

Calendar No. 123

104TH CONGRESS
1ST SESSION

S. 908

[Report No. 104-95]

A BILL

To authorize appropriations for the Department of State for fiscal years 1996 through 1999 and to abolish the United States Information Agency, the United States Arms Control and Disarmament Agency, and the Agency for International Development, and for other purposes.

JUNE 9 (legislative day, JUNE 5), 1995
Read twice and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

JUNE 9 (legislative day, JUNE 5), 1995

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

A BILL

To authorize appropriations for the Department of State for fiscal years 1996 through 1999 and to abolish the United States Information Agency, the United States Arms Control and Disarmament Agency, and the Agency for International Development, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Relations Re-
5 vitalization Act of 1995”.

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

3 (a) DIVISIONS.—This Act is organized into two divi-
 4 sions as follows:

5 (1) Division A—Foreign Relations Authoriza-
 6 tion Act, Fiscal Years 1996–1999.

7 (2) Division B—Foreign Affairs Reinvention
 8 Act of 1995.

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

Sec. 1. Short title.

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

DIVISION A—FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL
 YEARS 1996–1999

Sec. 101. Short title.

TITLE I—DEPARTMENT OF STATE AND RELATED AGENCIES

CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

Sec. 111. Administration of foreign affairs.

Sec. 112. Migration and refugee assistance.

CHAPTER 2—AUTHORITIES AND ACTIVITIES

Sec. 121. Lease-purchase agreements.

Sec. 122. United States Embassy building in Berlin, Germany.

Sec. 123. Fees for commercial services.

Sec. 124. Reduction of reporting requirements.

Sec. 125. Buying power maintenance account.

Sec. 126. Capital investment fund.

Sec. 127. Administrative expenses.

Sec. 128. Fee for use of diplomatic reception rooms.

Sec. 129. Contracts at posts abroad.

Sec. 130. Expenses relating to certain international claims and proceedings.

Sec. 131. Diplomatic Telecommunications Service.

Sec. 132. Diplomatic Telecommunications Service Program Office.

Sec. 133. International Center reserve funds.

Sec. 134. Joint funds under agreements for cooperation in environmental, sci-
 entific, cultural and related areas.

Sec. 135. United States diplomatic facilities in Kosova.

Sec. 136. Antibribery study.

Sec. 137. Budget Act compliance.

CHAPTER 3—PERSONNEL

- Sec. 141. Authorized strength of the Foreign Service.
- Sec. 142. Restriction on lobbying activities of former United States chiefs of mission.
- Sec. 143. Foreign Service grounding in United States business.
- Sec. 144. Foreign affairs administrative support.
- Sec. 145. Foreign Service reform.
- Sec. 146. Limitations on management assignments.
- Sec. 147. Report on promotion and retention of personnel.
- Sec. 148. Recovery of costs of health care services.
- Sec. 149. Nonovertime differential pay.
- Sec. 150. Access to records.
- Sec. 151. Training.
- Sec. 152. Redesignation of National Foreign Affairs Training Center.

CHAPTER 4—CONSULAR AND RELATED ACTIVITIES

- Sec. 161. Fee for diversity immigrant lottery.
- Sec. 162. Fee for execution of passport applications.
- Sec. 163. Fees for machine readable visas.
- Sec. 164. Children adopted abroad.
- Sec. 165. Consular officers.
- Sec. 166. Exclusion from the United States for membership in a terrorist organization.
- Sec. 167. Incitement as a basis for exclusion from the United States.
- Sec. 168. Exclusion from the United States of aliens who have confiscated property claimed by United States persons.
- Sec. 169. Visit of the president of the Republic of China on Taiwan.
- Sec. 170. Terrorist Lookout Committees.
- Sec. 171. Sense of Congress on border crossing fees.

TITLE II—UNITED NATIONS

CHAPTER 1—FUNDING; BUDGETARY AND MANAGEMENT REFORM

- Sec. 201. Assessed contributions to the United Nations and affiliated agencies.
- Sec. 202. Assessed contributions for international peacekeeping activities.
- Sec. 203. Calculation of assessed contributions.
- Sec. 204. Reform in budget decisionmaking procedures of the United Nations and its specialized agencies.
- Sec. 205. United Nations budgetary and management reform.
- Sec. 206. Whistleblower provision.

CHAPTER 2—UNITED NATIONS PEACEKEEPING

- Sec. 211. Annual report on United States contributions to United Nations peacekeeping activities.
- Sec. 212. Prior congressional notification of Security Council votes on United Nations peacekeeping activities.
- Sec. 213. Codification of required notice to Congress of proposed United Nations peacekeeping activities.
- Sec. 214. Limitation on assessment percentage for peacekeeping activities.
- Sec. 215. Buy America requirement.
- Sec. 216. Restrictions on intelligence sharing with the United Nations.
- Sec. 217. Activities exempted from United Nations sanctions.
- Sec. 218. UNPROFOR funding restrictions.

- Sec. 219. Escalating costs for international peacekeeping activities.
- Sec. 220. Definition.

TITLE III—OTHER INTERNATIONAL ORGANIZATIONS

CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

- Sec. 301. International conferences and contingencies.
- Sec. 302. International commissions.
- Sec. 303. International Boundary and Water Commission.
- Sec. 304. Inter-American organizations.

CHAPTER 2—GENERAL PROVISIONS

- Sec. 311. International criminal court participation.
- Sec. 312. Prohibition on assistance to international organizations espousing world government.
- Sec. 313. Termination of United States participation in certain international organizations.
- Sec. 314. International covenant on civil and political rights.
- Sec. 315. United States participation in single commodity international organizations.
- Sec. 316. Prohibition on contributions to the International Natural Rubber Organization.
- Sec. 317. Prohibition on contributions to the International Tropical Timber Organization.
- Sec. 318. General Accounting Office study of the cost-effectiveness and efficiency of international organizations to which the United States makes contributions.

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

CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

- Sec. 401. Authorization of appropriations.
- Sec. 402. National Endowment for Democracy.

CHAPTER 2—USIA AND RELATED AGENCIES AUTHORITIES AND ACTIVITIES

- Sec. 411. Participation in international fairs and expositions.
- Sec. 412. Extension of au pair programs.
- Sec. 413. Pilot program on advertising on USIA television and radio broadcasts.
- Sec. 414. Availability of Voice of America and Radio Marti multilingual computer readable text and voice recordings.
- Sec. 415. Plan for Radio Free Asia.
- Sec. 416. Expansion of Muskie fellowship program.
- Sec. 417. Changes in administrative authorities.
- Sec. 418. General Accounting Office study of duplication among certain international affairs grantees.
- Sec. 419. General Accounting Office study of activities of the North/South Center in support of the North American Free Trade Agreement.

TITLE V—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY AND THE AGENCY FOR INTERNATIONAL DEVELOPMENT

- Sec. 501. Authorization of appropriations.

- Sec. 502. Statutory construction.
- Sec. 503. Operating expenses.
- Sec. 504. Operating expenses of the Office of the Inspector General.

TITLE VI—FOREIGN POLICY

- Sec. 601. Repeal of provisions relating to interparliamentary groups.
- Sec. 602. Repeal of executive branch membership on the Commission on Security and Cooperation in Europe.
- Sec. 603. Persons fleeing coercive population control policies.
- Sec. 604. Authorized payments and transfers.
- Sec. 605. Reports regarding Hong Kong.
- Sec. 606. Applicability of Taiwan Relations Act.
- Sec. 607. Taipei representative office.
- Sec. 608. Report on occupied Tibet.
- Sec. 609. Special envoy for Tibet Act of 1995.
- Sec. 610. Prohibition on use of funds to facilitate Iraqi refugee admissions into the United States.
- Sec. 611. Prohibition of articles using forced labor.
- Sec. 612. Forfeiture of slave-made products.
- Sec. 613. Special envoy for Nagorno-Karabakh.
- Sec. 614. Report to Congress concerning Cuban emigration policies.
- Sec. 615. Efforts against emerging infectious diseases.
- Sec. 616. Report on firms engaged in export of dual-use items.
- Sec. 617. Prohibition on the transfer of arms to Indonesia.

DIVISION B—CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES

- Sec. 1001. Short title.
- Sec. 1002. Purposes.

TITLE XI—ORGANIZATION OF THE DEPARTMENT OF STATE AND FOREIGN SERVICE

- Sec. 1101. Office of the Secretary of State.
- Sec. 1102. Under Secretaries.
- Sec. 1103. Assistant Secretaries of State.
- Sec. 1104. Other State Department positions.
- Sec. 1105. Inspector General for Foreign Affairs.
- Sec. 1106. Rates of pay.
- Sec. 1107. Repeal of previously created State Department positions.
- Sec. 1108. Limitation on personnel strength of the Department of State.
- Sec. 1109. Consolidation of United States diplomatic missions and consular posts.
- Sec. 1110. Detail of other agency personnel to State Department.
- Sec. 1111. Report on unification of United States and Foreign Commercial Service and Foreign Agricultural Service within the Foreign Service.

TITLE XII—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

- Sec. 1201. Abolition of ACDA; references in part.
- Sec. 1202. Repeal of positions and offices.
- Sec. 1203. Authorities of the Secretary of State.
- Sec. 1204. Authorization of appropriations.

- Sec. 1205. Conforming amendments.
- Sec. 1206. References in law.
- Sec. 1207. Effective date.

TITLE XIII—UNITED STATES INFORMATION AGENCY

- Sec. 1301. Abolition.
- Sec. 1302. References in law.
- Sec. 1303. Amendments to title 5.
- Sec. 1304. Amendments to United States Information and Educational Exchange Act of 1948.
- Sec. 1305. Amendments to the Mutual Educational and Cultural Exchange Act of 1961 (Fulbright-Hays Act).
- Sec. 1306. International broadcasting activities.
- Sec. 1307. Television broadcasting to Cuba.
- Sec. 1308. Radio broadcasting to Cuba.
- Sec. 1309. National Endowment for Democracy.
- Sec. 1310. United States Scholarship Program for developing countries.
- Sec. 1311. National Security Education Board.
- Sec. 1312. Center for Cultural and Technical Interchange Between North and South.
- Sec. 1313. Center for Cultural and Technical Interchange Between East and West.
- Sec. 1314. Mission of the Department of State.
- Sec. 1315. Consolidation of administrative services.
- Sec. 1316. Grants.
- Sec. 1317. Ban on domestic activities.
- Sec. 1318. Conforming repeal to the Arms Control and Disarmament Act.
- Sec. 1319. Repeal relating to procurement of legal services.
- Sec. 1320. Repeal relating to payment of subsistence expenses.
- Sec. 1321. Conforming amendment to the SEED Act.
- Sec. 1322. International Cultural and Trade Center Commission.
- Sec. 1323. Other laws referenced in Reorganization Plan No. 2 of 1977.
- Sec. 1324. Exchange program with countries in transition from totalitarianism to democracy.
- Sec. 1325. Edmund S. Muskie Fellowship Program.
- Sec. 1326. Implementation of Convention on Cultural Property.
- Sec. 1327. Repeal.
- Sec. 1328. United States Advisory Committee for Public Diplomacy.
- Sec. 1329. Effective date.

TITLE XIV—AGENCY FOR INTERNATIONAL DEVELOPMENT AND THE INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

- Sec. 1401. Abolitions; references in part.
- Sec. 1402. References in the Foreign Assistance Act of 1961.
- Sec. 1403. Exercise of functions by the Secretary of State.
- Sec. 1404. Repeal of positions; employment and contracting authorities.
- Sec. 1405. Development Loan Committee.
- Sec. 1406. Development Coordination Committee.
- Sec. 1407. Public Law 83-480 Program.
- Sec. 1408. Conforming amendments to title 5, United States Code.
- Sec. 1409. Trade Promotion Coordinating Committee.
- Sec. 1410. Chief Financial Officer.
- Sec. 1411. References in law.
- Sec. 1412. Effective date.

TITLE XV—PROPOSED REORGANIZATION OF THE UNITED
NATIONS

- Sec. 1501. Sense of Congress regarding United Nations reorganization.
Sec. 1502. Reorganization plan.

TITLE XVI—PLAN FOR REORGANIZATION OF UNITED STATES
EXPORT PROMOTION AND TRADE ACTIVITIES

- Sec. 1601. Report.

TITLE XVII—TRANSITION PROVISIONS

- Sec. 1701. Transfer of functions.
Sec. 1702. Determination of transferred functions and employees.
Sec. 1703. Reorganization plan for the United States Arms Control and Disarmament Agency.
Sec. 1704. Reorganization plan for the United States Information Agency.
Sec. 1705. Reorganization plan for the Agency for International Development.
Sec. 1706. Additional requirements and limitations on reorganization plans.
Sec. 1707. Amendments or modifications to reorganization plans.
Sec. 1708. Procedures for congressional consideration of reorganization plans.
Sec. 1709. Transition fund.
Sec. 1710. Voluntary separation incentives.
Sec. 1711. Rights of employees of abolished agencies.
Sec. 1712. Transfer and allocations of appropriations and personnel.
Sec. 1713. Personnel authorities for transferred functions.
Sec. 1714. Property and facilities.
Sec. 1715. Delegation and assignment.
Sec. 1716. Rules.
Sec. 1717. Incidental transfers.
Sec. 1718. Effect on contracts and grants.
Sec. 1719. Savings provisions.
Sec. 1720. Separability.
Sec. 1721. Other transition authorities.
Sec. 1722. Additional conforming amendments.
Sec. 1723. Final report.
Sec. 1724. Definitions.

1 DIVISION A—FOREIGN RELA-
2 TIONS AUTHORIZATION ACT,
3 FISCAL YEARS 1996–1999

4 SEC. 101. SHORT TITLE.

- 5** This division may be cited as the “Foreign Relations
6 Authorization Act, Fiscal Years 1996–1999”.

1 **TITLE I—DEPARTMENT OF**
2 **STATE AND RELATED AGENCIES**
3 **CHAPTER 1—AUTHORIZATION OF**
4 **APPROPRIATIONS**

5 **SEC. 111. ADMINISTRATION OF FOREIGN AFFAIRS.**

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

13 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—
14 For “Diplomatic and Consular Programs”, of the
15 Department of State \$1,688,500,000 for the fiscal
16 year 1996, \$1,612,000,000 for the fiscal year 1997,
17 \$1,867,500,000 for the fiscal year 1998, and
18 \$1,856,000,000 for the fiscal year 1999.

19 (2) SALARIES AND EXPENSES.—For “Salaries
20 and Expenses”, of the Department of State
21 \$368,000,000 for the fiscal year 1996,
22 \$373,000,000 for the fiscal year 1997,
23 \$725,000,000 for the fiscal year 1998, and
24 \$681,500,000 for the fiscal year 1999.

1 (3) ACQUISITION AND MAINTENANCE OF BUILD-
2 INGS ABROAD.—For “Acquisition and Maintenance
3 of Buildings Abroad”, \$401,760,000 for the fiscal
4 year 1996, \$401,760,000 for the fiscal year 1997,
5 \$401,760,000 for the fiscal year 1998, and
6 \$401,760,000 for the fiscal year 1999.

7 (4) REPRESENTATION ALLOWANCES.—For
8 “Representation Allowances”, \$4,500,000 for the
9 fiscal year 1996, \$4,500,000 for the fiscal year
10 1997, \$4,500,000 for the fiscal year 1998, and
11 \$4,500,000 for the fiscal year 1999.

12 (5) EMERGENCIES IN THE DIPLOMATIC AND
13 CONSULAR SERVICE.—For “Emergencies in the Dip-
14 lomatic and Consular Service”, \$6,000,000 for the
15 fiscal year 1996, \$6,000,000 for the fiscal year
16 1997, \$6,000,000 for the fiscal year 1998, and
17 \$6,000,000 for the fiscal year 1999.

18 (6) OFFICE OF THE INSPECTOR GENERAL.—
19 For “Office of the Inspector General”, \$23,350,000
20 for the fiscal year 1996, \$23,000,000 for the fiscal
21 year 1997, \$48,500,000 for the fiscal year 1998,
22 and \$48,500,000 for the fiscal year 1999.

23 (7) FOREIGN SERVICE RETIREMENT AND DIS-
24 ABILITY FUND.—For the “Foreign Service Retire-
25 ment and Disability Fund”, \$125,402,000 for the

1 fiscal year 1996, \$125,402,000 for the fiscal year
2 1997, \$132,000,000 for the fiscal year 1998, and
3 \$135,000,000 for the fiscal year 1999.

4 (8) PAYMENT TO THE AMERICAN INSTITUTE IN
5 TAIWAN.—For “Payment to the American Institute
6 in Taiwan”, \$15,400,000 for the fiscal year 1996,
7 \$15,400,000 for the fiscal year 1997, \$15,400,000
8 for the fiscal year 1998, and \$15,400,000 for the
9 fiscal year 1999.

10 (9) PROTECTION OF FOREIGN MISSIONS AND
11 OFFICIALS.—For “Protection of Foreign Missions
12 and Officials”, \$8,579,000 for the fiscal year 1996,
13 \$8,579,000 for the fiscal year 1997, \$8,579,000 for
14 the fiscal year 1998, and \$8,579,000 for the fiscal
15 year 1999.

16 (10) CAPITAL INVESTMENT FUND.—For the
17 “Capital Investment Fund”, \$32,800,000 for each
18 of the fiscal years 1996 and 1997 and \$25,000,000
19 for each of the fiscal years 1998 and 1999.

20 (11) ASIA FOUNDATION.—For “The Asia Foun-
21 dation”, not more than \$5,000,000 for the fiscal
22 year 1996, and \$3,000,000 for each of the fiscal
23 years 1997, 1998, and 1999.

24 (12) REPATRIATION LOANS.—For “Repatri-
25 ation Loans”, \$776,000 for the fiscal year 1996 and

1 \$700,000 for each of the fiscal years 1997, 1998,
2 and 1999.

3 (b) FOREIGN CURRENCY EXCHANGE RATES.—In ad-
4 dition to amounts otherwise authorized to be appropriated
5 by subsection (a), there are authorized to be appropriated
6 such sums as may be necessary for each of the fiscal years
7 1996, 1997, 1998, and 1999 to offset adverse fluctuations
8 in foreign currency exchange rates. Amounts appropriated
9 under this subsection shall be available for obligation and
10 expenditure only to the extent that the Director of the Of-
11 fice of Management and Budget determines and certifies
12 to Congress that such amounts are necessary due to such
13 fluctuations.

14 (c) RESTRICTION ON USE OF FUNDS FOR LIAISON
15 OFFICES WITH NORTH KOREA.—(1) None of the funds
16 authorized to be appropriated by this title may be used
17 for the purpose of establishing, building, renting, main-
18 taining, leasing, purchasing, or occupying United States
19 offices in the Democratic People's Republic of Korea or
20 the Democratic People's Republic of Korea offices in
21 Washington, D.C., unless and until those funds are spe-
22 cifically authorized by statute.

23 (2) None of the funds authorized to be appropriated
24 by subsection (a)(3) for fiscal year 1996 may be made
25 available until the President certifies to the appropriate

1 congressional committees that no funds were expended for
2 any activity described in paragraph (1) in fiscal year 1995
3 unless the funds were specifically authorized by statute for
4 such activity.

5 **SEC. 112. MIGRATION AND REFUGEE ASSISTANCE.**

6 (a) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) MIGRATION AND REFUGEE ASSISTANCE.—

8 There are authorized to be appropriated for “Migra-
9 tion and Refugee Assistance” for authorized activi-
10 ties, \$721,000,000 for the fiscal year 1996, and
11 \$721,000,000 for each of the fiscal years 1997,
12 1998, and 1999.

13 (2) ALLOCATION OF FUNDS.—Of the funds au-
14 thorized to be appropriated by paragraph (1)—

15 (A) not less than \$80,000,000 shall be
16 made available in the fiscal year 1996 for as-
17 sistance for refugees resettling in Israel from
18 other countries; and

19 (B) not less than \$50,000,000 for each of
20 the fiscal years 1996 and 1997 shall be made
21 available for the Emergency Refugee and Mi-
22 gration Assistance Fund under section 2(c) of
23 the Migration and Refugee Assistance Act of
24 1962 (22 U.S.C. 2601(c)).

1 (b) AVAILABILITY OF FUNDS.—Funds appropriated
2 pursuant to subsection (a) are authorized to remain until
3 expended.

4 **CHAPTER 2—AUTHORITIES AND**
5 **ACTIVITIES**

6 **SEC. 121. LEASE-PURCHASE AGREEMENTS.**

7 Whenever the Department of State enters into lease-
8 purchase agreements involving property in foreign coun-
9 tries pursuant to section 1 of the Foreign Service Build-
10 ings Act, 1926 (22 U.S.C. 292), budget authority shall
11 be scored on an annual basis over the period of the lease
12 in an amount equal to the annual lease payments.

13 **SEC. 122. UNITED STATES EMBASSY BUILDING IN BERLIN,**
14 **GERMANY.**

15 It is the sense of the Congress that the Secretary of
16 State should—

17 (1) utilize, as the United States Embassy to
18 Germany, property held by the United States Gov-
19 ernment under the Foreign Service Building Act,
20 1926, in the vicinity of the Brandenburg Gate in
21 Berlin, Germany; and

22 (2) be authorized to make any improvements
23 necessary.

1 **SEC. 123. FEES FOR COMMERCIAL SERVICES.**

2 Section 52 of the State Department Basic Authorities
3 Act of 1956 (22 U.S.C. 2724) is amended in subsection
4 (b) by adding the following new sentence at the end:
5 “Such fees shall remain available for obligation until ex-
6 pended.”.

7 **SEC. 124. REDUCTION OF REPORTING REQUIREMENTS.**

8 (a) PERIOD FOR REPORTING.—Section 488(a)(3) of
9 the Foreign Assistance Act of 1961 (22 U.S.C. 2291g)
10 is amended by striking “quarter of the”.

11 (b) REPEAL.—Section 503(b) of the Foreign Rela-
12 tions Authorization Act, Fiscal Year 1979 (Public Law
13 95–426) is repealed.

14 **SEC. 125. BUYING POWER MAINTENANCE ACCOUNT.**

15 Section 24 of the State Department Basic Authorities
16 Act of 1956 (22 U.S.C. 2696) is amended in subsection
17 (b)(7) by striking subparagraph (D).

18 **SEC. 126. CAPITAL INVESTMENT FUND.**

19 Section 135 of the Foreign Relations Authorization
20 Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2684a) is
21 amended—

22 (1) in subsection (a), by inserting “and up-
23 grade” after “procurement”;

24 (2) in subsection (c), by striking “are author-
25 ized to” and inserting “shall”;

1 (3) in subsection (d), by striking all that follows
2 “available” and inserting “for the purposes of sub-
3 section (a).”; and

4 (4) in subsection (e), by striking all that follows
5 “(22 U.S.C. 2710)” and before the period at the
6 end.

7 **SEC. 127. ADMINISTRATIVE EXPENSES.**

8 Section 5 of the Migration and Refugee Assistance
9 Act of 1962 (22 U.S.C. 2605) is amended—

10 (1) in subsection (a)(1), by inserting before “,
11 and without regard” the following: “and other per-
12 sonnel assigned to the bureau charged with carrying
13 out this Act”; and

14 (2) by striking subsection (c).

15 **SEC. 128. FEE FOR USE OF DIPLOMATIC RECEPTION**
16 **ROOMS.**

17 Title I of the State Department Basic Authorities Act
18 of 1956 (22 U.S.C. 2651a et seq.) is amended by adding
19 at the end the following new section:

20 **“SEC. 53. FEE FOR USE OF DIPLOMATIC RECEPTION**
21 **ROOMS.**

22 “The Secretary of State is authorized to charge a fee
23 for use of the Department of State diplomatic reception
24 rooms. Fees collected under the authority of this section
25 shall be deposited as an offsetting collection to any De-

1 partment of State appropriation to recover the costs of
2 such use and shall remain available for obligation until
3 expended.”.

4 **SEC. 129. CONTRACTS AT POSTS ABROAD.**

5 (a) AVOIDANCE OF DUPLICATIVE PROCUREMENTS.—
6 A contracting officer of an agency of the Federal Govern-
7 ment that performs functions at diplomatic and consular
8 posts abroad shall, to the maximum extent practicable,
9 avoid entering into a contract for procurement of property
10 or services that can be procured for that agency under
11 an existing contract, or by a modification (in accordance
12 with subsection (b)) of an existing contract, of another
13 agency of the Federal Government that performs func-
14 tions at diplomatic and consular posts abroad.

15 (b) MODIFICATION OF CONTRACTS.—Notwithstand-
16 ing any provision of law that requires the use of competi-
17 tive procedures in Federal Government procurements, a
18 contract of an agency of the Federal Government perform-
19 ing functions at diplomatic or consular posts abroad that
20 has been awarded using competitive procedures may be
21 modified to increase the quantity of the property or serv-
22 ices to be procured under the contract in order to provide
23 for procurement of the property or services for another
24 agency performing functions at diplomatic or consular
25 posts abroad if the cost to the United States of each unit

1 of the property or services procured under the contract
2 is not increased by the modification.

3 (c) DEFINITION.—For the purposes of this section,
4 the term “competitive procedures” has the meaning given
5 that term in section 4(5) of the Office of Federal Procure-
6 ment Policy Act (41 U.S.C. 403(5)).

7 **SEC. 130. EXPENSES RELATING TO CERTAIN INTER-**
8 **NATIONAL CLAIMS AND PROCEEDINGS.**

9 (a) RECOVERY OF CERTAIN EXPENSES.—The De-
10 partment of State Appropriation Act of 1937 (49 Stat.
11 1321; 22 U.S.C. 2661), as amended by section 142(b) of
12 the Foreign Relations Authorization Act, Fiscal Years
13 1988 and 1989 (Public Law 100–204)) is amended in the
14 fifth undesignated paragraph under the heading entitled
15 “INTERNATIONAL FISHERIES COMMISSION” by striking
16 “extraordinary”.

17 (b) PROCUREMENT OF SERVICES.—Section 38 of the
18 State Department Basic Authorities Act of 1956 (22
19 U.S.C. 2710) is amended in subsection (c) by inserting
20 “personal and” before “other support services”.

21 **SEC. 131. DIPLOMATIC TELECOMMUNICATIONS SERVICE.**

22 Section 507 of the Department of State and Related
23 Agencies Appropriations Act, 1995 (Public Law 103–317)
24 is amended in subsections (a) and (b) by striking “and
25 each succeeding fiscal year” each place it appears.

1 **SEC. 132. DIPLOMATIC TELECOMMUNICATIONS SERVICE**

2 **PROGRAM OFFICE.**

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

5 (1) The Diplomatic Telecommunications Service
6 Program Office (in this section referred to as the
7 “Office”) has made significant enhancements to up-
8 grade the worldwide network of the Diplomatic Tele-
9 communications Service (in this section referred to
10 as the “DTS”) with high speed, high capacity cir-
11 cuitry as well as improvements at United States em-
12 bassies and consulates to enhance utilization of the
13 network.

14 (2) Notwithstanding these improvements that
15 the Office has made to the DTS network (in order
16 for the DTS to accommodate present and future
17 telecommunications requirements effectively), the
18 current management structure needs to be strength-
19 ened to provide a clearly delineated, single, account-
20 able management authority for the Office and the
21 DTS network.

22 (b) DIPLOMATIC TELECOMMUNICATIONS SERVICE
23 POLICY BOARD.—(1) Effective with fiscal year 1996, the
24 DTS Policy Board shall be composed of the following offi-
25 cials:

1 (A) The senior management official from each
2 of the two agencies providing the greatest funding to
3 the Office.

4 (B) The senior information management official
5 from each of the two agencies providing the greatest
6 funding to the Office.

7 (C) The Director and Deputy Director of the
8 Office.

9 (D) A senior career information management
10 official each from the Department of Commerce, the
11 United States Information Agency, and the Defense
12 Intelligence Agency.

13 (E) A senior career information management
14 official each from two other Federal agencies served
15 by the DTS, each of whom shall be appointed on a
16 rotating basis by the Secretary of State and the Di-
17 rector of the Office for a two-year term.

18 (2) The incumbents from two other Federal agencies
19 serving on the DTS Policy Board as of September 30,
20 1995, shall continue to serve on the Board until Septem-
21 ber 30, 1996.

22 (c) DTS POLICY BOARD EXECUTIVE DIRECTOR.—

23 (1) DESIGNATION.—The senior career informa-
24 tion management official from the Department of

1 State serving on the DTS Policy Board is hereby
2 designated as the Executive Director of the Board.

3 (2) DUTIES.—The DTS Policy Board Executive
4 Director shall—

5 (A) function as the executive agent of the
6 Board;

7 (B) carry out all policies of the Board for
8 administration and operation of the Office and
9 the DTS; and

10 (C) administer the day-to-day operation of
11 the Office through the Director of the Office.

12 (d) DIRECTOR AND DEPUTY DIRECTOR OF THE OF-
13 FICE.—

14 (1) DIRECTOR OF THE DTS-PO.—The Director
15 of the Office shall be rotated every two years be-
16 tween the two agencies providing the greatest fund-
17 ing to the Office. The Director shall report directly
18 to the Executive Director of the DTS Policy Board.

19 (2) DEPUTY DIRECTOR OF THE DTS-PO.—The
20 Deputy Director of the Office shall be from which-
21 ever of the two agencies providing the greatest fund-
22 ing to the Office is not currently providing the Di-
23 rector.

24 (e) PROVISIONS.—The provisions of this section su-
25 persede any other provision of law, regulation, or policy

1 addressing or otherwise applicable to the management
2 structures of the Office.

3 **SEC. 133. INTERNATIONAL CENTER RESERVE FUNDS.**

4 Funds retained by the Secretary of State in the re-
5 serve for maintenance and security established pursuant
6 to section 5 of the International Center Act (Public Law
7 90-533) may be deposited in interest bearing accounts,
8 and the Secretary may retain for the purposes set forth
9 in that section any interest earned on such deposits with-
10 out returning such interest to the Treasury of the United
11 States and without further appropriation by the Congress.

12 **SEC. 134. JOINT FUNDS UNDER AGREEMENTS FOR CO-**
13 **OPERATION IN ENVIRONMENTAL, SCI-**
14 **ENTIFIC, CULTURAL AND RELATED AREAS.**

15 In order to promote the maximum benefits from con-
16 tinued participation in international agreements in effect
17 as of the date of enactment of this Act for cooperation
18 in environmental, scientific, cultural and related areas, ap-
19 propriated funds that have been made available in fiscal
20 years 1995 and prior fiscal years under the Department
21 of State's program of international environmental, sci-
22 entific, and cultural cooperation to joint funds or accounts
23 under such agreements may, to the extent specified within
24 the agreement, be deposited in interest bearing accounts
25 prior to disbursement of such funds for the purposes of

1 the program. Interest earned may be retained for use
2 under such agreements for program or administrative pur-
3 poses, without returning such interest to the Treasury of
4 the United States and without further appropriation by
5 Congress.

6 **SEC. 135. UNITED STATES DIPLOMATIC FACILITIES IN**
7 **KOSOVA.**

8 The Secretary of State is authorized to lease or other-
9 wise acquire an office and residence in Pristina, Kosova,
10 for use by United States diplomatic or consular personnel.

11 **SEC. 136. ANTIBRIBERY STUDY.**

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

13 (1) United States nationals and companies, and
14 their foreign subsidiaries, are prohibited from
15 bribing foreign officials under the Foreign Corrupt
16 Practices Act of 1977 (Public Law 95–213);

17 (2) United States trade competitors and nation-
18 als of other industrialized countries are not prohib-
19 ited by law from utilizing bribes in retaining or ob-
20 taining foreign procurement contracts;

21 (3) some countries permit a deduction for in-
22 come tax purposes for bribes paid to secure foreign
23 business;

24 (4) effective anticorruption statutes include
25 criminal, commercial, civil, and administrative laws

1 prohibiting bribery of foreign public officials, tax
2 laws which make bribery unprofitable, transparent
3 business accounting requirements that ensure proper
4 recording of relevant payments and appropriate in-
5 spection of such records, prohibitions on licenses,
6 government procurement contracts, and public sub-
7 sidies, and substantial monetary fines for bribery;

8 (5) the Organization for Economic Cooperation
9 and Development passed a resolution on May 27,
10 1994, recommending that OECD Member states
11 “deter, prevent, and combat the bribery of foreign
12 public officials in connection with international busi-
13 ness transactions”; and

14 (6) these initiatives will help strengthen vibrant
15 international trade and export markets and ensure
16 fair competitive conditions for United States export-
17 ers.

18 (b) SENSE OF CONGRESS.—It is the sense of the
19 Congress that the United States should strongly urge uni-
20 versal adoption of the principles set forth in the Foreign
21 Corrupt Practices Act of 1977 (Public Law 95–213) in
22 order that adopting countries implement effective means,
23 in accordance with the legal and jurisdictional principles
24 of such countries, of combating bribery of foreign public

1 officials, including the imposition of administrative, civil,
2 and criminal sanctions for such bribery.

3 (c) STUDY.—The Secretary of State shall conduct a
4 study to develop, in consultation with the Secretary of
5 Commerce, the Director of the Central Intelligence Agen-
6 cy, the Agency for International Development, the Over-
7 seas Private Investment Corporation, the Trade and De-
8 velopment Agency, and the Export-Import Bank of the
9 United States, proposals to end the discrimination against
10 United States exports that result from bribery and corrup-
11 tion in international business transactions.

12 (d) REPORT.—The Secretary of State shall submit a
13 report containing the proposals developed under sub-
14 section (c) to the Committee on Foreign Relations of the
15 Senate and the Committee on International Relations of
16 the House of Representatives not later than 90 days after
17 the date of enactment of this Act. The report and propos-
18 als provided to such committees shall—

19 (1) take into account, discuss, and analyze the
20 laws of our ten primary trade competitors which
21 govern bribery and corruption in overseas business
22 transactions, and include recommendations for the
23 implementation of the resolution on bribery passed
24 by the Organization for Economic Cooperation and
25 Development on May 27, 1994;

1 (2) include specific recommendations for the
2 universal adoption of the principles set forth in the
3 Foreign Corrupt Practices Act of 1977 (Public Law
4 95–213);

5 (3) analyze the feasibility of United States em-
6 bassies assisting United States businesses when
7 competing for overseas contracts by disclosing infor-
8 mation about bribery or corruption of other foreign
9 nationals competing for the contract; and

10 (4) make recommendations for any legislation
11 which may be necessary or appropriate to carry out
12 such proposals.

13 (e) DEFINITION.—For the purposes of this section,
14 the term “bribery”, in the case of a corporation, means
15 the direct or indirect offer or provision by the corporation
16 of any undue pecuniary or other advantage to or for an
17 individual in order to procure business and business con-
18 tract for the corporation or its subsidiaries.

19 **SEC. 137. BUDGET ACT COMPLIANCE.**

20 The authorities contained in the amendments made
21 in sections 121, 123, 125, 128, 130, 133, 134, 148, 161,
22 and 163 of this Act may be exercised only to the extent
23 or in the amounts provided in appropriations Acts.

CHAPTER 3—PERSONNEL**SEC. 141. AUTHORIZED STRENGTH OF THE FOREIGN SERVICE.**

(a) END FISCAL YEAR 1996 LEVELS.—The number of members of the Foreign Service authorized to be employed as of September 30, 1996—

(1) for the Department of State, shall not exceed 8,700, of whom not more than 740 shall be members of the Senior Foreign Service;

(2) for the United States Information Agency, shall not exceed 900, of whom not more than 155 shall be members of the Senior Foreign Service; and

(3) for the Agency for International Development, shall not exceed 900, of whom not more than 125 shall be members of the Senior Foreign Service.

(b) END FISCAL YEAR 1997 LEVELS.—The number of members of the Foreign Service authorized to be employed as of September 30, 1997—

(1) for the Department of State, shall not exceed 8,500, of whom not more than 700 shall be members of the Senior Foreign Service;

(2) for the United States Information Agency, shall not exceed 800, of whom not more than 140 shall be members of the Senior Foreign Service; and

1 (3) for the Agency for International Develop-
2 ment, shall not exceed 650, of whom not more than
3 75 shall be members of the Senior Foreign Service.

4 (c) END FISCAL YEAR 1998 LEVELS.—The number
5 of members of the Foreign Service authorized to be em-
6 ployed as of September 30, 1998 for the Department of
7 State, shall not exceed 10,150, of whom not more than
8 925 shall be members of the Senior Foreign Service.

9 (d) END FISCAL YEAR 1999 LEVELS.—The number
10 of members of the Foreign Service authorized to be em-
11 ployed as of September 30, 1999 for the Department of
12 State, shall not exceed 10,250, of whom not more than
13 935 shall be members of the Senior Foreign Service.

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

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

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

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

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

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

7 (f) EXCEPTIONS.—(1)(A) Except as provided in sub-
8 paragraph (B), the numerical limitations contained in sub-
9 sections (a) through (c) shall not apply to Foreign Service
10 personnel serving under noncareer limited appointments.

11 (B) The number of Foreign Service personnel serving
12 under noncareer limited appointments may not exceed—

13 (i) for fiscal year 1996, 5 percent of the aggre-
14 gate numerical limitation on members of the Foreign
15 Service contained in subsection (a); and

16 (ii) for each of the fiscal years 1997, 1998, and
17 1999, 7 percent of the aggregate numerical limita-
18 tion on members of the Foreign Service contained in
19 subsection (a).

20 (2) The Secretary of State is encouraged to utilize
21 Foreign Service personnel serving under noncareer limited
22 appointments to perform duties relating to—

23 (A) export promotion and trade;

24 (B) information management systems; and

25 (C) the provision of medical services.

1 (3) Notwithstanding any other provision of law, the
2 Secretary of State may terminate the appointment of any
3 member of the Foreign Service serving under a noncareer
4 limited appointment before the expiration of the period of
5 the appointment.

6 **SEC. 142. RESTRICTION ON LOBBYING ACTIVITIES OF**
7 **FORMER UNITED STATES CHIEFS OF MIS-**
8 **SION.**

9 Section 207(d)(1) of title 18, United States Code, is
10 amended—

11 (1) by striking “or” at the end of subparagraph
12 (B);

13 (2) in subparagraph (C), by inserting “or” after
14 “title 3,”; and

15 (3) by inserting after subparagraph (C) the fol-
16 lowing new subparagraph:

17 “(D) serves in the position of chief of mis-
18 sion (as defined in section 102(3) of the For-
19 eign Service Act of 1980),”.

20 **SEC. 143. FOREIGN SERVICE GROUNDING IN UNITED**
21 **STATES BUSINESS.**

22 It is the sense of the Congress that the Secretary of
23 State, in consultation with the Secretary of Commerce,
24 should require the National Center for Humanities, Edu-
25 cation, Languages, and Management Studies, as redesign-

1 nated by section 152 of this Act, to significantly increase
2 the emphasis on commercial activity, export promotion,
3 and trade in carrying out its core programs and should
4 offer additional classes in such subjects.

5 **SEC. 144. FOREIGN AFFAIRS ADMINISTRATIVE SUPPORT.**

6 (a) AUTHORIZATION.—The Secretary of State, after
7 consulting with the heads of the other United States Gov-
8 ernment agencies maintaining personnel overseas, is au-
9 thorized to establish a financial system by which the De-
10 partment of State is reimbursed by other agencies of the
11 United States Government that maintain an overseas
12 presence for the incremental expenses incurred by the De-
13 partment in providing administrative support to such
14 agencies at United States posts abroad.

15 (b) ESTABLISHMENT OF A COMMITTEE.—The Presi-
16 dent shall establish an interagency committee consisting
17 of representatives from United States Government agen-
18 cies maintaining a significant number of personnel over-
19 seas and headed by the Secretary of State, for the purpose
20 of implementing subsection (a). The committee shall de-
21 velop rules and regulations governing—

22 (1) a dispute settlement mechanism to resolve
23 interagency disputes over the provision of adminis-
24 trative services at posts abroad and over reimburse-
25 ment levels; and

1 (2) formulas for cost-assessment formulation,
2 either on a per capita basis or on a fee-for-service
3 basis with the following principle: all direct and indi-
4 rect costs should be fully recovered by the Depart-
5 ment, including services such as the Community Li-
6 aison Officer, building operating expenses and local
7 guards, and such other expenses as the committee
8 determines necessary to be covered.

9 (c) WORKING CAPITAL FUND.—There is hereby es-
10 tablished on the books at the Treasury an account into
11 which the Secretary of State may deposit payments re-
12 ceived from any United States agency participating in the
13 financial system established under subsection (a).
14 Amounts in the account shall be available without fiscal
15 year limitation.

16 **SEC. 145. FOREIGN SERVICE REFORM.**

17 (a) APPOINTMENTS BY THE PRESIDENT.—Section
18 302(b) of the Foreign Service Act of 1980 (22 U.S.C.
19 3942(b)) is amended in the second sentence—

20 (1) by striking “may elect to” and inserting
21 “shall”; and

22 (2) by striking “Service,” and all that follows
23 and inserting “Service.”.

24 (b) PERFORMANCE PAY.—Section 405 of the Foreign
25 Service Act of 1980 (22 U.S.C. 3965) is amended—

1 (1) in subsection (a), by striking “Members”
2 and inserting “Subject to subsection (e), members”;
3 and

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

6 “(e) Notwithstanding any other provision of law, the
7 Secretary of State may provide for recognition of the meri-
8 torious or distinguished service of a member of the For-
9 eign Service described in subsection (a) (including mem-
10 bers of the Senior Foreign Service) by means other than
11 an award of performance pay in lieu of making such an
12 award under this section.”.

13 (c) EXPEDITED SEPARATION OUT.—The Secretary
14 of State shall develop and implement not later than 90
15 days after the date of enactment of this Act procedures
16 to identify, and recommend for separation, members of the
17 Foreign Service ranked by promotion boards in the bottom
18 five percent of their class for any two of the five preceding
19 years.

20 (d) UNIFORM ADMINISTRATION OF THE FOREIGN
21 SERVICE.—(1) Section 101(b)(9) of the Foreign Service
22 Act of 1980 (22 U.S.C. 3901(b)(9)) is amended to read
23 as follows:

24 “(9) establishing a consolidated and uniform
25 administration of a single Foreign Service of the

1 United States by the Director General of the For-
2 eign Service, under the direction of the President
3 and the Secretary of State; and”.

4 (2) Section 203(a) of the Foreign Service Act of 1980
5 (22 U.S.C. 3923(a)) is amended by amending the first
6 sentence to read as follows: “There is one Foreign Service,
7 and any agency that seeks to utilize the authorities of the
8 Foreign Service Act of 1980 shall do so in strict conform-
9 ance with the common standards and procedures set out
10 by the Director General of the Foreign Service under the
11 authority of the Secretary of State.”.

12 **SEC. 146. LIMITATIONS ON MANAGEMENT ASSIGNMENTS.**

13 Section 1017(e)(2) of the Foreign Service Act of
14 1980 (22 U.S.C. 4117(e)(2)) is amended to read as fol-
15 lows:

16 “(2) For the purposes of paragraph (1)(A)(ii) and
17 paragraph (1)(B), the term ‘management official’ does not
18 include chiefs of mission, principal officers or their depu-
19 ties, administrative and personnel officers abroad, or indi-
20 viduals described in section 1002(12) (B), (C), and (D)
21 who are not involved in the administration of this chapter
22 or in the formulation of the personnel policies and pro-
23 grams of the Department.”.

1 **SEC. 147. REPORT ON PROMOTION AND RETENTION OF**
2 **PERSONNEL.**

3 Section 601(c)(4) of the Foreign Service Act of 1980
4 (22 U.S.C. 4001(c)(4)) is amended—

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

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

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

11 “(D) include on a biannual basis the comments
12 of the Inspector General for Foreign Affairs with re-
13 spect to the adequacy of the report on the matters
14 described in this paragraph.”.

15 **SEC. 148. RECOVERY OF COSTS OF HEALTH CARE SERV-**
16 **ICES.**

17 (a) **AUTHORITIES.**—Section 904 of the Foreign Serv-
18 ice Act of 1980 (22 U.S.C. 4084) is amended—

19 (1) in subsection (a), by striking “and” before
20 “members of the families of such members and em-
21 ployees” and inserting before the period “, and (for
22 care provided abroad) such other persons as are des-
23 ignated by the Secretary of State, except that such
24 persons shall be considered persons other than cov-
25 ered beneficiaries for purposes of subsections (g)
26 and (h)”;

1 (2) in subsection (d), by inserting “, subject to
2 the provisions of subsections (g) and (h)” before the
3 period; and

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

6 “(g)(1) In the case of a person who is a covered bene-
7 ficiary, the Secretary of State is authorized to collect from
8 a third party payer the reasonable costs incurred by the
9 Department of State on behalf of such person for health
10 care services to the same extent that the covered bene-
11 ficiary would be eligible to receive reimbursement or in-
12 demnification from the third party payer for such costs.

13 “(2) If the insurance policy, plan, contract, or similar
14 agreement of that third party payer includes a require-
15 ment for a deductible or copayment by the beneficiary of
16 the plan, then the Secretary of State may collect from the
17 third party payer only the reasonable cost of the care pro-
18 vided less the deductible or copayment amount.

19 “(3) A covered beneficiary shall not be required to
20 pay any deductible or copayment for health care services
21 under this subsection.

22 “(4) No provision of any insurance, medical service,
23 or health plan contract or agreement having the effect of
24 excluding from coverage or limiting payment of charges
25 for care in the following circumstances shall operate to

1 prevent collection by the Secretary of State under para-
2 graph (1):

3 “(A) Care provided directly or indirectly by a
4 governmental entity.

5 “(B) Care provided to an individual who has
6 not paid a required deductible or copayment.

7 “(C) Care provided by a provider with which
8 the third party payer has no participation agree-
9 ment.

10 “(5) No law of any State, or of any political subdivi-
11 sion of a State, and no provision of any contract or agree-
12 ment, shall operate to prevent or hinder recovery or collec-
13 tion by the United States under this section.

14 “(6) As to the authority provided in paragraph (1)
15 of this subsection—

16 “(A) the United States shall be subrogated to
17 any right or claim that the covered beneficiary may
18 have against a third party payer;

19 “(B) the United States may institute and pros-
20 ecute legal proceedings against a third party payer
21 to enforce a right of the United States under this
22 subsection; and

23 “(C) the Secretary may compromise, settle, or
24 waive a claim of the United States under this sub-
25 section.

1 “(7) The Secretary shall prescribe regulations for the
2 administration of this subsection and subsection (h). Such
3 regulations shall provide for computation of the reasonable
4 cost of health care services.

5 “(8) Regulations prescribed under this subsection
6 shall provide that medical records of a covered beneficiary
7 receiving health care under this subsection shall be made
8 available for inspection and review by representatives of
9 the payer from which collection by the United States is
10 sought for the sole purposes of permitting the third party
11 to verify—

12 “(A) that the care or services for which recov-
13 ery or collection is sought were furnished to the cov-
14 ered beneficiary; and

15 “(B) that the provision of such care or services
16 to the covered beneficiary meets criteria generally
17 applicable under the health plan contract involved,
18 except that this subsection shall be subject to the
19 provisions of paragraphs (2) and (4).

20 “(9) Amounts collected under this subsection or
21 under subsection (h) from a third party payer or from any
22 other payer shall be deposited as an offsetting collection
23 to any Department of State appropriation and shall re-
24 main available until expended.

25 “(10) In this section:

1 “(A) The term ‘covered beneficiary’ means an
2 individual eligible to receive health care under this
3 section whose health care costs are to be paid by a
4 third party payer under a contractual agreement
5 with such payer.

6 “(B) The term ‘services’ as used in ‘health care
7 services’ includes products.

8 “(C) The term ‘third party payer’ means an en-
9 tity that provides a fee-for-service insurance policy,
10 contract or similar agreement through the Federal
11 Employees Health Benefit program, under which the
12 expenses of health care services for individuals are
13 paid.

14 “(h) In the case of a person, other than a covered
15 beneficiary, who receives health care services pursuant to
16 this section, the Secretary of State is authorized to collect
17 from such person the reasonable costs of health care serv-
18 ices incurred by the Department of State on behalf of such
19 person. The United States shall have the same rights
20 against persons subject to the provisions of this subsection
21 as against third party payers covered by subsection (g).”.

22 (b) EFFECTIVE DATE.—The authorities of this sec-
23 tion shall be effective beginning October 1, 1996.

24 **SEC. 149. NONOVERTIME DIFFERENTIAL PAY.**

25 Title 5 of the United States Code is amended—

1 (1) in section 5544(a), by inserting after the
2 fourth sentence the following new sentence: “For
3 employees serving outside the United States in areas
4 where Sunday is a routine workday and another day
5 of the week is officially recognized as the day of rest
6 and worship, the Secretary of State may designate
7 the officially recognized day of rest and worship as
8 the day with respect to which additional pay is au-
9 thorized by the preceding sentence.”; and

10 (2) at the end of section 5546(a), by adding the
11 following new sentence: “For employees serving out-
12 side the United States in areas where Sunday is a
13 routine workday and another day of the week is offi-
14 cially recognized as the day of rest and worship, the
15 Secretary of State may designate the officially recog-
16 nized day of rest and worship as the day with re-
17 spect to which additional pay is authorized by the
18 preceding sentence.”.

19 **SEC. 150. ACCESS TO RECORDS.**

20 Section 1108 of the Foreign Service Act of 1980 (22
21 U.S.C. 4138) is amended by adding at the end the follow-
22 ing new subsection:

23 “(f) As used in this section, the term “agency
24 records” does not include records created or maintained
25 by the Office of the Inspector General of the employing

1 agency. That Office may, in its discretion, provide the
2 Board records or information relevant to a grievance.”.

3 **SEC. 151. TRAINING.**

4 Section 701 of the Foreign Service Act of 1980 (22
5 U.S.C. 4021) is amended—

6 (1) by redesignating subsection (d)(4) as sub-
7 section (g); and

8 (2) by inserting after subsection (d)(3) the fol-
9 lowing new subsections:

10 “(e)(1) The Secretary is authorized to provide appro-
11 priate training through the institution to employees of
12 United States companies that are engaged in business
13 abroad, and to the families of such employees, when such
14 training is in the national interest of the United States.

15 “(2) In the case of companies that are under contract
16 to provide services to the Department of State, the Sec-
17 retary is authorized to provide job-related training to the
18 companies’ employees who are performing such services.

19 “(3) Training under this subsection shall be on a re-
20 imburseable or advance-of-funds basis. Such reimburse-
21 ments or advances shall be credited to the currently avail-
22 able applicable appropriation account.

23 “(4) Training under this subsection is authorized
24 only to the extent that it will not interfere with the institu-
25 tion’s primary mission of training employees of the De-

1 partment and of other agencies in the field of foreign rela-
2 tions.

3 “(f)(1) The Secretary is authorized to provide on a
4 reimbursable basis foreign language training programs to
5 Members of Congress.

6 “(2) Nonexecutive branch staff members may partici-
7 pate on reimbursable, space-available basis in foreign lan-
8 guage programs offered by the institution.

9 “(3) Reimbursements collected under this subsection
10 shall be credited to the currently available applicable ap-
11 propriation account.”.

12 **SEC. 152. REDESIGNATION OF NATIONAL FOREIGN AFFAIRS**
13 **TRAINING CENTER.**

14 The National Foreign Affairs Training Center is
15 hereby redesignated as the “National Center for Human-
16 ities, Education, Languages, and Management Studies”.

17 **CHAPTER 4—CONSULAR AND RELATED**
18 **ACTIVITIES**

19 **SEC. 161. FEE FOR DIVERSITY IMMIGRANT LOTTERY.**

20 The Secretary of State may establish a fee to be paid
21 by each immigrant issued a visa under subsection (c) of
22 section 203 of the Immigration and Nationality Act (8
23 U.S.C. 1153(c)). Such fee may be set at a level so as to
24 cover the full cost to the Department of State of admin-
25 istering that subsection, including the cost of processing

1 all applications thereunder. All such fees collected shall be
2 deposited as an offsetting collection to any Department
3 of State appropriation and shall remain available for obli-
4 gation until expended. The provisions of the Act of August
5 18, 1856 (Rev. Stat. 1726–28; 22 U.S.C. 4212–14), con-
6 cerning accounting for consular fees, shall not apply to
7 fees collected pursuant to this section.

8 **SEC. 162. FEE FOR EXECUTION OF PASSPORT APPLICA-**
9 **TIONS.**

10 Section 1 of the Act of June 4, 1920 (41 Stat. 750;
11 22 U.S.C. 214) is amended by—

12 (1) inserting before the period at the end of the
13 first sentence the following: “; except that the Sec-
14 retary of State may by regulation authorize State of-
15 ficials or the United States Postal Service to collect
16 and retain the execution fee for each application for
17 a passport accepted by such officials or by that
18 Service”; and

19 (2) striking the second sentence.

20 **SEC. 163. FEES FOR MACHINE READABLE VISAS.**

21 The Secretary of State is authorized to collect
22 amounts under paragraph (1) of section 140(a) of the
23 Foreign Relations Authorization Act, Fiscal Years 1994
24 and 1995 (Public Law 103–236; 8 U.S.C. 1351), not to

1 exceed \$150,000,000 for each of the fiscal years 1996,
2 1997, 1998, and 1999.

3 **SEC. 164. CHILDREN ADOPTED ABROAD.**

4 Section 101(b) of the Immigration and Nationality
5 Act (8 U.S.C. 1101(b)) is amended—

6 (1) in paragraph (1)(A), by striking “legitimate
7 child” and inserting “child born in wedlock”; and

8 (2) in paragraphs (1)(D) and (2), by striking
9 “an illegitimate child” each time it appears and in-
10 serting “a child born out of wedlock”.

11 **SEC. 165. CONSULAR OFFICERS.**

12 (a) PERSONS AUTHORIZED TO ISSUE REPORTS OF
13 BIRTHS ABROAD.—Section 33 of the State Department
14 Basic Authorities Act of 1956 (22 U.S.C. 2705) is amend-
15 ed in paragraph (2) by adding at the end the following:
16 “For purposes of this paragraph, a consular officer shall
17 include any United States citizen employee of the Depart-
18 ment of State designated by the Secretary of State to ad-
19 judicate nationality abroad pursuant to such regulations
20 as the Secretary may prescribe.”.

21 (b) PROVISIONS APPLICABLE TO CONSULAR OFFI-
22 CERS.—Section 31 of the Act of August 18, 1856 (Rev.
23 Stat. 1689; 22 U.S.C. 4191), is amended by inserting
24 after “such officers” the following: “and to such other
25 United States citizen employees of the Department of

1 State as may be designated by the Secretary of State pur-
2 suant to such regulations as the Secretary may prescribe”.

3 (c) PERSONS AUTHORIZED TO AUTHENTICATE FOR-
4 EIGN DOCUMENTS.—Section 3492(c) of title 18 of the
5 United States Code is amended by adding at the end the
6 following: “For purposes of this section and sections 3493
7 through 3496 of this title, a consular officer shall include
8 any United States citizen employee of the Department of
9 State designated to perform notarial functions pursuant
10 to section 24 of the Act of August 18, 1856 (Rev. Stat.
11 1750; 22 U.S.C. 4221).”.

12 (d) PERSONS AUTHORIZED TO ADMINISTER
13 OATHS.—Section 115 of title 35 of the United States
14 Code is amended by adding at the end the following: “For
15 purposes of this section, a consular officer shall include
16 any United States citizen employee of the Department of
17 State designated to perform notarial functions pursuant
18 to section 24 of the Act of August 18, 1856 (Rev. Stat.
19 1750; 22 U.S.C. 4221).”.

20 (e) DEFINITION OF CONSULAR OFFICER.—Section
21 101(a)(9) of the Immigration and Nationality Act (8
22 U.S.C. 1101(a)(9)) is amended by adding at the end the
23 following new sentence: “As used in title III, the term
24 “consular officer” includes any United States citizen em-
25 ployee of the Department of State designated by the Sec-

1 retary of State to adjudicate nationality abroad pursuant
2 to such regulations as the Secretary may prescribe.”.

3 **SEC. 166. EXCLUSION FROM THE UNITED STATES FOR MEM-**
4 **BERSHIP IN A TERRORIST ORGANIZATION.**

5 Section 212(a)(3)(B) of the Immigration and Nation-
6 ality Act (8 U.S.C. 1182(a)(3)(B)) is amended—

7 (1) by striking “or” at the end of clause (i)(I);

8 (2) by inserting “or” at the end of clause
9 (i)(II);

10 (3) by inserting after clause (i)(II) the following
11 new subclause:

12 “(III) is a member of a terrorist
13 organization or who actively supports
14 or advocates terrorist activity,”; and

15 (4) by adding at the end the following new
16 clause:

17 “(iv) TERRORIST ORGANIZATION DE-
18 FINED.—As used in this subparagraph, the
19 term ‘terrorist organization’ means an or-
20 ganization that engages in, or has engaged
21 in, terrorist activity as determined by the
22 Attorney General, in consultation with the
23 Secretary of State.”.

1 **SEC. 167. INCITEMENT AS A BASIS FOR EXCLUSION FROM**
2 **THE UNITED STATES.**

3 (a) IN GENERAL.—Section 212(a)(3)(B) of the Im-
4 migration and Nationality Act (8 U.S.C. 1182(a)(3)(B)),
5 as amended by this Act, is further amended—

6 (1) by striking “or” at the end of clause (i)(II);

7 (2) in clause (i)(III) by inserting “or” at the
8 end; and

9 (3) by inserting after clause (i)(III) the follow-
10 ing new subclause:

11 “(IV) has advocated terrorism or has
12 incited targeted racial vilification or has
13 advocated the death or destruction of Unit-
14 ed States citizens, United States Govern-
15 ment officials, or the overthrow of the
16 United States Government,”.

17 (b) EFFECTIVE DATE.—The amendments made by
18 subsection (a) shall apply to aliens seeking to enter the
19 United States on or after the date of enactment of this
20 Act.

21 **SEC. 168. EXCLUSION FROM THE UNITED STATES OF**
22 **ALIENS WHO HAVE CONFISCATED PROPERTY**
23 **CLAIMED BY UNITED STATES PERSONS.**

24 (a) ADDITIONAL GROUNDS FOR EXCLUSION.—Sec-
25 tion 212(a)(9) of the Immigration and Nationality Act (8

1 U.S.C. 1182(a)) is amended by adding at the end the fol-
2 lowing:

3 “(D) ALIENS WHO HAVE CONFISCATED
4 AMERICAN PROPERTY ABROAD AND RELATED
5 PERSONS.—(i) Any alien whom the Secretary of
6 State determines is a person who—

7 “(I) has confiscated, or has directed
8 or overseen the confiscation of, property
9 which is owned by a national of the United
10 States, or converts or has converted for
11 personal gain confiscated property which is
12 owned by a national of the United States,
13 or

14 “(II) traffics in confiscated property
15 which is owned by a national of the United
16 States,
17 is excludable.

18 “(ii) As used in this subparagraph:

19 “(I) CONFISCATED.—The term ‘con-
20 fiscated’ refers to the nationalization, ex-
21 propriation, or other seizure by govern-
22 mental authority of ownership or control of
23 property on or after January 1, 1959—

24 “(aa) without having returned
25 the property or provided adequate and

1 effective compensation or in violation
2 of the law of the place where the
3 property was situated when the
4 confiscation occurred; and

5 “(bb) without the claim to the
6 property having been settled pursuant
7 to an international claims settlement
8 agreement or other recognized settle-
9 ment procedure.

10 “(II) PROPERTY.—The term ‘prop-
11 erty’ means—

12 “(aa) any rights, security, or
13 other interest, including any leasehold
14 interest;

15 “(bb) debts owed or repudiated
16 by a foreign government or by any en-
17 terprise which has been confiscated by
18 a foreign government; and

19 “(cc) debts which are a charge on
20 property confiscated by a foreign gov-
21 ernment.

22 The term ‘property’ does not include de-
23 fault by a foreign government on securi-
24 ties, bonds, or other instruments issued by
25 that foreign government, unless those obli-

gations were incurred in settlement of a
confiscated property claim.

“(III) TRAFFIC.—The term ‘traffic’
means—

“(aa) to sell, transfer, distribute,
dispense, broker, manage, or other-
wise dispose of confiscated property,
or otherwise acquire an interest in
confiscated property, or

“(bb) to engage in a commercial
activity using or otherwise benefiting
from a confiscated property,
without the authorization of the national of
the United States who holds a claim to the
property.

“(iii) This subparagraph shall be construed
and applied consistent with the North American
Free Trade Agreement, the General Agreement
on Tariffs and Trade, and other applicable
international agreements.

“(iv) This subparagraph shall not apply—

“(I) to claims arising from territory in
dispute as a result of war between United
Nations member states in which the ulti-

1 mate resolution of the disputed territory
2 has not been resolved; or
3 “(II) where the Secretary of State
4 deems that making such a determination
5 would be contrary to the national interest
6 of the United States.”.

7 (b) EFFECTIVE DATE.—(1) The amendment made by
8 subsection (a) shall apply to aliens seeking to enter the
9 United States on or after the date of enactment of this
10 Act.

11 (2) Section 212(a)(9)(D)(II) of the Immigration and
12 Nationality Act shall apply only where the prohibited ac-
13 tivities have occurred on or after the date of enactment
14 of this Act.

15 **SEC. 169. VISIT OF THE PRESIDENT OF THE REPUBLIC OF**
16 **CHINA ON TAIWAN.**

17 Notwithstanding any other provision of law, the
18 President of the Republic of China on Taiwan shall be
19 admitted to the United States for a visit in 1995 with
20 all appropriate courtesies.

21 **SEC. 170. TERRORIST LOOKOUT COMMITTEES.**

22 (a) ESTABLISHMENT.—(1) Not later than 30 days
23 after the date of enactment of this Act, the Secretary of
24 State shall establish within each United States Embassy
25 a Terrorist Lookout Committee, which shall include the

1 head of the political section and senior representatives of
2 all United States law enforcement agencies and all ele-
3 ments of the intelligence community under the authority
4 of the chief of mission.

5 (2) Each Committee shall be chaired by the respective
6 deputy chief of mission, with the head of the consular sec-
7 tion as vice chair.

8 (b) MEETINGS.—Each Terrorist Lookout Committee
9 established under subsection (a) shall meet at least month-
10 ly and shall maintain records of its meetings. Upon the
11 completion of each meeting, each Committee shall report
12 to the Department of State all names submitted for inclu-
13 sion in the visa lookout system.

14 (c) CERTIFICATION.—If no names are submitted
15 upon completion of a meeting under subsection (b), the
16 deputy chief of mission shall certify to the Secretary of
17 State, subject to potential application the Accountability
18 Review Board provisions of title III of the Omnibus Diplo-
19 matic Security and Antiterrorism Act of 1986, that none
20 of the relevant sections of the United States Embassy had
21 knowledge of the identity of any individual eligible for in-
22 clusion in the visa lookout system for possible terrorist ac-
23 tivity.

24 (d) REPORT.—The Secretary of State shall submit a
25 report on a quarterly basis to the Committee on Foreign

1 Relations of the Senate and the Committee on Inter-
2 national Relations of the House of Representatives on the
3 status of the Terrorist Lookout Committees.

4 **SEC. 171. SENSE OF CONGRESS ON BORDER CROSSING**
5 **FEES.**

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

7 (1) in the budget of the United States for fiscal
8 year 1996 that was submitted to Congress, the
9 President proposed to impose and collect a border
10 crossing fee for individuals and vehicles entering the
11 United States;

12 (2) both the Canadian and Mexican govern-
13 ments have expressed opposition to the imposition
14 and collection of such a fee and have raised the pos-
15 sibility of imposing retaliatory border crossing fees
16 of their own;

17 (3) the imposition and collection of such a fee
18 would have adverse affects on tourism and commerce
19 that depend on travel across the borders of the Unit-
20 ed States;

21 (4) the imposition and collection of such a fee
22 would have such effects without addressing illegal
23 immigration in a meaningful way;

24 (5) on February 22, 1995, the President modi-
25 fied his proposal making the imposition of the new

1 fees voluntary on United States border States (but
 2 tied the availability of Federal funds to improve bor-
 3 der crossing infrastructure on their willingness to
 4 impose such fees); and

5 (6) on May 4, 1995, the President further
 6 modified the border crossing fee proposal in immi-
 7 gration control legislation he submitted to Congress
 8 setting a \$1.50 per car and \$.75 per pedestrian fee
 9 structure.

10 (b) SENSE OF THE CONGRESS.—It is the sense of
 11 the Congress that the United States Government should
 12 not impose or collect a border crossing fee along its bor-
 13 ders with Canada and Mexico.

14 **TITLE II—UNITED NATIONS**
 15 **CHAPTER 1—FUNDING; BUDGETARY AND**
 16 **MANAGEMENT REFORM**

17 **SEC. 201. ASSESSED CONTRIBUTIONS TO THE UNITED NA-**
 18 **TIONS AND AFFILIATED AGENCIES.**

19 There are authorized to be appropriated under the
 20 heading “Assessed Contributions to the United Nations
 21 and other International Organizations” (previously known
 22 as “Contributions to International Organizations”)
 23 \$777,000,000 for each of the fiscal years 1996, 1997,
 24 1998, and 1999 for the Department of State to carry out
 25 the authorities, functions, duties, and responsibilities in

1 the conduct of the foreign affairs of the United States with
2 respect to the United Nations, its affiliated agencies, and
3 other international organizations and to carry out other
4 authorities in law consistent with such purposes.

5 **SEC. 202. ASSESSED CONTRIBUTIONS FOR INTERNATIONAL**
6 **PEACEKEEPING ACTIVITIES.**

7 There are authorized to be appropriated for “Con-
8 tributions for International Peacekeeping Activities”,
9 \$445,000,000 for the fiscal year 1996, \$375,000,000 for
10 the fiscal year 1997, \$300,000,000 for the fiscal year
11 1998, and \$210,000,000 for the fiscal year 1999 for the
12 Department of State to carry out the authorities, func-
13 tions, duties, and responsibilities in the conduct of the for-
14 eign affairs of the United States with respect to inter-
15 national peacekeeping activities and to carry out other au-
16 thorities in law consistent with such purposes.

17 **SEC. 203. CALCULATION OF ASSESSED CONTRIBUTIONS.**

18 It is the sense of the Congress that the United Na-
19 tions General Assembly should reformulate the percentage
20 shares of total assessed contributions to the United Na-
21 tions payable by the member nations to reflect each na-
22 tion’s share of the total world gross national product.

1 **SEC. 204. REFORM IN BUDGET DECISIONMAKING PROCE-**
2 **DURES OF THE UNITED NATIONS AND ITS**
3 **SPECIALIZED AGENCIES.**

4 (a) ASSESSED CONTRIBUTIONS.—The President may
5 withhold 20 percent of the funds appropriated pursuant
6 to section 111 for the United States assessed contribution
7 to the United Nations, or to any of its specialized agencies,
8 for any calendar year, if the Secretary of State determines
9 that the United Nations or any such agency has failed
10 to implement or to continue to implement consensus-based
11 decisionmaking procedures on budgetary matters which
12 assure that sufficient attention is paid to the views of the
13 United States and other member states who are major fi-
14 nancial contributors to such assessed budgets.

15 (b) NOTICE TO CONGRESS.—The President shall no-
16 tify the Congress when a decision is made to withhold any
17 share of the United States assessed contribution to the
18 United Nations or its specialized agencies pursuant to
19 subsection (a) and shall notify the Congress when the deci-
20 sion is made to pay any previously withheld assessed con-
21 tribution. A notification under this subsection shall include
22 appropriate consultation between the President (or the
23 President's representative) and the Committee on Inter-
24 national Relations of the House of Representatives and
25 the Committee on Foreign Relations of the Senate.

1 (c) REPORT TO CONGRESS.—Not later than Feb-
2 ruary 1 of each year, the President shall submit to the
3 Congress a report concerning the amount of United States
4 assessed contributions paid to the United Nations and
5 each of its specialized agencies during the preceding cal-
6 endar year.

7 **SEC. 205. UNITED NATIONS BUDGETARY AND MANAGE-**
8 **MENT REFORM.**

9 (a) IN GENERAL.—The United Nations Participation
10 Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding
11 at the end the following new section:

12 **“SEC. 10. UNITED NATIONS BUDGETARY AND MANAGEMENT**
13 **REFORM.**

14 “(a) WITHHOLDING OF CONTRIBUTIONS.—

15 “(1) ASSESSED CONTRIBUTIONS FOR REGULAR
16 UNITED NATIONS BUDGET.—At the beginning of
17 each fiscal year, 20 percent of the amount of funds
18 made available for that fiscal year for United States
19 assessed contributions for the regular United Na-
20 tions budget shall be withheld from obligation and
21 expenditure unless a certification for that fiscal year
22 has been made under subsection (b).

23 “(2) ASSESSED CONTRIBUTIONS FOR UNITED
24 NATIONS PEACEKEEPING.—At the beginning of each
25 fiscal year, 50 percent of the amount of funds made

1 available for that fiscal year for United States as-
2 sessed contributions for United Nations peacekeep-
3 ing activities shall be withheld from obligation and
4 expenditure unless a certification for that fiscal year
5 has been made under subsection (b).

6 “(3) VOLUNTARY CONTRIBUTIONS FOR UNITED
7 NATIONS PEACEKEEPING.—The United States may
8 not during any fiscal year pay any voluntary con-
9 tribution to the United Nations for international
10 peacekeeping activities unless a certification for that
11 fiscal year has been made under subsection (b).

12 “(b) CERTIFICATION.—The certification referred to
13 in subsection (a) for any fiscal year is a certification by
14 the President to the Congress, submitted on or after the
15 beginning of that fiscal year, of each of the following:

16 “(1) The United Nations has an independent
17 office of Inspector General to conduct and supervise
18 objective audits, inspections, and investigations re-
19 lating to programs and operations of the United Na-
20 tions.

21 “(2) The United Nations has an Inspector Gen-
22 eral who was appointed by the Secretary General
23 with the approval of the General Assembly and
24 whose appointment was made principally on the
25 basis of the appointee’s integrity and demonstrated

1 ability in accounting, auditing, financial analysis,
2 law, management analysis, public administration, or
3 investigation.

4 “(3) The Inspector General is authorized to—

5 “(A) make investigations and reports relat-
6 ing to the administration of the programs and
7 operations of the United Nations;

8 “(B) have access to all records, documents,
9 and other available materials relating to those
10 programs and operations;

11 “(C) have direct and prompt access to any
12 official of the United Nations; and

13 “(D) have access to all records and offi-
14 cials of the specialized agencies of the United
15 Nations.

16 “(4) The United Nations has fully imple-
17 mented, and made available to all member states,
18 procedures that effectively protect the identity of,
19 and prevent reprisals against, any staff member of
20 the United Nations making a complaint or disclosing
21 information to, or cooperating in any investigation
22 or inspection by, the United Nations Inspector Gen-
23 eral.

24 “(5) The United Nations has fully implemented
25 procedures that ensure compliance with rec-

1 commendations of the United Nations Inspector Gen-
2 eral.

3 “(6) The United Nations has required the
4 United Nations Inspector General to issue an annual
5 report and has ensured that the annual report and
6 all other reports of the Inspector General are made
7 available to the General Assembly without modifica-
8 tion.

9 “(7) The United Nations has provided, and is
10 committed to providing, sufficient budgetary re-
11 sources to ensure the effective operation of the
12 United Nations Inspector General.”.

13 (b) EFFECTIVE DATE.—Section 11 of the United Na-
14 tions Participation Act of 1945, as added by subsection
15 (a), shall apply only with respect to fiscal years after fiscal
16 year 1995.

17 **SEC. 206. WHISTLEBLOWER PROVISION.**

18 The President shall withhold 10 percent of the funds
19 made available for fiscal year 1996, and 10 percent of the
20 funds made available for each fiscal year thereafter, for
21 United States assessed contributions for the regular Unit-
22 ed Nations budget until the Secretary of State certifies
23 to Congress that—

24 (1) the United Nations has developed and im-
25 plemented policies and regulations to protect em-

1 ployees who allege or report instances of fraud or
 2 mismanagement, and

3 (2) the Office of Internal Oversight Services
 4 (OIOS) within the United Nations Secretariat has
 5 reviewed those policies and regulations and found, in
 6 writing, that they offer adequate safeguards against
 7 retaliation for such employees.

8 **CHAPTER 2—UNITED NATIONS**
 9 **PEACEKEEPING**

10 **SEC. 211. ANNUAL REPORT ON UNITED STATES CONTRIBU-**
 11 **TIONS TO UNITED NATIONS PEACEKEEPING**
 12 **ACTIVITIES.**

13 Section 4(d)(1) of the United Nations Participation
 14 Act of 1945 (22 U.S.C. 287b(d)(1)) is amended—

15 (1) by redesignating subparagraph (D) as sub-
 16 paragraph (E); and

17 (2) by inserting after subparagraph (C) the fol-
 18 lowing new subparagraph:

19 “(D) A description of the anticipated
 20 budget for the next fiscal year for United
 21 States participation in United Nations peace-
 22 keeping activities, including a statement of—

23 “(i) the aggregate amount of funds
 24 available to the United Nations for that
 25 fiscal year, including assessed and vol-

1 untary contributions, which may be made
 2 available for United Nations peacekeeping
 3 activities; and

4 “(ii) the aggregate amount of funds
 5 (from all accounts) and the aggregate costs
 6 of in-kind contributions that the United
 7 States proposes to make available to the
 8 United Nations for that fiscal year for
 9 United Nations peacekeeping activities.”.

10 **SEC. 212. PRIOR CONGRESSIONAL NOTIFICATION OF SECU-**
 11 **RITY COUNCIL VOTES ON UNITED NATIONS**
 12 **PEACEKEEPING ACTIVITIES.**

13 Section 4 of the United Nations Participation Act of
 14 1945 (22 U.S.C. 287b) is amended—

15 (1) by redesignating subsection (e) as sub-
 16 section (f); and

17 (2) by inserting after subsection (d) the follow-
 18 ing:

19 “(e) NOTICE TO CONGRESS OF PROPOSED UNITED
 20 NATIONS PEACEKEEPING ACTIVITIES.—(1) Except as
 21 provided in paragraph (2), at least 15 days before any
 22 vote in the Security Council to authorize any United Na-
 23 tions peacekeeping activity or any other action under the
 24 Charter of the United Nations (including any extension,
 25 modification, suspension, or termination of any previously

1 authorized United Nations peacekeeping activity or other
2 action) which would involve the use of United States
3 Armed Forces or the expenditure of United States funds,
4 the President shall submit to the designated congressional
5 committees a notification with respect to the proposed ac-
6 tion. The notification shall include the following:

7 “(A) A cost assessment of such action (includ-
8 ing the total estimated cost and the United States
9 share of such cost).

10 “(B) Identification of the source of funding for
11 the United States share of the costs of the action
12 (whether in an annual budget request,
13 reprogramming notification, a rescission of funds, a
14 budget amendment, or a supplemental budget re-
15 quest).

16 “(2)(A) If the President determines that an emer-
17 gency exists which prevents submission of the 15-day ad-
18 vance notification specified in paragraph (1) and that the
19 proposed action is in the national security interests of the
20 United States, the notification described in paragraph (1)
21 shall be provided in a timely manner but no later than
22 48 hours after the vote by the Security Council.

23 “(B) Determinations made under subparagraph (A)
24 may not be delegated.”.

1 **SEC. 213. CODIFICATION OF REQUIRED NOTICE TO CON-**
2 **GRESS OF PROPOSED UNITED NATIONS**
3 **PEACEKEEPING ACTIVITIES.**

4 (a) REQUIRED NOTICE.—Section 4 of the United Na-
5 tions Participation Act of 1945 (22 U.S.C. 287b) is
6 amended—

7 (1) by striking the second sentence of sub-
8 section (a);

9 (2) by redesignating subsections (e) and (f) (as
10 redesignated by the preceding section) as subsections
11 (f) and (g), respectively; and

12 (3) by inserting after subsection (d) a new sub-
13 section (e) consisting of the text of subsection (a) of
14 section 407 of the Foreign Relations Authorization
15 Act, Fiscal Years 1994 and 1995 (Public Law 103–
16 236), revised—

17 (A) in paragraph (2)—

18 (i) in the matter preceding subpara-
19 graph (A), by inserting “in written form
20 not later than the 10th day of” after
21 “shall be provided”;

22 (ii) in subparagraph (A)(iv), by insert-
23 ing “(including facilities, training, trans-
24 portation, communication, and logistical
25 support, but not including intelligence ac-
26 tivities reportable under title V of the Na-

1 tional Security Act of 1947 (50 U.S.C. 413
2 et seq.))” after “covered by the resolu-
3 tion”; and

4 (iii) in subparagraph (B), by adding
5 at the end the following new clause:

6 “(iv) A description of any other
7 United States assistance to or support for
8 the operation (including facilities, training,
9 transportation, communication, and
10 logistical support, but not including intel-
11 ligence activities reportable under title V of
12 the National Security Act of 1947 (50
13 U.S.C. 413 et seq.)), and an estimate of
14 the cost to the United States of such as-
15 sistance or support.”;

16 (B) by striking paragraph (3);

17 (C) by redesignating paragraph (4) as
18 paragraph (3) and in the last sentence of sub-
19 paragraph (A) of that paragraph by striking
20 “and (ii)” and inserting “through (iv)”;

21 (D) by inserting after paragraph (3) (as so
22 redesignated) the following new paragraph:

23 “(4) NEW UNITED NATIONS PEACEKEEPING OP-
24 ERATION DEFINED.—As used in paragraphs (2)(B)
25 and (3), the term ‘new United Nations peacekeeping

1 operation' includes any existing or otherwise ongoing
 2 United Nations peacekeeping operation—

3 “(A) that is to be expanded by more than
 4 25 percent during the period covered by the Se-
 5 curity Council resolution, as measured by either
 6 the number of personnel participating (or au-
 7 thorized to participate) in the operation or the
 8 budget of the operation; or

9 “(B) that is to be authorized to operate in
 10 a country in which it was not previously author-
 11 ized to operate.”; and

12 (E) in paragraph (5)—

13 (i) by striking “(5) NOTIFICATION”
 14 and all that follows through “(B) The
 15 President” and inserting “(5) QUARTERLY
 16 REPORTS.—The President”; and

17 (ii) by striking “section 4(d)” and all
 18 that follows through “of this section)” and
 19 inserting “subsection (d)”.

20 (b) CONFORMING REPEAL.—Subsection (a) of section
 21 407 of the Foreign Relations Authorization Act, Fiscal
 22 Years 1994 and 1995 (Public Law 103–236), is repealed.

23 (c) DESIGNATED CONGRESSIONAL COMMITTEES.—
 24 Subsection (g) of section 4 of the United Nations Partici-

1 pation Act of 1945 (22 U.S.C. 287b(g)), as redesignated
2 by subsection (a), is amended to read as follows:

3 “(g) DESIGNATED CONGRESSIONAL COMMITTEES.—
4 As used in this section, the term ‘designated congressional
5 committees’ has the meaning given such term in section
6 11(d).”.

7 **SEC. 214. LIMITATION ON ASSESSMENT PERCENTAGE FOR**
8 **PEACEKEEPING ACTIVITIES.**

9 (a) AMENDMENT TO THE UNPA.—The United Na-
10 tions Participation Act of 1945 (22 U.S.C. 287 et seq.),
11 as amended by this Act, is further amended by adding
12 at the end the following new section:

13 **“SEC. 11. CONTRIBUTIONS FOR PEACEKEEPING ACTIVI-**
14 **TIES.**

15 “(a) REASSESSMENT OF CONTRIBUTION PERCENT-
16 AGES.—The Permanent Representative of the United
17 States to the United Nations should make every effort to
18 ensure that the United Nations completes an overall re-
19 view and reassessment of each nation’s assessed contribu-
20 tions for United Nations peacekeeping operations. As part
21 of the overall review and assessment, the Permanent Rep-
22 resentative should make every effort to advance the con-
23 cept that, when appropriate, host governments and other
24 governments in the region where a United Nations peace-

1 keeping operation is carried out should bear a greater bur-
2 den of its financial cost.

3 “(b) LIMITATION ON ASSESSED CONTRIBUTION
4 WITH RESPECT TO A PEACEKEEPING OPERATION.—(1)
5 Funds authorized to be appropriated for ‘Contributions
6 for International Peacekeeping Activities’ for any fiscal
7 year shall not be available for the payment of the United
8 States assessed contribution for a United Nations peace-
9 keeping operation in an amount which is greater than 25
10 percent of the total amount of all assessed contributions
11 for that operation, and any arrearages that accumulate
12 as a result of assessments in excess of 25 percent of the
13 total amount of all assessed contributions for any United
14 Nations peacekeeping operation shall not be recognized or
15 paid by the United States.

16 “(2) Any penalties, interest, or other charges imposed
17 on the United States in connection with such contributions
18 shall be credited as a part of the percentage limitation
19 contained in the preceding sentence.”.

20 (b) EFFECTIVE DATE.—The limitation contained in
21 section 11(b) of the United Nations Participation Act of
22 1945, as added by subsection (a), shall apply only with
23 respect to funds authorized to be appropriated for “Con-
24 tributions for International Peacekeeping Activities” for
25 fiscal years after fiscal year 1995.

1 (c) CONFORMING REPEAL.—Section 404 of the For-
2 eign Relations Authorization Act, Fiscal Years 1994 and
3 1995, is repealed.

4 **SEC. 215. BUY AMERICA REQUIREMENT.**

5 Section 11 of the United Nations Participation Act
6 of 1945 is amended by adding after subsection (b), as
7 added by this Act, the following new subsections:

8 “(c) BUY AMERICA REQUIREMENT.—No funds may
9 be obligated or expended to pay any United States as-
10 sessed or voluntary contribution for United Nations peace-
11 keeping activities unless the Secretary of State determines
12 and certifies to the designated congressional committees
13 that United States manufacturers and suppliers are being
14 given opportunities to provide equipment, services, and
15 material for such activities equal to those being given to
16 foreign manufacturers and suppliers.

17 “(d) DESIGNATED CONGRESSIONAL COMMITTEES
18 DEFINED.—As used in this section, the term ‘designated
19 congressional committees’ means—

20 “(1) the Committee on International Relations
21 and the Committee on Appropriations of the House
22 of Representatives; and

23 “(2) the Committee on Foreign Relations and
24 the Committee on Appropriations of the Senate.”.

1 **SEC. 216. RESTRICTIONS ON INTELLIGENCE SHARING WITH**
2 **THE UNITED NATIONS.**

3 (a) IN GENERAL.—The United Nations Participation
4 Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding
5 at the end the following new section:

6 **“SEC. 12. RESTRICTIONS ON INTELLIGENCE SHARING WITH**
7 **THE UNITED NATIONS.**

8 (a) PROVISION OF INTELLIGENCE INFORMATION TO
9 THE UNITED NATIONS.—(1) No United States intel-
10 ligence information may be provided to the United Nations
11 or any organization affiliated with the United Nations, or
12 to any officials or employees thereof, unless the President
13 certifies to the appropriate committees of Congress that
14 the Director of Central Intelligence (in this section re-
15 ferred to as the ‘DCI’), in consultation with the Secretary
16 of State and the Secretary of Defense, has established and
17 implemented requirements which have been formally
18 agreed to and implemented by the United Nations for pro-
19 tecting intelligence sources and methods as a condition for
20 the provision of United States intelligence information to
21 the United Nations. Those requirements shall include, but
22 not be limited to—

23 “(A) the adoption by the United Nations of for-
24 mal security violation investigation procedures and
25 security clearance background investigation proce-

1 dures certified by the DCI as comparable to United
2 States procedures;

3 “(B) the agreement by the United Nations to
4 protect United States-provided intelligence informa-
5 tion in a manner certified by the DCI as comparable
6 to protections maintained by the United States Gov-
7 ernment of such information;

8 “(C) the agreement by the United Nations to
9 immediately notify the United States Government of
10 any unauthorized disclosure of United States-pro-
11 vided intelligence, and to permit the full participa-
12 tion of United States law enforcement personnel in
13 the investigation of such disclosure;

14 “(D) prohibitions on access to United States-
15 provided intelligence information by nationals of
16 countries not otherwise eligible for the receipt of
17 such information;

18 “(E) prohibitions on access to United States-
19 provided intelligence information by the government
20 of any country designated by the Secretary of State
21 as a state supporter of terrorism;

22 “(F) prohibitions on access to United States-
23 provided intelligence information by any government
24 not eligible for the direct provision of such informa-

1 tion by the United States through existing bilateral
2 intelligence-sharing agreements; and

3 “(G) other measures which shall protect intel-
4 ligence sources and methods from unauthorized dis-
5 closure in accordance with section 103(c)(5) of the
6 National Security Act of 1947 (50 U.S.C. 403-
7 3(c)(5)).

8 “(2) Paragraph (1) may be waived upon written cer-
9 tification by the President to the appropriate committees
10 of Congress that providing such information to the United
11 Nations or an organization affiliated with the United Na-
12 tions, or to any officials or employees thereof, is in the
13 vital national security interests of the United States and
14 that all possible measures protecting such information
15 have been taken, except that such waiver must be made
16 for each instance such information is provided, or for each
17 such document provided.

18 “(b) PERIODIC AND SPECIAL REPORTS.—

19 “(1) The President shall periodically report, but
20 not less frequently than quarterly, to the Committee
21 on Foreign Relations and the Select Committee on
22 Intelligence of the Senate and the Committee on
23 International Relations and the Permanent Select
24 Committee on Intelligence of the House of Rep-
25 resentatives on the types and volume of intelligence

1 provided to the United Nations and the purposes for
2 which it was provided during the period covered by
3 the report. The President shall also report to the Se-
4 lect Committee on Intelligence of the Senate and the
5 Permanent Select Committee on Intelligence of the
6 House of Representatives within 15 days after it has
7 become known to the United States Government re-
8 garding any unauthorized disclosure of intelligence
9 provided by the United States to the United Na-
10 tions.

11 “(2) The requirement for periodic reports under
12 the first sentence of paragraph (1) shall not apply
13 to the provision of intelligence that is provided only
14 to, and for the use of, appropriately-cleared United
15 States Government personnel serving with the Unit-
16 ed Nations.

17 “(c) DELEGATION OF DUTIES.—The President may
18 not delegate or assign the duties of the President under
19 this section.

20 “(d) RELATIONSHIP TO EXISTING LAW.—Nothing in
21 this section shall be construed to—

22 “(1) impair or otherwise affect the authority of
23 the Director of Central Intelligence to protect intel-
24 ligence sources and methods from unauthorized dis-
25 closure pursuant to section 103(c)(5) of the Na-

1 tional Security Act of 1947(50 U.S.C. 403-3(c)(5));
 2 or

3 “(2) supersede or otherwise affect the provi-
 4 sions of title V of the National Security Act of 1947
 5 (50 U.S.C. 413 et seq.).”.

6 **SEC. 217. ACTIVITIES EXEMPTED FROM UNITED NATIONS**
 7 **SANCTIONS.**

8 (a) IN GENERAL.—Section 5 of the United Nations
 9 Participation Act of 1945 (22 U.S.C. 287c) is amended
 10 by adding at the end the following new subsection:

11 “(d)(1) The measures that the United States may
 12 apply under subsection (a) do not include any measure
 13 to prohibit assistance that promotes—

14 “(A) respect for human rights,

15 “(B) the exchange of information (as described
 16 in section 203(b)(3) of the International Emergency
 17 Economic Powers Act (50 U.S.C. 1702(b)(3)), or

18 “(C) the development of democratic institutions.

19 “(2) Not less than 15 days before approving a license
 20 for export of any item under paragraph (1), the President
 21 shall notify the Committee on Foreign Relations of the
 22 Senate and the Committee on International Relations of
 23 the House of Representatives in accordance with proce-
 24 dures applicable to reprogramming notifications under
 25 section 634A of the Foreign Assistance Act of 1961.”.

1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) shall apply to measures applied by the
3 United States pursuant to a request of the United Nations
4 Security Council made on or after the date of enactment
5 of this Act.

6 **SEC. 218. UNPROFOR FUNDING RESTRICTIONS.**

7 None of the funds authorized to be appropriated by
8 this Act may be made available for contributions to the
9 United Nations Protection Force (UNPROFOR) unless
10 the President certifies and reports to the Congress during
11 the calendar years in which the funds are to be provided
12 that—

13 (1) the Government of the Republic of Bosnia
14 and Herzegovina supports the continued presence of
15 UNPROFOR within its territory;

16 (2) UNPROFOR is effectively implementing its
17 mandate under United Nations Security Council res-
18 olutions 761, 776, 786, 836, and 958, and is effec-
19 tively encouraging compliance with United Nations
20 Security Council resolutions 752, 757, 770, 771,
21 787, 820, 824, and 942;

22 (3) UNPROFOR is providing full cooperation
23 and support to the efforts of the United Nations
24 War Crimes Tribunal for the former Yugoslavia to

1 investigate war crimes and to apprehend and pros-
2 ecute suspected war criminals;

3 (4) UNPROFOR is providing full cooperation
4 and support to United States diplomatic, military,
5 and relief personnel in Bosnia, to include transpor-
6 tation and accurate information; and

7 (5) UNPROFOR has investigated and taken
8 appropriate action against any UNPROFOR civilian
9 or military personnel suspected of participating in il-
10 legal or improper activities, such as black
11 marketeering, embezzlement, expropriation of prop-
12 erty, and assaults on civilians.

13 **SEC. 219. ESCALATING COSTS FOR INTERNATIONAL PEACE-**
14 **KEEPING ACTIVITIES.**

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

16 (1) in fiscal year 1989 the United States pro-
17 vided \$29,000,000 to the United Nations for as-
18 sessed United States contributions for international
19 peacekeeping activities, compared to \$485,000,000
20 paid for combined assessed contributions for all
21 other international organizations, including the
22 United Nations, all United Nations specialized agen-
23 cies and the Organization for American States and
24 all other pan American international organizations;

1 (2) in fiscal year 1994 United States assessed
2 contributions to the United Nations for international
3 peacekeeping activities had grown to
4 \$1,072,000,000, compared to \$860,000,000 for com-
5 bined assessed contributions for all other inter-
6 national organizations;

7 (3) for fiscal year 1995 the President requested
8 a \$672,000,000 United Nations peacekeeping sup-
9 plemental appropriation which, if approved, would
10 have been a direct increase in the Federal budget
11 deficit and would have brought fiscal year 1995 total
12 appropriations for assessed contributions for United
13 Nations peacekeeping activities to \$1,025,000,000;

14 (4) for fiscal year 1995 the President also re-
15 quested supplemental appropriations of
16 \$1,900,000,000 to cover the Department of De-
17 fense's unbudgeted costs for humanitarian and
18 peacekeeping missions in Haiti, Kuwait and Bosnia,
19 which are in addition to regular United States as-
20 sessed contributions to the United Nations for
21 peacekeeping activities; and

22 (5) for fiscal year 1996 the President requested
23 \$445,000,000 for assessed contributions to the
24 United Nations for international peacekeeping activi-
25 ties, a funding level most observers believe to be a

1 significant understatement of actual peacekeeping
2 obligations the Administration has committed the
3 United States to support and which, if accurate,
4 would lead to the third year in a row in which the
5 Administration requests supplemental appropriations
6 for assessed contributions to international peace-
7 keeping in excess of \$600 million outside of the reg-
8 ular budget process.

9 (b) SENSE OF CONGRESS.—It is the sense of the
10 Congress that the Executive Branch should cease obligat-
11 ing the United States to pay for international peacekeep-
12 ing operations in excess of funds specifically authorized
13 and appropriated for this purpose.

14 **SEC. 220. DEFINITION.**

15 The United Nations Participation Act of 1945, as
16 amended by this Act, is further amended by adding at the
17 end the following new section:

18 **“SEC. 13. DEFINITION.**

19 “For purposes of this Act, the term ‘United Nations
20 peacekeeping activities’ means any peacekeeping, peace-
21 making, peace-enforcing, or similar activity that is author-
22 ized by the United Nations Security Council under chapter
23 VI or VII of the Charter of the United Nations, the costs
24 of which will be assessed by the United Nations to its
25 member countries.”.

1 **TITLE III—OTHER INTER-**
2 **NATIONAL ORGANIZATIONS**
3 **CHAPTER 1—AUTHORIZATION OF**
4 **APPROPRIATIONS**

5 **SEC. 301. INTERNATIONAL CONFERENCES AND CONTIN-**
6 **GENCIES.**

7 (a) AUTHORIZATION OF APPROPRIATIONS.—There
8 are authorized to be appropriated for “International Con-
9 ferences and Contingencies”, \$7,000,000 for the fiscal
10 year 1996, \$5,000,000 for the fiscal year 1997,
11 \$4,000,000 for the fiscal year 1998, and \$4,000,000 for
12 the fiscal year 1999 for the Department of State to carry
13 out the authorities, functions, duties, and responsibilities
14 in the conduct of the foreign affairs of the United States
15 with respect to international conferences and contin-
16 gencies and to carry out other authorities in law consistent
17 with such purposes.

18 (b) CONDITIONAL AUTHORITY.—

19 (1) Subject to subparagraph (B), in addition to
20 such amounts as are authorized to be appropriated
21 under subsection (a), there is authorized to be ap-
22 propriated for “International Conferences and Con-
23 tingencies”, \$1,000,000 for the fiscal year 1996 for
24 the Department of State to carry out the authori-
25 ties, functions, duties, and responsibilities in the

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

5 (2) The authorization of appropriations under
6 paragraph (1) shall take effect only after the Sec-
7 retary of State certifies to the appropriate congres-
8 sional committees, with respect to any United Na-
9 tions Fourth World Conference on Women that is
10 held in Beijing, that—

11 (A) no funds of the Department of State
12 were expended for travel by any United States
13 official or delegate to the Fourth World Con-
14 ference on Women, to be held in Beijing, Au-
15 gust and September 1995, or

16 (B)(i) that the United States vigorously
17 urged the United Nations to grant accreditation
18 to a wide range of nongovernmental organiza-
19 tions, including United States-based groups
20 representing Taiwanese and Tibetan women, in
21 accordance with relevant international stand-
22 ards and precedents;

23 (ii) that the United States pressed the
24 Government of China to issue visas equitably to

1 representatives of accredited nongovernmental
2 organizations;

3 (iii) that the United States encouraged the
4 Government of China and the United Nations
5 to provide the accredited nongovernmental orga-
6 nizations with access to the main conference
7 site that is substantially equivalent in manner
8 and degree to access afforded at previous major
9 United Nations conferences;

10 (iv) that the United States delegation to
11 the Fourth World Conference on Women vigor-
12 ously and publicly supported access by rep-
13 resentatives of accredited nongovernmental or-
14 ganizations to the conference, especially with
15 respect to United States nongovernmental orga-
16 nizations;

17 (v) that the United States delegation to
18 the Fourth World Conference on Women vigor-
19 ously promoted universal respect for inter-
20 nationally recognized human rights, including
21 the rights of women; and

22 (vi) that, if the goals of clauses (i), (ii),
23 and (iii) were not fully accomplished, the Unit-
24 ed States issued a formal, public protest to the

1 United Nations for such a departure from ac-
2 cepted international standards.

3 **SEC. 302. INTERNATIONAL COMMISSIONS.**

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

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

14 (A) for “Salaries and Expenses”,
15 \$12,500,000 for the fiscal year 1996,
16 \$12,300,000 for the fiscal year 1997,
17 \$12,100,000 for the fiscal year 1998, and
18 \$12,000,000 for the fiscal year 1999; and

19 (B) for “Construction”, \$10,000,000 for
20 the fiscal year 1996, \$10,000,000 for the fiscal
21 year 1997, \$6,000,000 for the fiscal year 1998,
22 and \$6,000,000 for the fiscal year 1999.

23 (2) INTERNATIONAL BOUNDARY COMMISSION,
24 UNITED STATES AND CANADA.—For “International
25 Boundary Commission, United States and Canada”,

1 \$740,000 for the fiscal year 1996, \$720,000 for the
2 fiscal year 1997, \$700,000 for the fiscal year 1998,
3 and \$700,000 for the fiscal year 1999.

4 (3) INTERNATIONAL JOINT COMMISSION.—For
5 “International Joint Commission”, \$3,500,000 for
6 the fiscal year 1996, \$3,500,000 for the fiscal year
7 1997, \$3,500,000 for the fiscal year 1998, and
8 \$3,500,000 for the fiscal year 1999.

9 (4) INTERNATIONAL FISHERIES COMMISS-
10 SIONS.—For “International Fisheries Commissions”,
11 \$14,669,000 for the fiscal year 1996, \$14,400,000
12 for the fiscal year 1997, \$14,200,000 for the fiscal
13 year 1998, and \$14,000,000 for the fiscal year
14 1999.

15 **SEC. 303. INTERNATIONAL BOUNDARY AND WATER COM-**
16 **MISSION.**

17 The Act of May 13, 1924 (49 Stat. 660; 22 U.S.C.
18 277–277f), is amended in section 3 (22 U.S.C. 277b) by
19 adding the following new subsection at the end:

20 “(d) Pursuant to the authority of subsection (a) and
21 in order to facilitate further compliance with the terms
22 of the Convention for Equitable Distribution of the Waters
23 of the Rio Grande, May 21, 1906, United States-Mexico,
24 the Secretary of State, acting through the United States
25 Commissioner of the International Boundary and Water

1 Commission, may make improvements to the Rio Grande
 2 Canalization Project, originally authorized by the Act of
 3 August 29, 1935 (49 Stat. 961). Such improvements may
 4 include all such works as may be needed to stabilize the
 5 Rio Grande in the reach between the Percha Diversion
 6 Dam in New Mexico and the American Diversion Dam in
 7 El Paso.”.

8 **SEC. 304. INTER-AMERICAN ORGANIZATIONS.**

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

17 **CHAPTER 2—GENERAL PROVISIONS**

18 **SEC. 311. INTERNATIONAL CRIMINAL COURT PARTICIPA-**
 19 **TION.**

20 The United States may not participate in an inter-
 21 national criminal court with jurisdiction over crimes of an
 22 international character except—

23 (1) pursuant to a treaty made in accordance
 24 with Article II, section 2, clause 2 of the Constitu-
 25 tion; or

1 (2) as specifically authorized by enactment of
2 legislation passed by Congress.

3 **SEC. 312. PROHIBITION ON ASSISTANCE TO INTER-**
4 **NATIONAL ORGANIZATIONS ESPOUSING**
5 **WORLD GOVERNMENT.**

6 None of the funds made available by this Act shall
7 be used—

8 (1) to pay the United States contribution to
9 any international organization which engages in the
10 direct or indirect promotion of the principle or doc-
11 trine of one world government or one world citizen-
12 ship; or

13 (2) for the promotion, direct or indirect, of the
14 principle or doctrine of one world government or one
15 world citizenship.

16 **SEC. 313. TERMINATION OF UNITED STATES PARTICIPA-**
17 **TION IN CERTAIN INTERNATIONAL ORGANI-**
18 **ZATIONS.**

19 Notwithstanding any other provision of law, none of
20 the funds authorized to be appropriated by this or any
21 other Act may be used for payment of United States mem-
22 bership in any of the following organizations:

23 (1) The International Labor Organization
24 (ILO).

1 (2) The United Nations Industrial Development
2 Organization (UNIDO).

3 (3) The Inter-American Indian Institute.

4 (4) The Pan American Railway Congress Asso-
5 ciation.

6 (5) The Interparliamentary Union.

7 **SEC. 314. INTERNATIONAL COVENANT ON CIVIL AND POLIT-**
8 **ICAL RIGHTS.**

9 (a) FINDINGS.—The Congress makes the following
10 findings:

11 (1) On April 2, 1992, the Senate approved a
12 resolution advising and consenting to ratification of
13 the International Covenant on Civil and Political
14 Rights, subject to reservations, understandings, dec-
15 larations, and a proviso intended, inter alia, to pro-
16 tect the First Amendment rights of American citi-
17 zens and other United States constitutional rights
18 and practices.

19 (2) In accordance with the action of the Senate,
20 the President deposited the United States instru-
21 ment of ratification of the International Covenant on
22 Civil and Political Rights on June 8, 1992, and the
23 Covenant entered into force for the United States on
24 September 8, 1992.

1 (3) On November 2, 1994, the Human Rights
2 Committee, established under the Covenant to inter-
3 pret the Covenant and to receive complaints of non-
4 compliance, adopted General Comment No. 24 re-
5 garding reservations to the Covenant.

6 (4) In General Comment No. 24, the Human
7 Rights Committee claimed for itself the power to
8 judge the validity under international law of reserva-
9 tions to the Covenant, and in the purported exercise
10 of this power asserted that reservations of the type
11 included in the Senate resolution of ratification are
12 invalid, and further asserted that invalid reserva-
13 tions will be read out of instruments of ratification,
14 “in the sense that the Covenant will be operative for
15 the reserving party without benefit of the reserva-
16 tion”.

17 (5) The purpose and effect of General Comment
18 No. 24 is to seek to nullify as a matter of inter-
19 national law the reservations, understandings, dec-
20 larations, and proviso contained in the Senate reso-
21 lution of ratification, thereby purporting to impose
22 legal obligations on the United States never accepted
23 by the United States.

24 (6) General Comment No. 24 threatens not
25 only the Supremacy Clause of the United States

1 Constitution and the constitutional authority of the
2 Senate with respect to the approval of treaties, but
3 also the First Amendment rights of American citi-
4 zens and the other United States constitutional
5 rights and practices protected by the reservations,
6 understandings, declarations, and proviso contained
7 in the Senate resolution of ratification.

8 (b) RESTRICTION ON OBLIGATION OR EXPENDITURE
9 OF FUNDS.—

10 (1) RESTRICTION.—Effective on the date of en-
11 actment of this section, no funds authorized to be
12 appropriated by this Act or any other Act, or other-
13 wise made available may be obligated or expended
14 for the conduct of any activity which has the pur-
15 pose or effect of—

16 (A) reporting to the Human Rights Com-
17 mittee in accordance with Article 40 of the
18 International Covenant on Civil and Political
19 Rights, or

20 (B) responding to any effort by the
21 Human Rights Committee to use the proce-
22 dures of Articles 41 and 42 of the International
23 Covenant on Civil and Political Rights to re-
24 solve claims by other parties to the Covenant

1 that the United States is not fulfilling its obli-
2 gations under the Covenant,
3 until the President has submitted to the Congress
4 the certification described in paragraph (2).

5 (2) CERTIFICATION.—The certification referred
6 to in paragraph (1) is a certification by the Presi-
7 dent to the Congress that the Human Rights Com-
8 mittee established under the International Covenant
9 on Civil and Political Rights has—

10 (A) revoked its General Comment No. 24
11 adopted on November 2, 1994; and

12 (B) expressly recognized the validity as a
13 matter of international law of the reservations,
14 understandings, and declarations contained in
15 the United States instrument of ratification of
16 the International Covenant on Civil and Politi-
17 cal Rights.

18 **SEC. 315. UNITED STATES PARTICIPATION IN SINGLE COM-**
19 **MODITY INTERNATIONAL ORGANIZATIONS.**

20 (a) REPORT ON PARTICIPATION IN SINGLE-COMMOD-
21 ITY ORGANIZATIONS.—Not later than 180 days after the
22 date of the enactment of this Act, the Secretary of State
23 shall transmit to the committees referred to in subsection
24 (b) a report that—

1 (1) identifies the national interests, if any, that
2 are served by continuing United States participation
3 in single-commodity international organizations;

4 (2) assesses the feasibility and desirability of
5 the privatization of United States representation in
6 such organizations; and

7 (3) sets forth options for achieving the privat-
8 ization of the organizations if the Secretary deter-
9 mines that the privatization is feasible and desirable.

10 (b) DEFINITION.—The committees referred to in sub-
11 section (a) are the Committee on Foreign Relations of the
12 Senate and the Committee on International Relations of
13 the House of Representatives.

14 **SEC. 316. PROHIBITION ON CONTRIBUTIONS TO THE INTER-**
15 **NATIONAL NATURAL RUBBER ORGANIZA-**
16 **TION.**

17 None of the funds authorized to be appropriated by
18 this or any other Act may be used to fund any United
19 States contribution to the International Natural Rubber
20 Organization.

21 **SEC. 317. PROHIBITION ON CONTRIBUTIONS TO THE INTER-**
22 **NATIONAL TROPICAL TIMBER ORGANIZA-**
23 **TION.**

24 None of the funds authorized to be appropriated by
25 this or any other Act may be used to fund any United

1 States contribution to the International Tropical Timber
2 Organization.

3 **SEC. 318. GENERAL ACCOUNTING OFFICE STUDY ON THE**
4 **COST-EFFECTIVENESS AND EFFICIENCY OF**
5 **INTERNATIONAL ORGANIZATIONS TO WHICH**
6 **THE UNITED STATES MAKES CONTRIBU-**
7 **TIONS.**

8 (a) COST-EFFECTIVENESS STUDY OF INTER-
9 NATIONAL ORGANIZATIONS TO WHICH THE UNITED
10 STATES MAKES CONTRIBUTIONS.—The Comptroller Gen-
11 eral of the United States shall conduct a study on the cost-
12 effectiveness and efficiency of the 51 organizations to
13 which the United States makes contributions through the
14 Department of State. Such study shall include, but not
15 be limited to—

16 (1) an evaluation of whether such organizations
17 undertake unique activities that are central to the
18 conduct of American foreign policy and which are in-
19 capable of being performed directly by an agency of
20 the United States Government; and

21 (2) an evaluation of each organization's oper-
22 ational effectiveness, and the potential consequences
23 of terminated United States funding.

24 (b) REPORT TO CONGRESS.—Not later than one year
25 after the date of enactment of this Act, the Comptroller

1 General of the United States shall prepare and submit a
2 report of the findings of such study to the Committee on
3 Foreign Relations of the Senate and the Committee on
4 International Relations of the House of Representatives.

5 **TITLE IV—UNITED STATES IN-**
6 **FORMATIONAL, EDUCATIONAL, AND CULTURAL**
7 **PROGRAMS**

8 **CHAPTER 1—AUTHORIZATION OF**
9 **APPROPRIATIONS**

10 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

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

22 (1) SALARIES AND EXPENSES.—For “Salaries
23 and Expenses”, \$429,000,000 for the fiscal year
24 1996, \$387,000,000 for the fiscal year 1997. No
25

1 funds are authorized to be appropriated for fiscal
2 years 1998 and 1999.

3 (2) EDUCATIONAL AND CULTURAL EXCHANGE
4 PROGRAMS.—

5 (A) FULBRIGHT ACADEMIC EXCHANGE
6 PROGRAMS.—For the “Fulbright Academic Ex-
7 change Programs”, \$109,500,000 for the fiscal
8 year 1996, \$101,000,000 for the fiscal year
9 1997, \$93,000,000 for the fiscal year 1998,
10 and \$93,000,000 for the fiscal year 1999.

11 (B) OTHER PROGRAMS.—For other edu-
12 cational and cultural exchange programs au-
13 thorized by law, \$118,322,000 for the fiscal
14 year 1996, \$107,300,000 for the fiscal year
15 1997, \$101,280,000 for the fiscal year 1998,
16 and \$101,280,000 for the fiscal year 1999.

17 (3) INTERNATIONAL BROADCASTING ACTIVI-
18 TIES.—For “International Broadcasting Activities”
19 under title III, \$310,000,000 for the fiscal year
20 1996, \$300,000,000 for the fiscal year 1997,
21 \$290,000,000 for the fiscal year 1998, and
22 \$290,000,000 for the fiscal year 1999.

23 (4) RADIO FREE EUROPE/RADIO LIBERTY.—For
24 the activities of RFE/RL, Incorporated, there are

1 authorized to be appropriated \$75,000,000 for each
2 of the fiscal years 1996, 1997, 1998, and 1999.

3 (5) RADIO CONSTRUCTION.—For “Radio Con-
4 struction”, \$83,000,000 for the fiscal year 1996,
5 \$79,500,000 for the fiscal year 1997, \$69,000,000
6 for the fiscal year 1998, and \$65,000,000 for the
7 fiscal year 1999.

8 (6) TECHNOLOGY INVESTMENT FUND.—For the
9 “Technology Investment Fund”, \$10,100,000 for
10 the fiscal year 1996, \$9,500,000 for the fiscal year
11 1997.

12 (7) OFFICE OF THE INSPECTOR GENERAL.—
13 For “Office of the Inspector General”, \$4,100,000
14 for the fiscal year 1996, \$3,900,000 for the fiscal
15 year 1997.

16 (8) CENTER FOR CULTURAL AND TECHNICAL
17 INTERCHANGE BETWEEN EAST AND WEST.—For
18 “Center for Cultural and Technical Interchange be-
19 tween East and West”, \$10,000,000 for the fiscal
20 year 1996, \$8,000,000 for the fiscal year 1997,
21 \$5,000,000 for the fiscal year 1998, and \$5,000,000
22 for the fiscal year 1999.

23 **SEC. 402. NATIONAL ENDOWMENT FOR DEMOCRACY.**

24 There are authorized to be appropriated to the Direc-
25 tor of the United States Information Agency \$32,000,000

1 for the fiscal year 1996 and \$29,000,000 for the fiscal
2 year 1997, \$25,000,000 for the fiscal year 1998, and
3 \$21,000,000 for the fiscal year 1999 to carry out the Na-
4 tional Endowment for Democracy Act (title V of Public
5 Law 98–164), of which amount in each fiscal year not
6 more than 55 percent shall be available only for the follow-
7 ing organizations, in equal allotments:

8 (1) The International Republican Institute
9 (IRI).

10 (2) The National Democratic Institute (NDI).

11 (3) The Free Trade Union Institute (FTUI).

12 (4) The Center for International Private Enter-
13 prise (CIPE).

14 **CHAPTER 2—USIA AND RELATED**

15 **AGENCIES AUTHORITIES AND ACTIVITIES**

16 **SEC. 411. PARTICIPATION IN INTERNATIONAL FAIRS AND**
17 **EXPOSITIONS.**

18 None of the funds made available by this Act may
19 be used by any department, agency, or other entity of the
20 United States to participate in an international fair, pavil-
21 ion, or other major exhibit at any international exposition
22 or world's fair in excess of amounts expressly authorized
23 to be appropriated for such purpose.

1 **SEC. 412. EXTENSION OF AU PAIR PROGRAMS.**

2 (a) REPEAL.—Section 8 of the Eisenhower Exchange
3 Fellowship Act of 1990 (Public Law 101–454) is repealed.

4 (b) AUTHORITY FOR AU PAIR PROGRAMS.—The Di-
5 rector of the United States Information Agency is author-
6 ized to continue to administer an au pair program, operat-
7 ing on a world-wide basis, through fiscal year 1999.

8 (c) REPORT.—Not later than October 1, 1998, the
9 Director of the United States Information Agency shall
10 submit a report regarding the continued extension of au
11 pair programs to the Committee on Foreign Relations of
12 the Senate and the Committee on International Relations
13 of the House of Representatives. This report shall specifi-
14 cally detail the compliance of all au pair organizations
15 with regulations governing au pair programs as published
16 on February 15, 1995.

17 **SEC. 413. PILOT PROGRAM ON ADVERTISING ON USIA TELE-**
18 **VISION AND RADIO BROADCASTS.**

19 (a) IN GENERAL.—(1) The Director of the United
20 States Information Agency shall carry out a pilot program
21 to determine the feasibility and advisability of permitting
22 advertisements on the television broadcasts and radio
23 broadcasts of the agency, including broadcasts of the
24 Voice of America, Radio Marti/TV Marti, Worldnet, Radio
25 Free Europe/Radio Liberty, and Radio Free Asia.

1 (2) The Director shall commence carrying out the
2 pilot program not later than 90 days after the date of the
3 transmittal to Congress of the plan required under sub-
4 section (b).

5 (3) The Director shall carry out the pilot program
6 for 6 months.

7 (b) PROGRAM PLAN.—(1) Not later than 120 days
8 after the date of the enactment of this Act, the Director
9 shall prepare and transmit to Congress a plan for carrying
10 out the pilot program required under subsection (a).

11 (2) In preparing the plan, the Director shall solicit
12 and take into account the comments of other broadcasting
13 entities funded by the United States Government on the
14 experiences of and advantages and disadvantages to public
15 television and radio broadcast stations of permitting ad-
16 vertisements on the broadcasts of such stations.

17 (c) TREATMENT OF REVENUES.—Notwithstanding
18 any other provision of law, the Director may use any reve-
19 nues received by the agency under the pilot program to
20 pay for the cost of the radio and television broadcasting
21 activities of the agency. Such funds shall be available for
22 that purpose without fiscal year limitation.

23 (d) PROGRAM REPORT.—Not later than 60 days after
24 the date of the completion of the pilot program, the Direc-

1 tor shall transmit to Congress a report on the pilot pro-
2 gram. The report shall include the following:

3 (1) A description of the pilot program, includ-
4 ing the number and type of advertisements aired
5 under the pilot program and the revenues received
6 as a result of the advertisements.

7 (2) An estimate of the number and type of ad-
8 vertisements that would be carried on the television
9 broadcasts and radio broadcasts of the agency on an
10 annual basis after the completion of the pilot pro-
11 gram if the agency were authorized to continue to
12 carry such advertisements, and the revenues that the
13 agency would receive as a result of carrying such ad-
14 vertisements.

15 (3) An assessment of the feasibility and advis-
16 ability of permitting advertisements on the television
17 broadcasts and radio broadcasts of the agency, in-
18 cluding a discussion of the advisability of permitting
19 such advertisements by—

20 (A) United States entities;

21 (B) foreign governments;

22 (C) foreign individuals or entities; and

23 (D) a combination of such entities, govern-
24 ments, and individuals.

1 (e) REGULATIONS.—The Director may prescribe reg-
2 ulations to carry out the pilot program.

3 **SEC. 414. AVAILABILITY OF VOICE OF AMERICA AND RADIO**
4 **MARTI MULTILINGUAL COMPUTER READ-**
5 **ABLE TEXT AND VOICE RECORDINGS.**

6 (a) AUTHORITY.—Notwithstanding section 208 of the
7 Foreign Relations Authorization Act, Fiscal Years 1986
8 and 1987 (22 U.S.C. 1461–1a) and the second sentence
9 of section 501 of the United States Information and Edu-
10 cational Exchange Act of 1948 (22 U.S.C. 1461), the Di-
11 rector of the United States Information Agency is author-
12 ized to make available, upon request, to the Linguistic
13 Data Consortium of the University of Pennsylvania com-
14 puter readable multilingual text and recorded speech in
15 various languages.

16 (b) REIMBURSEMENT.—The Linguistic Data Consor-
17 tium shall, directly or indirectly as appropriate, reimburse
18 the United States Information Agency for any expenses
19 involved in making such materials available.

20 (c) TERMINATION DATE.—The authority of this sec-
21 tion shall terminate 5 years after the date of enactment
22 of this Act.

23 **SEC. 415. PLAN FOR RADIO FREE ASIA.**

24 (a) PLAN REQUIRED.—Not later than 90 days after
25 the date of the enactment of this Act, the Director of the

1 United States Information Agency shall submit to the
 2 Congress a detailed plan for the establishment and oper-
 3 ation of Radio Free Asia.

4 (b) CONTENTS OF PLAN.—The plan required by sub-
 5 section (a) shall meet the requirements of subparagraphs
 6 (A) through (C) of section 309(c)(1) of the Foreign Rela-
 7 tions Authorization Act, Fiscal Years 1994 and 1995 (22
 8 U.S.C. 6208(c)(1)), except that the plan shall describe the
 9 manner in which Radio Free Asia would meet the funding
 10 limitations provided in this Act.

11 (c) STATUTORY CONSTRUCTION.—Nothing in this
 12 section may be construed to make inapplicable any of the
 13 requirements contained in section 309 of such Act.

14 **SEC. 416. EXPANSION OF MUSKIE FELLOWSHIP PROGRAM.**

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

18 (1) in subsection (a), by striking “Soviet Union,
 19 Lithuania, Latvia, and Estonia” and inserting
 20 “former Soviet Union, Lithuania, Latvia, Estonia,
 21 Albania, Bulgaria, Croatia, Czech Republic, Hun-
 22 gary, Poland, Romania, Slovenia, and the Former
 23 Yugoslav Republic of Macedonia”;

24 (2) in subsection (c)(5), by striking out after
 25 “potential” all that follows and inserting in lieu

1 thereof the following: “in the fields of business ad-
 2 ministration, economics, journalism, law, library and
 3 information science, public administration, and pub-
 4 lic policy.”;

5 (3) in subsection (b) of the section, by striking
 6 out “Soviet Union, Lithuania, Latvia, and Estonia”
 7 and inserting in lieu thereof “countries specified in
 8 subsection (a)”;

9 (4) in subsection (c)(11), by striking “Soviet re-
 10 publics, Lithuania, Latvia, and Estonia” and insert-
 11 ing “countries specified in subsection (a)”;

12 (5) in the section heading, by striking “**THE**
 13 **SOVIET UNION, LITHUANIA, LATVIA, AND ESTO-**
 14 **NIA**” and inserting “**CERTAIN EURASIAN COUN-**
 15 **TRIES**”.

16 **SEC. 417. CHANGES IN ADMINISTRATIVE AUTHORITIES.**

17 (a) CONTRACT AUTHORITY FOR VOICE OF AMERICA
 18 RADIO FACILITY.—Section 235 of the Foreign Relations
 19 Authorization Act, Fiscal Years 1990 and 1991 (Public
 20 Law 101–246) is amended by inserting “Tinian,” after
 21 “Sao Tome,”.

22 (b) AVAILABILITY OF APPROPRIATIONS.—Section
 23 701(f)(4) of the United States Information and Edu-
 24 cational Exchange Act of 1948 (22 U.S.C. 1476(f)) is

1 amended by striking “September 30, 1995” and inserting
2 “March 1, 1997”.

3 (c) TECHNICAL CORRECTION.—Section 314(2)(B) of
4 the Foreign Relations Authorization Act, Fiscal Years
5 1994 and 1995 (22 U.S.C. 6213(2)(B)) is amended by
6 striking “section 307(e)” and inserting “section 308(d)”.

7 (d) RADIO BROADCASTING TO CUBA.—Section 4 of
8 the Radio Broadcasting to Cuba Act (22 U.S.C. 1465b)
9 is amended by striking “Director of the Voice of America”
10 and inserting “Director of the International Broadcasting
11 Bureau”.

12 (e) TELEVISION BROADCASTING TO CUBA.—Section
13 244(a) of the Television Broadcasting to Cuba Act (22
14 U.S.C. 1465cc(a)) is amended by striking in the third sen-
15 tence thereof “Voice of America” and inserting “Inter-
16 national Broadcasting Bureau”.

17 (f) INTERNATIONAL BROADCASTING BUREAU.—Sec-
18 tion 307 of the Foreign Relations Authorization Act, Fis-
19 cal Years 1994 and 1995 (Public Law 103–236) is amend-
20 ed by adding at the end the following new subsection:

21 “(g) CONSOLIDATION OF ENGINEERING FUNC-
22 TION.—For the purpose of achieving economies and elimi-
23 nating duplication, the Director of the United States In-
24 formation Agency is authorized to appoint, during 1995,
25 up to 15 otherwise qualified United States citizens em-

1 ployed in the Office of the Vice President for Engineering
 2 and Technical Operations of RFE/RL, Incorporated, to
 3 the competitive service or the career Foreign Service of
 4 the United States Information Agency in accordance with
 5 the provisions of title 5 of the United States Code, and
 6 without regard to sections 301(b) and 306 of the Foreign
 7 Service Act of 1980, governing appointments in the For-
 8 eign Service. Prior service with RFE/RL, Incorporated, by
 9 an individual appointed under this subsection shall be
 10 credited in determining the length of service of the individ-
 11 ual for reduction in force purposes and toward establish-
 12 ing the career tenure of the individual.”.

13 (h) USE OF FEES FROM EDUCATIONAL ADVISING.—
 14 Section 810 of the United States Information and Edu-
 15 cational Exchange Act of 1948 (22 U.S.C. 1475e) is
 16 amended by inserting “educational advising,” after “li-
 17 brary services,”.

18 **SEC. 418. GENERAL ACCOUNTING OFFICE STUDY OF DUPLI-**
 19 **CATION AMONG CERTAIN INTERNATIONAL**
 20 **AFFAIRS GRANTEES.**

21 (a) STUDY OF CERTAIN GRANTEES FOR DUPLICA-
 22 TION OF FUNCTIONS.—The Comptroller General of the
 23 United States shall conduct a study on the purposes and
 24 activities of the North/South Center, East-West Center,
 25 Asia Foundation, and the National Endowment for De-

1 mocracy and on the extent to which the activities of these
2 organizations duplicate activities that are conducted else-
3 where in the United States Government. Such study shall
4 include, but not be limited to, an evaluation of whether
5 such organizations undertake unique activities that are
6 central to the conduct of American foreign policy and that
7 are incapable of being performed directly by an agency of
8 the United States Government.

9 (b) REPORT TO CONGRESS.—Not later than one year
10 after the date of enactment of this Act, the Comptroller
11 General of the United States shall prepare and submit a
12 report of the findings of such study to the Committee on
13 Foreign Relations of the Senate and Committee on Inter-
14 national Relations of the House of Representatives.

15 **SEC. 419. GENERAL ACCOUNTING OFFICE STUDY OF AC-**
16 **TIVITIES OF THE NORTH/SOUTH CENTER IN**
17 **SUPPORT OF THE NORTH AMERICAN FREE**
18 **TRADE AGREEMENT.**

19 (a) STUDY OF CERTAIN ACTIVITIES OF THE NORTH/
20 SOUTH CENTER DURING CONSIDERATION OF THE NORTH
21 AFRICAN FREE TRADE AGREEMENT.—The Comptroller
22 General of the United States shall conduct a study on the
23 activities of the North/South Center located in Miami,
24 Florida that had the affect of encouraging Congress to
25 approve implementing legislation for the North American

1 Free Trade Agreement. This study shall include, but shall
2 not be limited to, consideration of whether any United
3 States Government funds were used for books (including
4 Assessments of the North American Free Trade Agree-
5 ment published in 1993), publications, or other activities
6 which had the affect of advocating congressional approval
7 of the North American Free Trade Agreement, and wheth-
8 er such materials or activities violated any laws, regula-
9 tions, or guidelines on the use of Federal funds for lobby-
10 ing activities.

11 (b) REPORT TO CONGRESS.—Not later than six
12 months after the date of enactment of this Act, the Comp-
13 troller General of the United States shall prepare and sub-
14 mit a report of the findings of such study to the Commit-
15 tee on Foreign Relations of the Senate and Committee on
16 International Relations of the House of Representatives.

17 **TITLE V—UNITED STATES ARMS**
18 **CONTROL AND DISAR-**
19 **MAMENT AGENCY AND THE**
20 **AGENCY FOR INTER-**
21 **NATIONAL DEVELOPMENT**

22 **SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) FISCAL YEAR 1996.—There are authorized to be
24 appropriated to carry out the Arms Control and Disar-

1 mament Act (22 U.S.C. 2551 et seq.) \$22,700,000 for the
2 fiscal year 1996.

3 (b) FUTURE FISCAL YEARS.—No funds may be obli-
4 gated or expended by the United States Arms Control and
5 Disarmament Agency after March 1, 1997.

6 **SEC. 502. STATUTORY CONSTRUCTION.**

7 Section 33 of the Arms Control and Disarmament
8 Act (22 U.S.C. 2573) is amended by adding at the end
9 the following new subsection:

10 “(c) STATUTORY CONSTRUCTION.—Nothing con-
11 tained in this chapter shall be construed to authorize any
12 policy or action by any Government agency which would
13 interfere with, restrict, or prohibit the acquisition, posses-
14 sion, or use of firearms by an individual for the lawful
15 purpose of personal defense, sport, recreation, education,
16 or training.”.

17 **SEC. 503. OPERATING EXPENSES.**

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) \$432,000,000 for fiscal year 1996 and
22 \$389,000,000 for 1997 for necessary operating ex-
23 penses of the agency primarily responsible for ad-
24 ministering part I of this Act (other than the office
25 of the inspector general of such agency); and”.

1 **SEC. 504. 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 503, 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) (as amended by section 503); and

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

12 “(2) \$35,000,000 for fiscal year 1996 and
 13 \$31,500,000 for fiscal 1997 for necessary operating
 14 expenses of the office of the inspector general of
 15 such agency; and”.

16 **TITLE VI—FOREIGN POLICY**

17 **SEC. 601. REPEAL OF PROVISIONS RELATING TO**
 18 **INTERPARLIAMENTARY GROUPS.**

19 The following provisions of law are hereby repealed:

20 (1) Section 109(b) of the Department of State
 21 Authorization Act, fiscal years 1984 and 1985 (Pub-
 22 lic Law 98–164) (relating to the British-American
 23 Parliamentary Group).

24 (2) Section 109(c) of the Department of State
 25 Authorization Act, fiscal years 1984 and 1985 (Pub-

1 lic Law 98–164) (relating to the United States-Eu-
2 ropean Community Interparliamentary Group).

3 (3) Joint resolution entitled “A joint resolution
4 to authorize participation by the United States in
5 parliamentary conference with Canada”, approved
6 June 11, 1959 (22 U.S.C. 276d–276g).

7 (4) Section 105 of the Legislative Branch Ap-
8 propriation Act of 1961 (22 U.S.C. 276c–1; relating
9 to reporting requirements for Interparliamentary
10 Groups).

11 (5) The Act entitled “An Act to authorize par-
12 ticipation by the United States in the
13 Interparliamentary Union”, approved June 28, 1935
14 (22 U.S.C. 276–276a–4).

15 (6) The proviso under “Missions to Inter-
16 national Organizations” in the Departments of State
17 and Justice, the Judiciary, and Related Agencies
18 Appropriations Act of 1959, approved June 30,
19 1958 (Public Law 85–474, as amended).

20 (7) Section 7(a) of the Anglo-Irish Agreement
21 Support Act of 1986 (Public Law 99–415).

22 (8) Section 168 (relating to the British-Amer-
23 ican Interparliamentary Group) and section 169 (re-
24 lating to the Parliamentary Assembly of the Organi-
25 zation on Security and Cooperation in Europe) of

1 the Foreign Relations Authorization Act, Fiscal
2 Years 1992 and 1993 (22 U.S.C. 276l, 276m).

3 **SEC. 602. REPEAL OF EXECUTIVE BRANCH MEMBERSHIP**
4 **ON THE COMMISSION ON SECURITY AND CO-**
5 **OPERATION IN EUROPE.**

6 Section 3 of the Act entitled “An Act to establish a
7 Commission on Security and Cooperation in Europe”, ap-
8 proved June 3, 1976 (22 U.S.C. 3003 et seq.) is amend-
9 ed—

10 (1) by striking “twenty-one members” and in-
11 serting “18 members”; and

12 (2) by striking paragraphs (3), (4), and (5).

13 **SEC. 603. PERSONS FLEEING COERCIVE POPULATION CON-**
14 **TROL POLICIES.**

15 Section 101(a)(42) of the Immigration and National-
16 ity Act (8 U.S.C. 1101(a)(42)) is amended by adding at
17 the end the following: “For purposes of determinations
18 under this Act, a person who has been forced to abort
19 a pregnancy or to undergo involuntary sterilization, or
20 who has been persecuted for failure or refusal to undergo
21 such a procedure or for other resistance to a coercive pop-
22 ulation control program, shall be deemed to have been per-
23 secuted on account of political opinion and a person who
24 has a well-founded fear that he or she will be forced to
25 undergo such a procedure or be subjected to persecution

1 for such failure, refusal, or resistance shall be deemed to
2 have a well-founded fear of persecution on account of po-
3 litical opinion.”.

4 **SEC. 604. AUTHORIZED PAYMENTS AND TRANSFERS.**

5 The Secretary of the Treasury shall approve all appli-
6 cations for licenses that meet the criteria of section
7 575.510 of title 31, Code of Federal Regulations, as in
8 effect on January 18, 1991, notwithstanding the failure
9 of such applications to satisfy the requirement that the
10 letter of credit be issued or confirmed by a United States
11 bank or that the letter of credit reimbursement be con-
12 firmed by a United States bank. Licenses pursuant to this
13 section shall be issued within 30 days of the date of enact-
14 ment of this Act.

15 **SEC. 605. REPORTS REGARDING HONG KONG.**

16 (a) EXTENSION OF REPORTING REQUIREMENT.—
17 Section 301 of the United States-Hong Kong Policy Act
18 of 1992 (22 U.S.C. 5731) is amended in the text above
19 paragraph (1)—

20 (1) by inserting “March 31, 1996,” after
21 “March 31, 1995,”; and

22 (2) by striking “and March 31, 2000,” and in-
23 serting “March 31, 2000, and every year there-
24 after,”.

1 (b) ADDITIONAL REQUIREMENTS.—In light of defi-
2 ciencies in reports submitted to the Congress pursuant to
3 section 301 of the United States-Hong Kong Policy Act
4 (22 U.S.C. 5731), the Congress directs that reports re-
5 quired to be submitted under that section on or after the
6 date of enactment of this Act include detailed information
7 on the status of, and other developments affecting, imple-
8 mentation of the Sino-British Joint Declaration on the
9 Question of Hong Kong, including—

10 (1) the Basic Law and its consistency with the
11 Joint Declaration;

12 (2) the openness and fairness of elections to the
13 legislature;

14 (3) the openness and fairness of the election of
15 the chief executive and the executive's accountability
16 to the legislature;

17 (4) the treatment of political parties;

18 (5) the independence of the judiciary and its
19 ability to exercise the power of final judgment over
20 Hong Kong law; and

21 (6) the Bill of Rights.

22 **SEC. 606. APPLICABILITY OF TAIWAN RELATIONS ACT.**

23 Section 3 of the Taiwan Relations Act (22 U.S.C.
24 3302) is amended by adding at the end the following new
25 subsection:

1 “(d) The provisions of subsections (a) and (b) super-
2 sede any provision of the Joint Communiqué of the United
3 States and China of August 17, 1982.”.

4 **SEC. 607. TAIPEI REPRESENTATIVE OFFICE.**

5 For purposes of carrying out its activities in the Unit-
6 ed States, the instrumentality known as the Taipei Eco-
7 nomic and Cultural Representative Office as of the date
8 of enactment of this Act shall, on and after such date,
9 be known as the “Taipei Representative Office”.

10 **SEC. 608. REPORT ON OCCUPIED TIBET.**

11 (a) FINDINGS AND DECLARATIONS OF CONGRESS.—
12 The Congress makes the following findings and declara-
13 tions:

14 (1) Historically, Tibet has demonstrated those
15 attributes which under international law constitute
16 statehood. It has had a defined territory and a per-
17 manent population, been under the control of its
18 own government, and has engaged in, or had the ca-
19 pacity to engage in, formal relations with other
20 states.

21 (2) Between 1951 and 1959, Tibet was forcibly
22 and coercively incorporated into the People’s Repub-
23 lic of China as an “autonomous region”.

24 (3) Because Tibet’s incorporation into the Peo-
25 ple’s Republic of China was involuntary, under inter-

1 national law it is an occupied sovereign country and
2 its true representatives continue to be the Dalai
3 Lama and the Tibetan Government-in-exile.

4 (4) Because the Tibetan people are historically,
5 territorially, and culturally distinct from the Han
6 Chinese population in the People's Republic of
7 China, and because of the involuntary loss of their
8 sovereignty, they are entitled to the right of self-de-
9 termination.

10 (5) Credible evidence exists which demonstrates
11 that the Government of the People's Republic of
12 China has consistently denied the Tibetan people
13 that right, and instead have subjected them to a se-
14 rious pattern of human rights abuses. For example,
15 in 1960 the International Commission of Jurists
16 found that the Chinese authorities in Tibet had vio-
17 lated sixteen articles of the United Nations Human
18 Rights Declaration.

19 (6) Tibet is an occupied sovereign country
20 under international law and its true representatives
21 are the Dalai Lama and the Tibetan Government in
22 exile.

23 (7) The United States should seek to establish
24 a dialogue with those recognized by Congress as the
25 true representatives of the Tibetan people, the Dalai

1 Lama, his representatives, and the Tibetan Govern-
2 ment in exile, concerning the situation in Tibet and
3 the future of the Tibetan people and to expand and
4 strengthen United States-Tibet cultural and edu-
5 cational relations, including promoting bilateral ex-
6 changes arranged directly with the Tibetan Govern-
7 ment in exile.

8 (b) REPORT ON UNITED STATES-TIBET RELA-
9 TIONS.— Not later than 6 months after the date of enact-
10 ment of this Act, and every 12 months thereafter, the Sec-
11 retary of State shall transmit to the Chairman of the Com-
12 mittee on Foreign Relations and the Speaker of the House
13 of Representatives a report on the state of relations be-
14 tween the United States and those recognized by Congress
15 as the true representatives of the Tibetan people, the
16 Dalai Lama, his representatives, and the Tibetan Govern-
17 ment in exile, and on conditions in Tibet.

18 (c) SEPARATE TIBET REPORTS.—

19 (1) It is the sense of the Congress that when-
20 ever an executive branch report is transmitted to the
21 Congress on a country-by-country basis there should
22 be included in such report, where applicable, a sepa-
23 rate report on Tibet listed alphabetically with its
24 own state heading.

1 (2) The reports referred to in paragraph (1) in-
2 clude, but are not limited to, reports transmitted
3 under sections 116(d) and 502B(b) of the Foreign
4 Assistance Act of 1961 (relating to human rights).

5 **SEC. 609. SPECIAL ENVOY FOR TIBET ACT OF 1995.**

6 (a) SHORT TITLE.—This section may be cited as the
7 “Special Envoy for Tibet Act of 1995”.

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

9 (1) the Government of the People’s Republic of
10 China withholds meaningful participation in the gov-
11 ernance of Tibet from Tibetans and has failed to
12 abide by its own constitutional guarantee of auton-
13 omy for Tibetans;

14 (2) the Government of the People’s Republic of
15 China is responsible for the destruction of much of
16 Tibet’s cultural and religious heritage since 1959
17 and continues to threaten the survival of Tibetan
18 culture and religion;

19 (3) the Government of the People’s Republic of
20 China, through direct and indirect incentives—

21 (A) has established discriminatory develop-
22 ment and other programs which have resulted
23 in an overwhelming flow of Chinese immigrants
24 into Tibet, including those areas incorporated

1 into the Chinese provinces of Sichuan, Yunnan,
2 Gansu, and Qinghai; and

3 (B) has excluded Tibetans from participa-
4 tion in important policy decisions, further
5 threatening traditional Tibetan life;

6 (4) the Government of the People's Republic of
7 China denies Tibetans their fundamental human
8 rights, as reported in the Department of State's
9 Country Reports on Human Rights Practices for
10 1993;

11 (5) the President and the Congress have deter-
12 mined that the promotion of human rights in Tibet
13 and the protection of Tibet's religion and culture are
14 important elements in United States-China relations
15 and have urged senior members of the Government
16 of the People's Republic of China to enter into sub-
17 stantive negotiations on these matters with the Dalai
18 Lama or his representative; and

19 (6) the Government of the People's Republic of
20 China has failed to respond in a good faith manner
21 by reciprocating a willingness to begin negotiations
22 without preconditions, and no substantive negotia-
23 tions have begun.

24 (c) POSITION OF UNITED STATES SPECIAL ENVOY
25 FOR TIBET.—

1 (1) ESTABLISHMENT OF POSITION.—There
2 shall be within the Department of State a United
3 States Special Envoy for Tibet, who shall be ap-
4 pointed by the President, by and with the advice and
5 consent of the Senate. The United States Special
6 Envoy for Tibet shall hold office at the pleasure of
7 the President.

8 (2) RANK OF AMBASSADOR.—The United
9 States Special Envoy for Tibet shall have the per-
10 sonal rank of ambassador.

11 (d) RESPONSIBILITIES.—

12 (1) AUTHORITIES.—The United States Special
13 Envoy for Tibet is authorized and encouraged—

14 (A) to promote substantive negotiations be-
15 tween the Dalai Lama or his representatives
16 and senior members of the Government of the
17 People’s Republic of China;

18 (B) to promote good relations between the
19 Dalai Lama and his representatives and the
20 United States Government, including meeting
21 with members or representatives of the Tibetan
22 Government-in-exile; and

23 (C) to travel regularly throughout Tibet
24 and Tibetan refugee settlements.

1 (2) DUTIES.—The United States Special Envoy
2 for Tibet shall—

3 (A) consult with the Congress on policies
4 relevant to Tibet and the future and welfare of
5 all Tibetan people;

6 (B) coordinate United States Government
7 policies, programs, and projects concerning
8 Tibet; and

9 (C) report to the Secretary of State re-
10 garding the matters described in section
11 536(a)(2) of the Foreign Relations Authoriza-
12 tion Act, Fiscal Years 1994 and 1995 (Public
13 Law 103–236).

14 **SEC. 610. PROHIBITION ON USE OF FUNDS TO FACILITATE**
15 **IRAQI REFUGEE ADMISSIONS INTO THE UNIT-**
16 **ED STATES.**

17 None of the funds authorized to be appropriated by
18 this or any other Act may be used for resettlement in the
19 United States, or to provide education, medical examina-
20 tions, training, screening, or otherwise facilitate the ad-
21 mission into the United States of Iraqi nationals seeking
22 refugee status in the United States who are in Saudi Ara-
23 bia or Turkey as of the date of enactment of this Act.

1 **SEC. 611. PROHIBITION OF ARTICLES USING FORCED**
2 **LABOR.**

3 (a) IN GENERAL.—Notwithstanding any other provi-
4 sion of law, no product of the People’s Republic of China
5 shall enter or be imported into the United States unless—

6 (1) the Secretary of the Treasury (hereafter in
7 this section referred to as the “Secretary”) deter-
8 mines that such product is not the product of forced
9 labor,

10 (2) the determination described in paragraph
11 (1) is based on consultations described in subsection
12 (b), and

13 (3) the importer of any product of the People’s
14 Republic of China submits a certification to the Sec-
15 retary in accordance with subsection (c).

16 (b) RIGHT OF INSPECTION AND CONSULTATION.—
17 The United States shall use all diplomatic efforts to per-
18 suade the People’s Republic of China to permit represent-
19 atives of international humanitarian and intergovern-
20 mental organizations, such as the International Commit-
21 tee of the Red Cross, to periodically inspect all camps,
22 prisons, and other facilities holding detainees and the Sec-
23 retary shall consult with representatives of such organiza-
24 tions in order to determine that products of the People’s
25 Republic of China which are for export are not being pro-
26 duced with the use of forced labor.

1 (c) CERTIFICATION.—The Secretary of the Treasury,
2 in consultation with the Secretary of State, shall prescribe
3 the form, content, and manner of submission of the certifi-
4 cation (including documentation) required in connection
5 with the entry or importation into the United States of
6 any product, growth, or manufactured article of the Peo-
7 ple’s Republic of China. Such certification shall satisfy the
8 Secretary that the importer has taken steps to ensure that
9 such product was not produced, grown, or manufactured
10 with the use of forced labor.

11 (d) PENALTIES.—

12 (1) UNLAWFUL ACTS.—It is unlawful to—

13 (A) knowingly enter or import into the
14 United States any product or article if such im-
15 portation is prohibited under subsection (a), or

16 (B) make a false certification under sub-
17 section (c).

18 (2) CIVIL PENALTIES.—Any person or entity
19 who violates paragraph (1) shall be subject to a civil
20 penalty of—

21 (A) not more than \$10,000 for the first
22 violation,

23 (B) not more than \$100,000 for the sec-
24 ond violation, and

1 (C) not more than \$1,000,000 for more
2 than two violations.

3 (3) CONSTRUCTION.—Except as provided in
4 paragraph (2), the unlawful acts described in para-
5 graph (1) shall be treated as violations of the cus-
6 toms laws for purposes of applying the enforcement
7 provisions of the Tariff Act of 1930 (19 U.S.C.
8 1581 through 1641).

9 (e) DEFINITIONS.—For purposes of this section:

10 (1) FORCED LABOR.—The term “forced labor”
11 means all work or service which is exacted from any
12 person under the menace of any penalty for its non-
13 performance and for which the worker does not offer
14 himself voluntarily.

15 (2) PRODUCT.—A product shall be treated as
16 being a product of forced labor if—

17 (A) the article was fabricated, assembled,
18 or processed, in whole or in part;

19 (B) contains any part that was fabricated,
20 assembled, or processed in whole or in part; or

21 (C) was grown, harvested, mined, quarried,
22 pumped, or extracted,
23 with the use of forced labor.

24 (3) ENTER, IMPORT, ETC.—The term “entry”,
25 “enter or be imported”, “import”, or “importation”

1 means entered, or withdrawn from warehouse for
2 consumption, in the customs territory of the United
3 States.

4 **SEC. 612. FORFEITURE OF SLAVE-MADE PRODUCTS.**

5 The Tariff Act of 1930 (46 Stat. 590) is amended
6 by adding after section 307 (19 U.S.C. 1307) the follow-
7 ing new section:

8 **“SEC. 307A. FORFEITURE OF SLAVE-MADE PRODUCTS.**

9 “Merchandise imported in violation of section 307
10 shall be subject to seizure, forfeiture, and destruction
11 under the customs laws of the United States.”.

12 **SEC. 613. SPECIAL ENVOY FOR NAGORNO-KARABAKH.**

13 It is the sense of Congress that the President should
14 immediately appoint a special envoy having the rank of
15 Ambassador to offer assistance in facilitating a negotiated
16 settlement to the conflict in Nagorno-Karabakh and to
17 press for the development of an oil pipeline through Azer-
18 baijan, Armenia, and Turkey.

19 **SEC. 614. REPORT TO CONGRESS CONCERNING CUBAN EMI-**
20 **GRATION POLICIES.**

21 Beginning 3 months after the date of the enactment
22 of this Act, and every 6 months thereafter, the President
23 shall transmit a report to the appropriate congressional
24 committees concerning the methods employed by the Gov-
25 ernment of Cuba to enforce the United States-Cuba agree-

1 ment of September 1994 to restrict the emigration of the
2 Cuban people from Cuba to the United States, and the
3 treatment by the Government of Cuba of persons who have
4 been returned to Cuba pursuant to the United States-
5 Cuba agreement of May 1995. Each report transmitted
6 pursuant to this section shall include a detailed account
7 of United States efforts to monitor such enforcement and
8 treatment.

9 **SEC. 615. EFFORTS AGAINST EMERGING INFECTIOUS DIS-**
10 **EASES.**

11 (a) **PRIORITIZATION.**—The President shall give ur-
12 gent priority to the strengthening of efforts against emerg-
13 ing infectious diseases through the development of appro-
14 priate United States Government strategies and response
15 mechanisms.

16 (b) **STRATEGIC PLAN.**—Not later than February 1,
17 1996, the President shall submit to the Speaker of the
18 House of Representatives and the Committee on Foreign
19 Relations of the Senate a report outlining a United States
20 strategic plan, in cooperation with the international public
21 health infrastructure, to identify and respond to the threat
22 of emerging infectious diseases to the health of the people
23 of the United States.

1 **SEC. 616. REPORT ON FIRMS ENGAGED IN EXPORT OF**
2 **DUAL-USE ITEMS.**

3 The Under Secretary of State for International Secu-
4 rity shall submit a report to Congress no later than 180
5 days after the date of enactment of this Act, and every
6 180 days thereafter until 1998, detailing an organizational
7 plan to include those firms on the Department of State
8 licensing watch-lists that engage in the exportation of po-
9 tentially sensitive or dual-use technologies and have been
10 identified or tracked by similar systems maintained by the
11 Department of Defense, Department of Commerce, or the
12 United States Customs Service. The report shall also de-
13 tail further measures to be taken to strengthen United
14 States export-control mechanisms.

15 **SEC. 617. PROHIBITION ON THE TRANSFER OF ARMS TO IN-**
16 **DONESIA.**

17 Consistent with section 582 of Public Law 103-306,
18 the United States is prohibited from selling or licensing
19 for export to the Government of Indonesia light arms,
20 small weapons, and crowd control ordnances, including
21 helicopter-mounted equipment, until the Secretary of
22 State determines and reports to the Committee on Foreign
23 Relations of the Senate and the Committee on Inter-
24 national Relations of the House of Representatives that
25 there has been significant progress made on human rights
26 in East Timor and elsewhere in Indonesia, including—

1 (1) compliance with the recommendations in the
2 United Nations Special Rapporteur's January 1992
3 report and the March 1993 recommendations of the
4 United Nations Human Rights Commission;

5 (2) significant reduction in Indonesia's troop
6 presence in East Timor;

7 (3) thorough and impartial investigation of
8 gangs and violent civilian groups operating in East
9 Timor;

10 (4) improved access to East Timor for Indo-
11 nesian and international human rights and humani-
12 tarian organizations and journalists, including the
13 deployment of United Nations human rights mon-
14 itors if so requested;

15 (5) constructive participation in the United Na-
16 tions Secretary General's efforts to resolve the sta-
17 tus of East Timor; and

18 (6) greater local control over political, economic,
19 and cultural affairs, with an aim toward resolving
20 the future status of East Timor.

1 **DIVISION B—CONSOLIDATION**
2 **AND REINVENTION OF FOR-**
3 **IGN AFFAIRS AGENCIES**

4 **SEC. 1001. SHORT TITLE.**

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

7 **SEC. 1002. PURPOSES.**

8 The purposes of this division are—

9 (1) to consolidate and reinvent foreign affairs
10 agencies of the United States within the Department
11 of State;

12 (2) to provide for the reorganization of the De-
13 partment of State to maximize efficient use of re-
14 sources, eliminate redundancy in functions, and im-
15 prove the management of the State Department;

16 (3) to assist congressional efforts to balance the
17 Federal budget by the year 2002;

18 (4) to ensure that the international affairs
19 budget function shoulders an appropriate share of
20 the reductions in United States Government spend-
21 ing necessary to eliminate the \$4,800,000,000,000
22 budget deficit;

23 (5) to strengthen—

24 (A) the coordination of United States for-
25 eign policy;

1 (B) the leading role of the Secretary of
2 State in the formulation and articulation of
3 United States foreign policy;

4 (C) the authority of United States ambas-
5 sadors over all United States Government per-
6 sonnel and resources located in United States
7 diplomatic missions, in order to enhance the
8 ability of the ambassadors to deploy those re-
9 sources to the best effect that will attain the
10 President's foreign policy objectives; and

11 (D) the United States Foreign Service, as
12 the forward deployed civilian force of the Unit-
13 ed States Government, through the creation of
14 a Unified Foreign Service, with renewed empha-
15 sis on the original principles which undergird
16 the distinct Foreign Service personnel system.
17 These include worldwide availability, assign-
18 ments based on the needs of the service, rank
19 in person, and merit-based advancement;

20 (6) to abolish, not later than March 1, 1997,
21 the United States Arms Control and Disarmament
22 Agency, the United States Information Agency, the
23 International Development Cooperation Agency, and
24 the Agency for International Development;

1 (7) to encourage United States foreign affairs
2 agencies to maintain a high percentage of the best
3 qualified, most competent American citizens serving
4 in the United States Government while downsizing
5 significantly the total number of people employed by
6 these agencies; and

7 (8) to ensure that all functions of diplomacy be
8 subject to recruitment, training, assignment, pro-
9 motion and egress based on common standards and
10 procedures, with maximum interchange among the
11 functions.

12 **TITLE XI—ORGANIZATION OF**
13 **THE DEPARTMENT OF STATE**
14 **AND FOREIGN SERVICE**

15 **SEC. 1101. OFFICE OF THE SECRETARY OF STATE.**

16 (a) SECRETARY OF STATE.—Section 1 of the State
17 Department Basic Authorities of 1956 (22 U.S.C. 2651a)
18 is amended—

19 (1) by redesignating paragraphs (3) and (4) as
20 paragraphs (4) and (5), respectively; and

21 (2) by inserting after paragraph (2) the follow-
22 ing new paragraph:

23 “(3) The Secretary shall serve as the principal
24 foreign policy adviser to the President and shall,
25 under the direction of the President, be responsible

1 for the overall direction, coordination, and super-
2 vision of United States foreign relations and for the
3 interdepartmental activities of the United States
4 Government abroad.”.

5 (b) DEPUTY SECRETARY.—Section 1(b) of the State
6 Department Basic Authorities Act of 1956 (22 U.S.C.
7 2651a(b)) is amended to read as follows:

8 “(b) DEPUTY SECRETARY.—(1) There shall be within
9 the Department of State a Deputy Secretary of State, who
10 shall be appointed by the President, by and with the advice
11 and consent of the Senate.

12 “(2) The Deputy Secretary shall have primary re-
13 sponsibility, which may not be delegated, to assure ade-
14 quate foreign policy coordination with respect to the inter-
15 national activities of other agencies and development enti-
16 ties.

17 “(3) The Deputy Secretary shall act for, and exercise
18 the powers of, the Secretary during his absence or disabil-
19 ity or during a vacancy in the office of the Secretary.”.

20 (c) AMERICA DESK.—Section 1(c) of the State De-
21 partment Basic Authorities Act of 1956 (22 U.S.C.
22 2651a(c)) is amended to read as follows:

23 “(c) AMERICA DESK.—(1)(A) The Secretary shall es-
24 tablish and maintain staff within the office of the Sec-
25 retary that shall be responsible for ensuring that adequate

1 consideration is afforded to United States commercial and
2 business interests in the formulation of United States for-
3 eign policy.

4 “(B) The staff established under subparagraph (A)
5 may be referred to as the ‘America Desk’.

6 “(2) The America Desk shall also serve as an om-
7 budsman and as a point of liaison to United States com-
8 mercial and economic interests and to provide policy-
9 makers with input that will help keep policy responsive
10 to the needs of United States citizens.

11 “(3) In addition, in the event of certain foreign emer-
12 gencies or crises affecting United States citizens, the
13 America Desk shall help energize the Department’s re-
14 sources in a coordinated response.”.

15 (d) RESOURCES, POLICY, AND PLANNING STAFF.—
16 Section 1 of the State Department Basic Authorities Act
17 of 1956 (22 U.S.C. 2651a) is amended—

18 (1) by striking subsection (e);

19 (2) by redesignating subsection (d) as sub-
20 section (e); and

21 (3) by amending subsection (d) to read as fol-
22 lows:

23 “(d) RESOURCES, POLICY, AND PLANNING STAFF.—

24 (1) The Secretary shall establish and maintain a Re-
25 sources, Policy, and Planning Staff within the office of

1 the Secretary to provide the Secretary, the Deputy Sec-
 2 retary of State, and the Under Secretaries of State precise
 3 information on and recommendations concerning the re-
 4 source implications of foreign policy proposals.

5 “(2) The staff shall be responsible to ensure that the
 6 Secretary of State has an independent assessment of the
 7 budgetary impact of foreign policy proposals.”.

8 (e) ASSUMPTION OF DUTIES BY INCUMBENT AP-
 9 POINTEES.—An individual holding an office immediately
 10 prior to the date of enactment of this Act—

11 (1) who was appointed to the office by the
 12 President, by and with the advice and consent of the
 13 Senate; and

14 (2) who performs duties substantially similar to
 15 the duties of an office created or proposed to be cre-
 16 ated under the amendments of this section,
 17 may, in the discretion of the Secretary of State, assume
 18 the duties of such new office, and shall not be required
 19 to be reappointed by reason of the enactment of this sec-
 20 tion.

21 **SEC. 1102. UNDER SECRETARIES.**

22 (a) AMENDMENT TO THE STATE DEPARTMENT
 23 BASIC AUTHORITIES ACT.—The State Department Basic
 24 Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is

1 amended by inserting after section 1 the following new
2 section:

3 **“SEC. 1A. UNDER SECRETARIES OF STATE.**

4 “(a) IN GENERAL.—(1) There shall be in the Depart-
5 ment of State not more than the following five Under Sec-
6 retaries of State, who shall be appointed by the President,
7 by and with the advice and consent of the Senate:

8 “(A) The Under Secretary of State for Policy.

9 “(B) The Under Secretary of State for Export,
10 Trade, Economics, and Business.

11 “(C) The Under Secretary of State for Inter-
12 national Security.

13 “(D) The Under Secretary of State for Public
14 Diplomacy.

15 “(E) The Under Secretary of State for Manage-
16 ment.

17 “(2) The responsibilities of the Under Secretaries of
18 State include, but are not limited to, the responsibilities
19 provided for in this section.

20 “(b) UNDER SECRETARY OF STATE FOR POLICY.—

21 “(1) IN GENERAL.—There is an Under Sec-
22 retary of State for Policy.

23 “(2) RESPONSIBILITIES.—The Under Secretary
24 of State for Policy shall be responsible to the Sec-

1 retary of State and the Deputy Secretary of State
2 for the following:

3 “(A) Assisting in the development, imple-
4 mentation, and conduct of foreign policy and
5 foreign assistance policy.

6 “(B) Determining the policy goals and
7 functions of United States diplomatic missions
8 and ensuring that overall mission staffing re-
9 flects policy priorities.

10 “(C) Ensuring policy coordination of all
11 international programs carried out by the de-
12 partments and agencies of the Federal Govern-
13 ment in the areas within the responsibilities of
14 the Under Secretary.

15 “(3) OFFICE OF THE UNDER SECRETARY.—
16 There shall be within the Office of the Under Sec-
17 retary for Policy the Office of Enterprise Fund Co-
18 ordination which shall ensure that programs of en-
19 terprise funds support regional policy goals, are well
20 managed and audited, and are sufficiently capital-
21 ized.

22 “(c) UNDER SECRETARY OF STATE FOR EXPORT,
23 TRADE, ECONOMICS, AND BUSINESS.—

1 “(1) IN GENERAL.—There is an Under Sec-
2 retary of State for Export, Trade, Economics, and
3 Business.

4 “(2) RESPONSIBILITIES.—(A) The Under Sec-
5 retary of State for Export, Trade, Economics, and
6 Business shall be responsible to the Secretary of
7 State and the Deputy Secretary of State for the fol-
8 lowing:

9 “(i) Assisting in the development, imple-
10 mentation, and conduct of foreign policy and
11 foreign assistance policy with respect to export
12 promotion, trade, economics, and business and
13 with respect to science and environmental mat-
14 ters and the oceans.

15 “(ii) Overseeing international programs
16 with respect to the matters referred to in sub-
17 paragraph (A) that are carried out by the de-
18 partments and agencies of the Federal Govern-
19 ment other than the Department of State.

20 “(B) The Under Secretary shall be the rep-
21 resentative of the Department of State on the Trade
22 Promotion Coordinating Committee established
23 under section 2312 of the Export Enhancement Act
24 of 1988 (15 U.S.C. 4724).

1 “(d) UNDER SECRETARY OF STATE FOR INTER-
2 NATIONAL SECURITY.—

3 “(1) IN GENERAL.—There is an Under Sec-
4 retary of State for International Security.

5 “(2) RESPONSIBILITIES.—The Under Secretary
6 of State for International Security shall be respon-
7 sible to the Secretary of State and the Deputy Sec-
8 retary of State for the following:

9 “(A) Assisting in the development of policy
10 relating to matters of international security, in-
11 cluding arms control and nonproliferation,
12 international narcotics and crime control, refu-
13 gee and migration affairs, emergency humani-
14 tarian issues, and foreign assistance issues re-
15 lated thereto.

16 “(B) Advising on matters of arms control
17 and disarmament, arms sales, and nonprolifera-
18 tion of weapons of mass destruction.

19 “(3) OFFICE OF THE UNDER SECRETARY.—
20 There shall be within the Office of the Under Sec-
21 retary of State for International Security—

22 “(A) the Coordinator for Economic Sup-
23 port Funds-Foreign Military Financing, who
24 shall seek to assure that programs under chap-
25 ter 4 of part II of the Foreign Assistance Act

1 of 1961 and under section 23 of the Arms Ex-
2 port Control Act reflect United States foreign
3 policy objectives; and

4 “(B) the Coordinator for Counter-Terror-
5 ism, who shall develop, coordinate, and oversee
6 the implementation of, the policy of the Depart-
7 ment of State to counter acts of international
8 terrorism.

9 “(e) UNDER SECRETARY OF STATE FOR PUBLIC DI-
10 PLOMACY.—

11 “(1) IN GENERAL.—There is an Under Sec-
12 retary of State for Public Diplomacy.

13 “(2) RESPONSIBILITIES.—The Under Secretary
14 of State for Public Diplomacy shall be responsible to
15 the Secretary of State and the Deputy Secretary of
16 State for the following:

17 “(A) Assisting in the development, imple-
18 mentation, and conduct of United States policy
19 on public diplomacy, including international ex-
20 change programs and international broadcast-
21 ing.

22 “(B) Coordinating international exchange
23 programs that are carried out by departments
24 and agencies of the Federal Government other
25 than the Department of State.

1 “(C) Disseminating information, including
 2 the use and maintenance of electronic informa-
 3 tion capabilities, such as the wireless file, and
 4 library and overseas resource centers.

5 “(i) providing information to the pub-
 6 lic outside the United States on United
 7 States foreign policy and assistance policy;
 8 and

9 “(ii) providing to the Secretary of
 10 State information on public reaction, for-
 11 eign attitudes and media reaction to Unit-
 12 ed States foreign policy.

13 “(3) OFFICE OF THE UNDER SECRETARY.—
 14 There shall be within the office of the Under Sec-
 15 retary of State of Public Diplomacy the Press Office
 16 and Spokesperson which shall carry out domestic li-
 17 aison activities, including authority over the current
 18 foreign press centers in the United States.

19 “(f) UNDER SECRETARY OF STATE FOR MANAGE-
 20 MENT.—

21 “(1) IN GENERAL.—There is an Under Sec-
 22 retary of State for Management.

23 “(2) RESPONSIBILITIES.—The Under Secretary
 24 of State for Management shall be responsible to the

1 Secretary of State and the Deputy Secretary of
2 State for the following:

3 “(A) Assisting in the development, imple-
4 mentation, and conduct of policy for the man-
5 agement of the Department of State, including
6 the management of United States diplomatic
7 missions and consular posts abroad.

8 “(B) Assuring adequate management sup-
9 port for the conduct of United States foreign
10 policy and foreign assistance policy, including
11 personnel staffing levels adequate to support
12 the overall foreign policy objectives.

13 “(C) Developing and implementing policy
14 on consular programs.”.

15 (b) ASSUMPTION OF DUTIES BY INCUMBENT AP-
16 POINTEES.—An individual holding an office immediately
17 prior to the date of enactment of this Act—

18 (1) who was appointed to the office by the
19 President, by and with the advice and consent of the
20 Senate; and

21 (2) who performs duties substantially similar to
22 the duties of an office created or proposed to be cre-
23 ated under section 1A of the State Department
24 Basic Authorities Act of 1956,

1 may, in the discretion of the Secretary of State, assume
2 the duties of such new office, and shall not be required
3 to be reappointed by reason of the enactment of that sec-
4 tion.

5 **SEC. 1103. ASSISTANT SECRETARIES OF STATE.**

6 (a) AMENDMENT TO THE STATE DEPARTMENT
7 BASIC AUTHORITIES ACT.—The State Department Basic
8 Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is
9 amended by inserting after section 1A, as added by section
10 1102, the following new section:

11 **“SEC. 1B. ASSISTANT SECRETARIES OF STATE.**

12 “(a) IN GENERAL.—(1) There shall be in the Depart-
13 ment of State not more than 20 Assistant Secretaries of
14 State, who shall be appointed by the President, by and
15 with the advice and consent of the Senate. The responsibil-
16 ities of the Assistant Secretaries of State include, but are
17 not limited to, the responsibilities provided for in this sec-
18 tion.

19 “(2) Under each Assistant Secretary of State having
20 regional responsibilities described in paragraphs (1)
21 through (6) of subsection (b), there should be a Deputy
22 Assistant Secretary of State for Trade, and Development
23 Assistance.

24 “(b) ASSISTANT SECRETARIES REPORTING TO THE
25 UNDER SECRETARY OF STATE FOR POLICY.—The follow-

1 ing Assistant Secretaries of State should be subject to the
2 supervision and policy guidance of the Under Secretary
3 of State for Policy and should have the following respon-
4 sibilities:

5 “(1) ASSISTANT SECRETARY FOR INTER-AMER-
6 ICAN AFFAIRS.—There should be an Assistant Sec-
7 retary of State for Inter-American Affairs who
8 should assist in the development and implementation
9 of United States foreign policy and foreign assist-
10 ance policy with respect to the Western Hemisphere.

11 “(2) ASSISTANT SECRETARY FOR WESTERN
12 AND CENTRAL EUROPEAN AFFAIRS.—There should
13 be an Assistant Secretary of State for Western and
14 Central European Affairs who should assist in the
15 development and implementation of United States
16 foreign policy and foreign assistance policy with re-
17 spect to Western and Central Europe.

18 “(3) ASSISTANT SECRETARY FOR ASIAN AND
19 PACIFIC AFFAIRS.—There should be an Assistant
20 Secretary of State for Asian and Pacific Affairs who
21 should assist in the development and implementation
22 of United States foreign policy and foreign assist-
23 ance policy with respect to Asia and the Pacific.

24 “(4) ASSISTANT SECRETARY FOR AFRICAN AF-
25 FAIRS.—There should be an Assistant Secretary of

1 State for African Affairs who should assist in the
2 development and implementation of United States
3 foreign policy and foreign assistance policy with re-
4 spect to Africa.

5 “(5) ASSISTANT SECRETARY FOR NEAR EAST-
6 ERN AFFAIRS.—There should be an Assistant Sec-
7 retary of State for Near Eastern Affairs who should
8 assist in the development and implementation of
9 United States foreign policy and foreign assistance
10 policy with respect to the Near East.

11 “(6) ASSISTANT SECRETARY FOR EASTERN EU-
12 ROPE AND CENTRAL ASIA AFFAIRS.—There should
13 be an Assistant Secretary of State for Eastern Eu-
14 rope and Central Asia Affairs who should assist in
15 the development and implementation of United
16 States foreign policy and foreign assistance policy
17 with respect to Armenia, Azerbaijan, Georgia,
18 Kazakstan, Kyrgyzstan, Russia, Tajikistan,
19 Turkmenistan, and Uzbekistan.

20 “(7) ASSISTANT SECRETARY FOR INTER-
21 NATIONAL ORGANIZATIONS.—There should be an As-
22 sistant Secretary for International Organizations
23 who should have the rank and status of Ambassador
24 Extraordinary and Plenipotentiary and who—

1 “(A) should serve as the Permanent Rep-
2 resentative of the United States to the United
3 Nations;

4 “(B) may serve ex officio as representative
5 of the United States in any organ, commission,
6 or other body of any international organization
7 other than a specialized agency of the United
8 Nations;

9 “(C) should develop, coordinate, and imple-
10 ment United States policy in the United Na-
11 tions, specialized agencies, and other inter-
12 national organizations, including United States
13 policy on issues relating to United Nations
14 peacekeeping activities;

15 “(D) should ensure that the United States
16 participates in international organizations in a
17 consistent fashion; and

18 “(E) should manage United States partici-
19 pation in multilateral conferences, including ac-
20 crediting and instructing United States delega-
21 tions to such conferences and providing rep-
22 resentational and logistical support to such del-
23 egations.

24 “(8) ASSISTANT SECRETARY FOR DEMOCRACY
25 AND HUMAN RIGHTS.—There should be an Assistant

1 Secretary of State for Democracy and Human
2 Rights, who should—

3 “(A) develop, coordinate, and implement
4 United States policy and programs for the pro-
5 motion of freedom, democracy, respect for
6 human rights, and similar matters around the
7 world;

8 “(B) support and provide advice to the re-
9 gional Assistant Secretaries of State referred to
10 in paragraphs (1) through (6) in the promotion
11 of the matters referred to in subparagraph (A);

12 “(C) serve as liaison with nongovernmental
13 organizations that are active in the promotion
14 of such matters;

15 “(D) prepare the annual report of the De-
16 partment of State on human rights practices;
17 and

18 “(E) advise the Immigration and Natu-
19 ralization Service on applications by foreign na-
20 tionals for political asylum in the United States.

21 “(c) ASSISTANT SECRETARIES REPORTING TO THE
22 UNDER SECRETARY OF STATE FOR EXPORT, TRADE, EC-
23 ONOMICS, AND BUSINESS.—The following Assistant Sec-
24 retaries of State should be subject to the supervision and
25 policy guidance of the Under Secretary of State for Ex-

1 port, Trade, Economics, and Business and should have the
2 following responsibilities:

3 “(1) ASSISTANT SECRETARY FOR ECONOMICS
4 AND BUSINESS AFFAIRS.—

5 “(A) IN GENERAL.—There should be an
6 Assistant Secretary of State for Economics and
7 Business Affairs who should—

8 “(i) develop, coordinate, and imple-
9 ment United States international economic
10 policy, including resource and food policy,
11 energy policy, trade policy, policy with re-
12 spect to economic sanctions, and policy for
13 the promotion of a stable and open inter-
14 national financial system;

15 “(ii) ensure that United States eco-
16 nomic and commercial interests are given
17 appropriate weight in the development and
18 implementation of United States foreign
19 policy;

20 “(iii) negotiate agreements for the
21 purposes of promoting United States busi-
22 ness abroad, improving the economic com-
23 petitiveness of United States business
24 abroad, and facilitating United States
25 business activities abroad; and

1 “(iv) advise other bureaus and ele-
2 ments of the Department of State on eco-
3 nomic policy issues relating to the matters
4 set forth in clauses (i) through (iii).

5 “(B) OFFICE OF THE ASSISTANT SEC-
6 RETARY.—There should be within the Office of
7 the Assistant Secretary of State for Economic
8 and Business Affairs the Office of Tele-
9 communications and Aviation. The office
10 should—

11 “(i) develop, coordinate, and imple-
12 ment policy on issues relating to inter-
13 national telecommunications, international
14 information utilization and exchange, and
15 international aviation and maritime mat-
16 ters;

17 “(ii) consult with and coordinate the
18 activities of the other departments and
19 agencies of the Federal Government with
20 respect to the policy referred to in clause
21 (i); and

22 “(iii) conduct negotiations with for-
23 eign governments and international organi-
24 zations with respect to such policy.

1 “(2) ASSISTANT SECRETARY FOR OCEANS AND
2 ENVIRONMENTAL AND SCIENCE AFFAIRS.—There
3 should be an Assistant Secretary of State for Oceans
4 and Environmental and Science Affairs who should
5 develop, coordinate, and implement policy on the sci-
6 entific and technological facets of the relations of the
7 United States with foreign governments and inter-
8 national organizations and on matters relating to the
9 environment, the oceans, fishing, and space.

10 “(d) ASSISTANT SECRETARIES REPORTING TO THE
11 UNDER SECRETARY OF STATE FOR INTERNATIONAL SE-
12 CURITY.—The following Assistant Secretaries of State
13 should be subject to the supervision and policy guidance
14 of the Under Secretary of State for International Security
15 and should have the following responsibilities:

16 “(1) ASSISTANT SECRETARY FOR ARMS CON-
17 TROL AND NON-PROLIFERATION AFFAIRS.—(A)
18 There shall be an Assistant Secretary of State for
19 Arms Control and Non-Proliferation Affairs who
20 shall—

21 “(i) develop and coordinate policy on non-
22 proliferation of weapons of mass destruction
23 (including nuclear, chemical, and biological
24 weapons and missile technology) and nuclear
25 and conventional arms control; and

1 “(ii) prepare for and operate United States
2 participation in international control systems
3 that may result from United States arms con-
4 trol activities.

5 “(B) DEPUTY ASSISTANT SECRETARIES.—(i)
6 There shall be four Deputy Assistant Secretaries of
7 State who shall report to the Assistant Secretary of
8 State for Arms Control and Non-Proliferation Af-
9 fairs for the following matters, respectively:

10 “(I) Verification of compliance with arms
11 control agreements (including memoranda of
12 understanding).

13 “(II) Conventional arms control.

14 “(III) Nuclear nonproliferation.

15 “(IV) Control of weapons of mass destruc-
16 tion.

17 “(ii) One such Deputy Assistant Secretary shall
18 serve as the principal Deputy to the Assistant Sec-
19 retary.

20 “(2) ASSISTANT SECRETARY FOR INTER-
21 NATIONAL NARCOTICS AND LAW ENFORCEMENT AF-
22 FAIRS.—There should be an Assistant Secretary of
23 State for International Narcotics and Law Enforce-
24 ment Affairs who should—

1 “(A) develop, coordinate, and implement
2 international narcotics assistance activities dele-
3 gated to the Secretary of State under chapter
4 8 of part I of the Foreign Assistance Act of
5 1961 (22 U.S.C. 2291 et seq.);

6 “(B) serve as principal point of contact
7 and provide advice on international narcotics
8 control matters for the Office of Management
9 and Budget, the National Security Council, and
10 the Executive Office of the President to ensure
11 implementation of United States policy in nar-
12 cotics matters; and

13 “(C) carry out international law enforce-
14 ment activities of the Department of State
15 under the International Narcotics Control Cor-
16 rection Act of 1994, including—

17 “(i) promoting law enforcement and
18 policy initiatives bilaterally or multilater-
19 ally which are of high priority to the na-
20 tional interest of the United States;

21 “(ii) promoting improved coordination
22 among United States policy and law en-
23 forcement agencies for their activities out-
24 side the United States; and

1 “(iii) developing law enforcement
2 training programs to strengthen and sta-
3 bilize democracies throughout the world.

4 “(3) ASSISTANT SECRETARY FOR POLITICAL-
5 MILITARY AFFAIRS.—There should be an Assistant
6 Secretary of State for Political-Military Affairs who
7 should—

8 “(A) serve as the Department’s primary li-
9 aision with the Department of Defense;

10 “(B) seek to further United States na-
11 tional security objectives by—

12 “(i) stabilizing regional military bal-
13 ances through negotiations and security as-
14 sistance;

15 “(ii) maintaining global access for
16 United States military forces;

17 “(iii) inhibiting the access by adver-
18 saries to militarily significant technologies;
19 and

20 “(iv) promoting responsible United
21 States defense trade; and

22 “(C) coordinate with the Department of
23 Defense on issues involving United States par-
24 ticipation in United Nations peacekeeping ac-
25 tivities.

1 “(4) ASSISTANT SECRETARY FOR HUMANI-
2 TARIAN ASSISTANCE, REFUGEES, AND MIGRATION
3 AFFAIRS.—There should be an Assistant Secretary
4 of State for Humanitarian Assistance, Refugees, and
5 Migration Affairs who should—

6 “(A) recommend and implement policy on
7 humanitarian assistance and refugee and mi-
8 gration affairs;

9 “(B) operate United States refugee pro-
10 grams abroad, carried out in cooperation with
11 other governments, private and international or-
12 ganizations, and other United States govern-
13 ment agencies;

14 “(C) carry out programs relating to the re-
15 lief and repatriation of refugees, and the selec-
16 tion and processing of refugees to be admitted
17 to the United States;

18 “(D) implement abroad United States pro-
19 grams for disaster preparedness, relief, and re-
20 habilitation, incorporating activities previously
21 carried out by the Office of Foreign Disaster
22 Assistance of the Agency for International De-
23 velopment; and

1 “(E) function as primary coordination
2 point for United States’ international humani-
3 tarian emergency response efforts.

4 “(e) ASSISTANT SECRETARIES REPORTING TO THE
5 UNDER SECRETARY OF STATE FOR PUBLIC DIPLO-
6 MACY.—Except as provided in paragraph (2), the follow-
7 ing Assistant Secretary of State and officials of the De-
8 partment of State should be subject to the supervision and
9 policy guidance of the Under Secretary of State for Public
10 Diplomacy and should have the following responsibilities:

11 “(1) ASSISTANT SECRETARY FOR INTER-
12 NATIONAL EXCHANGES.—

13 “(A) IN GENERAL.—There shall be an As-
14 sistant Secretary of State for International Ex-
15 changes who shall—

16 “(i) administer programs carried out
17 under the Mutual Educational and Cul-
18 tural Exchange Act of 1961 (Public Law
19 87–256) so as to ensure that such pro-
20 grams support United States interests
21 abroad and reflect the values of the people
22 of the United States;

23 “(ii) develop and implement policy for,
24 and provide professional guidance, mate-
25 rials, and other program support to, the li-

1 braries and binational centers of the De-
2 partment of State abroad;

3 “(iii) administer fine arts programs
4 and performing arts programs abroad, in-
5 cluding arranging for tours abroad of
6 United States performing arts groups and
7 fine arts exhibitions; and

8 “(iv) develop and implement other
9 programs in support of United States in-
10 terests abroad, including programs for the
11 identification and recruitment of individ-
12 uals to speak of such interests abroad and
13 for establishing links between United
14 States and foreign cultural institutions.

15 “(B) OFFICE OF THE ASSISTANT SEC-
16 RETARY.—There shall be within the Office of
17 the Assistant Secretary of State for Inter-
18 national Exchanges the Office of Program Co-
19 ordination. The Secretary of State, acting
20 through the Office, shall be responsible for
21 tracking identification and coordination of all
22 United States Government sponsored non-
23 military international exchange programs. The
24 Office shall be charged to identify and make
25 recommendations to the President on programs

1 that are duplicative and, therefore, should be
2 eliminated.

3 “(2) CHAIRMAN OF THE BROADCASTING BOARD
4 OF GOVERNORS AND THE DIRECTOR OF THE INTER-
5 NATIONAL BROADCASTING OFFICE.—The Chairman
6 of the Broadcasting Board of Governors and the Di-
7 rector of the International Broadcasting Office shall
8 have the responsibilities set forth for those positions
9 in title III of the Foreign Relations Authorization
10 Act, Fiscal Years 1994 and 1995.

11 “(f) ASSISTANT SECRETARIES REPORTING TO THE
12 UNDER SECRETARY OF STATE FOR MANAGEMENT.—The
13 following Assistant Secretaries of State should be subject
14 to the supervision and policy guidance of the Under Sec-
15 retary of State for Management and should have the fol-
16 lowing responsibilities:

17 “(1) ASSISTANT SECRETARY FOR CONSULAR
18 AFFAIRS.—There should be an Assistant Secretary
19 of State for Consular Affairs who should develop, co-
20 ordinate, and implement policy relating to the pro-
21 tection and welfare of United States citizens and in-
22 terests abroad, the issuance of passports and visas,
23 and the provision of other consular services.

1 “(2) ASSISTANT SECRETARY FOR ADMINISTRA-
2 TION.—There should be an Assistant Secretary of
3 State for Administration who should—

4 “(A) develop, coordinate, and implement
5 policy, programs, and activities for the provision
6 of administrative support for the Department of
7 State, including support for building operations
8 of the Department in the United States and
9 abroad, support for information management,
10 support for telecommunications, support for the
11 Diplomatic Contingency Program of the De-
12 partment, support for travel abroad by the
13 President and the Vice President, and support
14 for schools for dependents of Department per-
15 sonnel abroad;

16 “(B) manage acquisition activities of the
17 Department in the United States;

18 “(C) oversee acquisition activities of the
19 Department abroad;

20 “(D) ensure the provision of supply and
21 transportation services to the Department; and

22 “(E) ensure the provision of language serv-
23 ices for the Secretary of State, the Executive
24 Office of the President, and other officials of
25 the Federal Government.

1 “(3) ASSISTANT SECRETARY FOR DIPLOMATIC
2 SECURITY.—There should be an Assistant Secretary
3 of State for Diplomatic Security who should—

4 “(A) develop, coordinate, and implement
5 policy for the purpose of ensuring the security
6 of personnel who conduct United States diplo-
7 macy and promote United States interests
8 abroad;

9 “(B) assign security personnel to posts
10 abroad for the purpose referred to in subpara-
11 graph (A);

12 “(C) carry out the duties set forth in the
13 Omnibus Diplomatic Security Act of 1986 (22
14 U.S.C. 4801 et seq.); and

15 “(D) administer through the Office of For-
16 eign Missions, the authorities relating to the
17 regulation of foreign missions under title II of
18 this Act.

19 “(g) POSITIONS REPORTING TO THE SECRETARY OF
20 STATE.—There should be in the Department of State, the
21 following officials who should be appointed by the Presi-
22 dent, by and with the advice and consent of the Senate,
23 and who should report to the Secretary of State and who
24 should have the following responsibilities:

1 “(1) ASSISTANT SECRETARY OF STATE FOR IN-
2 TELLIGENCE AND STRATEGIC PLANS.—There should
3 be an Assistant Secretary of State for Intelligence
4 and Strategic Plans, who should—

5 “(A) provide the Secretary, the Deputy
6 Secretary, and Department principals with in-
7 telligence information, briefings, analysis, and
8 coordination necessary to carry out the Presi-
9 dent’s foreign policy;

10 “(B) serve as primary adviser to the Sec-
11 retary of State and intelligence briefer for sen-
12 ior Department policymakers;

13 “(C) undertake strategic (medium- and
14 long-term) policy studies and analyses, and
15 keep policymakers aware of strategic trends in
16 areas of current or potential policy interest”;
17 and

18 “(D) provide the intelligence community
19 guidance as necessary to help ensure products
20 are focused adequately to support policymakers.

21 “(2) ASSISTANT SECRETARY OF STATE FOR
22 LEGISLATIVE AFFAIRS.—There should be an Assist-
23 ant Secretary of State for Legislative Affairs, who
24 should—

1 “(A) supervise and coordinate all foreign
2 affairs-related legislative activities within the
3 Department of State and among the Depart-
4 ment, Congress, and other agencies;

5 “(B) supervise and coordinate all personnel
6 of the Department who are designated or as-
7 signed legislative responsibilities and who
8 should report to the Assistant Secretary of
9 State for Legislative Affairs;

10 “(C) ensure that congressional perspectives
11 are considered in the foreign policymaking proc-
12 ess, that the administration’s views are accu-
13 rately presented to Congress, and that a coordi-
14 nated legislative strategy is implemented by ex-
15 ecutive branch agencies; and

16 “(D) be responsible for rating and review-
17 ing all employees of any bureau whose duties
18 comprise primarily of legislative matters.”.

19 (b) ASSUMPTION OF DUTIES BY INCUMBENT AP-
20 POINTEES.—An individual holding an office immediately
21 prior to the date of enactment of this Act—

22 (1) who was appointed to the office by the
23 President, by and with the advice and consent of the
24 Senate; and

1 (2) who performs duties substantially similar to
 2 the duties of an office created or proposed to be cre-
 3 ated under section 1B of the State Department
 4 Basic Authorities Act of 1956,
 5 may, in the discretion of the Secretary of State, assume
 6 the duties of such new office, and shall not be required
 7 to be reappointed by reason of the enactment of that sec-
 8 tion.

9 **SEC. 1104. OTHER STATE DEPARTMENT POSITIONS.**

10 (a) AMENDMENT TO STATE DEPARTMENT BASIC AU-
 11 THORITIES ACT.—Section 1B of the State Department
 12 Basic Authorities Act of 1956, as added by this Act, is
 13 amended by adding at the end the following new section:

14 **“SEC. 1C. OTHER STATE DEPARTMENT POSITIONS.**

15 “(a) GENERAL COUNSEL.—

16 “(1) There should be a General Counsel, who
 17 should be appointed by the President, by and with
 18 the advice and consent of the Senate, who should be
 19 paid at the rate provided for positions at level IV of
 20 the Executive Schedule, and who should—

21 “(A) serve as principal adviser to the Sec-
 22 retary and, through the Secretary, to the Presi-
 23 dent on all matters of international law arising
 24 in the conduct of United States foreign rela-
 25 tions; and

1 “(B) provide general legal advice and serv-
2 ices to the Secretary and other officials of the
3 Department on matters with which the Depart-
4 ment and overseas posts are concerned.

5 “(2) The General Counsel should assume the
6 functions previously exercised by the Legal Adviser.

7 “(b) POSITIONS REPORTING TO THE UNDER SEC-
8 RETARY OF STATE FOR MANAGEMENT.—The following of-
9 ficials within the Department of State should report di-
10 rectly to the Under Secretary of State for Management:

11 “(1) CHIEF FINANCIAL OFFICER.—There is in
12 the Department of State a Chief Financial Officer
13 who is appointed and paid in accordance with sec-
14 tion 901 of title 31, United States Code, and who
15 shall—

16 “(A) serve as the Department’s Budget
17 Officer and shall manage the financial affairs of
18 the Department, consistent with section 902 of
19 title 31, United States Code;

20 “(B) ensure adequate systems within the
21 Department for the production of reliable and
22 timely financial and related programmatic in-
23 formation;

1 “(C) develop financial analysis and per-
2 formance reports regarding the activities of the
3 Department; and

4 “(D) integrate functions of the Depart-
5 ment related to budget execution and financial
6 accounting.

7 “(2) DIRECTOR GENERAL OF THE FOREIGN
8 SERVICE.—There should be a Director General of
9 the Foreign Service who should be appointed by the
10 President, by and with the advice and consent of the
11 Senate, and who should be paid at the rate of pay
12 provided for positions at level IV of the Executive
13 Schedule. The Director General should—

14 “(A) act as principal advisor to the Sec-
15 retary of State on all matters relating to the
16 Foreign Service, including matters relating to
17 recruitment, training, professional development,
18 assignment, and utilization of Foreign Service
19 personnel; and

20 “(B) provide joint training for all such
21 personnel and ensure the assignment of such
22 personnel to positions that require and provide
23 experience in a variety of disciplines; and

1 “(C) perform such functions in connection
2 with the administration of the Foreign Service
3 as the Secretary of State may prescribe.

4 “(3) DIRECTOR OF PERSONNEL.—There should
5 be within the Department of State a Director of
6 Personnel who should be appointed by the President,
7 by and with the advice and consent of the Senate,
8 and who should be paid at the rate of pay provided
9 for positions at level IV of the Executive Schedule.
10 The Director of Personnel should—

11 “(A) implement policies and programs for
12 personnel of the Department of State, including
13 personnel under the Civil Service system, per-
14 sonnel under the Foreign Service System (in
15 consultation with the Director General for the
16 Foreign Service), and personnel who are For-
17 eign Service National employees; and

18 “(B) oversee activities of the National Cen-
19 ter for Humanities, Education, Languages, and
20 Management Studies.”.

21 (b) CONFORMING REPEAL.—Section 208 of the For-
22 eign Service Act of 1980 (22 U.S.C. 3928), relating to
23 the Director General of the Foreign Service, is repealed.

1 (c) ASSUMPTION OF DUTIES BY INCUMBENT AP-
2 POINTEES.—An individual holding an office immediately
3 prior to the date of enactment of this Act—

4 (1) who was appointed to the office by the
5 President, by and with the advice and consent of the
6 Senate; and

7 (2) who performs duties substantially similar to
8 the duties of an office created or proposed to be cre-
9 ated under section 1C of the State Department
10 Basic Authorities Act of 1956,
11 may, at the discretion of the Secretary of State, assume
12 the duties of such new office, and shall not be required
13 to be reappointed by reason of the enactment of that sec-
14 tion.

15 **SEC. 1105. INSPECTOR GENERAL FOR FOREIGN AFFAIRS.**

16 (a) TERM OF SERVICE; LIMITATION ON APPOINT-
17 MENT.—Section 209(a)(1) of the Foreign Service Act of
18 1980 (22 U.S.C. 3929) is amended—

19 (1) in the first sentence, by striking “Inspector
20 General of the Department of State and the Foreign
21 Service” and inserting “Inspector General for For-
22 eign Affairs”; and

23 (2) by inserting after the first sentence the fol-
24 lowing new sentences: “The Inspector General shall
25 serve a term of six years. The Inspector General

1 may be reappointed by the President, by and with
2 the advice and consent of the Senate, for an addi-
3 tional term or terms of six years each. No career
4 member of the Foreign Service, as defined in section
5 103, may be appointed Inspector General.”.

6 (b) REDESIGNATION OF INSPECTOR GENERAL OF
7 THE DEPARTMENT OF STATE AS INSPECTOR GENERAL
8 FOR FOREIGN AFFAIRS.—(1) The Inspector General Act
9 of 1978 (5 U.S.C. App. 3) is amended—

10 (A) by redesignating section 8G (as added by
11 section 104(a) of Public Law 100–504) and section
12 8G (as added by section 105 of Public Law 100–
13 504) as sections 8H and 8I, respectively; and

14 (B) by inserting after section 8F the following:

15 “SPECIAL PROVISIONS RELATING TO THE INSPECTOR

16 GENERAL FOR FOREIGN AFFAIRS

17 “SEC. 8G. In addition to the other duties and respon-
18 sibilities specified in this Act, the Inspector General of the
19 Department of State (also known as the ‘Inspector Gen-
20 eral for Foreign Affairs’) shall exercise the authorities of
21 section 209 of the Foreign Service Act of 1980 (including
22 authorities with respect to the Broadcasting Board of Gov-
23 ernors).”.

24 (2) Section 5315 of title 5, United States Code, is
25 amended by striking “Inspector General, Department of

1 State” and inserting “Inspector General for Foreign Af-
2 fairs, Department of State”.

3 (3) Section 413 of the Omnibus Diplomatic Security
4 and Antiterrorism Act of 1986 (22 U.S.C. 4861) is re-
5 pealed.

6 (c) REPEAL RELATING TO THE INSPECTOR GENERAL
7 FOR THE UNITED STATES ARMS CONTROL AND DISAR-
8 MAMENT AGENCY.—Section 50 of the Arms Control and
9 Disarmament Act (22 U.S.C. 2593a), relating to the
10 ACDA Inspector General, is repealed.

11 (d) CONFORMING AMENDMENTS RELATING TO THE
12 INSPECTOR GENERAL OF THE UNITED STATES INFORMA-
13 TION AGENCY.—(1) Section 11 of the Inspector General
14 Act of 1978 (5 U.S.C. App. 3) is amended—

15 (A) in paragraph (1), by striking “or the Unit-
16 ed States Information Agency”; and

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

19 (2) Section 5315 of title 5, United States Code, is
20 amended by striking “Inspector General, United States
21 Information Agency.”

22 (e) CONFORMING AMENDMENTS AND REPEAL RE-
23 LATING TO THE INSPECTOR GENERAL OF THE AGENCY
24 FOR INTERNATIONAL DEVELOPMENT.—(1) Section 11 of

1 the Inspector General Act of 1978 (5 U.S.C. App. 3) is
2 amended—

3 (A) in paragraph (1), by striking “Agency for
4 International Development,”; and

5 (B) in paragraph (2), by striking “the Agency
6 for International Development,”.

7 (2) Section 239(e) of the Foreign Assistance Act of
8 1961 (22 U.S.C. 2199(e)) is amended by striking “Inspec-
9 tor General of the Agency for International Development”
10 and inserting “Inspector General for Foreign Affairs”.

11 (3) Section 8A of the Inspector General Act of 1978
12 (5 U.S.C. App. 3) is repealed.

13 (4) Section 5315 of title 5, United States Code, is
14 amended by striking “Inspector General, Agency for Inter-
15 national Development.”.

16 (f) ASSUMPTION OF DUTIES BY INCUMBENT AP-
17 PPOINTEE.—An individual holding the office of Inspector
18 General of the Department of State immediately prior to
19 the effective date contained in subsection (g)(4)—

20 (1) who was appointed to the office by the
21 President, by and with the advice and consent of the
22 Senate; and

23 (2) who performs duties substantially similar to
24 the duties of an office created under the amend-
25 ments made by subsections (a) and (b),

1 may, in the discretion of the Secretary of State, assume
2 the duties of such new office, and shall not be required
3 to be reappointed by reason of the enactment of this sec-
4 tion.

5 (g) EFFECTIVE DATES.—The following shall be the
6 effective dates for amendments and repeals made by this
7 section:

8 (1) The repeal made by subsection (c), on the
9 effective date of title XII.

10 (2) The amendments made by subsection (d),
11 on the effective date of title XIII.

12 (3) The amendments and repeal made by sub-
13 section (e), on the effective date of title XIV.

14 (4) The amendments and repeal made by sub-
15 sections (a) and (b), on the effective date of title
16 XII, title XIII, or title XIV, whichever occurs first.

17 **SEC. 1106. RATES OF PAY.**

18 (a) UNDER SECRETARIES OF STATE.—Section 5314
19 of title 5, United States Code, is amended by striking
20 “Under Secretaries of State (5).” and inserting the follow-
21 ing:

22 “Under Secretary of State for Policy.

23 “Under Secretary of State for Export, Trade,
24 Economics, and Business.

1 “Under Secretary of State for International Se-
2 curity.

3 “Under Secretary of State for Public Diplo-
4 macy.

5 “Under Secretary of State for Management.”.

6 (b) ASSISTANT SECRETARIES OF STATE.—Section
7 5315 of such title is amended by striking out “20 Assist-
8 ant Secretaries of State and 4 other State Department
9 officials to be appointed by the President by and with the
10 advice and consent of the Senate.” and inserting the fol-
11 lowing:

12 “In addition to other positions of the Depart-
13 ment of State specifically referenced in this section,
14 18 Assistant Secretaries of State and 4 other State
15 Department officials who are appointed by the Presi-
16 dent, by and with the advice and consent of the Sen-
17 ate.

18 “Assistant Secretary of State for Arms Control
19 and Non-Proliferation Affairs.

20 “Assistant Secretary of State for International
21 Exchanges.”.

22 **SEC. 1107. REPEAL OF PREVIOUSLY CREATED STATE DE-**
23 **PARTMENT POSITIONS.**

24 (a) ASSISTANT SECRETARY FOR OCEANS AND INTER-
25 NATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS.—

1 Section 9(a) of the Department of State Appropriations
2 Authorization Act of 1973 (22 U.S.C. 2655a(a)) is re-
3 pealed.

4 (b) CONFORMING AMENDMENTS RELATING TO THE
5 ASSISTANT SECRETARY FOR DEMOCRACY, HUMAN
6 RIGHTS, AND LABOR.—The Foreign Assistance Act of
7 1961 is amended—

8 (1) in section 116(c) (22 U.S.C. 2151n(c)), by
9 striking “Assistant Secretary of State for Democ-
10 racy, Human Rights, and Labor” and inserting
11 “Secretary”;

12 (2) in sections 502B(b) (22 U.S.C. 2304(b)),
13 502B(c)(1) (22 U.S.C. 2304(c)), and 505(g)(4)(A)
14 (22 U.S.C. 2314(g)(4)(A)), by striking “, prepared
15 with the assistance of the Assistant Secretary of
16 State for Democracy, Human Rights, and Labor,”
17 each place it appears; and

18 (3) in section 573(c) (22 U.S.C. 2349aa–2(c)),
19 by striking “Assistant Secretary of State for Democ-
20 racy, Human Rights, and Labor” and inserting
21 “Secretary of State”.

22 (c) ASSISTANT SECRETARY FOR SOUTH ASIAN AF-
23 FAIRS.—Subsections (a), (b), and (e) of section 122 of the
24 Foreign Relations Authorization Act, Fiscal Years 1992
25 and 1993 (22 U.S.C. 2652b) are repealed.

1 (d) DEPUTY ASSISTANT SECRETARY FOR
2 BURDENSARING.—Section 161(f) of the Foreign Rela-
3 tions Authorization Act, Fiscal Years 1994 and 1995 (22
4 U.S.C. 2651a note) is repealed.

5 **SEC. 1108. LIMITATION ON PERSONNEL STRENGTH OF THE**
6 **DEPARTMENT OF STATE.**

7 (a) END FISCAL YEAR 1996 LEVELS.—The number
8 of employees of the Department of State (including mem-
9 bers of the Foreign Service) who are authorized to be em-
10 ployed as of February 28, 1997, shall not exceed a number
11 which is 9 percent less than the number of such employees
12 who are so employed immediately prior to the date of en-
13 actment of this Act.

14 (b) END FISCAL YEAR 1997 LEVELS.—The number
15 of employees of the Department of State (including mem-
16 bers of the Foreign Service) who are authorized to be em-
17 ployed as of September 30, 1997, shall not exceed a num-
18 ber which is 3 percent less than the number of such em-
19 ployees who are authorized to be so employed as of Feb-
20 ruary 28, 1997.

21 (c) END FISCAL YEAR 1998 LEVELS.—The number
22 of employees of the Department of State (including mem-
23 bers of the Foreign Service) who are authorized to be em-
24 ployed as of September 30, 1998, shall not exceed a num-
25 ber which is 2 percent less than the number of such em-

1 ployees who are authorized to be so employed as of Sep-
2 tember 30, 1997.

3 **SEC. 1109. CONSOLIDATION OF UNITED STATES DIPLO-**
4 **MATIC MISSIONS AND CONSULAR POSTS.**

5 (a) CONSOLIDATION PLAN.—The Secretary of State
6 shall develop a worldwide plan for the consolidation, wher-
7 ever practicable, on a regional or areawide basis, of United
8 States missions and consular posts abroad in order to
9 carry out this section.

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

11 (1) identify the specific United States diplo-
12 matic missions and consular posts for consolidation;

13 (2) identify those missions and posts at which
14 the resident ambassador would also be accredited to
15 other specified states in which the United States ei-
16 ther maintained no resident official presence or
17 maintained such a presence only at staff level; and

18 (3) provide an estimate of—

19 (A) the amount by which expenditures
20 would be reduced through the reduction in the
21 number of United States Government personnel
22 assigned abroad;

23 (B) the amount by which expenditures
24 would be reduced through a reduction in the

1 costs of maintaining United States properties
2 abroad; and

3 (C) the amount of revenues generated to
4 the United States through the sale or other dis-
5 position of United States properties associated
6 with the posts to be consolidated abroad.

7 (c) TRANSMITTAL.—Not later than 180 days after
8 the date of enactment of this Act, the Secretary of State
9 shall transmit a copy of the plan to the appropriate con-
10 gressional committees.

11 (d) IMPLEMENTATION.—Not later than 60 days after
12 transmittal of the plan under subsection (c), the Secretary
13 of State shall take steps to implement the plan unless the
14 Congress before such date enacts legislation disapproving
15 the plan.

16 (e) CONGRESSIONAL PRIORITY PROCEDURES.—(1) A
17 joint resolution described in paragraph (2) which is intro-
18 duced in a House of Congress after the date on which a
19 plan developed under subsection (a) is received by Con-
20 gress, shall be considered in accordance with the proce-
21 dures set forth in paragraphs (3) through (7) of section
22 8066(c) of the Department of Defense Appropriations Act,
23 1985 (as contained in Public Law 98–473 (98 Stat.
24 1936)), except that—

1 (A) references to the “report described in para-
2 graph (1)” shall be deemed to be references to the
3 joint resolution; and

4 (B) references to the Committee on Appropria-
5 tions of the House of Representatives and to the
6 Committee on Appropriations of the Senate shall be
7 deemed to be references to the Committee on Inter-
8 national Relations of the House of Representatives
9 and the Committee on Foreign Relations of the Sen-
10 ate.

11 (2) A joint resolution under this paragraph is a joint
12 resolution the matter after the resolving clause of which
13 is as follows: “That the Congress disapproves the plan
14 submitted by the President on _____ pursuant to
15 section 1109 of the Foreign Affairs Reinvention Act of
16 1995.”.

17 (f) WITHHOLDING OF FUNDS.—Effective 180 days
18 after the date of enactment of this Act, if the plan was
19 not timely transmitted pursuant to subsection (c), then
20 five percent of the funds made available for the Depart-
21 ment of State for each of the fiscal years 1996, 1997,
22 1998, and 1999 under the account “Diplomatic and Con-
23 sular Programs” (“Administration of Foreign Affairs”)
24 shall be withheld from obligation and expenditure until 60

1 days after the President transmits to Congress a revised
2 plan developed under subsection (a).

3 (g) RESUBMISSION OF PLAN.—If, within 60 days of
4 transmittal of a plan under subsection (c), Congress en-
5 acts legislation disapproving the plan, the President shall
6 transmit to the appropriate congressional committees a re-
7 vised plan developed under subsection (a).

8 (h) STATUTORY CONSTRUCTION.—Nothing in this
9 section requires the termination of United States diplo-
10 matic or consular relations with any foreign country.

11 (i) DEFINITIONS.—As used in this section:

12 (1) APPROPRIATE CONGRESSIONAL COMMIT-
13 TEES.—The term “appropriate congressional com-
14 mittees” means the Committee on International Re-
15 lations of the House of Representatives and the
16 Committee on Foreign Relations of the Senate.

17 (2) PLAN.—The term “plan” means the plan
18 developed under subsection (a).

19 **SEC. 1110. DETAIL OF OTHER AGENCY PERSONNEL TO**
20 **STATE DEPARTMENT.**

21 Any employee of any agency other than the Depart-
22 ment of State who is assigned to an overseas post located
23 within any United States mission except for those assigned
24 to a military command shall be detailed to the Department
25 of State for the duration of such assignment, and shall

1 be fully under the authority of the Chief of Mission. The
2 Chief of Protocol, at the sole discretion of the Secretary
3 of State, shall accord diplomatic titles, privileges, and im-
4 munities to any such employees as the Secretary of State
5 deems appropriate.

6 **SEC. 1111. REPORT ON UNIFICATION OF UNITED STATES**
7 **AND FOREIGN COMMERCIAL SERVICE AND**
8 **FOREIGN AGRICULTURAL SERVICE WITHIN**
9 **THE FOREIGN SERVICE.**

10 (a) REQUIREMENT.—Not later than 120 days after
11 the date of the enactment of this Act, the President shall,
12 in coordination with the Secretary of State, the Secretary
13 of Commerce, and the Secretary of Agriculture shall joint-
14 ly transmit to Congress the report described in subsection
15 (b).

16 (b) REPORT ELEMENTS.—The report under sub-
17 section (a) shall include the following:

18 (1) An assessment of the extent of the coordi-
19 nation and cooperation in international activities of
20 the Department of State, the Department of Com-
21 merce, and the Department of Agriculture.

22 (2) An assessment of the advisability and desir-
23 ability of establishing in the Foreign Service of the
24 Department of State a core discipline relating to the

1 commercial, trade development, and export pro-
2 motion activities of the United States.

3 (3) If such a core discipline is desirable—

4 (A) a discussion of the options for estab-
5 lishing the core discipline, including—

6 (i) the integration of the United
7 States and Foreign Commercial Service
8 and the Foreign Agricultural Service into
9 the Foreign Service; and

10 (ii) the continuation of the United
11 States and Foreign Commercial Service
12 and the Foreign Agricultural Service as
13 separate services; and

14 (B) an assessment of the advantages and
15 disadvantages (including the costs and savings)
16 of each such option.

17 (4) If such a core discipline is not desirable, an
18 assessment of the advisability and desirability of the
19 continuing application of the Foreign Service Act of
20 1980 to the United States and Foreign Commercial
21 Service and the Foreign Agricultural Service.

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

4 **SEC. 1201. ABOLITION OF THE ACDA; REFERENCES IN**
5 **PART.**

6 (a) ABOLITION.—The United States Arms Control
7 and Disarmament Agency is abolished on the effective
8 date of this title.

9 (b) CONFORMING REPEAL.—Section 21 of the Arms
10 Control and Disarmament Act (22 U.S.C. 2561) is re-
11 pealed.

12 (c) REFERENCES IN TITLE.—Except as specifically
13 provided in this title, whenever in this title an amendment
14 or repeal is expressed as an amendment to or repeal of
15 a provision, the reference shall be deemed to be made to
16 the Arms Control and Disarmament Act.

17 **SEC. 1202. REPEAL OF POSITIONS AND OFFICES.**

18 The following sections are repealed:

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

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

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

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

3 **SEC. 1203. AUTHORITIES OF THE SECRETARY OF STATE.**

4 (a) IN GENERAL.—(1) Except as provided in para-
5 graph (2), the Arms Control and Disarmament Act (22
6 U.S.C. 2551 et seq.) is amended by striking “Agency” and
7 “Director” each place it appears and inserting “Depart-
8 ment” and “Secretary”, respectively.

9 (2) No amendment shall be made under paragraph
10 (1) to references to the On-Site Inspection Agency or to
11 the Director of Central Intelligence.

12 (b) PURPOSE.—Section 2 (22 U.S.C. 2551) is
13 amended—

14 (1) by striking the second, fourth, fifth, and
15 sixth sentences; and

16 (2) in the seventh sentence, by striking “It”
17 and all that follows through “State,” and inserting
18 “The Department of State shall have the authority”.

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

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

24 “(d) The term ‘Secretary’ means the Secretary
25 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) USE OF FUNDS.—Section 48 (22 U.S.C. 2588)
7 is repealed.

8 (l) ANNUAL REPORT.—Section 51(a) (22 U.S.C.
9 2593a(a)) is amended by striking “the Secretary of
10 State,”.

11 (m) REQUIREMENT FOR AUTHORIZATION OF APPRO-
12 PRIATIONS.—Section 53 (22 U.S.C. 2593c) is repealed.

13 (n) ON-SITE INSPECTION AGENCY.—Section 61 (22
14 U.S.C. 2595) is amended—

15 (1) in paragraph (1), by striking “United
16 States Arms Control and Disarmament Agency is”
17 and inserting “Department of State and the Depart-
18 ment of Defense are respectively”; and

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

22 **SEC. 1204. AUTHORIZATION OF APPROPRIATIONS.**

23 Section 106 of the Foreign Relations Authorization
24 Act, Fiscal Years 1994 and 1995 (Public Law 103-236)
25 is amended—

1 (1) by amending the section heading to read as
2 follows:

3 **“SEC. 106. DEPARTMENT OF STATE ARMS CONTROL AND**
4 **DISARMAMENT ACTIVITIES.”;**

5 and

6 (2) in subsection (a), by inserting “to the Sec-
7 retary of State” after “appropriated”.

8 **SEC. 1205. CONFORMING AMENDMENTS.**

9 (a) The Arms Export Control Act is amended—

10 (1) in section 36(b)(1)(D) (22 U.S.C.
11 2776(b)(1)(D)), by striking “Director of the Arms
12 Control and Disarmament Agency in consultation
13 with the Secretary of State and” and inserting “Sec-
14 retary of State in consultation with”;

15 (2) in section 38(a)(2) (22 U.S.C.
16 2778(a)(2))—

17 (A) in the first sentence, by striking “Di-
18 rector of the United States Arms Control and
19 Disarmament Agency, taking into account the
20 Director’s” and inserting “Secretary of State,
21 taking into account the Secretary’s”; and

22 (B) in the second sentence, by striking
23 “The Director of the Arms Control and Disar-
24 mament Agency is authorized, whenever the Di-

1 rector” and inserting “The Secretary of State is
2 authorized, whenever the Secretary”;

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

4 (A) in paragraph (1)(C), by striking “Di-
5 rector of the United States Arms Control and
6 Disarmament Agency” and inserting “Secretary
7 of State”; and

8 (B) in paragraph (2)—

9 (i) in the first sentence, by striking
10 “Director of the United States Arms Con-
11 trol and Disarmament Agency” and insert-
12 ing “Secretary of State”; and

13 (ii) in the second sentence, by striking
14 “Director of the Arms Control and Disar-
15 mament Agency is authorized, whenever
16 the Director” and inserting “Secretary of
17 State is authorized, whenever the Sec-
18 retary”;

19 (4) in section 71(a) of such Act (22 U.S.C.
20 2797(a)), by striking “, the Director of the Arms
21 Control and Disarmament Agency,” and inserting
22 “Secretary of State”;

23 (5) in section 71(b)(1) of such Act (22 U.S.C.
24 2797(b)(1)), by striking “Director of the United

1 States Arms Control and Disarmament Agency” and
2 inserting “Secretary of State;

3 (6) in section 71(b)(2) of such Act (22 U.S.C.
4 2797(b)(2))—

5 (A) by striking “Director of the United
6 States Arms Control and Disarmament Agen-
7 cy” and inserting “Secretary of State”; and

8 (B) by striking “or the Director”;

9 (7) in section 71(c) of such Act (22 U.S.C.
10 2797(c)), by striking “Director of the United States
11 Arms Control and Disarmament Agency,” and in-
12 serting “Secretary of State”; and

13 (8) in section 73(d) of such Act (22 U.S.C.
14 2797b(d)), by striking “, the Secretary of Com-
15 merce, and the Director of the United States Arms
16 Control and Disarmament Agency” and inserting
17 “and the Secretary of Commerce”.

18 (b) Section 1706(b) of the United States Institute of
19 Peace Act (22 U.S.C. 4605(b)) is amended—

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

21 (2) by redesignating paragraphs (4) and (5) as
22 paragraphs (3) and (4), respectively; and

23 (3) in paragraph (4) (as redesignated by para-
24 graph (2)), by striking “Eleven” and inserting
25 “Twelve”.

1 (c) The Atomic Energy Act of 1954 is amended—

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

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

5 (B) in the second sentence, by striking
6 “the Director of the Arms Control and Disar-
7 mament Agency,”, and

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

9 (A) in subsection a. (in the text below
10 paragraph (9))—

11 (i) by striking “and in consultation
12 with the Director of the Arms Control and
13 Disarmament Agency (‘the Director’)”,
14 and

15 (ii) by striking “and the Director”
16 and inserting “and the Secretary of De-
17 fense”,

18 (B) in subsection d., in the first proviso, by
19 striking “Director of the Arms Control and Dis-
20 armament Agency” and inserting “Secretary of
21 Defense”, and

22 (C) in the first undesignated paragraph
23 following subsection d., by striking “the Arms
24 Control and Disarmament Agency,”.

1 (d) The Nuclear Non-Proliferation Act of 1978 is
2 amended—

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

4 (2) in section 102, by striking “the Secretary of
5 State, and the Director of the Arms Control and
6 Disarmament Agency” and inserting “and the Sec-
7 retary of State”; and

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

10 (e) Title 5, United States Code, is amended—

11 (1) in section 5313, by striking “Director of the
12 United States Arms Control and Disarmament
13 Agency.”,

14 (2) in section 5314, by striking “Deputy Direc-
15 tor of the United States Arms Control and Disar-
16 mament Agency.”,

17 (3) in section 5315—

18 (A) by striking “Assistant Directors, Unit-
19 ed States Arms Control and Disarmament
20 Agency (4).”, and

21 (B) by striking “Special Representatives of
22 the President for arms control, nonproliferation,
23 and disarmament matters, United States Arms
24 Control and Disarmament Agency”, and insert-
25 ing “Special Representatives of the President

1 for arms control, nonproliferation, and disar-
2 mament matters, Department of State”, and
3 (4) in section 5316, by striking “General Coun-
4 sel of the United States Arms Control and Disar-
5 mament Agency.”.

6 **SEC. 1206. REFERENCES IN LAW.**

7 Any reference in any statute, reorganization plan,
8 Executive order, regulation, agreement, determination, or
9 other official document or proceeding to the United States
10 Arms Control and Disarmament Agency or the Director
11 or other official of the United States Arms Control and
12 Disarmament Agency shall be deemed to refer respectively
13 to the Department of State or the Secretary of State or
14 other official of the Department of State.

15 **SEC. 1207. EFFECTIVE DATE.**

16 This title, and the amendments made by this title,
17 shall take effect on the earlier of—

18 (1) March 1, 1997; or

19 (2) the date on which the reorganization plan
20 for the United States Arms Control and Disar-
21 mament Agency is fully implemented pursuant to
22 section 1703.

1 **TITLE XIII—UNITED STATES**
2 **INFORMATION AGENCY**

3 **SEC. 1301. ABOLITION.**

4 The United States Information Agency is abolished
5 upon the effective date of this title.

6 **SEC. 1302. REFERENCES IN LAW.**

7 Any reference in any statute, reorganization plan,
8 Executive order, regulation, agreement, determination, or
9 other official document or proceeding to—

10 (1) the Director of the United States Informa-
11 tion Agency or the Director of the International
12 Communication Agency shall be deemed to refer to
13 the Secretary of State; and

14 (2) the United States Information Agency,
15 USIA, or the International Communication Agency
16 shall be deemed to refer to the Department of State.

17 **SEC. 1303. AMENDMENTS TO TITLE 5.**

18 Title 5, United States Code, is amended—

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

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

23 (3) in section 5316, by striking “Deputy Direc-
24 tor, Policy and Plans, United States Information

1 Agency.” and striking “Associate Director (Policy
2 and Plans), United States Information Agency.”.

3 **SEC. 1304. AMENDMENTS TO UNITED STATES INFORMA-**
4 **TION AND EDUCATIONAL EXCHANGE ACT OF**
5 **1948.**

6 (a) REFERENCES IN SECTION.—Except as specifi-
7 cally provided in this section, whenever in this section an
8 amendment or repeal is expressed as an amendment or
9 repeal of a provision, the reference shall be deemed to be
10 made to the United States Information and Educational
11 Exchange Act of 1948 (22 U.S.C. 1431 et seq.).

12 (b) IN GENERAL.—Except as otherwise provided in
13 this section, the Act (other than section 604 and sub-
14 sections (a) and (c) of section 701) is amended—

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

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

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

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

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

3 (c) SATELLITE AND TELEVISION BROADCASTS.—
4 Section 505 (22 U.S.C. 1464a) is amended—

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

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

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

15 (4) by striking subsection (e).

16 (d) NONDISCRETIONARY PERSONNEL COSTS AND
17 CURRENCY FLUCTUATIONS.—Section 704 (22 U.S.C.
18 1477b) is amended—

19 (1) in subsection (b), by inserting after “au-
20 thorized by law” the following: “in connection with
21 carrying out the informational and educational ex-
22 change functions of the Department”; and

23 (2) in subsection (c), by striking “United States
24 Information Agency” each place it appears and in-
25 serting “Department of State in carrying out the in-

1 formational and educational exchange functions of
2 the Department”.

3 (e) REPROGRAMMING NOTIFICATIONS.—Section 705
4 (22 U.S.C. 1477c) is amended by striking “United States
5 Information Agency” each place it appears and inserting
6 “Department of State in carrying out its informational
7 and educational exchange functions”.

8 (f) AUTHORITIES OF THE SECRETARY.—Section
9 801(3) (22 U.S.C. 1471(3)) is amended by striking all “if
10 the sufficiency” and all that follows and inserting “if the
11 Secretary determines that title to such real property or
12 interests is sufficient;”.

13 (g) REPEAL OF THE USIA SEAL.—Section 807 (22
14 U.S.C. 1475b) is repealed.

15 (h) ACTING ASSOCIATE DIRECTORS.—Section 808
16 (22 U.S.C. 1475c) is repealed.

17 (i) DEBT COLLECTION.—Section 811 (22 U.S.C.
18 1475f) is amended by inserting “informational and edu-
19 cational exchange” before “activities” each place it ap-
20 pears.

21 (j) OVERSEAS POSTS.—Section 812 (22 U.S.C.
22 1475g) is amended by striking “United States Informa-
23 tion Agency post” each place it appears and inserting “in-
24 formational and educational exchange post of the Depart-
25 ment of State”.

1 (k) DEFINITION.—Section 4 (22 U.S.C. 1433) is
2 amended by adding at the end the following:

3 “(4) ‘informational and educational exchange
4 functions’, with respect to the Department of State,
5 refers to functions exercised by the United States
6 Information Agency before the effective date of title
7 XIII of the Foreign Affairs Reinvention Act of
8 1995.”.

9 **SEC. 1305. AMENDMENTS TO THE MUTUAL EDUCATIONAL**
10 **AND CULTURAL EXCHANGE ACT OF 1961**
11 **(FULBRIGHT-HAYS ACT).**

12 (a) REFERENCES IN SECTION.—Except as specifi-
13 cally provided in this section, whenever in this section an
14 amendment or repeal is expressed as an amendment or
15 repeal of a provision, the reference shall be deemed to be
16 made to the Mutual Educational and Cultural Exchange
17 Act of 1961 (22 U.S.C. 2451 et seq.).

18 (b) IN GENERAL.—The Act (22 U.S.C. 2451 et seq.)
19 is amended by striking “Director of the International
20 Communication Agency” each place it appears and insert-
21 ing “Secretary of State”.

22 (c) PROGRAM AUTHORITIES.—(1) Section 102(a) (22
23 U.S.C. 2452(a)) is amended by striking “President” each
24 place it appears and inserting “Secretary of State”.

1 (2) Section 102(b) (22 U.S.C. 2452(b)) is amended
2 by striking “President” and inserting “Secretary of State
3 (except, in the case of paragraphs (6) and (10), the Presi-
4 dent)”.

5 (d) INTERNATIONAL AGREEMENTS.—Section 103
6 (22 U.S.C. 2453) is amended by striking “President” each
7 place it appears and inserting “Secretary of State”.

8 (e) PERSONNEL BENEFITS.—Section 104(d) (22
9 U.S.C. 2454(d)) is amended by striking “President” each
10 place it appears and inserting “Secretary of State”.

11 (f) FOREIGN STUDENT COUNSELING.—Section
12 104(e)(3) (22 U.S.C. 2454(e)(3)) is amended by striking
13 “President” and inserting “Secretary of State”.

14 (g) PUBLICITY AND PROMOTION OVERSEAS.—Sec-
15 tion 104(e)(4) (22 U.S.C. 2454(e)(4)) is amended by
16 striking “President” and inserting “Secretary of State”.

17 (h) USE OF FUNDS.—Section 105(e) (22 U.S.C.
18 2455(e)) is amended by striking “President” each place
19 it appears and inserting “Secretary of State”.

20 (i) REPEAL OF AUTHORITY FOR ABOLISHED ADVI-
21 SORY COMMITTEE.—Section 106(c) of the Mutual Edu-
22 cational and Cultural Exchange Act of 1961 (22 U.S.C.
23 2456(c)) is repealed.

24 (j) BUREAU OF EDUCATIONAL AND CULTURAL AF-
25 FAIRS.—

1 (1) IN GENERAL.—Section 112(a) (22 U.S.C.
 2 2460(a)) is amended by striking the first sentence
 3 and inserting the following: “In order to carry out
 4 the purposes of this Act, there is established in the
 5 Department of State a Bureau for International Ex-
 6 change Activities (in this section referred to as the
 7 “Bureau”).

8 (2) IMPLEMENTATION OF PROGRAMS.—Section
 9 112(c) (22 U.S.C. 2460(c)) is amended by striking
 10 “President” each place it appears and inserting
 11 “Secretary of State”.

12 **SEC. 1306. INTERNATIONAL BROADCASTING ACTIVITIES.**

13 (a) IN GENERAL.—(1) Except as otherwise provided
 14 in paragraph (2), title III of the Foreign Relations Au-
 15 thorization Act, Fiscal Years 1994 and 1995 (Public Law
 16 103–236) is amended—

17 (A) by striking “Director of the United States
 18 Information Agency” or “Director” each place it ap-
 19 pears and inserting “Under Secretary of State for
 20 Public Diplomacy”;

21 (B) by striking all references to “United States
 22 Information Agency” that were not stricken in sub-
 23 paragraph (A) and inserting “Department of State”;

24 (C) in section 305(a)(1), by inserting “(includ-
 25 ing activities of the Voice of America previously car-

1 ried out by the United States Information Agency)”
2 after “this title”;

3 (D) in section 305(b), by striking “Agency’s”
4 each place it appears and inserting “Department’s”;
5 and

6 (E) by striking “Bureau” each place it appears
7 and inserting “Office”.

8 (2) Title III of such Act is amended—

9 (A) in section 304(c)—

10 (i) by striking “Director’s” and inserting
11 “Under Secretary’s”; and

12 (ii) in the fifth sentence, by striking “Di-
13 rector of the United States Information Agency,
14 the acting Director of the agency” and insert-
15 ing “Under Secretary of State for Public Diplo-
16 macy, the acting Under Secretary”;

17 (B) in sections 305(b) and 307(b)(1), by strik-
18 ing “Director of the Bureau” each place it appears
19 and inserting “Director of the Office”;

20 (C) in subsections (i) and (j) of section 308, by
21 striking “Inspector General of the United States In-
22 formation Agency” each place it appears and insert-
23 ing “Inspector General for Foreign Affairs”; and

24 (D) in section 310(d), by striking “Director on
25 the date of enactment of this Act, to the extent that

1 the Director” and inserting “Under Secretary on the
 2 effective date of title XIII of the Foreign Affairs
 3 Reinvention Act of 1995, to the extent that the
 4 Under Secretary”.

5 (b) CONFORMING AMENDMENT TO TITLE 5.—Sec-
 6 tion 5315 of title 5, United States Code, is amended by
 7 striking “Director of the International Broadcasting Bu-
 8 reau, the United States Information Agency” and insert-
 9 ing “Director of the International Broadcasting Office,
 10 the Department of State”.

11 **SEC. 1307. TELEVISION BROADCASTING TO CUBA.**

12 (a) AUTHORITY.—Section 243(a) of the Television
 13 Broadcasting to Cuba Act (as contained in part D of title
 14 II of Public Law 101–246) (22 U.S.C. 1465bb(a)) is
 15 amended by striking “United States Information Agency
 16 (hereafter in this part referred to as the ‘Agency’)” and
 17 inserting “Department of State (hereafter in this title re-
 18 ferred to as the ‘Department’)”.

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

21 (1) in subsection (a)—

22 (A) by amending the first sentence to read
 23 as follows: “The Secretary of State shall admin-
 24 ister within the Voice of America the Television
 25 Marti Service.”, and

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

4 (2) in subsection (b)—

5 (A) in the subsection heading, by striking
6 “USIA” and inserting “Department of State”,

7 (B) by striking “Agency facilities” and in-
8 serting “Department facilities”, and

9 (C) by striking “United States Information
10 Agency Television Service” and inserting “De-
11 partment of State Television Service”; and

12 (3) in subsection (c)—

13 (A) by striking “USIA AUTHORITY.—The
14 Agency” and inserting “SECRETARY OF STATE
15 AUTHORITY.—The Secretary of State”; and

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

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

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

23 (2) by striking “the Agency” and inserting “the
24 Department”.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
2 247(a) of such Act (22 U.S.C. 1465ee(a)) is repealed.

3 **SEC. 1308. RADIO BROADCASTING TO CUBA.**

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

7 (1) in the section heading, by striking “United
8 States Information Agency” and inserting “Depart-
9 ment of State”;

10 (2) in subsection (a), by striking “United
11 States Information Agency (hereafter in this Act re-
12 ferred to as the ‘Agency’)” and inserting “Depart-
13 ment of State (hereafter in this Act referred to as
14 the ‘Department’)”;

15 (3) by striking subsection (d); and

16 (4) in subsection (f), by striking “Director of
17 the United States Information Agency” and insert-
18 ing “Secretary of State”.

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

21 (1) by amending the first sentence to read as
22 follows: “The Secretary of State shall administer
23 within the Voice of America the Cuba Service (here-
24 after in this section referred to as the ‘Service’).”;
25 and

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

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

7 (1) in subsection (a)—

8 (A) by striking “United States Information
9 Agency” and inserting “Department of State”;
10 and

11 (B) by striking “the Agency” and inserting
12 “the Department”; and

13 (2) in subsection (b)—

14 (A) by striking “The Agency” and insert-
15 ing “The Department”; and

16 (B) by striking “the Agency” and inserting
17 “the Secretary of State”.

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

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

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

24 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
25 8 of such Act (22 U.S.C. 1465f) is amended—

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

3 “(a) The amount obligated by the Department of
4 State each fiscal year to carry out this Act shall be suffi-
5 cient to maintain broadcasts to Cuba under this Act at
6 rates no less than the fiscal year 1985 level of obligations
7 by the former United States Information Agency for such
8 broadcasts.”; and

9 (2) by redesignating subsection (c) as sub-
10 section (b).

11 **SEC. 1309. NATIONAL ENDOWMENT FOR DEMOCRACY.**

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

14 (1) in subsection (a)—

15 (A) by striking “Director of the United
16 States Information Agency” and inserting “Sec-
17 retary of State”;

18 (B) by striking “the Agency” and inserting
19 “the Department of State”; and

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

22 (2) in subsection (b), by striking “United
23 States Information Agency” and inserting “Depart-
24 ment of State”.

1 (b) AUDITS.—Section 504(g) of such Act (22 U.S.C.
2 4413(g)) is amended by striking “United States Informa-
3 tion Agency” and inserting “Department of State”.

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

6 (1) in subsection (b)—

7 (A) by striking “Director” each of the
8 three places it appears and inserting “Sec-
9 retary”; and

10 (B) by striking “of the United States In-
11 formation Agency” and inserting “of State”;
12 and

13 (2) in subsection (c)—

14 (A) in the subsection heading by striking
15 “USIA” and inserting “DEPARTMENT OF
16 STATE”;

17 (B) by striking “Director” each of the
18 three places it appears and inserting “Sec-
19 retary”;

20 (C) by striking “of the United States In-
21 formation Agency” and inserting “of State”;
22 and

23 (D) by striking “United States Informa-
24 tion Agency” and inserting “Department of
25 State”.

1 **SEC. 1310. UNITED STATES SCHOLARSHIP PROGRAM FOR**
2 **DEVELOPING COUNTRIES.**

3 (a) PROGRAM AUTHORITY.—Section 603 of the For-
4 eign Relations Authorization Act, Fiscal Years 1986 and
5 1987 (22 U.S.C. 4703) is amended by striking “United
6 States Information Agency” and inserting “Department
7 of State”.

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

12 (c) POLICY REGARDING OTHER INTERNATIONAL
13 EDUCATIONAL PROGRAMS.—Section 606(b) of such Act
14 (22 U.S.C. 4706(b)) is amended—

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

17 (2) by striking “Director of the United States
18 Information Agency” and inserting “Secretary of
19 State”.

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

24 **SEC. 1311. NATIONAL SECURITY EDUCATION BOARD.**

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

1 (1) in subsection (b)—

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

3 (B) by redesignating paragraph (7) as
4 paragraph (6); and

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

7 **SEC. 1312. CENTER FOR CULTURAL AND TECHNICAL INTER-**
8 **CHANGE BETWEEN NORTH AND SOUTH.**

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

14 **SEC. 1313. CENTER FOR CULTURAL AND TECHNICAL INTER-**
15 **CHANGE BETWEEN EAST AND WEST.**

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

18 (1) in the text above paragraph (1), by striking
19 “Director of the United States Information Agency”
20 (hereinafter referred to as the ‘Director’)” and in-
21 serting “Secretary of State (hereinafter referred to
22 as the ‘Secretary’); and

23 (2) in paragraph (1), by striking “establishment
24 and”.

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

3 (1) by striking “Director of the United States
4 Information Agency” and inserting “Secretary of
5 State”; and

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

8 **SEC. 1314. MISSION OF THE DEPARTMENT OF STATE.**

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

11 (1) in the first sentence, by striking “mission of
12 the United States Information Agency” and insert-
13 ing “mission of the Department of State in carrying
14 out its information, educational, and cultural func-
15 tions”;

16 (2) in the second sentence, in the text above
17 paragraph (1), by striking “United States Informa-
18 tion Agency” and inserting “Department of State”;

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

21 (4) in paragraph (5), by striking “mission of
22 the Agency” and inserting “mission described in this
23 section”.

1 **SEC. 1315. CONSOLIDATION OF ADMINISTRATIVE SERV-**
2 **ICES.**

3 Section 23 of the State Department Basic Authorities
4 Act of 1956 (22 U.S.C. 2695(a)) is amended—

5 (1) by striking “(including” and all that follows
6 through “Agency)””; and

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

9 **SEC. 1316. GRANTS.**

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

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

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

20 (3) in subsection (c)—

21 (A) in paragraph (1), by striking “United
22 States Information Agency shall substantially
23 comply with United States Information Agen-
24 cy” and inserting “Department of State, in car-
25 rying out its international information, edu-

1 cational, and cultural functions, shall substan-
2 tially comply with Department of State”; and

3 (B) in paragraph (2), by striking “United
4 States Information Agency” and inserting “De-
5 partment of State”; and

6 (C) in paragraphs (2) and (3), by striking
7 “Agency” each of the two places it appears and
8 inserting “Department”; and
9 (4) by striking subsection (d).

10 **SEC. 1317. BAN ON DOMESTIC ACTIVITIES.**

11 Section 208 of the Foreign Relations Authorization
12 Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461–1a)
13 is amended—

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

17 (2) by inserting “in carrying out international
18 information, educational, and cultural activities com-
19 parable to those previously administered by the
20 United States Information Agency” before “shall be
21 distributed”.

22 **SEC. 1318. CONFORMING REPEAL TO THE ARMS CONTROL**
23 **AND DISARMAMENT ACT.**

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

1 **SEC. 1319. REPEAL RELATING TO PROCUREMENT OF**
2 **LEGAL SERVICES.**

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

5 **SEC. 1320. REPEAL RELATING TO PAYMENT OF SUBSIST-**
6 **ENCE EXPENSES.**

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

10 **SEC. 1321. CONFORMING AMENDMENT TO THE SEED ACT.**

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

15 **SEC. 1322. INTERNATIONAL CULTURAL AND TRADE CEN-**
16 **TER COMMISSION.**

17 Section 7(c)(1) of the Federal Triangle Development
18 Act (40 U.S.C. 1106(c)(1)) is amended—

19 (1) in the text above subparagraph (A), by
20 striking “15 members” and inserting “14 mem-
21 bers”;

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

23 (3) by redesignating subparagraphs (G)
24 through (J) as subparagraphs (F) through (I), re-
25 spectively.

1 **SEC. 1323. OTHER LAWS REFERENCED IN REORGANIZA-**
2 **TION PLAN NO. 2 OF 1977.**

3 (a) IMMIGRATION AND NATIONALITY ACT.—(1) Sec-
4 tion 101(a)(15)(J) of the Immigration and Nationality
5 Act (8 U.S.C. 1101(a)(15)(J)) is amended by striking
6 “Director of the United States Information Agency” and
7 inserting “Secretary of State”.

8 (2) Section 212(e) of such Act (8 U.S.C. 1182(e))
9 is amended—

10 (A) by striking “Director of the United States
11 Information Agency” and inserting “Secretary of
12 State”; and

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

15 (b) ARTS AND ARTIFACTS INDEMNITY ACT.—Section
16 3(a) of the Arts and Artifacts Indemnity Act (20 U.S.C.
17 972(a)) is amended by striking out “Director of the Unit-
18 ed States Information Agency” and inserting in lieu there-
19 of “Secretary of State”.

20 (c) NATIONAL FOUNDATION ON THE ARTS AND THE
21 HUMANITIES ACT OF 1965.—Section 9(b) of the National
22 Foundation on the Arts and the Humanities Act of 1965
23 (20 U.S.C. 958(b)) is amended by striking out “a member
24 designated by the Director of the United States Informa-
25 tion Agency,” and inserting in lieu thereof “a member des-
26 ignated by the Secretary of State,”.

1 (d) WOODROW WILSON MEMORIAL ACT OF 1968.—
2 Section 3(b) of the Woodrow Wilson Memorial Act of 1968
3 (20 U.S.C. 80f(b)) is amended—

4 (1) in the matter preceding paragraph (1), by
5 striking out “19 members” and inserting in lieu
6 thereof “18 members”;

7 (2) by striking out paragraph (7); and

8 (3) by redesignating paragraphs (8), (9), and
9 (10) as paragraphs (7), (8), and (9), respectively.

10 (e) PUBLIC LAW 95–86.—Title V of the Departments
11 of State, Justice, and Commerce, the Judiciary, and Re-
12 lated Agencies Appropriations Act, 1978 (Public Law 95–
13 86) is amended in the third proviso of the paragraph
14 “SALARIES AND EXPENSES” under the heading “UNITED
15 STATES INFORMATION AGENCY” (22 U.S.C. 1461b) by
16 striking out “the United States Information Agency is au-
17 thorized,” and inserting in lieu thereof “the Secretary of
18 State may,”.

19 (f) ACT OF JULY 9, 1949.—The Act of July 9, 1949
20 (63 Stat. 408; chapter 301; 22 U.S.C. 2681 et seq.) is
21 repealed.

1 **SEC. 1324. EXCHANGE PROGRAM WITH COUNTRIES IN**
2 **TRANSITION FROM TOTALITARIANISM TO DE-**
3 **MOCRACY.**

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

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

9 (2) in subsection (b)—

10 (A) by striking “appropriations account of
11 the United States Information Agency” and in-
12 serting “appropriate appropriations account of
13 the Department of State”; and

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

16 **SEC. 1325. EDMUND S. MUSKIE FELLOWSHIP PROGRAM.**

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

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

23 (2) by striking subsection (d).

1 **SEC. 1326. IMPLEMENTATION OF CONVENTION ON CUL-**
2 **TURAL PROPERTY.**

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

8 **SEC. 1327. REPEAL.**

9 Section 252(a) of the Foreign Relations Authoriza-
10 tion Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6101(a))
11 is repealed.

12 **SEC. 1328. UNITED STATES ADVISORY COMMITTEE FOR**
13 **PUBLIC DIPLOMACY.**

14 Section 604 of the United States Information and
15 Educational Exchange Act of 1948 (22 U.S.C. 1469) is
16 amended—

17 (1) in subsection (c)(1)—

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

20 (B) by striking “Director or the Agency,
21 and shall appraise the effectiveness of policies
22 and programs of the Agency” and inserting
23 “Secretary of State or the Department of State,
24 and shall appraise the effectiveness of the infor-
25 mation, educational, and cultural policies and
26 programs of the Department”;

1 (2) in subsection (c)(2), in the first sentence—

2 (A) by striking “the Secretary of State,
3 and the Director of the United States Informa-
4 tion Agency” and inserting “, and the Secretary
5 of State”;

6 (B) by striking “Agency” the first place it
7 appears and inserting “Department of State”;
8 and

9 (C) by striking “Director for effectuating
10 the purposes of the Agency” and inserting
11 “Secretary for effectuating the information,
12 educational, and cultural functions of the De-
13 partment”;

14 (3) in subsection (c)(3), by striking “programs
15 conducted by the Agency” and inserting “informa-
16 tion, educational, and cultural programs conducted
17 by the Department of State”; and

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

21 **SEC. 1329. EFFECTIVE DATE.**

22 This title, and the amendments made by this title,
23 shall take effect on the earlier of—

24 (1) March 1, 1997; or

1 (2) the date on which the reorganization plan
2 for the United States Information Agency is fully
3 implemented pursuant to section 1704.

4 **TITLE XIV—AGENCY FOR INTER-**
5 **NATIONAL DEVELOPMENT**
6 **AND THE INTERNATIONAL**
7 **DEVELOPMENT COOPERA-**
8 **TION AGENCY**

9 **SEC. 1401. ABOLITIONS; REFERENCES IN PART.**

10 (a) ABOLITIONS.—The Agency for International De-
11 velopment and the International Development Cooperation
12 Agency (exclusive of components expressly established by
13 statute or reorganization plan) are abolished upon the ef-
14 fective date of this title.

15 (b) REFERENCES IN PART.—Except as specifically
16 provided in this title, whenever in this title an amendment
17 or repeal is expressed as an amendment to or repeal of
18 a provision, the reference shall be deemed to be made to
19 the Foreign Assistance Act of 1961.

20 **SEC. 1402. REFERENCES IN THE FOREIGN ASSISTANCE ACT**
21 **OF 1961.**

22 References in the Foreign Assistance Act of 1961 (22
23 U.S.C. 2151 et seq.) to—

24 (1) the “administrator of the agency primarily
25 responsible for administering part I of this Act”,

1 “administrator of the agency primarily responsible
2 for administering this part”, and the “Adminis-
3 trator” shall be deemed to be references to the Sec-
4 retary of State; and

5 (2) the “agency primarily responsible for ad-
6 ministering part I of this Act”, the “agency pri-
7 marily responsible for administering this part”, and
8 “agency” (except as used in sections 231 and 661
9 of such Act) shall be deemed to be the Department
10 of State.

11 **SEC. 1403. EXERCISE OF FUNCTIONS BY THE SECRETARY**
12 **OF STATE.**

13 Section 621(a) (22 U.S.C. 2381(a)) is amended—

14 (1) in the first sentence, by inserting before the
15 period the following: “, except that functions con-
16 ferred upon the President in part I of this Act may
17 be exercised by the Secretary of State”; and

18 (2) in the second and third sentences, by strik-
19 ing “head of any such agency” each place it appears
20 and inserting “Secretary of State and any other
21 head of any such agency”.

22 **SEC. 1404. REPEAL OF POSITIONS; EMPLOYMENT AND CON-**
23 **TRACTING AUTHORITIES.**

24 The following sections are repealed:

1 (1) Section 624 (a), (b), (c), and (e) (22 U.S.C.
2 2384 (a), (b), (c), and (e); relating to statutory offi-
3 cers).

4 (2) Section 626 (a) and (b) (22 U.S.C. 2386
5 (a) and (b); relating to experts and consultants).

6 **SEC. 1405. DEVELOPMENT LOAN COMMITTEE.**

7 Section 122(e) (22 U.S.C. 2151t(e)) is amended by
8 inserting after the first sentence the following new sen-
9 tence: “The Secretary of State shall serve as Chairman
10 of the Committee.”.

11 **SEC. 1406. DEVELOPMENT COORDINATION COMMITTEE.**

12 (a) ANNUAL REPORT.—Section 634(a) (22 U.S.C.
13 2394(a)) is amended in the text above paragraph (1)(A)
14 by striking “Chairman of the Development Coordination
15 Committee” and inserting “Secretary of State”.

16 (b) COORDINATION.—Section 640B(a) (22 U.S.C.
17 2399(a)) is amended by striking “head of the agency pri-
18 marily responsible for administering part I, Chairman,
19 and representatives of the Departments of State,” and in-
20 serting “Secretary of State,”.

21 **SEC. 1407. PUBLIC LAW 83-480 PROGRAM.**

22 The Agricultural Trade Development and Assistance
23 Act of 1954 (Public Law 83-480; 7 U.S.C. 1691 et seq.)
24 is amended—

1 (1) by striking “Administrator” each place it
2 appears and inserting “Secretary of State”; and

3 (2) in section 402 (7 U.S.C. 1732)—

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

5 (B) by redesignating paragraphs (2)
6 through (8) as paragraphs (1) through (7), re-
7 spectively.

8 **SEC. 1408. CONFORMING AMENDMENTS TO TITLE 5, UNITED**
9 **STATES CODE.**

10 (a) ADMINISTRATOR.—Section 5313 of title 5, United
11 States Code, is amended by striking “Administrator,
12 Agency for International Development.”.

13 (b) DEPUTY ADMINISTRATOR.—Section 5314 of title
14 5, United States Code, is amended by striking “Deputy
15 Administrator, Agency for International Development.”.

16 (c) ASSISTANT ADMINISTRATORS.—Section 5315 of
17 title 5, United States Code, is amended by striking “As-
18 sistant Administrators, Agency for International Develop-
19 ment (6).”.

20 (d) REGIONAL ASSISTANT ADMINISTRATORS.—Sec-
21 tion 5315 of title 5, United States Code, is amended by
22 striking “Regional Assistant Administrators, Agency for
23 International Development (4).”.

1 (e) GENERAL COUNSEL.—Section 5316 of title 5,
2 United States Code, is amended by striking “General
3 Counsel of the Agency for International Development.”.

4 **SEC. 1409. TRADE PROMOTION COORDINATING COMMIT-**
5 **TEE.**

6 Section 2312 of the Export Enhancement Act of
7 1988 (15 U.S.C. 4727) is amended—

8 (1) in subsection (d)(1)—

9 (A) by striking subparagraph (I); and

10 (B) by redesignating subparagraphs (J)
11 through (M) as subparagraphs (I) through (L),
12 respectively; and

13 (2) in subsection (f)—

14 (A) by inserting “the Committee on For-
15 eign Relations and” after “submit to”; and

16 (B) by striking “Foreign Affairs” and in-
17 serting “International Relations”.

18 **SEC. 1410. CHIEF FINANCIAL OFFICER.**

19 Section 901(b)(2) of title 31, United States Code, is
20 amended—

21 (1) by striking subparagraph (A) (relating to
22 the Agency for International Development); and

23 (2) by redesignating subparagraphs (B)
24 through (H) as subparagraphs (A) through (G), re-
25 spectively.

1 **SEC. 1411. REFERENCES IN LAW.**

2 Any reference in any statute, reorganization plan,
3 Executive order, regulation, agreement, determination, or
4 other official document or proceeding to the Agency for
5 International Development or the International Develop-
6 ment Cooperation Agency (insofar as it exercises AID
7 functions) or the Administrator or other official of the
8 Agency for International Development (or the Director or
9 other official of IDCA exercising AID functions) shall be
10 deemed to refer respectively to the Department of State
11 or the Secretary of State or other official of the Depart-
12 ment of State.

13 **SEC. 1412. EFFECTIVE DATE.**

14 This title, and the amendments made by this title,
15 shall take effect on the earlier of—

16 (1) March 1, 1997; or

17 (2) the date on which the reorganization plan
18 for the Agency for International Development and
19 the International Development Cooperation Agency
20 is fully implemented pursuant to section 1705.

1 **TITLE XV—PROPOSED REORGA-**
2 **NIZATION OF THE UNITED NA-**
3 **TIONS**

4 **SEC. 1501. SENSE OF CONGRESS REGARDING UNITED NA-**
5 **TIONS REORGANIZATION.**

6 It is the sense of the Congress that the President,
7 acting through the United States Permanent Representa-
8 tive to the United Nations, should propose to the United
9 Nations—

10 (1) the consolidation of the United Nation's
11 technical cooperation activities between the United
12 Nations Headquarters and the offices of the United
13 Nations in Geneva, Switzerland, to create a unified
14 agency for technical cooperation for sustainable de-
15 velopment with a microenterprise lending capacity
16 merging the functions of—

17 (A) the United Nations Development Pro-
18 gram (UNDP);

19 (B) the United Nations Population Fund
20 (UNFPA);

21 (C) the United Nations Environmental
22 Program (UNEP);

23 (D) the United Nations Industrial Devel-
24 opment Organization (UNIDO);

1 (E) the International Fund for Agricul-
2 tural Development (IFAD);

3 (F) the United Nations Capital Develop-
4 ment Fund (UNCDF); and

5 (G) the United Nations Development Fund
6 for Women (UNIFEM); and

7 (2) the consolidation of the United Nation's
8 emergency response mechanism by merging the
9 emergency functions of the United Nations Chil-
10 dren's Fund (UNICEF), the World Food Program
11 (WFP), and the Office of the United Nations High
12 Commissioner for Refugees (UNHCR).

13 **SEC. 1502. REORGANIZATION PLAN.**

14 The President shall submit to Congress, together
15 with the budget submitted pursuant to section 1105 of
16 title 31, United States Code, for fiscal year 1997, a plan
17 recommending a strategic reorganization of the United
18 Nations. The plan shall include the consolidation of func-
19 tions described in section 1501 and such other rec-
20 ommendations as may be necessary to achieve the effi-
21 cient, cost-effective conduct of the responsibilities of the
22 United Nations.

1 **TITLE XVI—PLAN FOR REORGA-**
2 **NIZATION OF UNITED STATES**
3 **EXPORT PROMOTION AND**
4 **TRADE ACTIVITIES**

5 **SEC. 1601. REPORT.**

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

8 (1) Supporting American businesses overseas
9 and assisting United States exporters to identify
10 market opportunities is of increasing importance to
11 America's economic health and competitiveness, and
12 to the well-being of American workers.

13 (2) At least 18 different government-sponsored
14 organizations or agencies spending over
15 \$30,000,000,000 exist to provide support to Amer-
16 ican exporters and international businesses. In the
17 past, poor coordination among these organizations
18 and a lack of accessibility often hindered the effec-
19 tiveness of the Government's trade promotion activi-
20 ties.

21 (3) Recent efforts to improve coordination be-
22 tween many of these organizations and to increase
23 their availability to exporters around the country
24 were begun through the Trade Promotion Coordina-
25 tion Council. These efforts appear to have generated

1 some improvement in the Government's trade pro-
2 motion capabilities.

3 (4) Broader government-wide reform efforts
4 and future funding questions currently being ad-
5 dressed in Congress may affect different trade pro-
6 motion organizations to varying degrees.

7 (b) REPORT REQUIRED.—Therefore, in order to fully
8 assess the organizational structure, capability, and spend-
9 ing levels of United States Government trade promotion
10 organizations, the President, not later than March 1,
11 1996, shall submit to the Committee on Foreign Relations
12 in the Senate and the Committee on International Rela-
13 tions in the House of Representatives, and to other appro-
14 priate committees of jurisdiction, a report detailing what
15 steps are being taken to improve accessibility and coordi-
16 nation among all trade promotion organizations and agen-
17 cies, what additional measures should be taken to further
18 improve the efficiency of and reduce duplication among
19 these organizations and agencies, and any suggested legis-
20 lative actions that would further improve the Govern-
21 ment's export and trade promotion activities.

22 (c) CONTENT OF REPORT.—The report required by
23 subsection (b) shall—

24 (1) identify the name, number, function, and
25 budget of all Government organizations or agencies

1 with some responsibility for supporting, advancing,
2 or promoting international trade or United States
3 exports;

4 (2) assess the amount of exports directly gen-
5 erated by the activities of each organization or agen-
6 cy;

7 (3) describe the overall impact of the Govern-
8 ment's trade and export promotion programs on in-
9 creasing exports and overseas market share;

10 (4) identify areas where increased cooperation
11 and interoperability would improve United States ex-
12 port promotion efforts;

13 (5) identify areas where greater efficiencies can
14 be achieved through the elimination of duplication
15 among the organizations and agencies included in
16 paragraph (1);

17 (6) identify ways to improve the audit and ac-
18 countability mechanisms for each organization or
19 agency, with particular emphasis on ensuring inde-
20 pendent oversight capabilities for each organization;

21 (7) an assessment of the trade and export pro-
22 motion activities of the United States major trade
23 partners and competitors, including but not limited
24 to amounts of tied aid and export subsidization pro-

1 vided by the Governments of those trade partners
2 and competitors; and

3 (8) a plan to reorganize the United States trade
4 and export promotion organizations and agencies,
5 with legislative requirements if necessary, in order to
6 more efficiently promote trade, increase organiza-
7 tional assessability, organize bureaucratic effort, and
8 expend public resources in support of American ex-
9 porters and international business.

10 **TITLE XVII—TRANSITION**
11 **PROVISIONS**

12 **SEC. 1701. TRANSFER OF FUNCTIONS.**

13 (a) DEPARTMENT OF STATE.—Except as otherwise
14 provided in this Act, there are transferred to, and vested
15 in, the Secretary of State on the effective dates specified
16 under this section all functions vested by law (including
17 by reorganization plan approved before the date of the en-
18 actment of this Act pursuant to chapter 9 of title 5, Unit-
19 ed States Code) in, or exercised by, the head of each of
20 the following agencies, the agencies themselves, or officers,
21 employees, or components thereof, immediately prior to
22 such date:

23 (1) The United States Arms Control and Disar-
24 mament Agency, on the effective date of title XII.

1 (2) The United States Information Agency, on
2 the effective date of title XIII.

3 (3) The Agency for International Development
4 and the International Development Cooperation
5 Agency (exclusive of components expressly estab-
6 lished by statute or reorganization plan), on the ef-
7 fective date of title XIV.

8 (b) BROADCASTING BOARD OF GOVERNORS.—There
9 are transferred to, and vested in, the Broadcasting Board
10 of Governors of the Department of State under title III
11 of the Foreign Relations Authorization Act, Fiscal Years
12 1994 and 1995 (as amended by section 1306 of this Act)
13 on the effective date of title XIII all functions vested by
14 law in, or exercised by, the Broadcasting Board of Gov-
15 ernors of the United States Information Agency as of the
16 day before that date.

17 (c) OFFICE OF CHIEF FINANCIAL OFFICER OF THE
18 DEPARTMENT OF STATE.—There are transferred to the
19 Chief Financial Officer of the Department of State on the
20 effective date of title XIV all functions that were vested
21 by law in, or exercised by, the Chief Financial Officer of
22 the Agency for International Development immediately
23 prior to such date.

24 (d) OFFICE OF INSPECTOR GENERAL FOR FOREIGN
25 AFFAIRS OF THE DEPARTMENT OF STATE.—There are

1 transferred to the Inspector General for Foreign Affairs
2 of the Department of State, as established in section 209
3 of the Foreign Service Act of 1980 (as amended by this
4 Act) on the effective dates specified under this subsection
5 the following functions:

6 (1) On the effective date of title XIII: All func-
7 tions that were vested by law in, or exercised by, the
8 Inspector General of the United States Information
9 Agency immediately prior to such date.

10 (2) On the effective date of title XIV: All func-
11 tions that were vested by law in, or exercised by, the
12 Inspector General of the Agency for International
13 Development immediately prior to such date.

14 (e) STATUTORY CONSTRUCTION.—Nothing in this
15 section precludes a transfer of functions on a date prior
16 to an effective date specified under this section if the
17 transfer is made in accordance with the schedule of trans-
18 fers set forth in a reorganization plan approved under this
19 title.

20 **SEC. 1702. DETERMINATION OF TRANSFERRED FUNCTIONS**
21 **AND EMPLOYEES.**

22 (a) IN GENERAL.—Except as provided in subsection
23 (b), the Secretary of State shall, with the cooperation of
24 the head of the transferor agency, identify the functions
25 or employees, or both, of the agency that are to be trans-

1 ferred to the Department of State pursuant to section
2 1701. Any disagreements between the head of such an
3 agency and the Secretary with respect to such an identi-
4 fication shall be resolved by the Director of the Office of
5 Management and Budget.

6 (b) AGENCY FOR INTERNATIONAL DEVELOPMENT.—
7 The Secretary of State shall determine the functions of
8 the Agency for International Development, and the num-
9 ber of employees of such Agency necessary to perform or
10 support such functions, which are to be transferred from
11 the Agency for International Development to the Depart-
12 ment of State pursuant to section 1701.

13 **SEC. 1703. REORGANIZATION PLAN FOR THE UNITED**
14 **STATES ARMS CONTROL AND DISARMAMENT**
15 **AGENCY.**

16 (a) SUBMISSION OF PLAN.—Not later than March 1,
17 1996, the President, in consultation with the Secretary of
18 State, shall transmit to the appropriate congressional com-
19 mittees a reorganization plan providing for—

20 (1) the abolition of the United States Arms
21 Control and Disarmament Agency in accordance
22 with this title;

23 (2) the transfer to the Department of State of
24 the functions and personnel of the Arms Control and
25 Disarmament Agency as the President determines

1 necessary to carry out the primary functions of the
2 Agency, consistent with this title and title XII; and

3 (3) the consolidation, reorganization, and
4 streamlining of the Department upon the transfer of
5 functions under this title in order to carry out such
6 functions.

7 (b) PLAN ELEMENTS.—The plan under subsection
8 (a) shall—

9 (1) identify the functions of the Arms Control
10 and Disarmament Agency that will be transferred to
11 the Department under the plan, as well as those
12 that will be abolished under the plan;

13 (2) identify the personnel and positions of the
14 Agency (including civil service personnel, Foreign
15 Service personnel, and detailees) that will be trans-
16 ferred to the Department, separated from service
17 with the Agency, or be terminated under the plan,
18 and set forth a schedule for such transfers, separa-
19 tions, and terminations;

20 (3) identify the personnel and positions of the
21 Department (including civil service personnel, For-
22 eign Service personnel, and detailees) that will be
23 transferred within the Department, separated from
24 service with the Department, or terminated under

1 the plan and set forth a schedule for such transfers,
2 separations, and terminations;

3 (4) specify the consolidations and reorganiza-
4 tion of functions of the Department that will be re-
5 quired under the plan in order to permit the Depart-
6 ment to carry out the functions transferred to the
7 Department under the plan;

8 (5) specify the funds available to the Arms Con-
9 trol and Disarmament Agency that will be trans-
10 ferred to the Department under this title as a result
11 of the abolition of the Agency;

12 (6) specify the proposed allocations within the
13 Department of unexpended funds of the Agency that
14 will be transferred to the Department under the
15 plan; and

16 (7) specify the proposed disposition of the prop-
17 erty, facilities, contracts, records, and other assets
18 and liabilities of the Agency that will result from the
19 abolition of the Agency and the transfer of the func-
20 tions of the Agency to the Department under the
21 plan.

22 (c) EFFECTIVE DATE OF PLAN.—The plan transmit-
23 ted under subsection (a) shall become effective on the date
24 Congress enacts a joint resolution, in accordance with sec-
25 tion 1708, approving the plan.

1 (d) REDUCTION OF EMPLOYEES.—(1) The Director
2 of the United States Arms Control and Disarmament
3 Agency shall take such actions as necessary under section
4 611 of the Foreign Service Act of 1980 (22 U.S.C.
5 4010a), in the case of members of the Foreign Service,
6 or under regulations prescribed under section 3502 of title
7 5, United States Code, and procedures established under
8 section 3595, of title 5, United States Code, in the case
9 of Federal employees who are not members of the Foreign
10 Service, to reduce by eight percent the number of employ-
11 ees employed by the Agency on the date of the enactment
12 of this Act. The Director shall achieve the reduction not
13 later than February 28, 1997.

14 (2) For purposes of this subsection, the transfer of
15 any employee of the Agency to the Department of State,
16 or to any other department or agency of the United
17 States, shall be excluded from the computation of the per-
18 centage reduction in personnel under this subsection.

19 (e) REDUCTION IN FUNDS FOR SALARIES AND EX-
20 PENSES FOR FAILURE TO IMPLEMENT PLAN.—If the Sec-
21 retary of State and the Director of the United States
22 Arms Control and Disarmament Agency do not complete
23 the implementation of the reorganization plan of the Agen-
24 cy under this section in accordance with the schedule in
25 the plan as approved under section 1708, the amount of

1 funds that the Secretary and the Director may obligate
2 for salaries and expenses of the Department of State and
3 the Agency, respectively, in the fiscal year in which the
4 implementation of the plan is otherwise scheduled to be
5 completed under the plan shall be reduced by an amount
6 equal to 20 percent of the amount otherwise appropriated
7 to the Department and the Agency, respectively, in that
8 fiscal year for salaries and expenses.

9 **SEC. 1704. REORGANIZATION PLAN FOR THE UNITED**
10 **STATES INFORMATION AGENCY.**

11 (a) SUBMISSION OF PLAN.—Not later than March 1,
12 1996, the President, in consultation with the Secretary of
13 State, shall transmit to the appropriate congressional com-
14 mittees a reorganization plan providing for—

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

17 (2) the transfer to the Department of State of
18 the functions and personnel of the United States In-
19 formation Agency as the President determines nec-
20 essary to carry out the primary functions of the
21 Agency, consistent with this title and title XIII and
22 subject to paragraph (3);

23 (3) the transfer to the corresponding compo-
24 nents of the Department of State of such functions
25 and personnel of the components of the Agency de-

1 scribed in sections 1701(b) and 1701(d)(1) as the
2 President determines necessary to carry out the pri-
3 mary functions of those components; and

4 (4) the consolidation, reorganization, and
5 streamlining of the Department upon the transfer of
6 functions under this title in order to carry out such
7 functions.

8 (b) PLAN ELEMENTS.—The plan under subsection
9 (a) shall—

10 (1) identify the functions of the United States
11 Information Agency that will be transferred to the
12 Department under the plan, as well as those that
13 will be abolished under the plan;

14 (2) identify the personnel and positions of the
15 Agency (including civil service personnel, Foreign
16 Service personnel, and detailees) that will be trans-
17 ferred to the Department, separated from service
18 with the Agency, or be terminated under the plan,
19 and set forth a schedule for such transfers, separa-
20 tions, and terminations;

21 (3) identify the personnel and positions of the
22 Department (including civil service personnel, For-
23 eign Service personnel, and detailees) that will be
24 transferred within the Department, separated from
25 service with the Department, or terminated under

1 the plan, and set forth a schedule for such transfers,
2 separations, and terminations;

3 (4) specify the consolidations and reorganiza-
4 tion of functions of the Department that will be re-
5 quired under the plan in order to permit the Depart-
6 ment to carry out the functions transferred to the
7 Department under the plan;

8 (5) specify the funds available to the United
9 States Information Agency that will be transferred
10 to the Department under this title as a result of the
11 abolition of the Agency;

12 (6) specify the proposed allocations within the
13 Department of unexpended funds of the Agency that
14 will be transferred to the Department under the
15 plan; and

16 (7) specify the proposed disposition of the prop-
17 erty, facilities, contracts, records, and other assets
18 and liabilities of the Agency that will result from the
19 abolition of the Agency and the transfer of the func-
20 tions of the Agency to the Department under the
21 plan.

22 (c) EFFECTIVE DATE OF PLAN.—The plan transmit-
23 ted under subsection (a) shall become effective on the date
24 on which Congress enacts a joint resolution, in accordance
25 with section 1708, approving the plan.

1 (d) REDUCTION OF EMPLOYEES.—(1) Subject to
2 paragraph (2), the Director of the United States Informa-
3 tion Agency shall take such actions as necessary under
4 section 611 of the Foreign Service Act of 1980 (22 U.S.C.
5 4010a), in the case of members of the Foreign Service,
6 or under regulations prescribed under section 3502 of title
7 5, United States Code, and procedures established under
8 section 3595, of title 5, United States Code, in the case
9 of Federal employees who are not members of the Foreign
10 Service, to reduce by 25 percent the number of employees
11 employed by the Agency on the date of the enactment of
12 this Act. The Director shall achieve the reduction not later
13 than February 28, 1997.

14 (2) For purposes of this subsection, the transfer of
15 any employee of the Agency to the Department of State,
16 or to any other department or agency of the United
17 States, shall be excluded from the computation of the per-
18 centage reduction in personnel under this subsection.

19 (3) In reducing the number of employees employed
20 by the Agency under this subsection, the Director shall
21 ensure that the number of members of the Foreign Service
22 employed by the Agency does not exceed the number of
23 such members authorized to be employed by the Agency
24 under section 141.

1 (e) REDUCTION IN FUNDS FOR SALARIES AND EX-
2 PENSES FOR FAILURE TO IMPLEMENT PLAN.—If the Sec-
3 retary of State and the Director of the United States In-
4 formation Agency do not complete the implementation of
5 the reorganization plan of the Agency under this section
6 in accordance with the schedule in the plan as approved
7 under section 1708, the amount of funds that the Sec-
8 retary and the Director may obligate for salaries and ex-
9 penses of the Department of State and the Agency, respec-
10 tively, in the fiscal year in which the implementation of
11 the plan is otherwise scheduled to be completed under the
12 plan shall be reduced by an amount equal to 20 percent
13 of the amount otherwise appropriated to the Department
14 and the Agency, respectively, in that fiscal year for sala-
15 ries and expenses.

16 **SEC. 1705. REORGANIZATION PLAN FOR THE AGENCY FOR**
17 **INTERNATIONAL DEVELOPMENT.**

18 (a) SUBMISSION OF PLAN.—Not later than March 1,
19 1996, the President, in consultation with the Secretary of
20 State, shall transmit to the appropriate congressional com-
21 mittees a reorganization plan providing for—

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

24 (2) the transfer to the Department of State of
25 the functions and personnel of the Agency for Inter-

1 national Development as the President determines
2 necessary to carry out the primary functions of the
3 Agency, consistent with this title and title XIV;

4 (3) the transfer to the corresponding compo-
5 nents of the Department of State of such functions
6 and personnel of the components of the Agency de-
7 scribed in sections 1701(c) and 1701(d)(2) as the
8 President determines necessary to carry out the pri-
9 mary functions of those components; and

10 (4) the consolidation, reorganization, and
11 streamlining of the Department upon the transfer of
12 functions under this title in order to carry out such
13 functions.

14 (b) PLAN ELEMENTS.—The plan under subsection
15 (a) shall—

16 (1) identify the functions of the Agency for
17 International Development that will be transferred
18 to the Department under the plan, as well as those
19 that will be abolished under the plan;

20 (2) identify the personnel and positions of the
21 Agency (including civil service personnel, Foreign
22 Service personnel, and detailees) that will be trans-
23 ferred to the Department, separated from service
24 with the Agency, or be terminated under the plan,

1 and set forth a schedule for such transfers, separa-
2 tions, and terminations;

3 (3) identify the personnel and positions of the
4 Department (including civil service personnel, For-
5 eign Service personnel, and detailees) that will be
6 transferred within the Department, separated from
7 service with the Department, or terminated under
8 the plan and set forth a schedule for such transfers,
9 separations, and terminations;

10 (4) specify the consolidations and reorganiza-
11 tion of functions of the Department that will be re-
12 quired under the plan in order to permit the Depart-
13 ment to carry out the functions transferred to the
14 Department under the plan;

15 (5) specify the funds available to the Agency for
16 International Development that will be transferred
17 to the Department under this title as a result of the
18 abolition of the Agency;

19 (6) specify the proposed allocations within the
20 Department of unexpended funds of the Agency that
21 will be transferred to the Department under the
22 plan; and

23 (7) specify the proposed disposition of the prop-
24 erty, facilities, contracts, records, and other assets
25 and liabilities of the Agency that will result from the

1 abolition of the Agency and the transfer of the func-
2 tions of the Agency to the Department under the
3 plan.

4 (c) EFFECTIVE DATE OF PLAN.—The plan transmit-
5 ted under subsection (a) shall become effective on the date
6 on which the Congress enacts a joint resolution, in accord-
7 ance with section 1708, approving the plan.

8 (d) REDUCTION OF EMPLOYEES.—(1) Subject to
9 paragraph (2), the Administrator of the Agency for Inter-
10 national Development shall take such actions as necessary
11 under section 611 of the Foreign Service Act of 1980 (22
12 U.S.C. 4010a), in the case of members of the Foreign
13 Service, or under regulations prescribed under section
14 3502 of title 5, United States Code, and procedures estab-
15 lished under section 3595, of title 5, United States Code,
16 in the case of Federal employees who are not members
17 of the Foreign Service, to reduce by 50 percent the num-
18 ber of employees employed by the Agency on the date of
19 the enactment of this Act. The Administrator shall achieve
20 the reduction not later than February 28, 1997.

21 (2) For purposes of this subsection, the transfer of
22 any employee of the Agency to the Department of State,
23 or any other department or agency of the United States,
24 shall be excluded from the computation of the percentage
25 reduction in personnel under this subsection.

1 (3) In reducing the number of employees employed
2 by the Agency under this subsection, the Administrator
3 shall ensure that the number of members of the Foreign
4 Service employed by the Agency does not exceed the num-
5 ber of such members authorized to be employed by the
6 Agency under section 141.

7 (e) REDUCTION IN FUNDS FOR SALARIES AND EX-
8 PENSES FOR FAILURE TO IMPLEMENT PLAN.—If the Sec-
9 retary of State and the Administrator of the Agency for
10 International Development do not complete the implemen-
11 tation of the reorganization plan of the Agency under this
12 section in accordance with the schedule in the plan as ap-
13 proved under section 1708, the amount of funds that the
14 Secretary and the Administrator may obligate for salaries
15 and expenses of the Department of State and the Agency,
16 respectively, in the fiscal year in which the implementation
17 of the plan is otherwise scheduled to be completed under
18 the plan shall be reduced by an amount equal to 20 per-
19 cent of the amount otherwise appropriated to the Depart-
20 ment and the Agency, respectively, in that fiscal year for
21 salaries and expenses.

1 **SEC. 1706. ADDITIONAL REQUIREMENTS AND LIMITATIONS**
2 **ON REORGANIZATION PLANS.**

3 (a) LIMITATION ON POWERS.—A reorganization plan
4 under section 1703, 1704, or 1705 may not have the effect
5 of—

6 (1) creating a new executive department;

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

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

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

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

19 (b) EFFECT ON OTHER LAWS, PENDING LEGAL PRO-
20 CEEDINGS, AND UNEXPENDED APPROPRIATIONS.—(1) A
21 statute enacted, and a regulation or other action made,
22 prescribed, issued, granted, or performed in respect of or
23 by the agency or function affected by a reorganization
24 under this title, before the effective date of the reorganiza-
25 tion, has, except to the extent rescinded, modified, super-
26 seded, or made inapplicable by or under authority of law

1 or by the abolition of a function, the same effect as if the
2 reorganization had not been made. However, if the stat-
3 ute, regulation, or other action has vested the functions
4 in a transferor agency, the function, insofar as it is to
5 be exercised after the plan becomes effective, shall be
6 deemed as vested in the transferee agency concerned.

7 (2) For the purpose of paragraph (1), the term “reg-
8 ulation or other action” means a regulation, rule, order,
9 policy, determination, directive, authorization, permit,
10 privilege, requirement, designation, or other action.

11 (c) NOTICE OF IMPLEMENTATION OF PLANS.—The
12 President shall cause to be published in the Federal Reg-
13 ister for each reorganization plan submitted under section
14 1703, 1704, or 1705 a notice of the date by which all
15 functions of the transferor agency are to be transferred
16 or terminated under the plan.

17 **SEC. 1707. AMENDMENTS OR MODIFICATIONS TO REORGA-**
18 **NIZATION PLANS.**

19 Any time during the period of 30 calendar days after
20 the date on which a reorganization plan is transmitted to
21 Congress under section 1703, 1704, or 1705, or after the
22 date on which the President transmits to Congress any
23 other plan having the effect of revising such a plan, but
24 before any resolution described in section 1708 has been
25 ordered reported in (or deemed to be discharged from) ei-

1 ther House of Congress, the President may make amend-
 2 ments or modifications to the plan, consistent with section
 3 1703, 1704, or 1705, as the case may be, which modifica-
 4 tions or revisions shall thereafter be treated as a part of
 5 the reorganization plan originally transmitted and shall
 6 not affect in any way the time limits otherwise provided
 7 for in section 1708. The President may withdraw the plan
 8 at any time prior to the conclusion of 45 calendar days
 9 beginning on the date on which the plan is submitted to
 10 Congress.

11 **SEC. 1708. PROCEDURES FOR CONGRESSIONAL CONSIDER-**
 12 **ATION OF REORGANIZATION PLANS.**

13 (a) PROCEDURES.—A joint resolution described in
 14 subsection (b) which is introduced in a House of Congress
 15 in accordance with subsection (c) shall be considered in
 16 Congress in accordance with the procedures set forth in
 17 this section.

18 (b) TERMS OF RESOLUTION.—For the purpose of
 19 subsection (a), the term “resolution” means only a joint
 20 resolution of the Congress, the matter after the resolving
 21 clause of which is as follows: “That the Congress approves
 22 the reorganization plan numbered ____ transmitted to the
 23 Congress by the President on _____, 19____,
 24 pursuant to section ____ of the Foreign Affairs
 25 Reinvention Act of 1995.”, and includes such modifica-

1 tions and revisions as are submitted by the President
2 under section 1707. The blank spaces therein are to be
3 filled appropriately. The term does not include a resolution
4 which specifies more than one reorganization plan.

5 (c) INTRODUCTION AND REFERENCE OF RESOLU-
6 TION.—(1) No later than the first day of session following
7 the day on which a reorganization plan is transmitted to
8 the House of Representatives and the Senate under sec-
9 tion 1703, 1704, or 1705, or any other plan transmitted
10 by the President to Congress having the effect of revising
11 such a plan, a resolution, as defined in subsection (b),
12 shall be introduced (by request) in the House by the chair-
13 man of the Committee on International Relations of the
14 House of Representatives, or by a Member or Members
15 of the House designated by such chairman, and shall be
16 introduced (by request) in the Senate by the chairman of
17 the Committee on Foreign Relations of the Senate, or by
18 a Member or Members of the Senate designated by such
19 chairman.

20 (2) A resolution with respect to a reorganization plan
21 shall be referred to the Committee on Foreign Relations
22 of the Senate and the Committee on International Rela-
23 tions of the House of Representatives (and all resolutions
24 with respect to the same plan shall be referred to the same
25 committee) by the President of the Senate or the Speaker

1 of the House of Representatives, as the case may be. The
2 committee shall make its recommendations to the House
3 of Representatives or the Senate, as the case may be, with-
4 in 30 calendar days following the date of such resolution's
5 introduction.

6 (d) DISCHARGE OF COMMITTEE CONSIDERING RESO-
7 LUTION.—If the committee to which is referred a resolu-
8 tion introduced pursuant to paragraph (1) of subsection
9 (c) (or, in the absence of such a resolution, the first resolu-
10 tion introduced with respect to the same reorganization
11 plan) has not reported such resolution or identical resolu-
12 tion at the end of 30 calendar days after its introduction,
13 such committee shall be deemed to be discharged from fur-
14 ther consideration of such resolution and such resolution
15 shall be placed on the appropriate calendar of the House
16 involved.

17 (e) PROCEDURE AFTER REPORT OR DISCHARGE OF
18 COMMITTEE; DEBATE; VOTE ON FINAL PASSAGE.—(1)
19 When the committee has reported, or has been deemed
20 to be discharged (under subsection (d)) from further con-
21 sideration of, a resolution with respect to a reorganization
22 plan, it is at any time thereafter in order (even though
23 a previous motion to the same effect has been disagreed
24 to) for any Member of the respective House to move to
25 proceed to the consideration of the resolution. The motion

1 is highly privileged and is not debatable. The motion shall
2 not be subject to amendment, or to a motion to postpone,
3 or a motion to proceed to the consideration of other busi-
4 ness. A motion to reconsider the vote by which the motion
5 is agreed to or disagreed to shall not be in order. If a
6 motion to proceed to the consideration of the resolution
7 is agreed to, the resolution shall remain the unfinished
8 business of the respective House until disposed of.

9 (2) Debate on the resolution, and on all debatable
10 motions and appeals in connection therewith, shall be lim-
11 ited to not more than ten hours, which shall be divided
12 equally between individuals favoring and individuals op-
13 posing the resolution. A motion further to limit debate is
14 in order and not debatable. An amendment to, or a motion
15 to postpone, or a motion to proceed to the consideration
16 of other business, or a motion to recommit the resolution
17 is not in order. A motion to reconsider the vote by which
18 the resolution is passed or rejected shall not be in order.

19 (3) Immediately following the conclusion of the de-
20 bate on the resolution with respect to a reorganization
21 plan, and a single quorum call at the conclusion of the
22 debate if requested in accordance with the rules of the ap-
23 propriate House, the vote on final passage of the resolu-
24 tion shall occur.

1 (4) Appeals from the decisions of the Chair relating
2 to the application of the rules of the Senate or the House
3 of Representatives, as the case may be, to the procedure
4 relating to a resolution with respect to a reorganization
5 plan shall be decided without debate.

6 (5) If, prior to the passage by one House of a resolu-
7 tion of that House, that House receives a resolution with
8 respect to the same reorganization plan from the other
9 House, then—

10 (A) the procedure in that House shall be the
11 same as if no resolution had been received from the
12 other House; but

13 (B) the vote on final passage shall be on the
14 resolution of the other House.

15 (f) RULES OF SENATE AND HOUSE OF REPRESENTA-
16 TIVES ON REORGANIZATION PLANS.—Subsections (b), (c),
17 (d), and (e) of this section are enacted by Congress—

18 (1) as an exercise of the rulemaking power of
19 the Senate and the House of Representatives, re-
20 spectively, and as such they are deemed a part of
21 the rules of each House, respectively, but applicable
22 only with respect to the procedure to be followed in
23 that House in the case of resolutions with respect to
24 any reorganization plans transmitted to Congress in
25 accordance with section 1703, 1704, or 1705, or any

1 other plan transmitted by the President to Congress
2 having the effect of revising such a plan, and they
3 supersede other rules only to the extent that they
4 are inconsistent therewith; and

5 (2) with full recognition of the constitutional
6 right of either House to change the rules (so far as
7 relating to the procedure of that House) at any time,
8 in the same manner and to the same extent as in
9 the case of any other rule of that House.

10 **SEC. 1709. TRANSITION FUND.**

11 (a) ESTABLISHMENT.—There is hereby established
12 on the books of the Treasury an account to be known as
13 the “Foreign Affairs Reorganization Transition Fund”.

14 (b) PURPOSE.—The purpose of the account is to pro-
15 vide funds for the orderly transfer of functions and per-
16 sonnel to the Department of State as a result of the imple-
17 mentation of this title and for payment of other costs asso-
18 ciated with the consolidation of foreign affairs agencies
19 under this title.

20 (c) DEPOSITS.—(1) Subject to paragraphs (2) and
21 (3), there shall be deposited into the account the following:

22 (A) Funds appropriated to the account pursu-
23 ant to the authorization of appropriations in sub-
24 section (j).

1 (B) Funds transferred to the account by the
2 Secretary of State from funds that are transferred
3 to the Secretary by the head of an agency under
4 subsection (d).

5 (C) Funds transferred to the account by the
6 Secretary from funds that are transferred to the De-
7 partment of State together with the transfer of func-
8 tions to the Department under this title and that are
9 not required by the Secretary in order to carry out
10 the functions.

11 (D) Funds transferred to the account by the
12 Secretary from any unobligated funds that are ap-
13 propriated or otherwise made available to the De-
14 partment.

15 (2) The Secretary may transfer funds to the account
16 under subparagraph (C) of paragraph (1) only if the Sec-
17 retary determines that the amount of funds deposited in
18 the account pursuant to subparagraphs (A) and (B) of
19 that paragraph is inadequate to pay the costs of carrying
20 out this title.

21 (3) The Secretary may transfer funds to the account
22 under subparagraph (D) of paragraph (1) only if the Sec-
23 retary determines that the amount of funds deposited in
24 the account pursuant to subparagraphs (A), (B), and (C)

1 of that paragraph is inadequate to pay the costs of carry-
2 ing out this title.

3 (d) TRANSFER OF FUNDS TO SECRETARY OF
4 STATE.—The head of a transferor agency shall transfer
5 to the Secretary the amount, if any, of the unobligated
6 funds appropriated or otherwise made available to the
7 agency for functions of the agency that are abolished
8 under this title which funds are not required to carry out
9 the functions of the agency as a result of the abolishment
10 of the functions under this title.

11 (e) USE OF FUNDS.—(1)(A) Notwithstanding any
12 other provision of law and subject to paragraph (2), the
13 Secretary shall use sums in the account for payment of
14 the costs of carrying out this title, including costs relating
15 to the consolidation of functions of the Department of
16 State and the termination of employees of the Depart-
17 ment.

18 (B) The Secretary may transfer sums in the account
19 to the head of an agency to be abolished under this divi-
20 sion for payment by the head of the agency of the cost
21 of carrying out a voluntary separation incentive program
22 at the agency under section 1710.

23 (2)(A) Except as provided in subparagraph (B), the
24 Secretary may not use sums in the account for payment
25 of the costs described in paragraph (1) unless the appro-

1 puate congressional committees are notified 15 days in
2 advance of such use in accordance with procedures appli-
3 cable to reprogramming notifications under section 34 of
4 the State Department Basic Authorities Act of 1956 (22
5 U.S.C. 2706).

6 (B) Subparagraph (A) does not apply to the following
7 uses of sums in the account:

8 (i) For payment of the cost of carrying out a
9 voluntary separation incentive program at the De-
10 partment under section 1710, but only if the total
11 cost of the program with respect to the Department
12 is less than \$10,000,000.

13 (ii) For transfer to the head of an agency to be
14 abolished under this division for payment of the cost
15 of carrying out a voluntary separation incentive pro-
16 gram at the agency under section 1710, but only if
17 the total amount transferred with respect to the
18 agency is less than \$30,000,000.

19 (iii) For payment of the cost of any severance
20 payments required to be paid by the Secretary to
21 employees of the Department, but only if the cost of
22 such payments is less than \$10,000,000.

23 (iv) For transfer to the head of an agency to
24 be abolished under this division for payment of the
25 cost of any severance payments required to be paid

1 to employees of the agency, but only if the total
2 amount transferred with respect to the agency is less
3 than \$40,000,000.

4 (v) For payment of the cost of any improve-
5 ments of the information management systems of
6 the Department that are carried out as a result of
7 the abolishment of agencies under this division, but
8 only if the cost of such improvements is less than
9 \$15,000,000.

10 (vi) For payment of the cost of the physical re-
11 location of fixtures, materials, and other resources
12 from an agency to be abolished under this division
13 to the Department or of such relocation within the
14 Department, but only if the cost of such relocation
15 is less than \$10,000,000.

16 (3) Funds in the account shall be available for the
17 payment of costs under paragraph (1) without fiscal year
18 limitation.

19 (4) Funds in the account may be used only for pur-
20 poses of paying the costs of carrying out this title.

21 (f) TREATMENT OF UNOBLIGATED BALANCES.—(1)
22 Subject to paragraph (2), unobligated funds, if any, which
23 remain in the account after the payment of the costs de-
24 scribed in subsection (e)(1) shall be transferred to the De-
25 partment of State and shall be available to the Secretary

1 of State for purposes of carrying out the functions of the
2 Department.

3 (2) The Secretary may not transfer funds in the ac-
4 count to the Department under paragraph (1) unless the
5 appropriate congressional committees are notified in ad-
6 vance of such transfer in accordance with the procedures
7 applicable to reprogramming notifications under section
8 34 of the State Department Basic Authorities Act of
9 1956.

10 (g) REPORT ON ACCOUNT.—Not later than October
11 1, 1998, the Secretary of State shall transmit to the ap-
12 propriate congressional committees a report containing an
13 accounting of—

14 (1) the expenditures from the account estab-
15 lished under this section; and

16 (2) in the event of any transfer of funds to the
17 Department of State under subsection (f), the func-
18 tions for which the funds so transferred were ex-
19 pended.

20 (h) TERMINATION OF AUTHORITY TO USE AC-
21 COUNT.—The Secretary may not obligate funds in the ac-
22 count after September 30, 1999.

23 (i) AUTHORIZATION OF APPROPRIATIONS.—There
24 are authorized to be appropriated for the fiscal year 1996
25 \$125,000,000 and for the fiscal year 1997 \$100,000,000,

1 for deposit under subsection (c)(1)(A) into the account es-
2 tablished under subsection (a).

3 **SEC. 1710. VOLUNTARY SEPARATION INCENTIVES.**

4 (a) **AUTHORITY TO PAY INCENTIVES.**—The head of
5 an agency referred to in subsection (b) may pay voluntary
6 incentive payments to employees of the agency in order
7 to avoid or minimize the need for involuntary separations
8 from the agency as a result of the abolition of the agency
9 and the consolidation of functions of the Department of
10 State under this title.

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

13 (1) The Department of State.

14 (2) The United States Arms Control and Disar-
15 mament Agency.

16 (3) The United States Information Agency.

17 (4) The Agency for International Development.

18 (c) **PAYMENT REQUIREMENTS.**—(1) The head of an
19 agency shall pay voluntary separation incentive payments
20 in accordance with the provisions of section 3 of the Fed-
21 eral Workforce Restructuring Act of 1994 (Public Law
22 103–226; 108 Stat. 111), except that an employee of the
23 agency shall be deemed to be eligible for payment of a
24 voluntary separation incentive payment under that section
25 if the employee separates from service with the agency

1 during the period beginning on the date of enactment of
2 this Act and ending on September 30, 1996.

3 (2) The provisions of subsection (d) of such section
4 3 shall apply to any employee who is paid a voluntary sep-
5 aration incentive payment under this section.

6 (d) FUNDING.—The payment of voluntary separation
7 incentive payments under this section shall be made from
8 funds in the Foreign Affairs Reorganization Transition
9 Fund established under section 1709. The Secretary of
10 State may transfer sums in that fund to the head of an
11 agency under subsection (e)(1)(B) of that section for pay-
12 ment of such payments by the agency head.

13 (e) TERMINATION OF AUTHORITY.—The authority of
14 the head of an agency to authorize payment of voluntary
15 separation incentive payments under this section shall ex-
16 pire on September 30, 1996.

17 (f) BUDGET ACT COMPLIANCE.—Any new spending
18 authority (within the meaning of section 401 of the Con-
19 gressional Budget Act of 1974) which is provided under
20 this section shall be effective for any fiscal year only to
21 the extent or in such amounts as are provided in advance
22 in appropriations Acts.

1 **SEC. 1711. RIGHTS OF EMPLOYEES OF ABOLISHED AGEN-**
2 **CIES.**

3 (a) IN GENERAL.—Except as otherwise provided by
4 this title, the transfer pursuant to this title of full-time
5 personnel (except special Government employees) and
6 part-time personnel holding permanent positions shall not
7 cause any such employee to be separated or reduced in
8 grade or compensation for one year after the date of trans-
9 fer of such employee under this title.

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

23 (c) TERMINATION OF CERTAIN POSITIONS.—Posi-
24 tions whose incumbents are appointed by the President,
25 by and with the advice and consent of the Senate, the
26 functions of which are transferred or abolished under this

1 title, shall terminate on the date of the transferal or aboli-
2 tion, as the case may be, of the functions under this title.

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

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

18 (e) SENIOR EXECUTIVE SERVICE.—A transferring
19 employee in the Senior Executive Service shall be placed
20 in a comparable position at the Department of State.

21 (f) EMPLOYEE BENEFIT PROGRAMS.—(1) Any em-
22 ployee accepting employment with the Department of
23 State as a result of a transfer under this title may retain
24 membership for 1 year after the date such transfer occurs
25 in any employee benefit program of the transferor agency,

1 including insurance, to which such employee belongs on
2 the date of the enactment of this Act if—

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

5 (B) the benefit or program is continued by the
6 Secretary of State.

7 (2) The difference in the costs between the benefits
8 which would have been provided by such agency or entity
9 and those provided under this subsection shall be paid by
10 the Secretary of State.

11 (3) If an employee elects to give up membership in
12 a health insurance program or the health insurance pro-
13 gram is not continued by the Secretary of State, the em-
14 ployee shall be permitted to select an alternate Federal
15 health insurance program within 30 days of such election
16 or notice, without regard to any other regularly scheduled
17 open season.

18 (g) ASSIGNMENTS.—(1) Transferring employees shall
19 receive notice of their position assignments not later than
20 the date on which the reorganization plan setting forth
21 the transferal of such employees is transmitted to the ap-
22 propriate congressional committees under this title.

23 (2) Foreign Service personnel transferred to the De-
24 partment of State pursuant to this title shall be eligible

1 for any assignment open to Foreign Service personnel
2 within the Department.

3 **SEC. 1712. TRANSFER AND ALLOCATIONS OF APPROPRIA-**
4 **TIONS AND PERSONNEL.**

5 (a) IN GENERAL.—Except as otherwise provided in
6 this title, the personnel employed in connection with, and
7 the assets, liabilities, contracts, property, records, and un-
8 expended balances of appropriations, authorizations, allo-
9 cations, and other funds employed, used, held, arising
10 from, available to, or to be made available in connection
11 with the functions transferred under this title, subject to
12 section 1531 of title 31, United States Code, shall be
13 transferred to the transferee agency concerned.

14 (b) TREATMENT OF PERSONNEL EMPLOYED IN TER-
15 MINATED FUNCTIONS.—The following shall apply with re-
16 spect to officers and employees of a transferor agency that
17 are not transferred under this title:

18 (1) Under such regulations as the Office of Per-
19 sonnel Management may prescribe, the head of any
20 agency in the executive branch may appoint in the
21 competitive service any person who is certified by
22 the head of the transferor agency as having served
23 satisfactorily in the transferor agency and who
24 passes such examination as the Office of Personnel
25 Management may prescribe. Any person so ap-

1 pointed shall, upon completion of the prescribed pro-
2 bationary period, acquire a competitive status.

3 (2) The head of any agency in the executive
4 branch having an established merit system in the ex-
5 cepted service may appoint in such service any per-
6 son who is certified by the head of the transferor
7 agency as having served satisfactorily in the trans-
8 feror agency and who passes such examination as
9 the head of such agency in the executive branch may
10 prescribe.

11 (3) Any appointment under this subsection
12 shall be made within a period of one year after com-
13 pletion of the appointee's service in the transferor
14 agency.

15 (4) Any law, Executive order, or regulation
16 which would disqualify an applicant for appointment
17 in the competitive service or in the excepted service
18 concerned shall also disqualify an applicant for ap-
19 pointment under this subsection.

20 (c) AUTHORIZED STRENGTH OF THE FOREIGN SERV-
21 ICE.—When an agency is abolished under this division, the
22 limitations for fiscal years 1996 and 1997 under section
23 141 of this Act on the members of the Foreign Service
24 authorized to be employed by such agency shall be added

1 to the limitations under such section which apply to the
2 Department of State.

3 **SEC. 1713. PERSONNEL AUTHORITIES FOR TRANSFERRED**
4 **FUNCTIONS.**

5 (a) APPOINTMENTS.—(1) Subject to paragraph (2),
6 the head of a transferee agency may appoint and fix the
7 compensation of such officers and employees, including in-
8 vestigators, attorneys, and administrative law judges, as
9 may be necessary to carry out the respective functions
10 transferred to the agency under this title. Except as other-
11 wise provided by law, such officers and employees shall
12 be appointed in accordance with the civil service laws and
13 their compensation fixed in accordance with title 5, United
14 States Code.

15 (2) A person employed under paragraph (1) may not
16 continue in such employment after the end of the period
17 (as determined by the Secretary of State) required for the
18 transferal of functions under this title.

19 (b) EXPERTS AND CONSULTANTS.—The head of a
20 transferee agency may obtain the services of experts and
21 consultants in connection with functions transferred to the
22 agency under this title in accordance with section 3109
23 of title 5, United States Code, and compensate such ex-
24 perts and consultants for each day (including traveltime)
25 at rates not in excess of the rate of pay for level IV of

1 the Executive Schedule under section 5315 of such title.
2 The head of the transferee agency may pay experts and
3 consultants who are serving away from their homes or reg-
4 ular place of business travel expenses and per diem in lieu
5 of subsistence at rates authorized by sections 5702 and
6 5703 of such title for persons in Government service em-
7 ployed intermittently.

8 **SEC. 1714. PROPERTY AND FACILITIES.**

9 (a) IN GENERAL.—The Secretary of State shall re-
10 view the property and facilities of each transferor agency
11 for purposes of determining if the property is required by
12 the Department of State in order to carry out the func-
13 tions of the Department after the transfer of functions
14 to the Department under this title.

15 (b) DEADLINE FOR TRANSFER.—Not later than
16 March 1, 1997, all property and facilities within the cus-
17 tody of the transferor agency shall be transferred to the
18 custody of the Secretary of State.

19 **SEC. 1715. DELEGATION AND ASSIGNMENT.**

20 Except where otherwise expressly prohibited by law
21 or otherwise provided by this Act, the head of a transferee
22 agency may delegate any of the functions transferred to
23 the head of the transferee agency under section 1701 and
24 any function transferred or granted to such head of the
25 transferee agency after the appropriate effective date spec-

1 ified in section 1701 to such officers and employees of the
2 transferee agency as the head of the transferee agency
3 may designate, and may authorize successive redelegations
4 of such functions as may be necessary or appropriate. No
5 delegation of functions by the head of the transferee agen-
6 cy under this section or under any other provision of this
7 title shall relieve such head of the transferee agency of
8 responsibility for the administration of such functions.

9 **SEC. 1716. RULES.**

10 The head of a transferee agency may prescribe, in
11 accordance with the provisions of chapters 5 and 6 of title
12 5, United States Code, such rules and regulations as the
13 head of the transferee agency determines necessary or ap-
14 propriate to administer and manage the functions of the
15 transferee agency after the transfer of functions to the
16 agency under this title.

17 **SEC. 1717. INCIDENTAL TRANSFERS.**

18 The Director of the Office of Management and Budg-
19 et may, at such time or times as the Director shall provide,
20 make such additional incidental dispositions of personnel,
21 assets, liabilities, grants, contracts, property, records, and
22 unexpended balances of appropriations, authorizations, al-
23 locations, and other funds held, used, arising from, avail-
24 able to, or to be made available in connection with func-
25 tions abolished or transferred under this title, as may be

1 necessary to carry out the provisions of this title. The Di-
2 rector shall provide for the termination of the affairs of
3 all entities terminated by this title and for such further
4 measures and dispositions as may be necessary to effec-
5 tuate the purposes of this title.

6 **SEC. 1718. EFFECT ON CONTRACTS AND GRANTS.**

7 (a) PROHIBITION ON NEW OR EXTENDED CON-
8 TRACTS OR GRANTS.—Except as provided in subsection
9 (b), the United States Arms Control and Disarmament
10 Agency, the United States Information Agency, and the
11 Agency for International Development may not—

12 (1) enter into a contract or agreement which
13 will continue in force after the date of abolition of
14 such agency under this division;

15 (2) extend the term of an existing contract or
16 agreement of such agency to a date after such date;
17 or

18 (3) make a grant which will continue in force
19 after such date.

20 (b) EXCEPTION.—Subsection (a) does not apply to
21 the following:

22 (1) Contracts and agreements for carrying out
23 essential administrative functions.

24 (2) Contracts and agreements for functions and
25 activities that the Secretary of State determines will

1 be carried out by the Department of State after the
2 termination of the agency concerned under this title.

3 (3) Grants relating to the functions and activi-
4 ties referred to in paragraph (2).

5 (c) EVALUATION AND TERMINATION OF EXISTING
6 CONTRACTS.—The Secretary of State and the head of
7 each agency referred to in subsection (a) shall—

8 (1) review the contracts of such agency that will
9 continue in force after the date of the abolition of
10 the agency under this division in order to determine
11 if the cost of abrogating such contracts before that
12 date would exceed the cost of carrying out the con-
13 tract according to its terms; and

14 (2) in the case of each contract so determined,
15 provide for the termination of the contract in the
16 most cost-effective manner practicable.

17 **SEC. 1719. SAVINGS PROVISIONS.**

18 (a) CONTINUING EFFECT OF LEGAL DOCUMENTS.—
19 All orders, determinations, rules, regulations, permits,
20 agreements, grants, contracts, certificates, licenses, reg-
21 istrations, privileges, and other administrative actions—

22 (1) which have been issued, made, granted, or
23 allowed to become effective by the President, any
24 Federal agency or official thereof, or by a court of

1 competent jurisdiction, in the performance of func-
2 tions which are transferred under this title, and

3 (2) which are in effect at the time of the appro-
4 priate effective date specified in section 1701, or
5 were final before such effective date and are to be-
6 come effective on or after such effective date,

7 shall continue in effect according to their terms until
8 modified, terminated, superseded, set aside, or revoked in
9 accordance with law by the President, the head of the
10 transferee agency concerned or other authorized official,
11 a court of competent jurisdiction, or by operation of law.

12 (b) PROCEEDINGS NOT AFFECTED.—The provisions
13 of this title shall not affect any proceedings, including no-
14 tices of proposed rulemaking, or any application for any
15 license, permit, certificate, or financial assistance pending
16 before a transferor agency at the time this title takes ef-
17 fect for the agency, with respect to functions transferred
18 under this title but such proceedings and applications shall
19 be continued. Orders shall be issued in such proceedings,
20 appeals shall be taken therefrom, and payments shall be
21 made pursuant to such orders, as if this title had not been
22 enacted, and orders issued in any such proceedings shall
23 continue in effect until modified, terminated, superseded,
24 or revoked by a duly authorized official, by a court of com-
25 petent jurisdiction, or by operation of law. Nothing in this

1 subsection shall be deemed to prohibit the discontinuance
2 or modification of any such proceeding under the same
3 terms and conditions and to the same extent that such
4 proceeding could have been discontinued or modified if
5 this title had not been enacted.

6 (c) SUITS NOT AFFECTED.—The provisions of this
7 title shall not affect suits commenced before the appro-
8 priate effective date specified in section 1701, and in all
9 such suits, proceedings shall be had, appeals taken, and
10 judgments rendered in the same manner and with the
11 same effect as if this title had not been enacted.

12 (d) NONABATEMENT OF ACTIONS.—No suit, action,
13 or other proceeding commenced by or against a transferor
14 agency, or by or against any individual in the official ca-
15 pacity of such individual as an officer of the transferor
16 agency, shall abate by reason of the enactment of this title.

17 (e) ADMINISTRATIVE ACTIONS RELATING TO PRO-
18 MULGATION OF REGULATIONS.—Any administrative ac-
19 tion relating to the preparation or promulgation of a regu-
20 lation by a transferor agency relating to a function trans-
21 ferred under this title may be continued by the transferee
22 agency with the same effect as if this title had not been
23 enacted.

1 **SEC. 1720. SEPARABILITY.**

2 If a provision of this title or its application to any
3 person or circumstance is held invalid, neither the remain-
4 der of this title nor the application of the provision to
5 other persons or circumstances shall be affected.

6 **SEC. 1721. OTHER TRANSITION AUTHORITIES.**

7 The head of a transferee agency may utilize—

8 (1) the services of such officers, employees, and
9 other personnel of the transferor agency with respect
10 to functions transferred to the transferee agency
11 under this title; and

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

15 **SEC. 1722. ADDITIONAL CONFORMING AMENDMENTS.**

16 The President may submit a report to the appro-
17 priate congressional committees containing such rec-
18 ommendations for such additional technical and conform-
19 ing amendments to the laws of the United States as may
20 be appropriate to reflect the changes made by this divi-
21 sion.

22 **SEC. 1723. FINAL REPORT.**

23 Not later than October 1, 1998, the President shall
24 provide by written report to the Congress a final account-
25 ing of the finances and operations of the United States
26 Arms Control and Disarmament Agency, the United

1 States Information Agency, and the Agency for Inter-
2 national Development.

3 **SEC. 1724. DEFINITIONS.**

4 For purposes of this title, unless otherwise provided
5 or indicated by the context—

6 (1) the term “appropriate congressional com-
7 mittees” means the Committee on Foreign Relations
8 of the Senate and the Committee on International
9 Relations of the House of Representatives;

10 (2) the term “Federal agency” has the meaning
11 given to the term “agency” by section 551(1) of title
12 5, United States Code;

13 (3) the term “function” means any duty, obli-
14 gation, power, authority, responsibility, right, privi-
15 lege, activity, or program;

16 (4) the term “office” includes any office, ad-
17 ministration, agency, institute, unit, organizational
18 entity, or component thereof;

19 (5) the term “transferee agency” means—

20 (A) the Department of State, with respect
21 to functions transferred under section 1701(a);

22 (B) the Broadcasting Board of Governors
23 of the Department of State, with respect to
24 functions transferred under section 1701(b);

1 (C) the Chief Financial Officer of the De-
2 partment of State, with respect to functions
3 transferred under section 1701(c); and

4 (D) the Inspector General for Foreign Af-
5 fairs of the Department of State, with respect
6 to functions transferred under section 1701(d);
7 and

8 (6) the term “transferor agency” refers to each
9 of the following agencies:

10 (A) The United States Arms Control and
11 Disarmament Agency, with respect to the func-
12 tions transferred under section 1701(a)(1).

13 (B) The United States Information Agency
14 (exclusive of the Broadcasting Board of Gov-
15 ernors), with respect to the functions trans-
16 ferred under section 1701(a)(2).

17 (C) The Agency for International Develop-
18 ment, a component of the International Devel-
19 opment Cooperation Agency, with respect to the
20 functions transferred under section 1701(a)(3).

21 (D) The International Development Co-
22 operation Agency (exclusive of components ex-
23 pressly established by statute or reorganization
24 plan), with respect to the functions transferred
25 under section 1701(a)(3).

1 (E) The Broadcasting Board of Governors,
 2 with respect to the functions transferred under
 3 section 1701(b).

4 (F) The Officer of the Chief Financial Of-
 5 ficer, Agency for International Development,
 6 with respect to the functions transferred under
 7 section 1701(c).

8 (G) The Office of Inspector General, Unit-
 9 ed States Information Agency, with respect to
 10 the functions transferred under section
 11 1701(d)(1).

12 (H) The Office of Inspector General, Agen-
 13 cy for International Development, with respect
 14 to the functions transferred under section
 15 1701(d)(2).

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