

(3) **ADVANCED WEAPONS SYSTEMS.**—To the extent that the Government of Israel requests that funds be used for such purposes, funds described in subsection (a) shall, as agreed by the Government of Israel and the Government of the United States, be available for advanced weapons systems, of which not less than \$475,000,000 for each fiscal year shall be available only for procurement in Israel of defense articles and defense services, including research and development.

(c) **FOREIGN MILITARY SALES.**—Section 21(h) of the Arms Export Control Act (22 U.S.C. 2761(h)) is amended—

(1) in paragraph (1)(A), by inserting "or the Government of Israel" after "North Atlantic Treaty Organization"; and

(2) in paragraph (2), by striking "or to any member government of that Organization if that Organization or member government" and inserting "any member government of that Organization, or the Government of Israel, if the Organization, member government, or Government of Israel, as the case may be,".

SEC. 3103. ASSISTANCE FOR EGYPT.

(a) **MINIMUM ALLOCATION.**—Of the amounts made available for fiscal years 1996 and 1997 for assistance under the “Foreign Military Financing Program” account under section 23 of the Arms Export Control Act (22 U.S.C. 2763), not less than \$1,300,000,000 for each such fiscal year shall be available only for Egypt.

(b) **TERMS OF ASSISTANCE.**—The assistance provided for Egypt for each fiscal year under subsection (a) shall be provided on a grant basis.

SEC. 3104. LOANS FOR GREECE AND TURKEY.

Of the amounts made available for fiscal year 1996 under the “Foreign Military Financing Program” account under section 23 of the Arms Export Control Act (22 U.S.C. 2763)—

(1) not more than \$26,620,000 shall be made available for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans for Greece; and

(2) not more than \$37,800,000 shall be made available for such subsidy cost of direct loans for Turkey.

SEC. 3105. LOANS FOR THE CZECH REPUBLIC, HUNGARY, AND POLAND.

Of the amounts made available for fiscal years 1996 and 1997 under the “Foreign Military Financing Program” account under section 23 of the Arms Export Control Act (22 U.S.C. 2763), not more than \$25,000,000 for each such fiscal year shall be made available for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, of direct loans for the Czech Republic, Hungary, and Poland.

SEC. 3106. TERMS OF LOANS.

Section 31(c) of the Arms Export Control Act (22 U.S.C. 2771(c)) is amended to read as follows:

“(c) Loans available under section 23 shall be provided at rates of interest that are not less than the current average market yield on outstanding marketable obligations of the United States of comparable maturities.”.

Subchapter B—Other Assistance**SEC. 3121. DEFENSE DRAWDOWN SPECIAL AUTHORITIES.**

(a) **MILITARY ASSISTANCE DRAWDOWN.**—Section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) is amended by striking “\$75,000,000” and inserting “\$100,000,000”.

(b) **NONMILITARY ASSISTANCE DRAWDOWN.**—Section 506 of such Act (22 U.S.C. 2318) is amended—

(1) in subsection (a)(2)(A), by striking “direct—” and all that follows through the period and inserting the following: “direct the drawdown of such articles, services, and education and training for the purposes and under the authorities of—

“(i) chapter 8 of part I (relating to international narcotics control assistance),

“(ii) chapter 9 of part I (relating to international disaster assistance), or

“(iii) the Migration and Refugee Assistance Act of 1962.”;

(2) in subsection (a)(2)(B)—

(A) by striking “\$75,000,000” and inserting “\$150,000,000”; and

(B) by striking “of this paragraph” and inserting the following: “of this paragraph—

“(i) not more than \$75,000,000 of which may be provided from the drawdown from the inventory and resources of the Department of Defense; and

“(ii) not more than \$75,000,000 of which may be provided pursuant to clause (i) of such subparagraph”; and

(3) in subsection (b)(1), by adding at the end the following: “In the case of drawdowns authorized by clauses (i) and (iii) of subsection (a)(2)(A), notifications shall be provided to those committees at least 15 days in advance in accordance with the procedures applicable to reprogramming notifications under section 634A.”.

(c) **NOTICE TO CONGRESS OF EXERCISE OF SPECIAL AUTHORITIES.**—Section 652 of such Act (22 U.S.C. 2411) is amended by striking “prior to the date” and inserting “before”.

SEC. 3122. STOCKPILES OF DEFENSE ARTICLES.

(a) **LIMITATION ON VALUE OF ADDITIONS.**—Section 514(b)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(1)) is amended by inserting "or in the implementation of agreements with Israel" after "North Atlantic Treaty Organization".

(b) **ADDITIONS IN FISCAL YEARS 1996 AND 1997.**—Section 514(b)(2) of such Act (22 U.S.C. 2321h(b)(2)) is amended to read as follows:

"(2)(A) The value of such additions to stockpiles of defense articles in foreign countries shall not exceed \$50,000,000 for each of the fiscal years 1996 and 1997.

"(B) Of the amount specified in subparagraph (A) for each of the fiscal years 1996 and 1997, not more than \$40,000,000 may be made available for stockpiles in the Republic of Korea and not more than \$10,000,000 may be made available for stockpiles in Thailand."

(c) **LOCATION OF STOCKPILES OF DEFENSE ARTICLES.**—Section 514(c) of such Act (22 U.S.C. 2321h(c)) is amended to read as follows:

"(c) **LOCATION OF STOCKPILES OF DEFENSE ARTICLES.**—

"(1) **LIMITATION.**—Except as provided in paragraph (2), no stockpile of defense articles may be located outside the boundaries of a United States military base or a military base used primarily by the United States.

"(2) **EXCEPTIONS.**—Paragraph (1) shall not apply with respect to stockpiles of defense articles located in the Republic of Korea, Thailand, any country that is a member of the North Atlantic Treaty Organization, any country that is a major non-NATO ally, or any other country the President may designate. At least 15 days before designating a country pursuant to the last clause of the preceding sentence, the President shall notify the congressional committees specified in section 634A(a) in accordance with the procedures applicable to reprogramming notifications under that section."

SEC. 3123. TRANSFER OF EXCESS DEFENSE ARTICLES.

(a) **IN GENERAL.**—Section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) is amended to read as follows:

"**SEC. 516. AUTHORITY TO TRANSFER EXCESS DEFENSE ARTICLES.**

"(a) **AUTHORIZATION.**—The President is authorized to transfer excess defense articles under this section to countries for which receipt of such articles was justified pursuant to the annual congressional presentation documents for military assistance programs submitted under section 634 of this Act, or for which receipt of such articles was separately justified, for the fiscal year in which the transfer is authorized.

"(b) **LIMITATIONS ON TRANSFERS.**—The President may transfer excess defense articles under this section only if—

"(1) such articles are drawn from existing stocks of the Department of Defense;

"(2) funds available to the Department of Defense for the procurement of defense equipment are not expended in connection with the transfer;

"(3) the transfer of such articles will not have an adverse impact on the military readiness of the United States;

"(4) with respect to a proposed transfer of such articles on a grant basis, such a transfer is preferable to a transfer on a sales basis, after taking into account the potential proceeds from, and likelihood of, such sales, and the comparative foreign policy benefits that may accrue to the United States as the result of a transfer on either a grant or sales basis;

"(5) the President first considers the effects of the transfer of such articles on the national technology and industrial base, particularly the extent, if any, to which the transfer reduces the opportunities of entities in the national technology and industrial base to sell new equipment to the countries to which such articles are transferred; and

"(6) the transfer of such articles is consistent with the policy framework for the Eastern Mediterranean established under section 620C of this Act.

"(c) **TERMS OF TRANSFERS.**—Excess defense articles may be transferred under this section without cost to the recipient country.

"(d) **WAIVER OF REQUIREMENT FOR REIMBURSEMENT OF DEPARTMENT OF DEFENSE EXPENSES.**—Section 632(d) shall not apply with respect to transfers of excess defense articles under this section.

"(e) **TRANSPORTATION AND RELATED COSTS.**—

"(1) **IN GENERAL.**—Except as provided in paragraph (2), funds available to the Department of Defense may not be expended for crating, packing, handling, and transportation of excess defense articles transferred under the authority of this section.

(2) EXCEPTION.--The President may provide for the transportation of excess defense articles without charge to a country for the costs of such transportation if--

"(A) it is determined that it is in the national interest of the United States to do so;

"(B) the recipient is a developing country receiving less than \$10,000,000 of assistance under chapter 5 of part II of this Act (relating to international military education and training) or section 23 of the Arms Export Control Act (22 U.S.C. 2763; relating to the Foreign Military Financing program) in the fiscal year in which the transportation is provided;

"(C) the total weight of the transfer does not exceed 25,000 pounds; and

"(D) such transportation is accomplished on a space available basis.

(f) ADVANCE NOTIFICATION TO CONGRESS FOR TRANSFER OF CERTAIN EXCESS DEFENSE ARTICLES.--

(1) IN GENERAL.--The President may not transfer excess defense articles that are significant military equipment (as defined in section 47(9) of the Arms Export Control Act) or excess defense articles valued (in terms of original acquisition cost) at \$7,000,000 or more, under this section or under the Arms Export Control Act (22 U.S.C. 2751 et seq.) until 15 days after the date on which the President has provided notice of the proposed transfer to the congressional committees specified in section 634A(a) in accordance with procedures applicable to reprogramming notifications under that section.

(2) CONTENTS.--Such notification shall include--

"(A) a statement outlining the purposes for which the article is being provided to the country, including whether such article has been previously provided to such country;

"(B) an assessment of the impact of the transfer on the military readiness of the United States; and

"(C) a statement describing the current value of such article and the value of such article at acquisition.

(g) AGGREGATE ANNUAL LIMITATION.--The aggregate value of excess defense articles transferred to countries under this section in any fiscal year may not exceed \$350,000,000.

(h) CONGRESSIONAL PRESENTATION DOCUMENTS.--Documents described in subsection (a) justifying the transfer of excess defense articles shall include an explanation of the general purposes of providing excess defense articles as well as a table which provides an aggregate annual total of transfers of excess defense articles in the preceding year by country in terms of offers and actual deliveries and in terms of acquisition cost and current value. Such table shall indicate whether such excess defense articles were provided on a grant or sale basis.

(i) EXCESS COAST GUARD PROPERTY.--For purposes of this section, the term 'excess defense articles' shall be deemed to include excess property of the Coast Guard, and the term 'Department of Defense' shall be deemed, with respect to such excess property, to include the Coast Guard."

(b) REPEALS.--The following provisions of law are hereby repealed:

(1) Section 502A of the Foreign Assistance Act of 1961 (22 U.S.C. 2303).

(2) Sections 517 through 520 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k through 2321n).

(3) Section 31(d) of the Arms Export Control Act (22 U.S.C. 2771(d)).

CHAPTER 2--INTERNATIONAL MILITARY EDUCATION AND TRAINING

SEC. 3141. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated \$28,500,000 for each of the fiscal years 1996 and 1997 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.).

SEC. 3142. ASSISTANCE FOR INDONESIA.

Funds made available for fiscal years 1996 and 1997 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to the international military education and training program) may be obligated for Indonesia only for expanded military and education training that meets the requirements of clauses (i) through (iv) of the second sentence of section 541 of such Act (22 U.S.C. 2347).

SEC. 3143. TEST PILOT EXCHANGE TRAINING.

Section 544 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347c) is amended--

(1) by striking "In carrying out this chapter" and inserting "(a) In carrying out this chapter"; and

(2) by adding at the end the following new subsection:

"(b) The President may provide for the attendance of foreign military and civilian defense personnel at test pilot flight schools in the United States without charge if such attendance is pursuant to an agreement providing for the exchange of students on a one-for-one basis each fiscal year between those United States test pilot flight schools and comparable flight test pilot schools of foreign countries."

CHAPTER 3—ANTITERRORISM ASSISTANCE

SEC. 3151. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated \$25,000,000 for fiscal year 1996 and \$30,000,000 for fiscal year 1997 to carry out chapter 8 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa et seq.).

(b) AVAILABILITY OF AMOUNTS.—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

SEC. 3152. ANTITERRORISM TRAINING ASSISTANCE.

(a) IN GENERAL.—Section 571 of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa) is amended by striking "Subject to the provisions of this chapter" and inserting "Notwithstanding any other provision of law that restricts assistance to foreign countries (other than sections 502B and 620A of this Act)".

(b) LIMITATIONS.—Section 573 of such Act (22 U.S.C. 2349aa-2) is amended—

(1) in the heading, by striking "specific authorities and";

(2) by striking subsection (a);

(3) by redesignating subsections (b) through (f) as subsections (a) through

(e), respectively; and

(4) in subsection (c) (as redesignated)—

(A) by striking paragraphs (1) and (2);

(B) by redesignating paragraphs (3) through (5) as paragraphs (1) through (3), respectively; and

(C) by amending paragraph (2) (as redesignated) to read as follows:

"(2)(A) Except as provided in subparagraph (B), funds made available to carry out this chapter shall not be made available for the procurement of weapons and ammunition.

"(B) Subparagraph (A) shall not apply to small arms and ammunition in categories I and III of the United States Munitions List that are integrally and directly related to antiterrorism training provided under this chapter if, at least 15 days before obligating those funds, the President notifies the appropriate congressional committees in accordance with the procedures applicable to reprogramming notifications under section 634A.

"(C) The value (in terms of original acquisition cost) of all equipment and commodities provided under this chapter in any fiscal year may not exceed 25 percent of the funds made available to carry out this chapter for that fiscal year."

(c) ANNUAL REPORT.—Section 574 of such Act (22 U.S.C. 2349aa-3) is hereby repealed.

(d) TECHNICAL CORRECTIONS.—Section 575 (22 U.S.C. 2349aa-4) and section 576 (22 U.S.C. 2349aa-5) of such Act are redesignated as sections 574 and 575, respectively.

CHAPTER 4—NARCOTICS CONTROL ASSISTANCE

SEC. 3161. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated \$213,000,000 for each of the fiscal years 1996 and 1997 to carry out chapter 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa et seq.).

(b) AVAILABILITY OF AMOUNTS.—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

SEC. 3162. ADDITIONAL REQUIREMENTS RELATING TO NARCOTICS CONTROL ASSISTANCE.

(a) POLICY AND GENERAL AUTHORITIES.—Section 481(a) of the Foreign Assistance Act (22 U.S.C. 2291(a)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively; and

(B) by inserting after subparagraph (C) the following new subparagraph:

“(D) International criminal activities, particularly international narcotics trafficking, money laundering, and corruption, endanger political and economic stability and democratic development, and assistance for the prevention and suppression of international criminal activities should be a priority for the United States.”; and

(2) in paragraph (4), by adding before the period at the end the following: “or for other related anticrime purposes”.

(b) CONTRIBUTIONS AND REIMBURSEMENT.—Section 482(c) of that Act (22 U.S.C. 2291a(c)) is amended—

(1) by striking “CONTRIBUTION BY RECIPIENT COUNTRY.—To” and inserting “CONTRIBUTIONS AND REIMBURSEMENT.—(1) To”; and

(2) by adding at the end the following new paragraphs:

“(2)(A) The President is authorized to accept contributions from other foreign governments to carry out the purposes of this chapter. Such contributions shall be deposited as an offsetting collection to the applicable appropriation account and may be used under the same terms and conditions as funds appropriated pursuant to this chapter.

“(B) At the time of submission of the annual congressional presentation documents required by section 634(a), the President shall provide a detailed report on any contributions received in the preceding fiscal year, the amount of such contributions, and the purposes for which such contributions were used.

“(3) The President is authorized to provide assistance under this chapter on a reimbursable basis. Such reimbursements shall be deposited as an offsetting collection to the applicable appropriation and may be used under the same terms and conditions as funds appropriated pursuant to this chapter.”.

(c) IMPLEMENTATION OF LAW ENFORCEMENT ASSISTANCE.—Section 482 of such Act (22 U.S.C. 2291a) is amended by adding at the end the following new subsections:

“(f) TREATMENT OF FUNDS.—Funds transferred to and consolidated with funds appropriated pursuant to this chapter may be made available on such terms and conditions as are applicable to funds appropriated pursuant to this chapter. Funds so transferred or consolidated shall be apportioned directly to the bureau within the Department of State responsible for administering this chapter.

“(g) EXCESS PROPERTY.—For purposes of this chapter, the Secretary of State may use the authority of section 608, without regard to the restrictions of such section, to receive nonlethal excess property from any agency of the United States Government for the purpose of providing such property to a foreign government under the same terms and conditions as funds authorized to be appropriated for the purposes of this chapter.”.

(d) REPORTING REQUIREMENTS.—(1) Section 489 of such Act (22 U.S.C. 2291h) is amended—

(A) in the section heading, by striking “for fiscal year 1995”; and

(B) by striking subsections (b) and (c).

(2) Section 489A of such Act (22 U.S.C. 2291i) is hereby repealed.

(e) CERTIFICATION REQUIREMENTS.—(1) Section 490 of such Act (22 U.S.C. 2291j) is amended—

(A) in the section heading by striking “for fiscal year 1995”; and

(B) by striking subsection (i).

(2) Section 490A of such Act (22 U.S.C. 2291k) is hereby repealed.

SEC. 3163. NOTIFICATION REQUIREMENT.

(a) IN GENERAL.—The authority of section 1003(d) of the National Narcotics Control Leadership Act of 1988 (21 U.S.C. 1502(d)) may be exercised with respect to funds authorized to be appropriated pursuant to the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and with respect to the personnel of the Department of State only to the extent that the appropriate congressional committees have been notified 15 days in advance in accordance with the reprogramming procedures applicable under section 634A of that Act (22 U.S.C. 2394-1).

(b) DEFINITION.—For purposes of this section, the term “appropriate congressional committees” means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 3164. WAIVER OF RESTRICTIONS FOR NARCOTICS-RELATED ECONOMIC ASSISTANCE.

For each of the fiscal years 1996 and 1997, narcotics-related assistance under part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) may be provided notwithstanding any other provision of law that restricts assistance to foreign countries (other than section 490(e) or section 502B of that Act (22 U.S.C. 2291j(e) and 2304)) if, at least 15 days before obligating funds for such assistance, the Presi-

dent notifies the appropriate congressional committees (as defined in section 481(e) of that Act (22 U.S.C. 2291(e))) in accordance with the procedures applicable to reprogramming notifications under section 634A of that Act (22 U.S.C. 2394).

CHAPTER 5—NONPROLIFERATION AND DISARMAMENT FUND

SEC. 5171. NONPROLIFERATION AND DISARMAMENT FUND.

(a) **IN GENERAL.**—There are authorized to be appropriated \$25,000,000 for each of the fiscal years 1996 and 1997 to carry out section 504 of the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992 (22 U.S.C. 5854).

(b) **AVAILABILITY OF AMOUNTS.**—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

CHAPTER 6—OTHER PROVISIONS

SEC. 5181. STANDARDIZATION OF CONGRESSIONAL REVIEW PROCEDURES FOR ARMS TRANSFERS.

(a) **THIRD COUNTRY TRANSFERS UNDER FMS SALES.**—Section 3(d)(2) of the Arms Export Control Act (22 U.S.C. 2753(d)(2)) is amended—

(1) in subparagraph (A), by striking “, as provided for in sections 36(b)(2) and 36(b)(3) of this Act”;

(2) in subparagraph (B), by striking “law” and inserting “joint resolution”; and

(3) by adding at the end the following:

“(C) If the President states in his certification under subparagraph (A) or (B) that an emergency exists which requires that consent to the proposed transfer become effective immediately in the national security interests of the United States, thus waiving the requirements of that subparagraph, the President shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate immediate consent to the transfer and a discussion of the national security interests involved.

“(D)(i) Any joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

“(ii) For the purpose of expediting the consideration and enactment of joint resolutions under this paragraph, a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives.”.

(b) **THIRD COUNTRY TRANSFERS UNDER COMMERCIAL SALES.**—Section 3(d)(3) of such Act (22 U.S.C. 2753(d)(3)) is amended—

(1) by inserting “(A)” after “(3)”;

(2) in the first sentence—

(A) by striking “at least 30 calendar days”; and

(B) by striking “report” and inserting “certification”; and

(3) by striking the last sentence and inserting the following: “Such certification shall be submitted—

“(i) at least 15 calendar days before such consent is given in the case of a transfer to a country which is a member of the North Atlantic Treaty Organization or Australia, Japan, or New Zealand; and

“(ii) at least 30 calendar days before such consent is given in the case of a transfer to any other country,

unless the President states in his certification that an emergency exists which requires that consent to the proposed transfer become effective immediately in the national security interests of the United States. If the President states in his certification that such an emergency exists (thus waiving the requirements of clause (i) or (ii), as the case may be, and of subparagraph (B)) the President shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate that consent to the proposed transfer become effective immediately and a discussion of the national security interests involved.

“(B) Consent to a transfer subject to subparagraph (A) shall become effective after the end of the 15-day or 30-day period specified in subparagraph (A)(i) or (ii), as the case may be, only if the Congress does not enact, within that period, a joint resolution prohibiting the proposed transfer.

“(C)(i) Any joint resolution under this paragraph shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

"(ii) For the purpose of expediting the consideration and enactment of joint resolutions under this paragraph, a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives."

(c) **COMMERCIAL SALES.**—Section 36(c)(2) of such Act (22 U.S.C. 2753(c)(2)) is amended by amending subparagraphs (A) and (B) to read as follows:

"(A) in the case of a license for an export to the North Atlantic Treaty Organization, any member country of that Organization or Australia, Japan, or New Zealand, shall not be issued until at least 15 calendar days after the Congress receives such certification, and shall not be issued then if the Congress, within that 15-day period, enacts a joint resolution prohibiting the proposed export; and

"(B) in the case of any other license, shall not be issued until at least 30 calendar days after the Congress receives such certification, and shall not be issued then if the Congress, within that 30-day period, enacts a joint resolution prohibiting the proposed export."

(d) **COMMERCIAL MANUFACTURING AGREEMENTS.**—Section 36(d) of such Act (22 U.S.C. 2753(d)) is amended—

(1) by inserting "(1)" after "(d)";

(2) by striking "for or in a country not a member of the North Atlantic Treaty Organization"; and

(3) by adding at the end the following:

"(2) A certification under this subsection shall be submitted—

"(A) at least 15 days before approval is given in the case of an agreement for or in a country which is a member of the North Atlantic Treaty Organization or Australia, Japan, or New Zealand; and

"(B) at least 30 days before approval is given in the case of an agreement for or in any other country;

unless the President states in his certification that an emergency exists which requires the immediate approval of the agreement in the national security interests of the United States.

"(3) If the President states in his certification that an emergency exists which requires the immediate approval of the agreement in the national security interests of the United States, thus waiving the requirements of paragraph (4), he shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate the immediate approval of the agreement and a discussion of the national security interests involved.

"(4) Approval for an agreement subject to paragraph (1) may not be given under section 38 if the Congress, within the 15-day or 30-day period specified in paragraph (2)(A) or (B), as the case may be, enacts a joint resolution prohibiting such approval.

"(5)(A) Any joint resolution under paragraph (4) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

"(B) For the purpose of expediting the consideration and enactment of joint resolutions under paragraph (4), a motion to proceed to the consideration of any such joint resolution after it has been reported by the appropriate committee shall be treated as highly privileged in the House of Representatives."

(e) **GOVERNMENT-TO-GOVERNMENT LEASES.**—

(1) **CONGRESSIONAL REVIEW PERIOD.**—Section 62 of such Act (22 U.S.C. 2796a) is amended—

(A) in subsection (a), by striking "Not less than 30 days before" and inserting "Before";

(B) in subsection (b)—

(i) by striking "determines, and immediately reports to the Congress" and inserting "states in his certification,"; and

(ii) by adding at the end of the subsection the following: "If the President states in his certification that such an emergency exists, he shall set forth in the certification a detailed justification for his determination, including a description of the emergency circumstances which necessitate that the lease be entered into immediately and a discussion of the national security interests involved."; and

(C) by adding at the end of the section the following:

"(c) The certification required by subsection (a) shall be transmitted—

"(1) not less than 15 calendar days before the agreement is entered into or renewed in the case of an agreement with the North Atlantic Treaty Organization, any member country of that Organization or Australia, Japan, or New Zealand; and

"(2) not less than 30 calendar days before the agreement is entered into or renewed in the case of an agreement with any other organization or country."

(2) CONGRESSIONAL VETO.—Section 63(a) of such Act (22 U.S.C. 2796b(a)) is amended—

(A) by striking "(a)(1)" and inserting "(a)";

(B) by striking out the "30 calendar days after receiving the certification with respect to that proposed agreement pursuant to section 62(a)," and inserting in lieu thereof "the 15-day or 30-day period specified in section 62(c) (1) or (2), as the case may be,"; and

(C) by striking paragraph (2).

(f) EFFECTIVE DATE.—The amendments made by this section apply with respect to certifications required to be submitted on or after the date of the enactment of this Act.

SEC. 3182. STANDARDIZATION OF THIRD COUNTRY TRANSFERS OF DEFENSE ARTICLES.

Section 3 of the Arms Export Control Act (22 U.S.C. 2753) is amended by inserting after subsection (a) the following new subsection:

"(b) The consent of the President under paragraph (2) of subsection (a) or under the third sentence of such subsection shall not be required for the transfer by a foreign country or international organization of defense articles sold by the United States under this Act if—

"(1) such articles constitute components incorporated into foreign defense articles;

"(2) the recipient is the government of a member country of the North Atlantic Treaty Organization, the Government of Australia, the Government of Japan, or the Government of New Zealand;

"(3) the United States-origin components are not—

"(A) significant military equipment (as defined in section 47(9));

"(B) defense articles for which notification to Congress is required under section 36(b); and

"(C) identified by regulation as Missile Technology Control Regime items; and

"(4) the foreign country or international organization provides notification of the transfer of the defense articles to the United States Government not later than 30 days after the date of such transfer."

SEC. 3183. INCREASED STANDARDIZATION, RATIONALIZATION, AND INTEROPERABILITY OF ASSISTANCE AND SALES PROGRAMS.

Paragraph (6) of section 515(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321i(a)(6)) is amended by striking "among members of the North Atlantic Treaty Organization and with the Armed Forces of Japan, Australia, and New Zealand".

SEC. 3184. REPEAL OF PRICE AND AVAILABILITY REPORTING REQUIREMENT RELATING TO PROPOSED SALE OF DEFENSE ARTICLES AND SERVICES.

(a) IN GENERAL.—Section 28 of the Arms Export Control Act (22 U.S.C. 2768) is hereby repealed.

(b) CONFORMING AMENDMENT.—Section 36(b) of such Act (22 U.S.C. 2776(b)) is amended by striking paragraph (4) of such section.

SEC. 3185. DEFINITION OF SIGNIFICANT MILITARY EQUIPMENT.

Section 47 of the Arms Export Control Act (22 U.S.C. 2794) is amended—

(1) in paragraph (7), by striking "and" at the end;

(2) in paragraph (8), by striking the period at the end and inserting "; and"; and

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

"(9) 'significant military equipment' means articles—

"(A) for which special export controls are warranted because of the capacity of such articles for substantial military utility or capability; and

"(B) identified as items on the United States Munitions List."

SEC. 3186. ELIMINATION OF SPECIAL DEFENSE ACQUISITION FUND ANNUAL REPORT.

(a) IN GENERAL.—Section 53 of the Arms Export Control Act (22 U.S.C. 2795b) is hereby repealed.

(b) CONFORMING AMENDMENT.—Section 51(a)(4) of such Act (22 U.S.C. 2795(a)(4)) is amended by striking subparagraph (B) of such section.

SEC. 3187. COST OF LEASED DEFENSE ARTICLES THAT HAVE BEEN LOST OR DESTROYED.

Section 61(a)(3) of the Arms Export Control Act (22 U.S.C. 2796(a)) is amended by striking "and the replacement cost" and all that follows and inserting the following: "and, if the articles are lost or destroyed while leased—

"(A) in the event the United States intends to replace the articles lost or destroyed, the replacement cost (less any depreciation in the value) of the articles; or

"(B) in the event the United States does not intend to replace the articles lost or destroyed, an amount not less than the actual value (less any depreciation in the value) specified in the lease agreement."

SEC. 3188. DESIGNATION OF MAJOR NON-NATO ALLIES.

(a) DESIGNATION.—

(1) NOTICE TO CONGRESS.—Chapter 2 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2311 et seq.) is amended by adding at the end the following new section:

"SEC. 520. DESIGNATION OF MAJOR NON-NATO ALLIES.

"(a) NOTICE TO CONGRESS.—The President shall notify the Congress in writing at least 30 days before—

"(1) designating a country as a major non-NATO ally for purposes of this Act and the Arms Export Control Act (22 U.S.C. 2751 et seq.); or

"(2) terminating such a designation.

"(b) INITIAL DESIGNATIONS.—Australia, Egypt, Israel, Japan, the Republic of Korea, and New Zealand shall be deemed to have been so designated by the President as of the effective date of this section, and the President is not required to notify the Congress of such designation of those countries."

(2) DEFINITION.—Section 644 of such Act (22 U.S.C. 2403) is amended by adding at the end the following:

"(q) 'Major non-NATO ally' means a country which is designated in accordance with section 520 as a major non-NATO ally for purposes of this Act and the Arms Export Control Act (22 U.S.C. 2751 et seq.)."

(3) EXISTING DEFINITIONS.—(A) The last sentence of section 21(g) of the Arms Export Control Act (22 U.S.C. 2761(g)) is repealed.

(B) Section 65(d) of such Act is amended—

(i) by striking "or major non-NATO"; and

(ii) by striking out "or a" and all that follows through "Code".

(b) COOPERATIVE TRAINING AGREEMENTS.—Section 21(g) of the Arms Export Control Act (22 U.S.C. 2761(g)) is amended in the first sentence by striking "similar agreements" and all that follows through "other countries" and inserting "similar agreements with countries".

SEC. 3189. CERTIFICATION THRESHOLDS.

(a) INCREASE IN DOLLAR THRESHOLDS.—The Arms Export Control Act (22 U.S.C. 2751 et seq.) is amended—

(1) in section 3(d) (22 U.S.C. 2753(d))—

(A) in paragraphs (1) and (3), by striking "\$14,000,000" each place it appears and inserting "\$25,000,000"; and

(B) in paragraphs (1) and (3), by striking "\$50,000,000" each place it appears and inserting "\$75,000,000";

(2) in section 36 (22 U.S.C. 2776)—

(A) in subsections (b)(1), (b)(5)(C), and (c)(1), by striking "14,000,000" each place it appears and inserting "25,000,000";

(B) in subsections (b)(1), (b)(5)(C), and (c)(1), by striking "50,000,000" each place it appears and inserting "75,000,000"; and

(C) in subsections (b)(1) and (b)(5)(C), by striking "200,000,000" each place it appears and inserting "300,000,000"; and

(3) in section 63(a)(1) (22 U.S.C. 2796b(a)(1))—

(A) by striking "14,000,000" and inserting "25,000,000"; and

(B) by striking "\$50,000,000" and inserting "75,000,000".

(b) EFFECTIVE DATE.—The amendments made by subsection (a) apply with respect to certifications submitted on or after the date of the enactment of this Act.

SEC. 3190. COMPETITIVE PRICING FOR SALES OF DEFENSE ARTICLES AND SERVICES.

(a) COSTING BASIS.—Section 22 of the Arms Export Control Act (22 U.S.C. 2762) is amended by adding at the end the following:

"(d) COMPETITIVE PRICING.—Procurement contracts made in implementation of sales under this section for defense articles and defense services wholly paid from funds made available on a nonrepayable basis shall be priced on the same costing basis with regard to profit, overhead, independent research and development, bid and proposal, and other costing elements, as is applicable to procurements of like items purchased by the Department of Defense for its own use."

(b) **EFFECTIVE DATE AND IMPLEMENTING REGULATIONS.**—Section 22(d) of the Arms Export Control Act, as added by subsection (a)—

(1) shall take effect on the 60th day following the date of the enactment of this Act;

(2) shall be applicable only to contracts made in implementation of sales made after such effective date; and

(3) shall be implemented by revised procurement regulations, which shall be issued prior to such effective date.

SEC. 3191. DEPLETED URANIUM AMMUNITION.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2370 et seq.) is amended by adding at the end the following new section:

“SEC. 630G. DEPLETED URANIUM AMMUNITION.

“(a) **PROHIBITION.**—Except as provided in subsection (b), none of the funds made available to carry out this Act or any other Act may be made available to facilitate in any way the sale of M-833 antitank shells or any comparable antitank shells containing a depleted uranium penetrating component to any country other than—

“(1) a country that is a member of the North Atlantic Treaty Organization;

“(2) a country that has been designated as a major non-NATO ally (as defined in section 644(q)); or

“(3) Taiwan.

“(b) **EXCEPTION.**—The prohibition contained in subsection (a) shall not apply with respect to the use of funds to facilitate the sale of antitank shells to a country if the President determines that to do so is in the national security interest of the United States.”.

TITLE XXXII—ECONOMIC ASSISTANCE

CHAPTER 1—ECONOMIC SUPPORT ASSISTANCE

SEC. 3201. ECONOMIC SUPPORT FUND.

Section 532(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2346a(a)) is amended to read as follows:

“(a) There are authorized to be appropriated to the President to carry out the purposes of this chapter \$2,346,378,000 for fiscal year 1996 and \$2,273,478,000 for fiscal year 1997.”.

SEC. 3202. ASSISTANCE FOR ISRAEL.

(a) **MINIMUM ALLOCATION.**—Of the amounts made available for fiscal years 1996 and 1997 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund), not less than \$1,200,000,000 for each such fiscal year shall be available only for Israel.

(b) **TERMS OF ASSISTANCE.**—

(1) **CASH TRANSFER.**—The total amount of funds allocated for Israel for each fiscal year under subsection (a) shall be made available on a grant basis as a cash transfer.

(2) **EXPEDITED DISBURSEMENT.**—Such funds shall be disbursed—

(A) with respect to fiscal year 1996, not later than 30 days after the date of the enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996, or by October 31, 1995, whichever is later; and

(B) with respect to fiscal year 1997, not later than 30 days after the date of the enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997, or by October 31, 1996, whichever is later.

(3) **ADDITIONAL REQUIREMENT.**—In exercising the authority of this subsection, the President shall ensure that the amount of funds provided as a cash transfer to Israel does not cause an adverse impact on the total level of non-military exports from the United States to Israel.

SEC. 3203. ASSISTANCE FOR EGYPT.

(a) **MINIMUM ALLOCATION.**—Of the amounts made available for fiscal years 1996 and 1997 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund), not less than \$815,000,000 for each such fiscal year shall be available only for Egypt.

(b) **ADDITIONAL REQUIREMENT.**—In exercising the authority of this section, the President shall ensure that the amount of funds provided as a cash transfer to

Egypt does not cause an adverse impact on the total level of nonmilitary exports from the United States to Egypt.

SEC. 3304. INTERNATIONAL FUND FOR IRELAND.

(a) FUNDING.—

(1) **IN GENERAL.**—Of the amounts made available for fiscal years 1996 and 1997 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund), not less than \$29,600,000 for fiscal year 1996 and not less than \$19,600,000 for fiscal year 1997 shall be available for the United States contribution to the International Fund for Ireland in accordance with the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415).

(2) **AVAILABILITY.**—Amounts made available under paragraph (1) are authorized to remain available until expended.

(b) ADDITIONAL REQUIREMENTS.—

(1) **PURPOSES.**—Section 2(b) of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415; 100 Stat. 947) is amended by adding at the end the following new sentences: "United States contributions shall be used in a manner that effectively increases employment opportunities in communities with rates of unemployment significantly higher than the local or urban average of unemployment in Northern Ireland. In addition, such contributions shall be used to benefit individuals residing in such communities."

(2) **CONDITIONS AND UNDERSTANDINGS.**—Section 5(a) of such Act is amended—

(A) in the first sentence—

(i) by striking "The United States" and inserting the following:

"(1) **IN GENERAL.**—The United States";

(ii) by striking "in this Act may be used" and inserting the following: "in this Act—
" (A) may be used";

(iii) by striking the period and inserting "; and"; and

(iv) by adding at the end the following:

"(B) may be provided to an individual or entity in Northern Ireland only if such individual or entity is in compliance with the principles of economic justice."; and

(B) in the second sentence, by striking "The restrictions" and inserting the following:

"(2) **ADDITIONAL REQUIREMENTS.**—The restrictions".

(3) **PRIOR CERTIFICATIONS.**—Section 5(c)(2) of such Act is amended—

(A) in subparagraph (A), by striking "principle of equality" and all that follows and inserting "principles of economic justice; and"; and

(B) in subparagraph (B), by inserting before the period at the end the following: "and will create employment opportunities in regions and communities of Northern Ireland suffering the highest rates of unemployment".

(4) **ANNUAL REPORTS.**—Section 6 of such Act is amended—

(A) in paragraph (2), by striking "and" at the end;

(B) in paragraph (3), by striking the period and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(4) each individual or entity receiving assistance from United States contributions to the International Fund has agreed in writing to comply with the principles of economic justice."

(5) **DEFINITIONS.**—Section 8 of such Act is amended—

(A) in paragraph (1), by striking "and" at the end;

(B) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

"(3) the term 'Northern Ireland' includes the counties of Antrim, Armagh, Derry, Down, Tyrone, and Fermanagh; and

"(4) the term 'principles of economic justice' means the following principles:

"(A) Increasing the representation of individuals from underrepresented religious groups in the workforce, including managerial, supervisory, administrative, clerical, and technical jobs.

"(B) Providing adequate security for the protection of minority employees at the workplace.

"(C) Banning provocative sectarian or political emblems from the workplace.

"(D) Providing that all job openings be advertised publicly and providing that special recruitment efforts be made to attract applicants from underrepresented religious groups.

"(E) Providing that layoff, recall, and termination procedures do not favor a particular religious group.

"(F) Abolishing job reservations, apprenticeship restrictions, and differential employment criteria which discriminate on the basis of religion.

"(G) Providing for the development of training programs that will prepare substantial numbers of minority employees for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade, and improve the skills of minority employees.

"(H) Establishing procedures to assess, identify, and actively recruit minority employees with the potential for further advancement.

"(I) Providing for the appointment of a senior management staff member to be responsible for the employment efforts of the entity and, within a reasonable period of time, the implementation of the principles described in subparagraphs (A) through (H)."

(6) EFFECTIVE DATE.—The amendments made by this subsection shall take effect 180 days after the date of the enactment of this Act.

SEC. 3206. LAW ENFORCEMENT ASSISTANCE.

(a) IN GENERAL.—Of the amounts made available for fiscal years 1996 and 1997 for assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund), not more than \$12,000,000 for each such fiscal year shall be available for law enforcement assistance under chapter 8 of part I of such Act (22 U.S.C. 2291 et seq.).

(b) AVAILABILITY.—Amounts made available under subsection (a) are authorized to remain available until expended.

CHAPTER 2—ASSISTANCE FOR PRIVATE SECTOR PROGRAMS AND ACTIVITIES

SEC. 3211. PRIVATE SECTOR ENTERPRISE FUNDS.

The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by inserting after section 601 the following new section:

"SEC. 601A. PRIVATE SECTOR ENTERPRISE FUNDS.

"(a) AUTHORITY.—(1) The President may provide funds and support to Enterprise Funds designated in accordance with subsection (b) that are or have been established for the purposes of promoting—

"(A) development of the private sectors of eligible countries, including small businesses, the agricultural sector, and joint ventures with United States and host country participants; and

"(B) policies and practices conducive to private sector development in eligible countries;

on the same basis as funds and support may be provided with respect to Enterprise Funds for Poland and Hungary under the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.).

"(2) Funds may be made available under this section notwithstanding any other provision of law.

"(b) COUNTRIES ELIGIBLE FOR ENTERPRISE FUNDS.—(1) Except as provided in paragraph (2), the President is authorized to designate a private, nonprofit organization as eligible to receive funds and support pursuant to this section with respect to any country eligible to receive assistance under part I of this Act in the same manner and with the same limitations as set forth in section 201(d) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5421(d)).

"(2) The authority of paragraph (1) shall not apply to any country with respect to which the President is authorized to designate an enterprise fund under section 498B(c) or section 498C of this Act or section 201 of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5421).

"(c) TREATMENT EQUIVALENT TO ENTERPRISE FUNDS FOR POLAND AND HUNGARY.—Except as otherwise specifically provided in this section, the provisions contained in section 201 of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5421) (excluding the authorizations of appropriations provided in subsection (b) of that section) shall apply to any Enterprise Fund that receives funds and support under this section. The officers, members, or employees of an Enterprise Fund that receive funds and support under this section shall enjoy the same status under law that is applicable to officers, members, or employees of the

Enterprise Funds for Poland and Hungary under section 201 of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5421).

"(d) REPORTING REQUIREMENT.—Notwithstanding any other provision of this section, the requirement of section 201(p) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5421(p)), that an Enterprise Fund shall be required to publish an annual report not later than January 31 each year, shall not apply with respect to an Enterprise Fund that receives funds and support under this section for the first twelve months after it is designated as eligible to receive such funds and support.

"(e) FUNDING.—

"(1) IN GENERAL.—Amounts made available for a fiscal year to carry out chapter 1 of part I of this Act (relating to development assistance) and to carry out chapter 4 of part II of this Act (relating to the economic support fund) shall be available for such fiscal year to carry out this section, in addition to amounts otherwise available for such purposes.

"(2) AFRICAN DEVELOPMENT.—In addition to amounts available under paragraph (1) for a fiscal year, amounts made available for such fiscal year to carry out chapter 10 of part I of this Act (relating to the Development Fund for Africa) shall be available for such fiscal year to carry out this section with respect to countries in Africa."

SEC. 3212. TRANS-CAUCASUS ENTERPRISE FUNDS.

Chapter 11 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.) is amended—

- (1) by redesignating section 498C as section 498D; and
- (2) by inserting after section 498B the following new section:

"SEC. 498C. TRANS-CAUCASUS ENTERPRISE FUNDS.

"(a) AUTHORITY.—The President may provide funds and support in accordance with section 498B(c) to Enterprise Funds that are or have been established for the purposes of promoting—

- "(1) development of the private sectors of countries in the Trans-Caucasus region of the former Soviet Union, including small businesses, the agricultural sector, and joint ventures with United States and host country participants; and
- "(2) policies and practices conducive to private sector development in countries in the Trans-Caucasus region of the former Soviet Union.

"(b) REPORTING REQUIREMENT.—Notwithstanding any other provision of this section, the requirement of section 201(p) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5421(p)), that an Enterprise Fund shall be required to publish an annual report not later than January 31 each year, shall not apply with respect to an Enterprise Fund that receives funds and support under this section for the first twelve months after it is designated as eligible to receive such funds and support."

SEC. 3213. MICRO- AND SMALL ENTERPRISE DEVELOPMENT CREDITS.

(a) IN GENERAL.—Section 108 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151f) is amended to read as follows:

"SEC. 108. MICRO- AND SMALL ENTERPRISE DEVELOPMENT CREDITS.

"(a) FINDINGS AND POLICY.—The Congress finds and declares that—

- "(1) the development of micro- and small enterprise, including cooperatives, is a vital factor in the stable growth of developing countries and in the development and stability of a free, open, and equitable international economic system;
- "(2) it is, therefore, in the best interests of the United States to assist the development of the private sector in developing countries and to engage the United States private sector in that process;

"(3) the support of private enterprise can be served by programs providing credit, training, and technical assistance for the benefit of micro- and small enterprises; and

"(4) programs that provide credit, training, and technical assistance to private institutions can serve as a valuable complement to grant assistance provided for the purpose of benefiting micro- and small private enterprise.

"(b) PROGRAM.—To carry out the policy set forth in subsection (a), the President is authorized to provide assistance to increase the availability of credit to micro- and small enterprises lacking full access to credit, including through—

- "(1) loans and guarantees to credit institutions for the purpose of expanding the availability of credit to micro- and small enterprises;
- "(2) training programs for lenders in order to enable them to better meet the credit needs of micro- and small entrepreneurs; and

"(3) training programs for micro- and small entrepreneurs in order to enable them to make better use of credit and to better manage their enterprises.".

(b) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—(A) There is authorized to be appropriated to carry out section 108 of the Foreign Assistance Act of 1961, in addition to funds otherwise available for such purposes, \$2,000,000 for each of the fiscal years 1996 and 1997. Funds authorized to be appropriated under this subsection shall be made available for the subsidy cost, as defined in section 502(5) of the Federal Credit Reform Act of 1990, for activities under section 108 of the Foreign Assistance Act of 1961.

(B) In addition, there are authorized to be appropriated \$500,000 for each of the fiscal years 1996 and 1997 for the cost of training programs and administrative expenses to carry out such section.

(2) AVAILABILITY OF AMOUNTS.—Amounts authorized to be appropriated under paragraph (1) are authorized to remain available until expended.

SEC. 3214. MICROENTERPRISE DEVELOPMENT GRANTS.

Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following new section:

"SEC. 129. MICROENTERPRISE DEVELOPMENT GRANTS.—(a)(1) In carrying out this part, the administrator of the agency primarily responsible for administering this part is authorized to provide grant assistance for programs of credit and other assistance for microenterprises in developing countries.

"(2) Assistance authorized under paragraph (1) shall be provided through the following organizations that have a capacity to develop and implement microenterprise programs:

"(A) United States and indigenous private and voluntary organizations.

"(B) United States and indigenous credit unions and cooperative organizations.

"(C) Other indigenous governmental and nongovernmental organizations.

"(3) A significant portion of assistance authorized under paragraph (1) shall be used for poverty lending programs which—

"(A) meet the needs of the very poor members of society, particularly poor women; and

"(B) provide loans of \$300 or less in 1995 United States dollars to such poor members of society.

"(4) The administrator of the agency primarily responsible for administering this part shall strengthen appropriate mechanisms, including mechanisms for central microenterprise programs, for the purpose of—

"(A) providing technical support for field missions;

"(B) strengthening the institutional development of the intermediary organizations described in paragraph (2); and

"(C) sharing information relating to the provision of assistance authorized under paragraph (1) between such field missions and intermediary organizations.

"(b) In order to maximize the sustainable development impact of the assistance authorized under subsection (a)(1), the administrator of the agency primarily responsible for administering this part shall establish a monitoring system that—

"(1) establishes performance goals for such assistance and expresses such goals in an objective and quantifiable form, to the extent feasible;

"(2) establishes performance indicators to be used in measuring or assessing the achievement of the goals and objectives of such assistance; and

"(3) provides a basis for recommendations for adjustments to such assistance to enhance the sustainable development impact of such assistance, particularly the impact of such assistance on the very poor, particularly poor women.".

CHAPTER 3—DEVELOPMENT ASSISTANCE

Subchapter A—Development Assistance Authorities

SEC. 3221. AUTHORIZATIONS OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated the following amounts for the following purposes (in addition to amounts otherwise available for such purposes):

(1) DEVELOPMENT ASSISTANCE FUND.—\$858,000,000 for each of the fiscal years 1996 and 1997 to carry out sections 103 through 106 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151a through 2151d).

(2) **DEVELOPMENT FUND FOR AFRICA.**—\$529,000,000 for each of the fiscal year 1996 and 1997 to carry out chapter 10 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2293 et seq.).

(3) **ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.**—\$700,000,000 for fiscal year 1996 and \$650,000,000 for fiscal year 1997 to carry out chapter 11 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.).

(4) **ASSISTANCE FOR EAST EUROPEAN COUNTRIES.**—\$300,000,000 for fiscal year 1996 and \$250,000,000 for fiscal year 1997 for economic assistance for Eastern Europe and the Baltic states under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.).

(5) **INTER-AMERICAN FOUNDATION.**—\$20,000,000 for fiscal year 1996 and \$10,000,000 for fiscal year 1997 to carry out section 401 of the Foreign Assistance Act of 1969 (22 U.S.C. 290f).

(6) **AFRICAN DEVELOPMENT FOUNDATION.**—\$10,000,000 for fiscal year 1996 and \$5,000,000 for fiscal year 1997 to carry out the African Development Foundation Act (22 U.S.C. 290h et seq.).

(b) **AVAILABILITY OF AMOUNTS.**—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

SEC. 3222. ASSISTANCE FOR FAMILY PLANNING.

(a) **RESTRICTION ON USE OF FUNDS FOR VOLUNTARY POPULATION PLANNING.**—Section 104(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(b)) is amended by inserting after the first sentence the following new sentence: "Such assistance shall be available only for voluntary family planning projects which offer, either directly or through referral to, or information about access to, a broad range of family planning methods and services."

(b) **PROHIBITION ON USE OF FUNDS FOR VOLUNTARY POPULATION PLANNING TO ORGANIZATIONS OR PROGRAMS SUPPORTING OR PARTICIPATING IN THE MANAGEMENT OF ABORTION OR INVOLUNTARY STERILIZATION PROGRAMS.**—Section 104(b) of such Act (22 U.S.C. 2151b(b)), as amended by subsection (a), is further amended—

(1) in the first sentence, by striking "In order to" and inserting "(1) In order to"; and

(2) by adding at the end the following new paragraph:

"(2) None of the funds made available to carry out this subsection may be made available to any organization or program which, as determined by the President, supports or participates in the management of a program or coercive abortion or involuntary sterilization."

(c) **PROHIBITION ON DISCRIMINATION WITH RESPECT TO GRANTS FOR NATURAL FAMILY PLANNING.**—Section 104(b) of such Act (22 U.S.C. 2151b(b)), as amended by subsections (a) and (b), is further amended by adding at the end the following new paragraph:

"(3) In providing grants for natural family planning under this subsection, the administrator of the agency primarily responsible for administering this part shall not discriminate against applicants because of any religious or conscientious commitment by such applicants to offer only natural family planning services."

(d) **CLARIFICATION WITH RESPECT TO PROHIBITION ON USE OF FUNDS FOR ABORTIONS.**—Section 104(f)(1) of such Act (22 U.S.C. 2151b(f)(1)) is amended—

(1) by striking "None of the funds" and inserting "(A) None of the funds"; and

(2) by adding at the end the following new subparagraph:

"(B) For purposes of this paragraph, the term 'motivate' shall not be construed to prohibit the provision, consistent with local law, of information and counseling concerning all pregnancy options, including abortion."

SEC. 3223. ASSISTANCE FOR THE INDEPENDENT STATES OF THE FORMER SOVIET UNION.

(a) **CONDITIONS ON ASSISTANCE.**—Section 498A(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2295a(b)) is amended—

(1) in paragraph (4), by striking "or" at the end;

(2) by redesignating paragraph (5) as paragraph (8); and

(3) by inserting after paragraph (4) the following new paragraphs:

"(5) for the government of any independent state that the President determines directs any action in violation of the territorial integrity or national sovereignty of any other new independent state, such as those violations included in Principle Six of the Helsinki Final Act of the Conference on Security and Cooperation in Europe, except that this paragraph shall not apply to the provision of such assistance for purposes of—

"(A) humanitarian, disaster, and refugee relief; or

"(B) assisting democratic political reform and the creation of private sector nongovernmental organizations that are independent of government ownership and control;

"(6) for the purpose of enhancing the military capability of any independent state, except that this paragraph shall not apply to demilitarization, defense conversion or nonproliferation programs, or programs to support troop withdrawal including through the support of an officer resettlement program, and technical assistance for the housing sector;

"(7) for the Government of Russia if the President determines that Government—

"(A) is not making progress in implementing comprehensive economic reforms based on market principles, including fostering private ownership, the repayment of commercial debt, the respect of commercial contracts, the equitable treatment of foreign private investment; or

"(B) applies or transfers assistance provided under this chapter to any entity for the purpose of expropriating or seizing ownership or control of assets, investments, or ventures; or".

(b) ASSISTANCE THROUGH THE PRIVATE SECTOR.—Section 498B(a) of such Act (22 U.S.C. 2295b(a)) is amended to read as follows:

"(a) ASSISTANCE THROUGH THE PRIVATE SECTOR.—Assistance under this chapter shall be provided, to the maximum extent feasible, through the private sector, including private and voluntary organizations and other nongovernmental organizations functioning in the independent states of the former Soviet Union."

(c) WAIVER OF CERTAIN PROVISIONS.—Section 498B(j)(1) of such Act (22 U.S.C. 2295b(j)(1)) is amended in the matter preceding subparagraph (A)—

(1) by striking "for fiscal year 1993 by this chapter" and inserting "to carry out this chapter"; and

(2) by striking "appropriated for fiscal year 1993".

SEC. 3224. EFFECTIVENESS OF UNITED STATES DEVELOPMENT ASSISTANCE.

Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2251 et seq.), as amended by section 3214, is further amended by adding at the end the following new section:

"SEC. 132. EFFECTIVENESS OF UNITED STATES DEVELOPMENT ASSISTANCE.

"(a) REPORTS.—Not later than December 31, 1996, and December 31 of each third year thereafter, the President shall transmit to the Congress a report which analyzes, on a country-by-country basis, the impact and effectiveness of the United States development assistance provided during the preceding three fiscal years. Each report shall include the following for each recipient country:

"(1) An analysis of the impact of United States development assistance during the preceding three fiscal years on development in that country, with a discussion of the United States interests that were served by the assistance. This analysis shall be done on a sector-by-sector basis to the extent possible and shall identify any economic policy reforms which were promoted by the assistance. This analysis shall—

"(A) include a description, quantified to the extent practicable, of the specific objectives the United States sought to achieve in providing development assistance for that country; and

"(B) specify the extent to which those objectives were not achieved, with an explanation of why they were not achieved.

"(2) A description of the amount and nature of development assistance provided by other donors during the preceding three fiscal years, set forth by development sector to the extent possible.

"(3) A discussion of the commitment of the host government to addressing the country's needs in each development sector, including a description of the resources devoted by that government to each development sector during the preceding three fiscal years.

"(4) A description of the trends, both favorable and unfavorable, in each development sector.

"(5) Statistical and other information necessary to evaluate the impact and effectiveness of United States development assistance on development in the country.

"(b) LISTING OF MOST AND LEAST SUCCESSFUL ASSISTANCE PROGRAMS.—Each report required by this section shall identify—

"(1) those five countries in which United States development assistance has been most successful; and

"(2) those five countries in which United States development assistance has been least successful.

For each country listed pursuant to paragraph (2), the report shall explain why the assistance was not more successful and shall specify what the United States has done as a result.

"(c) REPORT TO BE A SEPARATE DOCUMENT.—Each report required by this section shall be submitted to the Congress as a separate document.

"(d) DEFINITION.—As used in this section, the terms 'United States development assistance' and 'development assistance' means assistance under this chapter."

Subchapter B—Operating Expenses

SEC. 3231. OPERATING EXPENSES GENERALLY.

Section 667(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2427(a)(1)) is amended to read as follows:

"(1) \$465,774,000 for fiscal year 1996 and \$419,196,000 for fiscal year 1997 for necessary operating expenses of the agency primarily responsible for administering part I of this Act (other than the office of the inspector general of such agency); and".

SEC. 3232. OPERATING EXPENSES OF THE OFFICE OF THE INSPECTOR GENERAL.

Section 667(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2427(a)), as amended by section 317, is further amended—

- (1) by redesignating paragraph (2) as paragraph (3);
- (2) by striking "and" at the end of paragraph (1); and
- (3) by inserting after paragraph (1) the following:

"(2) \$35,206,000 for fiscal year 1996 and \$31,685,000 for fiscal year 1997 for necessary operating expenses of the office of the inspector general of such agency; and".

CHAPTER 4—PUBLIC LAW 480

SEC. 3241. AUTHORIZATION OF APPROPRIATIONS.

(a) TITLE II.—

(1) IN GENERAL.—There is authorized to be appropriated \$821,000,000 for each of the fiscal years 1996 and 1997 for the provision of agricultural commodities under title II of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1721 et seq.).

(2) AVAILABILITY OF AMOUNTS.—Amounts authorized to be appropriated under paragraph (1) are authorized to remain available until expended.

(b) TITLE III.—No funds are authorized to be appropriated for either of the fiscal years 1996 and 1997 for the provision of agricultural commodities under title III of such Act (7 U.S.C. 1727 et seq.).

CHAPTER 5—HOUSING GUARANTEE PROGRAM

SEC. 3251. AUTHORIZATION OF APPROPRIATIONS FOR ADMINISTRATIVE EXPENSES.

(a) IN GENERAL.—There are authorized to be appropriated \$7,000,000 for fiscal year 1996 and \$6,000,000 for fiscal year 1997 for administrative expenses to carry out guaranteed loan programs under sections 221 and 222 of the Foreign Assistance Act of 1961 (22 U.S.C. 2181 and 2182).

(b) AVAILABILITY.—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

CHAPTER 6—PEACE CORPS

SEC. 3261. PEACE CORPS.

Section 3(b) of the Peace Corps Act (22 U.S.C. 2502(b)) is amended to read as follows:

"(b) There are authorized to be appropriated to carry out the purposes of this Act \$219,745,000 for each of the fiscal years 1996 and 1997."

SEC. 3262. ACTIVITIES OF THE PEACE CORPS IN THE FORMER SOVIET UNION.

(a) IN GENERAL.—Of the amounts made available for fiscal years 1996 and 1997 to carry out chapter 11 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.; relating to assistance for the independent states of the former Soviet Union), not more than \$11,600,000 for each such fiscal year shall be available for activities of the Peace Corps in the independent states of the former Soviet Union.

(b) AVAILABILITY.—Amounts made available under subsection (a)—

(1) with respect to fiscal year 1996 are authorized to remain available until September 30, 1997; and

(2) with respect to fiscal year 1997 are authorized to remain available until September 30, 1998.

SEC. 3263. PROHIBITION ON USE OF FUNDS FOR ABORTIONS.

Section 15 of the Peace Corps Act (22 U.S.C. 2514) is amended by adding at the end the following new subsection:

"(e) Funds made available for the purposes of this Act may not be used to pay for abortions."

CHAPTER 7—INTERNATIONAL DISASTER ASSISTANCE

SEC. 3271. AUTHORITY TO PROVIDE RECONSTRUCTION ASSISTANCE.

Section 491 of the Foreign Assistance Act of 1961 (22 U.S.C. 2292) is amended—

(1) in subsection (b), by striking "and rehabilitation" and inserting ", rehabilitation, and reconstruction"; and

(2) in subsection (c), by striking "and rehabilitation" and inserting ", rehabilitation, and reconstruction".

SEC. 3272. AUTHORIZATIONS OF APPROPRIATIONS.

Section 492(a) of such Act (22 U.S.C. 2292a(a)) is amended to read as follows:

"(a) There are authorized to be appropriated to the President to carry out section 491, in addition to funds otherwise available for such purposes, \$200,000,000 for each of the fiscal years 1996 and 1997."

CHAPTER 8—OTHER PROVISIONS

SEC. 3281. EXEMPTION FROM RESTRICTIONS ON ASSISTANCE THROUGH NONGOVERNMENTAL ORGANIZATIONS.

Section 123(e) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151u(e)) is amended to read as follows:

"(e)(1) Subject to paragraph (3), restrictions contained in this Act or any other provision of law with respect to assistance for a country shall not be construed to restrict assistance under this chapter or chapter 10 of this part in support of programs of nongovernmental organizations.

"(2) The President shall take into consideration, in any case in which a restriction on assistance for a country would be applicable but for this subsection, whether assistance for programs of nongovernmental organizations is in the national interest of the United States.

"(3) Whenever the authority of this subsection is used to furnish assistance for a program of a nongovernmental organization, the President shall notify the congressional committees specified in section 634A(a) of this Act in accordance with procedures applicable to reprogramming notifications under that section. Such notification shall describe the program assisted, the assistance provided, and the reasons for furnishing such assistance."

SEC. 3282. FUNDING REQUIREMENTS RELATING TO UNITED STATES PRIVATE AND VOLUNTARY ORGANIZATIONS.

(a) IN GENERAL.—Section 123(g) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151u(g)) is amended to read as follows:

"(g) Funds made available to carry out this chapter and chapter 10 of this part may not be made available to any United States private and voluntary organization, except any cooperative development organization, that obtains less than 20 percent of its total annual financial support for its international activities from sources other than the United States Government."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) apply with respect to funds made available for programs of any United States private and voluntary organization on or after the date of the enactment of this Act.

SEC. 3283. DOCUMENTATION REQUESTED OF PRIVATE AND VOLUNTARY ORGANIZATIONS.

Section 620 of the Foreign Assistance Act of 1961 (22 U.S.C. 2370) is amended by inserting after subsection (u) the following new subsection:

"(v) None of the funds made available to carry out this Act shall be available to any private and voluntary organization which—

"(1) fails to provide upon timely request any document, file, or record necessary to the auditing requirements of the agency primarily responsible for administering part I of this Act; or

"(2) is not registered with the agency primarily responsible for administering part I of this Act."

SEC. 3284. FOREIGN GOVERNMENT PARKING FINES.

(a) **IN GENERAL.**—Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

"SEC. 620H. FOREIGN GOVERNMENT PARKING FINES.

"(a) **IN GENERAL.**—An amount equivalent to 110 percent of the total unpaid fully adjudicated parking fines and penalties owed to the District of Columbia, Virginia, Maryland, and New York by the government of a foreign country as of the end of a fiscal year, as certified to the President by the chief executive officer of each State or District, shall be withheld from obligation for such country out of funds available in the next fiscal year to carry out part I of this Act, until the requirement of subsection (b) is satisfied.

"(b) **REQUIREMENT.**—The requirement of this subsection is satisfied when the Secretary of State determines and certifies to the appropriate congressional committees that such fines and penalties are fully paid to the governments of the District of Columbia, Virginia, Maryland, and New York.

"(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—For purposes of this section, the term 'appropriate congressional committees' means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate."

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply with respect to fines certified as of the end of fiscal year 1995 or any fiscal year thereafter.

TITLE XXXIII—REGIONAL PROVISIONS**SEC. 3301. PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS PROVIDING ASSISTANCE TO CUBA.**

(a) **IN GENERAL.**—Section 620 of the Foreign Assistance Act of 1961 (22 U.S.C. 2370) is amended by inserting after subsection (v) (as added by section 3283) the following new subsection:

"(w)(1) No assistance may be provided under this Act (other than humanitarian assistance and assistance for refugees) for a fiscal year to any foreign government that the President determines has provided economic assistance to or engaged in nonmarket-based trade with the Government of Cuba or any entity controlled by such Government in the preceding fiscal year.

"(2) The President may waive the requirements of paragraph (1) if—

"(A) the President certifies to the congressional committees specified in section 634A of this Act (in accordance with procedures applicable to reprogramming of funds under that section) that the provision of such assistance is vital to the national security of the United States; or

"(B) the President determines and reports to the Congress that the Government of Cuba has met the requirements contained in section 1708 of the Cuban Democracy Act of 1992 (22 U.S.C. 6001 et seq.).

"(3) Not later than February 1st each year, the President shall prepare and transmit to the appropriate congressional committees a report containing a list of all foreign governments that the President has determined have provided economic assistance to or engaged in nonmarket-based trade with the Government of Cuba in the preceding fiscal year.

"(4) For purposes of this subsection—

"(A) the term 'appropriate congressional committees' means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate;

"(B) the term 'humanitarian assistance' means food (including the monetization of food), clothing, medicine, and medical supplies; and

"(C) the term 'nonmarket-based trade' includes exports, imports, exchanges, or other trade arrangements under which goods or services are provided on terms more favorable than those generally available in applicable markets or for comparable commodities, including—

"(i) exports to the Government of Cuba on terms that involve a grant, concessional price, guaranty, insurance, or subsidy;

"(ii) imports from the Government of Cuba at preferential tariff rates;

and

"(iii) exchange arrangements that include advance delivery of commodities, arrangements in which the Government of Cuba is not held accountable for unfulfilled exchange contracts, and arrangements under which such Government does not pay appropriate transportation, insurance, or finance costs."

(b) EFFECTIVE DATE.—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the prohibition on assistance to a foreign government contained in section 620(w) of the Foreign Assistance Act of 1961, as added by subsection (a), shall apply only with respect to assistance provided in fiscal years beginning on or after the date of the enactment of this Act.

(2) **EXCEPTION.**—In the case of the fiscal year in which this Act is enacted, such prohibition shall apply with respect to the obligation or expenditure of assistance on or after the date of the enactment of this Act.

SEC. 3302. ASSISTANCE FOR NICARAGUA.

(a) **RESTRICTIONS.**—Amounts made available for fiscal years 1996 and 1997 for assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.; relating to development assistance) or chapter 4 of part II of such Act (22 U.S.C. 2346 et seq.; relating to the economic support fund), including any unobligated balances of prior appropriations, may only be made available to the Government of Nicaragua if the Secretary of State, in consultation with the Secretary of Defense and the Director of the Central Intelligence, determines and certifies to the appropriate congressional committees that—

(1) a full and independent investigation has been completed of the weapons caches discovered after the May 23, 1993, Santa Rosa arms cache explosion, including an investigation of passports, identity papers, and other documents found at weapons sites indicating the existence of a terrorist or kidnapping ring and that the terrorist network was not involved with the February 1993 World Trade Center bombing;

(2) all individuals, including government officials and members of the armed forces or security forces of Nicaragua, identified by the President as part of a terrorist or kidnapping ring, have been prosecuted;

(3) Nicaragua has met the requirements set forth in section 527 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (relating to expropriation of United States property);

(4) the timely implementation of all recommendations made by the Tripartite Commission with respect to individuals responsible for assassinations has been made, including the immediate suspension of all individuals from the Sandinista Army and security forces who were named in such recommendations, and the expeditious prosecution of such individuals;

(5) all individuals implicated in the murders of Jean Paul Genie, Arges Sequeira, and Enrique Bermúdez have been removed from the military and security forces of Nicaragua, and judicial proceedings against these individuals have been completed;

(6) specific changes have been implemented which have resulted in verifiable civilian control over the Sandinista military, security forces, and police; and

(7) there have been genuine, effective, and concrete reforms in the Nicaraguan judicial system.

(b) CONTENTS OF CERTIFICATION.—

(1) **IN GENERAL.**—A certification made pursuant to subsection (a) shall include a detailed accounting of all evidence in support of the determinations listed in paragraphs (1) through (7) of such subsection.

(2) **FORM.**—A certification made pursuant to subsection (a) shall be submitted in unclassified form, and, to the extent necessary, classified form.

(c) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—For purposes of this section, the term "appropriate congressional committees" means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 3303. ELIGIBILITY OF PANAMA UNDER ARMS EXPORT CONTROL ACT.

The Government of the Republic of Panama shall be eligible to purchase defense articles and defense services under the Arms Export Control Act (22 U.S.C. 2751 et seq.), except as otherwise specifically provided by law.

SEC. 3304. FUTURE OF THE UNITED STATES MILITARY PRESENCE IN PANAMA.

(a) **FINDINGS.**—The Congress makes the following findings:

(1) The Panama Canal is a vital strategic asset to the United States, its allies, and the world.

(2) The Treaty on the Permanent Neutrality and Operation of the Panama Canal signed on September 7, 1977, provides that Panama and the United States have the responsibility to assure that the Panama Canal will remain open and secure.

(3) Such Treaty also provides that each of the two countries shall, in accordance with their respective constitutional processes, defend the Canal against any threat to the regime of neutrality, and consequently shall have the right to act against any aggression or threat directed against the Canal or against the peaceful transit of vessels through the Canal.

(4) The United States instrument of ratification of such Treaty includes specific language that the two countries should consider negotiating future arrangements or agreements to maintain military forces necessary to fulfill the responsibility of the two countries of maintaining the neutrality of the Canal after 1999.

(5) The Government of Panama, in the bilateral Protocol of Exchange of instruments of ratification, expressly "agreed upon" such arrangements or agreements.

(6) The United States Navy depends upon the Panama Canal for rapid transit in times of emergency, as demonstrated during World War II, the Korean War, the Vietnam conflict, the Cuban Missile Crisis, and the Persian Gulf conflict.

(7) Drug trafficking and money laundering have proliferated in the Western Hemisphere since the Treaty on the Permanent Neutrality and Operation of the Panama Canal was signed on September 7, 1977, and such trafficking and laundering poses a grave threat to peace and security in the region.

(8) Certain facilities now utilized by the United States Armed Forces in Panama are critical to combat the trade in illegal drugs.

(9) The United States and Panama share common policy goals such as strengthening democracy, expanding economic trade, and combating illegal narcotics throughout Latin America.

(10) The Government of Panama has dissolved its military forces and has maintained only a civilian police organization to defend the Panama Canal against aggression.

(11) Certain public opinion polls in Panama suggest that many Panamanians desire a continued United States military presence in Panama.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(1) the President should negotiate a new base rights agreement with the Government of Panama—

(A) to allow the stationing of United States Armed Forces in Panama beyond December 31, 1999; and

(B) to ensure that the United States will be able to act appropriately, consistent with the Panama Canal Treaty, the Treaty Concerning the Permanent Neutrality and Operation of the Panama Canal, and the resolutions of ratification thereto, for the purpose of assuring that the Panama Canal shall remain open, neutral, secure, and accessible; and

(2) the President should consult with the Congress throughout the negotiations described in paragraph (1).

SEC. 3305. PEACE AND STABILITY IN THE SOUTH CHINA SEA.

(a) FINDINGS.—The Congress finds the following:

(1) The South China Sea is a critically important waterway through which 25 percent of the world's ocean freight and 70 percent of Japan's energy supplies transit.

(2) The South China Sea serves as a crucial sea lane for United States Navy ships moving between the Pacific and Indian Oceans, particularly in time of emergency.

(3) There are a number of competing claims to territory in the South China Sea.

(4) The 1992 Manila Declaration adhered to by the Association of South East Asian Nations, the Socialist Republic of Vietnam, and the People's Republic of China calls for all claimants to territory in the South China Sea to resolve questions of boundaries through peaceful negotiations.

(5) The legislature of the People's Republic of China has declared the entire South China Sea to be Chinese territorial waters.

(6) The armed forces of the People's Republic of China have asserted China's claim to the South China Sea through the kidnapping of citizens of the Re-

public of the Philippines and the construction of military bases on territory claimed by the Philippines.

(7) These acts of aggression committed by the armed forces of the People's Republic of China against citizens of the Philippines are contrary to both international law and to peace and stability in East Asia.

(b) **POLICY DECLARATIONS.**—The Congress—

(1) declares the right of free passage through the South China Sea to be vital to the national security interests of the United States, its friends, and allies;

(2) declares that any attempt by a nondemocratic power to assert, through the use of force or intimidation, its claims to territory in the South China Sea to be a matter of grave concern to the United States;

(3) calls upon the Government of the People's Republic of China to adhere faithfully to its commitment under the Manila Declaration of 1992; and

(4) calls upon the President to review the defense needs of democratic countries with claims to territory in the South China Sea.

SEC. 3306. ASSISTANCE FOR ZAIRE.

(a) **SECURITY ASSISTANCE.**—Assistance may not be provided for the Government of Zaire for each of the fiscal years 1996 and 1997—

(1) under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et seq.; relating to the economic support fund);

(2) under chapter 5 of part II of that Act (22 U.S.C. 2347 et seq.; relating to international military education and training); or

(3) from the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act (22 U.S.C. 2763).

(b) **DEVELOPMENT ASSISTANCE.**—Assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.; relating to development assistance) or chapter 10 of such part (22 U.S.C. 2293 et seq.; relating to the Development Fund for Africa) for each of the fiscal years 1996 and 1997 shall not be provided to the Government of Zaire.

TITLE XXXIV—SPECIAL AUTHORITIES AND OTHER PROVISIONS

CHAPTER 1—SPECIAL AUTHORITIES

SEC. 3401. ENHANCED TRANSFER AUTHORITY.

Section 610 of the Foreign Assistance Act of 1961 (22 U.S.C. 2360) is amended to read as follows:

***SEC. 610. TRANSFER BETWEEN ACCOUNTS.**

"(a) **GENERAL AUTHORITY.**—Whenever the President determines it to be necessary for the purposes of this Act or the Arms Export Control Act (22 U.S.C. 2751 et seq.), not to exceed 20 percent of the funds made available to carry out any provision of this Act (except funds made available pursuant to title IV of chapter 2 of part I) or section 23 of the Arms Export Control Act (22 U.S.C. 2763)—

"(1) may be transferred to, and consolidated with, the funds in any other account or fund available to carry out any provision of this Act; and

"(2) may be used for any purpose for which funds in that account or fund may be used.

"(b) **LIMITATION ON AMOUNT OF INCREASE.**—The total amount in the account or fund for the benefit of which transfer is made under subsection (a) during any fiscal year may not be increased by more than 20 percent of the amount of funds otherwise made available.

"(c) **NOTIFICATION.**—The President shall notify in writing the congressional committees specified in section 634A at least fifteen days in advance of each such transfer between accounts in accordance with procedures applicable to reprogramming notifications under such section."

SEC. 3402. AUTHORITY TO MEET UNANTICIPATED CONTINGENCIES.

(a) **IN GENERAL.**—Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended by inserting after section 610 (22 U.S.C. 2360) the following new section:

***SEC. 610A. AUTHORITY TO MEET UNANTICIPATED CONTINGENCIES.**

"(a) **AUTHORITY.**—

"(1) **IN GENERAL.**—In order to provide for any unanticipated contingency in the programs, projects, or activities for which assistance is provided under this

Act, the President is authorized to use funds made available to carry out any provision of this Act for the purpose of providing assistance authorized by any other provision of this Act in accordance with the provisions applicable to the furnishing of such assistance.

"(2) LIMITATION.—The authority of paragraph (1) may not be used to authorize the use of more than \$40,000,000 in any fiscal year.

"(b) SUPERSEDES OTHER LAWS.—Funds authorized to be appropriated under this section are authorized to be made available notwithstanding any other provision of law.

"(c) NOTIFICATION OF CONGRESS.—

"(1) NOTIFICATION.—Except as provided in paragraph (2), the President shall notify the congressional committees specified in section 634A(a) at least 15 days before obligating any funds under this section in accordance with the procedures applicable to reprogramming notifications under section 634A(a).

"(2) EXCEPTION.—The President may waive the requirement contained in paragraph (1) if the President determines that complying with such requirement would pose a substantial risk to human health or welfare. If the President exercises the waiver under the preceding sentence, the President shall notify the congressional committees specified in section 634A(a) as early as practicable, but in no event later than 3 days after the date on which the President took the action to which such notification requirement was applicable."

"(b) REPEAL.—Chapter 5 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2261; relating to contingencies) is hereby repealed.

SEC. 340S. SPECIAL WAIVER AUTHORITY.

Section 614 of the Foreign Assistance Act of 1961 (22 U.S.C. 2364) is amended to read as follows:

"SEC. 614. SPECIAL WAIVER AUTHORITY.

"(a) AUTHORITY.—The President may provide assistance and make loans under the provisions of law described in subsection (b), notwithstanding any other provision of law, if the President determines that to do so is vital to the national interests of the United States.

"(b) LAWS WHICH MAY BE WAIVED.—The provisions of law described in this subsection are—

"(1) this Act;

"(2) the Arms Export Control Act (22 U.S.C. 2751 et seq.);

"(3) any provision of law authorizing the provision of assistance to foreign countries or making appropriations for such assistance;

"(4) any other provision of law that restricts the authority to provide assistance or make loans under a provision of law described in paragraph (1), (2), or (3).

"(c) CONSULTATION WITH CONGRESS.—Before exercising the authority under subsection (a), the President shall consult with, and shall provide a written policy justification to the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

"(d) NOTIFICATION TO CONGRESS.—A determination under subsection (a) shall be effective only if the President notifies the congressional committees specified in subsection (c) in writing of that determination.

"(e) ANNUAL CEILINGS.—

"(1) IN GENERAL.—The authority of this section may not be used in any fiscal year to authorize—

"(A) more than \$750,000,000 in sales or leases to be made under the Arms Export Control Act (22 U.S.C. 2751 et seq.);

"(B) the use of more than \$250,000,000 of funds made available under this Act or the Arms Export Control Act; or

"(C) the use of more than \$100,000,000 of foreign currencies accruing under this Act or any other provision of law.

"(2) SALES UNDER THE ARMS EXPORT CONTROL ACT.—If the authority of this section is used both to authorize a sale or lease under the Arms Export Control Act and to authorize funds to be used under this Act with respect to the financing of that sale or lease, then the use of the funds shall be counted against the limitation in paragraph (1)(B) and the portion, if any, of the sale or lease which is not so financed shall be counted against the limitation in paragraph (1)(A).

"(3) LEASES.—For purposes of paragraph (1)(A) the replacement cost, less any depreciation in the value, of the defense articles authorized to be leased shall be counted against the limitation in that paragraph.

"(4) COUNTRY LIMITS.—(A) Not more than \$75,000,000 of the \$250,000,000 limitation provided in paragraph (1)(B) may be allocated to any one country in any fiscal year unless that country is a victim of active aggression.

"(B) Not more than \$500,000,000 of the aggregate limitation of \$1,000,000,000 provided in paragraph (1)(A) and (1)(B) may be allocated to any one country in any fiscal year."

SEC. 3404. TERMINATION OF ASSISTANCE.

Section 617 of the Foreign Assistance Act of 1961 (22 U.S.C. 2364) is amended to read as follows:

"SEC. 617. TERMINATION OF ASSISTANCE.

"(a) IN GENERAL.—(1) In order to ensure the effectiveness of assistance provided under this Act, funds made available under this Act to carry out any program, project, or activity of assistance shall remain available for obligation for a period not to exceed 8 months after the date of termination of such assistance for the necessary expenses of winding up such programs, projects, or activities and, notwithstanding any other provision of law, funds so obligated may remain available until expended.

"(2) Funds obligated to carry out any program, project, or activity of assistance before the effective date of the termination of such assistance are authorized to be available for expenditure for the necessary expenses of winding up such programs, projects, and activities, notwithstanding any provision of law restricting the expenditure of funds, and may be reobligated to meet any other necessary expenses arising from the termination of such assistance.

"(3) The necessary expenses of winding up programs, projects, and activities of assistance include the obligation and expenditure of funds to complete the training or studies outside their countries of origin of students whose course of study or training program began before assistance was terminated.

"(b) LIABILITY TO CONTRACTORS.—For the purpose of making an equitable settlement of termination claims under extraordinary contractual relief standards, the President is authorized to adopt as a contract or other obligation of the United States Government, and assume (in whole or in part) any liabilities arising thereunder, any contract with a United States or third-country contractor to carry out any program, project, or activity of assistance under this Act that was subsequently terminated pursuant to law.

"(c) GUARANTEE PROGRAMS.—Provisions of this or any other Act requiring the termination of assistance under this Act shall not be construed to require the termination of guarantee commitments that were entered into before the effective date of the termination of assistance."

CHAPTER 2—OTHER PROVISIONS

SEC. 3411. CONGRESSIONAL PRESENTATION DOCUMENTS.

Section 634 of the Foreign Assistance Act of 1961 (22 U.S.C. 2394) is amended to read as follows:

"SEC. 634. CONGRESSIONAL PRESENTATION DOCUMENTS.

"(a) REQUIREMENT FOR SUBMISSION.—As part of the annual requests for enactment of authorizations and appropriations for foreign assistance programs for each fiscal year, the President shall prepare and transmit to the Congress annual congressional presentation documents for the programs authorized under this Act and the Arms Export Control Act (22 U.S.C. 2751 et seq.).

"(b) MATERIALS TO BE INCLUDED.—The documents submitted pursuant to subsection (a) shall include—

"(1) the rationale for the allocation of assistance or contributions to each country, regional, or centrally funded program, or organization, as the case may be;

"(2) a description of how each such program or contribution supports the objectives of this Act or the Arms Export Control Act, as the case may be;

"(3) a description of planned country, regional, or centrally funded programs or contributions to international organizations and programs for the coming fiscal year; and

"(4) for each country for which assistance is requested under this Act or the Arms Export Control Act—

"(A) the total number of years since 1946 that the United States has provided assistance;

"(B) the total amount of bilateral assistance provided by the United States since 1946, including the principal amount of all loans, credits, and guarantees; and

"(C) the total amount of assistance provided to such country from all multilateral organizations to which the United States is a member, including all international financial institutions, the United Nations, and other international organizations.

"(c) GRADUATION FROM DEVELOPMENT ASSISTANCE.—

"(1) DETERMINATION.—As part of the congressional presentation documents transmitted to the Congress under this section, the Secretary of State shall make a separate determination for each country identified in such documents for which bilateral development assistance is requested, estimating the year in which each such country will no longer be receiving bilateral development assistance.

"(2) DEVELOPMENT ASSISTANCE DEFINED.—For purposes of this section, the term 'development assistance' means assistance under—

"(A) chapter 1 of part I of this Act;

"(B) chapter 10 of part I of this Act;

"(C) chapter 11 of part I of this Act; and

"(D) the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.)."

SEC. 3412. PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS ENGAGED IN ESPIONAGE AGAINST THE UNITED STATES.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

"SEC. 630L. PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS ENGAGED IN ESPIONAGE AGAINST THE UNITED STATES.

"(a) PROHIBITION.—None of the funds made available to carry out this Act or the Arms Export Control Act (22 U.S.C. 2751 et seq.) (other than humanitarian assistance or assistance for refugees) may be provided to any foreign government which the President determines is engaged in intelligence activities within the United States harmful to the national security of the United States.

"(b) PERIODIC REPORTS.—Beginning one year after the date of enactment of this section, and annually thereafter, the President shall prepare and transmit to the Committee on Foreign Relations and the Select Committee on Intelligence of the Senate and the Committee on International Relations and the Permanent Select Committee on Intelligence of the House of Representatives a report, in classified and unclassified forms, listing all foreign governments which the President determines are conducting intelligence activities within the United States harmful to the national security of the United States.

"(c) DEFINITION.—As used in this section, the term 'humanitarian assistance' means food (including the monetization of food), clothing, medicine, and medical supplies."

SEC. 3413. DEBT RESTRUCTURING FOR FOREIGN ASSISTANCE.

Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

"SEC. 630J. SPECIAL DEBT RELIEF FOR POOR COUNTRIES.

"(a) AUTHORITY TO REDUCE DEBT.—The President may reduce amounts owed to the United States Government by a country described in subsection (b) as a result of—

"(1) loans or guarantees issued under this Act; or

"(2) credits extended or guarantees issued under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

"(b) COUNTRY DESCRIBED.—A country described in this subsection is a country—

"(1) with a heavy debt burden that is eligible to borrow from the International Development Association but not from the International Bank for Reconstruction and Development (commonly referred to as an 'IDA-only' country); and

"(2) the government of which—

"(A) does not have an excessive level of military expenditures;

"(B) has not repeatedly provided support for acts of international terrorism;

"(C) is cooperating with the United States on international narcotics control matters;

"(4) (including the military or other security forces of such government) does not engage in a consistent pattern of gross violations of internationally recognized human rights; and

"(5) is not prohibited from receiving assistance described in section 527(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 by reason of such section.

"(c) LIMITATIONS.—The authority under subsection (a) may be exercised—

"(1) only to implement multilateral official debt relief ad referendum agreements (commonly referred to as 'Paris Club Agreed Minutes'); and

"(2) only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

"(d) CERTAIN PROHIBITIONS INAPPLICABLE.—A reduction of debt pursuant to the exercise of authority under subsection (a)—

"(1) shall not be considered assistance for purposes of any provision of law limiting assistance to a country; and

"(2) may be exercised notwithstanding section 620(r) of this Act or any comparable provision of law.

"(e) AUTHORIZATION OF APPROPRIATIONS.—

"(1) IN GENERAL.—There are authorized to be appropriated to the President for the purpose of carrying out this section \$7,000,000 for each of the fiscal years 1996 and 1997.

"(2) AVAILABILITY.—Amounts authorized to be appropriated under paragraph (1) are authorized to remain available until expended."

SEC. 3414. DEBT BUYBACKS OR SALES FOR DEBT SWAPS.

Part IV of the Foreign Assistance Act of 1961 (22 U.S.C. 2430 et seq.) is amended by adding at the end the following new section:

"SEC. 711. AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR SALES.

"(a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR CANCELLATION.—

"(1) AUTHORITY TO SELL, REDUCE, OR CANCEL CERTAIN LOANS.—Notwithstanding any other provision of law, the President may, in accordance with this section, sell to any eligible purchaser any concessional loan or portion thereof made before January 1, 1995, to the government of any eligible country pursuant to this Act, or on receipt of payment from an eligible purchaser, reduce or cancel such loan or portion thereof, only for the purpose of facilitating—

"(A) debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps; or

"(B) a debt buyback by an eligible country of its own qualified debt, only if the eligible country uses an additional amount of the local currency of the eligible country, equal to not less than 40 percent of the price paid for such debt by such eligible country, or the difference between the price paid for such debt and the face value of such debt, to support activities that link conservation and sustainable use of natural resources with local community development, and child survival and other child development, in a manner consistent with sections 707 through 710, if the sale, reduction, or cancellation would not contravene any term or condition of any prior agreement relating to such loan.

"(2) TERMS AND CONDITIONS.—Notwithstanding any other provision of law, the President shall, in accordance with this section, establish the terms and conditions under which loans may be sold, reduced, or canceled pursuant to this section.

"(3) ADMINISTRATION.—The Facility shall notify the administrator of the agency primarily responsible for administering part I of this Act of purchasers that the President has determined to be eligible, and shall direct such agency to carry out the sale, reduction, or cancellation of a loan pursuant to this section. Such agency shall make an adjustment in its accounts to reflect the sale, reduction, or cancellation.

"(4) LIMITATION.—The authorities of this subsection shall be available only to the extent that appropriations for the cost of the modification, as defined in section 502 of the Congressional Budget Act of 1974, are made in advance.

"(b) DEPOSIT OF PROCEEDS.—The proceeds from the sale, reduction, or cancellation of any loan sold, reduced, or canceled pursuant to this section shall be deposited in an account or accounts established in the Treasury for the repayment of such loan.

"(c) ELIGIBLE PURCHASERS.—A loan may be sold pursuant to subsection (a)(1)(A) only to a purchaser who presents plans satisfactory to the President for using the

loan for the purpose of engaging in debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

"(d) **DEBTOR CONSULTATIONS.**—Before the sale to any eligible purchaser, or any reduction or cancellation pursuant to this section, of any loan made to an eligible country, the President shall consult with the country concerning the amount of loans to be sold, reduced, or canceled and their uses for debt-for-equity swaps, debt-for-development swaps, or debt-for-nature swaps.

"(e) **AUTHORIZATION OF APPROPRIATIONS.**—

"(1) **IN GENERAL.**—For the sale, reduction, and cancellation of loans or portions thereof pursuant to this section, there are authorized to be appropriated to the President \$3,000,000 for each of the fiscal years 1996 and 1997.

"(2) **AVAILABILITY.**—Amounts authorized to be appropriated under paragraph (1) are authorized to remain available until expended."

SEC. 3415. IMPACT ON JOBS IN THE UNITED STATES.

Section 636 of the Foreign Assistance Act of 1961 (22 U.S.C. 2396) is amended by adding at the end the following new subsection:

"(j)(1) Funds made available to carry out the provisions of this Act may not be made available to provide—

"(A) any financial incentive to a business enterprise located in the United States for the purpose of inducing that enterprise to relocate outside the United States if such incentive or inducement is likely to reduce the number of individuals employed in the United States by that enterprise because that enterprise would replace production in the United States with production outside the United States;

"(B) assistance for the purpose of establishing or developing in a foreign country any export processing zone or designated area in which the tax, tariff, labor, environment, and safety laws of that country do not apply, in part or in whole, to activities carried out within that zone or area, unless the President determines and certifies that such assistance is not likely to cause a loss of jobs within the United States; or

"(C) subject to paragraph (2), assistance for any project or activity that contributes to the violation of internationally recognized workers rights (as defined in section 502(a)(4) of the Trade Act of 1974) of workers in the foreign country, including in any designated zone or area in that country.

"(2) Paragraph (1) shall not apply with respect to the provision of assistance for microenterprises and small-scale enterprises, or for small-holder agriculture in the informal sector of the foreign country."

SEC. 3416. PROHIBITION ON ASSISTANCE TO FOREIGN GOVERNMENTS THAT EXPORT LETHAL MILITARY EQUIPMENT TO COUNTRIES SUPPORTING INTERNATIONAL TERRORISM.

(a) **IN GENERAL.**—Section 620 of the Foreign Assistance Act of 1961 (22 U.S.C. 2370) is amended by adding at the end the following new subsection:

"(y)(1) No assistance may be provided under this Act or the Arms Export Control Act to any foreign government that provides lethal military equipment to a country, the government of which the Secretary of State has determined pursuant to section 40(d) of the Arms Export Control Act is a government that has repeatedly provided support for acts of international terrorism.

"(2) The prohibition under paragraph (1) with respect to a foreign government shall terminate 12 months after the date on which that government ceases to provide such lethal military equipment.

"(3) The President may waive the requirements of paragraph (1) if the President determines that the provision of such assistance is important to the national security interests of the United States.

"(4) Whenever the waiver of paragraph (3) is exercised, the President shall prepare and transmit to the appropriate congressional committees a report with respect to the furnishing of such assistance. Such report shall include a detailed explanation of the assistance to be provided, including the estimated dollar amount of such assistance, and an explanation of how the assistance furthers the national interests of the United States.

"(5) For purposes of this subsection, the term 'appropriate congressional committees' means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate."

(b) **EFFECTIVE DATE.**—Section 620(y) of the Foreign Assistance Act of 1961, as added by subsection (a), applies with respect to lethal military equipment provided pursuant to a contract entered into on or after the date of enactment of this Act.

CHAPTER 3—REPEALS

SEC. 3421. REPEAL OF OBSOLETE PROVISIONS.

(a) 1992 JOBS THROUGH EXPORTS ACT.—Title III of the Jobs Through Exports Act of 1992 is hereby repealed.

(b) 1988 OPIC ACT.—The Overseas Private Investment Corporation Amendments Act of 1988 (as enacted by reference by section 555 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989) is hereby repealed.

(c) 1988 FOREIGN OPERATIONS APPROPRIATIONS ACT.—Section 537(h)(2) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1988, as included in Public Law 100-202, is hereby repealed.

(d) 1987 FOREIGN ASSISTANCE APPROPRIATIONS ACT.—Section 539(g)(2) of the Foreign Assistance and Related Programs Appropriations Act, 1987, as included in Public Law 99-591, is hereby repealed.

(e) 1986 ASSISTANCE ACT.—The Special Foreign Assistance Act of 1986 is hereby repealed except for section 1 and section 204.

(f) 1985 ASSISTANCE ACT.—The International Security and Development Cooperation Act of 1985 is hereby repealed except for section 1, section 131, section 132, section 504, section 505, part B of title V (other than section 558 and section 559), section 1302, section 1303, and section 1304.

(g) 1985 JORDAN SUPPLEMENTAL ACT.—The Jordan Supplemental Economic Assistance Authorization Act of 1985 is hereby repealed.

(h) 1985 AFRICAN FAMINE ACT.—The African Famine Relief and Recovery Act of 1985 is hereby repealed.

(i) 1983 ASSISTANCE ACT.—The International Security and Development Assistance Authorization Act of 1983 is hereby repealed.

(j) 1983 LEBANON ASSISTANCE ACT.—The Lebanon Emergency Assistance Act of 1983 is hereby repealed.

(k) 1981 ASSISTANCE ACT.—The International Security and Development Cooperation Act of 1981 is hereby repealed except for section 1, section 709, and section 714.

(l) 1981 OPIC AMENDMENTS ACT.—The OPIC Amendments Act of 1981 is hereby repealed.

(m) 1980 ASSISTANCE ACT.—The International Security and Development Cooperation Act of 1980 is hereby repealed except for section 1, section 110, section 316, and title V.

(n) 1979 DEVELOPMENT ASSISTANCE ACT.—The International Development Cooperation Act of 1979 is hereby repealed.

(o) 1979 SECURITY ASSISTANCE ACT.—The International Security Assistance Act of 1979 is hereby repealed.

(p) 1979 SPECIAL SECURITY ASSISTANCE ACT.—The Special International Security Assistance Act of 1979 is hereby repealed.

(q) 1978 DEVELOPMENT ASSISTANCE ACT.—The International Development and Food Assistance Act of 1978 is hereby repealed, except for section 1, title IV, and section 603(a)(2).

(r) 1978 SECURITY ASSISTANCE ACT.—The International Security Assistance Act of 1978 is hereby repealed.

(s) 1977 DEVELOPMENT ASSISTANCE ACT.—The International Development and Food Assistance Act of 1977 is hereby repealed except for section 1, section 132(b), and section 133.

(t) 1977 SECURITY ASSISTANCE ACT.—The International Security Assistance Act of 1977 is hereby repealed.

(u) 1976 SECURITY ASSISTANCE ACT.—The International Security Assistance and Arms Export Control Act of 1976 is hereby repealed except for section 1, section 201(b), section 212(b), section 601, and section 608.

(v) 1975 DEVELOPMENT ASSISTANCE ACT.—The International Development and Food Assistance Act of 1975 is hereby repealed.

(w) 1975 BIB ACT.—Public Law 94-104 is hereby repealed.

(x) 1974 ASSISTANCE ACT.—The Foreign Assistance Act of 1974 is hereby repealed.

(y) 1973 EMERGENCY ASSISTANCE ACT.—The Emergency Security Assistance Act of 1973 is hereby repealed.

(z) 1973 ASSISTANCE ACT.—The Foreign Assistance Act of 1973 is hereby repealed.

(aa) 1971 ASSISTANCE ACT.—The Foreign Assistance Act of 1971 is hereby repealed.

(bb) 1971 SPECIAL ASSISTANCE ACT.—The Special Foreign Assistance Act of 1971 is hereby repealed.

(cc) 1969 ASSISTANCE ACT.—The Foreign Assistance Act of 1969 is hereby repealed except for the first section and part IV.

(dd) 1968 ASSISTANCE ACT.—The Foreign Assistance Act of 1968 is hereby repealed.

(ee) 1964 ASSISTANCE ACT.—The Foreign Assistance Act of 1964 is hereby repealed.

(ff) LATIN AMERICAN DEVELOPMENT ACT.—The Latin American Development Act is hereby repealed.

(gg) 1959 MUTUAL SECURITY ACT.—The Mutual Security Act of 1959 is hereby repealed.

(hh) 1954 MUTUAL SECURITY ACT.—Sections 402 and 417 of the Mutual Security Act of 1954 are hereby repealed.

(ii) DEPARTMENT OF STATE AUTHORIZATION ACT, FISCAL YEARS 1982 and 1983.—Section 109 of the Department of State Authorization Act, Fiscal Years 1982 and 1983, is hereby repealed.

(jj) DEPARTMENT OF STATE AUTHORIZATION ACT, FISCAL YEARS 1984 AND 1985.—Sections 1004 and 1005(a) of the Department of State Authorization Act, Fiscal Years 1984 and 1985, are hereby repealed.

(kk) SAVINGS PROVISION.—Except as otherwise provided in this Act, the repeal by this Act of any provision of law that amended or repealed another provision of law does not affect in any way that amendment or repeal.

TITLE XXXV—EFFECTIVE DATE

SEC. 3501. EFFECTIVE DATE.

Except as otherwise provided in this Act, this division, and the amendments made by this division, shall take effect on the date of the enactment of this Act or October 1, 1995, whichever occurs later.

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
FOR DIVISION B OF H.R. 1561
OFFERED BY MR. SMITH OF NEW JERSEY**

Strike all of division B (relating to foreign relations authorizations) and insert the following:

1 **DIVISION B—FOREIGN**
2 **RELATIONS AUTHORIZATIONS**
3 **TITLE XX—GENERAL**
4 **PROVISIONS**

5 **SEC. 2001. SHORT TITLE.**

6 This division may be cited as the “Foreign Relations
7 Authorization Act, Fiscal Years 1996 and 1997”.

8 **SEC. 2002. DEFINITIONS.**

9 The following terms have the following meaning for
10 the purposes of this division:

11 (1) The term “AID” means the Agency for
12 International Development.

13 (2) The term “ACDA” means the United
14 States Arms Control and Disarmament Agency.

15 (3) The term “appropriate congressional com-
16 mittees” means the Committee on International Re-
17 lations of the House of Representatives and the
18 Committee of Foreign Relations of the Senate.

1 (4) The term "Department" means the Depart-
2 ment of State.

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

6 (6) The term "function" means any duty, obli-
7 gation, power, authority, responsibility, right, privi-
8 lege, activity, or program.

9 (7) The term "office" includes any office, ad-
10 ministration, agency, institute, unit, organizational
11 entity, or component thereof.

12 (8) The term "Secretary" means the Secretary
13 of State.

14 (9) The term "USIA" means the United States
15 Information Agency.

1 **TITLE XXI—AUTHORIZATION OF**
2 **APPROPRIATIONS FOR DE-**
3 **PARTMENT OF STATE AND**
4 **CERTAIN INTERNATIONAL AF-**
5 **FAIRS FUNCTIONS AND AC-**
6 **TIVITIES**

7 **CHAPTER 1—AUTHORIZATIONS OF**
8 **APPROPRIATIONS**

9 **SEC. 2101. ADMINISTRATION OF FOREIGN AFFAIRS.**

10 (a) **AUTHORIZATION OF APPROPRIATIONS.**—The fol-
11 lowing amounts are authorized to be appropriated for the
12 Department of State under “Administration of Foreign
13 Affairs” to carry out the authorities, functions, duties, and
14 responsibilities in the conduct of the foreign affairs of the
15 United States and for other purposes authorized by law,
16 including the diplomatic security program:

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

18 (A) **AUTHORIZATION OF APPROPRIATIONS.**—For “Diplomatic and Consular Pro-
19 grams”, of the Department of State
20 \$1,728,797,000 for the fiscal year 1996 and
21 \$1,676,903,000 for the fiscal year 1997.

22 (B) **LIMITATION.**—Of the amounts author-
23 ized to be appropriated by subparagraph (A),
24 \$5,000,000 for fiscal year 1996 and \$5,000,000
25

1 for fiscal year 1997 are authorized to be appro-
2 priated only for the purpose of processing immi-
3 grant visas for persons who are outside their
4 countries of nationality, have asserted a fear of
5 returning to their countries of nationality and a
6 credible basis for such fear, and for whom im-
7 migrant visas are currently available.

8 (2) SALARIES AND EXPENSES.—

9 (A) AUTHORIZATION OF APPROPRIA-
10 TIONS.—For “Salaries and Expenses”, of the
11 Department of State \$366,276,000 for the fis-
12 cal year 1996 and \$355,287,000 for the fiscal
13 year 1997.

14 (B) LIMITATION.—Of the amounts author-
15 ized to be appropriated by subparagraph (A),
16 \$11,900,000 for fiscal year 1996 and
17 \$11,900,000 for fiscal year 1997 are authorized
18 to be appropriated only for salaries and ex-
19 penses of the Bureau of Refugee and Migration
20 Assistance.

21 (3) CAPITAL INVESTMENT FUND.—For “Cap-
22 ital Investment Fund”, of the Department of State
23 \$20,000,000 for the fiscal year 1996 and
24 \$20,000,000 for the fiscal year 1997.

1 (4) ACQUISITION AND MAINTENANCE OF BUILD-
2 INGS ABROAD.—For “Acquisition and Maintenance
3 of Buildings Abroad”, \$391,760,000 for the fiscal
4 year 1996 and \$391,760,000 for the fiscal year
5 1997.

6 (5) REPRESENTATION ALLOWANCES.—For
7 “Representation Allowances”, \$4,780,000 for the
8 fiscal year 1996 and \$4,780,000 for the fiscal year
9 1997.

10 (6) EMERGENCIES IN THE DIPLOMATIC AND
11 CONSULAR SERVICE.—For “Emergencies in the Dip-
12 lomatic and Consular Service”, \$6,000,000 for the
13 fiscal 1996 and \$6,000,000 for the fiscal year 1997.

14 (7) OFFICE OF THE INSPECTOR GENERAL.—
15 For “Office of the Inspector General”, \$23,469,000
16 for the fiscal year 1996 and \$23,469,000 for the fis-
17 cal year 1997.

18 (8) PAYMENT TO THE AMERICAN INSTITUTE IN
19 TAIWAN.—For “Payment to the American Institute
20 in Taiwan”, \$15,165,000 for the fiscal year 1996
21 and \$14,710,000 for the fiscal year 1997.

22 (9) PROTECTION OF FOREIGN MISSIONS AND
23 OFFICIALS.—For “Protection of Foreign Missions
24 and Officials”, \$9,579,000 for the fiscal year 1996
25 and \$9,579,000 for the fiscal year 1997.

1 (i) Of the amounts authorized to be
2 appropriated under paragraph (1),
3 \$103,000,000 for fiscal year 1996 and
4 \$103,000,000 for fiscal year 1997 is au-
5 thORIZED to be appropriated only for the
6 United Nations Children's Fund
7 (UNICEF).

8 (ii) For fiscal year 1996, not more
9 than 25 percent of the amount under
10 clause (i) may be made available to the
11 United Nations Children's Fund
12 (UNICEF) until 30 days after the submis-
13 sion to Congress of the report required by
14 section 2524.

15 (B) INTERNATIONAL ATOMIC ENERGY
16 AGENCY.—Of the amounts authorized to be ap-
17 propriated under paragraph (1), for each of the
18 fiscal years 1996 and 1997 funds are author-
19 ized to be made available to the International
20 Atomic Energy Agency only if the Secretary of
21 State determines and reports to the appropriate
22 congressional committees that Israel is not
23 being denied its right to participate in the ac-
24 tivities of that agency.

1 (C) WAR CRIMES TRIBUNAL FOR THE
2 FORMER YUGOSLAVIA.—Of the amounts au-
3 thorized to be appropriated under paragraph
4 (1), \$15,000,000 for fiscal year 1996 and
5 \$15,000,000 for fiscal year 1997 are authorized
6 to be appropriated only for the United Nations
7 Voluntary Fund for the United Nations Inter-
8 national Criminal Tribunal for the Former
9 Yugoslavia, located at The Hague.

10 (D) WORLD FOOD PROGRAM.—Of the
11 amounts authorized to be appropriated under
12 paragraph (1), \$5,000,000 for fiscal year 1996
13 and \$5,000,000 for fiscal year 1997 are author-
14 ized to be appropriated only for the World Food
15 Program.

16 (E) UNITED NATIONS VOLUNTARY FUND
17 FOR VICTIMS OF TORTURE.—Of the amounts
18 authorized to be appropriated under paragraph
19 (1) \$1,500,000 for fiscal year 1996 and
20 \$3,000,000 for fiscal year 1997 are authorized
21 to be appropriated only to the United Nations
22 Voluntary Fund for Victims of Torture.

23 (F) UNITED NATIONS POPULATION
24 FUND.—Of the amounts authorized to be ap-
25 propriated under paragraph (1) for each of the

1 fiscal years 1996 and 1997 not to exceed
2 \$13,000,000 shall be available for the United
3 Nations Population Fund.

4 (G) ORGANIZATION FOR AMERICAN
5 STATES.—Of the amounts authorized to be ap-
6 propriated under paragraph (1), \$15,000,000
7 for fiscal year 1996 and \$15,000,000 for fiscal
8 year 1997 are authorized to be appropriated
9 only for the Organization for American States.

10 (H) LIMITATION CONCERNING USE OF
11 FUNDS UNDER SECTION 307 OF THE FOREIGN
12 ASSISTANCE ACT OF 1961.—Notwithstanding
13 any other provision of law or of this Act, none
14 of the funds authorized to be appropriated
15 under paragraph (1) are authorized to be ap-
16 propriated for the United States proportionate
17 share, in accordance with section 307(c) of the
18 Foreign Assistance Act of 1961, for any pro-
19 grams identified in section 307, or for Libya,
20 Iran, or any Communist country listed in sec-
21 tion 620(f) of the Foreign Assistance Act of
22 1961.

23 (I) UNITED NATIONS DEVELOPMENT PRO-
24 GRAM.—

1 terminated its activities in and for
2 Burma.

3 (III) Of the amount made avail-
4 able for United Nations Development
5 Program (and United Nations Devel-
6 opment Program—Administered
7 Funds) for fiscal year 1997,
8 \$25,480,000 shall be disbursed only
9 if the President certifies to the
10 Congress that the United Nations
11 Development Program has terminated
12 its activities in and for Burma.

13 (iii) DISPLACED PERSONS.—Of the
14 amounts authorized to be appropriated
15 under paragraph (1), \$20,000,000 for fis-
16 cal years 1996 and \$20,000,000 for fiscal
17 year 1997 are authorized to be appro-
18 priated only for the United Nations Devel-
19 opment Program to be made available only
20 for programs and services conducted in co-
21 operation with the International Organiza-
22 tion for Migration for persons who are dis-
23 placed within their countries of nationality.

24 ~~(iv) UNITED NATIONS DEVELOPMENT~~
25 ~~PROGRAM/WORLD HEALTH ORGANIZATION~~

1 (i) TOTAL LIMITATION.—Of the
2 amounts authorized to be appropriated
3 under paragraph (1), for each of the fiscal
4 years 1996 and 1997 not to exceed
5 \$70,000,000 shall be available for the
6 United Nations Development Program.

7 (ii) BURMA.—

8 (I) Subject to subclauses (II) and
9 (III), for each of the fiscal years 1996
10 and 1996 none of the funds made
11 available for United Nations Develop-
12 ment Program (or United Nations
13 Development Program—Administered
14 Funds) shall be available for pro-
15 grams and activities in or for Burma.

16 (II) Of the amount made avail-
17 able for United Nations Development
18 Program (and United Nations Devel-
19 opment Program—Administered
20 Funds) for fiscal year 1996,
21 \$18,200,000 of such amount shall be
22 disbursed only if the President cer-
23 tifies to the Congress that the United
24 Nations Development Program has

1 ~~SPECIAL PROGRAM FOR RESEARCH AND~~
 2 ~~TRAINING IN TROPICAL DISEASES.~~ Of the
 3 ~~amounts authorized to be appropriated~~
 4 ~~under paragraph (1), \$10,000,000 for fis-~~
 5 ~~cal year 1996 and \$10,000,000 for fiscal~~
 6 ~~year 1997 is authorized to be appropriated~~
 7 ~~only for the United Nations Development~~
 8 ~~Program, to be available only for the Unit-~~
 9 ~~ed Nations Development Program/World~~
 10 ~~Health Organization Special Program for~~
 11 ~~Research and Training and Tropical Dis-~~
 12 ~~eases.~~

13 ~~(J) WORLD HEALTH ORGANIZATION.~~ Of
 14 ~~the amounts authorized to be appropriated~~
 15 ~~under paragraph (1), \$20,000,000 for fiscal~~
 16 ~~year 1996 and \$20,000,000 for fiscal year 1997~~
 17 ~~is authorized to be appropriated only for the~~
 18 ~~World Health Organization to be available only~~
 19 ~~for the United Nations Development Program/~~
 20 ~~World Health Organization Special Program for~~
 21 ~~Research and Training in Tropical Diseases.~~

22 (c) ASSESSED CONTRIBUTIONS FOR INTERNATIONAL
 23 PEACEKEEPING ACTIVITIES.—

24 (1) AUTHORIZATION OF APPROPRIATIONS.—
 25 There are authorized to be appropriated for "Con-

1 tributions for International Peacekeeping Activities",
2 \$445,000,000 for the fiscal year 1996 and
3 \$345,000,000 for the fiscal year 1997 for the De-
4 partment of State to carry out the authorities, func-
5 tions, duties, and responsibilities in the conduct of
6 the foreign affairs of the United States with respect
7 to international peacekeeping activities and to carry
8 out other authorities in law consistent with such
9 purposes.

10 (2) LIMITATION.—None of the funds authorized
11 to be appropriated under paragraph (1) may be
12 made available for contributions to the United Na-
13 tions Protection Force unless the President deter-
14 mines and reports to the Congress during the cal-
15 endar year in which the funds are to be provided
16 that—

17 (A) the Government of Bosnia and
18 Herzegovina supports the continued presence of
19 the United Nations Protection Force within its
20 territory;

21 (B) the United Nations Protection Force is
22 effectively carrying out its mandate under Unit-
23 ed Nations Security Council resolutions 761,
24 776, 781, 786, and 836, and is effectively en-
25 couraging compliance with United Nations Se-

1 security Council resolutions 752, 757, 770, 771,
2 787, 820, and 824.

3 (C) the United Nations Protection Force is
4 providing full cooperation and support consist-
5 ent with its mandate to the efforts of the Unit-
6 ed Nations War Crimes Tribunal for the former
7 Yugoslavia to investigate war crimes and to ap-
8 prehend and prosecute suspected war criminals;

9 (D) the United Nations Protection Force
10 is providing full cooperation and support con-
11 sistent with its mandate to United States diplo-
12 matic, military, and relief personnel in Bosnia;
13 and

14 (E) the United Nations Protection Force
15 has investigated and taken appropriate action
16 against any United Nations Protection Force
17 personnel or units suspected of participating in
18 illegal or improper activities, such as black
19 marketeering, embezzlement, expropriation of
20 property, and assaults on civilians.

21 (d) PEACEKEEPING OPERATIONS.—There are au-
22 thorized to be appropriated for “Peacekeeping Oper-
23 ations”, \$ 68,260,000 for the fiscal year 1996 and
24 \$ 68,260,000 for the fiscal year 1997 for the Department
25 of State to carry out section 551 of Public Law 87-195.

1 (e) INTERNATIONAL CONFERENCES AND CONTIN-
2 GENCIES.—

3 (1) GENERAL PROVISION.—There are author-
4 ized to be appropriated for “International Con-
5 ferences and Contingencies”, \$3,000,000 for the fis-
6 cal year 1996 and \$6,000,000 for the fiscal year
7 1997 for the Department of State to carry out the
8 authorities, functions, duties, and responsibilities in
9 the conduct of the foreign affairs of the United
10 States with respect to international conferences and
11 contingencies and to carry out other authorities in
12 law consistent with such purposes.

13 (2) CONDITIONAL AUTHORITY.—

14 (A) Subject to subparagraph (B), in addi-
15 tion to such amounts as are authorized to be
16 appropriated under paragraph (1), there is au-
17 thorized to be appropriated for “International
18 Conferences and Contingencies”, \$3,000,000
19 for the fiscal year 1996 for the Department of
20 State to carry out the authorities, functions,
21 duties, and responsibilities in the conduct of the
22 foreign affairs of the United States with respect
23 to international conferences and contingencies
24 and to carry out other authorities in law con-
25 sistent with such purposes.

1 (B) The authorization of appropriations
2 under subparagraph (A) shall be take effect
3 only after the Secretary of State certifies to the
4 appropriate congressional committees that—

5 (i) no funds of the Department of
6 State were expended for travel by any
7 United States official or delegate to the
8 Fourth World Conference on Women, to be
9 held in Beijing, August and September
10 1995, or

11 (ii)(I) that the process of accrediting
12 nongovernmental organizations for the con-
13 ference was conducted fairly, according to
14 clear criteria, with full opportunity for sub-
15 stantive appeal of denials of accreditation;

16 (II) that no nongovernmental organi-
17 zation seeking accreditation to such a con-
18 ference was denied such accreditation by
19 the conference organizers on the basis of
20 that organization's actual or supposed po-
21 litical orientation, its place of incorporation
22 or location of headquarters, or its affli-
23 ation with a particular ethnic or religious
24 group;

1 (III) that accreditation was granted
2 to—

3 (A) at least one group represent-
4 ing the people of Taiwan, and

5 (B) at least one group represent-
6 ing the people of Tibet;

7 (IV) that all representatives of non-
8 governmental organizations whose names
9 were submitted to conference officials in a
10 timely fashion were granted visas by the
11 People's Republic of China; and

12 (V) that arrangements were made by
13 the People's Republic of China to provide
14 the accredited nongovernmental organiza-
15 tions with access to the main conference
16 site that is substantially equivalent in man-
17 ner and degree to access afforded at pre-
18 vious major United Nations conferences.

19 (f) FOREIGN CURRENCY EXCHANGE RATES.—In ad-
20 dition to amounts otherwise authorized to be appropriated
21 by subsections (a) and (b) of this section, there are au-
22 thorized to be appropriated such sums as may be nec-
23 essary for each of the fiscal years 1996 and 1997 to offset
24 adverse fluctuations in foreign currency exchange rates.
25 Amounts appropriated under this subsection shall be avail-

1 able for obligation and expenditure only to the extent that
2 the Director of the Office of Management and Budget de-
3 termines and certifies to Congress that such amounts are
4 necessary due to such fluctuations.

5 **SEC. 2103. INTERNATIONAL COMMISSIONS.**

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

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

16 (A) for "Salaries and Expenses"
17 \$13,858,000 for the fiscal year 1996 and
18 \$12,472,000 for the fiscal year 1997; and

19 (B) for "Construction" \$10,393,000 for
20 the fiscal year 1996 and \$9,353,000 for the fis-
21 cal year 1997.

22 (2) **INTERNATIONAL BOUNDARY COMMISSION,**
23 **UNITED STATES AND CANADA.**—For "International
24 Boundary Commission, United States and Canada",

1 \$740,000 for the fiscal year 1996 and \$666,000 for
2 the fiscal year 1997.

3 (3) INTERNATIONAL JOINT COMMISSION.—For
4 “International Joint Commission”, \$3,500,000 for
5 the fiscal year 1996 and \$3,195,000 for the fiscal
6 year 1997.

7 (4) BORDER ENVIRONMENT COOPERATION COM-
8 MISSION.—For “Border Environment Cooperation
9 Commission”, \$2,000,000 for the fiscal year 1996
10 and \$1,800,000 for the fiscal year 1997.

11 (5) INTERNATIONAL FISHERIES COMMIS-
12 SIONS.—For “International Fisheries Commissions”,
13 \$14,669,000 for the fiscal year 1996 and
14 \$13,202,000 for the fiscal year 1997.

15 SEC. 2104. MIGRATION AND REFUGEE ASSISTANCE.

16 (a) AUTHORIZATION OF APPROPRIATIONS.—

17 (1) MIGRATION AND REFUGEE ASSISTANCE.—

18 (A) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appro-
19 priated for “Migration and Refugee Assistance”
20 for authorized activities, \$560,000,000 for the
21 fiscal year 1996 and \$590,000,000 for the fis-
22 cal year 1997.
23

24 (B) LIMITATION.—None of the funds au-
25 thorized to be appropriated by ^{this section} ~~subparagraph~~

1 (2) are authorized to be appropriated for sala-
2 ries and administrative expenses of the Bureau
3 of Migration and Refugee Assistance.

4 (2) REFUGEES RESETTLING IN ISRAEL.—There
5 are authorized to be appropriated \$80,000,000 for
6 the fiscal year 1996 and \$80,000,000 for the fiscal
7 year 1997 for assistance for refugees resettling in
8 Israel from other countries.

9 (3) HUMANITARIAN ASSISTANCE FOR DIS-
10 PLACED BURMESE.—There are authorized to be ap-
11 propriated \$1,500,000 for the fiscal year 1996 and
12 \$1,500,000 for the fiscal year 1997 for humani-
13 tarian assistance, including but not limited to food,
14 medicine, clothing, and medical and vocational train-
15 ing to persons displaced as a result of civil conflict
16 in Burma, including persons still within Burma.

17 (4) RESETTLEMENT OF VIETNAMESE, LAO-
18 TIANS, AND CAMBODIANS.—There are authorized to
19 be appropriated \$30,000,000 for fiscal year 1996 for
20 the admission and resettlement of persons who—

21 (A) are or were nationals and residents of
22 Vietnam, Laos, or Cambodia;

23 (B) are within a category of aliens referred
24 to in section 599D(b)(2)(C) of the Foreign Op-
25 erations Export Financing and Related Pro-

1 grams Appropriation Act, 1990 (Public Law
2 101-167); and

3 (C) are or were at any time after January
4 1, 1989, residents of refugee camps in Hong
5 Kong, Thailand, Indonesia, Malaysia, or the
6 Philippines.

7 (b) GENERAL LIMITATIONS.—None of the funds au-
8 thorized to be appropriated by subsection (a) are author-
9 ized to be available for any program or activity that pro-
10 vides for, promotes, or assists in the repatriation of any
11 person to Vietnam, Laos, or Cambodia, unless the Presi-
12 dent has certified that—

13 (1) all persons described in subsection (a)(4)
14 have been offered resettlement outside their coun-
15 tries of nationality;

16 (2) all nationals of Vietnam, Laos, or Cambodia
17 who were residents of refugee camps as of the date
18 of enactment of this Act who are not persons de-
19 scribed in subsection (a)(4) have, at any time after
20 such date, either had access to a process for the de-
21 termination of whether they are refugees, or been of-
22 fered resettlement outside their countries of nation-
23 ality; and

24 (3) the process referred to in paragraph (2) is
25 genuinely calculated to determine whether each ap-

1 plicant is a refugee, and that the procedures, stand-
2 ards, and personnel employed in such process ensure
3 that the risk of return to persecution is no greater
4 than in the process available under United States
5 law to persons physically present in the United
6 States.

7 (c) AVAILABILITY OF FUNDS.—Funds appropriated
8 pursuant to subsection (a) are authorized to be available
9 until expended.

10 **SEC. 2105. CERTAIN OTHER INTERNATIONAL AFFAIRS PRO-**
11 **GRAMS.**

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

17 (1) ASIA FOUNDATION.—For “Asia Founda-
18 tion”, \$10,000,000 for the fiscal year 1996 and
19 \$9,000,000 for the fiscal year 1997.

20 **SEC. 2106. UNITED STATES INFORMATIONAL, EDU-**
21 **CATIONAL, AND CULTURAL PROGRAMS.**

22 The following amounts are authorized to be appro-
23 priated to carry out international information activities
24 and educational and cultural exchange programs under
25 the United States Information and Educational Exchange

1 Act of 1948, the Mutual Educational and Cultural Ex-
2 change Act of 1961, Reorganization Plan Number 2 of
3 1977, the United States International Broadcasting Act
4 of 1994, the Radio Broadcasting to Cuba Act, the Tele-
5 vision Broadcasting to Cuba Act, the Board for Inter-
6 national Broadcasting Act, the Inspector General Act of
7 1978, the North/South Center Act of 1991, the National
8 Endowment for Democracy Act, and to carry out other
9 authorities in law consistent with such purposes:

10 (1) SALARIES AND EXPENSES.—For “Salaries
11 and Expenses”, \$450,645,000 for the fiscal year
12 1996 and \$428,080,000 for the fiscal year 1997.

13 (2) TECHNOLOGY FUND.—For “Technology
14 Fund” for the United States Information Agency,
15 \$5,050,000 for the fiscal year 1996 and \$5,050,000
16 for the fiscal year 1997.

17 (3) EDUCATIONAL AND CULTURAL EXCHANGE
18 PROGRAMS.—

19 (A) FULBRIGHT ACADEMIC EXCHANGE
20 PROGRAMS.—For the “Fulbright Academic Ex-
21 change Programs”, \$117,484,200 for the fiscal
22 year 1996 and \$113,680,800 for the fiscal year
23 1997.

24 (B) SOUTH PACIFIC EXCHANGES.—For
25 the “South Pacific Exchanges”, \$900,000 for

1 the fiscal year 1996 and \$900,000 for the fiscal
2 year 1997.

3 (C) EAST TIMORESE SCHOLARSHIPS.—For
4 the “East Timorese Scholarships”, \$800,000
5 for the fiscal year 1996 and \$800,000 for the
6 fiscal year 1997.

7 (D) CAMBODIAN SCHOLARSHIPS.—For the
8 “Cambodian Scholarships”, \$141,000 for the
9 fiscal year 1996 and \$141,000 for the fiscal
10 year 1997.

11 (E) TIBETAN EXCHANGES.—For the
12 “Educational and Cultural Exchanges with
13 Tibet” under section 236 of the Foreign Rela-
14 tions Authorization Act, Fiscal Years 1995 and
15 1996, \$500,000 for the fiscal year 1996 and
16 \$500,000 for the fiscal year 1997.

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

1 rope Training”, “Institute for Representative
2 Government”, and “Arts America”,
3 \$87,265,800 for the fiscal year 1996 and
4 \$87,341,400 for the fiscal year 1997.

5 (4) INTERNATIONAL BROADCASTING ACTIVI-
6 TIES.—

7 (A) AUTHORIZATION OF APPROPRIA-
8 TIONS.—For “International Broadcasting Ac-
9 tivities”, \$321,191,000 for the fiscal year 1996,
10 and \$286,191,000 for the fiscal year 1997.

11 (B) LIMITATION.—Of the amounts author-
12 ized to be appropriated under subparagraph (A)
13 \$3,000,000 for fiscal year 1996 and \$3,000,000
14 for fiscal year 1997 are authorized to be appro-
15 priated only to carry out the Pilot Project for
16 Freedom Broadcasting to Asia authorized by
17 section 2443.

18 (5) RADIO CONSTRUCTION.—For “Radio Con-
19 struction”, \$75,164,000 for the fiscal year 1996,
20 and \$67,647,000 for the fiscal year 1997.

21 (6) RADIO FREE ASIA.—For “Radio Free
22 Asia”, \$10,000,000 for the fiscal year 1996 and
23 \$10,000,000 for the fiscal year 1997.

1 (7) BROADCASTING TO CUBA.—For “Broad-
2 casting to Cuba”, \$24,809,000 for the fiscal year
3 1996 and \$24,809,000 for the fiscal year 1997.

4 (8) OFFICE OF THE INSPECTOR GENERAL.—
5 For “Office of the Inspector General”, \$4,300,000
6 for the fiscal year 1996 and \$3,870,000 for the fis-
7 cal year 1997.

8 (9) CENTER FOR CULTURAL AND TECHNICAL
9 INTERCHANGE BETWEEN EAST AND WEST.—For
10 “Center for Cultural and Technical Interchange be-
11 tween East and West”, \$15,000,000 for the fiscal
12 year 1996 and \$10,000,000 for the fiscal year 1997.

13 (10) NATIONAL ENDOWMENT FOR DEMOC-
14 RACY.—For “National Endowment for Democracy”,
15 \$34,000,000 for the fiscal year 1996 and
16 \$34,000,000 for the fiscal year 1997.

17 (11) CENTER FOR CULTURAL AND TECHNICAL
18 INTERCHANGE BETWEEN NORTH AND SOUTH.—For
19 “Center for Cultural and Technical Interchange be-
20 tween North and South” \$4,000,000 for the fiscal
21 year 1996 and \$3,000,000 for the fiscal year 1997.

22 **SEC. 2107. UNITED STATES ARMS CONTROL AND DISAR-**
23 **MAMENT.**

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

1 (1) \$44,000,000 for the fiscal year 1996 and
2 \$40,500,000 for the fiscal year 1997; and .

3 (2) such sums as may be necessary for each of
4 the fiscal years 1996 and 1997 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 **CHAPTER 2—GENERAL LIMITATIONS**

9 **SEC. 2121. PROHIBITION ON FUNDING FOR ABORTION.**

10 (a) IN GENERAL.—

11 (1) Notwithstanding any other provision of law
12 or of this division, none of the funds authorized to
13 be appropriated by this division are authorized to be
14 available for any private, nongovernmental, or multi-
15 lateral organization that, directly or through a sub-
16 contractor or sub-grantee, performs abortions in any
17 foreign country, except where the life of the mother
18 would be endangered if the fetus were carried to
19 term or in cases of forcible rape or incest.

20 (2) Paragraph (1) may not be construed to
21 apply to the treatment of injuries or illnesses caused
22 by legal or illegal abortions or to assistance provided
23 directly to the government of a country.

24 (b) LIMITATION ON LOBBYING ACTIVITIES.—

1 (1) Notwithstanding any other provision of law
2 or of this division, none of the funds authorized to
3 be appropriated by this division are authorized to be
4 available for any private, nongovernmental, or multi-
5 lateral organization that engages in any activity or
6 effort to alter the laws or governmental policies of
7 any country concerning the circumstances under
8 which abortion is permitted, regulated, or prohibited.

9 (2) Paragraph (1) shall not apply to activities
10 in opposition to coercive abortion or involuntary
11 sterilization.

12 **SEC. 2122. PROHIBITION ON FUNDING FOR COERCIVE POP-**
13 **ULATION CONTROL METHODS.**

14 Notwithstanding any other provision of law or of this
15 division, none of the funds authorized to be appropriated
16 by this division are authorized to be available for any orga-
17 nization or entity which conducts, provides funds to, or
18 otherwise assists any program or any government agency
19 within the People's Republic of China relating to popu-
20 lation control or family planning, unless the President cer-
21 tifies to the appropriate congressional committees that
22 during the 12 months preceding such certification there
23 have been no credible reports that abortions have occurred
24 as the result of coercion associated with the family plan-
25 ning policies of the national government or other govern-

1 mental entities within the People's Republic of China. As
2 used in this section the term "coercion" includes physical
3 duress or abuse, destruction or confiscation of property,
4 loss of means of livelihood, or severe psychological pres-
5 sure.

6 **TITLE XXII—DEPARTMENT OF**
7 **STATE AUTHORITIES AND AC-**
8 **TIVITIES**

9 **CHAPTER 1—AUTHORITIES AND**
10 **ACTIVITIES**

11 **SEC. 2201. REVISION OF DEPARTMENT OF STATE REWARDS**
12 **PROGRAM.**

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

16 **"SEC. 36. DEPARTMENT OF STATE REWARDS PROGRAM.**

17 **"(a) ESTABLISHMENT.**—(1) There is established a
18 program for the payment of rewards to carry out the pur-
19 poses of this section.

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

23 **"(b) PURPOSE.**—(1) The rewards program estab-
24 lished by this section shall be designed to assist in the

1 prevention of acts of international terrorism, international
2 narcotics trafficking, and other related criminal acts.

3 “(2) The Secretary of State may pay a reward to any
4 individual who furnishes information leading to—

5 “(A) the arrest or conviction in any country of
6 any individual for the commission of an act of inter-
7 national terrorism against a United States person or
8 United States property;

9 “(B) the arrest or conviction in any country of
10 any individual conspiring or attempting to commit
11 an act of international terrorism against a United
12 States person or United States property;

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

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

21 “(ii) the killing or kidnapping of—

22 “(I) any officer, employee, or contract
23 employee of the United States Government
24 while such individual is engaged in official
25 duties, or on account of that individual's

1 official duties, in connection with the en-
2 forcement of United States narcotics laws
3 or the implementing of United States nar-
4 cotics control objectives; or

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

12 “(iii) an attempt or conspiracy to commit
13 any of the acts described in clause (i) or (ii);
14 or

15 “(D) the arrest or conviction in any country of
16 any individual aiding or abetting in the commission
17 of an act described in subparagraphs (A) through
18 (C); or

19 “(E) the prevention or frustration of an act de-
20 scribed in subparagraphs (A) through (C).

21 “(e) COORDINATION.—(1) To ensure that the pay-
22 ment of rewards pursuant to this section does not dupli-
23 cate or interfere with the payment of informants or the
24 purchase of evidence or information, as authorized to the
25 Department of Justice, the offering, administration, and

1 payment of rewards under this section, including proce-
2 dures for—

3 “(A) identifying individuals, organizations, and
4 offenses with respect to which rewards will be of-
5 fered;

6 “(B) the publication of rewards;

7 “(C) offering of joint rewards with foreign gov-
8 ernments;

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

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

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

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

17 “(d) FUNDING.—(1) There is authorized to be appro-
18 priated to the Department of State from time to time such
19 amounts as may be necessary to carry out the purposes
20 of this section, notwithstanding section 102 of the Foreign
21 Relations Authorization Act, Fiscal Years 1986 and 1987
22 (Public Law 99-93).

23 “(2) No amount of funds may be appropriated which,
24 when added to the amounts previously appropriated but

1 not yet obligated, would cause such amounts to exceed
2 \$15,000,000.

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

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

10 “(e) ADDITIONAL FUNDING.—(1) In extraordinary
11 circumstances and when it is important to the national
12 security of the United States, the Secretary of State may
13 use fees collected for processing machine readable non-
14 immigrant visas and machine readable combined border
15 crossing identification cards and nonimmigrant visas pur-
16 suant to section 140 of the Foreign Relations Authoriza-
17 tion Act, Fiscal Years 1994 and 1995 (Public Law 103-
18 236; 8 U.S.C. 1351 note) to carry out the purposes of
19 this section, subject to the limitation contained in sub-
20 section (d)(2).

21 “(2) The authority contained in paragraph (1) may
22 be used only if the Secretary notifies the appropriate con-
23 gressional committees 15 days in advance in accordance
24 with regular reprogramming procedures. Such notification
25 shall contain a detailed justification of the circumstances

1 necessitating the use of such fees for the purposes of this
2 section.

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

5 “(2) A reward under this section of more than
6 \$100,000 may not be made without the approval of the
7 President or the Secretary of State.

8 “(3) Any reward granted under this section shall be
9 approved and certified for payment by the Secretary of
10 State.

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

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

20 “(g) INELIGIBILITY.—An officer or employee of any
21 governmental entity who, while in the performance of his
22 or her official duties, furnishes information described in
23 subsection (b) shall not be eligible for a reward under this
24 section.

1 “(h) REPORTS.—(1) Not later than 30 days after
2 paying any reward under this section, the Secretary of
3 State shall submit a report to the appropriate congres-
4 sional committees with respect to such reward. The report,
5 which may be submitted on a classified basis if necessary,
6 shall specify the amount of the reward paid, to whom the
7 reward was paid, and the acts with respect to which the
8 reward was paid. The report shall also discuss the signifi-
9 cance of the information for which the reward was paid
10 in dealing with those acts.

11 “(2) Not later than 60 days after the end of each
12 fiscal year, the Secretary of State shall submit an annual
13 report to the appropriate congressional committees with
14 respect to the operation of the rewards program author-
15 ized by this section. Such report shall provide information
16 on the total amounts expended during such fiscal year to
17 carry out the purposes of this section, including amounts
18 spent to publicize the availability of rewards. Such report
19 shall also include information on all requests for the pay-
20 ment of rewards under this section, including the reasons
21 for the denial of any such requests.

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

23 “(1) the term ‘appropriate congressional com-
24 mittees’ means the Committee on International Re-

1 lations of the House of Representatives and the
2 Committee on Foreign Relations of the Senate;

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

5 “(A) any act substantially contributing to
6 the acquisition of unsafeguarded special nuclear
7 material (as defined in section 830(8) of the
8 Nuclear Proliferation Prevention Act of 1994)
9 or any nuclear explosive device (as defined in
10 section 830(4) of that Act) by an individual,
11 group, or non-nuclear weapon state (as defined
12 in section 830(5) of that Act); and

13 “(B) any act, as determined by the Sec-
14 retary of State, which materially supports the
15 conduct of international terrorism, including the
16 counterfeiting of United States currency or the
17 illegal use of other monetary instruments by an
18 individual, group, or country supporting inter-
19 national terrorism as determined for purposes
20 of section 6(j) of the Export Administration Act
21 of 1979;

22 “(3) the term ‘United States narcotics laws’
23 means the laws of the United States for the preven-
24 tion and control of illicit traffic in controlled sub-

1 stances (as such term is defined for purposes of the
2 Controlled Substances Act); and

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

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

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

9 “(C) any other person living in the individ-
10 ual’s household and related to the individual by
11 blood or marriage.”.

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

1 **SEC. 2202. AUTHORITIES OF SECRETARY OF STATE.**

2 Section 203(4) of the State Department Basic Au-
3 thorities Act of 1956 (22 U.S.C. 4303(4)) is amended in
4 the third sentence by striking "should" both places it ap-
5 pears and inserting "shall".

6 **SEC. 2203. BUYING POWER MAINTENANCE ACCOUNT.**

7 Section 24(b)(7) of the State Department Basic Au-
8 thorities Act of 1956 (22 U.S.C. 2696(b)(7)) is amended
9 by striking subparagraph (D).

10 **SEC. 2204. EXPENSES RELATING TO CERTAIN INTER-**
11 **NATIONAL CLAIMS AND PROCEEDINGS.**

12 (a) **RECOVERY OF CERTAIN EXPENSES.**—The De-
13 partment of State Appropriation Act, 1937 (49 Stat.
14 1321, 22 U.S.C. 2661, as amended by section 142(b) of
15 the Foreign Relations Authorization Act, Fiscal Years
16 1988 and 1989 (Public Law 100-204)) is amended in the
17 fifth undesignated paragraph under the heading entitled
18 "INTERNATIONAL FISHERIES COMMISSION" by striking
19 "extraordinary".

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

1 SEC. 2205. CONSOLIDATION OF UNITED STATES DIPLO-
2 MATIC MISSIONS AND CONSULAR POSTS.

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

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

8 (1) identify specific United States diplomatic
9 missions and consular posts for consolidation;

10 (2) identify those missions and posts at which
11 the resident ambassador would also be accredited to
12 other specified states in which the United States ei-
13 ther maintained no resident official presence or
14 maintained such a presence only at staff level; and

15 (3) provide an estimate of—

16 (A) the amount by which expenditures
17 would be reduced through the reduction in the
18 number of United States Government personnel
19 assigned abroad;

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

22 (C) the amount of revenues generated to
23 the United States through the sale or other dis-
24 position of United States properties associated
25 with the posts to be consolidated abroad.

1 (c) TRANSMITTAL.—Not later than 180 days after
2 the date of the enactment of this Act, the Secretary of
3 State shall transmit a copy of the plan to the appropriate
4 congressional committees.

5 **CHAPTER 2—CONSULAR AUTHORITIES OF**
6 **THE DEPARTMENT OF STATE**

7 **SEC. 2231. MEMBERSHIP IN A TERRORIST ORGANIZATION**
8 **AS A BASIS FOR EXCLUSION FROM THE**
9 **UNITED STATES UNDER THE IMMIGRATION**
10 **AND NATIONALITY ACT.**

11 Section 212(a)(3)(B) of the Immigration and Nation-
12 ality Act (8 U.S.C. 1182(a)(3)(B)) is amended—

- 13 (1) at the end of clause (i)(I) by striking “or”;
14 (2) at the end of clause (i)(II) by adding “or”;
15 (3) by adding after clause (i)(II) the following:

16 “(III) is a member of an organi-
17 zation that engages in, or has engaged
18 in, terrorist activity or who actively
19 supports or advocates terrorist activ-
20 ity,”; and

- 21 (4) by adding after clause (iii) the following:

22 “(iv) **TERRORIST ORGANIZATION DE-**
23 **FINED.**—As used in this Act, the term ‘ter-
24 rorist organization’ means an organization
25 which commits terrorist activity as deter-

1 mined by the Attorney General, in con-
2 sultation with the Secretary of State.”.

3 **SEC. 2232. WAIVER AUTHORITY CONCERNING NOTICE OF**
4 **DENIAL OF APPLICATION FOR VISAS.**

5 Section 212(b) of the Immigration and Nationality
6 Act (8 U.S.C. 1182(b)) is amended—

7 (1) by redesignating paragraphs (1) and (2) as
8 subparagraphs (A) and (B);

9 (2) by striking “If” and inserting “(1) Subject
10 to paragraph (2), if”; and

11 (3) by inserting at the end the following para-
12 graph:

13 “(2) With respect to applications for visas, the Sec-
14 retary of State may waive the application of paragraph
15 (1) in the case of a particular alien or any class or classes
16 of excludable aliens under subsection (a)(2) or (a)(3).”.

17 **SEC. 2233. SURCHARGE FOR PROCESSING CERTAIN MA-**
18 **CHINE READABLE VISAS.**

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

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

24 “(2) For fiscal years 1996 and 1997, not more
25 than \$250,000,000 in fees collected under the au-

1 thority of paragraph (1) shall be deposited as an off-
2 setting collection to any Department of State appro-
3 priation to recover the costs of enhancements in the
4 efficiency and security of the process of visa issu-
5 ance. Such fees shall remain available for obligation
6 until expended.

7 “(3) For any fiscal year, fees collected under
8 the authority of paragraph (1) in excess of the
9 amount specified for such fiscal year under para-
10 graph (2) shall be deposited in the general fund of
11 the Treasury as miscellaneous receipts.”; and

12 (2) by striking paragraph (5).

13 **SEC. 2234. FINGERPRINT CHECK REQUIREMENT.**

14 Section 140 of the Foreign Relations Authorization
15 Act, Fiscal Years 1994 and 1995 (Public Law 103-236;
16 8 U.S.C. 1182 note) as amended by section 505 of the
17 Department of State and Related Agencies Appropriation
18 Act, Fiscal Year 1995 (Public Law 103-317) is amended
19 by adding at the end the following:

20 “(h) FINGERPRINT CHECK REQUIREMENT.—If a visa
21 applicant is determined to have a criminal history record
22 under subsection (d)(1), has been physically present in the
23 United States, and is more than 16 years of age, the appli-
24 cant shall provide a fingerprint record for submission with
25 the application, at no cost to the Department of State.

1 The Department of State shall submit such fingerprint
2 record to the Federal Bureau of Investigation for analysis
3 to determine whether the applicant has been convicted of
4 a felony under State or Federal law in the United
5 States.”.

6 **SEC. 2235. USE OF CERTAIN PASSPORT PROCESSING FEES**
7 **FOR ENHANCED PASSPORT SERVICES.**

8 For each of the fiscal years 1996 and 1997, of the
9 fees collected for expedited passport processing and depos-
10 ited to an offsetting collection pursuant to the Department
11 of State and Related Agencies Appropriations Act for Fis-
12 cal Year 1995 (Public Law 103—317; 22 U.S.C. 214),
13 10 percent shall be available only for enhancing passport
14 services for United States citizens, improving the integrity
15 and efficiency of the passport issuance process, improving
16 the secure nature of the United States passport, inves-
17 tigating passport fraud, and deterring entry into the Unit-
18 ed States by terrorists, drug traffickers, or other crimi-
19 nals.

20 **SEC. 2236. CONSULAR OFFICERS.**

21 (a) **PERSONS AUTHORIZED TO ISSUE REPORTS OF**
22 **BIRTH ABROAD.**—Section 33 of the State Department
23 Basic Authorities Act of 1956 (22 U.S.C. 2705) is amend-
24 ed in paragraph (2) by inserting “(or any United States
25 citizen employee of the Department of State designated

1 by the Secretary of State to adjudicate nationality abroad
2 pursuant to such regulations as the Secretary may pre-
3 scribe)" after "consular officer".

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

11 (c) PERSONS AUTHORIZED TO AUTHENTICATE FOR-
12 EIGN DOCUMENTS.—Section 3492(c) of title 18 of the
13 United States Code is amended by adding at the end the
14 following: "For purposes of this section and sections
15 3493-3496 of this title, a consular officer shall include
16 any United States citizen employee of the Department of
17 State designated to perform notarial functions pursuant
18 to section 24 of the Act of August 18, 1856 (Rev. Stat.
19 1750, 22 U.S.C. 4221)."

20 (d) PERSONS AUTHORIZED TO ADMINISTER
21 OATHS.—Section 115 of title 35 of the United States
22 Code is amended by adding at the end the following: "For
23 purposes of this section, a consular officer shall include
24 any United States citizen employee of the Department of
25 State designated to perform notarial functions pursuant

1 to section 24 of the Act of August 18, 1856 (Rev. Stat.
2 1750, 22 U.S.C. 4221).”.

3 (e) DEFINITION OF CONSULAR OFFICER.—Section
4 101(c) of the Immigration and Nationality Act (8 U.S.C.
5 1101(c)) is amended by adding at the end the following
6 new paragraph:

7 “(3) The term ‘consular officer’ includes any
8 United States citizen employee of the Department of
9 State designated by the Secretary of State to adju-
10 dicate nationality abroad pursuant to such regula-
11 tions as the Secretary may prescribe.”.

12 **SEC. 2237. EXCLUSION FROM THE UNITED STATES OF**
13 **ALIENS WHO HAVE CONFISCATED PROPERTY**
14 **CLAIMED BY UNITED STATES PERSONS.**

15 (a) ADDITIONAL GROUNDS FOR EXCLUSION.—Sec-
16 tion 212(a)(9) of the Immigration and Nationality Act (8
17 U.S.C. 1182(a)(9)) is amended by adding at the end the
18 following:

19 “(D) ALIENS WHO HAVE CONFISCATED
20 AMERICAN PROPERTY ABROAD AND RELATED
21 PERSONS.—Any alien who—

22 “(i) has confiscated, or has directed
23 or overseen the confiscation of, property
24 the claim to which is owned by a United
25 States person, or converts or has converted

1 for personal gain confiscated property, the
2 claim to which is owned by a United States
3 person;

4 “(ii) traffics in confiscated property,
5 the claim to which is owned by a United
6 States person;

7 “(iii) is a corporate officer, principal,
8 or controlling shareholder of an entity
9 which the Secretary of State determines or
10 is informed by competent authority has
11 been involved in the confiscation, traffick-
12 ing in, or subsequent unauthorized use or
13 benefit from confiscated property, the
14 claim to which is owned by a United States
15 person, or

16 “(iv) is a spouse or dependent of a
17 person described in subclause (I),
18 is excludable.”.

19 (b) **EFFECTIVE DATE.**—The amendment made by
20 subsection (a) shall apply to individuals seeking to enter
21 the United States on or after the date of enactment of
22 this Act.

1 **CHAPTER 3—REFUGEES AND MIGRATION**

2 **SEC. 2251. UNITED STATES EMERGENCY REFUGEE AND MI-**
3 **GRATION ASSISTANCE FUND.**

4 (a) **LIMITATION ON TRANSFERS FROM EMERGENCY**
5 **FUND.**—Section 2(c) of the Migration and Refugee Assist-
6 ance Act of 1962 (22 U.S.C. 2601(c)) is amended by add-
7 ing after paragraph (3) the following:

8 “(4) Notwithstanding any other provision of this Act,
9 the President shall notify the appropriate congressional
10 committees not less than 15 days before transferring or
11 otherwise making available amounts from the United
12 States Emergency Refugee and Migration Assistance
13 Fund under paragraph (1).”

14 (b) **NOTIFICATION OF EXPENDITURES FROM**
15 **FUND.**—Section 2(d) of the Migration and Refugee As-
16 sistance Act of 1962 (22 U.S.C. 2601(c)) is amended to
17 read as follows:

18 “(d)(1) Except as provided in paragraph (2), and
19 notwithstanding any other provision of this Act, the Presi-
20 dent shall notify the appropriate congressional committees
21 at least 15 days in advance of the obligation or expendi-
22 ture of sums from the United States Emergency Refugee
23 and Migration Assistance Fund under subsection (c).

24 “(2) Notwithstanding the notification requirement of
25 paragraph (1), the President may obligate and expend

1 sums from the United States Emergency Refugee and Mi-
2 gration Assistance Fund if the President determines, and
3 promptly certifies to the appropriate congressional com-
4 mittees, that unforeseen emergency circumstances require
5 the immediate obligation of sums from such fund. Any
6 such certification shall fully inform such committees of the
7 amount and use of such sums from the Fund.

8 “(3) For purposes of this section, the term ‘appro-
9 priate congressional committees’ means the Committee on
10 International Relations and the Committee on Appropria-
11 tions of the House of Representatives and the Committee
12 on Foreign Relations and the Committee on Appropria-
13 tions of the Senate.”.

14 **SEC. 2252. PERSECUTION FOR RESISTANCE TO COERCIVE**
15 **POPULATION CONTROL METHODS.**

16 Section 101(a)(42) of the Immigration and National-
17 ity Act (8 U.S.C. 1101(a)(42)) is amended by adding at
18 the end the following: “For purposes of determinations
19 under this Act, a person who has been forced to abort
20 a pregnancy or to undergo involuntary sterilization, or
21 who has been persecuted for failure or refusal to undergo
22 such a procedure or for other resistance to a coercive pop-
23 ulation control program, shall be deemed to have been per-
24 secuted on account of political opinion, and a person who
25 has a well founded fear that he or she will be forced to

1 undergo such a procedure or subjected to persecution for
2 such failure, refusal, or resistance shall be deemed to have
3 a well founded fear of persecution on account of political
4 opinion.”.

5 **SEC. 2253. REPORT TO CONGRESS CONCERNING CUBAN**
6 **EMIGRATION POLICIES.**

7 Beginning 3 months after the date of the enactment
8 of this Act and every subsequent 6 months, the President
9 shall transmit a report to the appropriate congressional
10 committees concerning the methods employed by the Gov-
11 ernment of Cuba to enforce the United States—Cuba
12 agreement of September 1994 to restrict the emigration
13 of the Cuban people from Cuba to the United States, and
14 the treatment by the Government of Cuba of persons who
15 have been returned to Cuba pursuant to the United
16 States—Cuba agreement of May 1995. Each report trans-
17 mitted pursuant to this section shall include a detailed ac-
18 count of United States efforts to monitor such enforce-
19 ment and treatment.

20 **SEC. 2254. UNITED STATES POLICY REGARDING THE INVOL-**
21 **UNTARY RETURN OF REFUGEES.**

22 (a) **IN GENERAL.**—No funds authorized to be appro-
23 priated by this Act shall be available to involuntarily re-
24 turn any person to a country in which the person has a
25 well founded fear of persecution on account of race, reli-

1 gion, nationality, membership in a particular social group,
2 or political opinion, or promote or assist such involuntary
3 return.

4 (b) INVOLUNTARILY RETURN DEFINED—As used in
5 this section, the term “involuntarily return” means to take
6 action by which it is reasonably foreseeable that a person
7 will be required to return to a country against the person’s
8 will, regardless of whether such return is induced by phys-
9 ical force and regardless of whether the person is phys-
10 ically present in the United States.

11 **SEC. 2255. EXTENSION OF CERTAIN ADJUDICATION PROVI-**
12 **SIONS.**

13 The Foreign Operations, Export Financing, and Re-
14 lated Programs Appropriations Act, 1990 (Public Law
15 101—167) is amended—

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

17 (A) in subsection (b)(3), by striking “and
18 1996” and inserting “1996, and 1997”; and

19 (B) in subsection (e), by striking out “Oc-
20 tober 1, 1996” each place it appears and insert-
21 ing “October 1, 1997”; and

22 (2) in section 599E (8 U.S.C. 1255 note) in
23 subsection (b)(2), by striking out “September 30,
24 1996” and inserting “September 30, 1997”.

1 **TITLE XXIII—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. 2301. 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 advisor 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 and
12 status of Ambassador-at-Large. The Coordinator
13 shall be compensated at the annual rate of basic pay
14 in effect for a position at level IV of the Executive
15 Schedule under section 5314 of title 5, United
16 States Code, or, if the Coordinator is appointed from
17 the Foreign Service, the annual rate of pay which
18 the individual last received under the Foreign Serv-
19 ice Schedule, whichever is greater.

20 “(D) For purposes of diplomatic protocol
21 among officers of the Department of State, the Co-
22 ordinator shall take precedence with the Secretary
23 of State, the Deputy Secretary of State, and the
24 Under Secretaries of State and shall take precedence

1 among the Assistant Secretaries of State in the
2 order prescribed by the Secretary of State.”.

3 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
4 Section 161 of the Foreign Relations Authorization Act,
5 Fiscal Years 1994 and 1995 (P.L. 103-236) is amended
6 by striking subsection (e).

7 (c) TRANSITION PROVISION.—The President may ap-
8 point the individual serving as Coordinator for
9 Counterterrorism of the Department of State on the day
10 before the effective date of this division, or such other offi-
11 cial of the Department of State appointed by and with
12 the advice and consent of the Senate as the President con-
13 siders appropriate to serve as the acting Coordinator for
14 Counterterrorism until an individual is appointed to that
15 office in accordance with section 1(e) of the State Depart-
16 ment Basic Authorities Act of 1956 as amended by this
17 Act.

18 SEC. 2302. SPECIAL ENVOY FOR TIBET.

19 (a) FINDINGS.—The Congress makes the following
20 findings:

21 (1) The Government of the People’s Republic of
22 China withholds meaningful participation in the gov-
23 ernance of Tibet from Tibetans and has failed to
24 abide by its own constitutional guarantee of auton-
25 omy for Tibetans.

1 (2) The Government of the People's Republic of
2 China is responsible for the destruction of much of
3 Tibet's cultural and religious heritage since 1959
4 and continues to threaten the survival of Tibetan
5 culture and religion.

6 (3) The Government of the People's Republic of
7 China, through direct and indirect incentives, has es-
8 tablished discriminatory development programs
9 which have resulted in an overwhelming flow of Chi-
10 nese immigrants into Tibet, including those areas in-
11 corporated into the Chinese provinces of Sichuan,
12 Yunnan, Gansu, and Quinghai in recent years, and
13 have excluded Tibetans from participation in impor-
14 tant policy decisions, further threatening traditional
15 Tibetan life.

16 (4) The Government of the People's Republic of
17 China denies Tibetans their fundamental human
18 rights, as reported in the Department of State's
19 Country Reports on Human Rights Practices for
20 1995.

21 (5) The President and the Congress have deter-
22 mined that the promotion of human rights in Tibet
23 and the protection of Tibet's religion and culture are
24 important elements in United States-China relations
25 and have urged senior members of the Government

1 of the People's Republic of China to enter into sub-
2 stantive negotiations on these matters with the Dalai
3 Lama or his representative.

4 (6) The Dalai Lama has repeatedly stated his
5 willingness to begin substantive negotiations without
6 preconditions.

7 (7) The Government of the People's Republic of
8 China has failed to respond in a good faith manner
9 by reciprocating a willingness to begin negotiations
10 without preconditions, and no substantive negotia-
11 tions have begun.

12 (b) UNITED STATES SPECIAL ENVOY FOR TIBET.—
13 Section 1(e) of the State Department Basic Authorities
14 Act (U.S.C. 2651a(e)) is amended by adding after para-
15 graph (2) the following new paragraph:

16 "(3) UNITED STATES SPECIAL ENVOY FOR
17 TIBET.—

18 "(A) There shall be within the Department
19 of State a United States Special Envoy for
20 Tibet, who shall be appointed by the President,
21 by and with the advice and consent of the Sen-
22 ate. The United States Special Envoy for Tibet
23 shall hold office at the pleasure of the Presi-
24 dent.

1 “(B) The United States Special Envoy for
2 Tibet shall have the personal rank of ambas-
3 sador.

4 “(C) The United States Special Envoy for
5 Tibet is authorized and encouraged—

6 “(i) to promote substantive negotia-
7 tions between the Dalai Lama or his rep-
8 resentatives and senior members of the
9 Government of the People’s Republic of
10 China;

11 “(ii) to promote good relations be-
12 tween the Dalai Lama and his representa-
13 tives and the United States Government,
14 including meeting with members or rep-
15 resentatives of the Tibetan government-in-
16 exile; and

17 “(iii) to travel regularly throughout
18 Tibet and Tibetan refugee settlements.

19 “(D) The United States Special Envoy for
20 Tibet shall—

21 “(i) consult with the Congress on poli-
22 cies relevant to Tibet and the future and
23 welfare of all Tibetan people;

1 “(ii) coordinate United States Govern-
2 ment policies, programs, and projects con-
3 cerning Tibet; and

4 “(iii) report to the Secretary of State
5 regarding the matters described in section
6 536(a)(2) of the Foreign Relations Author-
7 ization Act, Fiscal Years 1994 and 1995
8 (Public Law 103-236).”.

9 **SEC. 2303. ESTABLISHMENT OF COORDINATOR FOR HUMAN**
10 **RIGHTS AND REFUGEES AND BUREAU OF**
11 **REFUGEE AND MIGRATION ASSISTANCE.**

12 (a) **ESTABLISHMENT OF COORDINATOR FOR HUMAN**
13 **RIGHTS AND REFUGEES.—**

14 Section 1(e) of the State Department Basic Authori-
15 ties Act (22 U.S.C. 2651a(e)) is amended by adding after
16 paragraph (3) the following new paragraph:

17 “(4) **COORDINATOR FOR HUMAN RIGHTS AND**
18 **REFUGEES.—**

19 “(A) There shall be within the office of the
20 Secretary of State a Coordinator for Human
21 Rights and Refugees (hereafter in this para-
22 graph referred to as the ‘Coordinator’) who
23 shall be appointed by the President, by and
24 with the advice and consent of the Senate. The

1 Coordinator shall report directly to the Sec-
2 retary of State.

3 “(B) The Coordinator shall be responsible
4 for matters pertaining to human rights, refu-
5 gees, and humanitarian affairs (including mat-
6 ters relating to prisoners of war and members
7 of the United States Armed Forces missing in
8 action) in the conduct of foreign policy. The Co-
9 ordinator shall head the Bureau of Refugee and
10 Migration Assistance and the Bureau of De-
11 mocracy, Human Rights, and Labor.

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

22 “(D) For purposes of diplomatic protocol
23 among officers of the Department of State, the
24 Coordinator shall take precedence after the Sec-
25 retary of State, the Deputy Secretary of State,

1 and the Under Secretaries of State and shall
2 take precedence among the Assistant Secretar-
3 ies of State in the order prescribed by the Sec-
4 retary of State.”.

5 (b) TERMINATION OF ASSISTANT SECRETARY OF
6 STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.—

7 (1) IN GENERAL.—Section 1(c) of the State
8 Department Basic Authorities Act of 1956 (22
9 U.S.C. 2651a(c)) is amended by striking paragraph
10 (2).

11 (2) CONFORMING AMENDMENTS.—The Foreign
12 Assistance Act of 1961 is amended—

13 (A) in section 116(c) (22 U.S.C. 2151n),
14 by striking “Assistant Secretary of State for
15 Democracy, Human Rights, and Labor” and in-
16 serting “Secretary”;

17 (B) in sections 502B, 502B, and
18 505(g)(4)(A) by striking “, prepared with the
19 assistance of the Assistant Secretary of State
20 for Democracy, Human Rights, and Labor,”;
21 and

22 (C) in section 573(c) by striking “Assist-
23 ant Secretary of State for Democracy, Human
24 Rights, and Labor” and inserting “Secretary of
25 State”.

1 (c) ESTABLISHMENT OF BUREAU OF REFUGEE AND
2 MIGRATION ASSISTANCE.—Section 1 of the State Depart-
3 ment Basic Authorities Act of 1956 (22 U.S.C. 2651a)
4 is amended by adding after subsection (e) the following
5 new subsection:

6 “(f) ESTABLISHMENT OF CERTAIN BUREAUS, OF-
7 FICES, AND OTHER ORGANIZATIONAL ENTITIES WITHIN
8 THE DEPARTMENT OF STATE.—

9 “(1) BUREAU OF REFUGEE AND MIGRATION AS-
10 SISTANCE.—There is established within the Depart-
11 ment of State the Bureau of Refugee and Migration
12 Assistance which shall assist the Secretary of State
13 in carrying out the Migration and Refugee Assist-
14 ance Act of 1962. The Bureau shall be headed by
15 the Coordinator for Human Rights and Refugees.”.

16 SEC. 2304. ELIMINATION OF STATUTORY ESTABLISHMENT
17 OF CERTAIN POSITIONS OF THE DEPART-
18 MENT OF STATE.

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

23 (b) DEPUTY ASSISTANT SECRETARY OF STATE FOR
24 BURDENSARING.—Section 161 of the Foreign Relations

1 Authorization Act, Fiscal Years 1994 and 1995 (22
2 U.S.C. 2651a note) is amended by striking subsection (f).

3 (c) ASSISTANT SECRETARY FOR OCEANS AND
4 INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AF-
5 FAIRS.—Section 9 of the Department of State Appropria-
6 tions Authorization Act of 1973 (22 U.S.C. 2655a) is re-
7 pealed.

8 SEC. 2305. ESTABLISHMENT OF ASSISTANT SECRETARY OF
9 STATE FOR HUMAN RESOURCES.

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

13 “(2) ASSISTANT SECRETARY FOR HUMAN RE-
14 SOURCES.—There shall be in the Department of
15 State an Assistant Secretary for Human Resources
16 who shall be responsible to the Secretary of State
17 for matters relating to human resources including
18 the implementation of personnel policies and pro-
19 grams within the Department of State and inter-
20 national affairs functions and activities carried out
21 through the Department of State. The Assistant
22 Secretary shall have substantial professional quali-
23 fications in the field of human resource policy and
24 management.”.

1 **SEC. 2306. AUTHORITY OF UNITED STATES PERMANENT**
2 **REPRESENTATIVE TO THE UNITED NATIONS.**

3 Section 2(a) of the United Nations Participation Act
4 of 1945 (22 U.S.C. 287(a)) is amended by striking "hold
5 office at the pleasure of the President" and inserting
6 "serve at the pleasure of the President and subject to the
7 direction of the Secretary of State, acting through the As-
8 sistant Secretary of State with principal responsibility for
9 the conduct of international organization affairs".

10 **CHAPTER 2—PERSONNEL OF THE DE-**
11 **PARTMENT OF STATE; THE FOREIGN**
12 **SERVICE**

13 **SEC. 2351. AUTHORIZED STRENGTH OF THE FOREIGN SERV-**
14 **ICE.**

15 (a) **END FISCAL YEAR 1996 LEVELS.**—The number
16 of members of the Foreign Service authorized to be em-
17 ployed as of September 30, 1996—

18 (1) for the Department of State, shall not ex-
19 ceed 9,000, of whom not more than 720 shall be
20 members of the Senior Foreign Service;

21 (2) for the United States Information Agency,
22 shall not exceed 1,150, of whom not more than 165
23 shall be members of the Senior Foreign Service; and

24 (3) for the Agency for International Develop-
25 ment, not to exceed 1,800, of whom not more than
26 240 shall be members of the Senior Foreign Service.

1 (b) END FISCAL YEAR 1997 LEVELS.—The number
2 of members of the Foreign Service authorized to be em-
3 ployed as of September 30, 1997—

4 (1) for the Department of State, shall not ex-
5 ceed 8,800, of whom not more than 680 shall be
6 members of the Senior Foreign Service;

7 (2) for the United States Information Agency,
8 not to exceed 1,100 of whom not more than 160
9 shall be members of the Senior Foreign Service; and

10 (3) for the Agency for International Develop-
11 ment, not to exceed 1,775 of whom not more than
12 230 shall be members of the Senior Foreign Service.

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

18 (1) members of the Service under paragraphs
19 (6) and (7) of such section;

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

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

24 (4) members of the Service subject to involun-
25 tary separation in cases in which such separation

1 has been suspended pursuant to section 1106(8) of
2 the Foreign Service Act of 1980; and

3 (5) members of the Service serving under non-
4 career limited appointments.

5 (d) **WAIVER AUTHORITY.**—(1) Subject to paragraph
6 (2), the Secretary of State, the Director of the United
7 States Information Agency, and the Director of the Agen-
8 cy for International Development may waive any limita-
9 tion under subsection (a) or (b) which applies to the De-
10 partment of State, the United States Information Agency,
11 or the Agency for International Development as the case
12 may be, to the extent that such waiver is necessary to
13 carry on the foreign affairs functions of the United States.

14 (2) Not less than 15 days before any agency head
15 implements a waiver under paragraph (1), such agency
16 head shall notify the Chairman of the Committee on For-
17 eign Relations of the Senate and the Chairman of the
18 Committee on International Relations of the House of
19 Representatives. Such notice shall include an explanation
20 of the circumstances and necessity for such waiver.

21 **SEC. 2352. REPEAL OF AUTHORITY FOR SENIOR FOREIGN**
22 **SERVICE PERFORMANCE PAY.**

23 (a) **REPEAL.**—Section 405 of the Foreign Service Act
24 of 1980 (22 U.S.C. 3965) is repealed.

1 (b) CONFORMING AMENDMENT.—Section 2 of the
2 Foreign Service Act of 1980 is amended in the table of
3 contents by striking the item related to section 405.

4 **TITLE XXIV—UNITED STATES**
5 **PUBLIC DIPLOMACY: AU-**
6 **THORITIES AND ACTIVITIES**
7 **FOR UNITED STATES INFOR-**
8 **MATIONAL, EDUCATIONAL,**
9 **AND CULTURAL PROGRAMS**

10 **CHAPTER 1—GENERAL PROVISIONS**

11 **SEC. 2401. ELIMINATION OF PERMANENT AUTHORIZATION.**

12 Section 208 of the Foreign Relations Authorization
13 Act, Fiscal Years 1992 and 1993 is amended by striking
14 subsection (e).

15 **SEC. 2402. EXTENSION OF AU PAIR PROGRAMS.**

16 Section 8 of the Eisenhower Exchange Fellowship
17 Act of 1990 (Public Law 101-454) is amended in the last
18 sentence by striking “fiscal year 1995” and inserting “fis-
19 cal year 1997”.

20 **SEC. 2403. EDUCATIONAL AND CULTURAL EXCHANGES**
21 **WITH HONG KONG.**

22 The Director of the United States Information Agen-
23 cy shall establish programs of educational and cultural ex-
24 change between the United States and the people of Hong
25 Kong.

1 SEC. 2404. CONDUCT OF EDUCATIONAL AND CULTURAL EX-
2 CHANGE PROGRAMS.

3 In carrying out programs of educational and cultural
4 exchange in Hong Kong, China, Vietnam, Cambodia,
5 Tibet, Burma, and East Timor, the Director of the United
6 States Information Agency shall take appropriate steps to
7 provide opportunities for participation in such programs
8 to human rights and democracy leaders of such countries
9 and persons who are nationals but not residents of such
10 countries.

11 SEC. 2405. EDUCATIONAL AND CULTURAL EXCHANGES AND
12 SCHOLARSHIPS FOR TIBETANS AND BUR-
13 MESE.

14 (a) ESTABLISHMENT OF EDUCATIONAL AND CUL-
15 TURAL EXCHANGE FOR TIBETANS.—The Director of the
16 United States Information Agency shall establish pro-
17 grams of educational cultural exchange between the Unit-
18 ed States and the people of Tibet. Such programs shall
19 include opportunities for training and, as the Director con-
20 siders appropriate, may include the assignment of person-
21 nel and resources abroad.

22 (b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—

23 (1) For each of the fiscal years 1996 and 1997,
24 at least 30 scholarships shall be made available to
25 Tibetan students and professionals who are outside

1 Tibet, and at least 15 scholarships shall be made
2 available to Burmese students and professionals who
3 are outside Burma.

4 (2) WAIVER.—Paragraph (1) shall not apply to
5 the extent that the Director of the United States In-
6 formation Agency determines that there are not
7 enough qualified students to fulfill such allocation
8 requirement.

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

18 SEC. 2406. AVAILABILITY OF VOICE OF AMERICA AND
19 RADIO MARTI MULTILINGUAL COMPUTER
20 READABLE TEXT AND VOICE RECORDINGS.

21 (a) IN GENERAL.—Notwithstanding section 208 of
22 the Foreign Relations Authorization Act, Fiscal Years
23 1986 and 1987 (22 U.S.C. 1461-1a) and the second sen-
24 tence of section 501 of the United States Information and
25 Educational Exchange Act of 1948 (22 U.S.C. 1461), the

1 Director of the United States Information Agency is au-
2 thorized to make available, upon request, to the Linguistic
3 Data Consortium of the University of Pennsylvania com-
4 puter readable multilingual text and recorded speech in
5 various languages. The Consortium shall, directly or indi-
6 rectly as appropriate, reimburse the Director for any ex-
7 penses involved in making such materials available.

8 (b) TERMINATION.—Subsection (a) shall cease to
9 have effect 5 years after the date of the enactment of this
10 Act.

11 SEC. 2407. RETENTION OF INTEREST.

12 Notwithstanding any other provision of law, with the
13 approval of the National Endowment for Democracy,
14 grant funds made available by the National Endowment
15 for Democracy may be deposited in interest-bearing ac-
16 counts pending disbursement and any interest which ac-
17 crues may be retained by the grantee and used for the
18 purposes for which the grant was made.

19 SEC. 2408. USIA OFFICE IN PRISTINA, KOSOVA.

20 (a) ESTABLISHMENT OF OFFICE.—The Director of
21 the United States Information Agency shall seek to estab-
22 lish an office in Pristina, Kosova, for the following pur-
23 poses:

24 (1) Disseminating information about the United
25 States.

1 (2) Promoting discussions on human rights, de-
2 mocracy, rule of law, and conflict resolution.

3 (3) Facilitating United States private sector in-
4 volvement in educational and cultural activities in
5 Kosova.

6 (4) Advising the United States Government
7 with respect to public opinion in Kosova.

8 (b) REPORT TO CONGRESS.—Not later than April 1
9 of each year until subsection (a) has been fully imple-
10 mented, the Director of the United States Information
11 Agency shall submit a detailed report on developments re-
12 lating to the implementation of subsection (a) to the ap-
13 propriate congressional committees.

14 CHAPTER 2—INTERNATIONAL

15 BROADCASTING

16 SEC. 2431. EXPANSION OF BROADCASTING BOARD OF GOV- 17 ERNORS.

18 Section 304(b) of the United States International
19 Broadcasting Act of 1994 (22 U.S.C. 6203) is amended—

20 (1) in paragraph (1) by striking “9” and insert-
21 ing “11”;

22 (2) in paragraph (1)(A) by striking “8” and in-
23 serting “10”; and

24 (3) in paragraph (3) by striking “4” and insert-
25 ing “5”.

1 **SEC. 2432. PLAN FOR RADIO FREE ASIA.**

2 Section 309(c) of the United States International
3 Broadcasting Act (22 U.S.C. 6208(c)) is amended to read
4 as follows:

5 “(c) **SUBMISSION OF PLAN.**—Not later than 90 days
6 after the date of the enactment of the Foreign Relations
7 Authorization Act, Fiscal Years 1996 and 1997, the Di-
8 rector of the United States Information Agency shall sub-
9 mit to the Congress a detailed plan for the establishment
10 and operation of Radio Free Asia in accordance with this
11 section. Such plan shall include the following:

12 “(1) A description of the manner in which
13 Radio Free Asia would meet the funding limitations
14 provided in subsection (d)(4).

15 “(2) A description of the numbers and quali-
16 fications of employees it proposes to hire.

17 “(3) How it proposes to meet the technical re-
18 quirements for carrying out its responsibilities under
19 this section.”.

20 **SEC. 2433. PILOT PROJECT FOR FREEDOM BROADCASTING**
21 **TO ASIA.**

22 (a) **AUTHORITY.**—The Director of the United States
23 Information Agency shall make grants for broadcasting to
24 the People’s Republic of China, Burma, Cambodia, Laos,
25 North Korea, Tibet, and Vietnam. Such broadcasting shall
26 provide accurate and timely information, news, and com-

1 mentary about events in the respective countries of Asia
2 and elsewhere, and shall be a forum for a variety of opin-
3 ions and voices from within Asian nations whose people
4 do not fully enjoy freedom of expression.

5 (b) PURPOSE.—The purpose of such grants shall be
6 to provide such broadcasting on an interim basis during
7 the period before Radio Free Asia becomes fully oper-
8 ational.

9 (c) APPLICATIONS.—In considering applications for
10 grants, the Director of the United States Information
11 Agency shall give strong preference to entities which (1)
12 take advantage of the expertise of political and religious
13 dissidents and pro-democracy and human rights activists
14 from within the countries to whom broadcasting is di-
15 rected, including exiles from these countries; and (2) take
16 advantage of contracts or similar arrangements with exist-
17 ing broadcast facilities so as to provide immediate broad-
18 cast coverage with low overhead.

19 (d) PLAN.—Not later than 30 days after the date of
20 the enactment of this Act, the Director of the United
21 States Information Agency shall submit to the appropriate
22 congressional committees a plan for implementing this sec-
23 tion which shall include details concerning timetable for
24 implementation, grant criteria, and grant application pro-
25 cedures. The procedures and timetable should be designed

1 to ensure that grantees will begin broadcasting not later
2 than 120 days after the date of the enactment of this Act.

3 **TITLE XXV—INTERNATIONAL**
4 **ORGANIZATIONS AND COM-**
5 **MISSIONS**

6 **CHAPTER 1—GENERAL PROVISIONS**

7 **SEC. 2501. INTERNATIONAL BOUNDARY AND WATER COM-**
8 **MISSION.**

9 The Act of May 13, 1924 (49 Stat. 660, 22 U.S.C.
10 277–277f), is amended in section 3 (22 U.S.C. 277b) by
11 adding the following new subsection at the end:

12 “(d) Pursuant to the authority of subsection (a) and
13 in order to facilitate further compliance with the terms
14 of the Convention for Equitable Distribution of the Waters
15 of the Rio Grande, May 21, 1906, United States-Mexico,
16 the Secretary of State, acting through the United States
17 Commissioner of the International Boundary and Water
18 Commission, may make improvements to the Rio Grande
19 Canalization Project, originally authorized by the Act of
20 August 29, 1935 (49 Stat. 961). Such improvements may
21 include all such works as may be needed to stabilize the
22 Rio Grande in the reach between the Percha Diversion
23 Dam in New Mexico and the American Diversion Dam in
24 El Paso.”.

1 **CHAPTER 2-UNITED NATIONS AND AFFILI-**
2 **ATED AGENCIES AND ORGANIZATIONS**

3 **SEC. 2521. 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 United Nations or any such agency has failed to
13 implement or to continue to implement consensus-based
14 decisionmaking procedures on budgetary matters which
15 assure that sufficient attention is paid to the views of the
16 United States and other member states that are the major
17 financial contributors to such assessed budgets.

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

1 President's representative) and the Committee on Inter-
2 national Relations of the House of Representatives and
3 the Committee on Foreign Relations of the Senate.

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

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

16 SEC. 2522. LIMITATION ON CONTRIBUTIONS TO THE UNIT-
17 ED NATIONS OR UNITED NATIONS AFFILI-
18 ATED ORGANIZATIONS.

19 The United States shall not make any voluntary or
20 assessed contribution—

21 (1) to any affiliated organization of the United
22 Nations which grants full membership as a state to
23 any organization or group that does not have the
24 internationally recognized attributes of statehood, or

1 (2) to the United Nations, if the United Na-
2 tions grants full membership as a state in the Unit-
3 ed Nations to any organization or group that does
4 not have the internationally recognized attributes of
5 statehood,

6 during any period in which such membership is effective.

7 **SEC. 2523. REPORT ON UNICEF.**

8 Not later than December 31, 1995, the Secretary of
9 State shall transmit to the appropriate congressional com-
10 mittees a report on (1) the progress of UNICEF toward
11 effective financial, program, and personnel management;
12 (2) the progress of UNICEF in shifting its health, child
13 survival, and maternal survival programs toward efficient
14 and low-overhead contractors, with particular emphasis on
15 nongovernmental organizations; and (3) the extent to
16 which UNICEF has demonstrated its commitment to its
17 traditional mission of child health and welfare and resisted
18 pressure to become involved in functions performed by
19 other United Nations agencies.

1 **TITLE XXVI—FOREIGN POLICY**
2 **PROVISIONS**
3 **CHAPTER 1—MISCELLANEOUS FOREIGN**
4 **POLICY PROVISIONS**

5 **SEC. 2601. TAIWAN RELATIONS ACT.**

6 (a) **APPLICABILITY.**—Section 3 of the Taiwan Rela-
7 tions Act (22 U.S.C. 3302) is amended by adding at the
8 end the following new subsection:

9 “(d) The provisions of subsections (a) and (b) super-
10 sede any provision of the Joint Communique of the United
11 States and China of August 17, 1982.”.

12 (b) **VISITS TO THE UNITED STATES BY THE ELECT-**
13 **ED LEADERS AND REPRESENTATIVES OF THE PEOPLE OF**
14 **TAIWAN.**—Section 4 of the Taiwan Relations Act (22
15 U.S.C. 3303) is amended by adding at the end the follow-
16 ing new subsection:

17 “(e) The Congress finds and declares that there are
18 no legitimate foreign policy grounds for preventing mem-
19 bers of the government chosen by the people of Taiwan
20 from making private visits to the United States. Accord-
21 ingly, notwithstanding any other provision of law, no indi-
22 vidual from the democratically-elected leadership chosen
23 by the people of Taiwan or their elected representatives
24 may be excluded from the United States on the basis of
25 a determination by the Secretary of State that the entry

1 or proposed activities in the United States of such individ-
2 ual would have potentially serious adverse foreign policy
3 consequences for the United States.”.

4 **SEC. 2602. BOSNIA GENOCIDE JUSTICE ACT.**

5 (a) **SHORT TITLE.**—This section may be cited as the
6 “Bosnia Genocide Justice Act”.

7 (b) **POLICY.**—

8 (1) **IN GENERAL.**—Consistent with inter-
9 national law, it is the policy of the United States to
10 bring to justice persons responsible for genocide, war
11 crimes, crimes against humanity and other serious
12 violations of international humanitarian law commit-
13 ted in the territory of the former Yugoslavia since
14 1991.

15 (2) **SENSE OF CONGRESS.**—The Congress urges
16 the President—

17 (A) to collect or assist appropriate organi-
18 zations and individuals to collect relevant data
19 on these crimes committed in the former Yugo-
20 slavia;

21 (B) to share such data with the War
22 Crimes Tribunal for the former Yugoslavia es-
23 tablished by the Security Council of the United
24 Nations;

1 (C) to assist United Nations efforts to in-
2 vestigate, prosecute, and try those responsible
3 for genocide, war crimes, crimes against hu-
4 manity and other serious violations of inter-
5 national humanitarian law committed in the
6 territory of the former Yugoslavia since 1991;

7 (D) to submit to the Congress implement-
8 ing legislation to enable compliance with re-
9 quests and orders of the Tribunal; and

10 (E) to support the ongoing work of the
11 Tribunal through a cash contribution of not less
12 than \$3,000,000 to the United Nations Vol-
13 untary Fund for the War Crimes Tribunal for
14 the former Yugoslavia for 1996 and 1997.

15 (c) REPORTING REQUIREMENT.—Beginning 6
16 months after the date of enactment of this Act, and every
17 6 months thereafter during fiscal years 1996 and 1997,
18 the President shall submit a report describing the steps
19 taken to implement the provisions of this section to the
20 appropriate congressional committees.

21 **SEC. 2603. EXPANSION OF COMMISSION ON SECURITY AND**
22 **COOPERATION IN EUROPE.**

23 Section 3(a) of the Act entitled "An Act to establish
24 a Commission on Security and Cooperation in Europe",
25 approved June 3, 1976 (22 U.S.C. 3003) is amended—

1 (1) in subsection (a) by striking "twenty-one"
2 and inserting "twenty-nine"; and

3 (2) by striking paragraphs (1) and (2) and in-
4 serting the following:

5 “(1) Thirteen Members of the House of Rep-
6 resentatives appointed by the Speaker of the House
7 of Representatives. Seven Members shall be selected
8 from the majority party and six Members shall be
9 selected, after consultation with the minority leader
10 of the House, from the minority party.

11 “(2) Thirteen Members of the Senate appointed
12 by the President of the Senate. Seven Members shall
13 be selected from the majority party of the Senate,
14 after consultation with the majority leader, and six
15 Members shall be selected, after consultation with
16 the minority leader of the Senate, from the minority
17 party.”.

1 CHAPTER 2--RELATING TO THE UNITED
2 STATES-NORTH KOREA AGREED
3 FRAMEWORK AND THE OBLIGATIONS
4 OF NORTH KOREA UNDER THAT AND
5 PREVIOUS AGREEMENTS WITH RE-
6 SPECT TO THE DENUCLEARIZATION
7 OF THE KOREAN PENINSULA AND DIA-
8 LOGUE WITH THE REPUBLIC OF
9 KOREA

10 SEC. 2641. FINDINGS.

11 The Congress makes the following findings:

12 (1) The United States-Democratic People's Re-
13 public of Korea Agreed Framework ("Agreed
14 Framework"), entered into on October 21, 1994, be-
15 tween the United States and North Korea, requires
16 North Korea to stop and eventually dismantle its
17 graphite-moderated nuclear reactor program and re-
18 lated facilities, and comply fully with its obligations
19 under the Treaty on the Non-Proliferation of Nu-
20 clear Weapons, in exchange for alternative energy
21 sources, including interim supplies of heavy fuel oil
22 for electric generators and more proliferation-resist-
23 ant light water reactor technology.

24 (2) The Agreed Framework also commits North
25 Korea to "consistently take steps to implement the

1 North-South Joint Declaration on the
2 Denuclearization of the Korean Peninsula" and "en-
3 gage in North-South" dialogue with the Republic of
4 Korea.

5 (3) The Agreed Framework does not indicate
6 specific criteria for full normalization of relations be-
7 tween the United States and North Korea, and does
8 not link the sequencing of actions in the Agreed
9 Framework with any time-frame for carrying out the
10 provisions of the North-South Joint Declaration on
11 the Denuclearization of the Korean Peninsula and
12 carrying out the dialogue between North Korea and
13 the Republic of Korea.

14 (4) The commitment by North Korea to carry
15 out the letter and spirit of the Agreed Framework
16 has been put into doubt by actions of North Korea
17 since October 21, 1994, including the suspected di-
18 version of United States heavy fuel oil in apparent
19 contravention of the agreed purpose of the interim
20 fuel deliveries, the refusal to accept light water reac-
21 tors from the Republic of Korea, the harsh denun-
22 ciations of the Government of the Republic of Korea,
23 and other actions contrary to the commitment by
24 North Korea to engage in a dialogue with such Gov-

1 ernment, and the continued conduct of provocative,
2 offensive oriented military exercises.

3 (5) The nuclear threat posed by North Korea is
4 just one of a number of security concerns of the
5 United States arising out of the policies of North
6 Korea.

7 **SEC. 2642. CLARIFICATION OF NUCLEAR NONPROLIFERA-**
8 **TION OBLIGATIONS OF NORTH KOREA**
9 **UNDER THE AGREED FRAMEWORK.**

10 It is the sense of the Congress that in discussions
11 or negotiations with the Government of North Korea pur-
12 suant to the implementation of the United States-Demo-
13 cratic People's Republic of Korea Agreed Framework (in
14 this joint resolution referred to as the "Agreed Frame-
15 work"), entered into on October 21, 1994, the President
16 should uphold the following minimum conditions relating
17 to nuclear nonproliferation:

18 (1) All spent fuel from the graphite-moderated
19 nuclear reactors and related facilities of North
20 Korea should be removed from the territory of North
21 Korea as is consistent with the Agreed Framework.

22 (2) The International Atomic Energy Agency
23 should have the freedom to conduct any and all in-
24 spections that it deems necessary to fully account for
25 the stocks of plutonium and other nuclear materials

1 in North Korea, including special inspections of sus-
2 pected nuclear waste sites, before any nuclear com-
3 ponents controlled by the Nuclear Supplier Group
4 Guidelines are delivered for a light water reactor for
5 North Korea.

6 (3) The dismantlement of all declared graphite-
7 based nuclear reactors and related facilities in North
8 Korea, including reprocessing units, should be com-
9 pleted in accordance with the Agreed Framework
10 and in a manner that effectively bars in perpetuity
11 any reactivation of such reactors and facilities.

12 (4) The United States should suspend actions
13 described in the Agreed Framework if North Korea
14 attempts to reload its existing 5 megawatt nuclear
15 reactor or resumes construction of nuclear facilities
16 other than those permitted to be built under the
17 Agreed Framework.

18 **SEC. 2643. ROLE OF THE REPUBLIC OF KOREA UNDER THE**
19 **AGREED FRAMEWORK.**

20 It is further the sense of the Congress that the Re-
21 public of Korea should play the central role in the project
22 to provide light water reactors to North Korea under the
23 Agreed Framework.

1 **SEC. 2644. FURTHER STEPS TO PROMOTE UNITED STATES**
2 **SECURITY AND POLITICAL INTERESTS WITH**
3 **RESPECT TO NORTH KOREA.**

4 It is further the sense of the Congress that, after the
5 date of the enactment of this Act, the President should
6 not take further steps toward upgrading diplomatic rela-
7 tions with North Korea beyond opening liaison offices or
8 relaxing trade and investment barriers imposed against
9 North Korea without—

10 (1) action by the Government of North Korea
11 to engage in a North-South dialogue with the Gov-
12 ernment of the Republic of Korea;

13 (2) implementation of the North-South Joint
14 Declaration on the Denuclearization of the Korean
15 Peninsula; and

16 (3) progress toward the achievement of several
17 long-standing United States policy objectives regard-
18 ing North Korea and the Korean Peninsula, includ-
19 ing—

20 (A) reducing the number of military forces
21 of North Korea along the Demilitarized Zone
22 and relocating such military forces away from
23 the Demilitarized Zone;

24 (B) prohibiting any movement by North
25 Korea toward the deployment of an intermedi-
26 ate range ballistic missile system; and

1 (C) prohibiting the export by North Korea
2 of missiles and other weapons of mass destruc-
3 tion, including related technology and compo-
4 nents.

5 **SEC. 2845. RESTRICTIONS ON ASSISTANCE TO NORTH**
6 **KOREA AND THE KOREAN PENINSULA EN-**
7 **ERGY DEVELOPMENT ORGANIZATION.**

8 Funds authorized to be appropriated or appropriated
9 under any provision of law may be used to provide assist-
10 ance to North Korea or the Korean Peninsula Energy De-
11 velopment Organization only if such assistance is provided
12 under the same terms and conditions that govern the pro-
13 vision of assistance to North Korea or such organization
14 under the Foreign Assistance Act of 1961 (22 U.S.C.
15 2151 et seq.) including, inter alia,—

16 (1) the requirement that the congressional com-
17 mittees specified in section 634A of such Act (22
18 U.S.C. 2394) be notified pursuant to that section in
19 the case of any reprogramming of funds; and

20 (2) the requirement that a special authority,
21 such as section 614 of such Act, be used to waive
22 the application of provisions of law subject to such
23 special authority that would otherwise restrict or
24 prohibit the provision of such assistance.

1 **CHAPTER 3—BURMA**2 **SEC. 2651. UNITED STATES POLICY CONCERNING THE DIC-**
3 **TATORSHIP IN BURMA.**

4 (a) **SENSE OF THE CONGRESS.**—It is the sense of the
5 Congress that the President should take steps to encour-
6 age the United Nations Security Council to—

- 7 (1) impose an international arms embargo on
8 Burma;
- 9 (2) affirm support for human rights and the
10 protection of all Karen, Karenni, and other minori-
11 ties in Burma;
- 12 (3) condemn Burmese officials responsible for
13 crimes against humanity;
- 14 (4) take steps to encourage multilateral assist-
15 ance programs for refugees from Burma in Thailand
16 and India; and
- 17 (5) reduce United Nations activities in Burma,
18 including UNDP (United Nations Development Pro-
19 gram), UNICEF (United Nations Childrens Fund),
20 UNFPA (United Nations Family Planning Agency),
21 World Health Organization (WHO), Food and Agri-
22 culture Organization (FAO), and UNIDCP (United
23 Nations International Drug Control Program) activi-
24 ties.

1 (b) REDUCTION IN DIPLOMATIC PRESENCE.—It is
2 the sense of the Congress that the President should reduce
3 the diplomatic presence of the United States in Burma
4 by reducing the total number of the members of the For-
5 eign Service stationed in Burma on the date of enactment
6 of this Act.

7 (c) VISAS.—

8 (1) Notwithstanding the Immigration and Na-
9 tionality Act or any other provision of law, no mem-
10 ber, officer, or employee of any military or police
11 force of Burma under the military regime (the State
12 Law and Order Restoration Council "SLORC")
13 shall be granted an immigrant or nonimmigrant
14 visa.

15 (2) The Secretary of State shall deny a visa
16 under the provisions of section 212(a)(3)(C)(i) of
17 the Immigration and Nationality Act (relating to
18 aliens ineligible to receive visas and excluded for ad-
19 mission due to potentially serious foreign policy con-
20 sequences) to any official of the Government of
21 Burma who the Attorney General determines has
22 committed acts which constitute the essential ele-
23 ments of a violation under chapter 113A of title 18,
24 United States Code, (relating to the Convention

1 Against Torture and Other Cruel Inhuman or De-
2 grading Treatment or Punishment).

3 **CHAPTER 4—TO IMPLEMENT THE CON-**
4 **VENTION AGAINST TORTURE AND TO**
5 **PROVIDE A PROGRAM OF SUPPORT**
6 **FOR VICTIMS OF TORTURE**

7 **SEC. 2661. SHORT TITLE.**

8 This chapter may be cited as the “Torture Victims
9 Relief Act of 1995”.

10 **SEC. 2662. DEFINITIONS.**

11 (a) **IN GENERAL.**—Except as otherwise provided, the
12 terms used in this chapter have the same meaning given
13 such terms in section 101(a) of the Immigration and Na-
14 tionality Act.

15 (b) **TORTURE.**—As used in this chapter, the term
16 “torture” means any act by which severe pain or suffering,
17 whether physical or mental, is intentionally inflicted on a
18 person for such purposes as obtaining from the person or
19 a third person information or a confession, punishing the
20 person for an act the person or a third person has commit-
21 ted or is suspected of having committed, or intimidating
22 or coercing the person or a third person, or for any reason
23 based on discrimination of any kind, when such pain or
24 suffering is inflicted by, at the instigation of, or with the
25 consent or acquiescence of a public official or other person

1 acting in an official capacity. It does not include pain or
2 suffering arising only from, inherent in, or incidental to
3 lawful sanctions.

4 (c) **SUBSTANTIAL GROUNDS FOR BELIEVING.**—As
5 used in this chapter, the term “substantial grounds for
6 believing” means substantial evidence.

7 (d) **IN DANGER OF BEING SUBJECTED TO TOR-**
8 **TURE.**—As used in this chapter, the term “in danger of
9 being subjected to torture” means circumstances in which
10 a reasonable person would fear subjection to torture.

11 (e) **INVOLUNTARILY RETURN.**—As used in this chap-
12 ter, the term “involuntarily return” means to take action
13 by which it is reasonably foreseeable that a person will
14 be required to return to a country against the person’s
15 will, regardless of whether such return is induced by phys-
16 ical force and regardless of whether the person is phys-
17 ically present in the United States.

18 **SEC. 2883. UNITED STATES POLICY WITH RESPECT TO THE**
19 **INVOLUNTARY RETURN OF PERSONS SUB-**
20 **JECTED TO TORTURE.**

21 The United States shall not expel, extradite, or other-
22 wise involuntarily return a person to a country in which
23 there are substantial grounds for believing the person
24 would be in danger of being subjected to torture.

1 SEC. 2864. IMMIGRATION PROCEDURES FOR TORTURE VIC-
2 TIMS.

3 (a) IN GENERAL.—Any alien—

4 (1) who presents a credible claim of having
5 been subjected to torture in the alien's country of
6 nationality, or, in the case of an alien having no na-
7 tionality, the country in which the alien last habit-
8 ually resided, and

9 (2) who applies for—

10 (A) refugee status under section 207 of the
11 Immigration and Nationality Act,

12 (B) asylum under section 208 of that Act,

13 or

14 (C) withholding of deportation under sec-
15 tion 243(h) of that Act,

16 shall be processed in accordance with this section.

17 (b) CONSIDERATION OF THE EFFECTS OF TOR-
18 TURE.—In considering applications for refugee status,
19 asylum, or withholding of deportation made by aliens de-
20 scribed in subsection (a), the appropriate officials shall
21 take into account—

22 (1) the manner in which the effects of torture
23 can affect the applicant's responses in the applica-
24 tion and in the interview process or other immigra-
25 tion proceedings, as the case may be:

1 (2) the difficulties torture victims often have in
2 recounting their suffering under torture; and

3 (3) the fear victims have of returning to their
4 country of nationality where, even if torture is no
5 longer practiced or the incidence of torture is re-
6 duced, their torturers may have gone unpunished
7 and may remain in positions of authority.

8 (c) **EXPEDITED PROCESSING OF REFUGEE ADMIS-**
9 **SIONS.**—For purposes of section 207(c) of the Immigra-
10 tion and Nationality Act, a refugee who presents a credible
11 claim of having been subjected to torture shall be consid-
12 ered to be a refugee of special humanitarian concern to
13 the United States and shall be accorded priority in selec-
14 tion from the waiting list of such refugees based on com-
15 pelling humanitarian concerns.

16 (d) **EXPEDITED PROCESSING FOR ASYLUM AND**
17 **WITHHOLDING OF DEPORTATION.**—Upon the request of
18 the alien, the alien's counsel, or a health care professional
19 treating the alien, an asylum officer or special inquiry offi-
20 cer may expedite the scheduling of an asylum interview
21 or an exclusion or deportation proceeding for an alien de-
22 scribed in subsection (a), if such officer determines that
23 an undue delay in making a determination regarding asy-
24 lum or withholding of deportation with respect to the alien

1 would aggravate the physical or psychological effects of
2 torture upon the alien.

3 (e) PAROLE IN LIEU OF DETENTION.—The finding,
4 upon inspection at a port of entry of the United States,
5 that an alien described in subsection (a) suffers from the
6 effects of torture, such as depressive and anxiety dis-
7 orders, shall be a strong presumptive basis for a grant
8 of parole, under section 212(d)(5) of the Immigration and
9 Nationality Act, in lieu of detention.

10 (f) SENSE OF CONGRESS.—It is the sense of Con-
11 gress that the Attorney General shall allocate resources
12 sufficient to maintain in the Resource Information Center
13 of the Immigration and Naturalization Service informa-
14 tion relating to the use of torture in foreign countries.

15 SEC. 2665. SPECIALIZED TRAINING FOR CONSULAR, IMMI-
16 GRATION, AND ASYLUM PERSONNEL.

17 (a) IN GENERAL.—The Attorney General shall pro-
18 vide training for immigration inspectors and examiners,
19 immigration officers, asylum officers, special inquiry offi-
20 cers, and all other relevant officials of the Department of
21 Justice, and the Secretary of State shall provide training
22 for consular officers, with respect to—

23 (1) the identification of the evidence of torture;

24 (2) the identification of the surrounding cir-
25 cumstances in which torture is practiced;

1 (3) the long-term effects of torture upon the
2 person;

3 (4) the identification of the physical, cognitive,
4 and emotional effects of torture, including depressive
5 and anxiety disorders, and the manner in which
6 these effects can affect the interview or hearing
7 process; and

8 (5) the manner of interviewing victims of tor-
9 ture so as not to retraumatize them, eliciting the
10 necessary information to document the torture expe-
11 rience, and understanding the difficulties victims
12 often have in recounting their torture experience.

13 (b) GENDER-RELATED CONSIDERATIONS.—In con-
14 ducting training under subsection (a)(4) or subsection
15 (a)(5), gender specific training shall be provided on the
16 subject of interacting with women and men who are vic-
17 tims of torture by rape or any other form of sexual vio-
18 lence.

19 **SEC. 2666. STUDY AND REPORT ON TORTURE VICTIMS IN**
20 **THE UNITED STATES.**

21 (a) STUDY.—The Center for Disease Control shall
22 conduct a study with respect to refugees and asylees ad-
23 mitted to the United States since October 1, 1987, who
24 were tortured abroad, for the purpose of identifying—

1 (1) the estimated number and geographic dis-
2 tribution of such persons;

3 (2) the needs of such persons for recovery serv-
4 ices; and

5 (3) the availability of such services.

6 (b) REPORT.—Not later than December 31, 1997,
7 the Center for Disease Control shall submit a report to
8 the Judiciary Committees of the House of Representatives
9 and the Senate setting forth the findings of the study con-
10 ducted under subsection (a), together with any rec-
11 ommendation for increasing the services available to per-
12 sons described in subsection (a), including any rec-
13 ommendation for legislation, if necessary.

14 SEC. 2667. DOMESTIC TREATMENT CENTERS.

15 (a) AMENDMENT OF THE IMMIGRATION AND NA-
16 TIONALITY ACT.—Section 412 of the Immigration and
17 Nationality Act (8 U.S.C. 1522) is amended by adding
18 at the end the following new subsection:

19 “(g) ASSISTANCE FOR TREATMENT OF TORTURE
20 VICTIMS.—(1) The Director is authorized to provide
21 grants to programs in the United States to cover the cost
22 of the following services:

23 “(A) Services for the rehabilitation of victims of
24 torture, including treatment of the physical and psy-
25 chological effects of torture.

1 “(B) Social services for victims of torture.

2 “(C) Research and training for health care pro-
3 viders outside of treatment centers for the purpose
4 of enabling such providers to provide the services de-
5 scribed in subparagraph (A).

6 “(2) For purposes of this subsection, the term ‘tor-
7 ture’ has the same meaning given to the term in section
8 2662(b) of the Torture Victims Relief Act of 1995.”.

9 (b) AUTHORIZATION OF APPROPRIATIONS.—(1) Of
10 amounts authorized to be appropriated to carry out sec-
11 tion 414 of the Immigration and Nationality Act (8 U.S.C.
12 1524) for fiscal year 1996, there are authorized to be ap-
13 propriated such sums as may be necessary to carry out
14 section 412(g) of that Act (relating to assistance for do-
15 mestic centers for the treatment of victims of torture).

16 (2) Amounts appropriated pursuant to this sub-
17 section are authorized to remain available until expended.

18 **TITLE XXVII—CONGRESSIONAL** 19 **STATEMENTS**

20 **SEC. 2701. INTER-AMERICAN ORGANIZATIONS.**

21 Taking into consideration the long-term commitment
22 by the United States to the affairs of this Hemisphere and
23 the need to build further upon the linkages between the
24 United States and its neighbors, the Secretary of State,
25 in allocating the level of resources for international organi-

1 zations, should pay particular attention to funding levels
2 of the Inter-American organizations.

3 SEC. 2702. TERRITORIAL INTEGRITY OF BOSNIA AND
4 HERZEGOVINA.

5 (a) FINDINGS.--The Congress makes the following
6 findings:

7 (1) The sovereign and independent state of
8 Bosnia-Herzegovina was formally recognized by the
9 United States of America on April 7, 1992.

10 (2) The sovereign and independent state of
11 Bosnia-Herzegovina was admitted as a full partici-
12 pating State of the Conference on Security and Co-
13 operation in Europe on April 30, 1992.

14 (3) The sovereign and independent state of
15 Bosnia-Herzegovina was admitted as a Member
16 state of the United Nations on May 22, 1992.

17 (4) The United States has declared its deter-
18 mination to respect and put into practice the Dec-
19 laration on Principles Guiding Relations between
20 Participating States contained in the Final Act of
21 the Conference on Security and Cooperation in Eu-
22 rope.

23 (5) Each of the principles has been violated
24 during the course of war in Bosnia-Herzegovina:
25 sovereign equality and respect for the rights inherent

1 in sovereignty, refraining from the threat or use of
2 force; inviolability of frontiers: territorial integrity of
3 States; peaceful settlement of disputes: noninterven-
4 tion in internal affairs; respect for human rights and
5 fundamental freedoms, including the freedom of
6 thought, conscience, religion or belief; equal rights
7 and self-determination of peoples; cooperation among
8 States; and fulfillment in good faith of obligations
9 under international law.

10 (6) Principle II of the Final Act commits the
11 participating States to "refrain from any manifesta-
12 tion of force for the purpose of inducing another
13 participating State to renounce the full exercise of
14 its sovereign rights".

15 (7) Principle III of the Final Act commits the
16 participating States to "refrain from any demand
17 for, or act of, seizure and usurpation of part or all
18 of the territory of any participating State".

19 (8) Principle IV of the Final Act commits the
20 participating States to "respect the territorial integ-
21 rity of each of the participating States" and "refrain
22 from any action inconsistent with the purposes and
23 principles of the Charter of the United Nations
24 against the territorial integrity, political independ-
25 ence or the unity of any participating State".

1 (9) The Charter of Paris for a New Europe
2 commits the participating States "to cooperate in
3 defending democratic institutions against activities
4 which violate the independence, sovereign equality,
5 or territorial integrity of the participating States".

6 (10) The Helsinki Document 1992 reaffirms
7 "the validity of the guiding principles and common
8 values of the Helsinki Final Act and the Charter of
9 Paris, embodying responsibilities of States towards
10 each other and of governments towards their own
11 people" which serve as the "collective conscience of
12 our community".

13 (11) The Charter of the United Nations calls
14 upon Member states to respect the territorial integ-
15 rity and political independence of any state in keep-
16 ing with the Purposes of the United Nations.

17 (12) The sovereign and independent state of
18 Bosnia-Herzegovina has been and continues to be
19 subjected to armed aggression Bosnian Serb forces,
20 Croatian Serb forces, and others in violation of
21 Final Act and the Charter.

22 (13) Unchecked armed aggression and genocide
23 threatens the lives of innocent civilians as well as the
24 very existence of the sovereign and independent state
25 of Bosnia-Herzegovina.

1 (b) SENSE OF CONGRESS.—It is the sense of the
2 Congress that the United States should refuse to recognize
3 the incorporation of any of the territory of Bosnia-
4 Herzegovina into the territory of any neighboring state or
5 the creation of any new state or states within the borders
6 of Bosnia-Herzegovina resulting from the threat or use of
7 force, coercion, or any other means inconsistent with inter-
8 national law.

9 SEC. 2703. THE LAOGAI SYSTEM OF POLITICAL PRISONS.

10 (a) FINDINGS.—The Congress makes the following
11 findings:

12 (1) The Chinese gulag, known as the Laogai,
13 was created as a primary means of political repres-
14 sion and control when the Communists assumed
15 power in China in 1949.

16 (2) The Laogai has caused millions of people to
17 suffer grave human rights abuses over the past 46
18 years, including countless deaths.

19 (3) The Laogai continues to be used to incar-
20 cerate unknown numbers of ordinary citizens for po-
21 litical reasons, including workers, students, intellec-
22 tuals, religious believers, and Tibetans.

23 (4) So-called "thought reform" is a standard
24 practice of Laogai officials, and reports of torture

1 are routinely received by human rights organizations
2 from Laogai prisoners and survivors.

3 (5) Negotiations about unfettered access to
4 Laogai prisoners between the Chinese Government
5 and the International Red Cross have ceased.

6 (6) The Laogai is in reality a huge system of
7 forced labor camps in which political and penal
8 criminals are slave laborers producing an array of
9 products for export throughout the world, including
10 the United States.

11 (7) The Chinese Government continues to main-
12 tain, as part of its official propaganda and in defi-
13 ance of significant evidence to the contrary gathered
14 by many human rights organizations, that the
15 Laogai is a prison system like any other in the
16 world.

17 (8) Testimony delivered before the Subcommit-
18 tee on International Operations and Human Rights
19 of the Committee on International Relations of the
20 House of Representatives has documented human
21 rights abuses in the Laogai which continue to this
22 day.

23 (9) The American people have repeatedly ex-
24 pressed their abhorrence of forced labor camps sys-

1 tems, whether they be operated by the Nazis, Soviet
2 Communists, or any other political ideology.

3 (b) SENSE OF CONGRESS.—It is the sense of the
4 Congress that the President should—

5 (1) publicly condemn the continued existence of
6 the Laogai, and call upon the Government of the
7 People's Republic of China to dismantle it, and re-
8 lease all of its political prisoners; and

9 (2) instruct the appropriate diplomatic rep-
10 representatives of the United States to cause a resolu-
11 tion condemning the Laogai to be put before the
12 United Nations Human Rights Commission and
13 work for its passage.

14 **SEC. 2704. CONCERNING THE USE OF FUNDS TO FURTHER**
15 **NORMALIZE RELATIONS WITH VIETNAM.**

16 It is the sense of the Congress that none of the funds
17 authorized to be appropriated or otherwise made available
18 by this Act may be obligated or expended to further nor-
19 malize diplomatic relations between the United States and
20 Vietnam, until Vietnam—

21 (1) releases all of its political and religious pris-
22 oners;

23 (2) accounts for American POWs and MIAs
24 from the Vietnam War;

25 (3) holds democratic elections; and

1 (4) institutes policies which protect human
2 rights.

3 SEC. 2705. DECLARATION OF CONGRESS REGARDING UNIT-
4 ED STATES GOVERNMENT HUMAN RIGHTS
5 POLICY TOWARD CHINA.

6 (a) FINDINGS.—The Congress makes the following
7 findings:

8 (1) According to the 1994 State Department
9 Country Reports on Human Rights Practices there
10 continue to be “widespread and well-documented
11 human rights abuses in China, in violation of inter-
12 nationally accepted norms . . . (including) arbitrary
13 and lengthy incommunicado detention, torture, and
14 mistreatment of prisoners. The regime continued se-
15 vere restrictions on freedoms of speech, press assem-
16 bly and association, and tightened controls on the
17 exercise of these rights during 1994. Serious human
18 rights abuses persisted in Tibet and other areas pop-
19 ulated by ethnic minorities”.

20 (2) The President, in announcing his decision
21 on Most Favored Nation trading status for China in
22 May 1994 stated that, “China continues to commit
23 very serious human rights abuses. Even as we en-
24 gage the Chinese on military, political, and economic
25 issues, we intend to stay engaged with those in

1 China who suffer from human rights abuses. The
2 United States must remain a champion of their lib-
3 erties”.

4 (b) SENSE OF CONGRESS.—It is the sense of the
5 Congress that the President should take the following ac-
6 tions:

7 (1) Decline the invitation to visit China until
8 and unless there is dramatic overall progress on
9 human rights in China and Tibet and communicate
10 to the Government of China that such a visit cannot
11 take place without such progress. Indications of
12 overall progress would include the release of hun-
13 dreds of political, religious, and labor activists; an
14 agreement to allow unhindered confidential access to
15 prisoners by international humanitarian agencies;
16 enactment of major legal reforms such as an end to
17 all restrictions on the exercise of freedom of religion,
18 revocation of the 1993 state security law, and the
19 abolition of all so-called “counter-revolutionary”
20 crimes; an end to forced abortion, forced steriliza-
21 tion, and the provision by government facilities of
22 human fetal remains for consumption as food; and
23 a decision to allow unrestricted access to Tibet by
24 foreign media and international human rights mon-
25 itors.

1 (2) Seek to develop an agreement on a multilat-
2 eral strategy to promote human rights in China with
3 other members of the G-7, beginning with the meet-
4 ing of the G-7 industrial partners scheduled for
5 June 1995 in Halifax, Nova Scotia. Such an agree-
6 ment should include efforts to encourage greater co-
7 operation by the Government of China with the
8 human rights rapporteurs and working groups of the
9 United Nations Human Rights Commission, as well
10 as bilateral and multilateral initiatives to secure the
11 unconditional release of imprisoned peaceful pro-de-
12 mocracy advocates such as Wei Jingsheng.

13 (3) Instruct the United States delegates to the
14 United Nations Fourth World Conference on Women
15 in September 1995 to vigorously and publicly sup-
16 port nongovernmental organizations that may be
17 subjected to harassment or to restrictions or limita-
18 tions on their activities, access to the media, or to
19 channels of communication during the conference by
20 the Government of China and to protest publicly and
21 privately any actions by the Government of China
22 aimed at punishing or repressing Chinese citizens
23 who seek to peacefully express their views or com-
24 municate with foreign citizens or media during or
25 following the United Nations Conference.

1 (4) Extend an invitation to the Dalai Lama to
2 visit Washington, District of Columbia, in 1995.

3 (c) UNITED STATES GOVERNMENT HUMAN RIGHTS
4 POLICY TOWARD CHINA.—It shall be the policy of the
5 United States Government to continue to promote inter-
6 nationally recognized human rights and worker rights in
7 China and Tibet. The President shall submit the following
8 reports on the formulation and implementation of United
9 States human rights policy toward China and the results
10 of that policy to the International Relations Committee of
11 the House of Representatives :

12 (1) Not later than 90 days after the date of en-
13 actment of this Act, the President shall report on
14 the status of the “new United States Human Rights
15 Policy for China” announced by the President on
16 May 26, 1994, including an assessment of the imple-
17 mentation and effectiveness of the policy in bringing
18 about human rights improvements in China and
19 Tibet, with reference to the following specific initia-
20 tives announced on that date:

21 (A) High-level dialogue on human rights.

22 (B) Voluntary principles in the area of
23 human rights for United States businesses op-
24 erating in China.

1 (C) Increased contact with and support for
2 groups and individuals in China promoting law
3 reform and human rights.

4 (D) Increased exchanges to support human
5 rights law reform in China.

6 (E) The practice of all United States offi-
7 cials who visit China to meet with the broadest
8 possible spectrum of Chinese citizens.

9 (F) Increased efforts to press United
10 States views on human rights in China at the
11 United Nations, the United Nations Human
12 Rights Commission, and other international or-
13 ganizations.

14 (G) A plan of international actions to ad-
15 dress Tibet's human rights problems and to
16 promote substantive discussions between the
17 Dalai Lama and the Chinese Government.

18 (H) Efforts to use the 1995 United Na-
19 tions Women's Conference in Beijing to expand
20 freedoms of speech, association, and assembly,
21 as well as the rights of women, in China.

22 (I) An information strategy for promoting
23 human rights by expanding Chinese and Ti-
24 betan language broadcasts on the Voice of
25 America and establishing Radio Free Asia.

1 (J) Encouraging the Chinese Government
2 to permit international human rights groups to
3 operate in and visit China.

4 The report required by this paragraph shall also as-
5 sess the progress, if any, of the People's Republic of
6 China toward ending forced abortion, forced steri-
7 lization, and other coercive population control prac-
8 tices.

9 (2) Not later than 120 days after the date of
10 enactment of this Act, the President shall report on
11 the status of Chinese Government compliance with
12 United States laws prohibiting the importation into
13 the United States of forced labor products, including
14 (but not limited to) a complete assessment and re-
15 port on the implementation of the Memorandum of
16 Understanding signed by the United States and
17 China in 1992. The report shall include (but not be
18 limited to) the following:

19 (A) All efforts made by the United States
20 Customs Service from 1992 until the date of
21 the report to investigate forced labor exports
22 and to conduct unannounced unrestricted in-
23 spections of suspected forced labor sites in
24 China, and the extent to which Chinese authori-
25 ties cooperated with such investigations.

1 (B) Recommendations of what further
2 steps might be taken to enhance United States
3 effectiveness in prohibiting forced labor exports
4 to the United States from China.

5 SEC. 2706. CONCERNING THE UNITED NATIONS VOL-
6 UNTARY FUND FOR VICTIMS OF TORTURE.

7 It is the sense of the Congress that the President,
8 acting through the United States Permanent Representa-
9 tive to the United Nations, should—

10 (1) request the United Nations Voluntary Fund
11 for Victims of Torture—

12 (A) to find new ways to support and pro-
13 tect treatment centers that are carrying out re-
14 habilitative services for victims of torture; and

15 (B) to encourage the development of new
16 such centers;

17 (2) use the voice and vote of the United States
18 to support the work of the Special Rapporteur on
19 Torture and the Committee Against Torture estab-
20 lished under the Convention Against Torture and
21 Other Cruel, Inhuman or Degrading Treatment or
22 Punishment; and

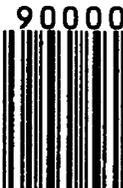
23 (3) use the voice and vote of the United States
24 to establish a country rapporteur or similar proce-
25 dural mechanism to investigate human rights viola-

1 tions in a country if either the Special Rapporteur
2 or the Committee Against Torture indicates that a
3 systematic practice of torture is prevalent in that
4 country.

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