

***In the Senate of the United States,***

*June 17, 1997.*

*Resolved*, That the bill from the House of Representatives (H.R. 1757) entitled “An Act to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and to ensure that the enlargement of the North Atlantic Treaty Organization (NATO) proceeds in a manner consistent with United States interests, to strengthen relations between the United States and Russia, to preserve the prerogatives of the Congress with respect to certain arms control agreements, and for other purposes.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “Foreign Affairs Reform*

3 *and Restructuring Act of 1997”.*

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

3 (a) *DIVISIONS.*—*This Act is organized into three divi-*  
 4 *sions as follows:*

5 (1) *DIVISION A.*—*Foreign Affairs Agencies Con-*  
 6 *solidation Act of 1997.*

7 (2) *DIVISION B.*—*Foreign Relations Authoriza-*  
 8 *tion Act, Fiscal Years 1998 and 1999.*

9 (3) *DIVISION C.*—*United Nations Reform Act of*  
 10 *1997.*

11 (b) *TABLE OF CONTENTS.*—*The table of contents for*  
 12 *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. Purposes.*

*Sec. 103. Definitions.*

*Sec. 104. Report on budgetary cost savings resulting from reorganization.*

*TITLE II—UNITED STATES ARMS CONTROL AND DISARMAMENT*  
*AGENCY*

*CHAPTER 1—GENERAL PROVISIONS*

*Sec. 201. Effective date.*

*CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS*

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

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

*Sec. 213. Under Secretary for Arms Control and International Security.*

*Sec. 214. Reporting requirements.*

*Sec. 215. Repeal relating to Inspector General for United States Arms Control*  
*and Disarmament Agency.*

*CHAPTER 3—CONFORMING AMENDMENTS*

*Sec. 221. References.*

*Sec. 222. Repeal of establishment of ACDA.*

*Sec. 223. Repeal of positions and offices.*

*Sec. 224. Compensation of officers.*

### TITLE III—UNITED STATES INFORMATION AGENCY

#### CHAPTER 1—GENERAL PROVISIONS

*Sec. 301. Effective date.*

#### CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS

*Sec. 311. Abolition of United States Information Agency.*

*Sec. 312. Transfer of functions.*

*Sec. 313. Under Secretary of State for Public Diplomacy.*

*Sec. 314. Abolition of Office of Inspector General of United States Information Agency and transfer of functions.*

*Sec. 315. Interim transfer of functions.*

#### CHAPTER 3—INTERNATIONAL BROADCASTING

*Sec. 321. Congressional findings and declaration of purpose.*

*Sec. 322. Continued existence of Broadcasting Board of Governors.*

*Sec. 323. Conforming amendments to the United States International Broadcasting Act of 1994.*

*Sec. 324. Amendments to the Radio Broadcasting to Cuba Act.*

*Sec. 325. Amendments to the Television Broadcasting to Cuba Act.*

*Sec. 326. Savings provisions.*

*Sec. 327. Report on the privatization of RFE/RL, Incorporated.*

#### CHAPTER 4—CONFORMING AMENDMENTS

*Sec. 331. References.*

*Sec. 332. Amendments to title 5, United States Code.*

*Sec. 333. Ban on domestic activities.*

### TITLE IV—UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

#### CHAPTER 1—GENERAL PROVISIONS

*Sec. 401. Effective date.*

#### CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS

*Sec. 411. Abolition of United States International Development Cooperation Agency.*

*Sec. 412. Transfer of functions.*

*Sec. 413. Status of AID.*

#### CHAPTER 3—CONFORMING AMENDMENTS

*Sec. 421. References.*

*Sec. 422. Conforming amendments.*

### TITLE V—AGENCY FOR INTERNATIONAL DEVELOPMENT

#### CHAPTER 1—GENERAL PROVISIONS

*Sec. 501. Effective date.*

## CHAPTER 2—REORGANIZATION AND TRANSFER OF FUNCTIONS

*Sec. 511. Reorganization of Agency for International Development.*

## CHAPTER 3—AUTHORITIES OF THE SECRETARY OF STATE

*Sec. 521. Definition of United States assistance.*

*Sec. 522. Placement of Administrator of AID under the direct authority of the Secretary of State.*

*Sec. 523. Assistance programs coordination, implementation, and oversight.*

*Sec. 524. Sense of the Senate regarding apportionment of certain funds to the Secretary of State.*

## TITLE VI—TRANSITION

## CHAPTER 1—REORGANIZATION PLAN

*Sec. 601. Reorganization plan.*

## CHAPTER 2—REORGANIZATION AUTHORITY

*Sec. 611. Reorganization authority.*

*Sec. 612. Transfer and allocation of appropriations and personnel.*

*Sec. 613. Incidental transfers.*

*Sec. 614. Savings provisions.*

*Sec. 615. Property and facilities.*

*Sec. 616. Authority of Secretary of State to facilitate transition.*

*Sec. 617. Final report.*

## TITLE VII—FUNCTIONS, CONDUCT, AND STRUCTURE OF UNITED STATES FOREIGN POLICY FOR THE 21ST CENTURY.

*Sec. 701. Findings.*

*Sec. 702. Establishment.*

*Sec. 703. Composition and qualifications.*

*Sec. 704. Duties of the Commission.*

*Sec. 705. Commission reports.*

*Sec. 706. Powers.*

*Sec. 707. Personnel.*

*Sec. 708. Payment of Commission expenses.*

*Sec. 709. Termination.*

*Sec. 710. Executive branch action.*

*Sec. 711. Annual foreign affairs strategy report.*

*Sec. 712. Definition of foreign affairs agencies.*

## DIVISION B—FOREIGN RELATIONS AUTHORIZATION

## TITLE X—GENERAL PROVISIONS

*Sec. 1001. Short title.*

*Sec. 1002. Definition.*

## TITLE XI—DEPARTMENT OF STATE AND RELATED AGENCIES

## CHAPTER 1—AUTHORIZATIONS OF APPROPRIATIONS

*Sec. 1101. Authorizations of appropriations for Administration of Foreign Affairs.*

*Sec. 1102. Migration and refugee assistance.*

*Sec. 1103. Asia Foundation.*

CHAPTER 2—AUTHORITIES AND ACTIVITIES

- Sec. 1121. Reduction in required reports.*  
*Sec. 1122. Authority of the Foreign Claims Settlement Commission.*  
*Sec. 1123. Procurement of services.*  
*Sec. 1124. Fee for use of diplomatic reception rooms.*  
*Sec. 1125. Prohibition on judicial review Department of State counterterrorism and narcotics-related rewards program.*  
*Sec. 1126. Office of the Inspector General.*  
*Sec. 1127. Reaffirming United States international telecommunications policy.*  
*Sec. 1128. Counterdrug and anti-crime activities of the Department of State.*

CHAPTER 3—PERSONNEL

- Sec. 1131. Elimination of position of Deputy Assistant Secretary of State for Burdensharing.*  
*Sec. 1132. Restriction on lobbying activities of former United States chiefs of mission.*  
*Sec. 1133. Recovery of costs of health care services.*  
*Sec. 1134. Nonovertime differential pay.*  
*Sec. 1135. Pilot program for foreign affairs reimbursement.*  
*Sec. 1136. Grants to overseas educational facilities.*  
*Sec. 1137. Grants to remedy international child abductions.*  
*Sec. 1138. Foreign Service reform.*  
*Sec. 1139. Law enforcement availability pay.*  
*Sec. 1140. Law enforcement authority of DS special agents overseas.*  
*Sec. 1141. Limitations on management assignments.*

CHAPTER 4—CONSULAR AND RELATED ACTIVITIES

- Sec. 1151. Consular officers.*  
*Sec. 1152. Repeal of outdated consular receipt requirements.*  
*Sec. 1153. Elimination of duplicate Federal Register publication for travel advisories.*  
*Sec. 1154. Inadmissibility of members of former Soviet Union intelligence services.*  
*Sec. 1155. Denial of visas to aliens who have confiscated property claimed by nationals of the United States.*  
*Sec. 1156. Inadmissibility of aliens supporting international child abductors.*

TITLE XII—OTHER INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

- Sec. 1201. International conferences and contingencies.*  
*Sec. 1202. International commissions.*

CHAPTER 2—GENERAL PROVISIONS

- Sec. 1211. International criminal court participation.*  
*Sec. 1212. Withholding of assistance for parking fines owed by foreign countries.*  
*Sec. 1213. United States membership in the Interparliamentary Union.*  
*Sec. 1214. Reporting of foreign travel by United States officials.*  
*Sec. 1215. Sense of the Senate on use of funds in Japan-United States Friendship Trust Fund.*

*TITLE XIII—UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS*

*CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS*

- Sec. 1301. Authorization of appropriations.*  
*Sec. 1302. National Endowment for Democracy.*

*CHAPTER 2—USIA AND RELATED AGENCIES AUTHORITIES AND ACTIVITIES*

- Sec. 1311. Authorization to receive and recycle fees.*  
*Sec. 1312. Appropriations transfer authority.*  
*Sec. 1313. Expansion of Muskie Fellowship Program.*  
*Sec. 1314. Au pair extension.*  
*Sec. 1315. Radio broadcasting to Iran in the Farsi language.*  
*Sec. 1316. Voice of America broadcasts.*  
*Sec. 1317. Working group on government-sponsored international exchanges and training.*  
*Sec. 1318. International information programs.*  
*Sec. 1319. Authority to administer summer travel and work programs.*

*TITLE XIV—PEACE CORPS*

- Sec. 1401. Short title.*  
*Sec. 1402. Authorization of appropriations.*  
*Sec. 1403. Amendments to the Peace Corps Act.*

*TITLE XV—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY*

*CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS*

- Sec. 1501. Authorization of appropriations.*

*CHAPTER 2—AUTHORITIES*

- Sec. 1511. Statutory construction.*

*TITLE XVI—FOREIGN POLICY*

- Sec. 1601. Payment of Iraqi claims.*  
*Sec. 1602. United Nations membership for Belarus.*  
*Sec. 1603. United States policy with respect to Jerusalem as the capital of Israel.*  
*Sec. 1604. Special envoy for Tibet.*  
*Sec. 1605. Financial transactions with state sponsors of international terrorism.*  
*Sec. 1606. United States policy with respect to the involuntary return of persons in danger of subjection to torture.*  
*Sec. 1607. Reports on the situation in Haiti.*  
*Sec. 1608. Report on an alliance against narcotics trafficking in the Western Hemisphere.*  
*Sec. 1609. Report on greenhouse gas emissions agreement.*  
*Sec. 1610. Reports and policy concerning diplomatic immunity.*  
*Sec. 1611. Italian confiscation of property case.*  
*Sec. 1612. Designation of additional countries eligible for NATO enlargement assistance.*  
*Sec. 1613. Sense of Senate regarding United States citizens held in prisons in Peru.*

- Sec. 1614. Exclusion from the United States of aliens who have been involved in extrajudicial and political killings in Haiti.*
- Sec. 1615. Sense of the Senate on enforcement of the Iran-Iraq Arms Non-Proliferation Act of 1992 with respect to the acquisition by Iran of C-802 cruise missiles.*
- Sec. 1616. Sense of the Senate on persecution of Christian minorities in the People's Republic of China.*
- Sec. 1617. Sense of Congress regarding the North Atlantic Treaty Organization.*
- Sec. 1618. Japan-United States Friendship Commission.*
- Sec. 1619. Aviation safety.*
- Sec. 1620. Sense of the Senate on United States policy toward the People's Republic of China.*
- Sec. 1621. Sense of the Senate encouraging programs by the National Endowment for Democracy regarding the rule of law in China.*
- Sec. 1622. Concerning the Palestinian authority.*
- Sec. 1623. Authorization of Appropriations for facilities in Beijing and Shanghai.*
- Sec. 1624. Eligibility for refugee status.*

#### DIVISION C—UNITED NATIONS REFORM

##### TITLE XX—GENERAL PROVISIONS

- Sec. 2001. Short title.*
- Sec. 2002. Definitions.*
- Sec. 2003. Nondelegation of certification requirements.*

##### TITLE XXI—AUTHORIZATION OF APPROPRIATIONS

- Sec. 2101. Assessed contributions to the United Nations and affiliated organizations.*
- Sec. 2102. United Nations policy on Israel and the Palestinians.*
- Sec. 2103. Assessed contributions for international peacekeeping activities.*
- Sec. 2104. Data on costs incurred in support of United Nations peace and security operations.*
- Sec. 2105. Reimbursement for goods and services provided by the United States to the United Nations.*
- Sec. 2106. Restriction on United States funding for United Nations peace operations.*
- Sec. 2107. United States policy regarding United Nations peacekeeping missions.*
- Sec. 2108. Organization of American States.*

##### TITLE XXII—ARREARS PAYMENTS AND REFORM

###### CHAPTER 1—ARREARAGES TO THE UNITED NATIONS

###### SUBCHAPTER A—AUTHORIZATION OF APPROPRIATIONS; DISBURSEMENT OF FUNDS

- Sec. 2201. Authorization of appropriations.*
- Sec. 2202. Disbursement of funds.*

###### SUBCHAPTER B—UNITED STATES SOVEREIGNTY

- Sec. 2211. Certification requirements.*

SUBCHAPTER C—REFORM OF ASSESSMENTS AND UNITED NATIONS PEACE  
OPERATIONS

Sec. 2221. *Certification requirements.*

SUBCHAPTER D—BUDGET AND PERSONNEL REFORM

Sec. 2231. *Certification requirements.*

CHAPTER 2—MISCELLANEOUS PROVISIONS

Sec. 2241. *Statutory construction on relation to existing laws.*

Sec. 2242. *Prohibition on payments relating to UNIDO and other organizations from which the United States has withdrawn or rescinded funding.*

1     ***DIVISION A—CONSOLIDATION***  
2     ***OF FOREIGN AFFAIRS AGENCIES***  
3     ***TITLE I—GENERAL PROVISIONS***

4     ***SEC. 101. SHORT TITLE.***

5             *This division may be cited as the “Foreign Affairs*  
6 *Agencies Consolidation Act of 1997”.*

7     ***SEC. 102. PURPOSES.***

8             *The purposes of this division are—*

9                     *(1) to strengthen—*

10                             *(A) the coordination of United States for-*  
11 *ign policy; and*

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

15                     *(2) to consolidate and reinvigorate the foreign af-*  
16 *airs functions of the United States within the De-*  
17 *partment of State by—*

18                             *(A) abolishing the United States Arms Con-*  
19 *trol and Disarmament Agency, the United States*

1            *Information Agency, the United States Inter-*  
2            *national Development Cooperation Agency, and*  
3            *transferring the functions of these agencies to the*  
4            *Department of State while preserving the quality*  
5            *and integrity of these functions;*

6            *(B) transferring certain functions of the*  
7            *Agency for International Development to the De-*  
8            *partment of State; and*

9            *(C) providing for the reorganization of the*  
10           *Department of State to maximize the efficient*  
11           *use of resources, which may lead to budget sav-*  
12           *ings, eliminated redundancy in functions, and*  
13           *improvement in the management of the Depart-*  
14           *ment of State;*

15           *(3) to ensure that programs critical to the pro-*  
16           *motion of United States national interests be main-*  
17           *tained;*

18           *(4) to assist congressional efforts to balance the*  
19           *Federal budget and reduce the Federal debt;*

20           *(5) to ensure that the United States maintains*  
21           *effective representation abroad within budgetary re-*  
22           *straints; and*

23           *(6) to encourage United States foreign affairs*  
24           *agencies to maintain a high percentage of the best*

1       *qualified, most competent United States citizens serv-*  
2       *ing in the United States Government.*

3       **SEC. 103. DEFINITIONS.**

4       *The following terms have the following meanings for*  
5       *the purposes of this division:*

6               (1) *The term “ACDA” means the United States*  
7       *Arms Control and Disarmament Agency.*

8               (2) *The term “appropriate congressional com-*  
9       *mittees” means the Committee on International Rela-*  
10       *tions and the Committee on Appropriations of the*  
11       *House of Representatives and the Committee on For-*  
12       *ign Relations and the Committee on Appropriations*  
13       *of the Senate.*

14              (3) *The term “Department” means the Depart-*  
15       *ment of State.*

16              (4) *The term “Federal agency” has the meaning*  
17       *given to the term “agency” by section 551(1) of title*  
18       *5, United States Code.*

19              (5) *The term “function” means any duty, obliga-*  
20       *tion, power, authority, responsibility, right, privilege,*  
21       *activity, or program.*

22              (6) *The term “office” includes any office, admin-*  
23       *istration, agency, institute, unit, organizational en-*  
24       *tity, or component thereof.*

1           (7) *The term “Secretary” means the Secretary of*  
2           *State.*

3           (8) *The term “USIA” means the United States*  
4           *Information Agency.*

5   **SEC. 104. REPORT ON BUDGETARY COST SAVINGS RESULT-**  
6                                   **ING FROM REORGANIZATION.**

7           *Not later than 90 days after the date of enactment of*  
8           *this Act, and every 180 days thereafter through the end of*  
9           *fiscal year 2000, the Secretary of State shall submit a re-*  
10          *port to the appropriate congressional committees describing*  
11          *the total anticipated and achieved cost savings in budget*  
12          *outlays and budget authority related to the reorganization*  
13          *made under this Act, including cost savings by each of the*  
14          *following categories:*

- 15                   (1) *Reductions in personnel.*
- 16                   (2) *Administrative consolidation.*
- 17                   (3) *Program consolidation.*
- 18                   (4) *Sales of real property.*
- 19                   (5) *Termination of property leases.*
- 20                   (6) *Coordinated procurement.*

1 **TITLE II—UNITED STATES ARMS**  
2 **CONTROL AND DISARMAMENT**  
3 **AGENCY**

4 **CHAPTER 1—GENERAL PROVISIONS**

5 **SEC. 201. EFFECTIVE DATE.**

6 *This title, and the amendments made by this title,*  
7 *shall take effect on the earlier of—*

8 *(1) October 1, 1998; or*

9 *(2) the date of abolition of the United States*  
10 *Arms Control and Disarmament Agency pursuant to*  
11 *the reorganization plan described in section 601.*

12 **CHAPTER 2—ABOLITION AND TRANSFER**  
13 **OF FUNCTIONS**

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

16 *The United States Arms Control and Disarmament*  
17 *Agency is abolished.*

18 **SEC. 212. TRANSFER OF FUNCTIONS TO SECRETARY OF**  
19 **STATE.**

20 *Except as otherwise provided in this division, there are*  
21 *transferred to the Secretary of State—*

22 *(1) all functions of the Director of the United*  
23 *States Arms Control and Disarmament Agency, and*

24 *(2) all functions of the United States Arms Con-*  
25 *trol and Disarmament Agency and any office or com-*

1       ponent of such agency under any statute, reorganiza-  
2       tion plan, Executive order, or other provision of law,  
3 as of the day before the effective date of this title.

4 **SEC. 213. UNDER SECRETARY FOR ARMS CONTROL AND**  
5 **INTERNATIONAL SECURITY.**

6       Section 1 of the State Department Basic Authorities  
7 Act of 1956 (22 U.S.C. 2651a) is amended in subsection  
8 (b)—

9               (1) by striking “There” and inserting the follow-  
10 ing:

11               “(1) *IN GENERAL.—There*”; and

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

13               “(2) *UNDER SECRETARY FOR ARMS CONTROL*  
14 *AND INTERNATIONAL SECURITY.—There shall be in*  
15 *the Department of State, among the Under Secretar-*  
16 *ies authorized by paragraph (1), an Under Secretary*  
17 *for Arms Control and International Security who*  
18 *shall assist the Secretary and the Deputy Secretary in*  
19 *matters related to international security policy, arms*  
20 *control, and nonproliferation matters. Subject to the*  
21 *direction of the President, the Under Secretary may*  
22 *attend and participate in meetings of the National*  
23 *Security Council in his role as advisor on arms con-*  
24 *trol and nonproliferation matters.”.*

1 **SEC. 214. REPORTING REQUIREMENTS.**

2 (a) *VERIFICATION OF COMPLIANCE.*—Section 37 of the  
3 *Arms Control and Disarmament Act (22 U.S.C. 2577)* is  
4 amended—

5 (1) in subsection (a), by striking “Director” each  
6 place it appears and inserting “Under Secretary of  
7 State for Arms Control and International Security”;

8 (2) in subsection (d), by striking “Director” each  
9 place it appears and inserting “Under Secretary of  
10 State”;

11 (3) by redesignating subsections (b) through (d)  
12 as subsections (c) through (e), respectively; and

13 (4) by inserting after subsection (a) the follow-  
14 ing:

15 “(b) *INCLUSION OF COMMENTS BY THE SECRETARY OF*  
16 *STATE.*—In the preparation of each report under subsection  
17 (a), the Under Secretary of State for Arms Control and  
18 International Security shall include the comments, if any,  
19 of the Secretary of State after the Secretary has had an  
20 opportunity to review the report for a period of not to ex-  
21 ceed 14 days.”.

22 (b) *ANNUAL REPORT.*—Section 51 of that Act (22  
23 U.S.C. 2593a) is amended—

24 (1) in subsection (a)—



1 *tion, agreement, determination, or other official document*  
2 *or proceeding to—*

3 *(1) the Director of the United States Arms Con-*  
4 *trol and Disarmament Agency, or any other officer or*  
5 *employee of the United States Arms Control and Dis-*  
6 *armament Agency, shall be deemed to refer to the Sec-*  
7 *retary of State; and*

8 *(2) the United States Arms Control and Disar-*  
9 *mament Agency shall be deemed to refer to the De-*  
10 *partment of State.*

11 **SEC. 222. REPEAL OF ESTABLISHMENT OF ACDA.**

12 *Section 21 of the Arms Control and Disarmament Act*  
13 *(22 U.S.C. 2561; relating to the establishment of ACDA)*  
14 *is repealed.*

15 **SEC. 223. REPEAL OF POSITIONS AND OFFICES.**

16 *The following sections of the Arms Control and Disar-*  
17 *mament Act are repealed:*

18 *(1) Section 22 (22 U.S.C. 2562; relating to the*  
19 *Director).*

20 *(2) Section 23 (22 U.S.C. 2563; relating to the*  
21 *Deputy Director).*

22 *(3) Section 24 (22 U.S.C. 2564; relating to As-*  
23 *stant Directors).*

24 *(4) Section 25 (22 U.S.C. 2565; relating to bu-*  
25 *reaus, offices, and divisions).*

1 **SEC. 224. COMPENSATION OF OFFICERS.**

2 *Title 5, United States Code, is amended—*

3 *(1) in section 5313, by striking “Director of the*  
4 *United States Arms Control and Disarmament Agen-*  
5 *cy.”,*

6 *(2) in section 5314, by striking “Deputy Direc-*  
7 *tor of the United States Arms Control and Disar-*  
8 *mament Agency.”,*

9 *(3) in section 5315—*

10 *(A) by striking “Assistant Directors, United*  
11 *States Arms Control and Disarmament Agency*  
12 *(4).”, and*

13 *(B) by striking “Special Representatives of*  
14 *the President for arms control, nonproliferation,*  
15 *and disarmament matters, United States Arms*  
16 *Control and Disarmament Agency”, and insert-*  
17 *ing “Special Representatives of the President for*  
18 *arms control, nonproliferation, and disarmament*  
19 *matters, Department of State”, and*

20 *(4) in section 5316, by striking “General Counsel*  
21 *of the United States Arms Control and Disarmament*  
22 *Agency.”.*

1           **TITLE III—UNITED STATES**  
2           **INFORMATION AGENCY**  
3           **CHAPTER 1—GENERAL PROVISIONS**

4   **SEC. 301. EFFECTIVE DATE.**

5       *Except as otherwise provided, this title, and the*  
6   *amendments made by this title, shall take effect on the ear-*  
7   *lier of—*

8           (1) *October 1, 1999; or*

9           (2) *the date of abolition of the United States In-*  
10   *formation Agency pursuant to the reorganization*  
11   *plan described in section 601.*

12       **CHAPTER 2—ABOLITION AND TRANSFER**  
13       **OF FUNCTIONS**

14   **SEC. 311. ABOLITION OF UNITED STATES INFORMATION**  
15       **AGENCY.**

16       *The United States Information Agency (other than the*  
17   *Broadcasting Board of Governors) is abolished.*

18   **SEC. 312. TRANSFER OF FUNCTIONS.**

19       *There are transferred to the Secretary of State all func-*  
20   *tions of the Director of the United States Information Agen-*  
21   *cy and all functions of the United States Information Agen-*  
22   *cy and any office or component of such agency under any*  
23   *statute, reorganization plan, Executive order, or other pro-*  
24   *vision of law as of the day before the effective date of this*  
25   *title, except as otherwise provided in this division.*

1 **SEC. 313. UNDER SECRETARY OF STATE FOR PUBLIC DIPLO-**  
 2 **MACY.**

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

5 *(1) by striking “There” and inserting the follow-*  
 6 *ing:*

7 *“(1) IN GENERAL.—There”; and*

8 *(2) by adding at the end the following:*

9 *“(2) UNDER SECRETARY FOR PUBLIC DIPLO-*  
 10 *MACY.—There shall be in the Department of State,*  
 11 *among the Under Secretaries authorized by para-*  
 12 *graph (1), an Under Secretary for Public Diplomacy*  
 13 *who shall have responsibility to assist the Secretary*  
 14 *and the Deputy Secretary in the formation and im-*  
 15 *plementation of United States public diplomacy poli-*  
 16 *cies and activities, including international edu-*  
 17 *cational and cultural exchange programs, informa-*  
 18 *tion, and international broadcasting.”.*

19 **SEC. 314. ABOLITION OF OFFICE OF INSPECTOR GENERAL**  
 20 **OF UNITED STATES INFORMATION AGENCY**  
 21 **AND TRANSFER OF FUNCTIONS.**

22 *(a) ABOLITION OF OFFICE.—The Office of Inspector*  
 23 *General of the United States Information Agency is abol-*  
 24 *ished.*

1       (b) *AMENDMENTS TO INSPECTOR GENERAL ACT OF*  
2 *1978.—Section 11 of the Inspector General Act of 1978 (5*  
3 *U.S.C. App.) is amended—*

4           (1) *in paragraph (1), by striking “the United*  
5 *States Information Agency” and inserting “the*  
6 *Broadcasting Board of Governors”;* and

7           (2) *in paragraph (2), by striking “the United*  
8 *States Information Agency,” and inserting “the*  
9 *Broadcasting Board of Governors,”.*

10       (c) *EXECUTIVE SCHEDULE.—Section 5315 of title 5,*  
11 *United States Code, is amended—*

12           (1) *by striking the following:*

13           *“Inspector General, United States Information*  
14 *Agency.”;* and

15           (2) *by inserting the following:*

16           *“Inspector General, Broadcasting Board of Gov-*  
17 *ernors.”.*

18       (d) *AMENDMENTS TO PUBLIC LAW 103–236.—Sub-*  
19 *sections (i) and (j) of section 308 of the United States Inter-*  
20 *national Broadcasting Act of 1994 (22 U.S.C. 6207 (i) and*  
21 *(j)) are amended—*

22           (1) *by striking “Inspector General of the United*  
23 *States Information Agency” each place it appears*  
24 *and inserting “Inspector General of the Broadcasting*  
25 *Board of Governors”;* and

1           (2) *by striking “the Director of the United States*  
2 *Information Agency,”*.

3           (e) *TRANSFER OF FUNCTIONS.—*

4           (1) *IN GENERAL.—Except as provided in para-*  
5 *graph (2), there are transferred to the Office of the In-*  
6 *pector General of the Department of State and the*  
7 *Foreign Service the functions that the Office of In-*  
8 *pector General of the United States Information*  
9 *Agency exercised before the effective date of this title*  
10 *(including all related functions of the Inspector Gen-*  
11 *eral of the United States Information Agency).*

12           (2) *TRANSFER TO INSPECTOR GENERAL OF*  
13 *BROADCASTING BOARD OF GOVERNORS.—There are*  
14 *transferred to the Inspector General of the Broadcast-*  
15 *ing Board of Governors the functions (including relat-*  
16 *ed functions) that the Office of Inspector General of*  
17 *the United States Information Agency exercised with*  
18 *respect to the International Broadcasting Bureau,*  
19 *Voice of America, WORLDNET TV and Film Service,*  
20 *the office of Cuba Broadcasting, and RFE/RL, Incor-*  
21 *porated, before the effective date of this title.*

22           (f) *TRANSFER AND ALLOCATIONS OF APPROPRIATIONS*  
23 *AND PERSONNEL.—The Director of the Office of Manage-*  
24 *ment and Budget, in consultation with the Secretary of*  
25 *State, is authorized to make such incidental dispositions*

1 of personnel, assets, liabilities, grants, contracts, property,  
2 records, and unexpended balances of appropriations, au-  
3 thorizations, allocations, and other funds held, used, arising  
4 from, available to, or to be made available in connection  
5 with such functions, as may be necessary to carry out the  
6 provisions of this section.

7 **SEC. 315. INTERIM TRANSFER OF FUNCTIONS.**

8 (a) *INTERIM TRANSFER.*—Except as otherwise pro-  
9 vided in this division, there are transferred to the Secretary  
10 of State the following functions of the United States Infor-  
11 mation Agency exercised as of the day before the effective  
12 date of this section:

13 (1) *The functions exercised by the Office of Pub-*  
14 *lic Liaison of the Agency.*

15 (2) *The functions exercised by the Office of Con-*  
16 *gressional and Intergovernmental Affairs of the Agen-*  
17 *cy.*

18 (b) *EFFECTIVE DATE.*—This section shall take effect  
19 on the earlier of—

20 (1) *October 1, 1998, or*

21 (2) *the date of the proposed transfer of functions*  
22 *described in this section pursuant to the reorganiza-*  
23 *tion plan described in section 601.*

1                   **CHAPTER 3—INTERNATIONAL**  
2                                   **BROADCASTING**

3 **SEC. 321. CONGRESSIONAL FINDINGS AND DECLARATION**  
4                                   **OF PURPOSE.**

5       *Congress finds that—*

6                   (1) *it is the policy of the United States to pro-*  
7                    *mote the right of freedom of opinion and expression,*  
8                    *including the freedom “to seek, receive, and impart*  
9                    *information and ideas through any media and re-*  
10                   *gardless of frontiers,” in accordance with Article 19*  
11                   *of the Universal Declaration of Human Rights;*

12                  (2) *open communication of information and*  
13                   *ideas among the peoples of the world contributes to*  
14                   *international peace and stability and the promotion*  
15                   *of such communication is in the interests of the Unit-*  
16                   *ed States;*

17                  (3) *it is in the interest of the United States to*  
18                   *support broadcasting to other nations consistent with*  
19                   *the requirements of this chapter and the United*  
20                   *States International Broadcasting Act of 1994; and*

21                  (4) *international broadcasting is, and should re-*  
22                   *main, an essential instrument of United States for-*  
23                   *eign policy.*

1 **SEC. 322. CONTINUED EXISTENCE OF BROADCASTING**  
2 **BOARD OF GOVERNORS.**

3 *Section 304(a) of the United States International*  
4 *Broadcasting Act of 1994 (22 U.S.C. 6203(a)) is amended*  
5 *to read as follows:*

6 “(a) *CONTINUED EXISTENCE WITHIN EXECUTIVE*  
7 *BRANCH.—*

8 “(1) *IN GENERAL.—The Broadcasting Board of*  
9 *Governors shall continue to exist within the Executive*  
10 *branch of Government as an entity described in sec-*  
11 *tion 104 of title 5, United States Code.*

12 “(2) *RETENTION OF EXISTING BOARD MEM-*  
13 *BERS.—The members of the Broadcasting Board of*  
14 *Governors appointed by the President pursuant to*  
15 *subsection (b)(1)(A) before the effective date of the*  
16 *Foreign Affairs Agencies Consolidation Act of 1997*  
17 *and holding office as of that date shall serve the re-*  
18 *mainder of their terms of office without reappoint-*  
19 *ment.*

20 “(3) *ESTABLISHMENT OF INSPECTOR GENERAL*  
21 *OF BROADCASTING BOARD OF GOVERNORS.—There*  
22 *shall be established an Inspector General of the*  
23 *Broadcasting Board of Governors.*

24 “(4) *INSPECTOR GENERAL AUTHORITIES.—The*  
25 *Inspector General of the Broadcasting Board of Gov-*  
26 *ernors shall exercise the same authorities with respect*

1        *to the Broadcasting Board of Governors as the Inspec-*  
2        *tor General of the Department of State and the For-*  
3        *oreign Service exercises under section 209 of the Foreign*  
4        *Service Act of 1980 with respect to the Department of*  
5        *State. The Inspector General of the Broadcasting*  
6        *Board of Governors, in carrying out the functions of*  
7        *the Inspector General, shall respect the professional*  
8        *independence and integrity of all the broadcasters*  
9        *covered by this title.”.*

10 **SEC. 323. CONFORMING AMENDMENTS TO THE UNITED**  
11                                    **STATES INTERNATIONAL BROADCASTING ACT**  
12                                    **OF 1994.**

13        *(a) REFERENCES IN SECTION.—Whenever in this sec-*  
14        *tion an amendment or repeal is expressed as an amendment*  
15        *or repeal of a provision, the reference shall be deemed to*  
16        *be made to the United States International Broadcasting*  
17        *Act of 1994 (22 U.S.C. 6201 et seq.).*

18        *(b) SUBSTITUTION OF UNDER SECRETARY OF STATE*  
19        *FOR PUBLIC DIPLOMACY.—Sections 304(b)(1)(B), 304(b)*  
20        *(2) and (3), 304(c), 304(e), 305(c), and 306 (22 U.S.C.*  
21        *6203(b)(1)(B), 6203(b) (2) and (3), 6203(c), 6203(e),*  
22        *6204(c), and 6205) are amended by striking “Director of*  
23        *the United States Information Agency” each place it ap-*  
24        *pears and inserting “Under Secretary of State for Public*  
25        *Diplomacy”.*

1           (c) *SUBSTITUTION OF ACTING UNDER SECRETARY OF*  
2 *STATE FOR PUBLIC DIPLOMACY.*—Section 304(c) (22  
3 *U.S.C. 6203(c)*) is amended by striking “acting Director  
4 of the agency” and inserting “Acting Under Secretary of  
5 *State for Public Diplomacy*”.

6           (d) *STANDARDS AND PRINCIPLES OF INTERNATIONAL*  
7 *BROADCASTING.*—Section 303 (22 *U.S.C. 6202*) is amend-  
8 ed—

9           (1) in paragraph (3), by inserting “, including  
10 editorials, broadcast by the Voice of America, which  
11 present the views of the United States Government”  
12 after “policies”;

13           (2) by redesignating paragraphs (4) through (9)  
14 as paragraphs (5) through (10), respectively; and

15           (3) by inserting after paragraph (3) the follow-  
16 ing:

17           “(4) the capability to provide a surge capacity  
18 to support United States foreign policy objectives dur-  
19 ing crises abroad;”;

20           (e) *AUTHORITIES OF THE BOARD.*—Section 305(a) (22  
21 *U.S.C. 6204(a)*) is amended—

22           (1) in paragraph (1), by striking “direct and”;

23           (2) in paragraph (4), by inserting “, after con-  
24 sultation with the Secretary of State,” after “annu-  
25 ally,”;

1           (3) in paragraph (9), by striking “, through the  
2     *Director of the United States Information Agency,*”;

3           (4) in paragraph (12)—

4                 (A) by striking “1994 and 1995” and in-  
5     serting “1998 and 1999”; and

6                 (B) by striking “to the Board for Inter-  
7     national Broadcasting for such purposes for fis-  
8     cal year 1993” and inserting “to the Board and  
9     the International Broadcasting Bureau for such  
10    purposes for fiscal year 1997”; and

11          (5) by adding at the end the following new para-  
12     graphs:

13                 “(15)(A) To procure temporary and intermittent  
14     personal services to the same extent as is authorized  
15     by section 3109 of title 5, United States Code, at rates  
16     not to exceed the daily equivalent of the rate provided  
17     for positions classified above grade GS-15 of the Gen-  
18     eral Schedule under section 5108 of title 5, United  
19     States Code.

20                 “(B) To allow those providing such services,  
21     while away from their homes or their regular places  
22     of business, travel expenses (including per diem in  
23     lieu of subsistence) as authorized by section 5703 of  
24     title 5, United States Code, for persons in the Govern-

1        *ment service employed intermittently, while so em-*  
2        *ployed.*

3            “(16) *To receive donations, bequests, devises,*  
4        *gifts, and other forms of contributions of cash, serv-*  
5        *ices, and other property, from persons, corporations,*  
6        *foundations, and all other groups and entities both*  
7        *within the United States and abroad, and, pursuant*  
8        *to the Federal Property and Administrative Services*  
9        *Act of 1949, to use, sell, or otherwise dispose of such*  
10       *property for the carrying out of its functions. For the*  
11       *purposes of sections 170, 2055, and 2522 of the Inter-*  
12       *nal Revenue Code of 1986 (26 U.S.C. 170, 2055, or*  
13       *2522), the Board shall be deemed to be a corporation*  
14       *described in section 170(c)(2), 2055(a)(2), or*  
15       *2522(a)(2) of the Code, as the case may be.”.*

16        (f) *BROADCASTING BUDGETS.*—Section 305(b)(1) (22  
17 *U.S.C. 6204(b)(1)) is amended—*

18            (1) *by striking “(1)” before “The Director”;* and

19            (2) *by striking “the Director of the United States*  
20        *Information Agency for the consideration of the Di-*  
21        *rector as a part of the Agency’s budget submission*  
22        *to”.*

23        (g) *REPEAL.*—Section 305(b)(2) (22 *U.S.C.*  
24 *6204(b)(2)) is repealed.*

1       (h) *IMPLEMENTATION.*—Section 305(c) (22 U.S.C.  
2 6204(c)) is amended—

3           (1) by striking “Director of the United States  
4 Information Agency and the”; and

5           (2) by striking “their” and inserting “its”.

6       (i) *FOREIGN POLICY GUIDANCE.*—Section 306 (22  
7 U.S.C. 6205) is amended by inserting before the period at  
8 the end the following: “, as the Secretary may deem appro-  
9 priate”.

10       (j) *INTERNATIONAL BROADCASTING BUREAU.*—Section  
11 307 (22 U.S.C. 6206) is amended—

12           (1) in subsection (a), by striking “within the  
13 United States Information Agency” and inserting  
14 “under the Board”;

15           (2) in subsection (b)(1), by striking “Chairman  
16 of the Board, in consultation with the Director of the  
17 United States Information Agency and with the con-  
18 currence of a majority of the Board” and inserting  
19 “President, by and with the advice and consent of the  
20 Senate”; and

21           (3) by redesignating subsection (b)(1) as sub-  
22 section (b).

23       (k) *REPEALS.*—The following provisions of law are re-  
24 pealed:



1           (5) by striking any other reference to “Director”  
2           not amended by paragraph (3) each place it appears  
3           and inserting “Chairman”.

4 **SEC. 325. AMENDMENTS TO THE TELEVISION BROADCAST-**  
5 **ING TO CUBA ACT.**

6           *The Television Broadcasting to Cuba Act (22 U.S.C.*  
7 *1465aa et seq.) is amended—*

8           (1) by striking “United States Information  
9           Agency” and inserting “Broadcasting Board of Gov-  
10           ernors” each place it appears;

11           (2) by striking “Agency” and inserting “Board”  
12           each place it appears;

13           (3) by striking “Director of the United States  
14           Information Agency” each place it appears and in-  
15           serting “Chairman of the Broadcasting Board of Gov-  
16           ernors”;

17           (4) in section 244a. (22 U.S.C. 1465cc(a)), by  
18           striking “the Director of the Voice of America” and  
19           inserting “the International Broadcasting Bureau”;  
20           and

21           (5) by striking any other reference to “Director”  
22           not amended by paragraph (3) or (4) each place it  
23           appears and inserting “Chairman”.

1 **SEC. 326. SAVINGS PROVISIONS.**

2       (a) *CONTINUING EFFECT OF LEGAL DOCUMENTS.*—All  
3 orders, determinations, rules, regulations, permits, agree-  
4 ments, grants, contracts, certificates, licenses, registrations,  
5 privileges, and other administrative actions—

6           (1) *which have been issued, made, granted, or al-*  
7 *lowed to become effective by the President, any Fed-*  
8 *eral agency or official thereof, or by a court of com-*  
9 *petent jurisdiction, in the performance of functions*  
10 *exercised by the Broadcasting Board of Governors of*  
11 *the United States Information Agency on the day be-*  
12 *fore the effective date of this chapter, and*

13           (2) *which are in effect at the time this chapter*  
14 *takes effect, or were final before the effective date of*  
15 *this chapter and are to become effective on or after the*  
16 *effective date of this chapter,*

17 *shall continue in effect according to their terms until modi-*  
18 *fied, terminated, superseded, set aside, or revoked in accord-*  
19 *ance with law by the President, the Broadcasting Board*  
20 *of Governors, or other authorized official, a court of com-*  
21 *petent jurisdiction, or by operation of law.*

22       (b) *PROCEEDINGS NOT AFFECTED.*—*The provisions of*  
23 *this chapter, or amendments made by this chapter, shall*  
24 *not affect any proceedings, including notices of proposed*  
25 *rulemaking, or any application for any license, permit, cer-*  
26 *tificate, or financial assistance pending before the Broad-*

1 *casting Board of Governors of the United States Informa-*  
2 *tion Agency at the time this chapter takes effect, with re-*  
3 *spect to functions exercised by the Board as of the effective*  
4 *date of this chapter but such proceedings and applications*  
5 *shall be continued. Orders shall be issued in such proceed-*  
6 *ings, appeals shall be taken therefrom, and payments shall*  
7 *be made pursuant to such orders, as if this chapter had*  
8 *not been enacted, and orders issued in any such proceedings*  
9 *shall continue in effect until modified, terminated, super-*  
10 *seded, or revoked by a duly authorized official, by a court*  
11 *of competent jurisdiction, or by operation of law. Nothing*  
12 *in this subsection shall be deemed to prohibit the dis-*  
13 *continuance or modification of any such proceeding under*  
14 *the same terms and conditions and to the same extent that*  
15 *such proceeding could have been discontinued or modified*  
16 *if this chapter had not been enacted.*

17       (c) *SUITS NOT AFFECTED.*—*The provisions of this*  
18 *chapter, and amendments made by this chapter, shall not*  
19 *affect suits commenced before the effective date of this chap-*  
20 *ter, and in all such suits, proceedings shall be had, appeals*  
21 *taken, and judgments rendered in the same manner and*  
22 *with the same effect as if this chapter had not been enacted.*

23       (d) *NONABATEMENT OF ACTIONS.*—*No suit, action, or*  
24 *other proceeding commenced by or against the Board, or*  
25 *by or against any individual in the official capacity of such*

1 *individual as an officer of the Board, shall abate by reason*  
2 *of the enactment of this chapter.*

3 (e) *ADMINISTRATIVE ACTIONS RELATING TO PROMUL-*  
4 *GATION OF REGULATIONS.—Any administrative action re-*  
5 *lating to the preparation or promulgation of a regulation*  
6 *by the Board relating to a function exercised by the Board*  
7 *before the effective date of this chapter may be continued*  
8 *by the Board with the same effect as if this chapter had*  
9 *not been enacted.*

10 (f) *REFERENCES.—Reference in any other Federal*  
11 *law, Executive order, rule, regulation, or delegation of au-*  
12 *thority, or any document of or relating to the Broadcasting*  
13 *Board of Governors of the United States Information Agen-*  
14 *cy with regard to functions exercised before the effective date*  
15 *of this chapter, shall be deemed to refer to the Board.*

16 **SEC. 327. REPORT ON THE PRIVATIZATION OF RFE/RL, IN-**  
17 **CORPORATED.**

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

19 (1) *The Foreign Relations Authorization Act,*  
20 *Fiscal Years 1994 and 1995, set a limitation on the*  
21 *operating costs of RFE/RL, Incorporated, at*  
22 *\$75,000,000 for any fiscal year after fiscal year 1995.*

23 (2) *Section 312(a) of the Foreign Relations Au-*  
24 *thorization Act, Fiscal Years 1994 and 1995, ex-*  
25 *pressed the sense of Congress that, in furtherance of*

1        *the objectives of section 302 of that Act, the funding*  
2        *of RFE/RL, Incorporated, should be assumed by the*  
3        *private sector not later than December 31, 1999.*

4            (3) *The conference report on the Foreign Rela-*  
5        *tions Authorization Act, Fiscal Years 1994 and 1995*  
6        *(House Report 103–482) noted that “The committee*  
7        *on the conference expects that the Broadcasting Board*  
8        *of Governors will do everything possible, within avail-*  
9        *able resources, to support this privatization effort”.*

10        (b) *DECLARATION OF POLICY.—It is the sense of Con-*  
11        *gress that RFE/RL, Incorporated, should act in accordance*  
12        *with subsection (a)(2), that is, that the United States Gov-*  
13        *ernment should cease Federal support for RFE/RL, Incor-*  
14        *porated, prior to December 31, 1999.*

15        (c) *REPORT.—Not later than 90 days after the date*  
16        *of enactment of this Act and every 180 days thereafter, the*  
17        *President acting through the Chairman of the Broadcasting*  
18        *Board of Governors shall submit to the appropriate congres-*  
19        *sional committees a report on the progress of the Board and*  
20        *of RFE/RL, Incorporated, in implementing section 312(a)*  
21        *of the Foreign Relations Authorization Act, Fiscal Years*  
22        *1994 and 1995. The report under this subsection shall in-*  
23        *clude the following:*

24            (1) *Efforts by RFE/RL, Incorporated, to termi-*  
25        *nate individual language services.*

1           (2) *A detailed description of steps taken to com-*  
2           *ply with subsection (a)(2).*

3           (3) *An analysis of prospects for privatization*  
4           *over the coming year.*

5           (d) *DEFINITIONS.—In this section, the term “the*  
6           *Board” means the Broadcasting Board of Governors.*

## 7   **CHAPTER 4—CONFORMING AMENDMENTS**

### 8   **SEC. 331. REFERENCES.**

9           *Any reference in any statute, reorganization plan, Ex-*  
10          *ecutive order, regulation, agreement, determination, or*  
11          *other official document or proceeding to—*

12                 (1) *the Director of the United States Information*  
13                 *Agency or the Director of the International Commu-*  
14                 *nication Agency shall be deemed to refer to the Sec-*  
15                 *retary of State; and*

16                 (2) *the United States Information Agency,*  
17                 *USIA, or the International Communication Agency*  
18                 *shall be deemed to refer to the Department of State,*  
19                 *except as otherwise provided by this division.*

### 20   **SEC. 332. AMENDMENTS TO TITLE 5, UNITED STATES CODE.**

21           *Title 5, United States Code, is amended—*

22                 (1) *in section 5313, by striking “Director of the*  
23                 *United States Information Agency.”;*

24                 (2) *in section 5315—*

1           (A) by striking “Deputy Director of the  
2           United States Information Agency.”; and

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

4           “Director of the International Broadcasting Bu-  
5           reau.”; and

6           (3) in section 5316, by striking “Deputy Direc-  
7           tor, Policy and Plans, United States Information  
8           Agency.” and striking “Associate Director (Policy  
9           and Plans), United States Information Agency.”.

10 **SEC. 333. BAN ON DOMESTIC ACTIVITIES.**

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

14           (1) by striking out “United States Information  
15           Agency” each of the two places it appears and insert-  
16           ing “Department of State”; and

17           (2) by inserting “in carrying out international  
18           information, educational, and cultural activities com-  
19           parable to those previously administered by the Unit-  
20           ed States Information Agency” before “shall be dis-  
21           tributed”.

1 **TITLE IV—UNITED STATES**  
2 **INTERNATIONAL DEVELOP-**  
3 **MENT COOPERATION AGENCY**  
4 **CHAPTER 1—GENERAL PROVISIONS**

5 **SEC. 401. EFFECTIVE DATE.**

6 *This title, and the amendments made by this title,*  
7 *shall take effect on the earlier of—*

8 *(1) October 1, 1998; or*

9 *(2) the date of abolition of the United States*  
10 *International Development Cooperation Agency pur-*  
11 *suant to the reorganization plan described in section*  
12 *601.*

13 **CHAPTER 2—ABOLITION AND TRANSFER**  
14 **OF FUNCTIONS**

15 **SEC. 411. ABOLITION OF UNITED STATES INTERNATIONAL**  
16 **DEVELOPMENT COOPERATION AGENCY.**

17 *(a) IN GENERAL.—Except for the components de-*  
18 *scribed in subsection (b), the United States International*  
19 *Development Cooperation Agency (including the Institute*  
20 *for Scientific and Technological Cooperation) is abolished.*

21 *(b) OPIC AND AID EXEMPTED.—Subsection (a) does*  
22 *not apply to the Agency for International Development or*  
23 *the Overseas Private Investment Corporation.*

1 **SEC. 412. TRANSFER OF FUNCTIONS.**

2       (a) *TO THE SECRETARY OF STATE.*—*There are trans-*  
3 *ferred to the Secretary of State the functions of the Director*  
4 *of the United States International Development Coopera-*  
5 *tion Agency and of the United States International Devel-*  
6 *opment Cooperation Agency, as of the day before the effec-*  
7 *tive date of this title, in allocating the funds described in*  
8 *subsection (d).*

9       (b) *WITH RESPECT TO THE OVERSEAS PRIVATE IN-*  
10 *VESTMENT CORPORATION.*—*There are transferred to the Ad-*  
11 *ministrator of the Agency for International Development all*  
12 *functions of the Director of the United States International*  
13 *Development Cooperation Agency as of the day before the*  
14 *effective date of this title with respect to the Overseas Pri-*  
15 *vate Investment Corporation.*

16       (c) *TO ANOTHER AGENCY OR AGENCIES.*—

17           (1) *PURSUANT TO A REORGANIZATION PLAN.*—  
18       *Except as provided in paragraph (2), there are trans-*  
19 *ferred to such agency or agencies as may be specified*  
20 *in the reorganization plan transmitted under section*  
21 *601 all functions not transferred under subsection (a)*  
22 *of the Director of the United States International De-*  
23 *velopment Cooperation Agency and the United States*  
24 *International Development Cooperation Agency as of*  
25 *the day before the effective date of this title.*

1           (2) *FAILURE TO SUBMIT A REORGANIZATION*  
2           *PLAN.*—*In the event that the President fails to submit*  
3           *a reorganization plan under section 601, all functions*  
4           *not transferred under subsection (a) or (b) of the Di-*  
5           *rector of the United States International Development*  
6           *Cooperation Agency and the United States Inter-*  
7           *national Development Cooperation Agency as of the*  
8           *day before the effective date of this title shall be trans-*  
9           *ferred to the Secretary of State.*

10          (d) *ALLOCATION OF FUNDS.*—*Funds under the cat-*  
11          *egories of assistance deemed allocated to the Director of the*  
12          *International Development Cooperation Agency under sec-*  
13          *tion 1–801 of Executive Order No. 12163 (22 U.S.C. 2381*  
14          *note) as of the day before the effective date of this title shall*  
15          *be deemed allocated to the Secretary of State on and after*  
16          *that date without further action by the President.*

17          **SEC. 413. STATUS OF AID.**

18          (a) *IN GENERAL.*—*Unless abolished pursuant to the*  
19          *reorganization plan submitted under section 601, and ex-*  
20          *cept as provided in section 412, there is within the Execu-*  
21          *tive branch of Government the United States Agency for*  
22          *International Development as an entity described in section*  
23          *104 of title 5, United States Code.*

24          (b) *RETENTION OF OFFICERS.*—*Nothing in this section*  
25          *shall require the reappointment of any officer of the United*

1 *States serving in the Agency for International Development*  
 2 *of the United States International Development Coopera-*  
 3 *tion Agency as of the day before the effective date of this*  
 4 *title.*

5 *(c) UTILIZATION OF THE FOREIGN SERVICE PERSON-*  
 6 *NEL SYSTEM.—Section 202(a)(1) of the Foreign Service Act*  
 7 *of 1980 (22 U.S.C. 3922(a)(1)) is amended to read as fol-*  
 8 *lows:*

9 *“(a)(1) The Administrator of the United States Agency*  
 10 *for International Development may utilize the Foreign*  
 11 *Service personnel system with respect to the Agency in ac-*  
 12 *cordance with this Act.”.*

### 13 **CHAPTER 3—CONFORMING AMENDMENTS**

#### 14 **SEC. 421. REFERENCES.**

15 *Except as otherwise provided in this title, any ref-*  
 16 *erence in any statute, reorganization plan, Executive order,*  
 17 *regulation, agreement, determination, or other official docu-*  
 18 *ment or proceeding to the Director or any other officer or*  
 19 *employee of the United States International Development*  
 20 *Cooperation Agency (IDCA) or the Agency—*

21 *(1) insofar as such references relate to functions*  
 22 *transferred under section 412(a), shall be deemed to*  
 23 *refer to the Secretary of State;*

24 *(2) insofar as such references relate to functions*  
 25 *transferred under section 412(b), shall be deemed to*

1       *refer to the Administrator of the Agency for Inter-*  
2       *national Development; and*

3               *(3) insofar as such references relate to functions*  
4       *transferred under section 412(c), shall be deemed to*  
5       *refer to such agency or agencies as may be specified*  
6       *in the reorganization plan submitted under section*  
7       *601.*

8       **SEC. 422. CONFORMING AMENDMENTS.**

9       *The following shall cease to be effective:*

10               *(1) Reorganization Plan Numbered 2 of 1979 (5*  
11       *U.S.C. App.).*

12               *(2) Section 1-101 through 1-103, sections 1-401*  
13       *through 1-403, section 1-801(a), and such other pro-*  
14       *visions that relate to the United States International*  
15       *Development Cooperation Agency or the Director of*  
16       *such Agency, of Executive Order No. 12163 (22*  
17       *U.S.C. 2381 note; relating to administration of for-*  
18       *ign assistance and related functions).*

19               *(3) The International Development Cooperation*  
20       *Agency Delegation of Authority Numbered 1 (44 Fed.*  
21       *Reg. 57521), except for section 1-6 of such Delegation*  
22       *of Authority.*

23               *(4) Section 3 of Executive Order No. 12884 (58*  
24       *Fed. Reg. 64099; relating to the delegation of func-*  
25       *tions under the Freedom for Russia and Emerging*

1 *Eurasian Democracies and Open Markets Support*  
 2 *Act of 1992, the Foreign Assistance Act of 1961, the*  
 3 *Foreign Operations, Export Financing and Related*  
 4 *Programs Appropriations Act, 1993, and section 301*  
 5 *of title 3, United States Code).*

6 **TITLE V—AGENCY FOR**  
 7 **INTERNATIONAL DEVELOPMENT**

8 **CHAPTER 1—GENERAL PROVISIONS**

9 **SEC. 501. EFFECTIVE DATE.**

10 *This title, and the amendments made by this title,*  
 11 *shall take effect on the earlier of—*

12 *(1) October 1, 1998; or*

13 *(2) the date of reorganization of the Agency for*  
 14 *International Development pursuant to the reorga-*  
 15 *nization plan described in section 601.*

16 **CHAPTER 2—REORGANIZATION AND**  
 17 **TRANSFER OF FUNCTIONS**

18 **SEC. 511. REORGANIZATION OF AGENCY FOR INTER-**  
 19 **NATIONAL DEVELOPMENT.**

20 *(a) IN GENERAL.—The Agency for International De-*  
 21 *velopment shall be reorganized in accordance with this divi-*  
 22 *sion and the reorganization plan transmitted pursuant to*  
 23 *section 601.*

24 *(b) FUNCTIONS TO BE TRANSFERRED.—The reorga-*  
 25 *nization of the Agency for International Development shall*

1 *provide, at a minimum, for the transfer to and consolida-*  
2 *tion with the Department of State of the following functions*  
3 *of the Agency:*

4 (1) *Press and public affairs.*

5 (2) *Legislative affairs.*

6 **CHAPTER 3—AUTHORITIES OF THE**  
7 **SECRETARY OF STATE**

8 **SEC. 521. DEFINITION OF UNITED STATES ASSISTANCE.**

9 *In this chapter, the term “United States assistance”*  
10 *means development and other economic assistance, includ-*  
11 *ing assistance made available under the following provi-*  
12 *sions of law:*

13 (1) *Chapter 1 of part I of the Foreign Assistance*  
14 *Act of 1961 (relating to development assistance).*

15 (2) *Chapter 4 of part II of the Foreign Assist-*  
16 *ance Act of 1961 (relating to the economic support*  
17 *fund).*

18 (3) *Chapter 10 of part I of the Foreign Assist-*  
19 *ance Act of 1961 (relating to the Development Fund*  
20 *for Africa).*

21 (4) *Chapter 11 of part I of the Foreign Assist-*  
22 *ance Act of 1961 (relating to assistance for the inde-*  
23 *pendent states of the former Soviet Union).*

24 (5) *The Support for East European Democracy*  
25 *Act (22 U.S.C. 5401 et seq.).*

1           (6) *The FREEDOM Support Act* (22 U.S.C.  
2       5801 *et seq.*).

3 **SEC. 522. PLACEMENT OF ADMINISTRATOR OF AID UNDER**  
4                           **THE DIRECT AUTHORITY OF THE SECRETARY**  
5                           **OF STATE.**

6       *The Administrator of the Agency for International De-*  
7 *velopment, appointed pursuant to section 624(a) of the For-*  
8 *ign Assistance Act of 1961 (22 U.S.C. 2384(a)), shall serve*  
9 *under the direct authority of the Secretary of State.*

10 **SEC. 523. ASSISTANCE PROGRAMS COORDINATION, IMPLE-**  
11                           **MENTATION, AND OVERSIGHT.**

12       (a) *AUTHORITY OF THE SECRETARY OF STATE.—*

13           (1) *IN GENERAL.—Under the direction of the*  
14 *President, the Secretary of State shall coordinate all*  
15 *programs, projects, and activities of United States as-*  
16 *sistance in accordance with this section, except as*  
17 *provided in paragraphs (2) and (3).*

18           (2) *EXPORT PROMOTION ACTIVITIES.—Coordina-*  
19 *tion of activities relating to promotion of exports of*  
20 *United States goods and services shall continue to be*  
21 *primarily the responsibility of the Secretary of Com-*  
22 *merce.*

23           (3) *INTERNATIONAL ECONOMIC ACTIVITIES.—Co-*  
24 *ordination of activities relating to United States par-*  
25 *ticipation in international financial institutions and*

1 *relating to organization of multilateral efforts aimed*  
2 *at currency stabilization, currency convertibility, debt*  
3 *reduction, and comprehensive economic reform pro-*  
4 *grams shall continue to be primarily the responsibil-*  
5 *ity of the Secretary of the Treasury.*

6 (4) *RELATION TO EXISTING LAW.—The respon-*  
7 *sibilities of the Secretary of State under this section*  
8 *are in addition to responsibilities of the Secretary*  
9 *under section 622(c) of the Foreign Assistance Act of*  
10 *1961 (22 U.S.C. 2382(c)).*

11 (b) *COORDINATION ACTIVITIES.—Coordination activi-*  
12 *ties of the Secretary of State under subsection (a) shall in-*  
13 *clude—*

14 (1) *designing an overall assistance and economic*  
15 *cooperation strategy;*

16 (2) *ensuring program and policy coordination*  
17 *among agencies of the United States Government in*  
18 *carrying out the policies set forth in the Foreign As-*  
19 *sistance Act of 1961, the Arms Export Control Act,*  
20 *and other relevant assistance Acts;*

21 (3) *pursuing coordination with other countries*  
22 *and international organizations;*

23 (4) *ensuring proper management, implementa-*  
24 *tion, and oversight by agencies responsible for assist-*  
25 *ance programs; and*



1                   **TITLE VI—TRANSITION**  
2                   **CHAPTER 1—REORGANIZATION PLAN**

3   **SEC. 601. REORGANIZATION PLAN.**

4           (a) *SUBMISSION OF PLAN.*—Not later than October 1,  
5 1997, or the date that is 15 days after the date of the enact-  
6 ment of this Act, whichever occurs later, the President shall,  
7 in consultation with the Secretary and the heads of the  
8 agencies under subsection (b), transmit to the appropriate  
9 congressional committees a reorganization plan providing  
10 for—

11                   (1) *with respect to the United States Arms Con-*  
12 *trol and Disarmament Agency, the United States In-*  
13 *formation Agency, and the United States Inter-*  
14 *national Development Cooperation Agency, the aboli-*  
15 *tion of each agency in accordance with this division;*

16                   (2) *with respect to the Agency for International*  
17 *Development, the consolidation and streamlining of*  
18 *the Agency and the transfer of certain functions of the*  
19 *Agency to the Department in accordance with section*  
20 *511;*

21                   (3) *with respect to the United States Information*  
22 *Agency, the transfer of certain functions of the Agency*  
23 *to the Department in accordance with section 313;*

24                   (4) *the termination of functions of each agency*  
25 *that would be redundant if transferred to the Depart-*

1        *ment, and the separation from service of employees of*  
2        *each such agency or of the Department not otherwise*  
3        *provided for in the plan;*

4            *(5) the transfer to the Department of the func-*  
5        *tions and personnel of each agency consistent with the*  
6        *provisions of this division; and*

7            *(6) the consolidation, reorganization, and*  
8        *streamlining of the Department upon the transfer of*  
9        *such functions and personnel in order to carry out*  
10       *such functions.*

11        *(b) COVERED AGENCIES.—The agencies under this*  
12       *subsection are the following:*

13            *(1) The United States Arms Control and Disar-*  
14        *mament Agency.*

15            *(2) The United States Information Agency.*

16            *(3) The United States International Develop-*  
17        *ment Cooperation Agency.*

18            *(4) The Agency for International Development.*

19        *(c) PLAN ELEMENTS.—The plan transmitted under*  
20       *subsection (a) shall—*

21            *(1) identify the functions of each agency that*  
22        *will be transferred to the Department under the plan;*

23            *(2) identify the number of personnel and number*  
24        *of positions of each agency (including civil service*  
25        *personnel, Foreign Service personnel, and detailees)*

1        *that will be transferred to the Department, separated*  
2        *from service with such agency, or eliminated under*  
3        *the plan, and set forth a schedule for such transfers,*  
4        *separations, and terminations;*

5                *(3) identify the number of personnel and number*  
6        *of positions of the Department (including civil service*  
7        *personnel, Foreign Service personnel, and detailees)*  
8        *that will be transferred within the Department, sepa-*  
9        *rated from service with the Department, or eliminated*  
10       *under the plan, and set forth a schedule for such*  
11       *transfers, separations, and terminations;*

12               *(4) specify the steps to be taken by the Secretary*  
13       *of State to reorganize internally the functions of the*  
14       *Department, including the consolidation of offices and*  
15       *functions, that will be required under the plan in*  
16       *order to permit the Department to carry out the func-*  
17       *tions transferred to it under the plan;*

18               *(5) specify the funds available to each agency*  
19       *that will be transferred to the Department as a result*  
20       *of the transfer of functions of such agency to the De-*  
21       *partment;*

22               *(6) specify the proposed allocations within the*  
23       *Department of unexpended funds transferred in con-*  
24       *nection with the transfer of functions under the plan;*

1           (7) *specify the proposed disposition of the prop-*  
2           *erty, facilities, contracts, records, and other assets and*  
3           *liabilities of each such agency in connection with the*  
4           *transfer of the functions of the agency to the Depart-*  
5           *ment; and*

6           (8) *recommend legislation necessary to carry out*  
7           *changes made by this division relating to personnel*  
8           *and to incidental transfers.*

9           (d) *REORGANIZATION PLAN OF AGENCY FOR INTER-*  
10          *NATIONAL DEVELOPMENT.—In addition to applicable pro-*  
11          *visions of subsection (c), the reorganization plan transmit-*  
12          *ted under this section for the Agency for International De-*  
13          *velopment—*

14                 (1) *may provide for the abolition of the Agency*  
15                 *for International Development and the transfer of all*  
16                 *its functions to the Department of State; or*

17                 (2) *in lieu of the abolition and transfer of func-*  
18                 *tions under paragraph (1)—*

19                         (A) *shall provide for the transfer to and*  
20                         *consolidation within the Department of the func-*  
21                         *tions of the agency set forth in section 511; and*

22                         (B) *may provide for additional consolida-*  
23                         *tion, reorganization, and streamlining of the*  
24                         *Agency, including—*

1                   (i) *the termination of functions and re-*  
2                   *ductions in personnel of the Agency;*

3                   (ii) *the transfer of functions of the*  
4                   *Agency, and the personnel associated with*  
5                   *such functions, to the Department; and*

6                   (iii) *the consolidation, reorganization,*  
7                   *and streamlining of the Department upon*  
8                   *the transfer of such functions and personnel*  
9                   *in order to carry out the functions trans-*  
10                  *ferred.*

11           (e) *MODIFICATION OF PLAN.—The President may, on*  
12 *the basis of consultations with the appropriate congres-*  
13 *sional committees, modify or revise the plan transmitted*  
14 *under subsection (a).*

15           (f) *EFFECTIVE DATE.—*

16               (1) *IN GENERAL.—The reorganization plan de-*  
17 *scribed in this section, including any modifications or*  
18 *revisions of the plan under subsection (e), shall be-*  
19 *come effective on the earlier of the date for the respec-*  
20 *tive agency specified in paragraph (2) or the date an-*  
21 *nounced by the President under paragraph (3).*

22               (2) *STATUTORY EFFECTIVE DATES.—The effective*  
23 *dates under this paragraph for the reorganization*  
24 *plan described in this section are the following:*

1           (A) *October 1, 1998, with respect to func-*  
2           *tions of the Agency for International Develop-*  
3           *ment described in section 511.*

4           (B) *October 1, 1998, with respect to func-*  
5           *tions of the United States Information Agency*  
6           *described in section 313.*

7           (C) *October 1, 1998, with respect to the abo-*  
8           *lition of the United States Arms Control and*  
9           *Disarmament Agency and the United States*  
10          *International Development Cooperation Agency.*

11          (D) *October 1, 1999, with respect to the*  
12          *abolition of the United States Information Agen-*  
13          *cy (other than as described in subparagraph*  
14          *(B)).*

15          (3) *EFFECTIVE DATE BY PRESIDENTIAL DETER-*  
16          *MINATION.—An effective date under this paragraph*  
17          *for a reorganization plan described in this section is*  
18          *such date as the President shall determine to be ap-*  
19          *propriate and announce by notice published in the*  
20          *Federal Register, which date may be not earlier than*  
21          *60 calendar days (excluding any day on which either*  
22          *House of Congress is not in session because of an ad-*  
23          *jourment sine die or because of an adjournment of*  
24          *more than 3 days to a day certain) after the Presi-*  
25          *dent has transmitted the reorganization plan to the*

1       *appropriate congressional committees pursuant to*  
2       *subsection (a).*

3               (4) *STATUTORY CONSTRUCTION.*—*Nothing in this*  
4       *subsection may be construed to require the transfer of*  
5       *functions, personnel, records, balance of appropria-*  
6       *tions, or other assets of an agency on a single date.*

7               (5) *SUPERSEDES EXISTING LAW.*—*Paragraph (1)*  
8       *shall apply notwithstanding section 905(b) of title 5,*  
9       *United States Code.*

## 10                   **CHAPTER 2—REORGANIZATION**

### 11                               **AUTHORITY**

#### 12       **SEC. 611. REORGANIZATION AUTHORITY.**

13       (a) *IN GENERAL.*—*The Secretary is authorized, subject*  
14       *to the requirements of this division, to allocate or reallocate*  
15       *any function transferred to the Department under any title*  
16       *of this division among the officers of the Department, and*  
17       *to establish, consolidate, alter, or discontinue such organiza-*  
18       *tional entities within the Department as may be necessary*  
19       *or appropriate to carry out any reorganization under this*  
20       *division, but the authority of the Secretary under this sec-*  
21       *tion does not extend to—*

22               (1) *the abolition of organizational entities or of-*  
23       *ficers established by this Act or any other Act; or*

1           (2) *the alteration of the delegation of functions*  
2           *to any specific organizational entity or officer re-*  
3           *quired by this Act or any other Act.*

4           (b) *REQUIREMENTS AND LIMITATIONS ON REORGA-*  
5           *NIZATION PLAN.—The reorganization plan under section*  
6           *601 may not have the effect of—*

7           (1) *creating a new executive department;*

8           (2) *continuing a function beyond the period au-*  
9           *thorized by law for its exercise or beyond the time*  
10           *when it would have terminated if the reorganization*  
11           *had not been made;*

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

15           (4) *creating a new agency which is not a compo-*  
16           *nent or part of an existing executive department or*  
17           *independent agency; or*

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

20           **SEC. 612. TRANSFER AND ALLOCATION OF APPROPRIA-**  
21           **TIONS AND PERSONNEL.**

22           (a) *IN GENERAL.—Except as otherwise provided in*  
23           *this Act, the personnel employed in connection with, and*  
24           *the assets, liabilities, contracts, property, records, and unex-*  
25           *pendent balance of appropriations, authorizations, alloca-*

1 tions, and other funds employed, held, used, arising from,  
2 available to, or to be made available in connection with  
3 the functions and offices, or portions thereof transferred by  
4 any title of this division, subject to section 1531 of title  
5 31, United States Code, shall be transferred to the Secretary  
6 for appropriate allocation.

7 (b) *LIMITATION ON USE OF TRANSFERRED FUNDS.*—  
8 Unexpended and unobligated funds transferred pursuant to  
9 any title of this division shall be used only for the purposes  
10 for which the funds were originally authorized and appro-  
11 priated.

12 **SEC. 613. INCIDENTAL TRANSFERS.**

13 The Director of the Office of Management and Budget,  
14 in consultation with the Secretary, is authorized to make  
15 such incidental dispositions of personnel, assets, liabilities,  
16 grants, contracts, property, records, and unexpended bal-  
17 ances of appropriations, authorizations, allocations, and  
18 other funds held, used, arising from, available to, or to be  
19 made available in connection with such functions, as may  
20 be necessary to carry out the provisions of any title of this  
21 division. The Director of the Office of Management and  
22 Budget, in consultation with the Secretary, shall provide  
23 for the termination of the affairs of all entities terminated  
24 by this division and for such further measures and disposi-

1 tions as may be necessary to effectuate the purposes of any  
2 title of this division.

3 **SEC. 614. SAVINGS PROVISIONS.**

4 (a) *CONTINUING LEGAL FORCE AND EFFECT.*—All or-  
5 ders, determinations, rules, regulations, permits, agree-  
6 ments, grants, contracts, certificates, licenses, registrations,  
7 privileges, and other administrative actions—

8 (1) that have been issued, made, granted, or al-  
9 lowed to become effective by the President, any Fed-  
10 eral agency or official thereof, or by a court of com-  
11 petent jurisdiction, in the performance of functions  
12 that are transferred under any title of this division;  
13 and

14 (2) that are in effect at the time such title takes  
15 effect, or were final before the effective date of such  
16 title and are to become effective on or after the effec-  
17 tive date of such title,

18 shall continue in effect according to their terms until modi-  
19 fied, terminated, superseded, set aside, or revoked in accord-  
20 ance with law by the President, the Secretary, or other au-  
21 thorized official, a court of competent jurisdiction, or by  
22 operation of law.

23 (b) *PENDING PROCEEDINGS.*—(1) The provisions of  
24 any title of this division shall not affect any proceedings,  
25 including notices of proposed rulemaking, or any applica-

1 *tion for any license, permit, certificate, or financial assist-*  
2 *ance pending on the effective date of any title of this divi-*  
3 *sion before any department, agency, commission, or compo-*  
4 *nent thereof, functions of which are transferred by any title*  
5 *of this division. Such proceedings and applications, to the*  
6 *extent that they relate to functions so transferred, shall be*  
7 *continued.*

8       (2) *Orders shall be issued in such proceedings, appeals*  
9 *shall be taken therefrom, and payments shall be made pur-*  
10 *suant to such orders, as if this division had not been en-*  
11 *acted. Orders issued in any such proceedings shall continue*  
12 *in effect until modified, terminated, superseded, or revoked*  
13 *by the Secretary, by a court of competent jurisdiction, or*  
14 *by operation of law.*

15       (3) *Nothing in this division shall be deemed to prohibit*  
16 *the discontinuance or modification of any such proceeding*  
17 *under the same terms and conditions and to the same extent*  
18 *that such proceeding could have been discontinued or modi-*  
19 *fied if this division had not been enacted.*

20       (4) *The Secretary is authorized to promulgate regula-*  
21 *tions providing for the orderly transfer of proceedings con-*  
22 *tinued under this subsection to the Department.*

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

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

4           (2) *in all such suits, proceedings shall be had,*  
5           *appeals taken, and judgments rendered in the same*  
6           *manner and effect as if this division had not been en-*  
7           *acted.*

8           (d) *NONABATEMENT OF PROCEEDINGS.—No suit, ac-*  
9           *tion, or other proceeding commenced by or against any offi-*  
10          *cer in the official capacity of such individual as an officer*  
11          *of any department or agency, functions of which are trans-*  
12          *ferred by any title of this division, shall abate by reason*  
13          *of the enactment of this division. No cause of action by or*  
14          *against any department or agency, functions of which are*  
15          *transferred by any title of this division, or by or against*  
16          *any officer thereof in the official capacity of such officer*  
17          *shall abate by reason of the enactment of this division.*

18          (e) *CONTINUATION OF PROCEEDING WITH SUBSTI-*  
19          *TUTION OF PARTIES.—If, before the date on which any title*  
20          *of this division takes effect, any department or agency, or*  
21          *officer thereof in the official capacity of such officer, is a*  
22          *party to a suit, and under this division any function of*  
23          *such department, agency, or officer is transferred to the Sec-*  
24          *retary or any other official of the Department, then such*  
25          *suit shall be continued with the Secretary or other appro-*

1 *private official of the Department substituted or added as*  
2 *a party.*

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

15 **SEC. 615. PROPERTY AND FACILITIES.**

16       *The Secretary shall review the property and facilities*  
17 *transferred to the Department under this division to deter-*  
18 *mine whether such property and facilities are required by*  
19 *the Department.*

20 **SEC. 616. AUTHORITY OF SECRETARY OF STATE TO FACILI-**  
21 **TATE TRANSITION.**

22       *Prior to, or after, any transfer of a function under*  
23 *any title of this division, the Secretary is authorized to uti-*  
24 *lize—*

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

5           (2) *funds appropriated to such functions for such*  
6           *period of time as may reasonably be needed to facili-*  
7           *tate the orderly implementation of any title of this di-*  
8           *vision.*

9 **SEC. 617. FINAL REPORT.**

10           *Not later than January 1, 2000, the President, in con-*  
11           *sultation with the Secretary of the Treasury and the Direc-*  
12           *tor of the Office of Management and Budget shall submit*  
13           *to the appropriate congressional committees a report which*  
14           *provides a final accounting of the finances and operations*  
15           *of the agencies abolished under this division.*

16 **TITLE VII—FUNCTIONS, CON-**  
17 **DUCT, AND STRUCTURE OF**  
18 **UNITED STATES FOREIGN**  
19 **POLICY FOR THE 21ST CEN-**  
20 **TURY.**

21 **SEC. 701. FINDINGS.**

22           *Congress makes the following findings:*

23           (1) *The United States has prevailed after a half-*  
24           *century of Cold War and must now redesign diplo-*

1        *macy to meet the different challenges of a new and*  
2        *changed international context.*

3            (2) *The security of the United States requires*  
4        *that the United States maintain an effective, profes-*  
5        *sional diplomacy, working in concert with the na-*  
6        *tional intelligence and defense forces of the United*  
7        *States.*

8            (3) *With modern communications and accelerat-*  
9        *ing technological change, the world is ever more inter-*  
10       *dependent.*

11           (4) *Because 30 percent of the United States gross*  
12       *domestic product is trade-related and every one bil-*  
13       *lion dollars of United States exports represents 20,000*  
14       *American jobs, national prosperity requires assured*  
15       *access to foreign markets and our diplomacy promotes*  
16       *and defends that access.*

17           (5) *American consumers and American industry*  
18       *count upon the availability of foreign goods and raw*  
19       *materials.*

20           (6) *The new international agenda includes the*  
21       *following pressing issues, which the Cold War diplo-*  
22       *matic structure of the United States is not framed to*  
23       *address adequately: intellectual property rights, refu-*  
24       *gee migrations, runaway immigration, ethnic conflict,*  
25       *narcotics, international terrorism, epidemic disease,*

1 *human rights, the advancement of democracy and of*  
2 *market economic systems in developing countries, and*  
3 *a hospitable natural environment.*

4 (7) *The United States, as the one remaining*  
5 *global power, must provide global leadership to ad-*  
6 *dress these issues that affect Americans.*

7 (8) *It is in the national interest to review the*  
8 *functions, conduct, and structure of United States for-*  
9 *ign policy for the 21st century.*

10 **SEC. 702. ESTABLISHMENT.**

11 *There is established a commission to be known as the*  
12 *Commission on the Functions, Conduct, and Structure of*  
13 *United States Foreign Policy for the 21st Century (in this*  
14 *title referred to as the “Commission”).*

15 **SEC. 703. COMPOSITION AND QUALIFICATIONS.**

16 (a) *MEMBERSHIP.*—*The Commission shall be com-*  
17 *posed of 9 members who shall be United States citizens who*  
18 *have substantial experience with and expertise in the oper-*  
19 *ations of the foreign affairs agencies of the Federal Govern-*  
20 *ment, to be selected as follows:*

21 (1) *Five members shall be appointed by the*  
22 *President, at least 3 of whom shall have held senior*  
23 *positions in at least 1 foreign affairs agency of the*  
24 *Federal Government, except that not more than 3*

1        *members may be appointed from the same political*  
2        *party.*

3            *(2) One member shall be appointed by the Major-*  
4        *ity Leader of the Senate.*

5            *(3) One member shall be appointed by the Mi-*  
6        *nority Leader of the Senate.*

7            *(4) One member shall be appointed by the*  
8        *Speaker of the House of Representatives.*

9            *(5) One member shall be appointed by the Mi-*  
10       *nority Leader of the House of Representatives.*

11        *(b) CHAIR AND VICE CHAIR.—The President shall des-*  
12       *ignate, in consultation with the Majority Leader of the Sen-*  
13       *ate, the Minority Leader of the Senate, the Speaker of the*  
14       *House of Representatives, and the Minority Leader of the*  
15       *House of Representatives, 2 of the members of the Commis-*  
16       *sion to serve as Chair and Vice Chair, respectively.*

17        *(c) PERIOD OF APPOINTMENT, VACANCIES.—Members*  
18       *shall be appointed for the life of the Commission. Any va-*  
19       *cancy in the Commission shall not affect its powers but*  
20       *shall be filled expeditiously in the same manner as the*  
21       *original appointment.*

22        *(d) DEADLINE FOR APPOINTMENTS.—The appoint-*  
23       *ments required by subsection (a) shall, to the extent prac-*  
24       *ticable, be made within 30 days after the date of enactment*  
25       *of this Act.*

1       (e) *MEETINGS.*—

2               (1) *FREQUENCY OF MEETINGS.*—*The Commis-*  
3       *sion shall meet upon request of the Chair but not less*  
4       *than once every 2 months for the duration of the*  
5       *Commission.*

6               (2) *FIRST MEETING.*—*The Commission shall hold*  
7       *its first meeting not later than 2 months after the*  
8       *date of enactment of this Act.*

9       (f) *QUORUM.*—*Five members of the Commission shall*  
10       *constitute a quorum, but a lesser number of members may*  
11       *hold hearings, take testimony, or receive evidence.*

12       (g) *SECURITY CLEARANCES.*—*Appropriate security*  
13       *clearances shall be required for members of the Commission.*  
14       *Such clearances shall be processed and completed on an ex-*  
15       *pedited basis by appropriate elements of the executive*  
16       *branch of Government and shall, in any case, be completed*  
17       *within 60 days after the date such members are appointed.*

18       **SEC. 704. DUTIES OF THE COMMISSION.**

19       (a) *IN GENERAL.*—*It shall be the duty of the Commis-*  
20       *sion—*

21               (1) *to review the functions required of United*  
22       *States foreign policy to assure continued United*  
23       *States global leadership in the 21st century;*

24               (2) *to assess the effectiveness and adequacy of the*  
25       *current structures, procedures, and priorities of for-*

1 *ign policy decisionmaking and management, and, if*  
2 *necessary, to consider alternatives;*

3 *(3) to evaluate the general level and apporportion-*  
4 *ment of resources necessary to promote United States*  
5 *interests, values, and principles abroad and to assess*  
6 *the contribution of diplomatic functions to the na-*  
7 *tional security of the United States; and*

8 *(4) to submit reports and recommendations as*  
9 *described in section 705.*

10 *(b) IMPLEMENTATION.—In carrying out subsection*  
11 *(a), the Commission shall consult with appropriate officers*  
12 *of the executive branch of Government and appropriate*  
13 *Members of Congress and shall specifically consider the fol-*  
14 *lowing:*

15 *(1) What should be the operating principles and*  
16 *functions of the foreign affairs bureaucracies of the*  
17 *United States?*

18 *(2) Is the apparatus for formulating and execut-*  
19 *ing the foreign affairs policies of the United States or-*  
20 *ganized most effectively to achieve its aims, particu-*  
21 *larly with respect to the nonmilitary aspects of the*  
22 *President's national security strategy?*

23 *(3) What are the implications for the functions,*  
24 *resources, and structures of the foreign affairs agen-*  
25 *cies of the United States of fundamental changes in*

1        *the international environment, especially advances in*  
2        *information technology, economic interdependence,*  
3        *and the emergence of rival countries or interests?*

4            (4) *Is the overseas representation of the United*  
5        *States Government of adequate size, properly distrib-*  
6        *uted, and supported with sufficient resources to advo-*  
7        *cate effectively the national interests, values, and*  
8        *principles of the United States?*

9            (5) *Are the foreign affairs agencies structured to*  
10       *best advance the national interests, values, and prin-*  
11       *ciples of the United States?*

12           (6) *Do the current personnel systems of the for-*  
13       *ign affairs agencies produce individuals trained and*  
14       *supported in the skills necessary to project American*  
15       *leadership abroad in the 21st century?*

16           (7) *What level and allocation among foreign af-*  
17       *airs agencies and functions of resources are necessary*  
18       *to promote effectively United States national inter-*  
19       *ests, values, and principles?*

20           (8) *What is the rationale, mission, and mecha-*  
21       *nism for delivering foreign assistance? Could such re-*  
22       *sources be better managed and delivered through pri-*  
23       *ivate entities or other organizations?*

24           (9) *How should multilateral institutions, coal-*  
25       *ition building, and unilateral actions be used to pro-*

1 *mote American national interests, values, and prin-*  
2 *ciples abroad? What is the most effective way to co-*  
3 *ordinate the foreign policy interests of special interest*  
4 *groups, including nongovernmental organizations?*

5 (10) *How should coordination be improved and*  
6 *resources be allocated between all the United States*  
7 *foreign affairs agencies?*

8 (11) *What is the appropriate mechanism for de-*  
9 *termining the appropriate level of representation*  
10 *overseas of each department or agency of the United*  
11 *States?*

12 (12) *What is the appropriate mechanism to fos-*  
13 *ter cooperation and coordination between the Depart-*  
14 *ment of the State and all departments or agencies of*  
15 *the United States abroad?*

16 (13) *How can consultation and cooperation be*  
17 *improved between the executive and legislative*  
18 *branches of Government in the formulation, execution,*  
19 *and evaluation of American foreign policy interests so*  
20 *that the United States can maximize its international*  
21 *effectiveness and speak with a strong voice on vital*  
22 *American interests, values, and principles?*

23 **SEC. 705. COMMISSION REPORTS.**

24 (a) *INITIAL REPORT.*—*Not later than 2 months after*  
25 *the date of enactment of this Act, the Commission shall*

1 *transmit to Congress, the President, and the Secretary of*  
2 *State a report describing its plan to carry out the work*  
3 *of the Commission.*

4 (b) *PRELIMINARY REPORT.*—*Before the submission of*  
5 *the report required by subsection (c), but not later than 6*  
6 *months after the date of enactment of this Act, the Commis-*  
7 *sion shall submit a report to the Secretary of State a report*  
8 *on its preliminary findings and recommendations.*

9 (c) *FINAL REPORT ON FINDINGS AND RECOMMENDA-*  
10 *TIONS.*—

11 (1) *IN GENERAL.*—*Not later than 12 months*  
12 *after the date of enactment of this Act, the Commis-*  
13 *sion shall submit to the President, the Secretary of*  
14 *State, and Congress a report describing the activities,*  
15 *findings, and recommendations of the Commission.*

16 (2) *LEGISLATIVE RECOMMENDATIONS.*—*In addi-*  
17 *tion to the requirements of paragraph (1), the report*  
18 *shall make recommendations that may be imple-*  
19 *mented through the enactment of legislation or the is-*  
20 *suance of an Executive order, as appropriate.*

21 (d) *INTERIM REPORTS ON IMPLEMENTATION.*—*The*  
22 *Commission shall submit to the President, the Secretary of*  
23 *State, and Congress such interim reports on the status of*  
24 *implementation of recommendations as it deems necessary*  
25 *and appropriate.*

1           (e) *EVALUATION OF IMPLEMENTATION.*—*The members*  
2 *of the Commission shall make themselves available to rel-*  
3 *evant committees of Congress to discuss their views of the*  
4 *implementation of recommendations and proposals submit-*  
5 *ted by the Secretary of State in compliance with the provi-*  
6 *sions of this title.*

7 **SEC. 706. POWERS.**

8           (a) *HEARINGS.*—*The Commission or, at its direction,*  
9 *any panel of members of the Commission, may, for the pur-*  
10 *pose of carrying out the provisions of this title, hold hear-*  
11 *ings, take testimony, receive evidence, and administer oaths*  
12 *to the extent that the Commission or any panel considers*  
13 *advisable.*

14           (b) *INFORMATION FROM FEDERAL AGENCIES.*—*The*  
15 *Commission may secure directly from any Federal depart-*  
16 *ment or agency information that the Commission considers*  
17 *necessary to enable the Commission to carry out its respon-*  
18 *sibilities under this section. Upon the request of the Chair*  
19 *of the Commission, the head of any such department or*  
20 *agency shall furnish such information expeditiously to the*  
21 *Commission.*

22           (c) *POSTAL, PRINTING, AND BINDING SERVICES.*—*The*  
23 *Commission may use the United States mails and obtain*  
24 *printing and binding services in the same manner and*

1 *under the same conditions as other departments and agen-*  
2 *cies of the Federal Government.*

3 (d) *PANELS.*—*The Commission may establish panels*  
4 *composed of less than the full membership of the Commis-*  
5 *sion for the purpose of carrying out the Commission's du-*  
6 *ties. The action of each panel shall be subject to the review*  
7 *and control of the Commission. Any findings and deter-*  
8 *minations made by such a panel shall not be considered*  
9 *the findings and determinations of the Commission unless*  
10 *approved as such by the Commission.*

11 (e) *AUTHORITY OF INDIVIDUALS TO ACT FOR THE*  
12 *COMMISSION.*—*Any member or agent of the Commission*  
13 *may, if authorized by the Commission, take any action*  
14 *which the Commission is authorized to take under this title.*

15 **SEC. 707. PERSONNEL.**

16 (a) *COMPENSATION OF MEMBERS.*—*Each member of*  
17 *the Commission who is a private United States citizen shall*  
18 *be compensated at a level not greater than the daily equiva-*  
19 *lent of the annual rate of basic pay payable for level III*  
20 *of the Executive Schedule under section 5317 of title 5,*  
21 *United States Code, for each full day (including travel*  
22 *time) during which the member is engaged in the perform-*  
23 *ance of the duties of the Commission. Any member of the*  
24 *Commission who is already a Government employee shall*

1 *continue to be paid at the same rate by the employing de-*  
2 *partment or agency on a nonreimbursable basis.*

3       **(b) TRAVEL EXPENSES.**—*Each member of the Com-*  
4 *mission shall be allowed travel expenses, including per diem*  
5 *in lieu of subsistence, at rates authorized for employees of*  
6 *agencies under subchapter I of chapter 58 of title 5, United*  
7 *States Code, while away from their homes or regular places*  
8 *of business in the performance of services for the Commis-*  
9 *sion.*

10       **(c) STAFF.**—

11           **(1) IN GENERAL.**—*The Chair of the Commission*  
12 *may, without regard to the provisions of title 5, Unit-*  
13 *ed States Code, governing appointments in the com-*  
14 *petitive services, appoint a staff director, subject to*  
15 *the approval of the Commission, and such additional*  
16 *personnel as necessary to enable the Commission to*  
17 *perform its duties.*

18           **(2) COMPENSATION.**—*The Chair of the Commis-*  
19 *sion may fix the pay of the staff director and other*  
20 *personnel without regard to the provisions of chapter*  
21 *51 or subchapter III of chapter 53 of title 5, United*  
22 *States Code, relating to classification of positions and*  
23 *General Schedule pay rates, except that the rate of*  
24 *pay fixed under this paragraph for the staff director*  
25 *may not exceed the rate payable for level III of the*

1       *Executive Schedule under section 5316 of such title*  
2       *and the rate of pay for other personnel may not ex-*  
3       *ceed the maximum rate payable for grade GS-15 of*  
4       *the General Schedule.*

5       *(d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon the*  
6       *request of the Chair of the Commission, the head of any*  
7       *Federal department or agency is authorized and encouraged*  
8       *to detail, on a nonreimbursable basis, any personnel of that*  
9       *department or agency to the Commission to assist it in car-*  
10      *rying out its functions.*

11      *(e) PROCUREMENT OF TEMPORARY AND INTERMIT-*  
12      *TENT SERVICES.—The Chair of the Commission may pro-*  
13      *cure temporary and intermittent services under section*  
14      *3109(b) of title 5, United States Code, at rates for individ-*  
15      *uals which do not exceed the daily equivalent of the annual*  
16      *rate of basic pay payable for level IV of the Executive*  
17      *Schedule under section 5316 of such title.*

18      *(f) ADMINISTRATIVE AND SUPPORT SERVICES.—The*  
19      *Secretary of State may furnish the Commission any admin-*  
20      *istrative and support services requested by the Commission*  
21      *consistent with this title. The Department of State shall be*  
22      *reimbursed for any costs for these services by other appro-*  
23      *priate Federal departments and agencies on a basis consist-*  
24      *ent with worldwide levels of international cooperative ad-*  
25      *ministrative support system participation and funding.*

1 **SEC. 708. PAYMENT OF COMMISSION EXPENSES.**

2 *The compensation, travel expenses, and per diem al-*  
3 *lowances of members and employees of the Commission, and*  
4 *other expenses of the Commission shall be paid out of funds*  
5 *appropriated by Congress.*

6 **SEC. 709. TERMINATION.**

7 *The Commission shall terminate upon submission of*  
8 *the final report on findings and recommendations, section*  
9 *705(c), except as provided for in section 705(e).*

10 **SEC. 710. EXECUTIVE BRANCH ACTION.**

11 *(a) SECRETARY OF STATE'S REVIEW.—Promptly after*  
12 *the date of enactment of this Act, the Secretary of State,*  
13 *in consultation with the heads of all other affected Federal*  
14 *departments and agencies, shall initiate a review of the*  
15 *functions, conduct, and structure of United States foreign*  
16 *relations in the same manner and to the same extent as*  
17 *the review conducted by the Commission under section 704.*

18 *(b) INFORMATION FROM FEDERAL AGENCIES.—The*  
19 *Secretary may secure directly from any Federal department*  
20 *or agency information necessary to carry out the respon-*  
21 *sibilities under this section. Upon the request of the Sec-*  
22 *retary, the head of any such department or agency shall*  
23 *furnish such information expeditiously.*

24 *(c) INITIAL REPORT.—Not later than 2 months after*  
25 *the date of enactment of this Act, the Secretary of State,*  
26 *in consultation with the heads of all other affected depart-*

1 ments and agencies, shall transmit to Congress a report de-  
2 scribing the plan of the Secretary of State to carry out the  
3 review.

4 (d) *PRELIMINARY REPORT.*—Not later than 6 months  
5 after the date of enactment of this Act, the Secretary of  
6 State, in consultation with the heads of all other affected  
7 departments and agencies, shall submit to the Commission  
8 a report of preliminary findings and recommendations.

9 (e) *FINAL REPORT ON FINDINGS AND PROPOSALS.*—  
10 Not later than 18 months after the date of enactment of  
11 this Act, the Secretary of State, in consultation with the  
12 heads of all other affected foreign affairs agencies, shall sub-  
13 mit to Congress a report describing the activities and find-  
14 ings of the Secretary's review and shall include specific pro-  
15 posals for recommended reforms, including those requiring  
16 legislative action or Executive order. The report shall re-  
17 spond to, and wherever appropriate, incorporate the find-  
18 ings and recommendations of the Commission as described  
19 in section 705(c).

20 **SEC. 711. ANNUAL FOREIGN AFFAIRS STRATEGY REPORT.**

21 Not later than 1 year after the date of enactment of  
22 this Act, and on an annual basis thereafter, the Secretary  
23 of State, consistent with section 306 of title 5, and section  
24 1115 of title 31, United States Code, and in consultation  
25 with the heads of all other foreign affairs agencies, shall

1 *submit to Congress in both classified and unclassified ver-*  
2 *sions an annual national foreign relations strategy report*  
3 *describing the priorities and resources required to advance*  
4 *successfully the national interests, values, and principles of*  
5 *the United States.*

6 **SEC. 712. DEFINITION OF FOREIGN AFFAIRS AGENCIES.**

7 *In this title, the term “foreign affairs agencies” in-*  
8 *cludes the following:*

9 *(1) The Department of State.*

10 *(2) The United States Agency for International*  
11 *Development.*

12 *(3) The United States Information Agency.*

13 *(4) The United States Arms Control and Disar-*  
14 *mament Agency.*

15 *(5) The Overseas Private Investment Corpora-*  
16 *tion.*

17 *(6) Appropriate elements of the Department of*  
18 *the Treasury.*

19 *(7) Appropriate elements of the Department of*  
20 *Defense.*

21 *(8) Appropriate elements of the Department of*  
22 *Justice (including the Drug Enforcement Administra-*  
23 *tion and the Federal Bureau of Investigation).*

24 *(9) Appropriate elements of the Department of*  
25 *Agriculture.*

1           (10) *Office of the United States Trade Represent-*  
2           *ative.*

3           (11) *The National Security Council staff.*

4           (12) *The Trade and Development Agency.*

5           (13) *Appropriate elements of the Department of*  
6           *Commerce.*

7                           ***DIVISION B—FOREIGN***  
8                           ***RELATIONS AUTHORIZATION***  
9                           ***TITLE X—GENERAL PROVISIONS***

10       ***SEC. 1001. SHORT TITLE.***

11           *This division may be cited as the “Foreign Relations*  
12       *Authorization Act, Fiscal Years 1998 and 1999”.*

13       ***SEC. 1002. DEFINITION.***

14           *In this division, the term “appropriate congressional*  
15       *committees” means the Committees on Foreign Relations*  
16       *and Appropriations of the Senate and the Committees on*  
17       *International Relations and Appropriations of the House*  
18       *of Representatives.*

1           **TITLE XI—DEPARTMENT OF**  
2           **STATE AND RELATED AGENCIES**  
3           **CHAPTER 1—AUTHORIZATIONS OF**  
4           **APPROPRIATIONS**

5   **SEC. 1101. AUTHORIZATIONS OF APPROPRIATIONS FOR AD-**  
6           **MINISTRATION OF FOREIGN AFFAIRS.**

7           *The following amounts are authorized to be appro-*  
8           *riated for the Department of State under “Administration*  
9           *of Foreign Affairs” to carry out the authorities, functions,*  
10          *duties, and responsibilities in the conduct of the foreign af-*  
11          *fairs of the United States and for other purposes authorized*  
12          *by law, including the diplomatic security program:*

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

14           *For “Diplomatic and Consular Programs” of the De-*  
15           *partment of State, \$1,746,977,000 for the fiscal year*  
16           *1998, and \$1,764,447,000 for the fiscal year 1999.*

17                   (2) *SALARIES AND EXPENSES.—For “Salaries*

18           *and Expenses” of the Department of State,*  
19           *\$363,513,000 for the fiscal year 1998, and*  
20           *\$367,148,000 for the fiscal year 1999.*

21                   (3) *SECURITY AND MAINTENANCE OF BUILDINGS*

22           *ABROAD.—For “Security and Maintenance of Build-*  
23           *ings Abroad”, \$373,081,000 for the fiscal year 1998,*  
24           *and \$376,811,000 for the fiscal year 1999.*

1           (4) *CAPITAL INVESTMENT FUND.*—For the “Cap-  
2           ital Investment Fund” of the Department of the State,  
3           \$64,600,000 for the fiscal year 1998, and \$64,600,000  
4           for the fiscal year 1999.

5           (5) *REPRESENTATION ALLOWANCES.*—For “Rep-  
6           resentation Allowances”, \$4,100,000 for the fiscal year  
7           1998, and \$4,100,000 for the fiscal year 1999.

8           (6) *EMERGENCIES IN THE DIPLOMATIC AND CON-  
9           SULAR SERVICE.*—For “Emergencies in the Diplo-  
10          matic and Consular Service”, \$5,500,000 for the fis-  
11          cal year 1998, and \$5,500,000 for the fiscal year  
12          1999.

13          (7) *OFFICE OF THE INSPECTOR GENERAL.*—For  
14          “Office of the Inspector General”, \$28,300,000 for the  
15          fiscal year 1998, and \$28,300,000 for the fiscal year  
16          1999.

17          (8) *PAYMENT TO THE AMERICAN INSTITUTE IN  
18          TAIWAN.*—For “Payment to the American Institute in  
19          Taiwan”, \$14,490,000 for the fiscal year 1998, and  
20          \$14,600,000 for the fiscal year 1999.

21          (9) *PROTECTION OF FOREIGN MISSIONS AND OF-  
22          FICIALS.*—(A) For “Protection of Foreign Missions  
23          and Officials”, \$7,900,000 for the fiscal year 1998,  
24          and \$8,000,000 for the fiscal year 1999.

1           (B) *Each amount appropriated pursuant to this*  
2           *paragraph is authorized to remain available for two*  
3           *fiscal years.*

4           (10) *REPATRIATION LOANS.—For “Repatriation*  
5           *Loans”, \$1,200,000 for the fiscal year 1998, and*  
6           *\$1,200,000 for the fiscal year 1999, for administrative*  
7           *expenses.*

8   **SEC. 1102. MIGRATION AND REFUGEE ASSISTANCE.**

9           (a) *AUTHORIZATION OF APPROPRIATIONS.—There are*  
10          *authorized to be appropriated for “Migration and Refugee*  
11          *Assistance” for authorized activities, \$650,000,000 for the*  
12          *fiscal year 1998, and \$650,000,000 for the fiscal year 1999.*

13          (b) *AVAILABILITY OF FUNDS.—Funds appropriated*  
14          *pursuant to subsection (a) are authorized to remain avail-*  
15          *able until expended.*

16   **SEC. 1103. ASIA FOUNDATION.**

17          (a) *AUTHORIZATION OF APPROPRIATIONS.—There are*  
18          *authorized to be appropriated to the Department of State*  
19          *to make grants to “The Asia Foundation”, pursuant to The*  
20          *Asia Foundation Act (title IV of Public Law 98–164),*  
21          *\$8,000,000 for the fiscal year 1998, and \$8,000,000 for the*  
22          *fiscal year 1999.*

23          (b) *CONFORMING AMENDMENT.—The first sentence of*  
24          *section 403(a) of The Asia Foundation Act (22 U.S.C.*

1 4402) is amended by striking “with” and all that follows  
2 through “404”.

3 **CHAPTER 2—AUTHORITIES AND**  
4 **ACTIVITIES**

5 **SEC. 1121. REDUCTION IN REQUIRED REPORTS.**

6 (a) *AMENDMENT AND REPEALS.*—

7 (1) *AMENDMENT.*—Section 40(g)(2) of the State  
8 Department Basic Authorities Act of 1956 (22 U.S.C.  
9 2712(g)(2)) is amended by striking “six months” and  
10 inserting “12 months”.

11 (2) *REPEALS.*—The following provisions of law  
12 are repealed:

13 (A) The second sentence of section 161(c) of  
14 the Foreign Relations Authorization Act, Fiscal  
15 Year 1990 and 1991 (22 U.S.C. 4171 note).

16 (B) Section 502B(b) of the Foreign Assist-  
17 ance Act of 1961 (22 U.S.C. 2304(b)).

18 (C) Section 705(c) of the International Se-  
19 curity and Development Cooperation Act of 1985  
20 (Public Law 99–83).

21 (D) Section 123(e)(2) of the Foreign Rela-  
22 tions Authorization Act, Fiscal Years 1986 and  
23 1987 (Public Law 99–93).

24 (E) Section 203(c) of the Special Foreign  
25 Assistance Act of 1986 (Public Law 99–529).

1           (F) Sections 5 and 6 of the Act entitled “An  
2           Act providing for the implementation of the  
3           International Sugar Agreement, 1977, and for  
4           other purposes” (Public Law 96–236; 7 U.S.C.  
5           3605 and 3606).

6           (G) Section 514 of the Foreign Assistance  
7           and Related Programs Appropriations Act, 1982  
8           (Public Law 97–121).

9           (H) Section 209 (c) and (d) of the Foreign  
10          Relations Authorization Act, Fiscal Years 1988  
11          and 1989 (Public Law 100–204).

12          (I) Section 228(b) of the Foreign Relations  
13          Authorization Act, Fiscal Years 1992 and 1993  
14          (Public Law 102–138; 22 U.S.C. 2452 note).

15          (b) *PROGRESS TOWARD REGIONAL NONPROLIFERA-*  
16          *TION.—Section 620F(c) of the Foreign Assistance Act of*  
17          *1961 (22 U.S.C. 2376(c); relating to periodic reports on*  
18          *progress toward regional nonproliferation) is amended by*  
19          *striking “Not later than April 1, 1993 and every six months*  
20          *thereafter,” and inserting “Not later than April 1 of each*  
21          *year,”.*

22          (c) *REPORT ON OVERSEAS VOTER PARTICIPATION.—*  
23          *Section 101(b)(6) of the Uniformed and Overseas Citizens*  
24          *Absentee Voting Act of 1986 (42 U.S.C. 1973ff(b)(6)) is*  
25          *amended by striking “of voter participation” and inserting*

1 “of uniformed services voter participation, a general assess-  
2 ment of overseas nonmilitary participation,”.

3 **SEC. 1122. AUTHORITY OF THE FOREIGN CLAIMS SETTLE-**  
4 **MENT COMMISSION.**

5 *Section 4(a) of the International Claims Settlement*  
6 *Act of 1949 (22 U.S.C. 1623) is amended—*

7 *(1) by redesignating paragraphs (1) and (2) as*  
8 *subparagraphs (A) and (B), respectively;*

9 *(2) in the first sentence, by striking “(a) The”*  
10 *and all that follows through the period and inserting*  
11 *the following:*

12 *“(a)(1) The Commission shall have jurisdiction to re-*  
13 *ceive, examine, adjudicate, and render final decisions with*  
14 *respect to claims of the Government of the United States*  
15 *and of nationals of the United States—*

16 *“(A) included within the terms of the Yugoslav*  
17 *Claims Agreement of 1948;*

18 *“(B) included within the terms of any claims*  
19 *agreement concluded on or after March 10, 1954, be-*  
20 *tween the Government of the United States and a for-*  
21 *foreign government (exclusive of governments against*  
22 *which the United States declared the existence of a*  
23 *state of war during World War II) similarly provid-*  
24 *ing for the settlement and discharge of claims of the*  
25 *Government of the United States and of nationals of*

1       *the United States against a foreign government, arising*  
2       *out of the nationalization or other taking of prop-*  
3       *erty, by the agreement of the Government of the Unit-*  
4       *ed States to accept from that government a sum in*  
5       *en bloc settlement thereof; or*

6               “(C) included in a category of claims against a  
7       *foreign government which is referred to the Commis-*  
8       *sion by the Secretary of State.”; and*

9               (3) by redesignating the second sentence as para-  
10       *graph (2).*

11       **SEC. 1123. PROCUREMENT OF SERVICES.**

12       *Section 38(c) of the State Department Basic Authori-*  
13       *ties Act of 1956 (22 U.S.C. 2710(c)) is amended by insert-*  
14       *ing “personal or” before “other support services”.*

15       **SEC. 1124. FEE FOR USE OF DIPLOMATIC RECEPTION**  
16               **ROOMS.**

17       *Title I of the State Department Basic Authorities Act*  
18       *of 1956 (22 U.S.C. 2651a et seq.) is amended by adding*  
19       *at the end the following new section:*

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

21               *“The Secretary of State is authorized to charge a fee*  
22       *for use of the Department of State diplomatic reception*  
23       *rooms to recover the costs of such use. Fees collected under*  
24       *the authority of this section, including reimbursements, sur-*  
25       *charges and fees, shall be deposited as an offsetting collec-*

1 *tion to any Department of State appropriation to recover*  
 2 *the costs of such use and shall remain available for obliga-*  
 3 *tion until expended. The Secretary shall, at the time of the*  
 4 *submission of the budget pursuant to section 1105 of title*  
 5 *31, United States Code, submit a report to Congress describ-*  
 6 *ing each such transaction.”.*

7 **SEC. 1125. PROHIBITION ON JUDICIAL REVIEW OF DEPART-**  
 8 **MENT OF STATE COUNTERTERRORISM AND**  
 9 **NARCOTICS-RELATED REWARDS PROGRAM.**

10 *Section 36 of the State Department Basic Authorities*  
 11 *Act of 1956 (22 U.S.C. 2708) is amended—*

12 *(1) in subsection (a)(1), by inserting “, in the*  
 13 *sole discretion of the Secretary,” after “rewards may*  
 14 *be paid”;*

15 *(2) by redesignating subsection (i) as subsection*  
 16 *(j); and*

17 *(3) by inserting after subsection (h) the follow-*  
 18 *ing:*

19 *“(i) JUDICIAL REVIEW.—A determination made by the*  
 20 *Secretary of State under this section shall be final and con-*  
 21 *clusive and shall not be subject to judicial review.”.*

22 **SEC. 1126. OFFICE OF THE INSPECTOR GENERAL.**

23 *(a) PROCEDURES.—Section 209(c) of the Foreign*  
 24 *Service Act of 1980 (22 U.S.C. 3929(c)) is amended by add-*  
 25 *ing at the end the following:*

1           “(4) *The Inspector General shall develop and*  
2 *provide to employees—*

3                   “(A) *information detailing their rights to*  
4 *counsel; and*

5                   “(B) *guidelines describing in general terms*  
6 *the policies and procedures of the Office of In-*  
7 *pector General with respect to individuals under*  
8 *investigation, other than matters exempt from*  
9 *disclosure under other provisions of law.”.*

10       ***(b) REPORT.—***

11           ***(1) IN GENERAL.—****Not later than April 30, 1998,*  
12 *the Inspector General of the Department of State shall*  
13 *submit a report to the appropriate congressional com-*  
14 *mittees which includes the following information:*

15                   ***(A) Detailed descriptions of the internal***  
16 *guidance developed or used by the Office of the*  
17 *Inspector General with respect to public disclo-*  
18 *sure of any information related to an ongoing*  
19 *investigation of any employee or official of the*  
20 *Department of State, the United States Informa-*  
21 *tion Agency, or the United States Arms Control*  
22 *and Disarmament Agency.*

23                   ***(B) Detailed descriptions of those instances***  
24 *for the year ending December 31, 1997, in which*  
25 *any disclosure of information to the public by an*

1           *employee of the Office of Inspector General about*  
2           *an ongoing investigation occurred, including de-*  
3           *tails on the recipient of the information, the date*  
4           *of the disclosure, and the internal clearance proc-*  
5           *ess for the disclosure.*

6           (2) *EXCLUSION.—Disclosure of information to*  
7           *the public under this section does not include infor-*  
8           *mation shared by an employee of the Inspector Gen-*  
9           *eral Office with Members of Congress.*

10 **SEC. 1127. REAFFIRMING UNITED STATES INTERNATIONAL**  
11 **TELECOMMUNICATIONS POLICY.**

12           (a) *PROCUREMENT POLICY.—It is the policy of the*  
13 *United States to foster and support procurement of goods*  
14 *and services from private, commercial companies.*

15           (b) *IMPLEMENTATION.—In order to achieve the policy*  
16 *set forth in subsection (a), the Diplomatic Telecommuni-*  
17 *cations Service Program Office (DTS-PO) shall—*

18           (1) *utilize full and open competition in the pro-*  
19 *urement of telecommunications services, including*  
20 *satellite space segment, for the Department of State*  
21 *and each other Federal entity represented at United*  
22 *States diplomatic missions and consular ports over-*  
23 *seas;*

24           (2) *make every effort to ensure and promote the*  
25 *participation of commercial private sector providers*

1       of satellite space segment who have no ownership or  
2       other connection with an intergovernmental satellite  
3       organization; and

4               (3) implement the competitive procedures re-  
5       quired by paragraphs (1) and (2) at the prime con-  
6       tracting level and, to the greatest extent practicable,  
7       the subcontracting level.

8       **SEC. 1128. COUNTERDRUG AND ANTI-CRIME ACTIVITIES OF**  
9                               **THE DEPARTMENT OF STATE.**

10       (a) *COUNTERDRUG AND LAW ENFORCEMENT STRAT-*  
11 *EGY.—*

12               (1) *REQUIREMENT.*—Not later than 180 days  
13       after the date of enactment of this Act, the Secretary  
14       of State shall establish, implement, and submit to  
15       Congress a comprehensive, long-term strategy to carry  
16       out the counterdrug responsibilities of the Department  
17       of State in a manner consistent with the National  
18       Drug Control Strategy. The strategy shall involve all  
19       elements of the Department in the United States and  
20       abroad.

21               (2) *OBJECTIVES.*—In establishing the strategy,  
22       the Secretary shall—

23                       (A) coordinate with the Office of National  
24               Drug Control Policy in the development of clear,  
25               specific, and measurable counterdrug objectives

1           *for the Department that support the goals and*  
2           *objectives of the National Drug Control Strategy;*

3           *(B) develop specific, and to the maximum*  
4           *extent practicable, quantifiable measures of per-*  
5           *formance relating to the objectives, including an-*  
6           *nual and long-term measures of performance, for*  
7           *purposes of assessing the success of the Depart-*  
8           *ment in meeting the objectives;*

9           *(C) assign responsibilities for meeting the*  
10          *objectives to appropriate elements of the Depart-*  
11          *ment;*

12          *(D) develop an operational structure within*  
13          *the Department that minimizes impediments to*  
14          *meeting the objectives;*

15          *(E) ensure that every United States ambas-*  
16          *sador or chief of mission is fully briefed on the*  
17          *strategy and works to achieve the objectives; and*

18          *(F) ensure that all budgetary requests and*  
19          *transfers of equipment (including the financing*  
20          *of foreign military sales and the transfer of ex-*  
21          *cess defense articles) relating to international*  
22          *counterdrug efforts conforms to meet the objec-*  
23          *tives.*

24          *(3) REPORTS.—Not later than February 15 each*  
25          *year, the Secretary shall submit to Congress an up-*

1       *date of the strategy submitted under paragraph (1).*  
2       *The update shall include an outline of the proposed*  
3       *activities with respect to the strategy during the suc-*  
4       *ceeding year, including the manner in which such ac-*  
5       *tivities will meet the objectives set forth in paragraph*  
6       *(2).*

7               (4) *LIMITATION ON DELEGATION.*—*The Secretary*  
8       *shall designate an official in the Department who re-*  
9       *ports directly to the Secretary to oversee the imple-*  
10       *mentation of the strategy throughout the Department.*

11       (b) *INFORMATION ON INTERNATIONAL CRIMINALS.*—

12               (1) *INFORMATION SYSTEM.*—*The Secretary shall,*  
13       *in consultation with the heads of appropriate United*  
14       *States law enforcement agencies, including the Attor-*  
15       *ney General and the Secretary of the Treasury, take*  
16       *appropriate actions to establish an information sys-*  
17       *tem or improve existing information systems contain-*  
18       *ing comprehensive information on serious crimes*  
19       *committed by foreign nationals. The information sys-*  
20       *tem shall be available to United States embassies and*  
21       *missions abroad for use in consideration of applica-*  
22       *tions for visas for entry into the United States.*

23               (2) *REPORT.*—*Not later than 180 days after the*  
24       *date of enactment of this Act, the Secretary shall sub-*  
25       *mit to the Committee on Foreign Relations of the*

1       *Senate and the Committee on International Relations*  
2       *of the House of Representatives a report on the ac-*  
3       *tions taken under paragraph (1).*

4       *(c) OVERSEAS COORDINATION OF COUNTERDRUG AND*  
5       *ANTI-CRIME PROGRAMS, POLICY, AND ASSISTANCE.—*

6               *(1) STRENGTHENING COORDINATION.—The re-*  
7       *sponsibilities of every foreign mission of the United*  
8       *States shall include the strengthening of cooperation*  
9       *between and among the United States and foreign*  
10       *governmental entities and multilateral entities with*  
11       *respect to activities relating to international narcotics*  
12       *and crime.*

13               *(2) DESIGNATION OF OFFICERS.—*

14               *(A) IN GENERAL.—The chief of mission of*  
15       *every foreign mission shall designate an officer*  
16       *or officers within the mission to carry out the re-*  
17       *sponsibility of the mission under paragraph (1),*  
18       *including the coordination of counterdrug pro-*  
19       *grams, policy, and assistance and law enforce-*  
20       *ment programs, policy, and assistance. Such offi-*  
21       *cer or officers shall report to the chief of mission,*  
22       *or the designee of the chief of mission, on a regu-*  
23       *lar basis regarding activities undertaken in car-*  
24       *rying out such responsibility.*

1           (B) *REPORTS.*—*The chief of mission of*  
2           *every foreign mission shall submit to the Sec-*  
3           *retary on a regular basis a report on the actions*  
4           *undertaken by the mission to carry out such re-*  
5           *sponsibility.*

6           (3) *REPORT TO CONGRESS.*—*Not later than 180*  
7           *days after the date of enactment of this Act, the Sec-*  
8           *retary shall submit to the Committee on Foreign Re-*  
9           *lations of the Senate and the Committee on Inter-*  
10          *national Relations of the House of Representatives a*  
11          *report on the status of any proposals for action or on*  
12          *action undertaken to improve staffing and personnel*  
13          *management at foreign missions in order to carry out*  
14          *the responsibility set forth in paragraph (1).*

15                                   **CHAPTER 3—PERSONNEL**

16 **SEC. 1131. ELIMINATION OF POSITION OF DEPUTY ASSIST-**  
17                                   **ANT SECRETARY OF STATE FOR**  
18                                   **BURDENSARING.**

19           *Section 161 of the Foreign Relations Authorization*  
20          *Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2651a note)*  
21          *is amended by striking subsection (f).*

1 **SEC. 1132. RESTRICTION ON LOBBYING ACTIVITIES OF**  
 2 **FORMER UNITED STATES CHIEFS OF MIS-**  
 3 **SION.**

4 *Section 207(d)(1) of title 18, United States Code, is*  
 5 *amended—*

6 *(1) by striking “or” at the end of subparagraph*  
 7 *(B);*

8 *(2) in subparagraph (C), by inserting “or” after*  
 9 *“title 3,”; and*

10 *(3) by inserting after subparagraph (C) the fol-*  
 11 *lowing new subparagraph:*

12 *“(D) serves in the position of chief of mis-*  
 13 *sion (as defined in section 102(3) of the Foreign*  
 14 *Service Act of 1980),”.*

15 **SEC. 1133. RECOVERY OF COSTS OF HEALTH CARE SERV-**  
 16 **ICES.**

17 *(a) AUTHORITIES.—Section 904 of the Foreign Service*  
 18 *Act of 1980 (22 U.S.C. 4084) is amended—*

19 *(1) in subsection (a)—*

20 *(A) by striking “and” before “members of*  
 21 *the families of such members and employees”;*  
 22 *and*

23 *(B) by inserting before the period “, and*  
 24 *(for care provided abroad) such other persons as*  
 25 *are designated by the Secretary of State, except*  
 26 *that such persons shall be considered persons*

1           *other than covered beneficiaries for purposes of*  
2           *subsections (g) and (h)”;*

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

6           *(3) by adding the following new subsections at*  
7           *the end:*

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

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

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

24           *“(4) No provision of any insurance, medical service,*  
25           *or health plan contract or agreement having the effect of*

1 *excluding from coverage or limiting payment of charges for*  
2 *care in the following circumstances shall operate to prevent*  
3 *collection by the Secretary of State under paragraph (1)*  
4 *for—*

5           “(A) *care provided directly or indirectly by a*  
6 *governmental entity;*

7           “(B) *care provided to an individual who has not*  
8 *paid a required deductible or copayment; or*

9           “(C) *care provided by a provider with which the*  
10 *third party payer has no participation agreement.*

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

15          “(6) *As to the authority provided in paragraph (1)*  
16 *of this subsection:*

17               “(A) *The United States shall be subrogated to*  
18 *any right or claim that the covered beneficiary may*  
19 *have against a third-party payer.*

20               “(B) *The United States may institute and pros-*  
21 *ecute legal proceedings against a third-party payer to*  
22 *enforce a right of the United States under this sub-*  
23 *section.*

1           “(C) *The Secretary may compromise, settle, or*  
2           *waive a claim of the United States under this sub-*  
3           *section.*

4           “(7) *The Secretary shall prescribe regulations for the*  
5           *administration of this subsection and subsection (h). Such*  
6           *regulations shall provide for computation of the reasonable*  
7           *cost of health care services.*

8           “(8) *Regulations prescribed under this subsection shall*  
9           *provide that medical records of a covered beneficiary receiv-*  
10           *ing health care under this subsection shall be made avail-*  
11           *able for inspection and review by representatives of the*  
12           *payer from which collection by the United States is sought*  
13           *for the sole purposes of permitting the third party to ver-*  
14           *ify—*

15           “(A) *that the care or services for which recovery*  
16           *or collection is sought were furnished to the covered*  
17           *beneficiary; and*

18           “(B) *that the provision of such care or services*  
19           *to the covered beneficiary meets criteria generally ap-*  
20           *plicable under the health plan contract involved, ex-*  
21           *cept that this subsection shall be subject to the provi-*  
22           *sions of paragraphs (2) and (4).*

23           “(9) *Amounts collected under this subsection, under*  
24           *subsection (h), or under any authority referred to in sub-*  
25           *section (i), from a third-party payer or from any other*

1 payer shall be deposited as an offsetting collection to any  
2 Department of State appropriation and shall remain avail-  
3 able until expended. Amounts deposited shall be obligated  
4 and expended only to the extent and in such amounts as  
5 are provided in advance in an appropriation Act.

6 “(10) In this section:

7 “(A) The term ‘covered beneficiary’ means an in-  
8 dividual eligible to receive health care under this sec-  
9 tion whose health care costs are to be paid by a third-  
10 party payer under a contractual agreement with such  
11 payer.

12 “(B) The term ‘services’ as used in ‘health care  
13 services’ includes products.

14 “(C) The term ‘third-party payer’ means an en-  
15 tity that provides a fee-for-service insurance policy,  
16 contract or similar agreement through the Federal  
17 Employees Health Benefit program, under which the  
18 expenses of health care services for individuals are  
19 paid.

20 “(h) In the case of a person, other than a covered bene-  
21 ficiary, who receives health care services pursuant to this  
22 section, the Secretary of State is authorized to collect from  
23 such person the reasonable costs of health care services in-  
24 curred by the Department of State on behalf of such person.  
25 The United States shall have the same rights against per-

1 *sons subject to the provisions of this subsection as against*  
2 *third-party payers covered by subsection (g).*

3       “(i) *Nothing in subsection (g) or (h) shall be construed*  
4 *as limiting any authority the Secretary otherwise has with*  
5 *respect to payment and obtaining reimbursement for the*  
6 *costs of medical treatment of an individual eligible under*  
7 *this section for health care.*”.

8       (b) *EFFECTIVE DATE.*—*The authorities of this section*  
9 *shall be effective beginning October 1, 1998.*

10 **SEC. 1134. NONOVERTIME DIFFERENTIAL PAY.**

11       *Title 5, United States Code, is amended—*

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

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

1 *cially recognized as the day of rest and worship, the*  
2 *Secretary of State may designate the officially recog-*  
3 *nized day of rest and worship in lieu of Sunday as*  
4 *the day with respect to which additional pay is au-*  
5 *thorized by the preceding sentence.”.*

6 **SEC. 1135. PILOT PROGRAM FOR FOREIGN AFFAIRS REIM-**  
7 **BURSEMENT.**

8 *(a) FOREIGN AFFAIRS REIMBURSEMENT.—*

9 *(1) IN GENERAL.—Section 701 of the Foreign*  
10 *Service Act of 1980 (22 U.S.C. 4021) is amended—*

11 *(A) by redesignating subsection (d)(4) as*  
12 *subsection (g); and*

13 *(B) by inserting after subsection (d) the fol-*  
14 *lowing new subsections:*

15 *“(e)(1) The Secretary of State may, as a matter of dis-*  
16 *cretion, provide appropriate training and related services*  
17 *through the institution to employees of United States com-*  
18 *panies that are engaged in business abroad, and to the fam-*  
19 *ilies of such employees.*

20 *“(2) In the case of companies that are under contract*  
21 *to provide services to the Department of State, the Secretary*  
22 *of State is authorized to provide job-related training and*  
23 *related services to the companies’ employees who are per-*  
24 *forming such services.*

1       “(3) Training under this subsection shall be on a  
2 space-available and reimbursable or advance-of-funds basis.  
3 Such reimbursements or advances shall be credited to the  
4 currently available applicable appropriation account.

5       “(4) Training and related services under this sub-  
6 section is authorized only to the extent that it will not inter-  
7 fere with the institution’s primary mission of training em-  
8 ployees of the Department and of other agencies in the field  
9 of foreign relations.

10       “(5) Training under this subsection is not available  
11 for foreign language services.

12       “(f)(1) The Secretary of State is authorized to provide  
13 on a reimbursable basis training programs to Members of  
14 Congress or the Judiciary.

15       “(2) Legislative Branch staff members and employees  
16 of the Judiciary may participate on a reimbursable basis  
17 in training programs offered by the institution.

18       “(3) Reimbursements collected under this subsection  
19 shall be credited to the currently available applicable appro-  
20 priation account.

21       “(4) Training under this subsection is authorized only  
22 to the extent that it will not interfere with the institution’s  
23 primary mission of training employees of the Department  
24 and of other agencies in the field of foreign relations.”.



1 *pilot program established under subsections (e) and (f) of*  
2 *section 701 of the Foreign Service Act of 1980 and section*  
3 *53 of the State Department Basic Authorities Act of 1956,*  
4 *the amount of fees collected, and the impact of the program*  
5 *on the primary mission of the institute.*

6 **SEC. 1136. GRANTS TO OVERSEAS EDUCATIONAL FACILI-**  
7 **TIES.**

8 *Section 29 of the State Department Basic Authorities*  
9 *Act of 1956 (22 U.S.C. 2701) is amended by adding at the*  
10 *end the following: “Notwithstanding any other provision of*  
11 *law, where the children of United States citizen employees*  
12 *of an agency of the United States Government who are sta-*  
13 *tioned outside the United States attend educational facili-*  
14 *ties assisted by the Department of State under this section,*  
15 *such agency is authorized to make grants to, or otherwise*  
16 *to reimburse or credit with advance payment, the Depart-*  
17 *ment of State for funds used in providing assistance to such*  
18 *educational facilities.”.*

19 **SEC. 1137. GRANTS TO REMEDY INTERNATIONAL CHILD AB-**  
20 **DUCTIONS.**

21 *Section 7 of the International Child Abduction Rem-*  
22 *edies Act (42 U.S.C. 11606; Public Law 100–300) is*  
23 *amended by adding at the end the following new subsection:*

24 *“(e) GRANT AUTHORITY.—The United States Central*  
25 *Authority is authorized to make grants to, or enter into con-*

1 *tracts or agreements with, any individual, corporation,*  
2 *other Federal, State, or local agency, or private entity or*  
3 *organization in the United States for purposes of accom-*  
4 *plishing its responsibilities under the convention and this*  
5 *Act.”.*

6 **SEC. 1138. FOREIGN SERVICE REFORM.**

7 (a) *APPOINTMENTS BY THE PRESIDENT.*—Section  
8 *302(b) of the Foreign Service Act of 1980 (22 U.S.C.*  
9 *3942(b)) is amended in the second sentence—*

10 (1) *by striking “may elect to” and inserting*  
11 *“shall”; and*

12 (2) *by striking “Service,” and all that follows*  
13 *and inserting “Service.”.*

14 (b) *PERFORMANCE PAY.*—Section 405 of the Foreign  
15 *Service Act of 1980 (22 U.S.C. 3965) is amended—*

16 (1) *in subsection (a), by striking “Members” and*  
17 *inserting “Subject to subsection (e), members”; and*

18 (2) *by adding at the end the following new sub-*  
19 *section:*

20 *“(e) Notwithstanding any other provision of law, the*  
21 *Secretary of State may provide for recognition of the meri-*  
22 *torious or distinguished service of a member of the Foreign*  
23 *Service described in subsection (a) (including members of*  
24 *the Senior Foreign Service) by means other than an award*

1 of performance pay in lieu of making such an award under  
2 this section.”.

3 (c) *EXPEDITED SEPARATION OUT.*—Not later than 90  
4 days after the date of enactment of this Act, the Secretary  
5 of State shall develop and implement procedures to identify,  
6 and recommend for separation, members of the Foreign  
7 Service ranked by promotion boards in the bottom five per-  
8 cent of their class for any two of the five preceding years.

9 **SEC. 1139. LAW ENFORCEMENT AVAILABILITY PAY.**

10 (a) *LAW ENFORCEMENT AVAILABILITY PAY.*—Section  
11 5545a of title 5, United States Code, is amended—

12 (1) in subsection (a)(2), by striking “(other than  
13 an officer occupying a position under title II of Pub-  
14 lic Law 99–399)” and inserting “, including any spe-  
15 cial agent of the Diplomatic Security Service,”; and

16 (2) by amending subsection (h) to read as fol-  
17 lows:

18 “(h) Availability pay under this section shall be—

19 “(1) 25 percent of the rate of basic pay for the  
20 position;

21 “(2) treated as part of basic pay for the purposes  
22 of—

23 “(A) sections 5595(c), 8114(e), 8331(3),  
24 8431, and 8704(c) of this title and section 856  
25 of the Foreign Service Act of 1980; and

1           “(B) such other purposes as may be ex-  
2           pressly provided for by law or as the Office of  
3           Personnel Management may by regulations pre-  
4           scribe; and

5           “(3) treated as part of salary for purposes of sec-  
6           tions 609(b)(1), 805, and 806 of the Foreign Service  
7           Act of 1980.”.

8           (b) *CONFORMING AMENDMENT.*—Section 5542(e) of  
9           title 5, United States Code, is amended by inserting “, or  
10          section 37(a)(3) of the State Department Basic Authorities  
11          Act of 1956,” after “section 3056(a) of title 18,”.

12          (c) *IMPLEMENTATION.*—Not later than the effective  
13          date of this section, each special agent of the Diplomatic  
14          Security Service under section 5545a of title 5, United  
15          States Code, as amended by this section, and the appro-  
16          priate supervisory officer, to be designated by the Secretary  
17          of State, shall make an initial certification to the Secretary  
18          of State that the special agent is expected to meet the re-  
19          quirements of subsection (d) of such section 5545a. The Sec-  
20          retary of State may prescribe procedures necessary to ad-  
21          minister this subsection.

22          (d) *EFFECTIVE DATE.*—The amendments made by this  
23          section shall take effect on the first day of the first applica-  
24          ble pay period which begins on or after the 90th day follow-  
25          ing the date of enactment of this Act.

1 **SEC. 1140. LAW ENFORCEMENT AUTHORITY OF DS SPECIAL**  
2 **AGENTS OVERSEAS.**

3 *Section 37 of the State Department Basic Authorities*  
4 *Act of 1956 (22 U.S.C. 2709) is amended—*

5 *(1) by striking “and” at the end of subsection*  
6 *(a)(4);*

7 *(2) by striking the period at the end of sub-*  
8 *section (a)(5)(B) and inserting “; and”;*

9 *(3) by adding at the end of subsection (a) the fol-*  
10 *lowing:*

11 *“(6) conduct investigative leads or perform other*  
12 *law enforcement duties at the request of any duly au-*  
13 *thorized law enforcement agency while assigned to a*  
14 *United States Mission outside the United States.*

15 *Requests for investigative assistance from State and local*  
16 *law enforcement agencies under paragraph (6) shall be co-*  
17 *ordinated with the Federal law enforcement agency having*  
18 *jurisdiction over the subject matter for which assistance is*  
19 *requested.”; and*

20 *(4) by adding at the end the following:*

21 *“(d) AGENCIES NOT AFFECTED.—Nothing in sub-*  
22 *section (a)(6) may be construed to limit or impair the au-*  
23 *thority or responsibility of any other Federal or State law*  
24 *enforcement agency with respect to its law enforcement*  
25 *functions.”.*

1 **SEC. 1141. LIMITATIONS ON MANAGEMENT ASSIGNMENTS.**

2 *Sec. 1017(e)(2) of the Foreign Service Act of 1980 (22*  
3 *U.S.C. 4117(e)(2)) is amended to read as follows:*

4 *“(2) For the purposes of paragraph (1)(A)(ii)*  
5 *and paragraph (1)(B), the term ‘management official’*  
6 *does not include chiefs of mission, principal officers*  
7 *or their deputies, administrative and personnel offi-*  
8 *cers abroad, or individuals described in section*  
9 *1002(12) (B), (C), and (D) who are not involved in*  
10 *the administration of this chapter or in the formula-*  
11 *tion of the personnel policies and programs of the De-*  
12 *partment.”.*

13 **CHAPTER 4—CONSULAR AND RELATED**  
14 **ACTIVITIES**

15 **SEC. 1151. CONSULAR OFFICERS.**

16 *(a) PERSONS AUTHORIZED TO ISSUE REPORTS OF*  
17 *BIRTHS ABROAD.—Section 33(2) of the State Department*  
18 *Basic Authorities Act of 1956 (22 U.S.C. 2705) is amended*  
19 *by adding at the end the following: “For purposes of this*  
20 *paragraph, the term ‘consular officer’ includes any em-*  
21 *ployee of the Department of State who is a United States*  
22 *citizen and who is designated by the Secretary of State to*  
23 *adjudicate nationality abroad pursuant to such regulations*  
24 *as the Secretary may prescribe.”.*

25 *(b) PROVISIONS APPLICABLE TO CONSULAR OFFI-*  
26 *CERS.—Section 31 of the Act of August 18, 1856 (Rev. Stat.*

1 1689; 22 U.S.C. 4191), is amended by inserting after “such  
2 officers” the following: “and to such other employees of the  
3 Department of State who are United States citizens as may  
4 be designated by the Secretary of State pursuant to such  
5 regulations as the Secretary may prescribe”.

6 (c) *PERSONS AUTHORIZED TO AUTHENTICATE FOR-*  
7 *EIGN DOCUMENTS.*—

8 (1) *DEFINITION OF CONSULAR OFFICERS.*—*Sec-*  
9 *tion 3492(c) of title 18, United States Code, is*  
10 *amended by adding at the end the following: “For*  
11 *purposes of this section and sections 3493 through*  
12 *3496 of this title, the term ‘consular officers’ includes*  
13 *any officer or employee of the United States Govern-*  
14 *ment who is a United States citizen and who is des-*  
15 *ignated to perform notarial functions pursuant to sec-*  
16 *tion 24 of the Act of August 18, 1856 (Rev. Stat.*  
17 *1750; 22 U.S.C. 4221).”.*

18 (2) *DESIGNATED UNITED STATES CITIZENS PER-*  
19 *FORMING NOTARIAL ACTS.*—*Section 24 of the Act of*  
20 *August 18, 1856 (Rev. Stat. 1750; 22 U.S.C. 4221) is*  
21 *amended by inserting after the first sentence: “At any*  
22 *post, port, or place where there is no consular officer,*  
23 *the Secretary of State may authorize any other officer*  
24 *or employee of the United States Government serving*

1        *overseas including persons employed as United States*  
2        *Government contractors, to perform such acts.”.*

3        *(d) PERSONS AUTHORIZED TO ADMINISTER OATHS.—*

4        *Section 115 of title 35 of the United States Code is amended*  
5        *by adding at the end the following: “For purposes of this*  
6        *section, the term ‘consular officer’ includes any officer or*  
7        *employee of the United States Government who is a United*  
8        *States citizen and who is designated to perform notarial*  
9        *functions pursuant to section 24 of the Act of August 18,*  
10       *1856 (Rev. Stat. 1750; 22 U.S.C. 4221).”.*

11       *(e) NATURALIZATION FUNCTIONS.—Section 101(a)(9)*  
12       *of the Immigration and Nationality Act (8 U.S.C.*  
13       *1101(a)(9)) is amended by adding at the end the following*  
14       *new sentence: “As used in title III, the term ‘consular offi-*  
15       *cer’ includes any employee of the Department of State who*  
16       *is a United States citizen and who is designated by the*  
17       *Secretary of State to adjudicate nationality abroad pursu-*  
18       *ant to such regulations as the Secretary may prescribe.”.*

19       **SEC. 1152. REPEAL OF OUTDATED CONSULAR RECEIPT RE-**  
20       **QUIREMENTS.**

21       *The Act of August 18, 1856 (Revised Statutes 1726–*  
22       *28; 22 U.S.C. 4212–14), concerning accounting for consular*  
23       *fees, is repealed.*

1 **SEC. 1153. ELIMINATION OF DUPLICATE FEDERAL REG-**  
2 **ISTER PUBLICATION FOR TRAVEL**  
3 **ADVISORIES.**

4 (a) *FOREIGN AIRPORTS.*—Section 44908(a) of title 49,  
5 *United States Code*, is amended—

6 (1) by inserting “and” at the end of paragraph  
7 (1);

8 (2) by striking paragraph (2); and

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

11 (b) *FOREIGN PORTS.*—Section 908(a) of the *Inter-*  
12 *national Maritime and Port Security Act of 1986* (46  
13 *U.S.C. App. 1804(a)*) is amended by striking the second  
14 sentence, relating to Federal Register publication by the  
15 Secretary of State.

16 **SEC. 1154. INADMISSIBILITY OF MEMBERS OF FORMER SO-**  
17 **VIET UNION INTELLIGENCE SERVICES.**

18 Section 212(a)(3) of the *Immigration and Naturaliza-*  
19 *tion Act* (8 *U.S.C. 1182(a)(3)*) is amended by adding at  
20 the end the following new subparagraph:

21 “(F) *MEMBERS OF FORMER SOVIET UNION*  
22 *INTELLIGENCE SERVICES.*—Any alien who was  
23 employed by an intelligence service of the Soviet  
24 Union prior to the dissolution of the Soviet  
25 Union on December 31, 1991, is inadmissible,  
26 unless—

1           “(i) *The Secretary of State, in con-*  
2           *sultation with the Attorney General and the*  
3           *Director of Central Intelligence, determines*  
4           *that it is in the national interest to admit*  
5           *the alien; or*

6           “(ii) *The admission of the alien is for*  
7           *the purpose of the alien’s attendance at a*  
8           *scholarly conference or educational meeting*  
9           *in the United States.”.*

10 **SEC. 1155. DENIAL OF VISAS TO ALIENS WHO HAVE CON-**  
11 **FISCATED PROPERTY CLAIMED BY NATION-**  
12 **ALS OF THE UNITED STATES.**

13           (a) *DENIAL OF VISAS.—Except as otherwise provided*  
14 *in section 401 of the Cuban Liberty and Democratic Soli-*  
15 *darity (LIBERTAD) Act of 1996 (Public Law 104–114),*  
16 *and subject to subsection (b), the Secretary of State may*  
17 *deny the issuance of a visa to any alien who has confiscated*  
18 *or has directed or overseen the confiscation or expropriation*  
19 *of property the claim to which is owned by a national of*  
20 *the United States, or converts or has converted for personal*  
21 *gain confiscated or expropriated property the claim to*  
22 *which is owned by a national of the United States.*

23           (b) *EXCEPTION.—This section shall not apply to*  
24 *claims arising from any territory in dispute as a result*  
25 *of war between United Nations member states in which the*

1 *ultimate resolution of the disputed territory has not been*  
2 *resolved.*

3 *(c) REPORTING REQUIREMENT.—*

4 *(1) LIST OF FOREIGN NATIONALS.—The Sec-*  
5 *retary of State shall direct the United States chief of*  
6 *mission in each country to provide the Secretary of*  
7 *State with a list of foreign nationals in that country*  
8 *who have confiscated or converted properties of na-*  
9 *tionals of the United States where the cases of con-*  
10 *fiscated or converted properties of nationals of the*  
11 *United States have not been fully resolved.*

12 *(2) REPORT.—Not later than 3 months after the*  
13 *date of enactment of this Act and not later than every*  
14 *6 months thereafter, the Secretary of State shall sub-*  
15 *mit to the Appropriations and Foreign Relations*  
16 *Committees of the Senate and the Appropriations and*  
17 *International Relations Committees of the House of*  
18 *Representatives a report—*

19 *(A) listing foreign nationals who could have*  
20 *been denied a visa under subsection (a) but were*  
21 *given a visa to travel to the United States; and*

22 *(B) an explanation as to why the visa was*  
23 *given.*

1 **SEC. 1156. INADMISSIBILITY OF ALIENS SUPPORTING**  
2 **INTERNATIONAL CHILD ABDUCTORS.**

3 (a) *AMENDMENT TO IMMIGRATION AND NATIONALITY*  
4 *ACT.*—Section 212(a)(10)(C) of the *Immigration and Na-*  
5 *tionality Act (8 U.S.C. 1182(a)(10)(C)) is amended—*

6 (1) *by redesignating clause (ii) as clause (iii);*

7 (2) *by inserting after clause (i) the following:*

8 “(ii) *ALIENS SUPPORTING ABDUCTORS*  
9 *AND RELATIVES OF ABDUCTORS.*—*Any alien*  
10 *who—*

11 *“(I) is known by the Department*  
12 *of State to have intentionally assisted*  
13 *an alien in the conduct described in*  
14 *clause (i),*

15 *“(II) is known by the Department*  
16 *of State to be intentionally providing*  
17 *material support or safe haven to an*  
18 *alien described in clause (i), or*

19 *“(III) is a spouse (other than the*  
20 *spouse who is the parent of the ab-*  
21 *ducted child), child (other than the ab-*  
22 *ducted child), parent, sibling, or agent*  
23 *of an alien described in clause (i), as*  
24 *designated at the discretion of the Sec-*  
25 *retary of State,*

1            *is inadmissible until the child described in*  
2            *clause (i) is surrendered to the person*  
3            *granted custody by the order described in*  
4            *that clause, and such person and child are*  
5            *permitted to return to the United States.*  
6            *Nothing in clause (i) or (ii) of this section*  
7            *shall be deemed to apply to a government*  
8            *official of the United States who is acting*  
9            *within the scope of his or her official duties.*  
10           *Nothing in clause (i) or (ii) of this section*  
11           *shall be deemed to apply to a government*  
12           *official of any foreign government if such*  
13           *person has been designated by the Secretary*  
14           *of State at the Secretary’s discretion.”;*

15           *(3) in clause (i), by striking “clause (ii)” and*  
16           *inserting “clause (iii)”;* and

17           *(4) in clause (iii) (as redesignated), by striking*  
18           *“Clause (i)” and inserting “Clauses (i) and (ii)”.*

19           *(b) EFFECTIVE DATE.—The amendments made by sub-*  
20           *section (a) shall apply to aliens seeking admission to the*  
21           *United States on or after the date of enactment of this Act.*

1 **TITLE XII—OTHER INTER-**  
2 **NATIONAL ORGANIZATIONS**  
3 **AND COMMISSIONS**

4 **CHAPTER 1—AUTHORIZATION OF**  
5 **APPROPRIATIONS**

6 **SEC. 1201. INTERNATIONAL CONFERENCES AND CONTIN-**  
7 **GENCIES.**

8 *There are authorized to be appropriated for “Inter-*  
9 *national Conferences and Contingencies”, \$3,944,000 for*  
10 *the fiscal year 1998 and \$3,500,000 for the fiscal year 1999*  
11 *for the Department of State to carry out the authorities,*  
12 *functions, duties, and responsibilities in the conduct of the*  
13 *foreign affairs of the United States with respect to inter-*  
14 *national conferences and contingencies and to carry out*  
15 *other authorities in law consistent with such purposes.*

16 **SEC. 1202. INTERNATIONAL COMMISSIONS.**

17 *There are authorized to be appropriated for “Inter-*  
18 *national Commissions” for the Department of State to*  
19 *carry out the authorities, functions, duties, and responsibil-*  
20 *ities in the conduct of the foreign affairs of the United*  
21 *States and for other purposes authorized by law:*

22 (1) *INTERNATIONAL BOUNDARY AND WATER COM-*  
23 *MISSION, UNITED STATES AND MEXICO.—For “Inter-*  
24 *national Boundary and Water Commission, United*  
25 *States and Mexico”—*

1           (A) for “Salaries and Expenses”,  
2           \$18,200,000 for the fiscal year 1998, and  
3           \$18,200,000 for the fiscal year 1999; and

4           (B) for “Construction”, \$6,463,000 for the  
5           fiscal year 1998, and \$6,463,000 for the fiscal  
6           year 1999.

7           (2) *INTERNATIONAL BOUNDARY COMMISSION,*  
8           *UNITED STATES AND CANADA.—For “International*  
9           *Boundary Commission, United States and Canada”,*  
10           \$785,000 for the fiscal year 1998, and \$785,000 for  
11           the fiscal year 1999.

12           (3) *INTERNATIONAL JOINT COMMISSION.—For*  
13           *“International Joint Commission”, \$3,225,000 for the*  
14           *fiscal year 1998, and \$3,225,000 for the fiscal year*  
15           *1999.*

16           (4) *INTERNATIONAL FISHERIES COMMISSIONS.—*  
17           *For “International Fisheries Commissions”,*  
18           \$14,549,000 for the fiscal year 1998, and \$14,549,000  
19           for the fiscal year 1999.

## 20           **CHAPTER 2—GENERAL PROVISIONS**

### 21           **SEC. 1211. INTERNATIONAL CRIMINAL COURT PARTICIPA-** 22           **TION.**

23           *The United States may not participate in an inter-*  
24           *national criminal court with jurisdiction over crimes of an*  
25           *international character except—*

1           (1) *pursuant to a treaty made in accordance*  
2           *with Article II, section 2, clause 2 of the Constitution;*  
3           *or*

4           (2) *as specifically authorized by statute.*

5 **SEC. 1212. WITHHOLDING OF ASSISTANCE FOR PARKING**  
6           **FINES OWED BY FOREIGN COUNTRIES.**

7           (a) *IN GENERAL.*—*Of the funds made available for a*  
8 *foreign country under part I of the Foreign Assistance Act*  
9 *of 1961, an amount equivalent to 110 percent of the total*  
10 *unpaid fully adjudicated parking fines and penalties owed*  
11 *to the District of Columbia, the City of New York, and juris-*  
12 *dictions in the States of Virginia and Maryland by such*  
13 *country as of the date of enactment of this Act shall be with-*  
14 *held from obligation for such country until the Secretary*  
15 *of State certifies and reports in writing to the appropriate*  
16 *congressional committees that such fines and penalties are*  
17 *fully paid to the governments of the District of Columbia,*  
18 *the City of New York, and the States of Virginia and Mary-*  
19 *land, respectively.*

20           (b) *DEFINITION.*—*For purposes of this section, the*  
21 *term “appropriate congressional committees” means the*  
22 *Committee on Foreign Relations and the Committee on Ap-*  
23 *propriations of the Senate and the Committee on Inter-*  
24 *national Relations and the Committee on Appropriations*  
25 *of the House of Representatives.*

1 **SEC. 1213. UNITED STATES MEMBERSHIP IN THE INTERPAR-**  
2 **LIAMENTARY UNION.**

3 (a) *INTERPARLIAMENTARY UNION LIMITATION.*—The  
4 *United States shall either—*

5 (1) *pay no more than \$500,000 in annual dues*  
6 *for membership in the Interparliamentary Union in*  
7 *fiscal year 1998 and fiscal year 1999; or*

8 (2) *formally withdraw from the Organization.*

9 (b) *RETURN OF APPROPRIATED FUNDS.*—

10 (1) *PROHIBITION.*—None of the funds made  
11 available under this Act to the Department of State  
12 may be used for congressional participation in the  
13 *International Parliamentary Union.*

14 (2) *TRANSFER OF FUNDS.*—Unobligated balances  
15 of appropriations for the *International Parliamen-*  
16 *tary Union shall be transferred to, and merged with,*  
17 *funds available under the “Contributions for Inter-*  
18 *national Organizations” appropriations account of*  
19 *the Department of State, to be available only for pay-*  
20 *ment in fiscal year 1998 of United States assessed*  
21 *contributions to international organizations covered*  
22 *by that account.*

23 **SEC. 1214. REPORTING OF FOREIGN TRAVEL BY UNITED**  
24 **STATES OFFICIALS.**

25 (a) *INITIAL REPORTS.*—

1           (1) *PROHIBITION.*—*Except as provided in para-*  
2 *graph (2), none of the funds made available under*  
3 *this Act may be used to pay—*

4                   (A) *the expenses of foreign travel by any of-*  
5 *ficer or employee of United States Executive*  
6 *agencies in attending any international con-*  
7 *ference or in engaging in any other foreign trav-*  
8 *el; or*

9                   (B) *the routine services that a United*  
10 *States diplomatic mission or consular post pro-*  
11 *vides in support of travel by such officer or em-*  
12 *ployee,*

13 *unless, prior to the commencement of the travel, the*  
14 *individual submits a report to the Director that states*  
15 *the purpose, duration, and estimated cost of the trav-*  
16 *el.*

17           (2) *EXCEPTION.*—*Paragraph (1) shall not apply*  
18 *to—*

19                   (A) *the President, the Vice President, or*  
20 *any person traveling on a delegation led by the*  
21 *President or Vice President, or any officer or em-*  
22 *ployee of the Executive Office of the President;*

23                   (B) *the foreign travel of officers or employ-*  
24 *ees of United States Executive agencies who are*

1           *carrying out intelligence or intelligence-related*  
2           *activities, or law enforcement activities;*

3           (C) *the deployment of members of the*  
4           *Armed Forces of the United States; or*

5           (D) *any United States Government official*  
6           *engaged in a sensitive diplomatic mission.*

7           (b) *UPDATED REPORTS.*—*Not later than 30 days after*  
8 *the conclusion of any travel for which a report is required*  
9 *to be submitted under subsection (a)(1), the officer or em-*  
10 *ployee of the United States shall submit an updated report*  
11 *to the Director on the purpose, duration, or costs of the trav-*  
12 *el from those indicated in the initial report.*

13           (c) *QUARTERLY REPORTS.*—*The Director shall submit*  
14 *a quarterly report suitable for publication, containing the*  
15 *information required in subsection (b) to the Committees*  
16 *on Appropriations and Foreign Relations of the Senate and*  
17 *the Committees on Appropriations and International Rela-*  
18 *tions of the House of Representatives.*

19           (d) *EMERGENCY WAIVER.*—*Subsection (a)(1) shall not*  
20 *apply if the President determines that an emergency or*  
21 *other unforeseen event necessitates the travel and thus pre-*  
22 *vents the timely filing of the report required by that sub-*  
23 *section, however nothing in this section shall be interpreted*  
24 *to authorize a waiver of subsection (a)(2)(b).*

25           (e) *DEFINITIONS.*—*For purposes of this section:*

1           (1) *DIRECTOR*.—The term “Director” means the  
2           Director of the Office of International Conferences of  
3           the Department of State.

4           (2) *EXECUTIVE AGENCIES*.—The term “Executive  
5           agencies” means those entities, other than the General  
6           Accounting Office, defined in section 105 of title 5,  
7           United States Code.

8           (3) *FOREIGN TRAVEL*.—The term “foreign trav-  
9           el” refers to—

10                   (A) travel between the United States and a  
11                   foreign country or territory except home leave;  
12                   and

13                   (B) in the case of personnel assigned to a  
14                   United States diplomatic mission or consular  
15                   post in a foreign country or territory, travel out-  
16                   side that country or territory.

17           (4) *UNITED STATES*.—The term “United States”  
18           means the several States and the District of Columbia  
19           and the commonwealths, territories, and possessions of  
20           the United States.

21           (f) *AVAILABLE FUNDS*.—Funds available under section  
22           1201 shall be available for purposes of carrying out this  
23           section.

1 **SEC. 1215. SENSE OF THE SENATE ON USE OF FUNDS IN**  
2 **JAPAN-UNITED STATES FRIENDSHIP TRUST**  
3 **FUND.**

4 (a) *FINDINGS.*—*The Senate makes the following find-*  
5 *ings:*

6 (1) *The funds used to create the Japan-United*  
7 *States Friendship Trust Fund established under sec-*  
8 *tion 3 of the Japan-United States Friendship Act (22*  
9 *U.S.C. 2902) originated from payments by the Gov-*  
10 *ernment of Japan to the Government of the United*  
11 *States.*

12 (2) *Among other things, amounts in the Fund*  
13 *were intended to be used for cultural and educational*  
14 *exchanges and scholarly research.*

15 (3) *The Japan-United States Friendship Com-*  
16 *mission was created to manage the Fund and to ful-*  
17 *fill a mandate agreed upon by the Government of*  
18 *Japan and the Government of the United States.*

19 (4) *The statute establishing the Commission in-*  
20 *cludes provisions which make the availability of funds*  
21 *in the Fund contingent upon appropriations of such*  
22 *funds.*

23 (5) *These provisions impair the operations of the*  
24 *Commission and hinder it from fulfilling its mandate*  
25 *in a satisfactory manner.*

1       (b) *SENSE OF SENATE.*—*It is the sense of the Senate*  
2 *that—*

3           (1) *the Japan-United States Friendship Com-*  
4 *mission shall be able to use amounts in the Japan-*  
5 *United States Friendship Trust Fund in pursuit of*  
6 *the original mandate of the Commission; and*

7           (2) *the Office of Management and Budget*  
8 *should—*

9                   (A) *review the statute establishing the Com-*  
10 *mission; and*

11                   (B) *submit to Congress a report on whether*  
12 *or not modifications to the statute are required*  
13 *in order to permit the Commission to pursue*  
14 *fully its original mandate and to use amounts in*  
15 *the Fund as contemplated at the time of the es-*  
16 *tablishment of the Fund.*

17 **TITLE XIII—UNITED STATES IN-**  
18 **FORMATIONAL, EDUCATION-**  
19 **AL, AND CULTURAL PRO-**  
20 **GRAMS**

21 **CHAPTER 1—AUTHORIZATION OF**  
22 **APPROPRIATIONS**

23 **SEC. 1301. AUTHORIZATION OF APPROPRIATIONS.**

24       (a) *IN GENERAL.*—*The following amounts are author-*  
25 *ized to be appropriated to carry out international informa-*

1 *tion activities, and educational and cultural exchange pro-*  
2 *grams under the United States Information and Edu-*  
3 *cational Exchange Act of 1948, the Mutual Educational*  
4 *and Cultural Exchange Act of 1961, Reorganization Plan*  
5 *Number 2 of 1977, the Radio Broadcasting to Cuba Act,*  
6 *the Television Broadcasting to Cuba Act, the National En-*  
7 *dowment for Democracy Act, the United States Inter-*  
8 *national Broadcasting Act of 1994, and to carry out other*  
9 *authorities in law consistent with such purposes:*

10           (1) *“International Information Programs”,*  
11           *\$427,097,000 for the fiscal year 1998 and*  
12           *\$427,097,000 for the fiscal year 1999.*

13           (2) *“Educational and Cultural Exchange Pro-*  
14 *grams”:*

15                   (A) *For the “Fulbright Academic Exchange*  
16 *Programs”, \$99,236,000 for the fiscal year 1998*  
17 *and \$99,236,000 for the fiscal year 1999.*

18                   (B) *For other educational and cultural ex-*  
19 *change programs authorized by law,*  
20 *\$100,764,000 for the fiscal year 1998 and*  
21 *\$100,764,000 for the fiscal year 1999.*

22           (3) *“International Broadcasting Activities”:*

23                   (A) *For the activities of Radio Free Asia,*  
24 *\$20,000,000 for the fiscal year 1998 and*  
25 *\$20,000,000 for the fiscal year 1999.*

1           (B) *For the activities of Broadcasting to*  
2           *Cuba, \$22,095,000 for the fiscal year 1998 and*  
3           *\$22,095,000 for the fiscal year 1999.*

4           (C) *For the activities of Radio Free Iran,*  
5           *\$2,000,000 for the fiscal year 1998 and*  
6           *\$2,000,000 for the fiscal year 1999.*

7           (D) *For other “International Broadcasting*  
8           *Activities”, \$331,168,000 for the fiscal year 1998*  
9           *and \$331,168,000 for the fiscal year 1999.*

10          (4) *“Radio Construction”, \$37,710,000 for the*  
11          *fiscal year 1998 and \$31,000,000 for the fiscal year*  
12          *1999.*

13          (5) *“Technology Fund”, \$5,050,000 for the fiscal*  
14          *year 1998 and \$5,050,000 for the fiscal year 1999.*

15          (b) *VIETNAM FULBRIGHT SCHOLARSHIPS.—Of the*  
16          *funds authorized to be appropriated in subsection (a)(2)(A),*  
17          *\$5,000,000 is authorized to be appropriated for fiscal year*  
18          *1998 and \$5,000,000 is authorized to be appropriated for*  
19          *fiscal year 1999 for the Vietnam scholarship program estab-*  
20          *lished by section 229 of the Foreign Relations Authorization*  
21          *Act, Fiscal Years 1992 and 1993 (Public Law 102–138).*

22          (c) *CENTER FOR CULTURAL AND TECHNICAL INTER-*  
23          *CHANGE BETWEEN EAST AND WEST.—There are authorized*  
24          *to be appropriated no more than \$10,000,000 for fiscal year*  
25          *1998 and no more than \$10,000,000 for fiscal year 1999.*

1 **SEC. 1302. NATIONAL ENDOWMENT FOR DEMOCRACY.**

2 *There are authorized to be appropriated \$30,000,000*  
 3 *for the fiscal year 1998 and \$30,000,000 for the fiscal year*  
 4 *1999 to carry out the National Endowment for Democracy*  
 5 *Act (title V of Public Law 98–164), of which amount for*  
 6 *each fiscal year not more than 55 percent shall be available*  
 7 *only for the following organizations, in equal allotments:*

8 (1) *The International Republican Institute*  
 9 *(IRI).*

10 (2) *The National Democratic Institute (NDI).*

11 (3) *The Free Trade Union Institute (FTUI).*

12 (4) *The Center for International Private Enter-*  
 13 *prise (CIPE).*

14 **CHAPTER 2—USIA AND RELATED**

15 **AGENCIES AUTHORITIES AND ACTIVITIES**

16 **SEC. 1311. AUTHORIZATION TO RECEIVE AND RECYCLE**  
 17 **FEES.**

18 *Section 810 of the United States Information and*  
 19 *Educational Exchange Act of 1948 (22 U.S.C. 1475e) is*  
 20 *hereby amended by adding “educational advising and coun-*  
 21 *selling, Exchange Visitor Programs Services, advertising*  
 22 *sold by the Voice of America, receipts from cooperating*  
 23 *international organizations and from the privatization of*  
 24 *VOA Europe” after “library services” and before “, and*  
 25 *Agency-produced publications,”.*

1 **SEC. 1312. APPROPRIATIONS TRANSFER AUTHORITY.**

2 *Section 701(f) of the United States Information and*  
3 *Educational Exchange Act of 1948 (22 U.S.C. 1476(f)) is*  
4 *amended—*

5 *(1) in paragraph (1), by striking “, for the sec-*  
6 *ond fiscal year of any 2-year authorization cycle may*  
7 *be appropriated for such second fiscal year” and in-*  
8 *serting “for a fiscal year may be appropriated for*  
9 *such fiscal year”; and*

10 *(2) by striking paragraph (4).*

11 **SEC. 1313. EXPANSION OF MUSKIE FELLOWSHIP PROGRAM.**

12 *Section 227(c)(5) of the Foreign Relations Authoriza-*  
13 *tion Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note)*  
14 *is amended—*

15 *(1) by inserting in the first sentence “journalism*  
16 *and communications, education administration, pub-*  
17 *lic policy, library and information science,” imme-*  
18 *diately following “business administration,”; and*

19 *(2) by inserting in the second sentence “journal-*  
20 *ism and communications, education administration,*  
21 *public policy, library and information science,” im-*  
22 *mediately following “business administration,”.*

23 **SEC. 1314. AU PAIR EXTENSION.**

24 *Section 1(b) of Public Law 104–72 is amended by*  
25 *striking “, through fiscal year 1997”.*

1 **SEC. 1315. RADIO BROADCASTING TO IRAN IN THE FARSI**  
2 **LANGUAGE.**

3 (a) *RADIO FREE IRAN.*—Not more than \$2,000,000 of  
4 the funds made available under section 1301(a)(3) for each  
5 of the fiscal years 1998 and 1999 for grants to RFE/RL,  
6 Incorporated, shall be available only for surrogate radio  
7 broadcasting by RFE/RL, Incorporated, to the Iranian peo-  
8 ple in the Farsi language, such broadcasts to be designated  
9 as “Radio Free Iran”.

10 (b) *REPORT TO CONGRESS.*—Not later than 60 days  
11 after the date of enactment of this Act, the Broadcasting  
12 Board of Governors of the United States Information Agen-  
13 cy shall submit a detailed report to Congress describing the  
14 costs, implementation, and plans for creation of the surro-  
15 gate broadcasting service to be designated as Radio Free  
16 Iran.

17 (c) *AVAILABILITY OF FUNDS.*—None of the funds made  
18 available under subsection (a) may be made available until  
19 submission of the report required under subsection (b).

20 **SEC. 1316. VOICE OF AMERICA BROADCASTS.**

21 (a) *IN GENERAL.*—The Voice of America shall devote  
22 programming time each day to broadcasting information  
23 on the individual States of the United States. The broad-  
24 casts shall include information on the products, and cul-  
25 tural and educational facilities of each State, potential

1 *trade with each State, and interactive discussions with*  
2 *State officials.*

3       **(b) REPORT.**—*Not later than July 1, 1998, the Broad-*  
4 *casting Board of Governors of the United States Informa-*  
5 *tion Agency shall submit a report to Congress detailing the*  
6 *actions that have been taken to carry out subsection (a).*

7 **SEC. 1317. WORKING GROUP ON GOVERNMENT-SPONSORED**  
8 **INTERNATIONAL EXCHANGES AND TRAINING.**

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

12       “(g)(1) *In order to carry out the purposes of subsection*  
13 *(f) and to improve the coordination, efficiency and effective-*  
14 *ness of Government-sponsored international exchanges and*  
15 *training, there is established within the United States In-*  
16 *formation Agency a senior-level inter-agency Working*  
17 *Group on Government-Sponsored International Exchanges*  
18 *and Training (in this section referred to as ‘the Working*  
19 *Group’).*

20       “(2) *In this subsection, the term ‘Government-spon-*  
21 *sored international exchanges and training’ refers to the*  
22 *movement of people between countries to promote the shar-*  
23 *ing of ideas, develop skills, and foster mutual understanding*  
24 *and cooperation, financed wholly or in part, directly or in-*  
25 *directly, with United States Government funds.*

1       “(3) *The Working Group shall consist of the Associate*  
2 *Director of the Bureau, who shall act as Chairperson of the*  
3 *Working Group, and comparable senior representatives ap-*  
4 *pointed by the Secretaries of State, Defense, Justice, and*  
5 *Education, and by the Administrator of the United States*  
6 *Agency for International Development. Other departments*  
7 *and agencies shall participate in the Working Group’s*  
8 *meetings at the discretion of the Chairperson, and shall co-*  
9 *operate with the Working Group to help accomplish the pur-*  
10 *poses of the Working Group. The National Security Advisor*  
11 *and the Director of the Office of Management and Budget*  
12 *may, at their discretion, each appoint a representative to*  
13 *participate in the Working Group. The Working Group*  
14 *shall be supported by an interagency staff office established*  
15 *in the Bureau.*

16       “(4) *The Working Group shall have the following*  
17 *authority:*

18               “(A) *To collect, analyze and report data pro-*  
19 *vided by all United States Government departments*  
20 *and agencies conducting international exchanges and*  
21 *training programs.*

22               “(B) *To promote greater understanding and co-*  
23 *operation among concerned United States Govern-*  
24 *ment departments and agencies of common issues and*  
25 *challenges in conducting international exchanges and*

1 *training programs, including through the establish-*  
2 *ment of a clearinghouse of information on inter-*  
3 *national exchange and training activities in the gov-*  
4 *ernmental and non-governmental sectors.*

5 *“(C) In order to achieve the most efficient and*  
6 *cost-effective use of Federal resources, to identify ad-*  
7 *ministrative and programmatic duplication and over-*  
8 *lap of activities by the various United States Govern-*  
9 *ment departments and agencies involved in Govern-*  
10 *ment-sponsored international exchange and training*  
11 *programs.*

12 *“(D) Not later than 1 year after the date of en-*  
13 *actment of the Foreign Relations Authorization Act,*  
14 *Fiscal Years 1998 and 1999, to submit a report on*  
15 *Government-sponsored international exchange and*  
16 *training programs, along with the findings of the*  
17 *Working Group made under subparagraph (c).*

18 *“(E) To develop strategies for expanding public*  
19 *and private partnerships in, and leveraging private*  
20 *sector support for, Government-sponsored inter-*  
21 *national exchange and training activities.*

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

1       “(6) *The Working Group shall meet at least on a quar-*  
2 *terly basis.*”

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

6       “(8) *The members of the Working Group shall serve*  
7 *without additional compensation for their service on the*  
8 *Working Group, and any expenses incurred by a member*  
9 *of the Working Group in connection with such member’s*  
10 *service on the Working Group shall be borne by the mem-*  
11 *ber’s respective department or agency.*”

12       “(9) *If any member of the Working Group disagrees*  
13 *regarding to any matter in a report prepared pursuant to*  
14 *this subsection, the member may prepare a statement set-*  
15 *ting forth the reasons for such disagreement and such state-*  
16 *ment shall be appended to, and considered a part of, the*  
17 *report.*”

18 **SEC. 1318. INTERNATIONAL INFORMATION PROGRAMS.**

19       *Section 704(c) of the United States Information and*  
20 *Educational Exchange Act of 1948 (22 U.S.C. 1477b(c)) is*  
21 *amended—*

22               (1) *in paragraph (3), by striking “Salaries and*  
23 *Expenses” and inserting “the ‘International Informa-*  
24 *tion Programs’ appropriations account,”; and*

1           (2) *in paragraph (7), by striking “the ‘Salaries*  
2           *and Expenses’ account” and inserting “the ‘Inter-*  
3           *national Information Programs’ appropriations ac-*  
4           *count,”.*

5 **SEC. 1319. AUTHORITY TO ADMINISTER SUMMER TRAVEL**  
6                                   **AND WORK PROGRAMS.**

7           *The Director of the United States Information Agency*  
8           *is authorized to administer summer travel and work pro-*  
9           *grams without regard to preplacement requirements.*

10                               **TITLE XIV—PEACE CORPS**

11 **SEC. 1401. SHORT TITLE.**

12           *This title may be cited as the “Peace Corps Act*  
13           *Amendments of 1997”.*

14 **SEC. 1402. AUTHORIZATION OF APPROPRIATIONS.**

15           *Section 3(b) of the Peace Corps Act (22 U.S.C.*  
16           *2502(b)) is amended to read as follows:*

17           *“(b) There are authorized to be appropriated to carry*  
18           *out the purposes of this Act \$234,000,000 for fiscal year*  
19           *1998, which are authorized to remain available until Sep-*  
20           *tember 30, 1999 and \$234,000,000 for fiscal year 1999.”.*

21 **SEC. 1403. AMENDMENTS TO THE PEACE CORPS ACT.**

22           *(a) TERMS AND CONDITIONS OF VOLUNTEER SERV-*  
23           *ICE.—Section 5 of the Peace Corps Act (22 U.S.C. 2504)*  
24           *is amended—*

1           (1) in subsection (f)(1)(B), by striking “Civil  
2       Service Commission” and inserting “Office of Person-  
3       nel Management”;

4           (2) in subsection (h), by striking “the Federal  
5       Voting Assistance Act of 1955” and all that follows  
6       through the end of the subsection and inserting “sec-  
7       tions 5584 and 5732 of title 5, United States Code  
8       (and readjustment allowances paid under this Act  
9       shall be considered as pay for purposes of such section  
10      5732), section 1 of the Act of June 4, 1920 (22 U.S.C.  
11      214), and section 3342 of title 31, United States  
12      Code.”; and

13          (3) in subsection (j), by striking “section 1757 of  
14      the Revised Statutes” and all that follows through the  
15      end of the subsection and inserting “section 3331 of  
16      title 5, United States Code.”.

17      (b) *GENERAL POWERS AND AUTHORITIES.*—Section  
18      10 of such Act (22 U.S.C. 2509) is amended—

19          (1) in subsection (a)(4), by striking “31 U.S.C.  
20      665(b)” and inserting “section 1342 of title 31, Unit-  
21      ed States Code”; and

22          (2) in subsection (a)(5), by striking “: Provided,  
23      That” and all that follows through the end of the  
24      paragraph and inserting “, except that such individ-  
25      uals shall not be deemed employees for the purpose of

1        *any law administered by the Office of Personnel Man-*  
2        *agement.”.*

3        *(c) UTILIZATION OF FUNDS.—Section 15 of such Act*  
4        *(22 U.S.C. 2514) is amended—*

5                *(1) in the first sentence of subsection (c)—*

6                        *(A) by striking “Public Law 84–918 (7*  
7                        *U.S.C. 1881 et seq.)” and inserting “subchapter*  
8                        *VI of chapter 33 of title 5, United States Code*  
9                        *(5 U.S.C. 3371 et seq.)”; and*

10                      *(B) by striking “specified in that Act” and*  
11                      *inserting “or other organizations specified in sec-*  
12                      *tion 3372(b) of such title”; and*

13                *(2) in subsection (d)—*

14                      *(A) in paragraph (2), by striking “section*  
15                      *9 of Public Law 60–328 (31 U.S.C. 673)” and*  
16                      *inserting “section 1346 of title 31, United States*  
17                      *Code”;*

18                      *(B) in paragraph (6), by striking “without*  
19                      *regard to section 3561 of the Revised Statutes*  
20                      *(31 U.S.C. 543)”;*

21                *(C) in paragraph (11)—*

22                      *(i) by striking “Foreign Service Act of*  
23                      *1946, as amended (22 U.S.C. 801 et seq.),”*  
24                      *and inserting “Foreign Service Act of 1980*  
25                      *(22 U.S.C. 3901 et seq.)”; and*

1                   (ii) by striking “and” at the end;

2                   (D) in paragraph (12), by striking the pe-  
3                   riod at the end and by inserting “; and”; and

4                   (E) by adding at the end the following:

5                   “(13) the transportation of Peace Corps employ-  
6                   ees, Peace Corps volunteers, dependents of employees  
7                   and volunteers, and accompanying baggage, by a for-  
8                   eign air carrier when the transportation is between 2  
9                   places outside the United States without regard to  
10                  section 40118 of title 49, United States Code.”.

11                  (d) *PROHIBITION ON USE OF FUNDS FOR ABOR-*  
12                  *TIONS.*—Section 15 of such Act (22 U.S.C. 2514) is amend-  
13                  ed, as amended by this Act, is further amended by adding  
14                  at the end the following new subsection:

15                  “(e) Funds made available for the purposes of this Act  
16                  may not be used to pay for abortions.”.

17                  **TITLE       XV—UNITED       STATES**  
18                  **ARMS CONTROL AND DISAR-**  
19                  **MAMENT AGENCY**

20                  **CHAPTER 1—AUTHORIZATION OF**  
21                  **APPROPRIATIONS**

22                  **SEC. 1501. AUTHORIZATION OF APPROPRIATIONS.**

23                  *There are authorized to be appropriated to carry out*  
24                  *the purposes of the Arms Control and Disarmament Act*  
25                  *\$39,000,000 for fiscal year 1998.*

1                   **CHAPTER 2—AUTHORITIES**

2   **SEC. 1511. STATUTORY CONSTRUCTION.**

3           *Section 33 of the Arms Control and Disarmament Act*  
4   *(22 U.S.C. 2573) is amended by adding at the end the fol-*  
5   *lowing new subsection:*

6           “(c) *STATUTORY CONSTRUCTION.—Nothing contained*  
7   *in this chapter shall be construed to authorize any policy*  
8   *or action by any Government agency which would interfere*  
9   *with, restrict, or prohibit the acquisition, possession, or use*  
10   *of firearms by an individual for the lawful purpose of per-*  
11   *sonal defense, sport, recreation, education, or training.”.*

12                   **TITLE XVI—FOREIGN POLICY**

13   **SEC. 1601. PAYMENT OF IRAQI CLAIMS.**

14           *(a) VESTING OF ASSETS.—All nondiplomatic accounts*  
15   *of the Government of Iraq in the United States that have*  
16   *been blocked pursuant to the International Emergency Eco-*  
17   *nomics Powers Act (50 U.S.C. 1701 et seq.) shall vest in*  
18   *the President, and the President, not later than 30 days*  
19   *after the date of the enactment of this Act, shall liquidate*  
20   *such accounts. Amounts from such liquidation shall be*  
21   *transferred into the Iraq Claims Fund established under*  
22   *subsection (b).*

23           *(b) IRAQI CLAIMS FUND.—Upon the vesting of accounts*  
24   *under subsection (a), the Secretary of the Treasury shall*  
25   *establish in the Treasury of the United States a fund to*

1 *be known as the Iraq Claims Fund (hereafter in this section*  
2 *referred to as the “Fund”) for payment of private claims*  
3 *or United States Government claims in accordance with*  
4 *subsection (c).*

5 *(c) PAYMENTS.—*

6 *(1) PAYMENTS ON PRIVATE CLAIMS.—Not later*  
7 *than 2 years after the date of the enactment of this*  
8 *Act, the Secretary of the Treasury shall make pay-*  
9 *ment out of the Fund in ratable proportions on pri-*  
10 *vate claims certified under subsection (e) according to*  
11 *the proportions which the total amount of the private*  
12 *claims so certified bear to the total amount in the*  
13 *Fund that is available for distribution at the time*  
14 *such payments are made.*

15 *(2) PAYMENTS ON UNITED STATES GOVERNMENT*  
16 *CLAIMS.—After payment has been made in full out of*  
17 *the Fund on all private claims certified under sub-*  
18 *section (e), any funds remaining in the Fund shall be*  
19 *made available to satisfy claims of the United States*  
20 *Government against the Government of Iraq deter-*  
21 *mined under subsection (d).*

22 *(d) DETERMINATION OF VALIDITY OF UNITED STATES*  
23 *GOVERNMENT CLAIMS.—The President shall determine the*  
24 *validity and amounts of claims of the Government of the*  
25 *United States against the Government of Iraq which the*

1 *Secretary of State has determined are outside the jurisdic-*  
2 *tion of the United Nations Commission, and, to the extent*  
3 *that such claims are not satisfied from funds made avail-*  
4 *able by the Fund, the President is authorized and requested*  
5 *to enter into a settlement agreement with the Government*  
6 *of Iraq which would provide for the payment of such*  
7 *unsatisfied claims.*

8 *(e) DETERMINATION OF PRIVATE CLAIMS.—*

9 *(1) AUTHORITY OF THE FOREIGN CLAIMS SET-*  
10 *TLEMENT COMMISSION.—The Foreign Claims Settle-*  
11 *ment Commission of the United States is authorized*  
12 *to receive and determine, in accordance with sub-*  
13 *stantive law, including international law, the validity*  
14 *and amounts of private claims. The Commission shall*  
15 *complete its affairs in connection with the determina-*  
16 *tion of private claims under this section within such*  
17 *time as is necessary to allow the payment of the*  
18 *claims under subsection (c)(1).*

19 *(2) APPLICABILITY.—Except to the extent incon-*  
20 *sistent with the provisions of this section, the provi-*  
21 *sions of title I of the International Claims Settlement*  
22 *Act of 1949 (22 U.S.C. 1621 et seq.) shall apply with*  
23 *respect to private claims under this section. Any ref-*  
24 *erence in such provisions to “this title” shall be*  
25 *deemed to refer to those provisions and to this section.*

1           (3) *CERTIFICATION.*—*The Foreign Claims Settle-*  
2           *ment Commission shall certify to the Secretary of the*  
3           *Treasury the awards made in favor of each private*  
4           *claim under paragraph (1).*

5           (f) *UNSATISFIED CLAIMS.*—*Payment of any award*  
6           *made pursuant to this section shall not extinguish any*  
7           *unsatisfied claim, or be construed to have divested any*  
8           *claimant, or the United States on his or her behalf, of any*  
9           *rights against the Government of Iraq with respect to any*  
10          *unsatisfied claim.*

11          (g) *DEFINITIONS.*—*As used in this section—*

12           (1) *the term “Government of Iraq” includes*  
13           *agencies, instrumentalities, and controlled entities*  
14           *(including public sector enterprises) of that govern-*  
15           *ment;*

16           (2) *the term “private claims” mean claims of*  
17           *United States persons against the Government of Iraq*  
18           *that are determined by the Secretary of State to be*  
19           *outside the jurisdiction of the United Nations Com-*  
20           *mission;*

21           (3) *the term “United Nations Commission”*  
22           *means the United Nations Compensation Commission*  
23           *established pursuant to United Nations Security*  
24           *Council Resolution 687, adopted in 1991; and*

25           (4) *the term “United States person”—*

1 (A) includes—

2 (i) any person, wherever located, who  
3 is a citizen of the United States;

4 (ii) any corporation, partnership, asso-  
5 ciation, or other legal entity organized  
6 under the laws of the United States or of  
7 any State, the District of Columbia, or any  
8 commonwealth, territory, or possession of  
9 the United States; and

10 (iii) any corporation, partnership, as-  
11 sociation, or other organization, wherever  
12 organized or doing business, which is owned  
13 or controlled by persons described in clause  
14 (i) or (ii); and

15 (B) does not include the United States Gov-  
16 ernment or any officer or employee of the United  
17 States Government acting in an official capac-  
18 ity.

19 **SEC. 1602. UNITED NATIONS MEMBERSHIP FOR BELARUS.**

20 *It is the sense of Congress that, if Belarus concludes*  
21 *a treaty of unification with another country, the United*  
22 *States Permanent Representative to the United Nations and*  
23 *the United States Head of Delegation to the Organization*  
24 *for Security and Cooperation in Europe should introduce*

1 *resolutions abrogating the sovereign status of Belarus with-*  
2 *in the United Nations and the OSCE.*

3 **SEC. 1603. UNITED STATES POLICY WITH RESPECT TO JE-**  
4 **RUSALEM AS THE CAPITAL OF ISRAEL.**

5 (a) *AUTHORIZATION OF APPROPRIATIONS.—Of the*  
6 *amounts authorized to be appropriated by section 1101(3)*  
7 *for “Security and Maintenance of Buildings Abroad”,*  
8 *\$25,000,000 for the fiscal year 1998 and \$75,000,000 for*  
9 *the fiscal year 1999 are authorized to be appropriated for*  
10 *the construction of a United States Embassy in Jerusalem,*  
11 *Israel.*

12 (b) *LIMITATION ON USE OF FUNDS FOR CONSULATE*  
13 *IN JERUSALEM.—None of the funds authorized to be appro-*  
14 *priated by this Act may be expended for the operation of*  
15 *a United States consulate or diplomatic facility in Jerusa-*  
16 *lem unless such consulate or diplomatic facility is under*  
17 *the supervision of the United States Ambassador to Israel.*

18 (c) *LIMITATION ON USE OF FUNDS FOR PUBLICA-*  
19 *TIONS.—None of the funds authorized to be appropriated*  
20 *by this Act may be available for the publication of any offi-*  
21 *cial government document which lists countries and their*  
22 *capital cities unless the publication identifies Jerusalem as*  
23 *the capital of Israel.*

24 (d) *RECORD OF PLACE OF BIRTH AS ISRAEL FOR*  
25 *PASSPORT PURPOSES.—For purposes of the registration of*

1 *birth, certification of nationality, or issuance of a passport*  
2 *of a United States citizen born in the city of Jerusalem,*  
3 *the Secretary of State shall, upon the request of the citizen,*  
4 *record the place of birth as Israel.*

5 **SEC. 1604. SPECIAL ENVOY FOR TIBET.**

6 (a) *UNITED STATES SPECIAL ENVOY FOR TIBET.—*  
7 *The President shall appoint within the Department of State*  
8 *a United States Special Envoy for Tibet, who shall hold*  
9 *office at the pleasure of the President.*

10 (b) *RANK.—A United States Special Envoy for Tibet*  
11 *appointed under subsection (a) shall have the personal rank*  
12 *of ambassador and shall be appointed by and with the ad-*  
13 *vice and consent of the Senate.*

14 (c) *SPECIAL FUNCTIONS.—The United States Special*  
15 *Envoy for Tibet should be authorized and encouraged—*

16 (1) *to promote substantive negotiations between*  
17 *the Dalai Lama or his representatives and senior*  
18 *members of the Government of the People's Republic*  
19 *of China;*

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

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

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

3           (1) *consult with the Congress on policies relevant*  
4 *to Tibet and the future and welfare of all Tibetan*  
5 *people;*

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

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

12 **SEC. 1605. FINANCIAL TRANSACTIONS WITH STATE SPON-**  
13 **SORS OF INTERNATIONAL TERRORISM.**

14       (a) *PROHIBITED TRANSACTIONS.*—*Section 2332d(a) of*  
15 *title 18, United States Code, is amended—*

16           (1) *by striking “Except as provided in regula-*  
17 *tions issued by the Secretary of the Treasury, in con-*  
18 *sultation with the Secretary of State, whoever” and*  
19 *inserting “(1) Except as provided in paragraph (2),*  
20 *whoever”;*

21           (2) *by inserting “of 1979” after “Export Admin-*  
22 *istration Act”;* and

23           (3) *by adding at the end the following:*

24       “*(2) Paragraph (1) does not apply to any financial*  
25 *transaction—*

1           “(A) engaged in by an officer or employee of the  
2           United States acting within his or her official capac-  
3           ity;

4           “(B) for the sole purpose of providing humani-  
5           tarian assistance in a country designated under sec-  
6           tion 6(j) of the Export Administration Act of 1979;

7           “(C) involving travel or other activity by any  
8           journalist or other member of the news media in a  
9           country designated under section 6(j) of the Export  
10          Administration Act of 1979; or

11          “(D) within a class of financial transactions,  
12          and with a specified country, covered by a determina-  
13          tion of the President stating that it is vital to the na-  
14          tional security interests of the United States that fi-  
15          nancial transactions of that class and with that coun-  
16          try be permitted.

17          “(3) Each determination under paragraph (2)(D)  
18          shall be published in the Federal Register at least 15 days  
19          in advance of the transaction and shall include a statement  
20          of the determination, a detailed explanation of the types  
21          of financial transactions permitted, the estimated dollar  
22          amount of the financial transactions permitted, and an ex-  
23          planation of the manner in which those financial trans-  
24          actions would further the national interests of the United  
25          States.

1       “(4) *The President shall submit a report to the Com-*  
2 *mittees on Foreign Relations and Appropriations of the*  
3 *Senate and the Committees on International Relations and*  
4 *Appropriations of the House of Representatives and the*  
5 *Speaker of the House of Representatives containing any de-*  
6 *termination under paragraph (2)(D) at least 30 days before*  
7 *the determination is to take effect. Any such determination*  
8 *shall be effective only for a period of 12 months but may*  
9 *be extended for an additional period or periods of 12*  
10 *months each.”.*

11       **(b) DEFINITION.**—*Section 2332d(b) of title 18, United*  
12 *States Code, is amended—*

13           (1) *by striking “and” at the end of paragraph*

14 *(1);*

15           (2) *by redesignating paragraph (2) as para-*  
16 *graph (3); and*

17           (3) *by inserting after paragraph (1) the follow-*  
18 *ing:*

19           “(2) *the term ‘humanitarian assistance’ includes,*  
20 *but is not limited to, the provision of medicines and*  
21 *religious materials; and”.*

22       **(c) EFFECTIVE DATE.**—*The amendments made by this*  
23 *section shall apply to financial transactions entered into*  
24 *on or after the date of enactment of this Act.*

1 **SEC. 1606. UNITED STATES POLICY WITH RESPECT TO THE**  
2 **INVOLUNTARY RETURN OF PERSONS IN DAN-**  
3 **GER OF SUBJECTION TO TORTURE.**

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

9 (b) *DEFINITIONS.*—

10 (1) *IN GENERAL.*—*Except as otherwise provided,*  
11 *terms used in this section have the meanings given*  
12 *such terms under the United Nations Convention*  
13 *Against Torture and Other Cruel, Inhuman or De-*  
14 *grading Treatment or Punishment, subject to any res-*  
15 *ervations, understandings, declarations, and provisos*  
16 *contained in the United States Senate resolution of*  
17 *advice and consent to ratification to such convention.*

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

1 **SEC. 1607. REPORTS ON THE SITUATION IN HAITI.**

2 *Section 3 of Public Law 103–423 is amended to read*  
3 *as follows:*

4 **“SEC. 3. REPORTS.**

5 *“(a) REPORTING REQUIREMENT.—Not later than Jan-*  
6 *uary 1, 1998, and every six months thereafter, the President*  
7 *shall submit a report to Congress on the situation in Haiti,*  
8 *including—*

9 *“(1) a listing of the units of the United States*  
10 *Armed Forces or Coast Guard and of the police and*  
11 *military units of other nations participating in oper-*  
12 *ations in and around Haiti;*

13 *“(2) armed incidents or the use of force in or*  
14 *around Haiti involving United States Armed Forces*  
15 *or Coast Guard personnel during the period covered*  
16 *by the report;*

17 *“(3) the estimated cumulative cost, including in-*  
18 *cremental cost, of all United States activities in and*  
19 *around Haiti during the period covered by the report,*  
20 *including—*

21 *“(A) the cost of deployments of United*  
22 *States Armed Forces and Coast Guard personnel*  
23 *training, exercises, mobilization, and prepara-*  
24 *tion activities, including the preparation of po-*  
25 *lice and military units of other nations of any*

1           *multilateral force involved in activities in and*  
2           *around Haiti; and*

3                     *“(B) the costs of all other activities relating*  
4                     *to United States policy toward Haiti, including*  
5                     *humanitarian assistance, reconstruction assist-*  
6                     *ance, assistance under part I of the Foreign As-*  
7                     *istance Act of 1961, and other financial assist-*  
8                     *ance, and all other costs to the United States*  
9                     *Government; and*

10                    *“(4) a detailed accounting of the source of funds*  
11                    *obligated or expended to meet the costs described in*  
12                    *paragraph (3), including—*

13                             *“(A) in the case of amounts expended out of*  
14                             *funds available to the Department of Defense*  
15                             *budget, by military service or defense agency,*  
16                             *line item and program; and*

17                             *“(B) in the case of amounts expended out of*  
18                             *funds available to departments and agencies*  
19                             *other than the Department of Defense, by depart-*  
20                             *ment or agency and program.*

21                    *“(b) DEFINITION.—The term ‘period covered by the re-*  
22                    *port’ means the six-month period prior to the date the re-*  
23                    *port is required to be submitted, except that, in the case*  
24                    *of the initial report, the term means the period since the*

1 *date of enactment of the Foreign Relations Authorization*  
2 *Act, Fiscal Years 1998 and 1999.”.*

3 **SEC. 1608. REPORT ON AN ALLIANCE AGAINST NARCOTICS**  
4 **TRAFFICKING IN THE WESTERN HEMI-**  
5 **SPHERE.**

6 (a) *SENSE OF CONGRESS ON DISCUSSIONS FOR ALLI-*  
7 *ANCE.—*

8 (1) *SENSE OF CONGRESS.—It is the sense of*  
9 *Congress that the President should discuss with the*  
10 *democratically-elected governments of the Western*  
11 *Hemisphere, during the President’s trips in the region*  
12 *in 1997 and through other consultations, the prospect*  
13 *of forming a multilateral alliance to address problems*  
14 *relating to international drug trafficking in the West-*  
15 *ern Hemisphere.*

16 (2) *CONSULTATIONS.—In the consultations on*  
17 *the prospect of forming an alliance described in para-*  
18 *graph (1), the President should seek the input of such*  
19 *governments on the possibility of forming one or more*  
20 *structures within the alliance—*

21 (A) *to develop a regional, multilateral strat-*  
22 *egy to address the threat posed to nations in the*  
23 *Western Hemisphere by drug trafficking; and*

24 (B) *to establish a new mechanism for im-*  
25 *proving multilateral coordination of drug inter-*

1           *diction and drug-related law enforcement activi-*  
2           *ties in the Western Hemisphere.*

3       **(b) REPORT.—**

4           **(1) REQUIREMENT.—***Not later than October 1,*  
5           *1997, the President shall submit to Congress a report*  
6           *on the proposal discussed under subsection (a). The*  
7           *report shall include the following:*

8                   **(A)** *An analysis of the reactions of the gov-*  
9                   *ernments concerned to the proposal.*

10                   **(B)** *An assessment of the proposal, includ-*  
11                   *ing an evaluation of the feasibility and advis-*  
12                   *ability of forming the alliance.*

13                   **(C)** *A determination in light of the analysis*  
14                   *and assessment whether or not the formation of*  
15                   *the alliance is in the national interests of the*  
16                   *United States.*

17                   **(D)** *If the President determines that the for-*  
18                   *mation of the alliance is in the national interests*  
19                   *of the United States, a plan for encouraging and*  
20                   *facilitating the formation of the alliance.*

21                   **(E)** *If the President determines that the for-*  
22                   *mation of the alliance is not in the national in-*  
23                   *terests of the United States, an alternative pro-*  
24                   *posal to improve significantly efforts against the*  
25                   *threats posed by narcotics trafficking in the*

1           *Western Hemisphere, including an explanation*  
2           *of how the alternative proposal will—*

3                     *(i) improve upon current cooperation*  
4                     *and coordination of counter-drug efforts*  
5                     *among nations in the Western Hemisphere;*

6                     *(ii) provide for the allocation of the re-*  
7                     *sources required to make significant*  
8                     *progress in disrupting and disbanding the*  
9                     *criminal organizations responsible for the*  
10                    *trafficking of illegal drugs in the Western*  
11                    *Hemisphere; and*

12                    *(iii) differ from and improve upon*  
13                    *past strategies adopted by the United States*  
14                    *Government which have failed to make suf-*  
15                    *ficient progress against the trafficking of il-*  
16                    *legal drugs in the Western Hemisphere.*

17           (2) *UNCLASSIFIED FORM.—The report under*  
18           *paragraph (1) shall be submitted in unclassified form,*  
19           *but may contain a classified annex.*

20 **SEC. 1609. REPORT ON GREENHOUSE GAS EMISSIONS**  
21                     **AGREEMENT.**

22           (a) *ASSESSMENT OF PROPOSED AGREEMENT.—*

23                     (1) *ASSESSMENT.—The President shall assess the*  
24                     *effect on the United States economy and environment*  
25                     *of any quantified objectives, targets, policies, or meas-*

1 *ures proposed for the control, limitation, or reduction*  
2 *of greenhouse gas emissions of Annex I Parties.*

3 (2) *ELEMENTS.*—*The assessment under para-*  
4 *graph (1) shall include—*

5 (A) *an assessment of the costs and benefits*  
6 *to the United States economy and the environ-*  
7 *ment of pursuing a policy of reducing greenhouse*  
8 *gas emissions;*

9 (B) *an assessment of the schedules for*  
10 *achieving reductions in greenhouse gas emis-*  
11 *sions;*

12 (C) *an assessment of the ability of Annex I*  
13 *Parties to meet the schedules identified under*  
14 *subparagraph (B);*

15 (D) *an assessment of the effect of increased*  
16 *greenhouse gas emissions by non-Annex I Parties*  
17 *and all nonparticipating nations on the overall*  
18 *effort to reduce greenhouse gas emissions;*

19 (E) *an assessment of the long-term impact*  
20 *on the global economy and the environment of*  
21 *increased greenhouse gas emissions by Annex I*  
22 *Parties; and*

23 (F) *an assessment of consequences for em-*  
24 *ployment, trade, consumer activities, competi-*  
25 *tiveness, and the environment in the United*

1           *States of the requirements of paragraphs 3, 4,*  
2           *and 5 of Article 4 of the FCCC regarding the*  
3           *transfer by Annex I Parties of financial re-*  
4           *sources, technology, and other resources to non-*  
5           *Annex I Parties.*

6           **(b) NOTIFICATION OF CONGRESS.**—*Not later than six*  
7           *months before any vote by the parties to the FCCC on the*  
8           *final negotiating text of a proposed agreement to reduce*  
9           *greenhouse gas emissions under the FCCC, the President*  
10          *shall submit to Congress a comprehensive analysis of the*  
11          *effect of the proposed agreement on the United States econ-*  
12          *omy and the environment, including the assessments made*  
13          *under subsection (a). To the extent practicable, the analysis*  
14          *shall include the text and negotiating notes of the proposed*  
15          *agreement.*

16          **(c) DEFINITIONS.**—*For the purposes of this section—*  
17                  **(1) FCCC.**—*The term “FCCC” means the Unit-*  
18                  *ed Nations Framework Convention on Climate*  
19                  *Change, with annexes, done at New York May 9,*  
20                  *1992.*

21                  **(2) ANNEX I PARTIES.**—*The term “Annex I Par-*  
22                  *ties” means the Developed Country Parties of the*  
23                  *FCCC, including the United States, Canada, the Rus-*  
24                  *sian Federation, the European Union Countries, Aus-*  
25                  *tralia, Japan, and countries undergoing the process of*

1       *transition to a market economy, as listed in Annex*  
2       *I of the FCCC.*

3               (3) *NON-ANNEX I PARTIES.*—*The term “Non-*  
4       *Annex I Parties” means the developing countries (in-*  
5       *cluding China, India, South Korea, Malaysia, Brazil,*  
6       *Mexico, other trading partners of the United States,*  
7       *and the Small Island Countries) that are parties to*  
8       *the FCCC but not listed in Annex I of the FCCC.*

9       **SEC. 1610. REPORTS AND POLICY CONCERNING DIPLO-**  
10               **MATIC IMMUNITY.**

11       (a) *ANNUAL REPORT CONCERNING DIPLOMATIC IMMUN-*  
12       *NITY.*—

13               (1) *REPORT TO CONGRESS.*—*The Secretary of*  
14       *State shall prepare and submit to the Congress, annu-*  
15       *ally, a report concerning diplomatic immunity enti-*  
16       *tled “Report on Cases Involving Diplomatic Immu-*  
17       *nity”.*

18               (2) *CONTENT OF REPORT.*—*In addition to such*  
19       *other information as the Secretary of State may con-*  
20       *sider appropriate, the report under paragraph (1)*  
21       *shall include the following:*

22                       (A) *The number of persons residing in the*  
23                       *United States who enjoy full immunity from the*  
24                       *criminal jurisdiction of the United States under*

1           *laws extending diplomatic privileges and immu-*  
2           *nities.*

3           *(B) Each case involving an alien described*  
4           *in subparagraph (A) in which the appropriate*  
5           *authorities of a State, a political subdivision of*  
6           *a State, or the United States reported to the De-*  
7           *partment of State that the authority had reason-*  
8           *able cause to believe the alien committed a seri-*  
9           *ous criminal offense within the United States.*

10           *(C) Each case in which the United States*  
11           *has certified that a person enjoys full immunity*  
12           *from the criminal jurisdiction of the United*  
13           *States under laws extending diplomatic privi-*  
14           *leges and immunities.*

15           *(D) The number of United States citizens*  
16           *who are residing in a receiving state and who*  
17           *enjoy full immunity from the criminal jurisdic-*  
18           *tion of such state under laws extending diplo-*  
19           *matic privileges and immunities.*

20           *(E) Each case involving a United States*  
21           *citizen under subparagraph (D) in which the*  
22           *United States has been requested by the govern-*  
23           *ment of a receiving state to waive the immunity*  
24           *from criminal jurisdiction of the United States*  
25           *citizen.*

1           (3) *SERIOUS CRIMINAL OFFENSE DEFINED.*—*In*  
2           *this section, the term “serious criminal offense”*  
3           *means—*

4                   (A) *any felony under Federal, State, or*  
5                   *local law;*

6                   (B) *any Federal, State, or local offense pun-*  
7                   *ishable by a term of imprisonment of more than*  
8                   *1 year;*

9                   (C) *any crime of violence as defined for*  
10                   *purposes of section 16 of title 18, United States*  
11                   *Code; or*

12                   (D) *driving under the influence of alcohol*  
13                   *or drugs or driving while intoxicated if the case*  
14                   *involves personal injury to another individual.*

15           (b) *UNITED STATES POLICY CONCERNING REFORM OF*  
16           *DIPLOMATIC IMMUNITY.*—*It is the sense of the Congress that*  
17           *the Secretary of State should explore, in appropriate fora,*  
18           *whether states should enter into agreements and adopt legis-*  
19           *lation—*

20                   (1) *to provide jurisdiction in the sending state to*  
21                   *prosecute crimes committed in the receiving state by*  
22                   *persons entitled to immunity from criminal jurisdic-*  
23                   *tion under laws extending diplomatic privileges and*  
24                   *immunities; and*

1           (2) *to provide that where there is probable cause*  
2 *to believe that an individual who is entitled to immu-*  
3 *nity from the criminal jurisdiction of the receiving*  
4 *state under laws extending diplomatic privileges and*  
5 *immunities committed a serious crime, the sending*  
6 *state will waive such immunity or the sending state*  
7 *will prosecute such individual.*

8 **SEC. 1611. ITALIAN CONFISCATION OF PROPERTY CASE.**

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

10           (1) *The United States and the Italian Republic*  
11 *signed the Treaty of Friendship, Commerce and Navi-*  
12 *gation in 1948.*

13           (2) *Article V, paragraph 2 of the Treaty states*  
14 *that property owned by nationals of either treaty*  
15 *partner shall not be taken without “due process of law*  
16 *and without the prompt payment of just and effective*  
17 *compensation.”.*

18           (3) *The Italian Republic confiscated the property*  
19 *of an American citizen, Mr. Pier Talenti, and has*  
20 *failed to compensate Mr. Talenti for his property.*

21           (4) *The failure of the Italian government to com-*  
22 *pensate Mr. Talenti runs counter to its treaty obliga-*  
23 *tions and accepted international standards.*

24           (5) *Mr. Talenti has exhausted all remedies avail-*  
25 *able to him within the Italian judicial system.*



1 *cept that any such country shall not be so designated if,*  
2 *prior to such effective date, the President certifies to the*  
3 *Committee on International Relations of the House of Rep-*  
4 *resentatives and the Committee on Foreign Relations of the*  
5 *Senate that the country fails to meet the criteria under sec-*  
6 *tion 203(d)(3) of the NATO Participation Act of 1994.*

7       **(b) RULE OF CONSTRUCTION.**—*The designation of*  
8 *countries pursuant to subsection (a) as eligible to receive*  
9 *assistance under the program established under section*  
10 *203(a) of the NATO Participation Act of 1994—*

11           *(1) is in addition to the designation of other*  
12 *countries by law or pursuant to section 203(d)(2) of*  
13 *such Act as eligible to receive assistance under the*  
14 *program established under section 203(a) of such Act;*  
15 *and*

16           *(2) shall not preclude the designation by the*  
17 *President of other emerging democracies in Central*  
18 *and Eastern Europe pursuant to section 203(d)(2) of*  
19 *such Act as eligible to receive assistance under the*  
20 *program established under section 203(a) of such Act.*

21       **(c) SENSE OF THE SENATE.**—*It is the sense of the Sen-*  
22 *ate that Romania, Estonia, Latvia, Lithuania, and Bul-*  
23 *garia—*

1           (1) are to be commended for their progress to-  
2           ward political and economic reform and meeting the  
3           guidelines for prospective NATO members;

4           (2) would make an outstanding contribution to  
5           furthering the goals of NATO and enhancing stabil-  
6           ity, freedom, and peace in Europe should they become  
7           NATO members; and

8           (3) upon complete satisfaction of all relevant cri-  
9           teria should be invited to become full NATO members  
10          at the earliest possible date.

11 **SEC. 1613. SENSE OF SENATE REGARDING UNITED STATES**

12                           **CITIZENS HELD IN PRISONS IN PERU.**

13          *It is the sense of the Senate that—*

14           (1) as a signatory of the International Covenant  
15           on Civil and Political Rights, the Government of Peru  
16           is obligated to grant prisoners timely legal proceed-  
17           ings pursuant to Article 9 of the International Cov-  
18           enant on Civil and Political Rights which requires  
19           that “anyone arrested or detained on a criminal  
20           charge shall be brought promptly before a judge or  
21           other officer authorized by law to exercise judicial  
22           power and shall be entitled to trial within a reason-  
23           able time or to release;” and that “anyone who is de-  
24           prived of his liberty by arrest or detention shall be en-  
25           titled to take proceedings before a court, in order that

1 *that court may decide without delay on the lawfulness*  
2 *of his detention and order his release if the detention*  
3 *is not lawful;”;* and

4 (2) *the Government of Peru should take all nec-*  
5 *essary steps to ensure that any United States citizen*  
6 *charged with committing a crime in that country is*  
7 *accorded open and fair proceedings in a civilian*  
8 *court.*

9 **SEC. 1614. EXCLUSION FROM THE UNITED STATES OF**  
10 **ALIENS WHO HAVE BEEN INVOLVED IN**  
11 **EXTRAJUDICIAL AND POLITICAL KILLINGS IN**  
12 **HAITI.**

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

14 (1) *At the time of the enactment of this Act,*  
15 *there have been over eighty extrajudicial and political*  
16 *killings cases assigned to the Haitian Special Inves-*  
17 *tigative Unit (SIU) by the Government of Haiti. Fur-*  
18 *thermore, the government has requested that the SIU*  
19 *investigate on a “priority basis” close to two dozen*  
20 *cases relating to extrajudicial and political killings.*

21 (2) *President Jean-Bertrand Aristide lived in*  
22 *exile in the United States after he was overthrown by*  
23 *a military coup on September 30, 1991. During his*  
24 *exile, political and extrajudicial killings occurred in*  
25 *Haiti including Aristide financial supporter Antoine*

1 *Izmery, who was killed on September 11, 1993; Guy*  
2 *Malary, Aristide's Minister of Justice, who was killed*  
3 *on October 14, 1993; and Father Jean-Marie Vincent,*  
4 *a supporter of Aristide, was killed on August 28,*  
5 *1992.*

6 (3) *President Aristide returned to Haiti on Octo-*  
7 *ber 15, 1994, after some 20,000 United States troops,*  
8 *under the code name Operation Uphold Democracy,*  
9 *entered Haiti as the lead force in a multi-national*  
10 *force with the objective of restoring democratic rule.*

11 (4) *From June 25, 1995, through October 1995,*  
12 *elections were held where pro-Aristide candidates won*  
13 *a large share of the parliamentary and local govern-*  
14 *ment seats.*

15 (5) *On March 28, 1995, a leading opposition*  
16 *leader to Aristide, Attorney Mireille Durocher Bertin,*  
17 *and a client, Eugene Baillergeau, were gunned down*  
18 *in Ms. Bertin's car.*

19 (6) *On May 22, 1995, Michel Gonzalez, Haitian*  
20 *businessman and Aristide's next door neighbor, was*  
21 *killed in a drive-by shooting after alleged attempts by*  
22 *Aristide to acquire his property.*

23 (7) *After Aristide regained power, three former*  
24 *top Army officers were assassinated: Colonel Max*  
25 *Mayard on March 10, 1995; Colonel Michelange Her-*

1 *mann on May 24, 1995; and Brigadier General Rom-*  
2 *ulus Dumarsais was killed on June 27, 1995.*

3 *(8) Presidential elections were held on December*  
4 *17, 1995. Rene Preval, an Aristide supporter, won,*  
5 *with 89 percent of the votes cast, but with a low voter*  
6 *turnout of only 28 percent, and with many parties*  
7 *allegedly boycotting the election. Preval took office on*  
8 *February 7, 1996.*

9 *(9) On March 6, 1996, police and ministerial se-*  
10 *curity guards killed at least six men during a raid*  
11 *in Cite Soleil, a Port-au-Prince slum.*

12 *(10) On August 20, 1996, two opposition politi-*  
13 *cians, Jacques Fleurival and Baptist Pastor Antoine*  
14 *Leroy were gunned down outside Fleurival's home.*

15 *(11) Other alleged extrajudicial and political*  
16 *killings include the deaths of Claude Yves Marie,*  
17 *Mario Beaubrun, Leslie Grimar, Joseph Chilove, and*  
18 *Jean-Hubert Feuille.*

19 *(12) Although the Haitian Government claims to*  
20 *have terminated from employment several suspects in*  
21 *the killings, some whom have received training from*  
22 *United States advisors, there has been no substantial*  
23 *progress made in the investigation that has led to the*  
24 *prosecution of any of the above-referenced*  
25 *extrajudicial and political killings.*

1           (13) *The expiration of the mandate of the United*  
2           *Nations Support Mission in Haiti has been extended*  
3           *three times, the last to July 31, 1997. The Adminis-*  
4           *tration has indicated that a fourth extension through*  
5           *November 1997, may be necessary to ensure the tran-*  
6           *sition to a democratic government.*

7           (b) *GROUNDS FOR EXCLUSION.—The Secretary of*  
8           *State shall deny a visa to, and the Attorney General shall*  
9           *exclude from the United States, any alien who the Secretary*  
10          *of State has reason to believe is a person who—*

11           (1) *has been credibly alleged to have ordered,*  
12          *carried out, or materially assisted, in the*  
13          *extrajudicial and political killings of Antoine Izmerly,*  
14          *Guy Malary, Father Jean-Marie Vincent, Pastor*  
15          *Antoine Leroy, Jacques Fleurival, Mireille Durocher*  
16          *Bertin, Eugene Baillergeau, Michelange Hermann,*  
17          *Max Mayard, Romulus Dumarsais, Claude Yves*  
18          *Marie, Mario Beaubrun, Leslie Grimar, Joseph*  
19          *Chilove, Michel Gonzalez, and Jean-Hubert Feuille;*

20           (2) *has been included in the list presented to*  
21          *former president Jean-Bertrand Aristide by former*  
22          *National Security Council Advisor Anthony Lake in*  
23          *December 1995, and acted upon by President Rene*  
24          *Preval;*

1           (3) was a member of the Haitian presidential se-  
2           curity unit who has been credibly alleged to have or-  
3           dered, carried out, or materially assisted, in the  
4           extrajudicial and political killings of Pastor Antoine  
5           Leroy and Jacques Fleurival, or who was suspended  
6           by President Preval for his involvement in or knowl-  
7           edge of the Leroy and Fleurival killings on August 20,  
8           1996;

9           (4) was sought for an interview by the Federal  
10          Bureau of Investigation as part of its inquiry into  
11          the March 28, 1995, murder of Mireille Durocher  
12          Bertin and Eugene Baillergeau, Jr., and were  
13          credibly alleged to have ordered, carried out, or mate-  
14          rially assisted, in those murders, per a June 28, 1995,  
15          letter to the then Minister of Justice of the Govern-  
16          ment of Haiti, Jean-Joseph Exume;

17          (5) any member of the Haitian High Command  
18          during the period 1991–1994, who has been credibly  
19          alleged to have planned, ordered, or participated with  
20          members of the Haitian Armed Forces in the Septem-  
21          ber 1991 coup against the duly elected government of  
22          Haiti (and his family members) or the subsequent  
23          murders of as many as three thousand Haitians dur-  
24          ing that period; or

1           (6) *any individual who has been credibly alleged*  
2           *to have been a member of the paramilitary organiza-*  
3           *tion known as FRAPH who planned, ordered, or par-*  
4           *ticipated in acts of violence against the Haitian peo-*  
5           *ple.*

6           (c) *EXEMPTION.—This section shall not apply where*  
7           *the Secretary of State finds, on a case by case basis, that*  
8           *the entry into the United States of the person who would*  
9           *otherwise be excluded under this section is necessary for*  
10          *medical reasons, or such person has cooperated fully with*  
11          *the investigation of these political murders. If the Secretary*  
12          *of State exempts such a person, the Secretary shall notify*  
13          *the appropriate congressional committees in writing.*

14          (d) *REPORTING REQUIREMENT.—(1) The United*  
15          *States chief of mission in Haiti shall provide the Secretary*  
16          *of State a list of those who have been credibly alleged to*  
17          *have ordered or carried out the extrajudicial and political*  
18          *killings mentioned in paragraph (1) of subsection (b).*

19          (2) *The Secretary of State shall submit the list pro-*  
20          *vided under paragraph (1) to the appropriate congressional*  
21          *committees not later than three months after the date of*  
22          *enactment of this Act.*

23          (3) *The Secretary of State shall submit to the appro-*  
24          *priate congressional committees a list of aliens denied visas,*  
25          *and the Attorney General shall submit to the appropriate*

1 congressional committees a list of aliens refused entry to  
2 the United States as a result of this provision.

3 (4) The Secretary shall submit a report under this sub-  
4 section not later than six months after the date of enactment  
5 of this Act and not later than March 1 of each year there-  
6 after as long as the Government of Haiti has not completed  
7 the investigation of the extrajudicial and political killings  
8 and has not prosecuted those implicated for the killings  
9 specified in paragraph (1) of subsection (b).

10 (e) DEFINITION.—In this section, the term “appro-  
11 priate congressional committees” means the Committee on  
12 International Relations of the House of Representatives and  
13 the Committee on Foreign Relations of the Senate.

14 **SEC. 1615. SENSE OF THE SENATE ON ENFORCEMENT OF**  
15 **THE IRAN-IRAQ ARMS NON-PROLIFERATION**  
16 **ACT OF 1992 WITH RESPECT TO THE ACQUISI-**  
17 **TION BY IRAN OF C-802 CRUISE MISSILES.**

18 (a) FINDINGS.—The Senate makes the following find-  
19 ings:

20 (1) The United States escort vessel U.S.S. Stark  
21 was struck by a cruise missile, causing the death of  
22 37 United States sailors.

23 (2) The China National Precision Machinery  
24 Import Export Corporation is marketing the C-802

1 *model cruise missile for use against escort vessels such*  
2 *as the U.S.S. Stark.*

3 (3) *The China National Precision Machinery*  
4 *Import Export Corporation has delivered 60 C-802*  
5 *cruise missiles to Iran for use by vessels of the Ira-*  
6 *nian Revolutionary Guard Navy.*

7 (4) *Iran is acquiring land batteries to launch C-*  
8 *802 cruise missiles which will provide its armed*  
9 *forces with a weapon of greater range, reliability, ac-*  
10 *curacy, and mobility than before.*

11 (5) *Iran has acquired air launched C-802K*  
12 *cruise missiles giving it a 360 degree attack capabil-*  
13 *ity.*

14 (6) *15,000 members of the United States Armed*  
15 *Forces are stationed within range of the C-802 cruise*  
16 *missiles being acquired by Iran.*

17 (7) *The Department of State believes that*  
18 *“[t]hese cruise missiles pose new, direct threats to de-*  
19 *ployed United States forces”.*

20 (8) *The delivery of cruise missiles to Iran is a*  
21 *violation of the Iran-Iraq Arms Non-Proliferation Act*  
22 *of 1992 (50 U.S.C. 1701 note).*

23 (9) *The Clinton Administration “has concluded*  
24 *at present that the known types [of C-802 cruise mis-*  
25 *siles] are not of a destabilizing number and type”.*

1           (b) *SENSE OF SENATE.*—*It is the sense of the Senate*  
2 *to urge the Clinton Administration to enforce the provisions*  
3 *of the Iran-Iraq Arms Non-Proliferation Act of 1992 with*  
4 *respect to the acquisition by Iran of C-802 model cruise*  
5 *missiles.*

6 **SEC. 1616. SENSE OF THE SENATE ON PERSECUTION OF**  
7                           **CHRISTIAN MINORITIES IN THE PEOPLE’S RE-**  
8                           **PUBLIC OF CHINA.**

9           (a) *The Senate finds that—*

10                   (1) *Chinese law requires all religious congrega-*  
11 *tions, including Christian congregations, to “register”*  
12 *with the Bureau of Religious Affairs, and Christian*  
13 *congregations, depending on denominational affilia-*  
14 *tion, to be monitored by either the “Three Self Patri-*  
15 *otic Movement Committee of the Protestant Churches*  
16 *of China”, the “Chinese Christian Council”, the “Chi-*  
17 *nese Patriotic Catholic Association”, or the “Chinese*  
18 *Catholic Bishops College”;*

19                   (2) *the manner in which these registration re-*  
20 *quirements are implemented and enforced allows the*  
21 *government to exercise direct control over all con-*  
22 *gregations and their religious activities, and also dis-*  
23 *courages congregants who fear government persecution*  
24 *and harassment on account of their religious beliefs;*

1           (3) *in the past several years, unofficial Protes-*  
2 *tant and Catholic communities have been targeted by*  
3 *the Chinese government in an effort to force all*  
4 *churches to register with the government or face forced*  
5 *dissolution;*

6           (4) *this campaign has resulted in the beating*  
7 *and harassment of congregants by Chinese public se-*  
8 *curity forces, the closure of churches, and numerous*  
9 *arrests, fines, and criminal and administrative sen-*  
10 *tences. For example, as reported by credible American*  
11 *and multinational nongovernmental organizations—*

12           (A) *in February 1995, 500 to 600 evan-*  
13 *gelical Christians from Jiangsu and Zhejiang*  
14 *Provinces met in Huaian, Jiangsu Province.*  
15 *Public Security Bureau personnel broke up the*  
16 *meeting, beat several participants, imprisoned*  
17 *several of the organizers, and levied severe fines*  
18 *on others;*

19           (B) *in April 1996 government authorities*  
20 *in Shanghai closed more than 300 home churches*  
21 *or meeting places;*

22           (C) *from January through May 1996, secu-*  
23 *rity forces fanned out through northern Hebei*  
24 *Province, a Catholic stronghold, in order to pre-*  
25 *vent an annual attendance at a major Marian*

1            *shrine by arresting clergy and lay Catholics and*  
2            *confining prospective attendees to their villages;*

3            *(D) a communist party document dated No-*  
4            *vember 20, 1996 entitled “The Legal Procedures*  
5            *for Implementing the Eradication of the Illegal*  
6            *Activities of the Underground Catholic Church”*  
7            *details steps for eliminating the Catholic move-*  
8            *ment in Chongren, Xian, Fuzhou and Jiangxi*  
9            *Provinces and accuses believers of “seriously dis-*  
10           *turbing the social order and affecting [the] polit-*  
11           *ical stability” of the country; and*

12           *(E) in March 1997, public security officials*  
13           *raided the home of the “underground” Bishop of*  
14           *Shanghai, confiscating religious articles and*  
15           *\$2,500 belonging to the church.*

16           *(b) It is, therefore, the sense of the Senate that—*

17           *(1) the government of the People’s Republic of*  
18           *China be urged to release from incarceration all those*  
19           *held for participation in religious activities outside*  
20           *the aegis of the official churches, and cease prosecut-*  
21           *ing or detaining those who participate in such reli-*  
22           *gious activities;*

23           *(2) the government of the People’s Republic of*  
24           *China be urged to abolish its present church registra-*  
25           *tion process;*

1           (3) *the government of the People's Republic of*  
2 *China fully adhere to the religious principles pro-*  
3 *ected by the United Nations Universal Declaration of*  
4 *Human Rights; and*

5           (4) *the Administration should raise the United*  
6 *States concerns over the persecution of Protestant and*  
7 *Catholic believers with the government of the People's*  
8 *Republic of China, including at the proposed state*  
9 *visit by President Jiang Zemin to the United States,*  
10 *and at other high-level meetings which may take*  
11 *place.*

12 **SEC. 1617. SENSE OF CONGRESS REGARDING THE NORTH**

13 **ATLANTIC TREATY ORGANIZATION.**

14 (a) *FINDINGS.—Congress finds the following:*

15           (1) *The West's victory in the Cold War dramati-*  
16 *cally changed the political and national security*  
17 *landscape in Europe.*

18           (2) *The unity, resolve, and strength of the North*  
19 *Atlantic Treaty Organization was the principal fac-*  
20 *tor behind that victory.*

21           (3) *The North Atlantic Treaty was signed in*  
22 *April 1949 and created the most successful defense al-*  
23 *liance in history.*

24           (4) *The President of the United States and lead-*  
25 *ers of other NATO countries have indicated their in-*



1           (1) *Section 6(4) of the Japan-United States*  
2 *Friendship Act (22 U.S.C. 2905(4)) is amended by*  
3 *striking “needed, except” and all that follows through*  
4 *“United States” and inserting “needed”.*

5           (2) *The second sentence of section 7(b) of the*  
6 *Japan-United States Friendship Act (22 U.S.C.*  
7 *2906(b)) is amended to read as follows: “Such invest-*  
8 *ment may be made only in interest-bearing obliga-*  
9 *tions of the United States, in obligations guaranteed*  
10 *as to both principal and interest by the United*  
11 *States, in interest-bearing obligations of Japan, or in*  
12 *obligations guaranteed as to both principal and inter-*  
13 *est by Japan.”.*

14       (b) *REVISION OF NAME OF COMMISSION.—*

15           (1) *The Japan-United States Friendship Com-*  
16 *mission is hereby designated as the “United States-*  
17 *Japan Commission”. Any reference in any provision*  
18 *of law, Executive order, regulation, delegation of au-*  
19 *thority, or other document to the Japan-United States*  
20 *Friendship Commission shall be deemed to be a ref-*  
21 *erence to the United States-Japan Commission.*

22           (2) *The Japan-United States Friendship Act (22*  
23 *U.S.C. 2901 et seq.) is amended by striking “Japan-*  
24 *United States Friendship Commission” each place it*

1 appears and inserting “United States-Japan Com-  
2 mission”.

3 (3) *The heading of section 4 of the Japan-United*  
4 *States Friendship Act (22 U.S.C. 2903) is amended*  
5 *to read as follows:*

6 “UNITED STATES-JAPAN COMMISSION”.

7 (c) *REVISION OF NAME OF TRUST FUND.—*

8 (1) *The Japan-United States Friendship Trust*  
9 *Fund is hereby designated as the “United States-*  
10 *Japan Trust Fund”. Any reference in any provision*  
11 *of law, Executive order, regulation, delegation of au-*  
12 *thority, or other document to the Japan-United States*  
13 *Friendship Trust Fund shall be deemed to be a ref-*  
14 *erence to the United States-Japan Trust Fund.*

15 (2)(A) *Subsection (a) of section 3 of the Japan-*  
16 *United States Friendship Act (22 U.S.C. 2902) is*  
17 *amended by striking “Japan-United States Friend-*  
18 *ship Trust Fund” and inserting “United States-*  
19 *Japan Trust Fund”.*

20 (B) *The section heading of that section is amend-*  
21 *ed to read as follows:*

22 “UNITED STATES-JAPAN TRUST FUND”.

23 **SEC. 1619. AVIATION SAFETY.**

24 *It is the sense of Congress that the need for cooperative*  
25 *efforts in transportation and aviation safety be placed on*  
26 *the agenda for the Summit of the Americas to be held in*

1 *Santiago, Chile, in March 1998. Since April 1996, when*  
2 *ministers and transportation officials from 23 countries in*  
3 *the Western Hemisphere met in Santiago, Chile, in order*  
4 *to develop the Hemispheric Transportation Initiative, avia-*  
5 *tion safety and transportation standardization has become*  
6 *an increasingly important issue. The adoption of com-*  
7 *prehensive Hemisphere-wide measures to enhance transpor-*  
8 *tation safety, including standards for equipment, infra-*  
9 *structure, and operations as well as harmonization of regu-*  
10 *lations relating to equipment, operations, and transpor-*  
11 *tation safety are imperative. This initiative will increase*  
12 *the efficiency and safety of the current system and con-*  
13 *sequently facilitate trade.*

14 **SEC. 1620. SENSE OF THE SENATE ON UNITED STATES POL-**  
15 **ICY TOWARD THE PEOPLE'S REPUBLIC OF**  
16 **CHINA.**

17 (a) *FINDINGS.*—Congress makes the followings find-  
18 ings:

19 (1) *As the world's leading democracy, the United*  
20 *States cannot ignore the Government of the People's*  
21 *Republic of China's record on human rights and reli-*  
22 *gious persecution.*

23 (2) *According to Amnesty International, "A fifth*  
24 *of the world's people are ruled by a government that*  
25 *treats fundamental human rights with contempt.*

1 *Human rights violations continue on a massive*  
2 *scale.”.*

3 (3) *According to Human Rights Watch/Asia re-*  
4 *ported that: “Unofficial Christian and Catholic com-*  
5 *munities were targeted by the government during*  
6 *1996. A renewed campaign aimed at forcing all*  
7 *churches to register or face dissolution, resulted in*  
8 *beating and harassment of congregants, closure of*  
9 *churches, and numerous arrests, fines, and sentences.*  
10 *In Shanghai, for example, more than 300 house*  
11 *churches or meeting points were closed down by the*  
12 *security authorities in April alone.”.*

13 (4) *The People’s Republic of China’s compulsory*  
14 *family planning policies include forced abortions.*

15 (5) *China’s attempts to intimidate Taiwan and*  
16 *the activities of its military, the People’s Liberation*  
17 *Army, both in the United States and abroad, are of*  
18 *major concern.*

19 (6) *The Chinese government has threatened inter-*  
20 *national stability through its weapons sales to re-*  
21 *gimes, including Iran and Iraq, that sponsor terror-*  
22 *ism and pose a direct threat to American military*  
23 *personnel and interests.*

24 (7) *The efforts of two Chinese companies, the*  
25 *China North Industries Group (NORINCO) and the*

1 *China Poly Group (POLY), deserve special rebuke for*  
2 *their involvement in the sale of AK-47 machine guns*  
3 *to California street gangs.*

4 (8) *Allegations of the Chinese government's in-*  
5 *volvement in our political system may involve both*  
6 *civil and criminal violations of our laws.*

7 (9) *The Senate is concerned that China may vio-*  
8 *late the 1984 Sino-British Joint Declaration transfer-*  
9 *ring Hong Kong from British to Chinese rule by lim-*  
10 *iting political and economic freedom in Hong Kong.*

11 (10) *The Senate strongly believes time has come*  
12 *to take steps that would signal to Chinese leaders that*  
13 *religious persecution, human rights abuses, forced*  
14 *abortions, military threats and weapons proliferation,*  
15 *and attempts to influence American elections are un-*  
16 *acceptable to the American people.*

17 (11) *The United States should signal its dis-*  
18 *approval of Chinese government actions through tar-*  
19 *geted sanctions, while at the same time encouraging*  
20 *worthwhile economic and cultural exchanges that can*  
21 *lead to positive change in China.*

22 (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*  
23 *ate that the United States should—*

24 (1) *limit the granting of United States visas to*  
25 *Chinese government offices who work in entities the*

1 *implementation of China's laws and directives on re-*  
2 *ligious practices and coercive family planning, and*  
3 *those officials materially involved in the massacre of*  
4 *Chinese students in Tiananmen square;*

5 *(2) limit United States taxpayer subsidies for*  
6 *the Chinese government through multilateral develop-*  
7 *ment institutions such as the World Bank, Asian De-*  
8 *velopment Bank, and the International Monetary*  
9 *Fund;*

10 *(3) publish a list of all companies owned in part*  
11 *or wholly by the People's Liberation Army (PLA) of*  
12 *the Chinese government who export to, or have an of-*  
13 *fice in, the United States;*

14 *(4) consider imposing targeted sanctions on*  
15 *NORINCO and POLY by not allowing them to export*  
16 *to, nor to maintain a physical presence in, the Unit-*  
17 *ed States for a period of one year; and*

18 *(5) promote democratic values in China by in-*  
19 *creasing United States Government funding of Radio*  
20 *Free Asia, the National Endowment for Democracy's*  
21 *programs in China and existing student, cultural,*  
22 *and legislative exchange programs between the United*  
23 *States and the People's Republic of China.*

1 **SEC. 1621. SENSE OF THE SENATE ENCOURAGING PRO-**  
2 **GRAMS BY THE NATIONAL ENDOWMENT FOR**  
3 **DEMOCRACY REGARDING THE RULE OF LAW**  
4 **IN CHINA.**

5 (a) *FINDINGS.*—

6 (1) *The establishment of the rule of law is a nec-*  
7 *essary prerequisite for the success of democratic gov-*  
8 *ernance and the respect for human rights.*

9 (2) *In recent years efforts by the United States*  
10 *and United States-based organizations, including the*  
11 *National Endowment for Democracy, have been inte-*  
12 *gral to legal training and the promotion of the rule*  
13 *of law in China drawing upon both western and Chi-*  
14 *nese experience and tradition.*

15 (3) *The National Endowment for Democracy has*  
16 *already begun to work on these issues, including fund-*  
17 *ing a project to enable independent scholars in China*  
18 *to conduct research on constitutional reform issues*  
19 *and the Hong Kong-China Law Database Network.*

20 (b) *SENSE OF THE SENATE.*—*It is the Sense of the*  
21 *Senate to encourage the National Endowment for Democ-*  
22 *racy to expand its activities in China and Hong Kong on*  
23 *projects which encourage the rule of law, including the*  
24 *study and dissemination of information on comparative*  
25 *constitutions, federalism, civil codes of law, civil and penal*

1 *code reform, legal education, freedom of the press, and con-*  
2 *tracts.*

3 **SEC. 1622. CONCERNING THE PALESTINIAN AUTHORITY.**

4 *(a) Congress finds that:*

5 *(1) The Palestinian Authority Justice Minister*  
6 *Freih Abu Medein announced in April 1997 that any-*  
7 *one selling land to Jews was committing a crime*  
8 *punishable by death.*

9 *(2) Since this announcement, three Palestinians*  
10 *were allegedly murdered in the Jerusalem and*  
11 *Ramallah areas for selling real estate to Jews.*

12 *(3) Israeli police managed to foil the attempted*  
13 *abduction of a fourth person.*

14 *(4) Israeli security services have acquired evi-*  
15 *dence indicating that the intelligence services of the*  
16 *Palestinian Authority were directly involved in at*  
17 *least two of these murders.*

18 *(5) Subsequent statements by high-ranking Pal-*  
19 *estinian Authority officials have justified these mur-*  
20 *ders, further encouraging this intolerable policy.*

21 *(b) It is the sense of the Congress that—*

22 *(1) the Secretary of State should thoroughly in-*  
23 *vestigate the Palestinian Authority's role in any*  
24 *killings connected with this policy and should imme-*  
25 *diately report its findings to the Congress;*



1           (A) by striking “For purposes” and insert-  
2           ing “Notwithstanding any other provision of  
3           law, for purposes”; and

4           (B) by striking “fiscal year 1997” and in-  
5           serting “fiscal years 1997 and 1998”; and

6           (2) by amending subsection (b) to read as fol-  
7           lows:

8           “(b) *ALIENS COVERED.*—

9           “(1) *IN GENERAL.*— *An alien described in this*  
10          *subsection is an alien who—*

11           “(A) *is the son or daughter of a qualified*  
12          *national;*

13           “(B) *is 21 years of age or older; and*

14           “(C) *was unmarried as of the date of ac-*  
15          *ceptance of the alien’s parent for resettlement*  
16          *under the Orderly Departure Program.*

17          “(2) *QUALIFIED NATIONAL.*—*For purposes of*  
18          *paragraph (1), the term ‘qualified national’ means a*  
19          *national of Vietnam who—*

20           “(A)(i) *was formerly interned in a reeduca-*  
21          *tion camp in Vietnam by the Government of the*  
22          *Socialist Republic of Vietnam; or*

23           “(ii) *is the widow or widower of an indi-*  
24          *vidual described in clause (i); and*

1           “(B)(i) qualified for refugee processing  
2           under the reeducation camp internees subpro-  
3           gram of the Orderly Departure Program; and

4           “(ii) on or after April 1, 1995, is accept-  
5           ed—

6           “(I) for resettlement as a refugee; or

7           “(II) for admission as an immigrant  
8           under the Orderly Departure Program.”.

9           ***DIVISION C—UNITED NATIONS***  
10           ***REFORM***  
11           ***TITLE XX—GENERAL***  
12           ***PROVISIONS***

13       ***SEC. 2001. SHORT TITLE.***

14           *This division may be cited as the “United Nations Re-*  
15       *form Act of 1997”.*

16       ***SEC. 2002. DEFINITIONS.***

17           *In this division:*

18           (1) *APPROPRIATE CONGRESSIONAL COMMIT-*  
19       *TEES.—The term “appropriate congressional commit-*  
20       *tees” means the Committee on Foreign Relations and*  
21       *the Committee on Appropriations of the Senate and*  
22       *the Committee on International Relations and the*  
23       *Committee on Appropriations of the House of Rep-*  
24       *resentatives.*

1           (2) *DESIGNATED SPECIALIZED AGENCY DE-*  
2 *FINED.*—*In this section, the term “designated special-*  
3 *ized agency” refers to the International Labor Orga-*  
4 *nization, the World Health Organization, and the*  
5 *Food and Agriculture Organization.*

6           (3) *SECRETARY GENERAL.*—*The term “Secretary*  
7 *General” means the Secretary General of the United*  
8 *Nations.*

9           (4) *UNITED NATIONS MEMBER.*—*The term*  
10 *“United Nations member” means any country that is*  
11 *a member of the United Nations.*

12           (5) *UNITED NATIONS PEACE OPERATION.*—*The*  
13 *term “United Nations peace operation” means any*  
14 *United Nations-led peace operation paid for from the*  
15 *assessed peacekeeping budget and authorized by the*  
16 *Security Council.*

17 **SEC. 2003. NONDELEGATION OF CERTIFICATION REQUIRE-**  
18 **MENTS.**

19           *The Secretary of State may not delegate the authority*  
20 *in this division to make any certification.*

1 **TITLE XXI—AUTHORIZATION OF**  
2 **APPROPRIATIONS**

3 **SEC. 2101. ASSESSED CONTRIBUTIONS TO THE UNITED NA-**  
4 **TIONS AND AFFILIATED ORGANIZATIONS.**

5 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*There are*  
6 *authorized to be appropriated under the heading “Assessed*  
7 *Contributions to International Organizations”*  
8 *\$938,000,000 for the fiscal year 1998 and \$900,000,000 for*  
9 *the fiscal year 1999 for the Department of State to carry*  
10 *out the authorities, functions, duties, and responsibilities*  
11 *in the conduct of the foreign affairs of the United States*  
12 *with respect to international organizations and to carry out*  
13 *other authorities in law consistent with such purposes. Of*  
14 *the funds made available under this subsection \$3,000,000*  
15 *for the fiscal year 1998 and \$3,000,000 for the fiscal year*  
16 *1999 are authorized to be appropriated only for a United*  
17 *States contribution to the United Nations Voluntary Fund*  
18 *for Victims of Torture.*

19 (b) *NO GROWTH BUDGET.*—*Of the funds made avail-*  
20 *able under subsection (a), \$80,000,000 may be made avail-*  
21 *able during each fiscal year only on a semi-annual basis*  
22 *and only after the Secretary of State certifies on a semi-*  
23 *annual basis that the United Nations has taken no action*  
24 *during the preceding six months to increase funding for any*  
25 *United Nations program without identifying an offsetting*

1 *decrease during that six month period elsewhere in the*  
2 *United Nations budget of \$2,533,000,000 and cause the*  
3 *United Nations to exceed its budget for the biennium 1998–*  
4 *99 adopted in December 1997.*

5 *(c) INSPECTOR GENERAL OF THE UNITED NATIONS.—*

6 *(1) WITHHOLDING OF FUNDS.—Twenty percent*  
7 *of the funds made available in each fiscal year under*  
8 *subsection (a) for the assessed contribution of the*  
9 *United States to the United Nations shall be withheld*  
10 *from obligation and expenditure until a certification*  
11 *is made under paragraph (2).*

12 *(2) CERTIFICATION.—A certification under this*  
13 *paragraph is a certification by the Secretary of State*  
14 *in the fiscal year concerned that the following condi-*  
15 *tions are satisfied:*

16 *(A) ACTION BY THE UNITED NATIONS.—The*  
17 *United Nations—*

18 *(i) has met the requirements of para-*  
19 *graphs (1) through (6) of section 401(b) of*  
20 *the Foreign Relations Authorization Act,*  
21 *Fiscal Years 1994 and 1995 (22 U.S.C.*  
22 *287e note); and*

23 *(ii) has established procedures that re-*  
24 *quire the Under Secretary General of the*  
25 *Office of Internal Oversight Service to re-*

1                   port directly to the Secretary General on the  
2                   adequacy of the Office's resources to enable  
3                   the Office to fulfill its mandate.

4                   (B) ACTION BY OIOS.—The Office of Inter-  
5                   nal Oversight Services has authority to audit,  
6                   inspect, or investigate each program, project, or  
7                   activity funded by the United Nations, and each  
8                   executive board created under the United Nations  
9                   has been notified, in writing, of that authority.

10                  (d) PROHIBITION ON CERTAIN GLOBAL CON-  
11                  FERENCES.—Funds made available under subsection (a)  
12                  shall be withheld from disbursement until the Secretary of  
13                  State certifies to Congress that the United States has not  
14                  contributed any funds authorized to be appropriated in sub-  
15                  section (a) to pay for any expenses related to the holding  
16                  of a United Nations Global Conference.

17                  (e) REDUCTION IN NUMBER OF POSTS.—

18                         (1) FISCAL YEAR 1998.—Of the funds appro-  
19                         priated for fiscal year 1998 for the United Nations  
20                         pursuant to subsection (a), \$50,000,000 shall be with-  
21                         held from disbursement until the Secretary of State  
22                         certifies to Congress that the number of posts estab-  
23                         lished under the 1998–99 regular budget of the United  
24                         Nations and authorized by the General Assembly has  
25                         been reduced by at least 1,000 posts from those au-

1 *thorized by the 1996–97 biennium, as a result of a*  
2 *suppression of that number of posts.*

3 (2) *FISCAL YEAR 1999.—Of the funds appro-*  
4 *propriated for fiscal year 1999 for the United Nations,*  
5 *pursuant to subsection (a), \$50,000,000 shall be with-*  
6 *held from disbursement until the Secretary of State*  
7 *certifies to Congress that the 1998–99 United Nations*  
8 *budget contains a vacancy rate of not less than 5 per-*  
9 *cent for professional staff and not less than 2.5 per-*  
10 *cent for general services staff.*

11 (f) *PROHIBITION ON FUNDING ORGANIZATIONS OTHER*  
12 *THAN UNITED NATIONS.—None of the funds made available*  
13 *under subsection (a) shall be available for disbursement*  
14 *until the Secretary of State certifies to Congress that no*  
15 *portion of the United States contribution will be used to*  
16 *fund any other organization other than the United Nations*  
17 *out of the United Nations regular budget, including the*  
18 *Framework Convention on Global Climate Change and the*  
19 *International Seabed Authority.*

20 (g) *LIMITATION.—*

21 (1) *IN GENERAL.—The total amount of funds*  
22 *made available for all United States memberships in*  
23 *international organizations under the heading “As-*  
24 *essed Contributions to International Organizations”*

1        *may not exceed \$900,000,000 for each of fiscal years*  
2        *1999 and 2000.*

3        *(h) FOREIGN CURRENCY EXCHANGE RATES.—*

4            *(1) AUTHORIZATION OF APPROPRIATIONS.—In*  
5        *addition to amounts authorized to be appropriated by*  
6        *subsection (a), there are authorized to be appropriated*  
7        *such sums as may be necessary for each of fiscal years*  
8        *1998 and 1999 to offset adverse fluctuations in for-*  
9        *ign currency exchange rates.*

10           *(2) AVAILABILITY OF FUNDS.—Amounts appro-*  
11        *priated under this subsection shall be available for ob-*  
12        *ligation and expenditure only to the extent that the*  
13        *Director of the Office of Management and Budget de-*  
14        *termines and certifies to Congress that such amounts*  
15        *are necessary due to such fluctuations.*

16           *(i) REFUND OF EXCESS CONTRIBUTIONS.—The United*  
17        *States shall continue to insist that the United Nations and*  
18        *its specialized and affiliated agencies shall establish and*  
19        *implement a procedure to credit or refund to each member*  
20        *of the agency concerned its proportionate share of the*  
21        *amount by which the total contributions to the agency ex-*  
22        *ceed the expenditures of the regular assessed budgets of these*  
23        *agencies.*

1 **SEC. 2102. UNITED NATIONS POLICY ON ISRAEL AND THE**  
2 **PALESTINIANS.**

3 (a) *CONGRESSIONAL STATEMENT.*—*It shall be the pol-*  
4 *icy of the United States to promote an end to the persistent*  
5 *inequity experienced by Israel in the United Nations where-*  
6 *by Israel is the only longstanding member of the organiza-*  
7 *tion to be denied acceptance into any of the United Nation's*  
8 *regional blocs.*

9 (b) *POLICY ON ABOLITION OF CERTAIN UNITED NA-*  
10 *TIONS GROUPS.*—*It shall be the policy of the United States*  
11 *to seek abolition of certain United Nations groups the exist-*  
12 *ence of which is inimical to the ongoing Middle East peace*  
13 *process, those groups being the Special Committee to Inves-*  
14 *tigate Israeli Practices Affecting the Human Rights of the*  
15 *Palestinian People and other Arabs of the Occupied Terri-*  
16 *tories; the Committee on the Exercise of the Inalienable*  
17 *Rights of the Palestinian People; the Division for the Pal-*  
18 *estinian Rights; and the Division on Public Information*  
19 *on the Question of Palestine.*

20 (c) *CONSULTATIONS WITH CONGRESS.*—*Not later than*  
21 *90 days after the date of the enactment of this Act and on*  
22 *a semi-annual basis thereafter, the Secretary of State shall*  
23 *consult with the appropriate congressional committees (in*  
24 *classified or unclassified form as appropriate) on—*

25 (1) *actions taken by representatives of the United*  
26 *States to encourage the nations of the Western Europe*



1       **(b) CODIFICATION OF REQUIRED NOTICE OF PRO-**  
2 **POSED UNITED NATIONS PEACEKEEPING OPERATIONS.—**

3           **(1) CODIFICATION.—***Section 4 of the United Na-*  
4 *tions Participation Act of 1945 (22 U.S.C. 287b) is*  
5 *amended—*

6           **(A)** *in subsection (a), by striking the second*  
7 *sentence;*

8           **(B)** *by striking subsection (e); and*

9           **(C)** *by adding after subsection (d) the fol-*  
10 *lowing new subsections:*

11       **“(e) CONSULTATIONS AND REPORTS ON UNITED NA-**  
12 **TIONS PEACEKEEPING OPERATIONS.—**

13           **“(1) CONSULTATIONS.—***Each month the Presi-*  
14 *dent shall consult with Congress on the status of*  
15 *United Nations peacekeeping operations.*

16           **“(2) INFORMATION TO BE PROVIDED.—***In con-*  
17 *nection with such consultations, the following infor-*  
18 *mation shall be provided each month to the des-*  
19 *ignated congressional committees:*

20           **“(A)** *With respect to ongoing United Na-*  
21 *tions peacekeeping operations, the following:*

22           **“(i)** *A list of all resolutions of the*  
23 *United Nations Security Council antici-*  
24 *ipated to be voted on during such month that*

1           *would extend or change the mandate of any*  
2           *United Nations peacekeeping operation.*

3           “(ii) *For each such operation, any*  
4           *changes in the duration, mandate, and com-*  
5           *mand and control arrangements that are*  
6           *anticipated as a result of the adoption of*  
7           *the resolution.*

8           “(iii) *An estimate of the total cost to*  
9           *the United Nations of each such operation*  
10          *for the period covered by the resolution, and*  
11          *an estimate of the amount of that cost that*  
12          *will be assessed to the United States.*

13          “(iv) *Any anticipated significant*  
14          *changes in United States participation in*  
15          *or support for each such operation during*  
16          *the period covered by the resolution (includ-*  
17          *ing the provision of facilities, training,*  
18          *transportation, communication, and*  
19          *logistical support, but not including intel-*  
20          *ligence activities reportable under title V of*  
21          *the National Security Act of 1947 (50*  
22          *U.S.C. 413 et seq.)) and the estimated costs*  
23          *to the United States of such changes.*

24          “(B) *With respect to each new United Na-*  
25          *tions peacekeeping operation that is anticipated*

1           to be authorized by a Security Council resolution  
2           during such month, the following information for  
3           the period covered by the resolution:

4                   “(i) The anticipated duration, man-  
5                   date, the command and control arrange-  
6                   ments of such operation, the planned exit  
7                   strategy, and the vital national interest to  
8                   be served.

9                   “(ii) An estimate of the total cost to  
10                  the United Nations of the operation, an esti-  
11                  mate of the amount of that cost that will be  
12                  assessed to the United States, and a notice  
13                  of intent to submit a reprogramming of  
14                  funds to cover that cost.

15                  “(iii) A description of the functions  
16                  that would be performed by any United  
17                  States Armed Forces participating in or  
18                  otherwise operating in support of the oper-  
19                  ation, an estimate of the number of mem-  
20                  bers of the Armed Forces that will partici-  
21                  pate in or otherwise operate in support of  
22                  the operation, and an estimate of the cost to  
23                  the United States of such participation or  
24                  support.

1           “(iv) A description of any other United  
2           States assistance to or support for the oper-  
3           ation (including the provision of facilities,  
4           training, transportation, communication,  
5           and logistical support, but not including in-  
6           telligence activities reportable under title V  
7           of the National Security Act of 1947 (50  
8           U.S.C. 413 et seq.)) and an estimate of the  
9           cost to the United States of such assistance  
10          or support.

11          “(3) FORM AND TIMING OF INFORMATION.—

12           “(A) FORM.—The President shall submit  
13           information under clauses (i) and (iii) of para-  
14           graph (2)(A) in writing.

15           “(B) TIMING.—

16           “(i) IN GENERAL.—The information  
17           required under paragraph (2)(A) for a  
18           month shall be submitted not later than the  
19           10th day of the month.

20           “(ii) PARTICULAR INFORMATION.—The  
21           information required under paragraph  
22           (2)(B) shall be submitted in writing not less  
23           than 15 days before the anticipated date of  
24           the vote on the resolution concerned or, if a  
25           15-day advance submission is not prac-

1            *ticable, in as far advance of the vote as is*  
2            *practicable.*

3            “(4) *NEW UNITED NATIONS PEACEKEEPING OP-*  
4            *ERATION DEFINED.—As used in paragraph (2), the*  
5            *term ‘new United Nations peacekeeping operation’ in-*  
6            *cludes any existing or otherwise ongoing United Na-*  
7            *tions peacekeeping operation—*

8            “(A) *in the case of an operation in exist-*  
9            *ence, where the authorized force strength is to be*  
10           *expanded by more than 15 percent in an oper-*  
11           *ation of less than 200 military or police person-*  
12           *nel, or 10 percent in an operation of more than*  
13           *200 military or police personnel during the pe-*  
14           *riod covered by the Security Council resolution;*

15           “(B) *that is to be authorized to operate in*  
16           *a country in which it was not previously author-*  
17           *ized to operate; or*

18           “(C) *the mandate of which is to be changed*  
19           *so that the operation would be engaged in sig-*  
20           *nificant additional or different functions.*

21           “(5) *NOTIFICATION AND QUARTERLY REPORTS*  
22           *REGARDING UNITED STATES ASSISTANCE.—*

23           “(A) *NOTIFICATION OF CERTAIN ASSIST-*  
24           *ANCE.—*

1           “(i) *IN GENERAL.*—*The President shall*  
2           *notify the designated congressional commit-*  
3           *tees at least 15 days before the United*  
4           *States provides any assistance to the United*  
5           *Nations to support peacekeeping operations.*

6           “(ii) *EXCEPTION.*—*This subparagraph*  
7           *does not apply to—*

8                   “(I) *assistance having a value of*  
9                   *less than \$3,000,000 in the case of non-*  
10                   *reimbursable assistance or less than*  
11                   *\$14,000,000 in the case of reimbursable*  
12                   *assistance; or*

13                   “(II) *assistance provided under*  
14                   *the emergency drawdown authority of*  
15                   *sections 506(a)(1) and 552(c)(2) of the*  
16                   *Foreign Assistance Act of 1961 (22*  
17                   *U.S.C. 2318(a)(1) and 2348a(c)(2)).*

18           “(B) *QUARTERLY REPORTS.*—

19                   “(i) *IN GENERAL.*—*The President shall*  
20                   *submit quarterly reports to the designated*  
21                   *congressional committees on all assistance*  
22                   *provided by the United States during the*  
23                   *preceding calendar quarter to the United*  
24                   *Nations to support peacekeeping operations.*

1                   “(ii) *MATTERS INCLUDED.*—Each re-  
2                   port under this subparagraph shall describe  
3                   the assistance provided for each such oper-  
4                   ation, listed by category of assistance.

5                   “(iii) *FOURTH QUARTER REPORT.*—  
6                   The report under this subparagraph for the  
7                   fourth calendar quarter of each year shall be  
8                   submitted as part of the annual report re-  
9                   quired by subsection (d) and shall include  
10                  cumulative information for the preceding  
11                  calendar year.

12               “(f) *DESIGNATED CONGRESSIONAL COMMITTEES.*—In  
13               this section, the term ‘designated congressional committees’  
14               means the Committee on Foreign Relations and the Com-  
15               mittee on Appropriations of the Senate and the Committee  
16               on International Relations and the Committee on Appro-  
17               priations of the House of Representatives.”.

18               (2) *CONFORMING REPEAL.*—Subsection (a) of  
19               section 407 of the Foreign Relations Authorization  
20               Act, Fiscal Years 1994 and 1995 (Public Law 103–  
21               236; 22 U.S.C. 287b note; 108 Stat. 448) is repealed.

22               (c) *RELATIONSHIP TO OTHER NOTICE REQUIRE-*  
23               MENTS.—Section 4 of the United Nations Participation Act  
24               of 1945, as amended by subsection (c), is further amended  
25               by adding at the end the following:

1       “(g) *RELATIONSHIP TO OTHER NOTIFICATION RE-*  
2 *QUIREMENTS.*—*Nothing in this section is intended to alter*  
3 *or supersede any notification requirement with respect to*  
4 *peacekeeping operations that is established under any other*  
5 *provision of law.*”.

6 **SEC. 2104. DATA ON COSTS INCURRED IN SUPPORT OF**  
7                   **UNITED NATIONS PEACE AND SECURITY OP-**  
8                   **ERATIONS.**

9       Chapter 6 of part II of the Foreign Assistance Act of  
10 1961 (22 U.S.C. 2348 et seq.) is amended by adding at the  
11 end the following:

12 **“SEC. 555. DATA ON COSTS INCURRED IN SUPPORT OF**  
13                   **UNITED NATIONS PEACE AND SECURITY OP-**  
14                   **ERATIONS.**

15       “(a) *UNITED STATES COSTS.*—*The United States shall*  
16 *annually provide to the Secretary General of the United*  
17 *Nations data regarding all costs incurred by the United*  
18 *States in support of all United Nations authorized oper-*  
19 *ations in support of international peace and security.*

20       “(b) *UNITED NATIONS MEMBER COSTS.*—*The United*  
21 *States shall request that the United Nations compile and*  
22 *publish information concerning costs incurred by United*  
23 *Nations members in support of such operations.*”.

1 **SEC. 2105. REIMBURSEMENT FOR GOODS AND SERVICES**  
2 **PROVIDED BY THE UNITED STATES TO THE**  
3 **UNITED NATIONS.**

4 *(a) REQUIREMENT TO OBTAIN REIMBURSEMENT.—*

5 *(1) IN GENERAL.—Except as provided in para-*  
6 *graph (2), the President shall seek and obtain a com-*  
7 *mitment from the United Nations to provide reim-*  
8 *bursement to the United States from the United Na-*  
9 *tions in a timely fashion whenever the United States*  
10 *Government furnishes assistance pursuant to the pro-*  
11 *visions of law described in subsection (c)—*

12 *(A) to the United Nations;*

13 *(B) for any United Nations peacekeeping*  
14 *operation that is authorized by the United Na-*  
15 *tions Security Council under Chapter VI or*  
16 *Chapter VII of the United Nations Charter and*  
17 *paid for by peacekeeping or regular budget as-*  
18 *essment of the United Nations members; or*

19 *(C) to any country participating in any*  
20 *operation authorized by the United Nations Se-*  
21 *curity Council under Chapter VI or Chapter VII*  
22 *of the United Nations Charter and paid for by*  
23 *peacekeeping assessments of United Nations*  
24 *members when the assistance is designed to fa-*  
25  *facilitate or assist the participation of that coun-*  
26 *try in the operation.*

1           (2) *EXCEPTION.*—*The requirement in paragraph*  
2 *(1) shall not apply to—*

3                   (A) *expenses incurred by the United States*  
4 *for the direct benefit of the United States Armed*  
5 *Forces;*

6                   (B) *assistance having a value of less than*  
7 *\$3,000,000 per fiscal year per operation; or*

8                   (C) *assistance furnished before the date of*  
9 *enactment of this Act.*

10           (3) *FORM AND AMOUNT.*—

11                   (A) *AMOUNT.*—*The amount of any reim-*  
12 *bursement under this subsection shall be deter-*  
13 *mined at the usual rate established by the United*  
14 *Nations.*

15                   (B) *FORM.*—*Reimbursement under this sub-*  
16 *section may include credits against the United*  
17 *States assessed contributions for United States*  
18 *peacekeeping operations, if the expenses incurred*  
19 *by any United States department or agency pro-*  
20 *viding the assistance have first been reimbursed.*

21           (b) *TREATMENT OF REIMBURSEMENTS.*—

22                   (1) *CREDIT.*—*The amount of any reimbursement*  
23 *paid the United States under subsection (a) shall be*  
24 *credited to the current applicable appropriation,*  
25 *fund, or account of the United States department or*

1        *agency providing the assistance for which the reim-*  
2        *bursement is paid.*

3            (2) *AVAILABILITY.*—*Amounts credited under*  
4        *paragraph (1) shall be merged with the appropria-*  
5        *tions, or with appropriations in the fund or account,*  
6        *to which credited and shall be available for the same*  
7        *purposes, and subject to the same conditions and lim-*  
8        *itations, as the appropriations with which merged.*

9            (c) *COVERED ASSISTANCE.*—*Subsection (a) assistance*  
10       *provided under the following provisions of law:*

11            (1) *Sections 6 and 7 of the United Nations Par-*  
12        *ticipation Act of 1945.*

13            (2) *Sections 451, 506(a)(1), 516, 552(c), and 607*  
14        *of the Foreign Assistance Act of 1961.*

15            (3) *Any other provisions of law pursuant to*  
16        *which assistance is provided by the United States to*  
17        *carry out the mandate of an assessed United Nations*  
18        *peacekeeping operation.*

19            (d) *WAIVER.*—

20            (1) *AUTHORITY.*—

21            (A) *IN GENERAL.*—*The President may au-*  
22        *thorize the furnishing assistance covered by this*  
23        *section without regard to subsection (a) if the*  
24        *President determines, and so notifies in writing*  
25        *the Committee on Foreign Relations of the Sen-*

1           *ate and the Speaker of the House of Representa-*  
2           *tives, that to do so is important to the security*  
3           *interests of the United States.*

4                   *(B) CONGRESSIONAL NOTIFICATION.—Before*  
5           *exercising the authorities of subparagraph (A),*  
6           *the President shall notify the appropriate con-*  
7           *gressional committees in accordance with the*  
8           *procedures applicable to reprogramming notifi-*  
9           *cations under section 634A of the Foreign Assist-*  
10          *ance Act of 1961.*

11                   *(2) CONGRESSIONAL REVIEW.—Notwithstanding*  
12          *a notice under paragraph (1) with respect to assist-*  
13          *ance covered by this section, subsection (a) shall*  
14          *apply to the furnishing of the assistance if, not later*  
15          *than 15 calendar days after receipt of a notification*  
16          *under that paragraph, the Congress enacts a joint res-*  
17          *olution disapproving the determination of the Presi-*  
18          *dent contained in the notice.*

19                   *(3) SENATE PROCEDURES.—Any joint resolution*  
20          *described in paragraph (2) shall be considered in the*  
21          *Senate in accordance with the provisions of section*  
22          *601(b) of the International Security Assistance and*  
23          *Arms Export Control Act of 1976.*

24                   *(e) RELATIONSHIP TO OTHER REIMBURSEMENT AU-*  
25          *THORITY.—Nothing in this section shall preclude the Presi-*

1 *dent from seeking reimbursement for assistance covered by*  
2 *this section that is in addition to the reimbursement sought*  
3 *for the assistance under in subsection (a).*

4 (f) *DEFINITION.—In this section, the term “assistance”*  
5 *includes personnel, services, supplies, equipment, facilities,*  
6 *and other assistance, provided by the United States Depart-*  
7 *ment of Defense or any other United States Government*  
8 *agency.*

9 **SEC. 2106. RESTRICTION ON UNITED STATES FUNDING FOR**  
10 **UNITED NATIONS PEACE OPERATIONS.**

11 *The President shall withhold from disbursement for*  
12 *any United Nations peace operation established after the*  
13 *date of enactment of this Act the United States propor-*  
14 *tionate share of any amount made available to that oper-*  
15 *ation out of the regular budget of the United Nations, unless*  
16 *the President determines, and so notifies the appropriate*  
17 *congressional committees, that funding such a United Na-*  
18 *tions peace operation serves an important national security*  
19 *interest of the United States.*

20 **SEC. 2107. UNITED STATES POLICY REGARDING UNITED NA-**  
21 **TIONS PEACEKEEPING MISSIONS.**

22 *It shall be the policy of the United States—*

23 (1) *to ensure that major peacekeeping operations*  
24 *(in general, those comprised of more than 10,000*  
25 *troops) authorized by the United Nations Security*

1 *Council under Chapter VII of the United Nations*  
2 *Charter (or missions such as the United Nations Pro-*  
3 *tection Force (UNPROFOR)) are undertaken by a*  
4 *competent regional organization such as NATO or a*  
5 *multinational force, and not established as a peace-*  
6 *keeping operation under United Nations operational*  
7 *control which would be paid for by assessment of*  
8 *United Nations members; and*

9 (2) *to consider, on a case-by-case basis, whether*  
10 *it is in the national interest of the United States to*  
11 *agree that smaller peacekeeping operations authorized*  
12 *by the United Nations Security Council under Chap-*  
13 *ter VII of the United Nations Charter and paid for*  
14 *by assessment of United Nations members (such as the*  
15 *United Nations Transitional Authority in Slavonia*  
16 *(UNTAES)) should be established as peacekeeping op-*  
17 *erations under United Nations operational control*  
18 *which would be paid for by assessment of United Na-*  
19 *tions members.*

20 **SEC. 2108. ORGANIZATION OF AMERICAN STATES.**

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, it is the sense of the Con-*  
25 *gress that the Secretary of State should make every effort*

1 *to pay the United States assessed funding levels for the Or-*  
2 *ganization of American States, which is uniquely dependent*  
3 *on United States contributions and is continuing fun-*  
4 *damental reforms in its structure and its agenda.*

5                   **TITLE XXII—ARREARS**  
6                   **PAYMENTS AND REFORM**  
7                   **CHAPTER 1—ARREARAGES TO THE**  
8                   **UNITED NATIONS**  
9                   **Subchapter A—Authorization of**  
10                  **Appropriations; Disbursement of Funds**

11 **SEC. 2201. AUTHORIZATION OF APPROPRIATIONS.**

12           (a) *IN GENERAL.*—*There are authorized to be appro-*  
13 *priated to the Department of State for payment of arrear-*  
14 *ages owed by the United States to the United Nations and*  
15 *its specialized agencies as of September 30, 1997—*

16                   (1) *\$100,000,000 for fiscal year 1998;*

17                   (2) *\$475,000,000 for fiscal year 1999; and*

18                   (3) *\$244,000,000 for fiscal year 2000.*

19           (b) *LIMITATION.*—*Amounts made available under sub-*  
20 *section (a) are authorized to be available only—*

21                   (1) *to pay the United States share of assessments*  
22 *for the regular budget of the United Nations (exclud-*  
23 *ing the budgets of the United Nations specialized*  
24 *agencies);*

1           (2) to pay the United States share of United Na-  
2           tions peace operations;

3           (3) to pay the United States share of United Na-  
4           tions specialized agencies; and

5           (4) to pay the United States share of other inter-  
6           national organizations.

7           (c) *AVAILABILITY OF FUNDS.*—Amounts appropriated  
8           pursuant to subsection (a) are authorized to remain avail-  
9           able until expended.

10          (d) *STATUTORY CONSTRUCTION.*—For purposes of  
11          payments made pursuant to subsection (a), section  
12          404(b)(2) of the Foreign Relations Authorization Act, Fis-  
13          cal Years 1994 and 1995 (Public Law 103–236) shall not  
14          apply to United Nations peace operation assessments re-  
15          ceived by the United States prior to October 1, 1995.

16          **SEC. 2202. DISBURSEMENT OF FUNDS.**

17          (a) *IN GENERAL.*—Funds made available pursuant to  
18          section 2201 may be disbursed only if the requirements of  
19          subsections (b) and (c) of this section are satisfied.

20          (b) *DISBURSEMENTS UPON SATISFACTION OF CER-*  
21          *TIFICATION REQUIREMENTS.*—Funds made available pur-  
22          suant to section 2201 may be disbursed only in the follow-  
23          ing allotments and upon the following certifications:

1           (1) *Amounts authorized to be appropriated for*  
2           *fiscal year 1998, upon the certification described in*  
3           *section 2211.*

4           (2) *Amounts authorized to be appropriated for*  
5           *fiscal year 1999, upon the certification described in*  
6           *section 2221.*

7           (3) *Amounts authorized to be appropriated for*  
8           *fiscal year 2000, upon the certification described in*  
9           *section 2231.*

10          (c) *ADVANCE CONGRESSIONAL NOTIFICATION.—Funds*  
11          *made available pursuant to section 2201 may be disbursed*  
12          *only if the appropriate certification has been submitted to*  
13          *Congress 30 days prior to the payment of funds to the Unit-*  
14          *ed Nations or its specialized agencies.*

15          (d) *TRANSMITTAL OF CERTIFICATIONS.—Certifi-*  
16          *cations made under this chapter shall be transmitted by the*  
17          *Secretary of State to the appropriate congressional commit-*  
18          *tees.*

19          ***Subchapter B—United States Sovereignty***

20          ***SEC. 2211. CERTIFICATION REQUIREMENTS.***

21          (a) *CONTENTS OF CERTIFICATION.—A certification de-*  
22          *scribed in this section is a certification by the Secretary*  
23          *of State that the following conditions are satisfied:*

24                  (1) *CONTESTED ARREARAGES.—The United Na-*  
25                  *tions has established an account or other appropriate*

1       *mechanism with respect to all United States arrear-*  
2       *ages incurred before the date of enactment of this Act*  
3       *with respect to which payments are not authorized by*  
4       *this Act, and the failure to pay amounts specified in*  
5       *the account do not affect the application of Article 19*  
6       *of the Charter of the United Nations. The account es-*  
7       *tablished under this paragraph may be referred to as*  
8       *the “contested arrearages account”.*

9               (2) *SUPREMACY OF THE UNITED STATES CON-*  
10        *STITUTION.—No action has been taken on or after Oc-*  
11        *tober 1, 1996, by the United Nations or any of its*  
12        *specialized or affiliated agencies that requires the*  
13        *United States to violate the United States Constitu-*  
14        *tion or any law of the United States.*

15              (3) *NO UNITED NATIONS SOVEREIGNTY.—Neither*  
16        *the United Nations nor any of its specialized or affili-*  
17        *ated agencies—*

18                        (A) *has exercised sovereignty over the Unit-*  
19        *ed States; or*

20                        (B) *has taken any steps that require the*  
21        *United States to cede sovereignty.*

22              (4) *NO UNITED NATIONS TAXATION.—*

23                        (A) *NO LEGAL AUTHORITY.—Except as pro-*  
24        *vided in subparagraph (D), neither the United*  
25        *Nations nor any of its specialized or affiliated*

1            *agencies has the authority under United States*  
2            *law to impose taxes or fees on United States na-*  
3            *tionals.*

4            *(B) NO TAXES OR FEES.—Except as pro-*  
5            *vided in subparagraph (D), a tax or fee has not*  
6            *been imposed on any United States national by*  
7            *the United Nations or any of its specialized or*  
8            *affiliated agencies.*

9            *(C) NO TAXATION PROPOSALS.—Except as*  
10           *provided in subparagraph (D), neither the Unit-*  
11           *ed Nations nor any of its specialized or affiliated*  
12           *agencies has officially approved any formal effort*  
13           *to develop, advocate, or promote any proposal*  
14           *concerning the imposition of a tax or fee on any*  
15           *United States national in order to raise revenue*  
16           *for the United Nations or any such agency.*

17           *(D) EXCEPTION.—This paragraph does not*  
18           *apply to—*

19                    *(i) fees for publications or other kinds*  
20                    *of fees that are not tantamount to a tax on*  
21                    *United States citizens; or*

22                    *(ii) the World Intellectual Property*  
23                    *Organization.*

24            *(5) NO STANDING ARMY.—The United Nations*  
25            *has not budgeted any funds for, nor taken any official*

1 *steps to develop, create, or establish any special agree-*  
2 *ment under Article 43 of the United Nations Charter*  
3 *to make available to the United Nations, on its call,*  
4 *the armed forces of any member of the United Na-*  
5 *tions.*

6 (6) *NO INTEREST FEES.—The United Nations*  
7 *has not levied interest penalties against the United*  
8 *States or any interest on arrearages on the annual*  
9 *assessment of the United States, and from the date of*  
10 *enactment of this Act, neither the United Nations nor*  
11 *its specialized agencies have amended their financial*  
12 *regulations or taken any other action that would per-*  
13 *mit interest penalties to be levied against or otherwise*  
14 *charge the United States any interest on arrearages*  
15 *on its annual assessment.*

16 (7) *UNITED STATES PROPERTY RIGHTS.—Neither*  
17 *the United Nations nor any of its specialized or affili-*  
18 *ated agencies has exercised authority or control over*  
19 *any United States national park, wildlife preserve,*  
20 *monument, or property, nor has the United Nations*  
21 *nor any of its specialized or affiliated agencies imple-*  
22 *mented plans, regulations, programs, or agreements*  
23 *that exercise control or authority over the private*  
24 *property of United States citizens.*

25 (8) *TERMINATION OF BORROWING AUTHORITY.—*

1           (A) *PROHIBITION ON AUTHORIZATION OF*  
2           *EXTERNAL BORROWING.*—*On or after the date of*  
3           *enactment of this Act, neither the United Nations*  
4           *nor any specialized agency of the United Nations*  
5           *has amended its financial regulations to permit*  
6           *external borrowing.*

7           (B) *PROHIBITION OF UNITED STATES PAY-*  
8           *MENT OF INTEREST COSTS.*—*The United States*  
9           *has not paid its share of any interest costs made*  
10          *known to or identified by the United States Gov-*  
11          *ernment for loans incurred by the United Na-*  
12          *tions or any specialized agency of the United*  
13          *Nations through external borrowing.*

14          (b) *TRANSMITTAL.*—*The Secretary of State may trans-*  
15          *mit a certification under subsection (a) at any time during*  
16          *fiscal year 1998 or thereafter if the requirements of the cer-*  
17          *tification are satisfied.*

18           ***Subchapter C—Reform of Assessments and***  
19           ***United Nations Peace Operations***

20           ***SEC. 2221. CERTIFICATION REQUIREMENTS.***

21          (a) *IN GENERAL.*—*A certification described in this sec-*  
22          *tion is a certification by the Secretary of State that the*  
23          *conditions in subsection (b) are satisfied. Such certification*  
24          *shall not be made by the Secretary if the Secretary deter-*

1 *mines that any of the conditions set forth in section 2211*  
2 *are no longer valid.*

3 (b) *CONDITIONS.—The conditions under this sub-*  
4 *section are the following:*

5 (1) *LIMITATION ON ASSESSED SHARE OF REGU-*  
6 *LAR BUDGET.—The share of the total of all assessed*  
7 *contributions for the regular budget of the United Na-*  
8 *tions, or any designated specialized agency of the*  
9 *United Nations, does not exceed 22 percent for any*  
10 *single United Nations member.*

11 (2) *LIMITATION ON ASSESSED SHARE OF BUDG-*  
12 *ET FOR PEACE OPERATIONS.—The assessed share of*  
13 *the budget for each assessed United Nations peace op-*  
14 *eration does not exceed 25 percent for any single*  
15 *United Nations member.*

16 (3) *TRANSFER OF REGULAR BUDGET-FUNDED*  
17 *PEACE OPERATIONS.—The mandates of the United*  
18 *Nations Truce Supervision Organization (UNTSO)*  
19 *and the United Nations Military Observer Group in*  
20 *India and Pakistan (UNMOGIP) are subject to an-*  
21 *annual review by members of the Security Council, and*  
22 *are subject to the notification requirements pursuant*  
23 *to section 2103(c).*

1 ***Subchapter D—Budget and Personnel Reform***

2 ***SEC. 2231. CERTIFICATION REQUIREMENTS.***

3 (a) *IN GENERAL.*—*A certification described in this sec-*  
4 *tion is a certification by the Secretary of State that the*  
5 *following conditions in subsection (b) are satisfied. Such*  
6 *certification shall not be made by the Secretary if the Sec-*  
7 *retary determines that any of the conditions set forth in*  
8 *sections 2211 and 2221 are no longer valid.*

9 (b) *CONDITIONS.*—*The conditions under this sub-*  
10 *section are the following:*

11 (1) *LIMITATION ON ASSESSED SHARE OF REGU-*  
12 *LAR BUDGET.*—*The share of the total of all assessed*  
13 *contributions for the regular budget of the United Na-*  
14 *tions, or any specialized agency of the United Na-*  
15 *tions, does not exceed 20 percent for any single Unit-*  
16 *ed Nations member.*

17 (2) *INSPECTORS GENERAL FOR CERTAIN ORGANI-*  
18 *ZATIONS.*—

19 (A) *ESTABLISHMENT OF OFFICES.*—*Each*  
20 *designated specialized agency has established an*  
21 *independent office of inspector general to conduct*  
22 *and supervise objective audits, inspections, and*  
23 *investigations relating to the programs and oper-*  
24 *ations of the organization.*

1           (B) *APPOINTMENT OF INSPECTORS GEN-*  
2           *ERAL.—The Director General of each designated*  
3           *specialized agency has appointed an inspector*  
4           *general, with the approval of the member states,*  
5           *and that appointment was made principally on*  
6           *the basis of the appointee’s integrity and dem-*  
7           *onstrated ability in accounting, auditing, finan-*  
8           *cial analysis, law, management analysis, public*  
9           *administration, or investigations.*

10           (C) *ASSIGNED FUNCTIONS.—Each inspector*  
11           *general appointed under subparagraph (A) is*  
12           *authorized to—*

13                   (i) *make investigations and reports re-*  
14                   *lating to the administration of the pro-*  
15                   *grams and operations of the agency con-*  
16                   *cerned;*

17                   (ii) *have access to all records, docu-*  
18                   *ments, and other available materials relat-*  
19                   *ing to those programs and operations of the*  
20                   *agency concerned; and*

21                   (iii) *have direct and prompt access to*  
22                   *any official of the agency concerned.*

23           (D) *COMPLAINTS.—Each designated special-*  
24           *ized agency has procedures in place designed to*  
25           *protect the identity of, and to prevent reprisals*

1           *against, any staff member making a complaint*  
2           *or disclosing information to, or cooperating in*  
3           *any investigation or inspection by, the inspector*  
4           *general of the agency.*

5           (E) *COMPLIANCE WITH RECOMMENDA-*  
6           *TIONS.—Each designated specialized agency has*  
7           *in place procedures designed to ensure compli-*  
8           *ance with the recommendations of the inspector*  
9           *general of the agency.*

10          (F) *AVAILABILITY OF REPORTS.—Each des-*  
11          *ignated specialized agency has in place proce-*  
12          *dures to ensure that all annual and other rel-*  
13          *evant reports submitted by the inspector general*  
14          *to the agency are made available to the member*  
15          *states without modification.*

16          (3) *NEW BUDGET PROCEDURES FOR THE UNITED*  
17          *NATIONS.—The United Nations has established and is*  
18          *implementing budget procedures that—*

19                 (A) *require the maintenance of a budget not*  
20                 *in excess of the level agreed to by the General As-*  
21                 *sembly at the beginning of each United Nations*  
22                 *budgetary biennium, unless increases are agreed*  
23                 *to by consensus; and*

1           (B) require the systemwide identification of  
2           expenditures by functional categories such as  
3           personnel, travel, and equipment.

4           (4) *SUNSET POLICY FOR CERTAIN UNITED NA-*  
5           *TIONS PROGRAMS.*—

6           (A) *EXISTING AUTHORITY.*—*The Secretary*  
7           *General and the Director General of each des-*  
8           *ignated specialized agency have used their exist-*  
9           *ing authorities to require program managers*  
10          *within the United Nations Secretariat and the*  
11          *Secretariats of the designated specialized agen-*  
12          *cies to conduct evaluations of United Nations*  
13          *programs approved by the General Assembly and*  
14          *of programs of the designated specialized agen-*  
15          *cies in accordance with the standardized meth-*  
16          *odology referred to in subparagraph (B).*

17          (B) *DEVELOPMENT OF EVALUATION CRI-*  
18          *TERIA.*—

19                 (i) *UNITED NATIONS.*—*The Office of*  
20                 *Internal Oversight Services has developed a*  
21                 *standardized methodology for the evaluation*  
22                 *of United Nations programs approved by*  
23                 *the General Assembly, including specific*  
24                 *criteria for determining the continuing rel-*  
25                 *evance and effectiveness of the programs.*

1                   (ii) *DESIGNATED SPECIALIZED AGEN-*  
2                   *CIES.—Patterned on the work of the Office*  
3                   *of Internal Oversight Services of the United*  
4                   *Nations, the inspector general office equiva-*  
5                   *lent of each designated specialized agency*  
6                   *has developed a standardized methodology*  
7                   *for the evaluation of programs of designated*  
8                   *specialized agencies, including specific cri-*  
9                   *teria for determining the continuing rel-*  
10                  *evance and effectiveness of the programs.*

11                  (C) *PROCEDURES.—The United Nations*  
12                  *and each designated specialized agency has es-*  
13                  *tablished and is implementing procedures—*

14                   (i) *requiring the Secretary General*  
15                   *and the Director General of the agency, as*  
16                   *the case may be, to report on the results of*  
17                   *evaluations referred to in this paragraph,*  
18                   *including the identification of programs*  
19                   *that have met criteria for continuing rel-*  
20                   *evance and effectiveness and proposals to*  
21                   *terminate or modify programs that have not*  
22                   *met such criteria; and*

23                   (ii) *authorizing an appropriate body*  
24                   *within the United Nations or the agency, as*  
25                   *the case may be, to review each evaluation*

1           referred to in this paragraph and report to  
2           the General Assembly on means of improv-  
3           ing the program concerned or on terminat-  
4           ing the program.

5           (D) UNITED STATES POLICY.—It shall be  
6           the policy of the United States to seek adoption  
7           by the United Nations of a resolution requiring  
8           that each United Nations program approved by  
9           the General Assembly, and to seek adoption by  
10          each designated specialized agency of a resolu-  
11          tion requiring that each program of the agency,  
12          be subject to an evaluation referred to in this  
13          paragraph and have a specific termination date  
14          so that the program will not be renewed unless  
15          the evaluation demonstrates the continuing rel-  
16          evance and effectiveness of the program.

17          (E) DEFINITION.—For purposes of this  
18          paragraph, the term “United Nations program  
19          approved by the General Assembly” means a  
20          program approved by the General Assembly of  
21          the United Nations that is administered or fund-  
22          ed by the United Nations.

23          (5) UNITED NATIONS ADVISORY COMMITTEE ON  
24          ADMINISTRATIVE AND BUDGETARY QUESTIONS.—

1           (A) *IN GENERAL.*—*The United States has a*  
2           *seat on the United Nations Advisory Committee*  
3           *on Administrative and Budgetary Questions or*  
4           *the five largest member contributors each have a*  
5           *seat on the Advisory Committee.*

6           (B) *DEFINITION.*—*As used in this para-*  
7           *graph the term “5 largest member state contribu-*  
8           *tors” means the 5 United Nations member states*  
9           *that, during a United Nations budgetary bien-*  
10          *niium, have more total assessed contributions*  
11          *than any other United Nations member states to*  
12          *the aggregate of the United Nations regular*  
13          *budget and the budget (or budgets) for United*  
14          *Nations peace operations.*

15          (6) *NATIONAL AUDITS.*—*The United Nations has*  
16          *in effect procedures providing access by the United*  
17          *States General Accounting Office to United Nations*  
18          *financial data so that the Office may perform nation-*  
19          *ally mandated reviews of United Nations operations.*

20          (7) *PERSONNEL.*—

21                 (A) *APPOINTMENT AND SERVICE OF PER-*  
22                 *SONNEL.*—*The Secretary General—*

23                         (i) *has established and is implement-*  
24                         *ing procedures that ensure that staff em-*  
25                         *ployed by the United Nations is appointed*

1                   *on the basis of merit consistent with Article*  
2                   *101 of the United Nations charter; and*

3                   *(ii) is enforcing those contractual obli-*  
4                   *gations requiring worldwide availability of*  
5                   *all professional staff of the United Nations*  
6                   *to serve and be relocated based on the needs*  
7                   *of the United Nations.*

8                   *(B) CODE OF CONDUCT.—The General As-*  
9                   *sembly has adopted, and the Secretary General*  
10                  *has the authority to enforce and is effectively en-*  
11                  *forcing, a code of conduct binding on all United*  
12                  *Nations personnel, including the requirement of*  
13                  *financial disclosure statements binding on senior*  
14                  *United Nations personnel and the establishment*  
15                  *of rules against nepotism that are binding on all*  
16                  *United Nations officials.*

17                  *(C) PERSONNEL EVALUATION SYSTEM.—The*  
18                  *United Nations has adopted and is enforcing a*  
19                  *personnel evaluation system.*

20                  *(D) PERIODIC ASSESSMENTS.—The United*  
21                  *Nations has established and is implementing a*  
22                  *mechanism to conduct periodic assessments of the*  
23                  *United Nations payroll to determine total staff-*  
24                  *ing, and the results of such assessments are re-*

1           *ported in an unabridged form to the General As-*  
2           *sembly.*

3           *(E) REVIEW OF UNITED NATIONS ALLOW-*  
4           *ANCE SYSTEM.—The United States has completed*  
5           *a thorough review of the United Nations person-*  
6           *nel allowance system. The review shall include a*  
7           *comparison to the United States civil service,*  
8           *and shall make recommendations to reduce enti-*  
9           *tlements to allowances and allowance funding*  
10          *levels from the levels in effect on January 1,*  
11          *1998.*

12          *(8) REDUCTION IN BUDGET AUTHORITIES AND*  
13          *PERSONNEL LEVELS.—The designated specialized*  
14          *agencies have achieved a negative growth budget in*  
15          *the budget for 2000–01 from the 1998–99 biennium*  
16          *levels of the respective agencies.*

17          *(9) NEW BUDGET PROCEDURES AND FINANCIAL*  
18          *REGULATIONS.—Each designated specialized agency*  
19          *has established procedures to—*

20                 *(A) require the maintenance of a budget*  
21                 *that does not exceed the level agreed to by the*  
22                 *member states of the organization at the begin-*  
23                 *ning of each budgetary biennium, unless in-*  
24                 *creases are agreed to by consensus;*

1           (B) require the identification of expendi-  
2           tures by functional categories such as personnel,  
3           travel, and equipment; and

4           (C) require approval by the member states  
5           of the organization of supplemental budget re-  
6           quests to the Secretariat in advance of expendi-  
7           tures under those requests.

8           **CHAPTER 2—MISCELLANEOUS**  
9           **PROVISIONS**

10   **SEC. 2241. STATUTORY CONSTRUCTION ON RELATION TO**  
11           **EXISTING LAWS.**

12           *Except as otherwise specifically provided, nothing in*  
13           *this title may be construed to make available funds in viola-*  
14           *tion of any provision of law containing a specific prohibi-*  
15           *tion or restriction on the use of the funds, including section*  
16           *114 of the Department of State Authorization Act, Fiscal*  
17           *Years 1984 and 1985 (22 U.S.C. 287e note) and section*  
18           *151 of the Foreign Relations Authorization Act, Fiscal*  
19           *Years 1986 and 1987 (22 U.S.C. 287e note), and section*  
20           *404 of the Foreign Relations Authorization Act, Fiscal*  
21           *Years 1994 and 1995 (22 U.S.C. 287e note).*

1 **SEC. 2242. PROHIBITION ON PAYMENTS RELATING TO**  
2 **UNIDO AND OTHER ORGANIZATIONS FROM**  
3 **WHICH THE UNITED STATES HAS WITH-**  
4 **DRAWN OR RESCINDED FUNDING.**

5 *None of the funds authorized to be appropriated by this*  
6 *title shall be used to pay any arrearage for—*

7 *(1) the United Nations Industrial Development*  
8 *Organization;*

9 *(2) any costs to merge that organization into the*  
10 *United Nations;*

11 *(3) the costs associated with any other organiza-*  
12 *tion of the United Nations from which the United*  
13 *States has withdrawn including the costs of the merg-*  
14 *er of such organization into the United Nations; or*

15 *(4) the World Tourism Organization, or any*  
16 *other organization with respect to which Congress has*  
17 *rescinded funding.*

Attest:

*Secretary.*

105<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

**H. R. 1757**

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