

103^D CONGRESS
1ST SESSION

S. 587

To establish the Mike Mansfield Fellowship Program for intensive training in the Japanese language, government, politics, and economy.

IN THE SENATE OF THE UNITED STATES

MARCH 16 (legislative day, MARCH 3), 1993

Mr. ROTH (for himself, Mr. ROCKEFELLER, Mr. BAUCUS, Mr. STEVENS, Mr. BINGAMAN, Mr. BURNS, Mr. SIMON, and Mr. THURMOND) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To establish the Mike Mansfield Fellowship Program for intensive training in the Japanese language, government, politics, and economy.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Mike Mansfield Fellow-
5 ship Act”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) because Senator Mike Mansfield served his
9 country with distinction and has had a lasting im-

1 pact on America's relationship with Japan during
2 his tenure in the Senate and later as the United
3 States Ambassador to Japan, it is a fitting tribute
4 to establish in his name the following Fellowship for
5 promising officials of the Federal Government;

6 (2) Japan is America's second largest trading
7 partner, the second biggest investor in the United
8 States, and America's most serious economic com-
9 petitor;

10 (3) despite the challenge and importance of
11 Japan to the United States, few Americans speak
12 Japanese or understand how the country and its
13 government work; and

14 (4) key agencies of the United States Govern-
15 ment involved in United States-Japan relations often
16 lack sufficient personnel versed in the functioning of
17 the Japanese policymaking apparatus.

18 **SEC. 3. PURPOSES.**

19 The purposes of this Act are—

20 (1) to enable the United States Government to
21 respond more effectively to the Japanese challenge;
22 and

23 (2) to provide officials from any branch of the
24 United States Government with intensive Japanese

1 language training and placement as a Fellow in the
2 Government of Japan.

3 **SEC. 4. DEFINITIONS.**

4 For purposes of this Act—

5 (1) the term “agency of the United States Gov-
6 ernment” includes any agency of the legislative
7 branch and any court of the judicial branch as well
8 as any agency of the executive branch;

9 (2) the term “agency head” means—

10 (A) in the case of the executive branch of
11 Government or an agency of the legislative
12 branch other than the House of Representatives
13 or the Senate, the head of the respective agen-
14 cy;

15 (B) in the case of the judicial branch of
16 Government, the chief judge of the respective
17 court;

18 (C) in the case of the Senate, the Presi-
19 dent pro tempore, in consultation with the
20 Majority Leader and Minority Leader of the
21 Senate; and

22 (D) in the case of the House of Represent-
23 atives, the Speaker of the House, in consulta-
24 tion with the Majority Leader and Minority
25 Leader of the House;

1 (3) the term “Board” means the Mike Mans-
2 field Fellowship Review Board; and

3 (4) the term “Center” means the Mansfield
4 Center for Pacific Affairs.

5 **SEC. 5. ESTABLISHMENT OF FELLOWSHIP PROGRAM.**

6 (a) ESTABLISHMENT.—(1) There is hereby estab-
7 lished the “Mike Mansfield Fellowship Program” pursu-
8 ant to which the Director of the United States Informa-
9 tion Agency will make grants to the Mansfield Center for
10 Pacific Affairs to award fellowships to eligible United
11 States citizens for periods of 2 years each (or, pursuant
12 to section 7(5)(C), for such shorter period of time as the
13 Center may determine based on a Fellow’s level of pro-
14 ficiency in the Japanese language or knowledge of the po-
15 litical economy of Japan) as follows:

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

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

1 (2) Fellowships under this Act may be known as
2 “Mansfield Fellowships”, and individuals awarded such
3 fellowships may be known as “Mansfield Fellows”.

4 (b) ELIGIBILITY OF CENTER FOR GRANTS.—Grants
5 may be made to the Center under this section only if the
6 Center agrees to comply with the requirements of section
7 7.

8 (c) INTERNATIONAL AGREEMENT.—As the program
9 established under this section can succeed only with the
10 full and willing cooperation of the Government of Japan,
11 the Director of the United States Information Agency
12 should enter into negotiations for an agreement with the
13 Government of Japan for the purpose of placing Fellows
14 in the Government of Japan.

15 (d) USE OF FEDERAL FACILITIES.—The Foreign
16 Service Institute is authorized and encouraged to assist,
17 on a reimbursable basis, in carrying out Japanese lan-
18 guage training by the Center through the provision of
19 classroom space, teaching materials, and facilities, to the
20 extent that such provision is not detrimental to the Insti-
21 tute’s carrying out its other responsibilities under law.

22 **SEC. 6. FUNDING.**

23 (a) PRIVATE SOURCES.—The Center is authorized to
24 accept, use, and dispose of gifts or donations of services
25 or property in carrying out the fellowship program, subject

1 to the review and approval of the Board described in sec-
2 tion 9.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—There
4 are authorized to be appropriated to the United States In-
5 formation Agency—

6 (1) for fiscal year 1994, \$1,213,000,

7 (2) for fiscal year 1995, \$2,289,000,

8 (3) for fiscal year 1996, \$2,403,000, and

9 (4) for fiscal year 1997, \$1,553,000,

10 to fund three two-year classes of Fellows to carry out this
11 Act.

12 **SEC. 7. PROGRAM REQUIREMENTS.**

13 The program established under this Act shall comply
14 with the following requirements:

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

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

24 (3) Mansfield Fellows shall agree—

1 (A) to maintain satisfactory progress in
2 language training and appropriate behavior in
3 Japan, as determined by the Center, as a condi-
4 tion of continued receipt of Federal funds; and

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

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

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

24 (B) certain allowances and benefits as that
25 individual would have been entitled to, but for

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

23 (5)(A) For the first year of each fellowship, the
24 Center shall provide Fellows with intensive Japanese

1 language training in the Washington, D.C., area, as
2 well as courses in the political economy of Japan.

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

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

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

18 (A) Full reimbursement for noncompliance
19 with paragraph (3)(A) or (9); and

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

1 year of the fellowship for the same period of
2 time, including any allowances and benefits pro-
3 vided under paragraph (4).

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

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

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

17 (10) The accounts of the Center shall be au-
18 dited annually in accordance with generally accepted
19 auditing standards by independent certified public
20 accountants or independent licensed public account-
21 ants, certified or licensed by a regulatory authority
22 of a State or other political subdivision of the United
23 States. The audit shall be conducted at the place or
24 places where the accounts of the Center are normally
25 kept. All books, accounts, financial records, files,

1 and other papers, things, and property belonging to
2 or in use by the Center and necessary to facilitate
3 the audit shall be made available to the person or
4 persons conducting the audit, and full facilities for
5 verifying transactions with the balances or securities
6 held by depositories, fiscal agents, and custodians
7 shall be afforded to such person or persons.

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

1 **SEC. 8. SEPARATION OF GOVERNMENT PERSONNEL DUR-**
2 **ING THE FELLOWSHIPS.**

3 (a) SEPARATION.—Under such terms and conditions
4 as the agency head may direct, any agency of the United
5 States Government may separate from Government serv-
6 ice for a specified period any officer or employee of that
7 agency who accepts a fellowship under the program estab-
8 lished by this Act.

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

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

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

1 **SEC. 9. MANSFIELD FELLOWSHIP REVIEW BOARD.**

2 (a) ESTABLISHMENT.—There is hereby established
3 the Mansfield Fellowship Review Board.

4 (b) COMPOSITION.—The Board shall be composed of
5 11 individuals, as follows:

6 (1) The Secretary of State, or the Secretary's
7 designee.

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

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

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

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

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

18 (7) The Majority Leader of the Senate, or the
19 Majority Leader's designee.

20 (8) The Minority Leader of the Senate, or the
21 Minority Leader's designee.

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

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

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

4 (c) FUNCTIONS.—(1) The Board shall review the ad-
5 ministration of the program assisted under this Act.

6 (2)(A) Each year at the time of the submission of
7 the President's budget request to the Congress, the Board
8 shall submit to the President and the Congress a report
9 completed by the Center with the approval of the Board
10 on the conduct of the program during the preceding year.

11 (B) Each such report shall contain—

12 (i) an analysis of the assistance provided under
13 the program for the previous fiscal year and the na-
14 ture of the assistance provided;

15 (ii) an analysis of the performance of the indi-
16 viduals who received assistance under the program
17 during the previous fiscal year, including the degree
18 to which assistance was terminated under the pro-
19 gram and the extent to which individual recipients
20 failed to meet their obligations under the program;
21 and

22 (iii) an analysis of the results of the program
23 for the previous fiscal year, including, at a mini-
24 mum, the cumulative percentage of individuals who
25 received assistance under the program who subse-

1 quently became employees of the United States Gov-
2 ernment and, in the case of individuals who did not
3 subsequently become employees of the United States
4 Government, an analysis of the reasons why they did
5 not become employees and an explanation as to what
6 use, if any, was made of the assistance given to
7 those recipients.

8 (d) COMPENSATION.—Members of the Board shall
9 not be paid compensation for services performed on the
10 Board.

11 (e) AVAILABILITY OF SUPPORT STAFF.—The Direc-
12 tor of the United States Information Agency is authorized
13 to provide for necessary secretarial and staff assistance
14 for the Board.

15 (f) RELATIONSHIP TO FEDERAL ADVISORY COMMIT-
16 TEE ACT.—The Federal Advisory Committee Act shall not
17 apply to the Board to the extent that the provisions of
18 this section are inconsistent therewith.

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