

103^D CONGRESS
1ST SESSION

H.R. 2333

IN THE SENATE OF THE UNITED STATES

JUNE 29 (legislative day, JUNE 22), 1993

Received; read twice and referred to the Committee on Foreign Relations

AN ACT

To authorize appropriations for the Department of State, the United States Information Agency, and related agencies, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “State Department,
5 USIA, and Related Agencies Authorization Act, Fiscal
6 Years 1994 and 1995”.

1 SEC. 2. TABLE OF CONTENTS.

2 The table of contents for this Act is as follows:

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

TITLE I—DEPARTMENT OF STATE AND RELATED AGENCIES

PART A—AUTHORIZATION OF APPROPRIATIONS

- Sec. 101. Administration of foreign affairs.
- Sec. 102. Agency for International Development operating expenses.
- Sec. 103. International organizations, programs, and conferences.
- Sec. 104. International commissions.
- Sec. 105. Migration and refugee assistance.
- Sec. 106. Other programs.
- Sec. 107. United States Arms Control and Disarmament Agency.

PART B—AUTHORITIES AND ACTIVITIES

- Sec. 111. Authorized strength of the Foreign Service.
- Sec. 112. Transfers and reprogrammings.
- Sec. 113. Expenses relating to certain international claims and proceedings.
- Sec. 114. Child care facilities at certain posts abroad.
- Sec. 115. Notification to Congress of proposed reprogrammings of AID operating expenses.
- Sec. 116. Prohibition on discriminatory contracts.
- Sec. 117. Emergencies in the diplomatic and consular service.
- Sec. 118. Role of the Foreign Service Institute.
- Sec. 119. Reporting requirement on American prisoners abroad.
- Sec. 120. Consular authorities.
- Sec. 121. Requirement for authorization of appropriations for AID.
- Sec. 122. Report on consolidation of administrative operations.
- Sec. 123. Local guard contracts abroad.
- Sec. 124. Visas.
- Sec. 125. Consular and diplomatic posts abroad.
- Sec. 126. Annual country reports on terrorism.

PART C—DEPARTMENT OF STATE ORGANIZATION

- Sec. 131. Organizing principles.
- Sec. 132. Organization of the Department of State.
- Sec. 133. Technical and conforming amendments.
- Sec. 134. Director General of the Foreign Service.

PART D—PERSONNEL

- Sec. 141. Labor-management relations.
- Sec. 142. Voluntary retirement incentive program.
- Sec. 143. Waiver of limit for certain claims for personal property damage or loss.
- Sec. 144. Salaries of chiefs of mission.
- Sec. 145. Senior Foreign Service performance pay.
- Sec. 146. Reassignment and retirement of former Presidential appointees.
- Sec. 147. Report on classification of Senior Foreign Service positions.
- Sec. 148. Limitation on number of limited career extensions.

- Sec. 149. Amendments to title 5.
- Sec. 150. Amendments to chapter 11 of the Foreign Service Act.

PART E—INTERNATIONAL ORGANIZATIONS

- Sec. 161. International Atomic Energy Agency safeguards.
- Sec. 162. Agreement on State and local taxation of foreign employees of public international organizations.
- Sec. 163. Reform in budget decisionmaking procedures of the United Nations and its specialized agencies.
- Sec. 164. International Boundary and Water Commission.
- Sec. 165. United States membership in the Asian-Pacific Economic Cooperation Organization.
- Sec. 166. Limitation on contributions to the United Nations and affiliated organizations.
- Sec. 167. International peacekeeping reform.

PART F—MISCELLANEOUS PROVISIONS

- Sec. 181. Women's human rights protection.
- Sec. 182. Publishing international agreements.
- Sec. 183. Migration and refugee amendments.
- Sec. 184. United Nations Security Council membership.
- Sec. 185. Reforms in the Food and Agriculture Organization.
- Sec. 186. Interparliamentary exchanges.
- Sec. 187. United States policy concerning overseas assistance to refugees and displaced persons.
- Sec. 188. Policy on Middle East arms sales.
- Sec. 189. Report on terrorist assets in the United States.
- Sec. 190. Sense of Congress concerning United States citizens victimized by Germany during World War II.
- Sec. 191. Transparency in armaments.
- Sec. 192. Revitalization of the "permanent five" process.
- Sec. 193. Report on the impact of conventional weapons proliferation.
- Sec. 194. Establishment of independent inspectors general at international organizations.
- Sec. 195. Sense of Congress regarding adherence to United Nations Charter.
- Sec. 196. Food as a human right.

TITLE II—UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS

PART A—AUTHORIZATION OF APPROPRIATIONS

- Sec. 201. Authorization of appropriations.

PART B—INTERNATIONAL BROADCASTING AUTHORITIES AND ACTIVITIES

- Sec. 211. Short title.
- Sec. 212. Findings and declarations.
- Sec. 213. Standards.
- Sec. 214. Functions.
- Sec. 215. Administration.
- Sec. 216. USIA satellite and television.
- Sec. 217. Israel relay station.
- Sec. 218. Requirement for authorization of appropriations.
- Sec. 219. Report on advertising.

- ## PART D—MIKE MANSFIELD FELLOWSHIPS

- ## TITLE III—ARMS CONTROL AND DISARMAMENT AGENCY

- 1 **TITLE I—DEPARTMENT OF STATE AND**
2 **RELATED AGENCIES**
3 **PART A—AUTHORIZATION OF APPROPRIATIONS**
4 **SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.**
5 (a) IN GENERAL.—The following amounts are au
6 thorized to be appropriated for the Department of Stat
7 under “Administration of Foreign Affairs” to carry ou
8 the authorities, functions, duties, and responsibilities in
9 the conduct of the foreign affairs of the United States and

1 for other purposes authorized by law, including the diplo-
2 matic security program:

3 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—

4 For “Diplomatic and Consular Programs”, of the
5 Department of State \$1,667,584,000 for the fiscal
6 year 1994 and \$1,712,609,000 for the fiscal year
7 1995.

8 (2) SALARIES AND EXPENSES.—For “Salaries

9 and Expenses”, of the Department of State
10 \$484,416,000 for the fiscal year 1994 and
11 \$497,495,000 for the fiscal year 1995.

12 (3) ACQUISITION AND MAINTENANCE OF BUILD-

13 INGS ABROAD.—For “Acquisition and Maintenance
14 of Buildings Abroad”, \$381,481,000 for the fiscal
15 year 1994 and \$392,523,000 for the fiscal year
16 1995.

17 (4) BUYING POWER MAINTENANCE FUND.—For

18 “Buying Power Maintenance Fund”, \$4,000,000 for
19 the fiscal year 1994 and \$4,104,000 for the fiscal
20 year 1995.

21 (5) REPRESENTATION ALLOWANCES.—For

22 “Representation Allowances”, \$4,881,000 for the
23 fiscal year 1994 and \$5,012,000 for the fiscal year
24 1995.

1 (6) EMERGENCIES IN THE DIPLOMATIC AND
2 CONSULAR SERVICE.—For “Emergencies in the Dip-
3 lomatic and Consular Service, \$8,000,000 for the
4 fiscal 1994 and \$8,216,000 for the fiscal year 1995.

5 (7) OFFICE OF THE INSPECTOR GENERAL.—
6 For “Office of the Inspector General”, \$24,055,000
7 for the fiscal year 1994 and \$24,704,000 for the fis-
8 cal year 1995.

9 (8) PAYMENT TO THE AMERICAN INSTITUTE IN
10 TAIWAN.—For “Payment to the American Institute
11 in Taiwan”, \$15,484,000 for the fiscal year 1994
12 and \$15,902,000 for the fiscal year 1995.

13 (9) PROTECTION OF FOREIGN MISSIONS AND
14 OFFICIALS.—For “Protection of Foreign Missions
15 and Officials”, \$10,814,000 for the fiscal year 1994
16 and \$11,095,000 for the fiscal year 1995.

17 (10) REPATRIATION LOANS.—For “Repatri-
18 ation Loans”, \$817,000 for the fiscal year 1994 and
19 \$838,000 for the fiscal year 1995, for administrative
20 expenses.

21 (b) LIMITATIONS.—

22 (1) Of the amounts authorized to be appro-
23 priated for “Salaries and Expenses” under sub-
24 section (a)(2) \$500,000 is authorized to be available
25 for the fiscal year 1994 and \$500,000 for the fiscal

1 year 1995 for the Department of State for the re-
2 cruitment of Hispanic American students from Unit-
3 ed States institutions of higher education with a
4 high percentage enrollment of Hispanic Americans
5 and for the training of Hispanic Americans for ca-
6 reers in the Foreign Service and in international af-
7 fairs.

8 (2)(A) Of the amounts authorized to be appro-
9 priated for “Diplomatic and Consular Programs”
10 under subsection (a)(1), \$10,000,000 is authorized
11 to be available for each of the fiscal years 1994 and
12 1995 for grants, contracts, and other activities to
13 conduct research and promote international coopera-
14 tion on environmental and other scientific issues.

15 (B) Of the amounts authorized to be appro-
16 priated for “Diplomatic and Consular Programs”
17 under subsection (a)(1), \$1,000,000 is authorized to
18 be available only for the establishment of a United
19 States consulate in Cluj, Romania.

20 (3) Of the amounts authorized to be appro-
21 priated for “Diplomatic and Consular Programs”
22 under subsection (a)(1), \$11,500,000 is authorized
23 to be available for fiscal year 1994 and \$11,900,000
24 is authorized to be available for fiscal year 1995,
25 only for administrative expenses to carry out the

1 purposes of the Migration and Refugee Assistance
2 Act of 1962.

3 (4) Of the amounts authorized to be appro-
4 priated for “Acquisition and Maintenance of Build-
5 ings Abroad” under subsection (a)(3), \$95,904,000
6 is authorized to be available for the fiscal year 1994
7 and \$114,825,000 is authorized to be available for
8 the fiscal year 1995 for Maintenance of Buildings
9 and Facility Rehabilitation.

10 **SEC. 102. AGENCY FOR INTERNATIONAL DEVELOPMENT**
11 **OPERATING EXPENSES.**

12 (a) AUTHORIZATION OF APPROPRIATIONS.—

13 (1) There are authorized to be appropriated to
14 the President, in addition to funds otherwise avail-
15 able for such purposes—

16 (A) \$512,000,000 for the fiscal year 1994
17 and \$526,902,000 for the fiscal year 1995 for
18 necessary operating expenses of the agency pri-
19 marily responsible for administering part I of
20 Public Law 87–195; and

21 (B) such amounts as may be necessary for
22 fiscal year 1994 and fiscal year 1995 for in-
23 creases in salary, pay, retirement, and other
24 employee benefits authorized by law, and for
25 other nondiscretionary costs of the agency pri-

1 marily responsible for administering part I of
2 Public Law 87–195.

3 (2) Effective October 1, 1993, section 667 of
4 Public Law 87–195 (22 U.S.C. 2427) is repealed.

5 (b) OPERATING EXPENSES, OFFICE OF THE INSPEC-
6 TOR GENERAL.—There are authorized to be appropriated
7 to the President, in addition to funds otherwise available
8 for such purposes—

9 (1) \$39,916,000 for fiscal year 1994 and
10 \$39,916,000 for fiscal year 1995 for necessary oper-
11 ating expenses of the Office of the Inspector General
12 of the agency primarily responsible for administering
13 part I of Public Law 87–195; and

14 (2) such amounts as may be necessary for in-
15 creases in salary, pay, retirement, and other em-
16 ployee benefits authorized by law, and for other non-
17 discretionary costs of such office.

18 (c) AVAILABILITY OF FUNDS.—Amounts appro-
19 priated under this section are authorized to remain avail-
20 able until expended.

21 (d) TRANSFER OF FUNDS.—The authorities and limi-
22 tations of section 109 of Public Law 87–195 apply to
23 funds authorized to be appropriated under this section.

1 **SEC. 103. INTERNATIONAL ORGANIZATIONS, PROGRAMS,**
2 **AND CONFERENCES.**

3 (a) **ASSESSED CONTRIBUTIONS TO INTERNATIONAL**
4 **ORGANIZATIONS.**—There are authorized to be appro-
5 priated for “Contributions to International Organiza-
6 tions”, \$865,885,000 for the fiscal year 1994 and
7 \$935,053,000 for the fiscal year 1995 for the Department
8 of State to carry out the authorities, functions, duties, and
9 responsibilities in the conduct of the foreign affairs of the
10 United States with respect to international organizations
11 and to carry out other authorities in law consistent with
12 such purposes.

13 (b) **ASSESSED CONTRIBUTIONS FOR INTERNATIONAL**
14 **PEACEKEEPING ACTIVITIES.**—There are authorized to be
15 appropriated for “Contributions for International Peace-
16 keeping Activities”, \$597,744,000 for the fiscal year 1994
17 and \$636,469,000 for the fiscal year 1995 for the Depart-
18 ment of State to carry out the authorities, functions, du-
19 ties, and responsibilities in the conduct of the foreign af-
20 fairs of the United States with respect to international
21 peacekeeping activities and to carry out other authorities
22 in law consistent with such purposes.

23 (c) **PEACEKEEPING OPERATIONS.**—There are author-
24 ized to be appropriated for “Peacekeeping Operations”,
25 \$77,166,000 for the fiscal year 1994 and \$77,166,000 for

1 the fiscal year 1995 for the Department of State to carry
2 out section 551 of Public Law 87–195.

3 (d) INTERNATIONAL CONFERENCES AND CONTIN-
4 GENCIES.—There are authorized to be appropriated for
5 “International Conferences and Contingencies”,
6 \$6,600,000 for the fiscal year 1994 and \$6,743,000 for
7 the fiscal year 1995 for the Department of State to carry
8 out the authorities, functions, duties, and responsibilities
9 in the conduct of the foreign affairs of the United States
10 with respect to international conferences and contin-
11 gencies and to carry out other authorities in law consistent
12 with such purposes.

13 (e) INTERNATIONAL ORGANIZATIONS AND PRO-
14 GRAMS.—

15 (1) IN GENERAL.—There are authorized to be
16 appropriated for the Department of State for “Inter-
17 national Organizations and Programs”,
18 \$365,000,000 for the fiscal year 1994 and
19 \$365,000,000 for the fiscal year 1995.

20 (2) UNITED NATIONS POPULATION FUND.—

21 (A) Subject to subparagraphs (B) and (C),
22 of the funds authorized to be appropriated for
23 “International Organizations and Programs”
24 under paragraph (1), \$50,000,000 is authorized
25 to be made available for each of the fiscal years

1 1994 and 1995 for the United Nations Popu-
2 lation Fund.

3 (B) The availability of funds under sub-
4 paragraph (A) shall be subject to the following
5 limitations:

6 (i) None of the funds made available
7 under subparagraph (A) may be made
8 available for programs in the People's Re-
9 public of China.

10 (ii) The prohibitions contained in sec-
11 tion 104(f) of the Foreign Assistance Act
12 of 1961 (relating to prohibitions on fund-
13 ing for abortion as a method of family
14 planning, coercive abortion, and involun-
15 tary sterilization) shall apply to the funds
16 made available for the United Nations
17 Population Fund.

18 (iii) The United Nations Population
19 Fund shall be required to maintain the
20 funds made available under subparagraph
21 (A) in a separate account and not commin-
22 gle such funds with any other funds.

23 (C) Of the funds authorized to be available
24 under subparagraph (A), for fiscal year 1994,
25 \$13,784,500 is authorized to be available only

1 if the President certifies to the Congress that
2 the United Nations Population Fund has termi-
3 nated all activities in the People's Republic of
4 China.

5 (3) UNITED NATIONS DEVELOPMENT PRO-
6 GRAM.—

7 (A) Subject to subparagraphs (B) and (C),
8 of the funds authorized to be appropriated
9 under paragraph (1) \$101,929,000 is author-
10 ized to be available for each of the fiscal years
11 1994 and 1995 for the United Nations Develop-
12 ment Program.

13 (B) None of the funds made available
14 under subparagraph (A) shall be available for
15 programs and activities in or for Myanmar
16 (Burma).

17 (C) Of the funds authorized to be available
18 under subparagraph (A), \$7,000,000 for each
19 of the fiscal years 1994 and 1995 may be avail-
20 able only if the President certifies to the Con-
21 gress that the United Nations Development
22 Program's programs and activities in or for
23 Myanmar (Burma) promote the enjoyment of
24 internationally guaranteed human rights by the
25 Burmese people and do not benefit the State

1 Law and Order Restoration Council (SLORC)
2 military regime.

3 (4) UNITED NATIONS ENVIRONMENT PRO-
4 GRAM.—Of the amounts authorized to be appro-
5 priated for “International Organizations and Pro-
6 grams” under paragraph (1), \$25,000,000 for each
7 of the fiscal years 1994 and 1995 is authorized to
8 be available for the United Nations Environment
9 Program.

10 (5) UNITED NATIONS VOLUNTARY FUND FOR
11 THE VICTIMS OF TORTURE.—Of the amounts au-
12 thorized to be appropriated for “International Orga-
13 nizations and Programs” under paragraph (1),
14 \$1,500,000 for each of the fiscal years 1994 and
15 1995 is authorized to be available for the United
16 Nations Voluntary Fund for the Victims of Torture.

17 (f) FOREIGN CURRENCY EXCHANGE RATES.—In ad-
18 dition to amounts otherwise authorized to be appropriated
19 by subsections (a) and (b) of this section, there are au-
20 thorized to be appropriated such sums as may be nec-
21 essary for each of the fiscal years 1994 and 1995 to offset
22 adverse fluctuations in foreign currency exchange rates.
23 Amounts appropriated under this subsection shall be avail-
24 able for obligation and expenditure only to the extent that
25 the Director of the Office of Management and Budget de-

1 terminates and certifies to Congress that such amounts are
2 necessary due to such fluctuations.

3 **SEC. 104. INTERNATIONAL COMMISSIONS.**

4 The following amounts are authorized to be appro-
5 priated under “International Commissions” for the De-
6 partment of State to carry out the authorities, functions,
7 duties, and responsibilities in the conduct of the foreign
8 affairs of the United States and for other purposes author-
9 ized by law:

10 (1) INTERNATIONAL BOUNDARY AND WATER
11 COMMISSION, UNITED STATES AND MEXICO.—For
12 “International Boundary and Water Commission,
13 United States and Mexico”—

14 (A) for “Salaries and Expenses”
15 \$11,330,000 for the fiscal year 1994 and
16 \$11,767,000 for the fiscal year 1995; and

17 (B) for “Construction” \$14,790,000 for
18 the fiscal year 1994 and \$15,198,000 for the
19 fiscal year 1995.

20 (2) INTERNATIONAL BOUNDARY COMMISSION,
21 UNITED STATES AND CANADA.—For “International
22 Boundary Commission, United States and Canada”,
23 \$760,000 for the fiscal year 1994 and \$784,000 for
24 the fiscal year 1995.

1 (3) INTERNATIONAL JOINT COMMISSION.—For
2 “International Joint Commission”, \$3,643,000 for
3 the fiscal year 1994 and \$3,759,000 for the fiscal
4 year 1995.

5 (4) INTERNATIONAL FISHERIES COMMIS-
6 SIONS.—For “International Fisheries Commissions”,
7 \$14,200,000 for the fiscal year 1994 and
8 \$14,569,000 for the fiscal year 1995.

9 **SEC. 105. MIGRATION AND REFUGEE ASSISTANCE.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—

11 (1) There are authorized to be appropriated for
12 “Migration and Refugee Assistance” for authorized
13 activities, \$593,500,000 for the fiscal year 1994 and
14 \$593,500,000 for the fiscal year 1995.

15 (2) There are authorized to be appropriated
16 \$80,000,000 for the fiscal year 1994 and
17 \$80,000,000 for the fiscal year 1995 for assistance
18 for refugees resettling in Israel.

19 (b) AVAILABILITY OF FUNDS.—Funds appropriated
20 pursuant to subsection (a) are authorized to be available
21 until expended.

22 **SEC. 106. OTHER PROGRAMS.**

23 The following amounts are authorized to be appro-
24 priated for the Department of State to carry out the au-
25 thorities, functions, duties, and responsibilities in the con-

1 duct of the foreign affairs of the United States and for
2 other purposes authorized by law:

3 (1) UNITED STATES BILATERAL SCIENCE AND
4 TECHNOLOGY AGREEMENTS.—For “United States
5 Bilateral Science and Technology Agreements”,
6 \$4,500,000 for the fiscal year 1994 and \$4,617,000
7 for the fiscal year 1995.

8 (2) ASIA FOUNDATION.—For “Asia Founda-
9 tion”, \$18,693,000 for the fiscal year 1994 and
10 \$19,127,000 for the fiscal year 1995.

11 **SEC. 107. UNITED STATES ARMS CONTROL AND DISAR-**
12 **MAMENT AGENCY.**

13 (a) AUTHORIZATION OF APPROPRIATIONS.—There
14 are authorized to be appropriated to carry out the pur-
15 poses of the Arms Control and Disarmament Act—

16 (1) \$62,500,000 for the fiscal year 1994 and
17 \$55,356,000 for the fiscal year 1995; and

18 (2) such sums as may be necessary for each of
19 the fiscal years 1994 and 1995 for increases in sal-
20 ary, pay, retirement, other employee benefits author-
21 ized by law, and other nondiscretionary costs, and to
22 offset adverse fluctuations in foreign currency ex-
23 change rates.

1 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
2 Section 49 of the Arms Control and Disarmament Act (22
3 U.S.C. 2589) is amended—

4 (1) by striking subsection (a); and

5 (2) in the first sentence of subsection (b) by
6 striking “pursuant to this section” and inserting “to
7 carry out this Act”.

8 **PART B—AUTHORITIES AND ACTIVITIES**

9 **SEC. 111. AUTHORIZED STRENGTH OF THE FOREIGN SERV-**
10 **ICE.**

11 (a) END FISCAL YEAR 1994 LEVELS.—Subject to
12 subsection (c), the employment and service of Members
13 of the Foreign Service shall be subject to the following
14 limitations as of September 30, 1994:

15 (1) Department of State, not to exceed 9,200,
16 of whom not more than 825 shall be members of the
17 Senior Foreign Service.

18 (2) United States Information Agency, not to
19 exceed 1,200, of whom not more than 175 shall be
20 members of the Senior Foreign Service.

21 (3) Agency for International Development, not
22 to exceed 1,850, of whom not more than 250 shall
23 be members of the Senior Foreign Service.

24 (b) END FISCAL YEAR 1995 LEVELS.—Subject to
25 subsection (c), the employment and service of Members

1 of the Foreign Service shall be subject to the following
2 limitations as of September 30, 1995:

3 (1) Department of State, not to exceed 9,200,
4 of whom not more than 775 shall be members of the
5 Senior Foreign Service.

6 (2) United States Information Agency, not to
7 exceed 1,200, of whom not more than 165 shall be
8 members of the Senior Foreign Service.

9 (3) Agency for International Development, not
10 to exceed 1,850, of whom not more than 240 shall
11 be members of the Senior Foreign Service.

12 (c) DEFINITION.—For the purposes of this section,
13 the term “members of the Foreign Service” has the mean-
14 ing of such term under section 103 of the Foreign Service
15 Act of 1980 (22 U.S.C 3903), except that such term shall
16 not include—

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

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

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

23 (4) members of the Service subject to involun-
24 tary separation in cases in which such separation

1 has been suspended pursuant to section 1106(8) of
2 the Foreign Service Act of 1980; and

3 (5) members of the Senior Foreign Service serv-
4 ing under limited non-career appointments.

5 (d) WAIVER AUTHORITY.—

6 (1)(A) Subject to subparagraph (B), the Sec-
7 retary of State, the Director of the United States
8 Information Agency, and the Director of the Agency
9 for International Development may waive any limita-
10 tion under subsection (a) or (b) which applies to the
11 Department of State, the United States Information
12 Agency, or the Agency for International Develop-
13 ment, respectively, to the extent that such waiver is
14 necessary to carry on the foreign affairs functions of
15 the United States.

16 (B) Not less than 15 days before any agency
17 head implements a waiver under subparagraph (A),
18 such agency head shall notify the Committee on For-
19 eign Affairs of the House of Representatives and the
20 Committee on Foreign Relations of the Senate. Such
21 notice shall include an explanation of the cir-
22 cumstances and necessity for such waiver.

23 **SEC. 112. TRANSFERS AND REPROGRAMMINGS.**

24 (a) AMENDMENTS TO SECTION 24 OF THE STATE
25 DEPARTMENT BASIC AUTHORITIES ACT OF 1956.—Sec-

tion 24 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696) is amended—

(1) in subsection (b)(7) by striking subparagraph (E);

(2) in subsection (d)(1)—

(A) by striking “the second” and inserting “either”; and

(B) by striking “such second” and inserting “such”;

(3) in subsection (d)(2) by amending the first sentence to read as follows: “Amounts appropriated for the ‘Diplomatic and Consular Programs’ account may not exceed by more than 5 percent the amount specifically authorized to be appropriated for such account for a fiscal year.”; and

(4) by striking subsection (d)(4).

(b) DIPLOMATIC CONSTRUCTION PROGRAM.—Section 401 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986 (22 U.S.C. 4851) is amended by striking subsections (c) and (h)(3).

(c) REPROGRAMMING.—Section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706) is amended in subsection (a)(7) by striking “\$500,000” and inserting “\$1,000,000”.

1 **SEC. 113. EXPENSES RELATING TO CERTAIN INTER-**
2 **NATIONAL CLAIMS AND PROCEEDINGS.**

3 Section 38 of the State Department Basic Authorities
4 Act of 1956 (22 U.S.C. 2710) is amended by adding at
5 the end the following new subsections:

6 “(c) **PROCUREMENT OF SERVICES.**—The Secretary
7 of State may use competitive procedures or procedures
8 other than competitive procedures to procure the services
9 of experts for use in preparing or prosecuting a proceeding
10 before an international tribunal or a claim by or against
11 a foreign government or other foreign entity, whether or
12 not the expert is expected to testify, or to procure other
13 support services for such proceedings or claims. The Sec-
14 retary need not provide any written justification for the
15 use of procedures other than competitive procedures when
16 procuring such services under this chapter and need not
17 furnish for publication in the Commerce Business Daily
18 or otherwise any notice of solicitation or synopsis with re-
19 spect to such procurement.

20 “(d) **INTERNATIONAL LITIGATION FUND.**—

21 “(1) **ESTABLISHMENT.**—In order to provide the
22 Department of State with a dependable, flexible, and
23 adequate source of funding for the expenses of the
24 Department related to preparing or prosecuting a
25 proceeding before an international tribunal, or a
26 claim by or against a foreign government or other

1 foreign entity, there is established an International
2 Litigation Fund (hereafter in this subsection re-
3 ferred to as the “ILF”). The ILF shall be available
4 without fiscal year limitation. Funds otherwise avail-
5 able to the Department for the purposes of this
6 paragraph may be credited to the ILF.

7 “(2) REPROGRAMMING PROCEDURES.—Funds
8 credited to the ILF shall be treated as a
9 reprogramming of funds under section 34 and shall
10 not be available for obligation or expenditure except
11 in compliance with the procedures applicable to such
12 reprogrammings. This paragraph shall not apply to
13 the transfer of funds under paragraph (3).

14 “(3) TRANSFERS OF FUNDS.—Funds received
15 by the Department of State from another agency of
16 the United States Government or pursuant to the
17 Department of State Appropriations Act of 1937
18 (49 Stat. 1321, 22 U.S.C. 2661) to meet costs of
19 preparing or prosecuting a proceeding before an
20 international tribunal, or a claim by or against a for-
21 eign government or other foreign entity, shall be
22 credited to the ILF.

23 “(4) USE OF FUNDS.—Funds deposited in the
24 ILF shall be available only for the purposes of para-
25 graph (1).”.

1 **SEC. 114. CHILD CARE FACILITIES AT CERTAIN POSTS**
2 **ABROAD.**

3 Section 31 of the State Department Basic Authorities
4 Act of 1956 (22 U.S.C. 2703) is amended in subsection
5 (e) by striking “For the fiscal years 1992 and 1993, the”
6 and inserting “The”.

7 **SEC. 115. NOTIFICATION TO CONGRESS OF PROPOSED**
8 **REPROGRAMMINGS OF AID OPERATING EX-**
9 **PENSES.**

10 (a) AMENDMENT TO THE FOREIGN ASSISTANCE ACT
11 OF 1961.—Section 634A of the Foreign Assistance Act
12 of 1961 (22 U.S.C. 2394) is amended by adding at the
13 end the following:

14 “(d) AID OPERATING EXPENSES.—

15 “(1) CONGRESSIONAL NOTIFICATION OF CER-
16 TAIN REPROGRAMMINGS.—Unless the Committee on
17 Foreign Affairs of the House of Representatives and
18 the Committee on Foreign Relations of the Senate
19 are notified at least 15 days in advance of the pro-
20 posed reprogramming, funds appropriated for the
21 operating expenses of the agency primarily respon-
22 sible for administering part I (including funds ap-
23 propriated for the operating expenses of the Office
24 of the Inspector General of that agency) shall not be
25 available for obligation or expenditure through any
26 reprogramming of funds that—

1 “(A) would create or eliminate a program,
2 project, or activity;

3 “(B) would increase funds or personnel by
4 any means for any program, project, or activity
5 for which funds have been denied or restricted
6 by the Congress;

7 “(C) would reorganize offices, programs,
8 projects, or activities among bureaus;

9 “(D) would involve a reprogramming in ex-
10 cess of \$1,000,000 or 10 percent (whichever is
11 greater) and would—

12 “(i) augment existing programs,
13 projects, or activities,

14 “(ii) reduce by 10 percent or more the
15 funding for any existing program, project,
16 activity, or personnel approved by the Con-
17 gress, or

18 “(iii) result from any general savings
19 from a reduction in personnel that would
20 result in a change in existing programs,
21 activities, or projects approved by the Con-
22 gress.

23 “(2) LIMITATION ON END-OF-YEAR REPRO-
24 GRAMMINGS.—Funds appropriated for the operating
25 expenses of the agency primarily responsible for ad-

1 ministering part I (including funds appropriated for
2 the operating expenses of the Office of the Inspector
3 General of that agency) shall not be available for ob-
4 ligation or expenditure through any reprogramming
5 described in paragraph (1) during the last 15 days
6 in which such funds are available for obligation or
7 expenditure (as the case may be) unless the notifica-
8 tion required by that paragraph was submitted be-
9 fore that 15-day period.”.

10 (b) EFFECTIVE DATE.—The amendment made by
11 subsection (a) shall take effect October 1, 1994.

12 **SEC. 116. PROHIBITION ON DISCRIMINATORY CONTRACTS.**

13 (a) PROHIBITION.—

14 (1) Except for real estate leases and as pro-
15 vided in subsection (b), the Department of State
16 may not enter into any contract that expends funds
17 appropriated to the Department of State for an
18 amount in excess of the small purchase threshold (as
19 defined in section 4(11) of the Office of Federal
20 Procurement Policy Act (41 U.S.C. 403(11))—

21 (A) with a foreign person that complies
22 with the Arab League boycott of Israel, or

23 (B) with any foreign or United States per-
24 son that discriminates in the award of sub-
25 contracts on the basis of religion.

1 (2) For purposes of this section—

2 (A) a foreign person complies with the boy-
3 cott of Israel by Arab League countries when
4 that foreign person takes or knowingly agrees
5 to take any action, with respect to the boycott
6 of Israel by Arab League countries, which sec-
7 tion 8(a) of the Export Administration Act of
8 1979 prohibits a United States person from
9 taking, except that for purposes of this para-
10 graph, the term “United States person” as used
11 in subparagraphs (B) and (C) of section 8(a)(1)
12 of such Act shall be deemed to mean “person”;
13 and

14 (B) the term “foreign person” means any
15 person other than a United States person as de-
16 fined in section 16(2) of the Export Adminis-
17 tration Act of 1979.

18 (3) For purposes of paragraph (1), a foreign
19 person shall be deemed not to comply with the boy-
20 cott of Israel by Arab League countries if that per-
21 son, or the Secretary of State or his designee on the
22 basis of available information, certifies that the per-
23 son violates or otherwise does not comply with the
24 boycott of Israel by Arab League countries by taking
25 any actions prohibited by section 8(a) of the Export

1 Administration Act of 1979. Certification by the
2 Secretary of State or his designee may occur only 30
3 days after notice has been given to the Congress
4 that this certification procedure will be utilized at a
5 specific overseas mission.

6 (b) WAIVER BY SECRETARY OF STATE.—The Sec-
7 retary of State may waive the requirements of this section
8 on a country-by-country basis for a period not to exceed
9 one year upon certification to the Congress by the Sec-
10 retary that such waiver is in the national interest and is
11 necessary to carry on diplomatic functions on the United
12 States. Each such certification shall include a detailed jus-
13 tification for the waiver with respect to each such country.

14 (c) RESPONSES TO CONTRACT SOLICITATIONS.—(1)
15 Except as provided in paragraph (2) of this subsection,
16 the Secretary of State shall ensure that any response to
17 a solicitation for a bid or a request for a proposal, with
18 respect to a contract covered by subsection (a), includes
19 the following clause, in substantially the following form:

20 “ARAB BOYCOTT OF ISRAEL

21 “(a) DEFINITIONS.—As used in this clause—

22 “(1) the term ‘foreign person’ means any per-
23 son other than a United States person as defined in
24 paragraph (2); and

25 “(2) the term ‘United States person’ means any
26 United States resident or national (other than an in-

1 dividual resident outside the United States and em-
2 ployed by other than a United States person), any
3 domestic concern (including any permanent domestic
4 establishment of any foreign concern), and any for-
5 eign subsidiary or affiliate (including any permanent
6 foreign establishment) of any domestic concern
7 which is controlled in fact by such domestic concern,
8 as determined under regulations of the President.

9 “(b) CERTIFICATION.—By submitting this offer, the
10 Offeror certifies that it is not—

11 “(1) taking or knowingly agreeing to take any
12 action, with respect to the boycott of Israel by Arab
13 countries, which section 8(a) of the Export Adminis-
14 tration Act of 1979 (50 U.S.C. App. 2407(a)) pro-
15 hibits a United States person from taking; or

16 “(2) discriminating in the award of sub-
17 contracts on the basis of religion.”.

18 (2) An Offeror would not be required to include the
19 certification required by paragraph (1), if the Offeror is
20 deemed not to comply with the Arab League boycott of
21 Israel by the Secretary of State or a designee on the basis
22 of available information. Certification by the Secretary of
23 State or a designee may occur only 30 days after notice
24 has been given to the Congress that this certification pro-
25 cedure will be utilized at a specific overseas mission.

1 (3) The Secretary of State shall ensure that all State
2 Department contract solicitations include a detailed expla-
3 nation of the requirements of section 8(a) of the Export
4 Administration Act of 1979 (50 U.S.C. App. 2407(a)).

5 (d) REVIEW OF TERMINATION.—(1) The Department
6 of State shall conduct reviews of the certifications submit-
7 ted pursuant to this section for the purpose of assessing
8 the accuracy of the certifications.

9 (2) Upon complaint of any foreign or United States
10 person of a violation of the certification as required by
11 this section, filed with the Secretary of State, the Depart-
12 ment of State shall investigate such complaint, and if such
13 complaint is found to be correct and a violation of the cer-
14 tification has been found, all contracts with such violator
15 shall be terminated for default as soon as practicable, and,
16 for a period of two years thereafter, the State Department
17 shall not enter into any contracts with such a violator.

18 **SEC. 117. EMERGENCIES IN THE DIPLOMATIC AND CON-**
19 **SULAR SERVICE.**

20 Section 4 of the State Department Basic Authorities
21 Act of 1956 (22 U.S.C. 2671) is amended in subsection
22 (c)—

23 (1) by striking “and the Foreign Service”; and

24 (2) by striking “an annual confidential” and in-
25 serting “a periodic”.

1 **SEC. 118. ROLE OF THE FOREIGN SERVICE INSTITUTE.**

2 Section 701 of the Foreign Service Act of 1980 (22
3 U.S.C. 4021) is amended by adding at the end the follow-
4 ing new subsection:

5 “(d)(1) The Secretary of State is authorized to pro-
6 vide for the training and instruction of employees of for-
7 eign governments at the Institute.

8 “(2) Except as provided in paragraph (3), training
9 and instruction under paragraph (1) shall be on a reim-
10 bursable basis. Reimbursement to the Institute may be
11 provided by an agency of the United States Government
12 or by a foreign person.

13 “(3) The authorities of section 704 shall apply to
14 training and instruction provided under this section.”.

15 **SEC. 119. REPORTING REQUIREMENT ON AMERICAN PRIS-**
16 **ONERS ABROAD.**

17 Section 108 of the Foreign Relations Authorization
18 Act, Fiscal Year 1978 (Public Law 95–105) is repealed.

19 **SEC. 120. CONSULAR AUTHORITIES.**

20 (a) **PERSONS AUTHORIZED TO ISSUE PASSPORTS**
21 **ABROAD.**—The Act entitled “An Act to regulate the issue
22 and validity of passports, and for other purposes”, ap-
23 proved July 3, 1926 (44 Stat. 887, 22 U.S.C. 211a) is
24 amended by striking “by diplomatic representatives of the
25 United States, and by such consul generals, consuls, or
26 vice consuls when in charge,” and inserting “by diplomatic

1 and consular officers of the United States, and by other
2 employees of the Department of State who are citizens of
3 the United States,”.

4 (b) NOTARIAL AUTHORITY.—The Act entitled “An
5 Act to provide for the reorganization of the consular serv-
6 ice of the United States”, approved April 5, 1906 (34
7 Stat. 100, 22 U.S.C. 4221) is amended in section 7 by
8 adding at the end “Pursuant to such regulations as the
9 Secretary of State may prescribe, the Secretary may des-
10 ignate any other employee of the Department of State who
11 is a citizen of the United States to perform any notarial
12 function authorized to be performed by a consular officer
13 of the United States under this Act.”.

14 **SEC. 121. REQUIREMENT FOR AUTHORIZATION OF APPRO-**
15 **PRIATIONS FOR AID.**

16 Public Law 87–195 is amended by inserting after sec-
17 tion 667 the following new section:

18 **“SEC. 668. REQUIREMENT FOR AUTHORIZATION OF APPRO-**
19 **PRIATIONS.**

20 “(a) LIMITATION ON OBLIGATION AND EXPENDI-
21 TURE OF FUNDS.—Notwithstanding any other provision
22 of law, for the fiscal year 1994 and for each subsequent
23 fiscal year, any funds appropriated for the agency pri-
24 marily responsible for administering part I of this Act
25 shall not be available for obligation or expenditure—

1 “(1) unless such funds are appropriated pursu-
2 ant to an authorization of appropriations; or

3 “(2) in excess of the authorized level of appro-
4 priations.

5 “(b) SUBSEQUENT AUTHORIZATION.—The limitation
6 under subsection (a) shall not apply to the extent that an
7 authorization of appropriations is enacted after such funds
8 are appropriated.

9 “(c) APPLICATION.—The provisions of this section—
10 “(1) may not be superseded, except by a provi-
11 sion of law which specifically repeals, modifies, or
12 supersedes the provisions of this section; and

13 “(2) shall not apply to, or affect in any manner,
14 permanent appropriations, trust funds, and other
15 similar accounts which are authorized by law and
16 administered by the agency primarily responsible for
17 administering part I of this Act.”.

18 **SEC. 122. REPORT ON CONSOLIDATION OF ADMINISTRA-**
19 **TIVE OPERATIONS.**

20 Not later than 180 days after the date of the enact-
21 ment of this Act, the Secretary of State, jointly with the
22 Director of the United States Information Agency, the Di-
23 rector of the Arms Control and Disarmament Agency, and
24 the Administrator of the Agency for International Devel-
25 opment, shall submit, to the Committee on Foreign Affairs

1 of the House of Representatives and the Committee on
2 Foreign Relations of the Senate, a report concerning the
3 feasibility of consolidating domestic administrative oper-
4 ations for the Department of State, the Agency for Inter-
5 national Development, and the United States Information
6 Agency. Such report shall include specific recommenda-
7 tions for implementation.

8 **SEC. 123. LOCAL GUARD CONTRACTS ABROAD.**

9 Section 136(c) of the Foreign Relations Authoriza-
10 tion Act, Fiscal Years 1990 and 1991 (Public Law 101–
11 246) is amended—

12 (1) in paragraph (2) by striking “due to their
13 distance from the post”;

14 (2) by redesignating paragraphs (2) and (3) as
15 paragraphs “(4)” and “(5)”, respectively; and

16 (3) by inserting after paragraph (1) the fol-
17 lowing:

18 “(2) absent compelling reasons, award such
19 contracts through competitive bidding;

20 “(3) in evaluating and scoring proposals for
21 such contracts, award not less than 60 percent of
22 the total points on the basis of technical capacity;”.

23 **SEC. 124. VISAS.**

24 (a) **SURCHARGE FOR PROCESSING CERTAIN VISAS.—**

1 (1) Notwithstanding any other provision of law,
2 the Secretary of State is authorized to charge a fee
3 or surcharge for processing machine readable non-
4 immigrant visas and machine readable combined
5 border crossing identification cards and non-
6 immigrant visas.

7 (2) Fees collected under the authority of sub-
8 section (a) shall be deposited as an offsetting collec-
9 tion to any Department of State appropriation to re-
10 cover the costs of providing consular services, which
11 shall include the payment of any fees for access to
12 the criminal history records of the Federal Bureau
13 of Investigation for processing visa applications and
14 making immigration eligibility determinations. Such
15 fees shall remain available for obligation until ex-
16 pended.

17 (3) For fiscal years 1994 and 1995, fees col-
18 lected under the authority of paragraph (1) may not
19 exceed a total of \$56,000,000.

20 (b) AUTOMATED VISA LOOKOUT SYSTEM.—Not later
21 than 18 months after the date of the enactment of this
22 Act, the Secretary of State shall implement an upgrade
23 of all overseas visa lookout operations to computerized sys-
24 tems with automated multiple-name search capabilities.

1 (c) PROCESSING OF VISAS FOR ADMISSION TO THE
2 UNITED STATES.—

3 (1)(A) Beginning 18 months after the date of
4 the enactment of this Act, whenever a United States
5 consular officer issues a visa for admission to the
6 United States, that official shall certify, in writing,
7 that a check of the Automated Visa Lookout Sys-
8 tem, or any other system or list which maintains in-
9 formation about the excludability of aliens under the
10 Immigration and Nationality Act, has been made
11 and that there is no basis under such system for the
12 exclusion of such alien.

13 (B) If, at the time an alien applies for an immi-
14 grant or nonimmigrant visa, the alien's name is in-
15 cluded in the Department of State's visa lookout
16 system and the consular officer to whom the applica-
17 tion is made fails to follow the procedures in proc-
18 essing the application required by the inclusion of
19 the alien's name in such system, the consular offi-
20 cer's failure shall be made a matter of record and
21 shall be considered as a serious negative factor in
22 the officer's annual performance evaluation.

23 (2) If an alien to whom a visa was issued as a
24 result of a failure described in paragraph (1)(B) is
25 admitted to the United States and there is there-

1 after probable cause to believe that the alien was a
2 participant in a terrorist act causing serious loss of
3 life or property in the United States, the Secretary
4 of State shall convene an Accountability Review
5 Board under the authority of title III of the Omni-
6 bus Diplomatic Security and Antiterrorism Act of
7 1986.

8 **SEC. 125. CONSULAR AND DIPLOMATIC POSTS ABROAD.**

9 Section 48 of the State Department Basic Authorities
10 Act of 1956 is amended—

11 (1) by striking subsection (c); and

12 (2) by redesignating subsections (d) and (e) as
13 subsections “(c)” and “(d)”, respectively.

14 **SEC. 126. ANNUAL COUNTRY REPORTS ON TERRORISM.**

15 Section 140 of the Foreign Relations Authorization
16 Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f) is
17 amended in subsection (b)(2)—

18 (1) by striking “and” at the end of subpara-
19 graph (C);

20 (2) by striking the period at the end of sub-
21 paragraph (D) and inserting “; and”; and

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

23 “(E) efforts by the United States to elimi-
24 nate international financial support provided to

1 those groups directly or provided in support of
2 their activities.’’.

3 **PART C—DEPARTMENT OF STATE**

4 **ORGANIZATION**

5 **SEC. 131. ORGANIZING PRINCIPLES.**

6 The Congress makes the following findings:

7 (1) The organization of the Department of
8 State should reflect, to the maximum extent pos-
9 sible, the primary responsibility of the Secretary of
10 State under the President for the conduct of the Na-
11 tion’s foreign relations.

12 (2) Unless compelling considerations so require,
13 statutory authorities should be vested in the Sec-
14 retary of State, rather than in officials subordinate
15 to the Secretary.

16 **SEC. 132. ORGANIZATION OF THE DEPARTMENT OF STATE.**

17 (a) ORGANIZATION.—Section 1 of the State Depart-
18 ment Basic Authorities Act of 1956 is amended to read
19 as follows:

20 “ORGANIZATION OF THE DEPARTMENT OF STATE

21 “SECTION 1. (a) SECRETARY OF STATE.—

22 “(1) The Department of State shall be adminis-
23 tered in accordance with this Act and other provi-
24 sions of law under the supervision and direction of
25 the Secretary of State (hereinafter referred to as the
26 ‘Secretary’).

1 “(2) The Secretary shall be appointed by the
2 President, by and with the advice and consent of the
3 Senate.

4 “(3)(A) Notwithstanding any other provision of
5 law and except as provided in subparagraph (B), the
6 Secretary shall have and exercise any authority vest-
7 ed by law in any office or official of the Department
8 of State. The Secretary shall administer, coordinate,
9 and direct the Foreign Service of the United States
10 and the personnel of the Department of State, ex-
11 cept where authority is inherent in or vested in the
12 President.

13 “(B) The Secretary shall not have the authority
14 of the Inspector General or the Chief Financial Offi-
15 cer. The Secretary shall not have any authority
16 given expressly to diplomatic or consular officers.

17 “(4) The Secretary of State is authorized to
18 promulgate such rules and regulations as may be
19 necessary to carry out the functions of the Secretary
20 of State and the Department of State. The Sec-
21 retary may delegate authority to perform any of the
22 functions of the Secretary or the Department to offi-
23 cers and employees under the direction and super-
24 vision of the Secretary. The Secretary may delegate
25 the authority to redelegate any such functions.

1 “(b) UNDER SECRETARIES.—There shall be in the
2 Department of State not more than 5 Under Secretaries
3 of State, who shall be appointed by the President, by and
4 with the advice and consent of the Senate, and who shall
5 be compensated at the rate provided for at level III of
6 the Executive Schedule under section 5314 of title 5, Unit-
7 ed States Code.

8 “(c) ASSISTANT SECRETARIES.—There shall be in
9 the Department of State not more than 21 Assistant Sec-
10 retaries of State, each of whom shall be appointed by the
11 President, by and with the advice and consent of the Sen-
12 ate, and who shall be compensated at the rate provided
13 for at level IV of the Executive Schedule under section
14 5315 of title 5.

15 “(d) DEPUTY ASSISTANT SECRETARIES.—There
16 shall be in the Department of State not more than 66
17 Deputy Assistant Secretaries of State.

18 “(e) OTHER SENIOR OFFICIALS.—In addition to such
19 other officials of the Department of State who are author-
20 ized to be compensated at level IV of the Executive Sched-
21 ule under section 5215 of title 5, not more than 4 other
22 officers of the Department of State shall be appointed by
23 the President, by and with the advice and consent of the
24 Senate, and shall be compensated at such level.”.

1 (b) APPLICATION.—The amendments made by this
2 section and section 133 shall apply with respect to offi-
3 cials, offices, and bureaus of the Department of State
4 when Executive orders implementing such sections become
5 effective.

6 (c) TRANSITION.—Any officer of the Department of
7 State holding office on the date of the enactment of this
8 Act shall not be required to be reappointed to any other
9 office, at the Department of State at the same level per-
10 forming similar functions, as determined by the President,
11 by reason of the enactment of the amendments made by
12 this section and section 133.

13 (d) REFERENCES IN OTHER ACTS.—A reference in
14 any other provision of law to an official or office of the
15 Department of State affected by the amendment made by
16 subsection (a) shall be deemed to be a reference to the
17 Secretary of State or the Department of State, as may
18 be appropriate.

19 (e) Nothing in this part reassigns any function that
20 is on the date of enactment of this Act vested by law or
21 executive order in the Department of Commerce, the Fed-
22 eral Communications Commission, or any officer thereof.

23 (f) OFFICE OF THE COORDINATOR FOR
24 COUNTERTERRORISM.—Notwithstanding any other provi-
25 sion of this section, there shall be in the Department of

1 State an Office of the Coordinator for Counterterrorism
2 which shall be headed by a Coordinator for
3 Counterterrorism. The office shall have the same respon-
4 sibilities and functions as the Office of the Coordinator
5 for Counterterrorism at the Department of State had as
6 of January 20, 1993.

7 **SEC. 133. TECHNICAL AND CONFORMING AMENDMENTS.**

8 (a) ACT OF MAY 26, 1949.—The Act entitled “An
9 Act to strengthen and improve the organization and ad-
10 ministration of the Department of State, and for other
11 purposes” (May 26, 1949; Public Law 81–73; 22 U.S.C.
12 2652 et seq.) is repealed.

13 (b) FOREIGN RELATIONS AUTHORIZATION ACT, FIS-
14 CAL YEAR 1979.—Section 115 of the Foreign Relations
15 Authorization Act, Fiscal Year 1979 (22 U.S.C. 2652a)
16 is amended by striking subsection (a).

17 (c) PUBLIC LAW 93–126.—Section 9 of Public Law
18 93–126 (22 U.S.C. 2655a) is amended by striking sub-
19 section (a).

20 (d) FOREIGN RELATIONS AUTHORIZATION ACT, FIS-
21 CAL YEARS 1992 AND 1993.—Section 122 of the Foreign
22 Relations Authorization Act, Fiscal Years 1992 and 1993
23 (22 U.S.C. 2652b) is amended by striking subsection (a).

24 (e) TITLE 5, UNITED STATES CODE.—

1 (1) Section 5314 of title 5, United States Code,
2 is amended by striking—

3 “Under Secretary of State for Political Affairs
4 and Under Secretary of State for Economic and Ag-
5 ricultural Affairs and an Under Secretary of State
6 for Coordinating Security Assistance Programs and
7 Under Secretary of State for Management.

8 “Counselor of the Department of State.”
9 and inserting—

10 “Under Secretaries of State (5).”.

11 (2) Section 5315 of title 5, United States Code,
12 is amended by striking “Legal Advisor of the De-
13 partment of State.”, “Chief of Protocol, Department
14 of State.”, “Assistant Secretary for Oceans and
15 International Environmental and Scientific Affairs,
16 Department of State.”, “Assistant Secretary for
17 International Narcotics Matters, Department of
18 State.”, “Assistant Secretary for South Asian Af-
19 fairs, Department of State.”, and “21 Assistant Sec-
20 retaries of State and 4 other State Department offi-
21 cials to be appointed by the President, by and with
22 the advice and consent of the Senate.”.

23 (f) FOREIGN ASSISTANCE ACT OF 1961.—The For-
24 eign Assistance Act of 1961 is amended—

1 (1) in section 116(c) (22 U.S.C. 2151n), by
2 striking “Assistant Secretary for Human Rights and
3 Humanitarian Affairs” and inserting “Secretary of
4 State”;

5 (2) in sections 502B(b) (22 U.S.C. 2304(b)),
6 502B(c)(1) (22 U.S.C. 2304(c)), and 505(g)(4)(A)
7 (22 U.S.C. 2314(g)(4)(A)) by striking “, prepared
8 with the assistance of the Assistant Secretary of
9 State for Human Rights and Humanitarian Af-
10 fairs,” each place it appears;

11 (3) in section 624(f) (22 U.S.C. 2384(f)(1)) by
12 striking paragraph (1);

13 (4) in section 624(f)(2)—

14 (A) by striking “(2) The Assistant Sec-
15 retary of State for Human Rights and Humani-
16 tarian Affairs” and inserting “The Secretary of
17 State”; and

18 (B) by redesignating subparagraphs (A)
19 through (D) as paragraphs (1) through (4), re-
20 spectively; and

21 (5) in section 624(f)(2)(C)—

22 (A) by striking “the Secretary of State
23 and”; and

24 (B) by striking “Assistant”.

1 (g) ARMS EXPORT CONTROL ACT.—Section 5(d)(1)
2 of the Arms Export Control Act is amended (22 U.S.C.
3 2755(d)(1)) by striking “Assistant Secretary of State for
4 Human Rights and Humanitarian Affairs” and inserting
5 “Secretary of State”.

6 (h) DIPLOMATIC SECURITY ACT.—The Omnibus Dip-
7 lomatic Security and Antiterrorism Act of 1986 is amend-
8 ed—

9 (1) in section 102(b) (22 U.S.C. 4801(b)) by—

10 (A) striking paragraph (2); and

11 (B) redesignating paragraphs (3) through
12 (6) as paragraphs (2) through (5), respectively;
13 (2) in subsection 103(a)—

14 (A) by inserting “(1)” before “The Sec-
15 retary of State”;

16 (B) by redesignating paragraphs (1)
17 through (4) as subparagraphs (A) through (D),
18 respectively; and

19 (C) by inserting at the end the following
20 new paragraph:

21 “(2) Security responsibilities shall include the follow-
22 ing:

23 “(A) FORMER OFFICE OF SECURITY FUNC-
24 TIONS.—Functions and responsibilities exercised by

1 the Office of Security, Department of State, before
2 November 1, 1985.

3 “(B) SECURITY AND PROTECTIVE OPER-
4 ATIONS.—

5 “(i) Establishment and operations of post
6 security and protective functions abroad.

7 “(ii) Development and implementation of
8 communications, computer, and information se-
9 curity.

10 “(iii) Emergency planning.

11 “(iv) Establishment and operations of local
12 guard services abroad.

13 “(v) Supervision of the United States Ma-
14 rine Corps security guard program.

15 “(vi) Liaison with American overseas pri-
16 vate sector security interests.

17 “(vii) Protection of foreign missions and
18 international organizations, foreign officials,
19 and diplomatic personnel in the United States,
20 as authorized by law.

21 “(viii) Protection of the Secretary of State
22 and other persons designated by the Secretary
23 of State, as authorized by law.

1 “(ix) Physical protection of Department of
2 State facilities, communications, and computer
3 information systems in the United States.

4 “(x) Conduct of investigations relating to
5 protection of foreign officials and diplomatic
6 personnel and foreign missions in the United
7 States, suitability for employment, employee se-
8 curity, illegal passport and visa issuance or use,
9 and other investigations, as authorized by law.

10 “(xi) Carrying out the rewards program
11 for information concerning international terror-
12 ism authorized by section 36(a) of the State
13 Department Basic Authorities Act of 1956.

14 “(xii) Performance of other security, inves-
15 tigative, and protective matters as authorized
16 by law.

17 “(C) COUNTERTERRORISM PLANNING AND CO-
18 ORDINATION.—Development and coordination of
19 counterterrorism planning, emergency action plan-
20 ning, threat analysis programs, and liaison with
21 other Federal agencies to carry out this paragraph.

22 “(D) SECURITY TECHNOLOGY.—Development
23 and implementation of technical and physical secu-
24 rity programs, including security-related construc-
25 tion, radio and personnel security communications,

1 armored vehicles, computer and communications se-
2 curity, and research programs necessary to develop
3 such measures.

4 “(E) DIPLOMATIC COURIER SERVICE.—Manage-
5 ment of the diplomatic courier service.

6 “(F) PERSONNEL TRAINING.—Development of
7 facilities, methods, and materials to develop and up-
8 grade necessary skills in order to carry out this sec-
9 tion.

10 “(G) FOREIGN GOVERNMENT TRAINING.—Man-
11 agement and development of antiterrorism assistance
12 programs to assist foreign government security
13 training which are administered by the Department
14 of State under chapter 8 of part II of the Foreign
15 Assistance Act of 1961 (22 U.S.C. 2349aa et
16 seq.).”;

17 (3) by striking section 104;

18 (4) by striking section 105;

19 (5) in section 107, by striking “The Chief of
20 Protocol of the Department of State shall consult
21 with the Assistant Secretary of Diplomatic Security”
22 and inserting “The Secretary of State shall take into
23 account security considerations”;

24 (6) in title II by amending the title heading to
25 read as follows: “TITLE II—PERSONNEL”;

1 (7) by amending section 201 to read as follows:

2 **“SEC. 201. DIPLOMATIC SECURITY SERVICE.**

3 “The Secretary of State may establish a Diplomatic
4 Security Service, which shall perform such functions as
5 the Secretary may determine.”;

6 (8) in section 202—

7 (A) by striking “The” in the first sentence
8 and inserting “Any such”;

9 (B) by striking “shall” each place it ap-
10 pears in the first, third, and fourth sentences
11 and inserting “should”; and

12 (C) by striking the last sentence;

13 (9) in section 203—

14 (A) by amending the heading to read as
15 follows:

16 **“SEC. 203. SPECIAL AGENTS.”;**

17 (B) in the first sentence by striking “Posi-
18 tions in the Diplomatic Security Service” and
19 inserting “Special agent positions”; and

20 (C) in the last sentence by striking “In the
21 case of positions designated for special agents,
22 the” and inserting “The”; and

23 (10) in section 402(a)(2) by striking “Assistant
24 Secretary for Diplomatic Security” and inserting
25 “Secretary of State”.

1 (i) IMMIGRATION AND NATIONALITY ACT.—The Im-
2 migration and Nationality Act (8 U.S.C. 1101 et seq.) is
3 amended—

4 (1) in section 101(a)(1) (8 U.S.C. 1101(a)(1))
5 by striking “Assistant Secretary of State for Con-
6 sular Affairs” and inserting “official designated by
7 the Secretary of State pursuant to section 104(b) of
8 this Act”;

9 (2) in section 104 (8 U.S.C. 1104)—

10 (A) in the heading by striking “; BUREAU
11 OF CONSULAR AFFAIRS”;

12 (B) in subsection (a), by striking “the Bu-
13 reau of Consular Affairs” and inserting “the
14 Administrator”;

15 (C) by amending subsection (b) to read as
16 follows:

17 “(b) The Secretary of State shall designate an Ad-
18 ministrator who shall be a citizen of the United States,
19 qualified by experience. The Administrator shall maintain
20 close liaison with the appropriate committees of Congress
21 in order that they may be advised regarding the adminis-
22 tration of this Act by consular officers. The Administrator
23 shall be charged with any and all responsibility and au-
24 thority in the administration of this Act which are con-
25 ferred on the Secretary of State as may be delegated to

1 the Administrator by the Secretary of State or which may
2 be prescribed by the Secretary of State, and shall perform
3 such other duties as the Secretary of State may pre-
4 scribe.”;

5 (D) in subsection (c), by striking “Bu-
6 reau” and inserting “Department of State”;
7 and

8 (E) in subsection (d), by striking all after
9 “respectively” before the period.

10 (3) in section 105 (8 U.S.C. 1105) by striking
11 “Assistant Secretary of State for Consular Affairs”
12 and inserting “Administrator” each place it appears.

13 (j) DEPARTMENT OF STATE APPROPRIATIONS ACT,
14 1989.—Section 306 of the Department of State Appro-
15 priations Act, 1989 (Public Law 100–459) is repealed.

16 (k) DEPARTMENT OF DEFENSE APPROPRIATIONS
17 ACT, FISCAL YEAR 1989.—Section 8125 of the Depart-
18 ment of Defense Appropriations Act, Fiscal Year 1989
19 (Public Law 100–463) is amended by striking subsection
20 (c).

21 (l) STATE DEPARTMENT BASIC AUTHORITIES ACT
22 OF 1956.—(1) Section 35 of the State Department Basic
23 Authorities Act of 1956 (22 U.S.C. 2707) is amended—

24 (A) in subsection (a) by striking “(hereafter”
25 and all that follows before the period; and

1 (B) in subsection (b)—

2 (i) by striking “The” and all that follows

3 through “shall—” and inserting the following:

4 “The Secretary of State shall be responsible for formula-

5 tion, coordination, and oversight of international commu-

6 nications and information policy. The Secretary of State

7 shall—”;

8 (ii) by redesignating paragraphs (1)

9 through (7) as paragraphs (2) through (8), re-

10 spectively;

11 (iii) by inserting before paragraph (2) (as

12 so redesignated) a new paragraph (1) as fol-

13 lows:

14 “(1) exercise primary authority for the conduct

15 of foreign policy with respect to telecommunications,

16 including the determination of United States posi-

17 tions and the conduct of United States participation

18 in bilateral and multilateral negotiations with for-

19 eign governments and in international bodies;”;

20 (iv) in paragraph (2), (I) by striking “with

21 the bureaus and offices of the Department of

22 State and”, and (II) by inserting before the

23 semicolon “and with the Federal Communica-

24 tions Commission, as appropriate”; and

1 (v) in paragraph (4), by striking “the Sen-
2 ior Interagency Group on International Com-
3 munications and Information Policy” and in-
4 serting “any senior interagency policy-making
5 group on international telecommunications and
6 information policy”.

7 (2) Section 3 of the State Department Basic Authori-
8 ties Act of 1956 (22 U.S.C. 2670) is amended—

9 (A) by striking “and” at the end of subsection
10 (k);

11 (B) by striking the period at the end of sub-
12 section (l) and inserting “; and”; and

13 (C) by adding at the end the following:

14 “(m) establish, maintain, and operate passport
15 and dispatch agencies.”.

16 (3) Section 2 of the State Department Basic Authori-
17 ties Act of 1956 is amended by striking “(l) pay” and
18 inserting “(m) pay”.

19 (m) REFUGEE ACT OF 1980.—The Refugee Act of
20 1980 (Public Law 96–212) is amended—

21 (1) in the heading for title III, by striking
22 “UNITED STATES COORDINATOR FOR REF-
23 UGEE AFFAIRS AND”;

24 (2) by striking the heading for part A;

25 (3) by repealing section 301; and

1 (4) by striking the heading for part B.

2 (n) IMMIGRATION AND NATIONALITY ACT.—

3 (1) Section 411(b) of the Immigration and Na-
4 tionality Act (8 U.S.C. 1521(b)) is amended by
5 striking “and under the general policy guidance of
6 the United States Coordinator for Refugee Affairs
7 (hereinafter in this chapter referred to as the ‘Coor-
8 dinator’)” and inserting “the Secretary of State”.

9 (2) Section 412 of the Immigration and Nation-
10 ality Act (8 U.S.C. 1522) is amended—

11 (A) in subsection (a)(2)(A), by striking “,
12 together with the Coordinator,”;

13 (B) in subsections (b)(3) and (b)(4), by
14 striking “in consultation with the Coordina-
15 tor,”; and

16 (C) in subsection (e)(7)(C), by striking “,
17 in consultation with the United States Coordi-
18 nator for Refugee Affairs,”.

19 (3) Section 413(a) of the Immigration and Na-
20 tionality Act (8 U.S.C. 1523) is amended by striking
21 “, in consultation with the Coordinator,”.

22 (o) STATE DEPARTMENT BASIC AUTHORITIES
23 ACT.—Title II of the State Department Basic Authorities
24 Act of 1956 (22 U.S.C. 4301 et seq.) is amended—

1 (1) in section 202(a) by striking paragraph (3)
2 and redesignating paragraphs (4) through (8) as
3 paragraphs (3) through (7);

4 (2) in section 203 by amending such section to
5 read as follows:

6 “AUTHORITIES OF THE SECRETARY OF STATE

7 “SEC. 203. The Secretary is authorized to—

8 “(1) assist agencies of Federal, State, and mu-
9 nicipal government with regard to ascertaining and
10 according benefits, privileges, and immunities to
11 which a foreign mission may be entitled;

12 “(2) provide or assist in the provision of bene-
13 fits for or on behalf of a foreign mission in accord-
14 ance with section 204;

15 “(3) dispose of property acquired in carrying
16 out the purposes of this Act;

17 “(4) designate an office within the Department
18 of State to carry out the purposes of this Act. In the
19 event such an office is established, the President
20 may appoint, by and with the advice and consent of
21 the Senate, a Director, with the rank of ambassador.
22 Furthermore, of the Director and the next most sen-
23 ior person in the office, one should be an individual
24 who has served in the United States Foreign Service
25 while the other should be an individual who has

1 served in the United States intelligence community;
2 and

3 “(5) perform such other functions as the Sec-
4 retary may determine necessary in furtherance of
5 the policy of this title.”;

6 (3) in section 204—

7 (A) in subsections (a), (b), and (c), by
8 striking “Director” each place it appears and
9 inserting “Secretary”; and

10 (B) in paragraph (d), by striking “the Di-
11 rector or any other” and inserting “any”;

12 (4) in section 204A, by striking “Director”
13 each place it appears and inserting “Secretary”;

14 (5) in section 205—

15 (A) in subsection (a), by striking “Direc-
16 tor” and inserting “Secretary”; and

17 (B) in subsection (c)(2) by striking “au-
18 thorize the Director to”; and

19 (6) in section 208—

20 (A) in subsection (d) by striking “Direc-
21 tor” and inserting in its place “Secretary”;

22 (B) in subsections (c), (e), and (f), by
23 striking “Office of Foreign Missions” each
24 place it appears and inserting “Department of
25 State”; and

1 (C) in subsection (h)(2) by striking “Di-
2 rector or the”.

3 (p) OFFICE OF COUNSELOR; LEGAL ADVISOR.—

4 (1) The Act entitled “An Act to create the Of-
5 fice of Counselor of the United States” (May 18,
6 1937; Public Law 75–91; 22 U.S.C. 2655) is re-
7 pealed.

8 (2) The Act entitled “An Act for the reorga-
9 nization and improvement of the Foreign Service of
10 the United States and for other purposes” (May 24,
11 1924; Public Law 68–135; 22 U.S.C. 2654) is
12 amended by striking section 30.

13 **SEC. 134. DIRECTOR GENERAL OF THE FOREIGN SERVICE.**

14 Section 208 of the Foreign Service Act of 1980 (22
15 U.S.C. 3928) is amended to read as follows:

16 **“SEC. 208. DIRECTOR GENERAL OF THE FOREIGN SERVICE.**

17 “The President may appoint, with the advice and
18 consent of the Senate, a Director General of the Foreign
19 Service, who shall be a career member of the Senior For-
20 eign Service. The Director General should assist the Sec-
21 retary of State in the management of the Service and per-
22 form such functions as the Secretary of State may pre-
23 scribe.”.

PART D—PERSONNEL**SEC. 141. LABOR-MANAGEMENT RELATIONS.**

Section 1017(e) of the Foreign Service Act of 1980 is amended to read as follows:

“(e)(1) Notwithstanding any other provision of this chapter—

“(A) participation in the management of a labor organization for purposes of collective bargaining or acting as a representative of a labor organization for such purpose is prohibited under this chapter—

“(i) on the part of any management official or confidential employee;

“(ii) on the part of any individual who has served as a management official or confidential employee during the preceding two years; or

“(iii) on the part of any other employee if the participation or activity would result in a conflict of interest or apparent conflict of interest or would otherwise be incompatible with law or with the official functions of such employee; and

“(B) service as a management official or confidential employee is prohibited on the part of any individual having participated in the management of a labor organization or having acted as a representa-

1 tive of a labor organization during the preceding two
2 years.

3 “(2) For the purposes of paragraph (1)(A)(ii) and
4 paragraph (1)(B), the term ‘management official’ shall
5 not include chiefs of mission, principal officers and their
6 deputies, and administrative and personnel officers
7 abroad.”.

8 **SEC. 142. VOLUNTARY RETIREMENT INCENTIVE PROGRAM.**

9 (a) PROGRAM AUTHORITY.—For the fiscal years
10 1994 and 1995 and subject to the availability of appro-
11 priations, the Secretary of State is authorized to establish
12 and administer a program to provide financial incentives
13 for retirement to certain members of the Foreign Service
14 at the Department of State who are eligible for retirement.

15 (b) CAP ON INCENTIVE AMOUNT.—The financial in-
16 centive paid to any eligible individual pursuant to this sec-
17 tion may not exceed the lesser of—

18 (1) an amount equal to the amount the member
19 would be entitled to receive under section 5595(c) of
20 title 5, United States Code, if the member were enti-
21 tled to payment under such section; or

22 (2) \$25,000.

23 (c) COST NEUTRALITY OR SAVINGS.—The Secretary
24 shall ensure that the total cost of financial incentives paid
25 to eligible individuals under any program established pur-

1 suant to the authority of subsection (a) during the fiscal
2 years 1994 and 1995 does not exceed the total cost the
3 Department would have incurred for pay and other per-
4 sonnel benefits during such period for such eligible individ-
5 uals had they not retired.

6 (d) RELATIONSHIP TO OTHER GOVERNMENT BENE-
7 FITS.—The amount paid to any eligible individual pursu-
8 ant to the authority of subsection (a) may not—

9 (1) be the basis for payment of, and may not
10 be included in the computation of, any other mone-
11 tary benefit payable with respect to such individual
12 by the Federal Government; and

13 (2) be taken into account for purposes of deter-
14 mining the amount of any severance pay to which
15 such eligible individual is entitled under any other
16 provision of law based on any other separation from
17 employment by the Federal Government.

18 (e) UNITED STATES INFORMATION AGENCY AND
19 AGENCY FOR INTERNATIONAL DEVELOPMENT.—The Di-
20 rector of the United States Information Agency and the
21 Director of the Agency for International Development are
22 authorized to exercise the same authorities with respect
23 to members of the Foreign Service serving at the United
24 States Information Agency and the Agency for Inter-
25 national Development, respectively, as the Secretary of

1 State is authorized to exercise with respect to members
2 of the Foreign Service under this section.

3 **SEC. 143. WAIVER OF LIMIT FOR CERTAIN CLAIMS FOR**
4 **PERSONAL PROPERTY DAMAGE OR LOSS.**

5 (a) CLAIMS RESULTING FROM EMERGENCY EVACU-
6 ATION IN A FOREIGN COUNTRY.—Subsection 3721(b) of
7 title 31 of the United States Code is amended—

8 (1) by inserting “(1)” after “(b)”; and

9 (2) by adding after paragraph (1) the following
10 new paragraph:

11 “(2) The Secretary of State may waive the loss limi-
12 tation under paragraph (1) for claims for damage or loss
13 by United States Government personnel subject to a chief
14 of mission in a foreign country whose claims arose from
15 a departure authorized or ordered under circumstances de-
16 scribed in section 5522(a) of title 5 of the United States
17 Code, if the Secretary determines that exceptional cir-
18 cumstances warrant such a waiver.”.

19 (b) RETROACTIVE APPLICATION.—The amendments
20 made by subsection (a) shall apply with respect to claims
21 arising on or after October 31, 1988.

22 **SEC. 144. SALARIES OF CHIEFS OF MISSION.**

23 Section 401(a) of the Foreign Service Act of 1980
24 (22 U.S.C. 3961(a)) is amended—

25 (1) by striking “, exclusive of danger pay,”; and

1 (2) by striking “not exceed the annual rate pay-
2 able for level I of such Executive Schedule”, and in-
3 serting “be subject to the limitation on certain pay-
4 ments under section 5307 of title 5 of the United
5 States Code”.

6 **SEC. 145. SENIOR FOREIGN SERVICE PERFORMANCE PAY.**

7 (a) **LIMITATION ON CERTAIN PAYMENTS.**—Section
8 405(b)(4) of the Foreign Service Act of 1980 (22 U.S.C.
9 3965(b)(4)) is amended to read as follows:

10 “(4) Any award under this section shall be sub-
11 ject to the limitation on certain payments under sec-
12 tion 5307 of title 5 of the United States Code.”.

13 (b) **PROHIBITION ON PERFORMANCE PAY AWARDS IN**
14 **CERTAIN YEARS.**—

15 (1) Notwithstanding any other provision of law,
16 for fiscal years 1994 and 1995, performance pay
17 awards and payments may not be made under sec-
18 tion 405 of the Foreign Service Act of 1980 for a
19 fiscal year by any agency subject to an agency-wide
20 reduction in force for budgetary reasons during that
21 fiscal year.

22 (2) No additional performance pay awards or
23 payments may be made in any subsequent fiscal year
24 to compensate for the prohibition under paragraph
25 (1).

1 **SEC. 146. REASSIGNMENT AND RETIREMENT OF FORMER**
2 **PRESIDENTIAL APPOINTEES.**

3 Section 813 of the Foreign Service Act of 1980 (22
4 U.S.C. 4053) is amended by striking all that follows the
5 section caption and inserting the following:

6 “(a) If a participant completes an assignment under
7 section 302(b) in a position to which the participant was
8 appointed by the President, and is not otherwise eligible
9 for retirement, the participant shall be reassigned within
10 90 days after the termination of such assignment and any
11 period of authorized leave.

12 “(b) If a participant completes an assignment under
13 section 302(b) in a position to which the participant was
14 appointed by the President, and is eligible for retirement,
15 and is not reassigned within 90 days after the termination
16 of such assignment and any period of authorized leave,
17 the participant shall be retired from the Service and re-
18 ceive retirement benefits in accordance with section 806
19 or section 855, as appropriate.”.

20 **SEC. 147. REPORT ON CLASSIFICATION OF SENIOR FOR-**
21 **EIGN SERVICE POSITIONS.**

22 (a) **AUDIT AND REVIEW.**—Within 180 days after the
23 date of the enactment of this Act, the Comptroller General
24 of the United States shall conduct a classification audit
25 of all Senior Foreign Service positions in Washington, Dis-
26 trict of Columbia, assigned to the Department of State,

1 the Agency for International Development, and the United
2 States Information Agency and shall review the methods
3 of classification of such positions.

4 (b) REPORT.—Not later than 180 days after the date
5 of enactment of this Act, the Comptroller General shall
6 submit a report of such audit and review to the Committee
7 on Foreign Affairs of the House of Representatives and
8 the Committee on Foreign Relations of the Senate.

9 **SEC. 148. LIMITATION ON NUMBER OF LIMITED CAREER**
10 **EXTENSIONS.**

11 Section 607(b) of the Foreign Service Act of 1980
12 (22 U.S.C. 4007(b)) is amended by adding at the end “Ef-
13 fective September 30, 1995, the number of members of
14 the Senior Foreign Service serving under such limited ca-
15 reer extensions may not exceed 25 percent of the total
16 number of members of the Service who are eligible to serve
17 under a limited extension.”.

18 **SEC. 149. AMENDMENTS TO TITLE 5.**

19 (a) AWAY-FROM-POST EDUCATION ALLOWANCE.—
20 Section 5924(4)(A) of title 5, United States Code, is
21 amended by inserting after the first sentence the follow-
22 ing: “When travel from school to post is infeasible, travel
23 may be allowed between the school attended and the home
24 of a designated relative or family friend or to join a parent

1 at any location, with the allowable travel expense not to
2 exceed the cost of travel between the school and post.”.

3 (b) EDUCATIONAL TRAVEL FOR COLLEGE STUDENTS
4 STUDYING ABROAD.—Section 5924(4)(B) of title 5, Unit-
5 ed States Code, is amended in the first sentence after “in
6 the United States” by inserting “(or to and from a school
7 outside the United States if the dependent is attending
8 that school for less than one year under a program ap-
9 proved by the school in the United States at which the
10 dependent is enrolled)”.

11 **SEC. 150. AMENDMENTS TO CHAPTER 11 OF THE FOREIGN**
12 **SERVICE ACT.**

13 (a) GRIEVANCE BOARD PROCEDURES.—Section 1106
14 of the Foreign Service Act of 1980 (22 U.S.C. 4136) is
15 amended in the first sentence of paragraph (8) by striking
16 “until the Board has ruled upon the grievance.” and in-
17 serting “for up to one year, or until the Board has ruled
18 upon the grievance, whichever period is shorter. The
19 Board shall extend the one-year limit and the Department
20 shall continue to suspend such action, if the Board deter-
21 mines that the agency or the Board is responsible for the
22 delay in the resolution of the grievance.”.

23 (b) TIME LIMITATION ON REQUESTS FOR JUDICIAL
24 REVIEW.—Section 1110 of the Foreign Service Act of
25 1980 (22 U.S.C. 4140) is amended in the first sentence

1 by inserting before the period “, if the request for judicial
 2 review is filed not later than 180 days after the final ac-
 3 tion of the Secretary or the Board (or in the case of an
 4 aggrieved party who is posted abroad at the time of the
 5 final action of the Secretary or the Board, if the request
 6 for judicial review is filed not later than 180 days after
 7 the aggrieved party’s return to the United States)’’.

8 **PART E—INTERNATIONAL ORGANIZATIONS**

9 **SEC. 161. INTERNATIONAL ATOMIC ENERGY AGENCY SAFE-** 10 **GUARDS.**

11 (a) PURPOSE.—It is the purpose of this section to
 12 secure improvements in the effectiveness of International
 13 Atomic Energy Agency safeguards.

14 (b) DEFINITIONS.—As used in this section—

15 (1) the term “IAEA” means the International
 16 Atomic Energy Agency;

17 (2) the term “non-nuclear-weapon state” means
 18 any country which is not a nuclear-weapon state, as
 19 defined by Article IX(3) of the Treaty on the Non-
 20 Proliferation of Nuclear Weapons, signed at Wash-
 21 ington, London, and Moscow on July 1, 1968;

22 (3) the term “nuclear-weapon state” has the
 23 meaning given to such term by Article IX(3) of such
 24 Treaty; and

1 (4) the term “special fissionable material” has
2 the meaning given to such term by Article XX(1) of
3 the Statute of the International Atomic Energy
4 Agency, done at the Headquarters of the United Na-
5 tions on October 26, 1956.

6 (c) REFORMS IN IAEA SAFEGUARDS.—The Presi-
7 dent should direct the United States representatives to the
8 IAEA to work toward the early adoption of reforms in the
9 implementation of the safeguards responsibilities of the
10 IAEA, including the following:

11 (1) Improving the ability of the IAEA to detect
12 within any non-nuclear-weapon state which has ac-
13 cepted full-scope safeguards, nuclear facilities,
14 whether or not declared by that state, that are capa-
15 ble of producing, processing, or fabricating special
16 fissionable material suitable for use in a nuclear ex-
17 plosive device.

18 (2) Increasing the transparency of international
19 nuclear commerce.

20 (3) Examining the feasibility of increasing the
21 scope of safeguards for members who have accepted
22 full-scope safeguards to include all activities and fa-
23 cilities which could significantly contribute to the ac-
24 quisition or production of nuclear explosive devices.

1 (4) Improving the access of the IAEA to infor-
2 mation about the nuclear activities of member states
3 of the IAEA.

4 (5) Examining the practicality and advisability
5 of the IAEA conducting less frequent inspections at
6 nuclear facilities in member states which—

7 (A) provide advance consent for the IAEA
8 to conduct unrestricted, short notice inspections
9 of any facility, whether or not declared by the
10 state;

11 (B) provide early notification of construc-
12 tion of new facilities and modifications to exist-
13 ing facilities and the early submission of design
14 information regarding such new or modified fa-
15 cilities; and

16 (C) accept any inspectors of the IAEA who
17 are approved by the Board of Governors of the
18 IAEA, agree not to limit the number of such in-
19 spectors, and waive visa requirements for such
20 inspectors.

21 (d) REPORTING REQUIREMENT.—The President
22 shall, in the report required by section 601(a) of the Nu-
23 clear Non-Proliferation Act of 1978, describe—

1 (1) the steps he has taken and plans to take to
2 implement each of the objectives set forth in sub-
3 section (c);

4 (2) the progress that has been made and the
5 obstacles that have been encountered in seeking to
6 meet the objectives set forth in subsection (c);

7 (3) any other steps he has taken or plans to
8 take to strengthen the implementation of IAEA safe-
9 guards;

10 (4) the steps the IAEA has taken to implement
11 each of the objectives set forth in subsection (c); and

12 (5) any other steps the IAEA has taken to
13 strengthen the implementation of IAEA safeguards.

14 (e) REPORT ON FUNDING.—Within one year after the
15 date of the enactment of this Act, the President shall sub-
16 mit to the Congress a report assessing what additional
17 funds are required for the IAEA to implement the objec-
18 tives set forth in subsection (c) and what funds the United
19 States plans to contribute to the IAEA over the next 5
20 fiscal years.

21 **SEC. 162. AGREEMENT ON STATE AND LOCAL TAXATION OF**
22 **FOREIGN EMPLOYEES OF PUBLIC INTER-**
23 **NATIONAL ORGANIZATIONS.**

24 The President is hereby authorized to bring into force
25 for the United States the Agreement on State and Local

1 Taxation of Foreign Employees of Public International
2 Organizations, which was signed by the United States on
3 April 21, 1992.

4 **SEC. 163. REFORM IN BUDGET DECISIONMAKING PROCE-**
5 **DURES OF THE UNITED NATIONS AND ITS**
6 **SPECIALIZED AGENCIES.**

7 (a) ASSESSED CONTRIBUTIONS.—For assessed con-
8 tributions authorized to be appropriated by section 103
9 of this Act, the President may withhold 20 percent of the
10 funds appropriated for the United States assessed con-
11 tribution to the United Nations or to any of its specialized
12 agencies for any calendar year if the Secretary of State
13 determines that the United Nations or any such agency
14 has failed to implement or to continue to implement con-
15 sensus-based decisionmaking procedures on budgetary
16 matters which assure that sufficient attention is paid to
17 the views of the United States and other member states
18 who are major financial contributors to such assessed
19 budgets.

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

1 tribution. A notification under this subsection shall include
2 appropriate consultation between the President (or his
3 representative) and the Committee on Foreign Affairs of
4 the House of Representatives and the Committee on For-
5 eign Relations of the Senate.

6 (c) CONTRIBUTIONS FOR PRIOR YEARS.—Subject to
7 the availability of appropriations, payment of assessed
8 contributions for prior years may be made to the United
9 Nations or any of its specialized agencies notwithstanding
10 subsection (a) of this section, section 405 of the Foreign
11 Relations Authorization Act, Fiscal Years 1990 and 1991
12 (Public Law 101–246) and section 143 of the Foreign Re-
13 lations Authorization Act, Fiscal Years 1986 and 1987
14 (Public Law 99–93) if such payment would further United
15 States interests in that organization.

16 **SEC. 164. INTERNATIONAL BOUNDARY AND WATER COM-**
17 **MISSION.**

18 (a) AUTHORIZATION TO RECEIVE PAYMENTS.—Sec-
19 tion 2 of the American-Mexican Chamizal Convention Act
20 of 1964 (Public Law 88–300; 22 U.S.C. 277d-18) is
21 amended—

22 (1) by inserting “(a)” before “The”; and

23 (2) by adding at the end the following new sub-
24 sections:

1 “(b) The United States Commissioner is authorized
2 to receive payments of money from public or private
3 sources in the United States or Mexico made for the pur-
4 pose of sharing in the cost of replacement of the Bridge
5 of the Americas which crosses the Rio Grande between El
6 Paso, Texas, and Cd. Juarez, Chihuahua. Notwithstand-
7 ing any other provision of law, such payments of money
8 shall be credited to any appropriation to the Commission
9 which is currently available. Funds received under this
10 subsection shall be available only for the replacement of
11 such bridge.

12 “(c) The authority of subsection (b) may be exercised
13 only to the extent or in such amounts as are provided in
14 advance in appropriation Acts.”.

15 (b) EXPENDITURES FOR WATER POLLUTION PROB-
16 LEMS.—Title I of the Act of June 20, 1956 (70 Stat. 302,
17 22 U.S.C. 277d–12), is amended in the fourth undesig-
18 nated paragraph under the heading “INTERNATIONAL
19 BOUNDARY AND WATER COMMISSION, UNITED STATES
20 AND MEXICO” by striking “Tijuana Rivers,” and all that
21 follows before the period and inserting “Tijuana Rivers,
22 or other streams running across or near the boundary, and
23 for taking emergency actions to protect against health
24 threatening surface and ground water pollution problems
25 along the United States-Mexico boundary”.

1 (c) FALCON AND AMISTAD DAMS MAINTENANCE
2 FUND.—Section 2 of the Act of June 18, 1954 (68 Stat.
3 255, as amended by the Act of December 23, 1963, 77
4 Stat. 475) is amended to read as follows:

5 “SEC. 2. (a) A separate fund, known as the ‘Falcon
6 and Amistad Operating and Maintenance Fund’ (herein-
7 after referred to as the ‘Maintenance Fund’), shall be cre-
8 ated in the Treasury of the United States. The Mainte-
9 nance Fund shall be administered by the Administrator
10 of the Western Area Power Administration for use by the
11 Commissioner of the United States Section of the Inter-
12 national Boundary and Water Commission to defray oper-
13 ation, maintenance, and emergency costs for the hydro-
14 electric facilities at the Falcon and Amistad Dams.

15 “(b) All revenues collected in connection with the dis-
16 position of electric power generated at the Falcon and
17 Amistad Dams, except those revenues paid pursuant to
18 subsection (d) to the general fund of the Treasury of the
19 United States, shall be credited to the Maintenance Fund
20 and shall remain available until expended for defraying op-
21 eration, maintenance, and emergency costs for the hydro-
22 electric facilities at the dams.

23 “(c) The authority of subsection (b) may be exercised
24 only to the extent or in such amounts as are provided in
25 advance in appropriation Acts.

1 “(d) Revenues in the Maintenance Fund in excess of
2 operation, maintenance, and emergency needs shall be
3 paid annually to the general fund of the Treasury of the
4 United States to return the costs of replacements and the
5 original investments, with interest.

6 “(e) All moneys received from the Government of
7 Mexico for any energy which might be delivered to that
8 Government by the United States Section of the Inter-
9 national Boundary and Water Commission pursuant to
10 any special agreement concluded in accordance with Arti-
11 cle 19 of the said Treaty shall be credited to the General
12 Fund of the Treasury of the United States.”.

13 **SEC. 165. UNITED STATES MEMBERSHIP IN THE ASIAN-PA-**
14 **CIFIC ECONOMIC COOPERATION ORGANIZA-**
15 **TION.**

16 (a) UNITED STATES MEMBERSHIP.—The President
17 is authorized to maintain membership of the United States
18 in the Asian-Pacific Economic Cooperation (APEC).

19 (b) PAYMENT OF ASSESSED CONTRIBUTIONS.—For
20 fiscal year 1994 and for each fiscal year thereafter, the
21 United States assessed contributions to APEC may be
22 paid from funds appropriated for “Contributions to Inter-
23 national Organizations”.

1 **SEC. 166. LIMITATION ON CONTRIBUTIONS TO THE UNITED**
2 **NATIONS AND AFFILIATED ORGANIZATIONS.**

3 The United States shall not make any voluntary or
4 assessed contribution—

5 (1) to any affiliated organization of the United
6 Nations which grants full membership as a state to
7 any organization or group that does not have the
8 internationally recognized attributes of statehood, or

9 (2) to the United Nations, if the United Na-
10 tions grants full membership as a state in the Unit-
11 ed Nations to any organization or group that does
12 not have the internationally recognized attributes of
13 statehood,
14 during any period in which such membership is effective.

15 **SEC. 167. INTERNATIONAL PEACEKEEPING REFORM.**

16 (a) FINDINGS.—The Congress finds that—

17 (1) at the beginning of 1993, there were 13
18 United Nations international peacekeeping oper-
19 ations in existence, 9 of which were established since
20 1990;

21 (2) in 1987 the United Nations spent
22 \$233,000,000 on all international peacekeeping op-
23 erations, compared to \$3,800,000,000 budgeted for
24 this function in 1993;

25 (3) while the United States is currently as-
26 sessed 25 percent of the regular budget of the Unit-

1 ed Nations and its specialized agencies, the United
2 States had, until 1993, been assessed 30.4 percent
3 for the United Nations peacekeeping operations;

4 (4) by early 1993, the United Nations unilater-
5 ally increased the United States assessed level for
6 international peacekeeping operations to 31.7 per-
7 cent to compensate for the breakup of the former
8 Soviet Union;

9 (5) the United States' share of the United Na-
10 tions international peacekeeping assessments is sig-
11 nificantly higher than that of any other member
12 state, regardless of economic strength, location, or
13 potential to benefit from specific peacekeeping mis-
14 sions;

15 (6) the United States Government faces a pro-
16 tected period of serious fiscal constraint, particularly
17 in its international affairs budget;

18 (7) there is growing concern in the Congress
19 over the potential for excessive reliance on United
20 Nations international peacekeeping operations for
21 the resolution of local and regional conflicts, includ-
22 ing concern over the continued viability of existing
23 United Nations peacekeeping operations that have
24 become permanent fixtures in local disputes rather

1 than serving to bring such disputes to resolution;
2 and

3 (8) for fiscal year 1994, the executive branch
4 has requested the creation of a United States Peace-
5 keeping Emergency Fund to increase the ability of
6 the United States to respond quickly to unforeseen
7 peacekeeping emergencies.

8 (b) SENSE OF CONGRESS.—It is the sense of the
9 Congress that—

10 (1) the United States should seek to negotiate
11 a reduction of its assessed share for any inter-
12 national peacekeeping operation to its current share
13 of the regular assessed budget for the international
14 organization or entity with jurisdiction over that op-
15 eration;

16 (2) all United States military assistance,
17 logistical support and in-kind contributions for an
18 international peacekeeping operation should either
19 be fully counted toward the United States assess-
20 ment for that operation or should be fully reim-
21 bursed; and

22 (3) regional countries or groups of countries
23 that would receive disproportionate benefit from the
24 establishment of an international operation should

1 voluntarily provide a higher proportionate share of
2 the costs of that peacekeeping operation.

3 (c) RESTRICTIONS ON THE USE OF FUNDS IN THE
4 ASSESSED CONTRIBUTIONS FOR INTERNATIONAL PEACE-
5 KEEPING ACTIVITIES ACCOUNT.—Notwithstanding any
6 other provision of law, funds authorized under this Act
7 to be appropriated to the Contributions for International
8 Peacekeeping Activities Account at the Department of
9 State may not be made available for the payment of as-
10 sessed contributions to United Nations international
11 peacekeeping operations in excess of 30.4 percent of the
12 cost of such operations.

13 **PART F—MISCELLANEOUS PROVISIONS**

14 **SEC. 181. WOMEN'S HUMAN RIGHTS PROTECTION.**

15 (a) SENSE OF CONGRESS.—The Congress makes the
16 following declarations:

17 (1) The State Department should designate
18 within the appropriate bureau a special assistant to
19 the Assistant Secretary to promote international
20 women's human rights within the overall human
21 rights policy of the United States Government.

22 (2) The purpose of assigning a special assistant
23 on women's human rights issues is not to segregate
24 such issues, but rather to assure that they are con-

1 sidered along with other human rights issues in the
2 development of United States foreign policy.

3 (3) A specifically designated special assistant is
4 necessary because within the human rights field and
5 the foreign policy establishment, the issues of gen-
6 der-based discrimination and violence against women
7 have long been ignored or made invisible.

8 (4) The Congress believes that abuses against
9 women would have greater visibility and protection
10 of women's human rights would improve if the advo-
11 cate were responsible for integrating women's
12 human rights issues into United States human
13 rights policy in ways including, but not limited to,
14 the following:

15 (A) The designated women's human rights
16 advocate would seek to assure that the issue of
17 abuses against women, along with human rights
18 issues generally, are a factor in determining ap-
19 propriate recipients for United States bilateral
20 assistance as well as United States votes at the
21 multilateral development banks.

22 (B) The advocate would work with the re-
23 gional bureaus of the Department of State to
24 devise strategies for the executive branch to
25 bring pressure to bear on governments that en-

1 gage in violence or systematic discrimination
2 against women or fail to afford equal treatment
3 of women before the law.

4 (C) The advocate would, in consultation
5 with the bureau responsible for international or-
6 ganizations, pursue strategies to increase the
7 visibility and integration of gender-based perse-
8 cution and violence in multilateral fora includ-
9 ing, but not limited to, the United States Com-
10 mission on Human Rights and the Working
11 Group on Torture.

12 (D) The advocate would seek to assure
13 that the United States Trade Representative
14 conduct inquiries and take steps to prevent
15 countries from receiving trade benefits under
16 the Generalized System of Preferences and
17 most favored nation status where governments
18 fail to address violence, systematic discrimina-
19 tion, and exploitation of women workers.

20 (E) The advocate would seek to assure
21 that the protection of women's human rights,
22 including womens' participation in the political
23 process, women's right to freedom of associa-
24 tion and expression, and freedom from discrimi-
25 nation, would be addressed in the context of

1 United States funded programs in the area of
2 democracy including, but not limited to, democ-
3 racy programs at the Agency for International
4 Development, democracy programs for Eastern
5 Europe funded by the Support for East Euro-
6 pean Democracy (SEED) Act of 1989, and new
7 programs that may be contemplated.

8 (F) The advocate would seek to assure
9 that United States assistance programs in the
10 area of administration of justice include efforts
11 to redress violations of women's rights.

12 (G) The advocate would work with the
13 Agency for International Development and the
14 appropriate office at the Department of State
15 to secure funding for programs to meet the
16 needs of women victims of human rights abuses
17 including, but not limited to, medical and psy-
18 chological assistance for rape victims.

19 (H) The advocate would work to assure
20 United States ratification of the United Nations
21 Convention on the Elimination of All Forms of
22 Discrimination Against Women (CEDAW) and
23 oversee the preparation of reports pursuant to
24 that Convention.

1 (I) The advocate would seek to upgrade
2 the quality and quantity of information about
3 abuses of women’s human rights in the report-
4 ing from United States embassies overseas, in-
5 corporate that information not only in the State
6 Department Country Reports on Human
7 Rights, but also in other public statements and
8 documents including, but not limited to, con-
9 gressional testimony and private demarches.

10 (b) CONGRESSIONAL NOTIFICATION.—

11 (1) Not later than one year after the date of
12 enactment of this Act, the Secretary of State shall
13 notify the Congress of the steps taken to create the
14 position described in subsection (a) or to otherwise
15 fulfill the objectives detailed in that subsection.

16 (2) If the United Nations Convention on the
17 Elimination of All Forms of Discrimination Against
18 Women (CEDAW) has not been submitted to the
19 Senate for ratification, not more than 90 days after
20 the date of enactment of this Act, the Secretary of
21 State shall notify the Congress, in writing, of the ad-
22 ministration’s position on the ratification of
23 CEDAW and timetable for submission of CEDAW
24 for congressional consideration and approval.

1 **SEC. 182. PUBLISHING INTERNATIONAL AGREEMENTS.**

2 Section 112a of title 1 of the United States Code is
3 amended—

4 (1) by inserting “(a)” immediately before “The
5 Secretary of State”; and

6 (2) by adding at the end the following new sub-
7 sections:

8 “(b) The Secretary of State may determine that pub-
9 lication of certain categories of agreements is not required,
10 if the following criteria are met:

11 “(1) such agreements are not treaties which
12 have been brought into force for the United States
13 after having received Senate advice and consent pur-
14 suant to section 2(2) of Article II of the Constitu-
15 tion of the United States;

16 “(2) the public interest in such agreements is
17 insufficient to justify their publication, because (A)
18 as of the date of enactment of the Foreign Relations
19 Authorization Act, Fiscal Years 1994 and 1995, the
20 agreements are no longer in force, (B) the agree-
21 ments do not create private rights or duties, nor es-
22 tablish standards intended to govern government ac-
23 tion in the treatment of private individuals; (C) in
24 view of the limited or specialized nature of the public
25 interest in such agreements, such interest can ade-
26 quately be satisfied by an alternative means; or (D)

1 the public disclosure of the text of the agreement
2 would, in the opinion of the President, be prejudicial
3 to the national security of the United States; and

4 “(3) copies of such agreements (other than
5 those in paragraph (2)(D)), including certified cop-
6 ies where necessary for litigation or similar pur-
7 poses, will be made available by the Department of
8 State upon request.

9 “(c) Any determination pursuant to subsection (b)
10 shall be published in the Federal Register.”.

11 **SEC. 183. MIGRATION AND REFUGEE AMENDMENTS.**

12 (a) MIGRATION AND REFUGEE ASSISTANCE ACT
13 AMENDMENTS.—

14 (1) The Migration and Refugee Assistance Act
15 of 1962 (22 U.S.C. 2601) is amended—

16 (A) in section 2 by striking “the Intergov-
17 ernmental Committee for European Migration”
18 and inserting “the International Organization
19 for Migration” each place it appears;

20 (B) in section 2(a) by striking “the Com-
21 mittee” and inserting “the Organization” each
22 place it appears;

23 (C) in the first sentence of section 2(a) by
24 inserting before the period “, as amended in
25 Geneva, Switzerland, on May 20, 1987”; and

1 (D) in section 2(c)(2), by striking
2 “\$50,000,000” and inserting “\$100,000,000”.

3 (2) Section 745 of Public Law 100–204 (22
4 U.S.C. 2601 note) is repealed.

5 **SEC. 184. UNITED NATIONS SECURITY COUNCIL MEMBER-**
6 **SHIP.**

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

9 (1) The effectiveness of the United Nations Se-
10 curity Council in maintaining international peace
11 and security depends on its being representative of
12 the membership of the United Nations.

13 (2) The requirement of equitable geographic
14 distribution in Article 23 of the United Nations
15 Charter requires that the members of the Security
16 Council of the United Nations be chosen by non-
17 discriminatory means.

18 (3) The use of informal regional groups of the
19 General Assembly as the sole means for election of
20 the nonpermanent members of the Security Council
21 is inherently discriminatory in the absence of guar-
22 antees that all member states will have the oppor-
23 tunity to join a regional group, and has resulted in
24 discrimination against Israel.

1 (b) SENSE OF CONGRESS.—It is the sense of the
2 Congress that the President should direct the Secretary
3 of State to request the Secretary-General of the United
4 Nations to seek immediate resolution of this problem. The
5 President shall inform the Congress of any progress in re-
6 solving this situation together with the submission to Con-
7 gress of the request for funding for the “Contributions
8 to International Organizations” account for the fiscal year
9 1995.

10 **SEC. 185. REFORMS IN THE FOOD AND AGRICULTURE OR-**
11 **GANIZATION.**

12 In light of the longstanding efforts of the United
13 States and the other major donor nations to reform the
14 Food and Agriculture Organization and the findings of the
15 ongoing investigation of the General Accounting Office, it
16 is the sense of the Congress that—

17 (1) the United States should use the oppor-
18 tunity of the 1993 election of a new Director Gen-
19 eral of the Food and Agriculture Organization
20 (FAO) to press for long-needed organizational and
21 management reforms; and

22 (2) it should be the policy of the United States
23 to promote the following reforms in the Food and
24 Agriculture Organization:

1 (A) Decentralization of the administrative
2 structure of FAO, including eliminating redun-
3 dant or unnecessary headquarters staff, in-
4 creased responsibilities of regional offices, in-
5 creased time for consideration of budget issues
6 by member states, and a more meaningful and
7 direct role for member states in the decision-
8 making process.

9 (B) Reform of the FAO Council, including
10 formation of an executive management commit-
11 tee to provide oversight of management.

12 (C) Limitation of the term of the Director
13 General and the number of terms which an in-
14 dividual may serve.

15 (D) Restructuring of the Technical Co-
16 operation Program (TCP), including reducing
17 the number of nonemergency projects funds
18 through the TCP and establishing procedures
19 to deploy TCP consultants, supplies, and equip-
20 ment in a timely manner.

21 **SEC. 186. INTERPARLIAMENTARY EXCHANGES.**

22 (a) **AUTHORIZATIONS OF APPROPRIATIONS.—**

23 (1) Section 2 of Public Law 86–420 is amend-
24 ed—

1 (A) by striking “\$100,000” and inserting
2 “\$80,000”; and

3 (B) by striking “\$50,000” both places it
4 appears and inserting “\$40,000”.

5 (2) Section 2 of Public Law 86–42 is amend-
6 ed—

7 (A) by striking “\$50,000” and inserting
8 “\$70,000”; and

9 (B) by striking “\$25,000” both places it
10 appears and inserting “\$35,000”.

11 (b) DEPOSIT OF FUNDS IN INTEREST-BEARING AC-
12 COUNTS.—Funds appropriated and disbursed pursuant to
13 section 303 of Title III of Public Law 100–202 (101 Stat.
14 1329–23; 22 U.S.C. 276 note) are authorized to be depos-
15 ited in interest-bearing accounts and any interest which
16 accrues shall be deposited, periodically, in a miscellaneous
17 account of the Treasury.

18 **SEC. 187. UNITED STATES POLICY CONCERNING OVERSEAS**
19 **ASSISTANCE TO REFUGEES AND DISPLACED**
20 **PERSONS.**

21 (a) STANDARDS FOR REFUGEE WOMEN AND CHIL-
22 DREN.—The United States Government, in providing for
23 overseas assistance and protection of refugees and dis-
24 placed persons, shall seek to address the protection and
25 provision of basic needs of refugee women and children

1 who represent 80 percent of the world's refugee popu-
2 lation. As called for in the 1991 United Nations High
3 Commissioner for Refugees (UNHCR) "Guidelines on the
4 Protection of Refugee Women," whether directly, or
5 through international organizations and nongovernmental
6 voluntary organizations, the Secretary of State shall seek
7 to ensure—

8 (1) specific attention on the part of the United
9 Nations and relief organizations to recruit and em-
10 ploy female protection officers;

11 (2) implementation of gender awareness train-
12 ing for field staff including, but not limited to, secu-
13 rity personnel;

14 (3) the protection of refugee women and chil-
15 dren from violence and other abuses on the part of
16 governments or insurgent groups;

17 (4) full involvement of women refugees in the
18 planning and implementation of (A) the delivery of
19 services and assistance, and (B) the repatriation
20 process;

21 (5) incorporation of maternal and child health
22 needs into refugee health services and education,
23 specifically to include education on and access to
24 services in reproductive health and birth spacing;

1 (6) the availability of counseling and other serv-
2 ices, grievance processes, and protective services to
3 victims of violence and abuse, including but not lim-
4 ited to rape and domestic violence;

5 (7) the provision of educational programs, par-
6 ticularly literacy and numeracy, vocational and in-
7 come-generation skills training, and other training
8 efforts promoting self-sufficiency for refugee women,
9 with special emphasis on women heads of household;

10 (8) education for all refugee children, ensuring
11 equal access for girls, and special services and family
12 tracing for unaccompanied refugee minors;

13 (9) the collection of data that clearly enumerate
14 age and gender so that appropriate health, edu-
15 cation, and assistance programs can be planned;

16 (10) the recruitment, hiring, and training of
17 more women program professionals in the inter-
18 national humanitarian field; and

19 (11) gender-awareness training for program
20 staff of the United Nations High Commissioner for
21 Refugees (UNHCR) and nongovernmental voluntary
22 organizations on implementation of the 1991
23 UNHCR “Guidelines on the Protection of Refugee
24 Women”.

1 (b) PROCEDURES.—The Secretary of State shall
2 adopt specific procedures to ensure that all recipients of
3 United States Government refugee and migration assist-
4 ance funds implement the standards outlined in subsection
5 (a).

6 (c) REQUIREMENTS FOR REFUGEE AND MIGRATION
7 ASSISTANCE.—The Secretary of State, in providing mi-
8 gration and refugee assistance, should support the protec-
9 tion efforts set forth under this section by raising at the
10 highest levels of government the issue of abuses against
11 refugee women and children by governments or insurgent
12 groups that engage in, permit, or condone—

13 (1) a pattern of gross violations of internation-
14 ally recognized human rights, such as torture or
15 cruel, inhumane, or degrading treatment or punish-
16 ment, prolonged detention without charges, or other
17 flagrant denial to life, liberty, and the security of
18 person;

19 (2) the blockage of humanitarian relief assist-
20 ance;

21 (3) gender-specific persecution such as system-
22 atic individual or mass rape, forced pregnancy,
23 forced abortion, enforced prostitution, any form of
24 indecent assault or act of violence against refugee
25 women, girls, and children; or

1 (4) continuing violations of the integrity of the
2 person against refugee women and children on the
3 part of armed insurgents, local security forces, or
4 camp guards.

5 (d) INVESTIGATION OF REPORTS.—Upon receipt of
6 credible reports of abuses under subsection (c), the Sec-
7 retary of State should immediately investigate such re-
8 ports through emergency fact-finding missions or other
9 means of investigating such reports and help identify ap-
10 propriate remedial measures.

11 (e) MULTILATERAL ORGANIZATIONS.—The United
12 States Government shall use its voice and vote in the Unit-
13 ed Nations and its participation in other multilateral orga-
14 nizations, to promote policies which seek to protect and
15 address basic human rights and needs of refugee women
16 and children. The Secretary of State shall work to ensure
17 that multilateral organizations fully incorporate the needs
18 of refugee women and children into all elements of refugee
19 assistance programs.

20 (f) SENSE OF CONGRESS ON MULTILATERAL IMPLE-
21 MENTATION OF THE 1991 UNHCR “GUIDELINES ON THE
22 PROTECTION OF REFUGEE WOMEN”.—It is the sense of
23 the Congress that the President should enter into bilateral
24 and multilateral negotiations to encourage other govern-
25 ments that provide refugee assistance to adopt refugee as-

1 sistance policies designed to encourage full implementation
2 of the UNHCR's 1991 "Guidelines on the Protection of
3 Refugee Women".

4 **SEC. 188. POLICY ON MIDDLE EAST ARMS SALES.**

5 (a) **BOYCOTT OF ISRAEL.**—Section 322 of the For-
6 eign Relations Authorization Act, Fiscal Years 1992 and
7 1993 (Public Law 102–138) is amended—

8 (1) in paragraph (2) by striking "and" at the
9 end;

10 (2) in paragraph (3)(A) by striking "and" after
11 the semicolon;

12 (3) in paragraph (3)(B) by striking the period
13 and inserting "; and"; and

14 (4) by adding at the end the following:

15 "(C) does not participate in the Arab
16 League primary or secondary boycott of Is-
17 rael."

18 (b) **REPORT TO CONGRESS.**—Not later than 180 days
19 after the date of enactment of this Act, the Secretary of
20 State shall submit a report to the Chairman of the Com-
21 mittee on Foreign Affairs of the House of Representatives
22 and the Chairman of the Committee on Foreign Relations
23 of the Senate concerning steps taken to ensure that the
24 goals of the amendment under subsection (a) are being
25 met.

1 **SEC. 189. REPORT ON TERRORIST ASSETS IN THE UNITED**
2 **STATES.**

3 Section 304(a) of the Foreign Relations Authoriza-
4 tion Act, Fiscal Years 1992 and 1993 (Public Law 102–
5 138) is amended—

6 (1) by striking “Treasury” and inserting
7 “Treasury, in consultation with the Attorney Gen-
8 eral and appropriate investigative agencies,”; and

9 (2) by inserting at the end “Each such report
10 shall provide a detailed list and description of spe-
11 cific assets.”.

12 **SEC. 190. SENSE OF CONGRESS CONCERNING UNITED**
13 **STATES CITIZENS VICTIMIZED BY GERMANY**
14 **DURING WORLD WAR II.**

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

17 (1) The national interests of the United States
18 require the presence abroad of United States citi-
19 zens.

20 (2) Conditions in many parts of the world
21 present dangers to the safety and security of Ameri-
22 cans abroad.

23 (3) The protection of United States citizens
24 abroad depends on their enjoying full protection
25 against war crimes and crimes against humanity
26 committed by foreign governments.

1 (4) The conduct of the Government of Germany
2 in using slave labor during the period 1939 to 1945
3 constituted the acts of an outlaw state and an abro-
4 gation of treaty obligations under the Convention
5 Respecting the Laws and Customs of War on Land
6 (Done at The Hague, 18 October 1907).

7 (b) SENSE OF CONGRESS.—It is the sense of the
8 Congress that United States citizens who were victims of
9 war crimes and crimes against humanity committed by the
10 Government of Germany during the period 1939 to 1945
11 should be compensated by the Government of Germany.

12 **SEC. 191. TRANSPARENCY IN ARMAMENTS.**

13 It is the sense of the Congress that—

14 (1) no sale of any defense article or defense
15 service should be made, no license should be issued
16 for the export of any defense article or defense serv-
17 ice, and no agreement to transfer in any way any de-
18 fense article or defense service should be made to
19 any nation that does not fully furnish all pertinent
20 data to the United Nations Register of Conventional
21 Arms pursuant to United Nations General Assembly
22 Resolution 46/36L by the reporting date specified by
23 such register; and

24 (2) if a nation has not submitted the required
25 information by the reporting date of a particular

1 year, but subsequently submits notification to the
2 United Nations that it intends to provide such infor-
3 mation at the next reporting date, an agreement
4 may be negotiated with the nation or a license may
5 be issued, but the actual delivery of such defense ar-
6 ticle or service should not occur until that nation
7 submits such information.

8 **SEC. 192. REVITALIZATION OF THE “PERMANENT FIVE”**
9 **PROCESS.**

10 (a) CONGRESSIONAL DECLARATIONS.—The Congress
11 makes the following findings and declarations:

12 (1) Talks among the five permanent members
13 of the United Nations Security Council (“Perm-5”)
14 first established in October 1991 present the best
15 opportunity to negotiate qualitative and quantitative
16 guidelines on conventional arms sales to the develop-
17 ing world.

18 (2) Reconvening of the “Perm-5” talks is an
19 urgent matter of international security.

20 (b) SENSE OF CONGRESS.—It is the sense of the
21 Congress that the President should seek to restart “Perm-
22 5” talks and should report to the Congress on the progress
23 of such talks and the effects of United States agreements
24 since October 1991 to sell arms to the developing world.

1 **SEC. 193. REPORT ON THE IMPACT OF CONVENTIONAL**
2 **WEAPONS PROLIFERATION.**

3 Section 36(b) of the Arms Export Control Act (22
4 U.S.C. 2776) is amended in paragraph (1) by inserting
5 after the first sentence “Each certification shall provide
6 an evaluation of the manner in which the proposed sale
7 would meet legitimate defense needs of the foreign country
8 or international organization to which the sale would be
9 made, increase regional tensions or instability, and intro-
10 duce new or more sophisticated military capabilities into
11 the region.”.

12 **SEC. 194. ESTABLISHMENT OF INDEPENDENT INSPECTORS**
13 **GENERAL AT INTERNATIONAL ORGANIZA-**
14 **TIONS.**

15 The Congress makes the following findings and dec-
16 larations:

17 (1) As a result of the March 1, 1993, report by
18 then United Nations Under Secretary General for
19 Administration and Management, the Honorable
20 Richard Thornburg, concern has been raised about
21 the United Nation’s deficiencies in dealing with
22 fraud, waste, and abuse.

23 (2) It is the sense of the Congress that the
24 President should pay urgent attention to persuading
25 the Secretary General of the United Nations to take
26 immediate steps to implement the recommendations

1 contained in the March 1, 1993, report, giving
2 prominent attention to the finding that the organiza-
3 tion urgently needs the establishment of a strong
4 and independent office of inspector general for the
5 purposes of internal program and administrative
6 audit and efficiency review. It is further the sense of
7 the Congress that the reports and findings of an in-
8 spector general should be fully available to member
9 states.

10 (3) The President should seek to persuade
11 other international organizations of which the Unit-
12 ed States is a member to establish independent in-
13 spectors general, where applicable, in addition to
14 other steps to develop effective means to eliminate
15 fraud, waste, and abuse.

16 (4) It is the sense of the Congress that all pro-
17 gram and administrative audit and efficiency reviews
18 should be fully available to the governing bodies of
19 such organizations.

20 (5) It is the sense of the Congress that the
21 President should include as a condition of new mem-
22 bership (or renewal of suspended membership) in
23 any major international organization that the inter-
24 national organization have effective program and ad-
25 ministrative audits and efficiency reviews which are

1 provided to member states as expeditiously as possible after such reports and findings are made.

3 **SEC. 195. SENSE OF CONGRESS REGARDING ADHERENCE**
4 **TO UNITED NATIONS CHARTER.**

5 It is the sense of the Congress that—

6 (1) the President should seek an assurance
7 from the Secretary General of the United Nations
8 that the United Nations will comply with Article 100
9 of the United Nations Charter;

10 (2) neither the Secretary General of the United
11 Nations nor his staff should seek or receive instructions from any government or from any other authority external to the United Nations; and

14 (3) the President should report to Congress
15 when he receives such assurance from the Secretary
16 General of the United Nations.

17 **SEC. 196. FOOD AS A HUMAN RIGHT.**

18 (a) THE RIGHT TO FOOD AND UNITED STATES FOREIGN POLICY.—

20 (1) IN GENERAL.—The United States shall, in
21 accordance with its international obligations and in
22 keeping with the longstanding humanitarian tradition of the United States, promote increased respect
23 internationally for the rights to food and to medical
24 care, including the protection of these rights with re-

1 spect to civilians and noncombatants during times of
2 armed conflict (such as through ensuring safe pas-
3 sage of relief supplies and access to impartial hu-
4 manitarian relief organizations providing relief as-
5 sistance).

6 (2) RESPONSIBILITIES OF ASSISTANT SEC-
7 RETARY OF STATE.—The responsibilities of the as-
8 sistant Secretary of State who is responsible for
9 human rights and humanitarian affairs shall include
10 promoting increased respect internationally for the
11 rights to food and to medical care in accordance
12 with paragraph (1).

13 (b) UNITED NATIONS CONVENTION ON THE RIGHT
14 TO FOOD.—It is the sense of the Congress that a major
15 effort should be made to strengthen the right to food in
16 international law to assure the access to all persons to ade-
17 quate food supplies. Toward that end, the Secretary of
18 State, through the United States Representative to the
19 United Nations, should propose to the United Nations
20 General Assembly that a Declaration and Convention con-
21 cerning the right to food be adopted and submitted to the
22 countries of the world for ratification.

1 **TITLE II—UNITED STATES INFORMA-**
2 **TIONAL, EDUCATIONAL, AND CUL-**
3 **TURAL PROGRAMS**

4 **PART A—AUTHORIZATION OF APPROPRIATIONS**

5 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

6 The following amounts are authorized to be appro-
7 priated to carry out international information activities,
8 and educational and cultural exchange programs under
9 the United States Information and Educational Exchange
10 Act of 1948, the Mutual Educational and Cultural Ex-
11 change Act of 1961, Reorganization Plan Number 2 of
12 1977, the Radio Broadcasting to Cuba Act, the Television
13 Broadcasting to Cuba Act, the Board for International
14 Broadcasting Act, the Inspector General Act of 1978, the
15 Center for Cultural and Technical Interchange Between
16 North and South Act, the National Endowment for De-
17 mocracy Act, and to carry out other authorities in law con-
18 sistent with such purposes:

19 (1) **SALARIES AND EXPENSES.**—For “Salaries
20 and Expenses”, \$489,854,000 for the fiscal year
21 1994 and \$503,362,000 for the fiscal year 1995.

22 (2) **EDUCATIONAL AND CULTURAL EXCHANGE**
23 **PROGRAMS.**—

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

1 change Programs”, \$137,043,000 for the fiscal
2 year 1994 and \$140,743,000 for the fiscal year
3 1995.

4 (B) OTHER PROGRAMS.—For “Hubert H.
5 Humphrey Fellowship Program”, “Edmund S.
6 Muskie Fellowship Program”, “International
7 Visitors Program”, “Israeli-Arab Scholarship
8 Program”, “Mike Mansfield Fellowship Pro-
9 gram”, “Claude and Mildred Pepper Scholar-
10 ship Program of the Washington Workshops
11 Foundation”, “Citizen Exchange Programs”,
12 “Congress-Bundestag Exchange Program”,
13 “Newly Independent States and Eastern Eu-
14 rope Training”, “Institute for Representative
15 Government”, “Freedom Support Act Second-
16 ary School Exchanges”, “South Pacific Ex-
17 changes”, and “Arts America”, \$108,482,000
18 for the fiscal year 1994 and \$110,731,000 for
19 the fiscal year 1995.

20 (3) BROADCASTING TO CUBA.—For “Broad-
21 casting to Cuba”, \$28,351,000 for the fiscal year
22 1994 and \$28,362,000 for the fiscal year 1995.

23 (4) INTERNATIONAL BROADCASTING ACTIVI-
24 TIES.—For “International Broadcasting Activities”

1 under part B, \$606,790,000 for the fiscal year
2 1994, and \$717,790,000 for the fiscal year 1995.

3 (5) OFFICE OF THE INSPECTOR GENERAL.—
4 For “Office of the Inspector General”, \$4,390,000
5 for the fiscal year 1994 and \$4,396,000 for the fis-
6 cal year 1995.

7 (6) CENTER FOR CULTURAL AND TECHNICAL
8 INTERCHANGE BETWEEN EAST AND WEST.—For
9 “Center for Cultural and Technical Interchange be-
10 tween East and West”, \$23,000,000 for the fiscal
11 year 1994 and \$23,621,000 for the fiscal year 1995.

12 (7) AMERICAN STUDIES COLLECTIONS.—To the
13 Bureau of Educational and Cultural Affairs of the
14 United States Information Agency—

15 (A) \$1,650,000 for the fiscal year 1994
16 and \$1,950,000 for the fiscal year 1995 to fund
17 the endowment authorized to be established
18 under section 238; and

19 (B) in addition to such amounts under
20 subparagraph (A), \$450,000 for each of the fis-
21 cal years 1994 and 1995 to carry out section
22 238.

1 **PART B—INTERNATIONAL BROADCASTING**

2 **AUTHORITIES AND ACTIVITIES**

3 **SEC. 211. SHORT TITLE.**

4 This part may be cited as the “International Broad-
5 casting Act of 1993”.

6 **SEC. 212. FINDINGS AND DECLARATIONS.**

7 The Congress makes the following findings and dec-
8 larations of policy:

9 (1) It is the policy of the United States to pro-
10 mote the freedom “to seek, receive and impart infor-
11 mation and ideas through any media and regardless
12 of frontiers”, in accordance with article 19 of the
13 Universal Declaration of Human Rights.

14 (2) Open communication among the peoples of
15 the world is in the interests of the United States.

16 (3) It is in the interests of the United States
17 to support broadcasting to other nations consistent
18 with the requirements of this Act.

19 **SEC. 213. STANDARDS.**

20 International broadcasting supported by United
21 States Government funds shall—

22 (1) be consistent with the broad foreign policy
23 objectives of the United States;

24 (2) be consistent with the international tele-
25 communications policies and treaty obligations of the
26 United States;

1 (3) complement the activities of private United
2 States broadcasters;

3 (4) complement the activities of government
4 supported broadcasting entities of other democratic
5 nations;

6 (5) be conducted in accordance with the highest
7 professional standards of broadcast journalism;

8 (6) be based on reliable information about its
9 potential audience; and

10 (7) be designed so as to effectively reach a sig-
11 nificant audience.

12 **SEC. 214. FUNCTIONS.**

13 United States international broadcasting shall in-
14 clude—

15 (1) news which is consistently reliable and au-
16 thoritative, accurate, objective, and comprehensive;

17 (2) a balanced and comprehensive projection of
18 American thought and institutions, reflecting the di-
19 versity of American culture and society;

20 (3) clear and effective presentation of the poli-
21 cies of the United States Government and respon-
22 sible discussion and opinion on those policies;

23 (4) programming to meet needs which remain
24 unserved by the totality of media voices available to
25 the people of certain nations;

1 (5) a source of information about developments
2 in each significant region of the world;

3 (6) a forum for a variety of opinions and voices
4 from within particular nations and regions prevented
5 by censorship or repression from speaking to their
6 fellow countrymen;

7 (7) reliable research capacity to meet the cri-
8 teria under this section;

9 (8) adequate transmitter and relay capacity to
10 support the activities described in this section;

11 (9) a source of information about developments
12 in Asia and a forum for a variety of opinions and
13 voices from within Asian nations whose people do
14 not enjoy freedom of expression; and

15 (10) training and technical support for inde-
16 pendent indigenous media through government agen-
17 cies or private United States entities.

18 **SEC. 215. ADMINISTRATION.**

19 (a) **AUTHORITY OF PRESIDENT.**—The President may
20 assign responsibility for any of the functions of United
21 States Government supported international broadcasting
22 to any agency of the United States Government. The
23 President may authorize any public or private entity to
24 carry out the functions described in paragraphs (4), (5),
25 (6), (7), (8), and (9) of section 214(b).

1 (b) GRANTS.—The President and any agency of the
2 United States Government is authorized to make grants
3 to RFE/RL Incorporated or any other public or private
4 entity in order to carry out the functions of paragraphs
5 (4), (5), (6), (7), (8), and (9) of section 214(b). In exercis-
6 ing oversight responsibilities pursuant to any such grant,
7 an agency shall consider the necessity of maintaining the
8 professional independence and integrity of the grantee in
9 carrying out such functions.

10 **SEC. 216. USIA SATELLITE AND TELEVISION.**

11 The President is authorized to delegate any of the
12 authorities and duties under section 505 of the United
13 States Information and Educational Exchange Act of
14 1948 (22 U.S.C. 1464a) to any agency of the United
15 States Government.

16 **SEC. 217. ISRAEL RELAY STATION.**

17 Section 301(c) of the Foreign Relations Authoriza-
18 tion Act, Fiscal Years 1990 and 1991, is repealed.

19 **SEC. 218. REQUIREMENT FOR AUTHORIZATION OF APPRO-**
20 **PRIATIONS.**

21 (a) LIMITATION ON OBLIGATION AND EXPENDITURE
22 OF FUNDS.—Notwithstanding any other provision of law,
23 for the fiscal year 1994 and for each subsequent fiscal
24 year, any funds appropriated for the purposes of this part
25 shall not be available for obligation or expenditure—

1 (1) unless such funds are appropriated pursu-
2 ant to an authorization of appropriations; or

3 (2) in excess of the authorized level of appro-
4 priations.

5 (b) SUBSEQUENT AUTHORIZATION.—The limitation
6 under subsection (a) shall not apply to the extent that an
7 authorization of appropriations is enacted after such funds
8 are appropriated.

9 (c) APPLICATION.—The provisions of this section—
10 (1) may not be superseded, except by a provi-
11 sion of law which specifically repeals, modifies, or
12 supersedes the provisions of this section; and

13 (2) shall not apply to, or affect in any manner,
14 permanent appropriations, trust funds, and other
15 similar accounts which are authorized by law and
16 administered under or pursuant to this part.

17 **SEC. 219. REPORT ON ADVERTISING.**

18 Not later than one year after the date of enactment
19 of this Act, each agency of the United States Government
20 which carries out international broadcasting supported by
21 United States Government funding shall prepare and sub-
22 mit a report to the Congress concerning efforts to sell ad-
23 vertising. Each such report shall include information with
24 respect to the amount of advertising which has been sold,

1 the revenue generated by the sale of advertising, and an
2 evaluation of the potential for sales of advertising.

3 **PART C—USIA AND RELATED AGENCIES**

4 **AUTHORITIES AND ACTIVITIES**

5 **SEC. 231. CHANGES IN ADMINISTRATIVE AUTHORITIES.**

6 Section 801 of the United States Informational and
7 Educational Exchange Act of 1948 (22 U.S.C. 1471) is
8 amended—

9 (1) in paragraph (5) by striking “and” after
10 the semicolon;

11 (2) in paragraph (6) by striking the period at
12 the end and inserting “; and”; and

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

14 “(7) notwithstanding any other provision of
15 law, to carry out projects involving security con-
16 struction and related improvements for Agency fa-
17 cilities not physically located together with Depart-
18 ment of State facilities abroad.”.

19 **SEC. 232. EMPLOYMENT AUTHORITY.**

20 Section 804(6) of the United States Information and
21 Educational Exchange Act of 1948 (22 U.S.C. 1474(6))
22 is amended to read as follows:

23 “(6) employ individuals or organizations by con-
24 tract for services to be performed in the United
25 States or abroad, who shall not, by virtue of such

1 employment, be considered to be employees of the
2 United States Government for the purposes of any
3 law administered by the Office of Personnel Manage-
4 ment, except that the Director may determine the
5 applicability to such individuals of paragraph (5) of
6 this section;”.

7 **SEC. 233. BUYING POWER MAINTENANCE ACCOUNT.**

8 Section 704 of the United States Information and
9 Educational Exchange Act of 1948 (22 U.S.C. 1477(b))
10 is amended—

11 (1) by inserting “(1)” after “(c)”;

12 (2) by striking “(1) the” and inserting “(A)”;

13 (3) by striking “(2)” and inserting “(B)”;

14 (4) by adding at the end the following new
15 paragraphs:

16 “(2) In carrying out this subsection, there may be
17 established a Buying Power Maintenance account.

18 “(3) In order to eliminate substantial gains to the
19 approved levels of overseas operations for the United
20 States Information Agency, the Director shall transfer to
21 the Buying Power Maintenance account such amounts in
22 the Salaries and Expenses appropriations as the Director
23 determines are excessive to the needs of the approved level
24 of operations under that appropriation account because of

1 fluctuations in foreign currency exchange rates or changes
2 in overseas wages and prices.

3 “(4) In order to offset adverse fluctuations in foreign
4 currency exchange rates or foreign wages and prices, the
5 Director may transfer from the Buying Power Maintenance
6 account to the Salaries and Expenses appropriation
7 such amounts as the Director determines are necessary
8 to maintain the approved level of operations under that
9 appropriation account.

10 “(5) Funds transferred by the Director from the
11 Buying Power Maintenance account to another account
12 shall be merged with and be available for the same purpose,
13 and for the same time period, as the funds in that
14 other account. Funds transferred by the Director from another
15 account to the Buying Power Maintenance account
16 shall be merged with the funds in the Buying Power Maintenance
17 account and shall be available for the purposes
18 of that account until expended.

19 “(6) Any restriction contained in an appropriation
20 Act or other provision of law limiting the amounts available
21 for the United States Information Agency that may
22 be obligated or expended shall be deemed to be adjusted
23 to the extent necessary to offset the net effect of fluctuations
24 in foreign currency exchange rates or overseas wage
25 and price changes in order to maintain approved levels.

1 “(7)(A) Subject to the limitations contained in this
2 paragraph, not later than the end of the 5th fiscal year
3 after the fiscal year for which funds are appropriated or
4 otherwise made available for the Salaries and Expenses
5 account, the Director may transfer any unobligated bal-
6 ance of such funds to the Buying Power Maintenance ac-
7 count.

8 “(B) The balance of the Buying Power Maintenance
9 account may not exceed \$50,000,000 as a result of any
10 transfer under this paragraph.

11 “(C) Any transfer pursuant to this paragraph shall
12 be treated as a reprogramming of funds under section 705
13 and shall be available for obligation or expenditure only
14 in accordance with the procedures under such section.

15 “(D) The authorities contained in this section may
16 only be exercised to such an extent and in such amounts
17 as specifically provided in advance in appropriation Acts.”.

18 **SEC. 234. CONTRACT AUTHORITY.**

19 Section 802(b) of the United States Information and
20 Educational Exchange Act of 1948 (22 U.S.C. 1472(b))
21 is amended by adding at the end the following:

22 “(4)(A) Notwithstanding the other provisions of this
23 subsection, the United States Information Agency is au-
24 thorized to enter into contracts for periods not to exceed

1 7 years for circuit capacity to distribute radio and tele-
2 vision programs.

3 “(B) The authority of this paragraph may be exer-
4 cised for a fiscal year only to such extent or in such
5 amounts as are provided in advance in appropriations
6 Acts.”.

7 **SEC. 235. APPROPRIATIONS AUTHORITIES.**

8 Subsection (f) of section 701 of the United States In-
9 formation and Educational Exchange Act of 1948 (22
10 U.S.C. 1476(f)) is amended—

11 (1) in paragraph (1)—

12 (A) by striking “the second” and inserting
13 “either”; and

14 (B) by striking “such second” and insert-
15 ing “such”; and

16 (2) by striking paragraph (4).

17 **SEC. 236. TECHNICAL AMENDMENT.**

18 Section 105 of Public Law 87–256 is amended by
19 striking out subsection (a).

20 **SEC. 237. SEPARATE LEDGER ACCOUNTS FOR NED GRANT-**
21 **EES.**

22 Section 504(h)(1) of the National Endowment for
23 Democracy Act (22 U.S.C. 4413(h)(1)) is amended by
24 striking “accounts” and inserting “bank accounts or sepa-
25 rate self-balancing ledger accounts”.

1 **SEC. 238. AMERICAN STUDIES COLLECTIONS.**

2 (a) **AUTHORITY.**—In order to promote a thorough
3 understanding of the United States among emerging elites
4 abroad, the Director of the United States Information
5 Agency is authorized to establish and support collections
6 at appropriate university libraries abroad to further the
7 study of the United States, and to enter into agreements
8 with such universities for such purposes.

9 (b) **DESIGN AND DEVELOPMENT.**—Such collec-
10 tions—

11 (1) shall be developed in consultation with Unit-
12 ed States associations and organizations of scholars
13 in the principal academic disciplines in which Amer-
14 ican studies are conducted; and

15 (2) shall be designed primarily to meet the
16 needs of undergraduate and graduate students of
17 American studies.

18 (c) **SITE SELECTION.**—In selecting universities
19 abroad as sites for such collections, the Director shall—

20 (1) ensure that such universities are able, with-
21 in a reasonable period of the establishment of such
22 collections, to assume responsibility for their mainte-
23 nance in current form;

24 (2) ensure that undergraduate and graduate
25 students shall enjoy reasonable access to such collec-
26 tions; and

1 (3) include in any agreement entered into be-
2 tween the United States Information Agency and a
3 university abroad, terms embodying a contractual
4 commitment of such maintenance and access under
5 this subsection.

6 (d) FUNDING.—

7 (1) The Director of the United States Informa-
8 tion Agency is authorized to establish an endowment
9 fund (hereafter in this section referred to as the
10 “fund”) to carry out the purposes of this section
11 and to enter into such agreements as may be nec-
12 essary to carry out the purposes of this section.

13 (2)(A) The Director shall make deposits to the
14 fund of amounts appropriated to the fund under sec-
15 tion 201.

16 (B) The Director is authorized to accept, use,
17 and dispose of gifts of donations of services or prop-
18 erty to carry out this section. Sums of money do-
19 nated to carry out the purposes of this section shall
20 be deposited into the fund.

21 (3) The corpus of the fund shall be invested in
22 Federally-insured bank savings accounts or com-
23 parable interest-bearing accounts, certificates of de-
24 posit, money market funds, obligations of the United
25 States, or other low-risk instruments and securities.

1 (4) The Director may withdraw or expend
2 amounts from the fund for any expenses necessary
3 to carry out the purposes of this section.

4 **SEC. 239. SOUTH PACIFIC EXCHANGE PROGRAMS.**

5 (a) AUTHORIZED PROGRAMS.—The Director of the
6 United States Information Agency is authorized to award
7 academic scholarships to qualified students from the sov-
8 ereign nations of the South Pacific region to pursue un-
9 dergraduate and postgraduate study at institutions of
10 higher education in the United States; to make grants to
11 accomplished United States scholars and experts to pursue
12 research, to teach, or to offer training in such nations;
13 and to make grants for youth exchanges.

14 (b) LIMITATION.—Grants awarded to United States
15 scholars and experts may not exceed 10 percent of the
16 total funds awarded for any fiscal year for programs under
17 this section.

18 **SEC. 240. COORDINATION OF UNITED STATES EXCHANGE**
19 **PROGRAMS.**

20 Section 112 of the Mutual Educational and Cultural
21 Exchange Act of 1961 (22 U.S.C. 2460) is amended by
22 adding at the end the following:

23 “(f) The President shall ensure that all exchange pro-
24 grams conducted by the United States Government, its de-
25 partments and agencies, directly or through agreements

1 with other parties, are coordinated through the Bureau
2 to ensure that such exchanges are consistent with United
3 States foreign policy and to avoid duplication of effort.
4 The President shall report annually to the Congress on
5 such coordination. Such report shall include information
6 concerning what exchanges are supported by the United
7 States, the number of exchange participants supported,
8 the types of exchange activities, and the total amount of
9 Federal expenditures for such exchanges.”.

10 **SEC. 241. LIMITATION CONCERNING PARTICIPATION IN**
11 **INTERNATIONAL EXPOSITIONS.**

12 Notwithstanding any other provision of law, the Unit-
13 ed States Information Agency is not authorized to repro-
14 gram funds in order to obligate or expend any funds for
15 a United States Government funded pavilion or other
16 major exhibit at any international exposition or world’s
17 fair registered by the Bureau of International Expositions
18 in excess of amounts expressly authorized and appro-
19 priated for such purpose.

20 **SEC. 242. PRIVATE SECTOR OPPORTUNITIES.**

21 Section 104(e)(4) of the Mutual Educational and
22 Cultural Exchange Act of 1961 (22 U.S.C. 2454) is
23 amended by inserting before the period “, and of similar
24 services and opportunities for interchange not supported
25 by the United States Government”.

1 **SEC. 243. EDUCATIONAL AND CULTURAL EXCHANGES WITH**
2 **TIBET.**

3 The Director of the United States Information Agen-
4 cy shall establish programs of educational and cultural ex-
5 change between the United States and the people of Tibet.
6 Such programs shall include opportunities for training
7 and, as the Director considers appropriate, may include
8 the assignment of personnel and resources abroad.

9 **SEC. 244. CHANGES IN ADMINISTRATIVE AUTHORITIES.**

10 Section 208 of the Foreign Relations Authorization
11 Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461–1a)
12 is amended by adding at the end the following: “The provi-
13 sions of this section shall not prohibit the United States
14 Information Agency from responding to inquiries from
15 members of the public about its operations, policies, or
16 programs.”.

17 **PART D—MIKE MANSFIELD FELLOWSHIPS**

18 **SEC. 251. SHORT TITLE.**

19 This part may be cited as the “Mike Mansfield Fel-
20 lowship Act”.

21 **SEC. 252. ESTABLISHMENT OF FELLOWSHIP PROGRAM.**

22 (a) ESTABLISHMENT.—(1) There is hereby estab-
23 lished the “Mike Mansfield Fellowship Program” pursu-
24 ant to which the Director of the United States Informa-
25 tion Agency will make grants, subject to the availability
26 of appropriations, to the Mansfield Center for Pacific Af-

1 fairs to award fellowships to eligible United States citizens
2 for periods of 2 years each (or, pursuant to section
3 253(5)(C), for such shorter period of time as the Center
4 may determine based on a Fellow's level of proficiency in
5 the Japanese language or knowledge of the political econ-
6 omy of Japan) as follows:

7 (A) During the first year each fellowship recipi-
8 ent will study the Japanese language as well as Ja-
9 pan's political economy.

10 (B) During the second year each fellowship re-
11 cipient will serve as a Fellow in a parliamentary of-
12 fice, ministry, or other agency of the Government of
13 Japan or, subject to the approval of the Center, a
14 nongovernmental Japanese institution associated
15 with the interests of the fellowship recipient, consist-
16 ent with the purposes of this part.

17 (2) Fellowships under this part may be known as
18 "Mansfield Fellowships", and individuals awarded such
19 fellowships may be known as "Mansfield Fellows".

20 (b) ELIGIBILITY OF CENTER FOR GRANTS.—Grants
21 may be made to the Center under this section only if the
22 Center agrees to comply with the requirements of section
23 253.

24 (c) INTERNATIONAL AGREEMENT.—The Director of
25 the United States Information Agency should enter into

1 negotiations for an agreement with the Government of
2 Japan for the purpose of placing Mansfield Fellows in the
3 Government of Japan.

4 (d) PRIVATE SOURCES.—The Center is authorized to
5 accept, use, and dispose of gifts or donations of services
6 or property in carrying out the fellowship program, subject
7 to the review and approval of the Board described in sec-
8 tion 255.

9 **SEC. 253. PROGRAM REQUIREMENTS.**

10 The program established under this part shall comply
11 with the following requirements:

12 (1) United States citizens who are eligible for
13 fellowships under this part shall be employees of the
14 Federal Government having at least two years expe-
15 rience in any branch of the Government, a strong
16 career interest in United States-Japan relations, and
17 a demonstrated commitment to further service in the
18 Federal Government.

19 (2) Not less than 10 fellowships shall be award-
20 ed each year.

21 (3) Mansfield Fellows shall agree—

22 (A) to maintain satisfactory progress in
23 language training and appropriate behavior in
24 Japan, as determined by the Center, as a condi-
25 tion of continued receipt of Federal funds; and

1 (B) to return to the Federal Government
2 for further employment for a period of at least
3 2 years following the end of their fellowships,
4 unless, in the determination of the Center, the
5 Fellow is unable (for reasons beyond the Fel-
6 low's control and after receiving assistance from
7 the Center as provided in paragraph (8)) to
8 find reemployment for such period.

9 (4) During the period of the fellowship, the
10 Center shall provide each Mansfield Fellow—

11 (A) a stipend at a rate of pay equal to the
12 rate of pay that individual was receiving when
13 he or she entered the program, plus a cost-of-
14 living adjustment calculated at the same rate of
15 pay, and for the same period of time, for which
16 such adjustments were made to the salaries of
17 individuals occupying competitive positions in
18 the civil service during the same period as the
19 fellowship; and

20 (B) certain allowances and benefits as that
21 individual would have been entitled to, but for
22 his or her separation from Government service,
23 as a United States Government civilian em-
24 ployee overseas under the Standardized Regula-
25 tions (Government Civilians, Foreign Areas) of

1 the Department of State, as follows: a living
2 quarters allowance to cover the cost of housing
3 in Japan, a post allowance to cover the signifi-
4 cantly higher costs of living in Japan, a tem-
5 porary quarters subsistence allowance for up to
6 7 days for Fellows unable to find housing im-
7 mediately upon arrival in Japan, an education
8 allowance to assist parents in providing their
9 children with educational services ordinarily
10 provided without charge by United States pub-
11 lic schools, moving expenses of up to \$3,000 for
12 personal belongings of Fellows and their fami-
13 lies in their move to Japan and up to \$500 for
14 Fellows residing outside the Washington, D.C.
15 area in moving to the Washington, D.C. area,
16 and one-round-trip economy-class airline ticket
17 to Japan for each Fellow and the Fellow's im-
18 mediate family.

19 (5)(A) For the first year of each fellowship, the
20 Center shall provide Fellows with intensive Japanese
21 language training in the Washington, D.C., area, as
22 well as courses in the political economy of Japan.

23 (B) Such training shall be of the same quality
24 as training provided to Foreign Service officers be-
25 fore they are assigned to Japan.

1 (C) The Center may waive any or all of the
2 training required by subparagraph (A) to the extent
3 that a Fellow has Japanese language skills or knowl-
4 edge of Japan's political economy, and the 2 year
5 fellowship period shall be shortened to the extent
6 such training is less than one year.

7 (6) Any Mansfield Fellow not complying with
8 the requirements of this section shall reimburse the
9 United States Information Agency for the Federal
10 funds expended for the Fellow's participation in the
11 fellowship, together with interest on such funds (cal-
12 culated at the prevailing rate), as follows:

13 (A) Full reimbursement for noncompliance
14 with paragraph (3)(A) or (9); and

15 (B) pro rata reimbursement for noncompli-
16 ance with paragraph (3)(B) for any period the
17 Fellow is reemployed by the Federal Govern-
18 ment that is less than the period specified in
19 paragraph (3)(B), at a rate equal to the
20 amount the Fellow received during the final
21 year of the fellowship for the same period of
22 time, including any allowances and benefits pro-
23 vided under paragraph (4).

24 (7) The Center shall select Mansfield Fellows
25 based solely on merit. The Center shall make posi-

1 tive efforts to recruit candidates reflecting the cul-
2 tural, racial, and ethnic diversity of the United
3 States.

4 (8) The Center shall assist any Mansfield Fel-
5 low in finding employment in the Federal Govern-
6 ment if such Fellow was not able, at the end of the
7 fellowship, to be reemployed in the agency from
8 which he or she separated to become a Fellow.

9 (9) No Mansfield Fellow may engage in any in-
10 telligence or intelligence-related activity on behalf of
11 the United States Government.

12 (10) The accounts of the Center shall be au-
13 dited annually in accordance with generally accepted
14 auditing standards by independent certified public
15 accountants or independent licensed public account-
16 ants, certified or licensed by a regulatory authority
17 of a State or other political subdivision of the United
18 States. The audit shall be conducted at the place or
19 places where the accounts of the Center are normally
20 kept. All books, accounts, financial records, files,
21 and other papers, things, and property belonging to
22 or in use by the Center and necessary to facilitate
23 the audit shall be made available to the person or
24 persons conducting the audit, and full facilities for
25 verifying transactions with the balances or securities

1 held by depositories, fiscal agents, and custodians
2 shall be afforded to such person or persons.

3 (11) The Center shall provide a report of the
4 audit to the Board no later than six months follow-
5 ing the close of the fiscal year for which the audit
6 is made. The report shall set forth the scope of the
7 audit and include such statements, together with the
8 independent auditor's opinion of those statements,
9 as are necessary to present fairly the Center's assets
10 and liabilities, surplus or deficit, with reasonable de-
11 tail, including a statement of the Center's income
12 and expenses during the year, including a schedule
13 of all contracts and grants requiring payments in ex-
14 cess of \$5,000 and any payments of compensation,
15 salaries, or fees at a rate in excess of \$5,000 per
16 year. The report shall be produced in sufficient cop-
17 ies for the public.

18 **SEC. 254. SEPARATION OF GOVERNMENT PERSONNEL DUR-**
19 **ING THE FELLOWSHIPS.**

20 (a) SEPARATION.—Under such terms and conditions
21 as the agency head may direct, any agency of the United
22 States Government may separate from Government serv-
23 ice for a specified period any officer or employee of that
24 agency who accepts a fellowship under the program estab-
25 lished by this part.

1 (b) REEMPLOYMENT.—Any Mansfield Fellow, at the
2 end of the fellowship, is entitled to be reemployed in the
3 same manner as if covered by section 3582 of title 5, Unit-
4 ed States Code.

5 (c) RIGHTS AND BENEFITS.—Notwithstanding sec-
6 tion 8347(o), 8713, or 8914 of title 5, United States Code,
7 and in accordance with regulations of the Office of Person-
8 nel Management, an employee, while serving as a Mans-
9 field Fellow, is entitled to the same rights and benefits
10 as if covered by section 3582 of title 5, United States
11 Code. The Center shall reimburse the employing agency
12 for any costs incurred under section 3582 of title 5, Unit-
13 ed States Code.

14 (d) COMPLIANCE WITH BUDGET ACT.—Funds are
15 available under this section to the extent and in the
16 amounts provided in appropriation Acts.

17 **SEC. 255. MANSFIELD FELLOWSHIP REVIEW BOARD.**

18 (a) ESTABLISHMENT.—There is hereby established
19 the Mansfield Fellowship Review Board.

20 (b) COMPOSITION.—The Board shall be composed of
21 11 individuals, as follows:

22 (1) The Secretary of State, or the Secretary's
23 designee.

24 (2) The Secretary of Defense, or the Sec-
25 retary's designee.

1 (3) The Secretary of the Treasury, or the Sec-
2 retary's designee.

3 (4) The Secretary of Commerce, or the Sec-
4 retary's designee.

5 (5) The United States Trade Representative, or
6 the Trade Representative's designee.

7 (6) The Chief Justice of the United States, or
8 the Chief Justice's designee.

9 (7) The Majority Leader of the Senate, or the
10 Majority Leader's designee.

11 (8) The Minority Leader of the Senate, or the
12 Minority Leader's designee.

13 (9) The Speaker of the House of Representa-
14 tives, or the Speaker's designee.

15 (10) The Minority Leader of the House of Rep-
16 resentatives, or the Minority Leader's designee.

17 (11) The Director of the United States Infor-
18 mation Agency, who shall serve as the chairperson of
19 the Board, or the Director's designee.

20 (c) FUNCTIONS.—(1) The Board shall review the ad-
21 ministration of the program assisted under this part.

22 (2)(A) Each year at the time of the submission of
23 the President's budget request to the Congress, the Board
24 shall submit to the President and the Congress a report

1 completed by the Center with the approval of the Board
2 on the conduct of the program during the preceding year.

3 (B) Each such report shall contain—

4 (i) an analysis of the assistance provided under
5 the program for the previous fiscal year and the na-
6 ture of the assistance provided;

7 (ii) an analysis of the performance of the indi-
8 viduals who received assistance under the program
9 during the previous fiscal year, including the degree
10 to which assistance was terminated under the pro-
11 gram and the extent to which individual recipients
12 failed to meet their obligations under the program;
13 and

14 (iii) an analysis of the results of the program
15 for the previous fiscal year, including, at a mini-
16 mum, the cumulative percentage of individuals who
17 received assistance under the program who subse-
18 quently became employees of the United States Gov-
19 ernment and, in the case of individuals who did not
20 subsequently become employees of the United States
21 Government, an analysis of the reasons why they did
22 not become employees and an explanation as to what
23 use, if any, was made of the assistance given to
24 those recipients.

1 (d) COMPENSATION.—Members of the Board shall
2 not be paid compensation for services performed on the
3 Board.

4 (e) AVAILABILITY OF SUPPORT STAFF.—The Direc-
5 tor of the United States Information Agency is authorized
6 to provide for necessary secretarial and staff assistance
7 for the Board.

8 (f) RELATIONSHIP TO FEDERAL ADVISORY COMMIT-
9 TEE ACT.—The Federal Advisory Committee Act shall not
10 apply to the Board to the extent that the provisions of
11 this section are inconsistent with such Act.

12 **SEC. 256. DEFINITIONS.**

13 For purposes of this part—

14 (1) the term “agency of the United States Gov-
15 ernment” includes any agency of the legislative
16 branch and any court of the judicial branch as well
17 as any agency of the executive branch;

18 (2) the term “agency head” means—

19 (A) in the case of the executive branch of
20 Government or an agency of the legislative
21 branch other than the House of Representatives
22 or the Senate, the head of the respective agen-
23 cy;

1 (B) in the case of the judicial branch of
2 Government, the chief judge of the respective
3 court;

4 (C) in the case of the Senate, the Presi-
5 dent pro tempore, in consultation with the Ma-
6 jority Leader and Minority Leader of the Sen-
7 ate; and

8 (D) in the case of the House of Represent-
9 atives, the Speaker of the House, in consulta-
10 tion with the Majority Leader and Minority
11 Leader of the House;

12 (3) the term “Board” means the Mike Mans-
13 field Fellowship Review Board; and

14 (4) the term “Center” means the Mansfield
15 Center for Pacific Affairs.

16 **TITLE III—ARMS CONTROL AND**
17 **DISARMAMENT AGENCY**

18 **SEC. 301. PURPOSES.**

19 The purposes of this title are—

20 (1) to promote the reinvigoration of the Arms
21 Control and Disarmament Agency;

22 (2) to provide renewed impetus in improving
23 the United States Government’s ability to manage
24 the complex process of negotiating and implementing
25 arms control treaties;

1 (3) to establish a higher priority for United
2 States nonproliferation policy and activity as part of
3 United States arms control and to stress cooperative
4 leadership and coordination both at the United
5 States Arms Control and Disarmament Agency and
6 the Department of State with all other agencies; and

7 (4) to improve Congressional oversight of the
8 operating budget of the United States Arms Control
9 and Disarmament Agency.

10 **SEC. 302. SPECIAL REPRESENTATIVES.**

11 (a) IN GENERAL.—Section 27 of the Arms Control
12 and Disarmament Act (22 U.S.C. 2567) is amended to
13 read as follows:

14 **“SEC. 27. SPECIAL REPRESENTATIVES.**

15 “(a) APPOINTMENT.—The President may appoint, by
16 and with the advice and consent of the Senate, Special
17 Representatives of the President for Arms Control and
18 Disarmament in the United States Arms Control and Dis-
19 armament Agency. Each Presidential Special Representa-
20 tive shall hold the rank of ambassador.

21 “(b) DUTIES.—Presidential Special Representatives
22 shall perform their duties and exercise their powers under
23 direction of the President and the Secretary of State act-
24 ing through the Director.

1 “(c) ADMINISTRATIVE SUPPORT.—The Agency shall
2 be the Government agency responsible for providing ad-
3 ministrative support, including funding, staff, and office
4 space, to all Presidential Special Representatives ap-
5 pointed under this section.”.

6 (b) CONFORMING AMENDMENT.—Section 5315 of
7 title 5, United States Code, is amended by striking “Spe-
8 cial Representatives for Arms Control and Disarmament
9 Negotiations, United States Arms Control and Disar-
10 mament Agency (2).” and inserting “Special Representa-
11 tives of the President for Arms Control and Disar-
12 mament.”.

13 **SEC. 303. NEGOTIATION MANAGEMENT.**

14 Section 34 of the Arms Control and Disarmament
15 Act (22 U.S.C. 2574) is amended to read as follows:

16 **“SEC. 34. NEGOTIATIONS AND RELATED FUNCTIONS**

17 “The Director, acting under the direction of the Sec-
18 retary of State, shall have primary responsibility for the
19 preparation and management of United States participa-
20 tion in all international negotiations and implementation
21 forums in the fields of arms control and disarmament. To
22 this end—

23 “(1) the Director, acting under the direction of
24 the Secretary of State, shall have primary respon-

1 sibility for the preparation, formulation, and support
2 for all such negotiations and forums; and

3 “(2) United States Government representatives
4 conducting negotiations or acting pursuant to agree-
5 ments in the fields of arms control and disarmament
6 shall perform their duties and exercise their powers,
7 under the direction of the President and Secretary
8 of State, acting through the Director, as appro-
9 priate.”.

10 **SEC. 304. PARTICIPATION OF ACDA DIRECTOR IN CERTAIN**
11 **DELIBERATIONS.**

12 The Arms Export Control Act is amended as follows:

13 (1) Section 38(a)(2) of the Arms Export Con-
14 trol Act (22 U.S.C. 2778(a)(2)) is amended to read
15 as follows:

16 “(2) Decisions on issuing export licenses under this
17 section shall be made in coordination with the Director
18 of the United States Arms Control and Disarmament
19 Agency, taking into account the Director’s assessment as
20 to whether the export of an article will contribute to an
21 arms race, aid in the development of weapons of mass de-
22 struction, support international terrorism, increase the
23 possibility of outbreak or escalation of conflict, or preju-
24 dice the development of bilateral or multilateral arms con-

1 trol or nonproliferation agreements or other bilateral ar-
2 rangements.”.

3 (2) Section 42(a) of such Act (22 U.S.C.
4 2791(a)) is amended by striking out all that follows
5 “(3)” in the last sentence and inserting the follow-
6 ing: “the assessment of the Director of the United
7 States Arms Control and Disarmament Agency as to
8 the extent to which such sale might contribute to an
9 arms race, aid in the development of weapons of
10 mass destruction, support international terrorism,
11 increase the possibility of outbreak or escalation of
12 conflict, or prejudice the development of bilateral or
13 multilateral arms control or nonproliferation agree-
14 ments or other arrangements.”.

15 (3) Section 71 of such Act (22 U.S.C. 2797) is
16 amended—

17 (A) in subsection (a) by inserting “, the
18 Director of the United States Arms Control and
19 Disarmament Agency,” after “Secretary of De-
20 fense”;

21 (B) in subsection (b)(1) inserting “and the
22 Director of the United States Arms Control and
23 Disarmament Agency” after “Secretary of De-
24 fense”; and

25 (C) in subsection (b)(2)—

1 (i) by striking “and the Secretary of
2 Commerce” and inserting “, the Secretary
3 of Commerce, and the Director of the
4 United States Arms Control and Disar-
5 mament Agency”; and

6 (ii) by striking the comma after “ap-
7 plicant” and all that follows through “doc-
8 uments”.

9 **SEC. 305. NOTIFICATION TO CONGRESS OF PROPOSED**
10 **REPROGRAMMINGS BY ACDA.**

11 Title IV of the Arms Control and Disarmament Act
12 is amended by adding at the end the following:

13 **“SEC. 54. REPROGRAMMING OF FUNDS.**

14 **“(a) CONGRESSIONAL NOTIFICATION OF CERTAIN**
15 **REPROGRAMMINGS.—**Unless the Committee on Foreign
16 Affairs of the House of Representatives and the Commit-
17 tee on Foreign Relations of the Senate are notified at least
18 15 days in advance of the proposed reprogramming, funds
19 appropriated to carry out this Act (other than funds to
20 carry out title V) shall not be available for obligation or
21 expenditure through any reprogramming of funds that—

22 “(1) would create or eliminate a program,
23 project, or activity;

24 “(2) would increase funds or personnel by any
25 means for any program, project, or activity for

1 which funds have been denied or restricted by the
2 Congress;

3 “(3) would relocate an office or employees;

4 “(4) would reorganize offices, programs,
5 projects, or activities;

6 “(5) would involve contracting out functions
7 which had been performed by Federal employees; or

8 “(6) would involve a reprogramming in excess
9 of \$1,000,000 or 10 percent (whichever is less) and
10 would—

11 “(A) augment existing programs, projects,
12 or activities,

13 “(B) reduce by 10 percent or more the
14 funding for any existing program, project, activ-
15 ity, or personnel approved by the Congress, or

16 “(C) result from any general savings from
17 a reduction in personnel that would result in a
18 change in existing programs, activities, or
19 projects approved by the Congress.

20 “(b) LIMITATION ON END-OF-YEAR
21 REPROGRAMMINGS.—Funds appropriated to carry out
22 this Act (other than funds to carry out title V) shall not
23 be available for obligation or expenditure through any
24 reprogramming described in paragraph (1) during the last
25 15 days in which such funds are available for obligation

1 or expenditure (as the case may be) unless the notification
2 required by that paragraph was submitted before that 15-
3 day period.”.

4 **SEC. 306. REQUIREMENT OF AUTHORIZATION OF APPRO-**
5 **PRIATIONS.**

6 ARMS CONTROL AND DISARMAMENT AGENCY.—Title
7 IV of the Arms Control and Disarmament Act is amended
8 by adding at the end the following:

9 **“SEC. 55. REQUIREMENT FOR AUTHORIZATION OF APPRO-**
10 **PRIATIONS.**

11 “(a) LIMITATION ON OBLIGATION AND EXPENDI-
12 TURE OF FUNDS.—Notwithstanding any other provision
13 of law, for the fiscal year 1994 and for each subsequent
14 fiscal year, any funds appropriated for the Arms Control
15 and Disarmament Agency shall not be available for obliga-
16 tion or expenditure—

17 “(1) unless such funds are appropriated pursu-
18 ant to an authorization of appropriations; or

19 “(2) in excess of the authorized level of appro-
20 priations.

21 “(b) SUBSEQUENT AUTHORIZATION.—The limitation
22 under subsection (a) shall not apply to the extent that an
23 authorization of appropriations is enacted after such funds
24 are appropriated.

25 “(c) APPLICATION.—The provisions of this section—

1 “(1) may not be superseded, except by a provi-
2 sion of law which specifically repeals, modifies, or
3 supersedes the provisions of this section; and

4 “(2) shall not apply to, or affect in any manner,
5 permanent appropriations, trust funds, and other
6 similar accounts which are authorized by law and
7 administered by the Arms Control and Disarmament
8 Agency.”.

9 **SEC. 307. APPOINTMENT OF PERSONNEL.**

10 Section 41(b) of the Arms Control and Disarmament
11 Act (22 U.S.C. 2581(b)) is amended by striking “except
12 that during the 2-year” and inserting “except that the Di-
13 rector may, to the extent he or she deems necessary to
14 the discharge of his or her responsibilities, appoint in the
15 Excepted Service and fix the compensation of employees
16 possessing specialized technical expertise notwithstanding
17 the provisions of title 5, United States Code, governing
18 appointment or compensation of employees of the United
19 States, provided that, an employee who is appointed under
20 this provision may not be paid a salary in excess of the
21 rate payable for positions of equivalent difficulty or re-
22 sponsibility, and in no event, may be paid at a rate exceed-
23 ing the maximum rate in effect for level 15 of the General
24 Schedule, and provided further, that the number of em-
25 ployees appointed under this provision shall not exceed ten

1 percent of the Agency's Full Time Equivalent (FTE) ceil-
 2 ing.".

Passed the House of Representatives June 22, 1993.

Attest: DONNALD K. ANDERSON,
Clerk.

HR 2333 RFS—2

HR 2333 RFS—3

HR 2333 RFS—4

HR 2333 RFS—5

HR 2333 RFS—6

HR 2333 RFS—7

HR 2333 RFS—8

HR 2333 RFS—9

HR 2333 RFS—10