

**Calendar No. 159**

103D CONGRESS  
1ST SESSION

**S. 1281**

**[Report No. 103-107]**

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**A BILL**

To authorize appropriations for the fiscal years 1994 and 1995 for the Department of State, the United States Information Agency, and related agencies, to provide for the consolidation of international broadcasting activities, and for other purposes.

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JULY 23 (legislative day, JUNE 30), 1993

Read twice and placed on the calendar

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1<sup>ST</sup> SESSION**S. 1281****[Report No. 103-107]**

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**IN THE SENATE OF THE UNITED STATES**

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Mr. PELL, from the Committee on Foreign Relations, reported the following original bill; which was read twice and placed on the calendar

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**A BILL**

To authorize appropriations for the fiscal years 1994 and 1995 for the Department of State, the United States Information Agency, and related agencies, to provide for the consolidation of international broadcasting activities, 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 TITLE AND TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
3 “Foreign Relations Authorization Act, Fiscal Years 1994  
4 and 1995”.

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

Sec. 1. Short title and table of contents.

TITLE I—DEPARTMENT OF STATE

PART A—AUTHORIZATION OF APPROPRIATIONS

- Sec. 101. Administration of foreign affairs.
- Sec. 102. International organizations, programs, and conferences.
- Sec. 103. International commissions.
- Sec. 104. Migration and refugee assistance.
- Sec. 105. Other programs.

PART B—AUTHORITIES AND ACTIVITIES

- Sec. 111. Authorized strength of the Foreign Service.
- Sec. 112. Transfers and reprogrammings.
- Sec. 113. Child care facilities at certain posts abroad.
- Sec. 114. Expenses relating to certain international claims and proceedings.
- Sec. 115. Prohibition on discriminatory contracts.
- Sec. 116. Emergencies in the Diplomatic and Consular Service.
- Sec. 117. Consular authorities.
- Sec. 118. Visas.
- Sec. 119. Role of the Foreign Service Institute.
- Sec. 120. Report on consolidation of administrative operations.
- Sec. 121. Local guard contracts abroad.
- Sec. 122. Annual country reports on terrorism.
- Sec. 123. Rewards for information regarding acts of international terrorism  
within the United States.
- Sec. 124. Property agreements.
- Sec. 125. Capital Investment Fund.
- Sec. 126. Technical amendment.

PART C—DEPARTMENT OF STATE ORGANIZATION

- Sec. 131. Under Secretary and Assistant Secretary positions.
- Sec. 132. Redesignation of position as Assistant Secretary for Democracy,  
Human Rights, and Labor.
- Sec. 133. Redesignation of position as Assistant Secretary for Narcotics, Ter-  
rorism, and Crime.
- Sec. 134. Administrative expenses for narcotics, terrorism, and crime.
- Sec. 135. Coordinator for international communications and information policy.
- Sec. 136. Inspector General of the Department of State and the Foreign Serv-  
ice.
- Sec. 137. Refugee affairs.

- Sec. 138. Office of foreign missions.
- Sec. 139. Women's human rights protection.
- Sec. 140. Repeals.

#### PART D—PERSONNEL

- Sec. 141. Labor-management relations.
- Sec. 142. Waiver of limitation for certain claims for personal property damage or loss.
- Sec. 143. Salaries of chiefs of mission.
- Sec. 144. Senior Foreign Service performance pay.
- Sec. 145. Reassignment and retirement of former Presidential appointees.
- Sec. 146. Report on classification of Senior Foreign Service positions.
- Sec. 147. Allowances.
- Sec. 148. Inapplicability of rollover authority for certain allowances and other payments.
- Sec. 149. Grievances.
- Sec. 150. Mid-Level Women and Minority Placement Program.
- Sec. 151. Employment assistance referral system for certain Department of State employees.
- Sec. 152. Foreign language competence within the Foreign Service.
- Sec. 153. Designation of Foreign Language Resources Coordinator.
- Sec. 154. Foreign Language Translator and Interpreter Career Service Program.

#### PART E—INTERNATIONAL ORGANIZATIONS

##### SUBPART A—UNITED NATIONS AND RELATED AGENCIES

- Sec. 161. Limitation on contributions to the United Nations and affiliated organizations.
- Sec. 162. United Nations Security Council membership.
- Sec. 163. Reforms in the World Health Organization.
- Sec. 164. Reforms in the Food and Agriculture Organization.
- Sec. 165. Reform in budget decisionmaking procedures of the United Nations and its specialized agencies.
- Sec. 166. United Nations budgetary and management reform.
- Sec. 167. Cost assessment report regarding any United States participation in action under Article 42 of the United Nations Charter.
- Sec. 168. Congressional notification regarding any United States implementation of Article 43 of the United Nations Charter.
- Sec. 169. Report on United Nations peacekeeping activities.
- Sec. 170. United States personnel and material contributions to peacekeeping operations.
- Sec. 170A. Policy with respect to the establishment of an international criminal court.

##### SUBPART B—OTHER INTERNATIONAL ORGANIZATIONS

- Sec. 171. International Boundary and Water Commission.
- Sec. 172. United States membership in the Asian-Pacific Economic Cooperation Organization.
- Sec. 173. Extension of the International Organizations Immunities Act to the International Union for Conservation of Nature and Natural Resources.
- Sec. 174. Inter-American organizations.
- Sec. 175. Prohibition on contributions to the International Coffee Organization.

## PART F—OTHER STATE DEPARTMENT-RELATED PROVISIONS

- Sec. 181. Migration and refugee amendments.
- Sec. 182. United States policy concerning overseas assistance to refugees and displaced persons.
- Sec. 183. Interparliamentary exchanges.
- Sec. 184. Report on terrorist assets in the United States.
- Sec. 185. Coordination of counterterrorism activities.
- Sec. 186. Facilitating access to the Department of State building.
- Sec. 187. Record of place of birth for Taiwanese-Americans.
- Sec. 188. Repeal of reporting requirements.

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

## PART A—AUTHORIZATION OF APPROPRIATIONS

- Sec. 201. Authorization of appropriations.

## PART B—USIA AND RELATED AGENCIES AUTHORITIES AND ACTIVITIES

- Sec. 211. Changes in administrative authorities.
- Sec. 212. Buying power maintenance account.
- Sec. 213. Contract authority.
- Sec. 214. Prohibition on discriminatory contracts.
- Sec. 215. United States transmitter in Kuwait.
- Sec. 216. Separate ledger accounts for grantees of the National Endowment for Democracy.
- Sec. 217. Limitation concerning participation in international expositions.
- Sec. 218. Authority to respond to public inquiries.
- Sec. 219. USIA office in Lhasa, Tibet.
- Sec. 220. Reports on United States Government exchange programs.
- Sec. 221. Scholarships for East Timorese students.
- Sec. 222. Cambodian scholarship and exchange programs.
- Sec. 223. Increasing African participation in USIA exchange programs.
- Sec. 224. Environment and Sustainable Development Exchange Program.
- Sec. 225. USIA vocational exchange program.
- Sec. 226. American studies collections.
- Sec. 227. Technical amendment relating to Near and Middle East research and training.
- Sec. 228. Distribution within the United States of United States information agency documentary film entitled “Crimes Against Humanity”.

## PART C—MIKE MANSFIELD FELLOWSHIPS

- Sec. 231. Short title.
- Sec. 232. Establishment of Mike Mansfield Fellowship Program.
- Sec. 233. Program requirements.
- Sec. 234. Separation of Government personnel during the fellowships.
- Sec. 235. Program review and report.
- Sec. 236. Definitions.

## TITLE III—UNITED STATES INTERNATIONAL BROADCASTING ACT OF 1993

- Sec. 301. Short title.
- Sec. 302. Congressional findings and declaration of purposes.

- Sec. 303. Establishment of Broadcasting Board of Governors.
- Sec. 304. Functions of the Board.
- Sec. 305. Foreign policy guidance.
- Sec. 306. International Broadcasting Bureau.
- Sec. 307. Radio Free Asia.
- Sec. 308. Transition.
- Sec. 309. Preservation of American jobs.

#### TITLE IV—COMMISSION ON PROTECTING AND REDUCING GOVERNMENT SECRECY

- Sec. 401. Short title.
- Sec. 402. Purpose.
- Sec. 403. Findings.
- Sec. 404. Functions of the Commission.
- Sec. 405. Composition of the Commission.
- Sec. 406. Powers of the Commission.
- Sec. 407. Staff of the Commission.
- Sec. 408. Final report of Commission; termination.

#### TITLE V—SPOILS OF WAR ACT OF 1993

- Sec. 501. Short title.
- Sec. 502. Transfers of spoils of war.
- Sec. 503. Prohibition on transfers to countries which support terrorism.
- Sec. 504. Report on previous transfers.
- Sec. 505. Definitions.
- Sec. 506. Construction.

#### TITLE VI—THE KHMER ROUGE PROSECUTION AND EXCLUSION ACT

- Sec. 601. Short title.
- Sec. 602. Policy.
- Sec. 603. Establishment of State Department office.
- Sec. 604. Reporting requirement.
- Sec. 605. Exclusion from the United States.

#### TITLE VII—MISCELLANEOUS

- Sec. 701. Peace Corps.
- Sec. 702. Reporting requirements on occupied Tibet.
- Sec. 703. Policy on Middle East arms sales.
- Sec. 704. Technical amendments to Captive Nations Resolution.
- Sec. 705. Providing material support to terrorists.
- Sec. 706. Torture convention implementation.
- Sec. 707. Applicability of Taiwan Relations Act.
- Sec. 708. Reports on relations with Taiwan.
- Sec. 709. United States policy concerning Iraqi Kurdistan.
- Sec. 710. Additional sanctions against North Korea.
- Sec. 711. Waiver of sanctions with respect to the Republic of Serbia and the Republic of Montenegro to promote democracy abroad.
- Sec. 712. Claims based on letters of credit for goods shipped but not paid for before imposition of national emergency.
- Sec. 713. Enforcement of nonproliferation treaties.

1           **TITLE I—DEPARTMENT OF**  
2   **STATE**

3   **PART A—AUTHORIZATION OF APPROPRIATIONS**

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

5           (a) IN GENERAL.—The following amounts are au-  
6   thorized to be appropriated for the Department of State  
7   under “Administration of Foreign Affairs” to carry out  
8   the authorities, functions, duties, and responsibilities in  
9   the conduct of the foreign affairs of the United States and  
10   for other purposes authorized by law, including the diplo-  
11   matic security program:

12                   (1) DIPLOMATIC AND CONSULAR PROGRAMS.—

13           For “Diplomatic and Consular Programs”, of the  
14           Department of State \$1,658,184,000 for the fiscal  
15           year 1994 and \$1,658,184,000 for the fiscal year  
16           1995.

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

18           and Expenses”, of the Department of State  
19           \$455,816,000 for the fiscal year 1994 and  
20           \$455,816,000 for the fiscal year 1995.

21                   (3) ACQUISITION AND MAINTENANCE OF BUILD-

22           INGS ABROAD.—For “Acquisition and Maintenance  
23           of Buildings Abroad”, \$294,850,000 for the fiscal  
24           year 1994 and \$294,850,000 for the fiscal year  
25           1995.

1           (4) BUYING POWER MAINTENANCE FUND.—For  
2           “Buying Power Maintenance Fund”, \$4,000,000 for  
3           the fiscal year 1994 and \$4,000,000 for the fiscal  
4           year 1995.

5           (5) REPRESENTATION ALLOWANCES.—For  
6           “Representation Allowances”, \$4,881,000 for the  
7           fiscal year 1994 and \$4,881,000 for the fiscal year  
8           1995.

9           (6) EMERGENCIES IN THE DIPLOMATIC AND  
10          CONSULAR SERVICE.—For “Emergencies in the Dip-  
11          lomatic and Consular Service”, \$8,000,000 for the  
12          fiscal 1994 and \$8,000,000 for the fiscal year 1995.

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

17          (8) PAYMENT TO THE AMERICAN INSTITUTE IN  
18          TAIWAN.—For “Payment to the American Institute  
19          in Taiwan”, \$15,484,000 for the fiscal year 1994  
20          and \$15,484,000 for the fiscal year 1995.

21          (9) PROTECTION OF FOREIGN MISSIONS AND  
22          OFFICIALS.—For “Protection of Foreign Missions  
23          and Officials”, \$10,814,000 for the fiscal year 1994  
24          and \$10,814,000 for the fiscal year 1995.



1           (10) REPATRIATION LOANS.—For “Repatri-  
2           ation Loans”, \$817,000 for the fiscal year 1994 and  
3           \$817,000 for the fiscal year 1995, for administrative  
4           expenses.

5           (b) LIMITATIONS.—(1) Of the amounts authorized to  
6           be appropriated for “Diplomatic and Consular Programs”  
7           under subsection (a)(1)—

8           (A) \$10,000,000 is authorized to be available  
9           for each of the fiscal years 1994 and 1995 for  
10          grants, contracts, and other activities to conduct re-  
11          search and promote international cooperation on en-  
12          vironmental and other scientific issues; and

13          (B) \$500,000 is authorized to be available for  
14          each of the fiscal years 1994 and 1995 to carry out  
15          the activities of the Office of Cambodian Genocide  
16          Investigations established under section 603 of this  
17          Act.

18          (2) Of the amounts authorized to be appropriated for  
19          “Salaries and Expenses” under subsection (a)(2),  
20          \$300,000 is authorized to be available for the fiscal year  
21          1994 and \$300,000 for the fiscal year 1995 for the For-  
22          eign Language Translator and Interpreter Career Service  
23          Program established by section 157.

24          (3) Of the amounts authorized to be appropriated for  
25          “Salaries and Expenses” under subsection (a)(2),

1 \$950,000 is authorized to be available for each of the fis-  
2 cal years 1994 and 1995 to carry out the activities of the  
3 Commission on Protecting and Reducing Government Se-  
4 crecy established under title IV of this Act.

5 **SEC. 102. INTERNATIONAL ORGANIZATIONS, PROGRAMS,**  
6 **AND CONFERENCES.**

7 (a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL  
8 ORGANIZATIONS.—There are authorized to be appro-  
9 priated for “Contributions to International Organiza-  
10 tions”, \$865,885,000 for the fiscal year 1994 and  
11 \$1,000,053,000 for the fiscal year 1995 for the Depart-  
12 ment of State to carry out the authorities, functions, du-  
13 ties, and responsibilities in the conduct of the foreign af-  
14 fairs of the United States with respect to international or-  
15 ganizations and to carry out other authorities in law con-  
16 sistent with such purposes.

17 (b) CONTRIBUTIONS FOR INTERNATIONAL PEACE-  
18 KEEPING ACTIVITIES.—There are authorized to be appro-  
19 priated for “Contributions for International Peacekeeping  
20 Activities”, \$422,744,000 for the fiscal year 1994 and  
21 \$487,472,000 for the fiscal year 1995 for the Department  
22 of State to carry out the authorities, functions, duties, and  
23 responsibilities in the conduct of the foreign affairs of the  
24 United States with respect to international peacekeeping

1 activities and to carry out other authorities in law consist-  
2 ent with such purposes.

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

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

1 **SEC. 103. INTERNATIONAL COMMISSIONS.**

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

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

12 (A) for “Salaries and Expenses”  
13 \$11,330,000 for the fiscal year 1994 and  
14 \$11,300,000 for the fiscal year 1995; and

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

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

23 (3) INTERNATIONAL JOINT COMMISSION.—For  
24 “International Joint Commission”, \$3,643,000 for  
25 the fiscal year 1994 and \$3,643,000 for the fiscal  
26 year 1995.

1           (4) INTERNATIONAL FISHERIES COMMIS-  
2           SIONS.—For “International Fisheries Commissions”,  
3           \$14,200,000 for the fiscal year 1994 and  
4           \$14,200,000 for the fiscal year 1995.

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

6           (a) AUTHORIZATION OF APPROPRIATIONS.—

7           (1)(A) There are authorized to be appropriated  
8           for “Migration and Refugee Assistance” for author-  
9           ized activities, \$585,688,000 for the fiscal year 1994  
10          and \$585,688,000 for the fiscal year 1995.

11          (B) Of the amounts authorized to be appro-  
12          priated under subparagraph (A), \$1,500,000 is au-  
13          thorized to be available for each of the fiscal years  
14          1994 and 1995 for humanitarian assistance, includ-  
15          ing, but not limited to, food, medicine, clothing,  
16          medical and vocational training to Burmese, includ-  
17          ing persons still within Burma, displaced as a result  
18          of civil conflict.

19          (2) There are authorized to be appropriated  
20          \$80,000,000 for the fiscal year 1994 and  
21          \$80,000,000 for the fiscal year 1995 for assistance  
22          for refugees resettling in Israel.

23          (b) AVAILABILITY OF FUNDS.—Funds appropriated  
24          pursuant to subsection (a) are authorized to be available  
25          until expended.

1 **SEC. 105. OTHER PROGRAMS.**

2 The following amounts are authorized to be appro-  
3 priated for the Department of State to carry out the au-  
4 thorities, functions, duties, and responsibilities in the con-  
5 duct of the foreign affairs of the United States and for  
6 other purposes authorized by law:

7 (1) UNITED STATES BILATERAL SCIENCE AND  
8 TECHNOLOGY AGREEMENTS.—For “United States  
9 Bilateral Science and Technology Agreements”,  
10 \$4,500,000 for the fiscal year 1994 and \$4,500,000  
11 for the fiscal year 1995.

12 (2) ASIA FOUNDATION.—For “Asia Founda-  
13 tion”, \$18,693,000 for the fiscal year 1994 and  
14 \$18,693,000 for the fiscal year 1995.

15 **PART B—AUTHORITIES AND ACTIVITIES**

16 **SEC. 111. AUTHORIZED STRENGTH OF THE FOREIGN SERV-**  
17 **ICE.**

18 (a) END FISCAL YEAR 1994 LEVELS.—The number  
19 of members of the Foreign Service authorized to be em-  
20 ployed as of September 30, 1994—

21 (1) for the Department of State, shall not ex-  
22 ceed 9,100, of whom not more than 820 shall be  
23 members of the Senior Foreign Service; and

24 (2) for the United States Information Agency,  
25 shall not exceed 1,200, of whom not more than 175  
26 shall be members of the Senior Foreign Service.

1 (b) END FISCAL YEAR 1995 LEVELS.—The number  
2 of members of the Foreign Service authorized to be em-  
3 ployed as of September 30, 1995—

4 (1) for the Department of State, shall not ex-  
5 ceed 9,100, of whom not more than 770 shall be  
6 members of the Senior Foreign Service; and

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

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

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

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

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

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

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

3 (d) WAIVER AUTHORITY.—(1) Subject to paragraph  
4 (2), the Secretary of State and the Director of the United  
5 States Information Agency may waive any limitation  
6 under subsection (a) or (b) which applies to the Depart-  
7 ment of State or the United States Information Agency,  
8 as the case may be, to the extent that such waiver is nec-  
9 essary to carry on the foreign affairs functions of the  
10 United States.

11 (2) Not less than 15 days before any agency head  
12 implements a waiver under paragraph (1), such agency  
13 head shall notify the Chairman of the Committee on For-  
14 eign Relations of the Senate and the Speaker of the House  
15 of Representatives. Such notice shall include an expla-  
16 nation of the circumstances and necessity for such waiver.

17 **SEC. 112. TRANSFERS AND REPROGRAMMINGS.**

18 (a) AMENDMENTS TO THE STATE DEPARTMENT  
19 BASIC AUTHORITIES ACT OF 1956.—Section 24 of the  
20 State Department Basic Authorities Act of 1956 (22  
21 U.S.C. 2696) is amended—

22 (1) in subsection (b)(7), by striking subpara-  
23 graph (E);

24 (2) in subsection (d)(1)—



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

3 (B) by striking “such second” and insert-  
4 ing “such”;

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

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

12 (b) DIPLOMATIC CONSTRUCTION PROGRAM.—Section  
13 401 of the Omnibus Diplomatic Security and  
14 Antiterrorism Act of 1986 (22 U.S.C. 4851) is amended  
15 by striking subsections (c) and (h)(3).

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

20 **SEC. 113. CHILD CARE FACILITIES AT CERTAIN POSTS**  
21 **ABROAD.**

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

1 **SEC. 114. EXPENSES RELATING TO CERTAIN INTER-**  
2 **NATIONAL CLAIMS AND PROCEEDINGS.**

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

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

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

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

1 foreign entity, there is established an International  
2 Litigation Fund (hereafter in this subsection re-  
3 ferred to as the “ILF”). The ILF shall be available  
4 to such extent and in such amounts as may be pro-  
5 vided in advance in appropriations Acts. Amounts so  
6 provided are authorized to remain available without  
7 fiscal year limitation.

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

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

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

4 **SEC. 115. PROHIBITION ON DISCRIMINATORY CONTRACTS.**

5           (a) PROHIBITION.—

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

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

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

18          (2) For purposes of this section—

19                   (A) a foreign person complies with the boy-  
20                   cott of Israel by Arab League countries when  
21                   that foreign person takes or knowingly agrees  
22                   to take any action, with respect to the boycott  
23                   of Israel by Arab League countries, which sec-  
24                   tion 8(a) of the Export Administration Act of  
25                   1979 (50 U.S.C. App. 2407(a)) prohibits a

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

6 (B) the term “foreign person” means any  
7 person other than a United States person as de-  
8 fined in section 16(2) of the Export Adminis-  
9 tration Act of 1979 (50 U.S.C. App. 2415).

10 (3) For purposes of paragraph (1), a foreign  
11 person shall be deemed not to comply with the boy-  
12 cott of Israel by Arab League countries if that per-  
13 son, or the Secretary of State or his designee on the  
14 basis of available information, certifies that the per-  
15 son violates or otherwise does not comply with the  
16 boycott of Israel by Arab League countries by taking  
17 any actions prohibited by section 8(a) of the Export  
18 Administration Act of 1979 (50 U.S.C. App.  
19 2407(a)). Certification by the Secretary of State or  
20 his designee may occur only 30 days after notice has  
21 been given to the Congress that this certification  
22 procedure will be utilized at a specific overseas mis-  
23 sion.

24 (b) WAIVER BY SECRETARY OF STATE.—The Sec-  
25 retary of State may waive the requirements of this section

1 on a country-by-country basis for a period not to exceed  
2 one year upon certification to the Congress by the Sec-  
3 retary that such waiver is in the national interest and is  
4 necessary to carry on diplomatic functions on the United  
5 States. Each such certification shall include a detailed jus-  
6 tification for the waiver with respect to each such country.

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

13 “ARAB LEAGUE BOYCOTT OF ISRAEL

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

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

18 “(2) the term ‘United States person’ means any  
19 United States resident or national (other than an in-  
20 dividual resident outside the United States and em-  
21 ployed by other than a United States person), any  
22 domestic concern (including any permanent domestic  
23 establishment of any foreign concern), and any for-  
24 eign subsidiary or affiliate (including any permanent  
25 foreign establishment) of any domestic concern

1       which is controlled in fact by such domestic concern,  
2       as determined under regulations of the President.

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

5               “(1) taking or knowingly agreeing to take any  
6       action, with respect to the boycott of Israel by Arab  
7       League countries, which section 8(a) of the Export  
8       Administration Act of 1979 (50 U.S.C. App.  
9       2407(a)) prohibits a United States person from tak-  
10      ing; or

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

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

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

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

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

14 **SEC. 116. EMERGENCIES IN THE DIPLOMATIC AND CON-**  
15 **SULAR SERVICE.**

16 Section 4(c) of the State Department Basic Authori-  
17 ties Act of 1956 (22 U.S.C. 2671(c)) is amended by strik-  
18 ing “an annual confidential” and inserting “a periodic”.

19 **SEC. 117. CONSULAR AUTHORITIES.**

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



1 vice consuls when in charge,” and inserting “by diplomatic  
2 and consular officers of the United States, and by other  
3 employees of the Department of State who are citizens of  
4 the United States,”.

5 (b) NOTARIAL AUTHORITY.—Section 7 of the Act en-  
6 titled “An Act to provide for the reorganization of the con-  
7 sular service of the United States”, approved April 5,  
8 1906 (34 Stat. 100; 22 U.S.C. 4221), is amended by add-  
9 ing at the end the following new sentence: “Pursuant to  
10 such regulations as the Secretary of State may prescribe,  
11 the Secretary may designate any other employee of the  
12 Department of State who is a citizen of the United States  
13 to perform any notarial function authorized to be per-  
14 formed by a consular officer of the United States under  
15 this Act.”.

16 **SEC. 118. VISAS.**

17 (a) SURCHARGE FOR PROCESSING CERTAIN VISAS.—

18 (1) Notwithstanding any other provision of law, the Sec-  
19 retary of State is authorized to charge a fee or surcharge  
20 for processing machine readable nonimmigrant visas and  
21 machine readable combined border crossing identification  
22 cards and nonimmigrant visas.

23 (2) Fees collected under the authority of subsection  
24 (a) shall be deposited in the general fund of the Treasury  
25 and available to the Department of State, subject to

1 amounts provided in advance in appropriations Acts, to  
2 recover the costs of providing consular services, which  
3 shall include the payment of any fees for access to the  
4 criminal history records of the Federal Bureau of Inves-  
5 tigation for processing visa applications and making immi-  
6 gration eligibility determinations. Such fees shall remain  
7 available for obligation until expended.

8 (3) For fiscal years 1994 and 1995, fees deposited  
9 under the authority of paragraph (2) may not exceed a  
10 total of \$56,000,000.

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

16 (c) PROCESSING OF VISAS FOR ADMISSION TO THE  
17 UNITED STATES.—(1)(A) Beginning 24 months after the  
18 date of the enactment of this Act, whenever a United  
19 States consular officer issues a visa for admission to the  
20 United States, that official shall certify, in writing, that  
21 a check of the Automated Visa Lookout System, or any  
22 other system or list which maintains information about the  
23 excludability of aliens under the Immigration and Nation-  
24 ality Act, has been made and that there is no basis under  
25 such system for the exclusion of such alien.

1 (B) If, at the time an alien applies for an immigrant  
2 or nonimmigrant visa, the alien's name is included in the  
3 Department of State's visa lookout system and the con-  
4 sular officer to whom the application is made fails to fol-  
5 low the procedures in processing the application required  
6 by the inclusion of the alien's name in such system, the  
7 consular officer's failure shall be made a matter of record  
8 and shall be considered as a serious negative factor in the  
9 officer's annual performance evaluation.

10 (2) If an alien to whom a visa was issued as a result  
11 of a failure described in paragraph (1)(B) is admitted to  
12 the United States and there is thereafter probable cause  
13 to believe that the alien was a participant in a terrorist  
14 act causing serious loss of life or property in the United  
15 States, the Secretary of State shall convene an Account-  
16 ability Review Board under the authority of title III of  
17 the Omnibus Diplomatic Security and Antiterrorism Act  
18 of 1986.

19 **SEC. 119. ROLE OF THE FOREIGN SERVICE INSTITUTE.**

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

23 “(d)(1) The Secretary of State is authorized to pro-  
24 vide for special professional foreign affairs training and

1 instruction of employees of foreign governments through  
2 the Institute.

3 “(2) Training and instruction under paragraph (1)  
4 shall be on a reimbursable basis. Reimbursement to the  
5 Institute may be provided by an agency of the United  
6 States Government or by a foreign government.

7 “(3) Training should be made available in the first  
8 instance to officials from newly emerging democratic na-  
9 tions, and then to other nations as deemed to be in the  
10 national interest of the United States.

11 “(4) The authorities of section 704 shall apply to  
12 training and instruction provided under this section.”.

13 **SEC. 120. REPORT ON CONSOLIDATION OF ADMINISTRA-**  
14 **TIVE OPERATIONS.**

15 Not later than 180 days after the date of the enact-  
16 ment of this Act, the Secretary of State, jointly with the  
17 Director of the United States Information Agency and the  
18 Administrator of the Agency for International Develop-  
19 ment, shall submit to the Chairman of the Committee on  
20 Foreign Relations of the Senate and to the Speaker of the  
21 House of Representatives a report concerning the feasibil-  
22 ity of consolidating domestic administrative operations for  
23 the Department of State, the United States Information  
24 Agency, and the Agency for International Development.

1 Such report shall include specific recommendations for im-  
2 plementation of such consolidation.

3 **SEC. 121. LOCAL GUARD CONTRACTS ABROAD.**

4 Section 136(c) of the Foreign Relations Authoriza-  
5 tion Act, Fiscal Years 1990 and 1991 (Public Law 101-  
6 246) is 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 (7) and (8), respectively; and

11 (3) by inserting after paragraph (1) the follow-  
12 ing:

13 “(2) absent compelling reasons, award such  
14 contracts through the competitive process;

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

19 “(4) allow all solicitations to be bid in United  
20 States dollars;

21 “(5) ensure that contracts awarded to United  
22 States firms are paid in United States dollars; and

23 “(6) ensure that United States diplomatic and  
24 consular posts assist United States firms in obtain-  
25 ing local licenses and permits.”.

1 **SEC. 122. ANNUAL COUNTRY REPORTS ON TERRORISM.**

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

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

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

9 (3) by adding at the end the following new sub-  
10 paragraph:

11 “(E) efforts by the United States to elimi-  
12 nate international financial support provided to  
13 those groups directly or provided in support of  
14 their activities.”.

15 **SEC. 123. REWARDS FOR INFORMATION REGARDING ACTS**  
16 **OF INTERNATIONAL TERRORISM WITHIN THE**  
17 **UNITED STATES.**

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

20 (1) in subsection (b)(1)(A), by striking “and is  
21 primarily outside the territorial jurisdiction of the  
22 United States”; and

23 (2) in subsection (i)—

24 (A) by striking “and” at the end of para-  
25 graph (1);

1 (B) by striking the period at the end of  
2 paragraph (2) and inserting “; and”; and

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

5 “(3) the term ‘international terrorism’ means  
6 activities that—

7 “(A) involve violent acts or acts dangerous  
8 to human life that are a violation of the crimi-  
9 nal laws of the United States or of any State,  
10 or that would be a criminal violation if commit-  
11 ted within the jurisdiction of the United States  
12 or any State;

13 “(B) appear to be intended—

14 “(i) to intimidate or coerce a civilian  
15 population;

16 “(ii) to influence the policy of a gov-  
17 ernment by intimidation or coercion; or

18 “(iii) to effect the conduct of a gov-  
19 ernment by assassination or kidnapping;  
20 and

21 “(C) occur totally outside the United  
22 States, or transcend national boundaries in  
23 terms of the means by which they are accom-  
24 plished, the persons they appear intended to co-

1           erce or intimidate, or the locale in which their  
2           perpetrators operate or seek asylum.”.

3 **SEC. 124. PROPERTY AGREEMENTS.**

4           Whenever the Department of State enters into lease-  
5 purchase agreements involving property in foreign coun-  
6 tries pursuant to section 1 of the Foreign Service Build-  
7 ings Act (22 U.S.C. 292), the Department shall account  
8 for such transactions in accordance with fiscal year obliga-  
9 tions.

10 **SEC. 125. CAPITAL INVESTMENT FUND.**

11           (a) ESTABLISHMENT.—There is established within  
12 the Department of State a Capital Investment Fund to  
13 provide for the procurement of information technology and  
14 other related capital investments for the Department of  
15 State and to ensure the efficient management, coordina-  
16 tion, operation, and utilization of such resources.

17           (b) FUNDING.—Funds otherwise available for the  
18 purposes of subsection (a) may be deposited in such Fund.

19           (c) AVAILABILITY.—Amounts deposited into the  
20 Fund are authorized to remain available until expended.

21           (d) EXPENDITURES FROM THE FUND.—Amounts de-  
22 posited in the Fund shall be available for expenditure to  
23 procure capital equipment and information technology.

24           (e) REPROGRAMMING PROCEDURES.—Funds credited  
25 to the Capital Investment Fund shall be treated as a



1 reprogramming of funds under section 34 of the State De-  
2 partment Basic Authorities Act of 1956 (22 U.S.C. 2710)  
3 and shall not be available for obligation or expenditure ex-  
4 cept in compliance with the procedures applicable to such  
5 reprogrammings.

6 **SEC. 126. TECHNICAL AMENDMENT.**

7 Section 2 of the State Department Basic Authorities  
8 Act of 1956 is amended by striking “(l) pay” and inserting  
9 “(m) pay”.

10 **PART C—DEPARTMENT OF STATE**

11 **ORGANIZATION**

12 **SEC. 131. UNDER SECRETARY AND ASSISTANT SECRETARY**  
13 **POSITIONS.**

14 (a) NUMBERS OF UNDER SECRETARIES AND ASSIST-  
15 ANT SECRETARIES.—Section 1 of the Act of May 26,  
16 1949, as amended (22 U.S.C. 2652), is further amended  
17 by striking everything after “Deputy Secretary of State”  
18 and inserting in lieu thereof “and not more than 5 Under  
19 Secretaries of State and not more than 20 Assistant Sec-  
20 retaries of State.”.

21 (b) OTHER SENIOR OFFICIALS.—In addition to such  
22 other officials of the Department of State who are author-  
23 ized to be compensated at level IV of the Executive Sched-  
24 ule of section 5315 title 5, United States Code, not more  
25 than 4 other officers of the Department of State are au-

1 thORIZED to be compensated at such level, and shall be ap-  
2 pointed by the President, by and with the advice and con-  
3 sent of the Senate.

4 (c) CONFORMING AMENDMENTS.—(1) Section 9(a) of  
5 the Department of State Appropriations Authorization  
6 Act of 1973 (22 U.S.C. 2655a) is amended—

7 (A) by striking “In addition to the positions  
8 provided under the first section of the Act of May  
9 26, 1949, as amended (22 U.S.C. 2652), there” and  
10 inserting in lieu thereof “There”; and

11 (B) by inserting before the period at the end of  
12 the subsection “and for such other related duties as  
13 the Secretary may from time to time designate”.

14 (2) Section 122(a) of the Foreign Relations Author-  
15 ization Act, Fiscal Years 1992 and 1993 (22 U.S.C.  
16 2652b) is amended by striking “, which is in addition to  
17 the positions provided under the first section of the Act  
18 of May 26, 1949 (22 U.S.C. 2652)”.

19 (3) Section 5314 of title 5, United States Code, is  
20 amended by striking:

21 “Under Secretary of State for Political Affairs and  
22 Under Secretary of State for Economic and Agricultural  
23 Affairs and an Under Secretary of State for Coordinating  
24 Security Assistance Programs and Under Secretary of  
25 State for Management.

1 “Counselor of the Department of State.”

2 and inserting in lieu thereof:

3 “Under Secretaries of State (5).”.

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

6 “Assistant Secretary for Oceans and International  
7 Environmental and Scientific Affairs, Department of  
8 State.”,

9 “Assistant Secretary for International Narcotics  
10 Matters, Department of State.”,

11 “Assistant Secretary for South Asian Affairs, De-  
12 partment of State.”,

13 “Legal Adviser of the Department of State.”, and

14 “Chief of Protocol, Department of State.”.

15 (5) Section 5315 of title 5, United States Code, as  
16 amended, is further amended by striking:

17 “Assistant Secretaries of State (15)”

18 and inserting in lieu thereof:

19 “Assistant Secretaries of State (20) and 4 other offi-  
20 cers of the Department of State appointed by the Presi-  
21 dent, by and with the advice and consent of the Senate.”.

22 (d) OFFICE OF COUNSELOR; LEGAL ADVISER.—(1)  
23 The Act entitled “An Act to create the Office of Counselor  
24 of the United States” (May 18, 1937; Public Law 75-  
25 91; 22 U.S.C. 2655) is repealed.

1           (2) Section 30 of the Act entitled “An Act for the  
2 reorganization and improvement of the Foreign Service of  
3 the United States and for other purposes” (May 24, 1924;  
4 Public Law 68–135; 22 U.S.C. 2654) is repealed.

5           (e) ASSUMPTION OF DUTIES OF NEW OFFICE.—The  
6 individual holding the Office of Counselor on the date of  
7 enactment of this Act shall assume the duties of an Under  
8 Secretary of State for Global Affairs and shall not be re-  
9 quired to be reappointed by reason of the enactment of  
10 this section.

11 **SEC. 132. REDESIGNATION OF POSITION AS ASSISTANT**  
12 **SECRETARY FOR DEMOCRACY, HUMAN**  
13 **RIGHTS, AND LABOR.**

14           (a) REDESIGNATION OF POSITION.—The Foreign As-  
15 sistance Act of 1961 is amended—

16           (1) in section 116(c) (22 U.S.C. 2151n), by  
17 striking “Assistant Secretary for Human Rights and  
18 Humanitarian Affairs” and inserting “Assistant  
19 Secretary of State for Democracy, Human Rights,  
20 and Labor”;

21           (2) in sections 502B(b) (22 U.S.C. 2304(b)),  
22 502B(c)(1) (22 U.S.C. 2304(c)), and 505(g)(4)(A)  
23 (22 U.S.C. 2314(g)(4)(A)) by striking “Human  
24 Rights and Humanitarian Affairs” each place it ap-

1       pears and inserting “Democracy, Human Rights,  
2       and Labor”;

3               (3) in subsection 573(c) by striking “Human  
4       Rights and Humanitarian Affairs” and inserting  
5       “Democracy, Human Rights, and Labor”; and

6               (4) in section 624(f) (22 U.S.C. 2384(f))—

7                       (A) by striking “Human Rights and Hu-  
8       manitarian Affairs” each place it appears and  
9       inserting “Democracy, Human Rights, and  
10      Labor”;

11                      (B) by striking “refugees, prisoners of  
12      war,” each place it appears and inserting “pris-  
13      oners of war”; and

14                      (C) in paragraph (1), by inserting before  
15      the period at the end of the first sentence “,  
16      and such other related duties as the Secretary  
17      may from time to time designate”.

18           (b) CONFORMING AMENDMENT.—Section 5(d)(1) of  
19      the Arms Export Control Act (22 U.S.C. 2755(d)(1)) is  
20      amended by striking “Assistant Secretary of State for  
21      Human Rights and Humanitarian Affairs” and inserting  
22      in lieu thereof “Assistant Secretary of State for Democ-  
23      racy, Human Rights, and Labor”.

24           (c) ASSUMPTION OF DUTIES.—The individual hold-  
25      ing the office of Assistant Secretary of State for Human

1 Rights and Humanitarian Affairs on the date of enact-  
2 ment of this Act shall assume the duties of Assistant Sec-  
3 retary of State for Democracy, Human Rights, and Labor  
4 and shall not be required to be reappointed by reason of  
5 the enactment of this section.

6 **SEC. 133. REDESIGNATION OF POSITION AS ASSISTANT**  
7 **SECRETARY FOR NARCOTICS, TERRORISM,**  
8 **AND CRIME.**

9 (a) REDESIGNATION OF OFFICE.—Section 115(a) of  
10 the Foreign Relations Authorization Act, Fiscal Year  
11 1979 (22 U.S.C. 2652a) is amended—

12 (1) in the section heading, by striking “INTER-  
13 NATIONAL NARCOTICS MATTERS” and inserting in  
14 lieu thereof “NARCOTICS, TERRORISM, AND CRIME”;  
15 and

16 (2) in the text—

17 (A) by striking “, in addition to the posi-  
18 tions provided under the first section of the Act  
19 of May 26, 1949 (22 U.S.C. 2652),”;

20 (B) by striking “International Narcotics  
21 Matters” and inserting “Narcotics, Terrorism  
22 and Crime”; and

23 (C) by inserting before the period at the  
24 end “and such other related duties as the Sec-  
25 retary may from time to time designate”.

1 (b) AMENDMENT TO TITLE 5, UNITED STATES  
2 CODE.—Section 5315 of title 5, United States Code, is  
3 amended by striking:

4 “Assistant Secretary for International Narcotics  
5 Matters, Department of State.” and inserting:

6 “Assistant Secretary for Narcotics, Terrorism, and  
7 Crime, Department of State.”.

8 (c) ASSUMPTION OF DUTIES OF NEW OFFICE.—The  
9 individual holding the office of Assistant Secretary of  
10 State for International Narcotics Matters on the date of  
11 enactment of this Act shall assume the duties of Assistant  
12 Secretary of State for Narcotics, Terrorism, and Crime  
13 and shall not be required to be reappointed by reason of  
14 the enactment of this section.

15 **SEC. 134. ADMINISTRATIVE EXPENSES FOR NARCOTICS,**  
16 **TERRORISM, AND CRIME.**

17 Section 482 of the Foreign Assistance Act of 1961  
18 (22 U.S.C. 2291a) is amended by adding the following  
19 new subsection:

20 “(d) ADMINISTRATIVE ASSISTANCE.—(1) Except as  
21 provided in paragraph (2), personnel funded pursuant to  
22 this section are authorized to provide administrative as-  
23 sistance to personnel assigned to the bureau designated  
24 by the Secretary of State to replace the Bureau for Inter-  
25 national Narcotics Matters.

1       “(2) Paragraph (1) shall not apply if to do so would  
2 result in a reduction in funds available for antinarcotics  
3 assistance to foreign countries.”.

4 **SEC. 135. COORDINATOR FOR INTERNATIONAL COMMU-**  
5 **NICATIONS AND INFORMATION POLICY.**

6       (a) IN GENERAL.—Section 35 of the State Depart-  
7 ment Basic Authorities Act of 1956 (22 U.S.C. 2707) is  
8 amended—

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

10          (2) in subsection (b)—

11           (A) by striking the text above paragraph  
12 (1) and inserting the following: “The Secretary  
13 of State shall be responsible for formulation, co-  
14 ordination, and oversight of foreign policy relat-  
15 ed to international communications and infor-  
16 mation policy. The Secretary of State shall—”;

17           (B) by striking paragraph (2);

18           (C) by redesignating paragraph (1) as  
19 paragraph (2);

20           (D) by inserting before redesignated para-  
21 graph (2) the following:

22           “(1) exercise primary authority for the conduct  
23 of foreign policy with respect to such telecommuni-  
24 cations functions, including the determination of  
25 United States positions and the conduct of United



1 States participation in negotiations with foreign gov-  
2 ernments and international bodies. In exercising this  
3 responsibility, the Secretary shall coordinate with  
4 other agencies as appropriate, and, in particular,  
5 shall give full consideration to the authority vested  
6 by law or Executive order in the Federal Commu-  
7 nications Commission, the Department of Commerce  
8 and the Office of the United States Trade Rep-  
9 resentative in this area;”.

10 (E) in redesignated paragraph (2), by  
11 striking “with the bureaus and offices of the  
12 Department of State and”, and inserting before  
13 the semicolon “and with the Federal Commu-  
14 nications Commission, as appropriate”; and

15 (F) in paragraph (3), by striking “the Sen-  
16 ior Interagency Group on International Com-  
17 munications and Information Policy” and in-  
18 serting “any senior interagency policymaking  
19 group on international telecommunications and  
20 information policy and chair such interagency  
21 meetings as may be necessary to coordinate ac-  
22 tions on pending issues;”.

23 (b) RULE OF CONSTRUCTION.—Nothing in the  
24 amendments made by this section affects the nature or  
25 scope of the authority that is on the date of enactment

1 of this Act vested by law or Executive order in the Depart-  
2 ment of Commerce, the Office of the United States Trade  
3 Representative, the Federal Communications Commission,  
4 or any officer thereof.

5 **SEC. 136. INSPECTOR GENERAL OF THE DEPARTMENT OF**  
6 **STATE AND THE FOREIGN SERVICE.**

7 (a) AMENDMENT OF THE FOREIGN SERVICE ACT OF  
8 1980.—The first sentence of section 209(a)(1) of the For-  
9 eign Service Act of 1980 (22 U.S.C. 3929) is amended  
10 to read as follows:

11 “(a)(1) There shall be an Inspector General of the  
12 Department of State and the Foreign Service, who shall  
13 be appointed by the President for a term not to exceed  
14 six years, by and with the advice and consent of the Sen-  
15 ate, without regard to political affiliation from among indi-  
16 viduals exceptionally qualified for the position by virtue  
17 of their integrity and their demonstrated ability in ac-  
18 counting, auditing, financial analysis, law, management  
19 analysis, public administration, or investigations, or their  
20 knowledge and experience in the conduct of foreign af-  
21 fairs.”.

22 (b) STATUS OF INCUMBENT INSPECTOR GENERAL.—  
23 Notwithstanding section 209(a)(1) of the Foreign Service  
24 Act of 1980, as amended by subsection (a), the individual  
25 occupying the position of Inspector General of the Depart-

1 ment of State and the Foreign Service on the date of en-  
2 actment of this Act may continue to occupy such position  
3 until December 31, 1993.

4 **SEC. 137. REFUGEE AFFAIRS.**

5 (a) REPEAL.—Part A of title III of the Refugee Act  
6 of 1980 (Public Law 96–212) is hereby repealed.

7 (b) AMENDMENT TO THE REFUGEE ACT OF 1980.—  
8 Title III of the Refugee Act of 1980 (Public Law 96–212)  
9 is amended in the heading for title III by striking “UNIT-  
10 ED STATES COORDINATOR FOR REFUGEE AF-  
11 FAIRS AND”.

12 (c) AMENDMENT TO THE MIGRATION AND REFUGEE  
13 ASSISTANCE ACT.—Section 5 of the Migration and Refu-  
14 gee Assistance Act (22 U.S.C. 2605) is amended by add-  
15 ing at the end the following new subsection:

16 “(c) Personnel funded pursuant to this section are  
17 authorized to provide administrative assistance to person-  
18 nel assigned to the bureau charged with carrying out this  
19 Act.”.

20 (d) CONFORMING AMENDMENTS.—(1) Section  
21 411(b) of the Immigration and Nationality Act (8 U.S.C.  
22 1521(b)) is amended by striking “and under the general  
23 policy guidance of the United States Coordinator for Refu-  
24 gee Affairs (hereinafter in this chapter referred to as the  
25 ‘Coordinator’)” and inserting “the Secretary of State”;

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

3           (A) in subsection (a)(2)(A), by striking “, to-  
4 gether with the Coordinator,”;

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

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

10          (3) Section 413(a) of the Immigration and National-  
11 ity Act (8 U.S.C. 1523) is amended by striking “, in con-  
12 sultation with the Coordinator,”.

13          (e) TRANSFER OF DUTIES.—If there is an individual  
14 who has been confirmed by the Senate as Ambassador at  
15 Large for Population, Refugees and Migration on the date  
16 of enactment of this Act, that person shall assume on such  
17 date the duties of Assistant Secretary of State for Popu-  
18 lation, Refugees and Migration which were vested in the  
19 Assistant Secretary before such date. Such individual shall  
20 not be required to be reappointed by reason of the enact-  
21 ment of this section.

22 **SEC. 138. OFFICE OF FOREIGN MISSIONS.**

23          Title II of the State Department Basic Authorities  
24 Act (22 U.S.C. 4301 et seq.) is amended—

25           (1) in section 202(a)—

1 (A) by striking paragraph (3); and

2 (B) by redesignating paragraphs (4)  
3 through (8) as paragraphs (3) through (7), re-  
4 spectively;

5 (2) in section 203—

6 (A) by amending the section heading to  
7 read as follows: “AUTHORITIES OF THE SEC-  
8 RETARY OF STATE”;

9 (B) by striking subsections (a) and (b);

10 (C) in subsection (c)—

11 (i) by striking “(c) The Secretary may  
12 authorize the Director to” and inserting  
13 “(a) The Secretary is authorized to”;

14 (ii) by striking “and” at the end of  
15 paragraph (3);

16 (iii) by redesignating paragraph (4) as  
17 paragraph (5); and

18 (iv) by inserting after paragraph (3)  
19 the following:

20 “(4) designate an office within the Department  
21 of State to carry out the purposes of this title. In  
22 the event such an office is established, the President  
23 may appoint, by and with the advice and consent of  
24 the Senate, a Director, who shall have the rank of  
25 ambassador.”; and

1 (D) by adding at the end the following new  
2 subsection:

3 “(b) In the case of an office designated under sub-  
4 section (a)(4), either the Director or the next most senior  
5 official of the office should be an individual who has served  
6 in the United States Foreign Service while the other  
7 should be an individual who has served in the United  
8 States Intelligence Community; and”;

9 (3) in section 204—

10 (A) in subsections (a), (b), and (c) by  
11 striking “Director” each place it appears and  
12 inserting “Secretary”; and

13 (B) in subsection (d), by striking “the Di-  
14 rector or any other” and inserting “any”;

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

17 (5) in section 205—

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

20 (B) in subsection (c)(2), by striking “au-  
21 thorize the Director to”; and

22 (6) in section 208—

23 (A) in subsection (d), by striking “Direc-  
24 tor” and inserting “Secretary”;

1 (B) in subsections (c), (e), and (f) by strik-  
2 ing “Office of Foreign Missions” each place it  
3 appears and inserting “Department of State”;  
4 and

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

7 **SEC. 139. WOMEN’S HUMAN RIGHTS PROTECTION.**

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

9 (1) issues of gender-based discrimination and  
10 violence against women have long been ignored or  
11 overlooked; and

12 (2) abuses against women should have greater  
13 visibility in the policymaking formulation.

14 (b) POLICY.—It is the sense of Congress that the De-  
15 partment of State should designate within the appropriate  
16 bureau a special assistant to the Assistant Secretary to  
17 assure that women’s human rights issues are considered  
18 in the overall development of international human rights  
19 policy.

20 **SEC. 140. REPEALS.**

21 (a) ENVOY TO THE AFGHAN RESISTANCE.—Section  
22 306 of the Department of State Appropriations Act, 1989  
23 (Public Law 100–459) is repealed.

1 (b) BURDENSARING.—Section 8125(c) of the De-  
2 partment of Defense Appropriations Act, Fiscal Year  
3 1989 (Public Law 100–463) is repealed.

4 **PART D—PERSONNEL**

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

6 Section 1017(e) of the Foreign Service Act of 1980  
7 (22 U.S.C. 4117) is amended to read as follows:

8 “(e)(1) Notwithstanding any other provision of this  
9 chapter, participation in the management of a labor orga-  
10 nization for purposes of collective bargaining or acting as  
11 a representative of a labor organization for such purpose  
12 is prohibited under this chapter—

13 “(A) on the part of any management official or  
14 confidential employee;

15 “(B) on the part of any individual who has  
16 served as a management official or confidential em-  
17 ployee during the preceding two years; or

18 “(C) on the part of any other employee if the  
19 participation or activity would result in a conflict of  
20 interest or apparent conflict of interest or would oth-  
21 erwise be incompatible with law or with the official  
22 functions of such employee.

23 “(2) For the purposes of paragraph (1)(B) the term  
24 ‘management official’ does not include any chief of mis-



1 sion, principal officer, or deputy thereof, or any adminis-  
2 trative or personnel officer abroad.”.

3 **SEC. 142. WAIVER OF LIMITATION FOR CERTAIN CLAIMS**  
4 **FOR PERSONAL PROPERTY DAMAGE OR**  
5 **LOSS.**

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

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

10 (2) by adding after paragraph (1), as so des-  
11 ignated, the following:

12 “(2) The Secretary of State may waive the settlement  
13 and payment limitation referred to in paragraph (1) for  
14 claims for damage or loss by United States Government  
15 personnel under the jurisdiction of a chief of mission in  
16 a foreign country if such claims arise from a departure  
17 from the country authorized or ordered under cir-  
18 cumstances described in section 5522(a) of title 5, if the  
19 Secretary determines that there exists exceptional cir-  
20 cumstances that warrant such a waiver.”.

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

1 **SEC. 143. SALARIES OF CHIEFS OF MISSION.**

2 Section 401(a) of the Foreign Service Act of 1980  
3 (22 U.S.C. 3961(a)) is amended by striking “, exclusive  
4 of danger pay,”.

5 **SEC. 144. SENIOR FOREIGN SERVICE PERFORMANCE PAY.**

6 (a) PROHIBITION ON AWARDS.—Notwithstanding  
7 any other provision of law, the Secretary of State may not  
8 award or pay performance payments for fiscal years 1994  
9 and 1995 under section 405 of the Foreign Service Act  
10 of 1980 (22 U.S.C. 3965), until the Director of the Office  
11 of Personnel Management issues regulations or otherwise  
12 authorizes or recommends the payment of rank awards or  
13 performance awards to other Federal employees for such  
14 fiscal years under section 4507 or 5384 of title 5, United  
15 States Code.

16 (b) AWARDS IN SUBSEQUENT FISCAL YEARS.—The  
17 Secretary may not make a performance award or payment  
18 in any fiscal year after a fiscal year referred to in sub-  
19 section (a) for the purpose of providing an individual with  
20 a performance award or payment to which the individual  
21 would otherwise have been entitled in a fiscal year referred  
22 to such subsection but for the prohibition described in  
23 such subsection.

24 (c) AMENDMENT TO FOREIGN SERVICE ACT OF  
25 1980.—Section 405(b)(4) of the Foreign Service Act of

1 1980 (22 U.S.C. 3965(b)(4)) is amended to read as fol-  
2 lows:

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

6 **SEC. 145. REASSIGNMENT AND RETIREMENT OF FORMER**  
7 **PRESIDENTIAL APPOINTEES.**

8           Section 813 of the Foreign Service Act of 1980 (22  
9 U.S.C. 4053) is amended to read as follows:

10           “SEC. 813. REASSIGNMENT AND RETIREMENT OF  
11 FORMER PRESIDENTIAL APPOINTEES.—(a) If a partici-  
12 pant completes an assignment under section 302(b) in a  
13 position to which the participant was appointed by the  
14 President, and is not otherwise eligible for retirement, the  
15 participant shall be reassigned in the Service within 90  
16 days after the completion of such assignment and any pe-  
17 riod of authorized leave.

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

1 **SEC. 146. REPORT ON CLASSIFICATION OF SENIOR FOR-**  
2 **EIGN SERVICE POSITIONS.**

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

11 (b) **REPORT.**—Not later than 180 days after the date  
12 of enactment of this Act, the Comptroller General shall  
13 submit a report of such audit and review to the Chairman  
14 of the Committee on Foreign Relations of the Senate and  
15 the Speaker of the House of Representatives.

16 **SEC. 147. ALLOWANCES.**

17 (a) **AWAY-FROM-POST EDUCATION ALLOWANCE.**—  
18 Section 5924(4)(A) of title 5, United States Code, is  
19 amended by inserting after the first sentence the follow-  
20 ing: “When travel from school to post is infeasible, travel  
21 may be allowed between the school attended and the home  
22 of a designated relative or family friend or to join a parent  
23 at any location, with the allowable travel expense not to  
24 exceed the cost of travel between the school and the post.”.

25 (b) **EDUCATIONAL TRAVEL FOR COLLEGE STUDENTS**  
26 **STUDYING ABROAD.**—Section 5924(4)(B) of title 5, Unit-

1 ed States Code, is amended in the first sentence after “in  
2 the United States” by inserting “(or to and from a school  
3 outside the United States if the dependent is attending  
4 that school for less than one year under a program ap-  
5 proved by the school in the United States at which the  
6 dependent is enrolled)”.

7 **SEC. 148. INAPPLICABILITY OF ROLLOVER AUTHORITY FOR**  
8 **CERTAIN ALLOWANCES AND OTHER PAY-**  
9 **MENTS.**

10 Section 5307(b) of title 5, United States Code (relat-  
11 ing to rollover authority for the making of certain pay-  
12 ments to Federal employees) shall not apply to employees  
13 of the Department of State.

14 **SEC. 149. GRIEVANCES.**

15 (a) GRIEVANCE BOARD PROCEDURES.—Section 1106  
16 of the Foreign Service Act of 1980 (22 U.S.C. 4136) is  
17 amended in the first sentence of paragraph (8) by striking  
18 “until the Board has ruled upon the grievance.” and in-  
19 serting “until the date which is one year after such deter-  
20 mination or until the Board has ruled upon the grievance,  
21 whichever comes first. The Board shall extend the one-  
22 year limitation under the preceding sentence and the De-  
23 partment shall continue to suspend such action, if the  
24 Board determines that the agency or the Board is respon-  
25 sible for the delay in the resolution of the grievance. The

1 Board may also extend the 1-year limit if it determines  
2 that the delay is due to the complexity of the case, the  
3 unavailability of witnesses or to circumstances beyond the  
4 control of the agency, the Board or the grievant.”.

5 (b) TIME LIMITATION ON REQUESTS FOR JUDICIAL  
6 REVIEW.—Section 1110 of the Foreign Service Act of  
7 1980 (22 U.S.C. 4140) is amended in the first sentence  
8 by inserting before the period “, if the request for judicial  
9 review is filed not later than 180 days after the final ac-  
10 tion of the Secretary or the Board (or in the case of an  
11 aggrieved party who is posted abroad at the time of the  
12 final action of the Secretary or the Board, if the request  
13 for judicial review is filed not later than 180 days after  
14 the aggrieved party’s return to the United States)”.

15 **SEC. 150. MID-LEVEL WOMEN AND MINORITY PLACEMENT**  
16 **PROGRAM.**

17 (a) PURPOSE.—It is the purpose of this section to  
18 promote the acquisition and retention of highly qualified,  
19 trained and experienced women and minority personnel  
20 within the Foreign Service and to provide the maximum  
21 opportunity for the Foreign Service to meet staffing needs  
22 and to acquire the services of experienced and talented  
23 women and minority personnel and to help alleviate the  
24 impact of downsizing, reduction-in-force, and budget re-

1 strictions occurring in the defense and national security-  
2 related agencies of the United States.

3 (b) ESTABLISHMENT.—For each of the fiscal years  
4 1994 and 1995, the Secretary of State shall to the maxi-  
5 mum extent practicable appoint as Foreign Service offi-  
6 cers qualified women and minority applicants who are par-  
7 ticipants in the priority placement program of the Depart-  
8 ment of Defense, the Department of Defense out-place-  
9 ment referral program, or the Automated Applicant Refer-  
10 ral System. The Secretary shall make such appointments  
11 through the mid-level entry program of the Department  
12 of State under section 306 of the Foreign Service Act of  
13 1980.

14 (c) REPORT.—Not later than 180 days after the date  
15 of enactment of this Act, the Secretary of State shall pre-  
16 pare and submit a report concerning the implementation  
17 of subsection (a) to the Chairman of the Committee on  
18 Foreign Relations of the Senate and the Speaker of the  
19 House of Representatives. Such report shall include rec-  
20 ommendations on methods to improve implementation of  
21 the purpose of this section.

1 **SEC. 151. EMPLOYMENT ASSISTANCE REFERRAL SYSTEM**  
2 **FOR CERTAIN DEPARTMENT OF STATE EM-**  
3 **PLOYEES.**

4 (a) REFERRAL SYSTEM.—(1) The Secretary of State,  
5 in consultation with the Director of the Office of Person-  
6 nel Management, shall establish and operate a system that  
7 provides job placement assistance to eligible personnel of  
8 the Department of State.

9 (2) The system established under this section shall—

10 (A) permit eligible personnel to register for job  
11 placement assistance under the system;

12 (B) contain information on vacancies in employ-  
13 ment positions throughout the Department;

14 (C) facilitate the provision of information on  
15 the positions referred to in subparagraph (B) to the  
16 personnel who register for assistance under subpara-  
17 graph (A); and

18 (D) assist, by referral or other means, the per-  
19 sonnel referred to in subparagraph (C) in seeking  
20 employment in such position.

21 (3) The Secretary of State shall, to the maximum ex-  
22 tent practicable, ensure that the system operated under  
23 this section is automated.

24 (4) The system shall operate from a single location  
25 within the continental United States.



1 (b) ELIGIBLE PERSONNEL.—Personnel eligible for  
2 participation in the job placement assistance system estab-  
3 lished under this section include the following:

4 (1) Personnel of the Department of State who  
5 are involuntarily separated from employment in the  
6 Department by reason of a reduction in force of  
7 such personnel.

8 (2) Personnel of the Department who decline to  
9 accept a transfer to another position in the Depart-  
10 ment under such a reduction in force or other pro-  
11 gram for the consolidation of employment positions  
12 within the Department.

13 (3) Former personnel of the Department whose  
14 employment with the Department was terminated  
15 for a reason described in paragraph (1) or (2).

16 (4) Such other personnel of the Department as  
17 the Secretary of State determines to be eligible for  
18 such participation.

19 (c) IMPLEMENTATION.—The Secretary of State shall  
20 commence operation of the system required under this sec-  
21 tion not later than 90 days after the date of the enactment  
22 of this Act.

23 (d) REPORT.—Not later than 120 days after the date  
24 of enactment of this Act, the Secretary of State shall pre-  
25 pare and submit a report concerning the implementation

1 of subsection (a) to the Chairman of the Committee on  
2 Foreign Relations of the Senate and the Speaker of the  
3 House of Representatives. Such report shall include rec-  
4 ommendations on methods to improve implementation of  
5 the job placement assistance system established under this  
6 section.

7 **SEC. 152. FOREIGN LANGUAGE COMPETENCE WITHIN THE**  
8 **FOREIGN SERVICE.**

9 (a) MODEL FOREIGN LANGUAGE COMPETENCE  
10 POSTS PROGRAM.—Section 161(a) of the Foreign Rela-  
11 tions Authorization Act, Fiscal Years 1990 and 1991 (22  
12 U.S.C. 4171 note) is amended by adding at the end the  
13 following new sentence: “Implementation of this program  
14 shall not deny other posts, not so designated, of required  
15 language-qualified personnel.”.

16 (b) ADDITIONS TO LANGUAGE PROFICIENCY IN THE  
17 EMPLOYEE EVALUATION REPORT.—Section 164(a) of the  
18 Foreign Relations Authorization Act, Fiscal Years 1990  
19 and 1991 (22 U.S.C. 4001(a) note) is amended—

20 (1) by inserting “(1)” immediately after “Com-  
21 petence.—”; and

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

23 “(2)(A) In any assessment under paragraph (1), if  
24 a supervisor believes that an employee’s proficiency in a  
25 foreign language has declined below the minimum pro-

1 ficiency level required for the employee's current assign-  
2 ment, the supervisor shall recommend that the employee  
3 seek remedial language refresher training and, within rea-  
4 sonable limitations, excuse the employee from a portion  
5 of his or her regular responsibilities to do so.

6       “(B) In the event the employee identified under sub-  
7 paragraph (A) is assigned to a language-designated posi-  
8 tion and is receiving a language differential for having  
9 achieved a required level of foreign language proficiency,  
10 the supervisor may also require that the employee's cur-  
11 rent proficiency in the foreign language be reevaluated at  
12 the earliest opportunity. In this case the employee's pro-  
13 ficiency shall be evaluated by reference to the standards  
14 and practices employed by the Foreign Service Institute.  
15 If the Foreign Service Institute determines that the em-  
16 ployee has failed to maintain the required level of pro-  
17 ficiency, the Department of State shall suspend the dif-  
18 ferential until the required proficiency level is regained.

19       “(C) For purposes of this section, the earliest oppor-  
20 tunity for reevaluation of an employee's foreign language  
21 proficiency by the Foreign Service Institute shall be, for  
22 employees not already in the Washington, D.C. area, the  
23 next time the employee travels to the Washington, D.C.  
24 area on official travel orders, or the next time a Foreign  
25 Service Institute examiner visits the employee's post of as-

1 signment on regularly scheduled travel. No additional  
2 travel funds may be expended for this purpose.”.

3 **SEC. 153. DESIGNATION OF FOREIGN LANGUAGE RE-**  
4 **SOURCES COORDINATOR.**

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

6 (1) the post-Cold War era is placing increasing  
7 demands on limited Federal foreign language re-  
8 sources available to support diplomacy, intelligence,  
9 military preparedness, international security, and  
10 global economic competitiveness goals;

11 (2) the absence of a single interagency mecha-  
12 nism to coordinate Federal foreign language re-  
13 sources represents a significant weakness in the  
14 United States Government’s ability to mobilize and  
15 direct existing foreign language assets in support of  
16 national foreign policy goals; and

17 (3) there is a growing need for coordination of  
18 all Federal agencies maintaining and utilizing for-  
19 eign language resources—

20 (A) to increase cost-effectiveness through  
21 sharing of resources;

22 (B) to identify foreign language needs and  
23 priorities required to support foreign policy ob-  
24 jectives; and

1 (C) to identify foreign language resources  
2 capable of supporting global economic competi-  
3 tiveness goals and to facilitate private sector ac-  
4 cess to those resources.

5 (b) POLICY.—It is the sense of the Congress that—

6 (1) the Secretary of State, by virtue of his over-  
7 all responsibility under section 701(a) of the Foreign  
8 Service Act of 1980 (22 U.S.C. 4011(a)) for train-  
9 ing and instruction in the field of foreign relations  
10 to meet the needs of all Federal agencies, should  
11 take the lead in this effort; and

12 (2) in order to avoid other Federal agencies du-  
13 plicating the facilities and training provided by the  
14 Secretary of State, a goal set out in section 701(b)  
15 of the Foreign Service Act of 1980 (22 U.S.C.  
16 4011(b)), the Secretary of State should call upon  
17 other Federal agencies to share in the joint manage-  
18 ment and coordination of Federal foreign language  
19 resources.

20 (c) DESIGNATION OF POSITION AND DUTIES.—(1)  
21 The Secretary of State shall appoint a Foreign Language  
22 Resources Coordinator (in this subsection referred to as  
23 the “Coordinator”) who shall be responsible—

24 (A) for coordinating the efforts of the appro-  
25 priate agencies of Government—

1 (i) to strengthen mechanisms for sharing  
2 of foreign language resources; and

3 (ii) to identify Federal foreign language re-  
4 source requirements in the areas of diplomacy,  
5 intelligence, military preparedness, international  
6 security, and other foreign policy objectives; and

7 (B) for making recommendations to the Sec-  
8 retary of State as to which Federal foreign language  
9 assets, if any, should be made available to the pri-  
10 vate sector in support of national global economic  
11 competitiveness goals.

12 (2) All United States Government agencies maintain-  
13 ing and utilizing Federal foreign language training and  
14 related resources shall cooperate fully with the Coordina-  
15 tor.

16 **SEC. 154. FOREIGN LANGUAGE TRANSLATOR AND INTER-**  
17 **PRETER CAREER SERVICE PROGRAM.**

18 (a) PURPOSE.—It is the purpose of this section—

19 (1) to enhance the capability of the Department  
20 of State to provide cost-effective, timely, and reliable  
21 translation and interpretation services for Govern-  
22 ment use;

23 (2) to obtain the services of professionally  
24 trained translators and interpreters of foreign lan-  
25 guages for which the Secretary of State determines

1       there is a shortage of qualified Government person-  
2       nel which cannot otherwise be filled; and

3           (3) to stimulate United States institutions of  
4       higher education to dedicate more resources to high-  
5       er levels of proficiency in their foreign language  
6       translation and interpretation programs.

7       (b) PROGRAM.—(1)(A) The Secretary shall establish  
8       a program whereby the Department of State would obtain  
9       the services of additional translators and interpreters  
10      trained at institutions of higher education in the United  
11      States.

12       (B) Such program shall be referred to as the “For-  
13      eign Language Translator and Interpreter Career Service  
14      Program”.

15       (2)(A) Under such program, the Secretary shall pay  
16      the costs of tuition for eligible United States citizens who  
17      pursue professional training in translation or interpreta-  
18      tion in foreign languages for which the Secretary deter-  
19      mines there is a shortage of qualified Government person-  
20      nel. In exchange, individuals who successfully complete  
21      training shall agree to perform such services at an entry-  
22      level rate of pay in the Department of State for a period  
23      of not less than one year for each year of academic tuition  
24      paid.

1 (B) Such individuals may be detailed or referred for  
2 direct employment to other Government agencies in ac-  
3 cordance with practices and procedures established by the  
4 Secretary.

5 (c) ELIGIBILITY.—A United States citizen shall be el-  
6 igible for participation in the program under this section  
7 if—

8 (1) the individual—

9 (A) is enrolled as a full-time student at an  
10 institution of higher education in the United  
11 States; and

12 (B) is pursuing a full-time program in a  
13 foreign language translation or interpretation;

14 (2) the institution and the program meet the  
15 accreditation, curriculum, certification, and other  
16 standards prescribed by the Secretary; and

17 (3) the individual submits a written application  
18 to the Secretary and meets the minimum criteria  
19 prescribed by the Secretary.

20 (d) NONCOMPLIANCE.—Any individual participating  
21 in the program who fails to complete a program meeting  
22 the standards prescribed in subsection (c)(2) shall reim-  
23 burse the Department of State for the Federal funds ex-  
24 pended for such individual's tuition, together with interest  
25 on such funds (calculated at the prevailing rate).



1 (e) SURCHARGE FOR CERTAIN FOREIGN LANGUAGE  
2 SERVICES.—(1) Notwithstanding any other provision of  
3 law, the Secretary of State is authorized to levy a sur-  
4 charge, or otherwise solicit funds, for providing other exec-  
5 utive branch agencies with foreign language translation  
6 and interpretation services for which the Secretary of  
7 State has determined for purposes of subsection (b)(2)  
8 there is a shortage of qualified Government personnel.

9 (2) Funds collected under the authority of subsection  
10 (e) shall be deposited as an offsetting collection to any  
11 Department of State appropriation to recover the cost of  
12 providing translation or interpretation services in any for-  
13 eign language for which the Secretary has determined  
14 there is a shortage of qualified Government personnel, in-  
15 cluding the cost of training translators or interpreters pur-  
16 suant to subsection (b).

17 (f) AVAILABILITY OF FUNDS.—Amounts authorized  
18 to be appropriated under this section are authorized to  
19 remain available until expended.

20 (g) DEFINITIONS.—For the purposes of this sec-  
21 tion—

22 (1) the term “institution of higher education”  
23 has the same meaning given to such term by section  
24 1201(a) of the Higher Education Act of 1965;

1           (2) the term “Secretary” means the Secretary  
2 of State, acting through the Office of Language  
3 Services or any successor office; and

4           (3) the term “shortage of qualified Government  
5 personnel” means a shortage or absence of suffi-  
6 ciently trained and qualified personnel to meet mini-  
7 mum requirements for permanent Government em-  
8 ployment as translators or interpreters by reference  
9 to the standards employed by the Office of Lan-  
10 guage Services (or successor office), which cannot  
11 otherwise be filled from contract rosters or other  
12 sources.

13           **PART E—INTERNATIONAL ORGANIZATIONS**

14           **Subpart A—United Nations and Related Agencies**

15           **SEC. 161. LIMITATION ON CONTRIBUTIONS TO THE UNITED**  
16                                   **NATIONS AND AFFILIATED ORGANIZATIONS.**

17           The United States shall not make any voluntary or  
18 assessed contribution—

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

23           (2) to the United Nations, if the United Na-  
24 tions grants full membership as a state in the Unit-  
25 ed Nations to any organization or group that does

1 not have the internationally recognized attributes of  
2 statehood, during any period in which such member-  
3 ship is effective.

4 **SEC. 162. UNITED NATIONS SECURITY COUNCIL MEMBER-**  
5 **SHIP.**

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

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

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

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

24 (b) SENSE OF CONGRESS.—It is the sense of Con-  
25 gress that the President should direct the Secretary of

1 State to request the Secretary-General of the United Na-  
2 tions to seek immediate resolution of the problem de-  
3 scribed in this section. The President shall inform the  
4 Congress of any progress in resolving this situation, to-  
5 gether with the submission to Congress of the request for  
6 funding for the “Contributions to International Organiza-  
7 tions” account of the Department of State for the fiscal  
8 year 1995.

9 **SEC. 163. REFORMS IN THE WORLD HEALTH ORGANIZA-**  
10 **TION.**

11 (a) SENSE OF THE CONGRESS.—It is the sense of the  
12 Congress that United States contributions to the World  
13 Health Organization (WHO) should be utilized in the  
14 most effective and efficient manner possible, particularly  
15 for the reduction of diseases and disabilities in developing  
16 countries. The President shall direct the United States  
17 representatives to the World Health Assembly, the Execu-  
18 tive Board, and the World Health Organization to monitor  
19 the activities of the World Health Organization to ensure  
20 that such organizations achieve—

21 (1) the timely implementation of reforms and  
22 management improvements, including those outlined  
23 in the resolutions of the 46th World Health Assem-  
24 bly related to the external Auditor (WHA 46.21),  
25 the Report of the Executive Board on the WHO Re-

1 sponse to Global Change (WHA 46.16) and actions  
2 for Budgetary Reform (WHA 46.35); and

3 (2) the effective and efficient utilization and  
4 monitoring of resources, including—

5 (A) the determination of strategic and fi-  
6 nancial priorities; and

7 (B) the establishment of realistic and  
8 measurable targets in accordance with the es-  
9 tablished health priorities.

10 (b) REPORT.—Not later than 180 days after the date  
11 of enactment of this Act, the Secretary of State shall sub-  
12 mit to the Chairman of the Foreign Relations Committee  
13 of the Senate and the Speaker of the House of Represent-  
14 atives a report assessing the World Health Organization's  
15 progress in implementing the reforms identified in sub-  
16 section (a)(1) and (2).

17 **SEC. 164. REFORMS IN THE FOOD AND AGRICULTURE OR-**  
18 **GANIZATION.**

19 In view of the longstanding efforts of the United  
20 States and the other major donor nations to reform the  
21 Food and Agriculture Organization and in view of the  
22 findings of the ongoing investigation of the General Ac-  
23 counting Office, it is the sense of the Congress that—

24 (1) the United States should use the oppor-  
25 tunity of the 1993 election of a new Director Gen-

1 eral of the Food and Agriculture Organization  
2 (FAO) to press for long-needed organizational and  
3 management reforms; and

4 (2) it should be the policy of the United States  
5 to promote the following reforms in the Food and  
6 Agriculture Organization:

7 (A) Decentralization of the administrative  
8 structure of FAO, including eliminating redun-  
9 dant or unnecessary headquarters staff, in-  
10 creased responsibilities of regional offices, in-  
11 creased time for consideration of budget issues  
12 by member states, and a more meaningful and  
13 direct role for member states in the decision-  
14 making process.

15 (B) Reform of the FAO Council, including  
16 formation of an executive management commit-  
17 tee to provide oversight of management.

18 (C) Limitation of the term of the Director  
19 General and the number of terms which an in-  
20 dividual may serve.

21 (D) Restructuring of the Technical Co-  
22 operation Program (TCP), including reducing  
23 the number of nonemergency projects funds  
24 through the TCP and establishing procedures

1 to deploy TCP consultants, supplies, and equip-  
2 ment in a timely manner.

3 **SEC. 165. REFORM IN BUDGET DECISIONMAKING PROCE-**  
4 **DURES OF THE UNITED NATIONS AND ITS**  
5 **SPECIALIZED AGENCIES.**

6 (a) ASSESSED CONTRIBUTIONS.—For assessed con-  
7 tributions authorized to be appropriated by section 102(a)  
8 of this Act, the President may withhold 20 percent of the  
9 funds appropriated for the United States assessed con-  
10 tribution to the United Nations or to any of its specialized  
11 agencies for any calendar year if the United Nations or  
12 any such agency has failed to implement or to continue  
13 to implement consensus-based decisionmaking procedures  
14 on budgetary matters which assure that sufficient atten-  
15 tion is paid to the views of the United States and other  
16 member states that are the major financial contributors  
17 to such assessed budgets.

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

1 representative) and the Committee on Foreign Affairs of  
2 the House of Representatives and the Committee on For-  
3 eign Relations of the Senate.

4 (c) CONTRIBUTIONS FOR PRIOR YEARS.—Subject to  
5 the availability of appropriations, payment of assessed  
6 contributions for prior years may be made to the United  
7 Nations or any of its specialized agencies notwithstanding  
8 subsection (a) of this section, section 162(a) of the For-  
9 eign Relations Authorization Act, Fiscal Years 1992 and  
10 1993 (Public Law 102–138), section 405 of the Foreign  
11 Relations Authorization Act, Fiscal Years 1990 and 1991  
12 (Public Law 101–246) and section 143 of the Foreign Re-  
13 lations Authorization Act, Fiscal Years 1986 and 1987  
14 (Public Law 99–93) if such payment would further United  
15 States interests in that organization.

16 (d) REPORT TO CONGRESS.—Not later than Feb-  
17 ruary 1 of each year, the President shall submit a report  
18 to the Congress concerning the payment of assessed con-  
19 tributions to the United Nations and any of its specialized  
20 agencies during the preceding calendar year.

21 (e) REPEAL OF EXISTING LAW.—Subsections (a)  
22 through (d) of section 162 of the Foreign Relations Au-  
23 thorization Act, Fiscal Years 1992 and 1993, are repealed.



1 **SEC. 166. UNITED NATIONS BUDGETARY AND MANAGE-**  
2 **MENT REFORM.**

3 (a) **POLICY.**—The President, acting through the  
4 United States Permanent Representative to the United  
5 Nations, shall propose that the Secretary-General of the  
6 United Nations establish an advisory committee to assist  
7 in the creation within the United Nations of a mechanism,  
8 process, or office—

9 (1) to conduct and supervise audits and inves-  
10 tigations of United Nations operations;

11 (2) to provide leadership and coordination, and  
12 to recommend policies, for activities designed—

13 (A) to promote economy, efficiency, and ef-  
14 fectiveness in the administration of, and

15 (B) to prevent and detect fraud and abuse  
16 in,  
17 such operations; and

18 (3) to provide a means for keeping the Sec-  
19 retary-General fully and currently informed about  
20 problems and deficiencies relating to the administra-  
21 tion of such operations and the necessity for and  
22 progress of corrective action.

23 (b) **ADVISORY COMMITTEE.**—An advisory committee  
24 established consistent with subsection (a) should be com-  
25 prised of the permanent representative of each country  
26 which is a permanent member of the United Nations Secu-

1 rity Council and one official designated by the Secretary-  
2 General from the United Nations Secretariat, who shall  
3 serve as chair.

4 (c) FUNCTIONS.—Such advisory committee should  
5 evaluate and make recommendations regarding the efforts  
6 of the United Nations and its specialized agencies—

7 (1) to establish a system of cost-based account-  
8 ing;

9 (2) to continue the practice of conducting inter-  
10 nal audits;

11 (3) to remedy any irregularities found by such  
12 audits; and

13 (4) to make arrangements for regular, inde-  
14 pendent audits of United Nations operations.

15 (d) REPORT.—Not later than October 1, 1994, the  
16 President shall submit a report to the Congress stating—

17 (1) whether the Secretary-General has estab-  
18 lished the advisory committee described in sub-  
19 section (b);

20 (2) whether the advisory committee is carrying  
21 out its functions under subsection (c); and

22 (3) whether a mechanism, process, or office de-  
23 scribed in subsection (a) has been established and is  
24 carrying out paragraphs (1) through (3) of that sub-  
25 section.

1 (e) DEFINITION.—For purposes of this section, the  
2 term “United Nations operations” includes any program,  
3 project, or activity conducted or supported, in whole or  
4 in part, by the United Nations or any of its specialized  
5 agencies.

6 **SEC. 167. COST ASSESSMENT REPORT REGARDING ANY**  
7 **UNITED STATES PARTICIPATION IN ACTION**  
8 **UNDER ARTICLE 42 OF THE UNITED NATIONS**  
9 **CHARTER.**

10 (a) IN GENERAL.—Except as provided in subsection  
11 (b), at least 15 days before—

12 (1) any obligation of funds for United States  
13 participation in international peace operations, or

14 (2) any vote by the Security Council to take ac-  
15 tion under Article 42 of the Charter of the United  
16 Nations which would involve the use of United  
17 States Armed Forces,

18 the President shall submit to the Committee on Foreign  
19 Relations and the Committee on Appropriations of the  
20 Senate and the Committee on Foreign Affairs and the  
21 Committee on Appropriations of the House of Representa-  
22 tives a report containing a cost assessment of the partici-  
23 pation of the United States Armed Forces in those oper-  
24 ations.

1 (b) EXCEPTION.—The period for submission of the  
2 report specified in subsection (a) shall not apply if the  
3 President determines that an emergency exists which pre-  
4 vents submission of the report in a timely manner.

5 (c) DEFINITION.—For purposes of this section, the  
6 term “United States participation in international peace  
7 operations” means the use of the United States Armed  
8 Forces—

9 (1) pursuant to, or consistent with, action taken  
10 by the Security Council under Article 42 of the  
11 Charter of the United Nations; or

12 (2) consistent with the United Nations Partici-  
13 pation Act of 1945.

14 **SEC. 168. CONGRESSIONAL NOTIFICATION REGARDING ANY**  
15 **UNITED STATES IMPLEMENTATION OF ARTI-**  
16 **CLE 43 OF THE UNITED NATIONS CHARTER.**

17 (a) IN GENERAL.—Except as provided in subsection  
18 (b), at least 15 days before any agency or entity of the  
19 United States Government makes available armed forces,  
20 assistance, or facilities to the United Nations under Arti-  
21 cle 43 of the United Nations Charter, the President shall  
22 so notify the Committee on Foreign Relations and the  
23 Committee on Appropriations of the Senate and the Com-  
24 mittee on Foreign Affairs and the Committee on Appro-  
25 priations of the House of Representatives.

1 (b) EXCEPTION.—The period for notifying Congress  
2 in subsection (a) shall not apply if the President deter-  
3 mines that an emergency exists which prevents making a  
4 notification in a timely manner.

5 (c) DEFINITION.—For purposes of this section, the  
6 term “assistance” means assistance of any kind, including  
7 the provision of logistical support and the grant of rights  
8 of passage.

9 **SEC. 169. REPORT ON UNITED NATIONS PEACEKEEPING AC-**  
10 **TIVITIES.**

11 Not later than 90 days after the date of enactment  
12 of this Act, and each year thereafter at the time of the  
13 President’s budget submission to Congress, the Secretary  
14 of State, after consultation with the heads of other rel-  
15 evant Federal agencies (including the Department of De-  
16 fense), shall submit to the Committee on Foreign Affairs  
17 of the House of Representatives and the Committee on  
18 Foreign Relations of the Senate a report on United States  
19 contributions to United Nations peacekeeping activities.  
20 Such report shall include—

- 21 (1) the overall cost of all peacekeeping oper-  
22 ations as of the date of the report;
- 23 (2) the costs of each peacekeeping operation;

1           (3) the amount of United States contributions  
2           (assessed and voluntary) on an operation-by-oper-  
3           ation basis; and

4           (4) an assessment of the effectiveness of ongo-  
5           ing peacekeeping operations, their relevance to Unit-  
6           ed States national interests, the efforts by the Unit-  
7           ed Nations to resolve the relevant armed conflicts,  
8           and the projected termination dates for such oper-  
9           ations.

10 **SEC. 170. UNITED STATES PERSONNEL AND MATERIAL**  
11                           **CONTRIBUTIONS TO PEACEKEEPING OPER-**  
12                           **ATIONS.**

13           (a) PERSONNEL.—(1) The United Nations should re-  
14           imburse the United States for use of personnel of the  
15           Armed Forces of the United States in United Nations  
16           peacekeeping operations. The amount of the reimburse-  
17           ment should be the full United Nations reimbursement de-  
18           termined on a per-person-per-month basis.

19           (2) To the extent that funds are made available under  
20           law to the Department of Defense for peacekeeping activi-  
21           ties, the Secretary of State may accept the United Nations  
22           reimbursement in the form of a credit against the amount  
23           of an assessment by the United Nations against the Unit-  
24           ed States. If no such funds are available, the Secretary  
25           of State shall accept payment of the United Nations reim-

1 bursement and, out of the amount received, reimburse the  
2 Department of Defense for the incremental costs of use  
3 of the Armed Forces personnel in the United Nations  
4 peacekeeping operation.

5 (b) GOODS AND SERVICES.—The United Nations  
6 should reimburse the Department of Defense directly for  
7 goods and services provided to a United Nations peace-  
8 keeping operation. The Secretary of Defense may waive  
9 reimbursement for such goods and services if the Sec-  
10 retary determines that the waiver is justified by excep-  
11 tional circumstances.

12 (c) VALUE OF GOODS AND SERVICES.—The Perma-  
13 nent Representative of the United States to the United  
14 Nations should use the voice and vote of the United States  
15 to ensure that goods and services provided by the United  
16 States to United Nations peacekeeping operations are re-  
17 imbursed at the appropriate value.

18 (d) REPORT.—Not later than one year after the date  
19 of enactment of this Act, the Permanent Representative  
20 of the United States to the United Nations shall submit  
21 a report to the Chairman of the Foreign Relations Com-  
22 mittee of the Senate and to the Speaker of the House of  
23 Representatives on all actions taken by the United States  
24 mission to the United Nations to ensure that contributions  
25 of personnel, goods, and services to United Nations peace-

1 keeping operations are reimbursed at their appropriate  
2 values.

3 (e) REVIEW AND REASSESSMENT OF ASSESSED CON-  
4 TRIBUTIONS TO UNITED NATIONS PEACEKEEPING OPER-  
5 ATIONS.—(1) The Permanent Representative of the Unit-  
6 ed States to the United Nations should make every effort  
7 to ensure the United Nations completes an overall review  
8 and reassessment of each nation's assessed contribution  
9 for international peacekeeping operations.

10 (2) As part of the overall review and assessment, the  
11 Permanent Representative should make every effort to ad-  
12 vance the concept that host governments and other gov-  
13 ernments in the region where a peacekeeping operation is  
14 deployed should bear a greater burden of its financial cost.

15 (3) The Permanent Representative should further  
16 make every effort to seek a United States contribution to  
17 United Nations peacekeeping operations that matches the  
18 United States share of assessed contributions.

19 **SEC. 170A. POLICY WITH RESPECT TO THE ESTABLISH-**  
20 **MENT OF AN INTERNATIONAL CRIMINAL**  
21 **COURT.**

22 (a) CONGRESSIONAL FINDINGS.—Congress finds  
23 that—



1           (1) the freedom and security of the inter-  
2 national community rests on the sanctity of the rule  
3 of law;

4           (2) the international community is increasingly  
5 threatened by unlawful acts such as war crimes,  
6 genocide, aggression, crimes against humanity, ter-  
7 rorism, drug trafficking, money laundering, and  
8 other crimes of an international character;

9           (3) the prosecution of individuals suspected of  
10 carrying out such acts is often impeded by political  
11 and legal obstacles such as amnesties, disputes over  
12 extradition, differences in the structure and capabili-  
13 ties of national courts, and the lack of uniform  
14 guidelines under which to try such individuals;

15           (4) the war crimes trials held in the aftermath  
16 of World War II at Nuremberg, Germany, and  
17 Tokyo, Japan, demonstrated that fair and effective  
18 prosecution of war criminals could be carried out in  
19 an international forum;

20           (5) since its inception in 1945 the United Na-  
21 tions has sought to build on the precedent estab-  
22 lished at the Nuremberg and Tokyo trials by estab-  
23 lishing a permanent international criminal court  
24 with jurisdiction over crimes of an international  
25 character;

1           (6) United Nations General Assembly Resolu-  
2           tion 44/39, adopted on December 4, 1989, called on  
3           the International Law Commission to study the fea-  
4           sibility of an international criminal court;

5           (7) in the years after passage of that resolution  
6           the International Law Commission has taken a num-  
7           ber of steps to advance the debate over such a court,  
8           including—

9                   (A) the provisional adoption of a draft  
10                  Code of Crimes Against the Peace and Security  
11                  of Mankind;

12                  (B) the creation of a Working Group on an  
13                  International Criminal Jurisdiction and the for-  
14                  mulation by that Working Group of several con-  
15                  crete proposals for the establishment and oper-  
16                  ation of an international criminal court; and

17                  (C) the determination that an international  
18                  criminal court along the lines of that suggested  
19                  by the Working Group is feasible and that the  
20                  logical next step would be to proceed with the  
21                  formal drafting of a statute for such a court;

22           (8) United Nations General Assembly Resolu-  
23           tion 47/33, adopted on November 25, 1992, called  
24           on the International Law Commission to begin the

1 process of drafting a statute for an international  
2 criminal court at its next session; and

3 (9) given the developments of recent years, the  
4 time is propitious for the United States to lend its  
5 support to this effort.

6 (b) SENSE OF THE CONGRESS.—It is the sense of  
7 the Congress that—

8 (1) the establishment of an international crimi-  
9 nal court with jurisdiction over crimes of an inter-  
10 national character would greatly strengthen the  
11 international rule of law;

12 (2) such a court would thereby serve the inter-  
13 ests of the United States and the world community;  
14 and

15 (3) the United States delegation should make  
16 every effort to advance this proposal at the United  
17 Nations.

18 (c) REQUIRED REPORT.—Not later than February 1,  
19 1994, the President shall submit to Congress a detailed  
20 report on developments relating to, and United States ef-  
21 forts in support of, the establishment of an international  
22 criminal court with jurisdiction over crimes of an inter-  
23 national character.

1       **Subpart B—Other International Organizations**

2       **SEC. 171. INTERNATIONAL BOUNDARY AND WATER COM-**  
3                                   **MISSION.**

4           (a) AUTHORIZATION TO RECEIVE PAYMENTS.—Sec-  
5       tion 2 of the American-Mexican Chamizal Convention Act  
6       of 1964 (22 U.S.C. 277d-18) is amended—

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

8                   (2) by adding at the end the following new sub-  
9       sections:

10       “(b) The United States Commissioner is authorized  
11       to receive funds from public or private sources in the Unit-  
12       ed States or Mexico for the purpose of sharing in the cost  
13       of replacement of the Bridge of the Americas, which  
14       crosses the Rio Grande between El Paso, Texas, and Ciu-  
15       dad Juarez, Chihuahua. Notwithstanding any other provi-  
16       sion of law, such payments of money shall be credited to  
17       any appropriation to the Commission which is currently  
18       available. Funds received under this subsection shall be  
19       available only for the replacement of such bridge.

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

23       (b) EXPENDITURES FOR WATER POLLUTION PROB-  
24       LEMS.—Title I of the Act of June 20, 1956 (70 Stat. 302;  
25       22 U.S.C. 277d-12), is amended in the fourth undesig-  
26       nated paragraph under the heading “INTERNATIONAL

1 BOUNDARY AND WATER COMMISSION, UNITED STATES  
2 AND MEXICO” by striking “Tijuana Rivers,” and all that  
3 follows before the period and inserting “Tijuana Rivers,  
4 or other streams running across or near the boundary, and  
5 for taking emergency actions to protect against health-  
6 threatening surface and ground water pollution problems  
7 along the United States-Mexico boundary”.

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

12 “SEC. 2. (a) There is created within the Treasury of  
13 the United States a separate fund, which shall be known  
14 as the ‘Falcon and Amistad Operating and Maintenance  
15 Fund’ (in this section referred to as the ‘Maintenance  
16 Fund’). The Maintenance Fund shall be administered by  
17 the Administrator of the Western Area Power Administra-  
18 tion for use by the Commissioner of the United States Sec-  
19 tion of the International Boundary and Water Commission  
20 to defray the operation, maintenance, and emergency costs  
21 of the hydroelectric facilities at the Falcon and Amistad  
22 dams.

23 “(b) All revenues collected in connection with the dis-  
24 position of electric power generated at the Falcon and  
25 Amistad dams, except those revenues paid pursuant to

1 subsection (d) to the general fund of the Treasury of the  
2 United States, shall be credited to the Maintenance Fund  
3 and shall remain available until expended for defraying the  
4 operation, maintenance, and emergency costs of the hydro-  
5 electric facilities at the dams.

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

9 “(d) Revenues in the Maintenance Fund in excess of  
10 the operation, maintenance, and emergency needs shall be  
11 paid annually to the general fund of the Treasury of the  
12 United States to return the costs of replacements and the  
13 original investments, with interest.

14 “(e) All funds received from the Government of Mex-  
15 ico for any energy which might be delivered to that Gov-  
16 ernment by the United States Section of the International  
17 Boundary and Water Commission pursuant to any special  
18 agreement concluded in accordance with Article 19 of the  
19 treaty of February 3, 1944, between the United States  
20 and Mexico (Treaty Series 994) shall be credited to the  
21 General Fund of the Treasury of the United States.”.

1 **SEC. 172. UNITED STATES MEMBERSHIP IN THE ASIAN-PA-**  
2 **CIFIC ECONOMIC COOPERATION ORGANIZA-**  
3 **TION.**

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

7 (b) PAYMENT OF ASSESSED CONTRIBUTIONS.—For  
8 fiscal year 1994 and for each fiscal year thereafter, the  
9 United States assessed contributions to APEC may be  
10 paid from funds appropriated for “Contributions to Inter-  
11 national Organizations”.

12 **SEC. 173. EXTENSION OF THE INTERNATIONAL ORGANIZA-**  
13 **TIONS IMMUNITIES ACT TO THE INTER-**  
14 **NATIONAL UNION FOR CONSERVATION OF**  
15 **NATURE AND NATURAL RESOURCES.**

16 The International Organizations Immunities Act (22  
17 U.S.C. 288 et seq.) is amended by adding at the end the  
18 following new section:

19 “SEC. 14. The International Union for Conservation  
20 of Nature and Natural Resources shall be considered to  
21 be an international organization for the purposes of this  
22 title and may be extended the provisions of this title in  
23 the same manner, to the same extent, and subject to the  
24 same conditions, as such provisions may be extended to  
25 a public international organization in which the United  
26 States participates pursuant to any treaty or under the

1 authority of any Act of Congress authorizing such partici-  
2 pation or making an appropriation for such participa-  
3 tion.”.

4 **SEC. 174. INTER-AMERICAN ORGANIZATIONS.**

5 (a) FINDING.—The Congress finds that the work  
6 done by the Inter-American organizations has been of  
7 great benefit to the Hemisphere, and the United States  
8 itself has experienced a positive return from their efforts.

9 (b) POLICY.—Taking into consideration the long-  
10 term commitment by the United States to the affairs of  
11 this Hemisphere and the need to build further upon the  
12 linkages between the United States and its neighbors, it  
13 is the sense of the Congress that the Secretary of State,  
14 in allocating the level of resources for international organi-  
15 zations, should pay particular attention to funding levels  
16 of the Inter-American organizations.

17 **SEC. 175. PROHIBITION ON CONTRIBUTIONS TO THE INTER-**  
18 **NATIONAL COFFEE ORGANIZATION.**

19 None of the funds authorized to be appropriated by  
20 this Act or any other Act may be used to fund any United  
21 States contribution to the International Coffee Organiza-  
22 tion.



1 **PART F—OTHER STATE DEPARTMENT-RELATED**  
2 **PROVISIONS**

3 **SEC. 181. MIGRATION AND REFUGEE AMENDMENTS.**

4 (a) MIGRATION AND REFUGEE ASSISTANCE ACT  
5 AMENDMENTS.—Section 2 of the Migration and Refugee  
6 Assistance Act of 1962 (22 U.S.C. 2601) is amended—

7 (1) by striking “the Intergovernmental Commit-  
8 tee for European Migration” each place it appears  
9 and inserting “the International Organization for  
10 Migration”;

11 (2) in subsection (a)—

12 (A) by striking “the Committee” and in-  
13 serting “the Organization” each place it ap-  
14 pears; and

15 (B) in the first sentence, by inserting be-  
16 fore the period “, as amended in Geneva, Swit-  
17 zerland, on May 20, 1987”; and

18 (3) in subsection (c)(2), by striking  
19 “\$50,000,000” and inserting “\$100,000,000”.

20 (b) REPEAL.—Section 745 of Public Law 100–204  
21 (22 U.S.C. 2601 note) is repealed.

22 **SEC. 182. UNITED STATES POLICY CONCERNING OVERSEAS**  
23 **ASSISTANCE TO REFUGEES AND DISPLACED**  
24 **PERSONS.**

25 (a) STANDARDS FOR REFUGEE WOMEN AND CHIL-  
26 DREN.—The United States Government, in providing for

1 overseas assistance and protection of refugees and dis-  
2 placed persons, should seek to address the protection and  
3 provision of basic needs of refugee women and children  
4 who represent 80 percent of the world's refugee popu-  
5 lation. As called for in the 1991 United Nations High  
6 Commissioner for Refugees (UNHCR) "Guidelines on the  
7 Protection of Refugee Women," whether directly, or  
8 through international organizations, the Secretary of  
9 State should seek to ensure—

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

13 (2) implementation of gender awareness train-  
14 ing and field staffing including, but not limited to,  
15 security personnel;

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

19 (4) full involvement of women refugees in the  
20 planning and implementation of—

21 (A) the delivery of services and assistance;

22 and

23 (B) the repatriation process;

24 (5) incorporation of maternal and child health  
25 needs into refugee health services and education,

1 specifically to include education on and access to  
2 services in reproductive health and birth spacing;

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

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

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

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

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

21 (11) gender awareness training for program  
22 staff of the United Nations High Commissioner for  
23 Refugees (UNHCR) and nongovernmental voluntary  
24 organizations on implementation of the 1991

1 UNHCR “Guidelines on the Protection of Refugee  
2 Women”.

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

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

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

21 (2) the blockage of humanitarian relief assist-  
22 ance;

23 (3) gender-specific persecution such as system-  
24 atic individual or mass rape, forced pregnancy,  
25 forced abortion, enforced prostitution, any form of

1 indecent assault or act of violence against refugee  
2 women, girls, and children; or

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

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

13 (e) MULTILATERAL IMPLEMENTATION OF THE 1991  
14 UNHCR “GUIDELINES ON THE PROTECTION OF REFU-  
15 GEE WOMEN”.—The Secretary of State should work to  
16 ensure that multilateral organizations fully incorporate the  
17 needs of refugee women and children into all elements of  
18 refugee assistance programs and work to encourage other  
19 governments that provide refugee assistance to adopt refu-  
20 gee assistance policies designed to encourage full imple-  
21 mentation of the UNHCR’s “Guidelines on the Protection  
22 of Refugee Women”.

1 **SEC. 183. INTERPARLIAMENTARY EXCHANGES.**

2 (a) MEXICO-UNITED STATES INTERPARLIAMENTARY  
3 GROUP.—Section 2 of the Act of April 9, 1960 (22 U.S.C.  
4 276i) is amended—

5 (1) by striking “\$100,000” and inserting  
6 “\$80,000”; and

7 (2) by striking “\$50,000” both places it ap-  
8 pears and inserting “\$40,000”.

9 (b) CANADA-UNITED STATES INTERPARLIAMENTARY  
10 GROUP.—Section 2 of the Act of June 11, 1959 (22  
11 U.S.C. 276e) is amended—

12 (1) by striking “\$50,000” and inserting  
13 “\$70,000”; and

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

16 (c) DEPOSIT OF FUNDS IN INTEREST-BEARING AC-  
17 COUNTS.—Funds appropriated and disbursed pursuant to  
18 section 303 of the Departments of Commerce, Justice, and  
19 State, the Judiciary, and Related Agencies Appropriation  
20 Act, 1988 (as added by section 101(a) of Public Law 100-  
21 202) (101 Stat. 1329–23; 22 U.S.C. 276 note) are author-  
22 ized to be deposited in interest-bearing accounts and any  
23 interest which accrues shall be deposited, periodically, in  
24 the miscellaneous receipts account of the Treasury.

1 **SEC. 184. REPORT ON TERRORIST ASSETS IN THE UNITED**  
2 **STATES.**

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

6 (1) by striking “Treasury” and inserting  
7 “Treasury, in consultation with the Attorney Gen-  
8 eral and the heads of the other appropriate inves-  
9 tigative agencies,”; and

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

13 **SEC. 185. COORDINATION OF COUNTERTERRORISM ACTIVI-**  
14 **TIES.**

15 (a) FINDINGS.—It is the sense of the Congress  
16 that—

17 (1) international terrorism continues to be a se-  
18 rious threat to the peace and security of democratic  
19 nations, the United States included;

20 (2) international terrorist acts against the Unit-  
21 ed States or its people can only be combatted  
22 through a vigorous coordination of efforts on the  
23 part of responsible United States Federal agencies;  
24 and

25 (3) United States citizens have continued to be  
26 targets of terrorism both at home and abroad.

1 (b) COORDINATION.—The Congress strongly urges  
2 the Secretary of State to take steps to ensure that coordi-  
3 nation of counterterrorism activities occupies a high prior-  
4 ity within the Department of State by a demonstrated  
5 dedication to the assignment of both personnel and re-  
6 sources to the issue of counterterrorism.

7 **SEC. 186. FACILITATING ACCESS TO THE DEPARTMENT OF**  
8 **STATE BUILDING.**

9 (a) PROCEDURES TO FACILITATE ACCESS.—The Of-  
10 fice of Diplomatic Security shall establish procedures to  
11 ensure that the members and staff of the congressional  
12 committees of jurisdiction are granted easy access to the  
13 Department of State in the conduct of their duties. Such  
14 procedures shall enable an individual employed by any  
15 such committee to be granted immediate access to the De-  
16 partment of State building upon the presentation of a  
17 valid United States Senate or House of Representatives  
18 identification card, if such individual's name appears on  
19 a list of staff members provided in advance in writing to  
20 the Office of Diplomatic Security by the chairman and  
21 ranking member of the committee employing such staff.  
22 A copy of such list shall be made available to the reception  
23 desk at the Department of State.

24 (b) PARKING PERMITS.—The Office of Diplomatic  
25 Security shall also make available a reasonable number of



1 parking permits to each committee in order to facilitate  
2 attendance of meetings at the Department of State.

3 (c) DEFINITION.—For purposes of this section, the  
4 term “congressional committees of jurisdiction” means the  
5 Committee on Foreign Relations and the Committee on  
6 Appropriations of the Senate and the Committee on For-  
7 eign Affairs and the Committee on Appropriations of the  
8 House of Representatives.

9 **SEC. 187. RECORD OF PLACE OF BIRTH FOR TAIWANESE-**  
10 **AMERICANS.**

11 For purposes of the registration of birth or certifi-  
12 cation of nationality of a United States citizen born in  
13 Taiwan, the Secretary of State shall permit the place of  
14 birth to be recorded as Taiwan.

15 **SEC. 188. REPEAL OF REPORTING REQUIREMENTS.**

16 The following provisions of law are hereby repealed:

17 (1) Section 37(d) of the State Department  
18 Basic Authorities Act of 1956 (22 U.S.C. 2709), re-  
19 lating to firearms regulations for special agents.

20 (2) Section 214(c) of the State Department  
21 Basic Authorities Act of 1956 (22 U.S.C. 4314), re-  
22 lating to extraordinary protective services to foreign  
23 missions.

24 (3) Section 216(d) of the State Department  
25 Basic Authorities Act of 1956 (22 U.S.C. 4316(d)),

1 relating to application of travel restrictions to per-  
2 sonnel of certain countries and organizations.

3 (4) Section 108 of the Foreign Relations Au-  
4 thorization Act, Fiscal Year 1978 (22 U.S.C.  
5 2151n-1), relating to Americans incarcerated  
6 abroad.

7 (5) Section 512(b)(2) of the Foreign Relations  
8 Authorization Act, Fiscal Year 1978 (22 U.S.C.  
9 2428a(b)), relating to withdrawal of United States  
10 troops from Korea.

11 (6) Section 412(b) of the Foreign Service Act  
12 of 1980 (22 U.S.C. 3972(b)), relating to special dif-  
13 ferentials for Foreign Service officers.

14 (7) The second sentence of section 2207(c) of  
15 the Foreign Service Act of 1980 (22 U.S.C.  
16 4171(c)), relating to foreign language competence  
17 requirements: exceptions.

18 (8) The second sentence of section 103(b) of  
19 the Department of State Authorization Act, Fiscal  
20 Years 1982 and 1983 (22 U.S.C. 2656 note), relat-  
21 ing to status of certain consulates to be reopened.

22 (9) Section 9 of the Radio Broadcasting to  
23 Cuba Act (22 U.S.C. 1465g), relating to evaluation  
24 of Cuba service programming.

1           (10) Section 130(c) of the Department of State  
2           Authorization Act, Fiscal Years 1984 and 1985 (22  
3           U.S.C. 3982 note), relating to merger of Foreign  
4           Service Information Corps into the Foreign Service  
5           Corps.

6           (11) Section 207(b) of the Department of State  
7           Authorization Act, Fiscal Years 1984 and 1985 (22  
8           U.S.C. 2460 note), relating to foreign travel fi-  
9           nanced from the United States Information Agency's  
10          private sector program.

11          (12) Section 120(d) of the Foreign Relations  
12          Authorization Act, Fiscal Years 1986 and 1987  
13          (Public Law 99-93), relating to Foreign Service as-  
14          sociates pilot project.

15          (13) Section 611 of the Foreign Relations Au-  
16          thorization Act, Fiscal Years 1986 and 1987 (22  
17          U.S.C. 4711), relating to United States scholarship  
18          program for developing countries.

19          (14) Section 812(c) of the Foreign Relations  
20          Authorization Act, Fiscal Years 1986 and 1987  
21          (Public Law 99-93), relating to Japan's fulfillment  
22          of its common defense commitments.

23          (15) Section 153(d) of the Foreign Relations  
24          Authorization Act, Fiscal Years 1988 and 1989 (22  
25          U.S.C. 4301 note; Public Law 100-204), relating to

1 United States-Soviet reciprocity in matters relating  
2 to embassies.

3 (16) Section 701(b) of the Foreign Relations  
4 Authorization Act, Fiscal Years 1988 and 1989 (22  
5 U.S.C. 287e note; Public Law 100–204), relating to  
6 status of secondment within the United Nations.

7 (17) Section 804(b) of the Foreign Relations  
8 Authorization Act, Fiscal Years 1990 and 1991  
9 (Public Law 101–246), relating to compliance with  
10 commitments by the Palestine Liberation Organiza-  
11 tion.

12 (18) Section 1(5) of the joint resolution entitled  
13 “Joint resolution relating to NASA and the Inter-  
14 national Space Year”, approved July 31, 1990 (Pub-  
15 lic Law 101–339), relating to the international space  
16 year—1992.

17 (19) Section 232 of the Conventional Forces in  
18 Europe Treaty Implementation Act of 1991 (Public  
19 Law 102–228), relating to activities to reduce Soviet  
20 military threat.

21 (20) Section 401(c) of the Conventional Forces  
22 in Europe Treaty Implementation Act of 1991 (22  
23 U.S.C. 2551 note), relating to the Arms Control and  
24 Disarmament Agency’s revitalization report.

1 **TITLE II—UNITED STATES IN-**  
2 **FORMATIONAL, EDUCATIONAL,**  
3 **TIONAL, AND CULTURAL PRO-**  
4 **GRAMS**

5 **PART A—AUTHORIZATION OF APPROPRIATIONS**

6 **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) IN GENERAL.—The following amounts are au-  
8 thorized to be appropriated to carry out international in-  
9 formation activities, and educational and cultural ex-  
10 change programs under the United States Information  
11 and Educational Exchange Act of 1948, the Mutual Edu-  
12 cational and Cultural Exchange Act of 1961, Reorganiza-  
13 tion Plan Number 2 of 1977, the Radio Broadcasting to  
14 Cuba Act, the Television Broadcasting to Cuba Act, the  
15 Board for International Broadcasting Act, the Inspector  
16 General Act of 1978, the National Endowment for Democ-  
17 racy Act, and to carry out other authorities in law consist-  
18 ent with such purposes:

19 (1) SALARIES AND EXPENSES.—For “Salaries  
20 and Expenses” for the United States Information  
21 Agency, \$478,854,000 for the fiscal year 1994 and  
22 \$478,854,000 for the fiscal year 1995.

23 (2) EDUCATIONAL AND CULTURAL EXCHANGE  
24 PROGRAMS.—

1 (A) FULBRIGHT ACADEMIC EXCHANGE  
2 PROGRAMS.—For the “Fulbright Academic Ex-  
3 change Programs”, \$141,043,000 for the fiscal  
4 year 1994 and \$141,043,000 for the fiscal year  
5 1995.

6 (B) OTHER EXISTING PROGRAMS.—For  
7 “Hubert H. Humphrey Fellowship Program”,  
8 “Edmund S. Muskie Fellowship Program”,  
9 “International Visitors Program”, “Israeli-Arab  
10 Scholarship Program”, “Mike Mansfield Fel-  
11 lowship Program”, “Claude and Mildred Pepper  
12 Scholarship Program of the Washington Work-  
13 shops Foundation”, “Citizen Exchange Pro-  
14 grams”, “Congress-Bundestag Exchange Pro-  
15 gram”, “Newly Independent States and East-  
16 ern Europe Training”, “Institute for Rep-  
17 resentative Government”, “Freedom Support  
18 Act Secondary School Exchanges”, and “Arts  
19 America”, \$105,879,000 for the fiscal year  
20 1994 and \$105,879,000 for the fiscal year  
21 1995.

22 (C) NEW PROGRAMS.—

23 (i) GOODWILL GAMES.—For the  
24 Goodwill Games, \$2,000,000 for the fiscal  
25 year 1994.

1 (ii) EAST TIMOR.—For scholarships  
2 for East Timorese students established by  
3 section 222, \$150,000 for the fiscal year  
4 1994 and \$150,000 for the fiscal year  
5 1995.

6 (iii) CAMBODIA.—For scholarships for  
7 Cambodians established by section 223,  
8 \$500,000 for the fiscal year 1994 and  
9 \$500,000 for the fiscal year 1995.

10 (iv) WORLD CUP.—For events associ-  
11 ated with the 1994 World Cup soccer  
12 finals, \$4,500,000 for the fiscal year 1994.

13 (3) BROADCASTING TO CUBA.—For “Broad-  
14 casting to Cuba”, \$28,351,000 for the fiscal year  
15 1994 and \$28,351,000 for the fiscal year 1995.

16 (4) INTERNATIONAL BROADCASTING ACTIVI-  
17 TIES.—For “International Broadcasting Activities”  
18 \$560,790,000 for the fiscal year 1994 and  
19 \$560,790,000 for the fiscal year 1995.

20 (5) OFFICE OF THE INSPECTOR GENERAL.—  
21 For the “Office of the Inspector General”,  
22 \$4,390,000 for the fiscal year 1994 and \$4,390,000  
23 for the fiscal year 1995.

24 (6) NATIONAL ENDOWMENT FOR DEMOC-  
25 RACY.—For the “National Endowment for Democ-

1 racy”, \$50,000,000 for the fiscal year 1994 and  
2 \$50,000,000 for the fiscal year 1995.

3 (7) CENTER FOR CULTURAL AND TECHNICAL  
4 INTERCHANGE BETWEEN EAST AND WEST.—For the  
5 “Center for Cultural and Technical Interchange be-  
6 tween East and West”, \$26,000,000 for the fiscal  
7 year 1994 and \$26,000,000 for the fiscal year 1995.

8 (8) INTERNATIONAL BROADCASTING OPER-  
9 ATIONS.—For “International Broadcasting Oper-  
10 ations”, \$395,356,000 for the fiscal year 1996 and  
11 \$400,784,000 for the fiscal year 1997.

12 (9) RADIO CONSTRUCTION.—For “Radio Con-  
13 struction”, \$108,874,000 for the fiscal year 1996  
14 and \$111,528,000 for the fiscal year 1997.

15 (b) AUTHORIZATION WITHIN “SALARIES AND EX-  
16 PENSES ACCOUNT”.—Of the amount authorized to be ap-  
17 propriated by subsection (a)(1), \$350,000 is authorized  
18 for the fiscal year 1994 for the establishment and oper-  
19 ation of a United States Information Agency office in  
20 Lhasa, Tibet, under section 219 of this Act and \$350,000  
21 is authorized for the fiscal year 1995 for the continued  
22 operation of such office.

23 (c) AUTHORIZATIONS WITHIN “FULBRIGHT ACA-  
24 DEMIC EXCHANGE PROGRAMS”.—



1           (1) Of the amount authorized to be appro-  
2           priated by subsection (a)(2)(A), \$3,000,000 is au-  
3           thorized for the fiscal year 1994 and \$3,000,000 for  
4           the fiscal year 1995 for the Vietnam scholarship  
5           program established by section 229 of the Foreign  
6           Relations Authorization Act, Fiscal Years 1992 and  
7           1993 (Public Law 102–138).

8           (2) Of the amount authorized to be appro-  
9           priated by subsection (a)(2)(A), \$2,000,000 is au-  
10          thorized for the fiscal year 1994 and \$2,000,000 for  
11          the fiscal year 1995 for the “Environment and Sus-  
12          tainable Development Exchange Program” estab-  
13          lished by section 224 of this Act.

14           **PART B—USIA AND RELATED AGENCIES**

15           **AUTHORITIES AND ACTIVITIES**

16   **SEC. 211. CHANGES IN ADMINISTRATIVE AUTHORITIES.**

17          Section 801 of the United States Information and  
18          Educational Exchange Act of 1948 (22 U.S.C. 1471) is  
19          amended—

20           (1) in paragraph (5), by striking “and” after  
21          the semicolon;

22           (2) in paragraph (6), by striking the period at  
23          the end and inserting “; and”; and

24           (3) by adding at the end the following new  
25          paragraph:

1           “(7) notwithstanding any other provision of  
2 law, to carry out projects involving security con-  
3 struction and related improvements for Agency fa-  
4 cilities not physically located together with Depart-  
5 ment of State facilities abroad.”.

6 **SEC. 212. BUYING POWER MAINTENANCE ACCOUNT.**

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

10           (1) by redesignating clauses (1) and (2) as  
11 clauses (A) and (B), respectively;

12           (2) by inserting “(1)” after “(c)”; and

13           (3) by adding at the end the following new  
14 paragraphs:

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

17           “(3) In order to eliminate substantial gains to the  
18 approved levels of overseas operations for the United  
19 States Information Agency, the Director shall transfer to  
20 the Buying Power Maintenance account such amounts ap-  
21 propriated for ‘Salaries and Expenses’ as the Director de-  
22 termines are excessive to the needs of the approved level  
23 of operations under that appropriation account because of  
24 fluctuations in foreign currency exchange rates or changes  
25 in overseas wages and prices.

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

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

17       “(6) Any restriction contained in an appropriation  
18 Act or other provision of law limiting the amounts that  
19 may be obligated or expended by the United States Infor-  
20 mation Agency shall be deemed to be adjusted to the ex-  
21 tent necessary to offset the net effect of fluctuations in  
22 foreign currency exchange rates or overseas wage and  
23 price changes in order to maintain approved levels.

24       “(7)(A) Subject to the limitations contained in this  
25 paragraph, not later than the end of the 5th fiscal year

1 after the fiscal year for which funds are appropriated or  
2 otherwise made available for the ‘Salaries and Expenses’  
3 account, the Director may transfer any unobligated bal-  
4 ance of such funds to the Buying Power Maintenance ac-  
5 count.

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

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

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

16 **SEC. 213. CONTRACT AUTHORITY.**

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

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

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

5 **SEC. 214. PROHIBITION ON DISCRIMINATORY CONTRACTS.**

6       (a) PROHIBITION.—

7           (1) Except for real estate leases and as pro-  
8 vided in subsection (b), the United States Informa-  
9 tion Agency may not enter into any contract that ex-  
10 pends funds appropriated to the United States In-  
11 formation Agency for an amount in excess of the  
12 small purchase threshold (as defined in section 4(11)  
13 of the Office of Federal Procurement Policy Act (41  
14 U.S.C. 403(11))—

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

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

20       (2) For purposes of this section—

21           (A) a foreign person complies with the boy-  
22 cott of Israel by Arab League countries when  
23 that foreign person takes or knowingly agrees  
24 to take any action, with respect to the boycott  
25 of Israel by Arab League countries, which sec-

1           tion 8(a) of the Export Administration Act of  
2           1979 (50 U.S.C. App. 2407(a)) prohibits a  
3           United States person from taking, except that  
4           for purposes of this paragraph, the term “Unit-  
5           ed States person” as used in subparagraphs (B)  
6           and (C) of section 8(a)(1) of such Act shall be  
7           deemed to mean “person”; and

8                   (B) the term “foreign person” means any  
9           person other than a United States person as de-  
10          fined in section 16(2) of the Export Adminis-  
11          tration Act of 1979 (50 U.S.C. App. 2415).

12           (3) For purposes of paragraph (1), a foreign  
13          person shall be deemed not to comply with the boy-  
14          cott of Israel by Arab League countries if that per-  
15          son, or the Director of the United States Informa-  
16          tion Agency or his designee on the basis of available  
17          information, certifies that the person violates or oth-  
18          erwise does not comply with the boycott of Israel by  
19          Arab League countries by taking any actions prohib-  
20          ited by section 8(a) of the Export Administration  
21          Act of 1979 (50 U.S.C. App. 2407(a)). Certification  
22          by the Director of the United States Information  
23          Agency or his designee may occur only 30 days after  
24          notice has been given to the Congress that this cer-

1 tification procedure will be utilized at a specific over-  
2 seas mission.

3 (b) WAIVER BY THE DIRECTOR OF THE UNITED  
4 STATES INFORMATION AGENCY.—The Director of the  
5 United States Information Agency may waive the require-  
6 ments of this section on a country-by-country basis for a  
7 period not to exceed one year upon certification to the  
8 Congress by the Director that such waiver is in the na-  
9 tional interest and is necessary to carry on diplomatic  
10 functions on the United States. Each such certification  
11 shall include a detailed justification for the waiver with  
12 respect to each such country.

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

20 “ARAB LEAGUE BOYCOTT OF ISRAEL

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

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

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

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

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

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

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

19       (2) An Offeror would not be required to include the  
20      certification required by paragraph (1), if the Offeror is  
21      deemed not to comply with the Arab League boycott of  
22      Israel by the Director of the United States Information  
23      Agency or a designee on the basis of available information.  
24      Certification by the Director of the United States Infor-  
25      mation Agency or a designee may occur only 30 days after



1 notice has been given to the Congress that this certifi-  
2 cation procedure will be utilized at a specific overseas mis-  
3 sion.

4 (3) The Director of the United States Information  
5 Agency shall ensure that all State Department contract  
6 solicitations include a detailed explanation of the require-  
7 ments of section 8(a) of the Export Administration Act  
8 of 1979 (50 U.S.C. App. 2407(a)).

9 (d) REVIEW OF TERMINATION.—(1) The United  
10 States Information Agency shall conduct reviews of the  
11 certifications submitted pursuant to this section for the  
12 purpose of assessing the accuracy of the certifications.

13 (2) Upon complaint of any foreign or United States  
14 person of a violation of the certification as required by  
15 this section, filed with the Director of the United States  
16 Information Agency, the United States Information Agen-  
17 cy shall investigate such complaint, and if such complaint  
18 is found to be correct and a violation of the certification  
19 has been found, all contracts with such violator shall be  
20 terminated for default as soon as practicable, and, for a  
21 period of two years thereafter, the Agency shall not enter  
22 into any contracts with such a violator.

23 **SEC. 215. UNITED STATES TRANSMITTER IN KUWAIT.**

24 None of the funds authorized to be appropriated by  
25 this or any other Act may be obligated or expended for

1 the design, development, or construction of a United  
2 States radio transmitter in Kuwait.

3 **SEC. 216. SEPARATE LEDGER ACCOUNTS FOR GRANTEEES**  
4 **OF THE NATIONAL ENDOWMENT FOR DEMOC-**  
5 **RACY.**

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

10 **SEC. 217. LIMITATION CONCERNING PARTICIPATION IN**  
11 **INTERNATIONAL EXPOSITIONS.**

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

19 **SEC. 218. AUTHORITY TO RESPOND TO PUBLIC INQUIRIES.**

20 Section 208 of the Foreign Relations Authorization  
21 Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461-1a)  
22 is amended by adding at the end the following new sen-  
23 tence: “The provisions of this section shall not prohibit  
24 the United States Information Agency from responding to

1 inquiries from members of the public about its operations,  
2 policies, or programs.”.

3 **SEC. 219. USIA OFFICE IN LHASA, TIBET.**

4 (a) ESTABLISHMENT OF OFFICE.—The Director of  
5 the United States Information Agency shall establish an  
6 office in Lhasa, Tibet, for the purpose of—

7 (1) disseminating information about the United  
8 States;

9 (2) promoting discussions on conflict resolution  
10 and human rights;

11 (3) facilitating United States private sector in-  
12 volvement in educational and cultural activities in  
13 Tibet; and

14 (4) advising the United States Government with  
15 respect to Tibetan public opinion.

16 (b) APPLICABLE LAWS.—Activities under subsection  
17 (a) shall be carried out in accordance with the provisions  
18 of the United States Information and Educational Ex-  
19 change Act of 1948 and the Mutual Educational and Cul-  
20 tural Exchange Act of 1961.

21 **SEC. 220. REPORTS ON UNITED STATES GOVERNMENT EX-**  
22 **CHANGE PROGRAMS.**

23 (a) PRESIDENTIAL REPORT.—Section 112 of the Mu-  
24 tual Educational and Cultural Exchange Act of 1961 (22

1 U.S.C. 2460) is amended by adding at the end the follow-  
2 ing:

3 “(f)(1) The President shall ensure that all exchange  
4 programs conducted by the United States Government, its  
5 departments, and agencies, directly or through agreements  
6 with other parties, are reported to the Bureau at a time  
7 and in a format prescribed by the Bureau.

8 “(2) Not later than 90 days after the date of enact-  
9 ment of this subsection, and annually thereafter, the  
10 President shall submit to the Chairman of the Committee  
11 on Foreign Relations and the Speaker of the House of  
12 Representatives a report containing the information re-  
13 quired to be reported under paragraph (1). Such report  
14 shall include information concerning the objectives of each  
15 exchange program supported by the United States, the  
16 number of exchange participants, the types of exchange  
17 activities, and the total amount of Federal expenditures  
18 for such exchanges.”.

19 (b) REPORT BY THE DIRECTOR OF USIA.—Not later  
20 than 120 days after the date of enactment of this Act,  
21 the Director of the United States Information Agency  
22 shall submit to the Chairman of the Committee on Foreign  
23 Relations and the Speaker of the House of Representa-  
24 tives a report—

1 (1) outlining the range of exchange programs  
2 administered by the Agency;

3 (2) identifying possible areas of duplication or  
4 inefficiency; and

5 (3) recommending program consolidation and  
6 administrative restructuring as warranted.

7 **SEC. 221. SCHOLARSHIPS FOR EAST TIMORESE STUDENTS.**

8 Notwithstanding any other provision of law, the Bu-  
9 reau of Educational and Cultural Affairs of the United  
10 States Information Agency shall make available for each  
11 of the fiscal years 1994 and 1995, scholarships for East  
12 Timorese students qualified to study in the United States  
13 for the purpose of studying at the undergraduate level in  
14 a United States college or university. Each scholarship  
15 made available under this subsection shall be for not less  
16 than one semester of study.

17 **SEC. 222. CAMBODIAN SCHOLARSHIP AND EXCHANGE PRO-**  
18 **GRAMS.**

19 (a) PURPOSE.—It is the purpose of this section to  
20 provide financial assistance—

21 (1) to establish a scholarship program for Cam-  
22 bodian college and post-graduate students to study  
23 in the United States; and

1 (2) to expand Cambodian participation in ex-  
2 change programs of the United States Information  
3 Agency.

4 (b) PROGRAM.—(1) The Director of the United  
5 States Information Agency shall establish a scholarship  
6 program to enable Cambodian college students and post-  
7 graduate students to study in the United States.

8 (2) The Director of the United States Information  
9 Agency shall also include qualified Cambodian citizens in  
10 exchange programs funded or otherwise sponsored by the  
11 Agency, in particular the Fulbright Academic Program,  
12 the International Visitor Program, and the Citizen Ex-  
13 change Program.

14 (c) DEFINITION.—For the purposes of this section,  
15 the term “scholarship” means an amount to be used for  
16 full or partial support of tuition and fees to attend an edu-  
17 cational institution, and may include fees, books, and sup-  
18 plies, equipment required for courses at an educational in-  
19 stitution, living expenses at a United States educational  
20 institution, and travel expenses to and from, and within,  
21 the United States.

22 **SEC. 223. INCREASING AFRICAN PARTICIPATION IN USIA**  
23 **EXCHANGE PROGRAMS.**

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

1           (1) United States Information Agency (USIA)  
2 programs with African countries have continued to  
3 decrease over the past three years, occurring at a  
4 time when economic reform and the expansion of  
5 democratic governments and institutions are taking  
6 place in more than 25 countries across Africa;

7           (2) African institutions are now attempting to  
8 reform their education sector to adjust to population  
9 and budget pressures, and to revitalize existing in-  
10 frastructure to restore quality;

11           (3) higher education is the cornerstone of eco-  
12 nomic and political development, and will help im-  
13 prove the well-being of Africans citizens; and

14           (4) USIA programs in Africa are insufficient to  
15 meet the expanding needs for educational develop-  
16 ment and to help strengthen democratic, edu-  
17 cational, and free market institutions in Africa.

18           (b) POLICY.—The Director of United States Informa-  
19 tion Agency shall expand exchange program allocations to  
20 Africa, in particular Fulbright Academic Exchanges,  
21 International Visitor Programs, and Citizen Exchanges,  
22 and shall further encourage a broadening of affiliations  
23 and links between American and African institutions.

1 **SEC. 224. ENVIRONMENT AND SUSTAINABLE DEVELOP-**  
2 **MENT EXCHANGE PROGRAM.**

3 (a) **PURPOSE.**—The purpose of this section is to es-  
4 tablish an exchange program to bring students and teach-  
5 ers to the United States for training in the fields of envi-  
6 ronment and development, with particular emphasis on  
7 sustainable development.

8 (b) **PROGRAM AUTHORITY.**—Notwithstanding any  
9 other provision of law, the Director of the United States  
10 Information Agency, through the Bureau of Educational  
11 and Cultural Affairs, shall provide scholarships beginning  
12 in the fiscal year 1994, and for each fiscal year thereafter,  
13 for study at United States institutions of higher education  
14 in furtherance of the purpose of this section for foreign  
15 students who have completed their undergraduate edu-  
16 cation and for postsecondary educators.

17 (c) **GUIDELINES.**—The scholarship program under  
18 this section shall be carried out in accordance with the  
19 following guidelines:

20 (1) Consistent with section 112(b) of the Mu-  
21 tual Educational and Cultural Exchange Act of  
22 1961 (22 U.S.C. 2460(b)), all programs created pur-  
23 suant to this Act shall be nonpolitical and balanced,  
24 and shall be administered in keeping with the high-  
25 est standards of academic integrity and cost-effec-  
26 tiveness.



1           (2) The United States Information Agency shall  
2 administer this program under the auspices of the  
3 Fulbright Academic Exchange Program.

4           (3) The United States Information Agency shall  
5 ensure the regional diversity of this program  
6 through the selection of candidates from Asia, Afri-  
7 ca, Latin America, as well as Europe and the Middle  
8 East.

9           (d) DEFINITION.—For purposes of this section, the  
10 term “institution of higher education” has the same mean-  
11 ing given to such term by section 1201(a) of the Higher  
12 Education Act of 1965.

13 **SEC. 225. USIA VOCATIONAL EXCHANGE PROGRAM.**

14           (a) AUTHORITY.—Section 102(a) of the Mutual Edu-  
15 cational and Cultural Exchange Act of 1961 (22 U.S.C.  
16 2452) is amended by adding at the end the following new  
17 paragraph:

18           “(4) vocational exchanges, by financing visits  
19 and interchanges of professionals and skilled work-  
20 ers in the fields of government, public administra-  
21 tion, infrastructure planning and development, busi-  
22 ness, and finance for the purpose of increasing prac-  
23 tical understanding, management, and problem-solv-  
24 ing skills in—

1           “(A) the institution and improvement of  
2           public administration and infrastructure at the  
3           national, intergovernmental, regional and local  
4           level; and

5           “(B) the creation and development of pri-  
6           vate enterprise and free market systems based  
7           on the principle of private ownership of prop-  
8           erty.”.

9           (b) REPORT.—Not later than one year after the date  
10          of the enactment of this Act, the Director of the United  
11          States Information Agency shall submit a detailed report  
12          to the Committee on Foreign Relations of the Senate and  
13          the Committee on Foreign Affairs of the House of Rep-  
14          resentatives on the action taken by the United States In-  
15          formation Agency to carry out section 102(a)(4) of the  
16          Mutual Educational and Cultural Exchange Act of 1961.

17          **SEC. 226. AMERICAN STUDIES COLLECTIONS.**

18          (a) AUTHORITY.—In order to promote a thorough  
19          understanding of the United States among emerging elites  
20          abroad, the Director of the United States Information  
21          Agency is authorized to enter into agreements with univer-  
22          sities for the establishment and support of collections at  
23          appropriate university libraries located abroad to further  
24          the study of the United States.

1 (b) DESIGN AND DEVELOPMENT.—Such col-  
2 lections—

3 (1) shall be developed in consultation with Unit-  
4 ed States associations and organizations of scholars  
5 in the principal academic disciplines in which Amer-  
6 ican studies are conducted; and

7 (2) shall be designed primarily to meet the  
8 needs of undergraduate and graduate students of  
9 American studies.

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

12 (1) ensure that such universities are able, with-  
13 in a reasonable period of the establishment of such  
14 collections, to assume responsibility for their mainte-  
15 nance in current form;

16 (2) ensure that undergraduate and graduate  
17 students shall enjoy reasonable access to such collec-  
18 tions; and

19 (3) include in any agreement entered into be-  
20 tween the United States Information Agency and a  
21 university abroad, terms embodying a contractual  
22 commitment of such maintenance and access under  
23 this subsection.

1 **SEC. 227. TECHNICAL AMENDMENT RELATING TO NEAR**  
2 **AND MIDDLE EAST RESEARCH AND TRAIN-**  
3 **ING.**

4 Section 228(d) of the Foreign Relations Authoriza-  
5 tion Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452  
6 note) is amended by inserting “and includes the Republic  
7 of Turkey” before the period at the end thereof.

8 **SEC. 228. DISTRIBUTION WITHIN THE UNITED STATES OF**  
9 **UNITED STATES INFORMATION AGENCY DOC-**  
10 **UMENTARY FILM ENTITLED “CRIMES**  
11 **AGAINST HUMANITY”.**

12 Notwithstanding the second sentence of section 501  
13 of the United States Information and Educational Ex-  
14 change Act of 1948 (22 U.S.C. 1461), nor any other provi-  
15 sion of law, the Director of the United States Information  
16 Agency may make available for distribution within the  
17 United States the documentary entitled “Crimes Against  
18 Humanity”, a film about the ensuing conflict in the  
19 former Yugoslavia.

20 **PART C—MIKE MANSFIELD FELLOWSHIPS**

21 **SEC. 231. SHORT TITLE.**

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

1 **SEC. 232. ESTABLISHMENT OF MIKE MANSFIELD FELLOW-**  
2 **SHIP PROGRAM.**

3 (a) ESTABLISHMENT.—(1) There is hereby estab-  
4 lished the “Mike Mansfield Fellowship Program” pursu-  
5 ant to which the Director of the United States Informa-  
6 tion Agency will make grants, subject to the availability  
7 of appropriations, to the Mansfield Center for Pacific Af-  
8 fairs to award fellowships to eligible United States citizens  
9 for periods of 2 years each (or, pursuant to section  
10 233(5)(C), for such shorter period of time as the Center  
11 may determine based on a Fellow’s level of proficiency in  
12 the Japanese language or knowledge of the political econ-  
13 omy of Japan) as follows:

14 (A) During the first year each fellowship recipi-  
15 ent will study the Japanese language as well as Ja-  
16 pan’s political economy.

17 (B) During the second year each fellowship re-  
18 cipient will serve as a Fellow in a parliamentary of-  
19 fice, ministry, or other agency of the Government of  
20 Japan or, subject to the approval of the Center, a  
21 nongovernmental Japanese institution associated  
22 with the interests of the fellowship recipient, consist-  
23 ent with the purposes of this part.

24 (2) Fellowships under this part may be known as  
25 “Mansfield Fellowships”, and individuals awarded such  
26 fellowships may be known as “Mansfield Fellows”.

1 (b) ELIGIBILITY OF CENTER FOR GRANTS.—Grants  
2 may be made to the Center under this section only if the  
3 Center agrees to comply with the requirements of section  
4 233.

5 (c) INTERNATIONAL AGREEMENT.—The Director of  
6 the United States Information Agency should enter into  
7 negotiations for an agreement with the Government of  
8 Japan for the purpose of placing Mansfield Fellows in the  
9 Government of Japan.

10 (d) PRIVATE SOURCES.—The Center is authorized to  
11 accept, use, and dispose of gifts or donations of services  
12 or property in carrying out the fellowship program.

13 **SEC. 233. PROGRAM REQUIREMENTS.**

14 The program established under this part shall comply  
15 with the following requirements:

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

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

25 (3) Mansfield Fellows shall agree—

1 (A) to maintain satisfactory progress in  
2 language training as a condition of continued  
3 receipt of Federal funds; and

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

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

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

23 (B) certain allowances and benefits as that  
24 individual would have been entitled to, but for  
25 his or her separation from Government service,

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

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



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

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

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

16                   (A) Full reimbursement for noncompliance  
17 with paragraph (3)(A) or (9); and

18                   (B) pro rata reimbursement for noncompli-  
19 ance with paragraph (3)(B) for any period the  
20 Fellow is reemployed by the Federal Govern-  
21 ment that is less than the period specified in  
22 paragraph (3)(B), at a rate equal to the  
23 amount the Fellow received during the final  
24 year of the fellowship for the same period of

1           time, including any allowances and benefits pro-  
2           vided under paragraph (4).

3           (7) The Center shall select Mansfield Fellows  
4           based solely on merit. The Center shall make posi-  
5           tive efforts to recruit candidates reflecting the cul-  
6           tural, racial, and ethnic diversity of the United  
7           States.

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

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

16 **SEC. 234. 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 serv-  
21          ice for a specified period any officer or employee of that  
22          agency who accepts a fellowship under the program estab-  
23          lished by 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, Unit-  
2 ed States Code.

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

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

15 **SEC. 235. PROGRAM REVIEW AND REPORT.**

16 (a) PROGRAM REVIEW.—The Director of the United  
17 States Information Agency shall review the administration  
18 of the program assisted under this part.

19 (b) ANNUAL REPORT.—Each year at the time of the  
20 submission of the President's budget request to the Con-  
21 gress, the Director of the United States Information  
22 Agency shall submit to the Chairman of the Committee  
23 on Foreign Relations and the Speaker of the House of  
24 Representatives a report completed by the Center on the

1 conduct of the program during the preceding year. Each  
2 such report shall contain—

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

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

13 (3) an analysis of the results of the program for  
14 the previous fiscal year, including, at a minimum,  
15 the cumulative percentage of individuals who re-  
16 ceived assistance under the program who subse-  
17 quently became employees of the United States Gov-  
18 ernment and, in the case of individuals who did not  
19 subsequently become employees of the United States  
20 Government, an analysis of the reasons why they did  
21 not become employees and an explanation as to what  
22 use, if any, was made of the assistance given to  
23 those recipients.

24 **SEC. 236. DEFINITIONS.**

25 For purposes of this part—

1           (1) the term “agency of the United States Gov-  
2           ernment” includes any agency of the legislative  
3           branch and any court of the judicial branch as well  
4           as any agency of the executive branch;

5           (2) the term “agency head” means—

6           (A) in the case of the executive branch of  
7           Government or an agency of the legislative  
8           branch other than the House of Representatives  
9           or the Senate, the head of the respective agen-  
10          cy;

11          (B) in the case of the judicial branch of  
12          Government, the chief judge of the respective  
13          court;

14          (C) in the case of the Senate, the Presi-  
15          dent pro tempore, in consultation with the Ma-  
16          jority Leader and Minority Leader of the Sen-  
17          ate; and

18          (D) in the case of the House of Represent-  
19          atives, the Speaker of the House, in consulta-  
20          tion with the Majority Leader and Minority  
21          Leader of the House; and

22          (3) the term “Center” means the Mansfield  
23          Center for Pacific Affairs.

1 **TITLE III—UNITED STATES**  
2 **INTERNATIONAL BROADCAST-**  
3 **ING ACT OF 1993**

4 **SEC. 301. SHORT TITLE.**

5 This title may be cited as the “United States Inter-  
6 national Broadcasting Act of 1993”.

7 **SEC. 302. CONGRESSIONAL FINDINGS AND DECLARATION**  
8 **OF PURPOSES.**

9 The Congress hereby finds and declares that—

10 (1) it is the policy of the United States to pro-  
11 mote the right of opinion and expression, including  
12 the freedom “to seek, receive, and impart informa-  
13 tion and ideas through any media and regardless of  
14 frontiers,” in accordance with Article 19 of the Uni-  
15 versal Declaration of Human Rights;

16 (2) open communication of information and  
17 ideas among the peoples of the world contributes to  
18 international peace and stability, and that the pro-  
19 motion of such communication is in the interests of  
20 the United States;

21 (3) prominent in the implementation of this pol-  
22 icy has been United States support for the Voice of  
23 America, Radio Free Europe, Radio Liberty, and  
24 Broadcasting to Cuba, which have demonstrated

1 their effectiveness in providing accurate and timely  
2 information to the people of the world;

3 (4) the continuation of these broadcasting enti-  
4 ties, and the creation of a new broadcasting service  
5 to the people of the People's Republic of China and  
6 the other communist countries of Asia, would con-  
7 tinue the promotion of information and ideas, while  
8 advancing the goals of United States foreign policy;  
9 and

10 (5) the reorganization and consolidation of  
11 these services under a single administrative struc-  
12 ture will achieve important economies and strength-  
13 en the capability of the United States to utilize these  
14 instrumentalities to support freedom and democracy  
15 in a rapidly changing international environment.

16 **SEC. 303. ESTABLISHMENT OF BROADCASTING BOARD OF**  
17 **GOVERNORS.**

18 (a) ESTABLISHMENT.—There is hereby established  
19 within the United States Information Agency a Broadcast-  
20 ing Board of Governors (hereafter in this title referred to  
21 as the “Board”).

22 (b) COMPOSITION OF THE BOARD.—(1) The Board  
23 shall consist of 8 members, as follows:

1           (A) Six voting members who shall be appointed  
2           by the President, by and with the advice and consent  
3           of the Senate.

4           (B) The Director of the United States Informa-  
5           tion Agency who shall also be a voting member.

6           (C) The Director of the International Broad-  
7           casting Bureau, who shall be an ex officio member  
8           of the Board and may not vote in the determinations  
9           of the Board.

10          (2) The President shall designate one member (other  
11          than the Director of the United States Information Agen-  
12          cy) as Chairman of the Board.

13          (3) Exclusive of the Director of the United States In-  
14          formation Agency, not more than three of the members  
15          of the Board appointed by the President shall be of the  
16          same political party.

17          (c) TERM OF OFFICE.—The term of office of each  
18          member of the Board shall be three years, except that the  
19          Director of the United States Information Agency and the  
20          Director of the International Broadcasting Bureau of the  
21          United States Information Agency shall remain members  
22          of the Board during their respective terms of service. Of  
23          the other six voting members, the initial terms of office  
24          of two members shall be one year, and the initial terms  
25          of office of two other members shall be two years, so that



1 the terms of one-third of these voting members of the  
2 Board expire each year. The President shall appoint, by  
3 and with the advice and consent of the Senate, Board  
4 members to fill vacancies occurring prior to the expiration  
5 of a term, in which case the members so appointed shall  
6 serve for the remainder of such term. Any member whose  
7 term has expired may serve until his or her successor has  
8 been appointed and qualified.

9 (d) SELECTION OF BOARD.—Members of the Board  
10 appointed by the President shall be citizens of the United  
11 States who are not currently regular full-time employees  
12 of the United States Government, except the Director of  
13 the United States Information Agency. Such members  
14 shall be selected by the President from among Americans  
15 distinguished in the fields of mass communications, print,  
16 broadcast media or foreign affairs.

17 (e) COMPENSATION.—Members of the Board, while  
18 attending meetings of the Board or while engaged in du-  
19 ties relating to such meetings or in other activities of the  
20 Board pursuant to this section, including travel time, shall  
21 be entitled to receive compensation equal to the daily  
22 equivalent of the compensation prescribed for level IV of  
23 the Executive Schedule under section 5315 of title 5, Unit-  
24 ed States Code. While away from their homes or regular  
25 places of business they may be allowed travel expenses,

1 including per diem in lieu of subsistence, as authorized  
2 by law (5 U.S.C. 5703) for persons in the Government  
3 service employed intermittently. The Director of the Unit-  
4 ed States Information Agency and the Director, Inter-  
5 national Broadcasting Bureau, United States Information  
6 Agency, shall not be entitled to any compensation under  
7 this title, but may be allowed travel expenses as provided  
8 in the preceding sentence.

9 **SEC. 304. FUNCTIONS OF THE BOARD.**

10 (a) AUTHORITIES.—The Board is authorized—

11 (1) to provide guidance and oversight to the  
12 International Broadcasting Bureau which is author-  
13 ized to administer Radio Free Europe, Radio Lib-  
14 erty, Voice of America, the Office of Cuban Broad-  
15 casting, Radio Free Asia, and such services of  
16 WORLDNET Television and Film Service as deter-  
17 mined by the Board with the concurrence of the Di-  
18 rector of the United States Information Agency;

19 (2) to review and evaluate the mission and op-  
20 eration of the International Broadcasting Bureau  
21 and to assess the quality, effectiveness and profes-  
22 sional integrity of its programming within the con-  
23 text of the broad foreign policy objectives of the  
24 United States;

1           (3) to review and evaluate, at least annually,  
2 the mix of traditional Voice of America program-  
3 ming and surrogate programming and make rec-  
4 ommendations to the President, through the Direc-  
5 tor of the United States Information Agency, re-  
6 garding the addition or deletion of language services;

7           (4) to review engineering activities to ensure  
8 that all broadcasting elements receive the highest  
9 quality and cost-effective delivery services;

10          (5) to undertake such studies as may be nec-  
11 essary to identify areas in which the operations of  
12 the International Broadcasting Bureau could be  
13 made more efficient and economical;

14          (6) to submit to the President, through the Di-  
15 rector of the United States Information Agency, an  
16 annual report which summarizes the activities of the  
17 Board and evaluates the operations of the Inter-  
18 national Broadcasting Bureau;

19          (7) to the extent it deems necessary to carry  
20 out the functions under this title, procure supplies,  
21 services and other personal property;

22          (8) to appoint such staff personnel for the  
23 Board as may be necessary, subject to the provisions  
24 of title 5, United States Code, governing appoint-  
25 ments in the competitive service, and to fix their

1 compensation in accordance with the provisions of  
2 chapter 51 and subchapter III of chapter 53 of such  
3 title relating to classification and General Schedule  
4 pay rates; and

5 (9) to make available for its own use, for offi-  
6 cial reception and representation expenses, such  
7 amount as provided for in an annual appropriations  
8 which shall not exceed the amount appropriated to  
9 the Board for International Broadcasting for such  
10 purposes in fiscal year 1993.

11 (b) IMPLEMENTATION.—In carrying out the func-  
12 tions of subsection (a), the Board and the Director of the  
13 United States Information Agency shall respect the pro-  
14 fessional independence and integrity of the International  
15 Broadcasting Bureau and its broadcasting services.

16 **SEC. 305. FOREIGN POLICY GUIDANCE.**

17 To assist the Board in carrying out its functions, the  
18 Secretary of State shall provide information and guidance  
19 on foreign policy issues to the Director of the United  
20 States Information Agency. The Director of the United  
21 States Information Agency shall provide that guidance to  
22 the Board.

23 **SEC. 306. INTERNATIONAL BROADCASTING BUREAU.**

24 (a) ESTABLISHMENT.—There is hereby established  
25 an International Broadcasting Bureau within the United

1 States Information Agency (hereafter in this title referred  
2 to as the “Bureau”).

3 (b) ORGANIZATION OF THE BUREAU.—The Bureau,  
4 in recognition of and to implement the purposes of this  
5 title, shall consist of the following separate elements:

6 (1) The Voice of America.

7 (2) The Office of Surrogate Broadcasting.

8 (3) Such services of the WORLDNET Tele-  
9 vision and Film Service as determined by the Board  
10 with the concurrence of the Director of the United  
11 States Information Agency.

12 (4) Engineering and Technical Operations.

13 (5) Such other elements as the Director of the  
14 International Broadcasting Bureau may from time  
15 to time establish with the concurrence of the Direc-  
16 tor of the United States Information Agency and the  
17 Board.

18 (c) ORGANIZATION OF THE OFFICE OF SURROGATE  
19 BROADCASTING.—The Office of Surrogate Broadcasting  
20 shall administer and oversee Radio Free Europe, Radio  
21 Liberty, the Office of Cuba Broadcasting (including Radio  
22 Marti and TV Marti), and Radio Free Asia, and such  
23 other surrogate services as may from time to time be es-  
24 tablished.

1 (d) SELECTION OF THE DIRECTOR OF THE BU-  
2 REAU.—The Director of the Bureau shall be appointed by  
3 the Chairman of the Board, in consultation with the Di-  
4 rector of the United States Information Agency and with  
5 the concurrence of a majority of the Board. The Director  
6 of the Bureau shall be entitled to receive compensation  
7 at the rate now or hereafter prescribed by law for level  
8 IV of the Executive Schedule.

9 (e) SEPARATELY IDENTIFIED APPROPRIATION AC-  
10 COUNT.—Funding for the Bureau and the Board shall be  
11 provided in a separately identified appropriation account  
12 and be authorized as a separate category by the Congress.  
13 The Director of the Bureau shall submit proposals on ap-  
14 propriation of broadcasting funds to the Board. The  
15 Board will forward its recommendations concerning the  
16 proposed budget for the Board and the Bureau to the Di-  
17 rector of the United States Information Agency for his  
18 consideration as a part of the Agency's budget submission  
19 to the Office of Management and Budget. The Director  
20 of the United States Information Agency shall include in  
21 the Agency's submission to the Office of Management and  
22 Budget, the comments and recommendations of the Board  
23 concerning the proposed broadcasting budget. Funds ap-  
24 propriated to the Board shall be allocated among the sepa-

1 rate elements of the International Broadcasting Bureau  
2 by the Board.

3 **SEC. 307. RADIO FREE ASIA.**

4 The Director of the United States Information Agen-  
5 cy is authorized to create and support within the Office  
6 of Surrogate Broadcasting of the International Broadcast-  
7 ing Bureau a surrogate broadcasting service to be known  
8 as “Radio Free Asia”, which shall—

9 (1) provide accurate and timely information,  
10 news, commentary about events in the respective  
11 countries of Asia and elsewhere to promote the cause  
12 of freedom and democracy in those countries of Asia  
13 where communications media are not fully developed  
14 or free; and

15 (2) be a source of information about develop-  
16 ments in Asia and a forum for a variety of opinions  
17 and voices from within Asian nations whose people  
18 do not fully enjoy freedom of expression.

19 **SEC. 308. TRANSITION.**

20 (a) AUTHORIZATION.—(1) The President is author-  
21 ized to direct the transfer of all functions and authorities  
22 from the Board for International Broadcasting to the  
23 United States Information Agency, the Board, or the Bu-  
24 reau as may be necessary to implement this title.

1           (2) Not later than 120 days after the date of enact-  
2 ment of this Act, the Director of the United States Infor-  
3 mation Agency and the Chairman of the Board for Inter-  
4 national Broadcasting shall jointly prepare and submit to  
5 the President for approval and implementation a plan to  
6 accomplish the orderly dissolution of RFE/RL, Inc., on  
7 September 30, 1995, the creation of the Office of Radio  
8 Free Europe and Radio Liberty within the Office of Surro-  
9 gate Broadcasting of the International Broadcasting Bu-  
10 reau, and the reorganization and consolidation of United  
11 States nonmilitary international broadcasting services for  
12 the purpose of achieving a more efficient utilization of  
13 scarce national resources. The plan shall provide, at a  
14 minimum, for the transfer of assets and liabilities, unex-  
15 pended balances of appropriations and other funds, and  
16 set forth the maximum number of RFE/RL, Inc., person-  
17 nel to be appointed under the provisions of subsection (b)  
18 on September 30, 1995. The President shall transmit cop-  
19 ies of the approved plan, together with any recommenda-  
20 tions for legislative changes that may be necessary, to the  
21 appropriate committees of Congress.

22           (b) EXCEPTED SERVICE APPOINTMENT AUTHOR-  
23 ITY.—Notwithstanding the provisions of section 607 of the  
24 Treasury, Postal Service, and General Government Appro-  
25 priations Act, 1993 (Public Law 102–393) or any other



1 Act in effect as of the date of enactment of this Act, or  
2 hereafter enacted, barring employment or compensation  
3 on the basis of citizenship, the Director of the United  
4 States Information Agency shall appoint to the United  
5 States Information Agency, the Bureau, or the Board, any  
6 personnel of RFE/RL, Inc., not to exceed the number of  
7 RFE/RL, Inc., personnel designated in the transition plan  
8 provided for in subsection (a)(2), who were permanent em-  
9 ployees as of the date of enactment of this Act and as  
10 of September 30, 1995, without regard to the provisions  
11 of title 5 of the United States Code governing appoint-  
12 ments in the competitive service, and fix their compensa-  
13 tion without regard to the provisions of chapter 51 and  
14 subchapter III of chapter 53 of such title 5, governing  
15 classification and General Schedule pay rates. To the ex-  
16 tent permitted by law, compensation, benefits, and person-  
17 nel rules shall be modeled after existing RFE/RL, Inc.,  
18 personnel and compensation systems until the employees  
19 leave or retire. Nothing in this section shall preclude ter-  
20 mination of such employees for reasons other than the re-  
21 organization and consolidation provided for under this  
22 title.

23 (c) NEW APPOINTEES.—The Director of the United  
24 States Information Agency may assign personnel for serv-  
25 ice with RFE/RL, Inc., with the concurrence of the presi-

1 dent of RFE/RL, Inc., between the date of enactment of  
2 this title and September 30, 1995. Such assignment shall  
3 not affect the rights and benefits of such personnel as em-  
4 ployees of the United States Information Agency.

5 (d) BOARD FOR INTERNATIONAL BROADCASTING  
6 PERSONNEL.—All Board for International Broadcasting  
7 full-time United States Government personnel (except spe-  
8 cial Government employees) and part-time United States  
9 Government personnel holding permanent positions shall  
10 be transferred to the United States Information Agency,  
11 the Board, or the Bureau. Such transfer shall not cause  
12 any such employee to be separated or reduced in grade  
13 or compensation.

14 (e) OTHER AUTHORITIES.—The Director of the Unit-  
15 ed States Information Agency is authorized to utilize the  
16 provisions of titles VIII and IX of the United States Infor-  
17 mation and Educational Exchange Act of 1948, and any  
18 other authority available to the Director on the effective  
19 date of this title, to the extent that the Director deems  
20 necessary in carrying out the provisions and purposes of  
21 this title.

22 (f) REPEAL.—The Board for International Broad-  
23 casting Act of 1973 (22 U.S.C. 2871, et seq.) is repealed  
24 effective September 30, 1995, but in no event shall the

1 Act be repealed before the appointment and confirmation  
2 of all members to the Broadcasting Board of Governors.

3 (g) APPROPRIATED FUNDS.—No appropriated funds  
4 shall be available for grants to RFE/RL, Inc. after Sep-  
5 tember 30, 1995.

6 (h) SAVINGS PROVISIONS.—

7 (1) CONTINUING EFFECT OF LEGAL DOCU-  
8 MENTS.—All orders, determinations, rules,  
9 regulations, permits, agreements, grants, contracts,  
10 certificates, licenses, registrations, privileges, and  
11 other administrative actions—

12 (A) which have been issued, made, grant-  
13 ed, or allowed to become effective by the Presi-  
14 dent, any Federal agency or official thereof, or  
15 by a court of competent jurisdiction, in the per-  
16 formance of functions which are transferred  
17 under this title; and

18 (B) which are in effect at the time this  
19 title takes effect, or were final before the effec-  
20 tive date of this title and are to become effec-  
21 tive on or after the effective date of this title,  
22 shall continue in effect according to their terms until  
23 modified, terminated, superseded, set aside, or re-  
24 voked in accordance with law by the President, the  
25 Director of the United States Information Agency or

1 other authorized official, a court of competent juris-  
2 diction, or by operation of law.

3 (2) PROCEEDINGS NOT AFFECTED.—The provi-  
4 sions of this title shall not affect any proceedings  
5 pending before the Board for International Broad-  
6 casting at the time this title takes effect, with re-  
7 spect to functions transferred by this title, but such  
8 proceedings shall be continued. Orders shall be is-  
9 sued in such proceedings, appeals shall be taken  
10 therefrom, and payments shall be made pursuant to  
11 such orders, as if this title had not been enacted,  
12 and orders issued in any such proceedings shall con-  
13 tinue in effect until modified, terminated, super-  
14 seded, or revoked by a duly authorized official, by a  
15 court of competent jurisdiction, or by operation of  
16 law. Nothing in this subsection shall be deemed to  
17 prohibit the discontinuance or modification of any  
18 such proceeding under the same terms and condi-  
19 tions and to the same extent that such proceeding  
20 could have been discontinued or modified if this title  
21 had not been enacted.

22 (3) SUITS NOT AFFECTED.—The provisions of  
23 this title shall not affect suits commenced before the  
24 effective date of this title, and in all such suits, pro-  
25 ceedings shall be had, appeals taken, and judgments

1 rendered in the same manner and with the same ef-  
2 fect as if this title had not been enacted.

3 (4) NONABATEMENT OF ACTIONS.—No suit, ac-  
4 tion, or other proceeding commenced by or against  
5 the Board for International Broadcasting or by or  
6 against any individual in the official capacity of such  
7 individual as an officer of the Board for Inter-  
8 national Broadcasting shall abate by reason of the  
9 enactment of this title.

10 (5) ADMINISTRATIVE ACTIONS RELATING TO  
11 PROMULGATION OF REGULATIONS.—Any administra-  
12 tive action relating to the preparation or promulga-  
13 tion of a regulation by the Board for International  
14 Broadcasting relating to a function transferred  
15 under this title may be continued by the United  
16 States Information Agency with the same effect as  
17 if this title had not been enacted.

18 (6) REFERENCES.—A reference in any provi-  
19 sion of law, reorganization plan, or other authority  
20 to the Associate Director for Broadcasting of the  
21 United States Information Agency shall be consid-  
22 ered to be a reference to the Director of the Inter-  
23 national Broadcasting Bureau of the United States  
24 Information Agency.

1           (7) EFFECT ON OTHER LAWS.—The provisions  
2 of, and authorities contained in or transferred pur-  
3 suant to, this title are not intended to repeal, limit,  
4 or otherwise derogate from the authorities or func-  
5 tions of or available to the Director of the United  
6 States Information Agency or the Secretary of State  
7 under law, reorganization plan, or otherwise, unless  
8 such provision hereof—

9           (A) specifically refers to the provision of  
10 law or authority existing on the effective date of  
11 this title, so affected; or

12           (B) is in direct conflict with such law or  
13 authority existing on the effective date of this  
14 title.

15 **SEC. 309. PRESERVATION OF AMERICAN JOBS.**

16       It is the sense of the Congress that the Director of  
17 the United States Information Agency and the Chairman  
18 of the Board for International Broadcasting should, in de-  
19 veloping the plan for consolidation and reorganization of  
20 overseas international broadcasting services, limit, to the  
21 maximum extent feasible, consistent with the purposes of  
22 the consolidation, elimination of any United States-based  
23 positions and should affirmatively seek to transfer as  
24 many positions as possible to the United States.

1 **TITLE IV—COMMISSION ON PRO-**  
2 **TECTING AND REDUCING**  
3 **GOVERNMENT SECRECY**

4 **SEC. 401. SHORT TITLE.**

5 This title may be cited as the “Protection and Protec-  
6 tion of Government Secrecy Act”.

7 **SEC. 402. PURPOSE.**

8 It is the purpose of this title to establish for a two  
9 year period a Commission on Protecting and Reducing  
10 Government Secrecy which will examine the implications  
11 of the extensive classification of information and to make  
12 recommendations to reduce the volume of information  
13 classified and to thereby strengthen the protection of le-  
14 gitimately classified information.

15 **SEC. 403. FINDINGS.**

16 The Congress makes the following findings:

17 (1) During the Cold War an extensive secrecy  
18 system developed which limited the public’s access to  
19 information and reduced the ability of the public to  
20 participate with full knowledge in the process of gov-  
21 ernmental decision-making;

22 (2) In 1992 alone 6,349,532 documents were  
23 classified and approximately three million persons  
24 held some form of security clearance;

1           (3) The burden of managing more than 6 mil-  
2           lion newly classified documents every year has led to  
3           tremendous administrative expense, reduced commu-  
4           nication within the government and within the sci-  
5           entific community, reduced communication between  
6           the government and the people of the United States,  
7           and the selective and unauthorized public disclosure  
8           of classified information;

9           (4) It has been estimated that private indus-  
10          tries spend over \$14 billion per year implementing  
11          government mandated regulations for protecting  
12          classified information;

13          (5) If a smaller amount of truly sensitive infor-  
14          mation was classified the information could be held  
15          more securely;

16          (6) In 1970 a Task Force organized by the De-  
17          fense Science Board and headed by Dr. Frederick  
18          Seitz concluded that “more might be gained than  
19          lost if our Nation were to adopt—unilaterally, if nec-  
20          essary—a policy of complete openness in all areas of  
21          information;” and

22          (7) A bipartisan study commission specially  
23          constituted for the purpose of examining the con-  
24          sequences of the secrecy system will be able to offer  
25          comprehensive proposals for reform.



1 **SEC. 404. FUNCTIONS OF THE COMMISSION.**

2 The functions of the Commission shall be—

3 (1) to conduct, for not more than a period of  
4 2 years, an investigation into all matters in any way  
5 related to any legislation, executive order, regulation,  
6 practice, or procedure relating to the access to or  
7 the classification of information or involving security  
8 clearances; and

9 (2) to make such recommendations concerning  
10 the classification of national security information as  
11 the Commission shall deem necessary, including pro-  
12 posing new legislation.

13 **SEC. 405. COMPOSITION OF THE COMMISSION.**

14 (a) ESTABLISHMENT.—To carry out the purposes of  
15 this title, there is established a Commission on Protecting  
16 and Reducing Government Secrecy (in this title referred  
17 to as the “Commission”).

18 (b) COMPOSITION.—The Commission shall be com-  
19 posed of twelve members, as follows:

20 (1) Four members appointed by the President,  
21 two from the executive branch of the Government  
22 and two from private life.

23 (2) Four members appointed by the President  
24 of the Senate, two from Members of the Senate (one  
25 from each of the two major political parties) and two  
26 from private life.

1           (3) Four members appointed by the Speaker of  
2           the House of Representatives, two from Members of  
3           the House of Representatives (one from each of the  
4           two major political parties) and two from private  
5           life.

6           (c) CHAIRMAN AND VICE CHAIRMAN.—The Commis-  
7           sion shall elect a Chairman and a Vice Chairman from  
8           among its members.

9           (d) QUORUM; VACANCIES.—Seven members of the  
10          Commission shall constitute a quorum. Any vacancy in the  
11          Commission shall not affect its powers, but shall be filled  
12          in the same manner in which the original appointment was  
13          made.

14          (e) COMPENSATION AND TRAVEL EXPENSES.—(1)  
15          Except as provided in paragraph (2), each member of the  
16          Commission may be compensated at not to exceed the  
17          daily equivalent of the annual rate of basic pay in effect  
18          for a position at level IV of the Executive Schedule under  
19          section 5315 of title 5, United States Code, for each day  
20          during which that member is engaged in the actual per-  
21          formance of the duties of the Commission.

22          (2) Members of the Commission who are full-time of-  
23          ficers or employees of the United States or Members of  
24          Congress shall receive no additional pay on account of  
25          their service on the Commission.

1       (3) While away from their homes or regular places  
2 of business in the performance of services for the Commis-  
3 sion, members of the Commission shall be allowed travel  
4 expenses, including per diem in lieu of subsistence, in the  
5 same manner as persons employed intermittently in the  
6 Government service are allowed expenses under section  
7 5703(b) of title 5, United States Code.

8 **SEC. 406. POWERS OF THE COMMISSION.**

9       (a) IN GENERAL.—The Commission or, on the au-  
10 thorization of the Commission, any subcommittee or mem-  
11 ber thereof, may, for the purpose of carrying out the provi-  
12 sions of this title, hold such hearings and sit and act at  
13 such times and places, administer such oaths, and require,  
14 by subpoena or otherwise, the attendance and testimony of  
15 such witnesses and the production of such books, records,  
16 correspondence, memoranda, papers, and documents as  
17 the Commission or such subcommittee or member may  
18 deem advisable. Subpenas may be issued under the signa-  
19 ture of the Chairman of the Commission, of any such sub-  
20 committee, or any designated member, and may be served  
21 by any person designated by such Chairman or member.  
22 The provisions of sections 102 through 104 of the Revised  
23 Statutes of the United States (2 U.S.C. 192–194) shall  
24 apply in the case of any failure of any witness to comply

1 with any subpoena or to testify when summoned under au-  
2 thority of this section.

3 (b) COOPERATION WITH OTHER AGENCIES.—The  
4 Commission is authorized to secure directly from any execu-  
5 tive department, bureau, agency, board, commission, of-  
6 fice, independent establishment, or instrumentality of the  
7 Government information, suggestions, estimates, and sta-  
8 tistics for the purposes of this title. Each such depart-  
9 ment, bureau, agency, board, commission, office, establish-  
10 ment, or instrumentality shall, to the extent authorized by  
11 law, furnish such information, suggestions, estimates, and  
12 statistics directly to the Commission, upon request made  
13 by the Chairman or Vice Chairman.

14 **SEC. 407. STAFF OF THE COMMISSION.**

15 (a) IN GENERAL.—The Commission shall have power  
16 to appoint and fix the compensation of such personnel as  
17 it deems advisable, without regard to the provisions of title  
18 5, United States Code, governing appointments in the  
19 competitive service, and without regard to the provisions  
20 of chapter 51 and subchapter III of chapter 53 of such  
21 title relating to classification and General Schedule pay  
22 rates.

23 (b) CONSULTANT SERVICES.—The Commission is au-  
24 thorized to procure the services of experts and consultants  
25 in accordance with section 3109 of title 5, United States

1 Code, but at rates not to exceed the daily rate paid a per-  
2 son occupying a position at level IV of the Executive  
3 Schedule under section 5315 of title 5, United States  
4 Code.

5 **SEC. 408. FINAL REPORT OF COMMISSION; TERMINATION.**

6 (a) FINAL REPORT.—Not later than two years after  
7 the date of enactment of this title, the Commission shall  
8 submit to the President and to the Congress its final re-  
9 port and recommendations.

10 (b) TERMINATION.—The Commission, and all the au-  
11 thorities of this title, shall terminate two years after the  
12 date of enactment of this Act, or upon the submission of  
13 the final report and recommendations in accordance with  
14 subsection (a), whichever comes first.

15 **TITLE V—SPOILS OF WAR ACT**  
16 **OF 1993**

17 **SEC. 501. SHORT TITLE.**

18 This title may be cited as the “Spoils of War Act  
19 of 1993”.

20 **SEC. 502. TRANSFERS OF SPOILS OF WAR.**

21 (a) ELIGIBILITY FOR TRANSFER.—Spoils of war in  
22 the possession, custody, or control of the United States  
23 may be transferred to any other party, including any gov-  
24 ernment, group, or person, by sale, grant, loan or in any  
25 other manner, only to the extent and in the same manner

1 that property of the same type, if otherwise owned by the  
2 United States, may be so transferred.

3 (b) TERMS AND CONDITIONS.—Any transfer pursu-  
4 ant to subsection (a) shall be subject to all of the terms,  
5 conditions, and requirements applicable to the transfer of  
6 property of the same type otherwise owned by the United  
7 States.

8 **SEC. 503. PROHIBITION ON TRANSFERS TO COUNTRIES**  
9 **WHICH SUPPORT TERRORISM.**

10 Spoils of war in the possession, custody, or control  
11 of the United States may not be transferred to any coun-  
12 try determined by the Secretary of State, for purposes of  
13 section 40 of the Arms Export Control Act, to be a nation  
14 whose government has repeatedly provided support for  
15 acts of international terrorism.

16 **SEC. 504. REPORT ON PREVIOUS TRANSFERS.**

17 Not later than 90 days after the date of enactment  
18 of this Act, the President shall submit to the appropriate  
19 congressional committees a report describing any spoils of  
20 war obtained subsequent to August 2, 1990 that were  
21 transferred to any party, including any government,  
22 group, or person, before the date of enactment of this Act.  
23 Such report shall be submitted in unclassified form to the  
24 extent possible.

1 **SEC. 505. DEFINITIONS.**

2 As used in this title—

3 (1) the term “appropriate congressional com-  
4 mittees” means the Committee on Foreign Relations  
5 of the Senate and the Committee on Foreign Affairs  
6 of the House of Representatives, or, where required  
7 by law for certain reporting purposes, the Select  
8 Committee on Intelligence of the Senate and the Se-  
9 lect Committee on Intelligence of the House of Rep-  
10 resentatives;

11 (2) the term “enemy” means any country, gov-  
12 ernment, group, or person that has been engaged in  
13 hostilities, whether or not lawfully authorized, with  
14 the United States;

15 (3) the term “person” means—

16 (A) any natural person;

17 (B) any corporation, partnership, or other  
18 legal entity; and

19 (C) any organization, association, or  
20 group; and

21 (4) the term “spoils of war” means enemy mov-  
22 able property lawfully captured, seized, confiscated,  
23 or found which has become United States property  
24 in accordance with the laws of war.

25 **SEC. 506. CONSTRUCTION.**

26 Nothing in this title shall apply to—

1           (1) the abandonment or failure to take posses-  
2           sion of spoils of war by troops in the field for valid  
3           military reasons related to the conduct of the imme-  
4           diate conflict, including the burden of transporting  
5           such property or a decision to allow allied forces to  
6           take immediate possession of certain property solely  
7           for use during an ongoing conflict;

8           (2) the abandonment or return of any property  
9           obtained, borrowed, or requisitioned for temporary  
10          use during military operations without intent to re-  
11          tain possession of such property;

12          (3) the destruction of spoils of war by troops in  
13          the field;

14          (4) the return of spoils of war to previous own-  
15          ers from whom such property had been seized by  
16          enemy forces; or

17          (5) minor articles of personal property which  
18          have lawfully become the property of individual  
19          members of the armed forces as war trophies pursu-  
20          ant to public written authorization from the Depart-  
21          ment of Defense.



1 **TITLE VI—THE KHMER ROUGE**  
2 **PROSECUTION AND EXCLU-**  
3 **SION ACT**

4 **SEC. 601. SHORT TITLE.**

5 This title may be cited as the “Khmer Rouge Pros-  
6 ecution and Exclusion Act”.

7 **SEC. 602. POLICY.**

8 The Congress urges the President—

9 (1) promptly and actively to assist appropriate  
10 organizations to collect relevant data on crimes  
11 against humanity committed by the Khmer Rouge in  
12 Cambodia between April 17, 1975 and January 7,  
13 1979;

14 (2) to carry out paragraph (1) consistent with  
15 the Agreement on a Comprehensive Political Settle-  
16 ment of the Cambodia Conflict, signed at Paris on  
17 October 23, 1991; and

18 (3) to promote vigorously the establishment of  
19 a national or international criminal tribunal for the  
20 prosecution of those accused of genocide in Cam-  
21 bodia.

22 **SEC. 603. ESTABLISHMENT OF STATE DEPARTMENT OF-**  
23 **FICE.**

24 (a) ESTABLISHMENT.—(1) There is established with-  
25 in the Department of State the Office of Cambodian Geno-

1 side Investigation (hereafter in this Act referred to as the  
2 “Office”).

3 (2) The Office shall carry out its operations solely  
4 within Cambodia.

5 (3) The Secretary of State shall designate an officer  
6 or employee of the Department of State to serve as Direc-  
7 tor of the Office.

8 (b) ADMINISTRATION.—(1) The Assistant Secretary  
9 of State for East Asian and Pacific Affairs (or any succes-  
10 sor Assistant Secretary) shall administer the Office.

11 (2) The Secretary of State shall make available to  
12 the Office such personnel and office space in Cambodia  
13 as the Office may require.

14 (c) PURPOSE.—The purpose of the Office shall be—

15 (1) to investigate crimes against humanity com-  
16 mitted by national Khmer Rouge leaders in the pe-  
17 riod beginning on April 17, 1975 and ending Janu-  
18 ary 7, 1979;

19 (2) to provide the people of Cambodia with ac-  
20 cess to documents, records, and other evidence held  
21 by the Office as a result of such investigation;

22 (3) to submit the relevant data to a national or  
23 international penal tribunal that may be convened to  
24 formally hear and judge the genocidal acts commit-  
25 ted by the Khmer Rouge; and

1           (4) to develop the United States proposal for  
2           the establishment of an international criminal tribu-  
3           nal for the prosecution of those accused of genocide  
4           in Cambodia.

5 **SEC. 604. REPORTING REQUIREMENT.**

6           (a) IN GENERAL.—Beginning 6 months after the  
7           date of enactment of this Act, and every 6 months there-  
8           after, the President shall submit a report to the appro-  
9           priate congressional committees—

10           (1) that describes the activities of the Office,  
11           and sets forth new facts learned about past Khmer  
12           Rouge practices, during the preceding 6-month pe-  
13           riod; and

14           (2) that describes the steps the President has  
15           taken during the preceding 6-month period to pro-  
16           mote human rights, to support efforts to bring to  
17           justice the national political and military leadership  
18           of the Khmer Rouge, and to prevent the recurrence  
19           of human rights abuses in Cambodia through ac-  
20           tions—

21           (A) which are not related to United Na-  
22           tions activities in Cambodia; and

23           (B) which are consistent with Article 15 of  
24           the Agreement on a Comprehensive Political

1 Settlement of the Cambodia Conflict, signed at  
2 Paris on October 23, 1991.

3 (b) DEFINITION.—For purposes of this section, the  
4 term “appropriate congressional committees” means the  
5 Committee on Foreign Relations of the Senate and the  
6 Committee on Foreign Affairs of the House of Representa-  
7 tives.

8 **SEC. 605. EXCLUSION FROM THE UNITED STATES.**

9 (a) AMENDMENT TO THE IMMIGRATION AND NA-  
10 TIONALITY ACT.—Section 212(a) of the Immigration and  
11 Nationality Act (8 U.S.C. 1182(a)) is amended by adding  
12 at the end thereof the following new paragraph:

13 “(10)(A) Any alien, who, at any time during  
14 the period beginning on April 17, 1975, and ending  
15 on January 7, 1979, was a member of the national  
16 military or political leadership of the Khmer Rouge,  
17 is excluded.

18 “(B) For purposes of this paragraph, the na-  
19 tional military and political leadership of the Khmer  
20 Rouge includes, but is not limited to, the following  
21 persons: Pol Pot, Khieu Samphan, Son Sen, Ieng  
22 Sary, Nuon Chea, Ke Pauk, Mok, Ieng Thirith, and  
23 Yun Yat.”.

24 (b) POLICY REGARDING ADMISSION TO FOREIGN  
25 COUNTRIES.—The Congress urges the President to en-

1 courage foreign governments similarly to exclude from  
2 their countries former and present Khmer Rouge leaders  
3 described in section 212(a)(10) of the Immigration and  
4 Nationality Act.

## 5 **TITLE VII—MISCELLANEOUS**

### 6 **SEC. 701. PEACE CORPS.**

7 There are authorized to be appropriated  
8 \$219,745,000 for the fiscal year 1994 and \$219,745,000  
9 for the fiscal year 1995 to carry out the Peace Corps Act.

### 10 **SEC. 702. REPORTING REQUIREMENTS ON OCCUPIED**

#### 11 **TIBET.**

12 (a) REPORT ON UNITED STATES-TIBET RELA-  
13 TIONS.—Because Congress has determined that Tibet is  
14 an occupied sovereign country under international law and  
15 that its true representatives are the Dalai Lama and the  
16 Tibetan Government-in-Exile:

17 (1) it is the sense of the Congress that the  
18 United States should seek to establish a dialog with  
19 the Dalai Lama and the Tibetan Government-in-  
20 Exile concerning the situation in Tibet and the fu-  
21 ture of the Tibetan people and to expand and  
22 strengthen United States-Tibet cultural and edu-  
23 cational relations, including promoting bilateral ex-  
24 changes arranged directly with the Tibetan Govern-  
25 ment-in-Exile; and

1           (2) not later than 6 months after the date of  
2           enactment of this Act, and every 12 months there-  
3           after, the Secretary of State shall transmit to the  
4           Chairman of the Committee on Foreign Relations  
5           and the Speaker of the House of Representatives a  
6           report on the state of United States-Tibetan Govern-  
7           ment-in-Exile relations and on conditions in Tibet.

8           (b) SEPARATE TIBET REPORTS.—(1) Whenever a re-  
9           port is transmitted to the Congress on a country-by-coun-  
10          try basis there shall be included in such report, where ap-  
11          plicable, a separate report on Tibet listed alphabetically  
12          with its own state heading.

13          (2) The reports referred to in paragraph (1) include,  
14          but are not limited to, reports transmitted under sections  
15          116(d) and 502B(b) of the Foreign Assistance Act of  
16          1961 (relating to human rights).

17       **SEC. 703. POLICY ON MIDDLE EAST ARMS SALES.**

18          (a) BOYCOTT OF ISRAEL.—Section 322 of the For-  
19          eign Relations Authorization Act, Fiscal Years 1992 and  
20          1993 (Public Law 102–138) is amended—

21                (1) in paragraph (2), by striking “and” at the  
22                end; and

23                (2) in paragraph (3)—

24                    (A) by striking “and” at the end of sub-  
25                    paragraph (A);

1 (B) by striking the period at the end of  
2 subparagraph (B) and inserting “; and”; and

3 (C) by adding at the end the following new  
4 subparagraph:

5 “(C) does not participate in the Arab  
6 League primary or secondary boycott of Is-  
7 rael.”.

8 (b) REPORT TO CONGRESS.—Not later than 180 days  
9 after the date of the enactment of this Act, the Secretary  
10 of State shall submit to the Speaker of the House of Rep-  
11 resentatives and the Chairman of the Committee on For-  
12 eign Relations of the Senate a report concerning steps  
13 taken to ensure that the goals of section 322 of the For-  
14 eign Relations Authorization Act, Fiscal Years 1992 and  
15 1993 (Public Law 102–138) are being met.

16 **SEC. 704. TECHNICAL AMENDMENTS TO CAPTIVE NATIONS**  
17 **RESOLUTION.**

18 The joint resolution entitled “Joint resolution provid-  
19 ing for the designation of the third week of July as ‘Cap-  
20 tive Nations Week’”, approved July 17, 1959 (Public Law  
21 86–90; 73 Stat. 212), is amended in the preamble—

22 (1) in the third whereas clause, by striking “a  
23 substantial part of the world’s population by Com-  
24 munist imperialism” and inserting “part of the

1 world's population by Communist and authoritarian  
2 regimes”;

3 (2) in the fourth whereas clause, by striking  
4 “since 1918 the imperialistic and aggressive policies  
5 of Russian communism have resulted in the creation  
6 of a vast empire which poses” and inserting “the ag-  
7 gressive policies of Soviet communism resulted in the  
8 creation of a vast empire which posed”;

9 (3) striking the fifth whereas clause and insert-  
10 ing in lieu thereof the following whereas clauses:

“Whereas the policies of successive Soviet governments led, through direct and indirect aggression, to the subjugation of numerous countries and millions of people; and

“Whereas the United States supports the nations formerly subjugated by the Soviet Union and demonstrates its commitment to continued freedom and independence for these nations through strong bilateral diplomatic, economic, and cultural ties; and

“Whereas millions of people who suffered under Communist rule in the countries of Eastern Europe and the former Soviet Union are now free; and”;

11 (4) in the eighth whereas clause (as the pre-  
12 amble was amended by paragraph (3)), by striking  
13 “these”; and

14 (5) by amending the resolving clause to read as  
15 follows: “That the President of the United States is



1 authorized and requested to issue a proclamation  
2 designating the third week in July of each year as  
3 ‘Captive Nations Week’, and inviting the people of  
4 the United States to observe such week with appro-  
5 priate ceremonies and activities, until such time as  
6 freedom and independence shall have been achieved  
7 for all the captive nations of the world.”.

8 **SEC. 705. PROVIDING MATERIAL SUPPORT TO TERRORISTS.**

9 (a) OFFENSE.—Chapter 113A of title 18, United  
10 States Code, is amended by adding at the end the follow-  
11 ing new section:

12 **“SEC. 2339. PROVIDING MATERIAL SUPPORT TO TERROR-**  
13 **ISTS.**

14 “Whoever, within the United States, provides mate-  
15 rial support or resources or conceals or disguises the na-  
16 ture, location, source, or ownership of material support or  
17 resources, knowing or intending that they are to be used  
18 in preparation for, or in carrying out, a violation of section  
19 32, 36, 351, 844 (f) or (i), 1114, 1116, 1203, 1361, 1363,  
20 1751, 2280, 2281, 2332, or 2339A of this title or section  
21 902(i) of the Federal Aviation Act of 1958 (49 U.S.C.  
22 App. 1472(i)), or in preparation for, or carrying out, the  
23 concealment or an escape from the commission of any of  
24 the foregoing, shall be fined under this title, imprisoned  
25 not more than 10 years, or both. For purposes of this

1 section, the term ‘material support or resources’ includes  
 2 currency or other financial securities, financial services,  
 3 lodging, training, safehouses, false documentation or iden-  
 4 tification, communications equipment, facilities, weapons,  
 5 lethal substances, explosives, personnel, transportation,  
 6 and other physical assets, but does not include humani-  
 7 tarian assistance to persons not directly involved in such  
 8 violations.’’.

9 (b) TECHNICAL AMENDMENT.—The chapter analysis  
 10 for chapter 113A of title 18, United States Code, as  
 11 amended by section 601(b)(1), is amended by adding at  
 12 the end the following new item:

“2339. Providing material support to terrorists.”.

13 **SEC. 706. TORTURE CONVENTION IMPLEMENTATION.**

14 (a) IN GENERAL.—Part I of title 18, United States  
 15 Code, is amended by inserting after chapter 113A the fol-  
 16 lowing new chapter:

“CHAPTER 113B—TORTURE

“Sec.

“2340. Definitions.

“2340A. Torture.

“2340B. Exclusive remedies.

17 **“SEC. 2340. DEFINITIONS.**

18 “As used in this chapter—

19 “(1) ‘torture’ means an act committed by a per-  
 20 son acting under the color of law specifically in-  
 21 tended to inflict severe physical or mental pain or  
 22 suffering (other than pain or suffering incidental to

1 lawful sanctions) upon another person with custody  
2 or physical control;

3 “(2) ‘severe mental pain or suffering’ means  
4 the prolonged mental harm caused by or resulting  
5 from—

6 “(A) the intentional infliction or threat-  
7 ened infliction of severe physical pain or suffer-  
8 ing;

9 “(B) the administration or application, or  
10 threatened administration or application, of  
11 mind-altering substances or other procedures  
12 calculated to disrupt profoundly the senses or  
13 the personality;

14 “(C) the threat of imminent death; or

15 “(D) the threat that another person will  
16 imminently be subjected to death, severe phys-  
17 ical pain or suffering, or the administration or  
18 application of mind-altering substances or other  
19 procedures calculated to disrupt profoundly the  
20 senses or personality; and

21 “(3) ‘United States’ includes all areas under  
22 the jurisdiction of the United States including any  
23 of the places described in sections 5 and 7 of this  
24 title and section 101(38) of the Federal Aviation Act  
25 of 1958 (49 U.S.C. App. 1301(38)).

1 **“SEC. 2340A. TORTURE.**

2 “(a) OFFENSE.—Whoever outside the United States  
3 commits or attempts to commit torture shall be fined  
4 under this title or imprisoned not more than 20 years, or  
5 both, and if death results to any person from conduct pro-  
6 hibited by this subsection, shall be imprisoned for any  
7 term of years or for life.

8 “(b) JURISDICTION.—There is jurisdiction over the  
9 activity prohibited in subsection (a) if—

10 “(1) the alleged offender is a national of the  
11 United States; or

12 “(2) the alleged offender is present in the Unit-  
13 ed States, irrespective of the nationality of the vic-  
14 tim or alleged offender.

15 **“SEC. 2340B. EXCLUSIVE REMEDIES.**

16 “Nothing in this chapter shall be construed as pre-  
17 cluding the application of State or local laws on the same  
18 subject, nor shall anything in this chapter be construed  
19 as creating any substantive or procedural right enforceable  
20 by law by any party in any civil proceeding.”.

21 (b) TECHNICAL AMENDMENT.—The part analysis for  
22 part I of title 18, United States Code, is amended by in-  
23 serting after the item relating to chapter 113A the follow-  
24 ing new item:

**“113B. Torture ..... 2340.”.**

1 (c) EFFECTIVE DATE.—The amendments made by  
2 this section shall take effect on the later of—

3 (1) the date of enactment of this Act; or

4 (2) the date on which the United States has be-  
5 come a party to the Convention Against Torture and  
6 Other Cruel, Inhuman or Degrading Treatment or  
7 Punishment.

8 **SEC. 707. APPLICABILITY OF TAIWAN RELATIONS ACT.**

9 Section 3 of the Taiwan Relations Act (22 U.S.C.  
10 3301) is amended by adding at the end the following new  
11 subsection:

12 “(d) The provisions of subsections (a) and (b) of this  
13 section shall supersede any provision of the August 17,  
14 1982, Joint United States-China Communique related to  
15 these matters and regulations, directives, and policies  
16 based thereon.”.

17 **SEC. 708. REPORTS ON RELATIONS WITH TAIWAN.**

18 Section 12 of the Taiwan Relations Act (22 U.S.C.  
19 3311(d)) is amended by adding at the end the following  
20 new subsection:

21 “(d) Beginning February 1, 1994, and on February  
22 1 of each year thereafter, the Secretary of State shall  
23 transmit to the Speaker of the House of Representatives  
24 and the Committee on Foreign Relations of the Senate

1 a report describing and reviewing economic relations be-  
2 tween the United States and Taiwan.”.

3 **SEC. 709. UNITED STATES POLICY CONCERNING IRAQI**  
4 **KURDISTAN.**

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

6 (1) the international community, pursuant to  
7 United Nations Security Council Resolution 688,  
8 and with the continuation of Operation Provide  
9 Comfort, supports the protection of Iraqi’s Kurdish  
10 and other ethnic and religious minorities;

11 (2) notwithstanding the international commu-  
12 nity’s resolve, certain areas of Iraqi Kurdistan re-  
13 main at risk of an Iraqi invasion;

14 (3) despite the threat of an Iraqi invasion, the  
15 Kurds, along with other minority ethnic and reli-  
16 gious groups, have initiated a drive toward self-suffi-  
17 ciency, including—

18 (A) holding free and fair democratic elec-  
19 tions to establish a parliament, which supports  
20 Iraq’s territorial integrity and the transition to  
21 a unified, democratic Iraq;

22 (B) planning for and administering public  
23 services;

24 (C) reconstructing and rehabilitating the  
25 basic infrastructure of Iraqi Kurdistan; and

1 (D) establishing unified police and security  
2 forces;

3 (4) despite the provision of substantial inter-  
4 national humanitarian assistance, and despite the  
5 fact that the United Nations blockade on Iraq con-  
6 tains exceptions for humanitarian-related items, the  
7 inhabitants of Iraqi Kurdistan still face difficulties  
8 because of an internal Iraqi government blockade;  
9 and

10 (5) the Kurds and other ethnic and religious  
11 minorities, with appropriate additional support,  
12 would have the ability to meet their goal of self-suf-  
13 ficiency and move beyond the need for international  
14 assistance.

15 (b) POLICY.—It is the sense of the Congress that the  
16 President should—

17 (1) take steps to encourage the United Nations  
18 Security Council—

19 (A) to reaffirm support for the protection  
20 of all Iraqi Kurdish and other minorities in  
21 Iraqi Kurdistan pursuant to Security Council  
22 Resolution 688; and

23 (B) to consider lifting selectively the Unit-  
24 ed Nations embargo on the areas under the ad-  
25 ministration of the democratically elected lead-

1           ership of Iraqi Kurdistan, subject to the verifi-  
2           able conditions that—

3                   (i) the inhabitants of such areas do  
4                   not conduct trade with the Iraqi regime;  
5                   and

6                   (ii) the partial lifting of the embargo  
7                   will not materially assist the Iraqi regime;

8           (2) continue to advocate the transition to a uni-  
9           fied, democratic Iraq;

10           (3) take steps to design a multilateral assist-  
11           ance program for the people of Iraqi Kurdistan that  
12           supports their efforts to attain self-sufficiency  
13           through the provision of—

14                   (A) financial and technical assistance  
15                   through the democratically elected Kurdish ad-  
16                   ministration to enable the exploitation of natu-  
17                   ral resources such as oil; and

18                   (B) financial assistance to support the le-  
19                   gitimate self-defense and security needs of the  
20                   people of Iraqi Kurdistan; and

21           (4) take steps to intensify discussions with the  
22           Government of Turkey, whose support and coopera-  
23           tion in the protection of the people of Iraqi  
24           Kurdistan is critical, to ensure that the stability of



1 both Turkey and the entire region is enhanced by  
2 the measures taken under this section.

3 **SEC. 710. ADDITIONAL SANCTIONS AGAINST NORTH KOREA.**

4 (a) IN GENERAL.—Notwithstanding any other provi-  
5 sion of law, no license, instruction, rule, regulation, or  
6 order issued under section 5 of the Trading With the  
7 Enemy Act of 1917 (50 U.S.C. App. 5) may—

8 (1) authorize any transaction involving the com-  
9 mercial sale of any good or technology to North  
10 Korea; or

11 (2) authorize any transaction involving the pro-  
12 vision of services for travel to North Korea which  
13 was not otherwise authorized as of January 2, 1989.

14 (b) WAIVER.—The President may waive the applica-  
15 tion of subsection (a) if the President determines that—

16 (1) North Korea continues to maintain its sta-  
17 tus as a party to the Treaty on Non-Proliferation of  
18 Nuclear Weapons, done on July 1, 1968; and

19 (2) North Korea is in full compliance with its  
20 obligations under the Treaty.

1 **SEC. 711. WAIVER OF SANCTIONS WITH RESPECT TO THE**  
2 **REPUBLIC OF SERBIA AND THE REPUBLIC OF**  
3 **MONTENEGRO TO PROMOTE DEMOCRACY**  
4 **ABROAD.**

5 (a) **AUTHORITY.**—Notwithstanding any other provi-  
6 sion of law, the President is authorized and encouraged  
7 to exempt from sanctions imposed against the Republic  
8 of Serbia and the Republic of Montenegro those United  
9 States-supported programs, projects, or activities involv-  
10 ing reform of the electoral process, or the development of  
11 democratic institutions or democratic political parties, in  
12 these two countries.

13 (b) **POLICY.**—The President, acting through the  
14 United States Permanent Representative to the United  
15 Nations, should propose that any action, past or future,  
16 by the Security Council pursuant to Article 41 of the Unit-  
17 ed Nations Charter, with respect to the Republic of Serbia  
18 or the Republic of Montenegro, should take account of the  
19 exemption described in subsection (a).

20 **SEC. 712. CLAIMS BASED ON LETTERS OF CREDIT FOR**  
21 **GOODS SHIPPED BUT NOT PAID FOR BEFORE**  
22 **IMPOSITION OF NATIONAL EMERGENCY.**

23 Title I of the International Claims Settlement Act of  
24 1949 (22 U.S.C. 1621 et seq.) is amended by adding at  
25 the end the following new section:

1       “SEC. 10. Notwithstanding any other provision of  
2 law, funds on deposit in United States banks that have  
3 been blocked under the International Emergency Eco-  
4 nomic Powers Act in accounts of foreign banks that issued  
5 or confirmed letters of credit for the benefit of United  
6 States nationals may be released to pay such letters of  
7 credit if the United States beneficiaries lawfully shipped  
8 goods or otherwise performed underlying contractual obli-  
9 gations based on such letters of credit before the declara-  
10 tion of a national emergency pursuant to that Act.”.

11 **SEC. 713. ENFORCEMENT OF NONPROLIFERATION TREA-**  
12 **TIES.**

13       (a) POLICY.—It is the sense of the Congress that the  
14 President should instruct the United States Permanent  
15 Representative to the United Nations to enhance the role  
16 of that institution in the enforcement of nonproliferation  
17 treaties through the passage of a United Nations Security  
18 Council resolution which would state that, any non-nuclear  
19 weapon state that is found by the United Nations Security  
20 Council, in consultation with the International Atomic En-  
21 ergy Agency (IAEA), to have terminated, abrogated, or  
22 materially violated an IAEA full-scope safeguards agree-  
23 ment would be subjected to international economic sanc-  
24 tions, the scope of which to be determined by the United  
25 Nations Security Council.

1       (b) PROHIBITION.—Notwithstanding any other provi-  
2 sion of law, no United States assistance, under the For-  
3 eign Assistance Act of 1961 shall be provided to any non-  
4 nuclear weapon state that is found by the President to  
5 have terminated, abrogated, or materially violated an  
6 IAEA full-scope safeguard agreement.