

Union Calendar No. 69

103D CONGRESS
1ST SESSION

H. R. 2333

[Report No. 103-1261]

A BILL

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

JUNE 11, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

JUNE 8, 1993

Mr. HAMILTON (for himself, Mr. BERMAN, and Mr. GILMAN) introduced the following bill; which was referred to the Committee on Foreign Affairs

JUNE 11, 1993

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on June 8, 1993]

A BILL

To authorize appropriations for the Department of State, the United States Information Agency, and related agencies, to authorize appropriations for foreign assistance programs, 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,*

1 **SECTION 1. SHORT TITLES.**

2 (a) *IN GENERAL.*—This Act may be cited as the
3 “*International Relations Act of 1993*”.

4 (b) *DIVISION A.*—Division A of this Act may be cited
5 as the “*State Department, USIA, and Related Agencies Au-*
6 *thorization Act, Fiscal Years 1994 and 1995*”.

7 (c) *DIVISION B.*—Division B of this Act may be cited
8 as the “*Foreign Assistance Authorization Act of 1993*”.

9 **SEC. 2. TABLE OF CONTENTS.**

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

Sec. 1. Short title.

Sec. 2. Table of contents.

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Sec. 103. International organizations, programs, and conferences.

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Sec. 113. Expenses relating to certain international claims and proceedings.

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Sec. 121. Requirement for authorization of appropriations for AID.

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- Sec. 125. Consular and diplomatic posts abroad.*
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Sec. 190. Sense of Congress concerning United States citizens victimized by Germany during World War II.
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Sec. 1403. Eligibility of East European countries to receive nonlethal excess defense articles.
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Sec. 1405. Eligibility of major non-NATO allies to receive certain contract services in connection with sales of defense articles and services.
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1 ***DIVISION A—STATE DEPARTMENT,***
 2 ***USIA, AND RELATED***
 3 ***AGENCIES***

4 ***TITLE I—DEPARTMENT OF STATE AND***
 5 ***RELATED AGENCIES***

6 ***PART A—AUTHORIZATION OF APPROPRIATIONS***

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

8 (a) *IN GENERAL.*—*The following amounts are authorized to be appropriated for the Department of State under*
 9 *“Administration of Foreign Affairs” to carry out the au-*
 10 *thorities, functions, duties, and responsibilities in the con-*
 11 *duct of the foreign affairs of the United States and for other*
 12 *purposes authorized by law, including the diplomatic secu-*
 13 *rity program:*

15 (1) *DIPLOMATIC AND CONSULAR PROGRAMS.*—
 16 *For “Diplomatic and Consular Programs”, of the De-*

1 *partment of State \$1,687,797,000 for the fiscal year*
2 *1994 and \$1,733,368,000 for the fiscal year 1995.*

3 (2) *SALARIES AND EXPENSES.—For “Salaries*
4 *and Expenses”, of the Department of State*
5 *\$464,203,000 for the fiscal year 1994 and*
6 *\$476,520,000 for the fiscal year 1995.*

7 (3) *ACQUISITION AND MAINTENANCE OF BUILD-*
8 *INGS ABROAD.—For “Acquisition and Maintenance of*
9 *Buildings Abroad”, \$406,481,000 for the fiscal year*
10 *1994 and \$417,523,000 for the fiscal year 1995.*

11 (4) *BUYING POWER MAINTENANCE FUND.—For*
12 *“Buying Power Maintenance Fund”, \$4,000,000 for*
13 *the fiscal year 1994 and \$4,104,000 for the fiscal year*
14 *1995.*

15 (5) *REPRESENTATION ALLOWANCES.—For “Rep-*
16 *resentation Allowances”, \$4,881,000 for the fiscal year*
17 *1994 and \$5,012,000 for the fiscal year 1995.*

18 (6) *EMERGENCIES IN THE DIPLOMATIC AND CON-*
19 *SULAR SERVICE.—For “Emergencies in the Diplo-*
20 *matic and Consular Service, \$8,000,000 for the fiscal*
21 *1994 and \$8,216,000 for the fiscal year 1995.*

22 (7) *OFFICE OF THE INSPECTOR GENERAL.—For*
23 *“Office of the Inspector General”, \$24,055,000 for the*
24 *fiscal year 1994 and \$24,704,000 for the fiscal year*
25 *1995.*

1 (8) *PAYMENT TO THE AMERICAN INSTITUTE IN*
2 *TAIWAN.—For “Payment to the American Institute in*
3 *Taiwan”, \$15,484,000 for the fiscal year 1994 and*
4 *\$15,902,000 for the fiscal year 1995.*

5 (9) *PROTECTION OF FOREIGN MISSIONS AND OF-*
6 *FICIALS.—For “Protection of Foreign Missions and*
7 *Officials”, \$10,814,000 for the fiscal year 1994 and*
8 *\$11,095,000 for the fiscal year 1995.*

9 (10) *REPATRIATION LOANS.—For “Repatriation*
10 *Loans”, \$817,000 for the fiscal year 1994 and*
11 *\$838,000 for the fiscal year 1995, for administrative*
12 *expenses.*

13 (b) *LIMITATIONS.—*

14 (1) *Of the amounts authorized to be appro-*
15 *priated for “Salaries and Expenses” under subsection*
16 *(a)(2) \$500,000 is authorized to be available for the*
17 *fiscal year 1994 and \$500,000 for the fiscal year 1995*
18 *for the Department of State for the recruitment of*
19 *Hispanic American students from United States in-*
20 *stitutions of higher education with a high percentage*
21 *enrollment of Hispanic Americans and for the train-*
22 *ing of Hispanic Americans for careers in the Foreign*
23 *Service and in international affairs.*

24 (2)(A) *Of the amounts authorized to be appro-*
25 *priated for “Diplomatic and Consular Programs”*

1 (A) \$512,000,000 for the fiscal year 1994
2 and \$526,902,000 for the fiscal year 1995 for
3 necessary operating expenses of the agency pri-
4 marily responsible for administering part I of
5 Public Law 87-195; and

6 (B) such amounts as may be necessary for
7 fiscal year 1994 and fiscal year 1995 for in-
8 creases in salary, pay, retirement, and other em-
9 ployee benefits authorized by law, and for other
10 nondiscretionary costs of the agency primarily
11 responsible for administering part I of Public
12 Law 87-195.

13 (2) Effective October 1, 1993, section 667 of Pub-
14 lic Law 87-195 (22 U.S.C. 2427) is repealed.

15 (b) OPERATING EXPENSES, OFFICE OF THE INSPEC-
16 TOR GENERAL.—There are authorized to be appropriated
17 to the President, in addition to funds otherwise available
18 for such purposes—

19 (1) \$39,916,000 for fiscal year 1994 and
20 \$39,916,000 for fiscal year 1995 for necessary operat-
21 ing expenses of the Office of the Inspector General of
22 the agency primarily responsible for administering
23 part I of Public Law 87-195; and

24 (2) such amounts as may be necessary for in-
25 creases in salary, pay, retirement, and other employee

1 *benefits authorized by law, and for other non-*
2 *discretionary costs of such office.*

3 *(c) AVAILABILITY OF FUNDS.—Amounts appropriated*
4 *under this section are authorized to remain available until*
5 *expended.*

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

9 **SEC. 103. INTERNATIONAL ORGANIZATIONS, PROGRAMS,**
10 **AND CONFERENCES.**

11 *(a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL*
12 *ORGANIZATIONS.—*

13 *(1) There are authorized to be appropriated for*
14 *“Contributions to International Organizations”,*
15 *\$940,885,000 for the fiscal year 1994 and*
16 *\$935,053,000 for the fiscal year 1995 for the Depart-*
17 *ment of State to carry out the authorities, functions,*
18 *duties, and responsibilities in the conduct of the for-*
19 *oreign affairs of the United States with respect to inter-*
20 *national organizations and to carry out other au-*
21 *thorities in law consistent with such purposes.*

22 *(2)(A) Of the amounts authorized to be appro-*
23 *priated under paragraph (1) for fiscal year 1994, not*
24 *more than \$880,885,000 may be obligated or expended*
25 *in that fiscal year.*

1 (B) *Of the authorizations of appropriations*
2 *under paragraph (1) for fiscal year 1994, \$60,000,000*
3 *shall remain available until the appropriations are*
4 *made.*

5 (b) *ASSESSED CONTRIBUTIONS FOR INTERNATIONAL*
6 *PEACEKEEPING ACTIVITIES.—There are authorized to be*
7 *appropriated for “Contributions for International Peace-*
8 *keeping Activities”, \$619,736,000 for the fiscal year 1994*
9 *and \$636,469,000 for the fiscal year 1995 for the Depart-*
10 *ment of State to carry out the authorities, functions, duties,*
11 *and responsibilities in the conduct of the foreign affairs of*
12 *the United States with respect to international peacekeep-*
13 *ing activities and to carry out other authorities in law con-*
14 *sistent with such purposes.*

15 (c) *PEACEKEEPING OPERATIONS.—There are author-*
16 *ized to be appropriated for “Peacekeeping Operations”,*
17 *\$77,166,000 for the fiscal year 1994 and \$77,166,000 for*
18 *the fiscal year 1995 for the Department of State to carry*
19 *out section 551 of Public Law 87–195.*

20 (d) *INTERNATIONAL CONFERENCES AND CONTIN-*
21 *GENCIES.—There are authorized to be appropriated for*
22 *“International Conferences and Contingencies”, \$6,600,000*
23 *for the fiscal year 1994 and \$6,743,000 for the fiscal year*
24 *1995 for the Department of State to carry out the authori-*
25 *ties, functions, duties, and responsibilities in the conduct*

1 *of the foreign affairs of the United States with respect to*
2 *international conferences and contingencies and to carry*
3 *out other authorities in law consistent with such purposes.*

4 (e) *INTERNATIONAL ORGANIZATIONS AND PRO-*
5 *GRAMS.—*

6 (1) *IN GENERAL.—There are authorized to be ap-*
7 *propriated for the Department of State for “Inter-*
8 *national Organizations and Programs”, \$390,000,000*
9 *for the fiscal year 1994 and \$390,000,000 for the fis-*
10 *cal year 1995.*

11 (2) *UNITED NATIONS POPULATION FUND.—*

12 (A) *Subject to subparagraphs (B) and (C),*
13 *of the funds authorized to be appropriated for*
14 *“International Organizations and Programs”*
15 *under paragraph (1), \$50,000,000 is authorized*
16 *to be made available for each of the fiscal years*
17 *1994 and 1995 for the United Nations Popu-*
18 *lation Fund.*

19 (B) *The availability of funds under sub-*
20 *paragraph (A) shall be subject to the following*
21 *limitations:*

22 (i) *None of the funds made available*
23 *under subparagraph (A) may be made*
24 *available for programs in the People’s Re-*
25 *public of China.*

1 (ii) *The prohibitions contained in sec-*
2 *tion 104(f) of the Foreign Assistance Act of*
3 *1961 (relating to prohibitions on funding*
4 *for abortion as a method of family plan-*
5 *ning, coercive abortion, and involuntary*
6 *sterilization) shall apply to the funds made*
7 *available for the United Nations Population*
8 *Fund.*

9 (iii) *The United Nations Population*
10 *Fund shall be required to maintain the*
11 *funds made available under subparagraph*
12 *(A) in a separate account and not commin-*
13 *gle such funds with any other funds.*

14 (C) *Of the funds authorized to be available*
15 *under subparagraph (A), for fiscal year 1994,*
16 *\$13,784,500 is authorized to be available only if*
17 *the President certifies to the Congress that the*
18 *United Nations Population Fund has terminated*
19 *all activities in the People's Republic of China.*

20 (3) *UNITED NATIONS DEVELOPMENT PROGRAM.—*

21 (A) *Subject to subparagraphs (B) and (C),*
22 *of the funds authorized to be appropriated under*
23 *paragraph (1) \$126,929,000 is authorized to be*
24 *available for each of the fiscal years 1994 and*

1 *1995 for the United Nations Development Pro-*
2 *gram.*

3 *(B) None of the funds made available under*
4 *subparagraph (A) shall be available for pro-*
5 *grams and activities in or for Myanmar*
6 *(Burma).*

7 *(C) Of the funds authorized to be available*
8 *under subparagraph (A), \$32,000,000 for each of*
9 *the fiscal years 1994 and 1995 may be available*
10 *only if the President certifies to the Congress*
11 *that the United Nations Development Program*
12 *has terminated all programs and activities in or*
13 *for Myanmar (Burma).*

14 (4) *UNITED NATIONS ENVIRONMENT PROGRAM.—*
15 *Of the amounts authorized to be appropriated for*
16 *“International Organizations and Programs” under*
17 *paragraph (1), \$25,000,000 for each of the fiscal*
18 *years 1994 and 1995 is authorized to be available for*
19 *the United Nations Environment Program.*

20 (5) *UNITED NATIONS VOLUNTARY FUND FOR THE*
21 *VICTIMS OF TORTURE.—Of the amounts authorized to*
22 *be appropriated for “International Organizations and*
23 *Programs” under paragraph (1), \$1,500,000 for each*
24 *of the fiscal years 1994 and 1995 is authorized to be*

1 *available for the United Nations Voluntary Fund for*
2 *the Victims of Torture.*

3 *(f) FOREIGN CURRENCY EXCHANGE RATES.—In addi-*
4 *tion to amounts otherwise authorized to be appropriated by*
5 *subsections (a) and (b) of this section, there are authorized*
6 *to be appropriated such sums as may be necessary for each*
7 *of the fiscal years 1994 and 1995 to offset adverse fluctua-*
8 *tions in foreign currency exchange rates. Amounts appro-*
9 *priated under this subsection shall be available for obliga-*
10 *tion and expenditure only to the extent that the Director*
11 *of the Office of Management and Budget determines and*
12 *certifies to Congress that such amounts are necessary due*
13 *to such fluctuations.*

14 **SEC. 104. INTERNATIONAL COMMISSIONS.**

15 *The following amounts are authorized to be appro-*
16 *priated under “International Commissions” for the Depart-*
17 *ment of State to carry out the authorities, functions, duties,*
18 *and responsibilities in the conduct of the foreign affairs of*
19 *the United States and for other purposes authorized by law:*

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

1 (A) for “Salaries and Expenses”
2 \$11,330,000 for the fiscal year 1994 and
3 \$11,767,000 for the fiscal year 1995; and

4 (B) for “Construction” \$14,780,000 for the
5 fiscal year 1994 and \$15,198,000 for the fiscal
6 year 1995.

7 (2) INTERNATIONAL BOUNDARY COMMISSION,
8 UNITED STATES AND CANADA.—For “International
9 Boundary Commission, United States and Canada”,
10 \$760,000 for the fiscal year 1994 and \$784,000 for
11 the fiscal year 1995.

12 (3) INTERNATIONAL JOINT COMMISSION.—For
13 “International Joint Commission”, \$3,643,000 for the
14 fiscal year 1994 and \$3,759,000 for the fiscal year
15 1995.

16 (4) INTERNATIONAL FISHERIES COMMISSIONS.—
17 For “International Fisheries Commissions”,
18 \$14,200,000 for the fiscal year 1994 and \$14,569,000
19 for the fiscal year 1995.

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

21 (a) AUTHORIZATION OF APPROPRIATIONS.—

22 (1) There are authorized to be appropriated for
23 “Migration and Refugee Assistance” for authorized
24 activities, \$593,500,000 for the fiscal year 1994 and
25 \$593,500,000 for the fiscal year 1995.

1 (2) *There are authorized to be appropriated*
2 *\$80,000,000 for the fiscal year 1994 and \$80,000,000*
3 *for the fiscal year 1995 for assistance for refugees re-*
4 *settling in Israel.*

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

8 **SEC. 106. OTHER PROGRAMS.**

9 *The following amounts are authorized to be appro-*
10 *priated for the Department of State to carry out the au-*
11 *thorities, functions, duties, and responsibilities in the con-*
12 *duct of the foreign affairs of the United States and for other*
13 *purposes authorized by law:*

14 (1) *UNITED STATES BILATERAL SCIENCE AND*
15 *TECHNOLOGY AGREEMENTS.—For “United States Bi-*
16 *lateral Science and Technology Agreements”,*
17 *\$4,500,000 for the fiscal year 1994 and \$4,617,000 for*
18 *the fiscal year 1995.*

19 (2) *ASIA FOUNDATION.—For “Asia Foundation”,*
20 *\$18,693,000 for the fiscal year 1994 and \$19,127,000*
21 *for the fiscal year 1995.*

1 **SEC. 107. UNITED STATES ARMS CONTROL AND DISAR-**
2 **MAMENT AGENCY.**

3 (a) *AUTHORIZATION OF APPROPRIATIONS.*—There are
4 authorized to be appropriated to carry out the purposes of
5 the Arms Control and Disarmament Act—

6 (1) \$62,500,000 for the fiscal year 1994 and
7 \$55,356,000 for the fiscal year 1995; and

8 (2) such sums as may be necessary for each of
9 the fiscal years 1994 and 1995 for increases in salary,
10 pay, retirement, other employee benefits authorized by
11 law, and other nondiscretionary costs, and to offset
12 adverse fluctuations in foreign currency exchange
13 rates.

14 (b) *TECHNICAL AND CONFORMING AMENDMENTS.*—
15 Section 49 of the Arms Control and Disarmament Act (22
16 U.S.C. 2589) is amended—

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

18 (2) in the first sentence of subsection (b) by strik-
19 ing “pursuant to this section” and inserting “to
20 carry out this Act”.

21 **PART B—AUTHORITIES AND ACTIVITIES**

22 **SEC. 111. AUTHORIZED STRENGTH OF THE FOREIGN SERV-**
23 **ICE.**

24 (a) *END FISCAL YEAR 1994 LEVELS.*—Subject to sub-
25 section (c), the employment and service of Members of the

1 *Foreign Service shall be subject to the following limitations*
2 *as of September 30, 1994:*

3 (1) *Department of State, not to exceed 9,200, of*
4 *whom not more than 825 shall be members of the Sen-*
5 *ior Foreign Service.*

6 (2) *United States Information Agency, not to ex-*
7 *ceed 1,200, of whom not more than 175 shall be mem-*
8 *bers of the Senior Foreign Service.*

9 (3) *Agency for International Development, not to*
10 *exceed 1,850, of whom not more than 250 shall be*
11 *members of the Senior Foreign Service.*

12 (b) *END FISCAL YEAR 1995 LEVELS.—Subject to sub-*
13 *section (c), the employment and service of Members of the*
14 *Foreign Service shall be subject to the following limitations*
15 *as of September 30, 1995:*

16 (1) *Department of State, not to exceed 9,200, of*
17 *whom not more than 775 shall be members of the Sen-*
18 *ior Foreign Service.*

19 (2) *United States Information Agency, not to ex-*
20 *ceed 1,200, of whom not more than 165 shall be mem-*
21 *bers of the Senior Foreign Service.*

22 (3) *Agency for International Development, not to*
23 *exceed 1,850, of whom not more than 240 shall be*
24 *members of the Senior Foreign Service.*

1 (c) *DEFINITION.*—For the purposes of this section, the
2 term “members of the Foreign Service” has the meaning
3 of such term under section 103 of the Foreign Service Act
4 of 1980 (22 U.S.C 3903), except that such term shall not
5 include—

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

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

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

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

16 (5) members of the Service serving under limited
17 appointments pursuant to section 305(b) of the For-
18 eign Service Act of 1980.

19 (d) *WAIVER AUTHORITY.*—

20 (1)(A) Subject to subparagraph (B), the Sec-
21 retary of State, the Director of the United States In-
22 formation Agency, and the Director of the Agency for
23 International Development may waive any limitation
24 under subsection (a) or (b) which applies to the De-
25 partment of State, the United States Information

1 *Agency, or the Agency for International Development,*
2 *respectively, to the extent that such waiver is nec-*
3 *essary to carry on the foreign affairs functions of the*
4 *United States.*

5 *(B) Not less than 15 days before any agency*
6 *head implements a waiver under subparagraph (A),*
7 *such agency head shall notify the Committee on For-*
8 *oreign Affairs of the House of Representatives and the*
9 *Committee on Foreign Relations of the Senate. Such*
10 *notice shall include an explanation of the cir-*
11 *cumstances and necessity for such waiver.*

12 **SEC. 112. TRANSFERS AND REPROGRAMMINGS.**

13 *(a) AMENDMENTS TO SECTION 24 OF THE STATE DE-*
14 *PARTMENT BASIC AUTHORITIES ACT OF 1956.—Section 24*
15 *of the State Department Basic Authorities Act of 1956 (22*
16 *U.S.C. 2696) is amended—*

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

19 *(2) in subsection (d)(1)—*

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

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

24 *(3) in subsection (d)(2) by amending the first*
25 *sentence to read as follows: “Amounts appropriated*

1 for the ‘Diplomatic and Consular Programs’ account
2 may not exceed by more than 5 percent the amount
3 specifically authorized to be appropriated for such ac-
4 count for a fiscal year.’; and

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

6 (b) *DIPLOMATIC CONSTRUCTION PROGRAM*.—Section
7 401 of the Omnibus Diplomatic Security and Antiterrorism
8 Act of 1986 (22 U.S.C. 4851) is amended by striking sub-
9 sections (c) and (h)(3).

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

14 **SEC. 113. EXPENSES RELATING TO CERTAIN INTER-**
15 **NATIONAL CLAIMS AND PROCEEDINGS.**

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

19 “(c) *PROCUREMENT OF SERVICES*.—The Secretary of
20 State may use competitive procedures or procedures other
21 than competitive procedures to procure the services of ex-
22 perts for use in preparing or prosecuting a proceeding be-
23 fore an international tribunal or a claim by or against a
24 foreign government or other foreign entity, whether or not
25 the expert is expected to testify, or to procure other support

1 *services for such proceedings or claims. The Secretary need*
2 *not provide any written justification for the use of proce-*
3 *dures other than competitive procedures when procuring*
4 *such services under this chapter and need not furnish for*
5 *publication in the Commerce Business Daily or otherwise*
6 *any notice of solicitation or synopsis with respect to such*
7 *procurement.*

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

9 *“(1) ESTABLISHMENT.—In order to provide the*
10 *Department of State with a dependable, flexible, and*
11 *adequate source of funding for the expenses of the De-*
12 *partment related to preparing or prosecuting a pro-*
13 *ceeding before an international tribunal, or a claim*
14 *by or against a foreign government or other foreign*
15 *entity, there is established an International Litiga-*
16 *tion Fund (hereafter in this subsection referred to as*
17 *the “ILF”). The ILF shall be available without fiscal*
18 *year limitation. Funds otherwise available to the De-*
19 *partment for the purposes of this paragraph may be*
20 *credited to the ILF.*

21 *“(2) REPROGRAMMING PROCEDURES.—Funds*
22 *credited to the ILF shall be treated as a*
23 *reprogramming of funds under section 34 and shall*
24 *not be available for obligation or expenditure except*
25 *in compliance with the procedures applicable to such*

1 1961 (22 U.S.C. 2394) is amended by adding at the end
2 the following:

3 “(d) AID OPERATING EXPENSES.—

4 “(1) CONGRESSIONAL NOTIFICATION OF CERTAIN
5 REPROGRAMMINGS.—Unless the Committee on For-
6 eign Affairs of the House of Representatives and the
7 Committee on Foreign Relations of the Senate are no-
8 tified at least 15 days in advance of the proposed
9 reprogramming, funds appropriated for the operating
10 expenses of the agency primarily responsible for ad-
11 ministering part I (including funds appropriated for
12 the operating expenses of the Office of the Inspector
13 General of that agency) shall not be available for obli-
14 gation or expenditure through any reprogramming of
15 funds that—

16 “(A) would create or eliminate a program,
17 project, or activity;

18 “(B) would increase funds or personnel by
19 any means for any program, project, or activity
20 for which funds have been denied or restricted by
21 the Congress;

22 “(C) would reorganize offices, programs,
23 projects, or activities among bureaus;

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

4 “(i) augment existing programs,
5 projects, or activities,

6 “(ii) reduce by 10 percent or more the
7 funding for any existing program, project,
8 activity, or personnel approved by the Con-
9 gress, or

10 “(iii) result from any general savings
11 from a reduction in personnel that would
12 result in a change in existing programs, ac-
13 tivities, or projects approved by the Con-
14 gress.

15 “(2) LIMITATION ON END-OF-YEAR REPROGRAM-
16 MINGS.—Funds appropriated for the operating ex-
17 penses of the agency primarily responsible for admin-
18 istering part I (including funds appropriated for the
19 operating expenses of the Office of the Inspector Gen-
20 eral of that agency) shall not be available for obliga-
21 tion or expenditure through any reprogramming de-
22 scribed in paragraph (1) during the last 15 days in
23 which such funds are available for obligation or ex-
24 penditure (as the case may be) unless the notification

1 *required by that paragraph was submitted before that*
2 *15-day period.”.*

3 **(b) EFFECTIVE DATE.**—*The amendment made by sub-*
4 *section (a) shall take effect October 1, 1994.*

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

6 **(a) PROHIBITION.**—

7 (1) *Except for real estate leases and as provided*
8 *in subsection (b), the Department of State may not*
9 *enter into any contract that expends funds appro-*
10 *propriated to the Department of State for an amount in*
11 *excess of the small purchase threshold (as defined in*
12 *section 4(11) of the Office of Federal Procurement*
13 *Policy Act (41 U.S.C. 403(11))—*

14 (A) *with a foreign person that complies*
15 *with the Arab League boycott of Israel, or*

16 (B) *with any foreign or United States per-*
17 *son that discriminates in the award of sub-*
18 *contracts on the basis of religion.*

19 (2) *For purposes of this section—*

20 (A) *a foreign person complies with the boy-*
21 *cott of Israel by Arab League countries when*
22 *that foreign person takes or knowingly agrees to*
23 *take any action, with respect to the boycott of Is-*
24 *rael by Arab League countries, which section*
25 *8(a) of the Export Administration Act of 1979*

1 *prohibits a United States person from taking, ex-*
2 *cept that for purposes of this paragraph, the*
3 *term “United States person” as used in subpara-*
4 *graphs (B) and (C) of section 8(a)(1) of such Act*
5 *shall be deemed to mean “person”; and*

6 *(B) the term “foreign person” means any*
7 *person other than a United States person as de-*
8 *finied in section 16(2) of the Export Administra-*
9 *tion Act of 1979.*

10 *(3) For purposes of paragraph (1), a foreign per-*
11 *son shall be deemed not to comply with the boycott of*
12 *Israel by Arab League countries if that person, or the*
13 *Secretary of State or his designee on the basis of*
14 *available information, certifies that the person vio-*
15 *lates or otherwise does not comply with the boycott of*
16 *Israel by Arab League countries by taking any ac-*
17 *tions prohibited by section 8(a) of the Export Admin-*
18 *istration Act of 1979. Certification by the Secretary*
19 *of State or his designee may occur only 30 days after*
20 *notice has been given to the Congress that this certifi-*
21 *cation procedure will be utilized at a specific overseas*
22 *mission.*

23 *(b) WAIVER BY SECRETARY OF STATE.—The Secretary*
24 *of State may waive the requirements of this section on a*
25 *country-by-country basis for a period not to exceed one year*

1 upon certification to the Congress by the Secretary that
2 such waiver is in the national interest and is necessary to
3 carry on diplomatic functions on the United States. Each
4 such certification shall include a detailed justification for
5 the waiver with respect to each such country.

6 (c) *RESPONSES TO CONTRACT SOLICITATIONS.*—(1)
7 Except as provided in paragraph (2) of this subsection, the
8 Secretary of State shall ensure that any response to a solici-
9 tation for a bid or a request for a proposal, with respect
10 to a contract covered by subsection (a), includes the follow-
11 ing clause, in substantially the following form:

12 “ARAB BOYCOTT OF ISRAEL

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

14 “(1) the term ‘foreign person’ means any person
15 other than a United States person as defined in para-
16 graph (2); and

17 “(2) the term ‘United States person’ means any
18 United States resident or national (other than an in-
19 dividual resident outside the United States and em-
20 ployed by other than a United States person), any do-
21 mestic concern (including any permanent domestic
22 establishment of any foreign concern), and any for-
23 eign subsidiary or affiliate (including any permanent
24 foreign establishment) of any domestic concern which
25 is controlled in fact by such domestic concern, as de-
26 termined under regulations of the President.

1 “(b) *CERTIFICATION.*—By submitting this offer, the
2 Offeror certifies that it is not—

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

8 “(2) discriminating in the award of subcontracts
9 on the basis of religion.”.

10 (2) An Offeror would not be required to include the
11 certification required by paragraph (1), if the Offeror is
12 deemed not to comply with the Arab League boycott of Is-
13 rael by the Secretary of State or a designee on the basis
14 of available information. Certification by the Secretary of
15 State or a designee may occur only 30 days after notice
16 has been given to the Congress that this certification proce-
17 dure will be utilized at a specific overseas mission.

18 (3) The Secretary of State shall ensure that all State
19 Department contract solicitations include a detailed expla-
20 nation of the requirements of section 8(a) of the Export Ad-
21 ministration Act of 1979 (50 U.S.C. App. 2407(a)).

22 (d) *REVIEW OF TERMINATION.*—(1) The Department
23 of State shall conduct reviews of the certifications submitted
24 pursuant to this section for the purpose of assessing the ac-
25 curacy of the certifications.

1 (2) Upon complaint of any foreign or United States
2 person of a violation of the certification as required by this
3 section, filed with the Secretary of State, the Department
4 of State shall investigate such complaint, and if such com-
5 plaint is found to be correct and a violation of the certifi-
6 cation has been found, all contracts with such violator shall
7 be terminated for default as soon as practicable, and, for
8 a period of two years thereafter, the State Department shall
9 not enter into any contracts with such a violator.

10 **SEC. 117. EMERGENCIES IN THE DIPLOMATIC AND CON-**
11 **SULAR SERVICE.**

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

15 (1) by striking “and the Foreign Service”; and
16 (2) by striking “an annual confidential” and in-
17 serting “a periodic”.

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

19 Section 701 of the Foreign Service Act of 1980 (22
20 U.S.C. 4021) is amended by adding at the end the following
21 new subsection:

22 “(d)(1) The Secretary of State is authorized to provide
23 for the training and instruction of employees of foreign gov-
24 ernments at the Institute.

1 22 U.S.C. 4221) is amended in section 7 by adding at the
2 end “Pursuant to such regulations as the Secretary of State
3 may prescribe, the Secretary may designate any other em-
4 ployee of the Department of State who is a citizen of the
5 United States to perform any notarial function authorized
6 to be performed by a consular officer of the United States
7 under this Act.”.

8 **SEC. 121. REQUIREMENT FOR AUTHORIZATION OF APPRO-**
9 **PRIATIONS FOR AID.**

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

12 **“SEC. 668. REQUIREMENT FOR AUTHORIZATION OF APPRO-**
13 **PRIATIONS.**

14 “(a) *LIMITATION ON OBLIGATION AND EXPENDITURE*
15 *OF FUNDS.*—Notwithstanding any other provision of law,
16 for the fiscal year 1994 and for each subsequent fiscal year,
17 any funds appropriated for the agency primarily respon-
18 sible for administering part I of this Act shall not be avail-
19 able for obligation or expenditure—

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

22 “(2) in excess of the authorized level of appro-
23 priations.

24 “(b) *SUBSEQUENT AUTHORIZATION.*—The limitation
25 under subsection (a) shall not apply to the extent that an

1 *authorization of appropriations is enacted after such funds*
2 *are appropriated.*

3 “(c) *APPLICATION.*—*The provisions of this section—*

4 “(1) *may not be superseded, except by a provi-*
5 *sion of law which specifically repeals, modifies, or su-*
6 *persedes the provisions of this section; and*

7 “(2) *shall not apply to, or affect in any manner,*
8 *permanent appropriations, trust funds, and other*
9 *similar accounts which are authorized by law and ad-*
10 *ministered by the agency primarily responsible for*
11 *administering part I of this Act.”.*

12 ***SEC. 122. REPORT ON CONSOLIDATION OF ADMINISTRA-***
13 ***TIVE OPERATIONS.***

14 *Not later than 180 days after the date of the enactment*
15 *of this Act, the Secretary of State, jointly with the Director*
16 *of the United States Information Agency, the Director of*
17 *the Arms Control and Disarmament Agency, and the Ad-*
18 *ministrator of the Agency for International Development,*
19 *shall submit, to the Committee on Foreign Affairs of the*
20 *House of Representatives and the Committee on Foreign Re-*
21 *lations of the Senate, a report concerning the feasibility of*
22 *consolidating domestic administrative operations for the*
23 *Department of State, the Agency for International Develop-*
24 *ment, and the United States Information Agency. Such re-*

1 port shall include specific recommendations for implemen-
2 tation.

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

4 Section 136(c) of the Foreign Relations Authorization
5 Act, Fiscal Years 1990 and 1991 (Public Law 101-246) is
6 amended—

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

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

11 (3) by inserting after paragraph (1) the fol-
12 lowing:

13 “(2) absent compelling reasons, award such con-
14 tracts through competitive bidding;

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

18 **SEC. 124. VISAS.**

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

20 (1) Notwithstanding any other provision of law,
21 the Secretary of State is authorized to charge a fee or
22 surcharge for processing machine readable non-
23 immigrant visas and machine readable combined bor-
24 der crossing identification cards and nonimmigrant
25 visas.

1 (2) Fees collected under the authority of sub-
2 section (a) shall be deposited as an offsetting collec-
3 tion to any Department of State appropriation to re-
4 cover the costs of providing consular services, which
5 shall include the payment of any fees for access to the
6 criminal history records of the Federal Bureau of In-
7 vestigation for processing visa applications and mak-
8 ing immigration eligibility determinations. Such fees
9 shall remain available for obligation until expended.

10 (3) For fiscal years 1994 and 1995, fees collected
11 under the authority of paragraph (1) may not exceed
12 a total of \$56,000,000.

13 (b) *AUTOMATED VISA LOOKOUT SYSTEM.*—Not later
14 than 18 months after the date of the enactment of this Act,
15 the Secretary of State shall implement an upgrade of all
16 overseas visa lookout operations to computerized systems
17 with automated multiple-name search capabilities.

18 (c) *PROCESSING OF VISAS FOR ADMISSION TO THE*
19 *UNITED STATES.*—

20 (1)(A) Beginning 18 months after the date of the
21 enactment of this Act, whenever a United States con-
22 sular officer issues a visa for admission to the United
23 States, that official shall certify, in writing, that a
24 check of the Automated Visa Lookout System, or any
25 other system or list which maintains information

1 *about the excludability of aliens under the Immigra-*
2 *tion and Nationality Act, has been made and that*
3 *there is no basis under such system for the exclusion*
4 *of such alien.*

5 *(B) If, at the time an alien applies for an immi-*
6 *grant or nonimmigrant visa, the alien's name is in-*
7 *cluded in the Department of State's visa lookout sys-*
8 *tem and the consular officer to whom the application*
9 *is made fails to follow the procedures in processing*
10 *the application required by the inclusion of the alien's*
11 *name in such system, the consular officer's failure*
12 *shall be made a matter of record and shall be consid-*
13 *ered as a serious negative factor in the officer's an-*
14 *nual performance evaluation.*

15 *(2) If an alien to whom a visa was issued as a*
16 *result of a failure described in paragraph (1)(B) is*
17 *admitted to the United States and there is thereafter*
18 *probable cause to believe that the alien was a partici-*
19 *part in a terrorist act causing serious loss of life or*
20 *property in the United States, the Secretary of State*
21 *shall convene an Accountability Review Board under*
22 *the authority of title III of the Omnibus Diplomatic*
23 *Security and Antiterrorism Act of 1986.*

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

2 *Section 48 of the State Department Basic Authorities*
3 *Act of 1956 is amended—*

4 *(1) by striking subsection (c); and*

5 *(2) by redesignating subsections (d) and (e) as*
6 *subsections “(c)” and “(d)”, respectively.*

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

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

11 *(1) by striking “and” at the end of subpara-*
12 *graph (C);*

13 *(2) by striking the period at the end of subpara-*
14 *graph (D) and inserting “; and”; and*

15 *(3) by adding at the end the following:*

16 *“(E) efforts by the United States to elimi-*
17 *nate international financial support provided to*
18 *those groups directly or provided in support of*
19 *their activities.”.*

20 **PART C—DEPARTMENT OF STATE ORGANIZATION**

21 **SEC. 131. ORGANIZING PRINCIPLES.**

22 *The Congress makes the following findings:*

23 *(1) The organization of the Department of State*
24 *should reflect, to the maximum extent possible, the*
25 *primary responsibility of the Secretary of State under*

1 *the President for the conduct of the Nation's foreign*
2 *relations.*

3 *(2) Unless compelling considerations so require,*
4 *statutory authorities should be vested in the Secretary*
5 *of State, rather than in officials subordinate to the*
6 *Secretary.*

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

8 *(a) ORGANIZATION.—Section 1 of the State Depart-*
9 *ment Basic Authorities Act of 1956 is amended to read as*
10 *follows:*

11 *“ORGANIZATION OF THE DEPARTMENT OF STATE*

12 *“SECTION 1. (a) SECRETARY OF STATE.—*

13 *“(1) The Department of State shall be adminis-*
14 *tered in accordance with this Act and other provi-*
15 *sions of law under the supervision and direction of*
16 *the Secretary of State (hereinafter referred to as the*
17 *‘Secretary’).*

18 *“(2) The Secretary shall be appointed by the*
19 *President, by and with the advice and consent of the*
20 *Senate.*

21 *“(3)(A) Notwithstanding any other provision of*
22 *law and except as provided in subparagraph (B), the*
23 *Secretary shall have and exercise any authority vested*
24 *by law in any office or official of the Department of*
25 *State. The Secretary shall administer, coordinate,*
26 *and direct the Foreign Service of the United States*

1 *and the personnel of the Department of State, except*
2 *where authority is inherent in or vested in the Presi-*
3 *dent.*

4 *“(B) The Secretary shall not have the authority*
5 *of the Inspector General or the Chief Financial Offi-*
6 *cer. The Secretary shall not have any authority given*
7 *expressly to diplomatic or consular officers.*

8 *“(4) The Secretary of State is authorized to pro-*
9 *mulgate such rules and regulations as may be nec-*
10 *essary to carry out the functions of the Secretary of*
11 *State and the Department of State. The Secretary*
12 *may delegate authority to perform any of the func-*
13 *tions of the Secretary or the Department to officers*
14 *and employees under the direction and supervision of*
15 *the Secretary. The Secretary may delegate the author-*
16 *ity to redelegate any such functions.*

17 *“(b) UNDER SECRETARIES.—There shall be in the De-*
18 *partment of State not more than 5 Under Secretaries of*
19 *State, who shall be appointed by the President, by and with*
20 *the advice and consent of the Senate, and who shall be com-*
21 *pensated at the rate provided for at level III of the Execu-*
22 *tive Schedule under section 5314 of title 5, United States*
23 *Code.*

24 *“(c) ASSISTANT SECRETARIES.—There shall be in the*
25 *Department of State not more than 21 Assistant Secretaries*

1 *of State, each of whom shall be appointed by the President,*
2 *by and with the advice and consent of the Senate, and who*
3 *shall be compensated at the rate provided for at level IV*
4 *of the Executive Schedule under section 5315 of title 5.*

5 “(d) *DEPUTY ASSISTANT SECRETARIES.*—*There shall*
6 *be in the Department of State not more than 66 Deputy*
7 *Assistant Secretaries of State.*

8 “(e) *OTHER SENIOR OFFICIALS.*—*In addition to such*
9 *other officials of the Department of State who are author-*
10 *ized to be compensated at level IV of the Executive Schedule*
11 *under section 5215 of title 5, not more than 4 other officers*
12 *of the Department of State shall be appointed by the Presi-*
13 *dent, by and with the advice and consent of the Senate,*
14 *and shall be compensated at such level.”.*

15 “(b) *APPLICATION.*—*The amendments made by this sec-*
16 *tion and section 133 shall apply with respect to officials,*
17 *offices, and bureaus of the Department of State when Execu-*
18 *tive orders implementing such sections become effective.*

19 “(c) *TRANSITION.*—*Any officer of the Department of*
20 *State holding office on the date of the enactment of this Act*
21 *shall not be required to be reappointed to any other office,*
22 *at the Department of State at the same level performing*
23 *similar functions, as determined by the President, by reason*
24 *of the enactment of the amendments made by this section*
25 *and section 133.*

1 (d) *REFERENCES IN OTHER ACTS.*—A reference in
2 any other provision of law to an official or office of the
3 Department of State affected by the amendment made by
4 subsection (a) shall be deemed to be a reference to the Sec-
5 retary of State or the Department of State, as may be ap-
6 propriate.

7 (e) Nothing in this part reassigns any function that
8 is on the date of enactment of this Act vested by law or
9 executive order in the Department of Commerce, the Federal
10 Communications Commission, or any officer thereof.

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

12 (a) *ACT OF MAY 26, 1949.*—The Act entitled “An Act
13 to strengthen and improve the organization and adminis-
14 tration of the Department of State, and for other purposes”
15 (May 26, 1949; Public Law 81–73; 22 U.S.C. 2652 et seq.)
16 is repealed.

17 (b) *FOREIGN RELATIONS AUTHORIZATION ACT, FIS-*
18 *CAL YEAR 1979.*—Section 115 of the Foreign Relations Au-
19 thorization Act, Fiscal Year 1979 (22 U.S.C. 2652a) is
20 amended by striking subsection (a).

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

24 (d) *FOREIGN RELATIONS AUTHORIZATION ACT, FIS-*
25 *CAL YEARS 1992 AND 1993.*—Section 122 of the Foreign

1 *Relations Authorization Act, Fiscal Years 1992 and 1993*
2 *(22 U.S.C. 2652b) is amended by striking subsection (a).*

3 *(e) TITLE 5, UNITED STATES CODE.—*

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

6 *“Under Secretary of State for Political Affairs*
7 *and Under Secretary of State for Economic and Agri-*
8 *cultural Affairs and an Under Secretary of State for*
9 *Coordinating Security Assistance Programs and*
10 *Under Secretary of State for Management.*

11 *“Counselor of the Department of State.”*
12 *and inserting—*

13 *“Under Secretaries of State (5).”.*

14 *(2) Section 5315 of title 5, United States Code,*
15 *is amended by striking “Assistant Secretary for*
16 *Oceans and International Environmental and Sci-*
17 *entific Affairs, Department of State.”, “Assistant Sec-*
18 *retary for International Narcotics Matters, Depart-*
19 *ment of State.”, and “Assistant Secretary for South*
20 *Asian Affairs, Department of State.”.*

21 *(f) FOREIGN ASSISTANCE ACT OF 1961.—The Foreign*
22 *Assistance Act of 1961 is amended—*

23 *(1) in section 116(c) (22 U.S.C. 2151n), by strik-*
24 *ing “Assistant Secretary for Human Rights and Hu-*

1 *manitarian Affairs” and inserting “Secretary of*
2 *State”;*

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

9 *(3) in section 624(f) (22 U.S.C. 2384(f)(1)) by*
10 *striking paragraph (1);*

11 *(4) in section 624(f)(2)—*

12 *(A) by striking “(2) The Assistant Secretary*
13 *of State for Human Rights and Humanitarian*
14 *Affairs” and inserting “The Secretary of State”;*
15 *and*

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

19 *(5) in section 624(f)(2)(C)—*

20 *(A) by striking “the Secretary of State*
21 *and”;* and

22 *(B) by striking “Assistant”.*

23 *(g) ARMS EXPORT CONTROL ACT.—Section 5(d)(1) of*
24 *the Arms Export Control Act is amended (22 U.S.C.*
25 *2755(d)(1)) by striking “Assistant Secretary of State for*

1 *Human Rights and Humanitarian Affairs*” and inserting
2 “Secretary of State”.

3 (h) *DIPLOMATIC SECURITY ACT.*—*The Omnibus Dip-*
4 *lomatic Security and Antiterrorism Act of 1986 is amend-*
5 *ed—*

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

7 (A) *striking paragraph (2); and*

8 (B) *redesignating paragraphs (3) through*
9 *(6) as paragraphs (2) through (5), respectively;*

10 (2) *in subsection 103(a)—*

11 (A) *by inserting “(1)” before “The Sec-*
12 *retary of State”;*

13 (B) *by redesignating paragraphs (1)*
14 *through (4) as subparagraphs (A) through (D),*
15 *respectively; and*

16 (C) *by inserting at the end the following*
17 *new paragraph:*

18 “(2) *Security responsibilities shall include the follow-*
19 *ing:*

20 “(A) *FORMER OFFICE OF SECURITY FUNC-*
21 *TIONS.—Functions and responsibilities exercised by*
22 *the Office of Security, Department of State, before No-*
23 *vember 1, 1985.*

24 “(B) *SECURITY AND PROTECTIVE OPERATIONS.—*

1 “(i) *Establishment and operations of post*
2 *security and protective functions abroad.*

3 “(ii) *Development and implementation of*
4 *communications, computer, and information se-*
5 *curity.*

6 “(iii) *Emergency planning.*

7 “(iv) *Establishment and operations of local*
8 *guard services abroad.*

9 “(v) *Supervision of the United States Ma-*
10 *rine Corps security guard program.*

11 “(vi) *Liaison with American overseas pri-*
12 *vate sector security interests.*

13 “(vii) *Protection of foreign missions and*
14 *international organizations, foreign officials, and*
15 *diplomatic personnel in the United States, as*
16 *authorized by law.*

17 “(viii) *Protection of the Secretary of State*
18 *and other persons designated by the Secretary of*
19 *State, as authorized by law.*

20 “(ix) *Physical protection of Department of*
21 *State facilities, communications, and computer*
22 *information systems in the United States.*

23 “(x) *Conduct of investigations relating to*
24 *protection of foreign officials and diplomatic*
25 *personnel and foreign missions in the United*

1 *States, suitability for employment, employee se-*
2 *curity, illegal passport and visa issuance or use,*
3 *and other investigations, as authorized by law.*

4 “(xi) *Carrying out the rewards program for*
5 *information concerning international terrorism*
6 *authorized by section 36(a) of the State Depart-*
7 *ment Basic Authorities Act of 1956.*

8 “(xii) *Performance of other security, inves-*
9 *tigative, and protective matters as authorized by*
10 *law.*

11 “(C) *COUNTERTERRORISM PLANNING AND CO-*
12 *ORDINATION.—Development and coordination of*
13 *counterterrorism planning, emergency action plan-*
14 *ning, threat analysis programs, and liaison with*
15 *other Federal agencies to carry out this paragraph.*

16 “(D) *SECURITY TECHNOLOGY.—Development*
17 *and implementation of technical and physical secu-*
18 *rity programs, including security-related construc-*
19 *tion, radio and personnel security communications,*
20 *armored vehicles, computer and communications secu-*
21 *rity, and research programs necessary to develop such*
22 *measures.*

23 “(E) *DIPLOMATIC COURIER SERVICE.—Manage-*
24 *ment of the diplomatic courier service.*

1 “(F) *PERSONNEL TRAINING.*—Development of fa-
2 cilities, methods, and materials to develop and up-
3 grade necessary skills in order to carry out this sec-
4 tion.

5 “(G) *FOREIGN GOVERNMENT TRAINING.*—Man-
6 agement and development of antiterrorism assistance
7 programs to assist foreign government security train-
8 ing which are administered by the Department of
9 State under chapter 8 of part II of the Foreign Assist-
10 ance Act of 1961 (22 U.S.C. 2349aa et seq.).”;

11 (3) by striking section 104;

12 (4) by striking section 105;

13 (5) in section 107, by striking “The Chief of Pro-
14 tocol of the Department of State shall consult with the
15 Assistant Secretary of Diplomatic Security” and in-
16 serting “The Secretary of State shall take into ac-
17 count security considerations”;

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

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

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

22 “The Secretary of State may establish a Diplomatic
23 Security Service, which shall perform such functions as the
24 Secretary may determine.”;

25 (8) in section 202—

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

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

6 (C) by striking the last sentence;

7 (9) in section 203—

8 (A) by amending the heading to read as fol-
9 lows:

10 **“SEC. 203. SPECIAL AGENTS.”;**

11 (B) in the first sentence by striking “Posi-
12 tions in the Diplomatic Security Service” and
13 inserting “Special agent positions”; and

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

17 (10) in section 402(a)(2) by striking “Assistant
18 Secretary for Diplomatic Security” and inserting
19 “Secretary of State”.

20 (i) IMMIGRATION AND NATIONALITY ACT.—The Immi-
21 gration and Nationality Act (8 U.S.C. 1101 et seq.) is
22 amended—

23 (1) in section 101(a)(1) (8 U.S.C. 1101(a)(1)) by
24 striking “Assistant Secretary of State for Consular
25 Affairs” and inserting “official designated by the Sec-

1 *retary of State pursuant to section 104(b) of this*
2 *Act”;*

3 *(2) in section 104 (8 U.S.C. 1104)—*

4 *(A) in the heading by striking “; BUREAU*
5 *OF CONSULAR AFFAIRS”;*

6 *(B) in subsection (a), by striking “the Bu-*
7 *reau of Consular Affairs” and inserting “the Ad-*
8 *ministrator”;*

9 *(C) by amending subsection (b) to read as*
10 *follows:*

11 *“(b) The Secretary of State shall designate an Admin-*
12 *istrator who shall be a citizen of the United States, qualified*
13 *by experience. The Administrator shall maintain close liai-*
14 *son with the appropriate committees of Congress in order*
15 *that they may be advised regarding the administration of*
16 *this Act by consular officers. The Administrator shall be*
17 *charged with any and all responsibility and authority in*
18 *the administration of this Act which are conferred on the*
19 *Secretary of State as may be delegated to the Administrator*
20 *by the Secretary of State or which may be prescribed by*
21 *the Secretary of State, and shall perform such other duties*
22 *as the Secretary of State may prescribe.”;*

23 *(D) in subsection (c), by striking “Bureau”*
24 *and inserting “Department of State”; and*

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

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

6 (j) DEPARTMENT OF STATE APPROPRIATIONS ACT,
7 1989.—Section 306 of the Department of State Appropria-
8 tions Act, 1989 (Public Law 100–459) is repealed.

9 (k) DEPARTMENT OF DEFENSE APPROPRIATIONS ACT,
10 FISCAL YEAR 1989.—Section 8125 of the Department of
11 Defense Appropriations Act, Fiscal Year 1989 (Public Law
12 100–463) is amended by striking subsection (c).

13 (l) STATE DEPARTMENT BASIC AUTHORITIES ACT OF
14 1956.—(1) Section 35 of the State Department Basic Au-
15 thorities Act of 1956 (22 U.S.C. 2707) is amended—

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

18 (B) in subsection (b)—

19 (i) by striking “The” and all that follows
20 through “shall—” and inserting the following:

21 “The Secretary of State shall be responsible for formulation,
22 coordination, and oversight of international communica-
23 tions and information policy. The Secretary of State
24 shall—”;

1 (ii) by redesignating paragraphs (1)
2 through (7) as paragraphs (2) through (8), re-
3 spectively;

4 (iii) by inserting before paragraph (2) (as
5 so redesignated) a new paragraph (1) as follows:

6 “(1) exercise primary authority for the conduct
7 of foreign policy with respect to telecommunications,
8 including the determination of United States posi-
9 tions and the conduct of United States participation
10 in bilateral and multilateral negotiations with foreign
11 governments and in international bodies;”;

12 (iv) in paragraph (2), (I) by striking “with
13 the bureaus and offices of the Department of
14 State and”, and (II) by inserting before the
15 semicolon “and with the Federal Communica-
16 tions Commission, as appropriate”; and

17 (v) in paragraph (4), by striking “the Sen-
18 ior Interagency Group on International Commu-
19 nications and Information Policy” and inserting
20 “any senior interagency policy-making group on
21 international telecommunications and informa-
22 tion policy”.

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

1 (A) by striking “and” at the end of subsection
2 (k);

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

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

6 “(m) establish, maintain, and operate passport
7 and dispatch agencies.”.

8 (3) Section 2 of the State Department Basic Authori-
9 ties Act of 1956 is amended by striking “(l) pay” and in-
10 serting “(m) pay”.

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

13 (1) in the heading for title III, by striking
14 “UNITED STATES COORDINATOR FOR REFUGEE AFFAIRS AND”;
15 GEE AFFAIRS AND”;

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

17 (3) by repealing section 301; and

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

19 (n) IMMIGRATION AND NATIONALITY ACT.—

20 (1) Section 411(b) of the Immigration and Na-
21 tionality Act (8 U.S.C. 1521(b)) is amended by strik-
22 ing “and under the general policy guidance of the
23 United States Coordinator for Refugee Affairs (here-
24 inafter in this chapter referred to as the ‘Coordina-
25 tor’)” and inserting “the Secretary of State”.

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

3 (A) *in subsection (a)(2)(A), by striking “,*
4 *together with the Coordinator,”;*

5 (B) *in subsections (b)(3) and (b)(4), by*
6 *striking “in consultation with the Coordinator,”;*
7 *and*

8 (C) *in subsection (e)(7)(C), by striking “, in*
9 *consultation with the United States Coordinator*
10 *for Refugee Affairs,”.*

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

14 (o) *STATE DEPARTMENT BASIC AUTHORITIES ACT.—*
15 *Title II of the State Department Basic Authorities Act of*
16 *1956 (22 U.S.C. 4301 et seq.) is amended—*

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

20 (2) *in section 203 by amending such section to*
21 *read as follows:*

22 “*AUTHORITIES OF THE SECRETARY OF STATE*

23 “*SEC. 203. The Secretary is authorized to—*

24 “*(1) assist agencies of Federal, State, and mu-*
25 *nicipal government with regard to ascertaining and*

1 *according benefits, privileges, and immunities to*
2 *which a foreign mission may be entitled;*

3 *“(2) provide or assist in the provision of benefits*
4 *for or on behalf of a foreign mission in accordance*
5 *with section 204;*

6 *“(3) dispose of property acquired in carrying out*
7 *the purposes of this Act;*

8 *“(4) designate an office within the Department*
9 *of State to carry out the purposes of this Act. In the*
10 *event such an office is established, the President may*
11 *appoint, by and with the advice and consent of the*
12 *Senate, a Director, with the rank of ambassador. Fur-*
13 *thermore, of the Director and the next most senior*
14 *person in the office, one should be an individual who*
15 *has served in the United States Foreign Service while*
16 *the other should be an individual who has served in*
17 *the United States intelligence community; and*

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

21 *(3) in section 204—*

22 *(A) in subsections (a), (b), and (c), by strik-*
23 *ing “Director” each place it appears and insert-*
24 *ing “Secretary”; and*

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

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

5 (5) in section 205—

6 (A) in subsection (a), by striking “Director”
7 and inserting “Secretary”; and

8 (B) in subsection (c)(2) by striking “author-
9 ize the Director to”; and

10 (6) in section 208—

11 (A) in subsection (d) by striking “Director”
12 and inserting in its place “Secretary”;

13 (B) in subsections (c), (e), and (f), by strik-
14 ing “Office of Foreign Missions” each place it
15 appears and inserting “Department of State”;
16 and

17 (C) in subsection (h)(2) by striking “Direc-
18 tor or the”.

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

20 (1) The Act entitled “An Act to create the Office
21 of Counselor of the United States” (May 18, 1937;
22 Public Law 75–91; 22 U.S.C. 2655) is repealed.

23 (2) The Act entitled “An Act for the reorganiza-
24 tion and improvement of the Foreign Service of the
25 United States and for other purposes” (May 24, 1924;

1 *Public Law 68–135; 22 U.S.C. 2654) is amended by*
2 *striking section 30.*

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

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

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

7 *“The President may appoint, with the advice and con-*
8 *sent of the Senate, a Director General of the Foreign Serv-*
9 *ice, who shall be a career member of the Senior Foreign*
10 *Service. The Director General should assist the Secretary*
11 *of State in the management of the Service and perform such*
12 *functions as the Secretary of State may prescribe.”.*

13 **PART D—PERSONNEL**

14 **SEC. 141. LABOR-MANAGEMENT RELATIONS.**

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

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

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

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

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

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

9 “(B) service as a management official or con-
10 fidential employee is prohibited on the part of any
11 individual having participated in the management of
12 a labor organization or having acted as a representa-
13 tive of a labor organization during the preceding two
14 years.

15 “(2) For the purposes of paragraph (1)(A)(ii) and
16 paragraph (1)(B), the term ‘management official’ shall not
17 include chiefs of mission, principal officers, and their depu-
18 ties.”.

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

20 (a) *PROGRAM AUTHORITY.*—For the fiscal years 1994
21 and 1995 and subject to the availability of appropriations,
22 the Secretary of State is authorized to establish and admin-
23 ister a program to provide financial incentives for retire-
24 ment to certain members of the Foreign Service at the De-
25 partment of State who are eligible for retirement.

1 (b) *CAP ON INCENTIVE AMOUNT.*—*The financial incen-*
2 *tive paid to any eligible individual pursuant to this section*
3 *may not exceed the lesser of—*

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

8 (2) *\$25,000.*

9 (c) *COST NEUTRALITY OR SAVINGS.*—*The Secretary*
10 *shall ensure that the total cost of financial incentives paid*
11 *to eligible individuals under any program established pur-*
12 *suant to the authority of subsection (a) during the fiscal*
13 *years 1994 and 1995 does not exceed the total cost the De-*
14 *partment would have incurred for pay and other personnel*
15 *benefits during such period for such eligible individuals had*
16 *they not retired.*

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

20 (1) *be the basis for payment of, and may not be*
21 *included in the computation of, any other monetary*
22 *benefit payable with respect to such individual by the*
23 *Federal Government; and*

24 (2) *be taken into account for purposes of deter-*
25 *mining the amount of any severance pay to which*

1 *such eligible individual is entitled under any other*
2 *provision of law based on any other separation from*
3 *employment by the Federal Government.*

4 *(e) UNITED STATES INFORMATION AGENCY AND AGEN-*
5 *CY FOR INTERNATIONAL DEVELOPMENT.—The Director of*
6 *the United States Information Agency and the Director of*
7 *the Agency for International Development are authorized*
8 *to exercise the same authorities with respect to members of*
9 *the Foreign Service serving at the United States Informa-*
10 *tion Agency and the Agency for International Development,*
11 *respectively, as the Secretary of State is authorized to exer-*
12 *cise with respect to members of the Foreign Service under*
13 *this section.*

14 **SEC. 143. WAIVER OF LIMIT FOR CERTAIN CLAIMS FOR PER-**
15 **SONAL PROPERTY DAMAGE OR LOSS.**

16 *(a) CLAIMS RESULTING FROM EMERGENCY EVACU-*
17 *ATION IN A FOREIGN COUNTRY.—Subsection 3721(b) of title*
18 *31 of the United States Code is amended—*

19 *(1) by inserting “(1)” after “(b)”;* and

20 *(2) by adding after paragraph (1) the following*
21 *new paragraph:*

22 *“(2) The Secretary of State may waive the loss limita-*
23 *tion under paragraph (1) for claims for damage or loss by*
24 *United States Government personnel subject to a chief of*
25 *mission in a foreign country whose claims arose from an*

1 *emergency evacuation or departure authorized or ordered*
2 *as provided under section 5522(a) of title 5 of the United*
3 *States Code, if the Secretary determines that exceptional*
4 *circumstances warrant such a waiver.”.*

5 (b) *RETROACTIVE APPLICATION.*—*The amendments*
6 *made by subsection (a) shall apply with respect to claims*
7 *arising on or after October 31, 1988.*

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

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

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

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

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

18 (a) *LIMITATION ON CERTAIN PAYMENTS.*—*Section*
19 *405(b)(4) of the Foreign Service Act of 1980 (22 U.S.C.*
20 *3965(b)(4)) is amended to read as follows:*

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

24 (b) *PROHIBITION ON PERFORMANCE PAY AWARDS IN*
25 *CERTAIN YEARS.*—

1 (1) Notwithstanding any other provision of law,
2 for fiscal years 1994 and 1995, performance pay
3 awards and payments may not be made under section
4 405 of the Foreign Service Act of 1980 for a fiscal
5 year by any agency subject to an agency-wide reduc-
6 tion in force for budgetary reasons during that fiscal
7 year.

8 (2) No additional performance pay awards or
9 payments may be made in any subsequent fiscal year
10 to compensate for the prohibition under paragraph
11 (1).

12 **SEC. 146. REASSIGNMENT AND RETIREMENT OF FORMER**
13 **PRESIDENTIAL APPOINTEES.**

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

17 “(a) If a participant completes an assignment under
18 section 302(b) in a position to which the participant was
19 appointed by the President, and is not otherwise eligible
20 for retirement, the participant shall be reassigned within
21 90 days after the termination of such assignment and any
22 period of authorized leave.

23 “(b) If a participant completes an assignment under
24 section 302(b) in a position to which the participant was
25 appointed by the President, and is eligible for retirement,

1 *and is not reassigned within 90 days after the termination*
2 *of such assignment and any period of authorized leave, the*
3 *participant shall be retired from the Service and receive*
4 *retirement benefits in accordance with section 806 or sec-*
5 *tion 855, as appropriate.”.*

6 **SEC. 147. REPORT ON CLASSIFICATION OF SENIOR FOR-**
7 **IGN SERVICE POSITIONS.**

8 (a) *AUDIT AND REVIEW.*—*Within 180 days after the*
9 *date of the enactment of this Act, the Comptroller General*
10 *of the United States shall conduct a classification audit of*
11 *all Senior Foreign Service positions in Washington, Dis-*
12 *trict of Columbia, assigned to the Department of State, the*
13 *Agency for International Development, and the United*
14 *States Information Agency and shall review the methods of*
15 *classification of such positions.*

16 (b) *REPORT.*—*Not later than 180 days after the date*
17 *of enactment of this Act, the Comptroller General shall sub-*
18 *mit a report of such audit and review to the Committee*
19 *on Foreign Affairs of the House of Representatives and the*
20 *Committee on Foreign Relations of the Senate.*

21 **SEC. 148. LIMITATION ON NUMBER OF LIMITED CAREER EX-**
22 **TENSIONS.**

23 *Section 607(b) of the Foreign Service Act of 1980 (22*
24 *U.S.C. 4007(b)) is amended by adding at the end “Effective*
25 *September 30, 1995, the number of members of the Senior*

1 *Foreign Service serving under such limited career exten-*
2 *sions may not exceed 25 percent of the total number of mem-*
3 *bers of the Service who are eligible to serve under a limited*
4 *extension.”.*

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

6 (a) *AWAY-FROM-POST EDUCATION ALLOWANCE.*—Sec-
7 *tion 5924(4)(A) of title 5, United States Code, is amended*
8 *by inserting after the first sentence the following: “When*
9 *travel from school to post is infeasible, travel may be al-*
10 *lowed between the school attended and the home of a des-*
11 *ignated relative or family friend or to join a parent at any*
12 *location, with the allowable travel expense not to exceed the*
13 *cost of travel between the school and post.”.*

14 (b) *EDUCATIONAL TRAVEL FOR COLLEGE STUDENTS*
15 *STUDYING ABROAD.*—Section 5924(4)(B) of title 5, United
16 *States Code, is amended in the first sentence after “in the*
17 *United States” by inserting “(or to and from a school out-*
18 *side the United States if the dependent is attending that*
19 *school for less than one year under a program approved*
20 *by the school in the United States at which the dependent*
21 *is enrolled)”.*

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

24 (a) *GRIEVANCE BOARD PROCEDURES.*—Section 1106
25 *of the Foreign Service Act of 1980 (22 U.S.C. 4136) is*

1 amended in the first sentence of paragraph (8) by striking
2 “until the Board has ruled upon the grievance.” and insert-
3 ing “for up to one year, or until the Board has ruled upon
4 the grievance, whichever period is shorter. The Board shall
5 extend the one-year limit and the Department shall con-
6 tinue to suspend such action, if the Board determines that
7 the agency or the Board is responsible for the delay in the
8 resolution of the grievance.”.

9 (b) *TIME LIMITATION ON REQUESTS FOR JUDICIAL*
10 *REVIEW.*—Section 1110 of the Foreign Service Act of 1980
11 (22 U.S.C. 4140) is amended in the first sentence by insert-
12 ing before the period “; if the request for judicial review
13 is filed not later than 180 days after the final action of
14 the Secretary or the Board (or in the case of an aggrieved
15 party who is posted abroad at the time of the final action
16 of the Secretary or the Board, if the request for judicial
17 review is filed not later than 180 days after the aggrieved
18 party’s return to the United States)”.

19 **PART E—INTERNATIONAL ORGANIZATIONS**

20 **SEC. 161. INTERNATIONAL ATOMIC ENERGY AGENCY SAFE-**
21 **GUARDS.**

22 (a) *PURPOSE.*—It is the purpose of this section to se-
23 cure improvements in the effectiveness of International
24 Atomic Energy Agency safeguards.

25 (b) *DEFINITIONS.*—As used in this section—

1 (1) *the term “IAEA” means the International*
2 *Atomic Energy Agency;*

3 (2) *the term “non-nuclear-weapon state” means*
4 *any country which is not a nuclear-weapon state, as*
5 *defined by Article IX(3) of the Treaty on the Non-*
6 *Proliferation of Nuclear Weapons, signed at Washing-*
7 *ton, London, and Moscow on July 1, 1968;*

8 (3) *the term “nuclear-weapon state” has the*
9 *meaning given to such term by Article IX(3) of such*
10 *Treaty; and*

11 (4) *the term “special fissionable material” has*
12 *the meaning given to such term by Article XX(1) of*
13 *the Statute of the International Atomic Energy Agen-*
14 *cy, done at the Headquarters of the United Nations*
15 *on October 26, 1956.*

16 (c) *REFORMS IN IAEA SAFEGUARDS.—The President*
17 *should direct the United States representatives to the IAEA*
18 *to work toward the early adoption of reforms in the imple-*
19 *mentation of the safeguards responsibilities of the IAEA,*
20 *including the following:*

21 (1) *Improving the ability of the IAEA to detect*
22 *within any non-nuclear-weapon state which has ac-*
23 *cepted full-scope safeguards, nuclear facilities, whether*
24 *or not declared by that state, that are capable of pro-*

1 *ducing, processing, or fabricating special fissionable*
2 *material suitable for use in a nuclear explosive device.*

3 *(2) Increasing the transparency of international*
4 *nuclear commerce.*

5 *(3) Examining the feasibility of increasing the*
6 *scope of safeguards for members who have accepted*
7 *full-scope safeguards to include all activities and fa-*
8 *cilities which could significantly contribute to the ac-*
9 *quisition or production of nuclear explosive devices.*

10 *(4) Improving the access of the IAEA to infor-*
11 *mation about the nuclear activities of member states*
12 *of the IAEA.*

13 *(5) Examining the practicality and advisability*
14 *of the IAEA conducting less frequent inspections at*
15 *nuclear facilities in member states which—*

16 *(A) provide advance consent for the IAEA*
17 *to conduct unrestricted, short notice inspections*
18 *of any facility, whether or not declared by the*
19 *state;*

20 *(B) provide early notification of construc-*
21 *tion of new facilities and modifications to exist-*
22 *ing facilities and the early submission of design*
23 *information regarding such new or modified fa-*
24 *cilities; and*

1 (C) accept any inspectors of the IAEA who
2 are approved by the Board of Governors of the
3 IAEA, agree not to limit the number of such in-
4 spectors, and waive visa requirements for such
5 inspectors.

6 (d) *REPORTING REQUIREMENT.*—The President shall,
7 in the report required by section 601(a) of the Nuclear Non-
8 Proliferation Act of 1978, describe—

9 (1) the steps he has taken and plans to take to
10 implement each of the objectives set forth in subsection
11 (c);

12 (2) the progress that has been made and the ob-
13 stacles that have been encountered in seeking to meet
14 the objectives set forth in subsection (c);

15 (3) any other steps he has taken or plans to take
16 to strengthen the implementation of IAEA safeguards;

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

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

21 (e) *REPORT ON FUNDING.*—Within one year after the
22 date of the enactment of this Act, the President shall submit
23 to the Congress a report assessing what additional funds
24 are required for the IAEA to implement the objectives set

1 *forth in subsection (c) and what funds the United States*
2 *plans to contribute to the IAEA over the next 5 fiscal years.*

3 **SEC. 162. AGREEMENT ON STATE AND LOCAL TAXATION OF**
4 **FOREIGN EMPLOYEES OF PUBLIC INTER-**
5 **NATIONAL ORGANIZATIONS.**

6 *The President is hereby authorized to bring into force*
7 *for the United States the Agreement on State and Local*
8 *Taxation of Foreign Employees of Public International Or-*
9 *ganizations, which was signed by the United States on*
10 *April 21, 1992.*

11 **SEC. 163. REFORM IN BUDGET DECISIONMAKING PROCE-**
12 **DURES OF THE UNITED NATIONS AND ITS**
13 **SPECIALIZED AGENCIES.**

14 *(a) ASSESSED CONTRIBUTIONS.—For assessed con-*
15 *tributions authorized to be appropriated by section 103 of*
16 *this Act, the President may withhold 20 percent of the funds*
17 *appropriated for the United States assessed contribution to*
18 *the United Nations or to any of its specialized agencies for*
19 *any calendar year if the Secretary of State determines that*
20 *the United Nations or any such agency has failed to imple-*
21 *ment or to continue to implement consensus-based decision-*
22 *making procedures on budgetary matters which assure that*
23 *sufficient attention is paid to the views of the United States*
24 *and other member states who are major financial contribu-*
25 *tors to such assessed budgets.*

1 (b) *NOTICE TO CONGRESS.*—*The President shall notify*
2 *the Congress when a decision is made to withhold any share*
3 *of the United States assessed contribution to the United Na-*
4 *tions or its specialized agencies pursuant to subsection (a)*
5 *and shall notify the Congress when the decision is made*
6 *to pay any previously withheld assessed contribution. A no-*
7 *tification under this subsection shall include appropriate*
8 *consultation between the President (or his representative)*
9 *and the Committee on Foreign Affairs of the House of Rep-*
10 *resentatives and the Committee on Foreign Relations of the*
11 *Senate.*

12 (c) *CONTRIBUTIONS FOR PRIOR YEARS.*—*Subject to*
13 *the availability of appropriations, payment of assessed con-*
14 *tributions for prior years may be made to the United Na-*
15 *tions or any of its specialized agencies notwithstanding sub-*
16 *section (a) of this section, section 405 of the Foreign Rela-*
17 *tions Authorization Act, Fiscal Years 1990 and 1991 (Pub-*
18 *lic Law 101–246) and section 143 of the Foreign Relations*
19 *Authorization Act, Fiscal Years 1986 and 1987 (Public*
20 *Law 99–93) if such payment would further United States*
21 *interests in that organization.*

22 **SEC. 164. INTERNATIONAL BOUNDARY AND WATER COMMIS-**
23 **SION.**

24 (a) *AUTHORIZATION TO RECEIVE PAYMENTS.*—*Sec-*
25 *tion 2 of the American-Mexican Chamizal Convention Act*

1 of 1964 (Public Law 88–300; 22 U.S.C. 277d-18) is amend-
2 ed—

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

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

6 “(b) The United States Commissioner is authorized to
7 receive payments of money from public or private sources
8 in the United States or Mexico made for the purpose of
9 sharing in the cost of replacement of the Bridge of the Amer-
10 icas which crosses the Rio Grande between El Paso, Texas,
11 and Cd. Juarez, Chihuahua. Notwithstanding any other
12 provision of law, such payments of money shall be credited
13 to any appropriation to the Commission which is currently
14 available. Funds received under this subsection shall be
15 available only for the replacement of such bridge.

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

19 (b) EXPENDITURES FOR WATER POLLUTION PROB-
20 LEMS.—Title I of the Act of June 20, 1956 (70 Stat. 302,
21 22 U.S.C. 277d–12), is amended in the fourth undesignated
22 paragraph under the heading “INTERNATIONAL BOUNDARY
23 AND WATER COMMISSION, UNITED STATES AND MEXICO” by
24 striking “Tijuana Rivers,” and all that follows before the
25 period and inserting “Tijuana Rivers, or other streams

1 *running across or near the boundary, and for taking emer-*
2 *gency actions to protect against health threatening surface*
3 *and ground water pollution problems along the United*
4 *States-Mexico boundary”.*

5 (c) *FALCON AND AMISTAD DAMS MAINTENANCE*
6 *FUND.—Section 2 of the Act of June 18, 1954 (68 Stat.*
7 *255, as amended by the Act of December 23, 1963, 77 Stat.*
8 *475) is amended to read as follows:*

9 “*SEC. 2. (a) A separate fund, known as the ‘Falcon*
10 *and Amistad Operating and Maintenance Fund’ (herein-*
11 *after referred to as the ‘Maintenance Fund’), shall be cre-*
12 *ated in the Treasury of the United States. The Maintenance*
13 *Fund shall be administered by the Administrator of the*
14 *Western Area Power Administration for use by the Commis-*
15 *sioner of the United States Section of the International*
16 *Boundary and Water Commission to defray operation,*
17 *maintenance, and emergency costs for the hydroelectric fa-*
18 *cilities at the Falcon and Amistad Dams.*

19 “*(b) All revenues collected in connection with the dis-*
20 *position of electric power generated at the Falcon and*
21 *Amistad Dams shall be credited to the Maintenance Fund*
22 *and shall remain available until expended for defraying op-*
23 *eration, maintenance, and emergency costs for the hydro-*
24 *electric facilities at the dams.*

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

4 “(d) All moneys received from the Government of Mex-
5 ico for any energy which might be delivered to that Govern-
6 ment by the United States Section of the International
7 Boundary and Water Commission pursuant to any special
8 agreement concluded in accordance with Article 19 of the
9 said Treaty shall be credited to the General Fund of the
10 Treasury of the United States.”.

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

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

17 (b) *PAYMENT OF ASSESSED CONTRIBUTIONS.*—For fis-
18 cal year 1994 and for each fiscal year thereafter, the United
19 States assessed contributions to APEC may be paid from
20 funds appropriated for “Contributions to International
21 Organizations”.

22 **SEC. 166. LIMITATION ON CONTRIBUTIONS TO THE UNITED**
23 **NATIONS AND AFFILIATED ORGANIZATIONS.**

24 The United States shall not make any voluntary or
25 assessed contribution—

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

5 (2) to the United Nations, if the United Nations
6 grants full membership as a state in the United Na-
7 tions to any organization or group that does not have
8 the internationally recognized attributes of statehood,
9 during any period in which such membership is effective.

10 **PART F—MISCELLANEOUS PROVISIONS**

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

12 (a) *SENSE OF CONGRESS.*—The Congress makes the
13 following declarations:

14 (1) The State Department should designate with-
15 in the appropriate bureau a special assistant to the
16 Assistant Secretary to promote international women's
17 human rights within the overall human rights policy
18 of the United States Government.

19 (2) The purpose of assigning a special assistant
20 on women's human rights issues is not to segregate
21 such issues, but rather to assure that they are consid-
22 ered along with other human rights issues in the de-
23 velopment of United States foreign policy.

24 (3) A specifically designated special assistant is
25 necessary because within the human rights field and

1 *the foreign policy establishment, the issues of gender-*
2 *based discrimination and violence against women*
3 *have long been ignored or made invisible.*

4 (4) *The Congress believes that abuses against*
5 *women would have greater visibility and protection of*
6 *women's human rights would improve if the advocate*
7 *were responsible for integrating women's human*
8 *rights issues into United States human rights policy*
9 *in ways including, but not limited to, the following:*

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

17 (B) *The advocate would work with the re-*
18 *gional bureaus of the Department of State to de-*
19 *vised strategies for the executive branch to bring*
20 *pressure to bear on governments that engage in*
21 *violence or systematic discrimination against*
22 *women or fail to afford equal treatment of*
23 *women before the law.*

24 (C) *The advocate would, in consultation*
25 *with the bureau responsible for international or-*

1 *ganizations, pursue strategies to increase the vis-*
2 *ibility and integration of gender-based persecu-*
3 *tion and violence in multilateral fora including,*
4 *but not limited to, the United States Commission*
5 *on Human Rights and the Working Group on*
6 *Torture.*

7 *(D) The advocate would seek to assure that*
8 *the United States Trade Representative conduct*
9 *inquiries and take steps to prevent countries*
10 *from receiving trade benefits under the General-*
11 *ized System of Preferences and most favored na-*
12 *tion status where governments fail to address vi-*
13 *olence, systematic discrimination, and exploi-*
14 *tation of women workers.*

15 *(E) The advocate would seek to assure that*
16 *the protection of women's human rights, includ-*
17 *ing womens' participation in the political proc-*
18 *ess, women's right to freedom of association and*
19 *expression, and freedom from discrimination,*
20 *would be addressed in the context of United*
21 *States funded programs in the area of democracy*
22 *including, but not limited to, democracy pro-*
23 *grams at the Agency for International Develop-*
24 *ment, democracy programs for Eastern Europe*
25 *funded by the Support for East European De-*

1 mocracy (SEED) Act of 1989, and new pro-
2 grams that may be contemplated.

3 (F) The advocate would seek to assure that
4 United States assistance programs in the area of
5 administration of justice include efforts to re-
6 dress violations of women's rights.

7 (G) The advocate would work with the
8 Agency for International Development and the
9 appropriate office at the Department of State to
10 secure funding for programs to meet the needs of
11 women victims of human rights abuses includ-
12 ing, but not limited to, medical and psycho-
13 logical assistance for rape victims.

14 (H) The advocate would work to assure
15 United States ratification of the United Nations
16 Convention on the Elimination of All Forms of
17 Discrimination Against Women (CEDAW) and
18 oversee the preparation of reports pursuant to
19 that Convention.

20 (I) The advocate would seek to upgrade the
21 quality and quantity of information about
22 abuses of women's human rights in the reporting
23 from United States embassies overseas, incor-
24 porate that information not only in the State
25 Department Country Reports on Human Rights,

1 *but also in other public statements and docu-*
2 *ments including, but not limited to, congres-*
3 *sional testimony and private demarches.*

4 **(b) CONGRESSIONAL NOTIFICATION.—**

5 *(1) Not later than one year after the date of en-*
6 *actment of this Act, the Secretary of State shall notify*
7 *the Congress of the steps taken to create the position*
8 *described in subsection (a) or to otherwise fulfill the*
9 *objectives detailed in that subsection.*

10 *(2) If the United Nations Convention on the*
11 *Elimination of All Forms of Discrimination Against*
12 *Women (CEDAW) has not been submitted to the Sen-*
13 *ate for ratification, not more than 90 days after the*
14 *date of enactment of this Act, the Secretary of State*
15 *shall notify the Congress, in writing, of the adminis-*
16 *tration's position on the ratification of CEDAW and*
17 *timetable for submission of CEDAW for congressional*
18 *consideration and approval.*

19 **SEC. 182. PUBLISHING INTERNATIONAL AGREEMENTS.**

20 *Section 112a of title 1 of the United States Code is*
21 *amended—*

22 *(1) by inserting “(a)” immediately before “The*
23 *Secretary of State”; and*

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

1 “(b) The Secretary of State may determine that publi-
2 cation of certain categories of agreements is not required,
3 if the following criteria are met:

4 “(1) such agreements are not treaties which have
5 been brought into force for the United States after
6 having received Senate advice and consent pursuant
7 to section 2(2) of Article II of the Constitution of the
8 United States;

9 “(2) the public interest in such agreements is in-
10 sufficient to justify their publication, because (A) as
11 of the date of enactment of the Foreign Relations Au-
12 thorization Act, Fiscal Years 1994 and 1995, the
13 agreements are no longer in force, (B) the agreements
14 do not create private rights or duties, nor establish
15 standards intended to govern government action in
16 the treatment of private individuals; (C) in view of
17 the limited or specialized nature of the public interest
18 in such agreements, such interest can adequately be
19 satisfied by an alternative means; or (D) the public
20 disclosure of the text of the agreement would, in the
21 opinion of the President, be prejudicial to the na-
22 tional security of the United States; and

23 “(3) copies of such agreements (other than those
24 in paragraph (2)(D)), including certified copies where
25 necessary for litigation or similar purposes, will be

1 *made available by the Department of State upon re-*
2 *quest.*

3 “(c) Any determination pursuant to subsection (b)
4 *shall be published in the Federal Register.”.*

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

6 (a) *MIGRATION AND REFUGEE ASSISTANCE ACT*
7 *AMENDMENTS.—*

8 (1) *The Migration and Refugee Assistance Act of*
9 *1962 (22 U.S.C. 2601) is amended—*

10 (A) *in section 2 by striking “the Intergov-*
11 *ernmental Committee for European Migration”*
12 *and inserting “the International Organization*
13 *for Migration” each place it appears;*

14 (B) *in section 2(a) by striking “the Com-*
15 *mittee” and inserting “the Organization” each*
16 *place it appears;*

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

20 (D) *in section 2(c)(2), by striking*
21 *“\$50,000,000” and inserting “\$100,000,000”.*

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

1 **SEC. 184. UNITED NATIONS SECURITY COUNCIL MEMBER-**
2 **SHIP.**

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

5 (1) *The effectiveness of the United Nations Secu-*
6 *rity Council in maintaining international peace and*
7 *security depends on its being representative of the*
8 *membership of the United Nations.*

9 (2) *The requirement of equitable geographic dis-*
10 *tribution in Article 23 of the United Nations Charter*
11 *requires that the members of the Security Council of*
12 *the United Nations be chosen by nondiscriminatory*
13 *means.*

14 (3) *The use of informal regional groups of the*
15 *General Assembly as the sole means for election of the*
16 *nonpermanent members of the Security Council is in-*
17 *herently discriminatory in the absence of guarantees*
18 *that all member states will have the opportunity to*
19 *join a regional group, and has resulted in discrimi-*
20 *nation against Israel.*

21 (b) *SENSE OF CONGRESS.*—*It is the sense of the Con-*
22 *gress that the President should direct the Secretary of State*
23 *to request the Secretary-General of the United Nations to*
24 *seek immediate resolution of this problem. The President*
25 *shall inform the Congress of any progress in resolving this*
26 *situation together with the submission to Congress of the*

1 *request for funding for the “Contributions to International*
2 *Organizations” account for the fiscal year 1995.*

3 **SEC. 185. REFORMS IN THE FOOD AND AGRICULTURE ORGA-**
4 **NIZATION.**

5 *In light of the longstanding efforts of the United States*
6 *and the other major donor nations to reform the Food and*
7 *Agriculture Organization and the findings of the ongoing*
8 *investigation of the General Accounting Office, it is the*
9 *sense of the Congress that—*

10 *(1) the United States should use the opportunity*
11 *of the 1993 election of a new Director General of the*
12 *Food and Agriculture Organization (FAO) to press*
13 *for long-needed organizational and management re-*
14 *forms; and*

15 *(2) it should be the policy of the United States*
16 *to promote the following reforms in the Food and*
17 *Agriculture Organization:*

18 *(A) Decentralization of the administrative*
19 *structure of FAO, including eliminating redun-*
20 *dant or unnecessary headquarters staff, increased*
21 *responsibilities of regional offices, increased time*
22 *for consideration of budget issues by member*
23 *states, and a more meaningful and direct role for*
24 *member states in the decision-making process.*

1 (B) Reform of the FAO Council, including
2 formation of an executive management commit-
3 tee to provide oversight of management.

4 (C) Limitation of the term of the Director
5 General and the number of terms which an indi-
6 vidual may serve.

7 (D) Restructuring of the Technical Coopera-
8 tion Program (TCP), including reducing the
9 number of nonemergency projects funds through
10 the TCP and establishing procedures to deploy
11 TCP consultants, supplies, and equipment in a
12 timely manner.

13 **SEC. 186. INTERPARLIAMENTARY EXCHANGES.**

14 (a) AUTHORIZATIONS OF APPROPRIATIONS.—

15 (1) Section 2 of Public Law 86-420 is amend-
16 ed—

17 (A) by striking “\$100,000” and inserting
18 “\$80,000”; and

19 (B) by striking “\$50,000” both places it ap-
20 pears and inserting “\$40,000”.

21 (2) Section 2 of Public Law 86-42 is amended—

22 (A) by striking “\$50,000” and inserting
23 “\$70,000”; and

24 (B) by striking “\$25,000” both places it ap-
25 pears and inserting “\$35,000”.

1 (b) *DEPOSIT OF FUNDS IN INTEREST-BEARING AC-*
2 *COUNTS.*—Funds appropriated and disbursed pursuant to
3 *section 303 of Title III of Public Law 100–202 (101 Stat.*
4 *1329–23;22 U.S.C. 276 note) are authorized to be deposited*
5 *in interest-bearing accounts and any interest which accrues*
6 *shall be deposited, periodically, in a miscellaneous account*
7 *of the Treasury.*

8 **SEC. 187. UNITED STATES POLICY CONCERNING OVERSEAS**
9 **ASSISTANCE TO REFUGEES AND DISPLACED**
10 **PERSONS.**

11 (a) *STANDARDS FOR REFUGEE WOMEN AND CHIL-*
12 *DREN.*—The United States Government, in providing for
13 *overseas assistance and protection of refugees and displaced*
14 *persons, shall seek to address the protection and provision*
15 *of basic needs of refugee women and children who represent*
16 *80 percent of the world’s refugee population. As called for*
17 *in the 1991 United Nations High Commissioner for Refu-*
18 *gees (UNHCR) “Guidelines on the Protection of Refugee*
19 *Women,” whether directly, or through international organi-*
20 *zations and nongovernmental voluntary organizations, the*
21 *Secretary of State shall seek to ensure—*

22 (1) *specific attention on the part of the United*
23 *Nations and relief organizations to recruit and em-*
24 *ploy female protection officers;*

1 (2) implementation of gender awareness training
2 for field staff including, but not limited to, security
3 personnel;

4 (3) the protection of refugee women and children
5 from violence and other abuses on the part of govern-
6 ments or insurgent groups;

7 (4) full involvement of women refugees in the
8 planning and implementation of (A) the delivery of
9 services and assistance, and (B) the repatriation
10 process;

11 (5) incorporation of maternal and child health
12 needs into refugee health services and education, spe-
13 cifically to include education on and access to services
14 in reproductive health and birth spacing;

15 (6) the availability of counseling and other serv-
16 ices, grievance processes, and protective services to
17 victims of violence and abuse, including but not lim-
18 ited to rape and domestic violence;

19 (7) the provision of educational programs, par-
20 ticularly literacy and numeracy, vocational and in-
21 come-generation skills training, and other training ef-
22 forts promoting self-sufficiency for refugee women,
23 with special emphasis on women heads of household;

1 (8) education for all refugee children, ensuring
2 equal access for girls, and special services and family
3 tracing for unaccompanied refugee minors;

4 (9) the collection of data that clearly enumerate
5 age and gender so that appropriate health, education,
6 and assistance programs can be planned;

7 (10) the recruitment, hiring, and training of
8 more women program professionals in the inter-
9 national humanitarian field; and

10 (11) gender-awareness training for program staff
11 of the United Nations High Commissioner for Refu-
12 gees (UNHCR) and nongovernmental voluntary orga-
13 nizations on implementation of the 1991 UNHCR
14 “Guidelines on the Protection of Refugee Women”.

15 (b) *PROCEDURES*.—The Secretary of State shall adopt
16 specific procedures to ensure that all recipients of United
17 States Government refugee and migration assistance funds
18 implement the standards outlined in subsection (a).

19 (c) *REQUIREMENTS FOR REFUGEE AND MIGRATION*
20 *ASSISTANCE*.—The Secretary of State, in providing migra-
21 tion and refugee assistance, should support the protection
22 efforts set forth under this section by raising at the highest
23 levels of government the issue of abuses against refugee
24 women and children by governments or insurgent groups
25 that engage in, permit, or condone—

1 (1) *a pattern of gross violations of internation-*
2 *ally recognized human rights, such as torture or cruel,*
3 *inhumane, or degrading treatment or punishment,*
4 *prolonged detention without charges, or other flagrant*
5 *denial to life, liberty, and the security of person;*

6 (2) *the blockage of humanitarian relief assist-*
7 *ance;*

8 (3) *gender-specific persecution such as systematic*
9 *individual or mass rape, forced pregnancy, forced*
10 *abortion, enforced prostitution, any form of indecent*
11 *assault or act of violence against refugee women,*
12 *girls, and children; or*

13 (4) *continuing violations of the integrity of the*
14 *person against refugee women and children on the*
15 *part of armed insurgents, local security forces, or*
16 *camp guards.*

17 (d) *INVESTIGATION OF REPORTS.*—*Upon receipt of*
18 *credible reports of abuses under subsection (c), the Secretary*
19 *of State should immediately investigate such reports*
20 *through emergency fact-finding missions or other means of*
21 *investigating such reports and help identify appropriate re-*
22 *medial measures.*

23 (e) *MULTILATERAL ORGANIZATIONS.*—*The United*
24 *States Government shall use its voice and vote in the United*
25 *Nations and its participation in other multilateral organi-*

1 zations, to promote policies which seek to protect and ad-
2 dress basic human rights and needs of refugee women and
3 children. The Secretary of State shall work to ensure that
4 multilateral organizations fully incorporate the needs of ref-
5 ugee women and children into all elements of refugee assist-
6 ance programs.

7 (f) *SENSE OF CONGRESS ON MULTILATERAL IMPLE-*
8 *MENTATION OF THE 1991 UNHCR "GUIDELINES ON THE*
9 *PROTECTION OF REFUGEE WOMEN".—It is the sense of the*
10 *Congress that the President should enter into bilateral and*
11 *multilateral negotiations to encourage other governments*
12 *that provide refugee assistance to adopt refugee assistance*
13 *policies designed to encourage full implementation of the*
14 *UNHCR's 1991 "Guidelines on the Protection of Refugee*
15 *Women".*

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

17 (a) *BOYCOTT OF ISRAEL.—Section 322 of the Foreign*
18 *Relations Authorization Act, Fiscal Years 1992 and 1993*
19 *(Public Law 102-138) is amended—*

20 (1) *in paragraph (2) by striking "and" at the*
21 *end;*

22 (2) *in paragraph (3)(A) by striking "and" after*
23 *the semicolon;*

24 (3) *in paragraph (3)(B) by striking the period*
25 *and inserting "; and"; and*

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

2 “(C) does not participate in the Arab
3 League primary or secondary boycott of Israel.”.

4 (b) *REPORT TO CONGRESS.*—Not later than 180 days
5 after the date of enactment of this Act, the Secretary of
6 State shall submit a report to the Chairman of the Commit-
7 tee on Foreign Affairs of the House of Representatives and
8 the Chairman of the Committee on Foreign Relations of the
9 Senate concerning steps taken to ensure that the goals of
10 the amendment under subsection (a) are being met.

11 **SEC. 189. REPORT ON TERRORIST ASSETS IN THE UNITED**
12 **STATES.**

13 Section 304(a) of the Foreign Relations Authorization
14 Act, Fiscal Years 1992 and 1993 (Public Law 102–138) is
15 amended—

16 (1) by striking “Treasury” and inserting “Treas-
17 ury, in consultation with the Attorney General and
18 appropriate investigative agencies,”; and

19 (2) by inserting at the end “Each such report
20 shall provide a detailed list and description of specific
21 assets.”.

1 **SEC. 190. SENSE OF CONGRESS CONCERNING UNITED**
2 **STATES CITIZENS VICTIMIZED BY GERMANY**
3 **DURING WORLD WAR II.**

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

6 (1) *The national interests of the United States*
7 *require the presence abroad of United States citizens.*

8 (2) *Conditions in many parts of the world*
9 *present dangers to the safety and security of Ameri-*
10 *cans abroad.*

11 (3) *The protection of United States citizens*
12 *abroad depends on their enjoying full protection*
13 *against war crimes and crimes against humanity*
14 *committed by foreign governments.*

15 (4) *The conduct of the Government of Germany*
16 *in using slave labor during the period 1939 to 1945*
17 *constituted the acts of an outlaw state and an abroga-*
18 *tion of treaty obligations under the Convention Re-*
19 *specting the Laws and Customs of War on Land*
20 *(Done at The Hague, 18 October 1907).*

21 (b) *SENSE OF CONGRESS.*—*It is the sense of the Con-*
22 *gress that United States citizens who were victims of war*
23 *crimes and crimes against humanity committed by the Gov-*
24 *ernment of Germany during the period 1939 to 1945 should*
25 *be compensated by the Government of Germany.*

1 **SEC. 191. TRANSPARENCY IN ARMAMENTS.**

2 *It is the sense of the Congress that—*

3 *(1) no sale of any defense article or defense serv-*
4 *ice should be made, no license should be issued for the*
5 *export of any defense article or defense service, and no*
6 *agreement to transfer in any way any defense article*
7 *or defense service should be made to any nation that*
8 *does not fully furnish all pertinent data to the United*
9 *Nations Register of Conventional Arms pursuant to*
10 *United Nations General Assembly Resolution 46/36L*
11 *by the reporting date specified by such register; and*

12 *(2) if a nation has not submitted the required*
13 *information by the reporting date of a particular*
14 *year, but subsequently submits notification to the*
15 *United Nations that it intends to provide such infor-*
16 *mation at the next reporting date, an agreement may*
17 *be negotiated with the nation or a license may be is-*
18 *ssued, but the actual delivery of such defense article or*
19 *service should not occur until that nation submits*
20 *such information.*

21 **SEC. 192. REVITALIZATION OF THE “PERMANENT FIVE”**
22 **PROCESS.**

23 *(a) CONGRESSIONAL DECLARATIONS.—The Congress*
24 *makes the following findings and declarations:*

25 *(1) Talks among the five permanent members of*
26 *the United Nations Security Council (“Perm-5”) first*

1 *established in October 1991 present the best oppor-*
2 *tunity to negotiate qualitative and quantitative*
3 *guidelines on conventional arms sales to the develop-*
4 *ing world.*

5 *(2) Reconvening of the “Perm-5” talks is an ur-*
6 *gent matter of international security.*

7 *(b) SENSE OF CONGRESS.—It is the sense of the Con-*
8 *gress that the President should seek to restart “Perm-5”*
9 *talks and should report to the Congress on the progress of*
10 *such talks and the effects of United States agreements since*
11 *October 1991 to sell arms to the developing world.*

12 **SEC. 193. REPORT ON THE IMPACT OF CONVENTIONAL**
13 **WEAPONS PROLIFERATION.**

14 *Section 36(b) of the Arms Export Control Act (22*
15 *U.S.C. 2776) is amended in paragraph (1) by inserting*
16 *after the first sentence “Each certification shall provide an*
17 *evaluation of the manner in which the proposed sale would*
18 *meet legitimate defense needs of the foreign country or inter-*
19 *national organization to which the sale would be made, in-*
20 *crease regional tensions or instability, and introduce new*
21 *or more sophisticated military capabilities into the*
22 *region.”.*

1 **SEC. 194. ESTABLISHMENT OF INDEPENDENT INSPECTORS**

2 **GENERAL AT INTERNATIONAL ORGANIZA-**

3 **TIONS.**

4 *The Congress makes the following findings and dec-*
5 *larations:*

6 *(1) As a result of the March 1, 1993, report by*
7 *then United Nations Under Secretary General for Ad-*
8 *ministration and Management, the Honorable Rich-*
9 *ard Thornburg, concern has been raised about the*
10 *United Nation's deficiencies in dealing with fraud,*
11 *waste, and abuse.*

12 *(2) It is the sense of the Congress that the Presi-*
13 *dent should pay urgent attention to persuading the*
14 *Secretary General of the United Nations to take im-*
15 *mediate steps to implement the recommendations con-*
16 *tained in the March 1, 1993, report, giving promi-*
17 *nent attention to the finding that the organization ur-*
18 *gently needs the establishment of a strong and inde-*
19 *pendent office of inspector general for the purposes of*
20 *internal program and administrative audit and effi-*
21 *ciency review. It is further the sense of the Congress*
22 *that the reports and findings of an inspector general*
23 *should be fully available to member states.*

24 *(3) The President should seek to persuade other*
25 *international organizations of which the United*
26 *States is a member to establish independent inspec-*

1 *tors general, where applicable, in addition to other*
2 *steps to develop effective means to eliminate fraud,*
3 *waste, and abuse.*

4 *(4) It is the sense of the Congress that all reports*
5 *and findings of such inspectors general, or of existing*
6 *instrumentalities whose purpose is to provide audit*
7 *and review functions to assist oversight by members,*
8 *should be fully available to member states.*

9 **SEC. 195. SENSE OF CONGRESS REGARDING ADHERENCE**
10 **TO UNITED NATIONS CHARTER.**

11 *It is the sense of the Congress that—*

12 *(1) the President should seek an assurance from*
13 *the Secretary General of the United Nations that the*
14 *United Nations will comply with Article 100 of the*
15 *United Nations Charter;*

16 *(2) neither the Secretary General of the United*
17 *Nations nor his staff should seek or receive instruc-*
18 *tions from any government or from any other author-*
19 *ity external to the United Nations; and*

20 *(3) the President should report to Congress when*
21 *he receives such assurance from the Secretary General*
22 *of the United Nations.*

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 the*
9 *United States Information and Educational Exchange Act*
10 *of 1948, the Mutual Educational and Cultural Exchange*
11 *Act of 1961, Reorganization Plan Number 2 of 1977, the*
12 *Radio Broadcasting to Cuba Act, the Television Broadcast-*
13 *ing to Cuba Act, the Board for International Broadcasting*
14 *Act, the Inspector General Act of 1978, the Center for Cul-*
15 *tural and Technical Interchange Between North and South*
16 *Act, the National Endowment for Democracy Act, and to*
17 *carry out other authorities in law consistent with such*
18 *purposes:*

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

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

24 (A) *FULBRIGHT ACADEMIC EXCHANGE PRO-*
25 *GRAMS.—For the “Fulbright Academic Exchange*

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

3 (B) *OTHER PROGRAMS.*—For “Hubert H.
4 Humphrey Fellowship Program”, “Edmund S.
5 Muskie Fellowship Program”, “International
6 Visitors Program”, “Israeli-Arab Scholarship
7 Program”, “Mike Mansfield Fellowship Pro-
8 gram”, “Claude and Mildred Pepper Scholarship
9 Program of the Washington Workshops Founda-
10 tion”, “Citizen Exchange Programs”, “Congress-
11 Bundestag Exchange Program”, “Newly Inde-
12 pendent States and Eastern Europe Training”,
13 “Institute for Representative Government”,
14 “Freedom Support Act Secondary School Ex-
15 changes”, “South Pacific Exchanges”, and “Arts
16 America”, \$109,079,000 for the fiscal year 1994
17 and \$111,835,000 for the fiscal year 1995.

18 (3) *BROADCASTING TO CUBA.*—For “Broadcast-
19 ing to Cuba”, \$28,351,000 for the fiscal year 1994
20 and \$28,362,000 for the fiscal year 1995.

21 (4) *INTERNATIONAL BROADCASTING ACTIVI-*
22 *TIES.*—For “International Broadcasting Activities”
23 under part B, \$606,790,000 for the fiscal year 1994,
24 and \$717,790,000 for the fiscal year 1995.

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

5 (6) *NATIONAL ENDOWMENT FOR DEMOCRACY.—*
6 *For “National Endowment for Democracy”,*
7 *\$48,000,000 for the fiscal year 1994 and \$49,296,000*
8 *for the fiscal year 1995.*

9 (7) *CENTER FOR CULTURAL AND TECHNICAL*
10 *INTERCHANGE BETWEEN EAST AND WEST.—For “Cen-*
11 *ter for Cultural and Technical Interchange between*
12 *East and West”, \$23,000,000 for the fiscal year 1994*
13 *and \$23,621,000 for the fiscal year 1995.*

14 (8) *AMERICAN STUDIES COLLECTIONS.—To the*
15 *Bureau of Educational and Cultural Affairs of the*
16 *United States Information Agency—*

17 (A) *\$1,650,000 for the fiscal year 1994 and*
18 *\$1,950,000 for the fiscal year 1995 to fund the*
19 *endowment authorized to be established under*
20 *section 239; and*

21 (B) *in addition to such amounts under sub-*
22 *paragraph (A), \$450,000 for each of the fiscal*
23 *years 1994 and 1995 to carry out section 239.*

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 to*
17 *support broadcasting to other nations consistent with*
18 *the requirements of this Act.*

19 **SEC. 213. STANDARDS.**

20 *International broadcasting supported by United States*
21 *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 sup-
4 ported broadcasting entities of other democratic na-
5 tions;

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

8 (6) be based on reliable information about its po-
9 tential 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 policies
21 of the United States Government and responsible dis-
22 cussion 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 fel-
6 low countrymen;

7 (7) reliable research capacity to meet the criteria
8 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 not
14 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 to
22 any agency of the United States Government. The President
23 may authorize any public or private entity to carry out
24 the functions described in paragraphs (4), (5), (6), (7), (8),
25 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 to
3 RFE/RL Incorporated or any other public or private entity
4 in order to carry out the functions of paragraphs (4), (5),
5 (6), (7), (8), and (9) of section 214(b). In exercising over-
6 sight responsibilities pursuant to any such grant, an agency
7 shall consider the necessity of maintaining the professional
8 independence and integrity of the grantee in carrying out
9 such functions.

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

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

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

17 Section 301(c) of the Foreign Relations Authorization
18 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 year,
24 any funds appropriated for the purposes of this part shall
25 not be available for obligation or expenditure—

1 (1) *unless such funds are appropriated pursuant*
2 *to an authorization of appropriations; or*

3 (2) *in excess of the authorized level of appropria-*
4 *tions.*

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 provision*
11 *of law which specifically repeals, modifies, or super-*
12 *sedes 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 ad-*
16 *ministered 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 adver-*
23 *tising. Each such report shall include information with re-*
24 *spect to the amount of advertising which has been sold, the*

1 *revenue generated by the sale of advertising, and an evalua-*
2 *tion 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 the*
10 *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 law,*
15 *to carry out projects involving security construction*
16 *and related improvements for Agency facilities not*
17 *physically located together with Department of State*
18 *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)) is*
22 *amended to read as follows:*

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

1 *ment, be considered to be employees of the United*
2 *States Government for the purposes of any law ad-*
3 *ministered by the Office of Personnel Management,*
4 *except that the Director may determine the applica-*
5 *bility to such individuals of paragraph (5) of this*
6 *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)) is*
10 *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)”;* and

14 *(4) by adding at the end the following new para-*
15 *graphs:*

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

18 *“(3) In order to eliminate substantial gains to the ap-*
19 *proved levels of overseas operations for the United States*
20 *Information Agency, the Director shall transfer to the Buy-*
21 *ing Power Maintenance account such amounts in the Sala-*
22 *ries and Expenses appropriations as the Director deter-*
23 *mines are excessive to the needs of the approved level of op-*
24 *erations under that appropriation account because of fluc-*

1 *tuations in foreign currency exchange rates or changes in*
2 *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 such*
7 *amounts as the Director determines are necessary to main-*
8 *tain the approved level of operations under that appropria-*
9 *tion account.*

10 “(5) *Funds transferred by the Director from the Buy-*
11 *ing Power Maintenance account to another account shall*
12 *be merged with and be available for the same purpose, and*
13 *for the same time period, as the funds in that other account.*
14 *Funds transferred by the Director from another account to*
15 *the Buying Power Maintenance account shall be merged*
16 *with the funds in the Buying Power Maintenance account*
17 *and shall be available for the purposes of that account until*
18 *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 be obli-*
22 *gated or expended shall be deemed to be adjusted to the ex-*
23 *tent necessary to offset the net effect of fluctuations in for-*
24 *foreign currency exchange rates or overseas wage and price*
25 *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 after
3 the fiscal year for which funds are appropriated or other-
4 wise made available for the Salaries and Expenses account,
5 the Director may transfer any unobligated balance of such
6 funds to the Buying Power Maintenance account.

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

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

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

17 **SEC. 234. CONTRACT AUTHORITY.**

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

21 “(4)(A) Notwithstanding the other provisions of this
22 subsection, the United States Information Agency is author-
23 ized to enter into contracts for periods not to exceed 7 years
24 for circuit capacity to distribute radio and television pro-
25 grams.

1 “(B) The authority of this paragraph may be exercised
2 for a fiscal year only to such extent or in such amounts
3 as are provided in advance in appropriations Acts.”.

4 **SEC. 235. APPROPRIATIONS AUTHORITIES.**

5 Subsection (f) of section 701 of the United States Infor-
6 mation and Educational Exchange Act of 1948 (22 U.S.C.
7 1476(f)) is amended—

8 (1) in paragraph (1)—

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

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

13 (2) by striking paragraph (4).

14 **SEC. 236. TECHNICAL AMENDMENT.**

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

17 **SEC. 237. SEPARATE LEDGER ACCOUNTS FOR NED GRANT-**
18 **EES.**

19 Section 504(h)(1) of the National Endowment for De-
20 mocracy Act (22 U.S.C. 4413(h)(1)) is amended by striking
21 “accounts” and inserting “bank accounts or separate self-
22 balancing ledger accounts”.

23 **SEC. 238. AMERICAN STUDIES COLLECTIONS.**

24 (a) *AUTHORITY.*—In order to promote a thorough un-
25 derstanding of the United States among emerging elites

1 *abroad, the Director of the United States Information Agen-*
2 *cy is authorized to establish and support collections at ap-*
3 *propriate university libraries abroad to further the study*
4 *of the United States, and to enter into agreements with such*
5 *universities for such purposes.*

6 *(b) DESIGN AND DEVELOPMENT.—Such collections—*

7 *(1) shall be developed in consultation with Unit-*
8 *ed States associations and organizations of scholars*
9 *in the principal academic disciplines in which Amer-*
10 *ican studies are conducted; and*

11 *(2) shall be designed primarily to meet the needs*
12 *of undergraduate and graduate students of American*
13 *studies.*

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

16 *(1) ensure that such universities are able, within*
17 *a reasonable period of the establishment of such collec-*
18 *tions, to assume responsibility for their maintenance*
19 *in current form;*

20 *(2) ensure that undergraduate and graduate stu-*
21 *dents shall enjoy reasonable access to such collections;*
22 *and*

23 *(3) include in any agreement entered into be-*
24 *tween the United States Information Agency and a*
25 *university abroad, terms embodying a contractual*

1 *commitment of such maintenance and access under*
2 *this subsection.*

3 (d) *FUNDING.*—

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

10 (2)(A) *The Director shall make deposits to the*
11 *fund of amounts appropriated to the fund under sec-*
12 *tion 201.*

13 (B) *The Director is authorized to accept, use,*
14 *and dispose of gifts of donations of services or prop-*
15 *erty to carry out this section. Sums of money donated*
16 *to carry out the purposes of this section shall be de-*
17 *posited into the fund.*

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

23 (4) *The Director may withdraw or expend*
24 *amounts from the fund for any expenses necessary to*
25 *carry out the purposes of this section.*

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

2 (a) *AUTHORIZED PROGRAMS.*—The Director of the
3 *United States Information Agency is authorized to award*
4 *academic scholarships to qualified students from the sov-*
5 *ereign nations of the South Pacific region to pursue under-*
6 *graduate and postgraduate study at institutions of higher*
7 *education in the United States; to make grants to accom-*
8 *plished United States scholars and experts to pursue re-*
9 *search, to teach, or to offer training in such nations; and*
10 *to make grants for youth exchanges.*

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

15 **SEC. 240. COORDINATION OF UNITED STATES EXCHANGE**
16 **PROGRAMS.**

17 Section 112 of the Mutual Educational and Cultural
18 *Exchange Act of 1961 (22 U.S.C. 2460) is amended by add-*
19 *ing at the end the following:*

20 “(f) *The President shall ensure that all exchange pro-*
21 *grams conducted by the United States Government, its de-*
22 *partments and agencies, directly or through agreements*
23 *with other parties, are coordinated through the Bureau to*
24 *ensure that such exchanges are consistent with United*
25 *States foreign policy and to avoid duplication of effort. The*
26 *President shall report annually to the Congress on such co-*

1 *ordination. Such report shall include information concern-*
2 *ing what exchanges are supported by the United States, the*
3 *number of exchange participants supported, the types of ex-*
4 *change activities, and the total amount of Federal expendi-*
5 *tures for such exchanges.”.*

6 **SEC. 241. LIMITATION CONCERNING PARTICIPATION IN**
7 **INTERNATIONAL EXPOSITIONS.**

8 *Notwithstanding any other provision of law, the Unit-*
9 *ed States Information Agency is not authorized to repro-*
10 *gram funds in order to obligate or expend any funds for*
11 *a United States Government funded pavilion or other major*
12 *exhibit at any international exposition or world’s fair reg-*
13 *istered by the Bureau of International Expositions in excess*
14 *of amounts expressly authorized and appropriated for such*
15 *purpose.*

16 **SEC. 242. PRIVATE SECTOR OPPORTUNITIES.**

17 *Section 104(e)(4) of the Mutual Educational and Cul-*
18 *tural Exchange Act of 1961 (22 U.S.C. 2454) is amended*
19 *by inserting before the period “, and of similar services and*
20 *opportunities for interchange not supported by the United*
21 *States Government”.*

22 **SEC. 243. EDUCATIONAL AND CULTURAL EXCHANGES WITH**
23 **TIBET.**

24 *The Director of the United States Information Agency*
25 *shall establish programs of educational and cultural ex-*

1 *change between the United States and the people of Tibet.*
2 *Such programs shall include opportunities for training*
3 *and, as the Director considers appropriate, may include the*
4 *assignment of personnel and resources abroad.*

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

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

13 **PART D—MIKE MANSFIELD FELLOWSHIPS**

14 **SEC. 251. SHORT TITLE.**

15 *This part may be cited as the “Mike Mansfield Fellow-*
16 *ship Act”.*

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

18 *(a) ESTABLISHMENT.—(1) There is hereby established*
19 *the “Mike Mansfield Fellowship Program” pursuant to*
20 *which the Director of the United States Information Agency*
21 *will make grants, subject to the availability of appropria-*
22 *tions, to the Mansfield Center for Pacific Affairs to award*
23 *fellowships to eligible United States citizens for periods of*
24 *2 years each (or, pursuant to section 253(5)(C), for such*
25 *shorter period of time as the Center may determine based*

1 *on a Fellow's level of proficiency in the Japanese language*
2 *or knowledge of the political economy of Japan) as follows:*

3 (A) *During the first year each fellowship recipi-*
4 *ent will study the Japanese language as well as Ja-*
5 *pan's political economy.*

6 (B) *During the second year each fellowship re-*
7 *ipient will serve as a Fellow in a parliamentary of-*
8 *fice, ministry, or other agency of the Government of*
9 *Japan or, subject to the approval of the Center, a*
10 *nongovernmental Japanese institution associated with*
11 *the interests of the fellowship recipient, consistent*
12 *with the purposes of this part.*

13 (2) *Fellowships under this part may be known as*
14 *"Mansfield Fellowships", and individuals awarded such fel-*
15 *lowships may be known as "Mansfield Fellows".*

16 (b) *ELIGIBILITY OF CENTER FOR GRANTS.—Grants*
17 *may be made to the Center under this section only if the*
18 *Center agrees to comply with the requirements of section*
19 *253.*

20 (c) *INTERNATIONAL AGREEMENT.—The Director of the*
21 *United States Information Agency should enter into nego-*
22 *tiations for an agreement with the Government of Japan*
23 *for the purpose of placing Mansfield Fellows in the Govern-*
24 *ment of Japan.*

1 (d) *PRIVATE SOURCES.*—*The Center is authorized to*
2 *accept, use, and dispose of gifts or donations of services or*
3 *property in carrying out the fellowship program, subject to*
4 *the review and approval of the Board described in section*
5 *255.*

6 ***SEC. 253. PROGRAM REQUIREMENTS.***

7 *The program established under this part shall comply*
8 *with the following requirements:*

9 (1) *United States citizens who are eligible for fel-*
10 *lowships under this part shall be employees of the*
11 *Federal Government having at least two years experi-*
12 *ence in any branch of the Government, a strong ca-*
13 *reer interest in United States-Japan relations, and a*
14 *demonstrated commitment to further service in the*
15 *Federal Government.*

16 (2) *Not less than 10 fellowships shall be awarded*
17 *each year.*

18 (3) *Mansfield Fellows shall agree—*

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

23 (B) *to return to the Federal Government for*
24 *further employment for a period of at least 2*
25 *years following the end of their fellowships, un-*

1 *less, in the determination of the Center, the Fel-*
2 *low is unable (for reasons beyond the Fellow's*
3 *control and after receiving assistance from the*
4 *Center as provided in paragraph (8)) to find re-*
5 *employment for such period.*

6 *(4) During the period of the fellowship, the Cen-*
7 *ter shall provide each Mansfield Fellow—*

8 *(A) a stipend at a rate of pay equal to the*
9 *rate of pay that individual was receiving when*
10 *he or she entered the program, plus a cost-of-liv-*
11 *ing adjustment calculated at the same rate of*
12 *pay, and for the same period of time, for which*
13 *such adjustments were made to the salaries of in-*
14 *dividuals occupying competitive positions in the*
15 *civil service during the same period as the fel-*
16 *lowship; and*

17 *(B) certain allowances and benefits as that*
18 *individual would have been entitled to, but for*
19 *his or her separation from Government service,*
20 *as a United States Government civilian em-*
21 *ployee overseas under the Standardized Regula-*
22 *tions (Government Civilians, Foreign Areas) of*
23 *the Department of State, as follows: a living*
24 *quarters allowance to cover the cost of housing in*
25 *Japan, a post allowance to cover the signifi-*

1 cantly higher costs of living in Japan, a tem-
2 porary quarters subsistence allowance for up to
3 7 days for Fellows unable to find housing imme-
4 diately upon arrival in Japan, an education al-
5 lowance to assist parents in providing their chil-
6 dren with educational services ordinarily pro-
7 vided without charge by United States public
8 schools, moving expenses of up to \$3,000 for per-
9 sonal belongings of Fellows and their families in
10 their move to Japan and up to \$500 for Fellows
11 residing outside the Washington, D.C. area in
12 moving to the Washington, D.C. area, and one-
13 round-trip economy-class airline ticket to Japan
14 for each Fellow and the Fellow's immediate fam-
15 ily.

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

20 (B) Such training shall be of the same quality
21 as training provided to Foreign Service officers before
22 they are assigned to Japan.

23 (C) The Center may waive any or all of the
24 training required by subparagraph (A) to the extent
25 that a Fellow has Japanese language skills or knowl-

1 *edge of Japan's political economy, and the 2 year fel-*
2 *lowship period shall be shortened to the extent such*
3 *training is less than one year.*

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

10 *(A) Full reimbursement for noncompliance*
11 *with paragraph (3)(A) or (9); and*

12 *(B) pro rata reimbursement for noncompli-*
13 *ance with paragraph (3)(B) for any period the*
14 *Fellow is reemployed by the Federal Government*
15 *that is less than the period specified in para-*
16 *graph (3)(B), at a rate equal to the amount the*
17 *Fellow received during the final year of the fel-*
18 *lowship for the same period of time, including*
19 *any allowances and benefits provided under*
20 *paragraph (4).*

21 *(7) The Center shall select Mansfield Fellows*
22 *based solely on merit. The Center shall make positive*
23 *efforts to recruit candidates reflecting the cultural, ra-*
24 *cial, and ethnic diversity of the United States.*

1 (8) *The Center shall assist any Mansfield Fellow*
2 *in finding employment in the Federal Government if*
3 *such Fellow was not able, at the end of the fellowship,*
4 *to be reemployed in the agency from which he or she*
5 *separated to become a Fellow.*

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

9 (10) *The accounts of the Center shall be audited*
10 *annually in accordance with generally accepted au-*
11 *ditting standards by independent certified public ac-*
12 *countants or independent licensed public accountants,*
13 *certified or licensed by a regulatory authority of a*
14 *State or other political subdivision of the United*
15 *States. The audit shall be conducted at the place or*
16 *places where the accounts of the Center are normally*
17 *kept. All books, accounts, financial records, files, and*
18 *other papers, things, and property belonging to or in*
19 *use by the Center and necessary to facilitate the audit*
20 *shall be made available to the person or persons con-*
21 *ducting the audit, and full facilities for verifying*
22 *transactions with the balances or securities held by*
23 *depositories, fiscal agents, and custodians shall be af-*
24 *forded to such person or persons.*

1 (11) *The Center shall provide a report of the*
2 *audit to the Board no later than six months following*
3 *the close of the fiscal year for which the audit is*
4 *made. The report shall set forth the scope of the audit*
5 *and include such statements, together with the inde-*
6 *pendent auditor's opinion of those statements, as are*
7 *necessary to present fairly the Center's assets and li-*
8 *abilities, surplus or deficit, with reasonable detail, in-*
9 *cluding a statement of the Center's income and ex-*
10 *penses during the year, including a schedule of all*
11 *contracts and grants requiring payments in excess of*
12 *\$5,000 and any payments of compensation, salaries,*
13 *or fees at a rate in excess of \$5,000 per year. The*
14 *report shall be produced in sufficient copies for the*
15 *public.*

16 **SEC. 254. SEPARATION OF GOVERNMENT PERSONNEL DUR-**
17 **ING THE FELLOWSHIPS.**

18 (a) *SEPARATION.*—*Under such terms and conditions*
19 *as the agency head may direct, any agency of the United*
20 *States Government may separate from Government service*
21 *for a specified period any officer or employee of that agency*
22 *who accepts a fellowship under the program established by*
23 *this part.*

24 (b) *REEMPLOYMENT.*—*Any Mansfield Fellow, at the*
25 *end of the fellowship, is entitled to be reemployed in the*

1 *same manner as if covered by section 3582 of title 5, United*
2 *States Code.*

3 (c) *RIGHTS AND BENEFITS.*—Notwithstanding section
4 *8347(o), 8713, or 8914 of title 5, United States Code, and*
5 *in accordance with regulations of the Office of Personnel*
6 *Management, an employee, while serving as a Mansfield*
7 *Fellow, is entitled to the same rights and benefits as if cov-*
8 *ered by section 3582 of title 5, United States Code. The Cen-*
9 *ter shall reimburse the employing agency for any costs in-*
10 *curred under section 3582 of title 5, United States Code.*

11 (d) *COMPLIANCE WITH BUDGET ACT.*—Funds are
12 *available under this section to the extent and in the*
13 *amounts provided in appropriation Acts.*

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

15 (a) *ESTABLISHMENT.*—There is hereby established the
16 *Mansfield Fellowship Review Board.*

17 (b) *COMPOSITION.*—The Board shall be composed of 11
18 *individuals, as follows:*

19 (1) *The Secretary of State, or the Secretary's*
20 *designee.*

21 (2) *The Secretary of Defense, or the Secretary's*
22 *designee.*

23 (3) *The Secretary of the Treasury, or the Sec-*
24 *retary's designee.*

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

3 (5) *The United States Trade Representative, or*
4 *the Trade Representative's designee.*

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

7 (7) *The Majority Leader of the Senate, or the*
8 *Majority Leader's designee.*

9 (8) *The Minority Leader of the Senate, or the*
10 *Minority Leader's designee.*

11 (9) *The Speaker of the House of Representatives,*
12 *or the Speaker's designee.*

13 (10) *The Minority Leader of the House of Rep-*
14 *resentatives, or the Minority Leader's designee.*

15 (11) *The Director of the United States Informa-*
16 *tion Agency, who shall serve as the chairperson of the*
17 *Board, or the Director's designee.*

18 (c) *FUNCTIONS.—(1) The Board shall review the ad-*
19 *ministration of the program assisted under this part.*

20 (2)(A) *Each year at the time of the submission of the*
21 *President's budget request to the Congress, the Board shall*
22 *submit to the President and the Congress a report completed*
23 *by the Center with the approval of the Board on the conduct*
24 *of the program during the preceding year.*

25 (B) *Each such report shall contain—*

1 (i) *an analysis of the assistance provided under*
2 *the program for the previous fiscal year and the na-*
3 *ture of the assistance provided;*

4 (ii) *an analysis of the performance of the indi-*
5 *viduals who received assistance under the program*
6 *during the previous fiscal year, including the degree*
7 *to which assistance was terminated under the pro-*
8 *gram and the extent to which individual recipients*
9 *failed to meet their obligations under the program;*
10 *and*

11 (iii) *an analysis of the results of the program for*
12 *the previous fiscal year, including, at a minimum,*
13 *the cumulative percentage of individuals who received*
14 *assistance under the program who subsequently be-*
15 *came employees of the United States Government and,*
16 *in the case of individuals who did not subsequently*
17 *become employees of the United States Government,*
18 *an analysis of the reasons why they did not become*
19 *employees and an explanation as to what use, if any,*
20 *was made of the assistance given to those recipients.*

21 (d) *COMPENSATION.*—*Members of the Board shall not*
22 *be paid compensation for services performed on the Board.*

23 (e) *AVAILABILITY OF SUPPORT STAFF.*—*The Director*
24 *of the United States Information Agency is authorized to*

1 *provide for necessary secretarial and staff assistance for the*
2 *Board.*

3 *(f) RELATIONSHIP TO FEDERAL ADVISORY COMMIT-*
4 *TEE ACT.—The Federal Advisory Committee Act shall not*
5 *apply to the Board to the extent that the provisions of this*
6 *section are inconsistent with such Act.*

7 **SEC. 256. DEFINITIONS.**

8 *For purposes of this part—*

9 *(1) the term “agency of the United States Gov-*
10 *ernment” includes any agency of the legislative*
11 *branch and any court of the judicial branch as well*
12 *as any agency of the executive branch;*

13 *(2) the term “agency head” means—*

14 *(A) in the case of the executive branch of*
15 *Government or an agency of the legislative*
16 *branch other than the House of Representatives*
17 *or the Senate, the head of the respective agency;*

18 *(B) in the case of the judicial branch of*
19 *Government, the chief judge of the respective*
20 *court;*

21 *(C) in the case of the Senate, the President*
22 *pro tempore, in consultation with the Majority*
23 *Leader and Minority Leader of the Senate; and*

24 *(D) in the case of the House of Representa-*
25 *tives, the Speaker of the House, in consultation*

1 *with the Majority Leader and Minority Leader*
2 *of the House;*

3 (3) *the term “Board” means the Mike Mansfield*
4 *Fellowship Review Board; and*

5 (4) *the term “Center” means the Mansfield Cen-*
6 *ter for Pacific Affairs.*

7 **TITLE III—ARMS CONTROL AND**
8 **DISARMAMENT AGENCY**

9 **SEC. 301. PURPOSES.**

10 *The purposes of this title are—*

11 (1) *to provide renewed impetus in improving the*
12 *United States Government’s ability to manage the*
13 *complex process of negotiating and implementing*
14 *arms control treaties;*

15 (2) *to provide central leadership and coordina-*
16 *tion to United States nonproliferation policy; and*

17 (3) *to improve congressional oversight of the op-*
18 *erating budget of the United States Arms Control and*
19 *Disarmament Agency.*

20 **SEC. 302. ACDA DIRECTOR.**

21 (a) *DIRECTOR.*—*Section 22 of the Arms Control and*
22 *Disarmament Act (22 U.S.C. 2562) is amended to read as*
23 *follows:*

1 **“SEC. 22. DIRECTOR.**

2 “(a) *APPOINTMENT.*—The Agency shall be headed by
3 a Director, who shall be appointed by the President, by and
4 with the advice and consent of the Senate. No person serving
5 on active duty as a commissioned officer of the Armed
6 Forces of the United States may be appointed Director.

7 “(b) *DUTIES.*—The Director shall serve as the prin-
8 cipal adviser to the President and other executive branch
9 officials on matters relating to arms control, disarmament,
10 and nonproliferation. In carrying out his or her duties
11 under this Act, the Director, under the guidance of the Sec-
12 retary of State, shall have primary responsibility for mat-
13 ters relating to arms control, disarmament, and non-
14 proliferation, as defined by this Act.”.

15 (b) *PERMANENT MEMBERSHIP ON NATIONAL SECUR-*
16 *ITY COUNCIL.*—Section 101(a) of the National Security
17 Act of 1947 (50 U.S.C. 402(a)) is amended—

18 (1) by redesignating paragraphs (5) through (7)
19 as paragraphs (6) through (8), respectively; and

20 (2) by inserting after paragraph (4) the follow-
21 ing new paragraph (5):

22 “(5) the Director of the United States Arms Con-
23 trol and Disarmament Agency;”.

1 **SEC. 303. SPECIAL REPRESENTATIVES.**

2 (a) *IN GENERAL.*—Section 27 of the Arms Control and
3 Disarmament Act (22 U.S.C. 2567) is amended to read as
4 follows:

5 **“SEC. 27. SPECIAL REPRESENTATIVES.**

6 “(a) *APPOINTMENT.*—The President may appoint, by
7 and with the advice and consent of the Senate, Special Rep-
8 resentatives of the President for Arms Control, Disar-
9 mament, and Nonproliferation. Each Presidential Special
10 Representative shall hold the rank of ambassador.

11 “(b) *DUTIES.*—Presidential Special Representatives
12 shall perform their duties and exercise their powers under
13 direction of the President, acting through the Director. One
14 such Special Representative shall serve as the United States
15 Governor to the Board of Governors of the International
16 Atomic Energy Agency.

17 “(c) *ADMINISTRATIVE SUPPORT.*—The Agency shall be
18 the Government agency responsible for providing adminis-
19 trative support, including funding, staff, and office space,
20 to all Presidential Special Representatives appointed under
21 this section.”.

22 (b) *CONFORMING AMENDMENT.*—Section 5315 of title
23 5, United States Code, is amended by striking “Special
24 Representatives for Arms Control and Disarmament Nego-
25 tiations, United States Arms Control and Disarmament

1 *Agency (2).” and inserting “Special Representatives of the*
2 *President for Arms Control and Nonproliferation.”.*

3 **SEC. 304. NEGOTIATION MANAGEMENT.**

4 *Section 34 of the Arms Control and Disarmament Act*
5 *(22 U.S.C. 2574) is amended to read as follows:*

6 **“SEC. 34. NEGOTIATIONS AND RELATED FUNCTIONS**

7 *“The Director shall have primary responsibility for the*
8 *preparation and management of United States participa-*
9 *tion in all international negotiations and implementation*
10 *forums in the fields of arms control, disarmament, and non-*
11 *proliferation. To this end—*

12 *“(1) the Director shall have primary responsibil-*
13 *ity for the preparation, formulation, support, and*
14 *transmission of instructions and guidance for all such*
15 *negotiations and forums, and shall manage inter-*
16 *agency groups established within the executive branch*
17 *to support such negotiations and forums; and*

18 *“(2) all United States Government representa-*
19 *tives conducting negotiations or acting pursuant to*
20 *agreements in the fields of arms control, disar-*
21 *mament, or nonproliferation shall perform their du-*
22 *ties and exercise their powers, under the direction of*
23 *the President, acting through the Director.”.*

1 **SEC. 305. PARTICIPATION OF ACDA DIRECTOR IN CERTAIN**
2 **DELIBERATIONS.**

3 (a) *ARMS EXPORT CONTROL ACT.*—

4 (1) *Section 38(a)(2) of the Arms Export Control*
5 *Act (22 U.S.C. 2778(a)(2)) is amended to read as*
6 *follows:*

7 “(2) *Decisions on issuing export licenses under this*
8 *section shall be made in coordination with the Director of*
9 *the United States Arms Control and Disarmament Agency,*
10 *taking into account the Director’s assessment as to whether*
11 *the export of an article will contribute to an arms race,*
12 *aid in the development of weapons of mass destruction, sup-*
13 *port international terrorism, increase the possibility of out-*
14 *break or escalation of conflict, or prejudice the development*
15 *of bilateral or multilateral arms control or nonproliferation*
16 *agreements or other bilateral arrangements.”.*

17 (2) *Section 42(a) of such Act (22 U.S.C.*
18 *2791(a)) is amended by striking out all that follows*

19 *“(3)” in the last sentence and inserting the following:*

20 *“the assessment of the Director of the United States*
21 *Arms Control and Disarmament Agency as to the ex-*
22 *tent to which such sale might contribute to an arms*
23 *race, aid in the development of weapons of mass de-*
24 *struction, support international terrorism, increase*
25 *the possibility of outbreak or escalation of conflict, or*
26 *prejudice the development of bilateral or multilateral*

1 *arms control or nonproliferation agreements or other*
2 *arrangements. No decision shall be made over the ob-*
3 *jection of the Director unless the Director has been in-*
4 *formed in writing of the reasons why the Director's*
5 *opinion was not deemed sufficient to deny the pro-*
6 *posed sale, and afforded a reasonable opportunity to*
7 *appeal the proposed decision."*

8 (3) Section 71 of such Act (22 U.S.C. 2797) is
9 amended—

10 (A) in subsection (a) by inserting “, the Di-
11 rector of the United States Arms Control and
12 Disarmament Agency,” after “Secretary of De-
13 fense”;

14 (B) in subsection (b)(1) inserting “and the
15 Director of the United States Arms Control and
16 Disarmament Agency” after “Secretary of De-
17 fense”; and

18 (C) in subsection (b)(2)—

19 (i) by striking “and the Secretary of
20 Commerce” and inserting “, the Secretary
21 of Commerce, and the Director of the United
22 States Arms Control and Disarmament
23 Agency”; and

1 (ii) by striking the comma after “ap-
2 plicant” and all that follows through “docu-
3 ments”.

4 (b) *ATOMIC ENERGY ACT.*—

5 (1) *Section 131(b) of the Atomic Energy Act of*
6 *1954 (42 U.S.C. 2160(b)) is amended—*

7 (A) *in paragraph (2) by inserting “and the*
8 *Director of the United States Arms Control and*
9 *Disarmament Agency” after “Secretary of*
10 *State”; and*

11 (B) *in paragraph (3) by inserting “and the*
12 *Director of the United States Arms Control and*
13 *Disarmament Agency” after “Secretary of*
14 *State”.*

15 (2) *Section 142 of such Act (42 U.S.C. 2162) is*
16 *amended by adding at the end the following new sub-*
17 *section:*

18 “(g) *All determinations under this section to remove*
19 *data from the Restricted Data category shall be made only*
20 *after consultation with the Director of the United States*
21 *Arms Control and Disarmament Agency. If the Commis-*
22 *sion, the Department of Defense, and the Director do not*
23 *agree, the determination shall be made by the President.”.*

1 **SEC. 306. NOTIFICATION TO CONGRESS OF PROPOSED**
2 **REPROGRAMMINGS BY ACDA.**

3 *Title IV of the Arms Control and Disarmament Act*
4 *is amended by adding at the end the following:*

5 **“SEC. 54. REPROGRAMMING OF FUNDS.**

6 *“(a) CONGRESSIONAL NOTIFICATION OF CERTAIN*
7 *REPROGRAMMINGS.—Unless the Committee on Foreign Af-*
8 *fairs of the House of Representatives and the Committee on*
9 *Foreign Relations of the Senate are notified at least 15 days*
10 *in advance of the proposed reprogramming, funds appro-*
11 *priated to carry out this Act (other than funds to carry*
12 *out title V) shall not be available for obligation or expendi-*
13 *ture through any reprogramming of funds that—*

14 *“(1) would create or eliminate a program,*
15 *project, or activity;*

16 *“(2) would increase funds or personnel by any*
17 *means for any program, project, or activity for which*
18 *funds have been denied or restricted by the Congress;*

19 *“(3) would relocate an office or employees;*

20 *“(4) would reorganize offices, programs, projects,*
21 *or activities;*

22 *“(5) would involve contracting out functions*
23 *which had been performed by Federal employees; or*

24 *“(6) would involve a reprogramming in excess of*
25 *\$1,000,000 or 10 percent (whichever is less) and*
26 *would—*

1 “(A) *augment existing programs, projects,*
2 *or activities,*

3 “(B) *reduce by 10 percent or more the fund-*
4 *ing for any existing program, project, activity,*
5 *or personnel approved by the Congress, or*

6 “(C) *result from any general savings from*
7 *a reduction in personnel that would result in a*
8 *change in existing programs, activities, or*
9 *projects approved by the Congress.*

10 “(b) *LIMITATION ON END-OF-YEAR*
11 *REPROGRAMMINGS.—Funds appropriated to carry out this*
12 *Act (other than funds to carry out title V) shall not be avail-*
13 *able for obligation or expenditure through any*
14 *reprogramming described in paragraph (1) during the last*
15 *15 days in which such funds are available for obligation*
16 *or expenditure (as the case may be) unless the notification*
17 *required by that paragraph was submitted before that 15-*
18 *day period.”.*

19 **SEC. 307. REQUIREMENT OF AUTHORIZATION OF APPRO-**
20 **PRIATIONS.**

21 *ARMS CONTROL AND DISARMAMENT AGENCY.—Title*
22 *IV of the Arms Control and Disarmament Act is amended*
23 *by adding at the end the following:*

1 **“SEC. 55. REQUIREMENT FOR AUTHORIZATION OF APPRO-**
2 **PRIATIONS.**

3 “(a) *LIMITATION ON OBLIGATION AND EXPENDITURE*
4 *OF FUNDS.*—Notwithstanding any other provision of law,
5 for the fiscal year 1994 and for each subsequent fiscal year,
6 any funds appropriated for the Arms Control and Disar-
7 mament Agency shall not be available for obligation or ex-
8 penditure—

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

11 “(2) in excess of the authorized level of appro-
12 priations.

13 “(b) *SUBSEQUENT AUTHORIZATION.*—The limitation
14 under subsection (a) shall not apply to the extent that an
15 authorization of appropriations is enacted after such funds
16 are appropriated.

17 “(c) *APPLICATION.*—The provisions of this section—

18 “(1) may not be superseded, except by a provi-
19 sion of law which specifically repeals, modifies, or su-
20 persedes the provisions of this section; and

21 “(2) shall not apply to, or affect in any manner,
22 permanent appropriations, trust funds, and other
23 similar accounts which are authorized by law and ad-
24 ministered by the Arms Control and Disarmament
25 Agency.”.

1 ***DIVISION B—FOREIGN ASSIST-***
2 ***ANCE AND RELATED PRO-***
3 ***GRAMS***

4 ***TITLE XI—REFORM OF FOREIGN***
5 ***ASSISTANCE PROGRAMS***

6 ***SEC. 1101. NEED FOR FOREIGN ASSISTANCE REFORM.***

7 *(a) NEED FOR REFORM.—The Congress—*

8 *(1) remains convinced that United States foreign*
9 *assistance programs and the Agency for International*
10 *Development are in need of immediate reform; and*

11 *(2) remains prepared to enact reform legislation*
12 *in time for the fiscal year 1995 authorization and*
13 *appropriations cycle.*

14 *(b) COMPREHENSIVE REFORM PLAN.—To facilitate*
15 *this reform process, the President shall submit to the Con-*
16 *gress, within 60 days after the date of enactment of this*
17 *Act, a plan for comprehensive reform of United States for-*
18 *oreign assistance programs and of the agency primarily re-*
19 *sponsible for administering part I of the Foreign Assistance*
20 *Act of 1961.*

21 ***SEC. 1102. EVALUATION AND ACCOUNTABILITY.***

22 *Section 125 of the Foreign Assistance Act of 1961 is*
23 *amended to read as follows:*

1 **“SEC. 125. EVALUATION AND ACCOUNTABILITY.**

2 “(a) *NEED FOR EVALUATION.*—In order to effectively
3 and responsibly manage the resources with which it is pro-
4 vided, the agency primarily responsible for administering
5 this part must have a capacity to evaluate objectively the
6 extent of its progress in achieving development results and
7 to derive lessons from its development experience.

8 “(b) *ACTIONS TO BE TAKEN.*—In furtherance of sub-
9 section (a), the President shall establish a program perform-
10 ance, monitoring, and evaluation capacity within the agen-
11 cy primarily responsible for administering this part that
12 will do the following:

13 “(1) *Enhance, through training and other*
14 *means, the use of program performance, monitoring,*
15 *and evaluation as a management tool, by both the*
16 *agency and its counterparts in countries receiving as-*
17 *sistance, in the planning, designing, and implementa-*
18 *tion of foreign assistance projects and programs.*

19 “(2) *Develop a program performance informa-*
20 *tion system to afford agency managers at all levels a*
21 *means for monitoring and assessing achievement of*
22 *impact and interim performance of the agency’s*
23 *major programs in support of the strategic manage-*
24 *ment of economic assistance.*

25 “(3) *Prepare and disseminate objective and peri-*
26 *odic reports on the progress of the agency in meeting*

1 *development objectives and on lessons learned from its*
2 *development programs.*

3 “(4) *Strengthen the capacity to utilize the find-*
4 *ings of program performance, measurement, and eval-*
5 *uation in decisions of the agency about program di-*
6 *rection and resource allocation.*

7 “(5) *Coordinate with the Inspector General of the*
8 *agency so as to ensure appropriate complementarity*
9 *of efforts, recognizing that—*

10 “(A) *it is the responsibility of the agency to*
11 *direct a system of performance measurement and*
12 *independent evaluations of its programs and*
13 *policies, as well as the operational and manage-*
14 *ment systems that affect the development impact*
15 *of those programs and policies; and*

16 “(B) *it is the responsibility of the Inspector*
17 *General to conduct regular and comprehensive*
18 *assessments and audits of financial management*
19 *and administrative systems, including the ade-*
20 *quacy of the systems for monitoring and evaluat-*
21 *ing agency projects and programs.*

22 “(c) *ACCOUNTABILITY.—The President shall prepare*
23 *an annual report to the Congress as a separate part of the*
24 *congressional presentation materials of the agency pri-*

1 *marily responsible for administering this part. This report*
2 *shall include the following:*

3 “(1) *An assessment of progress toward the*
4 *achievement of sustainable development objectives,*
5 *based on the findings of program performance, mon-*
6 *itoring, and evaluation studies conducted by the agen-*
7 *cy and on such other empirical analyses as may be*
8 *appropriate.*

9 “(2) *An analysis, on a country-by-country basis,*
10 *of the impact on economic development in each such*
11 *country during the preceding 3 to 5 fiscal years of*
12 *United States economic assistance programs, with a*
13 *discussion of the United States interests that were*
14 *served by the assistance. Each country receiving eco-*
15 *nomical assistance under this part or under the Sup-*
16 *port for East European Democracy (SEED) Act of*
17 *1989 shall be included in such an analysis at least*
18 *once every 5 years. For each country, the analysis*
19 *shall—*

20 “(A) *describe the specific objectives the*
21 *United States sought to achieve in providing eco-*
22 *nomical assistance, and specify the extent to which*
23 *those objectives were or were not achieved;*

24 “(B) *to the extent possible, be done on a sec-*
25 *tor-by-sector basis and identify trends (both fa-*

1 vorable and unfavorable) within each sector and,
2 if relevant, identify any economic policy reforms
3 conducive to sustainable economic growth that
4 were promoted by the assistance and the progress
5 being made by the country in adopting economic
6 policies that foster and enhance the freedom and
7 opportunity of individuals to participate in eco-
8 nomic growth in the country;

9 “(C) as part of the context of United States
10 economic assistance, describe the amount and
11 nature of economic assistance provided by other
12 major donors during the preceding 3 to 5 fiscal
13 years, set forth by the development sector to the
14 extent possible; and

15 “(D) contain statistical and other informa-
16 tion necessary to evaluate the impact and effec-
17 tiveness of United States economic assistance on
18 development in the country.”.

19 **TITLE XII—AUTHORIZATIONS FOR**
20 **FOREIGN ASSISTANCE PROGRAMS**

21 **SEC. 1201. AUTHORIZATIONS OF APPROPRIATIONS FOR FIS-**
22 **CAL YEAR 1994.**

23 (a) *ECONOMIC ASSISTANCE.*—There are authorized to
24 be appropriated for fiscal year 1994 the following amounts
25 for the following purposes:

1 (1) *DEVELOPMENT ASSISTANCE FUND.*—
2 \$850,000,000 to carry out sections 103 through 106 of
3 the Foreign Assistance Act of 1961.

4 (2) *POPULATION, DEVELOPMENT ASSISTANCE.*—
5 \$395,000,000 to carry out section 104(b) of the For-
6 eign Assistance Act of 1961.

7 (3) *DEVELOPMENT FUND FOR AFRICA.*—
8 \$900,000,000 to carry out chapter 10 of part I of the
9 Foreign Assistance Act of 1961.

10 (4) *INTERNATIONAL DISASTER ASSISTANCE.*—
11 \$148,965,000 to carry out section 491 of the Foreign
12 Assistance Act of 1961.

13 (5) *AMERICAN SCHOOLS AND HOSPITALS.*—
14 \$35,000,000 to carry out section 214 of the Foreign
15 Assistance Act of 1961.

16 (6) *MULTILATERAL ASSISTANCE INITIATIVE FOR*
17 *THE PHILIPPINES.*—\$30,000,000 for assistance for the
18 Philippines under chapter 4 of part I of the Foreign
19 Assistance Act of 1961.

20 (7) *ASSISTANCE FOR EASTERN EUROPE AND THE*
21 *BALTIC STATES.*—\$400,000,000 for economic assist-
22 ance for Eastern Europe and the Baltic states under
23 the Foreign Assistance Act of 1961 and the Support
24 for East European Democracy (SEED) Act of 1989.

1 (8) *ASSISTANCE FOR THE INDEPENDENT STATES*
2 *OF THE FORMER SOVIET UNION.*—\$903,820,000 to
3 carry out chapter 11 of part I of the Foreign Assist-
4 ance Act of 1961 and to carry out exchanges and
5 training and similar programs under section 807 of
6 the Freedom for Russia and Emerging Eurasian De-
7 mocracies and Open Markets Support Act of 1992.

8 (9) *INTER-AMERICAN FOUNDATION.*—\$30,960,000
9 to carry out section 401 of the Foreign Assistance Act
10 of 1969.

11 (10) *AFRICAN DEVELOPMENT FOUNDATION.*—
12 \$18,000,000 to carry out the African Development
13 Foundation Act.

14 (11) *INTERNATIONAL FUND FOR IRELAND.*—
15 \$19,600,000 to carry out part I of the Foreign Assist-
16 ance Act of 1961, which shall be available for the
17 United States contribution to the International Fund
18 for Ireland in accordance with the Anglo-Irish Agree-
19 ment Support Act of 1986. Amounts appropriated
20 under this paragraph are authorized to remain avail-
21 able until expended.

22 (b) *SECURITY ASSISTANCE.*—There are authorized to
23 be appropriated for fiscal year 1994 the following amounts
24 for the following purposes:

1 (1) *FOREIGN MILITARY FINANCING PROGRAM*
2 *GRANTS.*—\$3,200,000,000 for grants under section 23
3 *of the Arms Export Control Act. Funds made avail-*
4 *able under this paragraph shall be nonrepayable not-*
5 *withstanding any requirement of that section.*

6 (2) *FOREIGN MILITARY FINANCING PROGRAM*
7 *LOANS.*—\$57,000,000 for the cost (as defined in sec-
8 *tion 502(5) of the Federal Credit Reform Act of 1990*
9 *of loans under section 23 of the Arms Export Control*
10 *Act.*

11 (3) *ECONOMIC SUPPORT FUND.*—\$2,424,400,000
12 *to carry out chapter 4 of part II of the Foreign*
13 *Assistance Act of 1961.*

14 (4) *INTERNATIONAL MILITARY EDUCATION AND*
15 *TRAINING.*—\$40,000,000 to carry out chapter 5 of
16 *part II of the Foreign Assistance Act of 1961.*

17 (5) *ANTI-TERRORISM ASSISTANCE.*—\$15,555,000
18 *to carry out chapter 8 of part II of the Foreign*
19 *Assistance Act of 1961.*

20 (6) *NONPROLIFERATION AND DISARMAMENT*
21 *FUND.*—\$25,000,000 to carry out section 504 of the
22 *Freedom for Russia and Emerging Eurasian Democ-*
23 *racies and Open Markets Support Act of 1992.*

1 (c) *PEACE CORPS.*—There are authorized to be appro-
2 priated \$219,745,000 for fiscal year 1994 to carry out the
3 Peace Corps Act.

4 (d) *REDUCTION IN PREVIOUSLY ENACTED AUTHOR-*
5 *IZATION FOR INTERNATIONAL NARCOTICS CONTROL AS-*
6 *SISTANCE.*—Section 482(a)(1) of the Foreign Assistance Act
7 of 1961 is amended by striking “\$171,500,000” and insert-
8 ing “\$135,000,000”.

9 (e) *RULE OF CONSTRUCTION.*—In order to ensure that
10 all otherwise applicable authorities, restrictions, and other
11 provisions of law apply with respect to the amounts that
12 are authorized to be appropriated by this section for fiscal
13 year 1994, those amounts shall be deemed to be authorized
14 to be appropriated by the provision of the Foreign Assist-
15 ance Act of 1961 or other Act that provided the correspond-
16 ing authorization of appropriations for prior fiscal years.

17 **SEC. 1202. CHILD SURVIVAL ACTIVITIES AND VITAMIN A DE-**
18 **FICIENCY PROGRAM AND RELATED ACTIVI-**
19 **TIES.**

20 (a) *CHILD SURVIVAL ACTIVITIES.*—The Congress ex-
21 pects that not less than \$275,000,000 of the funds made
22 available for fiscal year 1994 to carry out part I of the
23 Foreign Assistance Act of 1961 (relating to development
24 and other economic assistance) will be used for child sur-
25 vival activities.

1 (b) *VITAMIN A DEFICIENCY PROGRAM AND RELATED*
2 *ACTIVITIES.*—*The Congress expects that not less than*
3 *\$25,000,000 of the funds made available for fiscal year 1994*
4 *to carry out sections 103 through 106 of the Foreign Assist-*
5 *ance Act of 1961 (relating to development assistance) will*
6 *be made available for the Vitamin A Deficiency Program*
7 *and activities relating to iodine deficiency and other micro-*
8 *nutrients.*

9 **SEC. 1203. HOUSING GUARANTEE PROGRAM.**

10 (a) *AUTHORIZATIONS.*—

11 (1) *COST OF GUARANTEED LOANS.*—*There are*
12 *authorized to be appropriated \$16,407,000 for fiscal*
13 *year 1994 for the cost (as defined in section 502(5)*
14 *of the Federal Credit Reform Act of 1990) of guaran-*
15 *teed loans under sections 221 and 222 of the Foreign*
16 *Assistance Act of 1961.*

17 (2) *PROGRAM CEILING.*—*Section 222(a) of that*
18 *Act is amended by striking “\$2,558,000,000” in the*
19 *second sentence and inserting “\$3,000,000,000”.*

20 (3) *PROGRAM EXPIRATION DATE.*—*Section*
21 *222(a) of that Act is amended by striking “1992” in*
22 *the third sentence and inserting “1995”.*

23 (4) *ADMINISTRATIVE EXPENSES.*—(A) *There are*
24 *authorized to be appropriated \$8,407,000 for fiscal*
25 *year 1994 for administrative expenses to carry out*

1 *guaranteed loan programs under sections 221 and*
2 *222 of that Act. Amounts appropriated under this*
3 *paragraph are authorized to remain available until*
4 *expended.*

5 *(B) Amounts appropriated under this paragraph*
6 *may be transferred to and merged with the appro-*
7 *priations for “Operating Expenses of the Agency for*
8 *International Development”.*

9 *(b) PREFERENTIAL TREATMENT TO PROJECTS IN*
10 *POORER COUNTRIES.—Section 222 of the Foreign Assist-*
11 *ance Act of 1961 is amended—*

12 *(1) by redesignating subsection (k) as subsection*
13 *(e); and*

14 *(2) by inserting after subsection (c) the follow-*
15 *ing:*

16 *“(d) PREFERENTIAL CONSIDERATION TO PROJECTS IN*
17 *POORER COUNTRIES.—In issuing guarantees under this*
18 *section and in carrying out related activities, the President*
19 *shall give preferential consideration to projects in countries*
20 *with an annual per capita income of \$1,196 or less in 1991*
21 *United States dollars, and shall restrict guarantees and re-*
22 *lated activities for projects in countries with an annual per*
23 *capita income of \$5,190 or more in 1991 United States*
24 *dollars.”.*

25 *(c) FEE INCREASE.—*

1 (1) *STUDY.*—The administrator of the agency
2 primarily responsible for administering part I of the
3 *Foreign Assistance Act of 1961*—

4 (A) shall conduct a study to determine the
5 feasibility of increasing the fees charged pursu-
6 ant to section 223(a) of that Act for guarantees
7 issued under sections 221 and 222 of that Act in
8 an effort to reduce the costs (as defined in section
9 502(5) of the *Federal Credit Reform Act of 1990*)
10 of the guarantee program; and

11 (B) shall submit the results of this study to
12 the Committee on Foreign Affairs of the House
13 of Representatives and the Committee on Foreign
14 Relations of the Senate not later than 6 months
15 after the date of enactment of this Act.

16 (2) *POLICY.*—The administrator should increase
17 the fees described in paragraph (1)(A) to the extent
18 determined to be feasible in the study conducted pur-
19 suant to this subsection.

20 **SEC. 1204. OVERSEAS PRIVATE INVESTMENT CORPORA-**
21 **TION.**

22 (a) *PROGRAM AUTHORIZATION OF FISCAL YEAR*
23 *1995.*—Section 235(a) of the *Foreign Assistance Act of 1961*
24 *is amended*—

1 (1) in paragraph (1) by striking
2 “\$9,000,000,000” and inserting “\$10,000,000,000”;

3 (2) in paragraph (2)(A) by striking
4 “\$2,500,000,000” and inserting “\$3,500,000,000”;
5 and

6 (3) in paragraph (2)(B)—

7 (A) by striking “and” at the end of clause
8 (i);

9 (B) by striking the period at the end of
10 clause (ii) and inserting “; and”; and

11 (C) by inserting after clause (ii) the follow-
12 ing:

13 “(iii) to transfer such sums as are necessary
14 from its noncredit account revolving fund to pay
15 for the subsidy cost of a program level for the
16 loan and loan guarantee program under sub-
17 sections (b) and (c) of section 234 of
18 \$1,000,000,000 for fiscal year 1995.”.

19 (b) *TERMINATION DATE.*—Section 235(a)(3) of that
20 Act is amended by striking “1994” and inserting “1995”.

21 (c) *ADMINISTRATIVE EXPENSES.*—Section 235(g) of
22 that Act is amended—

23 (1) in paragraph (1) by striking “and”;

24 (2) in paragraph (2) by striking the period and
25 inserting “; and”; and

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

2 “(3) \$15,000,000 for fiscal year 1995.”.

3 **SEC. 1205. SPECIAL DEBT REDUCTION AUTHORITY.**

4 (a) *AUTHORITY TO REDUCE DEBT.*—Notwithstanding
5 any other provision of law (other than the Federal Credit
6 Reform Act of 1990), the President may reduce amounts
7 of principal and interest owed to the United States (or any
8 agency of the United States) by an eligible country as a
9 result of—

10 (1) *guarantees issued under sections 221 and 222*
11 *of the Foreign Assistance Act of 1961; or*

12 (2) *credits extended or guarantees issued under*
13 *the Arms Export Control Act.*

14 (b) *IMPLEMENTATION OF PARIS CLUB DEBT REDUC-*
15 *TION.*—The authority provided by this section may be exer-
16 *cised only to implement the multilateral official debt relief*
17 *ad referendum agreements that are commonly referred to*
18 *as “Paris Club Agreed Minutes”.*

19 (c) *APPROPRIATIONS REQUIREMENT.*—The authority
20 *provided by this section may be exercised only in such*
21 *amounts or to such extent as is provided in advance by*
22 *appropriations Acts in accordance with the requirements*
23 *of the Federal Credit Reform Act of 1990.*

1 (d) *ELIGIBLE COUNTRIES.*—For purposes of this sec-
2 tion, the term “eligible country” means a country that the
3 President determines—

4 (1) has a heavy debt burden; and

5 (2) is eligible to borrow from the International
6 Development Association but not from the Inter-
7 national Bank for Reconstruction and Development
8 (commonly referred to as an “IDA-only” country).

9 **SEC. 1206. SPECIAL DEFENSE ACQUISITION FUND.**

10 (a) *DECAPITALIZATION.*—Notwithstanding section
11 51(b) of the Arms Export Control Act, collections described
12 in that section that are in excess of obligational authority
13 provided in foreign operations, export financing, and
14 related appropriations Acts for fiscal years prior to fiscal
15 year 1994 shall be deposited in the Treasury as miscellane-
16 ous receipts.

17 (b) *AVOIDANCE OF DUPLICATIVE PROVISIONS.*—Sub-
18 section (a) shall not apply if the Foreign Operations, Ex-
19 port Financing, and Related Programs Appropriations Act,
20 1994, contains an identical requirement.

21 **TITLE XIII—REGIONAL PROVISIONS**

22 **SEC. 1301. SUB-SAHARAN AFRICA DISASTER ASSISTANCE.**

23 The Congress expects that not less than \$100,000,000
24 of the funds made available for fiscal year 1994 to carry
25 out section 491 of the Foreign Assistance Act of 1961 (relat-

1 *ing to international disaster assistance) will be used for dis-*
2 *aster relief, rehabilitation, and reconstruction assistance for*
3 *sub-Saharan Africa.*

4 **SEC. 1302. AFRICAN DEVELOPMENT FOUNDATION.**

5 (a) *CEILING ON ASSISTANCE FOR A PROJECT.*—Sec-
6 *tion 505(a)(2) of the African Development Foundation Act*
7 *is amended by adding at the end the following: “In excep-*
8 *tional circumstances, the board of directors of the Founda-*
9 *tion may waive such dollar limitation with respect to a*
10 *project. Any such waivers shall be reported to the Congress*
11 *annually.”.*

12 (b) *AUTHORITY TO EMPLOY ALIENS.*—Section 506(a)
13 *of that Act is amended—*

14 (1) *by redesignating paragraphs (8) through (12)*
15 *as paragraphs (9) through (13), respectively; and*

16 (2) *by inserting after paragraph (7) the follow-*
17 *ing:*

18 “(8) *when determined by the president of the*
19 *Foundation to be necessary (but subject to the limita-*
20 *tion established by paragraph (7) on the number of*
21 *Foundation employees), may employ persons who are*
22 *not citizens of the United States notwithstanding any*
23 *provision of law that would otherwise prohibit the use*
24 *of appropriated funds to pay the compensation of offi-*

1 *cers or employees of the Government who are not citi-*
2 *zens of the United States;”.*

3 *(c) TRAVEL EXPENSES.—*

4 *(1) MEMBERS OF BOARD.—Section 507(b) of*
5 *that Act is amended by striking “actual and nec-*
6 *essary expenses not exceeding \$100 per day, and for*
7 *transportation expenses,” and inserting “travel ex-*
8 *penses, including per diem in lieu of subsistence, in*
9 *accordance with section 5703 of title 5, United States*
10 *Code.”.*

11 *(2) CONFORMING AMENDMENT.—Section*
12 *507(e)(3) of that Act is amended by striking “and*
13 *other expenses” and inserting “expenses, including*
14 *per diem in lieu of subsistence.”.*

15 *(d) INTEREST ACCRUING TO GRANTEES.—*

16 *(1) AUTHORITY TO RETAIN.—The African Devel-*
17 *opment Foundation Act is amended by adding at the*
18 *end the following:*

19 ***“SEC. 511. INTEREST ACCRUING TO GRANTEES.***

20 *“When, with the permission of the Foundation, funds*
21 *made available to a grantee under this title are invested*
22 *pending disbursement, the resulting interest is not required*
23 *to be deposited in the United States Treasury if the grantee*
24 *uses the resulting interest for the purpose for which the*
25 *grant was made.”.*

1 (2) *EFFECTIVE DATE.*—*The amendment made by*
2 *paragraph (1) applies to both interest earned before*
3 *and interest earned after the date of enactment of this*
4 *Act.*

5 **SEC. 1303. CONFLICT RESOLUTION INITIATIVE FOR AFRICA.**

6 (a) *IMPROVING OAU'S CONFLICT RESOLUTION CAPA-*
7 *BILITIES.*—

8 (1) *DESCRIPTION OF ASSISTANCE.*—*The Presi-*
9 *dent is authorized to provide assistance to help estab-*
10 *lish a permanent conflict resolution capability within*
11 *the Organization of African Unity (referred to in this*
12 *subsection as the "OAU"), as follows:*

13 (A) *Funds may be provided to the OAU for*
14 *use in supporting its conflict resolution capabil-*
15 *ity.*

16 (B) *Funds may be used for expenses of*
17 *sending individuals with expertise in conflict*
18 *resolution (who may include United States Gov-*
19 *ernment employees) from the United States to*
20 *work with the OAU for a period of up to 2 years.*

21 (C) *Funds may be provided to the OAU to*
22 *support the establishment and maintenance of an*
23 *African Conflict Resolution Research Center that*
24 *is linked to the OAU secretariat.*

1 (2) *FUNDING.*—Of the funds that are allocated
2 for sub-Saharan Africa, not less than \$1,500,000 for
3 each of the fiscal years 1994 through 1998 should be
4 used to carry out paragraph (1), in addition to funds
5 otherwise available for such purpose.

6 (3) *REQUIREMENT FOR APPROVAL OF CERTAIN*
7 *REFORMS.*—Assistance may be provided pursuant to
8 this subsection only if the President determines that
9 the OAU has approved and is in the process of imple-
10 menting the reforms proposed by the Secretary Gen-
11 eral of the OAU in February 1993 in the Interim Re-
12 port of the Secretary General on the Mechanisms for
13 Conflict Prevention, Resolution and Management.

14 (b) *IMPROVING CONFLICT RESOLUTION CAPABILITIES*
15 *OF MULTILATERAL SUBREGIONAL ORGANIZATIONS.*—

16 (1) *TYPES OF ASSISTANCE TO BE PROVIDED.*—
17 The President is authorized to provide assistance to
18 help establish permanent conflict resolution capabili-
19 ties within subregional organizations established by
20 countries in sub-Saharan Africa, as follows:

21 (A) Funds may be provided to such an or-
22 ganization for use in supporting its conflict reso-
23 lution capability.

24 (B) Funds may be used for the expenses of
25 sending individuals with expertise in conflict

1 *resolution (who may include United States Gov-*
2 *ernment employees) from the United States to*
3 *work with such an organization for a period of*
4 *up to 2 years.*

5 (2) *FUNDING.—Of the funds that are allocated*
6 *for sub-Saharan Africa under chapter 4 of part II of*
7 *the Foreign Assistance Act of 1961 (relating to the*
8 *economic support fund), up to \$1,500,000 for each of*
9 *the fiscal years 1994 through 1998 may be used to*
10 *carry out paragraph (1).*

11 (c) *AFRICAN DEMOBILIZATION AND RETRAINING PRO-*
12 *GRAM.—*

13 (1) *IN GENERAL.—In order to facilitate reduc-*
14 *tions in the size of the armed forces of countries of*
15 *sub-Saharan Africa, the President is authorized to*
16 *provide assistance for—*

17 (A) *encampment and related activities asso-*
18 *ciated with demobilization of such forces, and*

19 (B) *the retraining for civilian occupations*
20 *of military personnel who have been demobilized.*

21 (2) *FUNDING.—(A) Of the funds that are allo-*
22 *cated for sub-Saharan Africa under chapter 4 of part*
23 *II of the Foreign Assistance Act of 1961 (relating to*
24 *the economic support fund) and under the “Foreign*
25 *Military Financing Program” account under section*

1 23 of the Arms Export Control Act, \$10,000,000 for
2 fiscal year 1994 should be used for the assistance de-
3 scribed in paragraph (1)(A).

4 (B) A portion of the funds made available for
5 fiscal year 1994 to carry out chapter 10 of part I of
6 the Foreign Assistance Act of 1961 (relating to the
7 Development Fund for Africa) may be used for the
8 assistance described in paragraph (1)(B).

9 (d) *IMET CONFLICT RESOLUTION PROGRAM.*—Chap-
10 ter 5 of part II of the Foreign Assistance Act of 1961 is
11 amended by adding at the end the following:

12 “**SEC. 546. CONFLICT RESOLUTION PROGRAM FOR AFRICA.**

13 “In addition to the other education and training ac-
14 tivities carried out under this chapter, the President is au-
15 thorized to establish a program to provide education and
16 training in conflict resolution for civilian and military per-
17 sonnel of countries in sub-Saharan Africa.”.

18 **SEC. 1304. SADC PROJECTS.**

19 (a) *WAIVER OF BROOKE AMENDMENT.*—Section
20 620(q) of the Foreign Assistance Act of 1961 and the cor-
21 responding section of the Foreign Operations, Export Fi-
22 nancing, and Related Programs Appropriations Act, 1994,
23 shall not apply with respect to assistance provided for fiscal
24 year 1994 under section 496(o) of the Foreign Assistance
25 Act of 1961 (relating to support for SADC projects).

1 (b) *TECHNICAL AMENDMENT.*—Section 496(o) of the
2 *Foreign Assistance Act of 1961* is amended—

3 (1) in the subsection heading by striking
4 “SADCC” and inserting “SADC”; and

5 (2) in paragraph (1) by striking “Coordination
6 Conference (SADCC)” and inserting “Community
7 (SADC)”.

8 **SEC. 1305. SOUTH AFRICA.**

9 (a) *REMOVAL OF CEILINGS ON GRANTS FOR HUMAN*
10 *RIGHTS PROJECTS.*—Section 116 of *Foreign Assistance Act*
11 *of 1961* is amended—

12 (1) by repealing subparagraphs (C) and (D) of
13 subsection (e)(2); and

14 (2) in subsection (f)—

15 (A) by repealing paragraph (2), and

16 (B) by striking “(f)(1)” and inserting “(f)”

17 and by redesignating subparagraphs (A) through

18 (E) as paragraphs (1) through (5), respectively.

19 (b) *EXCEPTION TO LIMITATION ON ASSISTANCE RE-*
20 *CIPIENTS.*—

21 (1) *ASSISTANCE UNDER SECTION 116.*—Section
22 *116(e)(2)(B)* of that Act is amended—

23 (A) in the fourth sentence, by striking “or
24 to organizations financed or controlled by the
25 Government of South Africa”; and

1 (B) by adding at the end the following: “A
2 nongovernmental organization financed or con-
3 trolled by the Government of South Africa that
4 meets the criteria specified in this subparagraph
5 may receive assistance under this paragraph
6 only if the President determines that (i) the ac-
7 tivities of that organization further the purposes
8 of the establishment of a non-racial democratic
9 state in South Africa, (ii) the provision of assist-
10 ance to that organization will further the objec-
11 tive of this paragraph to assist disadvantaged
12 South Africans, and (iii) the Government of
13 South Africa is continuing to make progress to-
14 ward dismantling apartheid and establishing a
15 nonracial democracy. Before making such deter-
16 minations, the President shall consult with the
17 appropriate congressional committees and with
18 South African organizations that are representa-
19 tive of the majority population of South Africa
20 and should seek a commitment from the Govern-
21 ment of South Africa that it will provide addi-
22 tional resources to meet the needs of disadvan-
23 taged South Africans. As used in the preceding
24 sentence, the term ‘appropriate congressional
25 committees’ means the Committee on Foreign Af-

1 *fairs and the Committee on Appropriations of*
2 *the House of Representatives and the Committee*
3 *on Foreign Relations and the Committee on Ap-*
4 *propriations of the Senate.”.*

5 (2) *ASSISTANCE UNDER SECTION 117.—Section*
6 *117 of that Act (as added by section 201(b) of the*
7 *Comprehensive Anti-Apartheid Act of 1986) is*
8 *amended by adding at the end the following: “In ad-*
9 *dition, a nongovernmental organization that meets*
10 *the criteria specified in the first 2 sentences of this*
11 *section but receives funds from the Government of*
12 *South Africa may receive assistance under this sec-*
13 *tion if the President determines that such organiza-*
14 *tion meets the requirements of the 5th sentence of sec-*
15 *tion 116(e)(2)(B), and such determination is made in*
16 *accordance with the 6th sentence of such section.”.*

17 **SEC. 1306. SUDAN.**

18 (a) *STATEMENT OF THE CONGRESS.—The Congress—*

19 (1) *strongly condemns the Government of Sudan*
20 *for its severe human rights abuses and calls upon that*
21 *government to improve human rights conditions*
22 *throughout the country;*

23 (2) *deplores the internecine fighting among the*
24 *factions of the Sudanese People’s Liberation Army;*

1 (3) urges the Government of Sudan and the fac-
2 tions of the Sudanese People's Liberation Army to
3 provide full access for and to cooperate with relief or-
4 ganizations;

5 (4) encourages the Government of Sudan to lift
6 the press ban which was imposed after it took power
7 in June 1989; and

8 (5) calls on the Government of Sudan to estab-
9 lish a democratic system.

10 (b) *RESTRICTIONS ON ASSISTANCE.*—Except as pro-
11 vided in subsection (c), assistance may not be provided for
12 Sudan for fiscal year 1994—

13 (1) under chapter 1 or chapter 10 of part I of
14 the Foreign Assistance Act of 1961 (relating to devel-
15 opment assistance and the Development Fund for Af-
16 rica),

17 (2) under chapter 4 of part II of that Act (relat-
18 ing to the economic support fund),

19 (3) under chapter 5 of part II of that Act (relat-
20 ing to international military education and train-
21 ing), or

22 (4) from the “Foreign Military Financing Pro-
23 gram” account under section 23 of the Arms Export
24 Control Act.

25 (c) *WAIVER OF RESTRICTIONS.*—

1 (1) *AUTHORIZATION.*—*The President may waive*
2 *the prohibitions in subsection (b) if the President de-*
3 *termines, and reports in accordance with paragraph*
4 *(2), that there is substantial progress in southern*
5 *Sudan toward respecting human rights, resolving the*
6 *conflict in that region, establishing a democratically*
7 *elected government, and establishing a reformed and*
8 *independent judiciary system.*

9 (2) *CONGRESSIONAL REVIEW OF DETERMINA-*
10 *TION.*—*A determination under paragraph (1) shall*
11 *not become effective until 15 days after it is reported*
12 *to the congressional committees specified in section*
13 *634A(a) of the Foreign Assistance Act of 1961 in ac-*
14 *cordance with the procedures applicable to*
15 *reprogramming notifications under that section.*

16 ***SEC. 1307. ZAIRE.***

17 (a) *STATEMENT OF THE CONGRESS.*—*The Congress—*

18 (1) *strongly condemns the disruptive measures*
19 *taken by President Mobutu in recent months, and*
20 *holds President Mobutu responsible for the current po-*
21 *litical crisis in Zaire;*

22 (2) *stresses the importance of a successful transi-*
23 *tion to democracy in Zaire;*

24 (3) *urges the President of the United States to*
25 *pressure President Mobutu to leave Zaire so that the*

1 *legitimate transitional government can proceed with*
2 *the process of democratization as mandated by the*
3 *Sovereign National Conference;*

4 *(4) urges the President of the United States to*
5 *impose, in conjunction with our allies, a variety of*
6 *sanctions on President Mobutu, including—*

7 *(A) freezing the bank accounts of President*
8 *Mobutu, his family and associates;*

9 *(B) denying visas to President Mobutu, his*
10 *family and associates; and*

11 *(C) expelling Mobutu's ambassador;*

12 *(5) congratulates the people of Zaire for their*
13 *courageous support of democracy in the face of power-*
14 *ful opposition; and*

15 *(6) expresses its readiness to explore further*
16 *ways of providing support for democracy and politi-*
17 *cal pluralism in Zaire.*

18 *(b) RESTRICTIONS ON ASSISTANCE.—*

19 *(1) SECURITY ASSISTANCE.—Except as provided*
20 *in subsection (c), assistance may not be provided for*
21 *Zaire for fiscal year 1994—*

22 *(A) under chapter 4 of part II of the For-*
23 *ign Assistance Act of 1961 (relating to the eco-*
24 *nomics support fund),*

1 (B) under chapter 5 of part II of that Act
2 (relating to international military education
3 and training), or

4 (C) from the “Foreign Military Financing
5 Program” account under section 23 of the Arms
6 Export Control Act.

7 (2) DEVELOPMENT ASSISTANCE.—Except as pro-
8 vided in subsection (c), assistance under chapter 1 or
9 chapter 10 of part I of the Foreign Assistance Act of
10 1961 (relating to development assistance and the De-
11 velopment Fund for Africa) for fiscal year 1994 shall
12 not be transferred to the Government of Zaire. This
13 paragraph does not prohibit nongovernmental organi-
14 zations from working with appropriate ministries or
15 departments of the Government of Zaire.

16 (c) WAIVER WHEN THE DEMOCRATIC PROCESS IS RE-
17 STORED.—

18 (1) AUTHORIZATION.—The President may waive
19 the prohibitions in subsection (b) if the President de-
20 termines, and reports in accordance with paragraph
21 (2), that democracy has been restored in Zaire, that
22 President Mobutu is no longer a threat to the elected
23 government, and that the elected government is com-
24 mitted to bringing about freedom of expression for the
25 people of Zaire, a reformed and independent judici-

1 *ary, and reform of, and applications of the rule of*
2 *law to, Zaire security forces.*

3 (2) *CONGRESSIONAL REVIEW OF DETERMINA-*
4 *TION.—A determination under paragraph (1) shall*
5 *not become effective until 15 days after it is reported*
6 *to the congressional committees specified in section*
7 *634A(a) of the Foreign Assistance Act of 1961 in ac-*
8 *cordance with the procedures applicable to*
9 *reprogramming notifications under that section.*

10 **SEC. 1308. AFGHANISTAN HUMANITARIAN ASSISTANCE.**

11 (a) *AUTHORIZATION.—Funds described in subsection*
12 *(c) may be made available for the provision of food, medi-*
13 *cine, or other humanitarian assistance to the Afghan people*
14 *notwithstanding any other provision of law.*

15 (b) *ASSISTANCE FOR AFGHAN WOMEN AND GIRLS.—*
16 *In carrying out this section, the administrator of the agency*
17 *primarily responsible for carrying out part I of the Foreign*
18 *Assistance Act of 1961 shall ensure that an equitable por-*
19 *tion of the funds is made available to benefit Afghan women*
20 *and girls, particularly in programs in refugee camps in*
21 *Pakistan and in reconstruction projects in Afghanistan.*

22 (c) *FUNDING.—Up to \$20,000,000 of the aggregate*
23 *amount of funds made available for fiscal year 1994 to*
24 *carry out chapter 1 of part I of the Foreign Assistance Act*
25 *of 1961 (relating to development assistance) and chapter*

1 4 of part II of that Act (relating to the economic support
2 fund) may be used pursuant to this section.

3 **SEC. 1309. MULTILATERAL ASSISTANCE INITIATIVE FOR**
4 **THE PHILIPPINES.**

5 Part I of the Foreign Assistance Act of 1961 is amend-
6 ed by inserting after chapter 3 the following:

7 “Chapter 4—Multilateral Assistance Initiative for the
8 Philippines

9 **“SEC. 401. AUTHORIZATION OF ASSISTANCE.**

10 “(a) *AUTHORIZATION.*—The President is authorized to
11 provide economic assistance for the Philippines under the
12 ‘Multilateral Assistance Initiative’ account. Such assistance
13 shall be provided on such terms and conditions as the Presi-
14 dent may determine.

15 “(b) *AUTHORIZATION FOR EXTENDED PERIOD OF*
16 *AVAILABILITY.*—Amounts appropriated to carry out this
17 chapter are authorized to remain available until ex-
18 pended.”.

19 **SEC. 1310. ASSISTANCE FOR EASTERN EUROPE AND THE**
20 **BALTICS.**

21 (a) *ECONOMIC ASSISTANCE.*—Section 3 of the Support
22 for East European Democracy (SEED) Act of 1989 is
23 amended—

24 (1) by redesignating subsection (c) as subsection
25 (e); and

1 (2) by inserting after subsection (b) the follow-
2 ing:

3 “(c) *INAPPLICABILITY OF RESTRICTIONS AND RE-*
4 *QUIREMENTS.*—Assistance provided for an East European
5 country under this Act or under part I of the Foreign As-
6 sistance Act of 1961 may be provided notwithstanding any
7 other provision of law, other than section 634A(a) of that
8 Act. Section 634A(a) of that Act shall also apply to funds
9 made available to carry out this Act.

10 “(d) *AUTHORIZATION FOR EXTENDED PERIOD OF*
11 *AVAILABILITY.*—Amounts appropriated for economic assist-
12 ance for East European countries under this Act or the For-
13 eign Assistance Act of 1961 are authorized to remain avail-
14 able until expended.”.

15 (b) *ASSISTANCE FOR VICTIMS OF WAR CRIMES IN THE*
16 *FORMER YUGOSLAVIA.*—Assistance provided under section
17 491 of the Foreign Assistance Act of 1961 (relating to inter-
18 national disaster assistance) and assistance provided under
19 the Migration and Refugee Assistance Act of 1962 may in-
20 clude assistance for the victims of torture, rape, and other
21 war crimes stemming from the conflict in the former Yugo-
22 slavia and for the families of such victims (especially chil-
23 dren), with a particular focus on victims of the war in
24 Bosnia-Herzegovina. Such assistance may include activities
25 such as—

1 (1) *the provision (in the United States or*
2 *abroad)—*

3 (A) *of medical, psychological, and psy-*
4 *chiatric care and crisis counseling for such vic-*
5 *tims and their families, and*

6 (B) *of training of individuals in the former*
7 *Yugoslavia to provide such care and counseling;*
8 *and*

9 (2) *the procurement of necessary medical and*
10 *training supplies.*

11 (c) *CORRECTION OF REFERENCE.—Subsection (e) of*
12 *section 3 of the Support for East European Democracy*
13 *(SEED) Act of 1989, as so redesignated by subsection (a)*
14 *of this section, is amended—*

15 (1) *by striking “and Slovak Federal”; and*

16 (2) *by inserting “the Slovak Republic,” after*
17 *“Romania,”.*

18 **SEC. 1311. ASSISTANCE FOR THE INDEPENDENT STATES OF**

19 **THE FORMER SOVIET UNION.**

20 (a) *CUBA.—*

21 (1) *SENSE OF THE CONGRESS.—It is the sense of*
22 *the Congress that—*

23 (A) *the acts of the Castro government, in-*
24 *cluding its massive, systematic, and extraor-*

1 *dinary violations of human rights, are a threat*
2 *to international peace;*

3 *(B) the President should advocate, and*
4 *should instruct the United States Representatives*
5 *to the United Nations to support and consult*
6 *with members of the Security Council with re-*
7 *spect to, a mandatory international embargo*
8 *against the totalitarian government of Cuba pur-*
9 *suant to Chapter VII of the Charter of the*
10 *United Nations, which is similar to consulta-*
11 *tions being conducted by United States Rep-*
12 *resentatives with respect to Haiti; and*

13 *(C) any resumption of efforts by any inde-*
14 *pendent state of the former Soviet Union to make*
15 *the nuclear facility at Cienfuegos, Cuba, oper-*
16 *ational will have a serious impact on United*
17 *States assistance to such state.*

18 *(2) REPORTING REQUIREMENT.—The President*
19 *shall submit to the Congress, not later than 90 days*
20 *after the date of enactment of this Act, a report de-*
21 *tailing progress towards the withdrawal of personnel*
22 *of any independent state of the former Soviet Union*
23 *(including advisors, technicians, and military person-*
24 *nel) from the Cienfuegos nuclear facility in Cuba.*

1 (3) *CRITERIA FOR ASSISTANCE.*—Section
2 498A(a)(11) of the Foreign Assistance Act of 1961 is
3 amended by striking “of military facilities” and in-
4 serting “the military and nuclear facilities at
5 Lourdes and Cienfuegos”.

6 (4) *INELIGIBILITY FOR ASSISTANCE.*—(A) Sec-
7 tion 498A(b) of that Act is amended—

8 (i) by striking “or” at the end of paragraph

9 (4);

10 (ii) by redesignating paragraph (5) as
11 paragraph (6); and

12 (iii) by inserting after paragraph (4) the
13 following:

14 “(5) for the government of any independent state
15 that the President determines is providing assistance
16 for, or engaging in nonmarket based trade (as defined
17 in section 498B(m)(3)) with, the Government of
18 Cuba; or”.

19 (B) Subsection (m) of section 498B of that Act,
20 as so redesignated by subsections (d) and (e) of this
21 section, is amended by adding at the end the follow-
22 ing:

23 “(3) *NONMARKET BASED TRADE.*—As used in
24 section 498A(b)(5), the term ‘nonmarket based trade’
25 includes exports, imports, exchanges, or other ar-

1 *rangements that are provided for goods and services*
2 *(including oil and other petroleum products) on terms*
3 *more favorable than those generally available in ap-*
4 *plicable markets or for comparable commodities, in-*
5 *cluding—*

6 *“(A) exports to the Government of Cuba on*
7 *terms that involve a grant, concessional price,*
8 *guaranty, insurance, or subsidy;*

9 *“(B) imports from the Government of Cuba*
10 *at preferential tariff rates; and*

11 *“(C) exchange arrangements that include*
12 *advance delivery of commodities, arrangements*
13 *in which the Government of Cuba is not held ac-*
14 *countable for unfulfilled exchange contracts, and*
15 *arrangements under which Cuba does not pay*
16 *appropriate transportation, insurance, or fi-*
17 *nance costs.”.*

18 *(b) TRANSFERS OF SOPHISTICATED CONVENTIONAL*
19 *WEAPONS TO IRAN.—Section 498A(b)(3) of that Act is*
20 *amended—*

21 *(1) in the text preceding subparagraph (A), by*
22 *striking “to another country”;*

23 *(2) in subparagraph (A)—*

24 *(A) by inserting “to another country” after*
25 *“missiles or missile technology”; and*

1 (B) by striking “or” at the end of such sub-
2 paragraph;

3 (3) in subparagraph (B)—

4 (A) by inserting “to another country” after
5 “any material, equipment, or technology”; and

6 (B) by “or” at the end of such subpara-
7 graph; and

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

9 “(C) sophisticated conventional weapons to
10 Iran in numbers and types that are destabiliz-
11 ing.”

12 (c) *AUTHORITY TO WAIVE CERTAIN RESTRICTIONS.*—
13 *Section 498B(j)(1) of that Act is amended—*

14 (1) by inserting “or 1994” after “1993” both
15 places it appears; and

16 (2) by striking “by this chapter” and inserting
17 “to carry out this chapter”.

18 (d) *ASSISTANCE IN EXCHANGE FOR COMMODITIES.*—

19 (1) *AUTHORIZATION.*—*Section 498B of that Act*
20 *is amended—*

21 (A) by redesignating subsection (k) as sub-
22 section (l); and

23 (B) by inserting after subsection (j) the fol-
24 lowing:

1 “(k) *ASSISTANCE IN EXCHANGE FOR COMMODITIES.*—
2 *The President is authorized to provide assistance under this*
3 *chapter in exchange for materials or commodities, including*
4 *any strategic material and any commodity the inter-*
5 *national supply of which is in such excess as to jeopardize*
6 *United States production of such commodity.”.*

7 (2) *STUDY OF RESOURCES IN INDEPENDENT*
8 *STATES.*—*The President shall conduct a study of—*

9 (A) *the resources in each of the independent*
10 *states of the former Soviet Union and the pro-*
11 *spective revenues from the production and sale of*
12 *such resources;*

13 (B) *the possible use of barter or exchange of*
14 *such resources as methods of reimbursement for*
15 *assistance provided to such states under chapter*
16 *11 of part I of the Foreign Assistance Act of*
17 *1961; and*

18 (C) *the collateralization of loan and invest-*
19 *ment guarantees provided by the United States*
20 *Government for project financing in such states*
21 *using the resources or prospective revenues from*
22 *the production and sale of such resources.*

23 (3) *REPORTS.*—*The President shall submit to the*
24 *relevant congressional committees the following re-*
25 *ports:*

1 (A) *Periodic reports describing the status of*
2 *negotiations between the United States and any*
3 *independent state of the former Soviet Union re-*
4 *lating to agreements for reimbursement of assist-*
5 *ance provided to such state under chapter 11 of*
6 *part I of the Foreign Assistance Act of 1961.*

7 (B) *A report containing the results of the*
8 *study conducted pursuant to paragraph (2), in-*
9 *cluding the names of those independent states of*
10 *the former Soviet Union capable of providing*
11 *eventual reimbursement of assistance provided to*
12 *such states under that chapter. Such report shall*
13 *be submitted not later than June 30, 1994.*

14 (4) *DEFINITIONS.—For purposes of this sub-*
15 *section, the following definitions apply:*

16 (A) *RELEVANT CONGRESSIONAL COMMIT-*
17 *TEES.—The term “relevant congressional com-*
18 *mittees” means the Committee on Foreign Af-*
19 *airs of the House of Representatives and the*
20 *Committee on Foreign Relations of the Senate.*

21 (B) *RESOURCES.—The term “resources” in-*
22 *cludes commodities, raw materials (including*
23 *necessary or strategic raw materials, as defined*
24 *in section 663(a) of the Foreign Assistance Act*
25 *of 1961), and other valuable materials.*

1 (e) *IMPROVING MONITORING OF ECONOMIC PERFORM-*
2 *ANCE IN THE INDEPENDENT STATES.*—Section 498B of that
3 Act, as amended by subsection (d)(1) of this section, is fur-
4 ther amended—

5 (1) by redesignating subsection (l) as subsection
6 (m); and

7 (2) by inserting after subsection (k) the follow-
8 ing:

9 “(l) *IMPROVING MONITORING OF ECONOMIC PERFORM-*
10 *ANCE IN THE INDEPENDENT STATES.*—Assistance under
11 section 498 shall include training and other technical as-
12 sistance to develop capabilities to monitor economic per-
13 formance in the independent states of the former Soviet
14 Union through the collection, analysis, and dissemination
15 of economic statistical data.”.

16 **SEC. 1312. ASSISTANCE FOR MONGOLIA.**

17 The President is authorized to use funds made avail-
18 able to carry out chapter 11 of part I of the Foreign Assist-
19 ance Act of 1961 (relating to assistance for the independent
20 states of the former Soviet Union) to provide assistance for
21 Mongolia in accordance with the same authorities, restric-
22 tions, and other provisions that are applicable to assistance
23 under that chapter for independent states of the former So-
24 viet Union.

1 **SEC. 1313. TERMINATION OF IMET PROGRAM FOR MALTA.**

2 *Funds made available for fiscal year 1994 to carry out*
3 *chapter 5 of part II of the Foreign Assistance Act of 1961*
4 *(relating to the international military education and train-*
5 *ing program) may not be obligated for Malta.*

6 **SEC. 1314. ADMINISTRATION OF JUSTICE AND OTHER LAW**
7 **ENFORCEMENT ASSISTANCE PROGRAMS FOR**
8 **LATIN AMERICA AND THE CARIBBEAN.**

9 *(a) EXTENSION OF PROGRAM AUTHORITY.—Section*
10 *534 of the Foreign Assistance Act of 1961 is amended by*
11 *striking the last sentence of subsection (e) and by inserting*
12 *after subsection (e) the following:*

13 *“(f) The authority of this section shall expire on Sep-*
14 *tember 30, 1994.”.*

15 *(b) ELIMINATION OF PROGRAM CEILINGS.—Section*
16 *534 of that Act is amended—*

17 *(1) by repealing the second sentence of subsection*
18 *(e); and*

19 *(2) by amending subsection (c) to read as fol-*
20 *lows:*

21 *“(c) Funds made available to carry out this chapter*
22 *may be used to provide assistance under this section.”.*

23 *(c) PROTECTION OF PARTICIPANTS IN JUDICIAL*
24 *CASES.—Section 534(b)(3) of that Act is amended—*

25 *(1) by redesignating subparagraphs (C) and (D)*
26 *as subparagraphs (D) and (E), respectively; and*

1 (2) by inserting after subparagraph (B) the fol-
2 lowing:

3 “(C) programs to enhance protection of par-
4 ticipants in judicial cases;”.

5 (d) *SPECIAL AUTHORITIES FOR CERTAIN COUN-*
6 *TRIES.—Funds made available for fiscal year 1994 to carry*
7 *out section 534 of that Act may be used, notwithstanding*
8 *section 660 of that Act, to provide assistance as follows:*

9 (1) *PANAMA.—Up to \$10,000,000 may be made*
10 *available for Panama for the following:*

11 (A) *Technical assistance, training, and*
12 *commodities with the objective of creating a pro-*
13 *fessional civilian police force, except that assist-*
14 *ance under this subparagraph—*

15 (i) *shall not include more than*
16 *\$5,000,000 for the procurement of equip-*
17 *ment for law enforcement purposes, and*

18 (ii) *shall not include lethal equipment.*

19 (B) *Programs to improve penal institutions*
20 *and the rehabilitation of offenders, which may*
21 *include programs that are not conducted through*
22 *multilateral or regional institutions.*

23 (2) *EL SALVADOR.—Funds allocated for El Sal-*
24 *vador may be used for law enforcement assistance in*

1 (1) *ECONOMIC SUPPORT FUND.*—Of the amounts
2 made available for fiscal year 1994 for assistance
3 under chapter 4 of part II of the Foreign Assistance
4 Act of 1961, not less than \$1,200,000,000 shall be
5 available only for Israel. Such funds shall be avail-
6 able on a grant basis as a cash transfer and shall be
7 disbursed in accordance with paragraph (3).

8 (2) *FOREIGN MILITARY FINANCING.*—(A) Of the
9 amounts made available for fiscal year 1994 for as-
10 sistance under the “Foreign Military Financing Pro-
11 gram” account under section 23 of the Arms Export
12 Control Act, not less than \$1,800,000,000 shall be
13 available only for Israel.

14 (B) To the extent that the Government of Israel
15 requests that funds be used for such purposes, funds
16 made available for Israel pursuant to this paragraph
17 shall, as agreed by Israel and the United States, be
18 available for advanced fighter aircraft programs or
19 for other advanced weapons systems, as follows:

20 (i) Up to \$150,000,000 shall be available for
21 research and development in the United States.

22 (ii) Not less than \$475,000,000 shall be
23 available for the procurement in Israel of defense
24 articles and defense services, including research
25 and development.

1 (3) *EARLY DISBURSEMENT.*—*The assistance pro-*
2 *vided for Israel pursuant to paragraphs (1) and (2)*
3 *shall be disbursed within 30 days after the date of en-*
4 *actment of the Foreign Operations, Export Financ-*
5 *ing, and Related Programs Appropriations Act, 1994,*
6 *or by October 31, 1993, whichever is later.*

7 (b) *EGYPT.*—

8 (1) *ECONOMIC SUPPORT FUND.*—*Of the amounts*
9 *made available for fiscal year 1994 for assistance*
10 *under chapter 4 of part II of the Foreign Assistance*
11 *Act of 1961, not less than \$815,000,000 shall be avail-*
12 *able only for Egypt.*

13 (2) *FOREIGN MILITARY FINANCING.*—*Of the*
14 *amounts made available for fiscal year 1994 for as-*
15 *sistance under the “Foreign Military Financing Pro-*
16 *gram” account under section 23 of the Arms Export*
17 *Control Act, not less than \$1,300,000,000 shall be*
18 *available only for Egypt.*

19 (c) *COOPERATIVE DEVELOPMENT PROJECTS.*—*Of the*
20 *amounts made available for fiscal year 1994 to carry out*
21 *chapter 4 of part II of the Foreign Assistance Act of 1961*
22 *(relating to the economic support fund), not less than*
23 *\$10,000,000 shall be available only for cooperative projects*
24 *among the United States, Israel, and developing countries,*
25 *including projects under the Cooperative Development Pro-*

1 gram, cooperative development research projects, and coop-
2 erative projects among the United States and Israel and
3 the countries of Eastern Europe, the Baltic states, and the
4 independent states of the former Soviet Union.

5 (d) MIDDLE EAST REGIONAL COOPERATIVE PRO-
6 GRAMS.—Of the amounts made available for fiscal year
7 1994 to carry out chapter 4 of part II of the Foreign Assist-
8 ance Act of 1961 (relating to the economic support fund),
9 not less than \$7,000,000 shall be available only for Middle
10 East regional cooperative programs carried out in accord-
11 ance with section 202(c) of the International Security and
12 Development Cooperation Act of 1985.

13 **SEC. 1318. MILITARY DRAWDOWN FOR ISRAEL.**

14 Section 599B(a) of the Foreign Operations, Export Fi-
15 nancing, and Related Programs Appropriations Act, 1991,
16 is amended by inserting “and fiscal year 1994” after “fiscal
17 year 1993”.

18 **TITLE XIV—PROVISIONS RELATING TO**
19 **ARMS TRANSFERS**

20 **SEC. 1401. COMPETITIVE PRICING FOR SALES OF DEFENSE**
21 **ARTICLES AND SERVICES.**

22 (a) COSTING BASIS.—Section 22 of the Arms Export
23 Control Act is amended by adding at the end the following:

24 “(d) COMPETITIVE PRICING.—Procurement contracts
25 made in implementation of sales under this section for de-

1 *fense articles and defense services wholly paid from funds*
2 *made available on a nonrepayable basis shall be priced on*
3 *the same costing basis with regard to profit, overhead, inde-*
4 *pendent research and development, bid and proposal, and*
5 *other costing elements, as is applicable to procurements of*
6 *like items purchased by the Department of Defense for its*
7 *own use.”.*

8 (b) *EFFECTIVE DATE AND IMPLEMENTING REGULA-*
9 *TIONS.—The amendment made by subsection (a)—*

10 (1) *shall be effective as of the 60th day following*
11 *the date of the enactment of this section;*

12 (2) *shall be applicable only to contracts made in*
13 *implementation of sales made after such effective date;*
14 *and*

15 (3) *shall be implemented by revised procurement*
16 *regulations, which shall be issued prior to such effec-*
17 *tive date.*

18 **SEC. 1402. INCREASE IN AGGREGATE CEILING ON TRANS-**

19 **FERS OF EXCESS DEFENSE ARTICLES.**

20 *Effective October 1, 1993, section 31(d) of the Arms*
21 *Export Control Act is amended by striking “\$250,000,000”*
22 *and inserting “\$375,000,000”.*

1 **SEC. 1403. ELIGIBILITY OF EAST EUROPEAN COUNTRIES TO**
2 **RECEIVE NONLETHAL EXCESS DEFENSE ARTI-**
3 **CLES.**

4 (a) *IN GENERAL.*—Section 519(a) of the Foreign As-
5 sistance Act of 1961 is amended by inserting “or to any
6 East European country (as defined in section 3 of the Sup-
7 port for East European Democracy (SEED) Act of 1989)
8 other than an East European country that is prohibited
9 from receiving assistance under that Act” after “in which
10 the transfer is authorized”.

11 (b) *CONFORMING AMENDMENT.*—Section 906(a) of the
12 Freedom for Russia and Emerging Eurasian Democracies
13 and Open Markets Support Act of 1992 is amended—

14 (1) by striking paragraph (2);

15 (2) by striking “eligible—” through “(1) to pur-
16 chase” and inserting “eligible to purchase”;

17 (3) by redesignating subparagraphs (A) and (B)
18 as paragraphs (1) and (2), respectively, and by
19 resetting their left margins on a 2-em indentation;
20 and

21 (4) by striking “; and” at the end of paragraph
22 (2), as so redesignated, and inserting a period.

1 **SEC. 1404. EXCEPTION TO PAYMENT OF FULL COST FOR**
2 **SALES OF DEFENSE TRAINING SERVICES TO**
3 **CERTAIN COUNTRIES AND INTERNATIONAL**
4 **ORGANIZATIONS.**

5 *Section 21(a) of the Arms Export Control Act is*
6 *amended—*

7 *(1) in paragraph (1)(C)—*

8 *(A) by inserting “(i)” after “sold to”,*

9 *(B) by inserting “or (ii) a purchaser de-*
10 *scribed in paragraph (3)” after “Act of 1961”,*
11 *and*

12 *(C) by striking “such assistance” and in-*
13 *serting “such training”; and*

14 *(2) by adding after paragraph (2) the following:*

15 *“(3) Clause (ii) of paragraph (1)(C) applies in the case*
16 *of a purchaser of training under this section if the President*
17 *notifies the Committee on Appropriations, the Committee*
18 *on Armed Services, and the Committee on Foreign Rela-*
19 *tions of the Senate and the Committee on Appropriations,*
20 *the Committee on Armed Services, and the Committee on*
21 *Foreign Affairs of the House of Representatives, in accord-*
22 *ance with the regular notification procedures of those com-*
23 *mittees, at least 15 days before issuing a letter of offer to*
24 *sell such training. Such notification shall include a descrip-*
25 *tion of any reciprocal benefits that the United States Gov-*

1 *ernment will receive in exchange for the sale of such train-*
2 *ing on less than a full cost basis.”.*

3 **SEC. 1405. ELIGIBILITY OF MAJOR NON-NATO ALLIES TO RE-**
4 **CEIVE CERTAIN CONTRACT SERVICES IN CON-**
5 **NECTION WITH SALES OF DEFENSE ARTICLES**
6 **AND SERVICES.**

7 (a) *AUTHORIZATION.*—*Section 21(h) of the Arms Ex-*
8 *port Control Act is amended—*

9 (1) *in paragraph (1)(A), by inserting “or which*
10 *is a major non-NATO ally” after “Treaty Organiza-*
11 *tion”;*

12 (2) *in paragraph (2), by striking “if that Orga-*
13 *nization or member government” and inserting “or to*
14 *any major non-NATO ally, if that Organization,*
15 *member government, or major non-NATO ally”;* and

16 (3) *by adding at the end the following:*

17 “(3) *As used in this subsection, the term ‘major non-*
18 *NATO ally’ has the meaning given such term in section*
19 *2350a(i)(3) of title 10, United States Code.”.*

20 (b) *EFFECTIVE DATE.*—*Notwithstanding section*
21 *21(h)(1) of that Act, the amendment made by subsection*
22 *(a)(1) applies with respect to contracts and subcontracts en-*
23 *tered into after the date of enactment of this Act.*

1 **SEC. 1406. ADDITIONS TO WAR RESERVE STOCKPILES FOR**
2 **ALLIES.**

3 *Section 514(b)(2) of the Foreign Assistance Act of 1961*
4 *is amended by adding at the end the following: "Except*
5 *as provided in the last two sentences of this paragraph, the*
6 *value of such additions to stockpiles in foreign countries*
7 *in fiscal year 1994 shall not exceed \$72,000,000, which shall*
8 *be for stockpiles in the Republic of Korea. In addition, to*
9 *the extent that the authority of the first sentence of this*
10 *paragraph has not been exercised with respect to Israel in*
11 *fiscal year 1993, that authority may be exercised during*
12 *fiscal year 1994 except that the aggregate value of such ad-*
13 *ditions for Israel in both such fiscal years may not exceed*
14 *\$200,000,000. Defense articles having an aggregate value of*
15 *not to exceed \$20,000,000 may be added to stockpiles in*
16 *Thailand in fiscal years 1993 and 1994."*

17 **SEC. 1407. ARAB BOYCOTT.**

18 *(a) PROHIBITION ON CERTAIN SALES AND LEASES.—*
19 *Defense articles and defense services may not be sold or*
20 *leased by the United States Government to any country or*
21 *international organization which as a matter of policy or*
22 *practice is known to have sent letters to United States firms*
23 *requesting compliance with, or soliciting information re-*
24 *garding compliance with, the secondary or tertiary Arab*
25 *boycott, unless the President determines, and reports to the*
26 *relevant congressional committees, that that country or or-*

1 *ganization does not now send such letters as a matter of*
2 *policy or practice.*

3 *(b) WAIVER OF PROHIBITION.—*

4 *(1) 1 YEAR WAIVER.—After the effective date of*
5 *this section, the President may waive, for a period of*
6 *1 year, the application of subsection (a) with respect*
7 *to any country or organization if the President deter-*
8 *mines, and reports to the relevant congressional com-*
9 *mittees, that—*

10 *(A) such waiver is in the national interest*
11 *of the United States, and such waiver will pro-*
12 *mote the objectives of this section to eliminate the*
13 *Arab boycott; or*

14 *(B) such waiver is in the national security*
15 *interest of the United States.*

16 *(2) EXTENSION OF WAIVER.—If the President de-*
17 *termines that the further extension of a waiver will*
18 *promote the objectives of this section, the President,*
19 *with appropriate notification to relevant congres-*
20 *sional committees, may grant further extensions of*
21 *such waiver for successive 12-month periods.*

22 *(3) TERMINATION OF WAIVER.—The President*
23 *may, at any time, terminate any waiver granted*
24 *under this subsection.*

1 *through III of the Agricultural Trade Development*
2 *and Assistance Act of 1954, section 416(b) of the Ag-*
3 *ricultural Act of 1949, or the Food for Progress Act*
4 *of 1985.*

5 *Any interest so earned may be retained by the nongovern-*
6 *mental organization and used for the purpose for which the*
7 *assistance was provided to that organization.*

8 *“(b) LIMITATION ON ENDOWMENTS.—Any grant agree-*
9 *ment entered into after the date of enactment of this section*
10 *to establish an endowment pursuant to the authority of sub-*
11 *section (a)(1) shall provide that—*

12 *“(1) the grant proceeds shall be maintained in a*
13 *separate account;*

14 *“(2) the agency primarily responsible for admin-*
15 *istering part I may terminate at any time, in its sole*
16 *discretion, the endowment and recover endowment*
17 *principal equal to the amount of the grant; and*

18 *“(3) unless the authority described in paragraph*
19 *(2) has been exercised, not later than 20 years after*
20 *the date of the grant—*

21 *“(A) the endowment shall be terminated,*
22 *and*

23 *“(B) all funds in the endowment and all in-*
24 *terest earned as a result of the endowment shall*
25 *be expended for the purpose for which the assist-*

1 *ance was provided or returned to the Govern-*
2 *ment of the United States.”.*

3 *(b) EFFECTIVE DATE.—The amendment made by this*
4 *section applies to both interest earned before and interest*
5 *earned after the date of enactment of this Act.*

6 **SEC. 1502. PRIVATE SECTOR REVOLVING FUND.**

7 *Section 108 of the Foreign Assistance Act of 1961 is*
8 *amended by adding at the end the following:*

9 *“(j) TERMINATION OF AUTHORITY.—After the date of*
10 *enactment of this subsection, loans may not be made, loan*
11 *guarantees may not be issued, previously issued guarantees*
12 *may not be renewed or otherwise extended, and assistance*
13 *may not otherwise be provided under the authority of this*
14 *section.”.*

15 **SEC. 1503. DEVELOPMENT ASSISTANCE THROUGH NON-**
16 **GOVERNMENTAL ORGANIZATIONS.**

17 *Chapter 1 of part III of the Foreign Assistance Act*
18 *of 1961 is amended by inserting before section 620 the*
19 *following:*

20 **“SEC. 619. ASSISTANCE THROUGH NONGOVERNMENTAL OR-**
21 **GANIZATIONS.**

22 *“(a) DEVELOPMENT ASSISTANCE.—Restrictions con-*
23 *tained in this or any other Act with respect to assistance*
24 *for a country shall not restrict assistance in support of pro-*
25 *grams of nongovernmental organizations that is provided*

1 *under chapter 1 or chapter 10 of part I of this Act. The*
2 *President shall take into consideration, in any case in*
3 *which a restriction on assistance would be applicable but*
4 *for this section, whether assistance in support of programs*
5 *of nongovernmental organizations is in the national inter-*
6 *est of the United States.*

7 “(b) *NOTICE TO CONGRESS.*—*Before using the author-*
8 *ity of this section to furnish assistance in support of pro-*
9 *grams of nongovernmental organizations, the President*
10 *shall notify the congressional committees specified in section*
11 *634A(a) of this Act in accordance with the procedures ap-*
12 *plicable to reprogramming notifications under that section.*
13 *Such notice shall include a description of the program to*
14 *be assisted, the assistance to be provided, and the reasons*
15 *for furnishing such assistance.*

16 “(c) *EXCEPTIONS.*—*This section shall not apply with*
17 *respect to—*

18 “(1) *section 620A of this Act or any comparable*
19 *provision of law prohibiting assistance to countries*
20 *that support international terrorism; or*

21 “(2) *section 116 of this Act or any comparable*
22 *provision of law prohibiting assistance to countries*
23 *that violate internationally recognized human rights.*

24 “(d) *ABORTION AND INVOLUNTARY STERILIZATION*
25 *PROHIBITIONS.*—*Nothing in this section alters any statu-*

1 *tory prohibition against funding for abortion or involun-*
2 *tary sterilizations.”.*

3 **SEC. 1504. IMPACT OF FOREIGN ASSISTANCE PROGRAMS ON**
4 **JOBS IN THE UNITED STATES.**

5 *Funds authorized to be appropriated by this Act for*
6 *foreign assistance programs for fiscal year 1994 may not*
7 *be obligated or expended to provide—*

8 *(1) any financial incentive to a business enter-*
9 *prise located in the United States for the purpose of*
10 *inducing that enterprise to relocate outside the United*
11 *States if such incentive or inducement is likely to re-*
12 *duce the number of individuals employed in the Unit-*
13 *ed States by that enterprise because that enterprise*
14 *would replace production in the United States with*
15 *production outside the United States;*

16 *(2) assistance for the purpose of establishing or*
17 *developing in a foreign country any export processing*
18 *zone or designated area in which the tax, tariff, labor,*
19 *environment, and safety laws of that country do not*
20 *apply, in part or in whole, to activities carried out*
21 *within that zone or area, unless the President deter-*
22 *mines and certifies that such assistance is not likely*
23 *to cause a loss of jobs within the United States; or*

24 *(3) assistance for any project or activity that*
25 *contributes to the violation of internationally recog-*

1 *nized workers rights (as defined in section 502(a)(4)*
2 *of the Trade Act of 1974) of workers in the recipient*
3 *country, including in any designated zone or area in*
4 *that country.*

5 *In recognition that the application of paragraph (3) should*
6 *be commensurate with the level of development of the recipi-*
7 *ent country and sector, that paragraph does not preclude*
8 *assistance for the informal sector in such country, for*
9 *microenterprises and small-scale enterprises, or for small-*
10 *holder agriculture.*

11 **SEC. 1505. CAPITAL PROJECTS.**

12 *Chapter 3 of part III of the Foreign Assistance Act*
13 *of 1961 is amended by inserting after section 661 the*
14 *following:*

15 **“SEC. 662. CAPITAL PROJECTS.**

16 *“(a) ESTABLISHMENT OF PILOT PROGRAM.—The Di-*
17 *rector of the Trade and Development Agency shall establish*
18 *a capital projects pilot program to carry out the purpose*
19 *described in subsection (b).*

20 *“(b) PURPOSE OF PROGRAM.—The purpose referred to*
21 *in subsection (a) is to develop a program administered by*
22 *TDA that would focus solely on developmentally sound cap-*
23 *ital projects in developing countries and in countries mak-*
24 *ing the transition from a nonmarket to a market economy,*

1 *taking into consideration the development needs of the host*
2 *country and the export opportunities for the United States.*

3 “(c) *ACTIVITIES.*—*The Director, in coordination with*
4 *the appropriate other members of the Trade Promotion*
5 *Coordination Committee—*

6 “(1) *shall support capital projects in developing*
7 *countries and in countries making the transition*
8 *from a nonmarket to a market economy; and*

9 “(2) *shall periodically review infrastructure*
10 *needs in these countries and shall explore opportuni-*
11 *ties for United States firms in the development of new*
12 *capital projects in these countries, keeping both*
13 *United States firms and the Congress informed of*
14 *these reviews.*

15 “(d) *GUARANTEE AUTHORITY.*—*In addition to mak-*
16 *ing grants to carry out this section, the Director is author-*
17 *ized to issue guarantees to eligible investors (as defined in*
18 *section 238(c)) assuring against losses incurred in connec-*
19 *tion with loans obtained by such investors to finance their*
20 *participation in capital projects described in subsection (b).*
21 *A fee shall be charged for each such guarantee issued in*
22 *an amount to be determined by the Director.*

23 “(e) *PROCUREMENT FROM THE UNITED STATES.*—
24 *Guarantees and other financial support provided for cap-*
25 *ital projects under this section shall be provided for procure-*

1 *ment of goods and services from the United States to the*
2 *maximum extent possible, consistent with the guidelines of*
3 *the Organization for Economic Cooperation and Develop-*
4 *ment.*

5 “(f) *PROJECTS TO BE DEVELOPMENTALLY SOUND.*—
6 *The Director, in coordination with the appropriate other*
7 *members of the Trade Promotion Coordination Committee,*
8 *shall ensure that each capital project for which TDA pro-*
9 *vides financial support is developmentally sound, as deter-*
10 *mined under the criteria developed by the Development As-*
11 *sistance Committee of the Organization for Economic*
12 *Cooperation and Development.*

13 “(g) *COORDINATION.*—*The President shall utilize the*
14 *existing interagency coordinating mechanism to coordinate*
15 *activities under this section with other relevant activities*
16 *of the United States Government.*

17 “(h) *NONAPPLICABILITY OF OTHER PROVISIONS.*—
18 *Any funds used for purposes of this section may be used*
19 *notwithstanding any other provision of law.*

20 “(i) *REPORT TO CONGRESS.*—*Not later than 1 year*
21 *after the date of enactment of this section, the Director shall*
22 *submit to the Congress a report describing—*

23 “(1) *the extent to which United States Govern-*
24 *ment resources have been expended specifically to sup-*
25 *port the capitol projects described in subsection (b);*

1 “(2) *the extent to which the activities of the*
2 *United States Government have been coordinated pur-*
3 *suant to subsection (g); and*

4 “(3) *the feasibility of establishing a permanent*
5 *program modeled on the pilot program establishment*
6 *pursuant to this section.*

7 “(j) *FUNDING.—*

8 “(1) *IN GENERAL.—Notwithstanding the percent-*
9 *age limitations in section 610(a), the President shall*
10 *transfer \$300,000,000 of funds specified in paragraph*
11 *(2) to TDA for use in carrying out this section, in-*
12 *cluding the cost (as defined in section 502(5) of the*
13 *Federal Credit Reform Act of 1990) of guarantees*
14 *issued under subsection (d).*

15 “(2) *SOURCE OF FUNDS.—The funds specified in*
16 *this paragraph are—*

17 “(A) *funds made available for fiscal year*
18 *1994 for assistance under chapter 4 of part II of*
19 *this Act (relating to the economic support fund),*
20 *excluding funds made available pursuant to sub-*
21 *sections (a)(1), (c), and (d) of section 1317 of the*
22 *Foreign Assistance Authorization Act of 1993;*

23 “(B) *funds made available for fiscal year*
24 *1994 for assistance under chapter 11 of part I*

1 *of this Act (relating to assistance for the inde-*
2 *pendent states of the former Soviet Union); and*

3 *“(C) funds made available for fiscal year*
4 *1994 for assistance under the Support for East*
5 *European Democracy (SEED) Act of 1989.*

6 *“(3) FUNDS TO BE USED TO SUPPORT CAPITAL*
7 *PROJECTS IN COUNTRIES FOR WHICH ORIGINAL FUND-*
8 *ING WAS PROVIDED.—(A) Any funds described in*
9 *paragraph (2)(A) that are earmarked by the Congress*
10 *for a specific country and that are transferred pursu-*
11 *ant to paragraph (1) shall be used to support capital*
12 *projects in that country.*

13 *“(B) Any funds described in paragraph (2)(B)*
14 *that are transferred pursuant to paragraph (1) shall*
15 *be used to support capital projects in countries eligi-*
16 *ble for assistance under chapter 11 of part I of this*
17 *Act.*

18 *“(C) Any funds described in paragraph (2)(C)*
19 *that are transferred pursuant to paragraph (1) shall*
20 *be used to support capital projects in countries eligi-*
21 *ble for assistance under the Support for East Euro-*
22 *pean Democracy (SEED) Act of 1989.*

23 *“(k) DEFINITIONS.—As used in this section—*

24 *“(1) the term ‘capital projects’ means a project*
25 *involving the construction, expansion, alteration of,*

1 or the acquisition of equipment for, a physical facil-
2 ity or physical infrastructure, including related engi-
3 neering design (concept and detail) and other services,
4 the procurement of equipment (including any related
5 services), and feasibility studies or similar engineer-
6 ing and economic services;

7 “(2) the term ‘Director’ means the Director of
8 TDA; and

9 “(3) the term ‘TDA’ means the Trade and Devel-
10 opment Agency.”.

11 **SEC. 1506. MICROENTERPRISE DEVELOPMENT.**

12 Chapter 2 of part I of the Foreign Assistance Act of
13 1961 is amended by adding after title V the following:

14 “TITLE VI—MICROENTERPRISE DEVELOPMENT

15 **“SEC. 251. MICROENTERPRISE DEVELOPMENT.**

16 “(a) CENTRALLY-MANAGED FUND.—

17 “(1) ESTABLISHMENT AND MANAGEMENT.—The
18 administrator of the agency primarily responsible for
19 administering this part shall establish within the
20 agency a centrally-managed fund to be known as the
21 Microenterprise Development Fund (hereinafter in
22 this section referred to as the ‘Fund’). The Fund shall
23 be managed by the office in that agency that has pri-
24 mary responsibility for working with private and vol-
25 untary organizations.

1 “(2) *DISBURSEMENTS THROUGH THE FUND.*—
2 *All funds made available to carry out this part that*
3 *are used to promote microenterprise development shall*
4 *be disbursed through the Fund.*

5 “(b) *ACTIVITIES TO BE SUPPORTED.*—*The Fund shall*
6 *be used to support—*

7 “(1) *the institutional development of the organi-*
8 *zations described in subsection (c);*

9 “(2) *the provision of microenterprise credit*
10 *through the organizations described in subsection (c);*
11 *and*

12 “(3) *research on microenterprise development*
13 *and evaluation of microenterprise activities funded*
14 *under this section.*

15 “(c) *INTERMEDIARY ORGANIZATIONS.*—*Funds dis-*
16 *bursed through the Fund shall be primarily channeled*
17 *through—*

18 “(1) *United States and indigenous private and*
19 *voluntary organizations,*

20 “(2) *United States and indigenous credit union*
21 *organizations, and*

22 “(3) *other indigenous governmental and non-*
23 *governmental organizations,*

24 *that have demonstrated a capacity to develop sustainable*
25 *microenterprise service institutions.*

1 “(d) *ALLOCATION OF FUNDS.*—

2 “(1) *MICROENTERPRISE CREDIT.*—(A) *Of*
3 *amounts disbursed through the Fund each fiscal year*
4 *pursuant to subsection (b)(2), at least 50 percent shall*
5 *be used for poverty lending. As used in this para-*
6 *graph, the term ‘poverty lending’ means a loan of*
7 *\$300 or less or, in the case of an initial loan, of \$150*
8 *or less.*

9 “(B) *The administrator of the agency primarily*
10 *responsible for administering this part shall seek to*
11 *ensure that not less than 60 percent of the borrowers*
12 *of funds disbursed through the Fund pursuant to sub-*
13 *section (b)(2) are women.*

14 “(2) *RESEARCH AND EVALUATION.*—*Not more*
15 *than 5 percent of funds disbursed through the Fund*
16 *each fiscal year may be used for research and evalua-*
17 *tion activities under subsection (b)(3).”.*

18 **SEC. 1507. REPORT ON AID’S IMPLEMENTATION OF AGENDA**

19 **21 PRINCIPLES.**

20 *Not later than 2 years after the date of enactment of*
21 *this Act, the administrator of the agency primarily respon-*
22 *sible for administering part I of the Foreign Assistance Act*
23 *of 1961 shall submit to the Congress a report on the incorpo-*
24 *ration of the Agenda 21 principles of the United Nations*

1 *Conference on Environment and Development into the for-*
2 *eign assistance activities administered by that agency.*

3 **SEC. 1508. AUTHORITY TO PROVIDE RECONSTRUCTION AS-**
4 **SISTANCE UNDER INTERNATIONAL DISASTER**
5 **ASSISTANCE.**

6 *Section 491(b) of the Foreign Assistance Act of 1961*
7 *is amended by striking “disaster relief and rehabilitation”*
8 *and inserting “disaster relief, rehabilitation, and recon-*
9 *struction”.*

10 **SEC. 1509. DEOBLIGATION OF CERTAIN UNEXPENDED ECO-**
11 **NOMIC ASSISTANCE FUNDS.**

12 *Chapter 3 of part III of the Foreign Assistance Act*
13 *of 1961 is amended by adding at the end the following:*

14 **“SEC. 671. DEOBLIGATION OF CERTAIN UNEXPENDED ECO-**
15 **NOMIC ASSISTANCE FUNDS.**

16 *“(a) REQUIREMENT TO DEOBLIGATE.—*

17 *“(1) ANNUAL DEOBLIGATIONS.—Except as pro-*
18 *vided in subsection (b), at the beginning of each fiscal*
19 *year the President shall deobligate and return to the*
20 *Treasury any funds described in paragraph (2) that,*
21 *as of the end of the preceding fiscal year, have been*
22 *obligated for a period of more than 4 years but have*
23 *not been expended.*

24 *“(2) FUNDS SUBJECT TO REQUIREMENTS.—*
25 *Paragraph (1) applies with respect to funds made*

1 *available to carry out chapter 1 of part I (relating*
2 *to development assistance), chapter 4 of part I (relat-*
3 *ing to the Multilateral Assistance Initiative for the*
4 *Philippines), chapter 10 of part I (relating to the De-*
5 *velopment Fund for Africa), chapter 11 of part I (re-*
6 *lating to assistance for the independent states of the*
7 *former Soviet Union), or chapter 4 of part II (relat-*
8 *ing to the economic support fund) or to carry out the*
9 *Support for East European Democracy (SEED) Act*
10 *of 1989.*

11 “(b) *EXCEPTIONS.*—*The President, on a case-by-case*
12 *basis, may waive the requirement of subsection (a) if the*
13 *President determines, and reports to the appropriate con-*
14 *gressional committees, that—*

15 “(1) *the funds are being used for a construction*
16 *or long term participant training project that re-*
17 *quires more than 4 years to complete; or*

18 “(2) *the funds have not been expended because of*
19 *unforeseen circumstances, and those circumstances*
20 *could not have been reasonably foreseen.*

21 “(c) *IG COMMENTS ON WAIVERS.*—*As soon as possible*
22 *after submission of a report pursuant to subsection (b), the*
23 *Inspector General for the agency primarily responsible for*
24 *administering part I of this Act shall submit to the appro-*
25 *priate congressional committees such comments as the In-*

1 *spector General considers appropriate with regard to the*
2 *determination described in that report.*

3 “(d) *APPROPRIATE CONGRESSIONAL COMMITTEES.—*
4 *As used in this section, the term ‘appropriate congressional*
5 *committees’ means the Committee on Foreign Affairs and*
6 *the Committee on Appropriations of the House of Rep-*
7 *resentatives and the Committee on Foreign Relations and*
8 *the Committee on Appropriations of the Senate.’”*

9 **TITLE XVI—BOSNIA-HERCEGOVINA**

10 **SEC. 1601. SHORT TITLE.**

11 *This title may be cited as the “Bosnia-Hercegovina*
12 *Self-Defense Act of 1993”.*

13 **SEC. 1602. FINDINGS.**

14 *The Congress makes the following findings:*

15 (1) *On July 10, 1991, the United States adopted*
16 *a policy suspending all licenses and other approvals*
17 *to export or otherwise transfer defense articles and de-*
18 *fense services to Yugoslavia.*

19 (2) *On September 25, 1991, the United Nations*
20 *Security Council adopted Resolution 713, which im-*
21 *posed a mandatory international embargo on all de-*
22 *liveries of weapons and military equipment to Yugo-*
23 *slavia.*

24 (3) *The United States considered the policy*
25 *adopted July 10, 1991, to comply fully with Resolu-*

1 *tion 713 and therefore took no additional action in*
2 *response to that resolution.*

3 (4) *On January 8, 1992, the United Nations Se-*
4 *curity Council adopted Resolution 727, which decided*
5 *that the mandatory arms embargo imposed by Resolu-*
6 *tion 713 should apply to any independent states that*
7 *might thereafter emerge on the territory of Yugo-*
8 *slavia.*

9 (5) *On February 29 and March 1, 1992, the peo-*
10 *ple of Bosnia-Herzegovina voted in a referendum to*
11 *declare independence from Yugoslavia.*

12 (6) *On April 7, 1992, the United States recog-*
13 *nized the Government of Bosnia-Herzegovina.*

14 (7) *On May 22, 1992, the Government of Bosnia-*
15 *Herzegovina was admitted to full membership in the*
16 *United Nations.*

17 (8) *Consistent with Resolution 727, the United*
18 *States has continued to apply the policy adopted July*
19 *10, 1991, to independent states that have emerged on*
20 *the territory of the former Yugoslavia, including*
21 *Bosnia-Herzegovina.*

22 (9) *Subsequent to the adoption of Resolution 727*
23 *and Bosnia-Herzegovina's independence referendum,*
24 *the seige of Sarajevo began and fighting spread to*
25 *other areas of Bosnia-Herzegovina.*

1 (10) *The Government of Serbia intervened di-*
2 *rectly in the fighting by providing significant mili-*
3 *tary, financial, and political support and direction to*
4 *Serbian-allied irregular forces in Bosnia-Hercegovina.*

5 (11) *In statements dated May 1 and May 12,*
6 *1992, the Conference on Security and Cooperation in*
7 *Europe declared that the Government of Serbia and*
8 *the Serbian-controlled Yugoslav National Army were*
9 *committing aggression against the Government of*
10 *Bosnia-Hercegovina and assigned to them prime re-*
11 *sponsibility for the escalation of bloodshed and de-*
12 *struction.*

13 (12) *On May 30, 1992, the United Nations Secu-*
14 *rity Council adopted Resolution 757, which con-*
15 *demned the Government of Serbia for its continued*
16 *failure to respect the territorial integrity of Bosnia-*
17 *Hercegovina.*

18 (13) *Serbian-allied irregular forces have, over the*
19 *last year, occupied approximately 70 percent of the*
20 *territory of Bosnia-Hercegovina, committed gross vio-*
21 *lations of human rights in the areas they have occu-*
22 *pled, and established a secessionist government com-*
23 *mitted to eventual unification with Serbia.*

24 (14) *The military and other support and direc-*
25 *tion provided to Serbian-allied irregular forces in*

1 *Bosnia-Herzegovina constitutes an armed attack on*
2 *the Government of Bosnia-Herzegovina by the Gov-*
3 *ernment of Serbia within the meaning of Article 51*
4 *of the United Nations Charter.*

5 (15) *Under Article 51, the Government of*
6 *Bosnia-Herzegovina, as a member of the United Na-*
7 *tions, has an inherent right of individual or collective*
8 *self-defense against the armed attack from the Govern-*
9 *ment of Serbia until the United Nations Security*
10 *Council has taken measures necessary to maintain*
11 *international peace and security.*

12 (16) *The measures taken by the United Nations*
13 *Security Council in response to the armed attack on*
14 *Bosnia-Herzegovina have not been adequate to main-*
15 *tain international peace and security.*

16 (17) *Bosnia-Herzegovina has been unable suc-*
17 *cessfully to resist the armed attack from Serbia be-*
18 *cause it lacks the means to counter heavy weaponry*
19 *that Serbia obtained from the Yugoslav National*
20 *Army upon the dissolution of Yugoslavia, and because*
21 *the mandatory international arms embargo has pre-*
22 *vented Bosnia-Herzegovina from obtaining from other*
23 *countries the means to counter such heavy weaponry.*

24 (18) *On December 18, 1992, with the affirmative*
25 *vote of the United States, the United Nations General*

1 *Assembly adopted Resolution 47/121, which urged the*
2 *United Nations Security Council to exempt Bosnia-*
3 *Hercegovina from the mandatory arms embargo im-*
4 *posed by Resolution 713.*

5 *(19) In the absence of adequate measures to*
6 *maintain international peace and security, continued*
7 *application to the Government of Bosnia-Hercegovina*
8 *of the mandatory international arms embargo im-*
9 *posed by the United Nations Security Council prior*
10 *to the armed attack on Bosnia-Hercegovina under-*
11 *mines that government's right of individual or collec-*
12 *tive self-defense and therefore contravenes Article 51 of*
13 *the United Nations Charter.*

14 *(20) Bosnia-Hercegovina's right of self-defense*
15 *under Article 51 of the United Nations Charter in-*
16 *cludes the right to ask for military assistance from*
17 *other countries and to receive such assistance if of-*
18 *fered.*

19 **SEC. 1603. UNITED STATES ARMS EMBARGO OF THE GOV-**
20 **ERNMENT OF BOSNIA-HERCEGOVINA.**

21 *(a) TERMINATION.—The President may terminate the*
22 *United States arms embargo of the Government of Bosnia-*
23 *Hercegovina upon receipt from that government of a request*
24 *for assistance in exercising its right of self-defense under*
25 *Article 51 of the United Nations Charter.*

1 (b) *DEFINITION.*—As used in this section, the term
2 “United States arms embargo of the Government of Bosnia-
3 Hercegovina” means the application to the Government of
4 Bosnia-Hercegovina of—

5 (1) the policy adopted July 10, 1991, and pub-
6 lished in the Federal Register of July 19, 1991 (58
7 Fed. Reg. 33322) under the heading “Suspension of
8 Munitions Export Licenses to Yugoslavia”; and

9 (2) any similar policy being applied by the
10 United States Government, as of the date of receipt
11 of the request described in subsection (a), pursuant to
12 which approval is routinely denied for transfers of de-
13 fense articles and defense services to the former Yugo-
14 slavia.

15 **SEC. 1604. UNITED STATES MILITARY ASSISTANCE FOR**
16 **BOSNIA-HERCEGOVINA.**

17 (a) *POLICY.*—The President should provide appro-
18 priate military assistance to the Government of Bosnia-
19 Hercegovina upon receipt from that government of a request
20 for assistance in exercising its right of self-defense under
21 Article 51 of the United Nations Charter.

22 (b) *AUTHORIZATION OF MILITARY ASSISTANCE.*—

23 (1) *DRAWDOWN AUTHORITY.*—If the Government
24 of Bosnia-Hercegovina requests United States assist-
25 ance in exercising its right of self-defense under Arti-

1 *cle 51 of the United Nations Charter, the President is*
2 *authorized to direct the drawdown of defense articles*
3 *from the stocks of the Department of Defense, defense*
4 *services of the Department of Defense, and military*
5 *education and training in order to provide assistance*
6 *to the Government of Bosnia-Herzegovina. Such as-*
7 *sistance shall be provided on such terms and condi-*
8 *tions as the President may determine.*

9 (2) *LIMITATION ON VALUE OF TRANSFERS.—The*
10 *aggregate value (as defined in section 664(m) of the*
11 *Foreign Assistance Act of 1961) of defense articles, de-*
12 *fense services, and military education and training*
13 *provided under this subsection may not exceed*
14 *\$200,000,000.*

15 (3) *EXPIRATION OF AUTHORIZATION.—The au-*
16 *thority provided to the President in paragraph (1) ex-*
17 *pires at the end of fiscal year 1994.*

18 (4) *LIMITATION ON ACTIVITIES.—Members of the*
19 *United States Armed Forces who perform defense*
20 *services or provide military education and training*
21 *outside the United States under this subsection may*
22 *not perform any duties of a combatant nature, in-*
23 *cluding any duties related to training and advising*
24 *that may engage them in combat activities.*

1 (5) *REPORTS TO CONGRESS.*—*Within 60 days*
2 *after any exercise of the authority of paragraph (1)*
3 *and every 60 days thereafter, the President shall re-*
4 *port in writing to the Speaker of the House of Rep-*
5 *resentatives and the President pro tempore of the*
6 *Senate concerning the defense articles, defense serv-*
7 *ices, and military education and training being pro-*
8 *vided and the use made of such articles, services, and*
9 *education and training.*

10 (6) *REIMBURSEMENT.*—(A) *Defense articles, de-*
11 *fense services, and military education and training*
12 *provided under this subsection shall be made available*
13 *without reimbursement to the Department of Defense*
14 *except to the extent that funds are appropriated pur-*
15 *suant to subparagraph (B).*

16 (B) *There are authorized to be appropriated to*
17 *the President such sums as may be necessary to reim-*
18 *burse the applicable appropriation, fund, or account*
19 *for the value (as defined in section 664(m) of the For-*
20 *oreign Assistance Act of 1961) of defense articles, de-*
21 *fense services, or military education and training*
22 *provided under this subsection.*

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