

104TH CONGRESS
1ST SESSION

H. R. 1561

To consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 3, 1995

Mr. GILMAN introduced the following bill; which was referred to the Committee on International Relations, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, 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.**

2 This Act may be cited as the “American Overseas In-
3 terests Act of 1995”.

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

6 (a) DIVISIONS.—This Act is organized into three divi-
7 sions as follows:

8 (1) Division A—Consolidation of Foreign Af-
9 fairs Agencies.

10 (2) Division B—Foreign Relations Authoriza-
11 tions.

12 (3) Division C—Foreign Assistance Authoriza-
13 tions.

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

Sec. 1. Short title.

Sec. 2. Organization of Act into divisions; table of contents.

DIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS
AGENCIES

TITLE I—GENERAL PROVISIONS

Sec. 101. Short title.

Sec. 102. Congressional findings.

Sec. 103. Purposes.

Sec. 104. Definitions.

TITLE II—UNITED STATES ARMS CONTROL AND DISARMAMENT
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CHAPTER 1—GENERAL PROVISIONS

Sec. 201. Effective date.

Sec. 202. References in title.

CHAPTER 2—ABOLITION OF UNITED STATES ARMS CONTROL AND DISAR-
MAMENT AGENCY AND TRANSFER OF FUNCTIONS TO SECRETARY OF
STATE

- Sec. 211. Abolition of United States Arms Control and Disarmament Agency.
- Sec. 212. Transfer of functions to Secretary of State.

CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO
FUNCTIONS TRANSFERRED UNDER THIS TITLE

- Sec. 221. Reorganization plan.
- Sec. 222. Principal officers.

CHAPTER 4—CONFORMING AMENDMENTS

- Sec. 241. References.
- Sec. 242. Repeal of establishment of agency.
- Sec. 243. Repeal of positions and offices.
- Sec. 244. Transfer of authorities and functions under the Arms Control and Disarmament Act to the Secretary of State.
- Sec. 245. Conforming amendments to other provisions of law.

TITLE III—UNITED STATES INFORMATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

- Sec. 301. Effective date.

CHAPTER 2—ABOLITION OF UNITED STATES INFORMATION AGENCY AND
TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

- Sec. 311. Abolition of United States Information Agency.
- Sec. 312. Transfer of functions to Secretary of State.

CHAPTER 3—REORGANIZATION OF DEPARTMENT OF STATE RELATING TO
FUNCTIONS TRANSFERRED UNDER THIS TITLE

- Sec. 321. Reorganization plan.
- Sec. 322. Principal officers.

CHAPTER 4—CONFORMING AMENDMENTS

- Sec. 341. References.
- Sec. 342. Abolition of Office of Inspector General of the United States Information Agency and transfer of functions to Office of Inspector General of the Department of State.
- Sec. 343. Amendments to title 5.
- Sec. 344. Amendments to United States Information and Educational Exchange Act of 1948.
- Sec. 345. Amendments to the Mutual Educational and Cultural Exchange Act of 1961 (Fulbright-Hays Act).
- Sec. 346. International broadcasting activities.
- Sec. 347. Television broadcasting to Cuba.
- Sec. 348. Radio broadcasting to Cuba.
- Sec. 349. National Endowment for Democracy.
- Sec. 350. United States scholarship program for developing countries.
- Sec. 351. Fascell Fellowship Board.
- Sec. 352. National Security Education Board.
- Sec. 353. Center for Cultural and Technical Interchange between North and South.
- Sec. 354. East-West Center.
- Sec. 355. Mission of the Department of State.

- Sec. 356. Consolidation of administrative services.
- Sec. 357. Grants.
- Sec. 358. Ban on domestic activities.
- Sec. 359. Conforming repeal to the Arms Control and Disarmament Act.
- Sec. 360. Repeal relating to procurement of legal services.
- Sec. 361. Repeal relating to payment of subsistence expenses.
- Sec. 362. Conforming amendment to the Seed Act.
- Sec. 363. International Cultural and Trade Center Commission.
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- Sec. 365. Au pair programs.
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- Sec. 367. Edmund S. Muskie Fellowship program.
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- Sec. 369. Mike Mansfield Fellowships.

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- Sec. 401. Effective date.
- Sec. 402. References in title.

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- Sec. 421. Reorganization plan.
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- Sec. 441. References.
- Sec. 442. Abolition of Office of Inspector General of the Agency for International Development and transfer of functions to Office of Inspector General of the Department of State.
- Sec. 443. Abolition of Chief Financial Officer of the Agency for International Development and transfer of functions to Chief Financial Officer Department of State.
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1 **DIVISION A—CONSOLIDATION**
 2 **OF FOREIGN AFFAIRS AGENCIES**
 3 **TITLE I—GENERAL PROVISIONS**

4 **SEC. 101. SHORT TITLE.**

5 This division may be cited as the “Foreign Affairs
 6 Agencies Consolidation Act of 1995”.

7 **SEC. 102. CONGRESSIONAL FINDINGS.**

8 The Congress makes the following findings:

9 (1) With the end of the Cold War, the inter-
 10 national challenges facing the United States have
 11 changed, but the fundamental national interests of
 12 the United States have not. The security, economic,
 13 and humanitarian interests of the United States re-
 14 quire continued American engagement in inter-
 15 national affairs. The leading role of the United
 16 States in world affairs will be as important in the
 17 twenty-first century as it has been in the twentieth.

1 (2) The United States budget deficit requires
2 that the foreign as well as the domestic programs
3 and activities of the United States be carefully re-
4 viewed for potential savings. Wherever possible, for-
5 eign programs and activities must be streamlined,
6 managed more efficiently, and adapted to the re-
7 quirements of the post-Cold War era.

8 (3) In order to downsize the foreign programs
9 and activities of the United States without jeopardiz-
10 ing United States interests, strong and effective
11 leadership will be required. As the official principally
12 responsible for the conduct of foreign policy, the
13 Secretary of State must have the authority to allo-
14 cate efficiently the resources within the international
15 affairs budget. As a first step in the downsizing
16 process, the proliferation of foreign affairs agencies
17 that occurred during the Cold War must be re-
18 versed, and the functions of these agencies must be
19 restored to the Secretary of State.

20 (4) A streamlined and reorganized foreign af-
21 fairs structure under the strengthened leadership of
22 the Secretary of State can more effectively promote
23 the international interests of the United States in
24 the next century than the existing structure.

1 **SEC. 103. PURPOSES.**

2 The purposes of this division are—

3 (1) to consolidate and reinvent foreign affairs
4 agencies of the United States within the Department
5 of State;

6 (2) to provide for the reorganization of the De-
7 partment of State to maximize the efficient use of
8 resources, eliminate redundancy in functions, effect
9 budget savings, and improve the management of the
10 State Department;

11 (3) to strengthen—

12 (A) the coordination of United States for-
13 eign policy; and

14 (B) the leading role of the Secretary of
15 State in the formulation and articulation of
16 United States foreign policy; and

17 (4) to abolish, not later than March 1, 1997,
18 the United States Arms Control and Disarmament
19 Agency, the United States Information Agency, the
20 International Development Cooperation Agency, and
21 the Agency for International Development.

22 **SEC. 104. DEFINITIONS.**

23 The following terms have the following meaning for
24 the purposes of this division:

25 (1) The term “AID” means the Agency for
26 International Development.

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

3 (3) The term “appropriate congressional com-
4 mittees” means the Committee on International Re-
5 lations of the House of Representatives and the
6 Committee of Foreign Relations of the Senate.

7 (4) The term “Department” means the Depart-
8 ment of State.

9 (5) The term “Federal agency” has the mean-
10 ing given to the term “agency” by section 551(1) of
11 title 5, United States Code.

12 (6) The term “function” means any duty, obli-
13 gation, power, authority, responsibility, right, privi-
14 lege, activity, or program.

15 (7) The term “office” includes any office, ad-
16 ministration, agency, institute, unit, organizational
17 entity, or component thereof.

18 (8) The term “Secretary” means the Secretary
19 of State.

20 (9) The term “USIA” means the United States
21 Information Agency.

1 **TITLE II—UNITED STATES ARMS**
2 **CONTROL AND DISAR-**
3 **MAMENT AGENCY**

4 **CHAPTER 1—GENERAL PROVISIONS**

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

6 (a) IN GENERAL.—Except as provided in subsection
7 (b), this title, and the amendments made by this title, shall
8 take effect—

9 (1) March 1, 1997; or

10 (2) on such earlier date as the President shall
11 determine to be appropriate and announce by notice
12 published in the Federal Register, which date may
13 be not earlier than 60 calendar days (excluding any
14 day on which either House of Congress is not in ses-
15 sion because of an adjournment sine die) after the
16 President has submitted a reorganization plan to the
17 appropriate congressional committees pursuant to
18 section 221.

19 (b) REORGANIZATION PLAN.—Section 221 shall take
20 effect on the date of enactment of this Act.

21 **SEC. 202. REFERENCES IN TITLE.**

22 Except as specifically provided in this title, whenever
23 in this title an amendment or repeal is expressed in terms
24 of an amendment to, or repeal of, a provision, the ref-

1 erence shall be considered to be made to a provision of
2 the Arms Control and Disarmament Act.

3 **CHAPTER 2—ABOLITION OF UNITED**
4 **STATES ARMS CONTROL AND DISAR-**
5 **MAMENT AGENCY AND TRANSFER OF**
6 **FUNCTIONS TO SECRETARY OF STATE**

7 **SEC. 211. ABOLITION OF UNITED STATES ARMS CONTROL**
8 **AND DISARMAMENT AGENCY.**

9 The United States Arms Control and Disarmament
10 Agency is abolished.

11 **SEC. 212. TRANSFER OF FUNCTIONS TO SECRETARY OF**
12 **STATE.**

13 There are transferred to the Secretary of State all
14 functions of the Director of the United States Arms Con-
15 trol and Disarmament Agency and all functions of the
16 United States Arms Control and Disarmament Agency
17 and any officer or component of such agency under any
18 statute, reorganization plan, Executive order, or other pro-
19 vision of law before the effective date of this title, except
20 as otherwise provided in this title.

1 **CHAPTER 3—REORGANIZATION OF DE-**
2 **PARTMENT OF STATE RELATING TO**
3 **FUNCTIONS TRANSFERRED UNDER**
4 **THIS TITLE**

5 **SEC. 221. REORGANIZATION PLAN.**

6 (a) SUBMISSION OF PLAN.—Not later than March 1,
7 1996, the President, in consultation with the Secretary
8 and the Director of the Arms Control and Disarmament
9 Agency, shall transmit to the appropriate congressional
10 committees a reorganization plan providing for—

11 (1) the abolition of the Arms Control and Dis-
12 armament Agency in accordance with this title;

13 (2) the transfer to the Department of State of
14 the functions and personnel of the Arms Control and
15 Disarmament Agency consistent with the provisions
16 of this title; and

17 (3) the consolidation, reorganization, and
18 streamlining of the Department upon the transfer of
19 functions under this title in order to carry out such
20 functions.

21 (b) PLAN ELEMENTS.—The plan under subsection
22 (a) shall—

23 (1) identify the functions of the Arms Control
24 and Disarmament Agency that will be transferred to
25 the Department under the plan;

1 (2) identify the personnel and positions of the
2 Agency (including civil service personnel, Foreign
3 Service personnel, and detailees) that will be trans-
4 ferred to the Department, separated from service
5 with the Agency, or be eliminated under the plan,
6 and set forth a schedule for such transfers, separa-
7 tions, and terminations;

8 (3) identify the personnel and positions of the
9 Department (including civil service personnel, For-
10 eign Service personnel, and detailees) that will be
11 transferred within the Department, separated from
12 service with the Department, or eliminated under
13 the plan, and set forth a schedule for such transfers,
14 separations, and terminations;

15 (4) specify the consolidations and reorganiza-
16 tion of functions of the Department that will be re-
17 quired under the plan in order to permit the Depart-
18 ment to carry out the functions transferred to the
19 Department under the plan;

20 (5) specify the funds available to the Arms Con-
21 trol and Disarmament Agency that will be trans-
22 ferred to the Department as a result of the transfer
23 of functions of the Agency to the Department;

24 (6) specify the proposed allocations within the
25 Department of unexpended funds transferred in con-

1 nection with the transfer of functions under the
2 plan; and

3 (7) specify the proposed disposition of the prop-
4 erty, facilities, contracts, records, and other assets
5 and liabilities of the Agency in connection with the
6 transfer of the functions of the Agency to the De-
7 partment.

8 (c) ASSISTANT SECRETARY POSITIONS.—The plan
9 under subsection (a) shall provide for an appropriate num-
10 ber of Assistant Secretaries of State to carry out the func-
11 tions transferred to the Department under this title.

12 **SEC. 222. PRINCIPAL OFFICERS.**

13 (a) UNDER SECRETARY OF STATE FOR INTER-
14 NATIONAL SECURITY AND ARMS CONTROL.—

15 (1) ESTABLISHMENT.—Section 1(b) of the
16 State Department Basic Authorities Act of 1956 (22
17 U.S.C. 2651a(b) is amended—

18 (A) by striking “There” and inserting the
19 following:

20 “(1) IN GENERAL.—There”; and

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

22 “(2) UNDER SECRETARY FOR INTERNATIONAL
23 SECURITY AND ARMS CONTROL.—There shall be in
24 the Department of State an Under Secretary for
25 International Security and Arms Control who shall

1 have responsibility to assist the Secretary and the
2 Deputy Secretary in the formation and implementa-
3 tion of United States policies and activities concern-
4 ing international security, arms control and disarmament, and export controls.”.

6 (2) TRANSITION PROVISION.—The President
7 may appoint the individual serving as Director of the
8 Arms Control and Disarmament Agency on the day
9 before the effective date of this title, or such other
10 official appointed by and with the advice and con-
11 sent of the Senate and serving within the Depart-
12 ment of State or the Arms Control and Disarmament Agency on the day before the effective date
13 of the title as the President considers appropriate, to
14 serve as the acting Under Secretary for Inter-
15 national Security and Arms Control until an individ-
16 ual is appointed to that office in accordance with
17 section 1(b)(1) of the Department of State Basic
18 Authorities Act of 1956, as amended by this Act.

20 (b) COORDINATOR FOR ARMS CONTROL AND DISAR-
21 MAMENT.—Section 1(e) of the State Department Basic
22 Authorities Act of 1956 (22 U.S.C. 2651a(e)) is amended
23 by adding after paragraph (3) the following new para-
24 graph:

1 “(4) COORDINATOR FOR ARMS CONTROL AND
2 DISARMAMENT.—

3 “(A) There shall be within the office of the
4 Secretary of State a Coordinator for Arms Con-
5 trol and Disarmament (hereafter in this para-
6 graph referred to as the “Coordinator” who
7 shall be appointed by the President, by and
8 with the advice and consent of the Senate. The
9 Coordinator shall report directly to the Sec-
10 retary of State.

11 “(B) The individual appointed to serve as
12 Coordinator for Arms Control and Disar-
13 mament shall be the same individual appointed
14 to serve as Assistant Secretary for Arms Con-
15 trol and Disarmament.

16 “(C) The Coordinator shall have the rank
17 and status of Ambassador-at-Large. The Coor-
18 dinator shall be compensated at the annual rate
19 of basic pay in effect for a position at level IV
20 of the Executive Schedule under section 5314
21 of title 5, United States Code, or, if the Coordi-
22 nator is appointed from the Foreign Service,
23 the annual rate of pay which the individual last
24 received under the Foreign Service Schedule,
25 whichever is greater.”.

1 (c) ASSISTANT SECRETARIES.—

2 (1) ESTABLISHMENT OF ASSISTANT SECRETARY
3 FOR ARMS CONTROL AND DISARMAMENT.—Section
4 1(c) of the State Department Basic Authorities Act
5 of 1956 (22 U.S.C. 2651a(c) is amended by adding
6 after paragraph (2) the following:

7 “(3) ASSISTANT SECRETARY FOR ARMS CON-
8 TROL AND DISARMAMENT.—

9 “(A) There shall be in the Department of
10 State an Assistant Secretary for Arms Control
11 and Disarmament who shall be responsible for
12 arms control and disarmament matters and who
13 shall report to the Under Secretary for Inter-
14 national Security and Arms Control.

15 “(B) The individual appointed to serve as
16 Assistant Secretary for Arms Control and Dis-
17 armament shall be the same individual ap-
18 pointed to serve as the Coordinator for Arms
19 Control and Disarmament. The Assistant Sec-
20 retary for Arms Control and Disarmament shall
21 be compensated in accordance with subsection
22 (e)(4)(C).

23 “(4) ASSISTANT SECRETARY FOR NON-
24 PROLIFERATION AND EXPORT CONTROLS.—There
25 shall be in the Department of State an Assistant

1 Secretary for Nonproliferation and Export Controls
2 who shall be responsible for arms transfers, non-
3 proliferation policy, and export controls and who
4 shall report to the Under Secretary for International
5 Security and Arms Control.”.

6 (2) TRANSITION PROVISION.—The President
7 may appoint the individual serving as Director of the
8 Arms Control and Disarmament Agency on the day
9 before the effective date of this title, or such other
10 officials appointed by and with the advice and con-
11 sent of the Senate and serving within the Depart-
12 ment of State or the Arms Control and Disar-
13 mament Agency on the day before the effective date
14 of this title as the President considers appropriate,
15 to serve as the acting Assistant Secretary for Arms
16 Control and Disarmament and to serve as the acting
17 Assistant Secretary for Nonproliferation and Export
18 Controls until individuals are appointed to those of-
19 fices in accordance with section 1(c)(1) of the State
20 Department Basic Authorities Act of 1956, as
21 amended by this Act.

1 CHAPTER 4—CONFORMING AMENDMENTS**2 SEC. 241. REFERENCES.**

3 Any reference in any statute, reorganization plan,
4 Executive order, regulation, agreement, determination, or
5 other official document or proceeding to—

6 (1) the Director of the United States Arms
7 Control and Disarmament Agency or any other offi-
8 cer or employee of the United States Arms Control
9 and Disarmament Agency shall be deemed to refer
10 to the Secretary of State; and

11 (2) the United States Arms Control and Disar-
12 mament Agency shall be deemed to refer to the De-
13 partment of State.

14 SEC. 242. REPEAL OF ESTABLISHMENT OF AGENCY.

15 Section 21 of the Arms Control and Disarmament
16 Act (22 U.S.C. 2561; relating to the establishment of the
17 agency) is repealed.

18 SEC. 243. REPEAL OF POSITIONS AND OFFICES.

19 The following sections of the Arms Control and Dis-
20 armament Act are repealed:

21 (1) Section 22 (22 U.S.C. 2562; relating to the
22 Director).

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

1 (3) Section 24 (22 U.S.C. 2564; relating to As-
2 sistant Directors).

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

5 (5) Section 50 (22 U.S.C. 2593; relating to the
6 ACDA Inspector General).

7 **SEC. 244. TRANSFER OF AUTHORITIES AND FUNCTIONS**
8 **UNDER THE ARMS CONTROL AND DISAR-**
9 **MAMENT ACT TO THE SECRETARY OF STATE.**

10 (a) IN GENERAL.—The Arms Control and Disar-
11 mament Act (22 U.S.C. 2551 et seq.) is amended—

12 (1) by striking “Agency” each place it appears
13 and inserting “Department”; and

14 (2) by striking “Director” each place it appears
15 and inserting “Secretary”.

16 (b) PURPOSE.—Section 2 (22 U.S.C. 2551) is re-
17 pealed.

18 (c) DEFINITIONS.—Section 3 (22 U.S.C. 2552) is
19 amended by striking paragraph (c) and inserting the fol-
20 lowing:

21 “(c) The term ‘Department’ means the Depart-
22 ment of State.

23 “(d) The term ‘Secretary’ means the Secretary
24 of State.”.

1 (d) SCIENTIFIC AND POLICY ADVISORY COMMIT-
2 TEE.—Section 26(b) (22 U.S.C. 2566(b)) is amended by
3 striking “, the Secretary of State, and the Director” and
4 inserting “and the Secretary of State”.

5 (e) PRESIDENTIAL SPECIAL REPRESENTATIVES.—
6 Section 27 (22 U.S.C. 2567) is amended by striking “,
7 acting through the Director”.

8 (f) PROGRAM FOR VISITING SCHOLARS.—Section 28
9 (22 U.S.C. 2568) is amended—

10 (1) in the second sentence, by striking “Agen-
11 cy’s activities” and inserting “Department’s arms
12 control, nonproliferation, and disarmament activi-
13 ties”; and

14 (2) in the fourth sentence, by striking “, and all
15 former Directors of the Agency”.

16 (g) POLICY FORMULATION.—Section 33(a) (22
17 U.S.C. 2573(a)) is amended by striking “shall prepare for
18 the President, the Secretary of State,” and inserting
19 “shall prepare for the President”.

20 (h) NEGOTIATION MANAGEMENT.—Section 34 (22
21 U.S.C. 2574) is amended—

22 (1) in subsection (a), by striking “the President
23 and the Secretary of State” and inserting “the
24 President”; and

25 (2) by striking subsection (b).

1 (i) VERIFICATION OF COMPLIANCE.—Section 37(d)
2 (22 U.S.C. 2577(d)) is amended by striking “Director’s
3 designee” and inserting “Secretary’s designee”.

4 (j) GENERAL AUTHORITY.—Section 41 (22 U.S.C.
5 2581) is repealed.

6 (k) SECURITY REQUIREMENTS.—Section 45(a) (22
7 U.S.C. 2585(a)) is amended in the second sentence by
8 striking “Agency’s” and inserting “Department’s”.

9 (l) USE OF FUNDS.—Section 48 (22 U.S.C. 2588)
10 is repealed.

11 (m) ANNUAL REPORT.—Section 51(a) (22 U.S.C.
12 2593a(a)) is amended by striking “the Secretary of
13 State,”.

14 (n) REQUIREMENT FOR AUTHORIZATION OF APPRO-
15 PRIATIONS.—Section 53 (22 U.S.C. 2593c) is repealed.

16 (o) ON-SITE INSPECTION AGENCY.—Section 61 (22
17 U.S.C. 2595) is amended—

18 (1) in paragraph (1), by striking “United
19 States Arms Control and Disarmament Agency” and
20 inserting “Department of State”; and

21 (2) in paragraph (7), by striking “the United
22 States Arms Control and Disarmament Agency
23 and”.

1 **SEC. 245. CONFORMING AMENDMENTS TO OTHER PROVI-**
2 **SIONS OF LAW.**

3 (a) ARMS EXPORT CONTROL ACT.—The Arms Ex-
4 port Control Act is amended—

5 (1) in section 36(b)(1)(D) (22 U.S.C.
6 2776(b)(1)(D)), by striking “Director of the Arms
7 Control and Disarmament Agency in consultation
8 with the Secretary of State and” and inserting “Sec-
9 retary of State in consultation with”;

10 (2) in section 38(a)(2) (22 U.S.C.
11 2778(a)(2))—

12 (A) in the first sentence, by striking “Di-
13 rector of the United States Arms Control and
14 Disarmament Agency, taking into account the
15 Director’s” and inserting “Secretary of State,
16 taking into account the Secretary’s”; and

17 (B) in the second sentence, by striking
18 “The Director of the Arms Control and Disar-
19 mament Agency is authorized, whenever the Di-
20 rector” and inserting “The Secretary of State is
21 authorized, whenever the Secretary”;

22 (3) in section 42(a) (22 U.S.C. 2791(a))—

23 (A) in paragraph (1)(C), by striking “Di-
24 rector of the United States Arms Control and
25 Disarmament Agency” and inserting “Secretary
26 of State”; and

1 (B) in paragraph (2)—

2 (i) in the first sentence, by striking
3 “Director of the United States Arms Con-
4 trol and Disarmament Agency” and insert-
5 ing “Secretary of State”; and

6 (ii) in the second sentence, by striking
7 “Director of the Arms Control and Disar-
8 mament Agency is authorized, whenever
9 the Director” and inserting “Secretary of
10 State, whenever the Secretary”;

11 (4) in section 71(a) (22 U.S.C. 2797(a)), by
12 striking “, the Director of the Arms Control and
13 Disarmament Agency,” and inserting “, Secretary of
14 State,”;

15 (5) in section 71(b)(1) (22 U.S.C. 2797(b)(1)),
16 by striking “Director of the United States Arms
17 Control and Disarmament Agency” and inserting
18 “Secretary of State”;

19 (6) in section 71(b)(2) (22 U.S.C.
20 2797(b)(2))—

21 (A) by striking “Director of the United
22 States Arms Control and Disarmament Agen-
23 cy” and inserting “Secretary of State”; and

24 (B) by striking “, or the Director”;

1 (7) in section 71(c) (22 U.S.C. 2797(c)), by
2 striking “Director of the United States Arms Con-
3 trol and Disarmament Agency,” and inserting “Sec-
4 retary of State”; and

5 (8) in section 73(d) (22 U.S.C. 2797(d)), by
6 striking “Director of the United States Arms Con-
7 trol and Disarmament Agency” and inserting “Sec-
8 retary of State”.

9 (b) UNITED STATES INSTITUTE OF PEACE ACT.—
10 Section 1706(b) of the United States Institute of Peace
11 Act (22 U.S.C. 4605(b)) is amended—

12 (1) by striking out paragraph (3);

13 (2) by redesignating paragraphs (4) and (5) as
14 paragraphs (3) and (4), respectively; and

15 (3) in paragraph (4) (as redesignated by para-
16 graph (2)), by striking “Eleven” and inserting
17 “Twelve”.

18 (c) THE ATOMIC ENERGY ACT OF 1954.—The Atom-
19 ic Energy Act of 1954 is amended—

20 (1) in section 57 b. (42 U.S.C. 2077(b))—

21 (A) in the first sentence, by striking “the
22 Arms Control and Disarmament Agency,”, and

23 (B) in the second sentence, by striking
24 “the Director of the Arms Control and Disar-
25 mament Agency,”; and

1 (2) in section 123 (42 U.S.C. 2153)—

2 (A) in subsection a. (in the text after para-
3 graph (9)—

4 (i) by striking “and in consultation
5 with the Director of the Arms Control and
6 Disarmament Agency (‘the Director’),
7 and

8 (ii) by striking “and the Director”
9 and inserting “and the Secretary of De-
10 fense”,

11 (B) in subsection d., in the first proviso, by
12 striking “Director of the Arms Control and Dis-
13 armament Agency” and inserting “Secretary of
14 Defense”, and

15 (C) in the first undesignated paragraph
16 following subsection d., by striking “the Arms
17 Control and Disarmament Agency,”.

18 (d) THE NUCLEAR NON-PROLIFERATION ACT OF
19 1978.—The Nuclear Non-Proliferation Act of 1978 is
20 amended—

21 (1) in section 4, by striking paragraph (2);

22 (2) in section 102, by striking “the Secretary of
23 State, and the Director of the Arms Control and
24 Disarmament Agency” and inserting “and the Sec-
25 retary of State”; and

1 (3) in section 602(c), by striking “the Arms
2 Control and Disarmament Agency,”.

3 (e) TITLE 5, UNITED STATES CODE.—Title 5,
4 United States Code, is amended—

5 (1) in section 5313, by striking “Director of the
6 United States Arms Control and Disarmament
7 Agency.”;

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

11 (3) in section 5315, by striking “Assistant Di-
12 rectors, United States Arms Control and Disar-
13 mament Agency (4).”.

14 **TITLE III—UNITED STATES**
15 **INFORMATION AGENCY**

16 **CHAPTER 1—GENERAL PROVISIONS**

17 **SEC. 301. EFFECTIVE DATE.**

18 (a) IN GENERAL.—Except as provided in subsection
19 (b), this title, and the amendments made by this title, shall
20 take effect—

21 (1) March 1, 1997; or

22 (2) on such earlier date as the President shall
23 determine to be appropriate and announce by notice
24 published in the Federal Register, which date may
25 be not earlier than 60 calendar days (excluding any

1 day on which either House of Congress is not in ses-
2 sion because of an adjournment sine die) after the
3 President has submitted a reorganization plan to the
4 appropriate congressional committees pursuant to
5 section 321.

6 (b) REORGANIZATION PLAN.—Section 321 shall take
7 effect on the date of enactment of this Act.

8 **CHAPTER 2—ABOLITION OF UNITED**
9 **STATES INFORMATION AGENCY AND**
10 **TRANSFER OF FUNCTIONS TO SEC-**
11 **RETARY OF STATE**

12 **SEC. 311. ABOLITION OF UNITED STATES INFORMATION**
13 **AGENCY.**

14 The United States Information Agency is abolished.

15 **SEC. 312. TRANSFER OF FUNCTIONS TO SECRETARY OF**
16 **STATE.**

17 There are transferred to the Secretary of State all
18 functions of the Director of the United States Information
19 Agency and all functions of the United States Information
20 Agency and any officer or component of such agency
21 under any statute, reorganization plan, Executive order,
22 or other provision of law before the effective date of this
23 title, except as otherwise provided in this title.

1 **CHAPTER 3—REORGANIZATION OF DE-**
2 **PARTMENT OF STATE RELATING TO**
3 **FUNCTIONS TRANSFERRED UNDER**
4 **THIS TITLE**

5 **SEC. 321. REORGANIZATION PLAN.**

6 (a) SUBMISSION OF PLAN.—Not later than March 1,
7 1996, the President, in consultation with the Secretary
8 and the Director of the United States Information Agency,
9 shall transmit to the appropriate congressional committees
10 a reorganization plan providing for—

11 (1) the abolition of the United States Informa-
12 tion Agency in accordance with this title;

13 (2) the transfer to the Department of State of
14 the functions and personnel of the United States In-
15 formation Agency consistent with the provisions of
16 this title; and

17 (3) the consolidation, reorganization, and
18 streamlining of the Department upon the transfer of
19 functions under this title in order to carry out such
20 functions.

21 (b) PLAN ELEMENTS.—The plan under subsection
22 (a) shall—

23 (1) identify the functions of the United States
24 Information Agency that will be transferred to the
25 Department under the plan;

1 (2) identify the personnel and positions of the
2 Agency (including civil service personnel, Foreign
3 Service personnel, and detailees) that will be trans-
4 ferred to the Department, separated from service
5 with the Agency, or be eliminated under the plan,
6 and set forth a schedule for such transfers, separa-
7 tions, and terminations;

8 (3) identify the personnel and positions of the
9 Department (including civil service personnel, For-
10 eign Service personnel, and detailees) that will be
11 transferred within the Department, separated from
12 service with the Department, or eliminated under
13 the plan, and set forth a schedule for such transfers,
14 separations, and terminations;

15 (4) specify the consolidations and reorganiza-
16 tion of functions of the Department that will be re-
17 quired under the plan in order to permit the Depart-
18 ment to carry out the functions transferred to the
19 Department under the plan;

20 (5) specify the funds available to the United
21 States Information Agency that will be transferred
22 to the Department as a result of the transfer of
23 functions of the Agency to the Department;

24 (6) specify the proposed allocations within the
25 Department of unexpended funds transferred in con-

1 nection with the transfer of functions under the
2 plan; and

3 (7) specify the proposed disposition of the prop-
4 erty, facilities, contracts, records, and other assets
5 and liabilities of the Agency in connection with the
6 transfer of the functions of the Agency to the De-
7 partment.

8 (c) ASSISTANT SECRETARY POSITIONS.—The plan
9 under subsection (a) shall provide for an appropriate num-
10 ber of Assistant Secretaries of State to carry out the func-
11 tions transferred to the Department under this title.

12 **SEC. 322. PRINCIPAL OFFICERS.**

13 (a) UNDER SECRETARY OF STATE FOR PUBLIC DI-
14 PLOMACY.—

15 (1) ESTABLISHMENT.—Section 1(b) of the
16 State Department Basic Authorities Act of 1956 (22
17 U.S.C. 2651a(b) is amended by adding after para-
18 graph (2) the following new paragraph:

19 “(3) UNDER SECRETARY FOR PUBLIC DIPLO-
20 MACY.—There shall be in the Department of State
21 an Under Secretary for Public Diplomacy who shall
22 have responsibility to assist the Secretary and the
23 Deputy Secretary in the formation and implementa-
24 tion of United States public diplomacy policies and
25 activities, including international educational and

1 cultural exchange programs, information, and inter-
2 national broadcasting.”.

3 (2) TRANSITION PROVISION.—The President
4 may appoint the individual serving as Director of the
5 United States Information Agency on the day before
6 the effective date of this title, or such other official
7 appointed by and with the advice and consent of the
8 Senate and serving within the Department of State
9 or the United States Information Agency as the
10 President considers appropriate, to serve as the act-
11 ing Under Secretary for Public Diplomacy until an
12 individual is appointed to that office in accordance
13 with section (1)(b)(1) of the State Department
14 Basic Authorities Act of 1956, as amended by this
15 Act.

16 (b) ASSISTANT SECRETARIES.—

17 (1) ESTABLISHMENT.—Section 1(c) of the
18 State Department Basic Authorities Act of 1956 (22
19 U.S.C. 2651a(c)) is amended by adding after para-
20 graph (3) the following:

21 “(4) ASSISTANT SECRETARY FOR ACADEMIC
22 PROGRAMS AND CULTURAL EXCHANGES.—There
23 shall be in the Department of State an Assistant
24 Secretary for Academic Programs and Cultural Ex-

1 changes who shall report to the Under Secretary for
2 Public Diplomacy.

3 “(5) ASSISTANT SECRETARY FOR INFORMA-
4 TION, POLICY, AND PROGRAMS.—There shall be in
5 the Department of State an Assistant Secretary for
6 Information, Policy, and Programs who shall report
7 to the Under Secretary for Public Diplomacy.”.

8 (2) TRANSITION PROVISION.—The President
9 may appoint such officials appointed by and with the
10 advice and consent of the Senate and serving within
11 the Department of State or the United States Infor-
12 mation Agency as the President considers appro-
13 priate to serve as the acting Assistant Secretary for
14 Academic Programs and Cultural Exchanges and to
15 serve as the acting Assistant Secretary for Informa-
16 tion, Policy, and Programs until individuals are ap-
17 pointed to those offices in accordance with section
18 1(c)(1) of the State Department Basic Authorities
19 Act of 1956, as amended by this Act.

20 **CHAPTER 4—CONFORMING AMENDMENTS**

21 **SEC. 341. REFERENCES.**

22 Any reference in any statute, reorganization plan,
23 Executive order, regulation, agreement, determination, or
24 other official document or proceeding to—

1 (1) the Director of the United States Informa-
2 tion Agency, the Director of the International Com-
3 munication Agency, or any other officer or employee
4 of the United States Information Agency shall be
5 deemed to refer to the Secretary of State; and

6 (2) the United States Information Agency,
7 USIA, or the International Communication Agency
8 shall be deemed to refer to the Department of State.

9 **SEC. 342. ABOLITION OF OFFICE OF INSPECTOR GENERAL**
10 **OF THE UNITED STATES INFORMATION**
11 **AGENCY AND TRANSFER OF FUNCTIONS TO**
12 **OFFICE OF INSPECTOR GENERAL OF THE DE-**
13 **PARTMENT OF STATE.**

14 (a) ABOLITION OF OFFICE OF INSPECTOR GENERAL
15 OF THE USIA.—

16 (1) The Office of Inspector General of the Unit-
17 ed States Information Agency is abolished.

18 (2) Section 11 of the Inspector General Act of
19 1978 (5 U.S.C. App.) is amended—

20 (A) in paragraph (1) by striking “, the Of-
21 fice of Personnel Management or the United
22 States Information Agency” and inserting “or
23 the Office of Personnel Management”; and

24 (B) in paragraph (2) by striking “the
25 United States Information Agency,”.

1 (3) Section 5315 of title 5, United States Code,
2 is amended by striking the following:

3 “Inspector General, United States Information
4 Agency.”.

5 (b) FUNCTIONS OF OFFICE OF INSPECTOR GENERAL
6 OF THE UNITED STATES INFORMATION AGENCY TRANS-
7 FERRED TO OFFICE OF INSPECTOR GENERAL OF THE DE-
8 PARTMENT OF STATE.—There are transferred to the Of-
9 fice of the Inspector General of the Department of State
10 the functions that the Office of Inspector General of the
11 United States Information Agency exercised before the ef-
12 fective date of this title (including all related functions of
13 the Inspector General of the United States Information
14 Agency).

15 (c) TRANSFER AND ALLOCATIONS OF APPROPRIA-
16 TIONS AND PERSONNEL.—The Director of the Office of
17 Management and Budget, in consultation with the Sec-
18 retary of State, is authorized to make such incidental dis-
19 positions of personnel, assets, liabilities, grants, contracts,
20 property, records, and unexpended balances of appropria-
21 tions, authorizations, allocations, and other funds held,
22 used, arising from, available to, or to be made available
23 in connection with such functions, as may be necessary
24 to carry out the provisions of this section.

1 **SEC. 343. AMENDMENTS TO TITLE 5.**

2 Title 5, United States Code, is amended—

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

5 (2) in section 5315, by striking “Deputy Direc-
6 tor of the United States Information Agency.”; and

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

11 **SEC. 344. AMENDMENTS TO UNITED STATES INFORMATION
12 AND EDUCATIONAL EXCHANGE ACT OF 1948.**

13 (a) IN GENERAL.—Except as otherwise provided in
14 this section, the United States Information and Edu-
15 cational Exchange Act of 1948 (22 U.S.C. 1431 et seq.)
16 is amended—

17 (1) by striking “United States Information
18 Agency” each place it appears and inserting “De-
19 partment of State”;

20 (2) by striking “Director of the United States
21 Information Agency” each place it appears and in-
22 serting “Secretary of State”;

23 (3) by striking “Director” each place it appears
24 and inserting “Secretary of State”;

25 (4) by striking “USIA” each place it appears
26 and inserting “Department of State”; and

1 (5) by striking “Agency” each place it appears
2 and inserting “Department of State”.

3 (b) SATELLITE AND TELEVISION BROADCASTS.—
4 Section 505 of the United States Information and Edu-
5 cational Exchange Act of 1948 (22 U.S.C. 1464a) is
6 amended—

7 (1) by striking “Director of the United States
8 Information Agency” each of the four places it ap-
9 pears and inserting “Secretary of State”;

10 (2) in subsection (b), by striking “To be effec-
11 tive, the United States Information Agency” and in-
12 serting “To be effective in carrying out this sub-
13 section, the Department of State”;

14 (3) by striking “USIA-TV” each place it ap-
15 pears and inserting “DEPARTMENT OF STATE-
16 TV”; and

17 (4) by striking subsection (e).

18 (c) UNITED STATES ADVISORY COMMISSION ON PUB-
19 LIC DIPLOMACY.—Section 604 of the United States Infor-
20 mation and Educational Exchange Act of 1948 (22 U.S.C.
21 1469) is amended—

22 (1) in subsection (c)(1)—

23 (A) by striking “the Director of the United
24 States Information Agency,”; and

1 (B) by striking “Director or the Agency,
2 and shall appraise the effectiveness of policies
3 and programs of the Agency” and inserting
4 “Secretary of State or the Department of State,
5 and shall appraise the effectiveness of the infor-
6 mation, educational, and cultural policies and
7 programs of the Department”;

8 (2) in subsection (c)(2)—

9 (A) in the first sentence by striking “the
10 Secretary of State, and the Director of the
11 United States Information Agency” and insert-
12 ing “and the Secretary of State”;

13 (B) in the second sentence by striking “by
14 the Agency” and inserting “by the Department
15 of State”; and

16 (C) by striking “Director for effectuating
17 the purposes of the Agency” and inserting
18 “Secretary for effectuating the information,
19 educational, and cultural functions of the De-
20 partment”;

21 (3) in subsection (c)(3), by striking “programs
22 conducted by the Agency” and inserting “informa-
23 tion, educational, and cultural programs conducted
24 by the Department of State”; and

1 (4) in subsection (c)(4), by striking “Director
2 of the United States Information Agency” and in-
3 serting “Secretary of State”.

4 **SEC. 345. AMENDMENTS TO THE MUTUAL EDUCATIONAL**
5 **AND CULTURAL EXCHANGE ACT OF 1961**
6 **(FULBRIGHT-HAYS ACT).**

7 (a) IN GENERAL.—The Mutual Educational and Cul-
8 tural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is
9 amended by striking “Director of the International Com-
10 munication Agency” and “Director” each place either
11 term appears and inserting “Secretary of State”.

12 (b) REPEAL OF DEFUNCT ADVISORY COMMIS-
13 SIONS.—Section 106 of such Act (22 U.S.C. 2456) is
14 amended by striking subsection (c).

15 (c) BUREAU OF EDUCATIONAL AND CULTURAL AF-
16 FAIRS.—Section 112 of the Mutual Educational and Cul-
17 tural Exchange Act of 1961 (22 U.S.C. 2460) is amend-
18 ed—

19 (1) by striking the first sentence of subsection

20 (a);

21 (2) by striking “Bureau” each place it appears
22 and inserting “Department of State”; and

23 (3) by striking subsection (e).

1 **SEC. 346. INTERNATIONAL BROADCASTING ACTIVITIES.**

2 (a) IN GENERAL.—Title III of the Foreign Relations
3 Authorization Act, Fiscal Years 1994 and 1995 (Public
4 Law 103–236) is amended—

5 (1) in section 305(b)(1), by striking “Agency’s”
6 and inserting “Department’s”;

7 (2) in section 306, by striking “, acting through
8 the Director of the United States Information Agen-
9 cy,” and inserting “, acting through the Under Sec-
10 retary of State for Public Diplomacy,”;

11 (3) by striking “Director of the United States
12 Information Agency” each place it appears and in-
13 serting “Secretary of State”;

14 (4) by striking all references to “United States
15 Information Agency” that were not stricken in para-
16 graph (3) and inserting “Department of State”;

17 (5) by striking “Bureau” each place it appears
18 and inserting “Office”; and

19 (6) in section 305(a)(1), by striking “title,” and
20 inserting “title (including activities of the Voice of
21 America previously carried out by the United States
22 Information Agency),”.

23 (b) CONFORMING AMENDMENT TO TITLE 5.—Sec-
24 tion 5315 of title 5, United States Code, is amended by
25 striking “Director of the International Broadcasting Bu-
26 reau, the United States Information Agency” and insert-

1 ing “Director of the International Broadcasting Office,
2 the Department of State”.

3 **SEC. 347. TELEVISION BROADCASTING TO CUBA.**

4 (a) **AUTHORITY.**—Section 243(a) of the Television
5 Broadcasting to Cuba Act (as contained in part D of title
6 II of Public Law 101–246) (22 U.S.C. 1465bb(a)) is
7 amended by striking “United States Information Agency
8 (hereafter in this part referred to as the ‘Agency’)” and
9 inserting “Department of State (hereafter in this part re-
10 ferred to as the ‘Department’)”.

11 (b) **TELEVISION MARTI SERVICE.**—Section 244 of
12 such Act (22 U.S.C. 1465cc) is amended—

13 (1) in subsection (a)—

14 (A) by amending the first sentence to read
15 as follows: “The Secretary of State shall admin-
16 ister within the Voice of America the Television
17 Marti Service.”; and

18 (B) in the third sentence, by striking “Di-
19 rector of the United States Information Agen-
20 cy” and inserting “Secretary of State”;

21 (2) in subsection (b)—

22 (A) in the subsection heading, by striking
23 “USIA” and inserting “DEPARTMENT OF
24 STATE”,

1 (B) by striking “Agency facilities” and in-
2 serting “Department facilities”; and

3 (C) by striking “United States Information
4 Agency Television Service” and inserting “De-
5 partment of State Television Service”; and

6 (3) in subsection (c)—

7 (A) by striking “USIA AUTHORITY.—The
8 Agency” and inserting “SECRETARY OF STATE
9 AUTHORITY.—The Secretary of State”; and

10 (B) by striking “Agency” the second place
11 it appears and inserting “Secretary of State”.

12 (c) ASSISTANCE FROM OTHER GOVERNMENT AGEN-
13 CIES.—Section 246 of such Act (22 U.S.C. 1465dd) is
14 amended—

15 (1) by striking “United States Information
16 Agency” and inserting “Department of State”; and

17 (2) by striking “the Agency” and inserting “the
18 Department”.

19 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
20 247(a) of such Act (22 U.S.C. 1465ee(a)) is repealed.

21 **SEC. 348. RADIO BROADCASTING TO CUBA.**

22 (a) FUNCTIONS OF THE DEPARTMENT OF STATE.—
23 Section 3 of the Radio Broadcasting to Cuba Act (22
24 U.S.C. 1465a) is amended—

1 (1) in the section heading, by striking “UNITED
2 STATES INFORMATION AGENCY” and inserting “DE-
3 PARTMENT OF STATE”;

4 (2) in subsection (a), by striking “United
5 States Information Agency (hereafter in this Act re-
6 ferred to as the ‘Agency’)” and inserting “Depart-
7 ment of State (hereafter in this Act referred to as
8 the ‘Department’)”; and

9 (3) in subsection (f), by striking “Director of
10 the United States Information Agency” and insert-
11 ing “Secretary of State”.

12 (b) CUBA SERVICE.—Section 4 of such Act (22
13 U.S.C. 1465b) is amended—

14 (1) by amending the first sentence to read as
15 follows: “The Secretary of State shall administer
16 within the Voice of America the Cuba Service (here-
17 after in this section referred to as the ‘Service’).”;
18 and

19 (2) in the third sentence, by striking “Director
20 of the United States Information Agency” and in-
21 serting “Secretary of State”.

22 (c) ASSISTANCE FROM OTHER GOVERNMENT AGEN-
23 CIES.—Section 6 of such Act (22 U.S.C. 1465d) is amend-
24 ed—

25 (1) in subsection (a)—

1 (A) by striking “United States Information
2 Agency” and inserting “Department of State”;
3 and

4 (B) by striking “the Agency” and inserting
5 “the Department”; and

6 (2) in subsection (b)—

7 (A) by striking “The Agency” and insert-
8 ing “The Department”; and

9 (B) by striking “the Agency” and inserting
10 “the Secretary of State”.

11 (d) FACILITY COMPENSATION.—Section 7 of such
12 Act (22 U.S.C. 1465e) is amended—

13 (1) in subsection (b), by striking “the Agency”
14 and inserting “the Department”; and

15 (2) in subsection (d), by striking “Agency” and
16 inserting “Department”.

17 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
18 8 of such Act (22 U.S.C. 1465f) is amended—

19 (1) by striking subsections (a) and (b) and in-
20 serting the following:

21 “(a) The amount obligated by the Department of
22 State each fiscal year to carry out this Act shall be suffi-
23 cient to maintain broadcasts to Cuba under this Act at
24 rates no less than the fiscal year 1985 level of obligations

1 by the former United States Information Agency for such
2 broadcasts.”; and

3 (2) by redesignating subsection (c) as sub-
4 section (b).

5 **SEC. 349. NATIONAL ENDOWMENT FOR DEMOCRACY.**

6 (a) GRANTS.—Section 503 of Public Law 98–164, as
7 amended (22 U.S.C. 4412) is amended—

8 (1) in subsection (a)—

9 (A) by striking “Director of the United
10 States Information Agency” and inserting “Sec-
11 retary of State”;

12 (B) by striking “the Agency” and inserting
13 “the Department of State”; and

14 (C) by striking “the Director” and insert-
15 ing “the Secretary of State”; and

16 (2) in subsection (b), by striking “United
17 States Information Agency” and inserting “Depart-
18 ment of State”.

19 (b) AUDITS.—Section 504(g) of such Act (22 U.S.C.
20 4413(g)) is amended by striking “United States Informa-
21 tion Agency” and inserting “Department of State”.

22 (c) FREEDOM OF INFORMATION.—Section 506 of
23 such Act (22 U.S.C. 4415) is amended—

24 (1) in subsection (b)—

1 (A) by striking “Director” each of the
2 three places it appears and inserting “Sec-
3 retary”; and

4 (B) by striking “of the United States In-
5 formation Agency” and inserting “of State”;
6 and

7 (2) in subsection (c)—

8 (A) in the subsection heading by striking
9 “USIA” and inserting “DEPARTMENT OF
10 STATE”;

11 (B) by striking “Director” each of the
12 three places it appears and inserting “Sec-
13 retary”;

14 (C) by striking “of the United States In-
15 formation Agency” and inserting “of State”;
16 and

17 (D) by striking “United States Informa-
18 tion Agency” and inserting “Department of
19 State”.

20 **SEC. 350. UNITED STATES SCHOLARSHIP PROGRAM FOR**
21 **DEVELOPING COUNTRIES.**

22 (a) PROGRAM AUTHORITY.—Section 603 of the For-
23 eign Relations Authorization Act, Fiscal Years 1986 and
24 1987 (22 U.S.C. 4703) is amended by striking “United

1 States Information Agency” and inserting “Department
2 of State”.

3 (b) GUIDELINES.—Section 604(11) of such Act (22
4 U.S.C. 4704(11)) is amended by striking “United States
5 Information Agency” and inserting “Department of
6 State”.

7 (c) POLICY REGARDING OTHER INTERNATIONAL
8 EDUCATIONAL PROGRAMS.—Section 606(b) of such Act
9 (22 U.S.C. 4706(b)) is amended—

10 (1) in the subsection heading, by striking
11 “USIA” and inserting “STATE DEPARTMENT”; and

12 (2) by striking “Director of United States In-
13 formation Agency” and inserting “Secretary of
14 State”.

15 (d) GENERAL AUTHORITIES.—Section 609(e) of such
16 Act (22 U.S.C. 4709(e)) is amended by striking “United
17 States Information Agency” and inserting “Department
18 of State”.

19 **SEC. 351. FASCELL FELLOWSHIP BOARD.**

20 Section 1003(b) of the Fascell Fellowship Act (22
21 U.S.C. 4902(b)) is amended—

22 (1) in the text above paragraph (1), by striking
23 “9 members” and inserting “8 members”;

24 (2) by striking paragraph (3); and

1 (3) by redesignating paragraph (4) as para-
2 graph (3).

3 **SEC. 352. NATIONAL SECURITY EDUCATION BOARD.**

4 Section 803 of the Intelligence Authorization Act,
5 Fiscal Year 1992 (50 U.S.C. 1903(b)) is amended—

6 (1) in subsection (b)—

7 (A) by striking paragraph (6); and

8 (B) by redesignating paragraphs (7) and
9 (8) as paragraphs (6) and (7); and

10 (2) in subsection (c), by striking “subsection
11 (b)(7)” and inserting “subsection (b)(6)”.

12 **SEC. 353. CENTER FOR CULTURAL AND TECHNICAL INTER-**
13 **CHANGE BETWEEN NORTH AND SOUTH.**

14 Section 208 of the Foreign Relations Authorization
15 Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075) is
16 amended by striking “Director of the United States Infor-
17 mation Agency” each place it appears and inserting “Sec-
18 retary of State”.

19 **SEC. 354. EAST-WEST CENTER.**

20 (a) DUTIES.—Section 703 of the Mutual Security Act
21 of 1960 (22 U.S.C. 2055) is amended—

22 (1) in the text above paragraph (1), by striking
23 “Director of the United States Information Agency
24 (hereinafter referred to as the ‘Director’)” and in-

1 serting “Secretary of State (hereinafter referred to
2 as the ‘Secretary’)”; and

3 (2) in paragraph (1), by striking “establishment
4 and”.

5 (b) ADMINISTRATION.—Section 704 of such Act (22
6 U.S.C. 2056) is amended—

7 (1) by striking “Director of the United States
8 Information Agency” and inserting “Secretary of
9 State”; and

10 (2) by striking “Director” each place it appears
11 and inserting “Secretary”.

12 **SEC. 355. MISSION OF THE DEPARTMENT OF STATE.**

13 Section 202 of the Foreign Relations Authorization
14 Act, Fiscal Year 1979 (22 U.S.C. 1461–1) is amended—

15 (1) in the first sentence, by striking “mission of
16 the International Communication Agency” and in-
17 serting “mission of the Department of State in car-
18 rying out its information, educational, and cultural
19 functions”;

20 (2) in the second sentence, in the text above
21 paragraph (1), by striking “International Commu-
22 nication Agency” and inserting “Department of
23 State”;

24 (3) in paragraph (1)(B), by striking “Agency”
25 and inserting “Department”; and

1 (4) in paragraph (5), by striking “mission of
2 the Agency” and inserting “mission described in this
3 section”.

4 **SEC. 356. CONSOLIDATION OF ADMINISTRATIVE SERVICES.**

5 Section 23(a) of the State Department Basic Au-
6 thorities Act of 1956 (22 U.S.C. 2695(a)) is amended—

7 (1) by striking “(including” and all that follows
8 through “Agency)”; and

9 (2) by striking “other such agencies” and in-
10 serting “other Federal agencies”.

11 **SEC. 357. GRANTS.**

12 Section 212 of the Foreign Relations Authorization
13 Act, Fiscal Years 1992 and 1993 (22 U.S.C. 1475h) is
14 amended—

15 (1) in subsection (a), by striking “United
16 States Information Agency” and inserting “Depart-
17 ment of State, in carrying out its international infor-
18 mation, educational, and cultural functions,”;

19 (2) in subsection (b), by striking “United
20 States Information Agency” and inserting “Depart-
21 ment of State”;

22 (3) in subsection (c)—

23 (A) in paragraph (1), by striking “United
24 States Information Agency shall substantially
25 comply with United States Information Agen-

1 cy” and inserting “Department of State, in car-
2 rying out its international information, edu-
3 cational, and cultural functions, shall substan-
4 tially comply with Department of State”; and

5 (B) in paragraphs (2) and (3)—

6 (i) by striking “United States Infor-
7 mation Agency” and inserting “Depart-
8 ment of State”; and

9 (ii) by striking “Agency” each of the
10 places it appears and inserting “Depart-
11 ment”; and

12 (4) by striking subsection (d).

13 **SEC. 358. BAN ON DOMESTIC ACTIVITIES.**

14 Section 208 of the Foreign Relations Authorization
15 Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461-1a)
16 is amended—

17 (1) by striking out “United States Information
18 Agency” each of the two places it appears and in-
19 serting “Department of State”; and

20 (2) by inserting “in carrying out its inter-
21 national information, educational, and cultural ac-
22 tivities” before “shall be distributed”.

1 **SEC. 359. CONFORMING REPEAL TO THE ARMS CONTROL**
2 **AND DISARMAMENT ACT.**

3 Section 34(b) of the Arms Control and Disarmament
4 Act (22 U.S.C. 2574(b)) is repealed.

5 **SEC. 360. REPEAL RELATING TO PROCUREMENT OF LEGAL**
6 **SERVICES.**

7 Section 26(b) of the State Department Basic Au-
8 thorities Act of 1956 (22 U.S.C. 2698(b)) is repealed.

9 **SEC. 361. REPEAL RELATING TO PAYMENT OF SUBSIST-**
10 **ENCE EXPENSES.**

11 Section 32 of the State Department Basic Authorities
12 Act of 1956 (22 U.S.C. 2704) is amended by striking the
13 second sentence.

14 **SEC. 362. CONFORMING AMENDMENT TO THE SEED ACT.**

15 Section 2(c) of the Support for East European De-
16 mocracy (SEED) Act of 1989 (22 U.S.C. 5401(c)) is
17 amended in paragraph (17) by striking “United States In-
18 formation Agency” and inserting “Department of State”.

19 **SEC. 363. INTERNATIONAL CULTURAL AND TRADE CENTER**
20 **COMMISSION.**

21 Section 7(c) of the Federal Triangle Development Act
22 (40 U.S.C. 1106(c)) is amended—

23 (1) in the text above subparagraph (A), by
24 striking “15 members” and inserting “14 mem-
25 bers”;

26 (2) by striking subparagraph (F); and

1 (3) by redesignating subparagraphs (G)
2 through (J) as subparagraphs (F) through (I),
3 respectively.

4 **SEC. 364. FOREIGN SERVICE ACT OF 1980.**

5 (a) OTHER AGENCIES UTILIZING SERVICE.—Section
6 202(a) of the Foreign Service Act of 1980 (22 U.S.C.
7 3922(a)) is amended by striking paragraph (1).

8 (b) BOARD OF THE FOREIGN SERVICE.—Section 210
9 of such Act (22 U.S.C. 3930) is amended by striking “the
10 United States Information Agency, the United States
11 International Development Cooperation Agency,”.

12 **SEC. 365. AU PAIR PROGRAMS.**

13 Section 8 of the Eisenhower Exchange Fellowship
14 Act of 1990 (Public Law 101–454) is amended by striking
15 “Director of the United States Information Agency” and
16 inserting “Secretary of State”.

17 **SEC. 366. EXCHANGE PROGRAM WITH COUNTRIES IN TRAN-**

18 **SITION FROM TOTALITARIANISM TO DEMOC-**

19 **RACY.**

20 Section 602 of the National and Community Service
21 Act of 1990 (22 U.S.C. 2452a) is amended—

22 (1) in the second sentence of subsection (a), by
23 striking “United States Information Agency” and
24 inserting “Department of State”; and

25 (2) in subsection (b)—

1 (A) by striking “appropriations account of
2 the United States Information Agency” and in-
3 serting “appropriate appropriations account of
4 the Department of State”; and

5 (B) by striking “and the United States In-
6 formation Agency”.

7 **SEC. 367. EDMUND S. MUSKIE FELLOWSHIP PROGRAM.**

8 Section 227 of the Foreign Relations Authorization
9 Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note)
10 is amended—

11 (1) by striking “United States Information
12 Agency” and inserting “Department of State”; and

13 (2) by striking subsection (d).

14 **SEC. 368. IMPLEMENTATION OF CONVENTION ON CUL-**
15 **TURAL PROPERTY.**

16 Title III of the Convention on Cultural Property Im-
17 plementation Act (19 U.S.C. 2601 et seq.) is amended by
18 striking “Director of the United States Information Agen-
19 cy” each place it appears and inserting “Secretary of
20 State”.

21 **SEC. 369. MIKE MANSFIELD FELLOWSHIPS.**

22 Section 252(a) of the Foreign Relations Authoriza-
23 tion Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6101(a))
24 is amended by striking “Director of the United States In-
25 formation Agency” and inserting “Secretary of State”.

1 **TITLE IV—AGENCY FOR**
2 **INTERNATIONAL DEVELOPMENT**
3 **CHAPTER 1—GENERAL PROVISIONS**

4 **SEC. 401. EFFECTIVE DATE.**

5 (a) IN GENERAL.—Except as provided in subsection
6 (b), this title, and the amendments made by this title, shall
7 take effect—

8 (1) on March 1, 1997; or

9 (2) on such earlier date as the President shall
10 determine to be appropriate and announce by notice
11 published in the Federal Register, which date may
12 be not earlier than 60 calendar days (excluding any
13 day on which either House of Congress is not in ses-
14 sion because of an adjournment sine die) after the
15 President has submitted a reorganization plan to the
16 appropriate congressional committees pursuant to
17 section 421.

18 (b) REORGANIZATION PLAN.—Section 421 shall take
19 effect on the date of enactment of this Act.

20 **SEC. 402. REFERENCES IN TITLE.**

21 Except as specifically provided in this title, whenever
22 in this title an amendment or repeal is expressed in terms
23 of an amendment to, or repeal of, a provision, the ref-
24 erence shall be considered to be made to a provision of
25 the Foreign Assistance Act of 1961.

1 **CHAPTER 2—ABOLITION OF THE AGENCY**
2 **FOR INTERNATIONAL DEVELOPMENT**
3 **AND TRANSFER OF FUNCTIONS TO**
4 **SECRETARY OF STATE**

5 **SEC. 411. ABOLITION OF AGENCY FOR INTERNATIONAL DE-**
6 **VELOPMENT AND THE INTERNATIONAL DE-**
7 **VELOPMENT COOPERATION AGENCY.**

8 The Agency for International Development and the
9 International Development Cooperation Agency are abol-
10 ished.

11 **SEC. 412. TRANSFER OF FUNCTIONS TO SECRETARY OF**
12 **STATE.**

13 There are transferred to the Secretary of State all
14 functions of the Administrator of the Agency for Inter-
15 national Development and the Director of the Inter-
16 national Development Cooperation Agency and all func-
17 tions of the Agency for International Development and the
18 International Development Cooperation Agency and any
19 officer or component of such agencies under any statute,
20 reorganization plan, Executive order, or other provision of
21 law before the effective date of this title, except as other-
22 wise provided in this title.

1 **CHAPTER 3—REORGANIZATION OF DE-**
2 **PARTMENT OF STATE RELATING TO**
3 **FUNCTIONS TRANSFERRED UNDER**
4 **THIS TITLE**

5 **SEC. 421. REORGANIZATION PLAN.**

6 (a) SUBMISSION OF PLAN.—Not later than March 1,
7 1996, the President, in consultation with the Secretary
8 and the Administrator of the Agency for International De-
9 velopment, shall transmit to the appropriate congressional
10 committees a reorganization plan providing for—

11 (1) the abolition of the Agency for International
12 Development in accordance with this title;

13 (2) the transfer to the Department of State of
14 the functions and personnel of the Agency for Inter-
15 national Development consistent with the provisions
16 of this title; and

17 (3) the consolidation, reorganization, and
18 streamlining of the Department upon the transfer of
19 functions under this title in order to carry out such
20 functions.

21 (b) PLAN ELEMENTS.—The plan under subsection
22 (a) shall—

23 (1) identify the functions of the Agency for
24 International Development that will be transferred
25 to the Department under the plan;

1 (2) identify the personnel and positions of the
2 Agency (including civil service personnel, Foreign
3 Service personnel, and detailees) that will be trans-
4 ferred to the Department, separated from service
5 with the Agency, or be eliminated under the plan,
6 and set forth a schedule for such transfers, separa-
7 tions, and terminations;

8 (3) identify the personnel and positions of the
9 Department (including civil service personnel, For-
10 eign Service personnel, and detailees) that will be
11 transferred within the Department, separated from
12 service with the Department, or eliminated under
13 the plan, and set forth a schedule for such transfers,
14 separations, and terminations;

15 (4) specify the consolidations and reorganiza-
16 tion of functions of the Department that will be re-
17 quired under the plan in order to permit the Depart-
18 ment to carry out the functions transferred to the
19 Department under the plan;

20 (5) specify the funds available to the Agency for
21 International Development that will be transferred
22 to the Department under this title as a result of the
23 transfer of functions of the Agency to the Depart-
24 ment;

1 (6) specify the proposed allocations within the
2 Department of unexpended funds transferred in con-
3 nection with the transfer of functions under the
4 plan; and

5 (7) specify the proposed disposition of the prop-
6 erty, facilities, contracts, records, and other assets
7 and liabilities of the Agency in connection with the
8 transfer of the functions of the Agency to the De-
9 partment.

10 (c) ASSISTANT SECRETARY POSITIONS.—The plan
11 under subsection (a) shall provide for an appropriate num-
12 ber of Assistant Secretaries of State to carry out the func-
13 tions transferred to the Department under this title.

14 **SEC. 422. PRINCIPAL OFFICERS.**

15 (a) UNDER SECRETARY OF STATE FOR DEVELOP-
16 MENT, TRADE PROMOTION, AND ECONOMIC AFFAIRS.—

17 (1) ESTABLISHMENT.—Section 1(b) of the
18 State Department Basic Authorities Act of 1956 (22
19 U.S.C. 2651a(b)) is amended by adding after para-
20 graph (3) the following new paragraph:

21 “(4) UNDER SECRETARY FOR DEVELOPMENT,
22 TRADE PROMOTION, AND ECONOMIC AFFAIRS.—
23 There shall be in the Department of State an Under
24 Secretary for Development, Trade Promotion, and
25 Economic Affairs who shall assist the Secretary and

1 the Deputy Secretary in the formation and imple-
2 mentation of United States policies and activities
3 concerning international development, trade pro-
4 motion, and economic affairs.”.

5 (b) TRANSITION PROVISION.—The President may ap-
6 point the individual serving as Administrator of the Agen-
7 cy for International Development on the day before the
8 effective date of this title, or such other official appointed
9 by and with the advice and consent of the Senate and serv-
10 ing within the Department of State or the Agency for
11 International Development as the President considers ap-
12 propriate, to serve as the acting Under Secretary for De-
13 velopment, Trade Promotion, and Economic Affairs until
14 an individual is appointed to that office in accordance with
15 section 1(b)(1) of the State Department Basic Authorities
16 Act of 1956, as amended by this Act.

17 **SEC. 423. INTERNATIONAL DEVELOPMENT FOUNDATION.**

18 (a) ESTABLISHMENT.—There shall be within the De-
19 partment of State an International Development Founda-
20 tion (hereafter in this title referred to as the “Founda-
21 tion”).

22 (b) PRESIDENT AND CHIEF EXECUTIVE OFFICER.—
23 The Foundation shall be headed by the Under Secretary
24 of State for Development, Trade Promotion, and Eco-
25 nomic Affairs, who shall be the President and Chief Exec-

1 utive Officer of the Foundation. The President and Chief
2 Executive Officer shall be responsible, and shall report,
3 directly to the Secretary.

4 (c) FUNCTIONS.—All development functions under
5 the Foreign Assistance Act of 1961 of the Department
6 of State shall be carried out through the Foundation.

7 (d) CONDUCT OF DEVELOPMENT PROJECTS.—Under
8 the direction of the Secretary, the President and Chief Ex-
9 ecutive Officer of the Foundation shall consult with the
10 appropriate Assistant Secretaries of State concerning all
11 development projects of the Foundation. A development
12 project of the Foundation may be carried out only with
13 the approval of the appropriate Assistant Secretary of
14 State with regional responsibility for any country involved
15 with the project.

16 **CHAPTER 4—CONFORMING AMENDMENTS**

17 **SEC. 441. REFERENCES.**

18 Any reference in any statute, reorganization plan,
19 Executive order, regulation, agreement, determination, or
20 other official document or proceeding to—

21 (1) the Administrator of the Agency for Inter-
22 national Development, or any other officer or em-
23 ployee of the Agency for International Development
24 shall be deemed to refer to the Secretary of State;

1 (2) the Director or any other officer or em-
2 ployee of the International Development Cooperation
3 Agency (IDCA) shall be deemed to refer to the Sec-
4 retary of State; or

5 (3) the Agency for International Development,
6 AID, the agency primarily responsible for admin-
7 istering part I of the Foreign Assistance Act of
8 1961, or the International Development Cooperation
9 Agency (IDCA) shall be deemed to refer to the De-
10 partment of State.

11 **SEC. 442. ABOLITION OF OFFICE OF INSPECTOR GENERAL**
12 **OF THE AGENCY FOR INTERNATIONAL DE-**
13 **VELOPMENT AND TRANSFER OF FUNCTIONS**
14 **TO OFFICE OF INSPECTOR GENERAL OF THE**
15 **DEPARTMENT OF STATE.**

16 (a) ABOLITION OF OFFICE OF INSPECTOR GENERAL
17 OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT.—
18 The Office of Inspector General of the Agency for Inter-
19 national Development is abolished.

20 (b) AMENDMENTS TO THE INSPECTOR GENERAL ACT
21 OF 1978.—The Inspector General Act of 1978 (5 U.S.C.
22 App.) is amended as follows:

23 (1) Section 8A is repealed.

1 (2) Section 11(1) is amended by striking “the
2 Administrator of the Agency for International Devel-
3 opment,”.

4 (3) Section 11(2) is amended by striking “the
5 Agency for International Development,”.

6 (c) AMENDMENTS TO TITLE 5, UNITED STATES
7 CODE.—Section 5315 of title 5, United States Code, is
8 amended by striking the following: “Inspector General,
9 Agency for International Development.”.

10 (d) FUNCTIONS OF OFFICE OF INSPECTOR GENERAL
11 OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT
12 TRANSFERRED TO OFFICE OF INSPECTOR GENERAL OF
13 THE DEPARTMENT OF STATE.—There are transferred to
14 the Office of Inspector General of the Department of State
15 the functions that the Office of Inspector General of the
16 Agency for International Development exercised before the
17 effective date of this title (including all related functions
18 of the Inspector General of the Agency for International
19 Development).

20 (e) TRANSFER AND ALLOCATIONS OF APPROPRIA-
21 TIONS AND PERSONNEL.—The Inspector General of the
22 Department of State, is authorized to make such inciden-
23 tal dispositions of personnel, assets, liabilities, grants, con-
24 tracts, property, records, and unexpended balances of ap-
25 propriations, authorizations, allocations, and other funds

1 held, used, arising from, available to, or to be made avail-
2 able in connection with such functions, as may be nec-
3 essary to carry out the provisions of this section.

4 **SEC. 443. ABOLITION OF CHIEF FINANCIAL OFFICER OF**
5 **THE AGENCY FOR INTERNATIONAL DEVELOP-**
6 **MENT AND TRANSFER OF FUNCTIONS TO**
7 **CHIEF FINANCIAL OFFICER DEPARTMENT OF**
8 **STATE.**

9 (a) ABOLITION OF OFFICE OF CHIEF FINANCIAL OF-
10 FICER OF THE AGENCY FOR INTERNATIONAL DEVELOP-
11 MENT.—The Office of Chief Financial Officer of the Agen-
12 cy for International Development is abolished.

13 (b) AMENDMENT TO TITLE 31, UNITED STATES
14 CODE.—Section 901(b)(2) of title 31, United States Code,
15 is amended by striking subparagraph (A).

16 (c) FUNCTIONS OF OFFICE OF CHIEF FINANCIAL
17 OFFICER OF THE AGENCY FOR INTERNATIONAL DEVEL-
18 OPMENT TRANSFERRED TO OFFICE OF CHIEF FINANCIAL
19 OFFICER OF THE DEPARTMENT OF STATE.—There are
20 transferred to the Office of Chief Financial Officer of the
21 Department of State the functions that the Office of Chief
22 Financial Officer of the Agency for International Develop-
23 ment exercised before the effective date of this title (in-
24 cluding all related functions of the Chief Financial Officer
25 of the Agency for International Development).

1 (d) TRANSFER AND ALLOCATIONS OF APPROPRIA-
2 TIONS AND PERSONNEL.—The Director of the Office of
3 Management and Budget, in consultation with the Sec-
4 retary of State, is authorized to make such incidental dis-
5 positions of personnel, assets, liabilities, grants, contracts,
6 property, records, and unexpended balances of appropria-
7 tions, authorizations, allocations, and other funds held,
8 used, arising from, available to, or to be made available
9 in connection with such functions, as may be necessary
10 to carry out the provisions of this section.

11 **SEC. 444. AMENDMENTS TO TITLE 5, UNITED STATES CODE.**

12 Title 5, United States Code, is amended—

13 (1) in section 5313, by striking “Administrator,
14 Agency for International Development.”;

15 (2) in section 5314, by striking “Deputy Ad-
16 ministrator, Agency for International Develop-
17 ment.”;

18 (3) in section 5315—

19 (A) by striking “Assistant Administrators,
20 Agency for International Development (6).”;
21 and

22 (B) by striking “Regional Assistant Ad-
23 ministrators, Agency for International Develop-
24 ment (4).”; and

1 (4) in section 5316 by striking “General Coun-
2 sel of the Agency for International Development.”.

3 **SEC. 445. PUBLIC LAW 480 PROGRAM.**

4 The Agricultural Trade Development and Assistance
5 Act of 1954 (Public Law 83–480; 7 U.S.C. 1691 et seq.)
6 is amended by striking “Administrator” each place it ap-
7 pears and inserting “Secretary of State”.

8 **TITLE V—TRANSITION**

9 **SEC. 501. REORGANIZATION AUTHORITY.**

10 (a) IN GENERAL.—The Secretary is authorized, sub-
11 ject to the requirements of this division, to allocate or re-
12 allocate any function transferred to the Department under
13 any title of this division among the officers of the Depart-
14 ment, and to establish, consolidate, alter, or discontinue
15 such organizational entities within the Department as may
16 be necessary or appropriate to carry out any reorganiza-
17 tion under this division, but the authority of the Secretary
18 under this section does not extend to—

19 (1) the abolition of organizational entities or of-
20 ficers established by this Act or any other Act; or

21 (2) the alteration of the delegation of functions
22 to any specific organizational entity or officer re-
23 quired by this Act or any other Act.

1 (b) REQUIREMENTS AND LIMITATIONS ON REORGA-
2 NIZATION PLANS.—A reorganization plan pursuant to any
3 title of this division may not have the effect of—

4 (1) creating a new executive department;

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

9 (3) authorizing an agency to exercise a function
10 which is not authorized by law at the time the plan
11 is transmitted to Congress;

12 (4) creating a new agency which is not a com-
13 ponent or part of an existing executive department
14 or independent agency; or

15 (5) increasing the term of an office beyond that
16 provided by law for the office.

17 **SEC. 502. TRANSFER AND ALLOCATION OF APPROPRIA-**
18 **TIONS AND PERSONNEL.**

19 (a) IN GENERAL.—Except as otherwise provided in
20 this Act, the personnel employed in connection with, and
21 the assets, liabilities, contracts, property, records, and un-
22 expended balance of appropriations, authorizations, alloca-
23 tions, and other funds employed, held, used, arising from,
24 available to, or to be made available in connection with
25 the functions and offices, or portions thereof transferred

1 by any title of this division, subject to section 1531 of title
2 31, United States Code, shall be transferred to the Sec-
3 retary for appropriate allocation.

4 (b) LIMITATION ON USE OF TRANSFERRED
5 FUNDS.—Unexpended and unobligated funds transferred
6 pursuant to any title of this division shall be used only
7 for the purposes for which the funds were originally au-
8 thorized and appropriated.

9 (c) AUTHORIZED STRENGTH OF THE FOREIGN SERV-
10 ICE.—When an agency is abolished under this division, the
11 limitations for fiscal years 1996 and 1997 under section
12 2351 of this Act on the members of the Foreign Service
13 authorized to be employed by such agency shall be added
14 to the limitations under such section which apply to the
15 Department of State.

16 **SEC. 503. INCIDENTAL TRANSFERS.**

17 The Director of the Office of Management and Budg-
18 et, in consultation with the Secretary of State, is author-
19 ized to make such incidental dispositions of personnel, as-
20 sets, liabilities, grants, contracts, property, records, and
21 unexpended balances of appropriations, authorizations, al-
22 locations, and other funds held, used, arising from, avail-
23 able to, or to be made available in connection with such
24 functions, as may be necessary to carry out the provisions
25 of any title of this division. The Director of the Office of

1 Management and Budget, in consultation with the Sec-
2 retary of State, shall provide for the termination of the
3 affairs of all entities terminated by this division and for
4 such further measures and dispositions as may be nec-
5 essary to effectuate the purposes of any title of this divi-
6 sion.

7 **SEC. 504. EFFECT ON PERSONNEL.**

8 (a) EXECUTIVE SCHEDULE POSITIONS.—Except as
9 otherwise provided in this division, any person who, on the
10 day preceding the date of the abolition of an agency the
11 functions of which are transferred under any title of this
12 division, held a position compensated in accordance with
13 the Executive Schedule prescribed in chapter 53 of title
14 5, United States Code, and who, without a break in serv-
15 ice, is appointed in the Department to a position having
16 duties comparable to the duties performed immediately
17 preceding such appointment shall continue to be com-
18 pensated in such new position at not less than the rate
19 provided for such previous position, for the duration of
20 the service of such person in such new position.

21 (b) TERMINATION OF CERTAIN POSITIONS.—Posi-
22 tions whose incumbents are appointed by the President,
23 by and with the advice and consent of the Senate, the
24 functions of which are transferred by any title of this divi-
25 sion, shall terminate on the effective date of that title.

1 (c) EXCEPTED SERVICE.—(1) Subject to paragraph
2 (2), in the case of employees occupying positions in the
3 excepted service or the Senior Executive Service, any ap-
4 pointment authority established pursuant to law or regula-
5 tions of the Office of Personnel Management for filling
6 such positions shall be transferred.

7 (2) The Department of State may decline a transfer
8 of authority under paragraph (1) (and the employees ap-
9 pointed pursuant thereto) to the extent that such author-
10 ity relates to positions excepted from the competitive serv-
11 ice because of their confidential, policy-making, policy-de-
12 termining, or policy-advocating character, and noncareer
13 positions in the Senior Executive Service (within the
14 meaning of section 3132(a)(7) of title 5, United States
15 Code).

16 (d) EMPLOYEE BENEFIT PROGRAMS.—(1) Any em-
17 ployee accepting employment with the Department of
18 State as a result of a transfer pursuant to any title of
19 this division may retain for 1 year after the date such
20 transfer occurs membership in any employee benefit pro-
21 gram of the former agency, including insurance, to which
22 such employee belongs on the date of the enactment of
23 this Act if—

24 (A) the employee does not elect to give up the
25 benefit or membership in the program; and

1 (B) the benefit or program is continued by the
2 Secretary of State.

3 (2) The difference in the costs between the benefits
4 which would have been provided by such agency or entity
5 and those provided by this section shall be paid by the
6 Secretary of State. If any employee elects to give up mem-
7 bership in a health insurance program or the health insur-
8 ance program is not continued by the Secretary of State,
9 the employee shall be permitted to select an alternate Fed-
10 eral health insurance program within 30 days of such elec-
11 tion or notice, without regard to any other regularly sched-
12 uled open season.

13 (e) SENIOR EXECUTIVE SERVICE.—Any employee in
14 the career Senior Executive Service who is transferred
15 pursuant to any title of this division shall be placed in
16 a position at the Department of State which is comparable
17 to the position the employee held in the agency.

18 (f) ASSIGNMENTS.—(1) Transferring employees shall
19 be provided reasonable notice of new positions and assign-
20 ments prior to their transfer pursuant to any title of this
21 division.

22 (2) Foreign Service personnel transferred to the De-
23 partment of State pursuant to any title of this division
24 shall be eligible for any assignment open to Foreign Serv-

1 ice personnel within the Department for which such trans-
2 ferred personnel are qualified.

3 (g) TREATMENT OF PERSONNEL EMPLOYED IN TER-
4 MINATED FUNCTIONS.—The provisions of this subsection
5 shall apply with respect to officers and employees of the
6 agencies identified in section 505(b) whose employment is
7 terminated as a result of the abolition of the agency or
8 the reorganization and consolidation of functions of the
9 Department of State under any title of this division:

10 (1) Under such regulations as the Office of Per-
11 sonnel Management may prescribe, the head of any
12 agency in the executive branch may appoint in the
13 competitive service any person who is certified by
14 the head of the former agency as having served sat-
15 isfactorily in the former agency and who passes such
16 examination as the Office of Personnel Management
17 may prescribe. Any person so appointed shall, upon
18 completion of the prescribed probationary period, ac-
19 quire a competitive status.

20 (2) The head of any agency in the executive
21 branch having an established merit system in the ex-
22 cepted service may appoint in such service any per-
23 son who is certified by the head of the former agen-
24 cy as having served satisfactorily in the former agen-

1 cy and who passes such examination as the head of
2 such agency in the executive branch may prescribe.

3 (3) Any appointment under this subsection
4 shall be made within a period of one year after com-
5 pletion of the appointee's service in the former agen-
6 cy.

7 (4) Any law, Executive order, or regulation
8 which would disqualify an applicant for appointment
9 in the competitive service or in the excepted service
10 concerned shall also disqualify an applicant for ap-
11 pointment under this subsection.

12 **SEC. 505. VOLUNTARY SEPARATION INCENTIVES.**

13 (a) **AUTHORITY TO PAY INCENTIVES.**—The head of
14 an agency referred to in subsection (b) may pay voluntary
15 incentive payments to employees of the agency in order
16 to avoid or minimize the need for involuntary separations
17 from the agency as a result of the abolition of the agency
18 and the reorganization and consolidation of functions of
19 the Department of State under any title of this division.

20 (b) **COVERED AGENCIES.**—Subsection (a) applies to
21 the following agencies:

22 (1) The Department of State.

23 (2) The United States Arms Control and Disar-
24 mament Agency.

25 (3) The United States Information Agency.

1 (4) The Agency for International Development.

2 (c) PAYMENT REQUIREMENTS.—The head of an
3 agency shall pay voluntary separation incentive payments
4 in accordance with the provisions of section 3 of the Fed-
5 eral Workforce Restructuring Act of 1994 (Public Law
6 103–226; 108 Stat. 111), except that an employee of the
7 agency shall be deemed to be eligible for payment of a
8 voluntary separation incentive payment under that section
9 if the employee separates from service with the agency
10 during the period beginning on the date of enactment of
11 this Act and ending—

12 (1) in the case of an agency referred to in para-
13 graph (2), (3), or (4) of subsection (b), on the date
14 of the abolition of that agency under this division;
15 and

16 (2) in the case of the Department of State, on
17 March 1, 1997.

18 (d) TERMINATION OF AUTHORITY.—The authority of
19 the head of an agency to authorize payment of voluntary
20 separation incentive payments under this section shall ex-
21 pire on—

22 (1) in the case of an agency referred to in para-
23 graph (2), (3), or (4) of subsection (b), on the date
24 of the abolition of that agency under this division;
25 and

1 (3) in the case of the Department of State,
2 March 1, 1997.

3 (e) BUDGET ACT COMPLIANCE.—Any new spending
4 authority (within the meaning of section 401 of the Con-
5 gressional Budget Act of 1974) which is provided under
6 this section shall be effective for any fiscal year only to
7 the extent or in such amounts as are provided in advance
8 in appropriations Acts.

9 **SEC. 506. SAVINGS PROVISIONS.**

10 (a) CONTINUING LEGAL FORCE AND EFFECT.—All
11 orders, determinations, rules, regulations, permits, agree-
12 ments, grants, contracts, certificates, licenses, registra-
13 tions, privileges, and other administrative actions—

14 (1) that have been issued, made, granted, or al-
15 lowed to become effective by the President, any Fed-
16 eral agency or official thereof, or by a court of com-
17 petent jurisdiction, in the performance of functions
18 that are transferred under any title of this division;
19 and

20 (2) that are in effect at the time such title
21 takes effect, or were final before the effective date
22 of such title and are to become effective on or after
23 the effective date of such title,
24 shall continue in effect according to their terms until
25 modified, terminated, superseded, set aside, or revoked in

1 accordance with law by the President, the Secretary, or
2 other authorized official, a court of competent jurisdiction,
3 or by operation of law.

4 (b) PENDING PROCEEDINGS.—(1) The provisions of
5 any title of this division shall not affect any proceedings,
6 including notices of proposed rulemaking, or any applica-
7 tion for any license, permit, certificate, or financial assist-
8 ance pending on the effective date of any title of this divi-
9 sion before any department, agency, commission, or com-
10 ponent thereof, functions of which are transferred by any
11 title of this division. Such proceedings and applications,
12 to the extent that they relate to functions so transferred,
13 shall be continued.

14 (2) Orders shall be issued in such proceedings, ap-
15 peals shall be taken therefrom, and payments shall be
16 made pursuant to such orders, as if this Act had not been
17 enacted. Orders issued in any such proceedings shall con-
18 tinue in effect until modified, terminated, superseded, or
19 revoked by the Secretary, by a court of competent jurisdic-
20 tion, or by operation of law.

21 (3) Nothing in this Act shall be deemed to prohibit
22 the discontinuance or modification of any such proceeding
23 under the same terms and conditions and to the same ex-
24 tent that such proceeding could have been discontinued
25 or modified if this Act had not been enacted.

1 (4) The Secretary is authorized to promulgate regula-
2 tions providing for the orderly transfer of proceedings con-
3 tinued under this subsection to the Department.

4 (c) NO EFFECT ON JUDICIAL PROCEEDINGS.—Ex-
5 cept as provided in subsection (e)—

6 (1) the provisions of this Act shall not affect
7 suits commenced prior to the effective date of this
8 Act, and

9 (2) in all such suits, proceedings shall be had,
10 appeals taken, and judgments rendered in the same
11 manner and effect as if this Act had not been en-
12 acted.

13 (d) NON-ABATEMENT OF PROCEEDINGS.—No suit,
14 action, or other proceeding commenced by or against any
15 officer in the official capacity of such individual as an offi-
16 cer of any department or agency, functions of which are
17 transferred by any title of this division, shall abate by rea-
18 son of the enactment of this Act. No cause of action by
19 or against any department or agency, functions of which
20 are transferred by any title of this division, or by or
21 against any officer thereof in the official capacity of such
22 officer shall abate by reason of the enactment of this Act.

23 (e) CONTINUATION OF PROCEEDING WITH SUBSTI-
24 TUTION OF PARTIES.—If, before the date on which any
25 title of this division takes effect, any department or agen-

1 cy, or officer thereof in the official capacity of such officer,
2 is a party to a suit, and under this Act any function of
3 such department, agency, or officer is transferred to the
4 Secretary or any other official of the Department, then
5 such suit shall be continued with the Secretary or other
6 appropriate official of the Department substituted or
7 added as a party.

8 (f) REVIEWABILITY OF ORDERS AND ACTIONS
9 UNDER TRANSFERRED FUNCTIONS.—Orders and actions
10 of the Secretary in the exercise of functions transferred
11 under any title of this division shall be subject to judicial
12 review to the same extent and in the same manner as if
13 such orders and actions had been by the agency or office,
14 or part thereof, exercising such functions immediately pre-
15 ceding their transfer. Any statutory requirements relating
16 to notice, hearings, action upon the record, or administra-
17 tive review that apply to any function transferred by any
18 title of this division shall apply to the exercise of such
19 function by the Secretary.

20 **SEC. 507. PROPERTY AND FACILITIES.**

21 The Secretary of State shall review the property and
22 facilities transferred to the Department under this division
23 to determine whether such property and facilities are re-
24 quired by the Department.

1 **SEC. 508. AUTHORITY OF SECRETARY TO FACILITATE**
2 **TRANSITION.**

3 Prior to, or after, any transfer of a function under
4 any title of this division, the Secretary is authorized to
5 utilize—

6 (1) the services of such officers, employees, and
7 other personnel of an agency with respect to func-
8 tions that will be or have been transferred to the De-
9 partment by any title of this division; and

10 (2) funds appropriated to such functions for
11 such period of time as may reasonably be needed to
12 facilitate the orderly implementation of any title of
13 this division.

14 **SEC. 509. RECOMMENDATIONS FOR ADDITIONAL CON-**
15 **FORMING AMENDMENTS.**

16 The Congress urges the President, in consultation
17 with the Secretary of State and the heads of other appro-
18 priate agencies, to develop and submit to the Congress rec-
19 ommendations for such additional technical and conform-
20 ing amendments to the laws of the United States as may
21 be appropriate to reflect the changes made by this divi-
22 sion.

23 **SEC. 510. FINAL REPORT.**

24 Not later than October 1, 1998, the President, in
25 consultation with the Secretary of the Treasury and the
26 Director of the Office of Management and Budget shall

1 submit to the appropriate congressional committees a re-
2 port which provides a final accounting of the finances and
3 operations of the United States Arms Control and Disar-
4 mament Agency, the United States Information Agency,
5 and the Agency for International Development.

6 **SEC. 511. SEVERABILITY.**

7 If a provision of this division or its application to any
8 person or circumstance is held invalid, neither the remain-
9 der of this division nor the application of the provision
10 to other persons or circumstances shall be affected.

11 **DIVISION B—FOREIGN**
12 **RELATIONS AUTHORIZATIONS**
13 **TITLE XX—GENERAL**
14 **PROVISIONS**

15 **SEC. 2001. SHORT TITLE.**

16 This division may be cited as the “Foreign Relations
17 Authorization Act, Fiscal Years 1996 and 1997”.

18 **SEC. 2002. DEFINITIONS.**

19 The following terms have the following meaning for
20 the purposes of this division:

21 (1) The term “AID” means the Agency for
22 International Development.

23 (2) The term “ACDA” means the United
24 States Arms Control and Disarmament Agency.

1 (3) The term “appropriate congressional com-
2 mittees” means the Committee on International Re-
3 lations of the House of Representatives and the
4 Committee of Foreign Relations of the Senate.

5 (4) The term “Department” means the Depart-
6 ment of State.

7 (5) The term “Federal agency” has the mean-
8 ing given to the term “agency” by section 551(1) of
9 title 5, United States Code.

10 (6) The term “function” means any duty, obli-
11 gation, power, authority, responsibility, right, privi-
12 lege, activity, or program.

13 (7) The term “office” includes any office, ad-
14 ministration, agency, institute, unit, organizational
15 entity, or component thereof.

16 (8) The term “Secretary” means the Secretary
17 of State.

18 (9) The term “USIA” means the United States
19 Information Agency.

1 **TITLE XXI—AUTHORIZATION OF**
2 **APPROPRIATIONS FOR DE-**
3 **PARTMENT OF STATE AND**
4 **CERTAIN INTERNATIONAL AF-**
5 **FAIRS FUNCTIONS AND AC-**
6 **TIVITIES**

7 **CHAPTER 1—AUTHORIZATIONS OF**
8 **APPROPRIATIONS**

9 **SEC. 2101. ADMINISTRATION OF FOREIGN AFFAIRS.**

10 (a) AUTHORIZATION OF APPROPRIATIONS.—The fol-
11 lowing amounts are authorized to be appropriated for the
12 Department of State under “Administration of Foreign
13 Affairs” to carry out the authorities, functions, duties, and
14 responsibilities in the conduct of the foreign affairs of the
15 United States and for other purposes authorized by law,
16 including the diplomatic security program:

17 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—

18 (A) AUTHORIZATION OF APPROPRIA-
19 TIONS.—For “Diplomatic and Consular Pro-
20 grams”, of the Department of State
21 \$1,728,797,000 for the fiscal year 1996 and
22 \$1,676,903,000 for the fiscal year 1997.

23 (B) LIMITATION.—Of the amounts author-
24 ized to be appropriated by subparagraph (A),
25 \$5,000,000 for fiscal year 1996 and \$5,000,000

1 for fiscal year 1997 are authorized to be appro-
2 priated only for the purpose of processing immi-
3 grant visas for persons who are outside their
4 countries of nationality, have asserted a fear of
5 returning to their countries of nationality and a
6 credible basis for such fear, and for whom im-
7 migrant visas are currently available.

8 (2) SALARIES AND EXPENSES.—

9 (A) AUTHORIZATION OF APPROPRIA-
10 TIONS.—For “Salaries and Expenses”, of the
11 Department of State \$366,276,000 for the fis-
12 cal year 1996 and \$355,287,000 for the fiscal
13 year 1997.

14 (B) LIMITATION.—Of the amounts author-
15 ized to be appropriated by subparagraph (A),
16 \$11,900,000 for fiscal year 1996 and
17 \$11,900,000 for fiscal year 1997 are authorized
18 to be appropriated only for salaries and ex-
19 penses of the Bureau of Refugee and Migration
20 Assistance.

21 (3) CAPITAL INVESTMENT FUND.—For “Cap-
22 ital Investment Fund”, of the Department of State
23 \$20,000,000 for the fiscal year 1996 and
24 \$20,000,000 for the fiscal year 1997.

1 (4) ACQUISITION AND MAINTENANCE OF BUILD-
2 INGS ABROAD.—For “Acquisition and Maintenance
3 of Buildings Abroad”, \$391,760,000 for the fiscal
4 year 1996 and \$391,760,000 for the fiscal year
5 1997.

6 (5) REPRESENTATION ALLOWANCES.—For
7 “Representation Allowances”, \$4,780,000 for the
8 fiscal year 1996 and \$4,780,000 for the fiscal year
9 1997.

10 (6) EMERGENCIES IN THE DIPLOMATIC AND
11 CONSULAR SERVICE.—For “Emergencies in the Dip-
12 lomatic and Consular Service”, \$6,000,000 for the
13 fiscal 1996 and \$6,000,000 for the fiscal year 1997.

14 (7) OFFICE OF THE INSPECTOR GENERAL.—
15 For “Office of the Inspector General”, \$23,469,000
16 for the fiscal year 1996 and \$23,469,000 for the fis-
17 cal year 1997.

18 (8) PAYMENT TO THE AMERICAN INSTITUTE IN
19 TAIWAN.—For “Payment to the American Institute
20 in Taiwan”, \$15,165,000 for the fiscal year 1996
21 and \$14,710,000 for the fiscal year 1997.

22 (9) PROTECTION OF FOREIGN MISSIONS AND
23 OFFICIALS.—For “Protection of Foreign Missions
24 and Officials”, \$9,579,000 for the fiscal year 1996
25 and \$9,579,000 for the fiscal year 1997.

1 (10) REPATRIATION LOANS.—For “Repatri-
2 ation Loans”, \$776,000 for the fiscal year 1996 and
3 \$776,000 for the fiscal year 1997, for administrative
4 expenses.

5 **SEC. 2102. 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”, \$873,505,000 for the fiscal year 1996 and
11 \$867,050,000 for the fiscal year 1997 for the Department
12 of State to carry out the authorities, functions, duties, and
13 responsibilities in the conduct of the foreign affairs of the
14 United States with respect to international organizations
15 and to carry out other authorities in law consistent with
16 such purposes.

17 (b) VOLUNTARY CONTRIBUTIONS TO INTER-
18 NATIONAL ORGANIZATIONS.—

19 (1) AUTHORIZATION OF APPROPRIATIONS.—
20 There are authorized to be appropriated for “Vol-
21 untary Contributions to International Organiza-
22 tions”, \$309,375,000 for the fiscal year 1996 and
23 \$302,902,000 for the fiscal year 1997.

24 (2) LIMITATIONS.—

25 (A) UNICEF.—

1 (i) Of the amounts authorized to be
2 appropriated under paragraph (1),
3 \$103,000,000 for fiscal year 1996 and
4 \$103,000,000 for fiscal year 1997 is au-
5 thORIZED to be appropriated only for the
6 United Nations Children's Fund
7 (UNICEF).

8 (ii) For fiscal year 1996, not more
9 than 25 percent of the amount under
10 clause (i) may be made available to the
11 United Nations Children's Fund
12 (UNICEF) until 30 days after the submis-
13 sion to Congress of the report required by
14 section 2524.

15 (B) INTERNATIONAL ATOMIC ENERGY
16 AGENCY.—Of the amounts authorized to be ap-
17 propriated under paragraph (1), for each of the
18 fiscal years 1996 and 1997 funds are author-
19 ized to be made available to the International
20 Atomic Energy Agency only if the Secretary of
21 State determines and reports to the appropriate
22 congressional committees that Israel is not
23 being denied its right to participate in the ac-
24 tivities of that agency.

1 (C) WAR CRIMES TRIBUNAL FOR THE
2 FORMER YUGOSLAVIA.—Of the amounts author-
3 ized to be appropriated under paragraph (1),
4 \$15,000,000 for fiscal year 1996 and
5 \$15,000,000 for fiscal year 1997 are authorized
6 to be appropriated only for the United Nations
7 Voluntary Fund for the United Nations Inter-
8 national Criminal Tribunal for the Former
9 Yugoslavia, located at The Hague.

10 (D) WORLD FOOD PROGRAM.—Of the
11 amounts authorized to be appropriated under
12 paragraph (1), \$5,000,000 for fiscal year 1996
13 and \$5,000,000 for fiscal year 1997 are author-
14 ized to be appropriated only for the World Food
15 Program.

16 (E) UNITED NATIONS VOLUNTARY FUND
17 FOR VICTIMS OF TORTURE.—Of the amounts
18 authorized to be appropriated under paragraph
19 (1) \$1,500,000 for fiscal year 1996 and
20 \$3,000,000 for fiscal year 1997 are authorized
21 to be appropriated only to the United Nations
22 Voluntary Fund for Victims of Torture.

23 (F) ORGANIZATION FOR AMERICAN
24 STATES.—Of the amounts authorized to be ap-
25 propriated under paragraph (1), \$15,000,000

1 for fiscal year 1996 and \$15,000,000 for fiscal
2 year 1997 are authorized to be appropriated
3 only for the Organization for American States.

4 (G) LIMITATION CONCERNING USE OF
5 FUNDS UNDER SECTION 307 OF THE FOREIGN
6 ASSISTANCE ACT OF 1961.—Notwithstanding
7 any other provision of law or of this Act, none
8 of the funds authorized to be appropriated
9 under paragraph (1) are authorized to be ap-
10 propriated for the United States proportionate
11 share, in accordance with section 307(c) of the
12 Foreign Assistance Act of 1961, for any pro-
13 grams identified in section 307, or for Libya,
14 Iran, or any Communist country listed in sec-
15 tion 620(f) of the Foreign Assistance Act of
16 1961.

17 (H) UNITED NATIONS DEVELOPMENT PRO-
18 GRAM.—

19 (i) TOTAL LIMITATION.—Of the
20 amounts authorized to be appropriated
21 under paragraph (1), for each of the fiscal
22 years 1996 and 1997 not to exceed
23 \$70,000,000 shall be available for the
24 United Nations Development Program.

25 (ii) BURMA.—

1 (I) Subject to subclauses (II) and
2 (III), for each of the fiscal years 1996
3 and 1997 none of the funds made
4 available for United Nations Develop-
5 ment Program (or United Nations
6 Development Program—Administered
7 Funds) shall be available for pro-
8 grams and activities in or for Burma.

9 (II) Of the amount made avail-
10 able for United Nations Development
11 Program (and United Nations Devel-
12 opment Program—Administered
13 Funds) for fiscal year 1996,
14 \$18,200,000 of such amount shall be
15 disbursed only if the President cer-
16 tifies to the Congress that the United
17 Nations Development Program has
18 terminated its activities in and for
19 Burma.

20 (III) Of the amount made avail-
21 able for United Nations Development
22 Program (and United Nations Devel-
23 opment Program—Administered
24 Funds) for fiscal year 1997,
25 \$25,480,000 shall be disbursed only if

1 the President certifies to the Congress
2 that the United Nations Development
3 Program has terminated its activities
4 in and for Burma.

5 (iii) DISPLACED PERSONS.—Of the
6 amounts authorized to be appropriated
7 under paragraph (1), \$20,000,000 for fis-
8 cal year 1996 and \$20,000,000 for fiscal
9 year 1997 are authorized to be appro-
10 priated only for the United Nations Devel-
11 opment Program to be made available only
12 for programs and services conducted in co-
13 operation with the International Organiza-
14 tion for Migration for persons who are dis-
15 placed within their countries of nationality.

16 (iv) UNITED NATIONS DEVELOPMENT
17 PROGRAM/WORLD HEALTH ORGANIZATION
18 SPECIAL PROGRAM FOR RESEARCH AND
19 TRAINING IN TROPICAL DISEASES.—Of the
20 amounts authorized to be appropriated
21 under paragraph (1), \$10,000,000 for fis-
22 cal year 1996 and \$10,000,000 for fiscal
23 year 1997 is authorized to be appropriated
24 only for the United Nations Development
25 Program, to be available only for the Unit-

1 ed Nations Development Program/World
2 Health Organization Special Program for
3 Research and Training and Tropical Dis-
4 eases.

5 (I) WORLD HEALTH ORGANIZATION.—Of
6 the amounts authorized to be appropriated
7 under paragraph (1), \$20,000,000 for fiscal
8 year 1996 and \$20,000,000 for fiscal year 1997
9 is authorized to be appropriated only for the
10 World Health Organization to be available only
11 for the United Nations Development Program/
12 World Health Organization Special Program for
13 Research and Training in Tropical Diseases.

14 (c) ASSESSED CONTRIBUTIONS FOR INTERNATIONAL
15 PEACEKEEPING ACTIVITIES.—

16 (1) AUTHORIZATION OF APPROPRIATIONS.—
17 There are authorized to be appropriated for “Con-
18 tributions for International Peacekeeping Activities”,
19 \$400,000,000 for the fiscal year 1996 and
20 \$300,000,000 for the fiscal year 1997 for the De-
21 partment of State to carry out the authorities, func-
22 tions, duties, and responsibilities in the conduct of
23 the foreign affairs of the United States with respect
24 to international peacekeeping activities and to carry

1 out other authorities in law consistent with such
2 purposes.

3 (2) LIMITATION.—None of the funds authorized
4 to be appropriated under paragraph (1) may be
5 made available for contributions to the United Na-
6 tions Protection Force unless the President deter-
7 mines and reports to the Congress during the cal-
8 endar year in which the funds are to be provided
9 that—

10 (A) the Government of Bosnia and
11 Herzegovina supports the continued presence of
12 the United Nations Protection Force within its
13 territory;

14 (B) the United Nations Protection Force is
15 effectively carrying out its mandate under Unit-
16 ed Nations Security Council resolutions 776
17 and 836, and is effectively encouraging compli-
18 ance with United Nations Security Council res-
19 olutions 752, 757, 770, 787, 820, and 824.

20 (C) the United Nations Protection Force is
21 providing full cooperation and support consist-
22 ent with its mandate to the efforts of the Unit-
23 ed Nations War Crimes Tribunal for the former
24 Yugoslavia to investigate war crimes and to ap-
25 prehend and prosecute suspected war criminals;

1 (D) the United Nations Protection Force
2 is providing full cooperation and support con-
3 sistent with its mandate to United States diplo-
4 matic, military, and relief personnel in Bosnia;
5 and

6 (E) the United Nations Protection Force
7 has investigated and taken appropriate action
8 against any United Nations Protection Force
9 personnel or units suspected of participating in
10 illegal or improper activities, such as black
11 marketeering, embezzlement, expropriation of
12 property, and assaults on civilians.

13 (d) PEACEKEEPING OPERATIONS.—There are au-
14 thorized to be appropriated for “Peacekeeping Oper-
15 ations”, \$50,360,000 for the fiscal year 1996 and
16 \$50,360,000 for the fiscal year 1997 for the Department
17 of State to carry out section 551 of Public Law 87–195.

18 (e) INTERNATIONAL CONFERENCES AND CONTIN-
19 GENCIES.—

20 (1) GENERAL PROVISION.—There are author-
21 ized to be appropriated for “International Con-
22 ferences and Contingencies”, \$3,000,000 for the fis-
23 cal year 1996 and \$6,000,000 for the fiscal year
24 1997 for the Department of State to carry out the
25 authorities, functions, duties, and responsibilities in

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

5 (2) CONDITIONAL AUTHORITY.—

6 (A) Subject to subparagraph (B), in addi-
7 tion to such amounts as are authorized to be
8 appropriated under paragraph (1), there is au-
9 thorized to be appropriated for “International
10 Conferences and Contingencies”, \$3,000,000
11 for the fiscal year 1996 for the Department of
12 State to carry out the authorities, functions,
13 duties, and responsibilities in the conduct of the
14 foreign affairs of the United States with respect
15 to international conferences and contingencies
16 and to carry out other authorities in law con-
17 sistent with such purposes.

18 (B) The authorization of appropriations
19 under subparagraph (A) shall be take effect
20 only after the Secretary of State certifies to the
21 appropriate congressional committees that—

22 (i) no funds of the Department of
23 State were expended for travel by any
24 United States official or delegate to the
25 Fourth World Conference on Women, to be

1 held in Beijing, August and September
2 1995, or

3 (ii)(I) that the process of accrediting
4 nongovernmental organizations for the con-
5 ference was conducted fairly, according to
6 clear criteria, with full opportunity for sub-
7 stantive appeal of denials of accreditation;

8 (II) that no nongovernmental organi-
9 zation seeking accreditation to such a con-
10 ference was denied such accreditation by
11 the conference organizers on the basis of
12 that organization's actual or supposed po-
13 litical orientation, or its affiliation with a
14 particular ethnic or religious group;

15 (III) that accreditation was granted
16 to—

17 (A) at least one group represent-
18 ing the people of Taiwan, and

19 (B) at least one group represent-
20 ing the people of Tibet;

21 (IV) that all representatives of non-
22 governmental organizations whose names
23 were submitted to conference officials in a
24 timely fashion were granted visas by the
25 People's Republic of China; and

1 (V) that arrangements were made by
2 the People's Republic of China to provide
3 the accredited nongovernmental organiza-
4 tions with access to the main conference
5 site that is substantially equivalent in man-
6 ner and degree to access afforded at pre-
7 vious major United Nations conferences.

8 (f) FOREIGN CURRENCY EXCHANGE RATES.—In ad-
9 dition to amounts otherwise authorized to be appropriated
10 by subsections (a) and (b) of this section, there are au-
11 thorized to be appropriated such sums as may be nec-
12 essary for each of the fiscal years 1996 and 1997 to offset
13 adverse fluctuations in foreign currency exchange rates.
14 Amounts appropriated under this subsection shall be avail-
15 able for obligation and expenditure only to the extent that
16 the Director of the Office of Management and Budget de-
17 termines and certifies to Congress that such amounts are
18 necessary due to such fluctuations.

19 **SEC. 2103. INTERNATIONAL COMMISSIONS.**

20 The following amounts are authorized to be appro-
21 priated under "International Commissions" for the De-
22 partment of State to carry out the authorities, functions,
23 duties, and responsibilities in the conduct of the foreign
24 affairs of the United States and for other purposes author-
25 ized by law:

1 (1) INTERNATIONAL BOUNDARY AND WATER
2 COMMISSION, UNITED STATES AND MEXICO.—For
3 “International Boundary and Water Commission,
4 United States and Mexico”—

5 (A) for “Salaries and Expenses”
6 \$13,858,000 for the fiscal year 1996 and
7 \$12,472,000 for the fiscal year 1997; and

8 (B) for “Construction” \$10,393,000 for
9 the fiscal year 1996 and \$9,353,000 for the fis-
10 cal year 1997.

11 (2) INTERNATIONAL BOUNDARY COMMISSION,
12 UNITED STATES AND CANADA.—For “International
13 Boundary Commission, United States and Canada”,
14 \$740,000 for the fiscal year 1996 and \$666,000 for
15 the fiscal year 1997.

16 (3) INTERNATIONAL JOINT COMMISSION.—For
17 “International Joint Commission”, \$3,500,000 for
18 the fiscal year 1996 and \$3,195,000 for the fiscal
19 year 1997.

20 (4) BORDER ENVIRONMENT COOPERATION COM-
21 MISSION.—For “Border Environment Cooperation
22 Commission”, \$2,000,000 for the fiscal year 1996
23 and \$1,800,000 for the fiscal year 1997.

24 (5) INTERNATIONAL FISHERIES COMMIS-
25 SIONS.—For “International Fisheries Commissions”,

1 \$14,669,000 for the fiscal year 1996 and
2 \$13,202,000 for the fiscal year 1997.

3 **SEC. 2104. MIGRATION AND REFUGEE ASSISTANCE.**

4 (a) AUTHORIZATION OF APPROPRIATIONS.—

5 (1) MIGRATION AND REFUGEE ASSISTANCE.—

6 (A) AUTHORIZATION OF APPROPRIA-
7 TIONS.—There are authorized to be appro-
8 priated for “Migration and Refugee Assistance”
9 for authorized activities, \$560,000,000 for the
10 fiscal year 1996 and \$590,000,000 for the fis-
11 cal year 1997.

12 (B) LIMITATION.—None of the funds au-
13 thorized to be appropriated by subparagraph
14 (A) are authorized to be appropriated for sala-
15 ries and administrative expenses of the Bureau
16 of Migration and Refugee Assistance.

17 (2) REFUGEES RESETTLING IN ISRAEL.—There
18 are authorized to be appropriated \$80,000,000 for
19 the fiscal year 1996 and \$80,000,000 for the fiscal
20 year 1997 for assistance for refugees resettling in
21 Israel from other countries.

22 (3) HUMANITARIAN ASSISTANCE FOR DIS-
23 PLACED BURMESE.—There are authorized to be ap-
24 propriated \$1,500,000 for the fiscal year 1996 and
25 \$1,500,000 for the fiscal year 1997 for humani-

1 tarian assistance, including but not limited to food,
2 medicine, clothing, and medical and vocational train-
3 ing to persons displaced as a result of civil conflict
4 in Burma, including persons still within Burma.

5 (4) RESETTLEMENT OF VIETNAMESE, LAO-
6 TIANS, AND CAMBODIANS.—There are authorized to
7 be appropriated \$30,000,000 for fiscal year 1996 for
8 the admission and resettlement of persons who—

9 (A) are or were nationals and residents of
10 Vietnam, Laos, or Cambodia;

11 (B) are within a category of aliens referred
12 to in section 599D(b)(2)(C) of the Foreign Op-
13 erations Export Financing and Related Pro-
14 grams Appropriation Act, 1990 (Public Law
15 101-167); and

16 (C) are or were at any time after January
17 1, 1989, residents of refugee camps in Hong
18 Kong, Thailand, Indonesia, Malaysia, or the
19 Phillipines.

20 (b) GENERAL LIMITATIONS.—None of the funds au-
21 thorized to be appropriated by subsection (a) are author-
22 ized to be available for any program or activity that pro-
23 vides for, promotes, or assists in the repatriation of any
24 person to Vietnam, Laos, or Cambodia, unless the Presi-
25 dent has certified that—

1 (1) all persons described in subsection (a)(4)
2 have been offered resettlement outside their coun-
3 tries of nationality;

4 (2) all nationals of Vietnam, Laos, or Cambodia
5 who were residents of refugee camps as of the date
6 of enactment of this Act who are not persons de-
7 scribed in subsection (a)(4) have, at any time after
8 such date, either had access to a process for the de-
9 termination of whether they are refugees, or been of-
10 ferred resettlement outside their countries of nation-
11 ality; and

12 (3) the process referred to in paragraph (2) is
13 genuinely calculated to determine whether each ap-
14 plicant is a refugee, and that the procedures, stand-
15 ards, and personnel employed in such process ensure
16 that the risk of return to persecution is no greater
17 than in the process available under United States
18 law to persons physically present in the United
19 States.

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

1 **SEC. 2105. CERTAIN OTHER INTERNATIONAL AFFAIRS PRO-**
2 **GRAMS.**

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

8 (1) ASIA FOUNDATION.—For “Asia Founda-
9 tion”, \$10,000,000 for the fiscal year 1996 and
10 \$9,000,000 for the fiscal year 1997.

11 **SEC. 2106. UNITED STATES INFORMATIONAL, EDU-**
12 **CATIONAL, AND CULTURAL PROGRAMS.**

13 The following amounts are authorized to be appro-
14 priated to carry out international information activities
15 and educational and cultural exchange programs under
16 the United States Information and Educational Exchange
17 Act of 1948, the Mutual Educational and Cultural Ex-
18 change Act of 1961, Reorganization Plan Number 2 of
19 1977, the United States International Broadcasting Act
20 of 1994, the Radio Broadcasting to Cuba Act, the Tele-
21 vision Broadcasting to Cuba Act, the Board for Inter-
22 national Broadcasting Act, the Inspector General Act of
23 1978, the North/South Center Act of 1991, the National
24 Endowment for Democracy Act, and to carry out other
25 authorities in law consistent with such purposes:

1 (1) SALARIES AND EXPENSES.—For “Salaries
2 and Expenses”, \$450,645,000 for the fiscal year
3 1996 and \$428,080,000 for the fiscal year 1997.

4 (2) TECHNOLOGY FUND.—For “Technology
5 Fund” for the United States Information Agency,
6 \$5,050,000 for the fiscal year 1996 and \$5,050,000
7 for the fiscal year 1997.

8 (3) EDUCATIONAL AND CULTURAL EXCHANGE
9 PROGRAMS.—

10 (A) FULBRIGHT ACADEMIC EXCHANGE
11 PROGRAMS.—For the “Fulbright Academic Ex-
12 change Programs”, \$117,484,200 for the fiscal
13 year 1996 and \$113,680,800 for the fiscal year
14 1997.

15 (B) SOUTH PACIFIC EXCHANGES.—For the
16 “South Pacific Exchanges”, \$900,000 for the
17 fiscal year 1996 and \$900,000 for the fiscal
18 year 1997.

19 (C) EAST TIMORESE SCHOLARSHIPS.—For
20 the “East Timorese Scholarships”, \$800,000
21 for the fiscal year 1996 and \$800,000 for the
22 fiscal year 1997.

23 (D) CAMBODIAN SCHOLARSHIPS.—For the
24 “Cambodian Scholarships”, \$141,000 for the

1 fiscal year 1996 and \$141,000 for the fiscal
2 year 1997.

3 (E) TIBETAN EXCHANGES.—For the
4 “Educational and Cultural Exchanges with
5 Tibet” under section 236 of the Foreign Rela-
6 tions Authorization Act, Fiscal Years 1995 and
7 1996, \$500,000 for the fiscal year 1996 and
8 \$500,000 for the fiscal year 1997.

9 (F) OTHER PROGRAMS.—For “Hubert H.
10 Humphrey Fellowship Program”, “Edmund S.
11 Muskie Fellowship Program”, “International
12 Visitors Program”, “Mike Mansfield Fellowship
13 Program”, “Claude and Mildred Pepper Schol-
14 arship Program of the Washington Workshops
15 Foundation”, “Citizen Exchange Programs”,
16 “Congress-Bundestag Exchange Program”,
17 “Newly Independent States and Eastern Eu-
18 rope Training”, “Institute for Representative
19 Government”, and “Arts America”,
20 \$87,265,800 for the fiscal year 1996 and
21 \$87,341,400 for the fiscal year 1997.

22 (4) INTERNATIONAL BROADCASTING ACTIVI-
23 TIES.—

24 (A) AUTHORIZATION OF APPROPRIA-
25 TIONS.—For “International Broadcasting Ac-

1 tivities”, \$321,191,000 for the fiscal year 1996,
2 and \$286,191,000 for the fiscal year 1997.

3 (B) LIMITATION.—Of the amounts author-
4 ized to be appropriated under subparagraph (A)
5 \$3,000,000 for fiscal year 1996 and \$3,000,000
6 for fiscal year 1997 are authorized to be appro-
7 priated only to carry out the Pilot Project for
8 Freedom Broadcasting to Asia authorized by
9 section 2443.

10 (5) RADIO CONSTRUCTION.—For “Radio Con-
11 struction”, \$75,164,000 for the fiscal year 1996,
12 and \$67,647,000 for the fiscal year 1997.

13 (6) RADIO FREE ASIA.—For “Radio Free
14 Asia”, \$10,000,000 for the fiscal year 1996 and
15 \$10,000,000 for the fiscal year 1997.

16 (7) BROADCASTING TO CUBA.—For “Broad-
17 casting to Cuba”, \$24,809,000 for the fiscal year
18 1996 and \$24,809,000 for the fiscal year 1997.

19 (8) OFFICE OF THE INSPECTOR GENERAL.—
20 For “Office of the Inspector General”, \$4,300,000
21 for the fiscal year 1996 and \$3,870,000 for the fis-
22 cal year 1997.

23 (9) CENTER FOR CULTURAL AND TECHNICAL
24 INTERCHANGE BETWEEN EAST AND WEST.—For
25 “Center for Cultural and Technical Interchange be-

1 tween East and West’, \$15,000,000 for the fiscal
2 year 1996 and \$10,000,000 for the fiscal year 1997.

3 (10) NATIONAL ENDOWMENT FOR DEMOC-
4 RACY—For “National Endowment for Democracy”,
5 \$34,000,000 for the fiscal year 1996 and
6 \$34,000,000 for the fiscal year 1997.

7 (11) CENTER FOR CULTURAL AND TECHNICAL
8 INTERCHANGE BETWEEN NORTH AND SOUTH.—For
9 “Center for Cultural and Technical Interchange be-
10 tween North and South” \$4,000,000 for the fiscal
11 year 1996 and \$3,000,000 for the fiscal year 1997.

12 **SEC. 2107. UNITED STATES ARMS CONTROL AND DISAR-**
13 **MAMENT.**

14 There are authorized to be appropriated to carry out
15 the purposes of the Arms Control and Disarmament Act—

16 (1) \$44,000,000 for the fiscal year 1996 and
17 \$40,500,000 for the fiscal year 1997; and

18 (2) such sums as may be necessary for each of
19 the fiscal years 1996 and 1997 for increases in sal-
20 ary, pay, retirement, other employee benefits author-
21 ized by law, and to offset adverse fluctuations in for-
22 eign currency exchange rates.

1 **TITLE XXII—DEPARTMENT OF**
2 **STATE AUTHORITIES AND AC-**
3 **TIVITIES**

4 **CHAPTER 1—AUTHORITIES AND**
5 **ACTIVITIES**

6 **SEC. 2201. REVISION OF DEPARTMENT OF STATE REWARDS**
7 **PROGRAM.**

8 (a) IN GENERAL.—Section 36 of the State Depart-
9 ment Basic Authorities Act of 1956 (22 U.S.C. 2708) is
10 amended to read as follows:

11 **“SEC. 36. DEPARTMENT OF STATE REWARDS PROGRAM.**

12 “(a) ESTABLISHMENT.—(1) There is established a
13 program for the payment of rewards to carry out the pur-
14 poses of this section.

15 “(2) The rewards program established by this section
16 shall be administered by the Secretary of State, in con-
17 sultation, where appropriate, with the Attorney General.

18 “(b) PURPOSE.—(1) The rewards program estab-
19 lished by this section shall be designed to assist in the
20 prevention of acts of international terrorism, international
21 narcotics trafficking, and other related criminal acts.

22 “(2) The Secretary of State may pay a reward to any
23 individual who furnishes information leading to—

24 “(A) the arrest or conviction in any country of
25 any individual for the commission of an act of inter-

1 national terrorism against a United States person or
2 United States property;

3 “(B) the arrest or conviction in any country of
4 any individual conspiring or attempting to commit
5 an act of international terrorism against a United
6 States person or United States property;

7 “(C) the arrest or conviction in any country of
8 any individual for committing, primarily outside the
9 territorial jurisdiction of the United States, any nar-
10 cotics-related offense if that offense involves or is a
11 significant part of conduct that involves—

12 “(i) a violation of United States narcotics
13 laws and which is such that the individual
14 would be a major violator of such laws; or

15 “(ii) the killing or kidnapping of—

16 “(I) any officer, employee, or contract
17 employee of the United States Government
18 while such individual is engaged in official
19 duties, or on account of that individual’s
20 official duties, in connection with the en-
21 forcement of United States narcotics laws
22 or the implementing of United States nar-
23 cotics control objectives; or

24 “(II) a member of the immediate fam-
25 ily of any such individual on account of

1 that individual's official duties, in connec-
2 tion with the enforcement of United States
3 narcotics laws or the implementing of
4 United States narcotics control objectives;
5 or

6 “(iii) an attempt or conspiracy to commit
7 any of the acts described in clause (i) or (ii);
8 or

9 “(D) the arrest or conviction in any country of
10 any individual aiding or abetting in the commission
11 of an act described in subparagraphs (A) through
12 (C); or

13 “(E) the prevention or frustration of an act de-
14 scribed in subparagraphs (A) through (C).

15 “(c) COORDINATION.—(1) To ensure that the pay-
16 ment of rewards pursuant to this section does not dupli-
17 cate or interfere with the payment of informants or the
18 purchase of evidence or information, as authorized to the
19 Department of Justice, the offering, administration, and
20 payment of rewards under this section, including proce-
21 dures for—

22 “(A) identifying individuals, organizations, and
23 offenses with respect to which rewards will be of-
24 fered;

25 “(B) the publication of rewards;

1 “(C) offering of joint rewards with foreign gov-
2 ernments;

3 “(D) the receipt and analysis of data; and

4 “(E) the payment and approval of payment,
5 shall be governed by procedures developed by the Sec-
6 retary of State, in consultation with the Attorney General.

7 “(2) Before making a reward under this section in
8 a matter over which there is Federal criminal jurisdiction,
9 the Secretary of State shall advise and consult with the
10 Attorney General.

11 “(d) FUNDING.—(1) There is authorized to be appro-
12 priated to the Department of State from time to time such
13 amounts as may be necessary to carry out the purposes
14 of this section, notwithstanding section 102 of the Foreign
15 Relations Authorization Act, Fiscal Years 1986 and 1987
16 (Public Law 99–93).

17 “(2) No amount of funds may be appropriated which,
18 when added to the amounts previously appropriated but
19 not yet obligated, would cause such amounts to exceed
20 \$15,000,000.

21 “(3) To the maximum extent practicable, funds made
22 available to carry out this section should be distributed
23 equally for the purpose of preventing acts of international
24 terrorism and for the purpose of preventing international
25 narcotics trafficking.

1 “(4) Amounts appropriated to carry out the purposes
2 of this section shall remain available until expended.

3 “(e) ADDITIONAL FUNDING.—(1) In extraordinary
4 circumstances and when it is important to the national
5 security of the United States, the Secretary of State may
6 use fees collected or processing machine readable non-
7 immigrant visas and machine readable combined border
8 crossing identification cards and nonimmigrant visas pro-
9 vided under (section 140 of the Foreign Relations Author-
10 ization Act, Fiscal Years 1994 and 1995, Public Law
11 103–236; 8 U.S.C. 1351 note) to carry out the purposes
12 of this section, subject to the limitation contained in sub-
13 section (d)(2).

14 “(2) The authority contained in paragraph (1) may
15 be used only if the Secretary notifies the appropriate con-
16 gressional committees 15 days in advance in accordance
17 with regular reprogramming procedures. Such notification
18 shall contain a detailed justification of the circumstances
19 necessitating the use of such fees for the purposes of this
20 section.

21 “(f) LIMITATION AND CERTIFICATION.—(1) A re-
22 ward under this section may not exceed \$2,000,000.

23 “(2) A reward under this section of more than
24 \$100,000 may not be made without the approval of the
25 President or the Secretary of State.

1 “(3) Any reward granted under this section shall be
2 approved and certified for payment by the Secretary of
3 State.

4 “(4) The authority of paragraph (2) may not be dele-
5 gated to any other officer or employee of the United States
6 Government.

7 “(5) If the Secretary determines that the identity of
8 the recipient of a reward or of the members of the recipi-
9 ent’s immediate family must be protected, the Secretary
10 may take such measures in connection with the payment
11 of the reward as he considers necessary to effect such pro-
12 tection.

13 “(g) INELIGIBILITY.—An officer or employee of any
14 governmental entity who, while in the performance of his
15 or her official duties, furnishes information described in
16 subsection (b) shall not be eligible for a reward under this
17 section.

18 “(h) REPORTS.—(1) Not later than 30 days after
19 paying any reward under this section, the Secretary of
20 State shall submit a report to the appropriate congres-
21 sional committees with respect to such reward. The report,
22 which may be submitted on a classified basis if necessary,
23 shall specify the amount of the reward paid, to whom the
24 reward was paid, and the acts with respect to which the
25 reward was paid. The report shall also discuss the signifi-

1 cance of the information for which the reward was paid
2 in dealing with those acts.

3 “(2) Not later than 60 days after the end of each
4 fiscal year, the Secretary of State shall submit an annual
5 report to the appropriate congressional committees with
6 respect to the operation of the rewards program author-
7 ized by this section. Such report shall provide information
8 on the total amounts expended during such fiscal year to
9 carry out the purposes of this section, including amounts
10 spent to publicize the availability of rewards. Such report
11 shall also include information on all requests for the pay-
12 ment of rewards under this section, including the reasons
13 for the denial of any such requests.

14 “(i) DEFINITIONS.—As used in this section—

15 “(1) the term ‘appropriate congressional com-
16 mittees’ means the Committee on International Re-
17 lations of the House of Representatives and the
18 Committee on Foreign Relations of the Senate;

19 “(2) the term ‘act of international terrorism’ in-
20 cludes, but is not limited to—

21 “(A) any act substantially contributing to
22 the acquisition of unsafeguarded special nuclear
23 material (as defined in section 830(8) of the
24 Nuclear Proliferation Prevention Act of 1994)
25 or any nuclear explosive device (as defined in

1 section 830(4) of that Act) by an individual,
2 group, or non-nuclear weapon state (as defined
3 in section 830(5) of that Act); and

4 “(B) any act, as determined by the Sec-
5 retary of State, which materially supports the
6 conduct of international terrorism, including the
7 counterfeiting of United States currency or the
8 illegal use of other monetary instruments by an
9 individual, group, or country supporting inter-
10 national terrorism as determined for purposes
11 of section 6(j) of the Export Administration Act
12 of 1979;

13 “(3) the term ‘United States narcotics laws’
14 means the laws of the United States for the preven-
15 tion and control of illicit traffic in controlled sub-
16 stances (as such term is defined for purposes of the
17 Controlled Substances Act); and

18 “(4) the term ‘member of the immediate family’
19 includes—

20 “(A) a spouse, parent, brother, sister, or
21 child of the individual;

22 “(B) a person to whom the individual
23 stands in loco parentis; and

1 “(C) any other person living in the individ-
2 ual’s household and related to the individual by
3 blood or marriage.”.

4 (b) SENSE OF CONGRESS.—It is the sense of the
5 Congress that the Secretary of State should pursue addi-
6 tional means of funding the program established by sec-
7 tion 36 of the State Department Basic Authorities Act
8 of 1956 (22 U.S.C. 2708), including the authority to seize
9 and dispose of assets used in the commission of any of-
10 fense under sections 1541 through 1544 and section 1546
11 of title 18, United States Code, and section 1028 of title
12 22, United States Code, and to retain the proceeds derived
13 from the disposition of such assets, or to participate in
14 asset sharing programs conducted by the Department of
15 Justice, to carry out the purposes of section 36 of that
16 Act.

17 **SEC. 2202. AUTHORITIES OF SECRETARY OF STATE.**

18 Section 203(4) of the State Department Basic Au-
19 thorities Act of 1956 (22 U.S.C. 4303(4)) is amended in
20 the third sentence by striking “should” both places it ap-
21 pears and inserting “shall”.

22 **SEC. 2203. BUYING POWER MAINTENANCE ACCOUNT.**

23 Section 24(b)(7) of the State Department Basic Au-
24 thorities Act of 1956 (22 U.S.C. 2696(b)(7)) is amended
25 by striking subparagraph (D).

1 **SEC. 2204. EXPENSES RELATING TO CERTAIN INTER-**
2 **NATIONAL CLAIMS AND PROCEEDINGS.**

3 (a) RECOVERY OF CERTAIN EXPENSES.—The De-
4 partment of State Appropriation Act, 1937 (49 Stat.
5 1321, 22 U.S.C. 2661, as amended by section 142(b) of
6 the Foreign Relations Authorization Act, Fiscal Years
7 1988 and 1989 (Public Law 100–204)) is amended in the
8 fifth undesignated paragraph under the heading entitled
9 “INTERNATIONAL FISHERIES COMMISSION” by striking
10 “extraordinary”.

11 (b) PROCUREMENT OF SERVICES.—Section 38(c) of
12 the State Department Basic Authorities Act of 1956 (22
13 U.S.C. 2710(c)) is amended in the first sentence by insert-
14 ing “personal and” before “other support services”.

15 **SEC. 2205. CONSOLIDATION OF UNITED STATES DIPLO-**
16 **MATIC MISSIONS AND CONSULAR POSTS.**

17 (a) CONSOLIDATION PLAN.—The Secretary of State
18 shall develop a worldwide plan for the consolidation, wher-
19 ever practicable, on a regional or areawide basis, of United
20 States missions and consular posts abroad.

21 (b) CONTENTS OF PLAN.—The plan shall—

22 (1) identify specific United States diplomatic
23 missions and consular posts for consolidation;

24 (2) identify those missions and posts at which
25 the resident ambassador would also be accredited to
26 other specified states in which the United States ei-

1 ther maintained no resident official presence or
2 maintained such a presence only at staff level; and

3 (3) provide an estimate of—

4 (A) the amount by which expenditures
5 would be reduced through the reduction in the
6 number of United States Government personnel
7 assigned abroad;

8 (B) the reduction in the costs of maintain-
9 ing United States properties abroad; and

10 (C) the amount of revenues generated to
11 the United States through the sale or other dis-
12 position of United States properties associated
13 with the posts to be consolidated abroad.

14 (c) TRANSMITTAL.—Not later than 180 days after
15 the date of the enactment of this Act, the Secretary of
16 State shall transmit a copy of the plan to the appropriate
17 congressional committees.

18 **CHAPTER 2—CONSULAR AUTHORITIES OF**
19 **THE DEPARTMENT OF STATE**

20 **SEC. 2231. SURCHARGE FOR PROCESSING CERTAIN MA-**
21 **CHINE READABLE VISAS.**

22 Section 140(a) of the Foreign Relations Authoriza-
23 tion Act, Fiscal Years 1994 and 1995 (Public Law 103—
24 236) is amended—

1 (1) by striking paragraphs (2) and (3) and in-
2 sserting the following:

3 “(2) For fiscal years 1996 and 1997, not more
4 than \$250,000,000 in fees collected under the au-
5 thority of paragraph (1) shall be deposited as an off-
6 setting collection to any Department of State appro-
7 priation to recover the costs of enhancements in the
8 efficiency and security of the process of visa issu-
9 ance. Such fees shall remain available for obligation
10 until expended.

11 “(3) For any fiscal year, fees collected under
12 the authority of paragraph (1) in excess of the
13 amount specified for such fiscal year under para-
14 graph (2) shall be deposited in the general fund of
15 the Treasury as miscellaneous receipts.”; and

16 (2) by striking paragraph (5).

17 **SEC. 2232. FINGERPRINT CHECK REQUIREMENT.**

18 Section 140 of the Foreign Relations Authorization
19 Act, Fiscal Years 1994 and 1995 (Public Law 103-236)
20 is amended by adding at the end the following:

21 “(e) FINGERPRINT CHECK REQUIREMENT.—If a visa
22 applicant is determined to have a criminal history record
23 under subsection (d)(1), has been physically present in the
24 United States, and is more than 16 years of age, the appli-
25 cant shall provide a fingerprint record for submission with

1 the application, at no cost to the Department of State.
2 The Department of State shall submit such fingerprint
3 record to the Federal Bureau of Investigation for analysis
4 to determine whether the applicant has been convicted of
5 a felony under State or Federal law in the United
6 States.”.

7 **SEC. 2233. USE OF CERTAIN PASSPORT PROCESSING FEES**
8 **FOR ENHANCED PASSPORT SERVICES.**

9 For each of the fiscal years 1996 and 1997, of the
10 fees collected for expedited passport processing and depos-
11 ited to an offsetting collection pursuant to the Department
12 of State and Related Agencies Appropriations Act for Fis-
13 cal Year 1995 (Public Law 103–317; 22 U.S.C. 214), 10
14 percent shall be available only for enhancing passport
15 services for United States citizens, improving the integrity
16 and efficiency of the passport issuance process, improving
17 the secure nature of the United States passport, inves-
18 tigating passport fraud, and deterring entry into the Unit-
19 ed States by terrorists, drug traffickers, or other crimi-
20 nals.

21 **SEC. 2234. CONSULAR OFFICERS.**

22 (a) PERSONS AUTHORIZED TO ISSUE REPORTS OF
23 BIRTH ABROAD.—Section 33 of the State Department
24 Basic Authorities Act of 1956 (22 U.S.C. 2705) is amend-
25 ed in paragraph (2) by inserting “(or any United States

1 citizen employee of the Department of State designated
2 by the Secretary of State to adjudicate nationality abroad
3 pursuant to such regulations as the Secretary may pre-
4 scribe)” after “consular officer”.

5 (b) PROVISIONS APPLICABLE TO CONSULAR OFFI-
6 CERS.—Section 31 of the Act of August 18, 1856 (Rev.
7 Stat. 1689, 22 U.S.C. 4191), is amended by inserting
8 “and to such other United States citizen employees of the
9 Department of State as may be designated by the Sec-
10 retary of State pursuant to such regulations as the Sec-
11 retary may prescribe” after “such officers”.

12 **CHAPTER 3—REFUGEES AND MIGRATION**

13 **SEC. 2251. UNITED STATES EMERGENCY REFUGEE AND MI-** 14 **GRATION ASSISTANCE FUND.**

15 (a) LIMITATION ON TRANSFERS FROM EMERGENCY
16 FUND.—Section 2(c) of the Migration and Refugee Assist-
17 ance Act of 1962 (22 U.S.C. 2601(c)) is amended by add-
18 ing after paragraph (3) the following:

19 “(4) Notwithstanding any other provision of this Act,
20 the President shall notify the appropriate congressional
21 committees not less than 15 days before transferring or
22 otherwise making available amounts from the United
23 States Emergency Refugee and Migration Assistance
24 Fund under paragraph (1).”.

1 (b) NOTIFICATION OF EXPENDITURES FROM
2 FUND.—Section 2(d) of the Migration and Refugee As-
3 sistance Act of 1962 (22 U.S.C. 2601(c)) is amended to
4 read as follows:

5 “(d)(1) Except as provided in paragraph (2), and
6 notwithstanding any other provision of this Act, the Presi-
7 dent shall notify the appropriate congressional committees
8 at least 15 days in advance of the obligation or expendi-
9 ture of sums from the United States Emergency Refugee
10 and Migration Assistance Fund under subsection (c).

11 “(2) Notwithstanding the notification requirement of
12 paragraph (1), the President may obligate and expend
13 sums from the United States Emergency Refugee and Mi-
14 gration Assistance Fund if the President determines, and
15 promptly certifies to the appropriate congressional com-
16 mittees, that unforeseen emergency circumstances require
17 the immediate obligation of sums from such fund. Any
18 such certification shall fully inform such committees of the
19 amount and use of such sums from the Fund.

20 “(3) For purposes of this section, the term ‘appro-
21 priate congressional committees’ means the Committee on
22 International Relations and the Committee on Appropria-
23 tions of the House of Representatives and the Committee
24 on Foreign Relations and the Committee on Appropria-
25 tions of the Senate.”.

1 **SEC. 2252. REPORT TO CONGRESS CONCERNING CUBAN**
2 **EMIGRATION POLICIES.**

3 Beginning 3 months after the date of the enactment
4 of this Act and every subsequent 6 months, the President
5 shall transmit a report to the appropriate congressional
6 committees concerning the methods employed by the Gov-
7 ernment of Cuba to enforce the United States-Cuba Immi-
8 gration Agreement of September 1994 to restrict the emi-
9 gration of the Cuban people from Cuba to the United
10 States. Each report transmitted pursuant to this section
11 shall include a detailed account of United States efforts
12 to monitor such enforcement.

13 **SEC. 2253. EXTENSION OF CERTAIN ADJUDICATION PROVI-**
14 **SIONS.**

15 The Foreign Operations, Export Financing, and Re-
16 lated Programs Appropriations Act, 1990 (Public Law
17 101-167) is amended—

18 (1) in section 599D (8 U.S.C. 1157 note)—

19 (A) in subsection (b)(3), by striking “and
20 1996” and inserting “1996, and 1997”; and

21 (B) in subsection (e), by striking out “Oc-
22 tober 1, 1996” each place it appears and insert-
23 ing “October 1, 1997”; and

24 (2) in section 599E (8 U.S.C. 1255 note) in
25 subsection (b)(2), by striking out “September 30,
26 1996” and inserting “September 30, 1997”.

1 **TITLE XXIII—ORGANIZATION OF**
2 **THE DEPARTMENT OF STATE;**
3 **DEPARTMENT OF STATE PER-**
4 **SONNEL; THE FOREIGN SERV-**
5 **ICE**

6 **CHAPTER 1—ORGANIZATION OF THE**
7 **DEPARTMENT OF STATE**

8 **SEC. 2301. COORDINATOR FOR COUNTERTERRORISM.**

9 (a) ESTABLISHMENT.—Section 1(e) of the State De-
10 partment Basic Authorities Act of 1956 (22 U.S.C.
11 2651a(e)) is amended—

12 (1) by striking “In” and inserting the following:

13 “(1) In”; and

14 (2) by inserting at the end the following:

15 “(2) COORDINATOR FOR COUNTER-
16 TERRORISM.—

17 “(A) There shall be within the office of the
18 Secretary of State a Coordinator for
19 Counterterrorism (hereafter in this paragraph
20 referred to as the ‘Coordinator’) who shall be
21 appointed by the President, by and with the ad-
22 vice and consent of the Senate.

23 “(B)(i) The Coordinator shall perform
24 such duties and exercise such power as the Sec-
25 retary of State shall prescribe.

1 “(ii) The principal duty of the Coordinator
2 shall be the overall supervision (including policy
3 oversight of resources) of international
4 counterterrorism activities. The Coordinator
5 shall be the principal advisor to the Secretary
6 of State on international counterterrorism mat-
7 ters. The Coordinator shall be the principal
8 counterterrorism official within the senior man-
9 agement of the Department of State and shall
10 report directly to the Secretary of State.

11 “(C) The Coordinator shall have the rank and
12 status of Ambassador-at-Large. The Coordinator
13 shall be compensated at the annual rate of basic pay
14 in effect for a position at level IV of the Executive
15 Schedule under section 5314 of title 5, United
16 States Code, or, if the Coordinator is appointed from
17 the Foreign Service, the annual rate of pay which
18 the individual last received under the Foreign Serv-
19 ice Schedule, whichever is greater.

20 “(D) For purposes of diplomatic protocol
21 among officers of the Department of State, the Co-
22 ordinator shall take precedence after the Secretary
23 of State, the Deputy Secretary of State, and the
24 Under Secretaries of State and shall take precedence

1 among the Assistant Secretaries of State in the
2 order prescribed by the Secretary of State.”.

3 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
4 Section 161 of the Foreign Relations Authorization Act,
5 Fiscal Years 1994 and 1995 (Public Law 103–236) is
6 amended by striking subsection (e).

7 (c) TRANSITION PROVISION.—The President may ap-
8 point the individual serving as Coordinator for
9 Counterterrorism of the Department of State on the day
10 before the effective date of this division, or such other offi-
11 cial of the Department of State appointed by and with
12 the advice and consent of the Senate as the President con-
13 siders appropriate to serve as the acting Coordinator for
14 Counterterrorism until an individual is appointed to that
15 office in accordance with section 1(e) of the State Depart-
16 ment Basic Authorities Act of 1956 as amended by this
17 Act.

18 **SEC. 2302. SPECIAL ENVOY FOR TIBET.**

19 (a) FINDINGS.—The Congress makes the following
20 findings:

21 (1) The Government of the People’s Republic of
22 China withholds meaningful participation in the gov-
23 ernance of Tibet from Tibetans and has failed to
24 abide by its own constitutional guarantee of auton-
25 omy for Tibetans.

1 (2) The Government of the People's Republic of
2 China is responsible for the destruction of much of
3 Tibet's cultural and religious heritage since 1959
4 and continues to threaten the survival of Tibetan
5 culture and religion.

6 (3) The Government of the People's Republic of
7 China, through direct and indirect incentives, has es-
8 tablished discriminatory development programs
9 which have resulted in an overwhelming flow of Chi-
10 nese immigrants into Tibet, including those areas in-
11 corporated into the Chinese provinces of Sichuan,
12 Yunnan, Gansu, and Quinghai in recent years, and
13 have excluded Tibetans from participation in impor-
14 tant policy decisions, further threatening traditional
15 Tibetan life.

16 (4) The Government of the People's Republic of
17 China denies Tibetans their fundamental human
18 rights, as reported in the Department of State's
19 Country Reports on Human Rights Practices for
20 1995.

21 (5) The President and the Congress have deter-
22 mined that the promotion of human rights in Tibet
23 and the protection of Tibet's religion and culture are
24 important elements in United States-China relations
25 and have urged senior members of the Government

1 of the People’s Republic of China to enter into sub-
2 stantive negotiations on these matters with the Dalai
3 Lama or his representative.

4 (6) The Dalai Lama has repeatedly stated his
5 willingness to begin substantive negotiations without
6 preconditions.

7 (7) The Government of the People’s Republic of
8 China has failed to respond in a good faith manner
9 by reciprocating a willingness to begin negotiations
10 without preconditions, and no substantive negotia-
11 tions have begun.

12 (b) UNITED STATES SPECIAL ENVOY FOR TIBET.—
13 Section 1(e) of the State Department Basic Authorities
14 Act (U.S.C. 2651a(e)) is amended by adding after para-
15 graph (2) the following new paragraph:

16 “(3) UNITED STATES SPECIAL ENVOY FOR
17 TIBET.—

18 “(A) There shall be within the Department
19 of State a United States Special Envoy for
20 Tibet, who shall be appointed by the President,
21 by and with the advice and consent of the Sen-
22 ate. The United States Special Envoy for Tibet
23 shall hold office at the pleasure of the Presi-
24 dent.

1 “(B) The United States Special Envoy for
2 Tibet shall have the personal rank of ambas-
3 sador.

4 “(C) The United States Special Envoy for
5 Tibet is authorized and encouraged—

6 “(i) to promote substantive negotia-
7 tions between the Dalai Lama or his rep-
8 resentatives and senior members of the
9 Government of the People’s Republic of
10 China;

11 “(ii) to promote good relations be-
12 tween the Dalai Lama and his representa-
13 tives and the United States Government,
14 including meeting with members or rep-
15 resentatives of the Tibetan government-in-
16 exile; and

17 “(iii) to travel regularly throughout
18 Tibet and Tibetan refugee settlements.

19 “(D) The United States Special Envoy for
20 Tibet shall—

21 “(i) consult with the Congress on poli-
22 cies relevant to Tibet and the future and
23 welfare of all Tibetan people;

1 “(ii) coordinate United States Govern-
2 ment policies, programs, and projects con-
3 cerning Tibet; and

4 “(iii) report to the Secretary of State
5 regarding the matters described in section
6 536(a)(2) of the Foreign Relations Author-
7 ization Act, Fiscal Years 1994 and 1995
8 (Public Law 103-236).”.

9 **SEC. 2303. ESTABLISHMENT OF COORDINATOR FOR HUMAN**
10 **RIGHTS AND REFUGEES AND BUREAU OF**
11 **REFUGEE AND MIGRATION ASSISTANCE.**

12 (a) ESTABLISHMENT OF COORDINATOR FOR HUMAN
13 RIGHTS AND REFUGEES.—Section 1(e) of the State De-
14 partment Basic Authorities Act (22 U.S.C. 2651a(e)) is
15 amended by adding after paragraph (3) the following new
16 paragraph:

17 “(4) COORDINATOR FOR HUMAN RIGHTS AND
18 REFUGEES.—

19 “(A) There shall be within the office of the
20 Secretary of State a Coordinator for Human
21 Rights and Refugees (hereafter in this para-
22 graph referred to as the ‘Coordinator’) who
23 shall be appointed by the President, by and
24 with the advice and consent of the Senate. The

1 Coordinator shall report directly to the Sec-
2 retary of State.

3 “(B) The Coordinator shall be responsible
4 for matters pertaining to human rights, refu-
5 gees, and humanitarian affairs (including mat-
6 ters relating to prisoners of war and members
7 of the United States Armed Forces missing in
8 action) in the conduct of foreign policy. The Co-
9 ordinator shall head the Bureau of Refugee and
10 Migration Assistance and the Bureau of De-
11 mocracy, Human Rights, and Labor.

12 “(C) The Coordinator shall have the rank
13 and status of Ambassador-at-Large. The Coor-
14 dinator shall be compensated at the annual rate
15 of basic pay in effect for a position at level IV
16 of the Executive Schedule under section 5314
17 of title 5, United States Code, or, if the Coordi-
18 nator is appointed from the Foreign Service,
19 the annual rate of pay which the individual last
20 received under the Foreign Service Schedule,
21 whichever is greater.

22 “(D) For purposes of diplomatic protocol
23 among officers of the Department of State, the
24 Coordinator shall take precedence after the Sec-
25 retary of State, the Deputy Secretary of State,

1 and the Under Secretaries of State and shall
2 take precedence among the Assistant Secretar-
3 ies of State in the order prescribed by the Sec-
4 retary of State.”.

5 (b) TERMINATION OF ASSISTANT SECRETARY OF
6 STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.—

7 (1) IN GENERAL.—Section 1(c) of the State
8 Department Basic Authorities Act of 1956 (22
9 U.S.C. 2651a(c)) is amended by striking paragraph
10 (2).

11 (2) CONFORMING AMENDMENTS.—The Foreign
12 Assistance Act of 1961 is amended—

13 (A) in section 116(c) (22 U.S.C. 2151n),
14 by striking “Assistant Secretary of State for
15 Democracy, Human Rights, and Labor” and in-
16 serting “Secretary”;

17 (B) in sections 502B and 505(g)(4)(A) by
18 striking “, prepared with the assistance of the
19 Assistant Secretary of State for Democracy,
20 Human Rights, and Labor,”; and

21 (C) in section 573(c) by striking “Assist-
22 ant Secretary of State for Democracy, Human
23 Rights, and Labor” and inserting “Secretary of
24 State”.

1 (c) ESTABLISHMENT OF BUREAU OF REFUGEE AND
2 MIGRATION ASSISTANCE.—Section 1 of the State Depart-
3 ment Basic Authorities Act of 1956 (22 U.S.C. 2651a)
4 is amended by adding after subsection (e) the following
5 new subsection:

6 “(f) ESTABLISHMENT OF CERTAIN BUREAUS, OF-
7 FICES, AND OTHER ORGANIZATIONAL ENTITIES WITHIN
8 THE DEPARTMENT OF STATE.—

9 “(1) BUREAU OF REFUGEE AND MIGRATION AS-
10 SISTANCE.—There is established within the Depart-
11 ment of State the Bureau of Refugee and Migration
12 Assistance which shall assist the Secretary of State
13 in carrying out the Migration and Refugee Assist-
14 ance Act of 1962. The Bureau shall be headed by
15 the Coordinator for Human Rights and Refugees.”.

16 **SEC. 2304. ELIMINATION OF STATUTORY ESTABLISHMENT**
17 **OF CERTAIN POSITIONS OF THE DEPART-**
18 **MENT OF STATE.**

19 (a) ASSISTANT SECRETARY OF STATE FOR SOUTH
20 ASIAN AFFAIRS.—Section 122 of the Foreign Relations
21 Authorization Act, Fiscal Years 1992 and 1993 (22
22 U.S.C. 2652b) is repealed.

23 (b) DEPUTY ASSISTANT SECRETARY OF STATE FOR
24 BURDENSARING.—Section 161 of the Foreign Relations

1 Authorization Act, Fiscal Years 1994 and 1995 (22
2 U.S.C. 2651a note) is amended by striking subsection (f).

3 (c) ASSISTANT SECRETARY FOR OCEANS AND
4 INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AF-
5 FAIRS.—Section 9 of the Department of State Appropria-
6 tions Authorization Act of 1973 (22 U.S.C. 2655a) is re-
7 pealed.

8 **SEC. 2305. ESTABLISHMENT OF ASSISTANT SECRETARY OF**
9 **STATE FOR HUMAN RESOURCES.**

10 Section 1(c) of the State Department Basic Authori-
11 ties Act of 1956 (22 U.S.C. 2651a(c)) is amended by add-
12 ing after paragraph (1) the following new paragraph:

13 “(2) ASSISTANT SECRETARY FOR HUMAN RE-
14 SOURCES.—There shall be in the Department of
15 State an Assistant Secretary for Human Resources
16 who shall be responsible to the Secretary of State
17 for matters relating to human resources including
18 the implementation of personnel policies and pro-
19 grams within the Department of State and inter-
20 national affairs functions and activities carried out
21 through the Department of State. The Assistant
22 Secretary shall have substantial professional quali-
23 fications in the field of human resource policy and
24 management.”.

1 **SEC. 2306. AUTHORITY OF UNITED STATES PERMANENT**
2 **REPRESENTATIVE TO THE UNITED NATIONS.**

3 Section 2(a) of the United Nations Participation Act
4 of 1945 (22 U.S.C. 287(a)) is amended by striking “hold
5 office at the pleasure of the President” and inserting
6 “serve at the pleasure of the President and subject to the
7 direction of the Secretary of State, acting through the As-
8 sistant Secretary of State with principal responsibility for
9 the conduct of international organization affairs”.

10 **CHAPTER 2—PERSONNEL OF THE DE-**
11 **PARTMENT OF STATE; THE FOREIGN**
12 **SERVICE**

13 **SEC. 2351. AUTHORIZED STRENGTH OF THE FOREIGN SERV-**
14 **ICE.**

15 (a) **END FISCAL YEAR 1996 LEVELS.**—The number
16 of members of the Foreign Service authorized to be em-
17 ployed as of September 30, 1996—

18 (1) for the Department of State, shall not ex-
19 ceed 9,000, of whom not more than 720 shall be
20 members of the Senior Foreign Service;

21 (2) for the United States Information Agency,
22 shall not exceed 1,150, of whom not more than 165
23 shall be members of the Senior Foreign Service; and

24 (3) for the Agency for International Develop-
25 ment, not to exceed 1,800, of whom not more than
26 240 shall be members of the Senior Foreign Service.

1 (b) END FISCAL YEAR 1997 LEVELS.—The number
2 of members of the Foreign Service authorized to be em-
3 ployed as of September 30, 1997—

4 (1) for the Department of State, shall not ex-
5 ceed 8,800, of whom not more than 680 shall be
6 members of the Senior Foreign Service;

7 (2) for the United States Information Agency,
8 not to exceed 1,100 of whom not more than 160
9 shall be members of the Senior Foreign Service; and

10 (3) for the Agency for International Develop-
11 ment, not to exceed 1,775 of whom not more than
12 230 shall be members of the Senior Foreign Service.

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

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

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

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

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

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

3 (5) members of the Service serving under non-
4 career limited appointments.

5 (d) WAIVER AUTHORITY.—(1) Subject to paragraph
6 (2), the Secretary of State, the Director of the United
7 States Information Agency, and the Director of the Agen-
8 cy for International Development may waive any limita-
9 tion under subsection (a) or (b) which applies to the De-
10 partment of State, the United States Information Agency,
11 or the Agency for International Development as the case
12 may be, to the extent that such waiver is necessary to
13 carry on the foreign affairs functions of the United States.

14 (2) Not less than 15 days before any agency head
15 implements a waiver under paragraph (1), such agency
16 head shall notify the Chairman of the Committee on For-
17 eign Relations of the Senate and the Chairman of the
18 Committee on International Relations of the House of
19 Representatives. Such notice shall include an explanation
20 of the circumstances and necessity for such waiver.

21 **SEC. 2352. REPEAL OF AUTHORITY FOR SENIOR FOREIGN**
22 **SERVICE PERFORMANCE PAY.**

23 (a) REPEAL.—Section 405 of the Foreign Service Act
24 of 1980 (22 U.S.C. 3965) is repealed.

1 (b) CONFORMING AMENDMENT.—Section 2 of the
2 Foreign Service Act of 1980 is amended in the table of
3 contents by striking the item related to section 405.

4 **TITLE XXIV—UNITED STATES**
5 **PUBLIC DIPLOMACY: AU-**
6 **THORITIES AND ACTIVITIES**
7 **FOR UNITED STATES INFOR-**
8 **MATIONAL, EDUCATIONAL,**
9 **AND CULTURAL PROGRAMS**
10 **CHAPTER 1—GENERAL PROVISIONS**

11 **SEC. 2401. ELIMINATION OF PERMANENT AUTHORIZATION.**

12 Section 208 of the Foreign Relations Authorization
13 Act, Fiscal Years 1992 and 1993 is amended by striking
14 subsection (e).

15 **SEC. 2402. EXTENSION OF AU PAIR PROGRAMS.**

16 Section 8 of the Eisenhower Exchange Fellowship
17 Act of 1990 (Public Law 101–454) is amended in the last
18 sentence by striking “fiscal year 1995” and inserting “fis-
19 cal year 1997”.

20 **SEC. 2403. EDUCATIONAL AND CULTURAL EXCHANGES**
21 **WITH HONG KONG.**

22 The Director of the United States Information Agen-
23 cy shall establish programs of educational and cultural ex-
24 change between the United States and the people of Hong
25 Kong.

1 **SEC. 2404. CONDUCT OF EDUCATIONAL AND CULTURAL EX-**
2 **CHANGE PROGRAMS.**

3 In carrying out programs of educational and cultural
4 exchange in Hong Kong, China, Vietnam, Cambodia,
5 Tibet, Burma, and East Timor, the Director of the United
6 States Information Agency shall take appropriate steps to
7 provide opportunities for participation in such programs
8 to human rights and democracy leaders of such countries
9 and persons who are nationals but not residents of such
10 countries.

11 **SEC. 2405. EDUCATIONAL AND CULTURAL EXCHANGES AND**
12 **SCHOLARSHIPS FOR TIBETANS AND BUR-**
13 **MESE.**

14 (a) ESTABLISHMENT OF EDUCATIONAL AND CUL-
15 TURAL EXCHANGE FOR TIBETANS.—The Director of the
16 United States Information Agency shall establish pro-
17 grams of educational cultural exchange between the Unit-
18 ed States and the people of Tibet. Such programs shall
19 include opportunities for training and, as the Director con-
20 siders appropriate, may include the assignment of person-
21 nel and resources abroad.

22 (b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—

23 (1) For each of the fiscal years 1996 and 1997,
24 at least 30 scholarships shall be made available to
25 Tibetan students and professionals who are outside

1 Tibet, and at least 15 scholarships shall be made
2 available to Burmese students and professionals who
3 are outside Burma.

4 (2) WAIVER.—Paragraph (1) shall not apply to
5 the extent that the Director of the United States In-
6 formation Agency determines that there are not
7 enough qualified students to fulfill such allocation
8 requirement.

9 (3) SCHOLARSHIP DEFINED.—For the purposes
10 of this section, the term “scholarship” means an
11 amount to be used for full or partial support of tui-
12 tion and fees to attend an educational institution,
13 and may include fees, books, and supplies, equip-
14 ment required for courses at an educational institu-
15 tion, living expenses at a United States educational
16 institution, and travel expenses to and from, and
17 within, the United States.

18 **SEC. 2406. AVAILABILITY OF VOICE OF AMERICA AND**
19 **RADIO MARTI MULTILINGUAL COMPUTER**
20 **READABLE TEXT AND VOICE RECORDINGS.**

21 (a) IN GENERAL.—Notwithstanding section 208 of
22 the Foreign Relations Authorization Act, Fiscal Years
23 1986 and 1987 (22 U.S.C. 1461–1a) and the second sen-
24 tence of section 501 of the United States Information and
25 Educational Exchange Act of 1948 (22 U.S.C. 1461), the

1 Director of the United States Information Agency is au-
2 thorized to make available, upon request, to the Linguistic
3 Data Consortium of the University of Pennsylvania com-
4 puter readable multilingual text and recorded speech in
5 various languages. The Consortium shall, directly or indi-
6 rectly as appropriate, reimburse the Director for any ex-
7 penses involved in making such materials available.

8 (b) TERMINATION.—Subsection (a) shall cease to
9 have effect 5 years after the date of the enactment of this
10 Act.

11 **SEC. 2407. RETENTION OF INTEREST.**

12 Notwithstanding any other provision of law, with the
13 approval of the National Endowment for Democracy,
14 grant funds made available by the National Endowment
15 for Democracy may be deposited in interest-bearing ac-
16 counts pending disbursement and any interest which ac-
17 crues may be retained by the grantee and used for the
18 purposes for which the grant was made.

19 **CHAPTER 2—INTERNATIONAL**
20 **BROADCASTING**

21 **SEC. 2431. EXPANSION OF BROADCASTING BOARD OF GOV-**
22 **ERNORS.**

23 Section 304(b) of the United States International
24 Broadcasting Act of 1994 (22 U.S.C. 6203) is amended—

1 (1) in paragraph (1) by striking “9” and insert-
2 ing “11”;

3 (2) in paragraph (1)(A) by striking “8” and in-
4 sserting “10”; and

5 (3) in paragraph (3) by striking “4” and insert-
6 ing “5”.

7 **SEC. 2432. PLAN FOR RADIO FREE ASIA.**

8 Not later than 90 days after the date of the enact-
9 ment of this Act, the Director of the United States Infor-
10 mation Agency shall submit to the Congress a detailed
11 plan for the establishment and operation of Radio Free
12 Asia.

13 **SEC. 2433. PILOT PROJECT FOR FREEDOM BROADCASTING**
14 **TO ASIA.**

15 (a) **AUTHORITY.**—The Director of the United States
16 Information Agency shall make grants for broadcasting to
17 the People’s Republic of China, Burma, Cambodia, Laos,
18 North Korea, Tibet, and Vietnam. Such broadcasting shall
19 provide accurate and timely information, news, and com-
20 mentary about events in the respective countries of Asia
21 and elsewhere, and shall be a forum for a variety of opin-
22 ions and voices from within Asian nations whose people
23 do not fully enjoy freedom of expression.

24 (b) **PURPOSE.**—The purpose of such grants shall be
25 to provide such broadcasting on an interim basis during

1 the period before Radio Free Asia becomes fully oper-
2 ational.

3 (c) APPLICATIONS.—In considering applications for
4 grants, the Director of the United States Information
5 Agency shall give strong preference to entities which (1)
6 take advantage of the expertise of political and religious
7 dissidents and pro-democracy and human rights activists
8 from within the countries to whom broadcasting is di-
9 rected, including exiles from these countries; and (2) take
10 advantage of contracts or similar arrangements with exist-
11 ing broadcast facilities so as to provide immediate broad-
12 cast coverage with low overhead.

13 (d) PLAN.—Not later than 30 days after the date of
14 the enactment of this Act, the Director of the United
15 States Information Agency shall submit to the appropriate
16 congressional committees a plan for implementing this sec-
17 tion which shall include details concerning timetable for
18 implementation, grant criteria, and grant application pro-
19 cedures. The procedures and timetable should be designed
20 to ensure that grantees will begin broadcasting not later
21 than 120 days after the date of the enactment of this Act.

1 **TITLE XXV—INTERNATIONAL**
2 **ORGANIZATIONS AND COM-**
3 **MISSIONS**

4 **CHAPTER 1—GENERAL PROVISIONS**

5 **SEC. 2501. INTERNATIONAL BOUNDARY AND WATER COM-**
6 **MISSION.**

7 The Act of May 13, 1924 (49 Stat. 660, 22 U.S.C.
8 277–277f), is amended in section 3 (22 U.S.C. 277b) by
9 adding the following new subsection at the end:

10 “(d) Pursuant to the authority of subsection (a) and
11 in order to facilitate further compliance with the terms
12 of the Convention for Equitable Distribution of the Waters
13 of the Rio Grande, May 21, 1906, United States-Mexico,
14 the Secretary of State, acting through the United States
15 Commissioner of the International Boundary and Water
16 Commission, may make improvements to the Rio Grande
17 Canalization Project, originally authorized by the Act of
18 August 29, 1935 (49 Stat. 961). Such improvements may
19 include all such works as may be needed to stabilize the
20 Rio Grande in the reach between the Percha Diversion
21 Dam in New Mexico and the American Diversion Dam in
22 El Paso.”.

1 **CHAPTER 2—UNITED NATIONS AND AF-**
2 **FILIATED AGENCIES AND ORGANIZA-**
3 **TIONS**

4 **SEC. 2521. REFORM IN BUDGET DECISIONMAKING PROCE-**
5 **DURES OF THE UNITED NATIONS AND ITS**
6 **SPECIALIZED AGENCIES.**

7 (a) ASSESSED CONTRIBUTIONS.—Of amounts au-
8 thorized to be appropriated for “Assessed Contributions
9 to International Organizations” by this Act, the President
10 may withhold 20 percent of the funds appropriated for the
11 United States assessed contribution to the United Nations
12 or to any of its specialized agencies for any calendar year
13 if the United Nations or any such agency has failed to
14 implement or to continue to implement consensus-based
15 decisionmaking procedures on budgetary matters which
16 assure that sufficient attention is paid to the views of the
17 United States and other member states that are the major
18 financial contributors to such assessed budgets.

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

1 appropriate consultation between the President (or the
2 President's representative) and the Committee on Inter-
3 national Relations of the House of Representatives and
4 the Committee on Foreign Relations of the Senate.

5 (c) CONTRIBUTIONS FOR PRIOR YEARS.—Subject to
6 the availability of appropriations, payment of assessed
7 contributions for prior years may be made to the United
8 Nations or any of its specialized agencies notwithstanding
9 subsection (a) if such payment would further United
10 States interests in that organization.

11 (d) REPORT TO CONGRESS.—Not later than Feb-
12 ruary 1 of each year, the President shall submit to the
13 appropriate congressional committees a report concerning
14 the amount of United States assessed contributions paid
15 to the United Nations and each of its specialized agencies
16 during the preceding calendar year.

17 **SEC. 2523. LIMITATION ON CONTRIBUTIONS TO THE**
18 **UNITED NATIONS OR UNITED NATIONS AF-**
19 **FILIATED ORGANIZATIONS.**

20 The United States shall not make any voluntary or
21 assessed contribution—

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

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

7 **SEC. 2524. REPORT ON UNICEF.**

8 Not later than December 31, 1995, the Secretary of
9 State shall transmit to the appropriate congressional com-
10 mittees a report on (1) the progress of UNICEF toward
11 effective financial, program, and personnel management;
12 (2) the progress of UNICEF in shifting its health, child
13 survival, and maternal survival programs toward efficient
14 and low-overhead contractors, with particular emphasis on
15 nongovernmental organizations; and (3) the extent to
16 which UNICEF has demonstrated its commitment to its
17 traditional mission of child health and welfare and resisted
18 pressure to become involved in functions performed by
19 other United Nations agencies.

1 **TITLE XXVI—FOREIGN POLICY**
2 **PROVISIONS**

3 **CHAPTER 1—MISCELLANEOUS FOREIGN**
4 **POLICY PROVISIONS**

5 **SEC. 2601. APPLICABILITY OF TAIWAN RELATIONS ACT.**

6 Section 3 of the Taiwan Relations Act (22 U.S.C.
7 3302) is amended by adding at the end the following new
8 subsection:

9 “(d) The provisions of subsections (a) and (b) super-
10 sede any provision of the Joint Communique of the United
11 States and China of August 17, 1982.”.

12 **SEC. 2602. REPORT ON OCCUPIED TIBET.**

13 (a) FINDINGS AND DECLARATIONS OF CONGRESS.—
14 The Congress makes the following findings and declara-
15 tions:

16 (1) Tibet is an occupied sovereign country
17 under international law and its true representatives
18 are the Dalai Lama and the Tibetan Government in
19 exile.

20 (2) The United States should seek to establish
21 a dialogue with those recognized by Congress as the
22 true representatives of the Tibetan people, the Dalai
23 Lama, his representatives, and the Tibetan Govern-
24 ment in exile, concerning the situation in Tibet and
25 the future of the Tibetan people and to expand and

1 strengthen United States-Tibet cultural and edu-
2 cational relations, including promoting bilateral ex-
3 changes arranged directly with the Tibetan Govern-
4 ment in exile.

5 (b) REPORT ON UNITED STATES-TIBET RELA-
6 TIONS.— Not later than 6 months after the date of enact-
7 ment of this Act, and every 12 months thereafter, the Sec-
8 retary of State shall transmit to the Chairman of the Com-
9 mittee on Foreign Relations and the Speaker of the House
10 of Representatives a report on the state of relations be-
11 tween the United States and those recognized by Congress
12 as the true representatives of the Tibetan people, the
13 Dalai Lama, his representatives, and the Tibetan Govern-
14 ment in exile, and on conditions in Tibet.

15 (c) SEPARATE TIBET REPORTS.—

16 (1) It is the sense of the Congress that when-
17 ever an executive branch report is transmitted to the
18 Congress on a country-by-country basis there should
19 be included in such report, where applicable, a sepa-
20 rate report on Tibet listed alphabetically with its
21 own state heading.

22 (2) The reports referred to in paragraph (1) in-
23 clude, but are not limited to, reports transmitted
24 under sections 116(d) and 502B(b) of the Foreign
25 Assistance Act of 1961 (relating to human rights).

1 **SEC. 2603. BOSNIA GENOCIDE JUSTICE ACT.**

2 (a) SHORT TITLE.—This section may be cited as the
3 “Bosnia Genocide Justice Act”.

4 (b) POLICY.—

5 (1) IN GENERAL.—Consistent with inter-
6 national law, it is the policy of the United States to
7 bring to justice persons responsible for genocide, war
8 crimes, crimes against humanity and other serious
9 violations of international humanitarian law commit-
10 ted in the territory of the former Yugoslavia since
11 1991.

12 (2) SENSE OF CONGRESS.—The Congress urges
13 the President—

14 (A) to collect or assist appropriate organi-
15 zations and individuals to collect relevant data
16 on these crimes committed in the former Yugo-
17 slavia;

18 (B) to share such data with the War
19 Crimes Tribunal for the former Yugoslavia es-
20 tablished by the Security Council of the United
21 Nations;

22 (C) to assist United Nations efforts to in-
23 vestigate, prosecute, and try those responsible
24 for genocide, war crimes, crimes against hu-
25 manity and other serious violations of inter-

1 national humanitarian law committed in the
2 territory of the former Yugoslavia since 1991;

3 (D) to submit to the Congress implement-
4 ing legislation to enable compliance with re-
5 quests and orders of the Tribunal; and

6 (E) to support the ongoing work of the
7 Tribunal through a cash contribution of not less
8 than \$3,000,000 to the United Nations Vol-
9 untary Fund for the War Crimes Tribunal for
10 the former Yugoslavia for 1996 and 1997.

11 (c) REPORTING REQUIREMENT.—Beginning 6
12 months after the date of enactment of this Act, and every
13 6 months thereafter during fiscal years 1996 and 1997,
14 the President shall submit a report describing the steps
15 taken to implement the provisions of this section to the
16 appropriate congressional committees.

1 **CHAPTER 2—RELATING TO THE UNITED**
2 **STATES-NORTH KOREA AGREED**
3 **FRAMEWORK AND THE OBLIGATIONS**
4 **OF NORTH KOREA UNDER THAT AND**
5 **PREVIOUS AGREEMENTS WITH RE-**
6 **SPECT TO THE DENUCLEARIZATION**
7 **OF THE KOREAN PENINSULA AND DIA-**
8 **LOGUE WITH THE REPUBLIC OF**
9 **KOREA**

10 **SEC. 2641. FINDINGS.**

11 The Congress makes the following findings:

12 (1) The United States-Democratic People's Re-
13 public of Korea Agreed Framework ("Agreed
14 Framework"), entered into on October 21, 1994, be-
15 tween the United States and North Korea, requires
16 North Korea to stop and eventually dismantle its
17 graphite-moderated nuclear reactor program and re-
18 lated facilities, and comply fully with its obligations
19 under the Treaty on the Non-Proliferation of Nu-
20 clear Weapons, in exchange for alternative energy
21 sources, including interim supplies of bunker oil for
22 electric generators and more proliferation-resistant
23 light water reactor technology.

24 (2) The Agreed Framework also commits North
25 Korea to "consistently take steps to implement the

1 North-South Joint Declaration on the
2 Denuclearization of the Korean Peninsula” and “en-
3 gage in North-South” dialogue with the Republic of
4 Korea.

5 (3) The Agreed Framework does not indicate
6 specific criteria for full normalization of relations be-
7 tween the United States and North Korea, and does
8 not link the sequencing of actions in the Agreed
9 Framework with any time-frame for carrying out the
10 provisions of the North-South Joint Declaration on
11 the Denuclearization of the Korean Peninsula and
12 carrying out the dialogue between North Korea and
13 the Republic of Korea.

14 (4) The commitment by North Korea to carry
15 out the letter and spirit of the Agreed Framework
16 has been put into doubt by actions of North Korea
17 since October 21, 1994, including the suspected di-
18 version of United States heavy fuel oil in apparent
19 contravention of the agreed purpose of the interim
20 fuel deliveries, the refusal to accept light water reac-
21 tors from the Republic of Korea, the harsh denun-
22 ciations of the Government of the Republic of Korea,
23 and other actions contrary to the commitment by
24 North Korea to engage in a dialogue with such Gov-

1 ernment, and the continued conduct of provocative,
2 offensive oriented military exercises.

3 (5) The nuclear threat posed by North Korea is
4 just one of a number of security concerns of the
5 United States arising out of the policies of North
6 Korea.

7 **SEC. 2642. CLARIFICATION OF NUCLEAR NONPROLIFERA-**
8 **TION OBLIGATIONS OF NORTH KOREA**
9 **UNDER THE AGREED FRAMEWORK.**

10 It is the sense of the Congress that in discussions
11 or negotiations with the Government of North Korea pur-
12 suant to the implementation of the United States-Demo-
13 cratic People's Republic of Korea Agreed Framework (in
14 this joint resolution referred to as the "Agreed Frame-
15 work"), entered into on October 21, 1994, the President
16 should uphold the following minimum conditions relating
17 to nuclear nonproliferation:

18 (1) All spent fuel from the graphite-moderated
19 nuclear reactors and related facilities of North
20 Korea should be removed from the territory of North
21 Korea as is consistent with the Agreed Framework.

22 (2) The International Atomic Energy Agency
23 should have the freedom to conduct any and all in-
24 spections that it deems necessary to fully account for
25 the stocks of plutonium and other nuclear materials

1 in North Korea, including special inspections of sus-
2 pected nuclear waste sites, before any nuclear com-
3 ponents controlled by the Nuclear Supplier Group
4 Guidelines are delivered for a light water reactor for
5 North Korea.

6 (3) The dismantlement of all declared graphite-
7 based nuclear reactors and related facilities in North
8 Korea, including reprocessing units, should be com-
9 pleted in accordance with the Agreed Framework
10 and in a manner that effectively bars in perpetuity
11 any reactivation of such reactors and facilities.

12 (4) The United States should suspend actions
13 described in the Agreed Framework if North Korea
14 attempts to reload its existing 5 megawatt nuclear
15 reactor or resumes construction of nuclear facilities
16 other than those permitted to be built under the
17 Agreed Framework.

18 **SEC. 2643. ROLE OF THE REPUBLIC OF KOREA UNDER THE**

19 **AGREED FRAMEWORK.**

20 It is further the sense of the Congress that the Re-
21 public of Korea should play the central role in the project
22 to provide light water reactors to North Korea under the
23 Agreed Framework.

1 **SEC. 2644. FURTHER STEPS TO PROMOTE UNITED STATES**
2 **SECURITY AND POLITICAL INTERESTS WITH**
3 **RESPECT TO NORTH KOREA.**

4 It is further the sense of the Congress that, after the
5 date of the enactment of this Act, the President should
6 not take further steps toward upgrading diplomatic rela-
7 tions with North Korea beyond opening liaison offices or
8 relaxing trade and investment barriers imposed against
9 North Korea without—

10 (1) action by the Government of North Korea
11 to engage in a North-South dialogue with the Gov-
12 ernment of the Republic of Korea;

13 (2) implementation of the North-South Joint
14 Declaration on the Denuclearization of the Korean
15 Peninsula; and

16 (3) progress toward the achievement of several
17 long-standing United States policy objectives regard-
18 ing North Korea and the Korean Peninsula, includ-
19 ing—

20 (A) reducing the number of military forces
21 of North Korea along the Demilitarized Zone
22 and relocating such military forces away from
23 the Demilitarized Zone;

24 (B) prohibiting any movement by North
25 Korea toward the deployment of an intermedi-
26 ate range ballistic missile system; and

1 (C) prohibiting the export by North Korea
2 of missiles and other weapons of mass destruc-
3 tion, including related technology and compo-
4 nents.

5 **SEC. 2645. RESTRICTIONS ON ASSISTANCE TO NORTH**
6 **KOREA AND THE KOREAN PENINSULA EN-**
7 **ERGY DEVELOPMENT ORGANIZATION.**

8 Funds authorized to be appropriated or appropriated
9 under any provision of law may be used to provide assist-
10 ance to North Korea or the Korean Peninsula Energy De-
11 velopment Organization only if such assistance is provided
12 under the same terms and conditions that govern the pro-
13 vision of assistance to North Korea or such organization
14 under the Foreign Assistance Act of 1961 (22 U.S.C.
15 2151 et seq.) including, inter alia—

16 (1) the requirement that the congressional com-
17 mittees specified in section 634A of such Act (22
18 U.S.C. 2394) be notified pursuant to that section in
19 the case of any reprogramming of funds; and

20 (2) the requirement that a special authority,
21 such as section 614 of such Act, be used to waive
22 the application of provisions of law subject to such
23 special authority that would otherwise restrict or
24 prohibit the provision of such assistance.

CHAPTER 3—BURMA**SEC. 2651. UNITED STATES POLICY CONCERNING THE DICTATORSHIP IN BURMA.**

(a) SENSE OF THE CONGRESS.—It is the sense of the Congress that the President should take steps to encourage the United Nations Security Council to—

(1) impose an international arms embargo on Burma;

(2) affirm support for human rights and the protection of all Karen, Karenni, and other minorities in Burma;

(3) condemn Burmese officials responsible for crimes against humanity;

(4) take steps to encourage multilateral assistance programs for refugees from Burma in Thailand and India; and

(5) reduce United Nations activities in Burma, including UNDP (United Nations Development Program), UNICEF (United Nations Childrens Fund), UNFPA (United Nations Family Planning Agency), World Health Organization (WHO), Food and Agriculture Organization (FAO), and UNIDCP (United Nations International Drug Control Program) activities.

1 (b) REDUCTION IN DIPLOMATIC PRESENCE.—It is
2 the sense of the Congress that the President should reduce
3 the diplomatic presence of the United States in Burma
4 by reducing the total number of the members of the For-
5 eign Service stationed in Burma on the date of enactment
6 of this Act.

7 **TITLE XXVII—CONGRESSIONAL**
8 **STATEMENTS**

9 **SEC. 2701. INTER-AMERICAN ORGANIZATIONS.**

10 Taking into consideration the long-term commitment
11 by the United States to the affairs of this Hemisphere and
12 the need to build further upon the linkages between the
13 United States and its neighbors, 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. 2702. TERRITORIAL INTEGRITY OF BOSNIA AND**
18 **HERZEGOVINA.**

19 (a) FINDINGS.—The Congress makes the following
20 findings:

21 (1) The sovereign and independent state of
22 Bosnia-Herzegovina was formally recognized by the
23 United States of America on April 7, 1992.

24 (2) The sovereign and independent state of
25 Bosnia-Herzegovina was admitted as a full partici-

1 participating State of the Conference on Security and Co-
2 operation in Europe on April 30, 1992.

3 (3) The sovereign and independent state of
4 Bosnia-Herzegovina was admitted as a Member
5 state of the United Nations on May 22, 1992.

6 (4) The United States has declared its deter-
7 mination to respect and put into practice the Dec-
8 laration on Principles Guiding Relations between
9 Participating States contained in the Final Act of
10 the Conference on Security and Cooperation in Eu-
11 rope.

12 (5) Each of the principles has been violated
13 during the course of war in Bosnia-Herzegovina:
14 sovereign equality and respect for the rights inherent
15 in sovereignty, refraining from the threat or use of
16 force; inviolability of frontiers; territorial integrity of
17 States; peaceful settlement of disputes; noninterven-
18 tion in internal affairs; respect for human rights and
19 fundamental freedoms, including the freedom of
20 thought, conscience, religion or belief; equal rights
21 and self-determination of peoples; cooperation among
22 States; and fulfillment in good faith of obligations
23 under international law.

24 (6) Principle II of the Final Act commits the
25 participating States to “refrain from any manifesta-

1 tion of force for the purpose of inducing another
2 participating State to renounce the full exercise of
3 its sovereign rights”.

4 (7) Principle III of the Final Act commits the
5 participating States to “refrain from any demand
6 for, or act of, seizure and usurpation of part or all
7 of the territory of any participating State”.

8 (8) Principle IV of the Final Act commits the
9 participating States to “respect the territorial integ-
10 rity of each of the participating States” and “refrain
11 from any action inconsistent with the purposes and
12 principles of the Charter of the United Nations
13 against the territorial integrity, political independ-
14 ence or the unity of any participating State”.

15 (9) The Charter of Paris for a New Europe
16 commits the participating States “to cooperate in
17 defending democratic institutions against activities
18 which violate the independence, sovereign equality,
19 or territorial integrity of the participating States”.

20 (10) The Helsinki Document 1992 reaffirms
21 “the validity of the guiding principles and common
22 values of the Helsinki Final Act and the Charter of
23 Paris, embodying responsibilities of States towards
24 each other and of governments towards their own

1 people” which serve as the “collective conscience of
2 our community”.

3 (11) The Charter of the United Nations calls
4 upon Member states to respect the territorial integ-
5 rity and political independence of any state in keep-
6 ing with the Purposes of the United Nations.

7 (12) The sovereign and independent state of
8 Bosnia-Herzegovina has been and continues to be
9 subjected to armed aggression by Bosnian Serb
10 forces, Croatian Serb forces, and others in violation
11 of Final Act and the Charter.

12 (13) Unchecked armed aggression and genocide
13 threatens the lives of innocent civilians as well as the
14 very existence of the sovereign and independent state
15 of Bosnia-Herzegovina.

16 (b) SENSE OF CONGRESS.—It is the sense of the
17 Congress that the United States should refuse to recognize
18 the incorporation of any of the territory of Bosnia-
19 Herzegovina into the territory of any neighboring state or
20 the creation of any new state or states within the borders
21 of Bosnia-Herzegovina resulting from the threat or use of
22 force, coercion, or any other means inconsistent with inter-
23 national law.

1 **SEC. 2703. THE LAOGAI SYSTEM OF POLITICAL PRISONS.**

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

4 (1) The Chinese gulag, known as the Laogai,
5 was created as a primary means of political repres-
6 sion and control when the Communists assumed
7 power in China in 1949.

8 (2) The Laogai has caused millions of people to
9 suffer grave human rights abuses over the past 46
10 years, including countless deaths.

11 (3) The Laogai continues to be used to incar-
12 cerate unknown numbers of ordinary citizens for po-
13 litical reasons, including workers, students, intellec-
14 tuals, religious believers, and Tibetans.

15 (4) So-called “thought reform” is a standard
16 practice of Laogai officials, and reports of torture
17 are routinely received by human rights organizations
18 from Laogai prisoners and survivors.

19 (5) Negotiations about unfettered access to
20 Laogai prisoners between the Chinese Government
21 and the International Red Cross have ceased.

22 (6) The Laogai is in reality a huge system of
23 forced labor camps in which political and penal
24 criminals are slave laborers producing an array of
25 products for export throughout the world, including
26 the United States.

1 (7) The Chinese Government continues to main-
2 tain, as part of its official propaganda and in defi-
3 ance of significant evidence to the contrary gathered
4 by many human rights organizations, that the
5 Laogai is a prison system like any other in the
6 world.

7 (8) Testimony delivered before the Subcommit-
8 tee on International Operations and Human Rights
9 of the Committee on International Relations of the
10 House of Representatives has documented human
11 rights abuses in the Laogai which continue to this
12 day.

13 (9) The American people have repeatedly ex-
14 pressed their abhorrence of forced labor camps sys-
15 tems, whether they be operated by the Nazis, Soviet
16 Communists, or any other political ideology.

17 (b) SENSE OF CONGRESS.—It is the sense of the
18 Congress that the President should—

19 (1) publicly condemn the continued existence of
20 the Laogai, and call upon the Government of the
21 People's Republic of China to dismantle it, and re-
22 lease all of its political prisoners; and

23 (2) instruct the appropriate diplomatic rep-
24 resentatives of the United States to cause a resolu-
25 tion condemning the Laogai to be put before the

1 United Nations Human Rights Commission and
2 work for its passage.

3 **SEC. 2704. CONCERNING THE USE OF FUNDS TO FURTHER**
4 **NORMALIZE RELATIONS WITH VIETNAM.**

5 It is the sense of the Congress that none of the funds
6 authorized to be appropriated or otherwise made available
7 by this Act may be obligated or expended to further nor-
8 malize diplomatic relations between the United States and
9 Vietnam, until Vietnam—

10 (1) releases all of its political and religious pris-
11 oners;

12 (2) accounts for American POWs and MIAs
13 from the Vietnam War;

14 (3) holds democratic elections; and

15 (4) institutes policies which protect human
16 rights.

17 **SEC. 2705. DECLARATION OF CONGRESS REGARDING UNIT-**
18 **ED STATES GOVERNMENT HUMAN RIGHTS**
19 **POLICY TOWARD CHINA.**

20 (a) FINDINGS.—The Congress makes the following
21 findings:

22 (1) According to the 1994 State Department
23 Country Reports on Human Rights Practices there
24 continue to be “widespread and well-documented
25 human rights abuses in China, in violation of inter-

1 nationally accepted norms . . . (including) arbitrary
2 and lengthy incommunicado detention, torture, and
3 mistreatment of prisoners. The regime continued se-
4 vere restrictions on freedoms of speech, press assem-
5 bly and association, and tightened controls on the
6 exercise of these rights during 1994. Serious human
7 rights abuses persisted in Tibet and other areas pop-
8 ulated by ethnic minorities”.

9 (2) The President, in announcing his decision
10 on Most Favored Nation trading status for China in
11 May 1994 stated that, “China continues to commit
12 very serious human rights abuses. Even as we en-
13 gage the Chinese on military, political, and economic
14 issues, we intend to stay engaged with those in
15 China who suffer from human rights abuses. The
16 United States must remain a champion of their lib-
17 erties”.

18 (b) SENSE OF CONGRESS.—It is the sense of the
19 Congress that the President should take the following ac-
20 tions:

21 (1) Decline the invitation to visit China until
22 and unless there is dramatic overall progress on
23 human rights in China and Tibet and communicate
24 to the Government of China that such a visit cannot
25 take place without such progress. Indications of

1 overall progress would include the release of hun-
2 dreds of political, religious, and labor activists; an
3 agreement to allow unhindered confidential access to
4 prisoners by international humanitarian agencies;
5 enactment of major legal reforms such as an end to
6 all restrictions on the exercise of freedom of religion,
7 revocation of the 1993 state security law, and the
8 abolition of all so-called “counter-revolutionary”
9 crimes; and a decision to allow unrestricted access to
10 Tibet by foreign media and international human
11 rights monitors.

12 (2) Seek to develop an agreement on a multilat-
13 eral strategy to promote human rights in China with
14 other members of the G-7, beginning with the meet-
15 ing of the G-7 industrial partners scheduled for
16 June 1995 in Halifax, Nova Scotia. Such an agree-
17 ment should include efforts to encourage greater co-
18 operation by the Government of China with the
19 human rights rapporteurs and working groups of the
20 United Nations Human Rights Commission, as well
21 as bilateral and multilateral initiatives to secure the
22 unconditional release of imprisoned peaceful pro-de-
23 mocracy advocates such as Wei Jingsheng.

24 (3) Instruct the United States delegates to the
25 United Nations Fourth World Conference on Women

1 in September 1995 to vigorously and publicly sup-
2 port nongovernmental organizations that may be
3 subjected to harassment or to restrictions or limita-
4 tions on their activities, access to the media, or to
5 channels of communication during the conference by
6 the Government of China and to protest publicly and
7 privately any actions by the Government of China
8 aimed at punishing or repressing Chinese citizens
9 who seek to peacefully express their views or com-
10 municate with foreign citizens or media during or
11 following the United Nations Conference.

12 (4) Extend an invitation to the Dalai Lama to
13 visit Washington, District of Columbia, in 1995.

14 (c) UNITED STATES GOVERNMENT HUMAN RIGHTS
15 POLICY TOWARD CHINA.—It shall be the policy of the
16 United States Government to continue to promote inter-
17 nationally recognized human rights and worker rights in
18 China and Tibet. The President shall submit the following
19 reports on the formulation and implementation of United
20 States human rights policy toward China and the results
21 of that policy to the International Relations Committee of
22 the House of Representatives:

23 (1) Not later than 90 days after the date of en-
24 actment of this Act, the President shall report on
25 the status of the “new United States Human Rights

1 Policy for China” announced by the President on
2 May 26, 1994, including an assessment of the imple-
3 mentation and effectiveness of the policy in bringing
4 about human rights improvements in China and
5 Tibet, with reference to the following specific initia-
6 tives announced on that date:

7 (A) High-level dialogue on human rights.

8 (B) Voluntary principles in the area of
9 human rights for United States businesses op-
10 erating in China.

11 (C) Increased contact with and support for
12 groups and individuals in China promoting law
13 reform and human rights.

14 (D) Increased exchanges to support human
15 rights law reform in China.

16 (E) The practice of all United States offi-
17 cials who visit China to meet with the broadest
18 possible spectrum of Chinese citizens.

19 (F) Increased efforts to press United
20 States views on human rights in China at the
21 United Nations, the United Nations Human
22 Rights Commission, and other international or-
23 ganizations.

24 (G) A plan of international actions to ad-
25 dress Tibet’s human rights problems and to

1 promote substantive discussions between the
2 Dalai Lama and the Chinese Government.

3 (H) Efforts to use the 1995 United Na-
4 tions Women's Conference in Beijing to expand
5 freedoms of speech, association, and assembly,
6 as well as the rights of women, in China.

7 (I) An information strategy for promoting
8 human rights by expanding Chinese and Ti-
9 betan language broadcasts on the Voice of
10 America and establishing Radio Free Asia.

11 (J) Encouraging the Chinese Government
12 to permit international human rights groups to
13 operate in and visit China.

14 (2) Not later than 120 days after the date of
15 enactment of this Act, the President shall report on
16 the status of Chinese Government compliance with
17 United States laws prohibiting the importation into
18 the United States of forced labor products, including
19 (but not limited to) a complete assessment and re-
20 port on the implementation of the Memorandum of
21 Understanding signed by the United States and
22 China in 1992. The report shall include (but not be
23 limited to) the following:

24 (A) All efforts made by the United States
25 Customs Service from 1992 until the date of

1 the report to investigate forced labor exports
2 and to conduct unannounced unrestricted in-
3 spections of suspected forced labor sites in
4 China, and the extent to which Chinese authori-
5 ties cooperated with such investigations.

6 (B) Recommendations of what further
7 steps might be taken to enhance United States
8 effectiveness in prohibiting forced labor exports
9 to the United States from China.

10 **SEC. 2706. CONCERNING THE UNITED NATIONS VOL-**
11 **UNTARY FUND FOR VICTIMS OF TORTURE.**

12 It is the sense of the Congress that the President,
13 acting through the United States Permanent Representa-
14 tive to the United Nations, should—

15 (1) request the United Nations Voluntary Fund
16 for Victims of Torture—

17 (A) to find new ways to support and pro-
18 tect treatment centers that are carrying out re-
19 habilitative services for victims of torture; and

20 (B) to encourage the development of new
21 such centers;

22 (2) use the voice and vote of the United States
23 to support the work of the Special Rapporteur on
24 Torture and the Committee Against Torture estab-
25 lished under the Convention Against Torture and

1 Other Cruel, Inhuman or Degrading Treatment or
2 Punishment; and

3 (3) use the voice and vote of the United States
4 to establish a country rapporteur or similar proce-
5 dural mechanism to investigate human rights viola-
6 tions in a country if either the Special Rapporteur
7 or the Committee Against Torture indicates that a
8 systematic practice of torture is prevalent in that
9 country.

10 **DIVISION C—FOREIGN** 11 **ASSISTANCE AUTHORIZATIONS**

12 **SEC. 3001. SHORT TITLE.**

13 This division may be cited as the “Foreign Aid Re-
14 duction Act of 1995”.

15 **SEC. 3002. DECLARATION OF POLICY.**

16 The Congress declares the following:

17 (1) United States leadership overseas must be
18 maintained to support our vital national security,
19 economic, and humanitarian interests.

20 (2) As part of this leadership, United States
21 foreign assistance programs are essential to support
22 these national interests.

23 (3) However, United States foreign assistance
24 programs can be responsibly reduced while maintain-
25 ing United States leadership overseas.

1 **TITLE XXXI—DEFENSE AND**
2 **SECURITY ASSISTANCE**
3 **CHAPTER 1—MILITARY AND RELATED**
4 **ASSISTANCE**
5 **Subchapter A—Foreign Military Financing**
6 **Program**

7 **SEC. 3101. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated for grant as-
9 sistance under section 23 of the Arms Export Control Act
10 (22 U.S.C. 2763) and for the subsidy cost, as defined in
11 section 502(5) of the Federal Credit Reform Act of 1990,
12 of direct loans under such section—

- 13 (1) \$3,341,440,000 for fiscal year 1996; and
14 (2) \$3,270,020,000 for fiscal year 1997.

15 **SEC. 3102. ASSISTANCE FOR ISRAEL.**

16 (a) **MINIMUM ALLOCATION.**—Of the amounts made
17 available for fiscal years 1996 and 1997 for assistance
18 under the “Foreign Military Financing Program” account
19 under section 23 of the Arms Export Control Act (22
20 U.S.C. 2763), not less than \$1,800,000,000 for each such
21 fiscal year shall be available only for Israel.

22 (b) **TERMS OF ASSISTANCE.**—

23 (1) **GRANT BASIS.**—The assistance provided for
24 Israel for each fiscal year under subsection (a) shall
25 be provided on a grant basis.

1 (2) EXPEDITED DISBURSEMENT.—Such assist-
2 ance shall be disbursed—

3 (A) with respect to fiscal year 1996, not
4 later than 30 days after the date of the enact-
5 ment of the Foreign Operations, Export Fi-
6 nancing, and Related Programs Appropriations
7 Act, 1996, or by October 31, 1995, whichever
8 is later; and

9 (B) with respect to fiscal year 1997, not
10 later than 30 days after the date of the enact-
11 ment of the Foreign Operations, Export Fi-
12 nancing, and Related Programs Appropriations
13 Act, 1997, or by October 31, 1996, whichever
14 is later.

15 (3) ADVANCED WEAPONS SYSTEMS.—To the ex-
16 tent that the Government of Israel requests that
17 funds be used for such purposes, funds described in
18 subsection (a) shall, as agreed by the Government of
19 Israel and the Government of the United States, be
20 available for advanced weapons systems, of which
21 not less than \$475,000,000 for each fiscal year shall
22 be available only for procurement in Israel of de-
23 fense articles and defense services, including re-
24 search and development.

1 (c) FOREIGN MILITARY SALES.—Section 21(h) of the
2 Arms Export Control Act (22 U.S.C. 2761(h)) is amend-
3 ed—

4 (1) in paragraph (1)(A), by inserting “or the
5 Government of Israel” after “North Atlantic Treaty
6 Organization”; and

7 (2) in paragraph (2), by striking “or to any
8 member government of that Organization if that Or-
9 ganization or member government” and inserting “,
10 any member government of that Organization, or the
11 Government of Israel, if the Organization, member
12 government, or Government of Israel, as the case
13 may be,”.

14 **SEC. 3103. ASSISTANCE FOR EGYPT.**

15 (a) MINIMUM ALLOCATION.—Of the amounts made
16 available for fiscal years 1996 and 1997 for assistance
17 under the “Foreign Military Financing Program” account
18 under section 23 of the Arms Export Control Act (22
19 U.S.C. 2763), not less than \$1,300,000,000 for each such
20 fiscal year shall be available only for Egypt.

21 (b) TERMS OF ASSISTANCE.—The assistance pro-
22 vided for Egypt for each fiscal year under subsection (a)
23 shall be provided on a grant basis.

1 **SEC. 3104. LOANS FOR GREECE AND TURKEY.**

2 Of the amounts made available for fiscal year 1996
3 under the “Foreign Military Financing Program” account
4 under section 23 of the Arms Export Control Act (22
5 U.S.C. 2763)—

6 (1) not more than \$26,620,000 shall be made
7 available for the subsidy cost, as defined in section
8 502(5) of the Federal Credit Reform Act of 1990,
9 of direct loans for Greece; and

10 (2) not more than \$37,800,000 shall be made
11 available for such subsidy cost of direct loans for
12 Turkey.

13 **SEC. 3105. LOANS FOR THE CZECH REPUBLIC, HUNGARY,**
14 **AND POLAND.**

15 Of the amounts made available for fiscal years 1996
16 and 1997 under the “Foreign Military Financing Pro-
17 gram” account under section 23 of the Arms Export Con-
18 trol Act (22 U.S.C. 2763), not more than \$25,000,000
19 for each such fiscal year shall be made available for the
20 subsidy cost, as defined in section 502(5) of the Federal
21 Credit Reform Act of 1990, of direct loans for the Czech
22 Republic, Hungary, and Poland.

23 **SEC. 3106. TERMS OF LOANS.**

24 Section 31(c) of the Arms Export Control Act (22
25 U.S.C. 2771(c)) is amended to read as follows:

1 “(c) Loans available under section 23 shall be pro-
2 vided at rates of interest that are not less than the current
3 average market yield on outstanding marketable obliga-
4 tions of the United States of comparable maturities.”.

5 **Subchapter B—Other Assistance**

6 **SEC. 3121. DEFENSE DRAWDOWN SPECIAL AUTHORITIES.**

7 (a) MILITARY ASSISTANCE DRAWDOWN.—Section
8 506(a)(1) of the Foreign Assistance Act of 1961 (22
9 U.S.C. 2318(a)(1)) is amended by striking “\$75,000,000”
10 and inserting “\$100,000,000”.

11 (b) NONMILITARY ASSISTANCE DRAWDOWN.—Sec-
12 tion 506 of such Act (22 U.S.C. 2318) is amended—

13 (1) in subsection (a)(2)(A), by striking “di-
14 rect—” and all that follows through the period and
15 inserting the following: “direct the drawdown of
16 such articles, services, and education and training
17 for the purposes and under the authorities of—

18 “(i) chapter 8 of part I (relating to inter-
19 national narcotics control assistance),

20 “(ii) chapter 9 of part I (relating to inter-
21 national disaster assistance), or

22 “(iii) the Migration and Refugee Assistance Act
23 of 1962.”;

24 (2) in subsection (a)(2)(B)—

1 (A) by striking “\$75,000,000” and insert-
2 ing “\$150,000,000”; and

3 (B) by striking “of this paragraph” and
4 inserting the following: “of this paragraph—

5 “(i) not more than \$75,000,000 of which
6 may be provided from the drawdown from the
7 inventory and resources of the Department of
8 Defense; and

9 “(ii) not more than \$75,000,000 of which
10 may be provided pursuant to clause (i) of such
11 subparagraph”; and

12 (3) in subsection (b)(1), by adding at the end
13 the following: “In the case of drawdowns authorized
14 by clauses (i) and (iii) of subsection (a)(2)(A), noti-
15 fications shall be provided to those committees at
16 least 15 days in advance in accordance with the pro-
17 cedures applicable to reprogramming notifications
18 under section 634A.”.

19 (c) NOTICE TO CONGRESS OF EXERCISE OF SPECIAL
20 AUTHORITIES.—Section 652 of such Act (22 U.S.C.
21 2411) is amended by striking “prior to the date” and in-
22 serting “before”.

23 **SEC. 3122. STOCKPILES OF DEFENSE ARTICLES.**

24 (a) LIMITATION ON VALUE OF ADDITIONS.—Section
25 514(b)(1) of the Foreign Assistance Act of 1961 (22

1 U.S.C. 2321h(b)(1)) is amended by inserting “or in the
2 implementation of agreements with Israel” after “North
3 Atlantic Treaty Organization”.

4 (b) ADDITIONS IN FISCAL YEARS 1996 AND 1997.—
5 Section 514(b)(2) of such Act (22 U.S.C. 2321h(b)(2))
6 is amended to read as follows:

7 “(2)(A) The value of such additions to stockpiles of
8 defense articles in foreign countries shall not exceed
9 \$50,000,000 for each of the fiscal years 1996 and 1997.

10 “(B) Of the amount specified in subparagraph (A)
11 for each of the fiscal years 1996 and 1997, not more than
12 \$40,000,000 may be made available for stockpiles in the
13 Republic of Korea and not more than \$10,000,000 may
14 be made available for stockpiles in Thailand.”.

15 (c) LOCATION OF STOCKPILES OF DEFENSE ARTI-
16 CLES.—Section 514(c) of such Act (22 U.S.C. 2321h(c))
17 is amended to read as follows:

18 “(c) LOCATION OF STOCKPILES OF DEFENSE ARTI-
19 CLES.—

20 “(1) LIMITATION.—Except as provided in para-
21 graph (2), no stockpile of defense articles may be lo-
22 cated outside the boundaries of a United States mili-
23 tary base or a military base used primarily by the
24 United States.

1 cles was separately justified, for the fiscal year in which
2 the transfer is authorized.

3 “(b) LIMITATIONS ON TRANSFERS.—The President
4 may transfer excess defense articles under this section
5 only if—

6 “(1) such articles are drawn from existing
7 stocks of the Department of Defense;

8 “(2) funds available to the Department of De-
9 fense for the procurement of defense equipment are
10 not expended in connection with the transfer;

11 “(3) the transfer of such articles will not have
12 an adverse impact on the military readiness of the
13 United States;

14 “(4) with respect to a proposed transfer of such
15 articles on a grant basis, such a transfer is pref-
16 erable to a transfer on a sales basis, after taking
17 into account the potential proceeds from, and likeli-
18 hood of, such sales, and the comparative foreign pol-
19 icy benefits that may accrue to the United States as
20 the result of a transfer on either a grant or sales
21 basis;

22 “(5) the President first considers the effects of
23 the transfer of such articles on the national tech-
24 nology and industrial base, particularly the extent, if
25 any, to which the transfer reduces the opportunities

1 of entities in the national technology and industrial
2 base to sell new equipment to the countries to which
3 such articles are transferred; and

4 “(6) the transfer of such articles is consistent
5 with the policy framework for the Eastern Medi-
6 terranean established under section 620C of this
7 Act.

8 “(c) TERMS OF TRANSFERS.—Excess defense articles
9 may be transferred under this section without cost to the
10 recipient country.

11 “(d) WAIVER OF REQUIREMENT FOR REIMBURSE-
12 MENT OF DEPARTMENT OF DEFENSE EXPENSES.—Sec-
13 tion 632(d) shall not apply with respect to transfers of
14 excess defense articles under this section.

15 “(e) TRANSPORTATION AND RELATED COSTS.—

16 “(1) IN GENERAL.—Except as provided in para-
17 graph (2), funds available to the Department of De-
18 fense may not be expended for crating, packing,
19 handling, and transportation of excess defense arti-
20 cles transferred under the authority of this section.

21 “(2) EXCEPTION.—The President may provide
22 for the transportation of excess defense articles with-
23 out charge to a country for the costs of such trans-
24 portation if—

1 “(A) it is determined that it is in the na-
2 tional interest of the United States to do so;

3 “(B) the recipient is a developing country
4 receiving less than \$10,000,000 of assistance
5 under chapter 5 of part II of this Act (relating
6 to international military education and train-
7 ing) or section 23 of the Arms Export Control
8 Act (22 U.S.C. 2763; relating to the Foreign
9 Military Financing program) in the fiscal year
10 in which the transportation is provided;

11 “(C) the total weight of the transfer does
12 not exceed 25,000 pounds; and

13 “(D) such transportation is accomplished
14 on a space available basis.

15 “(f) ADVANCE NOTIFICATION TO CONGRESS FOR
16 TRANSFER OF CERTAIN EXCESS DEFENSE ARTICLES.—

17 “(1) IN GENERAL.—The President may not
18 transfer excess defense articles that are significant
19 military equipment (as defined in section 47(9) of
20 the Arms Export Control Act) or excess defense arti-
21 cles valued (in terms of original acquisition cost) at
22 \$7,000,000 or more, under this section or under the
23 Arms Export Control Act (22 U.S.C. 2751 et seq.)
24 until 15 days after the date on which the President
25 has provided notice of the proposed transfer to the

1 congressional committees specified in section
2 634A(a) in accordance with procedures applicable to
3 reprogramming notifications under that section.

4 “(2) CONTENTS.—Such notification shall in-
5 clude—

6 “(A) a statement outlining the purposes
7 for which the article is being provided to the
8 country, including whether such article has
9 been previously provided to such country;

10 “(B) an assessment of the impact of the
11 transfer on the military readiness of the United
12 States; and

13 “(C) a statement describing the current
14 value of such article and the value of such arti-
15 cle at acquisition.

16 “(g) AGGREGATE ANNUAL LIMITATION.—The aggre-
17 gate value of excess defense articles transferred to coun-
18 tries under this section in any fiscal year may not exceed
19 \$350,000,000.

20 “(h) CONGRESSIONAL PRESENTATION DOCU-
21 MENTS.—Documents described in subsection (a) justifying
22 the transfer of excess defense articles shall include an ex-
23 planation of the general purposes of providing excess de-
24 fense articles as well as a table which provides an aggre-
25 gate annual total of transfers of excess defense articles

1 in the preceding year by country in terms of offers and
2 actual deliveries and in terms of acquisition cost and cur-
3 rent value. Such table shall indicate whether such excess
4 defense articles were provided on a grant or sale basis.

5 “(i) EXCESS COAST GUARD PROPERTY.—For pur-
6 poses of this section, the term ‘excess defense articles’
7 shall be deemed to include excess property of the Coast
8 Guard, and the term ‘Department of Defense’ shall be
9 deemed, with respect to such excess property, to include
10 the Coast Guard.”.

11 (b) REPEALS.—The following provisions of law are
12 hereby repealed:

13 (1) Section 502A of the Foreign Assistance Act
14 of 1961 (22 U.S.C. 2303).

15 (2) Sections 517 through 520 of the Foreign
16 Assistance Act of 1961 (22 U.S.C. 2321k through
17 2321n).

18 (3) Section 31(d) of the Arms Export Control
19 Act (22 U.S.C. 2771(d)).

20 **CHAPTER 2—INTERNATIONAL MILITARY**
21 **EDUCATION AND TRAINING**

22 **SEC. 3141. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to be appropriated \$28,500,000
24 for each of the fiscal years 1996 and 1997 to carry out

1 chapter 5 of part II of the Foreign Assistance Act of 1961
2 (22 U.S.C. 2347 et seq.).

3 **SEC. 3142. ASSISTANCE FOR INDONESIA.**

4 Funds made available for fiscal years 1996 and 1997
5 to carry out chapter 5 of part II of the Foreign Assistance
6 Act of 1961 (22 U.S.C. 2347 et seq.; relating to the inter-
7 national military education and training program) may be
8 obligated for Indonesia only for expanded military and
9 education training that meets the requirements of clauses
10 (i) through (iv) of the second sentence of section 541 of
11 such Act (22 U.S.C. 2347).

12 **SEC. 3143. TEST PILOT EXCHANGE TRAINING.**

13 Section 544 of the Foreign Assistance Act of 1961
14 (22 U.S.C. 2347c) is amended—

15 (1) by striking “In carrying out this chapter”
16 and inserting “(a) In carrying out this chapter”; and

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

19 “(b) The President may provide for the attendance
20 of foreign military and civilian defense personnel at test
21 pilot flight schools in the United States without charge
22 if such attendance is pursuant to an agreement providing
23 for the exchange of students on a one-for-one basis each
24 fiscal year between those United States test pilot flight

1 schools and comparable flight test pilot schools of foreign
2 countries.”.

3 **CHAPTER 3—ANTITERRORISM**

4 **ASSISTANCE**

5 **SEC. 3151. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) IN GENERAL.—There are authorized to be appro-
7 priated \$25,000,000 for fiscal year 1996 and \$30,000,000
8 for fiscal year 1997 to carry out chapter 8 of part II of
9 the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa
10 et seq.).

11 (b) AVAILABILITY OF AMOUNTS.—Amounts author-
12 ized to be appropriated under subsection (a) are author-
13 ized to remain available until expended.

14 **SEC. 3152. ANTITERRORISM TRAINING ASSISTANCE.**

15 (a) IN GENERAL.—Section 571 of the Foreign Assist-
16 ance Act of 1961 (22 U.S.C. 2349aa) is amended by strik-
17 ing “Subject to the provisions of this chapter” and insert-
18 ing “Notwithstanding any other provision of law that re-
19 stricts assistance to foreign countries (other than sections
20 502B and 620A of this Act)”.

21 (b) LIMITATIONS.—Section 573 of such Act (22
22 U.S.C. 2349aa-2) is amended—

23 (1) in the heading, by striking “**SPECIFIC AU-**
24 **THORITIES AND**”;

25 (2) by striking subsection (a);

1 (3) by redesignating subsections (b) through (f)
2 as subsections (a) through (e), respectively; and

3 (4) in subsection (c) (as redesignated)—

4 (A) by striking paragraphs (1) and (2);

5 (B) by redesignating paragraphs (3)
6 through (5) as paragraphs (1) through (3), re-
7 spectively; and

8 (C) by amending paragraph (2) (as red-
9 igned) to read as follows:

10 “(2)(A) Except as provided in subparagraph
11 (B), funds made available to carry out this chapter
12 shall not be made available for the procurement of
13 weapons and ammunition.

14 “(B) Subparagraph (A) shall not apply to small
15 arms and ammunition in categories I and III of the
16 United States Munitions List that are integrally and
17 directly related to antiterrorism training provided
18 under this chapter if, at least 15 days before obligat-
19 ing those funds, the President notifies the appro-
20 priate congressional committees in accordance with
21 the procedures applicable to reprogramming notifica-
22 tions under section 634A.

23 “(C) The value (in terms of original acquisition
24 cost) of all equipment and commodities provided
25 under this chapter in any fiscal year may not exceed

1 25 percent of the funds made available to carry out
2 this chapter for that fiscal year.”.

3 (c) ANNUAL REPORT.—Section 574 of such Act (22
4 U.S.C. 2349aa-3) is hereby repealed.

5 (d) TECHNICAL CORRECTIONS.—Section 575 (22
6 U.S.C. 2349aa-4) and section 576 (22 U.S.C. 2349aa-
7 5) of such Act are redesignated as sections 574 and 575,
8 respectively.

9 **CHAPTER 4—NARCOTICS CONTROL**

10 **ASSISTANCE**

11 **SEC. 3161. AUTHORIZATION OF APPROPRIATIONS.**

12 (a) IN GENERAL.—There are authorized to be appro-
13 priated \$213,000,000 for each of the fiscal years 1996
14 and 1997 to carry out chapter 8 of part I of the Foreign
15 Assistance Act of 1961 (22 U.S.C. 2349aa et seq.).

16 (b) AVAILABILITY OF AMOUNTS.—Amounts author-
17 ized to be appropriated under subsection (a) are author-
18 ized to remain available until expended.

19 **SEC. 3162. ADDITIONAL REQUIREMENTS RELATING TO** 20 **NARCOTICS CONTROL ASSISTANCE.**

21 (a) POLICY AND GENERAL AUTHORITIES.—Section
22 481(a) of the Foreign Assistance Act (22 U.S.C. 2291(a))
23 is amended—

24 (1) in paragraph (1)—

1 (A) by redesignating subparagraphs (D)
2 through (F) as subparagraphs (E) through (G),
3 respectively; and

4 (B) by inserting after subparagraph (C)
5 the following new subparagraph:

6 “(D) International criminal activities, particu-
7 larly international narcotics trafficking, money laun-
8 dering, and corruption, endanger political and eco-
9 nomic stability and democratic development, and as-
10 sistance for the prevention and suppression of inter-
11 national criminal activities should be a priority for
12 the United States.”; and

13 (2) in paragraph (4), by adding before the pe-
14 riod at the end the following: “, or for other related
15 anticrime purposes”.

16 (b) CONTRIBUTIONS AND REIMBURSEMENT.—Sec-
17 tion 482(c) of that Act (22 U.S.C. 2291a(c)) is amend-
18 ed—

19 (1) by striking “CONTRIBUTION BY RECIPIENT
20 COUNTRY.—To” and inserting “CONTRIBUTIONS
21 AND REIMBURSEMENT.—(1) To”; and

22 (2) by adding at the end the following new
23 paragraphs:

24 “(2)(A) The President is authorized to accept con-
25 tributions from other foreign governments to carry out the

1 purposes of this chapter. Such contributions shall be de-
2 posited as an offsetting collection to the applicable appro-
3 priation account and may be used under the same terms
4 and conditions as funds appropriated pursuant to this
5 chapter.

6 “(B) At the time of submission of the annual congres-
7 sional presentation documents required by section 634(a),
8 the President shall provide a detailed report on any con-
9 tributions received in the preceding fiscal year, the amount
10 of such contributions, and the purposes for which such
11 contributions were used.

12 “(3) The President is authorized to provide assist-
13 ance under this chapter on a reimbursable basis. Such re-
14 imbursements shall be deposited as an offsetting collection
15 to the applicable appropriation and may be used under the
16 same terms and conditions as funds appropriated pursu-
17 ant to this chapter.”.

18 (c) IMPLEMENTATION OF LAW ENFORCEMENT AS-
19 SISTANCE.—Section 482 of such Act (22 U.S.C. 2291a)
20 is amended by adding at the end the following new sub-
21 sections:

22 “(f) TREATMENT OF FUNDS.—Funds transferred to
23 and consolidated with funds appropriated pursuant to this
24 chapter may be made available on such terms and condi-
25 tions as are applicable to funds appropriated pursuant to

1 this chapter. Funds so transferred or consolidated shall
2 be apportioned directly to the bureau within the Depart-
3 ment of State responsible for administering this chapter.

4 “(g) EXCESS PROPERTY.—For purposes of this chap-
5 ter, the Secretary of State may use the authority of section
6 608, without regard to the restrictions of such section, to
7 receive nonlethal excess property from any agency of the
8 United States Government for the purpose of providing
9 such property to a foreign government under the same
10 terms and conditions as funds authorized to be appro-
11 priated for the purposes of this chapter.”.

12 (d) REPORTING REQUIREMENTS.—(1) Section 489 of
13 such Act (22 U.S.C. 2291h) is amended—

14 (A) in the section heading, by striking “**FOR**
15 **FISCAL YEAR 1995**”; and

16 (B) by striking subsections (b) and (c).

17 (2) Section 489A of such Act (22 U.S.C. 2291i) is
18 hereby repealed.

19 (e) CERTIFICATION REQUIREMENTS.—(1) Section
20 490 of such Act (22 U.S.C. 2291j) is amended—

21 (A) in the section heading by striking “**FOR**
22 **FISCAL YEAR 1995**”; and

23 (B) by striking subsection (i).

24 (2) Section 490A of such Act (22 U.S.C. 2291k) is
25 hereby repealed.

1 **SEC. 3163. NOTIFICATION REQUIREMENT.**

2 (a) IN GENERAL.—The authority of section 1003(d)
3 of the National Narcotics Control Leadership Act of 1988
4 (21 U.S.C. 1502(d)) may be exercised with respect to
5 funds authorized to be appropriated pursuant to the For-
6 eign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and
7 with respect to the personnel of the Department of State
8 only to the extent that the appropriate congressional com-
9 mittees have been notified 15 days in advance in accord-
10 ance with the reprogramming procedures applicable under
11 section 634A of that Act (22 U.S.C. 2394–1).

12 (b) DEFINITION.—For purposes of this section, the
13 term “appropriate congressional committees” means the
14 Committee on International Relations and the Committee
15 on Appropriations of the House of Representatives and the
16 Committee on Foreign Relations and the Committee on
17 Appropriations of the Senate.

18 **SEC. 3164. WAIVER OF RESTRICTIONS FOR NARCOTICS-RE-**
19 **LATED ECONOMIC ASSISTANCE.**

20 For each of the fiscal years 1996 and 1997, narcot-
21 ics-related assistance under part I of the Foreign Assist-
22 ance Act of 1961 (22 U.S.C. 2151 et seq.) may be pro-
23 vided notwithstanding any other provision of law that re-
24 stricts assistance to foreign countries (other than section
25 490(e) or section 502B of that Act (22 U.S.C. 2291j(e)
26 and 2304)) if, at least 15 days before obligating funds

1 for such assistance, the President notifies the appropriate
2 congressional committees (as defined in section 481(e) of
3 that Act (22 U.S.C. 2291(e))) in accordance with the pro-
4 cedures applicable to reprogramming notifications under
5 section 634A of that Act (22 U.S.C. 2394).

6 **CHAPTER 5—NONPROLIFERATION AND**
7 **DISARMAMENT FUND**

8 **SEC. 3171. NONPROLIFERATION AND DISARMAMENT FUND.**

9 (a) IN GENERAL.—There are authorized to be appro-
10 priated \$25,000,000 for each of the fiscal years 1996 and
11 1997 to carry out section 504 of the Freedom for Russia
12 and Emerging Eurasian Democracies and Open Markets
13 Support Act of 1992 (22 U.S.C. 5854).

14 (b) AVAILABILITY OF AMOUNTS.—Amounts author-
15 ized to be appropriated under subsection (a) are author-
16 ized to remain available until expended.

17 **CHAPTER 6—OTHER PROVISIONS**

18 **SEC. 3181. STANDARDIZATION OF CONGRESSIONAL REVIEW**

19 **PROCEDURES FOR ARMS TRANSFERS.**

20 (a) THIRD COUNTRY TRANSFERS UNDER FMS
21 SALES.—Section 3(d)(2) of the Arms Export Control Act
22 (22 U.S.C. 2753(d)(2)) is amended—

23 (1) in subparagraph (A), by striking “, as pro-
24 vided for in sections 36(b)(2) and 36(b)(3) of this
25 Act”;

1 (2) in subparagraph (B), by striking “law” and
2 inserting “joint resolution”; and

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

4 “(C) If the President states in his certification under
5 subparagraph (A) or (B) that an emergency exists which
6 requires that consent to the proposed transfer become ef-
7 fective immediately in the national security interests of the
8 United States, thus waiving the requirements of that sub-
9 paragraph, the President shall set forth in the certification
10 a detailed justification for his determination, including a
11 description of the emergency circumstances which neces-
12 sitate immediate consent to the transfer and a discussion
13 of the national security interests involved.

14 “(D)(i) Any joint resolution under this paragraph
15 shall be considered in the Senate in accordance with the
16 provisions of section 601(b) of the International Security
17 Assistance and Arms Export Control Act of 1976.

18 “(ii) For the purpose of expediting the consideration
19 and enactment of joint resolutions under this paragraph,
20 a motion to proceed to the consideration of any such joint
21 resolution after it has been reported by the appropriate
22 committee shall be treated as highly privileged in the
23 House of Representatives.”.

1 (b) THIRD COUNTRY TRANSFERS UNDER COMMER-
2 CIAL SALES.—Section 3(d)(3) of such Act (22 U.S.C.
3 2753(d)(3)) is amended—

4 (1) by inserting “(A)” after “(3)”;

5 (2) in the first sentence—

6 (A) by striking “at least 30 calendar
7 days”; and

8 (B) by striking “report” and inserting
9 “certification”; and

10 (3) by striking the last sentence and inserting
11 the following: “Such certification shall be submit-
12 ted—

13 “(i) at least 15 calendar days before such con-
14 sent is given in the case of a transfer to a country
15 which is a member of the North Atlantic Treaty Or-
16 ganization or Australia, Japan, or New Zealand; and

17 “(ii) at least 30 calendar days before such con-
18 sent is given in the case of a transfer to any other
19 country,

20 unless the President states in his certification that an
21 emergency exists which requires that consent to the pro-
22 posed transfer become effective immediately in the na-
23 tional security interests of the United States. If the Presi-
24 dent states in his certification that such an emergency ex-
25 ists (thus waiving the requirements of clause (i) or (ii),

1 as the case may be, and of subparagraph (B)) the Presi-
2 dent shall set forth in the certification a detailed justifica-
3 tion for his determination, including a description of the
4 emergency circumstances which necessitate that consent
5 to the proposed transfer become effective immediately and
6 a discussion of the national security interests involved.

7 “(B) Consent to a transfer subject to subparagraph
8 (A) shall become effective after the end of the 15-day or
9 30-day period specified in subparagraph (A)(i) or (ii), as
10 the case may be, only if the Congress does not enact, with-
11 in that period, a joint resolution prohibiting the proposed
12 transfer.

13 “(C)(i) Any joint resolution under this paragraph
14 shall be considered in the Senate in accordance with the
15 provisions of section 601(b) of the International Security
16 Assistance and Arms Export Control Act of 1976.

17 “(ii) For the purpose of expediting the consideration
18 and enactment of joint resolutions under this paragraph,
19 a motion to proceed to the consideration of any such joint
20 resolution after it has been reported by the appropriate
21 committee shall be treated as highly privileged in the
22 House of Representatives.”.

23 (c) COMMERCIAL SALES.—Section 36(c)(2) of such
24 Act (22 U.S.C. 2753(c)(2)) is amended by amending sub-
25 paragraphs (A) and (B) to read as follows:

1 “(A) in the case of a license for an export to
2 the North Atlantic Treaty Organization, any mem-
3 ber country of that Organization or Australia,
4 Japan, or New Zealand, shall not be issued until at
5 least 15 calendar days after the Congress receives
6 such certification, and shall not be issued then if the
7 Congress, within that 15-day period, enacts a joint
8 resolution prohibiting the proposed export; and

9 “(B) in the case of any other license, shall not
10 be issued until at least 30 calendar days after the
11 Congress receives such certification, and shall not be
12 issued then if the Congress, within that 30-day pe-
13 riod, enacts a joint resolution prohibiting the pro-
14 posed export.”.

15 (d) COMMERCIAL MANUFACTURING AGREEMENTS.—
16 Section 36(d) of such Act (22 U.S.C. 2753(d)) is amend-
17 ed—

18 (1) by inserting “(1)” after “(d)”;

19 (2) by striking “for or in a country not a mem-
20 ber of the North Atlantic Treaty Organization”; and

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

22 “(2) A certification under this subsection shall be
23 submitted—

24 “(A) at least 15 days before approval is given
25 in the case of an agreement for or in a country

1 which is a member of the North Atlantic Treaty Or-
2 ganization or Australia, Japan, or New Zealand; and

3 “(B) at least 30 days before approval is given
4 in the case of an agreement for or in any other
5 country;

6 unless the President states in his certification that an
7 emergency exists which requires the immediate approval
8 of the agreement in the national security interests of the
9 United States.

10 “(3) If the President states in his certification that
11 an emergency exists which requires the immediate ap-
12 proval of the agreement in the national security interests
13 of the United States, thus waiving the requirements of
14 paragraph (4), he shall set forth in the certification a de-
15 tailed justification for his determination, including a de-
16 scription of the emergency circumstances which neces-
17 sitate the immediate approval of the agreement and a dis-
18 cussion of the national security interests involved.

19 “(4) Approval for an agreement subject to paragraph
20 (1) may not be given under section 38 if the Congress,
21 within the 15-day or 30-day period specified in paragraph
22 (2)(A) or (B), as the case may be, enacts a joint resolution
23 prohibiting such approval.

24 “(5)(A) Any joint resolution under paragraph (4)
25 shall be considered in the Senate in accordance with the

1 provisions of section 601(b) of the International Security
2 Assistance and Arms Export Control Act of 1976.

3 “(B) For the purpose of expediting the consideration
4 and enactment of joint resolutions under paragraph (4),
5 a motion to proceed to the consideration of any such joint
6 resolution after it has been reported by the appropriate
7 committee shall be treated as highly privileged in the
8 House of Representatives.”.

9 (e) GOVERNMENT-TO-GOVERNMENT LEASES.—

10 (1) CONGRESSIONAL REVIEW PERIOD.—Section
11 62 of such Act (22 U.S.C. 2796a) is amended—

12 (A) in subsection (a), by striking “Not less
13 than 30 days before” and inserting “Before”;

14 (B) in subsection (b)—

15 (i) by striking “determines, and im-
16 mediately reports to the Congress” and in-
17 serting “states in his certification,”; and

18 (ii) by adding at the end of the sub-
19 section the following: “If the President
20 states in his certification that such an
21 emergency exists, he shall set forth in the
22 certification a detailed justification for his
23 determination, including a description of
24 the emergency circumstances which neces-
25 sitate that the lease be entered into imme-

1 diately and a discussion of the national se-
2 curity interests involved.”; and

3 (C) by adding at the end of the section the
4 following:

5 “(c) The certification required by subsection (a) shall
6 be transmitted—

7 “(1) not less than 15 calendar days before the
8 agreement is entered into or renewed in the case of
9 an agreement with the North Atlantic Treaty Orga-
10 nization, any member country of that Organization
11 or Australia, Japan, or New Zealand; and

12 “(2) not less than 30 calendar days before the
13 agreement is entered into or renewed in the case of
14 an agreement with any other organization or coun-
15 try.”.

16 (2) CONGRESSIONAL VETO.—Section 63(a) of
17 such Act (22 U.S.C. 2796b(a)) is amended—

18 (A) by striking “(a)(1)” and inserting
19 “(a)”;

20 (B) by striking out the “30 calendar days
21 after receiving the certification with respect to
22 that proposed agreement pursuant to section
23 62(a),” and inserting in lieu thereof “the 15-
24 day or 30-day period specified in section 62(c)
25 (1) or (2), as the case may be,”; and

1 (C) by striking paragraph (2).

2 (f) EFFECTIVE DATE.—The amendments made by
3 this section apply with respect to certifications required
4 to be submitted on or after the date of the enactment of
5 this Act.

6 **SEC. 3182. STANDARDIZATION OF THIRD COUNTRY TRANS-**
7 **FERS OF DEFENSE ARTICLES.**

8 Section 3 of the Arms Export Control Act (22 U.S.C.
9 2753) is amended by inserting after subsection (a) the fol-
10 lowing new subsection:

11 “(b) The consent of the President under paragraph
12 (2) of subsection (a) or under the third sentence of such
13 subsection shall not be required for the transfer by a for-
14 eign country or international organization of defense arti-
15 cles sold by the United States under this Act if—

16 “(1) such articles constitute components incor-
17 porated into foreign defense articles;

18 “(2) the recipient is the government of a mem-
19 ber country of the North Atlantic Treaty Organiza-
20 tion, the Government of Australia, the Government
21 of Japan, or the Government of New Zealand;

22 “(3) the United States-origin components are
23 not—

24 “(A) significant military equipment (as de-
25 fined in section 47(9));

1 “(B) defense articles for which notification
2 to Congress is required under section 36(b);
3 and

4 “(C) identified by regulation as Missile
5 Technology Control Regime items; and

6 “(4) the foreign country or international orga-
7 nization provides notification of the transfer of the
8 defense articles to the United States Government
9 not later than 30 days after the date of such trans-
10 fer.”.

11 **SEC. 3183. INCREASED STANDARDIZATION, RATIONALIZA-**
12 **TION, AND INTEROPERABILITY OF ASSIST-**
13 **ANCE AND SALES PROGRAMS.**

14 Paragraph (6) of section 515(a) of the Foreign As-
15 sistance Act of 1961 (22 U.S.C. 2321i(a)(6)) is amended
16 by striking “among members of the North Atlantic Treaty
17 Organization and with the Armed Forces of Japan, Aus-
18 tralia, and New Zealand”.

19 **SEC. 3184. REPEAL OF PRICE AND AVAILABILITY REPORT-**
20 **ING REQUIREMENT RELATING TO PROPOSED**
21 **SALE OF DEFENSE ARTICLES AND SERVICES.**

22 (a) IN GENERAL.—Section 28 of the Arms Export
23 Control Act (22 U.S.C. 2768) is hereby repealed.

1 (b) CONFORMING AMENDMENT.—Section 36(b) of
2 such Act (22 U.S.C. 2776(b)) is amended by striking
3 paragraph (4) of such section.

4 **SEC. 3185. DEFINITION OF SIGNIFICANT MILITARY EQUIP-**
5 **MENT.**

6 Section 47 of the Arms Export Control Act (22
7 U.S.C. 2794) is amended—

8 (1) in paragraph (7), by striking “and” at the
9 end;

10 (2) in paragraph (8), by striking the period at
11 the end and inserting “; and”; and

12 (3) by adding at the end the following new
13 paragraph:

14 “(9) ‘significant military equipment’ means articles—

15 “(A) for which special export controls are war-
16 ranted because of the capacity of such articles for
17 substantial military utility or capability; and

18 “(B) identified as items on the United States
19 Munitions List.”.

20 **SEC. 3186. ELIMINATION OF SPECIAL DEFENSE ACQUI-**
21 **SION FUND ANNUAL REPORT.**

22 (a) IN GENERAL.—Section 53 of the Arms Export
23 Control Act (22 U.S.C. 2795b) is hereby repealed.

1 (b) CONFORMING AMENDMENT.—Section 51(a)(4) of
2 such Act (22 U.S.C. 2795(a)(4)) is amended by striking
3 subparagraph (B) of such section.

4 **SEC. 3187. COST OF LEASED DEFENSE ARTICLES THAT**
5 **HAVE BEEN LOST OR DESTROYED.**

6 Section 61(a)(3) of the Arms Export Control Act (22
7 U.S.C. 2796(a)) is amended by striking “and the replace-
8 ment cost” and all that follows and inserting the following:

9 “and, if the articles are lost or destroyed while leased—

10 “(A) in the event the United States in-
11 tends to replace the articles lost or destroyed,
12 the replacement cost (less any depreciation in
13 the value) of the articles; or

14 “(B) in the event the United States does
15 not intend to replace the articles lost or de-
16 stroyed, an amount not less than the actual
17 value (less any depreciation in the value) speci-
18 fied in the lease agreement.”.

19 **SEC. 3188. DESIGNATION OF MAJOR NON-NATO ALLIES.**

20 (a) DESIGNATION.—

21 (1) NOTICE TO CONGRESS.—Chapter 2 of part
22 II of the Foreign Assistance Act of 1961 (22 U.S.C.
23 2311 et seq.) is amended by adding at the end the
24 following new section:

1 **“SEC. 520. DESIGNATION OF MAJOR NON-NATO ALLIES.**

2 “(a) NOTICE TO CONGRESS.—The President shall no-
3 tify the Congress in writing at least 30 days before—

4 “(1) designating a country as a major non-
5 NATO ally for purposes of this Act and the Arms
6 Export Control Act (22 U.S.C. 2751 et seq.); or

7 “(2) terminating such a designation.

8 “(b) INITIAL DESIGNATIONS.—Australia, Egypt, Is-
9 rael, Japan, the Republic of Korea, and New Zealand shall
10 be deemed to have been so designated by the President
11 as of the effective date of this section, and the President
12 is not required to notify the Congress of such designation
13 of those countries.”.

14 (2) DEFINITION.—Section 644 of such Act (22
15 U.S.C. 2403) is amended by adding at the end the
16 following:

17 “(q) ‘Major non-NATO ally’ means a country which
18 is designated in accordance with section 520 as a major
19 non-NATO ally for purposes of this Act and the Arms Ex-
20 port Control Act (22 U.S.C. 2751 et seq.).”.

21 (3) EXISTING DEFINITIONS.—(A) The last sen-
22 tence of section 21(g) of the Arms Export Control
23 Act (22 U.S.C. 2761(g)) is repealed.

24 (B) Section 65(d) of such Act is amended—

25 (i) by striking “or major non-NATO”; and

1 (ii) by striking out “or a” and all that fol-
2 lows through “Code”.

3 (b) COOPERATIVE TRAINING AGREEMENTS.—Section
4 21(g) of the Arms Export Control Act (22 U.S.C.
5 2761(g)) is amended in the first sentence by striking
6 “similar agreements” and all that follows through “other
7 countries” and inserting “similar agreements with coun-
8 tries”.

9 **SEC. 3189. CERTIFICATION THRESHOLDS.**

10 (a) INCREASE IN DOLLAR THRESHOLDS.—The Arms
11 Export Control Act (22 U.S.C. 2751 et seq.) is amended—

12 (1) in section 3(d) (22 U.S.C. 2753(d))—

13 (A) in paragraphs (1) and (3), by striking
14 “\$14,000,000” each place it appears and in-
15 serting “\$25,000,000”; and

16 (B) in paragraphs (1) and (3), by striking
17 “\$50,000,000” each place it appears and in-
18 serting “\$75,000,000”;

19 (2) in section 36 (22 U.S.C. 2776)—

20 (A) in subsections (b)(1), (b)(5)(C), and
21 (c)(1), by striking “14,000,000” each place it
22 appears and inserting “25,000,000”;

23 (B) in subsections (b)(1), (b)(5)(C), and
24 (c)(1), by striking “50,000,000” each place it
25 appears and inserting “75,000,000”; and

1 (C) in subsections (b)(1) and (b)(5)(C), by
2 striking “200,000,000” each place it appears
3 and inserting “300,000,000”; and

4 (3) in section 63(a)(1) (22 U.S.C.
5 2796b(a)(1))—

6 (A) by striking “14,000,000” and inserting
7 “25,000,000”; and

8 (B) by striking “\$50,000,000” and insert-
9 ing “75,000,000”.

10 (b) EFFECTIVE DATE.—The amendments made by
11 subsection (a) apply with respect to certifications submit-
12 ted on or after the date of the enactment of this Act.

13 **SEC. 3190. COMPETITIVE PRICING FOR SALES OF DEFENSE**
14 **ARTICLES AND SERVICES.**

15 (a) COSTING BASIS.—Section 22 of the Arms Export
16 Control Act (22 U.S.C. 2762) is amended by adding at
17 the end the following:

18 “(d) COMPETITIVE PRICING.—Procurement con-
19 tracts made in implementation of sales under this section
20 for defense articles and defense services wholly paid from
21 funds made available on a nonrepayable basis shall be
22 priced on the same costing basis with regard to profit,
23 overhead, independent research and development, bid and
24 proposal, and other costing elements, as is applicable to

1 procurements of like items purchased by the Department
2 of Defense for its own use.”.

3 (b) EFFECTIVE DATE AND IMPLEMENTING REGULA-
4 TIONS.—Section 22(d) of the Arms Export Control Act,
5 as added by subsection (a)—

6 (1) shall take effect on the 60th day following
7 the date of the enactment of this Act;

8 (2) shall be applicable only to contracts made in
9 implementation of sales made after such effective
10 date; and

11 (3) shall be implemented by revised procure-
12 ment regulations, which shall be issued prior to such
13 effective date.

14 **SEC. 3191. DEPLETED URANIUM AMMUNITION.**

15 Chapter 1 of part III of the Foreign Assistance Act
16 of 1961 (22 U.S.C. 2370 et seq.) is amended by adding
17 at the end the following new section:

18 **“SEC. 620G. DEPLETED URANIUM AMMUNITION.**

19 “(a) PROHIBITION.—Except as provided in sub-
20 section (b), none of the funds made available to carry out
21 this Act or any other Act may be made available to facili-
22 tate in any way the sale of M-833 antitank shells or any
23 comparable antitank shells containing a depleted uranium
24 penetrating component to any country other than—

1 “(1) a country that is a member of the North
2 Atlantic Treaty Organization;

3 “(2) a country that has been designated as a
4 major non-NATO ally (as defined in section 644(q));
5 or

6 “(3) Taiwan.

7 “(b) EXCEPTION.—The prohibition contained in sub-
8 section (a) shall not apply with respect to the use of funds
9 to facilitate the sale of antitank shells to a country if the
10 President determines that to do so is in the national secu-
11 rity interest of the United States.”.

12 **TITLE XXXII—ECONOMIC**
13 **ASSISTANCE**

14 **CHAPTER 1—ECONOMIC SUPPORT**
15 **ASSISTANCE**

16 **SEC. 3201. ECONOMIC SUPPORT FUND.**

17 Section 532(a) of the Foreign Assistance Act of 1961
18 (22 U.S.C. 2346a(a)) is amended to read as follows:

19 “(a) There are authorized to be appropriated to the
20 President to carry out the purposes of this chapter
21 \$2,346,378,000 for fiscal year 1996 and \$2,273,478,000
22 for fiscal year 1997.”.

23 **SEC. 3202. ASSISTANCE FOR ISRAEL.**

24 (a) MINIMUM ALLOCATION.—Of the amounts made
25 available for fiscal years 1996 and 1997 for assistance

1 under chapter 4 of part II of the Foreign Assistance Act
2 of 1961 (22 U.S.C. 2346 et seq.; relating to the economic
3 support fund), not less than \$1,200,000,000 for each such
4 fiscal year shall be available only for Israel.

5 (b) TERMS OF ASSISTANCE.—

6 (1) CASH TRANSFER.—The total amount of
7 funds allocated for Israel for each fiscal year under
8 subsection (a) shall be made available on a grant
9 basis as a cash transfer.

10 (2) EXPEDITED DISBURSEMENT.—Such funds
11 shall be disbursed—

12 (A) with respect to fiscal year 1996, not
13 later than 30 days after the date of the enact-
14 ment of the Foreign Operations, Export Fi-
15 nancing, and Related Programs Appropriations
16 Act, 1996, or by October 31, 1995, whichever
17 is later; and

18 (B) with respect to fiscal year 1997, not
19 later than 30 days after the date of the enact-
20 ment of the Foreign Operations, Export Fi-
21 nancing, and Related Programs Appropriations
22 Act, 1997, or by October 31, 1996, whichever
23 is later.

24 (3) ADDITIONAL REQUIREMENT.—In exercising
25 the authority of this subsection, the President shall

1 ensure that the amount of funds provided as a cash
2 transfer to Israel does not cause an adverse impact
3 on the total level of nonmilitary exports from the
4 United States to Israel.

5 **SEC. 3203. ASSISTANCE FOR EGYPT.**

6 (a) **MINIMUM ALLOCATION.**—Of the amounts made
7 available for fiscal years 1996 and 1997 for assistance
8 under chapter 4 of part II of the Foreign Assistance Act
9 of 1961 (22 U.S.C. 2346 et seq.; relating to the economic
10 support fund), not less than \$815,000,000 for each such
11 fiscal year shall be available only for Egypt.

12 (b) **ADDITIONAL REQUIREMENT.**—In exercising the
13 authority of this section, the President shall ensure that
14 the amount of funds provided as a cash transfer to Egypt
15 does not cause an adverse impact on the total level of non-
16 military exports from the United States to Egypt.

17 **SEC. 3204. INTERNATIONAL FUND FOR IRELAND.**

18 (a) **FUNDING.**—

19 (1) **IN GENERAL.**—Of the amounts made avail-
20 able for fiscal years 1996 and 1997 for assistance
21 under chapter 4 of part II of the Foreign Assistance
22 Act of 1961 (22 U.S.C. 2346 et seq.; relating to the
23 economic support fund), not less than \$29,600,000
24 for fiscal year 1996 and not less than \$19,600,000
25 for fiscal year 1997 shall be available for the United

1 States contribution to the International Fund for
2 Ireland in accordance with the Anglo-Irish Agree-
3 ment Support Act of 1986 (Public Law 99-415).

4 (2) AVAILABILITY.—Amounts made available
5 under paragraph (1) are authorized to remain avail-
6 able until expended.

7 (b) ADDITIONAL REQUIREMENTS.—

8 (1) PURPOSES.—Section 2(b) of the Anglo-Irish
9 Agreement Support Act of 1986 (Public Law 99-
10 415; 100 Stat. 947) is amended by adding at the
11 end the following new sentences: “United States con-
12 tributions shall be used in a manner that effectively
13 increases employment opportunities in communities
14 with rates of unemployment significantly higher than
15 the local or urban average of unemployment in
16 Northern Ireland. In addition, such contributions
17 shall be used to benefit individuals residing in such
18 communities.”.

19 (2) CONDITIONS AND UNDERSTANDINGS.—Sec-
20 tion 5(a) of such Act is amended—

21 (A) in the first sentence—

22 (i) by striking “The United States”
23 and inserting the following:

24 “(1) IN GENERAL.—The United States”;

1 (ii) by striking “in this Act may be
2 used” and inserting the following: “in this
3 Act—

4 “(A) may be used”;

5 (iii) by striking the period and insert-
6 ing “; and”; and

7 (iv) by adding at the end the follow-
8 ing:

9 “(B) may be provided to an individual or
10 entity in Northern Ireland only if such individ-
11 ual or entity is in compliance with the prin-
12 ciples of economic justice.”; and

13 (B) in the second sentence, by striking
14 “The restrictions” and inserting the following:

15 “(2) ADDITIONAL REQUIREMENTS.—The re-
16 strictions”.

17 (3) PRIOR CERTIFICATIONS.—Section 5(c)(2) of
18 such Act is amended—

19 (A) in subparagraph (A), by striking
20 “principle of equality” and all that follows and
21 inserting “principles of economic justice; and”;
22 and

23 (B) in subparagraph (B), by inserting be-
24 fore the period at the end the following: “and
25 will create employment opportunities in regions

1 and communities of Northern Ireland suffering
2 the highest rates of unemployment”.

3 (4) ANNUAL REPORTS.—Section 6 of such Act
4 is amended—

5 (A) in paragraph (2), by striking “and” at
6 the end;

7 (B) in paragraph (3), by striking the pe-
8 riod and inserting “; and”; and

9 (C) by adding at the end the following new
10 paragraph:

11 “(4) each individual or entity receiving assist-
12 ance from United States contributions to the Inter-
13 national Fund has agreed in writing to comply with
14 the principles of economic justice.”.

15 (5) DEFINITIONS.—Section 8 of such Act is
16 amended—

17 (A) in paragraph (1), by striking “and” at
18 the end;

19 (B) in paragraph (2), by striking the pe-
20 riod at the end and inserting a semicolon; and

21 (C) by adding at the end the following new
22 paragraphs:

23 “(3) the term ‘Northern Ireland’ includes the
24 counties of Antrim, Armagh, Derry, Down, Tyrone,
25 and Fermanagh; and

1 “(4) the term ‘principles of economic justice’
2 means the following principles:

3 “(A) Increasing the representation of indi-
4 viduals from underrepresented religious groups
5 in the workforce, including managerial, super-
6 visory, administrative, clerical, and technical
7 jobs.

8 “(B) Providing adequate security for the
9 protection of minority employees at the work-
10 place.

11 “(C) Banning provocative sectarian or po-
12 litical emblems from the workplace.

13 “(D) Providing that all job openings be ad-
14 vertised publicly and providing that special re-
15 cruitment efforts be made to attract applicants
16 from underrepresented religious groups.

17 “(E) Providing that layoff, recall, and ter-
18 mination procedures do not favor a particular
19 religious group.

20 “(F) Abolishing job reservations, appren-
21 ticeship restrictions, and differential employ-
22 ment criteria which discriminate on the basis of
23 religion.

24 “(G) Providing for the development of
25 training programs that will prepare substantial

1 numbers of minority employees for skilled jobs,
2 including the expansion of existing programs
3 and the creation of new programs to train, up-
4 grade, and improve the skills of minority em-
5 ployees.

6 “(H) Establishing procedures to assess,
7 identify, and actively recruit minority employees
8 with the potential for further advancement.

9 “(I) Providing for the appointment of a
10 senior management staff member to be respon-
11 sible for the employment efforts of the entity
12 and, within a reasonable period of time, the im-
13 plementation of the principles described in sub-
14 paragraphs (A) through (H).”.

15 (6) EFFECTIVE DATE.—The amendments made
16 by this subsection shall take effect 180 days after
17 the date of the enactment of this Act.

18 **SEC. 3205. LAW ENFORCEMENT ASSISTANCE.**

19 (a) IN GENERAL.—Of the amounts made available
20 for fiscal years 1996 and 1997 for assistance under chap-
21 ter 4 of part II of the Foreign Assistance Act of 1961
22 (22 U.S.C. 2346 et seq.; relating to the economic support
23 fund), not more than \$12,000,000 for each such fiscal
24 year shall be available for law enforcement assistance

1 under chapter 8 of part I of such Act (22 U.S.C. 2291
2 et seq.).

3 (b) AVAILABILITY.—Amounts made available under
4 subsection (a) are authorized to remain available until ex-
5 pended.

6 **CHAPTER 2—ASSISTANCE FOR PRIVATE**
7 **SECTOR PROGRAMS AND ACTIVITIES**

8 **SEC. 3211. PRIVATE SECTOR ENTERPRISE FUNDS.**

9 The Foreign Assistance Act of 1961 (22 U.S.C. 2151
10 et seq.) is amended by inserting after section 601 the fol-
11 lowing new section:

12 **“SEC. 601A. PRIVATE SECTOR ENTERPRISE FUNDS.**

13 “(a) AUTHORITY.—(1) The President may provide
14 funds and support to Enterprise Funds designated in ac-
15 cordance with subsection (b) that are or have been estab-
16 lished for the purposes of promoting—

17 “(A) development of the private sectors of eligi-
18 ble countries, including small businesses, the agricul-
19 tural sector, and joint ventures with United States
20 and host country participants; and

21 “(B) policies and practices conducive to private
22 sector development in eligible countries;

23 on the same basis as funds and support may be provided
24 with respect to Enterprise Funds for Poland and Hungary

1 under the Support for East European Democracy (SEED)
2 Act of 1989 (22 U.S.C. 5401 et seq.).

3 “(2) Funds may be made available under this section
4 notwithstanding any other provision of law.

5 “(b) COUNTRIES ELIGIBLE FOR ENTERPRISE
6 FUNDS.—(1) Except as provided in paragraph (2), the
7 President is authorized to designate a private, nonprofit
8 organization as eligible to receive funds and support pur-
9 suant to this section with respect to any country eligible
10 to receive assistance under part I of this Act in the same
11 manner and with the same limitations as set forth in sec-
12 tion 201(d) of the Support for East European Democracy
13 (SEED) Act of 1989 (22 U.S.C. 5421(d)).

14 “(2) The authority of paragraph (1) shall not apply
15 to any country with respect to which the President is au-
16 thorized to designate an enterprise fund under section
17 498B(c) or section 498C of this Act or section 201 of the
18 Support for East European Democracy (SEED) Act of
19 1989 (22 U.S.C. 5421).

20 “(c) TREATMENT EQUIVALENT TO ENTERPRISE
21 FUNDS FOR POLAND AND HUNGARY.—Except as other-
22 wise specifically provided in this section, the provisions
23 contained in section 201 of the Support for East Euro-
24 pean Democracy (SEED) Act of 1989 (22 U.S.C. 5421)
25 (excluding the authorizations of appropriations provided

1 in subsection (b) of that section) shall apply to any Enter-
2 prise Fund that receives funds and support under this sec-
3 tion. The officers, members, or employees of an Enterprise
4 Fund that receive funds and support under this section
5 shall enjoy the same status under law that is applicable
6 to officers, members, or employees of the Enterprise
7 Funds for Poland and Hungary under section 201 of the
8 Support for East European Democracy (SEED) Act of
9 1989 (22 U.S.C. 5421).

10 “(d) REPORTING REQUIREMENT.—Notwithstanding
11 any other provision of this section, the requirement of sec-
12 tion 201(p) of the Support for East European Democracy
13 (SEED) Act of 1989 (22 U.S.C. 5421(p)), that an Enter-
14 prise Fund shall be required to publish an annual report
15 not later than January 31 each year, shall not apply with
16 respect to an Enterprise Fund that receives funds and
17 support under this section for the first twelve months after
18 it is designated as eligible to receive such funds and sup-
19 port.

20 “(e) FUNDING.—

21 “(1) IN GENERAL.—Amounts made available
22 for a fiscal year to carry out chapter 1 of part I of
23 this Act (relating to development assistance) and to
24 carry out chapter 4 of part II of this Act (relating
25 to the economic support fund) shall be available for

1 such fiscal year to carry out this section, in addition
2 to amounts otherwise available for such purposes.

3 “(2) AFRICAN DEVELOPMENT.—In addition to
4 amounts available under paragraph (1) for a fiscal
5 year, amounts made available for such fiscal year to
6 carry out chapter 10 of part I of this Act (relating
7 to the Development Fund for Africa) shall be avail-
8 able for such fiscal year to carry out this section
9 with respect to countries in Africa.”.

10 **SEC. 3212. TRANS-CAUCASUS ENTERPRISE FUNDS.**

11 Chapter 11 of part I of the Foreign Assistance Act
12 of 1961 (22 U.S.C. 2295 et seq.) is amended—

13 (1) by redesignating section 498C as section
14 498D; and

15 (2) by inserting after section 498B the follow-
16 ing new section:

17 **“SEC. 498C. TRANS-CAUCASUS ENTERPRISE FUNDS.**

18 “(a) AUTHORITY.—The President may provide funds
19 and support in accordance with section 498B(c) to Enter-
20 prise Funds that are or have been established for the pur-
21 poses of promoting—

22 “(1) development of the private sectors of coun-
23 tries in the Trans-Caucasus region of the former So-
24 viet Union, including small businesses, the agricul-

1 tural sector, and joint ventures with United States
2 and host country participants; and

3 “(2) policies and practices conducive to private
4 sector development in countries in the Trans-
5 Caucasus region of the former Soviet Union.

6 “(b) REPORTING REQUIREMENT.—Notwithstanding
7 any other provision of this section, the requirement of sec-
8 tion 201(p) of the Support for East European Democracy
9 (SEED) Act of 1989 (22 U.S.C. 5421(p)), that an Enter-
10 prise Fund shall be required to publish an annual report
11 not later than January 31 each year, shall not apply with
12 respect to an Enterprise Fund that receives funds and
13 support under this section for the first twelve months after
14 it is designated as eligible to receive such funds and sup-
15 port.”.

16 **SEC. 3213. MICRO- AND SMALL ENTERPRISE DEVELOPMENT**
17 **CREDITS.**

18 (a) IN GENERAL.—Section 108 of the Foreign Assist-
19 ance Act of 1961 (22 U.S.C. 2151f) is amended to read
20 as follows:

21 **“SEC. 108. MICRO- AND SMALL ENTERPRISE DEVELOPMENT**
22 **CREDITS.**

23 “(a) FINDINGS AND POLICY.—The Congress finds
24 and declares that—

1 “(1) the development of micro- and small enter-
2 prise, including cooperatives, is a vital factor in the
3 stable growth of developing countries and in the de-
4 velopment and stability of a free, open, and equi-
5 table international economic system;

6 “(2) it is, therefore, in the best interests of the
7 United States to assist the development of the pri-
8 vate sector in developing countries and to engage the
9 United States private sector in that process;

10 “(3) the support of private enterprise can be
11 served by programs providing credit, training, and
12 technical assistance for the benefit of micro- and
13 small enterprises; and

14 “(4) programs that provide credit, training, and
15 technical assistance to private institutions can serve
16 as a valuable complement to grant assistance pro-
17 vided for the purpose of benefiting micro- and small
18 private enterprise.

19 “(b) PROGRAM.—To carry out the policy set forth in
20 subsection (a), the President is authorized to provide as-
21 sistance to increase the availability of credit to micro- and
22 small enterprises lacking full access to credit, including
23 through—

1 “(1) loans and guarantees to credit institutions
2 for the purpose of expanding the availability of cred-
3 it to micro- and small enterprises;

4 “(2) training programs for lenders in order to
5 enable them to better meet the credit needs of
6 micro- and small entrepreneurs; and

7 “(3) training programs for micro- and small en-
8 trepreneurs in order to enable them to make better
9 use of credit and to better manage their enter-
10 prises.”.

11 (b) AUTHORIZATION OF APPROPRIATIONS.—

12 (1) IN GENERAL.—(A) There is authorized to
13 be appropriated to carry out section 108 of the For-
14 eign Assistance Act of 1961, in addition to funds
15 otherwise available for such purposes, \$2,000,000
16 for each of the fiscal years 1996 and 1997. Funds
17 authorized to be appropriated under this subsection
18 shall be made available for the subsidy cost, as de-
19 fined in section 502(5) of the Federal Credit Reform
20 Act of 1990, for activities under section 108 of the
21 Foreign Assistance Act of 1961.

22 (B) In addition, there are authorized to be ap-
23 propriated \$500,000 for each of the fiscal years
24 1996 and 1997 for the cost of training programs

1 and administrative expenses to carry out such sec-
2 tion.

3 (2) AVAILABILITY OF AMOUNTS.—Amounts au-
4 thorized to be appropriated under paragraph (1) are
5 authorized to remain available until expended.

6 **SEC. 3214. MICROENTERPRISE DEVELOPMENT GRANTS.**

7 Chapter 1 of part I of the Foreign Assistance Act
8 of 1961 (22 U.S.C. 2151 et seq.) is amended by adding
9 at the end the following new section:

10 “SEC. 129. MICROENTERPRISE DEVELOPMENT
11 GRANTS.—(a)(1) In carrying out this part, the adminis-
12 trator of the agency primarily responsible for administer-
13 ing this part is authorized to provide grant assistance for
14 programs of credit and other assistance for
15 microenterprises in developing countries.

16 “(2) Assistance authorized under paragraph (1) shall
17 be provided through the following organizations that have
18 a capacity to develop and implement microenterprise pro-
19 grams:

20 “(A) United States and indigenous private and
21 voluntary organizations.

22 “(B) United States and indigenous credit
23 unions and cooperative organizations.

24 “(C) Other indigenous governmental and non-
25 governmental organizations.

1 “(3) A significant portion of assistance authorized
2 under paragraph (1) shall be used for poverty lending pro-
3 grams which—

4 “(A) meet the needs of the very poor members
5 of society, particularly poor women; and

6 “(B) provide loans of \$300 or less in 1995
7 United States dollars to such poor members of soci-
8 ety.

9 “(4) The administrator of the agency primarily re-
10 sponsible for administering this part shall strengthen ap-
11 propriate mechanisms, including mechanisms for central
12 microenterprise programs, for the purpose of—

13 “(A) providing technical support for field mis-
14 sions;

15 “(B) strengthening the institutional develop-
16 ment of the intermediary organizations described in
17 paragraph (2); and

18 “(C) sharing information relating to the provi-
19 sion of assistance authorized under paragraph (1)
20 between such field missions and intermediary organi-
21 zations.

22 “(b) In order to maximize the sustainable develop-
23 ment impact of the assistance authorized under subsection
24 (a)(1), the administrator of the agency primarily respon-

1 sible for administering this part shall establish a monitor-
2 ing system that—

3 “(1) establishes performance goals for such as-
4 sistance and expresses such goals in an objective and
5 quantifiable form, to the extent feasible;

6 “(2) establishes performance indicators to be
7 used in measuring or assessing the achievement of
8 the goals and objectives of such assistance; and

9 “(3) provides a basis for recommendations for
10 adjustments to such assistance to enhance the sus-
11 tainable development impact of such assistance, par-
12 ticularly the impact of such assistance on the very
13 poor, particularly poor women.”.

14 **CHAPTER 3—DEVELOPMENT ASSISTANCE**

15 **Subchapter A—Development Assistance**

16 **Authorities**

17 **SEC. 3221. AUTHORIZATIONS OF APPROPRIATIONS.**

18 (a) IN GENERAL.—There are authorized to be appro-
19 priated the following amounts for the following purposes
20 (in addition to amounts otherwise available for such pur-
21 poses):

22 (1) DEVELOPMENT ASSISTANCE FUND.—
23 \$858,000,000 for each of the fiscal years 1996 and
24 1997 to carry out sections 103 through 106 of the

1 Foreign Assistance Act of 1961 (22 U.S.C. 2151a
2 through 2151d).

3 (2) DEVELOPMENT FUND FOR AFRICA.—
4 \$529,000,000 for each of the fiscal years 1996 and
5 1997 to carry out chapter 10 of part I of the For-
6 eign Assistance Act of 1961 (22 U.S.C. 2293 et
7 seq.).

8 (3) ASSISTANCE FOR THE INDEPENDENT
9 STATES OF THE FORMER SOVIET UNION.—
10 \$700,000,000 for fiscal year 1996 and
11 \$650,000,000 for fiscal year 1997 to carry out chap-
12 ter 11 of part I of the Foreign Assistance Act of
13 1961 (22 U.S.C. 2295 et seq.).

14 (4) ASSISTANCE FOR EAST EUROPEAN COUN-
15 TRIES.—\$300,000,000 for fiscal year 1996 and
16 \$250,000,000 for fiscal year 1997 for economic as-
17 sistance for Eastern Europe and the Baltic states
18 under the Foreign Assistance Act of 1961 (22
19 U.S.C. 2151 et seq.) and the Support for East Eu-
20 ropean Democracy (SEED) Act of 1989 (22 U.S.C.
21 5401 et seq.).

22 (5) INTER-AMERICAN FOUNDATION.—
23 \$20,000,000 for fiscal year 1996 and \$10,000,000
24 for fiscal year 1997 to carry out section 401 of the
25 Foreign Assistance Act of 1969 (22 U.S.C. 290f).

1 (6) AFRICAN DEVELOPMENT FOUNDATION.—
2 \$10,000,000 for fiscal year 1996 and \$5,000,000 for
3 fiscal year 1997 to carry out the African Develop-
4 ment Foundation Act (22 U.S.C. 290h et seq.).

5 (b) AVAILABILITY OF AMOUNTS.—Amounts author-
6 ized to be appropriated under subsection (a) are author-
7 ized to remain available until expended.

8 **SEC. 3222. ASSISTANCE FOR FAMILY PLANNING.**

9 (a) RESTRICTION ON USE OF FUNDS FOR VOL-
10 UNTARY POPULATION PLANNING.—Section 104(b) of the
11 Foreign Assistance Act of 1961 (22 U.S.C. 2151b(b)) is
12 amended by inserting after the first sentence the following
13 new sentence: “Such assistance shall be available only for
14 voluntary family planning projects which offer, either di-
15 rectly or through referral to, or information about access
16 to, a broad range of family planning methods and
17 services.”

18 (b) PROHIBITION ON USE OF FUNDS FOR VOL-
19 UNTARY POPULATION PLANNING TO ORGANIZATIONS OR
20 PROGRAMS SUPPORTING OR PARTICIPATING IN THE MAN-
21 AGEMENT OF ABORTION OR INVOLUNTARY STERILIZA-
22 TION PROGRAMS.—Section 104(b) of such Act (22 U.S.C.
23 2151b(b)), as amended by subsection (a), is further
24 amended—

1 (1) in the first sentence, by striking “In order
2 to” and inserting “(1) In order to”; and

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

5 “(2) None of the funds made available to carry out
6 this subsection may be made available to any organization
7 or program which, as determined by the President, sup-
8 ports or participates in the management of a program or
9 coercive abortion or involuntary sterilization.”.

10 (c) PROHIBITION ON DISCRIMINATION WITH RE-
11 SPECT TO GRANTS FOR NATURAL FAMILY PLANNING.—
12 Section 104(b) of such Act (22 U.S.C. 2151b(b)), as
13 amended by subsections (a) and (b), is further amended
14 by adding at the end the following new paragraph:

15 “(3) In providing grants for natural family planning
16 under this subsection, the administrator of the agency pri-
17 marily responsible for administering this part shall not
18 discriminate against applicants because of any religious or
19 conscientious commitment by such applicants to offer only
20 natural family planning services.”.

21 (d) CLARIFICATION WITH RESPECT TO PROHIBITION
22 ON USE OF FUNDS FOR ABORTIONS.—Section 104(f)(1)
23 of such Act (22 U.S.C. 2151b(f)(1)) is amended—

24 (1) by striking “None of the funds” and insert-
25 ing “(A) None of the funds”; and

1 (2) by adding at the end the following new sub-
2 paragraph:

3 “(B) For purposes of this paragraph, the term ‘moti-
4 vate’ shall not be construed to prohibit the provision, con-
5 sistent with local law, of information and counseling con-
6 cerning all pregnancy options, including abortion.”.

7 **SEC. 3223. ASSISTANCE FOR THE INDEPENDENT STATES OF**
8 **THE FORMER SOVIET UNION.**

9 (a) **CONDITIONS ON ASSISTANCE** .—Section 498A(b)
10 of the Foreign Assistance Act of 1961 (22 U.S.C.
11 2295a(b)) is amended—

12 (1) in paragraph (4), by striking “or” at the
13 end;

14 (2) by redesignating paragraph (5) as para-
15 graph (8); and

16 (3) by inserting after paragraph (4) the follow-
17 ing new paragraphs:

18 “(5) for the government of any independent
19 state that the President determines directs any ac-
20 tion in violation of the territorial integrity or na-
21 tional sovereignty of any other new independent
22 state, such as those violations included in Principle
23 Six of the Helsinki Final Act of the Conference on
24 Security and Cooperation in Europe, except that this

1 paragraph shall not apply to the provision of such
2 assistance for purposes of—

3 “(A) humanitarian, disaster, and refugee
4 relief; or

5 “(B) assisting democratic political reform
6 and the creation of private sector nongovern-
7 mental organizations that are independent of
8 government ownership and control;

9 “(6) for the purpose of enhancing the military
10 capability of any independent state, except that this
11 paragraph shall not apply to demilitarization, de-
12 fense conversion or nonproliferation programs, or
13 programs to support troop withdrawal including
14 through the support of an officer resettlement pro-
15 gram, and technical assistance for the housing sec-
16 tor;

17 “(7) for the Government of Russia if the Presi-
18 dent determines that Government—

19 “(A) is not making progress in implement-
20 ing comprehensive economic reforms based on
21 market principles, including fostering private
22 ownership, the repayment of commercial debt,
23 the respect of commercial contracts, the equi-
24 table treatment of foreign private investment;
25 or

1 “(B) applies or transfers assistance pro-
2 vided under this chapter to any entity for the
3 purpose of expropriating or seizing ownership
4 or control of assets, investments, or ventures;
5 or”.

6 (b) ASSISTANCE THROUGH THE PRIVATE SECTOR.—
7 Section 498B(a) of such Act (22 U.S.C. 2295b(a)) is
8 amended to read as follows:

9 “(a) ASSISTANCE THROUGH THE PRIVATE SEC-
10 TOR.—Assistance under this chapter shall be provided, to
11 the maximum extent feasible, through the private sector,
12 including private and voluntary organizations and other
13 nongovernmental organizations functioning in the inde-
14 pendent states of the former Soviet Union.”.

15 (c) WAIVER OF CERTAIN PROVISIONS.—Section
16 498B(j)(1) of such Act (22 U.S.C. 2295b(j)(1)) is amend-
17 ed in the matter preceding subparagraph (A)—

18 (1) by striking “for fiscal year 1993 by this
19 chapter” and inserting “to carry out this chapter”;
20 and

21 (2) by striking “appropriated for fiscal year
22 1993”.

1 **SEC. 3224. EFFECTIVENESS OF UNITED STATES DEVELOP-**
2 **MENT ASSISTANCE.**

3 Chapter 1 of part I of the Foreign Assistance Act
4 of 1961 (22 U.S.C. 2251 et seq.), as amended by section
5 3214, is further amended by adding at the end the follow-
6 ing new section:

7 **“SEC. 130. EFFECTIVENESS OF UNITED STATES DEVELOP-**
8 **MENT ASSISTANCE.**

9 “(a) **REPORTS.**—Not later than December 31, 1996,
10 and December 31 of each third year thereafter, the Presi-
11 dent shall transmit to the Congress a report which ana-
12 lyzes, on a country-by-country basis, the impact and effec-
13 tiveness of the United States development assistance pro-
14 vided during the preceding three fiscal years. Each report
15 shall include the following for each recipient country:

16 “(1) An analysis of the impact of United States
17 development assistance during the preceding three
18 fiscal years on development in that country, with a
19 discussion of the United States interests that were
20 served by the assistance. This analysis shall be done
21 on a sector-by-sector basis to the extent possible and
22 shall identify any economic policy reforms which
23 were promoted by the assistance. This analysis
24 shall—

25 “(A) include a description, quantified to
26 the extent practicable, of the specific objectives

1 the United States sought to achieve in provid-
2 ing development assistance for that country;
3 and

4 “(B) specify the extent to which those ob-
5 jectives were not achieved, with an explanation
6 of why they were not achieved.

7 “(2) A description of the amount and nature of
8 development assistance provided by other donors
9 during the preceding three fiscal years, set forth by
10 development sector to the extent possible.

11 “(3) A discussion of the commitment of the
12 host government to addressing the country’s needs
13 in each development sector, including a description
14 of the resources devoted by that government to each
15 development sector during the preceding three fiscal
16 years.

17 “(4) A description of the trends, both favorable
18 and unfavorable, in each development sector.

19 “(5) Statistical and other information necessary
20 to evaluate the impact and effectiveness of United
21 States development assistance on development in the
22 country.

23 “(b) LISTING OF MOST AND LEAST SUCCESSFUL AS-
24 SISTANCE PROGRAMS.—Each report required by this sec-
25 tion shall identify—

1 “(1) those five countries in which United States
2 development assistance has been most successful;
3 and

4 “(2) those five countries in which United States
5 development assistance has been least successful.

6 For each country listed pursuant to paragraph (2), the
7 report shall explain why the assistance was not more suc-
8 cessful and shall specify what the United States has done
9 as a result.

10 “(c) REPORT TO BE A SEPARATE DOCUMENT.—
11 Each report required by this section shall be submitted
12 to the Congress as a separate document.

13 “(d) DEFINITION.—As used in this section, the terms
14 ‘United States development assistance’ and ‘development
15 assistance’ means assistance under this chapter.”.

16 **Subchapter B—Operating Expenses**

17 **SEC. 3231. OPERATING EXPENSES GENERALLY.**

18 Section 667(a)(1) of the Foreign Assistance Act of
19 1961 (22 U.S.C. 2427(a)(1)) is amended to read as fol-
20 lows:

21 “(1) \$465,774,000 for fiscal year 1996 and
22 \$419,196,000 for fiscal year 1997 for necessary op-
23 erating expenses of the agency primarily responsible
24 for administering part I of this Act (other than the
25 office of the inspector general of such agency); and”.

1 **SEC. 3232. OPERATING EXPENSES OF THE OFFICE OF THE**
2 **INSPECTOR GENERAL.**

3 Section 667(a) of the Foreign Assistance Act of 1961
4 (22 U.S.C. 2427(a)), as amended by section 317, is fur-
5 ther amended—

6 (1) by redesignating paragraph (2) as para-
7 graph (3);

8 (2) by striking “and” at the end of paragraph
9 (1); and

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

12 “(2) \$35,206,000 for fiscal year 1996 and
13 \$31,685,000 for fiscal year 1997 for necessary oper-
14 ating expenses of the office of the inspector general
15 of such agency; and”.

16 **CHAPTER 4—PUBLIC LAW 480**

17 **SEC. 3241. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) TITLE II.—

19 (1) IN GENERAL.—There is authorized to be
20 appropriated \$821,000,000 for each of the fiscal
21 years 1996 and 1997 for the provision of agricul-
22 tural commodities under title II of the Agricultural
23 Trade Development and Assistance Act of 1954 (7
24 U.S.C. 1721 et seq.).

1 (2) AVAILABILITY OF AMOUNTS.—Amounts au-
2 thorized to be appropriated under paragraph (1) are
3 authorized to remain available until expended.

4 (b) TITLE III.—No funds are authorized to be appro-
5 priated for either of the fiscal years 1996 and 1997 for
6 the provision of agricultural commodities under title III
7 of such Act (7 U.S.C. 1727 et seq.).

8 **CHAPTER 5—HOUSING GUARANTEE**
9 **PROGRAM**

10 **SEC. 3251. AUTHORIZATION OF APPROPRIATIONS FOR AD-**
11 **MINISTRATIVE EXPENSES.**

12 (a) IN GENERAL.—There are authorized to be appro-
13 priated \$7,000,000 for fiscal year 1996 and \$6,000,000
14 for fiscal year 1997 for administrative expenses to carry
15 out guaranteed loan programs under sections 221 and 222
16 of the Foreign Assistance Act of 1961 (22 U.S.C. 2181
17 and 2182).

18 (b) AVAILABILITY.—Amounts authorized to be appro-
19 priated under subsection (a) are authorized to remain
20 available until expended.

21 **CHAPTER 6—PEACE CORPS**

22 **SEC. 3261. PEACE CORPS.**

23 Section 3(b) of the Peace Corps Act (22 U.S.C.
24 2502(b)) is amended to read as follows:

1 “(b) There are authorized to be appropriated to carry
2 out the purposes of this Act \$219,745,000 for each of the
3 fiscal years 1996 and 1997.”.

4 **SEC. 3262. ACTIVITIES OF THE PEACE CORPS IN THE**
5 **FORMER SOVIET UNION.**

6 (a) IN GENERAL.—Of the amounts made available
7 for fiscal years 1996 and 1997 to carry out chapter 11
8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C.
9 2295 et seq.; relating to assistance for the independent
10 states of the former Soviet Union), not more than
11 \$11,600,000 for each such fiscal year shall be available
12 for activities of the Peace Corps in the independent states
13 of the former Soviet Union.

14 (b) AVAILABILITY.—Amounts made available under
15 subsection (a)—

16 (1) with respect to fiscal year 1996 are author-
17 ized to remain available until September 30, 1997;
18 and

19 (2) with respect to fiscal year 1997 are author-
20 ized to remain available until September 30, 1998.

21 **SEC. 3263. PROHIBITION ON USE OF FUNDS FOR ABOR-**
22 **TIONS.**

23 Section 15 of the Peace Corps Act (22 U.S.C. 2514)
24 is amended by adding at the end the following new sub-
25 section:

1 **CHAPTER 8—OTHER PROVISIONS**

2 **SEC. 3281. EXEMPTION FROM RESTRICTIONS ON ASSIST-**
3 **ANCE THROUGH NONGOVERNMENTAL ORGA-**
4 **NIZATIONS.**

5 Section 123(e) of the Foreign Assistance Act of 1961
6 (22 U.S.C. 2151u(e)) is amended to read as follows:

7 “(e)(1) Subject to paragraph (3), restrictions con-
8 tained in this Act or any other provision of law with re-
9 spect to assistance for a country shall not be construed
10 to restrict assistance under this chapter or chapter 10 of
11 this part in support of programs of nongovernmental orga-
12 nizations.

13 “(2) The President shall take into consideration, in
14 any case in which a restriction on assistance for a country
15 would be applicable but for this subsection, whether assist-
16 ance for programs of nongovernmental organizations is in
17 the national interest of the United States.

18 “(3) Whenever the authority of this subsection is
19 used to furnish assistance for a program of a nongovern-
20 mental organization, the President shall notify the con-
21 gressional committees specified in section 634A(a) of this
22 Act in accordance with procedures applicable to
23 reprogramming notifications under that section. Such no-
24 tification shall describe the program assisted, the assist-

1 ance provided, and the reasons for furnishing such assist-
2 ance.”.

3 **SEC. 3282. FUNDING REQUIREMENTS RELATING TO UNITED**
4 **STATES PRIVATE AND VOLUNTARY ORGANI-**
5 **ZATIONS.**

6 (a) IN GENERAL.—Section 123(g) of the Foreign As-
7 sistance Act of 1961 (22 U.S.C. 2151u(g)) is amended
8 to read as follows:

9 “(g) Funds made available to carry out this chapter
10 and chapter 10 of this part may not be made available
11 to any United States private and voluntary organization,
12 except any cooperative development organization, that ob-
13 tains less than 20 percent of its total annual financial sup-
14 port for its international activities from sources other than
15 the United States Government.”.

16 (b) EFFECTIVE DATE.—The amendment made by
17 subsection (a) apply with respect to funds made available
18 for programs of any United States private and voluntary
19 organization on or after the date of the enactment of this
20 Act.

21 **SEC. 3283. DOCUMENTATION REQUESTED OF PRIVATE AND**
22 **VOLUNTARY ORGANIZATIONS.**

23 Section 620 of the Foreign Assistance Act of 1961
24 (22 U.S.C. 2370) is amended by inserting after subsection
25 (u) the following new subsection:

1 “(v) None of the funds made available to carry out
2 this Act shall be available to any private and voluntary
3 organization which—

4 “(1) fails to provide upon timely request any
5 document, file, or record necessary to the auditing
6 requirements of the agency primarily responsible for
7 administering part I of this Act; or

8 “(2) is not registered with the agency primarily
9 responsible for administering part I of this Act.”.

10 **SEC. 3284. FOREIGN GOVERNMENT PARKING FINES.**

11 (a) IN GENERAL.—Chapter 1 of part III of the For-
12 eign Assistance Act of 1961 (22 U.S.C. 2351 et seq.), as
13 amended by this Act, is further amended by adding at the
14 end the following new section:

15 **“SEC. 620H. FOREIGN GOVERNMENT PARKING FINES.**

16 “(a) IN GENERAL.—An amount equivalent to 110
17 percent of the total unpaid fully adjudicated parking fines
18 and penalties owed to the District of Columbia, Virginia,
19 Maryland, and New York by the government of a foreign
20 country as of the end of a fiscal year, as certified to the
21 President by the chief executive officer of each State or
22 District, shall be withheld from obligation for such country
23 out of funds available in the next fiscal year to carry out
24 part I of this Act, until the requirement of subsection (b)
25 is satisfied.

1 “(b) REQUIREMENT.—The requirement of this sub-
2 section is satisfied when the Secretary of State determines
3 and certifies to the appropriate congressional committees
4 that such fines and penalties are fully paid to the govern-
5 ments of the District of Columbia, Virginia, Maryland,
6 and New York.

7 “(c) APPROPRIATE CONGRESSIONAL COMMITTEES
8 DEFINED.—For purposes of this section, the term ‘appro-
9 priate congressional committees’ means the Committee on
10 International Relations and the Committee on Appropria-
11 tions of the House of Representatives and the Committee
12 on Foreign Relations and the Committee on Appropria-
13 tions of the Senate.”.

14 (b) EFFECTIVE DATE.—The amendment made by
15 subsection (a) shall apply with respect to fines certified
16 as of the end of fiscal year 1995 or any fiscal year there-
17 after.

18 **TITLE XXXIII—REGIONAL** 19 **PROVISIONS**

20 **SEC. 3301. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-** 21 **ERNMENTS PROVIDING ASSISTANCE TO** 22 **CUBA.**

23 (a) IN GENERAL.—Section 620 of the Foreign Assist-
24 ance Act of 1961 (22 U.S.C. 2370) is amended by insert-

1 ing after subsection (v) (as added by section 3283) the
2 following new subsection:

3 “(w)(1) No assistance may be provided under this
4 Act (other than humanitarian assistance and assistance
5 for refugees) for a fiscal year to any foreign government
6 that the President determines has provided economic as-
7 sistance to or engaged in nonmarket-based trade with the
8 Government of Cuba or any entity controlled by such Gov-
9 ernment in the preceding fiscal year.

10 “(2) The President may waive the requirements of
11 paragraph (1) if—

12 “(A) the President certifies to the congressional
13 committees specified in section 634A of this Act (in
14 accordance with procedures applicable to
15 reprogramming of funds under that section) that the
16 provision of such assistance is vital to the national
17 security of the United States; or

18 “(B) the President determines and reports to
19 the Congress that the Government of Cuba has met
20 the requirements contained in section 1708 of the
21 Cuban Democracy Act of 1992 (22 U.S.C. 6001 et
22 seq.).

23 “(3) Not later than February 1st each year, the
24 President shall prepare and transmit to the appropriate
25 congressional committees a report containing a list of all

1 foreign governments that the President has determined
2 have provided economic assistance to or engaged in
3 nonmarket-based trade with the Government of Cuba in
4 the preceding fiscal year.

5 “(4) For purposes of this subsection—

6 “(A) the term ‘appropriate congressional com-
7 mittees’ means the Committee on International Re-
8 lations and the Committee on Appropriations of the
9 House of Representatives and the Committee on
10 Foreign Relations and the Committee on Appropria-
11 tions of the Senate;

12 “(B) the term ‘humanitarian assistance’ means
13 food (including the monetization of food), clothing,
14 medicine, and medical supplies; and

15 “(C) the term ‘nonmarket-based trade’ includes
16 exports, imports, exchanges, or other trade arrange-
17 ments under which goods or services are provided on
18 terms more favorable than those generally available
19 in applicable markets or for comparable commod-
20 ities, including—

21 “(i) exports to the Government of Cuba on
22 terms that involve a grant, concessional price,
23 guaranty, insurance, or subsidy;

24 “(ii) imports from the Government of Cuba
25 at preferential tariff rates; and

1 “(iii) exchange arrangements that include
2 advance delivery of commodities, arrangements
3 in which the Government of Cuba is not held
4 accountable for unfulfilled exchange contracts,
5 and arrangements under which such Govern-
6 ment does not pay appropriate transportation,
7 insurance, or finance costs.”.

8 (b) EFFECTIVE DATE.—

9 (1) IN GENERAL.—Except as provided in para-
10 graph (2), the prohibition on assistance to a foreign
11 government contained in section 620(w) of the For-
12 eign Assistance Act of 1961, as added by subsection
13 (a), shall apply only with respect to assistance pro-
14 vided in fiscal years beginning on or after the date
15 of the enactment of this Act.

16 (2) EXCEPTION.—In the case of the fiscal year
17 in which this Act is enacted, such prohibition shall
18 apply with respect to the obligation or expenditure
19 of assistance on or after the date of the enactment
20 of this Act.

21 **SEC. 3302. ASSISTANCE FOR NICARAGUA.**

22 (a) RESTRICTIONS.—Amounts made available for fis-
23 cal years 1996 and 1997 for assistance under chapter 1
24 of part I of the Foreign Assistance Act of 1961 (22 U.S.C.
25 2151 et seq.; relating to development assistance) or chap-

1 ter 4 of part II of such Act (22 U.S.C. 2346 et seq.; relat-
2 ing to the economic support fund), including any unobli-
3 gated balances of prior appropriations, may only be made
4 available to the Government of Nicaragua if the Secretary
5 of State, in consultation with the Secretary of Defense and
6 the Director of the Central Intelligence, determines and
7 certifies to the appropriate congressional committees
8 that—

9 (1) a full and independent investigation has
10 been completed of the weapons caches discovered
11 after the May 23, 1993, Santa Rosa arms cache ex-
12 plosion, including an investigation of passports, iden-
13 tity papers, and other documents found at weapons
14 sites indicating the existence of a terrorist or kid-
15 napping ring and that the terrorist network was not
16 involved with the February 1993 World Trade Cen-
17 ter bombing;

18 (2) all individuals, including government offi-
19 cials and members of the armed forces or security
20 forces of Nicaragua, identified by the President as
21 part of a terrorist or kidnapping ring, have been
22 prosecuted;

23 (3) Nicaragua has met the requirements set
24 forth in section 527 of the Foreign Relations Au-

1 thorization Act, Fiscal Years 1994 and 1995 (relat-
2 ing to expropriation of United States property);

3 (4) the timely implementation of all rec-
4 ommendations made by the Tripartite Commission
5 with respect to individuals responsible for assassina-
6 tions has been made, including the immediate sus-
7 pension of all individuals from the Sandinista Army
8 and security forces who were named in such rec-
9 ommendations, and the expeditious prosecution of
10 such individuals;

11 (5) all individuals implicated in the murders of
12 Jean Paul Genie, Arges Sequeira, and Enrique
13 Bermúdez have been removed from the military and
14 security forces of Nicaragua, and judicial proceed-
15 ings against these individuals have been completed;

16 (6) specific changes have been implemented
17 which have resulted in verifiable civilian control over
18 the Sandinista military, security forces, and police;
19 and

20 (7) there have been genuine, effective, and con-
21 crete reforms in the Nicaraguan judicial system.

22 (b) CONTENTS OF CERTIFICATION.—

23 (1) IN GENERAL.—A certification made pursu-
24 ant to subsection (a) shall include a detailed ac-
25 counting of all evidence in support of the determina-

1 tions listed in paragraphs (1) through (7) of such
2 subsection.

3 (2) FORM.—A certification made pursuant to
4 subsection (a) shall be submitted in unclassified
5 form, and, to the extent necessary, classified form.

6 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
7 FINED.—For purposes of this section, the term “appro-
8 priate congressional committees” means the Committee on
9 International Relations and the Committee on Appropria-
10 tions of the House of Representatives and the Committee
11 on Foreign Relations and the Committee on Appropria-
12 tions of the Senate.

13 **SEC. 3303. ELIGIBILITY OF PANAMA UNDER ARMS EXPORT**
14 **CONTROL ACT.**

15 The Government of the Republic of Panama shall be
16 eligible to purchase defense articles and defense services
17 under the Arms Export Control Act (22 U.S.C. 2751 et
18 seq.), except as otherwise specifically provided by law.

19 **SEC. 3304. FUTURE OF THE UNITED STATES MILITARY**
20 **PRESENCE IN PANAMA.**

21 (a) FINDINGS.—The Congress makes the following
22 findings:

23 (1) The Panama Canal is a vital strategic asset
24 to the United States, its allies, and the world.

1 (2) The Treaty on the Permanent Neutrality
2 and Operation of the Panama Canal signed on Sep-
3 tember 7, 1977, provides that Panama and the
4 United States have the responsibility to assure that
5 the Panama Canal will remain open and secure.

6 (3) Such Treaty also provides that each of the
7 two countries shall, in accordance with their respec-
8 tive constitutional processes, defend the Canal
9 against any threat to the regime of neutrality, and
10 consequently shall have the right to act against any
11 aggression or threat directed against the Canal or
12 against the peaceful transit of vessels through the
13 Canal.

14 (4) The United States instrument of ratifica-
15 tion of such Treaty includes specific language that
16 the two countries should consider negotiating future
17 arrangements or agreements to maintain military
18 forces necessary to fulfill the responsibility of the
19 two countries of maintaining the neutrality of the
20 Canal after 1999.

21 (5) The Government of Panama, in the bilateral
22 Protocol of Exchange of instruments of ratification,
23 expressly “agreed upon” such arrangements or
24 agreements.

1 (6) The United States Navy depends upon the
2 Panama Canal for rapid transit in times of emer-
3 gency, as demonstrated during World War II, the
4 Korean War, the Vietnam conflict, the Cuban Mis-
5 sile Crisis, and the Persian Gulf conflict.

6 (7) Drug trafficking and money laundering
7 have proliferated in the Western Hemisphere since
8 the Treaty on the Permanent Neutrality and Oper-
9 ation of the Panama Canal was signed on September
10 7, 1977, and such trafficking and laundering poses
11 a grave threat to peace and security in the region.

12 (8) Certain facilities now utilized by the United
13 States Armed Forces in Panama are critical to com-
14 bat the trade in illegal drugs.

15 (9) The United States and Panama share com-
16 mon policy goals such as strengthening democracy,
17 expanding economic trade, and combating illegal
18 narcotics throughout Latin America.

19 (10) The Government of Panama has dissolved
20 its military forces and has maintained only a civilian
21 police organization to defend the Panama Canal
22 against aggression.

23 (11) Certain public opinion polls in Panama
24 suggest that many Panamanians desire a continued
25 United States military presence in Panama.

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

3 (1) the President should negotiate a new base
4 rights agreement with the Government of Panama—

5 (A) to allow the stationing of United
6 States Armed Forces in Panama beyond De-
7 cember 31, 1999; and

8 (B) to ensure that the United States will
9 be able to act appropriately, consistent with the
10 Panama Canal Treaty, the Treaty Concerning
11 the Permanent Neutrality and Operation of the
12 Panama Canal, and the resolutions of ratifica-
13 tion thereto, for the purpose of assuring that
14 the Panama Canal shall remain open, neutral,
15 secure, and accessible; and

16 (2) the President should consult with the Con-
17 gress throughout the negotiations described in para-
18 graph (1).

19 **SEC. 3305. PEACE AND STABILITY IN THE SOUTH CHINA**
20 **SEA.**

21 (a) FINDINGS.—The Congress finds the following:

22 (1) The South China Sea is a critically impor-
23 tant waterway through which 25 percent of the
24 world's ocean freight and 70 percent of Japan's en-
25 ergy supplies transit.

1 (2) The South China Sea serves as a crucial sea
2 lane for United States Navy ships moving between
3 the Pacific and Indian Oceans, particularly in time
4 of emergency.

5 (3) There are a number of competing claims to
6 territory in the South China Sea.

7 (4) The 1992 Manila Declaration adhered to by
8 the Association of South East Asian Nations, the
9 Socialist Republic of Vietnam, and the People's Re-
10 public of China calls for all claimants to territory in
11 the South China Sea to resolve questions of bound-
12 aries through peaceful negotiations.

13 (5) The legislature of the People's Republic of
14 China has declared the entire South China Sea to be
15 Chinese territorial waters.

16 (6) The armed forces of the People's Republic
17 of China have asserted China's claim to the South
18 China Sea through the kidnapping of citizens of the
19 Republic of the Philippines and the construction of
20 military bases on territory claimed by the Phil-
21 ippines.

22 (7) These acts of aggression committed by the
23 armed forces of the People's Republic of China
24 against citizens of the Philippines are contrary to

1 both international law and to peace and stability in
2 East Asia.

3 (b) POLICY DECLARATIONS.—The Congress—

4 (1) declares the right of free passage through
5 the South China Sea to be vital to the national secu-
6 rity interests of the United States, its friends, and
7 allies;

8 (2) declares that any attempt by a
9 nondemocratic power to assert, through the use of
10 force or intimidation, its claims to territory in the
11 South China Sea to be a matter of grave concern to
12 the United States;

13 (3) calls upon the Government of the People's
14 Republic of China to adhere faithfully to its commit-
15 ment under the Manila Declaration of 1992; and

16 (4) calls upon the President to review the de-
17 fense needs of democratic countries with claims to
18 territory in the South China Sea.

19 **SEC. 3306. ASSISTANCE FOR ZAIRE.**

20 (a) SECURITY ASSISTANCE.—Assistance may not be
21 provided for the Government of Zaire for each of the fiscal
22 years 1996 and 1997—

23 (1) under chapter 4 of part II of the Foreign
24 Assistance Act of 1961 (22 U.S.C. 2346 et seq.; re-
25 lating to the economic support fund);

1 (2) under chapter 5 of part II of that Act (22
2 U.S.C. 2347 et seq.; relating to international mili-
3 tary education and training); or

4 (3) from the “Foreign Military Financing Pro-
5 gram” account under section 23 of the Arms Export
6 Control Act (22 U.S.C. 2763).

7 (b) DEVELOPMENT ASSISTANCE.—Assistance under
8 chapter 1 of part I of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2151 et seq.; relating to development assist-
10 ance) or chapter 10 of such part (22 U.S.C. 2293 et seq.;
11 relating to the Development Fund for Africa) for each of
12 the fiscal years 1996 and 1997 shall not be provided to
13 the Government of Zaire.

14 **TITLE XXXIV—SPECIAL AU-**
15 **THORITIES AND OTHER PRO-**
16 **VISIONS**

17 **CHAPTER 1—SPECIAL AUTHORITIES**

18 **SEC. 3401. ENHANCED TRANSFER AUTHORITY.**

19 Section 610 of the Foreign Assistance Act of 1961
20 (22 U.S.C. 2360) is amended to read as follows:

21 **“SEC. 610. TRANSFER BETWEEN ACCOUNTS.**

22 “(a) GENERAL AUTHORITY.—Whenever the Presi-
23 dent determines it to be necessary for the purposes of this
24 Act or the Arms Export Control Act (22 U.S.C. 2751 et
25 seq.), not to exceed 20 percent of the funds made available

1 to carry out any provision of this Act (except funds made
2 available pursuant to title IV of chapter 2 of part I) or
3 section 23 of the Arms Export Control Act (22 U.S.C.
4 2763)—

5 “(1) may be transferred to, and consolidated
6 with, the funds in any other account or fund avail-
7 able to carry out any provision of this Act; and

8 “(2) may be used for any purpose for which
9 funds in that account or fund may be used.

10 “(b) LIMITATION ON AMOUNT OF INCREASE.—The
11 total amount in the account or fund for the benefit of
12 which transfer is made under subsection (a) during any
13 fiscal year may not be increased by more than 20 percent
14 of the amount of funds otherwise made available.

15 “(c) NOTIFICATION.—The President shall notify in
16 writing the congressional committees specified in section
17 634A at least fifteen days in advance of each such transfer
18 between accounts in accordance with procedures applicable
19 to reprogramming notifications under such section.”.

20 **SEC. 3402. AUTHORITY TO MEET UNANTICIPATED CONTIN-**
21 **GENCIES.**

22 (a) IN GENERAL.—Chapter 1 of part III of the For-
23 eign Assistance Act of 1961 is amended by inserting after
24 section 610 (22 U.S.C. 2360) the following new section:

1 **“SEC. 610A. AUTHORITY TO MEET UNANTICIPATED CONTIN-**
2 **GENCIES.**

3 “(a) AUTHORITY.—

4 “(1) IN GENERAL.—In order to provide for any
5 unanticipated contingency in the programs, projects,
6 or activities for which assistance is provided under
7 this Act, the President is authorized to use funds
8 made available to carry out any provision of this Act
9 for the purpose of providing assistance authorized by
10 any other provision of this Act in accordance with
11 the provisions applicable to the furnishing of such
12 assistance.

13 “(2) LIMITATION.—The authority of paragraph
14 (1) may not be used to authorize the use of more
15 than \$40,000,000 in any fiscal year.

16 “(b) SUPERSEDES OTHER LAWS.—Funds authorized
17 to be appropriated under this section are authorized to
18 be made available notwithstanding any other provision of
19 law.

20 “(c) NOTIFICATION OF CONGRESS.—

21 “(1) NOTIFICATION.—Except as provided in
22 paragraph (2), the President shall notify the con-
23 gressional committees specified in section 634A(a) at
24 least 15 days before obligating any funds under this
25 section in accordance with the procedures applicable

1 to reprogramming notifications under section
2 634A(a).

3 “(2) EXCEPTION.—The President may waive
4 the requirement contained in paragraph (1) if the
5 President determines that complying with such re-
6 quirement would pose a substantial risk to human
7 health or welfare. If the President exercises the
8 waiver under the preceding sentence, the President
9 shall notify the congressional committees specified in
10 section 634A(a) as early as practicable, but in no
11 event later than 3 days after the date on which the
12 President took the action to which such notification
13 requirement was applicable.”.

14 (b) REPEAL.—Chapter 5 of part I of the Foreign As-
15 sistance Act of 1961 (22 U.S.C. 2261; relating to contin-
16 gencies) is hereby repealed.

17 **SEC. 3403. SPECIAL WAIVER AUTHORITY.**

18 Section 614 of the Foreign Assistance Act of 1961
19 (22 U.S.C. 2364) is amended to read as follows:

20 **“SEC. 614. SPECIAL WAIVER AUTHORITY.**

21 “(a) AUTHORITY.—The President may provide as-
22 sistance and make loans under the provisions of law de-
23 scribed in subsection (b), notwithstanding any other provi-
24 sion of law, if the President determines that to do so is
25 vital to the national interests of the United States.

1 “(b) LAWS WHICH MAY BE WAIVED.—The provi-
2 sions of law described in this subsection are—

3 “(1) this Act;

4 “(2) the Arms Export Control Act (22 U.S.C.
5 2751 et seq.);

6 “(3) any provision of law authorizing the provi-
7 sion of assistance to foreign countries or making ap-
8 propriations for such assistance;

9 “(4) any other provision of law that restricts
10 the authority to provide assistance or make loans
11 under a provision of law described in paragraph (1),
12 (2), or (3).

13 “(c) CONSULTATION WITH CONGRESS.—Before exer-
14 cising the authority under subsection (a), the President
15 shall consult with, and shall provide a written policy jus-
16 tification to the Committee on International Relations and
17 the Committee on Appropriations of the House of Rep-
18 resentatives and the Committee on Foreign Relations and
19 the Committee on Appropriations of the Senate.

20 “(d) NOTIFICATION TO CONGRESS.—A determination
21 under subsection (a) shall be effective only if the President
22 notifies the congressional committees specified in sub-
23 section (c) in writing of that determination.

24 “(e) ANNUAL CEILINGS.—

1 “(1) IN GENERAL.—The authority of this sec-
2 tion may not be used in any fiscal year to author-
3 ize—

4 “(A) more than \$750,000,000 in sales or
5 leases to be made under the Arms Export Con-
6 trol Act (22 U.S.C. 2751 et seq.);

7 “(B) the use of more than \$250,000,000
8 of funds made available under this Act or the
9 Arms Export Control Act; or

10 “(C) the use of more than \$100,000,000 of
11 foreign currencies accruing under this Act or
12 any other provision of law.

13 “(2) SALES UNDER THE ARMS EXPORT CON-
14 TROL ACT.—If the authority of this section is used
15 both to authorize a sale or lease under the Arms Ex-
16 port Control Act and to authorize funds to be used
17 under this Act with respect to the financing of that
18 sale or lease, then the use of the funds shall be
19 counted against the limitation in paragraph (1)(B)
20 and the portion, if any, of the sale or lease which
21 is not so financed shall be counted against the limi-
22 tation in paragraph (1)(A).

23 “(3) LEASES.—For purposes of paragraph
24 (1)(A) the replacement cost, less any depreciation in
25 the value, of the defense articles authorized to be

1 leased shall be counted against the limitation in that
2 paragraph.

3 “(4) COUNTRY LIMITS.—(A) Not more than
4 \$75,000,000 of the \$250,000,000 limitation pro-
5 vided in paragraph (1)(B) may be allocated to any
6 one country in any fiscal year unless that country is
7 a victim of active aggression.

8 “(B) Not more than \$500,000,000 of the ag-
9 gregate limitation of \$1,000,000,000 provided in
10 paragraph (1)(A) and (1)(B) may be allocated to
11 any one country in any fiscal year.”.

12 **SEC. 3404. TERMINATION OF ASSISTANCE.**

13 Section 617 of the Foreign Assistance Act of 1961
14 (22 U.S.C. 2364) is amended to read as follows:

15 **“SEC. 617. TERMINATION OF ASSISTANCE.**

16 “(a) IN GENERAL.—(1) In order to ensure the effec-
17 tiveness of assistance provided under this Act, funds made
18 available under this Act to carry out any program, project,
19 or activity of assistance shall remain available for obliga-
20 tion for a period not to exceed 8 months after the date
21 of termination of such assistance for the necessary ex-
22 penses of winding up such programs, projects, or activities
23 and, notwithstanding any other provision of law, funds so
24 obligated may remain available until expended.

1 “(2) Funds obligated to carry out any program,
2 project, or activity of assistance before the effective date
3 of the termination of such assistance are authorized to be
4 available for expenditure for the necessary expenses of
5 winding up such programs, projects, and activities, not-
6 withstanding any provision of law restricting the expendi-
7 ture of funds, and may be reobligated to meet any other
8 necessary expenses arising from the termination of such
9 assistance.

10 “(3) The necessary expenses of winding up programs,
11 projects, and activities of assistance include the obligation
12 and expenditure of funds to complete the training or stud-
13 ies outside their countries of origin of students whose
14 course of study or training program began before assist-
15 ance was terminated.

16 “(b) LIABILITY TO CONTRACTORS.—For the purpose
17 of making an equitable settlement of termination claims
18 under extraordinary contractual relief standards, the
19 President is authorized to adopt as a contract or other
20 obligation of the United States Government, and assume
21 (in whole or in part) any liabilities arising thereunder, any
22 contract with a United States or third-country contractor
23 to carry out any program, project, or activity of assistance
24 under this Act that was subsequently terminated pursuant
25 to law.

1 “(c) GUARANTEE PROGRAMS.—Provisions of this or
2 any other Act requiring the termination of assistance
3 under this Act shall not be construed to require the termi-
4 nation of guarantee commitments that were entered into
5 before the effective date of the termination of assistance.”.

6 **CHAPTER 2—OTHER PROVISIONS**

7 **SEC. 3411. CONGRESSIONAL PRESENTATION DOCUMENTS.**

8 Section 634 of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2394) is amended to read as follows:

10 **“SEC. 634. CONGRESSIONAL PRESENTATION DOCUMENTS.**

11 “(a) REQUIREMENT FOR SUBMISSION.—As part of
12 the annual requests for enactment of authorizations and
13 appropriations for foreign assistance programs for each
14 fiscal year, the President shall prepare and transmit to
15 the Congress annual congressional presentation docu-
16 ments for the programs authorized under this Act and the
17 Arms Export Control Act (22 U.S.C. 2751 et seq.).

18 “(b) MATERIALS TO BE INCLUDED.—The documents
19 submitted pursuant to subsection (a) shall include—

20 “(1) the rationale for the allocation of assist-
21 ance or contributions to each country, regional, or
22 centrally funded program, or organization, as the
23 case may be;

1 “(2) a description of how each such program or
2 contribution supports the objectives of this Act or
3 the Arms Export Control Act, as the case may be;

4 “(3) a description of planned country, regional,
5 or centrally funded programs or contributions to
6 international organizations and programs for the
7 coming fiscal year; and

8 “(4) for each country for which assistance is re-
9 quested under this Act or the Arms Export Control
10 Act—

11 “(A) the total number of years since 1946
12 that the United States has provided assistance;

13 “(B) the total amount of bilateral assist-
14 ance provided by the United States since 1946,
15 including the principal amount of all loans,
16 credits, and guarantees; and

17 “(C) the total amount of assistance pro-
18 vided to such country from all multilateral or-
19 ganizations to which the United States is a
20 member, including all international financial in-
21 stitutions, the United Nations, and other inter-
22 national organizations.

23 “(c) GRADUATION FROM DEVELOPMENT ASSIST-
24 ANCE.—

1 “(1) DETERMINATION.—As part of the congres-
2 sional presentation documents transmitted to the
3 Congress under this section, the Secretary of State
4 shall make a separate determination for each coun-
5 try identified in such documents for which bilateral
6 development assistance is requested, estimating the
7 year in which each such country will no longer be re-
8 ceiving bilateral development assistance.

9 “(2) DEVELOPMENT ASSISTANCE DEFINED.—
10 For purposes of this section, the term ‘development
11 assistance’ means assistance under—

12 “(A) chapter 1 of part I of this Act;

13 “(B) chapter 10 of part I of this Act;

14 “(C) chapter 11 of part I of this Act; and

15 “(D) the Support for East European De-
16 mocracy (SEED) Act of 1989 (22 U.S.C. 5401
17 et seq.).”.

18 **SEC. 3412. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-**
19 **ERNMENTS ENGAGED IN ESPIONAGE**
20 **AGAINST THE UNITED STATES.**

21 Chapter 1 of part III of the Foreign Assistance Act
22 of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act,
23 is further amended by adding at the end the following new
24 section:

1 **“SEC. 620I. PROHIBITION ON ASSISTANCE TO FOREIGN**
2 **GOVERNMENTS ENGAGED IN ESPIONAGE**
3 **AGAINST THE UNITED STATES.**

4 “(a) PROHIBITION.—None of the funds made avail-
5 able to carry out this Act or the Arms Export Control
6 Act (22 U.S.C. 2751 et seq.) (other than humanitarian
7 assistance or assistance for refugees) may be provided to
8 any foreign government which the President determines
9 is engaged in intelligence activities within the United
10 States harmful to the national security of the United
11 States.

12 “(b) PERIODIC REPORTS.—Beginning one year after
13 the date of enactment of this section, and annually there-
14 after, the President shall prepare and transmit to the
15 Committee on Foreign Relations and the Select Commit-
16 tee on Intelligence of the Senate and the Committee on
17 International Relations and the Permanent Select Com-
18 mittee on Intelligence of the House of Representatives a
19 report, in classified and unclassified forms, listing all for-
20 eign governments which the President determines are con-
21 ducting intelligence activities within the United States
22 harmful to the national security of the United States.

23 “(c) DEFINITION.—As used in this section, the term
24 ‘humanitarian assistance’ means food (including the
25 monetization of food), clothing, medicine, and medical
26 supplies.”.

1 **SEC. 3413. DEBT RESTRUCTURING FOR FOREIGN ASSIST-**
2 **ANCE.**

3 Chapter 1 of part III of the Foreign Assistance Act
4 of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act,
5 is further amended by adding at the end the following new
6 section:

7 **“SEC. 620J. SPECIAL DEBT RELIEF FOR POOR COUNTRIES.**

8 “(a) **AUTHORITY TO REDUCE DEBT.**—The President
9 may reduce amounts owed to the United States Govern-
10 ment by a country described in subsection (b) as a result
11 of—

12 “(1) loans or guarantees issued under this Act;

13 or

14 “(2) credits extended or guarantees issued
15 under the Arms Export Control Act (22 U.S.C.
16 2751 et seq.).

17 “(b) **COUNTRY DESCRIBED.**—A country described in
18 this subsection is a country—

19 “(1) with a heavy debt burden that is eligible
20 to borrow from the International Development Asso-
21 ciation but not from the International Bank for Re-
22 construction and Development (commonly referred
23 to as an ‘IDA-only’ country); and

24 “(2) the government of which—

25 “(A) does not have an excessive level of
26 military expenditures;

1 “(B) has not repeatedly provided support
2 for acts of international terrorism;

3 “(C) is cooperating with the United States
4 on international narcotics control matters;

5 “(4) (including the military or other security
6 forces of such government) does not engage in a
7 consistent pattern of gross violations of internation-
8 ally recognized human rights; and

9 “(5) is not prohibited from receiving assistance
10 described in section 527(a) of the Foreign Relations
11 Authorization Act, Fiscal Years 1994 and 1995 by
12 reason of such section.

13 “(c) LIMITATIONS.—The authority under subsection
14 (a) may be exercised—

15 “(1) only to implement multilateral official debt
16 relief ad referendum agreements (commonly referred
17 to as ‘Paris Club Agreed Minutes’); and

18 “(2) only to the extent that appropriations for
19 the cost of the modification, as defined in section
20 502 of the Congressional Budget Act of 1974, are
21 made in advance.

22 “(d) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-
23 duction of debt pursuant to the exercise of authority under
24 subsection (a)—

1 “(1) shall not be considered assistance for pur-
2 poses of any provision of law limiting assistance to
3 a country; and

4 “(2) may be exercised notwithstanding section
5 620(r) of this Act or any comparable provision of
6 law.

7 “(e) AUTHORIZATION OF APPROPRIATIONS.—

8 “(1) IN GENERAL.—There are authorized to be
9 appropriated to the President for the purpose of car-
10 rying out this section \$7,000,000 for each of the fis-
11 cal years 1996 and 1997.

12 “(2) AVAILABILITY.—Amounts authorized to be
13 appropriated under paragraph (1) are authorized to
14 remain available until expended.”.

15 **SEC. 3414. DEBT BUYBACKS OR SALES FOR DEBT SWAPS.**

16 Part IV of the Foreign Assistance Act of 1961 (22
17 U.S.C. 2430 et seq.) is amended by adding at the end
18 the following new section:

19 **“SEC. 711. AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR**
20 **SALES.**

21 “(a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR
22 CANCELLATION.—

23 “(1) AUTHORITY TO SELL, REDUCE, OR CANCEL
24 CERTAIN LOANS.—Notwithstanding any other provi-
25 sion of law, the President may, in accordance with

1 this section, sell to any eligible purchaser any
2 concessional loan or portion thereof made before
3 January 1, 1995, to the government of any eligible
4 country pursuant to this Act, or on receipt of pay-
5 ment from an eligible purchaser, reduce or cancel
6 such loan or portion thereof, only for the purpose
7 of facilitating—

8 “(A) debt-for-equity swaps, debt-for-devel-
9 opment swaps, or debt-for-nature swaps; or

10 “(B) a debt buyback by an eligible country
11 of its own qualified debt, only if the eligible
12 country uses an additional amount of the local
13 currency of the eligible country, equal to not
14 less than 40 percent of the price paid for such
15 debt by such eligible country, or the difference
16 between the price paid for such debt and the
17 face value of such debt, to support activities
18 that link conservation and sustainable use of
19 natural resources with local community develop-
20 ment, and child survival and other child devel-
21 opment, in a manner consistent with sections
22 707 through 710, if the sale, reduction, or can-
23 cellation would not contravene any term or con-
24 dition of any prior agreement relating to such
25 loan.

1 “(2) TERMS AND CONDITIONS.—Notwithstand-
2 ing any other provision of law, the President shall,
3 in accordance with this section, establish the terms
4 and conditions under which loans may be sold, re-
5 duced, or canceled pursuant to this section.

6 “(3) ADMINISTRATION.—The Facility shall no-
7 tify the administrator of the agency primarily re-
8 sponsible for administering part I of this Act of pur-
9 chasers that the President has determined to be eli-
10 gible, and shall direct such agency to carry out the
11 sale, reduction, or cancellation of a loan pursuant to
12 this section. Such agency shall make an adjustment
13 in its accounts to reflect the sale, reduction, or can-
14 cellation.

15 “(4) LIMITATION.—The authorities of this sub-
16 section shall be available only to the extent that ap-
17 propriations for the cost of the modification, as de-
18 fined in section 502 of the Congressional Budget Act
19 of 1974, are made in advance.

20 “(b) DEPOSIT OF PROCEEDS.—The proceeds from
21 the sale, reduction, or cancellation of any loan sold, re-
22 duced, or canceled pursuant to this section shall be depos-
23 ited in an account or accounts established in the Treasury
24 for the repayment of such loan.

1 “(c) ELIGIBLE PURCHASERS.—A loan may be sold
2 pursuant to subsection (a)(1)(A) only to a purchaser who
3 presents plans satisfactory to the President for using the
4 loan for the purpose of engaging in debt-for-equity swaps,
5 debt-for-development swaps, or debt-for-nature swaps.

6 “(d) DEBTOR CONSULTATIONS.—Before the sale to
7 any eligible purchaser, or any reduction or cancellation
8 pursuant to this section, of any loan made to an eligible
9 country, the President shall consult with the country con-
10 cerning the amount of loans to be sold, reduced, or can-
11 celed and their uses for debt-for-equity swaps, debt-for-
12 development swaps, or debt-for-nature swaps.

13 “(e) AUTHORIZATION OF APPROPRIATIONS.—

14 “(1) IN GENERAL.—For the sale, reduction,
15 and cancellation of loans or portions thereof pursu-
16 ant to this section, there are authorized to be appro-
17 priated to the President \$3,000,000 for each of the
18 fiscal years 1996 and 1997.

19 “(2) AVAILABILITY.—Amounts authorized to be
20 appropriated under paragraph (1) are authorized to
21 remain available until expended.”.

22 **SEC. 3415. IMPACT ON JOBS IN THE UNITED STATES.**

23 Section 636 of the Foreign Assistance Act of 1961
24 (22 U.S.C. 2396) is amended by adding at the end the
25 following new subsection:

1 “(j)(1) Funds made available to carry out the provi-
2 sions of this Act may not be made available to provide—

3 “(A) any financial incentive to a business enter-
4 prise located in the United States for the purpose of
5 inducing that enterprise to relocate outside the Unit-
6 ed States if such incentive or inducement is likely to
7 reduce the number of individuals employed in the
8 United States by that enterprise because that enter-
9 prise would replace production in the United States
10 with production outside the United States;

11 “(B) assistance for the purpose of establishing
12 or developing in a foreign country any export proc-
13 essing zone or designated area in which the tax, tar-
14 iff, labor, environment, and safety laws of that coun-
15 try do not apply, in part or in whole, to activities
16 carried out within that zone or area, unless the
17 President determines and certifies that such assist-
18 ance is not likely to cause a loss of jobs within the
19 United States; or

20 “(C) subject to paragraph (2), assistance for
21 any project or activity that contributes to the viola-
22 tion of internationally recognized workers rights (as
23 defined in section 502(a)(4) of the Trade Act of
24 1974) of workers in the foreign country, including in
25 any designated zone or area in that country.

1 “(2) Paragraph (1) shall not apply with respect to
2 the provision of assistance for microenterprises and small-
3 scale enterprises, or for small-holder agriculture in the in-
4 formal sector of the foreign country.”.

5 **SEC. 3416. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-**
6 **ERNMENTS THAT EXPORT LETHAL MILITARY**
7 **EQUIPMENT TO COUNTRIES SUPPORTING**
8 **INTERNATIONAL TERRORISM.**

9 (a) IN GENERAL.—Section 620 of the Foreign Assist-
10 ance Act of 1961 (22 U.S.C. 2370) is amended by adding
11 at the end the following new subsection:

12 “(y)(1) No assistance may be provided under this Act
13 or the Arms Export Control Act to any foreign govern-
14 ment that provides lethal military equipment to a country,
15 the government of which the Secretary of State has deter-
16 mined pursuant to section 40(d) of the Arms Export Con-
17 trol Act is a government that has repeatedly provided sup-
18 port for acts of international terrorism.

19 “(2) The prohibition under paragraph (1) with re-
20 spect to a foreign government shall terminate 12 months
21 after the date on which that government ceases to provide
22 such lethal military equipment.

23 “(3) The President may waive the requirements of
24 paragraph (1) if the President determines that the provi-

1 sion of such assistance is important to the national secu-
2 rity interests of the United States.

3 “(4) Whenever the waiver of paragraph (3) is exer-
4 cised, the President shall prepare and transmit to the ap-
5 propriate congressional committees a report with respect
6 to the furnishing of such assistance. Such report shall in-
7 clude a detailed explanation of the assistance to be pro-
8 vided, including the estimated dollar amount of such as-
9 sistance, and an explanation of how the assistance fur-
10 thers the national interests of the United States.

11 “(5) For purposes of this subsection, the term ‘appro-
12 priate congressional committees’ means the Committee on
13 International Relations and the Committee on Appropria-
14 tions of the House of Representatives and the Committee
15 on Foreign Relations and the Committee on Appropria-
16 tions of the Senate.”.

17 (b) EFFECTIVE DATE.—Section 620(y) of the For-
18 eign Assistance Act of 1961, as added by subsection (a),
19 applies with respect to lethal military equipment provided
20 pursuant to a contract entered into on or after the date
21 of enactment of this Act.

CHAPTER 3—REPEALS**2 SEC. 3421. REPEAL OF OBSOLETE PROVISIONS.**

3 (a) 1992 JOBS THROUGH EXPORTS ACT.—Title III
4 of the Jobs Through Exports Act of 1992 is hereby re-
5 pealed.

6 (b) 1988 OPIC ACT.—The Overseas Private Invest-
7 ment Corporation Amendments Act of 1988 (as enacted
8 by reference by section 555 of the Foreign Operations, Ex-
9 port Financing, and Related Programs Appropriations
10 Act, 1989) is hereby repealed.

11 (c) 1988 FOREIGN OPERATIONS APPROPRIATIONS
12 ACT.—Section 537(h)(2) of the Foreign Operations, Ex-
13 port Financing, and Related Programs Appropriations
14 Act, 1988, as included in Public Law 100–202, is hereby
15 repealed.

16 (d) 1987 FOREIGN ASSISTANCE APPROPRIATIONS
17 ACT.—Section 539(g)(2) of the Foreign Assistance and
18 Related Programs Appropriations Act, 1987, as included
19 in Public Law 99–591, is hereby repealed.

20 (e) 1986 ASSISTANCE ACT.—The Special Foreign As-
21 sistance Act of 1986 is hereby repealed except for section
22 1 and section 204.

23 (f) 1985 ASSISTANCE ACT.—The International Secu-
24 rity and Development Cooperation Act of 1985 is hereby
25 repealed except for section 1, section 131, section 132, sec-

1 tion 504, section 505, part B of title V (other than section
2 558 and section 559), section 1302, section 1303, and sec-
3 tion 1304.

4 (g) 1985 JORDAN SUPPLEMENTAL ACT.—The Jor-
5 dan Supplemental Economic Assistance Authorization Act
6 of 1985 is hereby repealed.

7 (h) 1985 AFRICAN FAMINE ACT.—The African Fam-
8 ine Relief and Recovery Act of 1985 is hereby repealed.

9 (i) 1983 ASSISTANCE ACT.—The International Secu-
10 rity and Development Assistance Authorization Act of
11 1983 is hereby repealed.

12 (j) 1983 LEBANON ASSISTANCE ACT.—The Lebanon
13 Emergency Assistance Act of 1983 is hereby repealed.

14 (k) 1981 ASSISTANCE ACT.—The International Secu-
15 rity and Development Cooperation Act of 1981 is hereby
16 repealed except for section 1, section 709, and section 714.

17 (l) 1981 OPIC AMENDMENTS ACT.—The OPIC
18 Amendments Act of 1981 is hereby repealed.

19 (m) 1980 ASSISTANCE ACT.—The International Se-
20 curity and Development Cooperation Act of 1980 is hereby
21 repealed except for section 1, section 110, section 316, and
22 title V.

23 (n) 1979 DEVELOPMENT ASSISTANCE ACT.—The
24 International Development Cooperation Act of 1979 is
25 hereby repealed.

1 (o) 1979 SECURITY ASSISTANCE ACT.—The Inter-
2 national Security Assistance Act of 1979 is hereby re-
3 pealed.

4 (p) 1979 SPECIAL SECURITY ASSISTANCE ACT.—The
5 Special International Security Assistance Act of 1979 is
6 hereby repealed.

7 (q) 1978 DEVELOPMENT ASSISTANCE ACT.—The
8 International Development and Food Assistance Act of
9 1978 is hereby repealed, except for section 1, title IV, and
10 section 603(a)(2).

11 (r) 1978 SECURITY ASSISTANCE ACT.—The Inter-
12 national Security Assistance Act of 1978 is hereby re-
13 pealed.

14 (s) 1977 DEVELOPMENT ASSISTANCE ACT.—The
15 International Development and Food Assistance Act of
16 1977 is hereby repealed except for section 1, section
17 132(b), and section 133.

18 (t) 1977 SECURITY ASSISTANCE ACT.—The Inter-
19 national Security Assistance Act of 1977 is hereby re-
20 pealed.

21 (u) 1976 SECURITY ASSISTANCE ACT.—The Inter-
22 national Security Assistance and Arms Export Control Act
23 of 1976 is hereby repealed except for section 1, section
24 201(b), section 212(b), section 601, and section 608.

1 (v) 1975 DEVELOPMENT ASSISTANCE ACT.—The
2 International Development and Food Assistance Act of
3 1975 is hereby repealed.

4 (w) 1975 BIB ACT.—Public Law 94–104 is hereby
5 repealed.

6 (x) 1974 ASSISTANCE ACT.—The Foreign Assistance
7 Act of 1974 is hereby repealed.

8 (y) 1973 EMERGENCY ASSISTANCE ACT.—The
9 Emergency Security Assistance Act of 1973 is hereby re-
10 pealed.

11 (z) 1973 ASSISTANCE ACT.—The Foreign Assistance
12 Act of 1973 is hereby repealed.

13 (aa) 1971 ASSISTANCE ACT.—The Foreign Assist-
14 ance Act of 1971 is hereby repealed.

15 (bb) 1971 SPECIAL ASSISTANCE ACT.—The Special
16 Foreign Assistance Act of 1971 is hereby repealed.

17 (cc) 1969 ASSISTANCE ACT.—The Foreign Assist-
18 ance Act of 1969 is hereby repealed except for the first
19 section and part IV.

20 (dd) 1968 ASSISTANCE ACT.—The Foreign Assist-
21 ance Act of 1968 is hereby repealed.

22 (ee) 1964 ASSISTANCE ACT.—The Foreign Assist-
23 ance Act of 1964 is hereby repealed.

24 (ff) LATIN AMERICAN DEVELOPMENT ACT.—The
25 Latin American Development Act is hereby repealed.

1 (gg) 1959 MUTUAL SECURITY ACT.—The Mutual Se-
2 curity Act of 1959 is hereby repealed.

3 (hh) 1954 MUTUAL SECURITY ACT.—Sections 402
4 and 417 of the Mutual Security Act of 1954 are hereby
5 repealed.

6 (ii) DEPARTMENT OF STATE AUTHORIZATION ACT,
7 FISCAL YEARS 1982 and 1983.—Section 109 of the De-
8 partment of State Authorization Act, Fiscal Years 1982
9 and 1983, is hereby repealed.

10 (jj) DEPARTMENT OF STATE AUTHORIZATION ACT,
11 FISCAL YEARS 1984 AND 1985.—Sections 1004 and
12 1005(a) of the Department of State Authorization Act,
13 Fiscal Years 1984 and 1985, are hereby repealed.

14 (kk) SAVINGS PROVISION.—Except as otherwise pro-
15 vided in this Act, the repeal by this Act of any provision
16 of law that amended or repealed another provision of law
17 does not affect in any way that amendment or repeal.

18 **TITLE XXXV—EFFECTIVE DATE**

19 **SEC. 3501. EFFECTIVE DATE.**

20 Except as otherwise provided in this Act, this divi-
21 sion, and the amendments made by this division, shall take
22 effect on the date of the enactment of this Act or October
23 1, 1995, whichever occurs later.

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