SEC. 702. STATEMENT OF PURPOSE; STATUTORY CONSTRUCTION.

(a) PURPOSE.—The purpose of this title is to set forth requirements, consistent with the Agreement, for the United States implementation of the Agreed Framework.

(b) STATUTORY CONSTRUCTION.—Nothing in this title requires the United States to take any action which would be inconsistent with any provision of the Agreed Framework.

SEC. 703. RESTRICTION ON FUNDING.

(a) SUBJECT TO AN AUTHORIZATION OF APPROPRIATIONS ACT AND AN APPROPRIATIONS ACT.—The United States may not exercise any authority under the Agreed Framework without authorization or ratification of expenditure of funds except to the extent and in the amounts provided in an Act authorizing appropriations and in an appropriations Act.

(b) PROHIBITION.—No funds may be made available under any provision of law to carry out activities described in the Agreed Framework unless the President determines and certifies to Congress that North Korea is in full compliance with the terms of the Agreed Framework.

SEC. 704. NORMALIZATION OF DIPLOMATIC RELATIONS.

None of the funds made available to carry out any program, project, or activity funded under any provision of law may be used to maintain relations with or extend diplomatic missions to North Korea until North Korea has satisfied the IAEA safeguards requirement described in section 702, the additional requirements set forth in section 701, and the nuclear nonproliferation requirements of section 709.

SEC. 705. NORMALIZATION OF ECONOMIC RELATIONS.

(a) RESTRICTION ON TERMINATION OF ECONOMIC EMBARGO.—The President shall not terminate the economic embargo of North Korea until North Korea has satisfied the IAEA safeguards requirement described in section 702, the additional requirements set forth in section 701, and the nuclear nonproliferation requirements of section 709.

(b) DEFINITION.—As used in this section, the term “economic embargo of North Korea” means the regulations of the Department of the Treasury restricting trade with North Korea under section 5(b) of the Trading with the Enemy Act (50 U.S.C. App. 5(b)).

SEC. 706. RESTRICTION ON PETROLEUM SHIPMENTS.

(a) RESTRICTION.—If North Korea does not satisfy the IAEA safeguards requirement described in section 702, or if North Korea diverts heavy oil or heavy fuel oil not specified in the Agreed Framework, then—

(1) no additional heavy oil may be exported to North Korea if such oil is subject to the jurisdiction of the United States, or is exported by a person subject to the jurisdiction of the United States;

(2) the United States shall immediately cease any direct or indirect support for any exports of heavy oil to North Korea; and

(3) the President shall take steps to terminate the export to North Korea of heavy oil by all other countries in the international consortium to finance and supply a light-water reactor in North Korea.

(b) ENFORCEMENT.—The President may waive subsection (a)(1) having the requisite knowledge described in section 11 of the Export Administration Act of 1979 (50 U.S.C. App. 2410) shall be subject to the same penalties as are provided in that section for violations of that Act.

SEC. 707. IAEA SAFEGUARD REQUIREMENTS.

The requirement of this section is satisfied when the President certifies to the appropriate congressional committees that North Korea is in full compliance with its safeguards agreement with the International Atomic Energy Agency (INFIRC/403), in accordance with part IV (3) of the Agreed Framework, as determined by the Agreement.

(1) conducting special inspections of the two suspected nuclear waste sites at the Yongbyon nuclear complex; and

(2) conducting such inspections in North Korea as may be deemed necessary by the Agency.

SEC. 708. ADDITIONAL REQUIREMENTS.

The additional requirements referred to in sections 704 and 705 are the following, as determined and certified by the President to the appropriate congressional committees and the Committee on Energy and Natural Resources of the Senate:

(1) That North Korea has taken positive steps to demonstrate a greater respect for internationally recognized nuclear nonproliferation requirements.

(2) That North Korea has taken positive steps to demonstrate a greater respect for internationally recognized nuclear nonproliferation requirements.

(3) That the United States and North Korea have established a process for returning the remains of United States military personnel who are listed as missing in action (MIAs) during the Korean conflict between 1950 and 1953, including field activities conducted jointly by the United States and North Korea.

(4) That North Korea has issued an official statement forswearing state-sponsored terrorism.

(5) That North Korea has been at peace with the Republic of Korea, including implementation of confidence building measures by North Korea as well as other concrete steps to reduce tensions.

The nuclear nonproliferation requirements referred to in sections 704 and 705 are the following, as determined and certified by the President to the appropriate congressional committees and the Committee on Energy and Natural Resources of the Senate:

(1) That the United States and North Korea have established a process for returning the remains of United States military personnel who are listed as missing in action (MIAs) during the Korean conflict between 1950 and 1953, including field activities conducted jointly by the United States and North Korea.

(2) That the United States and North Korea have established a process for returning the remains of United States military personnel who are listed as missing in action (MIAs) during the Korean conflict between 1950 and 1953, including field activities conducted jointly by the United States and North Korea.

(3) That the United States and North Korea have established a process for returning the remains of United States military personnel who are listed as missing in action (MIAs) during the Korean conflict between 1950 and 1953, including field activities conducted jointly by the United States and North Korea.

(4) That North Korea has taken positive steps to demonstrate a greater respect for internationally recognized nuclear nonproliferation requirements.

(5) That North Korea has taken positive steps to demonstrate a greater respect for internationally recognized nuclear nonproliferation requirements.

The additional requirements referred to in sections 704 and 705 are the following, as determined and certified by the President to the appropriate congressional committees and the Committee on Energy and Natural Resources of the Senate:

(1) All spent fuel from the graphite-modified nuclear reactors and related facilities of North Korea have been removed from the territory of North Korea as is consistent with the Agreed Framework.

(2) The International Atomic Energy Agency has conducted any and all inspections it deems necessary to fully account for the stocks of plutonium and other nuclear materials in North Korea, including special inspections of suspected nuclear waste sites, and all other nuclear components controlled by the Nuclear Supplier Group Guidelines are delivered for a light-water reactor for North Korea.

The dismantlement of all declared graphite-based nuclear reactors and related facilities in North Korea, including reprocessing units, has been completed in accordance with the Agreement, in a manner that effectively bars in perpetuity any reactivation of such reactors and facilities.

SEC. 710. SUSPENSION OF UNITED STATES OBLIGATIONS.

The United States shall suspend actions described in the Agreed Framework if North Korea reloads its existing 5 metric ton nuclear reactor or resumes construction of nuclear facilities other than those permitted to be built under the Agreed Framework.

SEC. 711. WAIVER.

The President may waive the application of section 707, 708, 709, or 710 if the President determines, and so notifies in writing the appropriate congressional committees, that to do so is vital to the security interests of the United States.
SEC. 712. CERTIFICATION AND REPORTING REQUIREMENTS.

Beginning 6 months after the date of enactment of this Act, and every 6 months thereafter, the President shall transmit to the appropriate congressional committees a report setting forth—
(1) an assessment of the extent of compliance by North Korea with all the provisions of the Agreed Framework and this title;
(2) a statement of the progress made on construction of light-water reactors, including a statement of all expenditures, direct and indirect, made by each country participating in the Korea Energy Development Organization and of the date of signature of the Agreed Framework to the date of the report;
(3) an estimate of the date by which North Korea is expected to satisfy the IAEA safeguards described in section 707;
(4) a certification by the President that North Korea has satisfied its IAEA safeguards requirements described in section 707, as determined by the International Atomic Energy Agency;
(5) a certification by the President that North Korea is not transferring missiles and missile technologies to Iran; and
(6) a description of any new developments or advances in North Korea's nuclear weapons program;

(7) a statement of the progress made by the United States in fulfilling its actions under the Agreed Framework, including any steps taken toward normalization of relations with North Korea;

(8) a statement of any progress made on dismantlement and destruction of the graphite-moderated nuclear reactors of North Korea as described in section 707;

(9) a description of the steps being taken to implement the North-South Joint Declaration on the Denuclearization of the Korean Peninsula;

(10) an assessment of the participation by North Korea in talks between North Korea and the Republic of Korea; and

(11) a description of any action taken by the President under section 706(a)(2).

SEC. 713. DEFINITIONS.

As used in this title:


(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "Appropriate congressional committees" means the Committees on Foreign Relations and Armed Services of the Senate and the Committees on International Relations and National Security of the House of Representatives.

(3) IAEA SAFEGUARDS.—The term "IAEA safeguards" means the safeguards set forth in an agreement between a country and the International Atomic Energy Agency, as authorized by Article III(a)(5) of the Statute of the International Atomic Energy Agency.

(4) NORTH KOREA.—The term "North Korea" means the Democratic People's Republic of Korea, including any agency or instrumentality thereof.

(5) SPECIAL INSPECTIONS.—The term "special inspections" means special inspections conducted by the International Atomic Energy Agency pursuant to an IAEA safeguards agreement.

HUTCHISON (AND OTHERS)
AMENDMENT NO. 1882

(Ordered to lie on the table.)

Mrs. HUTCHISON (for herself, Mr. GRAMM, Mr. COATS, Mr. HELMS, Mr. GRAMS, Mr. SMITH, Mr. KEMPTHORNE, Mr. INHOFE, Mr. LOTT, Mr. Nickles, and Mr. DEWINE) submitted an amendment intended to be proposed by them to the bill, S. 908, supra; as follows:

On page 91, between lines 4 and 5, insert the following new subsection:

(1) the United Nations Fourth World Conference on Women in Beijing, China, shall be convened by the United Nations in September 1995.

It is the sense of the Congress that—

(1) the United Nations Fourth World Conference on Women in Beijing, China, should be convened by the United Nations in September 1995;

(2) in the event the United States sends a delegation to the Conference, the United States delegation should use the voice and vote of the United States—

(A) to ensure that the biological and social activity of motherhood is recognized as a valuable and worthwhile endeavor that should in no way, in its form or actions, be demeaned by society or by the state; and

(B) to ensure that the traditional family is upheld as the fundamental unit of society upon which healthy cultures are built and, therefore, recreation, care and protection by society and the state; and

(C) to define or agree with any definitions that define gender as the biological classification of male and female, which are the two sexes of the human being.

D'AMATO AMENDMENT NO. 1883

(Ordered to lie on the table.)

Mr. D'AMATO submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place, insert the following new subsection:

(a) PRESIDENTIAL CERTIFICATION.—Section 5302 of the United States Code, is amended—

(1) to add new subsection (f);

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

(/) LIMITATION ON USE OF FUND.—Notwithstanding subsections (a) and (f) of section 5302 of title 31, United States Code, as added by this section, the funds made available under this title shall not be available to finance any project which involves the construction of an Obstetric Hospital; or

(b) LIMITATION ON USE OF EXCHANGE STABILIZATION FUND.—Section 5302 of title 31, United States Code, is amended by adding at the end the following new subsection:

(/) USE OF FUND.—Notwithstanding subsection (a)(2), except as provided in an Act of Congress, the Secretary may make any loan or extension of credit under this section for the purchase or exchange of any foreign currency; provided that such loan or extension of credit shall be used to purchase or exchange for United States currency an amount of foreign currency of the foreign country that is equivalent to the amount of United States currency provided or exchanged with such foreign country under this section; and the term `United States currency' includes any note or coin of the United States or any currency that is convertible into United States currency.

SIMPSON AMENDMENT NO. 1884

(Ordered to lie on the table.)

Mr. SIMPSON submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 124, below line 20, add the following:

TITLE VII—POPULATION STABILIZATION AND REPRODUCTIVE HEALTH

SEC. 701. SHORT TITLE.

This title may be cited as the 'International Population Stabilization and Reproductive Health Act of 1996'.

SEC. 702. AUTHORITIES RELATING TO UNITED STATES POPULATION ASSISTANCE.

Part I of the Foreign Assistance Act of 1961 is amended—

(1) in section 104(b), by striking "on such terms and conditions as he may determine" and inserting "in accordance with the provisions of chapter 12"; and

(2) by adding at the end the following new chapter:

CHAPTER 12—UNITED STATES POPULATION ASSISTANCE

"SEC. 701. DEFINITION.—For purposes of this chapter, the term 'United States population assistance' means assistance provided under section 104(b) of this Act.

SEC. 702. CONGRESSIONAL FINDINGS.—The Congress makes the following findings:

(1) Throughout much of the developing world, the inability of women and couples to make choices that reflect their needs and values contributes to death and suffering among women and their children, puts pressure on the natural resources on which many poor families depend for their survival, and in other ways vitiates the efforts of families to lift themselves out of poverty in which more than one billion of the world's 5.7 billion people live.

(2) Through 2035, the world's population will continue to grow, with annual population increments predicted to be above 85 million. This will lead to a tripling of the world's population before stabilization can occur.

(3) As the population within individual countries grows, cities grow rapidly, movement in and between countries increases, and regional distributions of population become unbalanced.

(4) After more than a quarter century of experience and research, a global consensus is emerging on the need for increased international cooperation in regard to population in the context of sustainable development.

(5) To act effectively on this consensus, the ability to exercise reproductive choice should be expanded through broader dissemination of fertility regulation services that involve women, couples, and the community and which meet individual, family, and community needs and values including institutional safeguards on the part of the United States delegation.

(6) In addition to the personal toll on families, the impact of human population growth is emerging on the need for increased international cooperation in regard to population in the context of sustainable development.
growth and widespread poverty is evident in mounting signs of stress on the world's environment, particularly in tropical deforestation, erosion of arable land and watersheds, extinction of plant and animal species, global climate change, waste management, and air and water pollution.

SEC. 496. Declaration of policy. (a) In general.—Congress declares that to reduce population growth and stabilize world population at the lowest level feasible and thereby improve the health and well-being of the world's families, to ensure the role of women in the development process, and to protect the global environment, an important objective of United States population assistance shall be to assist the international community to achieve universal availability of quality fertility regulation services through a wide variety of safe and effective means of family planning, including programs of public education and other health and development efforts in support of smaller families.

(b) Financial targets.—The Congress endorses a target for global expenditures in developing countries of at least $17,000,000,000 by the year 2000 for population programs described in section 499C, and establishes a goal for United States population assistance by the year 2000 of $1,850,000,000 in constant 1993 dollars.

SEC. 499C. Authorized activities.—United States population assistance is authorized to promote—

(1) support for the expansion of quality, affordable, voluntary family planning services, which emphasize informed choice among a variety of safe and effective fertility regulation methods and closely related reproductive health services, including the prevention and control of HIV/AIDS, sexually transmitted diseases, and reproductive tract infections;

(2) support for adequate and regular supplies of contraceptives, quality services, voluntary family planning counseling, information, education, communication, and services emphasizing the use of the mass media to improve public knowledge of effective fertility regulation and related disease prevention methods and where they may be obtained and to promote the benefits of family planning and reproductive health for individuals, families, and communities;

(3) support to United States and foreign research institutions and other appropriate entities for research to develop and evaluate improved methods of safe fertility regulation and related disease control, with particular emphasis on methods which—

(A) are likely to be safer, easier to use, easier to make available in developing country settings, and less expensive than current methods;

(B) are controlled by women, including barrier methods and vaginal microbicides;

(C) are likely to prevent the spread of sexually transmitted diseases, and reproductive tract infections; and

(D) encourage and allow men to take greater responsibility for their own fertility;

(4) support for field research on the characteristics of programs most likely to result in sustained use of effective family planning in meeting each individual's lifetime reproductive goals, with particular emphasis on the processes that influence the uptake of the family planning services, including support for relevant social and behavioral research focusing on such factors as the use, nonuse, and unsafe or ineffective use of various fertility regulation and related-disease control methods;

(5) support for the development of new evaluation techniques and performance criteria for family planning programs, recognizing the family planning user's perspective and reproductive goals;

(6) support for research and research dissemination related to population policy development, including demographic and health surveys to assess population trends, the prevalence, and the potential impact, and support for policy-relevant research on the relationships between population trends, poverty, and environmental management, including implications for sustainable agriculture, agroforestry, biodiversity, water resources, energy use, and local and global climate change;

(7) support for the prevention and management of complications of unsafe abortions, including research and public education programs which stress responsible parenthood and the health risks of unprotected sexual intercourse, as well as service provision for such abortion complications;

(8) support for special programs to reach adolescents and young adults before they begin childbearing, including education programs which stress responsible parenthood and the health risks of unprotected sexual intercourse, as well as service provision for such abortion complications;

(9) support for a broad array of governmental and nongovernmental communication strategies designed to—

(A) to create public awareness worldwide;

(B) to generate a consensus on the need to address reproductive health issues and the problems associated with rapid population growth;

(C) to emphasize the need to educate men as well as women and mobilize their support for reproductive rights and responsibilities; and

(D) to remove all major remaining barriers to family planning use, including unnecessary legal, medical, and regulatory barriers to information and methods, and to make family planning an established community norm; and

(10) support for programs and strategies that actively discourage harmful practices such as female genital mutilation.

SEC. 499D. Terms and conditions.—United States population assistance is authorized to be provided subject to the restrictions on such assistance set forth in section 104(f) and subject to the following conditions:

(1) Such assistance may only support, directly or through referral, those activities which provide a broad range of fertility regulation methods permitted by individual country policy and a broad choice of public and private family planning services, including methods recommended by the United States Agency for International Development and subsidized commercial distribution of high quality contraceptives.

(2) No program supported by United States population assistance may deny an individual family planning services because of such individual's inability to pay all or part of the cost of such services.

(3) In implementing programs supported by United States population assistance, the President shall, in the extent possible, support a coordinated approach, consistent with related policies of the United States to promote and support reproductive rights and responsibilities, and the reproductive health and rights of all individuals, men, and women.

(4) Family planning services and related reproductive health care services supported by United States population assistance shall—

(A) be noncoercive; and

(B) be provided by qualified persons, as determined by the United States Agency for International Development or have been determined by such agency to be qualified persons.

(5) United States population assistance shall be provided subject to the restrictions on such assistance set forth in section 104(f) and notwithstanding any other provision of law, United States population assistance shall be provided subject to the requirements applicable to foreign governments for such assistance.

SEC. 499E. Eligibility for population assistance. (a) Eligible countries.—Notwithstanding any other provision of law, United States population assistance shall be provided to any country which the President determines has met one or more of the following criteria:

(1) The country accounts for a significant proportion of the world's annual population increase.

(2) The country has significant unmet needs for fertility regulation and requires foreign assistance to implement, expand, or sustain quality family planning services for all people.

(3) The country demonstrates a strong policy commitment to population stabilization through the expansion of reproductive choice.

(4) Eligibility of nongovernmental and multilateral organizations.—In determining eligibility for United States population assistance, the President shall not subject nongovernmental and multilateral organizations to requirements which are more restrictive than requirements applicable to foreign governments for such assistance.

SEC. 499F. Participation in multilateral organizations. (a) Finding.—The Congress finds that—

(1) the right of people to determine their own fertility and the right to choose contraceptive methods is a fundamental principle of democracy, and

(2) United States government policies toward population stabilization owe much to the efforts of the
United Nations and its specialized agencies and programs, particularly the United Nations Population Fund.

(b) A VAILABILITY OF FUNDS. — United States population assistance shall be available for contributions to the United Nations Population Fund in such amounts as the President determines would be commensurate with the contributions of other donor countries.

(c) REPORTS. — The provisions contained in section 104(1) of this Act shall apply to the funds made available for the United Nations Population Fund.

(2) EFFECTIVE POPULATION ASSISTANCE. — Effective population assistance may be available to the United Nations Population Fund unless such assistance is held in a separate account and not commingled with other funds.

(3) No funds may be available for the United Nations Population Fund unless the Fund agrees to the use of those funds to carry out any program, project, or activity that involves the use of coerced abortion or involuntary sterilization.

(4) None of the funds made available to the United Nations Population Fund shall be available for activities in the People's Republic of China.

(5) LOCATION OF FUNDS. — Of the funds made available for United States population assistance, the President shall make available for the Special Programme of Research, Development and Training in Human Reproduction for each of the fiscal years 1995 and 1996 an amount commensurate with the contributions of the other donor countries for the purpose of furthering international cooperation in the development and evaluation of fertility regulation technology.

SEC. 499G. SUPPORT FOR NONGOVERNMENTAL ORGANIZATIONS. (a) FINDING. — Congress finds that in many developing countries, nongovernmental entities, including private and voluntary organizations and private sector entities, are the most appropriate and effective providers of United States assistance to population and family planning activities.

(b) PROCEDURES. — The President shall establish simplified procedures for the development and approval of programs to be carried out by non-governmental organizations that have demonstrated—

(1) a capacity to undertake effective population and family planning activities which encourage women's empowerment and involvement in family planning; establish simplified procedures for the development and approval of programs to be carried out by non-governmental organizations that have demonstrated—

(2) if such resources total less than $1,000,000,000 by December 31, 2000.

(c) REPORT REQUIRED. — Not later than July 31 of each year, the Secretary of the Treasury shall prepare and transmit to Congress a report which includes, with respect to the preceding calendar year—

(1) information on the resources made available by each multilateral development bank for the population activities described in section 499B of the Foreign Assistance Act of 1961, as added by this Act, to the banks; and

(2) the banks' own plans for improving their efforts to increase the resources available to the United Nations Population Fund unless such assistance is held in a separate account and not commingled with other funds.

(3) No funds may be available for the United States population assistance unless the Fund agrees to the use of those funds to carry out any program, project, or activity that involves the use of coerced abortion or involuntary sterilization.

(4) None of the funds made available to the United Nations Population Fund shall be available for activities in the People's Republic of China.

(5) LOCATION OF FUNDS. — Of the funds made available for United States population assistance, the President shall make available for the Special Programme of Research, Development and Training in Human Reproduction for each of the fiscal years 1995 and 1996 an amount commensurate with the contributions of the other donor countries for the purpose of furthering international cooperation in the development and evaluation of fertility regulation technology.

SEC. 499H. REPORTS TO CONGRESS. — The President shall prepare and submit to Congress a report and each subsequent report; and

(3) the banks themselves have recognized a need to increase population-related activities, strengthen the technical skills of their personnel, and improve their capacity to work with borrowers, other donors, and non-governmental organizations in formulating creative population projects to meet diverse needs.

(b) SENSE OF CONGRESS. — It is the sense of the Congress that the multilateral development banks should increase their support for the population activities described in section 499B of the Foreign Assistance Act of 1961, as added by this Act, to not less than a total of $1,000,000,000 by December 31, 2000.

(c) REPORT REQUIRED. — Not later than July 31 of each year, the Secretary of the Treasury shall prepare and transmit to Congress a report which includes, with respect to the preceding calendar year—

(1) information on the resources made available by each multilateral development bank for the population activities described in section 499B of the Foreign Assistance Act of 1961, as added by this Act, to the banks; and

(2) if such resources total less than $1,000,000,000, any specific actions taken by the President to encourage increases in such resources.

(d) DEFINITION. — As used in this section, the term “multilateral development banks” means the International Bank for Reconstruction and Development and the International Development Association, the African Development Bank, the Asian Development Bank, the Inter-American Development Bank, and the European Bank for Reconstruction and Development.

SEC. 705. ECONOMIC AND SOCIAL DEVELOPMENT INITIATIVES TO STABILIZE WORLD POPULATION. (a) CONGRESSIONAL FINDINGS. — The Congress makes the following findings:

(1) Women represent 50 percent of the world's human resource potential. Therefore, improving the health, social, and economic status of women and increasing their productive health issues and increasing their ability to participate in the development of their societies is essential to ensuring that men and women are equal partners in public and private life.

(2) Throughout the world, women who participate in the social, economic, and political affairs of their communities are more likely to exercise their choice about childbearing than women who do not participate in such activities.

(3) Comprehensive population stabilization efforts which include both family planning services and economic development activities achieve lower birth rates and stimulate more development than those which pursue these objectives independently.

(4) The most powerful, long-term influence on fertility rates is education; especially educational attainment among women. Education is one of the most important means of empowering women with the knowledge, skills, and self-confidence necessary to participate in their communities.

(5) In most societies, men traditionally have exercised primary responsibility for family welfare, including child survival. However, of the world's 130 million children who are not enrolled in primary school, 70 percent are girls.

(6) In a number of countries, lower rates of school enrollment among girls, the practice of prenatal sex selection, and higher rates of mortality among very young girls suggest that “son preference” is curtailing the actual number of children children to food, health care, and education.

(7) Each year, more than 13 million children under the age of 5 die of preventable causes. Wider availability of vaccines, simple treatments for diarrheal disease and respiratory infections, and improved nutrition could prevent many of these deaths.

(8) Each year, 500,000 or more women worldwide die from complications related to pregnancy, childbirth, and abortion, or inadequate or inaccessible reproductive health care services, and millions more annually suffer long-term illness or permanent physical impairment from maternal deaths.

(b) DECLARATION OF POLICY. — Congress declares that, to further the United States foreign policy objectives of assisting the international community in achieving universal availability of quality fertility regulation technology and services, and reducing population growth, additional objectives of the foreign policy of the United States shall be—
(1) to help achieve universal access to basic education for women and men, with particular priority being given to primary and technical education and job training;
(2) to increase understanding of the consequences of population growth through effective education strategies that begin in primary school and continue through all levels of informal education and which take into account the rights and responsibilities of parents and the needs of children and adolescents;
(3) to reduce the gap between male and female levels of literacy and between male and female levels of primary and secondary school enrollment;
(4) to help ensure that women worldwide have the opportunity to become equal partners with men in the development of their societies;
(5) to help eliminate all forms of discrimination against girl children and the root causes of son preference, which result in harmful and unethical practice such as female infanticide and prenatal sex selection;
(6) to increase public awareness of the value of girl children through public education that promotes equal treatment of girls and boys in health, nutrition, education, socioeconomic and political activity, and equitable inheritance rights;
(7) to encourage and enable men to take responsibility for sexual and reproductive behavior and their social and family roles;
(8) to help ensure that women and men have the information and means necessary to achieve reproductive health and to exercise their reproductive rights through responsible sexual behavior and equity in gender relations;
(9) to reduce global maternal and infant mortality rates; and
(10) to improve worldwide maternal and child health status and quality of life.

(c) AUTHORIZED ACTIVITIES.—United States development assistance shall be available, on a priority basis, for—
(1) countries which either have adopted and implemented, or have agreed to adopt and implement, strategies to help ensure—
(A) before 2015, the achievement of the goal of universal primary education for girls and boys and access to secondary education and higher levels of education, including vocational education and technical training, for girls and women;
(B) by 2005, the reduction of adult illiteracy by at least one-half the country’s 1990 level;
(C) by 2005, the elimination of the gap between male and female levels of literacy and between male and female levels of primary and secondary school enrollment; and
(D) the establishment of programs designed to meet adolescent health needs, which include services and information on responsible sexual behavior, family planning practices, reproductive health and sexually transmitted HIV-AIDS prevention; and
(2) governmental and nongovernmental programs which, with respect to a targeted country, are intended—
(A) by 2005, to increase life expectancy at birth to greater than 70 years of age and by 2015, to 75 years of age;
(B) by 2005, to reduce by one-third the country’s mortality rates for infants and children under 5 years of age, or to 50 per 1,000 live births for infants and 70 per 1,000 for children under 5 years of age, whichever is less; and
(C) by 2005, to reduce the country’s infant mortality rate below 35 per 1,000 births and the under-5 mortality rate below 45 per 1,000;
(3) to improve maternal mortality by one-half by 2015;
(4) by 2005, to reduce significantly malnutrition among the country’s children under 5 years of age;
(5) to maintain immunizations against child-bed related diseases and to ensure that at least 80 percent of all children in the country are immunized against measles, whooping cough, diphtheria, tetanus, polio, tuberculosis, and Hib disease; and
(6) to reduce the number of childhood deaths in the country which result from diarrhea, pneumonia, malaria, and other infectious diseases.

(2) The President is authorized to establish a grant program, to be known as the Safe Motherhood Initiative, to help improve the access of girls and women worldwide to comprehensive reproductive health care services. Such program shall be carried out in accordance with this section and shall be subject to the same terms, conditions, prohibitions, and restrictions as are applicable to assistance programs under title II of the Foreign Assistance Act of 1961, as added by this Act.

(C) AUTHORIZATION OF APPROPRIATIONS.—(1) Of the aggregate amounts available for United States development and economic assistance programs for education activities, such sums as may be necessary for fiscal year 1997 shall be available only for programs in support of increasing primary and secondary school enrollment and equalizing levels of male and female enrollment.

(2) There are authorized to be appropriated such sums as may be necessary for fiscal year 1998 and such sums as may be necessary for fiscal years 1999 and 2000 only, and such sums as may be necessary for fiscal year 1999 shall be available only for programs in support of increasing primary and secondary school enrollment and equalizing levels of male and female enrollment.

(3) There are authorized to be appropriated such sums as may be necessary for the Safe Motherhood Initiative for each of fiscal years 1997 through 1999 to support programs in the United States and other countries, and nongovernmental organizations;

(4) definitions.—For purposes of this section—
(1) the term ‘‘annual country human rights report’’ refers to the report required to be submitted pursuant to section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)); and
(2) the term ‘‘United States development and economic assistance’’ means assistance made available under chapter 1 of part I and

SEC. 706. AIDS PREVENTION AND CONTROL FUND.

(a) In General.—Section 104(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(c)) is amended by adding at the end the following new paragraph:

``(4) The President is authorized to provide assistance, under such terms and conditions as he may determine, with respect to activities relating to research on, and the treatment and control of, acquired immune deficiency syndrome (AIDS) in developing countries.

(ii) Assistance provided under clause (i) shall include—

(I) funds made available directly to the World Health Organization for its use in financing the Global Program on AIDS (including activities implemented by the Pan American Health Organization); and

(II) funds made available to the United States Agency for International Development for AIDS-related activities.

(b) Appropriations pursuant to subparagraph (a) may be referred to as the ‘AIDS Prevention and Control Fund’.

(c) Authorization of Appropriations.—Section 104(g)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151b(g)) is amended—

(1) by striking "and" at the end of subparagraph (A);

(2) in subparagraph (B), by striking "subsection (c) of this section (other than paragraph (4) thereof); and"

and by inserting "subsection (c) of this section (other than paragraph (4) thereof); and"

(3) by adding at the end thereof the following new subparagraph:

"(C) Such sums as may be necessary for activities in opposition to coercive abortion or involuntary sterilization."
(e) Definitions.—For purposes of this Act: (1) Antipersonnel landmine.—The term "antipersonnel landmine" means any munition placed under, on, or near the ground or other surface area, delivered by artillery, rocket, mortar, or similar means, or dropped from an aircraft and which is designed, constructed, or adapted to be detonated or exploded by the presence, proximity, or contact of a person.

(2) Conventional weapons convention.—The term "conventional weapons convention" means the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, together with the protocols relating thereto, done at Geneva on October 10, 1980.

Kerrey Amendment No. 1890
(Ordered to lie on the table.)
Mr. KERREY submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

Begging on page 117, strike line 14 and all that follows through line 23.

Bumpers (and Others) Amendment No. 1896
(Ordered to lie on the table.)
Mr. BUMPERS (for himself, Mr. BROWN, and Mr. DORGAN) submitted an amendment intended to be proposed by them to the bill, S. 908, supra; as follows:

At page 93, strike line 23 through page 94, line 13.

Simon Amendment No. 1897
(Ordered to lie on the table.)
Mr. SIMON submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 54, strike lines 9 through 11 and insert the following:

Bingaman Amendment No. 1899
(Ordered to lie on the table.)
Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place in the bill, insert the following new sections:

Section 104(f) of the Foreign Assistance Act of 1961 is amended by adding at the end the following new paragraphs:

"It is the sense of the Congress that the President, acting through the United States Permanent Representatives to the United Nations, should urge the United Nations to donate funds for a joint research and development program to study desalination related problems, build facilities, and test concepts."
"(4)(A) None of the funds made available to carry out this section may be used—
(i) for any program, project, or activity that violates the laws of a foreign country concerning circumstances under which abortion is permitted, regulated, or prohibited;
or
(ii) to lobby for or against abortion.
"(B) Nothing in this section shall apply to activities in opposition to coerced abortion or involuntary sterilization.

SEC. 12. RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS.

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

"SEC. 12. RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS.

(a) Provision of Intelligence Information to the United Nations.—(1) No United States intelligence information may be provided to the United Nations or any organization affiliated with the United Nations, or to any officials or employees thereof, unless the President certifies to the appropriate committees of Congress that the Director of Central Intelligence (in this section referred to as the ‘‘DCI’’), in consultation with the Secretary of Defense, has established and implemented procedures, and has worked with the United Nations to ensure implementation of procedures, for protecting from unauthorized disclosure United States intelligence sources and methods connected to such information.

(2) A certification required under paragraph (1) may be waived by written certification by the President to the appropriate committees of Congress that providing such information to the United Nations shall not subject the United States to be identified with the United Nations, or to any officials or employees thereof, is in the national security interests of the United States.

(b) Determinations of Eligibility.—In determining eligibility for United States population assistance, the President shall not subject nongovernmental and multilateral organizations to requirements which are more restrictive than the requirements applicable to foreign governments for such assistance.

INOUYE (AND OTHERS) AMENDMENT NO. 1900

(Ordered to lie on the table.)
Mr. INOUYE (for himself, Mr. Hatch, Mr. Akaka, Mr. Cohen, Mr. D’Amato, Mr. Ford, Mr. Hatfield, Mr. Hollings, Mr. Kennedy, and Mr. Stevens) submitted an amendment intended to be proposed by them to the bill, S. 908, supra; as follows:

In section 401(a) of the bill, strike ‘‘$10,000,000 for the fiscal year 1996, $8,000,000 for the fiscal year 1997, $5,000,000 for the fiscal year 1998, and $20,000,000 for the fiscal year 1999’’ and insert ‘‘$10,000,000 for the fiscal year 1996, $18,000,000 for the fiscal year 1997, $5,000,000 for the fiscal year 1998, and $15,000,000 for the fiscal year 1999’’.

SPECTER (AND KERRY) AMENDMENT NO. 1901

(Ordered to lie on the table.)
Mr. SPECTER (for Senator Biden and Mr. KERRY) submitted an amendment intended to be proposed by them to the bill, S. 908, supra; as follows:

Beginning on page 69, strike line 1 and all that follows through line 5 on page 73 and insert the following:

SEC. 216. RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS.

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

"SEC. 12. RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS.

(a) Provision of Intelligence Information to the United Nations.—(1) No United States intelligence information may be provided to the United Nations or any organization affiliated with the United Nations, or to any officials or employees thereof, unless the President certifies to the appropriate committees of Congress that the Director of Central Intelligence (in this section referred to as the ‘‘DCI’’), in consultation with the Secretary of Defense, has established and implemented procedures, and has worked with the United Nations to ensure implementation of procedures, for protecting from unauthorized disclosure United States intelligence sources and methods connected to such information.

(2) A certification required under paragraph (1) may be waived by written certification by the President to the appropriate committees of Congress that providing such information to the United Nations shall not subject the United States to be identified with the United Nations, or to any officials or employees thereof, is in the national security interests of the United States.

(b) Determinations of Eligibility.—In determining eligibility for United States population assistance, the President shall not subject nongovernmental and multilateral organizations to requirements which are more restrictive than the requirements applicable to foreign governments for such assistance.

SPECTER AMENDMENT NO. 1903

(Ordered to lie on the table.)
Mr. SPECTER submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. 1. JUDICIAL ASSISTANCE TO THE INTERNATIONAL TRIBUNAL FOR YUGOSLAVIA AND TO THE INTERNATIONAL TRIBUNAL FOR RWANDA.

(a) Surrender of Persons.—
(1) Application of United States extradition laws.—Except as provided in paragraphs (2) and (3), the provisions of chapter 209 of title 18, United States Code, relating to the extradition of persons to a foreign country pursuant to a treaty or convention for extradition between the United States and a foreign government, shall apply in the same manner and extent to the surrender of persons, including United States citizens, to—
(A) the International Tribunal for Yugoslavia, pursuant to the Agreement Between the United States and the International Tribunal for Yugoslavia; and
(B) the International Tribunal for Rwanda, pursuant to the Agreement Between the United States and the International Tribunal for Rwanda.

(2) Evidence on Hearings.—For purposes of applying section 3190 of title 18, United States Code, in accordance with paragraph (1), the certification referred to in the section may be made by the principal diplomatic or consular officer of the United States in such countries where the International Tribunal for Yugoslavia or the International Tribunal for Rwanda may be permanently or temporarily situated.

(3) Payment of Fees and Costs.—(A) The provisions of the Agreement Between the United States and the International Tribunal for Yugoslavia and of the Agreement Between the United States and the International Tribunal for Rwanda shall apply in lieu of the provisions of section 3190 of title 18, United States Code, with respect to the payment of expenses arising from the surrender by the United States of a person to the International Tribunal for Yugoslavia or the International Tribunal for Rwanda, respectively, or from any proceedings in the United States relating to such surrender.

(B) The authority of subparagraph (A) may be exercised only to the extent and in the amounts provided in advance in appropriation Acts.

C. FUNDING FOR USIA IN FISCAL YEARS 1998 AND 1999.—There are authorized to be appropriated in fiscal years 1998 and 1999 such sums as may be necessary to carry out the provisions of this Act, provided that funds appropriated by this Act shall not be used for the activities referred to in section 401(b) (other than activities under the Inspector General Act of 1978).
FAIRCLOTH AMENDMENT NO. 1905
(Ordered to lie on the table.)
Mr. FAIRCLOTH submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

TITLE —PREVENTION OF THE CREATION OF A NEW INTERNATIONAL BAILOUT FUND WITHIN THE INTERNATIONAL MONETARY FUND

(a) Section 286dd of title 22, United States Code, is amended by adding the following new paragraph:

"(3) LIMITATION ON USE OF FUNDS FOR INTERNATIONAL BAILOUTS.—Notwithstanding any other provision of law, no funds may be authorized to be appropriated for use directly or indirectly for the establishment of an emergency financing mechanism under the control of the International Monetary Fund or International Bank of Reconstruction and Development to oppose and counter any emergency financing mechanism approved by Group of Seven Nations in Halifax, Nova Scotia on June 16, 1995.

SMITH AMENDMENT NO. 1907
(Ordered to lie on the table.)

Mr. SMITH submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

SEC. 1. LIMITATIONS ON THE USE OF FUNDS FOR DIPLOMATIC FACILITIES IN VIET-NAM.

None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay for any cost incurred for (1) opening or operating any United States diplomatic or consular post in the Socialist Republic of Vietnam that was not operating on July 1, 1995; or (2) increasing any United States diplomatic or consular post in the Socialist Republic of Vietnam above the levels existing on July 1, 1995.

DOLE AMENDMENT NO. 1908
(Ordered to lie on the table.)
Mr. DOLE submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 124, after line 20, insert the following new section:

SEC. 207. RESTRICTIONS ON PAYMENTS OF UNITED STATES FUNDS TO THE INTERNATIONAL TREATY REGULATING THE INTERNATIONAL BAN ON SMALL ARMS.

None of the funds made available under any provision of law for assessed or voluntary contributions to a specialized agency intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 60, between lines 7 and 8, insert the following:

SEC. 207. RESTRICTIONS ON PAYMENTS OF UNITED STATES FUNDS TO THE INTERNATIONAL TREATY REGULATING THE INTERNATIONAL BAN ON SMALL ARMS.

None of the funds made available under any provision of law for assessed or voluntary contributions to a specialized agency intended to be proposed by him to the bill, S. 908, supra; as follows:

E 1. SENSE OF SENATE REGARDING EXCLUSION OF FIDEL CASTRO FROM THE UNITED STATES.

It is the sense of the Senate that the President should exercise his authority to control immigration into the United States to direct the Attorney General not to waive United States immigration laws to allow the entry of Fidel Castro into the United States for any purpose, including attendance at an United Nations function.

DOLE AMENDMENT NO. 1909
(Ordered to lie on the table.)
Mr. DOLE submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 60, between lines 7 and 8, insert the following:

SEC. 207. RESTRICTIONS ON PAYMENTS OF UNITED STATES FUNDS TO THE INTERNATIONAL TREATY REGULATING THE INTERNATIONAL BAN ON SMALL ARMS.

None of the funds made available under any provision of law for assessed or voluntary contributions to a specialized agency intended to be proposed by him to the bill, S. 908, supra; as follows:

E 1. SENSE OF SENATE REGARDING EXCLUSION OF FIDEL CASTRO FROM THE UNITED STATES.

It is the sense of the Senate that the President should exercise his authority to control immigration into the United States to direct the Attorney General not to waive United States immigration laws to allow the entry of Fidel Castro into the United States for any purpose, including attendance at an United Nations function.

DOLE AMENDMENT NO. 1910
(Ordered to lie on the table.)
Mr. DOLE submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place, insert:

TITLE —ESTABLISHMENT OF COMMISSION TO REVIEW WTO DISPUTE SETTLEMENT REPORTS.

SEC. 1. SHORT TITLE.
This title may be cited as the "WTO Dispute Settlement Review Commission Act."
(d) Initial Meeting.—No later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(f) Quorum.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) Affirmative Determinations.—An affirmative vote by a majority of the members of the Commission shall be required for any affirmative determination by the Commission under section 04.

(h) Chairperson and Vice Chairperson.—The Commission shall select a Chairperson and Vice Chairperson from among its members.

SEC._04. Duties of the Commission.

(a) Review of WTO Dispute Settlement Reports.—

(1) In General.—The Commission shall review—

(A) all adverse reports of dispute settlement panels and the Appellate Body which are—

(i) adopted by the Dispute Settlement Body; and

(ii) the result of a proceeding initiated against the United States by a WTO member; and

(B) upon the request of the Trade Representative, any adverse report of a dispute settlement panel or the Appellate Body—

(i) which is adopted by the Dispute Settlement Body; and

(ii) in which the United States is a complaining party.

(2) Scope of Review.—With respect to any report the Commission reviews under paragraph (1), the Commission shall determine in connection with each adverse finding whether the panel or the Appellate Body, as the case may be—

(A) demonstrably exceeded its authority or its terms of reference; or

(B) added to the obligations, or diminished the rights, of WTO members under the Uruguay Round Agreement which is the subject of the report;

(c) acted arbitrarily or capriciously, engaged in misapplied or inconsistently determined, or departed from the procedures specified for panels and the Appellate Body in the applicable Uruguay Round Agreement; and

(d) deviated from the WTO standard of review, including in antidumping or countervailing duty cases, the standard of review set forth in Article 17.6 of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994.

(3) Affirmative Determination.—The Commission shall make an affirmative determination of an adverse report if it concludes after an ex parte review and cannot affirmatively determine by the Commission under section 04.

(b) Determination; Report.—

(1) Determination.—No later than 120 days after the date on which a report of a panel or the Appellate Body described in subsection (a)(1) is adopted by the Dispute Settlement Body, the Commission shall make a written determination with respect to the matters described in paragraphs (2) and (3) of subsection (a).

(2) Reports.—The Commission shall promptly report the determinations described in paragraph (1) to the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, each Member of the Congress, and the Trade Representative.

SEC._05. Powers of the Commission.

(a) Hearings.—The Commission may hold a public hearing to hear reports of a dispute settlement panel or the Appellate Body described in section 04(a)(1), if the President determines that such hearings would be necessary to fulfill the purposes of this title.

(b) Information from Interested Parties and Federal Agencies.—

(1) Notice of Panel or Appellate Body Report. The Trade Representative shall advise the Commission no later than 5 days after the date the Dispute Settlement Body adopts a report of a panel or the Appellate Body that is to be reviewed by the Commission under section 04(a)(1).

(2) Submissions and Requests for Information.—

(A) In General.—The Commission shall promptly publish notice of the advice received from the Trade Representative in the Federal Register, along with notice of an opportunity for interested parties to submit written comments to the Commission. The Commission shall make comments submitted pursuant to the preceding sentence available to the public.

(B) Information from Federal Agencies and Departments.—The Commission may also request directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this title. Upon the request of the Chairperson of the Commission, the head of such department or agency shall furnish the information requested to the Commission.

(c) Access to Panel and Appellate Body Documents.—

(A) In General.—The Trade Representative shall make available to the Commission all submissions and relevant documents relating to a report of a panel or the Appellate Body described in section 04(a)(1), including any information contained in such submissions identified by the provider of the information as proprietary or confidential.

(B) Access to Federal Agencies; Confidentiality.—

(1) Administrative Assistance.—Any agency or department of the United States that is designated by the President shall provide administrative services, funds, facilities, staff, or other support services to the Commission to assist the Commission in the performance of the Commission's functions.

(2) Confidentiality.—The Commission shall protect from disclosure any document or information submitted to it by a department or agency of the United States which is identified as proprietary or confidential.

(d) Initial meeting.—No later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(e) Chairperson and Vice Chairperson.—The Commission shall select a Chairperson and Vice Chairperson from among its members.

(f) Quorum.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) Affirmative Determinations.—An affirmative vote by a majority of the members of the Commission shall be required for any affirmative determination by the Commission under section 04.

(h) Chairperson and Vice Chairperson.—The Commission shall select a Chairperson and Vice Chairperson from among its members.

SEC._04. Duties of the Commission.

(a) Review of WTO Dispute Settlement Reports.—

(1) In General.—The Commission shall review—

(A) all adverse reports of dispute settlement panels and the Appellate Body which are—

(i) adopted by the Dispute Settlement Body; and

(ii) the result of a proceeding initiated against the United States by a WTO member; and

(B) upon the request of the Trade Representative, any adverse report of a dispute settlement panel or the Appellate Body—

(i) which is adopted by the Dispute Settlement Body; and

(ii) in which the United States is a complaining party.

(2) Scope of Review.—With respect to any report the Commission reviews under paragraph (1), the Commission shall determine in connection with each adverse finding whether the panel or the Appellate Body, as the case may be—

(A) demonstrably exceeded its authority or its terms of reference; or

(B) added to the obligations, or diminished the rights, of WTO members under the Uruguay Round Agreement which is the subject of the report;

(c) acted arbitrarily or capriciously, engaged in misapplied or inconsistently determined, or departed from the procedures specified for panels and the Appellate Body in the applicable Uruguay Round Agreement; and

(d) deviated from the WTO standard of review, including in antidumping or countervailing duty cases, the standard of review set forth in Article 17.6 of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994.

(3) Affirmative Determination.—The Commission shall make an affirmative determination of an adverse report if it concludes after an ex parte review and cannot affirmatively determine by the Commission under section 04.

(b) Determination; Report.—

(1) Determination.—No later than 120 days after the date on which a report of a panel or the Appellate Body described in subsection (a)(1) is adopted by the Dispute Settlement Body, the Commission shall make a written determination with respect to the matters described in paragraphs (2) and (3) of subsection (a).

(2) Reports.—The Commission shall promptly report the determinations described in paragraph (1) to the Committee on Ways and Means of the House of Representatives, the Committee on Finance of the Senate, each Member of the Congress, and the Trade Representative.

SEC._05. Powers of the Commission.

(a) Hearings.—The Commission may hold a public hearing to hear reports of a dispute settlement panel or the Appellate Body described in section 04(a)(1), if the President determines that such hearings would be necessary to fulfill the purposes of this title.

(b) Information from Interested Parties and Federal Agencies.—

(1) Notice of Panel or Appellate Body Report. The Trade Representative shall advise the Commission no later than 5 days after the date the Dispute Settlement Body adopts a report of a panel or the Appellate Body that is to be reviewed by the Commission under section 04(a)(1).

(2) Submissions and Requests for Information.—

(A) In General.—The Commission shall promptly publish notice of the advice received from the Trade Representative in the Federal Register, along with notice of an opportunity for interested parties to submit written comments to the Commission. The Commission shall make comments submitted pursuant to the preceding sentence available to the public.

(B) Information from Federal Agencies and Departments.—The Commission may also request directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this title. Upon the request of the Chairperson of the Commission, the head of such department or agency shall furnish the information requested to the Commission.

(c) Access to Panel and Appellate Body Documents.—

(A) In General.—The Trade Representative shall make available to the Commission all submissions and relevant documents relating to a report of a panel or the Appellate Body described in section 04(a)(1), including any information contained in such submissions identified by the provider of the information as proprietary or confidential.

(B) Access to Federal Agencies; Confidentiality.—

(1) Administrative Assistance.—Any agency or department of the United States that is designated by the President shall provide administrative services, funds, facilities, staff, or other support services to the Commission to assist the Commission in the performance of the Commission's functions.

(2) Confidentiality.—The Commission shall protect from disclosure any document or information submitted to it by a department or agency of the United States which is identified as proprietary or confidential.

(d) Initial meeting.—No later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(e) Chairperson and Vice Chairperson.—The Commission shall select a Chairperson and Vice Chairperson from among its members.

(f) Quorum.—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) Affirmative Determinations.—An affirmative vote by a majority of the members of the Commission shall be required for any affirmative determination by the Commission under section 04.

(h) Chairperson and Vice Chairperson.—The Commission shall select a Chairperson and Vice Chairperson from among its members.
(2) AFFIRMATIVE REPORTS BY COMMISSION.—If a joint resolution described in subsection (b) is enacted into law pursuant to the provisions of subsection (c), the approval of the President of the Senate, if necessary, and the provisions of section 101(a) of the Uruguay Round Agreements Act, of the WTO Agreement shall cease to be effective in accordance with the provisions of the joint resolution.

(b) JOINT RESOLUTION DESCRIBED.—For purposes of subsection (a)(2), a joint resolution is described in this paragraph if it is a joint resolution in the 2 Houses of Congress and the matter after the resolving clause of such joint resolution is as follows: "That, in light of the affirmative reports submitted to the Congress by the Dispute Settlement Understanding Review Commission during the preceding 3-year period, and the failure to remedy the problems identified in the reports through negotiations, it is no longer in the overall national interest of the United States to be a member of the WTO, and accordingly the Congress withdraws its approval, provided under section 101(a) of the Uruguay Round Agreements Act, of the WTO Agreement as defined in section 2(9) of that Act."

(c) PROCEDURAL PROVISIONS.—

(1) GENERAL RULE.—Subject to the provisions of sections (b), (d), (e), and (f) of section 154(b) of the Trade Act of 1974, such joint resolution is in order in the Senate to consider a joint resolution (other than a joint resolution received from the other House), if that House has previously adopted a joint resolution under this section relating to the same matter.

(2) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—This section is enacted by the Congress—

(A) as an exercise of the rulemaking power of the House of Representatives and the Senate, respectively, and as such is deemed a part of the rules of each House, respectively, and such procedures supersede other rules only to the extent that they are inconsistent with such other rules; and

(B) to give the Congress fair and prompt consideration of the joint resolution described in subsection (b) to the same extent as any other rule of the House.

(d) RULES OF HOUSE OF REPRESENTATIVES AND SENATE.—(1) AFFIRMATIVE REPORT.—The term "affirmative report" means a report described in section (a)(2) of this title which contains affirmative determinations made by the Commission under paragraph (3) of section (a)(4).

(2) ADVERSE FINDING.—The term "adverse finding" means—

(A) in a panel or Appellate Body proceeding initiated against the United States, a finding by the panel or the Appellate Body that any party's obligations under the WTO Agreement as determined by the Commission pursuant to the Dispute Settlement Understanding as defined in section 2(9) of that Act; and

(B) a finding by the panel or the Appellate Body that a measure of the party complained against is inconsistent with the provisions of such Understanding or that the party complained against has failed to comply with its obligations under such an Agreement.

(3) APPELLATE BODY.—The term "Appellate Body" means the Dispute Settlement Body established by the Dispute Settlement Understanding.

(4) DISPUTE SETTLEMENT PANEL; PANEL.—The terms "dispute settlement panel" and "panel" mean a panel established pursuant to Article 6 of the Dispute Settlement Understanding.

(5) DISPUTE SETTLEMENT BODY.—The term "Dispute Settlement Body" means the Dispute Settlement Body established pursuant to the Dispute Settlement Understanding.

(6) DISPUTE SETTLEMENT UNDERSTANDING.—The term "Dispute Settlement Understanding" means the understanding establishing the Dispute Settlement Body referred to in section 101(d)(16) of the Uruguay Round Agreements Act.

(7) TERMS OF REFERENCE.—The term "terms of reference" has the meaning given such term in the Dispute Settlement Understanding.

(8) TRADE REPRESENTATIVE.—The term "Trade Representative" means the United States Trade Representative.

(9) URUGUAY ROUND AGREEMENT.—The term "Uruguay Round Agreement" means any of the Agreements described in section 101(d) of the Uruguay Round Agreements Act.

(10) WORLD TRADE ORGANIZATION; WTO.—The terms "World Trade Organization" and "WTO" mean the organization established pursuant to the WTO Agreement.

(11) WTO AGREEMENT.—The term "WTO Agreement" means the Agreement Establishing the World Trade Organization entered into on April 15, 1994.
On page 60, between lines 7 and 8, insert the following:

Of the funds authorized to be appropriated for fiscal year 1996 under section 201 of this Act, $100,000 shall be withheld from obligation and expenditure until the President certifies that Libya will not be granted membership of any type on the United Nations Security Council in fiscal year 1996.

HELMS AMENDMENT NO. 1914

Mr. HELMS proposed an amendment to the bill S. 908, supra; as follows:

Beginning on page 11, strike line 14 and all that follows through line 4 on page 12.

On page 22, strike lines 6 through 12 and insert the following:

SEC. 121. LEASE-PURCHASE OF OVERSEAS PROPERTIES.

(a) AUTHORITY FOR LEASE-PURCHASE.—Subject to subsections (b) and (c), the Secretary is authorized to acquire by lease-purchase such properties as are described in subsection (b), if—

(1) the Secretary of State, and

(2) the Director of the Office of Management and Budget, certifies that the lease-purchase arrangement will result in a net cost savings to the Federal government when compared to a purchase, or direct construction of comparable property.

(b) LOCATIONS AND LIMITATIONS.—The authority granted in subsection (a) may be exercised only—

(1) to acquire appropriate housing for Department of State personnel stationed abroad and for the acquisition of other facilities, in which the United States has a diplomatic mission; and

(2) during fiscal years 1996 through 1999.

(c) AUTHORIZATION OF FUNDING.—Funds for lease-purchase arrangements made pursuant to subsection (a) shall be available from amounts appropriated under the authority of section 111(a)(3) (relating to the Acquisition and Maintenance of Buildings Abroad) account.

Beginning on page 18, strike line 1 and all that follows through line 2 on page 21 and insert the following:

SEC. 321. DIPLOMATIC TELECOMMUNICATIONS SERVICE PROGRAM OFFICE.

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

(1) The Diplomatic Telecommunications Service Program Office (hereafter in this section referred to as "DTS-P") has made significant improvements to upgrade the worldwide DTS network with high speed, high capacity circuitry as well as improvements at United States embassies and consulates to enhance utilization of the network.

(2) Notwithstanding the improvements that the DTS-P has made to the DTS network, our current management structure needs to be strengthened to provide a clearly delineated, accountable management authority for the DTS-P and the DTS network.

(b) REPORT REQUIRED.—No later than three months after the date of enactment of this Act, the two agencies providing the greatest funding to DTS-P shall submit to the appropriate committees of Congress—

(1) a DTS-P management plan—

(A) future customer requirements, validated by the DTS customer organizations; (B) a system configuration for the DTS network which will meet the future telecommunications needs of the DTS customer agencies; (C) a funding profile to achieve the system configuration for the DTS network; (D) a transition strategy to move to the system configuration for the DTS network; and (E) a reimbursement plan to cover the direct and indirect costs of operating the DTS network; and

(F) an allocation of funds to cover the costs projected to be incurred by each of the agencies or other entities utilizing DTS to maintain DTS, and to provide for future demands for DTS.

(2) a DTS-P strategic plan containing—

(A) a DTS-P strategic plan containing—

(1) a DTS-P management plan—

(A) future customer requirements, validated by the DTS customer organizations; (B) a system configuration for the DTS network which will meet the future telecommunications needs of the DTS customer agencies; (C) a funding profile to achieve the system configuration for the DTS network; (D) a transition strategy to move to the system configuration for the DTS network; and (E) a reimbursement plan to cover the direct and indirect costs of operating the DTS network; and

(F) an allocation of funds to cover the costs projected to be incurred by each of the agencies or other entities utilizing DTS to maintain DTS, and to provide for future demands for DTS.

(c) DEFINITION.—As used in this section, the term "appropriate committees of Congress" means the Select Committee on Intelligence, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate and the Permanent Select Committee on Intelligence, the Committee on International Relations, and the Committee on Appropriations of the House of Representatives.

On page 47, strike line 18 and all that follows through page 49, line 15, and insert in lieu thereof the following:

(1) As used in this subparagraph—

(a) the term "confiscated" refers to—

(aa) the nationalization, expropriation, or other seizure of ownership or control of property, on or after January 1, 1939;

(bb) without the property having been returned or adequate and effective compensation provided or in violation of the law of the place where the property was situated when the confiscation occurred;

(cc) without the property having been settled pursuant to an inter-American property claims settlement procedure; or

(dd) the repudiation of, the default on, or the failure to pay, on or after January 1, 1939;

(II) PROPERTY.—The term "property" means any real, personal, or mixed, and any present, future, or contingent right or security of other interest therein, including any leasehold interest.

(III) TRAFFIC.—The term "traffic" means—

(aa) the transportation or communication of information by land, sea, air, or space; and

(bb) engagement in the activities described in subclause (aa) or (bb), or otherwise engages in a commercial activity involving the use of property, or purchases, leases, obtains control of, manages, uses, or otherwise acquires an interest in confiscated property;

(bb) a debt which is a charge on property confiscated;

(DD) causes, directs, or participates in, or profits from, activities of another person described in subclause (aa) or (bb), or otherwise engages in the activities described in subclause (aa) or (bb) without the authorization of the national of the United States who holds a claim to the property.

On page 50, between lines 14 and 15, insert the following new subsection:

(A) future customer requirements, validated by the DTS customer organizations; (B) a system configuration for the DTS network which will meet the future telecommunications needs of the DTS customer agencies; (C) a funding profile to achieve the system configuration for the DTS network; (D) a transition strategy to move to the system configuration for the DTS network; and (E) a reimbursement plan to cover the direct and indirect costs of operating the DTS network; and

(F) an allocation of funds to cover the costs projected to be incurred by each of the agencies or other entities utilizing DTS to maintain DTS, and to provide for future demands for DTS.

(c) DEFINITION.—As used in this section, the term "appropriate committees of Congress" means the Select Committee on Intelligence, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate and the Permanent Select Committee on Intelligence, the Committee on International Relations, and the Committee on Appropriations of the House of Representatives.


On page 70, strike lines 3 through 6.

On page 107, line 7, strike "(4)" and insert "(3)"

On page 107, line 11, strike "(5)" and insert "(4)"

On page 107, line 15, strike "(6)" and insert "(5)"

On page 107, line 20, strike "(7)" and insert "(6)"

On page 107, line 22, strike "(8)" and insert "(7)"

On page 112, strike lines 19 through 22.

On page 112, line 23, strike "(7)" and insert "(6)"

On page 118, strike line 1 and all that follows through line 11 on page 121.

On page 124, after line 20, insert the following:

SEC. 618. MIDDLE EAST PEACE FACILITATION ACT OF 1995.

(a) SHORT TITLE.—This section may be cited as the "Middle East Peace Facilitation Act of 1995".

(b) FINDINGS.—The Congress finds that—

(1) the Palestine Liberation Organization (in this section referred to as the "PLO") has recognized the State of Israel's right to exist in peace and security; accepted United Nations Security Council Resolutions 242 and 338, committed itself to the peace process and peaceful coexistence with Israel, free from violence and all other acts which endanger peace and stability; and assumed responsibility for the day-to-day administration of the PLO.

(2) the PLO has engaged in the activities described in subclause (aa) or (bb), or otherwise engaged in a commercial activity involving the use of property, or purchases, leases, obtains control of, manages, uses, or otherwise acquires an interest in confiscated property.

(3) causes, directs, or participates in, or profits from, activities of another person described in subclause (aa) or (bb), or otherwise engages in the activities described in subclause (aa) or (bb) without the authorization of the United States which holds a claim to the property.

On page 50, between lines 14 and 15, insert the following new subsection:

(A) future customer requirements, validated by the DTS customer organizations; (B) a system configuration for the DTS network which will meet the future telecommunications needs of the DTS customer agencies; (C) a funding profile to achieve the system configuration for the DTS network; (D) a transition strategy to move to the system configuration for the DTS network; and (E) a reimbursement plan to cover the direct and indirect costs of operating the DTS network; and

(F) an allocation of funds to cover the costs projected to be incurred by each of the agencies or other entities utilizing DTS to maintain DTS, and to provide for future demands for DTS.

(c) DEFINITION.—As used in this section, the term "appropriate committees of Congress" means the Select Committee on Intelligence, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate and the Permanent Select Committee on Intelligence, the Committee on International Relations, and the Committee on Appropriations of the House of Representatives.


On page 70, strike lines 3 through 6.

On page 107, line 7, strike "(4)" and insert "(3)"

On page 107, line 11, strike "(5)" and insert "(4)"

On page 107, line 15, strike "(6)" and insert "(5)"

On page 107, line 20, strike "(7)" and insert "(6)"

On page 107, line 22, strike "(8)" and insert "(7)"

On page 112, strike lines 19 through 22.

On page 112, line 23, strike "(7)" and insert "(6)"

On page 118, strike line 1 and all that follows through line 11 on page 121.

On page 124, after line 20, insert the follow-
(2) Israel has recognized the PLO as the representative of the Palestinian people; 

(3) Israel and the PLO signed a Declaration of Principles on Interim Self-Government Arrangements between the Palestinian authorities described in paragraph (8), has certi-

tified against Israel; and 

and to prevent acts of terrorism and hos-

Covenant which call for Israel's destruction, 

changes to those articles of the Palestinian 

Council for formal approval the necessary 

mitments made in and in connection with or 

that the PLO has continued to abide by com-

PLO's renunciation of terrorism, provided 

established a Palestinian Authority for the 

the Early Empowerment Agreement, the 

powers and responsibilities of the Palestin-

ian Authority are to be assumed by an elect-

ed Palestinian Council with jurisdiction in 

the West Bank outside of the Jericho Area; 

(6) under the terms of the Declaration of Principles, the Gaza-jericho Agreement and the Early Empowerment Agreement, the powers and responsibilities of the Palestin-

ian Council referred to as the “Gaza-jericho Agreement”) on May 4, 1994, which es-

(7) permanent status negotiations relating to the West Bank and Gaza Strip are sched-

ed to begin by May 1996; 

(8) to the President, since the conclusion of the Declaration of Principles and the 

PLO's renunciation of terrorism, provided authori-

ties to the President to suspend cer-

tain statutory restrictions relating to the 

PLO, subject to Presidential certifications 

that the PLO has continued to abide by com-

mitments in and in connection with or 

without prejudice to the continuous moni-

mentation of, the Declaration of Principles; 

the PLO's commitments relevant to Pres-

idential certifications have included com-

mitments to renounce and condemn terror-

ism, to submit to the Palestinian National 

Council for formal approval the necessary 

changes to those articles of the Palestinian 

Council which call for Israel's destruction, 

and to the step of terrorism and hos-

tilities against Israel; and 

(10) the President, in exercising the au-

thorities described in subparagraph (B), has cer-

fified to the Congress on four occasions that 

the PLO was abiding by its relevant commit-

ments.

(c) Sense of Congress.—It is the sense of 

the Congress that although the PLO has re-

cently renewed and increased its efforts to 

fulfill its commitments, the PLO must do far 

to demonstrate an irreducible denunc-

ation of terrorism and ensure a peaceful 

settlement of the Middle East dispute, and in 

particular the PLO must—

(1) submit to the Palestine National Coun-

cil for formal approval the necessary 

changes to those articles of the Palesti-

n National Covenant which call for Israel's de-

struction; 

(2) make greater efforts to preempt acts of 

terrorism and violence, to prevent acti-

vists and personnel in order to assure 

their compliance, prevent violations, and 

discipline violators; 

(3) prohibit participation in its activities 

and in the Palestinian Authority and its suc-

cessors by any groups or individuals which 

continue to promote and commit acts of ter-

rorism; 

(4) cease all anti-Israel rhetoric, which po-

tentially undermines the peace process; 

(5) unequivocally condemn and restrict the issuance of licenses to those with 

legitimate need; 

(6) transfer any person, and cooperate in 

transfer proceedings relating to any person, 

accused by Israel of acts of terrorism; and 

(7) respect civil liberties, human rights and 

democratic principles, including respect for 

international accepted norms and prin-

ciples of human rights and the rule of law. 

(B) Presidential Certification.—The Pres-

ident may exercise the authority pro-

vided in paragraph (1) only if the President 

certifies to the relevant congressional com-

mittees each time he exercises such author-

that—

(i) it is in the national interest of the Unit-

ed States to exercise such authority; 

(ii) the President deals with all the commit-

ments described in subparagraph (D); and 

(iii) funds provided pursuant to the exer-

cise of this authority and the authorities 

under section 583(a) of Public Law 103-236 

and section 3(a) of Public Law 103-125 have 

been used for the purposes for which they 

were intended.

(C) Requirement for Continuing PLO Com-

pliance.—(i) The President shall ensure that PLO performance is continuously monitored, and if the President at any time determines that the PLO has not continued to comply with such commitments described in subparagraph (D), he shall so notify the appropriate congressional committees. 

(ii) Beginning six months after the date of enactment of this Act, the President shall report on— 

(A) the manner in which the President has com-

plied with the commitments specified in sub-

paragraph (D), including responses to indi-

vidual acts of terrorism and violence, actions 

to discipline perpetrators of terror and vio-

lence, and actions to preempt acts of terror 

and violence; 

(B) the status of the PLO as the representative of the Palestinian people; 

(C) the PLO's recognition, to the extent permitted by law, of the State of Israel; 

(D) the status and activities of the PLO of-

fice in the United States; 

(E) the status of the United States and inter-

national cooperation efforts in the areas sub-

ject to the President's written policy justifi-

cation; 

(F) cooperation with the Government of Israel in criminal matters, including co-

operation in the conduct of investigations; 

and 

(G) the recognition, to the extent permitted by law, of the State of Israel; 

(H) the manner in which the President has com-

plied with the commitments specified in sub-

paragraph (D), including responses to individual 

acts of terrorism and violence, actions to discipline perpetrators of terror and violence, and actions to preempt acts of terror and violence; 

(i) the extent to which the PLO has ful-

filled the requirements specified in para-

graph (3); 

(ii) actions that the PLO has taken with 

regard to the Arab League boycott of Israel; 

(vii) transfers of individuals sus-

pected of, charged with, or convicted of an 

crime that falls within Israeli criminal jur-

isdiction; 

(viii) cooperation with the Government of Israel in criminal matters, including co-

operation in the conduct of investigations; 

and 

(ix) the status of the United States and inter-

national cooperation efforts in the areas sub-

ject to the President's written policy justifi-

cation; 

(3) Requirement for Continuing Provision of Assistance.—Six months after the date of enactment of this Act, no assistance shall be provided pursuant to the exercise by the President of the authority provided by paragraph (1), unless and until the President de-

termines and so certifies to the Congress that—

(A) if the Palestinian Council has been elected and assumed its responsibilities, the Council has, within a reasonable time, effec-

tively disavowed the articles of the Palesti-

n National Covenant which call for Israel's de-

struction, unless the necessary changes to 

the Covenant have been submitted to the 

Palestine National Council for formal approval; 

(B) the PLO has exercised its authority 

responsibilities in order to establish the enforce-

ment institution, including laws, police, and a 

judicial system, for apprehending, pro-

secuting, convicting, and imprisoning terror-

ists; 

(C) the PLO has limited participation in the Palestinian Authority and its successors
to individuals and groups in accordance with the terms that may be agreed with Israel;
(D) the PLO has not provided any financial or material assistance or training to any group or organization that is affiliated with the PLO to carry out actions inconsistent with the Declaration of Principles, particularly acts of terrorism against Israel;
(E) the Chairman of the Joint Committee of the Senate, in good faith with Israeli authorities in the preemption of acts of terrorism and in the apprehension and trial of perpetrators of terrorist acts in Israel, territories controlled by Israel, and all areas subject to jurisdiction of the Palestinian Authority and its successors; and
(F) the PLO has exercised its authority resolved by international laws requiring the disarming of civilians not specifically licensed to possess or carry weapons.

4. PROVISIONS THAT MAY BE SUSPENDED.—The provisions that may be suspended under the authority of paragraph (1) are the following:
(A) Section 307 of the Foreign Assistance Act of 1961 (22 U.S.C. 2277) as it applies with respect to the PLO or entities associated with it.
(B) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 2878h) as it applies with respect to the PLO or entities associated with it.
(D) Section 37 of the Breton Woods Agreement Act (22 U.S.C. 286W) as it applies to the granting to the PLO of observer status or official status at any meeting sponsored by or associated with the International Monetary Fund. As used in this subparagraph, the term ‘‘other official status’’ does not include membership in the International Monetary Fund.
(E) RELEVANT CONGRESSIONAL COMMITTEES DEFINED.—As used in this subsection, the term ‘‘relevant congressional committees’’ means
(A) the Committee on International Relations, the Committee on Banking, Finance and Urban Affairs, and the Committee on Appropriations of the House of Representatives;
and
(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

SEC. 619. DEFENSE DRAWDOWN FOR JORDAN.
(a) AUTHORITY.—(1) In addition to the authority provided in section 506(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2395(a)), the President may, for purposes of part II of that Act, direct the drawdown for Jordan during fiscal year 1996 of—
(A) defense articles from the stocks of the Department of Defense;
(B) defense services from the Department; and
(C) military education and training.
(2) The aggregate value of the articles, services, and education and training drawn down under paragraph (1) during fiscal year 1996 may not exceed $100,000,000.
(b) NOTIFICATION REQUIREMENT.—The President may not exercise the authority in subsection (a) to drawdown articles, services, or education and training unless the President notifies Congress of each such intended exercise in accordance with the procedures for notification of the exercise of special authority set forth in 506(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2391).
(c) FUNDING LIMITATIONS.—(1)(A) No funds made available for the Department of Defense for the purposes of the drawdown of articles, services, and education and training shall be subject to a comprehensive review of the strengths and weaknesses of the United States and for the implementation of any recommendations of changes in the United Nations that would improve its ability to discharge effectively the objectives of the United Nations set forth in the United Nations Charter.
(B) the structure of the United Nations system, which has evolved over 50 years, should be subject to a comprehensive review in order to identify the changes to the system that will best serve the interests of the United Nations and of the international community.
(C) the United States, as the strongest member state of the United Nations, should lead this comprehensive review,
(D) reforms that produce a smaller, more focused, more efficient United Nations with clearly defined missions are in the interest of the United States and of the United Nations.
(E) the United States should develop a unified position in support of reforms at the United Nations that are broadly supported by both the legislative branch and the executive branch;
(F) the need for reform of the United Nations is urgent; and
(G) the failure to develop and implement promptly a strategic reorganization of the United Nations will result in a continued diminution of the relevance of the United Nations to United States foreign policy and to international politics generally.

SEC. 1501. SENSE OF CONGRESS REGARDING UNITED NATIONS REFORM.
(a) REQUIREMENT FOR PLAN.—The President shall submit to Congress, together with the budget submitted pursuant to section 1105 of title 31, United States Code, for fiscal year 1997, a plan recommending a strategic reorganization of the United Nations.
(b) REQUIREMENT RELATING TO DEVELOPMENT.—The President shall develop the plan in consultation with Congress.
(c) PLAN ELEMENTS.—The plan should include the elements described in section 1503 and such other recommendations as may be necessary to achieve a cost-effective and productive reorganization of the responsibilities of the United Nations.

SEC. 1502. UNITED NATIONS REORGANIZATION PLAN.
(a) REQUIREMENT FOR PLAN.—The President shall submit to Congress, together with the budget submitted pursuant to section 1105 of title 31, United States Code, for fiscal year 1997, a plan recommending a strategic reorganization of the United Nations.
(b) REQUIREMENT RELATING TO DEVELOPMENT.—The President shall develop the plan in consultation with Congress.
(c) PLAN ELEMENTS.—The plan should include the elements described in section 1503 and such other recommendations as may be necessary to achieve a cost-effective and productive reorganization of the responsibilities of the United Nations.

SEC. 1503. CONTENTS OF REORGANIZATION PLAN.
It is the sense of the Congress that the reorganization plan required by section 1502(a) should—
(1) constitute a comprehensive statement of United States policy toward reform of the United Nations;
(2) set forth an agenda to implement the reforms set forth in the plan in a timely manner;
(3) include specific proposals to achieve—
(A) a substantial reduction in the number of agencies within the United Nations system, including proposals to consolidate, abolish, or restructure mechanisms for financing agencies of the United Nations that have a low priority;
(B) the identification and strengthening of the core agencies of the United Nations system that most directly serve the objectives of the United Nations, and shall—
(C) the increased cooperation, and the elimination of duplication, among United Nations agencies and programs consistent with the principle of a unitary United Nations.
(4) the consolidation of the United Nations technical cooperation activities between the United Nations Headquarters and the offices
of the United Nations in Geneva, Switzerland, including the merger of the technical cooperation functions of the United Nations Development Program (UNDP), the United Nations Children’s Fund (UNICEF), the United Nations Environmental Program (UNEP), the United Nations Industrial Development Organization (UNIDO), the International Fund for Agricultural Development (IFAD), the United Nations Capital Development Fund (UNCDF), and the United Nations Development Fund for Women (UNIFEM).


(F) A substantial reduction in, or elimination of, the cost and number of international conferences sponsored by the United Nations;

(G) A significant strengthening of the administrative and management capabilities of the Secretary General of the United Nations, including a cessation of the practice of reserving top Secretariat posts for citizens of particular countries;

(H) A significant increase in the openness to the public of the budget decision-making processes of United Nations agencies;

(i) the establishment of a truly independent inspector general at the United Nations;

(j) Include proposals to coordinate and implement the reform of the United Nations such as those proposals set forth in the communiqué of the 21st annual summit of the Heads of State and Government of the seven other industrialized nations and the President of the European Commission at Halifax, Nova Scotia dated June 15-17, 1995;

and


On page 218, line 15, “$300,000,000” and insert “$3,000,000,000.”

On page 251, below line 22, add the following:

(g) ADDITIONAL REQUIREMENTS FOR BUDGET SUBMISSIONS.—(1) In addition to any other payments which an agency referred to in subsection (b) is required to make under section 4(a)(1) of the Federal Workforce Retraining Act of 1994 (Public Law 103–226; 108 Stat. 114; 5 U.S.C. 8331 note), each such agency shall remit to the Office of Personnel Management for deposit in the Treasury to credit the Federal Civil Service Retirement and Disability Fund an amount equal to 9 percent of the basic pay of each employee of the agency.

(A) who, on or after the date of enactment of this Act, retires under section 8336(d)(2) of title 5, United States Code; and

(B) in the case of any employee in the case of any employee whose basic pay is not prorated to provide an annual separation incentive payment is paid under this section by the agency based on that retirement.

(2) In addition to any other payments which an agency referred to in subsection (b) is required to make under section 4(a)(1) of such Act in fiscal years 1996, 1997, and 1998, each such agency shall remit to the Office of Personnel Management for deposit in the Treasury to credit the Federal Civil Service Retirement and Disability Fund an amount equal to 9 percent of the basic pay of each employee of the agency who, as of March 31 of such fiscal year, is subject to subchapter III of chapter 83 or chapter 84 of title 5, United States Code.

(3) Notwithstanding any other provision of this section, the head of an agency referred to in subsection (b) may not pay voluntary separation incentive payments under this section unless sufficient funds are available in the Foreign Affairs Reorganization Transition Fund for such payments and the amount of the remittances required by the agency under paragraphs (1) and (2).

HELMS AMENDMENT NO. 1915

(3) Notwithstanding any other provision of this Act, (a) who, on or after the date of the enactment of this Act, retires under section 8336(d)(2) of title 5, United States Code; and

(b) in the case of any employee in the case of any employee whose basic pay is not prorated to provide an annual separation incentive payment is paid under this section by the agency based on that retirement.

(2) In addition to any other payments which an agency referred to in subsection (b) is required to make under section 4(a)(1) of such Act in fiscal years 1996, 1997, and 1998, each such agency shall remit to the Office of Personnel Management for deposit in the Treasury to credit the Federal Civil Service Retirement and Disability Fund an amount equal to 9 percent of the basic pay of each employee of the agency who, as of March 31 of such fiscal year, is subject to subchapter III of chapter 83 or chapter 84 of title 5, United States Code.

(3) Notwithstanding any other provision of this section, the head of an agency referred to in subsection (b) may not pay voluntary separation incentive payments under this section unless sufficient funds are available in the Foreign Affairs Reorganization Transition Fund for such payments and the amount of the remittances required by the agency under paragraphs (1) and (2).

HELMS AMENDMENT NO. 1915

Ordered to lie on the table.

Mr. HELMS submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place in the bill, insert the following:

SEC. 2101. AUTHORIZATION OF APPROPRIATIONS.

(1) None of the funds authorized by this Act or any other Act may be obligated or expended to create in any part of Jerusalem a new office of any department or agency of the United States government for the purpose of conducting official business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles or subsequent agreements;

(2) None of the funds authorized by this or any other Act may be obligated or expended to meet in any part of Jerusalem for the purpose of conducting official United States government business with the Palestinian Authority over Gaza and Jericho or any successor Palestinian governing entity provided for in the Israel-PLO Declaration of Principles.

HELMS AMENDMENT NO. 1916

(3) Notwithstanding any other provision of law or of this Act, none of the funds authorized to be appropriated by this Act or any other Act are authorized to be available for the United Nations Population Fund (UNFPA), unless the President certifies to the appropriate congressional committee that (1) the United Nations Population Fund has terminated all activities in the People’s Republic of China; or (2) during the 12 months preceding such certification there have been no abortions as the result of coercion associated with the family planning policies of the national government or other governmental entities within the People’s Republic of China. As used in this section the term “coercion” includes physical duress or abuse, destruction or confiscation of property, loss of livelihood or severe psychological pressure.

HELMS AMENDMENT NO. 1917

Ordered to lie on the table.

Mr. HELMS submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the end of the bill, add the following new division:

DIVISION C—FOREIGN AID REDUCTION

SEC. 2001. SHORT TITLE.

This division may be cited as the “Foreign Aid Reduction Act of 1995”.

TITLE XXII—DEFENSE AND SECURITY ASSISTANCE

CHAPTER 1—FOREIGN MILITARY FINANCING PROGRAM

SEC. 2201. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for grant assistance under section 23 of the Arms Export Control Act (22 U.S.C. 2769) and for the subsidy cost, as defined in section 502(f) of the Federal Credit Reform Act of 1990, of direct loans under such section—

(1) $3,185,000,000 for fiscal year 1996; and

(2) $3,000,000,000 for fiscal year 1997.

SEC. 2202. LOANS FOR GREEN AND TURKEY.

Of the amounts made available for fiscal years 1996 and 1997 under section 23 of the Arms Export Control Act (22 U.S.C. 2769)—

(a) $26,620,000 shall be made available for fiscal year 1996, and up to $26,620,000 may be made available for fiscal year 1997, for the subsidy cost, as defined in section 502(f) of the Federal Credit Reform Act of 1990, of direct loans for Greece; and

(b) $37,800,000 shall be made available for fiscal year 1996, and up to $37,800,000 may be made available for fiscal year 1997, for the subsidy cost, as defined in section 502(f) of the Federal Credit Reform Act of 1990, of direct loans for Turkey.

CHAPTER 2—INTERNATIONAL MILITARY EDUCATION AND TRAINING

SEC. 2211. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $39,781,000 for each of the fiscal years 1996 and 1997 to carry out chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.).

CHAPTER 3—ANTITERRORISM ASSISTANCE

SEC. 2231. AUTHORIZATION OF APPROPRIATIONS.

(a) In General.—There are authorized to be appropriated $15,000,000 for fiscal year 1996 and $15,000,000 for fiscal year 1997 to carry out chapter 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2349aaa et seq.).

(b) A VAILABILITY OF AMOUNTS.—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

CHAPTER 4—NARCOTICS CONTROL ASSISTANCE

SEC. 2241. AUTHORIZATION OF APPROPRIATIONS.

(a) In General.—There are authorized to be appropriated $231,000,000 for each of the fiscal years 1996 and 1997 to carry out chapter 8 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2201 et seq.).

(b) A VAILABILITY OF AMOUNTS.—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

CHAPTER 5—PEACEKEEPING OPERATIONS

SEC. 2251. PEACEKEEPING OPERATIONS.

Section 502(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2348a(a)) is amended to read as follows:

“(a) There are authorized to be appropriated to the President to carry out the purposes of this chapter, in addition to amounts otherwise available for such purposes, $40,000,000 for fiscal year 1996 and $35,000,000 for fiscal year 1997.”

TITLE XXIII—TRADE AND EXPORT DEVELOPMENT

CHAPTER 1—TRADE AND DEVELOPMENT AGENCY

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 601(1)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(1)) is amended to read as follows: “There are authorized to be appropriated to the President to carry out the purposes of this section, in addition to funds otherwise available for such purposes, $67,000,000 for fiscal year 1996 and $75,000,000 for fiscal year 1997.”
(b) Availability of Appropriations.—Section 63(f) of such Act (22 U.S.C. 2421(f)) is amended by striking paragraph (2) and inserting the following:

``(2) Authorization of Appropriations.—Amounts appropriated pursuant to paragraph (1) are authorized to remain available until expended.''

TITLE IV—PRIVATE SECTOR, ECONOMIC, AND DEVELOPMENT ASSISTANCE

CHAPTER 1—PRIVATE SECTOR ENTERPRISE FUNDS

SEC. 230. SUPPORT FOR PRIVATE SECTOR ENTERPRISE FUNDS.

Chapter 1 of part III of the Foreign Assistance Act of 1961 is amended by inserting after section 601 (22 U.S.C. 2301) the following new section:

``SEC. 60A. PRIVATE SECTOR ENTERPRISE FUNDS.

(a) Authority.—(1) The President may provide funds and support to Enterprise Funds designated in accordance with subsection (b) that are or have been established for the purposes of promoting—

(A) development of the private sectors of eligible countries, including small businesses, the private sector, and ventures with United States and host country participants; and

(B) policies and practices conducive to private sector development in eligible countries; on the same basis as funds and support may be provided with respect to Enterprise Funds for Poland and Hungary under the Support for East European Democracy (SEED) Act of 1989.

(2) Funds may be made available under this section notwithstanding any other provision of law.

(b) Eligible Uses for Enterprise Funds.—(1) Except as provided in paragraph (2), the President is authorized to designate a private, nonprofit organization as eligible to receive funds and support pursuant to this section with respect to any country eligible to receive assistance under part I of this Act in the same manner and with the same limitations as are in section 201(d) of the Support for East European Democracy (SEED) Act of 1989.

(2) (A) Except as provided in subparagraph (B), section 201(f) (22 U.S.C. 2294 et seq.; relating to Enterprise Funds) shall not apply to any country with respect to which the President is authorized to designate an enterprise fund under section 408(c) of this Act or the Support for East European Democracy (SEED) Act of 1989.

(B) The prohibition of subparagraph (A) shall not apply to the Trans-Caucasus Enterprise Fund established under subsection (c).

(c) Trans-Caucasus Enterprise Fund.—The President shall designate a private, nonprofit organization under subsection (b) to carry out this section with respect to the Trans-Caucasus region of the former Soviet Union. Such organization shall be known as the Trans-Caucasus Enterprise Fund.

(d) Treatment Equivalent to Enterprise Funds for Poland and Hungary.—Except as otherwise specifically provided in this section, the provisions contained in section 201 of the Support for East European Democracy (SEED) Act of 1989 (excluding the authorizations of appropriations provided in subsections (b) and (c) of that section) shall apply to any Enterprise Fund that receives funds and support under this section. The officers, members, or employees of an Enterprise Fund that receives funds and support under this section shall enjoy the same status under law that is applicable to officers, members, or employees of the Enterprise Funds for Poland and Hungary under the Support for East European Democracy (SEED) Act of 1989.

(e) Reporting Requirement.—Notwithstanding any other provision of this section, the requirement of section 201(p) of the Support for East European Democracy (SEED) Act of 1989 shall be suspended and the President shall not be required to publish an annual report not later than January 31 each year shall not apply with respect to an Enterprise Fund that receives funds and support under this section for the first twelve months after it is designated as eligible to receive such funds and support.

(f) Authorization of Appropriations.—(1) There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes:

(A) $12,000,000 for fiscal year 1996 to fund the Trans-Caucasus Enterprise Fund established under subsection (d); and

(B) $52,000,000 for fiscal year 1996 to fund any enterprise fund authorized to receive funds under this section other than the Trans-Caucasus Enterprise Fund.

(2) Funds appropriated under this subsection are authorized to remain available until expended.''

CHAPTER 2—DEVELOPMENT ASSISTANCE FUND AND OTHER AUTHORITIES

SEC. 231. DEVELOPMENT ASSISTANCE FUND.

(a) Single Authorization of Appropriations.—Amounts authorized to be appropriated to the President the total amount of $2,475,000,000 for fiscal year 1996 and the total amount of $2,324,000,000 for fiscal year 1997 to carry out the purposes in law:

(1) Sections 103, 104, 105, 106, and 108 of the Foreign Assistance Act of 1961 (relating to development assistance).


(b) Authorizations of Appropriations.—There are authorized to be appropriated to the President for purposes of this section, in addition to funds otherwise available for such purposes:

(A) $12,000,000 for fiscal year 1996 to fund the Trans-Caucasus Enterprise Fund established under subsection (d); and

(B) $52,000,000 for fiscal year 1996 to fund any enterprise fund authorized to receive funds under this section other than the Trans-Caucasus Enterprise Fund.

(c) Funds appropriated under this subsection are authorized to remain available until expended.''

SEC. 232. ECONOMIC SUPPORT FUND.

Subsection (a) of section 532 of the Foreign Assistance Act of 1961 (22 U.S.C. 2346a) is amended to read as follows:

``(a)(1) There are authorized to be appropriated to the President to carry out the purposes of this chapter $2,340,000,000 for fiscal year 1997.

(2) Of the amount authorized to be appropriated by paragraph (1) for each of the fiscal years 1996 and 1997, $15,000,000 shall be available only for the rapid development of a prototype industrial park in the Gaza Strip.''

TITLE XXIV—PEACE AND SECURITY IN THE MIDDLE EAST

SEC. 2401. ECONOMIC SUPPORT FUND ASSISTANCE FOR ISRAEL.

(a) Minimum Allocation.—Of the amounts made available to carry out chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the Economic Support Fund) for fiscal years 1996 and 1997 to Israel of defense articles and defense services, of which not less than $1,200,000,000 for each such fiscal year shall be available only for Israel.

(b) Terms of Assistance.—The total amount of funds allocated for Israel each fiscal year under subsection (a) shall be made available as a cash transfer on a grant basis. Such transfer shall be made on an expedited basis within 30 days after the beginning of the fiscal year or the date of enactment of the Act appropriating such funds, whichever is later. In exercising the authority of this subsection, the President shall ensure that the level of cash transfer made to Israel does not cause an adverse impact on the total level of nonmilitary exports from the United States to Israel.

SEC. 2402. FOREIGN MILITARY FINANCING FOR ISRAEL.

(a) Minimum Allocation.—Of the amounts made available for fiscal years 1996 and 1997 for "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act (22 U.S.C. 2763), not less than $1,800,000,000 for each such fiscal year shall be available only for Israel.

(b) Terms of Assistance.—(1) Grant Basis.—The assistance provided for each fiscal year under subsection (a) shall be provided on a grant basis.

(2) Expedited Disbursement.—Such assistance shall be disbursed—

(A) with respect to fiscal year 1996, not later than 30 days after the date of the enactment of the Foreign Operations, Export Financing, and Related Programs Authorization Act, 1996, or by October 31, 1995, whichever is later; and

(B) with respect to fiscal year 1997, not later than 30 days after the date of the enactment of the Foreign Operations, Export Financing, and Related Programs Authorization Act, 1997, or by October 31, 1996, whichever is later.

(c) Advanced Weapons Systems.—To the extent that the Government of Israel requests that funds be used for such purposes, funds described in subsection (a) shall, as approved and funded by the Government of Israel and the Government of the United States, be available for advanced weapons systems, of which not less than $475,000,000 for each fiscal year shall be available only for the procurement of advanced weapons systems for the defense of Israel, for Israel's defense articles and defense services, including research and development.
SEC. 2403. ECONOMIC SUPPORT FUND ASSISTANCE FOR EGYPT.
Of the amounts made available to carry out chapter 2 of the Foreign Assistance Act of 1961 (relating to the Economic Support Fund) for fiscal years 1996 and 1997, not less than $185,000,000 for each such fiscal year shall be available only for Egypt.

SEC. 2404. FOREIGN MILITARY FINANCING FOR EGYPT.
(a) Minimum Allocation.—Of the amounts made available for fiscal years 1996 and 1997 for assistance under the "Foreign Military Financing Program" account under section 23 of the Arms Export Control Act (22 U.S.C. 2763), $225,000,000 for each such fiscal year shall be available only for Egypt.
(b) Terms of Assistance.—The assistance provided for Egypt for each fiscal year under subsection (a) shall be provided on a grant basis.

TITLE XXV—INTERNATIONAL ORGANIZATIONS AND PROGRAMS
SEC. 2501. VOLUNTARY CONTRIBUTIONS; UNITED NATIONS CHILDREN'S FUND.
Section 302(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2222a(a)) is amended to read as follows:
``(a)(1) There are authorized to be appropriated to the President, in addition to funds otherwise available for such purpose, $225,000,000 for fiscal year 1996, and $225,000,000 for fiscal year 1997, for voluntary contributions under this chapter to international organizations and programs, of which amounts not less than $103,000,000 for each fiscal year shall be available only for the United Nations Children's Fund (UNICEF).
``(2) Funds appropriated pursuant to paragraph (1) are authorized to remain available until expended.
``(b) The Secretary of State may make available for fiscal years 1996 and 1997 $225,000,000 for each such fiscal year only for Egypt.
``(c) The certification to the Secretary of State for any action with respect to a certification by a State agency under this section shall be made available only for Egypt.
``(d) The certification to the Secretary of State for any action with respect to a certification by a State agency under this section shall be made available only for Egypt.
``(e) The certification to the Secretary of State for any action with respect to a certification by a State agency under this section shall be made available only for Egypt.

SEC. 2502. FOURTH REPLENISHMENT OF THE ASIAN DEVELOPMENT BANK.
The Asian Development Bank Act (22 U.S.C. 2501-2503) is amended by adding at the end of the following new section:
``SEC. 31. FOURTH REPLENISHMENT.
``(a) HHS CERTIFICATION PROCEDURE.—Section 452 (42 U.S.C. 652), as amended by sections 113(a)(3) and 117, is amended by adding at the end the following new subsection: 
``(11) If the Secretary receives a certification by a State agency in accordance with the requirements of section 454(h) that an individual owes arrearages of child support in an amount exceeding $5,000 or an amount exceeding 24 months worth of child support, the Secretary shall transmit such certification to the Secretary of State for the purpose of denying (or revoking, with respect to denial of passports) pursuant to section 171(b) of the Child Support Responsibility Act of 1989.
``(2) The Secretary shall not be liable to an individual for any action with respect to a certification by a State agency under this section.
``(b) STATE DEPARTMENT PROCEDURE FOR DENIAL OF PASSPORTS.—Section 454 (42 U.S.C. 654), as amended by sections 104(a), 114(b), and 122(a), is amended—
``(A) by striking "and" at the end of paragraph (26);
``(B) by striking the period at the end of paragraph (27) and inserting "; and"; and
``(C) by adding after paragraph (27) the following new paragraph:
``(28) provide that the State agency will have in effect a procedure (which may be combined with the procedure for tax refund offset under section 464) for certifying to the Secretary, for purposes of the procedure under section 452(l) (concerning denial of passports) determinations that individuals owe arrearages of child support in an amount exceeding $5,000 or in an amount exceeding 24 months worth of child support, under which procedure—
``(A) each individual concerned is afforded notice of such determination and the consequences thereof, and an opportunity to contest the determination; and
``(B) the certification by the State agency is furnished to the Secretary in such format, and accompanied by such supporting documentation, as the Secretary may require.
``(c) EFFECTIVE DATE.—This section and the amendments made by this section shall become effective October 1, 1996.

SEC. 2503. EFFECTIVE DATE.
Except as otherwise provided, this division, and the amendments made by this division, shall take effect on October 1, 1995.

HELMS AMENDMENT NO. 1918
(Ordered to lie on the table.)
Mr. HELMS submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

SEC. 2. DENIAL OF PASSPORTS FOR NON-PAYMENT OF CHILD SUPPORT.
(a) HHS Certification Procedure.—
HELMS AMENDMENT NO. 1923
(Orderno to lie on the table.)
Mr. HELMS submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

Beginning on page 134, strike line 5 and all that follows through line 13 on page 117.

HELMS AMENDMENT NO. 1924
(Orderno to lie on the table.)
Mr. HELMS submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

(a) The President should not continue to propose to the Senate the bill, S. 908, supra; as follows:

(b) Pursuant to a lifting of the United Nations arms embargo against Somalia, the President should be authorized to transfer to the government of that nation, without restrictive defense articles from the stocks of the Department of Defense and defense services of the Department of Defense of an aggregate value not to exceed that of unexpended funds authorized to be appropriated for the United States contribution to the United Nations Protection Force.

HELMS AMENDMENT NO. 1925
(Orderno to lie on the table.)
Mr. HELMS submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

(a) The President should not continue to propose to the Senate the bill, S. 908, supra; as follows:

(b) Pursuant to a lifting of the United Nations arms embargo against Bosnia-Hercegovina, Mr. HELMS submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

(c) The President should not continue to propose to the Senate the bill, S. 908, supra; as follows:

(d) Pursuant to a lifting of the United Nations arms embargo against the United States, the President is authorized to transfer to the government of that nation, without restrictive defense articles from the stocks of the Department of Defense and defense services of the Department of Defense of an aggregate value not to exceed that of unexpended funds authorized to be appropriated for the United States contribution to the United Nations Protection Force.

HELMS AMENDMENT NO. 1926
(Orderno to lie on the table.)
Mr. HELMS submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the end, add the following new division:

DIVISION C—CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES

SEC. 1001. SHORT TITLE.

This division may be cited as the "Foreign Affairs Alternative Reinvention Procedures Act of 1995.

SEC. 1002. PURPOSES.

The purposes of this division are—

(1) to reorganize and reinvent the foreign affairs agencies of the United States in order to achieve the guidelines established by the Affinity Alternative Reinvention Procedures

(2) to streamline and consolidate the functions and personnel of the Department of State, the Agency for International Development, the United States Information Agency, and the United States Arms Control and Disarmament Agency in order to eliminate redundancies in the functions and personnel of such agencies;

(3) to assist congressional efforts to balance the Federal budget and reduce the Federal deficit;

(4) to strengthen the authority of United States ambassadors over all United States diplomatic missions in order to enhance the ability of the ambassadors to deploy such personnel and resources located in United States diplomatic missions to meet the guidelines established by the Missel Technology Control Regime and the mechanisms at the United States' disposal for preventing the spread of ballistic missiles;

(5) to ensure that all functions of United States diplomacy be subject to recruitment,
training, assignment, promotion, and egress based on common standards and procedures while preserving maximum interchange among such functions.

**TITLE XI—ORGANIZATION OF FOREIGN AFFAIRS AGENCIES**

SEC. 1101. REORGANIZATION PLAN FOR THE DEPARTMENT OF STATE AND INDEPENDENT FOREIGN AFFAIRS AGENCIES.

(a) Submission of Plan.—Not later than 6 months after the date of enactment of this Act, the President shall transmit to the appropriate congressional committees a reorganization plan providing for the streamlining and consolidation of the Department of State, the United States Information Agency, the Agency for International Development, and the United States Arms Control and Disarmament Agency. Such plan shall provide for—

1. The enhancement of the formulation, coordination, and implementation of policy;
2. The maintenance, to the maximum extent possible, of a United States presence abroad within budgetary constraints;
3. An abolition of at least two of the independent foreign affairs agencies;
4. The elimination in the duplication of functions and personnel between the Department of State and such other agency or agencies as the President may designate under paragraph (1);
5. The reduction in the aggregate number of positions in the Department of State and the independent foreign affairs agencies which are classified as at levels II, III, and IV of the Executive Schedule;
6. The reorganization and streamlining of the Department of State; and
7. The achievement of a cost savings of at least $3,100,000,000 over 4 years through the consolidation of agencies.

(b) Plan Elements.—The plan under subsection (a) shall—

1. Identify the functions of the independent foreign affairs agencies that will be transferred to the Department of State under the plan, as well as those that will be abolished under the plan;
2. Identify the personnel and positions of the agencies (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department, separated from service with the Agency, or eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations;
3. Identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, or eliminated under the plan and set forth a schedule for such transfers, separations, and terminations;
4. Specify the consolidations and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;
5. Specify the funds available to the independent foreign affairs agencies that will be transferred to the Department under the plan as a result of the implementation of this title;
6. Specify the proposed allocations within the Department of unused balances of the independent foreign affairs agencies; and
7. Specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the independent foreign affairs agencies resulting from the abolition of any such agency and the transfer of the functions of the independent foreign affairs agencies to the Department of State.

(c) Limitations on Contents of Plan.—(1) Sections 903, 904, and 905 of title 5, United States Code, shall apply to the plan transmitted under subsection (a).

2. The plan may not provide for the termination of any function authorized by law.

3. For purposes of paragraph (1), the plan transmitted under subsection (a) shall take effect 60 calendar days of continuous session of Congress after the date on which the plan is transmitted to Congress if the Congress enacts a joint resolution, in accordance with subsection (e), approving the plan.

4. For purposes of paragraph (1)—

(A) any adjournment or recess of Congress sine die; and

(B) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of any period of time in which Congress is in continuous session.

(e) Congressional Priorities Procedures.—(1) Except as provided in paragraph (2), section 908, 910, 911, and 912 of title 5, United States Code, shall apply to the consideration by Congress of a joint resolution described in paragraph (3) that is introduced in a House of Congress.

2. The following requirements shall apply to actions described in paragraph (1) without regard to chapter 9 of title 5, United States Code:

(F) A joint resolution under this section may only be made to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(B) The reference in section 908 of such title to the organizational plans transmitted on or before December 31, 1984, shall have no force or effect.

3. A joint resolution under this section means only a joint resolution of the Congress, the matter after the resolving clause of which is as follows: "That the Congress approves the reorganization plan numbered..." which plans may include such modifications and revisions as are submitted by the President under section 903(c) of title 5, United States Code. The blank spaces therein are to be filled appropriately.

4. The provisions of this subsection supersede any other provision of law.

(f) Expiration of Authority to transmit Plan.—The authority of the President to transmit a reorganization plan under subsection (a) shall be effective for 6 months after the date of enactment of this Act.

(g) Deadline for implementation.—If the reorganization plan transmitted under such section (a) is not approved by Congress in accordance with subsection (e), the plan shall be implemented not later than March 1, 1997.

(h) Abolition of Independent Foreign Affairs Agencies.—(1) Abolition for Failure to transmit Plan.—If the President does not transmit to Congress a reorganization plan under subsection (a), the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development are abolished as of 180 days after the date of enactment of this Act.

2. Abolition for Failure to implement Plan.—If the President does not implement the reorganization plan transmitted and requiring the abolition of an agency referred to in paragraph (1), the agency is abolished as of March 1, 1997.

(i) Definition.—As used in this section, the term ‘independent foreign affairs agencies’ means the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development.

SEC. 1102. TRANSFERS OF FUNCTIONS.

(a) Transfers.—Subject to subsection (b), there are transferred to, and vested in, the Secretary of State all functions vested by law in the independent foreign affairs agencies approved before the date of the enactment of this Act pursuant to section 9 of title 5, United States Code, or, exercised by, the head of each of the following agencies, the agencies themselves, or officers, employees, or components thereof—

1. The United States Arms Control and Disarmament Agency.
2. The United States Information Agency.
3. The Agency for International Development.

(b) Effective Date.—The transfers referred to in subsection (a) shall take place—

1. If the President does not transmit a reorganization plan approved under section 1101(a), not later than 180 days after the date of enactment of this Act; or

2. If the President does not implement the reorganization plan transmitted and approved under such section with respect to an agency referred to in subsection (a), not later than March 1, 1997.

SEC. 1103. VOLUNTARY SEPARATION INCENTIVES.

(a) Authority to Pay Incentives.—The head of an agency referred to in subsection (b) may pay voluntary separation incentives to an employee of the agency, or to an employee separated from service with the agency during the period beginning on the date of enactment of this Act and ending on February 28, 1997.

(b) Covered Agencies.—Subsection (a) applies to the following agencies:

1. The Department of State.
2. The United States Arms Control and Disarmament Agency.
3. The United States Information Agency.
4. The Agency for International Development.

(c) Payment Requirements.—(1) The head of an agency shall pay voluntary separation incentive payments in accordance with the provisions of section 3 of the Federal Workforce Restructuring Act of 1994 (Public Law 103-226; 108 Stat. 112), except that an employee of the agency shall be deemed to be eligible for payment of a voluntary separation incentive payment under that section if the employee separates from service with the agency during the period beginning on the date of enactment of this Act and ending on February 28, 1997.

2. The provisions of subsection (d) of such section 3 shall apply to any employee who is paid a voluntary separation incentive payment under this section.

(d) Funding.—The payment of voluntary separation incentive payments under this section shall be made from funds in the Foreign Affairs Reorganization Transition Fund established under section 4 of this Act. The Secretary of State may transfer sums in that Fund to the head of an agency under subsection (e)(1)(B) of that section for payment of such payments by the agency.

(e) Termination of Authority.—The authority of the head of an agency to authorize payment of voluntary separation incentive payments under this section shall expire on February 28, 1997.

SEC. 1104. TRANSITION FUND.

(a) Establishment.—There is hereby established the Reorganization Transition Fund in the Treasury.

(B) The account is to provide funds for the orderly transfer of functions and personnel to the Department of State as a result of the implementation of this Act.
In the event of any transfer of funds to the Department of State under subsection (f), the functions for which the funds so transferred were expended.

(1) TEMPORARY AUTHORITY TO USE ACCOUNT.—The Secretary may not obligate funds in the account after September 30, 1999. "A. 

AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $200,000,000 for deposit under subsection (c)(1) into the account established under subsection (a) of section 1105.

SEC. 1105. ASSUMPTION OF DUTIES BY APPROPRIATE APPOINTEES. An individual holding office on the date of the enactment of this Act and who was appointed to the office by the President, by and with the advice and consent of the Senate, may transfer to the new office in the Department of State under this title; and an employee who was appointed to the office by the President, by and with the advice and consent of the Senate, may carry out the functions of the new office in the Department of State under this title.

SEC. 1106. RIGHTS OF EMPLOYEES OF ABOLISHED AGENCIES. (a) IN GENERAL.—Except as otherwise provided by this title, the transfer pursuant to this title of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employee to be separated or reduced in grade or compensation for 1 year after the date of transfer of such employee.

(b) EXECUTIVE SCHEDULE POSITIONS.—Except as otherwise provided in this title, any person who, on the date preceding the date of the enactment of this title, held a position in such an agency that was compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Department of State to a position having duties comparable to the duties performed immediately before the appointment, shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position.

(c) TERMINATION OF CERTAIN POSITIONS.—Positions whose incumbents are appointed by the President, by and with the advice and consent of the Senate, the functions of which are transferred under this title, shall terminate on the date of the transfer of the functions under this title.

(d) EXCEPTED SERVICE.—(1) Subject to paragraph (2), in the case of employees occupying positions in the excepted service or the Senior Executive Service, the employee shall receive notice of his position as transferred on or before the date of the enactment of this Act.

(2) The difference in the costs between the service of such person in such new office or position and the service of such person in such previous position, for the duration of the service of such person in such new position.

(f) TREATMENT OF UNOBLIGATED BALANCES.—Subject to paragraph (2), unobligated funds, if any, which remain in the account after the payment of the costs described in subsection (e)(1) shall be transferred to the Department of State and shall be available to the Secretary of State for purposes of carrying out the functions of the Department.

(g) TREATMENT OF DEPARTMENTAL ACCOUNTS.—The Secretary of State may transfer funds in the account to the Department under paragraph (1) unless the appropriate congressional committees are notified in advance of such transfer and such notice is in compliance with the procedures applicable to reprogramming notifications under section 3132(a)(7) of title 5, United States Code.

(h) EXEMPTION FROM COMPETITIVE SERVICE.—Any person who is certified by the Office of Personnel Management to fill a position that is excepted from the competitive service shall be permitted to select an alternative Federal health insurance program when he transfers to the Department of State under this title.

(i) RIGHTS OF FOREIGN SERVICE PERSONNEL.—Any employee transferred to the Department of State by this Act who is a Foreign Service employee shall be permitted to select alternative Federal health insurance program when he transfers to the Department of State under this title.

SEC. 1107. TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL. (a) IN GENERAL.—Except as otherwise provided in this title, the personnel employed in the Department of State transferred to the Department of State shall be eligible for any assignment to the appropriate congressional committees for filling such positions shall be transferred to the Department of State. Any employee appointed to the Department of State by this Act if—

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

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

(b) The difference in the terms of the benefits which would have been provided by such agency or entity and those provided by this Act shall be paid by the Secretary of State. The Secretary of State shall make payments to any Foreign Service employee who elects to terminate his employment in the Foreign Service program or the health insurance program or the health insurance program or the health insurance program is not continued by the Secretary of State. The employee shall be permitted to select an alternative Federal health insurance program within 30 days of such election or notice, without regard to any other regularly scheduled open season.

SEC. 1108. TRANSFER OF FUNDS TO SECRETARY OF STATE. The head of a transferor agency shall transfer to the Secretary of State the amount, if any, of the unobligated funds appropriated or otherwise made available to the agency for purposes of carrying out the functions of the Department of State and relating to the termination of employees of the Department.

(b) The Secretary may transfer sums in the account to the head of an agency to be abolished under this title for payment by the head of such agency of the cost of carrying out a voluntary separation incentive program at the agency under section 1103.

(c) Funds in the account shall be available for the fiscal year ending on September 30, 1999.

(d) Funds in the account may be used only for purposes of paying the costs of carrying out the title.

(f) TREATMENT OF UNOBLIGATED BALANCES.—(1) Subject to paragraph (2), unobligated funds, if any, which remain in the account after the payment of the costs described in subsection (e)(1) shall be transferred to the Department of State and shall be available to the Secretary of State for purposes of carrying out the functions of the Department.

(2) The Secretary may not transfer funds in the account to the Department under paragraph (1) unless the appropriate congressional committees are notified in advance of such transfer and such notice is in compliance with the procedures applicable to reprogramming notifications under section 3132(a)(7) of title 5, United States Code.

(i) EXEMPTION FROM COMPETITIVE SERVICE.—Any person who is certified by the Office of Personnel Management to fill a position that is excepted from the competitive service shall be permitted to select an alternative Federal health insurance program when he transfers to the Department of State under this title.

(j) RIGHTS OF FOREIGN SERVICE PERSONNEL.—Any employee transferred to the Department of State by this Act who is a Foreign Service employee shall be permitted to select alternative Federal health insurance program when he transfers to the Department of State under this title.

(k) TREATMENT OF DEPARTMENTAL ACCOUNTS.—The Secretary of State may transfer funds in the account to the Department under paragraph (1) unless the appropriate congressional committees are notified in advance of such transfer and such notice is in compliance with the procedures applicable to reprogramming notifications under section 3132(a)(7) of title 5, United States Code.

(l) EXEMPTION FROM COMPETITIVE SERVICE.—Any person who is certified by the Office of Personnel Management to fill a position that is excepted from the competitive service shall be permitted to select an alternative Federal health insurance program when he transfers to the Department of State under this title.

(m) RIGHTS OF FOREIGN SERVICE PERSONNEL.—Any employee transferred to the Department of State by this Act who is a Foreign Service employee shall be permitted to select alternative Federal health insurance program when he transfers to the Department of State under this title.

(n) TREATMENT OF DEPARTMENTAL ACCOUNTS.—The Secretary of State may transfer funds in the account to the Department under paragraph (1) unless the appropriate congressional committees are notified in advance of such transfer and such notice is in compliance with the procedures applicable to reprogramming notifications under section 3132(a)(7) of title 5, United States Code.

(o) EXEMPTION FROM COMPETITIVE SERVICE.—Any person who is certified by the Office of Personnel Management to fill a position that is excepted from the competitive service shall be permitted to select an alternative Federal health insurance program when he transfers to the Department of State under this title.

(p) RIGHTS OF FOREIGN SERVICE PERSONNEL.—Any employee transferred to the Department of State by this Act who is a Foreign Service employee shall be permitted to select alternative Federal health insurance program when he transfers to the Department of State under this title.

(q) TREATMENT OF DEPARTMENTAL ACCOUNTS.—The Secretary of State may transfer funds in the account to the Department under paragraph (1) unless the appropriate congressional committees are notified in advance of such transfer and such notice is in compliance with the procedures applicable to reprogramming notifications under section 3132(a)(7) of title 5, United States Code.

(r) EXEMPTION FROM COMPETITIVE SERVICE.—Any person who is certified by the Office of Personnel Management to fill a position that is excepted from the competitive service shall be permitted to select an alternative Federal health insurance program when he transfers to the Department of State under this title.

(s) RIGHTS OF FOREIGN SERVICE PERSONNEL.—Any employee transferred to the Department of State by this Act who is a Foreign Service employee shall be permitted to select alternative Federal health insurance program when he transfers to the Department of State under this title.

(t) TREATMENT OF DEPARTMENTAL ACCOUNTS.—The Secretary of State may transfer funds in the account to the Department under paragraph (1) unless the appropriate congressional committees are notified in advance of such transfer and such notice is in compliance with the procedures applicable to reprogramming notifications under section 3132(a)(7) of title 5, United States Code.
the excepted service concerned shall also dis-qualify an applicant for appointment under this subsection.

SEC. 1108. PERSONNEL AUTHORITIES FOR TRANSFERRED FUNCTIONS

(a) APPOINTMENTS.—(1) Subject to para-

(2) the Secretary of State may ap-

(3) the term "function" means any duty,

(4) the term "Federal agency" has the

(5) the term "appropriate congressional

(6) the term "Executive Schedule" refers to the rates provided under section 5315 of title 5, United States Code, and other rates authorized by sections 5702 and 5703 of title 5 for Government employees intermittently.

(b) EXPERTS AND CONSULTANTS.—The Secre-

tary of State may obtain the services of ex-

(6) the term "financial and administrative

(7) the term "permanent employees" con-

(8) the term "transferred functions" means

(9) the term "unexpired period of service" re-

(10) the term "William J. Perry" includes any of-

(11) the term "policy" means any duty,

(12) the term "Secretary of State" includes the

(13) the term "transfer" means any duty,

(14) the term "transfer" means any duty,

(15) the term "transfer" means any duty,

(16) the term "transfer" means any duty,

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(s) the term 'transferor agency' refers to each of the following agencies:
(A) The Agency for International Development, a component of the International Development Cooperation Agency; (B) the International Development Cooperation Agency (insofar as it exercises functions related to the Agency for International Development Cooperation in accordance with the procedures set forth in paragraphs (2) through (7) of section 806(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 96-473 (98 Stat. 1997), except that—
(A) references to the 'report described in paragraph (1)' shall be deemed to be references to the report described in paragraph (2) of subsection (b); (B) references to the Committee on Appropriations of the House of Representatives and to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.
(2) A joint resolution under this paragraph is a joint resolution the matter after the resolution clause of which is as follows: "That the Congress approves the plan submitted by the President on [insert date], pursuant to section 1109 of the Foreign Relations Reorganization Act." (f) RESUBMISSION OF PLAN.—If, within 60 days of transmittal of a plan under subsection (c), Congress enacts legislation disapproving the plan, the President shall transmit to the appropriate congressional committees a revised plan developed under subsection (a).
(g) STATUTORY CONSTRUCTION.—Nothing in this section requires the termination of United States diplomatic or consular relations with any foreign country.
(h) DEFINITIONS.—As used in this section:
(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.
(2) PLAN.—The term 'plan' means the plan developed under subsection (a).
SEC. 1203. PROCEDURES FOR COORDINATION OF TRANSFERS OF PERSONNEL AT OVERSEAS POSTS.
(a) AMENDMENT OF THE FOREIGN SERVICE ACT OF 1980.—Section 202 of the Foreign Service Act of 1980 (22 U.S.C. 2612) is amended—
(1) by redesignating subsection (c) as subsection (d); and
(2) by inserting after subsection (b) the following:
"(c)(1) In carrying out subsection (b), the head of each department, agency, or other entity of the executive branch of Government shall ensure that, in coordination with the Department of State, the approval of the President shall be obtained—
(A) prior to the transfer of any employee to another department, agency, or entity of the executive branch of Government; and
(B) prior to the transfer of any employee to another country.
(2) The Secretary of State, in the sole discretion of the Secretary, may accord diplomatic titles, privileges, and immunities to employees of the executive branch of Government who are performing duties in a foreign country.".
(b) REVIEW OF PROCEDURES FOR COORDINATION.—(1) The President shall conduct a review of the procedures contained in National Security Decision Directive Number 38, as in effect on June 2, 1982, and the practices in implementation of those procedures, to determine whether the procedures and practices have been effective to enhance significantly the coordination among the several departments, agencies, and entities of the executive branch of Government represented in foreign countries.
(2) Not later than 180 days after the date of enactment of this Act, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report containing the findings of the review conducted under paragraph (1), together with any recommendations for legislation which the President may determine to be necessary.
On page 184, line 22, insert "or pursuant to division C" after "section 1703".
Partnership for Peace countries should take into account the extent to which each country makes significant progress towards meeting NATO criteria as well as instituting political, economic, and military reform.

HELMS AMENDMENT NO. 1928
(Ordered to lie on the table.)
Mr. HELMS submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

In paragraph (2) of 22 U.S.C. 2579, the comprehensive compilation of arms control and disarmament studies, delete "(2) after "such study" and insert ", including an assessment of the military significance of such arms control, nonproliferation, and disarmament issues and an assessment of whether the treaties specified in the report continue to serve the national interests of the United States."

D'AMATO AMENDMENT NO. 1929
(Ordered to lie on the table.)
Mr. HELMS (for Mr. D'AMATO) submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place, insert the following new section:

SEC. . CONGRESSIONAL APPROVAL OF CERTAIN FOREIGN ASSISTANCE.

(a) PRESIDENTIAL CERTIFICATION.—Section 5302 of title 31, United States Code, is amended by adding at the end the following new subsection:

"(e) CERTIFICATION.—The Secretary may not take any action under this subsection with respect to a single foreign government (including agencies or other entities of that government) or with respect to the currency of a single foreign country unless the President certifies to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Banking and Financial Services of the House of Representatives that—

"(1) there is no projected cost (as that term is defined in section 502 of the Federal Credit Reform Act of 1990) to the United States from the proposed action; and

"(2) any proposed obligation or expenditure of United States funds to or on behalf of the foreign government is adequately backed by foreign country to ensure that all United States funds will be repaid;".

(b) LIMITATION ON USE OF EXCHANGE STABILIZATION FUND. Section 5302 of title 31, United States Code, is amended by adding at the end the following new subsection:

"(f) LIMITATION ON USE OF FUND.—Notwithstanding subsection (a)(2), except as provided by an Act of Congress, the Secretary may not take any action under this subsection with respect to a single foreign government (including agencies and other entities of that government) or with respect to the currency of a single foreign country that would result in expenditures and obligations, including contingent obligations, aggregating more than $1,000,000,000 with respect to that foreign country for more than 180 days during the 12-month period beginning on the date on which the first such action is taken."

(c) APPLICABILITY.—Subsections (e) and (f) of section 5302 of title 31, United States Code, as added by this section, shall not apply to any action taken under that section as part of the program of assistance to Mexico announced by the President on January 31, 1995.

(d) TECHNICAL AMENDMENT.—Section 5302(b) of title 31, United States Code, is amended by striking the second sentence.

(e) EFFECTIVE DATE.—The amendments made by this section shall become effective on October 1, 1995.

MACK (AND OTHERS) AMENDMENT NO. 1930
(Ordered to lie on the table.)
Mr. HELMS (for Mr. MACK, for himself, Mr. GRAMM, Mr. LIEBERMAN, Mr. HELMS, Mr. DOLE, and Mr. D'AMATO) submitted an amendment intended to be proposed by them to the bill, S. 908, supra; as follows:

On page 12, after line 20, insert the following new section:

SEC. 618. CONGRESSIONAL NOTIFICATION OF ACTIONS WITH CUBAN GOVERNMENT OFFICIALS.

(a) ADVANCED NOTIFICATION REQUIRED.—No funds made available under any provision of law may be used for the costs and expenses of negotiations, meetings, discussions, or contacts between United States Government officials or representatives and officials or representatives of the Cuban government relating to normalization of relations between the United States and Cuba unless 15 days in advance the President has notified the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate in accordance with procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961.

(b) REPORTS.—Within 15 days of any negotiations, meetings, discussions, or contacts between United States Government officials and representatives of the Cuban government described in subsection (a), with respect to any matter, the President shall submit a report to the Speaker of the House of Representatives and the chairman of the Committee on Foreign Relations of the Senate detailing the individuals involved, the matters discussed, and any agreements made, including agreements to conduct future negotiations, meetings, discussions, or contacts.

DeWINE AMENDMENT NO. 1931
(Ordered to lie on the table.)
Mr. HELMS (for Mr. DeWINE) submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 12, between lines 4 and 5, insert the following new section:

(d) REIMBURSEMENT OF COLUMBUS, OHIO, FOR EXTRADITION SECURITY EXPENSES.—If the amounts authorized to be appropriated for "Protection of Foreign Missions and Officials" in subsection (a)(9), $500,000 is authorized to be available to reimburse the City of Columbus, Ohio, for the costs associated with the provision by the city of extraordinary security services in connection with the World Summit Security Express held in Columbus in October 1994, in accordance with section 208 of title 3, United States Code.

EFFECTIVE DATE.—The amendments made by this section shall become effective on October 1, 1995.

MURKOWSKI AMENDMENT NO. 1933
(Ordered to lie on the table.)
Mr. HELMS (for Mr. MURKOWSKI) submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place, insert the following new section:

SEC. . NORTH-SOUTH DIALOGUE ON THE KOREAN PENINSULA AND THE UNITED STATES-REPUBLIC OF KOREA AGREED FRAMEWORK.

(a) FINDINGS.—The Congress finds that—

(1) the Guatemalan peace process to end 34 years of insurgency and internal armed confrontation has produced 6 agreements under the auspices of the United Nations as a result of the leadership of Guatemalan President Ramiro de Leon Carpio;

(2) the agreements include accords on—

(A) the protection of human rights;

(B) the rights of indigenous peoples;

(C) the treatment and rights of returning refugees; and

(D) the establishment of a Historical Clarification Commission to address past violations of human rights by both Guatemalan government forces and the insurgents; guerrilla forces in the course of the 34-year internal armed confrontation;

(3) the Government of Guatemala has begun already to implement the commitments reached in the peace process, including the United National Human Rights Verification Mission to Guatemala (MINUUGA), under which more than 400 international observers today are monitoring compliance by the Government of Guatemala with the human rights agreements leading to national reconciliation now, in the time of transition, when that assistance can be of greatest assistance;

(4) the government of President de Leon Carpio has taken significant steps to strengthen and reform the judicial system, law enforcement, and civil institutions;

(5) under the reform constitution of 1985, Guatemala has enjoyed 3 consecutive constitutional successions of power, including the election of President de Leon Carpio by the Guatemalan congress of the successful resistance of congress, the Guatemalan constitutional court, the Guatemalan military and the Guatemalan people to the abortive attempted coup by then President Herrero;

(6) Guatemala has announced elections for President and Congress in November 1995;

(7) given in light of substantial achievements to date, all friends of Guatemala hope for more progress, especially progress toward respect for human rights, the end of immunity from prosecution, the punishment of individuals who commit human rights violations, and the development of strong civilian institutions; and

(8) all friends of Guatemala should offer support for those elements of the Guatemalan government, the Guatemalan military and the Guatemalan people who are committed to completing the peace process and to national reconciliation now, in the time of transition, when that assistance can be of greatest assistance;

(b) SENSE OF CONGRESS.—The Congress hereby—

(1) encourages the President to continue to support the just and speedy conclusion of the Guatemalan peace process through its participation in the Group of Friends of the Guatemalan Peace Process and otherwise; and

(2) encourages the President to offer support to the Guatemalan government in its efforts to reform and strengthen civilian institutions, especially efforts to strengthen the judicial system, law enforcement, and local government.
(1) the Agreed Framework Between the United States and the Democratic People's Republic of Korea of October 21, 1994, states in Article III, paragraph (2), that "[t]he DPRK will, consistently take steps to implement the North-South Joint Declaration on the Denuclearization of the Korean Peninsula".

(2) the Agreed Framework also states that "[t]he DPRK will engage in North-South dialogue, as this Agreed Framework will help create an atmosphere that promotes such dialogue."

(3) the two agreements entered into between North and South Korea in 1992, namely the North-South Denuclearization Agreement and the Agreement on Reconciliation, Nonaggression and Cooperation, provide an existing and detailed framework for dialogue between North and South Korea.

(4) the North Korean nuclear program is just one of the lingering threats to peace on the Korean Peninsula; and

(5) the reduction of tensions between North and South Korea directly serve United States interests, given the substantial defense commitment of the United States to South Korea, the presence on the Korean Peninsula of United States troops.

(b) steps toward north-south dialogue on the korean peninsula.—It is the sense of the Congress that:

(1) substantive dialogue between North and South Korea is vital to the implementation of the Agreed Framework Between the United States and North Korea, dated October 21, 1994; and

(2) together with South Korea and other concerned allies, and in keeping with the spirit and terms of the 1992 agreements between North and South Korea, the President should pursue measures to reduce tensions between North and South Korea and should facilitate progress towards:

(A) holding a North Korea-South Korea summit;

(B) initiating mutual nuclear facility inspections by North and South Korea;

(C) establishing liaison offices in both North and South Korea;

(D) resuming a North-South joint military discussion forum and taking steps to reduce tensions between North and South Korea;

(E) expanding trade relations between North and South Korea;

(F) expanding freedom to travel between North and South Korea by citizens of both North and South Korea;

(G) cooperating in science and technology; education, the arts, health, sports, the environment, publishing, journalism, and other fields of mutual interest;

(H) establishing postal and telecommunications services between North and South Korea; and

(I) reconnecting railroads and roadways between North and South Korea.

(c) Congress.—Beginning 3 months after the date of enactment of this Act, and every 6 months thereafter, the President shall transmit to the appropriate congressional committees a report setting forth the progress made in carrying out subsection (a).

(d) definitions.—As used in this section:

(A) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(B) NORTH KOREA.—The term ‘North Korea’ means the Democratic People’s Republic of Korea.

(C) SOUTH KOREA.—The term ‘South Korea’ means the Republic of Korea.

McCain amendment no. 1935

(Mr. HELMS (for Mr. McCain) submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

SEC. 618. IRAN AND IRAQ ARMS NON-PROLIFERATION TREATIES.—(1) Subsection (a) of section 1605 of such Act is further amended—

(A) by striking out paragraphs (2) and (3) of subsection (b) and inserting in lieu thereof paragraphs (2) and (3) of section 586G(a) of the Iraq Sanctions Act of 1990 (50 U.S.C. 1701 note) as follows:

"(2) Such section 1605 is further amended—

(B) The Secretary of Transportation may provide for such exceptions from this paragraph as the Secretary considers necessary to provide for emergencies in which the safety of an aircraft or a vessel, or its crew or passengers, is threatened.";

(2) Subsection (b) of such section 1605 is amended by adding at the end the following new paragraph:

"(4) Additional sanctions.—The sanctions described in subsection (c) shall be applied to the same extent and in the same manner with respect to a sanctioned country’s acquisition of weapons of mass destruction, or the means of their delivery, or their acquisition.";

(3) Such section 1605 is further amended—

(A) in subsection (a)(2), by striking out "the sanction;" and inserting in lieu thereof "the sanctions"); and

(B) by striking subsection (c) and inserting in lieu thereof the following new subsection (c):

"(c) DISCRETIONARY SANCTIONS.—The sanctions referred to in subsection (a)(2) are as follows:

"(1) USE OF AUTHORITIES OF INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—"(A) In general.—Except as provided in subparagraph (B), the President may exercise, in accordance with the provisions of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to the sanctioned country.

(B) Exception.—Subparagraph (A) does not apply with respect to urgent humanitarian assistance.

"(2) SANCTIONS AGAINST FOREIGN COUNTRIES.—(I) Subsection (a) of section 1605 of such Act is further amended—

"(A) by striking the word ‘the’ before the phrase ‘sanction’; and

"(B) by striking out subsection (c) and inserting in lieu thereof the following new subsection (c):

"(c) EXCEPTIONS.—The sanction described in subsection (a)(2) shall not be applied to the same extent and in the same manner with respect to a sanctioned country’s acquisition of weapons of mass destruction, or the means of their delivery, or their acquisition.";"
"(A) by striking out "If" in subsection (a)
    and inserting in lieu thereof "Subject to
    section 1606A, if"; and
  
  (B) by subsection (b)--
    (i) by striking out "for a period of one
        year," in paragraphs (1), (3), and (4); and
    (ii) by striking out "for a period of one
        year," in paragraph (2); and
    (iii) by inserting after that paragraph
        in paragraph (4); and
    (iv) by striking out "for a period of one
        year" in paragraph (3); and
      (B) by inserting after section 1606 the fol-
        lowing new section:

    SEC. 1606A. TERMINATION OF SANCTIONS.

    "Except as otherwise provided in this title, the
    sanctions imposed pursuant to section
    1604(a) or 1605(a) shall cease to apply to a
    sanctioned person or government 30 days
    after the President certifies to the Congress
    that reliable information indicates that the
    sanctioned person or government, as the case
    may be, has ceased to violate this title.".

    (f) WAIVER. --Section 1606 of such Act
    is amended by striking out "or 1605(b)" and
    inserting in lieu thereof "1605(b), or 1605(d)".

    (g) RULES AND REGULATIONS. --Such Act
    is further amended by adding after section
    1607 the following new section:

    SEC. 1607A. RULES AND REGULATIONS.

    "The President may prescribe such rules and
    regulations as the President requires to
    carry out this title.".

    (h) DEFINITIONS. --Section 1608 of such Act
    is amended--

    (1) in paragraph (1)--

    (A) by inserting "air carrier" in place of
        "air carrier or transportation", "air-
        transportation", "air transportation", "air-
        transportation carrier", and "air transpor-
        tation facilities";

    (B) by striking out "or enhance offensive
        capabilities" in subparagraph (B) in place
        of "enhance offensive capabilities of" in
        subparagraph (A); and

    (C) by inserting after subparagraph (A) and
        (B) a new subparagraph (C)--

    "(C) in paragraph (2), by striking out sub-
        paragraph (4) and inserting in lieu thereof:

    "(4) The term 'United States' includes ter-
        ritory of the United States, the customs
        waters of the United States, and the
        coastwise waters of the United States, as
        defined in section 401 of title 49, United
        States Code, respectively.''.

    (4) Such section 1605 is further amended
    by adding at the end the following new sub-
    section:

    "(A) SANCTION FOR ASSISTING IRAN IN IM-
        PROVING ROCKET OR OTHER WEAPONS CAPA-
        BILITY.--The sanction set forth in section
        1605(a) of such Act is further amended by
        striking out any item 7 of the Sanction for
        Assistance to, or Enhancement of, the
        Capacity of, the Government of Cuba to
        Obtain or Develop Nuclear, Chemical, or
        Biological Weapons.''.

    (B) by inserting the term 'United States' in
        place of 'its chemical, biological, or nu-
        clear weapons capability' and inserting in
        lieu thereof "its chemical, biological, or nu-
        clear weapons capability, or its acquisition
        of destabilizing types of advanced conven-
        tional weapons'".

    TITLE II--STRENGTHENING INTER-
    NATIONAL SANCTIONS AGAINST THE
    CUBAN GOVERNMENT

    Sec. 2101. SHORT TITLE.--This title may be
    cited as "Cuban Liberty and Democratic Sol-
    idarity (LIBERTAD) Act of 1995'.''.

    Sec. 2102. Statement of Policy.

    Sec. 2103. Authorization of support for demo-
    cratic and human rights groups and interna-
    tional observers.

    Sec. 2104. Prohibition against indirect fi-
    nancing of Cuba.

    Sec. 2105. United States opposition to Cuban
    membership in international fi-
    nancial institutions.

    Sec. 2106. United States opposition to the
    termination of the suspension of the
    Government of Cuba from participation in the Orga-
    nization of American States.

    Sec. 2107. Assistance by the independent
    states of the former Soviet
    Union for the Government of Cuba.

    Sec. 2108. Television broadcasting to Cuba.

    Sec. 2109. Reports on commerce with, and as-
    sistance to, Cuba from other
    foreign countries.

    Sec. 2110. Importation safeguard against cer-
    tain Cuban products.

    Sec. 2111. Reinstatement of family remit-
    tances and travel to Cuba.

    Sec. 2112. News Bureau in Cuba.

    TITLE III--SUPPORT FOR A FREE AND
    INDEPENDENT CUBA

    Sec. 2101. Policy toward a transition govern-
    ment and a democratically
    elected government in Cuba.
The Castro government has perpetrated gross violations of human rights. These violate not only the most basic human rights of freedom of speech, assembly, and religion, but also the right to a fair and open political process. These violations have included murder, torture, arbitrary arrest and detention, forced labor, and the confiscation of property. The Castro government has also engaged in acts of international terrorism, such as the bombing of the Cuban embassy in Rome, Italy in 1996, which killed nine people and injured scores more. These acts of terrorism have also included attempted assassinations of American citizens, including the attempt on the life of former President George H.W. Bush in 1991.

The Castro government has also maintained a repressive and authoritarian regime. The Cuban constitution is a sham, and the government has suppressed all opposition. The Cuban government has also maintained a one-party system, the Communist Party, which is the only legal political party in Cuba. The Castro government has also maintained a strict control over the media, including television, radio, and print media, to ensure ideological conformity and to suppress any criticism of the government.

The Castro government has also engaged in economic mismanagement. The Cuban economy has been characterized by high inflation, unemployment, and underdevelopment. The government has failed to make significant improvements in the lives of the Cuban people. The lack of economic freedom and the government's control over the economy have resulted in a stagnant economy and a standard of living that is far below that of other countries in the region.

The Castro government has also maintained a close relationship with other authoritarian regimes around the world. The Castro government has provided support to and has been influenced by other authoritarian regimes, such as the governments of China and Iran. This support has been provided through military, economic, and ideological means.

The Castro government has also been a significant contributor to the international narcotics trade. The Cuban government has allowed drug traffickers to use Cuban territory to distribute drugs to the United States and other countries. This has had a significant impact on the lives of the American people and has contributed to the spread of drug addiction and other drug-related problems.

The Castro government has also engaged in acts of international terrorism. The Cuban government has been implicated in a number of attacks against American embassies and other American targets. These attacks have included the bombing of the Cuban embassy in Rome, Italy in 1996, which killed nine people and injured scores more. The Cuban government has also been implicated in attempts on the lives of American citizens, including the attempt on the life of former President George H.W. Bush in 1991.

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The Castro government has also maintained a repressive and authoritarian regime. The Cuban constitution is a sham, and the government has suppressed all opposition. The Cuban government has also maintained a one-party system, the Communist Party, which is the only legal political party in Cuba. The Castro government has also maintained a strict control over the media, including television, radio, and print media, to ensure ideological conformity and to suppress any criticism of the government.

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(B) For purposes of Title III of this divi-
section, the term ‘‘property’’ shall not include real property used for residential purposes, unless, at the time of enactment of this Act—

(i) the claim to the property is held by a United States national and the claim has been certified under title V of the Interna-
tional Claims Settlement Act of 1949;

(ii) the property is occupied by an official of the Cuban government or the ruling political party in Cuba.

(12) ‘‘Traffic in persons’’ As used in title III, a person or entity ‘‘traffic’’ in property if that person or entity knowingly and intentionally

(i) sells, transfers, distributes, dispenses, brokers, manages, or otherwise disposes of confiscated property, or purchases, leases, receives, possesses, obtains controls of, manages, uses or otherwise acquires or holds an interest in confiscated property,

(ii) engages in a commercial activity using or otherwise benefitting from a confiscated property,

(iii) causes, directs, participates in, or profits from, trafficking (as described in clauses (i) and (ii) through another person, without the authorization of the United States national who holds a claim to the property.

(B) The term ‘‘traffic’’ does not include—

(i) the delivery of international telecom-
munications to Cuba;

(ii) the trading or holding of securities publicly traded or held, unless the trading is with or by a person determined by the Secre-
tary of the Treasury to be a specially desig-
national;

(iii) transactions and uses of property inci-
dental to lawful travel to Cuba, to the degree that the travel and uses of property are necessary to the conduct of such travel;

(iv) transactions and uses of property for resi-
dential purposes by a person who is both a citizen of Cuba and a resident of Cuba, and who is not an official of the Cuban govern-
ment or the ruling political party in Cuba, unless, at the time of enactment of this Act, the claim to the property is held by a United States national and the claim has been cer-

(13) Transition Government in Cuba.—The term ‘‘transition government in Cuba’’ means a government that the President de-
termines is a transition government that is consistent with the requirements and factors listed in section 2005.

(14) United States National.—The term ‘‘United States national’’ means—

(A) any United States citizen;

(B) any other legal entity which is orga-
nized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico, or any other territory or possession of the United States, and which has its principal place of business in the United States.


It is the policy of the Congress that—

(1) the acts of the Castro government, in-
cluding its massive, systematic, and extraordin-
ary violations of human rights, are a threat to international peace;

(2) the President should advocate, and should instruct the United States Permanent Representative to the United Nations to pro-
pose at the United Nations Security Council, an unconditional mandatory international embargo against the totalitarian government of Cuba pursu-
ant to chapter VII of the Charter of the United
Nations, employing efforts similar to con-
sultations conducted by United States repre-
sentatives with respect to Haiti;

(3) any removal of efforts by any inde-
pendent state of the former Soviet Union to make operational the nuclear facility at Ciejonuegos, Cuba, and the continuation of in-
ternal pressure by the United States targeted at
the United States and its citizens will have a detrimen-
tal impact on United States and its citizens will have a detrimental impact on United States assistance to such state; and

(4) in view of the threat to the national se-
curity posed by the operation of any nuclear facility by the Castro government, its con-
Nuing blackmail to unleash another wave of Cuban refugees fleeing from Castro’s op-
pression, most of whom find their way to
other resources of the United States, the President should do all in his power to make it clear to the Cuban government that—

(A) the completion and operation of any nuclear power facility, or

(B) any further political manipulation of the desire of Cubans to escape that results in mass migration to the United States

will be considered an act of aggression which
will be met with an appropriate response in order to maintain the security of the na-
tional borders of the United States and the health and national security of American people.


(A) Authorization.—The President is au-
thorized to furnish assistance to and make available other support for individuals and groups for the purpose of sup-
port democracy-building efforts in Cuba, includ-

ing the following:

(1) Published and informational material, such as books, videos, and cassettes, on tran-
sitions to democracy, human rights, and
market economies to be made available to
independent democratic groups in Cuba.

(2) Humanitarian assistance to victims of political repression and their families.

(3) Support for democratic and human right groups in Cuba.

(4) Support for visits and permanent de-
ployment of independent international human rights monitors in Cuba.

(B) Denial of Funds to the Government of Cuba.—In construing this sec-

tion, the President shall take all necessary steps to ensure that no funds or other assist-
ance are provided to the Government of Cuba or any of its agencies, entities or instrument-
alties.

(c) SUPERSEADING OTHER LAWS.—As-
sistance may be provided under this section notwithstanding any other provision of law, except for section 634A of the Foreign As-

sistance Act of 1961 (22 U.S.C. 2394) and com-
parable notification requirements contained in section 1704(b)(1) of the Cuban Democracy Act of 1992 (22 U.S.C. 6003(b)(2)) is amended—

(1) by striking out ‘‘and’’ at the end of sub-
paragraph (A);

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

(B) Includes an exchange, reduction, or
forgiveness of Cuban debt owed to a foreign country in return for a grant of an equity in

interest in a property, investment, or op-
ervation of the Government of Cuban or a Cuban national; and


(A) Policy.—(1) The Congress hereby reaffirms section 1704(a) of the Cuban Democracy Act of 1992, which states the President
should encourage foreign countries to re-

strict trade and credit relations with Cuba in a manner consistent with the purposes of

那个 Act.

(2) The Congress further urges the Presi-
dent to take all steps to apply the sanctions described in section 1704(b)(1) of such Act against countries assisting Cuba.

(B) Diplomatic Efforts.—The Secretary of State is authorized to in-

volve the diplomatic personnel abroad understand and, in
their contacts with foreign officials are com-
municating the reasons for the United States economic embargo of Cuba, and are urging foreign governments to cooperate more ef-
fectively with the embargo.

(c) Existing Regulations.—The President
shall instruct the Secretary of the Treasury and the Attorney General to enforce fully the Cuban Assets Control Regulations in part 515 of title 31, Code of Federal Regu-

lations.

(d) Trading With The Enemy Act.—(1) Subsection (b) of section 16 of the Trading
With the Enemy Act (50 U.S.C. App. 16(b)), as added by Public Law 102-484, is amended to read as follows:

‘‘(2) Any property, funds, securities, pa-
pers, or other articles or documents, or any vessel, together with its tackle, apparel, fur-
niture, and equipment, that is the subject of a violation under paragraph (1) shall, at the
direction of the Secretary of the Treasury, be forfeited to the United States Govern-
ment.’’

(3) Judicial review of any penalty im-
person under this subsection may be had to
the extent provided in section 702 of title 5, United States Code.’’

(2) Section 16 of the Trading With the En-

emy Act is further amended—

(A) by striking subsection (b), as added by Public Law 102-393, and

(B) by striking subsection (c); and

(C) by inserting after subparagraph (A) the following new subparagraph:

(B) Includes an exchange, reduction, or
forgiveness of Cuban debt owed to a foreign country in return for a grant of an equity in

interest in a property, investment, or oper-
ervation of the Government of Cuban or a Cuban national; and

SEC. 2004. PROHIBITION AGAINST INDIRECT FIN-
ANCING OF CUBA.

(A) Prohibition.—Notwithstanding any other provision of law, no loan, credit, or other financing may be extended knowingly by a United States national, a permanent resident alien, or a United States agency to a foreign or United States national for the purpose of financing transactions involving any property confiscated by the Cuban gov-

ernment from which the claim was made by a United States national as of the date of en-
actment of this provision, except for financ-

ing by the owner of the property or the claim holder for a permitted transaction.

(b) Suspension and Termination of Prohi-

bition.—(1) The President is authorized to suspend this prohibition upon a determina-

tion pursuant to section 2204(a).

(2) The prohibition in subsection (a) shall cease to apply on the date of termination of the economic embargo of Cuba, as provided for in section 2004.

(c) Penalties.—Violations of subsection

shall be punishable by the civil penalties as
applicable to any violation of the Cuban Assets Control Regulations in part 515 of title 31, Code of Federal Regulations.

SEC. 2105. UNITED STATES OPPOSITION TO THE ECONOMIC EMBARGO OF CUBA.

(A) Continued Opposition to Cuban Mem-

bership in International Financial Insti-

tutions.—
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(1) Except as provided in paragraph (2), the Secretary of the Treasury shall instruct the United States executive director of each international financial institution to use the voice and vote of the United States to oppose the admission of Cuba as a member of such institutions until the President submits a determination pursuant to section 2203(a) that a transition government in Cuba is in power.

(b) The Secretary of the Treasury is authorized to instruct the United States executive director of each international financial institution to support loans or other assistance to Cuba only to the extent that such loans or assistance contribute to a stable foundation for a democratically elected government in Cuba.

(c) REDUCTION IN UNITED STATES PAYMENTS TO INTERNATIONAL FINANCIAL INSTITUTIONS.—If any international financial institution approves a loan or other assistance to the Cuban government other than loans or assistance approved by the United States, then the Secretary of the Treasury shall withhold from payment to such institution an amount equal to the amount of such loan or other assistance, with respect to each of the following types of payment:

(1) The paid-in portion of the increase in capital stock of the institution.

(2) The callable portion of the increase in capital stock of the institution.

(3) D EFINITION.—For the purposes of this section, the term "international financial institution" means the International Monetary Fund, the International Bank for Reconstruction and Development, the International Development Association, the International Finance Corporation, the Multilateral Investment Guarantee Agency, and the International Finance and Technical Cooperation Division.

SEC. 2106. UNITED STATES OPPOSITION TO TERMINATION OF THE SUSPENSION OF CUBA FROM PARTICIPATION IN THE ORGANIZATION OF AMERICAN STATES.

The President should instruct the United States Representative to the Organization of American States to oppose and vote against any termination of the suspension of the Cuban government from participation in the Organization of American States until the President determines under section 2203(c) that a democratically elected government in Cuba is in power.

SEC. 2107. ASSISTANCE BY THE INDEPENDENT STATES OF THE FORMER SOVIET UNION FOR THE GOVERNMENT OF CUBA.

(a) REPORTING REQUIREMENT.—Not later than 90 days after the date of enactment of this division, the President shall submit to the appropriate congressional committees a report detailing progress toward the withdrawal of personnel of any independent state of the former Soviet Union (within the meaning of the FREEDOM REPORT Act (22 U.S.C. 5801)), including advisers, technicians, and military personnel, from the Cienfuegos nuclear facility in Cuba.

(b) CRITERIA FOR ASSISTANCE.—Section 498A(a)(11) of the Foreign Assistance Act of 1961 (22 U.S.C. 2295a(a)(11)) is amended by striking "involvement in military facilities and insert "military and intelligence facilities, including the military and intelligence facilities at Lourdes and Cienfuegos."

(c) TERMINATION OF ASSISTANCE.—(1) Section 498A(b)(2) of that Act (22 U.S.C. 2295a(b)(2)) is amended—

(A) by striking "or" at the end of paragraph (4);

(B) by redesignating paragraph (5) as paragraph (4); and

(C) by inserting after paragraph (4) the following:

"(5) For the government of any independent state effective 30 days after the President determines that the appropriate congressional committees (and Congress has not enacted legislation disapproving the determination within the 30-days period) that the provision of such assistance for, or engaging in nonmarket-based trade (as defined in section 498A(k)(3)) with, the Government of Cuba; or".

(2) Subsection (k) of section 498B of that Act (22 U.S.C. 2295b(k)), is amended by adding at the end the following:

"(3) Nonmarket-based trade.—As used in section 498A(b)(5), the term 'nonmarket based trade' includes exports, imports, exchanges, or other arrangements that are provided for goods and services (including oil and other petroleum products) on terms more favorable than those generally available in applicable markets or for comparable commodities, excluding the following arrangements:

(A) exports to the Government of Cuba on terms that involve a grant, concessional price, guarantee, insurance, or subsidy;

(B) imports from the Government of Cuba at preferential tariff rates;

(C) exchange arrangements that include a reduction, elimination, or forgiveness of Cuban government debt in return for the extension by Russia of credits equivalent to $200,000,000 in support of Cuba.

(D) the exchange, reduction, or forgiveness of Cuban government debt in return for the extension by Russia of credits equivalent to $200,000,000 in support of Cuba under private market conditions.

(E) the creation of private sector and non-governmental organizations that are independent of government control;

(F) the development of a free market economic system; and

(G) assistance for the purposes described in the Cooperative Threat Reduction Act of 1993 (title XII of Public Law 103-160)."

SEC. 2108. TELEVISION BROADCASTING TO CUBA.

(a) REDUCTION IN ASSISTANCE FOR SUPPORT OF INTELLIGENCE FACILITIES IN CUBA.—(1) Not later than the date of enactment of this division, and every three months thereafter, until the conversion described in subsection (c) is fully implemented, the Director shall submit to the appropriate congressional committees a report describing the intelligence activities of Russia in Cuba, including the purposes for which the Lourdes facility is used by the Russian government and the extent to which the Russian government provides payment or government credits to the Cuban government for the continued use of the Lourdes facility.

(2) The report required by subparagraph (B) may be submitted in classified form.

(b) PERIODIC REPORTS.—Not later than 45 days after the date of enactment of this division, and every three months thereafter, until the conversion described in subsection (a) is fully implemented, the Director shall submit a report to the appropriate congressional committees describing the progress made in carrying out subsection (a).

(c) TERMINATION OF BROADCASTING AUTHORITY.—Upon transmission of a determination under subsection (a) of the Television Broadcasting to Cuba Act (22 U.S.C. 1465aa et seq.) and the Radio Broadcasting to Cuba Act (22 U.S.C. 1465 et seq.) are repealed.

SEC. 2109. REPORTS ON COMMERCE WITH, AND ASSISTANCE TO, CUBA FROM OTHER FOREIGN COUNTRIES.

(a) REPORTS REQUIRED.—Not later than 90 days after the date of enactment of this division, and by January 1 each year thereafter until the President submits a determination under section 2203(a) the President shall submit a report to the appropriate congressional committees on commerce with, and assistance to, Cuba from other foreign countries during the preceding 12-month period.

(b) CONTENTS OF REPORTS.—Each report required by subsection (a) shall, for the report covered by the report, contain the following, to the extent such information is available—

(1) a description of all bilateral assistance provided to Cuba by other foreign countries, including humanitarian assistance;

(2) a description of Cuba's commerce with foreign countries, including the location of Cuba's trading partners and the extent of such trade;
(3) a description of the joint ventures completed, or under consideration, by foreign nationals and business firms involving facilities in Cuba, including an identification of the legal entities involved and a description of the terms of agreement of the joint ventures and the names of the parties that are involved.

(4) An indication as to whether or not any of the facilities described in paragraph (3) is the subject of a claim against Cuba by a United States national;

(5) a determination of the amount of Cuban debt owed to each foreign country, including

(A) the amount of debt exchanged, forgiven, or reduced under the terms of each investment or operation in Cuba involving foreign nationals or businesses; and

(B) the debt owed by Cuba to each foreign country that has been exchanged, forgiven, or reduced in return for a grant by the Cuban government of an equity interest in a property, investment or operation of the Government of Cuba or of a Cuban national;

(6) a description of the steps taken to assure that raw materials and semifinished or finished goods produced by facilities in Cuba involving foreign nationals or businesses do not enter the United States market, either directly or through third countries or parties; and

(7) an identification of countries that purchase, or have purchased, arms or military supplies from Cuba, that otherwise have entered into agreements with Cuba that have a military application, including

(A) a description of the military supplies, equipment or other material sold, bartered, or exchanged between Cuba and such countries,

(B) a listing of the goods, services, credits, or other consideration received by Cuba in exchange for military supplies, equipment, or material, and

(C) the terms or conditions of any such agreement.

SEC. 2120. IMPORTATION SAFEGUARD AGAINST CERTAIN CUBAN PRODUCTS.

(a) Statement of findings. The Congress notes that section 515.204 of title 31, Code of Federal Regulations, that prohibits the entry of, and dealings outside the United States involving, sugar or sugar products that are a product of Cuba.

(b) Application. It is unlawful to

(A) enter any product or article if such entry is prohibited under subsection (b), or

(B) make a false certification under subsection (c).

(c) Enforcement. The Customs Service may exercise the authorities it has under sections 581 through 641 of the Tariff Act of 1930 (19 U.S.C. 1581 through 1641) in order to carry out paragraphs (d) and (e).

(d) Report to Congress. The Secretary of the Treasury shall report to Congress on any unlawful acts and penalties imposed under subsection (c).

(e) Publication of lists of violators. The Secretary of the Treasury shall publish the list of violators in the Federal Register, not later than six months after the date on which the name of the person or entity has been placed on the list containing, to the extent such information is available, the name of any person or entity that has engaged in the importation of, or transportation with respect to, any article which is the growth, product, or manufacture of Cuba. Such publication shall be in a form sufficient to satisfy the Secretary that the exporters have been given notice of their status.

(f) Definitions. The terms "entry," "entry," "product of Cuba," and "product of Cuba" mean a product that is a product of Cuba.

(g) Assurances. The President shall, before considering the reinstatement of general licenses for the importation of small businesses, fully endowed with the right to hire others to whom they may pay wages, buy materials necessary in the operation of the business and such other authority and freedom required to foster the operation of small businesses throughout the island.

(h) Additional duties. The President shall, before considering such an exchange, meet the following conditions:

(1) The exchange is fully-reciprocated;

(2) Cuba does not require the United States to remove such person from the list as of the date on which the name of the person or entity has been placed on the list;

(3) The Congress notes that section 902(c) of title 31, Code of Federal Regulations, permits the United States to require the entry of, and dealings outside the United States involving, sugar or sugar products that are a product of Cuba.

(4) Protection of essential security interests of the United States requires enhanced assurances that sugar products that are entered are not products of Cuba. The Congress notes that the term "product of Cuba" means a product that—

(A) is of Cuban origin;

(B) is or has been located in or transported from Cuba;

(C) is made or derived in whole or in part from any article which is the growth, produce, or manufacture of Cuba.

(d) Definitions. The terms "sugar," "sugar product," and "sugar product" mean a product that—

(A) is a product of Cuba;

(B) is or has been located in or transported from Cuba;

(C) is made or derived from any article which is the growth, produce, or manufacture of Cuba.

(e) Enforcement. The Customs Service may exercise the authorities it has under sections 581 through 641 of the Tariff Act of 1930 (19 U.S.C. 1581 through 1641) in order to carry out paragraphs (d) and (e).

(f) Report to Congress. The Secretary of the Treasury shall report to Congress on any unlawful acts and penalties imposed under subsection (d).
(2) to facilitate a peaceful transition to representative democracy and a free market economy in Cuba;
(3) to be impartial toward any individual or entity after a transition by the Cuban people of their future government;
(4) to enter into negotiations with a democratically elected government in Cuba regarding the United States Naval Base at Guantanamo Bay;
(5) to consider the restoration of diplomatic relations with Cuba, and support such action; and
(6) to remove the economic embargo of Cuba when the President determines that there exists a democratically elected government in Cuba; and
(7) to pursue a mutually beneficial trading relationship with a democratic Cuba.

SEC. 2202. ASSISTANCE FOR THE CUBAN PEOPLE.

(a) AUTHORIZATION.--

(1) IN GENERAL.—The President may provide assistance under this section for the Cuban people after a transition government, or a democratically elected government, is in power in Cuba, subject to subsections 2203 (a) and (c).

(2) EFFECT ON OTHER LAWS.—Subject to section 2203 (a), the President is authorized to provide such forms of assistance to Cuba as are provided for in subsection (b), notwithstanding any other provision of law, except for—

(A) this division;

(B) section 600(d)(2) of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2370a(d)(2)); and

(C) section 600(a) of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2394) and comparable notification requirements contained in sections of the annual foreign operations, export financing, and related programs Act.

(b) RESPONSE PLAN.—

(1) DEVELOPMENT OF PLAN.—The President shall develop a plan detailing, to the extent possible, the manner in which the United States would provide and implement support for the Cuban people in response to the formation of—

(A) a transition government in Cuba; and

(B) a democratically elected government in Cuba.

(2) TYPES OF ASSISTANCE.—Support for the Cuban people under the plan described in paragraph (1) shall include the following types of assistance:

(A) TRANSITION GOVERNMENT.—(i) The plan developed under paragraph (1)(A) for assistance to a transition government in Cuba shall be limited to such food, medicine, medical supplies and equipment, and other assistance as may be necessary to meet the basic human needs of the Cuban people.

(ii) When a transition government in Cuba is in power, the President is encouraged to remove or modify restrictions that may exist on—

(I) remittances by individuals to their relatives of cash or humanitarian aid and services; and

(ii) on freedom to travel to visit Cuba other than that the provision of such services and costs in connection with such travel shall be internationally competitive.

(iii) Upon transmittal to Congress of a determination under section 2203(a) that a transition government in Cuba is in power, the President is encouraged to take such other steps as will encourage renewed investment in Cuba to contribute to a stable foundation for a democratically elected government in Cuba.

(B) DEMOCRATICALLY ELECTED GOVERNMENT.—(i) The plan developed under paragraph (1)(B) for assistance for a democratically elected government in Cuba shall consist of assistance to promote free market development, private enterprise, and a mutually beneficial trading relationship with the United States and Cuba. Such assistance should include—

(I) financing, guarantees, and other assistance as authorized by subchapter I of chapter 8 of the Export-Import Bank of the United States;

(II) insurance, guarantees, and other assistance provided by the Overseas Private Investment Corporation for investment projects in Cuba;

(iii) assistance provided by the Trade and Development Agency;

(iv) international narcotics control assistance provided under chapter 8 of part I of the Foreign Assistance Act of 1961; and

(v) Peace Corps activities.

(c) INTERNATIONAL EFFORTS.—The President is encouraged to take the necessary steps to—

(I) to seek to obtain the agreement of other countries and international organizations to provide assistance to a transition government in Cuba and to a democratically elected government in Cuba; and

(2) to work with such countries, institutions, and organizations to coordinate all such assistance programs.

(d) REPORT ON TRADE AND INVESTMENT RELATIONS.—

(1) REPORT TO CONGRESS.—The President, following the transmittal to the Congress of a determination under section 2203(c) that a democratically elected government in Cuba is in power, shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate and other appropriate committees a report that describes—

(A) acts, policies, and practices which constitute significant barriers to, or distortions of, United States trade in goods or services or foreign direct investment with respect to Cuba;

(B) policy objectives of the United States regarding trade relations with a democratically elected government in Cuba, and the reasons therefor, including possible—

(i) reciprocal extension of nondiscriminatory trade treatment (most-favored-nation treatment);

(ii) designation of Cuba as a beneficiary developing country under subtitle V of the Trade Act of 1974 (relating to the Generalized System of Preferences) or as a beneficiary country under the Caribbean Basin Economic Recovery Act, every year thereafter; and such designation with respect to trade and any other country that is such a beneficiary developing country or beneficiary country or is a party to the North American Free Trade Agreement; and

(iii) negotiations regarding free trade, including the accession of Cuba to the North American Free Trade Agreement; and

(iv) specific trade negotiating objectives of the United States with respect to Cuba, including the objectives described in section 1009(b)(1) of the Trade Act of 1974 and the Trade Agreement Implementation Act; and

(D) actions proposed or anticipated to be undertaken, and any proposed legislation necessary or appropriate, to achieve any of such policy and negotiating objective.

(2) CONSULTATION.—The President shall consult with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate and other appropriate committees and shall seek advice from and enter into negotiations with such committees established under section 135 of the Trade Agreements Act of 1974, and the implications of such designation, pursuant to section 2302 hereof as to actions thereafter filed against the government of Cuba, to the extent that such action contributes to a stable foundation for a democratically elected government in Cuba.

(e) COMMUNICATION WITH THE CUBAN PEOPLES.—The President is encouraged to take the necessary steps to communicate to the Cuban people the plan developed under this section.

(f) REPORT TO CONGRESS.—Not later than 180 days after the date of the filing under this title, the President shall transmit to the appropriate congressional committees a report describing in detail the plan developed under this section.

SEC. 2203. IMPLEMENTATION; REPORTS TO CONGRESS.

(a) IMPLEMENTATION WITH RESPECT TO TRANSITION GOVERNMENT.—Upon making a determination, consistent with the requirements and factors in section 2205, that a transition government in Cuba is in power, the President shall transmit that determination to the appropriate congressional committees and should, subject to the authorization of appropriations and the availability of appropriations, commence to provide assistance pursuant to section 2202(b)(2)(A).

(b) REPORTS TO CONGRESS.—(1) The President shall transmit to the appropriate congressional committees a report setting forth the strategy for providing assistance authorized under section 2202(b)(2)(A) to the transition government in Cuba, the types of such assistance, and the extent to which such assistance has been distributed.

(2) The President shall transmit the report not later than 90 days after the date of the determination referred to in paragraph (1), except that the President shall consult regularly with the appropriate congressional committees regarding the development of the plan.

(c) IMPLEMENTATION WITH RESPECT TO DEMOCRATICALLY ELECTED GOVERNMENT.—Upon making a determination, consistent with section 2206, that a democratically elected government in Cuba is in power, the President shall transmit that determination to the appropriate congressional committees and should, subject to the authorization of appropriations and the availability of appropriations, commence to provide such forms of assistance as may be included in the plan for assistance pursuant to section 2202(b)(2)(B).

(d) ANNUAL REPORTS TO CONGRESS.—Once the President has transmitted a determination referred to in either subsection (a) or (c), the President shall, not later than 60 days after the end of each fiscal year, transmit to the appropriate congressional committees a report on the assistance to Cuba authorized under section 2202, including a description of each type of assistance, the amounts expended for such assistance, and a description of the assistance to be provided under the plan in the current fiscal year.

SEC. 2204. TERMINATION OF THE ECONOMIC EM- BARGO OF CUBA.

(a) PRESIDENTIAL ACTIONS.—Upon submitting a determination to the appropriate congressional committees under section 2203(a) that a transition government in Cuba is in power, the President, after consulting with the Congress, is authorized to take steps to—

(1) suspend the economic embargo on Cuba and to pursue a mutually beneficial trading relationship with Cuba, to the extent that such action contributes to a stable foundation for a democratically elected government in Cuba;

(2) report to Congress; and

(3) sections 1704, 1705(d), and 1706 of the Cuban Freedom Act of 1996 (22 U.S.C. 7204, 7205(d), and 706 of the Cuban Democracy Act (22 U.S.C. 6003, 6004(d), 6005);
(4) section 902(c) of the Food Security Act of 1985; and
(5) the prohibitions on transactions described in part 515 of the title 31, Code of Federal Regulations.

(c) ADDITIONAL PRESIDENTIAL ACTIONS.—Upon submitting a determination to the appropriate congressional committees under section 2203(c) that a democratically elected government in Cuba is in power, the President shall take steps to terminate the economic embargo of Cuba.

(d) CONFORMING AMENDMENTS.—On the date on which the President submits a determination under section 2203(c),—
(1) section 507 of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(a)) is repealed;
(2) section 620(f) of the Foreign Assistance Act of 1961 (22 U.S.C. 2370(f)) is amended by striking “Republic of Cuba”;
(3) sections 1704, 1705(d), and 1706 of the Cuban Democracy Act (22 U.S.C. 6003, 6004(d), 6005); and
(4) section 902(c) of the Food Security Act of 1985 is repealed.

(e) REVIEW OF SUSPENSION OF ECONOMIC EMBARGO.—
(1) REVIEW.—If the President takes action under subsection (a) to suspend the economic embargo, the President shall immediately so notify the Congress. The President shall report to the Congress no less frequently than every 6 months thereafter, until the action is terminated under section 2203(c) that a democratically elected government in Cuba is in power, on the progress being made by Cuba toward the establishment of such a democratically elected government. The action of the President under subsection (a) shall cease to be effective upon the enactment of a joint resolution described in subsection (1).

(2) J OINT RESOLUTIONS.—For purposes of this subsection, the term “joint resolution” means a joint resolution of the 2 Houses of Congress, the matter after the resolving clause of which is as follows: “That the Congress disagrees the action of the President under section 2204(a) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1995 to suspend the economic embargo of Cuba, notice of which was submitted to the Congress on … ”, with the blank space filled with the appropriate date.

(3) REFERRAL TO COMMITTEES.—Joint resolutions introduced in the House of Representatives or referred to the Senate committee on international relations and joint resolutions introduced in the Senate shall be referred to the Committee on Foreign Relations.

(4) PROCEDURE.—(A) Any joint resolution shall be considered in the Senate in accordance with the provisions of section 602(b) of the International Security Assistance and Arms Export Control Act of 1976.
(B) For the purpose of expediting the consideration and enactment of joint resolutions, a motion to proceed to the consideration of any joint resolution after it has been reported by the appropriate committee shall be granted without debate privileged in the House of Representatives.
(C) Not more than 1 joint resolution may be considered in the House of Representatives and the Senate in the 6-month period beginning on the date on which the President notifies the Congress under paragraph (1) of the action taken under subsection (a), and in no case thereafter.

SEC. 2205. REQUIREMENTS FOR A TRANSITION GOVERNMENT.

(a) A determination under section 2203(a) that a transition government in Cuba is in power shall not be made unless that government has taken the following actions—
(1) abolished all political activity;
(2) released all political prisoners and arrested for violations of Cuban prisons by appropriate international human rights organizations;
(3) dissolved the present Department of State Security in the Cuban Ministry of the Interior, including the Committees for the Defense of the Revolution and the Rapid Response Brigades; and
(4) committed to organizing free and fair elections in said government—
(i) to be held in a timely manner within 2 years after the transition government assumes power;
(ii) with the participation of multiple independent political parties that have full access to the media on an equal basis, including for the first time for other parties (or other telecommunications media) in terms of allotments of time for such access and the times of day such allotments are given; and
(iii) to be conducted under the supervision of internationally recognized observers, such as the Organization of American States, the United Nations, and other election monitors;
(b) In addition to the requirements in subsection (a), in determining whether a transition government is in power in Cuba, the President shall take into account the extent to which the transition government—
(1) is demonstrably in transition from communist totalitarian dictatorship to representative democracy;
(2) has publicly committed itself to, and is making demonstrable progress in—
(A) establishing an independent judiciary;
(B) respecting internationally recognized human rights as set forth in the Universal Declaration of Human Rights;
(C) effectively guaranteeing the rights of free speech and freedom of the press, including granting permits to privately owned media and telecommunications companies to operate in Cuba;
(D) permitting the reinstatement of citizenship to Cuban-born nationals returning to Cuba;
(E) assuring the right to private property; and
(F) allowing the establishment of independent trade unions as set forth in conventions 87 and 98 of the International Labor Organization, and allowing the establishment of independent social, economic, and political associations;
(3) has ceased all interference with broadcasts by Radio Marti or the Television Marti Service;
(4) has given adequate assurances that it will allow the speedy and efficient distribution of assistance to the Cuban people; and
(5) permits the deployment throughout Cuba of independent and unfettered international human rights monitors.

SEC. 2206. REQUIREMENTS FOR A DEMOCRATICALLY ELECTED GOVERNMENT.

For purposes of determining under section 2203(c) of this title, a democratically elected government in Cuba is in power, the President shall take into account whether, and the extent to which, that government—
(1) results from free and fair elections—
(A) conducted under the supervision of internationally recognized observers; and
(B) in which opposition parties were permitted ample time to organize and campaign for such elections, and in which all candidates in the elections were permitted full access to the media;
(2) is showing respect for the basic civil liberties and human rights of the citizens of Cuba; and
(3) is substantially moving toward a market-oriented economic system based on the right to own and enjoy property;
(4) is committed to making constitutional changes that would ensure regular free and fair elections and the full enjoyment of basic civil liberties and human rights by the citizens of Cuba; and
(5) is continuing to comply with the requirements of section 2205.

SEC. 2207. Settling OUTSTANDING U.S. CLAIMS TO CONFISCATED PROPERTY IN CUBA.

(a) SUPPORT FOR A TRANSITION GOVERNMENT.—Notwithstanding any other provision of this division—
(1) no assistance may be provided under the authority of this Act to a transition government in Cuba; and
(2) the Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any loan or other utilization of the funds of such bank or institution for the benefit of a democratically elected government in Cuba.

(b) SUPPORT FOR A DEMOCRATICALLY ELECTED GOVERNMENT.—Notwithstanding any other provision of this division—
(1) no assistance may be provided under the authority of this Act to a democratically elected government in Cuba; and
(2) the Secretary of the Treasury shall instruct the United States executive director of each international financial institution to vote against any loan or other utilization of the funds of such bank or institution for the benefit of a democratically elected government in Cuba.

(c) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall provide a report to the appropriate congressional committees containing an assessment of the property dispute question in Cuba, including—
(1) an estimate of the number of claims to property confiscated by the Cuban government held by United States nationals and the extent to which the United States could provide to help either a transition government in Cuba or a democratically elected government in Cuba establish mechanisms to resolve property claims to the revitalization of the Cuban economy;
(2) an assessment of the significance of promptly resolving confiscated property claims to the revitalization of the Cuban economy;
(3) a review and evaluation of the technical and other assistance that the United States could provide to help resolve claims to property confiscated by the Cuban government held by United States nationals who did not receive or qualify for certification under section 507 of the...
The Congress makes the following findings:

(1) Individuals enjoy a fundamental right to own and enjoy property which is enshrined in the United States Constitution.

(2) The wrongful confiscation or taking of property belonging to United States nationals by the Cuban government, and the subsequent deprivation of property to the full extent of the owners' interest, undermines the comity of nations, the free flow of commerce, and economic development.

(3) Since Fidel Castro seized power in Cuba in 1959—

(A) he has trampled on the fundamental rights of the Cuban people,

(B) has engaged in a genocidal despotism, he has confiscated the property of—

(i) millions of his own citizens,

(ii) hundreds of United States nationals, and

(iii) thousands more Cubans who claimed asylum in the United States as refugees because of persecution and later became naturalized citizens of the United States.

(4) It is in the interest of the Cuban people that the government of Cuba respect equally the property rights of Cuban and foreign nationals.

(5) The Cuban government is offering foreign investors the opportunity to purchase an equity interest, or otherwise to enter into joint ventures with property and assets some of which were confiscated from United States nationals.

(6) "Trafficking" in confiscated property provides badly needed financial benefit, including hard currency, oil and productive joint ventures, and economic development.

(7) The U.S. State Department has notified other governments that the transfer of properties confiscated by the Cuban government to third parties "would complicate any attempt to return them to their original owners.

(8) The international judicial system, as currently structured, lacks fully effective remedies for the wrongful confiscation of property and for unjust enrichment from the use of confiscated properties by governments and private entities at the expense of the rightful owners of the property.
Solidarity (LIBERTAD) Act of 1995, no judgment by default shall be entered by a court of the United States against the government of Cuba, its political subdivision, or its agencies or instrumentalities, unless a government recognized by the United States in Cuba is given the opportunity to cure and be heard thereon and the claimant establishes his claim in equitable relief by evidence satisfactory to the court.

(d) Certain Property Immune From Execution.—Section 1611 of title 28, United States Code, is amended by adding at the end of the following:

"(c) Notwithstanding the provisions of section 1611 of title 28, the property of a foreign state shall be immune from attachment and from execution in an action brought under section 1608(7) to the extent the property is a facility or installation used by an accredited diplomatic mission for official purposes.".

(e) Election of Remedies.—(1) Election.—Subject to paragraph (2) —

(A) any United States national that brings an action under this section may not bring any other civil action or proceeding under the central law, or law of any of the other several states, the District of Columbia, or any territory or possession of the United States that seeks monetary or nonmonetary compensation arising out of a claim for which an action would otherwise be cognizable under this section may not bring an action under this section on that claim.

(2) Treatment of certified claimants.—In the United States Court of Claims, any action brought under the international claims settlement Act of 1949 (22 U.S.C. 1643 and following) shall be construed—

(A) if the recovery in the action is equal to or greater than the amount of the certified claim, the United States national may not receive payment on the claim under any agreement entered into between the United States and Cuba settling claims covered by such title, and such national shall be deemed to have the United States national qualified as a national of the United States for all further responsibilities to represent the United States national with respect to that claim;

(B) if the recovery in the action is less than the amount of the certified claim, the United States national may receive payment under a claims agreement described in subparagraph (A) but only to the extent of the difference between the amount of the recovery and the amount of the certified claim; and

(C) if there is no recovery in the action, the United States national may receive payment on the certified claim under a claims agreement described in subparagraph (A) to the extent of the difference between any further responsibility to represent the United States national with respect to that claim.

(f) Deposit of Excess Payments by Cuba Under Claims Agreement.—Any amounts paid by Cuba under any agreement entered into between the United States and Cuba settling certified claims under title V of the International Claims Settlement Act of 1949 that are in excess of the payments made on such certified claims after the application of subsection (e) shall be deposited into the United States Treasury.

(g) Termination of Rights.—(1) All rights created under this section to bring an action for monetary relief for property confiscated by the Government of Cuba before the date of enactment of this division shall cease upon transmittal to the Congress of a determination of the President under section 203(c).

(2) The termination of rights under paragraph (1) shall affect such rights, and actions commenced before the date of such termination, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same extent as any certified claimant who does not bring an action under this section:

"SEC. 2303. PROOF OF OWNERSHIP.

(a) Evidence of Ownership.—(1) In any action brought under this division, the courts shall accept as conclusive proof of ownership a certification of a claim to ownership that has been made by the Foreign Claims Settlement Commission of the International Claims Settlement Act of 1949 (22 U.S.C. 1643 and following).

(2) In the case of a claim that has not been certified by the Foreign Claims Settlement Commission before the enactment of this division, a court may appoint a Special Master, including the Foreign Claims Settlement Commission, to make determinations regarding the amount of ownership of claims to ownership of confiscated property by the Government of Cuba. Such determinations are only for evidentiary purposes and shall not be used to apportion the recovery brought under this title and do not constitute certifications pursuant to title V of the International Claims Settlement Act of 1949.

(b) Determining Ownership, courts shall not accept as conclusive evidence of ownership any findings, orders, judgments, or decrees from administrative agencies or courts of foreign countries or international organizations that invalidate the claim held by a United States national, unless the invalidation was obtained by the United States because of a claim certified by the Commission pursuant to section 507, nor shall any district court of the United States have jurisdiction to entertain any such action.

"(b) Nothing in subsection (a) shall be construed to detract from or otherwise affect any right in the shares of capital stock of the United States owned by the Cuban government or any local government of Cuba in place on the date of the enactment of this section, nor any successor thereto, who did not recognize by otherwise having an interest in, the compensation proceeds or nonmonetary compensation paid or allocated to any national of the United States (on the date of the enactment of this section) who was not eligible to file a claim under section 503 nor any national of the United States (on the date of the enactment of this section) who was not eligible to file a claim under section V of the International Claims Settlement Act of 1949 before the date of enactment of this division.

"DETERMINATION OF OWNERSHIP CLAIMS RELATIVE TO DISTRICT COURTS OF THE UNITED STATES.

"SEC. 514. Notwithstanding any other provisions of this title and only for purposes of sections 2302 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1995, a claim certified under Title V of the International Claims Settlement Act of 1949 may not be opened nor may the decision of any court of the United States have jurisdiction, nor shall any district court of the United States have jurisdiction to entertain any such action.

"(b) In determining ownership, courts shall accept as conclusive evidence of ownership any findings, orders, judgments, or decrees from administrative agencies or courts of foreign countries or international organizations that invalidate the claim held by a United States national, unless the invalidation was obtained by the United States because of a claim certified by the Commission pursuant to section 507, nor shall any district court of the United States have jurisdiction to entertain any such action.

"(b) Nothing in subsection (a) shall be construed to detract from or otherwise affect any right in the shares of capital stock of the United States owned by the Cuban government or any local government of Cuba in place on the date of the enactment of this section, nor any successor thereto, who did not recognize by otherwise having an interest in, the compensation proceeds or nonmonetary compensation paid or allocated to any national of the United States (on the date of the enactment of this section) who was not eligible to file a claim under section 503 nor any national of the United States (on the date of the enactment of this section) who was not eligible to file a claim under section 507.

BROWN AMENDMENT NO. 1997

(Ordered to lie on the table.) Mr. HELMS (for Mr. Brown) submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place in the bill, insert the following new title:

TITLE — NATO PARTICIPATION ACT

AMENDMENTS OF 1995

SEC. 1. SHORT TITLE.

This title may be cited as the "NATO Participation Act Amendments of 1995".

SEC. 2. FINDINGS.

The Congress makes the following findings:

(1) Since 1949, the North Atlantic Treaty Organization (NATO) has played an essential role in guaranteeing the security, freedom, and prosperity of the United States and its partners in the Alliance.

(2) NATO has expanded its membership on three different occasions since 1949.

(3) The sustained commitment of the member countries of NATO to mutual defense of the security ultimately made possible the democratic transformation in Central and Eastern Europe and the demise of the Soviet Union.

(4) NATO was designed to be and remains a defensive military organization whose members have never contemplated the use of, or used, military force to expand the borders of its member states.

(5) While the immediate threat to the security of the United States and its allies has been reduced with the collapse of the Iron Curtain, new security threats, such as the situation in Bosnia and Herzegovina, are emerging to the shared interests of the member countries of NATO.

(6) NATO remains the only multilateral security organization capable of conducting effective military operations to protect Western security interests.

(7) NATO has played a positive role in defusing tensions between NATO members and,
as a result, no military action has occurred between two NATO member states since the inception of NATO in 1949. NATO is also an important diplomatic forum for the discussion of issues of concern in the North Atlantic area.

SEC. 3. UNITED STATES POLICY.

It should be the policy of the United States—

(1) to join with the NATO allies of the United States to redefine the role of the NATO Alliance in the post-Cold War world;

(2) to actively assist European countries emerging from communist domination in their transition so that such countries may eventually qualify for NATO membership;

(3) to use the voice and vote of the United States to urge observer status in the North Atlantic Council for countries designated under section 203(d) of the NATO Participation Act of 1994 (title II of Public Law 103-447; 22 U.S.C. 1928 note) to contribute to the security of the North Atlantic area;

(4) to work to define the political and security relationships between an enlarged NATO and the Russian Federation;

(5) to provide significant assistance to its member states and for the peaceful resolution of disputes;

(6) to use the voice and vote of the United States to urge observer status in the North Atlantic Council for countries designated under section 203(d) of the NATO Participation Act of 1994 (title II of Public Law 103-447; 22 U.S.C. 1928 note) to contribute to international peace and enhance the security of the region.

(12) A number of countries have expressed varying degrees of interest in NATO membership, and have taken concrete steps to demonstrate this commitment.

Full integration of Central and Eastern European countries into the North Atlantic Alliance after such countries meet essential criteria for admission would enhance the security of the Alliance and, thereby, contribute to the security of the United States.

Any threat to the security of the newly emerging democracies in Central Europe would pose a serious threat to the United States and its European allies.

The admission to NATO of Central and Eastern European countries that have been freed from Communist domination and that meet the political and economic criteria for NATO membership would contribute to international peace and enhance the security of the region.

A number of countries have expressed varying degrees of interest in NATO membership, and have taken concrete steps to demonstrate this commitment.

Full integration of Central and Eastern European countries into the North Atlantic Alliance after such countries meet essential criteria for admission would enhance the security of the Alliance and, thereby, contribute to the security of the United States.

The expansion of NATO can create the stable environment needed to successfully complete the political and economic transformation envisioned by Eastern and Central European countries.

In recognition that not all countries which have requested membership in NATO will necessarily qualify at the same pace, the date for membership of each country will vary.

The provision of NATO transition assistance should include those countries most ready for closer ties with NATO, such as Poland, Hungary, the Czech Republic and Slovakia, and should be designed to assist other countries meeting specified criteria of eligibility to move toward eventual NATO membership, including Lithuania, Latvia, Estonia, Ukraine, Romania, Bulgaria, and Slovenia.

Lithuania, Latvia, and Estonia have made significant progress in preparing for NATO membership, and the Administration Act of 1979 provides for increased consideration for inclusion in programs for NATO transition assistance.

SEC. 4. REVISIONS TO PROGRAM TO FACILITATE TRANSITION TO NATO MEMBERSHIP.

(a) Establishment of Program.—Subsection (a) of section 203 of the NATO Participation Act of 1994 (title II of Public Law 103-447; 22 U.S.C. 1928 note) is amended to read as follows:

"(a) Establishment of Program.—The President shall establish a program to assist countries designated under subsection (d) in the transition to full NATO membership."
date on which a certification made under subsection (f)(2) is received by Congress shall be deemed to be references to the joint resolution; and

in paragraph (1) shall be deemed to be references to the Committee on Appropriations, and the Committee on Foreign Relations of the Senate.

2. TEXT OF JOINT RESOLUTION.—A joint resolution under this paragraph is a joint resolution the matter after the resolving clause of which is as follows: ‘That the Congress disapproves the certification submitted by the President on —

Mr. HELMS (for Mr. BROWN) submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place in the bill, add the following new section—

SEC. 207. DEFINITIONS.

The term ‘designated congressional committees containing an assessment of the progress made by that country in meeting those standards.’

1. ANNUAL REPORT.—The President shall, at the time of submission of the budget to Congress for any fiscal year, submit to the appropriate committees of Congress a report on the total amount of funds appropriated for national defense purposes for any fiscal year after fiscal year 1995 that were expended during the preceding fiscal year to support or participate in, directly or indirectly, United Nations peacekeeping activities. Such report shall include a breakdown by United Nations peacekeeping operation of the amount of funds expended to support or participate in each such operation.

2. SENSE OF CONGRESS.—It is the sense of the Congress that the United States should grant duty free access to the United States market for products of the territories that were under the administration of Israel (West Bank and Gaza) on April 29, 1985.

BROWN AMENDMENT NO. 1940

(Ordered to lie on the table.)

Mr. HELMS (for Mr. BROWN) submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place in the bill, add the following new section—

SEC. 207. DEFINITIONS.

As used in this section:

(1) The term ‘United Nations peacekeeping activities’ means operations of the United Nations for national defense purposes for any fiscal year that are conducted under Article 10 of the North Atlantic Treaty, the standards for NATO membership set forth in Chapter VI of the United Nations Charter, and the development of regional economic development and integration in the Middle East; and

(2) such extension will include only goods manufactured in Gaza and Jericho before the signing.

(4) Sending an unambiguous signal of United States support for peace in the Middle East is a top priority of the United States.

(3) The Declaration of Principles, signed by the President of Egypt and Jordan, is a significant step forward in bringing about the peace process.

(3) The Declaration of Principles, signed by the President of the United States and the Israeli government, is a significant step forward in bringing about the peace process.

(1) The Congress approved a free trade agreement with Israel on April 29, 1985.

(2) When approved in 1985, eligibility under the free trade agreement extended to the occupied territories of the West Bank and Gaza.

(3) The Congress finds that—

(1) the development of trading relationships that permit the free flow of goods among Israeli and Jordanian territories.

(2) The President’s recent decision to establish a free trade area that includes the Egyptian city of Taba, the Israeli city of Elat, and the Jordanian city of Aqaba will provide an important beginning for regional cooperation and the integration of regional economies.

(3) The development of economic and trade agreements between the countries who have agreed to a warm peace with Israel and the United States is a top priority of the United States.

(1) such extension will include only goods produced in Gaza and Jericho.

(2) when approved in 1985, eligibility under the free trade agreement extended to the occupied territories of the West Bank and Gaza.

(3) The Congress finds that—

(1) the development of trading relationships that permit the free flow of goods among Palestinian territories.

(2) the development of economic and trade agreements between the countries who have agreed to a warm peace with Israel and the United States is a top priority of the United States.

(3) The Congress finds that—

(1) the development of trading relationships that permit the free flow of goods among Palestinian territories.

(2) The President’s recent decision to establish a free trade area that includes the Egyptian city of Taba, the Israeli city of Elat, and the Jordanian city of Aqaba will provide an important beginning for regional cooperation and the integration of regional economies.

(3) The development of successful trading relationships between the countries who have agreed to a warm peace with Israel and the United States is a top priority of the United States.
The purpose of the General Agreement on Tariffs and Trade (hereafter in this amendment referred to as the “GATT”) and the World Trade Organization (hereafter in this amendment referred to as the “WTO”) is to enable member countries to conduct trade based upon free market principles, by limiting government intervention in the form of state aid and non-tariff barriers, and by encouraging reciprocal reductions in tariffs among members.

The GATT/WTO is based on the assumption that free market and export of goods are conducted by independent enterprises responding to profit incentives and market forces.

The GATT/WTO requires that nonmarket economies implement significant reforms to change centralized and planned economies before becoming a full GATT/WTO member and the existence of a decentralized and a free market economy is considered a precondition for fair trade among GATT/WTO members.

The People’s Republic of China (hereinafter referred to as “China”) and the Republic of China on Taiwan (hereinafter referred to as “Taiwan”) applied for membership in the GATT in 1986 and 1991, respectively, and Working Parties have been established by the GATT to review their applications.

Taiwan has made substantive progress in agreeing to reduce tariffs under the GATT/WTO accession process. However, full membership in the GATT/WTO has been granted only after China has become a full member of the GATT/WTO.

Taiwan has a free market economy that has existed for over three decades, and is currently the fourteenth largest trading nation in the world.

Taiwan is a major market in the world, with a GDP of approximately $200 billion, which represents 2.5% of the world’s GDP. Taiwan’s exports account for approximately 15% of the world’s exports, making it the world’s twenty-first largest trading nation.

Taiwan has made significant progress in other areas of international trade, such as in intellectual property protection and opening its financial services market.

Despite some progress in reforming its economy, Taiwan’s economic system remains centralized and non-market-based, and institutional practices that restrict free market competition and are incompatible with GATT/WTO principles.

Taiwan’s accession to the GATT/WTO has important implications for the United States and the world trading system.

Sense of Congress—It is the sense of the Congress that:

1. The United States should separate Taiwan’s application for membership in the GATT/WTO from China’s application for membership in those organizations;
2. The United States should support Taiwan’s earliest membership in the GATT/WTO;
3. The United States should support the membership of China in the GATT/WTO only if a sound bilateral commercial agreement is reached between the United States and China, and that China makes significant progress in making its economic system compatible with GATT/WTO principles; and
4. China’s application for membership in the GATT/WTO should be reviewed strictly in accordance with the rules, guidelines, and precedents, and practices of the GATT.

Brown Amendment No. 1943 (Ordered to lie on the table.)

Mr. HELMS (for Mr. BROWN) submitted an amendment intended to be proposed by him to the bill, S. 908, supra, as follows:

At the appropriate place in the bill, add the following new section:

“Sec. 1. Republic of China (Taiwan)’s Participation in the United Nations.

(a) Findings.—The Congress finds that:
1. The Republic of China was the first signatory to the Charter of the United Nations in 1945 and remained an active member of that world body until 1971.
3. Taiwan has the largest gross national product in international strong and un- 

brant economy close to that of the largest foreign exchange reserves of any nation.
4. Taiwan has dramatically improved its record on human rights and routinely holds free and fair elections in a multiparty system, as evidenced most recently by the December 3, 1994, ballotin for local and provincial government officials.
5. The 21 million people in Taiwan have not been represented in the United Nations since 1971 and their human rights as citizens of the world have therefore been severely abridged.
6. Taiwan has in recent years repeatedly expressed its strong desire to participate in the United Nations.
7. Taiwan has much to contribute to the work and funding of the United Nations.
8. Taiwan’s full and immediate commitment to the world community by responding to the international disasters and crises such as environmental destruction in the Persian Gulf and famine in Rwanda by providing financial donations, medical assistance, and other forms of aid.
9. The world community has reacted positively to Taiwan’s desire for international participation, as shown by Taiwan’s continued membership in the Asian Development Bank, the admission of Taiwan into the GATT/WTO working party group as a full member, and the accession of Taiwan as the first step toward becoming a contracting party to that organization.
10. Taiwan has supported Taiwan’s participation in these bodies and indicated, in its policy review of September 1994, a stronger and more effective policy of support for Taiwan’s participation in other international organizations.
11. Taiwan has repeatedly stated that its participation in international organizations is one of parallel representation without prejudice to the current status of mainland China in the international community and does not represent a challenge to that status.
12. The United Nations and other international organizations have established precedent for recognizing parallel representation, such as the cases of South Korea and North Korea and the two former Germanies;
13. The decision of the United States to establish diplomatic relations with Mainland China, as expressed in the Taiwan Relations Act (Public Law 96-8), is based “upon the expectation that the future direction of Taiwan will be determined by peaceful means”;
14. Taiwan’s participation in international organizations would reestablish the precedent of the eventual resolution of disputed issues between Taiwan and Mainland China for more participation in international organizations by the former West Germany. Taiwan, the former East Germany prevented the eventual settlement of German national status by peaceful and democratic means.

Sense of Congress.—It is the sense of the Congress that—
1. Taiwan deserves full participation, including a seat, in the United Nations and its related agencies; and
2. The Government of the United States should immediately encourage the United Nations to take action by considering the unique situation of Taiwan in the international community and adopting a comprehensive solution to accommodate Taiwan in the United Nations and its related agencies.

Brown Amendment No. 1944 (Ordered to lie on the table.)

Mr. HELMS (for Mr. BROWN) submitted an amendment intended to be proposed by him to the bill, S. 908, supra, as follows:

At the appropriate place in the bill, add the following new section:

“Sec. 2. Countries in Transition to a Free Market Economy.

(a) Findings.—(i) Many of the nations of Central and Eastern Europe in transition from centrally planned economies to free market economies have made important progress in reforming their economies in a short time period.

(ii) As these countries continue to transition, long-term economic growth for the region rests upon the successful integration of these emerging free markets into western markets and other world trading structures.

(iii) Trade has been the key to rapid integration of the markets of countries in transition to democracy.

(iv) The success of U.S. efforts to expand trade relations with these nations cannot be accomplished through trade with the West has not rested solely upon traditional foreign assistance programs, but has been greatly enhanced by the expansion of the generalized system of preferences for these countries.

(b) Sense of Congress.—It is the sense of the Congress that—
(i) United States’ efforts to assist countries of Central and Eastern Europe in transition from centrally planned economies to free market economies should focus first on efforts to effectively integrate them into the world trading system;

(ii) The United States extension of trade benefits under the Generalized System of Preferences has been of crucial importance to the rapid economic transformation of countries of Central and Eastern Europe in transition from centrally planned economies to free market economies; and

(iii) The United States should continue to accord treatment under the generalized system of preferences (GSP) for all countries of Central and Eastern Europe in transition to a free market economy, including but not limited to Poland, Hungary, the Czech Republic, Slovakia, the Baltic countries, Romania and Bulgaria.

Brown Amendment No. 1945 (Ordered to lie on the table.)
Mr. HELMS (for Mr. BROWN) submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

SEC. 1122. STUDY ON THE PRIVATIZATION OF THE OVERSEAS PRIVATE INVESTMENT CORPORATION (OPIC).

(a) STUDY AND REPORT.—The Overseas Private Investment Corporation (OPIC) shall conduct a study on the feasibility of privatizing the activities of the Corporation and, not later than 180 days after the date of enactment of this Act, submit to the Congress a report on the study.

(b) CONTENTS OF REPORT.—The report submitted under subsection (a) shall address the following issues of privatizing the Overseas Private Investment Corporation:

(1) The projected scope and size of overseas market projects and activities for United States companies over the next twenty years.

(2) An assessment of the capital required of United States companies in overseas markets and the potential sources of capital that would be willing to take a long-term, high-risk investment.

(3) A description of the need for the backing of the United States Government guarantees to support and foster private sector competitiveness in various overseas markets.

(4) A description of any alternative ways to provide the services needed to encourage investment from the private sector in developing market economies.

(5) A discussion of whether private insurance companies would be interested in entering the market and what they would charge.

(6) A discussion of whether developing countries would be willing to make individual agreements with private insurance agencies to take the place of the bilateral agreements they currently have with the Overseas Private Investment Corporation and whether this would cause competition in insurance rates.

BROWN AMENDMENT NO. 1946

(Ordered to lie on the table.)

Mr. HELMS (for Mr. BROWN) submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

SEC. . SENSE OF THE SENATE CONCERNING BOOK DONATIONS.

It is the Sense of the Senate that the United States should continue to provide logistic and warehouse support for non-governmental, non-profit organizations undertaking donated book programs abroad and that priority should be given to those organizations utilizing on-line information technology to complement the traditional hard cover donation program.

BROWN AMENDMENT NO. 1947

(Ordered to lie on the table.)

Mr. HELMS (for Mr. BROWN) submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

SEC. . AUTHORIZATION FOR AN INDUSTRIAL PARK ON THE BORDER BETWEEN THE TERRITORIES AND ISRAEL.

(a) FINDINGS.—The Congress finds that:

(1) Extremists in Hamas and Islamic Jihad who reject the gains made since the signing of the Declaration of Principles have used terrorist tactics to force the closing of the territories;

(2) Terrorist acts in Gaza and the West Bank have exacerbated existing problems and Gaza is now experiencing staggering unemployment nearly 50%, increasing crime, soaring churning financial and social needs of the Palestinians and dashed hopes and deepening poverty;

(3) Israel's legitimate security concerns necessitate creative new methods of ensuring continued economic opportunity for the Palestinians; and

(4) The development of industrial parks along the borders of Gaza, the West Bank and Israel sponsored by individual nations provides an important means of providing both development for Palestinians while maintaining border security.

(b) SENSE OF CONGRESS.—It is the sense of Congress that;

(1) The United States should take prompt, visible action to stop the coming elections in Gaza and Jericho that promises hope and jobs to Palestinians;

(2) The rapid development of an industrial park, closely coordinated with private sector investors, will provide a clear sign of opportunity resulting from peace with Israel;

(3) The decision to site the industrial park should give special consideration to the extremely difficult economic conditions in Gaza;

(4) The President should appoint a Special Coordinator to coordinate the rapid development of an industrial park in Gaza and to begin with the recruitment of U.S. investors; and

(5) The Secretary of State should direct a short-term review and implementation of U.S. assistance plans to assist in speeding the flow of goods between Israel and Gaza while increasing security between the two areas.

(c) AUTHORIZATION.—There are authorized to be appropriated $200,000,000 for the rapid development of a prototype industrial park in Gaza and or the West Bank, notwithstanding section 546 of the fiscal year 1995 Foreign Operations Reform Act, Export Financing and Related Programs and fiscal year 1994 Supplemental Appropriations Act (P.L. 103-359) or similar provisions.

BROWN AMENDMENT NO. 1950

(Ordered to lie on the table.)

Mr. HELMS (for Mr. BROWN) submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

SEC. . SANCTIONS AGAINST TERRORIST COUNTRIES.

(a) PROHIBITION.—In conjunction with a determination by the Secretary of State that a

At the appropriate place in the bill, add the following new section:

SEC. . CLARIFICATION OF RESTRICTIONS.

Subsection (e) of section 226 of the Foreign Assistance Act of 1961 (P.L. 87-195) is amended:

(1) by striking the words "No assistance" and inserting the words "No military assistance";

(2) by striking the words "in which assistance is to be furnished or military equipment or technology" and inserting the words "in which military assistance is to be furnished or military equipment or technology"; and

(3) by striking the words "the proposed United States assistance" and inserting the words "the proposed United States military assistance".

At the appropriate place in the bill, add the following new section:

SEC. . AUTHORIZATION FOR AN INDUSTRIAL PARK ON THE BORDER BETWEEN THE TERRITORIES AND ISRAEL.

(a) FINDINGS.—The Congress finds that:

(1) Extremists in Hamas and Islamic Jihad who reject the gains made since the signing of the Declaration of Principles have used terrorist tactics to force the closing of the territories;

(2) Terrorist acts in Gaza and the West Bank have exacerbated existing problems and Gaza is now experiencing staggering unemployment nearly 50%, increasing crime, soaring churning financial and social needs of the Palestinians and dashed hopes and deepening poverty;

(3) Israel's legitimate security concerns necessitate creative new methods of ensuring continued economic opportunity for the Palestinians; and

(4) The development of industrial parks along the borders of Gaza, the West Bank and Israel sponsored by individual nations provides an important means of providing both development for Palestinians while maintaining border security.

(b) SENSE OF CONGRESS.—It is the sense of Congress that:

(1) The United States should take prompt, visible action to stop the coming elections in Gaza and Jericho that promises hope and jobs to Palestinians;

(2) The rapid development of an industrial park, closely coordinated with private sector investors, will provide a clear sign of opportunity resulting from peace with Israel;

(3) The decision to site the industrial park should give special consideration to the extremely difficult economic conditions in Gaza;

(4) The President should appoint a Special Coordinator to coordinate the rapid development of an industrial park in Gaza and to begin with the recruitment of U.S. investors; and

(5) The Secretary of State should direct a short-term review and implementation of U.S. assistance plans to assist in speeding the flow of goods between Israel and Gaza while increasing security between the two areas.

(c) AUTHORIZATION.—There are authorized to be appropriated $200,000,000 for the rapid development of a prototype industrial park in Gaza and or the West Bank, notwithstanding section 546 of the fiscal year 1995 Foreign Operations Reform Act, Export Financing and Related Programs and fiscal year 1994 Supplemental Appropriations Act (P.L. 103-359) or similar provisions.

At the appropriate place in the bill, add the following new section:

SEC. . SANCTIONS AGAINST TERRORIST COUNTRIES.

(a) PROHIBITION.—In conjunction with a determination by the Secretary of State that a
nation is a state sponsor of international terrorism pursuant to 6(j) of the Export Administration Act of 1979 (50 U.S.C. App. 2403(j)) or 620a of the Foreign Assistance Act of 1961 (22 U.S.C. 2371). The Secretary of State, in consultation with the Secretary of Commerce, shall issue regulations prohibiting the following:

(1) The reexportation to the United States, or the financing of such importation, of any goods or services originating from a terrorist country, or the reexportation of any goods or technology, including technical data or other information subject to the Export Administration Act Regulations, 15 CFR Parts 730-799 (1994) or services.

(2) The reexportation to that terrorist country, its government, or to any entity owned or controlled by the government of a terrorist country, or the financing of such reexportation, of any goods, technology (including technical data or other information) exported from the United States, the transportation, sale, lease, or license application requirements of any goods, goods, or technology (including technical data or other information) reexported from the United States, the government of a terrorist country, or any entity owned or controlled by the government of a terrorist country, or the financing of such reexportation, of any goods, or technology (including technical data or other information) reexported from the United States, the government of a terrorist country, or any entity owned or controlled by the government of a terrorist country, or an entity or person within the United States that derives a benefit from the economic activity in the area pursuant to international arrangements; and
(3) The term "new investment" means:

(a) A commitment or contribution of funds or other assets, or

(b) A loan or other extension of credit.

The term "appropriate committees of Congress" means:

(A) The Banking and Financial Services Committee, the Ways and Means Committee and the International Relations Committee of the House of Representatives;

(B) The Banking, Housing and Urban Affairs Committee, the Finance Committee and the Foreign Relations Committee of the Senate.

(c) EXPORT/RE-EXPORT.—The Secretary of the Treasury may not authorize the exportation or reexportation to a terrorist country, the government of a terrorist country, or any entity or person within the United States that derives a benefit from the economic activity in the area pursuant to international arrangements; and
(4) Except to the extent provided in section 202(b) or in subsection (3), (4) or (5) or section 203(b) of IEEPA (50 U.S.C. 1702(b)), the exportation by that agency would be prohibited by law.

(d) RIGHTS AND BENEFITS.—Nothing contained in this section shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

(e) WAIVER.—The President may waive the prohibitions described in subsection (a) of this section for a country for successive 180 day periods if—

(1) the President determines that national security interests or humanitarian reasons justify a waiver; and

(2) at least 15 days before the waiver takes effect, the President consults with appropriate committees of Congress regarding the waiver.

(f) E XPORT/RE-EXPORT.—The Secretary of the Treasury may not authorize the exportation or reexportation to a terrorist country, the government of a terrorist country, or any entity or person within the United States that derives a benefit from the economic activity in the area pursuant to international arrangements; and
(5) Any new investment by a United States person in a terrorist country or in property (including entities) owned or controlled by the government of a terrorist country;
(6) The approval or facilitation by a United States person in a terrorist country or in property (including entities) owned or controlled by the government of a terrorist country, or an entity or person within the United States that derives a benefit from the economic activity in the area pursuant to international arrangements.

CONGRESSIONAL RECORD Ð SENATE S 11009

BROWN AMENDMENT NO. 1952 (Ordered to lie on the table.) Mr. HELMS (for Mr. BROWN) submitted an amendment intended to be proposed by him to the bill, S. 908, supra, as follows:

At the appropriate place in the bill, add the following new section:

"SEC. . U.S. COMMERCIAL DISPUTES.

(a) FINDINGS.—(i) The United States and Saudi Arabia have extensive commercial relations which have proven to be important and beneficial to both parties;

(ii) In the past twenty years, increasing commercial ties have highlighted the differences between the legal systems of our two countries and have dramatically increased the necessity of expeditious, effective resolution of commercial disputes between our two nations.

(iii) The Saudi Arabian decision to join the New York Convention on Arbitral Awards is a significant contribution to the resolution of future disputes;

(iv) The dispute resolution mechanism established by the Saudi Arabian government to resolve outstanding claims and the subsequent mutually satisfactory resolution of 15 of the 17 claims has made a positive impact on U.S.-Saudi commercial relations.

(v) State Department procedures for the resolution of disputes are often difficult and time-consuming, through decreasing the likelihood that claimants will utilize existing mechanisms for the resolution of disputes;

(vi) State Department procedures for resolution of claims must be expeditious and thorough, to ensure a fair legal review of the claim and appropriate, timely assistance to U.S. companies doing business overseas.

(b) OVERVIEW OF U.S.-SAUDI COMMERCIAL RELATIONS.—The Secretary of State, in consultation with the Secretary of Commerce, shall prepare and update on a yearly basis a complete, easily understandable manual for U.S. companies doing business in Saudi Arabia.

(c) E XPORT/RE-EXPORT.—The Secretary of the Treasury may not authorize the exportation or reexportation to a terrorist country, the government of a terrorist country, or any entity or person within the United States that derives a benefit from the economic activity in the area pursuant to international arrangements; and

(d) RIGHTS AND BENEFITS.—Nothing contained in this section shall create any right or benefit, substantive or procedural, enforceable by any party against the United States, its agencies or instrumentalities, its officers or employees, or any other person.

(e) WAIVER.—The President may waive the prohibitions described in subsection (a) of this section for a country for successive 180 day periods if—

(1) the President determines that national security interests or humanitarian reasons justify a waiver; and

(2) at least 15 days before the waiver takes effect, the President consults with appropriate committees of Congress regarding the waiver.

(f) E XPORT/RE-EXPORT.—The Secretary of the Treasury may not authorize the exportation or reexportation to a terrorist country, the government of a terrorist country, or any entity or person within the United States that derives a benefit from the economic activity in the area pursuant to international arrangements; and

(g) Any new investment by a United States person in a terrorist country or in property (including entities) owned or controlled by the government of a terrorist country;
SEC. Ð. CONCERNING THE PROTECTION AND

ing new section:

(1) the Unites Nations Fourth World Conference on Women in Beijing, China, should promote a representative American perspective on issues of equality, peace, and development; and

(2) in the event the United States sends a delegation to the Conference, the United States delegation should use the voice and vote of the United States—

(A) to ensure that the biological and social activities of society are recognized as valuable and worthwhile endeavors that should in no way, in its form or actions, be demeaned by society or by the state.

(B) to define and uphold the traditional family as the fundamental unit of society upon which healthy cultures are built and, therefore, properly protected and upheld by society and the state.

(C) to define or agree with any definitions that define gender as the biological classification of male and female, which are the two sexes of the human being.

SNOWE AMENDMENT NO. 1954 (Ordered to lie on the table.)

Ms. SNOWE submitted an amendment intended to be proposed by her to the bill, S. 908, supra; as follows:

On page 124, after line 20, insert the following new section:

SEC. — CONCERNING THE PROTECTION AND CONTINUED LIVELIHOOD OF THE EASTERN ORTHODOX ECUMENICAL PATRIARCHATE.

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

(1) in recent years there have been successive terrorist attacks to desecrate and destroy the premises of the Ecumenical Patriarchate in the Fatih District of Istanbul (Constantinople), Turkey.

(2) terrorist attacks against the Ecumenical Patriarchate have intensified, including the following attempts:

(A) In July and August 1993, the Christian Orthodox cathedral in Yejuny, near Istanbul, was attacked by and burned.

(B) There has been a concerted effort throughout Turkey to convert the Church of Hagia (Saint) Sophia, one of the most sacred monuments of Greco-Orthodox Christianity and currently used as a museum, into a mosque.

(C) On the night of March 30, 1994, 3 bombs were discovered in the building where the Patriarchate lives.

(D) The Turkish press and some politicians have been conducting a well-orchestrated campaign against the Ecumenical Patriarchate accusing it of trying to become an independent state or that it wishes to revive the Byzantine Empire. These accusations resulted in provoking dangerous reactions among the Moslem population in Turkey against the Ecumenical Patriarchate.

(E) There have been threats, incidents, and provocations directed toward the Patriarchate by the Mayor of the Fatih District of Istanbul.

SNOWE AMENDMENT NO. 1955 (Ordered to lie on the table.)

Ms. SNOWE submitted an amendment intended to be proposed by her to the bill, S. 908, supra; as follows:

On page 124, after line 20, insert the following new section:

SEC. — RUSSIAN NUCLEAR TECHNOLOGY AGREEMENT WITH IRAN.

(a) FINDINGS.—The Congress finds that—

(1) Iran is aggressively pursuing a program to acquire or develop nuclear weapons, or both;

(S) Iran has opposed the Middle East peace process and continues to support the terrorist group Hezbollah in Lebanon and radical Palestinian groups;

(3) Iran has asserted control over the Persian Gulf island of Abu Musa, which it had been previously sharing with the United Arab Emirates;

(4) during the last few years Iran has reported acquired several hundred improved Seud missiles from North Korea;

(5) Iran has moved weapons and defense missile systems, tanks, additional troops, artillery, and surface-to-surface missiles onto islands in the Persian Gulf, some of which are disputed between Iran and the United Arab Emirates;

(6) Iran has already taken delivery of as many as 30 modern MiG–29 fighter aircraft from the Russian Federation;

(7) the Russian Federation has continued to pursue a commercial agreement intended to sell Iran with any state, despite being provided with a detailed description by the President of United States of Iran’s nuclear weapons program.

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

(1) the United States should use its influence with the Turkish Government and as permanent member of the United Nations to encourage the Turkish Government and all Orthodox faithful residing in Turkey;

(2) assure that positive steps are taken to reopen the Halki Patriarchal School of Theology;

(3) provide for the proper protection and safety of the Ecumenical Patriarchate and the Patriarchate personnel;

(4) establish conditions that would prevent the recurrence of past terrorist activities and vandalism and other personal threats against the Patriarch;

(5) establish conditions to ensure that the Patriarchate is free to carry out its religious activities and mission;

(6) do everything possible to find and punish the perpetrators of any provocative and terrorist attacks on the Patriarchate;

(7) the Administration should report to the Congress the status and progress of the concerns in paragraph (1) on an annual basis.

SNOWE AMENDMENT NO. 1956 (Ordered to lie on the table.)

Ms. SNOWE submitted an amendment intended to be proposed by her to the bill, S. 908, supra; as follows:

On page 124, after line 20, insert the following new section:

SEC. — SUPPORTING A RESOLUTION TO THE LONG-STANDING DISPUTE REGARDING CYPRUS.

(a) FINDINGS.—The Congress finds that—

(1) the long-standing dispute regarding Cyprus remains unresolved;

(2) the Turkish military presence in the territory of the Republic of Cyprus has continued for more than 20 years;

(3) the status quo on Cyprus remains unacceptable;

(4) the United States attaches great importance to a just and peaceful resolution of the dispute regarding Cyprus;

(5) the United States and the United Nations are using their good offices to resolve such disputes;

(6) on January 5, 1995, President Clinton appointed a Special Presidential Emissary for Cyprus;

(7) the United Nations has adopted numerous resolutions that set forth the basis of a solution for the dispute regarding Cyprus;

(8) paragraph (2) of United Nations Security Council Resolution 993 of July 29, 1994, reaffirms that a solution must be based on a state of Cyprus with a single sovereign and international personality, and a single citizenship, with its independence and territorial integrity safeguarded, and comprising two politically equal communities, each of which increases its capability to blockade the Straits of Hormuz and the Persian Gulf; and

(9) the Russian Federation has continued to pursue a commercial agreement intended to sell Iran with any state, despite being provided with a detailed description by the President of United States of Iran’s nuclear weapons program.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Russian Federation should be strongly condemned if it continues with a commercial agreement to provide Iran with advanced technology with the clear understanding that such country in its development of nuclear weapons, and, if such transfer occurs, that the Russian Federation would be ineligible for assistance under the terms of the Freedom Support Act.
(9) the United Nations Secretary General has described the militarily occupied part of Cyprus as one of the most highly militarized areas in the world;
(10) the continued Turkish military presence on Cyprus hampers the search for a freely negotiated solution to the dispute regarding Cyprus;
(11) the United Nations and the United States have called for the withdrawal of all foreign troops from the territory of the Republic of Cyprus; and
(12) comprehensive plans for the demilitarization of the Republic of Cyprus have been proposed.

(b) SENSE OF CONGRESS.—The Congress—
(1) reaffirms that the status quo on Cyprus is unacceptable;
(2) welcomes the appointment of a Special Presidential Emissary for Cyprus;
(3) expresses its continued strong support for efforts by the United Nations Secretary General and the United States Government to help resolve the Cyprus problem in a just and viable manner at the earliest possible time;
(4) insists that all parties to the dispute regarding Cyprus agree to seek a solution based upon the relevant United Nations resolutions, including paragraph (2) of United Nations Security Council Resolution 335 of July 29, 1949; and
(5) reaffirms the position that all foreign troops should be withdrawn from the territory of the Republic of Cyprus;
(6) recognizes that demilitarization of the Republic of Cyprus would meet the security concerns of all parties involved, would enhance prospects for a peaceful and lasting resolution of the dispute regarding Cyprus, and would benefit all of the people of Cyprus, and merits international support; and
(7) encourages the United Nations Security Council and the United States Government to consider alternative approaches to promote a resolution of the long-standing dispute regarding Cyprus based upon relevant Security Council resolutions, including initiatives to encourage progress in negotiations or effective measures against any recalcitrant party.

KERRY AND PELL AMENDMENT NO. 1957
(Ordered to lie on the table.)
Mr. KERRY (for himself and Mr. PELL) submitted an amendment intended to be proposed by them to the bill, S. 908, supra; as follows:

On page 220, at the beginning of line 14, strike all that follows through line 25.

KERRY AND PELL AMENDMENT NO. 1958
(Ordered to lie on the table.)
Mr. KERRY (for himself and Mr. PELL) submitted an amendment intended to be proposed by them to the bill, S. 908, supra; as follows:

On page 221, at the beginning of line 14, strike all that follows through line 25.

KERRY AND PELL AMENDMENT NO. 1959
(Ordered to lie on the table.)
Mr. KERRY (for himself and Mr. PELL) submitted an amendment intended to be proposed by them to the bill, S. 908, supra; as follows:

On page 221, at the beginning of line 16, strike all that follows through page 247, line 5.

KERRY AND PELL AMENDMENT NO. 1960
(Ordered to lie on the table.)
Mr. KERRY submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

Delete Section 205 and insert in lieu thereof the following:

SEC. 205. UNITED NATIONS BUDGETARY AND MANAGEMENT REFORM.

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

SEC. 20. UNITED NATIONS BUDGETARY AND MANAGEMENT REFORM.

(1) THE DEFINITION OF "ASSUMED OR COLLECTED CONTRIBUTIONS."—

"(a) Withholding of Contributions.—

(1) ASSESSED CONTRIBUTIONS FOR REGULAR UNITED NATIONS BUDGET.—At the beginning of each fiscal year, 20 percent of the amount of funds made available for the fiscal year for United Nations assessed contributions for the regular United Nations budget shall be withheld from obligation and expenditure unless a certification is made under subsection (b) that an emergency exists which prevents submission of the 60-day advance notification specified in paragraph (1) and that the proposed action is in the national security interests of the United States, the notification described in paragraph (1) shall be provided in a timely manner but not later than 46 hours after the vote by the Security Council.

(2) ASSESSED CONTRIBUTIONS FOR THE UNITED NATIONS PEACEKEEPING ACTIVITIES.—At the beginning of each fiscal year, 50 percent of the amount of funds made available for that fiscal year for United Nations assessed contributions for United Nations peacekeeping activities shall be withheld from obligation and expenditure unless a certification is made under subsection (b) that an emergency exists which prevents submission of the 60-day advance notification specified in paragraph (1) and that the proposed action is in the national security interests of the United States, the notification described in paragraph (1) shall be provided in a timely manner but not later than 46 hours after the vote by the Security Council.

(3) VOLUNTARY CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING.—The United States may not during any fiscal year pay any voluntary contribution to the United Nations for international peacekeeping activities unless a certification is made under subsection (b) that an emergency exists which prevents submission of the 60-day advance notification specified in paragraph (1) and that the proposed action is in the national security interests of the United States, the notification described in paragraph (1) shall be provided in a timely manner but not later than 46 hours after the vote by the Security Council.

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

(1) The United Nations has an independent office of Inspector General to conduct supervisory audits and investigations relating to programs and operations of the United Nations;
(2) The United Nations has an Inspector General who was appointed by the Secretary General with the approval of the General Assembly and whose appointment was made principally on the basis of the appointee’s integrity and demonstrated capability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigation;
(3) The Inspector General is authorized to—

(A) make investigations and reports relating to the administration of the programs and operations of the United Nations;
(B) have access to all records, documents, and other available materials relating to those programs and operations;
(C) have direct and prompt access to any official of the United Nations; and
(D) have access to all records and officials of the specialized agencies of the United Nations.

(4) The United Nations has fully implemented, and made available to all members and the United States, procedures that effectively protect the identity of, and prevent reprisals against, any staff member of the United Nations making a complaint or disclosing information to, or cooperating in any investigation or inspection by, the United Nations Inspector General.


(6) The United Nations has required the United Nations Inspector General to issue an annual report and has ensured that the annual report and all other relevant reports of the Inspector General are made available to the General Assembly without modification.

(7) The United Nations is committed to providing sufficient budgetary resources to ensure the effective operation of the United Nations Inspector General.

KERRY AND PELL AMENDMENT NO. 1961
(Ordered to lie on the table.)
Mr. KERRY (for himself and Mr. PELL) submitted an amendment intended to be proposed by them to the bill, S. 908, supra; as follows:

On page 54, at the beginning of line 17, strike all that follows through line 22.

KERRY AMENDMENT NO. 1962
(Ordered to lie on the table.)
Mr. KERRY submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

Beginning on page 125, strike line 1 and all that follows through line 15 on page 267 and insert the following:

DIVISION B—CONsolidation and REINvention of FOREIGN AFFAIRS AGENCIES

SEC. 1001. SHORT TITLE.
The Division may be cited as the "Foreign Affairs Reinvigoration Act of 1995".

SEC. 1002. PURPOSES.
The purposes of this division are—
(1) to reorganize and reinvent the foreign affairs agencies of the United States in order to enhance the formulation, coordination, and implementation of United States foreign policy; 

(2) to streamline and consolidate the functions and personnel of the Department of State, the Agency for International Development, the Agency for International Information and Cultural Exchange, and the United States Arms Control and Disarmament Agency in order to eliminate redundancies in the functions and personnel of such agencies; 

(3) to assist congressional efforts to balance the Federal budget and reduce the Federal debt; 

(4) to strengthen the authority of United States ambassadors over all United States Government personnel and resources located in United States diplomatic missions in order to enhance the ability of the ambassadors to deploy such personnel and resources to the best effect to attain the President’s foreign policy objectives; 

(5) to encourage United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent United States citizens serving in the United States Government, in order to maintain, and set forth a schedule for such transfers, separations, and terminations; 

(6) to ensure that all functions of United States diplomacy be subject to recruitment, training, assignment, promotion, and egress based on common standards and procedures while preserving maximum interchange among such functions.

TITLE XI—REORGANIZATION OF FOREIGN AFFAIRS AGENCIES

SEC. 1101. REORGANIZATION PLAN FOR THE DEPARTMENT OF STATE AND INDEPENDENT FOREIGN AFFAIRS AGENCIES.

(a) Submission of Plan.—Not later than 6 months after enactment of this Act, the President shall transmit to the appropriate congressional committees a reorganization plan providing for the streamlining and consolidation of the Department of State, the United States Information Agency, the Agency for International Development, and the United States Arms Control and Disarmament Agency. Such plan shall provide for—

(1) the enhancement of the formulation, coordination, and implementation of policy; 

(2) to the maximum extent possible, of a United States presence abroad within budgetary constraints; 

(3) a reduction in the aggregate number of independent foreign affairs agencies; 

(4) the elimination in the duplication of functions and personnel between the Department of State and such other agency or agencies not abolished under paragraph (3); 

(5) the reduction in the aggregate number of positions in the Department of State and the independent foreign affairs agencies which are at or above each of levels II, III, and IV of the Executive Schedule; 

(6) the reorganization and streamlining of the Department of State; and 

(7) the achievement of a cost savings of at least $2,000,000,000 over 4 years through the consolidation of agencies.

(b) Plan Elements.—The plan under subsection (a) shall—

(1) identify the functions of the independent foreign affairs agencies that will be transferred to the Department of State under this section, the pay, and professional and personal (or personnel and details) that will be transferred to the Department, separated from service with the agency, or be eliminated under the plan, and set forth a schedule for such transfers, separations, and terminations; 

(2) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, and set forth a schedule for such transfers, separations, and terminations; 

(3) identify the consolidations and reorganizations in the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan; 

(4) specify the funds available to the independent foreign affairs agencies that will be transferred to the Department under this title as a result of the implementation of the plan; 

(5) specify the proposed alterations within the session budget of the independent foreign affairs agencies; and 

(6) specify the proposed disposition of the property, facilities, contracts, records, and other assets of the independent foreign affairs agencies resulting from the abolition of any such agency and separate and transfer the functions of the independent foreign affairs agencies in the Department.

(c) Limitations on Contents of Plan.—(1) Sections 903, 904, and 905 of title 5, United States Code, shall not apply to the plan transmitted under subsection (a). 

(2) The plan may not provide for the termination of any function authorized by law. 

(d) Effective Date of Plan.—(1) The plan transmitted under subsection (a) shall take effect 60 calendar days after the date Congress after consideration, the plan is transmitted to Congress unless Congress enacts a joint resolution, in accordance with subsection (e), disapproving the plan. 

(2) For purposes of paragraph (1)(A), continuity of session is broken only by an adjournment of Congress sine die; and 

(3) the days on which either House is not in session count as days of more than 3 days to a day certain are excluded in the computation of any period of time in which Congress is in continuous session.

(e) Congressional Priority Procedures.—(1) Except as provided in paragraph (2), sections 908, 910, 911, and 912 of title 5, United States Code, do not apply to the consideration by Congress of a reorganization plan transmitted under this Act pursuant to chapter 9 of title 5, United States Code. 

(2) The following requirements shall apply to actions described in paragraph (1) without regard to chapter 9 of title 5, United States Code: 

(A) A referral of joint resolutions under section 908 of such title as a result of the implementation of the plan to Congress under section 1101(a), not later than 180 days after the date of enactment of this Act, shall be implemented not later than March 1, 1997.

(B) The reference in section 908 of such title as a result of the implementation of the plan to Congress under section 1101(a), not later than 180 days after the date of enactment of this Act, shall be implemented not later than March 1, 1997.

(c) Payment Requirements. —(1) The head of an agency referred to in subsection (a) shall—

(1) pay voluntary separation incentive payments to employees of the agency in order to avoid or minimize the need for involuntary separations from the agency as a result of the abolishment of any such agency; and 

(2) the Secretary of State shall establish the policies and procedures for the voluntary separation incentive payment program established under this subsection.

(2) The Secretary of State shall establish the policies and procedures for the voluntary separation incentive payment program established under this subsection.

(b) Covered Agencies.—Subsection (a) applies to the following agencies: 

(1) the Department of State; 

(2) the United States Arms Control and Disarmament Agency; 

(3) the United States Information Agency. 

(c) Payment Requirements.—(1) The head of an agency referred to in subsection (a) shall—

(1) pay voluntary separation incentive payments to employees of the agency in order to avoid or minimize the need for involuntary separations from the agency as a result of the abolishment of any such agency; and 

(2) the Secretary of State shall establish the policies and procedures for the voluntary separation incentive payment program established under this subsection.

(2) The Secretary of State shall establish the policies and procedures for the voluntary separation incentive payment program established under this subsection.

(3) The United States Information Agency.

(4) The Agency for International Development.
SEC. 1104. TRANSITION FUND.
(a) Establishment.—There is hereby established the "Foreign Affairs Reorganization Transition Fund".

(b) Purpose.—The purpose of the account is to provide funds for the orderly transfer of functions to the Department of State as a result of the implementation of this title and for payment of other costs associated with the liquidation of foreign affairs agencies under this title.

(c) Deposits.—(1) Subject to paragraphs (2) and (3), there shall be deposited into the account the following:

(A) Funds appropriated to the account pursuant to the authorization of appropriations in subsection (d).

(B) Funds transferred to the account by the Secretary from funds that are transferred to the Secretary by the head of an agency under subsection (d).

(C) Funds transferred to the account by the Secretary from funds that are transferred to the Department of State together with the transfer of functions to the Department under this title and that are not required by the Secretary in order to carry out the functions.

(D) Funds transferred to the account by the Secretary from any unobligated funds that are appropriated or otherwise made available to the Department.

(E) Funds transferred to the account by the Secretary from funds in the account after September 30, 1999, that are substantially similar to the duties performed by the Secretary for purposes of paying the costs of carrying out this title, held a position in such an agency or otherwise made available to the agency for functions of the agency that are abolished under this title which funds are not required by law to be transferred to the Secretary as a result of the abolishment of the functions under this title.

(F) Transfer of Unobligated Balances.—(1) Subject to paragraph (2), unobligated funds, if any, which remain in the account after the payment of the costs described in paragraph (4) of this section shall be transferred to the Department of State and shall be available to the Secretary of State for the purposes of carrying out the functions of the Department.

(2) The Secretary may not transfer funds in the account to the Department under paragraph (1) unless the appropriate congressional committees are notified in advance of such transfer in accordance with the procedures applicable to reprogramming notifications under section 309 of the State Department Basic Authorization Act of 1956.

(G) Report on Account.—Not later than October 1, 1998, the Secretary of State shall transmit to the appropriate congressional committees a report containing an accounting of—

(1) the expenditures from the account established under this section; and

(2) in the event of any transfer of funds to the Department of State under subsection (f), the functions for which the funds so transferred were expended.

(h) Termination of Authority.—The authority of the head of an agency to authorize payment of voluntary separation incentive payments under this section shall expire on February 28, 1997.
shall be transferred to the Department of State.

(b) TREATMENT OF PERSONNEL EMPLOYED IN TERMINATED FUNCTIONS.—The following shall apply to the officers and employees of a transferee agency that are not transferred under this title:

(1) Under such regulations as the Office of Personnel Management may prescribe, the head of each agency in the executive branch may appoint in the competitive service any person who is certified by the head of the transferor agency and who passes such examination as the Office of Personnel Management may prescribe. Any person so appointed shall, upon completion of the prescribed probationary period, acquire a competitive status.

(2) The head of any agency in the executive branch having an established merit system in the excepted service may appoint in such service any person who is certified by the head of the transferor agency as having served satisfactorily in the transferor agency and who passes such examination as the head of such agency in the executive branch may prescribe.

(3) Any appointment under this subsection shall be made within a period of 1 year after completion of the appointee’s service in the transferor agency.

(a) APPOINTMENTS.—(1) Subject to paragraph (2), the Secretary of State may appoint and fix the compensation of such officers and employees, including investigators, attorney’s fees, clerks, and essential administrative law judges as may be necessary to carry out the respective functions transferred to the Department of State under this title. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with title 5, United States Code.

(2) A person employed under paragraph (1) may not continue in such employment after the end of the period as determined by the Secretary of State for the transfer of functions under this title.

(b) EXPERTS AND CONSULTANTS.—The Secretary of State may employ such experts and consultants in connection with functions transferred to the Department of State under this title in accordance with section 3309 of title 5, United States Code, and compensate such experts and consultants for each day (including travel time) at rates not in excess of the rate of pay for level IV of the Executive Schedule under section 5315 of title 5, United States Code, and for such attendance at hearings, meetings, and conferences as may be necessary to carry out the respective functions transferred to the Department of State under this title. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with title 5, United States Code.

SEC. 1108. PERSONNEL AUTHORITIES FOR TRANSFERRED FUNCTIONS.

(a) APPOINTMENTS.—(1) Subject to paragraph (2), the Secretary of State may appoint and fix the compensation of such officers and employees, including investigators, attorney’s fees, clerks, and essential administrative law judges as may be necessary to carry out the respective functions transferred to the Department of State under this title. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with title 5, United States Code.

(b) EXPERTS AND CONSULTANTS.—The Secretary of State may employ such experts and consultants in connection with functions transferred to the Department of State under this title in accordance with section 3309 of title 5, United States Code, and compensate such experts and consultants for each day (including travel time) at rates not in excess of the rate of pay for level IV of the Executive Schedule under section 5315 of title 5, United States Code, and for such attendance at hearings, meetings, and conferences as may be necessary to carry out the respective functions transferred to the Department of State under this title.

(2) The head of each agency referred to in section 3109 of title 5, United States Code, and who passes such examination as the head of such agency in the executive branch may prescribe.

(3) Any appointment under this subsection shall be made within a period of 1 year after completion of the appointee’s service in the transferor agency.

(c) PERSONNEL AUTHORITIES FOR TRANSFERRED DEPARTMENT.—The Secretary of State may prescribe, in accordance with the provisions of chapters 5 and 6 of title 5, United States Code, such rules and regulations as the Secretary determines necessary or appropriate to administer and manage the functions of the Department of State after the transfer of functions to the Department under this title.

SEC. 1112. INCIDENTAL TRANSFERS.

The Director of Management and Budget may, at such time or times as the Director shall determine, provide for the transfer of functions between agencies as necessary to carry out the purposes of this title and for such further measures and administrative actions as may be necessary to effectuate the purposes of this title.

SEC. 1113. EFFECT ON CONTRACTS AND GRANTS.

(a) PROHIBITION ON NEW OR EXTENDED CONTRACTS OR GRANTS.—Except as provided in subsection (b), the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development may not—

(1) enter into a contract or agreement which will terminate before the effective date of this title or before the termination date, if any, of such agency under this title;

(2) extend the term of an existing contract or agreement of such agency to a date after such date; or

(3) make a grant which will continue in force after the effective date of this title.

(b) EXCEPTION.—Subject to subsection (a) does not apply to the following:

(1) Contracts and agreements for carrying out essential administrative functions.

(2) Contracts and agreements for functions and activities that the Secretary of State determines will be carried out by the Department of State or other appropriate agency concerned under this title.

(3) Grants relating to the functions and activities referred to in paragraph (2).

(c) EVALUATION AND TERMINATION OF EXISTING CONTRACTS OR GRANTS.—The Secretary of State and the head of each agency referred to in subsection (a) shall—

(1) review the contracts of such agency that will continue in force after the date, if any, of the abolition of the agency under this title in order to determine if the cost of carrying out such contracts before that date would exceed the cost of carrying out the contracts according to its terms; and

(2) in the case of each contract so determined, take such action to effectuate the purposes of this title in the most cost-effective manner practicable.
SEC. 1117. ADDITIONAL CONFORMING AMENDMENTS.

The President may submit a report to the appropriate congressional committees containing recommendations for such additional technical and conforming amendments to the laws of the United States as may be necessary or advisable to reflect the changes made by this division.

SEC. 1118. FINAL REPORT.

Not later than October 1, 1998, the President shall provide by written report to the Congressional Relations Committee, line 134, line 14, and the Department of State, the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development.

SEC. 1119. DEFINITIONS.

For purposes of this title, unless otherwise provided or indicated by the context:

(1) the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives;

(2) the term "federal agency" has the meaning given to the term "agency" by section 3511(1) of title 5, United States Code;

(3) the term "function" includes any duty, obligation, power, authority, responsibility, privilege, activity, or program;

(4) the term "office" includes any office, administrative agency, institute, institute, organization, board, organization, or component thereof;

(5) the term "transferor agency" refers to each of the following agencies:

(A) The Agency for International Development;

(B) The International Development Cooperation Agency (insofar as it exercises functions related to the Agency for International Development);

(C) The United States Information Agency (exclusive of the Broadcasting Board of Governors);

(D) The United States Arms Control and Disarmament Agency.

TITLE XII—CONSOLIDATION OF DIPLOMATIC MISSIONS AND CONSULAR POSTS

SEC. 1201. CONSOLIDATION OF UNITED STATES DIPLOMATIC MISSIONS AND CONSULAR POSTS

(a) CONSOLIDATION PLAN.—The Secretary of State shall develop a worldwide plan for the consolidation, wherever practicable, of a regional or area-wide basis, of United States missions and consular posts abroad in order to carry out this section.

(b) CONTENTS OF PLAN.—The plan shall:

(1) identify any agency for international technical and conforming amendment to the laws of the United States as may be necessary or advisable to reflect the changes made by this division.

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

(d) IMPLEMENTATION.—Not later than 60 days after transmittal of the plan under subsection (c), the Secretary of State shall take steps to implement the plan unless the Congress by joint resolution date enact legislation disapproving the plan.

(e) CONGRESSIONAL PRIORITY PROCEDURES.—(1) A joint resolution is introduced in paragraph (2) which is introduced in a House of Congress after the date on which a plan developed under subsection (a) is received by Congress, shall be considered in accordance with the procedures set forth in paragraphs (3) through (7) of section 809c(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98-473 (98 Stat. 1996)), except that—

(A) references to the "report described in paragraph (1)" shall be deemed to be references to the joint resolution; and

(B) references to the Committee on Appropriations of the House of Representatives and to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) A joint resolution under this paragraph is a joint resolution the matter after the resolution clause is as follows: "That the Congress disapproves the plan submitted by the President pursuant to section 100 of the Foreign Relations Revitalization Act of 1993.

(f) SUBMISSION OF PLAN.—If, within 60 days of transmittal of a plan under subsection (c), Congress enacts legislation disapproving the plan, the President shall submit to the appropriate congressional committees a revised plan developed under subsection (a).

(g) STATUTORY CONSTRUCTION.—Nothing in this section requires the termination of United States diplomatic or consular relations with any country, or the severance of diplomatic relations.

(h) DEFINITIONS.—As used in this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term "appropriate congressional committees" means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) PLAN.—The term "plan" means the plan developed under subsection (a).

SEC. 1202. DETAIL OF OTHER AGENCY PERSONNEL IN DEPARTMENT.

Any employee of any agency other than the Department of State who is assigned to an overseas post located within any United States diplomatic or consular mission shall, to the extent that military command shall be detailed to the Department of State for the duration of such mission, and shall be fully under the authority of the Chief of Mission. The Chief of Mission, at his discretion, as the Secretary of State deems appropriate.

KERRY AMENDMENT NO. 1963

(Ordered to lie on the table.)

Mr. KERRY submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 104, line 23, strike "(a) FISCAL YEAR 1996—":
On page 266, line 13, strike "(B)" and insert "(A)".

On page 266, line 16, strike "1701(a)(2)" and insert "1701(a)(1)".

On page 266, line 17, strike "(C)" and insert "(B)".

On page 266, line 20, strike "1701(a)(3)" and insert "1701(a)(2)".

On page 266, line 21, strike "(D)" and insert "(C)".

On page 266, line 25, strike "1701(a)(3)" and insert "1701(a)(2)".

On page 267, line 1, strike "(E)" and insert "(D)".

On page 267, line 4, strike "(F)" and insert "(E)".

On page 267, line 8, strike "(G)" and insert "(F)".

On page 267, line 12, strike "(H)" and insert "(G)".

Amend the title so as to read: "A bill to authorize appropriations for the Department of State for fiscal years 1996 through 1999 and to the physical environment and international development, and for other purposes."

PELL AMENDMENT NO. 1965
(Ordered to lie on the table.)

Mr. PELL submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

SEC. 4. SENSE OF SENATE REGARDING REGIONAL ENVIRONMENTAL TREATIES.

(a) FINDINGS.—The Congress finds that—

(1) the United States Government should encourage governments of other nations to engage in additional regional treaties, along the lines of the 1991 United Nations Economic and Social Council Resolution on Environmental Impact Assessment on a Transboundary Context, regarding specific transboundary activities that have adverse impacts on the environment of other nations or a global commons area; and

(2) such additional regional treaties should ensure that specific transboundary activities are undertaken in environmentally sound ways and under careful controls designed to avoid or minimize any adverse environmental effects, through requirements for Environmental Impact Assessments where appropriate.

PELL AND KASSEBAUM AMENDMENT NO. 1966
(Ordered to lie on the table.)

Mr. PELL (for himself and Mrs. KASSEBAUM) submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place in the bill, add the following:

SEC. 5. PROHIBITION ON U.S. FUNDING OF MINURSO.

(a) FINDINGS.—The Congress finds that—

(1) Morocco and the Popular Front for the Liberation of Saguia el-Hamra and Rio de Oro (Polisario) have been waging war for control of the Western Sahara since 1974.

(2) In 1981, Moroccan King Hassan II called upon the United Nations to sponsor a referendum on the future status of the Western Sahara, in which the Saharan people would vote for independence or for integration with Morocco.

(3) In 1990, the United Nations Security Council adopted Resolution 658, which included the details of a peace settlement approved by Morocco and the Polisario.


(5) The United States has provided financial support to MINURSO as part of its assessment of the peacekeeping and has contributed U.S. troops to the military component of MINURSO.

(6) Since MINURSO was deployed to the region on September 6, 1991, the cease-fire between Morocco and the Polisario has been observed with only minor violations by the parties.

(7) In 1994, the Security Council adopted Resolution 907, leading to the initiation of voter registration for the referendum.

(8) Notwithstanding the successful cessation of hostilities between Morocco and the Polisario and the initiation of voter registration, substantial progress remains to be made before a referendum can be held.

(9) Charges have been raised by former MINURSO officials and by outside observers calling into question free and fair nature of the referendum and suggesting mismanagement and improperly by MINURSO;

(10) It is in the U.S. interest to promote a timely and equitable resolution of the conflict through a free and fair referendum process, or through an alternative settlement to be agreed upon mutually by the parties to the conflict.

(b) SENSE OF CONGRESS.—It is the sense of the Senate that—

(1) the United States Mission for the Referendum in Western Sahara (MINURSO) unless and until the President determines and so certifies to the Congress that—

(2) the funds to be authorized by this Act will promote the timely conclusion of the referendum process or an alternative settlement to be agreed upon mutually by the parties to the conflict;

(3) the United Nations Mission for the Referendum in Western Sahara (MINURSO) has been properly managed and, if found to be of merit, addressed appropriately.

PELL AMENDMENT NO. 1967
(Ordered to lie on the table.)

Mr. PELL submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 124, after line 20, insert the following new section:

SEC. 6. SENSE OF CONGRESS REGARDING PARTICIPATION IN EXPO '98.

(a) FINDINGS.—The Congress finds that—

(1) there was international concern expressed at the Rio Conference of 1992 about the conservation of the oceans;

(2) 1998 has been declared the International Year of the United Nations in an effort to alert the world to the need for improving the physical and cultural assets offered by the world's oceans;

(3) the theme of Expo '98 is "The Oceans, a Heritage for the Future";

(4) Expo '98 has a fundamental aim of alerting political, economic, and public opinion to the growing importance of the world's oceans;

(5) Portugal has established a vast network of relationships through ocean exploration;

(6) Portugal's history is rich with examples of the courage and exploits of Portuguese explorers;

(7) Portugal and the United States have a relationship based on mutual respect, and a sharing of interests and ideals, particularly the deeply held commitment to democratic values;

(8) today over 2,000,000 Americans can trace their ancestry to Portugal; and

(9) the United States and Portugal agreed in the 1975 Agreement on Cooperation and Defense that in 1998 the 2 countries would consider and develop appropriate means of commemorating the upcoming quincentennial anniversary of the historic voyage of discovery by Vasco da Gama.

(b) SENSE OF CONGRESS.—The United States should fully participate in Expo '98 in Lisbon, Portugal, and encourage the private sector to support this worthwhile undertaking.

PELL AMENDMENT NO. 1968
(Ordered to lie on the table.)

Mr. PELL submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 86, at the beginning of line 24, strike all that follows through page 88, line 17, and add the following:

PELL AMENDMENT NO. 1968

Constitutional Comment No. 24 contradicts not only the Supremacy Clause of the United States Constitution and the constitutional authority of the Senate with respect to the approval of treaties, but also the First Amendment rights of American citizens and the other United States constitutional rights and practices protected by the reservation, understandings, declarations, and proviso contained in the Senate resolution of ratification.
Mr. PELL submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place in the bill, insert the following new title:

TITLE —NATO PARTICIPATION ACT AMENDMENTS OF 1995

SEC. ___. SHORT TITLE. This title may be cited as the "NATO Participation Act Amendments of 1995".

SEC. ___. FINDINGS. The Congress makes the following findings:

(1) Since 1949, the North Atlantic Treaty Organization (NATO) has played an essential role in guaranteeing the security, freedom, and prosperity of the United States and its partners in the Alliance.

(2) NATO has expanded its membership on three different occasions since 1949.

(3) The sustained commitment of the member countries of NATO to mutual defense of their security ultimately made possible the democratic transformation in Central and Eastern Europe and the demise of the Soviet Union.

(4) NATO was designed to be and remains a defensive military organization whose member countries have never contemplated the use of, or used, military force to expand the borders of its member states.

(5) While the immediate threat to the security of the United States and its allies has been reduced with the collapse of the Iron Curtain, new security threats, such as the situation in Bosnia and Herzegovina, are emerging to the shared interests of the member countries of NATO.

(6) NATO remains the only multilateral security organization capable of conducting effective military operations to protect Western security interests.

(7) NATO has played a positive role in defusing tensions between NATO members and, as a result, no military action has occurred between two NATO member states since the inception of NATO in 1949.

(8) NATO is also an important diplomatic forum for the discussion of issues of concern to its member states and for the peaceful resolution of disputes.

(9) America's security, freedom, and prosperity remain linked to the security of the countries of Europe.

(10) Any threat to the security of the newly emerging democracies in Europe would pose a security threat to the United States and its European allies.

(II) To accelerate participation of NATO European countries that have been freed from Communist domination and that meet specific criteria for NATO membership would contribute to international peace and enhance the security of the region.

(12) A number of countries have expressed varying interest in NATO membership, and have taken concrete steps to demonstrate this commitment.

(13) Full integration of European countries into the North Atlantic Alliance after such countries meet essential criteria for admission would enhance the security of the Alliance and, thereby, contribute to the security of the United States and its allies.

(14) The expansion of NATO can create the stable environment needed to successfully complete the political and economic transformation of those European states emerging from Communist domination.

(15) In recognition that not all countries which have requested membership in NATO will necessarily qualify at the same pace, the accession date for each new member will vary.

(16) The provision of NATO transition assistance should include those countries that meet the eligibility criteria specified under section 203(d) of the NATO Participation Act of 1994 (as amended by this title).

(17) Albania, Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Moldova, Poland, Romania, Slovakia, Slovenia, and Ukraine should be given every consideration for inclusion in programs for NATO transition assistance.

(18) The Partnership for Peace will continue to play an important role in strengthening cooperation and interoperability between partner states and NATO allies. Active participation in the Partnership for Peace will help prepare interested states for the rights and responsibilities of NATO membership.

SEC. ___. UNITED STATES POLICY. It should be the policy of the United States—

(1) to work to define the political and security relationship between an evolving NATO and the Russian Federation.

SEC. ___. CONSTRUCTION OF TITLE. Nothing in this title shall be construed as precluding the eventual NATO membership of Partnership for Peace member countries that never were under Communist domination, namely Austria, Finland, and Sweden, should they wish to apply for such membership.

SEC. ___. REVISIONS TO PROGRAM TO FACILITATE TRANSITION TO NATO MEMBERSHIP. (a) Establishment of Program. —Subsection (a) of section 203 of the NATO Participation Act of 103-306, with respect to assistance to countries described in such subsection and inserting "countries designated under subsection (d)" and inserting "countries designated under subsection (d)".

(2) Subsection (e) of such section 203 is amended by adding at the end the following new subparagraphs:

"(l) Assistance under chapter 4 of part II of the Foreign Assistance Act of 1961 relating to the Economic Support Fund" and "(c) Assistance appropriated under chapter 6 of part II of the Foreign Assistance Act of 1961 (relating to peacekeeping operations and other programs)."

(b) Authority for the Department of Defense to pay excess defense article (EDA) PCH&T and costs for countries designated for both grant and non-lethal EDA." (a) Authority to convert FMF loans to grants, and vice-versa, for eligible states.

(3) by inserting "(I) the Foreign Assistance Act of 1961 relating to peacekeeping operations and other programs." and "(II) the Non-Proliferation and Disarmament Fund account." (c) Assistance appropriated under chapter 6 of part II of the Foreign Assistance Act of 1961 (relating to peacekeeping operations and other programs)." and "(III) Authority for the Department of Defense to pay excess defense article (EDA) PCH&T and costs for countries designated for both grant and non-lethal EDA." (a) Authority to convert FMF loans to grants, and vice-versa, for eligible states." (d) by inserting after subparagraph (D) (as redesignated) the following new subparagraphs:

"(F) Funds appropriated under the "Non-Proliferation and Disarmament Fund account."

"(E) Assistance appropriated under chapter 6 of part II of the Foreign Assistance Act of 1961 (relating to peacekeeping operations and other programs)."

(4) by adding at the end the following new paragraphs:

"(2) For fiscal years 1996 and 1997, in providing assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 for the countries designated under subsection (d), the President should include as an important component of such assistance the provision of appropriate language training to facilitate participation of military personnel in programs for military training and in defense exchange programs."

"(3) Assistance made available under chapter 5 of part II of the Foreign Assistance Act
of 1961 (relating to international military education and training), not less than $5,000,000 for fiscal year 1996 and not less than $5,000,000 for fiscal year 1997 should be available only for:

"(a) the attendance of additional military personnel of countries eligible under section 203(d) of this Act at professional military education institutions in the United States in accordance with section 544 of such Act; and

(b) the placement and support of United States instructors and experts at military educational centers within the foreign countries designated under subsection (d) that are receiving assistance under that chapter."

SEC. 1301. TERMINATION OF ELIGIBILITY. Section 203(f) of the NATO Participation Act of 1994 (title II of Public Law 103-447; 22 U.S.C. 2151 (20 U.S.C. 2151 note)) is amended to read as follows:

"(1) TERMINATION OF ELIGIBILITY.Ð(1) The eligibility of a designated country under subsection (d) for the program established in subsection (a) shall terminate 60 days after the President makes a certification under paragraph (1)(A) in the case of a designated country designated under subsection (d) that no longer meets the criteria set forth in section 544 of the Act.

(2) Whenever the President determines that the government of a country designated under subsection (d) poses a national security threat to the United States, then the President shall so certify to the appropriate congressional committees.

(3) Nothing in this Act shall affect the eligibility of countries to participate under other provisions of law in programs described in this Act.

(b) CONGRESSIONAL PRIORITY PROCEDURES.ÐSection 203 of such Act is further amended by adding at the end the following new subsection:

"(g) CONGRESSIONAL PRIORITY PROCEDURES.ÐNothing in this Act shall affect the eligibility of countries to participate under other provisions of law in programs described in this Act.

THE NORTHERN ALLIANCE.ÐThe term `Northern Alliance' means the Afghan government of the Islamic Republic of Afghanistan.

"DEFINITIONS.ÐA `designated congressional committee' means:

(1) NATO.ÐThe term `NATO' means the North Atlantic Treaty Organization, including the North Atlantic Council and the Standing Committee on the Organization of the Alliance.

(2) DESIGNATED CONGRESSIONAL COMMITTEES.ÐThe term `designated congressional committees' means:

(A) the Committee on Armed Services, the Committee on Appropriations, the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Appropriations, the Committee on Appropriations of the Senate; and

(c) NATO COUNTRIES EMERGING FROM COMMUNIST DOMINATION.ÐThe term `European countries emerging from Communist domination' includes, but is not limited to, Albania, Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia, Slovenia, and the Ukraine.

SARBANES (AND LEAHY) AMENDMENT NO. 1970 (Ordered to lie on the table.)
Mr. SARBANES (for himself and Mr. LEAHY) submitted an amendment intended to be an amendment to the bill, S. 908, supra; as follows:

(1) in paragraph (1), by striking `Partner- ship for Peace' and inserting `European'; and

(2) by inserting the following new paragraph (2):

"(2) In the event that the President determines that as of January 10, 1999, a country, despite a period of transition assistance under this act, has not made a progress report, the President shall terminate the certification submitted to Congress under subsection (b)(2) and terminate such certification for the following fiscal year.

"(3) Nothing in this Act shall affect the eligibility of countries designated under subsection (d) that are funded or carried out by the United States Agency for International Development, the Department of State, the Department of Defense, NATO, the African Development Foundation, the Inter-American Foundation, the Environmental Protection Agency, the Peace Corps, and other involved departments and agencies.

SEC. 1303. REFORM AND STREAMLINING OF GOALS AND PROGRAMS.
(a) REPEALS.ÐThe following provisions of the Foreign Assistance Act of 1961 are repealed: Sections 102, 103, 103A, 104 (a)-(e) and (g), 105, 106, 113, 117 (a) and (b), 118, 119, 120, 125, 128, 206, 219, 241, and 281.

(b) SUSTAINABLE DEVELOPMENT PROGRAM.ÐSection 101 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151) is amended to read as follows:

"SEC. 101. SUSTAINABLE DEVELOPMENT PROGRAM.

"(a) IN GENERAL.ÐThe promotion of sustainable development at home and abroad is in the long-term interests of the United States. Sustainable development means broad-based economic growth that protects the environment, enhances human capabilities, upholds human rights and democratic values, and improves the quality of life for current and future generations while preserving that opportunity for future generations.

"(b) PURPOSE.ÐThe ultimate purpose of programs under this chapter is to enable the poorest countries and people of the world to provide for their own economic security without further outside assistance. This purpose is pursued internationally by supporting the self-help efforts of people in developing countries—
(1) to implement sound policies that increase self-reliance, equity, and productive capacity; (2) to invest in developing their human resource base and the environment and natural resource base and the environment and natural resource base; and (3) to build effective and accountable indigenous political, economic, and social institutions.

PROPOSED FORMS OF DEVELOPMENT

"(A) RATIONALE. — Broad-based economic growth means equitable and inclusive economic growth in developing countries. Such growth is in the economic, political, and strategic interests of the United States because it permits countries to progress toward economic self-reliance, improve the living standards of their citizens, reduce the incidence of poverty, promote food security and nutritional well-being, slow population growth, and increase opportunities for mutually beneficial international trade and investment. Broad-based economic growth also improves the prospects for the spread of democracy and political pluralism.

"(B) MEANS. — Broad-based economic growth requires, in addition to sound economic policies, (i) a broader role for and access to markets for both women and men through improved policies that protect and advance economic opportunities, including rights to property and access to credit, without discrimination on the basis of gender, race, religion, language or social status, that increase self-reliance in meeting basic needs, and that raise real incomes for poor people; (ii) stronger and more accountable public and private institutions at the local and national level, and sound public investments; (iii) improved access to safe food and adequate nutrition through sustainable improvements in and expansion of local, small-scale, food-based agriculture and post-harvest food preservation; (iv) sound debt management, including debt relief as appropriate; (v) investments in people's productive capabilities, including measures to upgrade technical and managerial knowledge and skills; (vi) measures to ensure that the poor, especially women, have improved access to productive resources (including credit for micro-enterprises) and benefits of technological change and market-related information, affordable and resource-conserving technologies, and land) and that they participate fully in the benefits of growth in employment and income; and (vii) sustainable improvements in agriculture, through support for agricultural research, development of appropriate technologies, outreach to farmers, and improvement of marketing, storage and transportation systems.

"(A) RATIONALE. — The economic and social well-being and the security of the United States, indeed the health of United States citizens and of the entire world community, depend critically on the global environment and natural resource base. Consumption patterns, natural resource depletion, agricultural production, demographic trends, and the use of natural resources directly affect the sustainability of long-term development and growth. The rational and sustainable management of natural resources increases the ability of basic health services; prevents the spread of disease, including HIV/AIDS and other communicable diseases; reduces substantially undernutrition and malnutrition through expanded nutrition education and food safety measures, promotion of breast-feeding and safe weaning practices, and micronutrient therapies targeted at vitamin and mineral deficiencies; and investing in the well-being of children through improved and expanded expanded immunization programs. Education and nutrition programs aimed at improving child survival and child welfare and promoting child spacing.

"(A) RATIONALE. — Supporting improved management of natural resources; and that they participate fully in the benefits of growth in employment and income; and (vii) sustainable improvements in agriculture, through support for agricultural research, development of appropriate technologies, outreach to farmers, and improvement of marketing, storage and transportation systems.

"(A) RATIONALE. — Protecting the global environment requires addressing the root causes of environmental problems, including unsustainable patterns of growth and supporting improved management of natural resources. These activities shall include efforts to address urgent global environmental problems, including the loss of biological diversity and global climate change, as well as efforts to address significant environmental problems, including programs for natural resources conservation, protection of threatened and endangered species, and natural habitats, non-polluting methods of agricultural and industrial production, preparation of environmental impact assessments, improved energy efficiency, better resource management and monitoring, and reduction and safe disposal of wastes.

"(A) RATIONALE. — It is in the national interest of the United States and in keeping with United States democratic traditions to support democratic aspirations and values, foster the spread of enduring democratic institutions, and encourage universal respect for civil and human rights. The strengthening of civil society and non-governmental institutions, including business associations and labor unions, that encourage broad participation and protect human rights is an essential element of sustainable development for nations to sustain development efforts.

"(B) MEANS. — Programs to support democratic institutions, including business associations and labor unions, that encourage broad participation and protect human rights are necessary for the reduction of the worst manifestations of poverty through the development of human resource capacity is essential to long-term peace and international stability.

"(A) RATIONALE. — The economic and social well-being and the security of the United States, indeed the health of United States citizens and of the entire world community, depend critically on the global environment and natural resource base. Consumption patterns, natural resource depletion, agricultural production, demographic trends, and the use of natural resources directly affect the sustainability of long-term development and growth. The rational and sustainable management of natural resources increases the ability of basic health services; prevents the spread of disease, including HIV/AIDS and other communicable diseases; reduces substantially undernutrition and malnutrition through expanded nutrition education and food safety measures, promotion of breast-feeding and safe weaning practices, and micronutrient therapies targeted at vitamin and mineral deficiencies; and investing in the well-being of children through improved and expanded expanded immunization programs. Education and nutrition programs aimed at improving child survival and child welfare and promoting child spacing.

"(A) RATIONALE. — Supporting improved management of natural resources; and that they participate fully in the benefits of growth in employment and income; and (vii) sustainable improvements in agriculture, through support for agricultural research, development of appropriate technologies, outreach to farmers, and improvement of marketing, storage and transportation systems.
To be effective, such participation must incorporate the local-level perspectives of traditionally underserved populations and communities, including women, persons with disabilities, indigenous peoples, and the rural and urban poor.

(B) **NONGOVERNMENTAL ORGANIZATIONS.** The integration of local perspectives requires effective consultation and coordination with nongovernmental organizations, including private and voluntary organizations, cooperatives, unions, labor unions, private sector businesses and trade associations, women's groups, educational institutions, local community organizations which represent and are knowledgeable about local people. Effective consultation and coordination requires the involvement of such organizations in the formulation of development strategies for specific countries and sectors, the development of procedures and regulations governing the implementation of programs, and the evaluation and monitoring of programs.

(C) **UTILIZATION OF UNITED STATES INSTITUTIONAL CAPABILITIES.** The United States institutions and private institutes of science, technology, business, and education can provide a unique contribution to sustainable development programs. Programs which achieve the sustainable development purposes of this title bring greater mutual benefit by recognizing and taking advantage of: United States capabilities in the area of R&D, human capital, access to education and training in United States colleges, universities, and technical training facilities, private sector entrepreneurial skills; and United States public sector expertise. This may be achieved through long-term collaboration between public and private institutes of technology, business, and education in the United States and developing countries and emerging democracies.

(2) **ROLE OF WOMEN.**

(A) **IN GENERAL.** Women play central and productive roles throughout the world in the well-being of nations, communities and families. Recognizing women's contributions and incorporating their perspectives, knowledge and experience is critical in developing global strategies for promoting peace, prosperity and democracy.

(B) **EMPOWERMENT OF WOMEN.** To be sustainable, development must foster the economic, social, and political empowerment of women. Expanding opportunities for women is essential to reducing poverty, improving health, slowing population growth and environmental sustainability, and achieving sustained development. For this to occur, women must have full and equitable access to productive resources: credit, land, technology, human capital, natural and human capital, and marketing services, training and other forms of assistance. Increased female education further facilitates in this regard.

(C) **MEASURING RESULTS.** Assistance under this part requires the commitment and progress of countries in moving toward the purpose of sustainable development described in subsection (b), while recognizing the long-term nature of development processes and the difficulty of selecting reliable and meaningful indicators of success.

Through the establishment of open and transparent systems to monitor the results of assistance programs the United States will assess the effectiveness of its programs and report and scarse resources from unproductive programs, sectors or countries to those which have demonstrated the commitment and ability to deliver.

(c) **EFFECTIVE DATE.** The repeals made by subsection (a) and the amendment made by subsection (b) shall take effect on October 1, 1995.

SARBANES AMENDMENT NO. 1971

(Orders to lie on the table.)

**Mr. SARBANES** submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 29, at the end of line 5 insert the following:

(g) **WAIVER AUTHORITY.** (1) Subject to paragraph (2), the President may waive any limitation under subsections (a) through (d) to the extent that such waiver is necessary to carry on the foreign affairs functions of the United States.

(2) Not less than 15 days before the President exercises a waiver under paragraph (1), the appropriate agency head shall notify the Committee on Foreign Relations of the Senate and Committee on International Relations of the Congress of the United States of such waiver.

DODD AMENDMENT NO. 1973

(Orders to lie on the table.)

**Mr. DODD** submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place in the bill add the following new section:

Sec. 11020. "(3) MANAGING FOR RESULTS. -- (A) IN GENERAL. -- Women play central and private institutions of science, technology, business, and education in the United States and emerging democracies.

(b) **NONGOVERNMENTAL ORGANIZATIONS.** Women play central and private institutions of science, technology, business, and education in the United States and emerging democracies.

(c) **UTILIZATION OF UNITED STATES INSTITUTIONAL CAPABILITIES.** United States institutions and private institutes of science, technology, business, and education can provide a unique contribution to sustainable development programs. Programs which achieve the sustainable development purposes of this title bring greater mutual benefit by recognizing and taking advantage of: United States capabilities in the area of R&D, human capital, access to education and training in United States colleges, universities, and technical training facilities, private sector entrepreneurial skills; and United States public sector expertise. This may be achieved through long-term collaboration between public and private institutes of technology, business, and education in the United States and developing countries and emerging democracies.

(2) **ROLE OF WOMEN.**

(A) **IN GENERAL.** Women play central and productive roles throughout the world in the well-being of nations, communities and families. Recognizing women's contributions and incorporating their perspectives, knowledge and experience is critical in developing global strategies for promoting peace, prosperity and democracy.

(B) **EMPOWERMENT OF WOMEN.** To be sustainable, development must foster the economic, social, and political empowerment of women. Expanding opportunities for women is essential to reducing poverty, improving health, slowing population growth and environmental sustainability, and achieving sustained development. For this to occur, women must have full and equitable access to productive resources: credit, land, technology, human capital, natural and human capital, and marketing services, training and other forms of assistance. Increased female education further facilitates in this regard.

(C) **MEASURING RESULTS.** Assistance under this part requires the commitment and progress of countries in moving toward the purpose of sustainable development described in subsection (b), while recognizing the long-term nature of development processes and the difficulty of selecting reliable and meaningful indicators of success.

Through the establishment of open and transparent systems to monitor the results of assistance programs the United States will assess the effectiveness of its programs and report and scarse resources from unproductive programs, sectors or countries to those which have demonstrated the commitment and ability to deliver.

(c) **EFFECTIVE DATE.** The repeals made by subsection (a) and the amendment made by subsection (b) shall take effect on October 1, 1995.
Mr. DODD submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 83, beginning on line 20, strike all after the word "issued" through the period on line 34, and insert in lieu thereof the following:

"only if the Secretary of Treasury is able to certify to the Congress that the United States Government has sufficient frozen assets under its control to ensure that all U.S. claims against Iraq can be fully compensated.''

KENNEDY (AND OTHERS) AMENDMENT NO. 1977

Mr. KENNEDY (for himself, Mr. WELLSTONE, and Mr. HARKIN) proposed an amendment to the bill S. 908, supra; as follows:

At the appropriate place in the bill, insert the following new section:

SEC. . WARM PEACE WITH ISRAEL.

(a) FINDINGS.

(1) The recognition of Israel and establishment of full diplomatic relations with Israel, including the exchange of ambassadors;

(2) Prior to such expansion and yearly thereafter, certify to the Congress that such country or countries have entered into a "warm" peace that includes—

(i) The establishment of an international criminal court with jurisdiction over crimes of an international character would greatly strengthen the international rule of law;

(ii) Eliminating all levels of the Arab boycott of Israel;

(iii) A commitment to a quick response to condemn and punish terrorist acts and those who perpetrate them;

(iv) Working closely with Israel to remove havens for terrorists;

(v) Mutual security agreements with Israel;

(vi) Agreements with Israel on reciprocal treatment of criminals;

(vii) Agreements with Israel on free flow of goods, people and ideas;

(viii) Freedom of movement and residence of Israelis, including the exchange of ambassadors;

(ix) Freedom of movement and residence of Palestinians, including the exchange of ambassadors.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that:

(1) The free trade agreement with Israel will make those countries who sustain a "warm" peace with Israel;

(2) Prior to such expansion and yearly thereafter, certify to the Congress that such country or countries have entered into a "warm" peace that includes—

(i) The recognition of Israel and establishment of full diplomatic relations with Israel, including the exchange of ambassadors;

(ii) Eliminating all levels of the Arab boycott of Israel;

(iii) A commitment to a quick response to condemn and punish terrorist acts and those who perpetrate them;

(iv) Working closely with Israel to remove havens for terrorists;

(v) Mutual security agreements with Israel;

(vi) Agreements with Israel on reciprocal treatment of criminals;

(vii) Agreements with Israel on free flow of goods, people and ideas;

(viii) Freedom of movement and residence of Israelis, including the exchange of ambassadors;

(ix) Freedom of movement and residence of Palestinians, including the exchange of ambassadors.

(c) SANCTIONS AGAINST CERTAIN PERSONS.—

(1) Subsection (a) of section 1604 of such Act is amended by inserting "to acquire weapons of mass destruction, or the means of their delivery, or before the destruction".

(2) Subsection (b) of such section 1604 is amended—

(A) In paragraph (1), by inserting "and shall provide for the expedite termination of any current contract for goods or services," after "goods or services";

(B) In paragraph (2), by inserting "and shall revoke any license issued," after "shall not issue"; and

(C) By adding at the end the following new paragraphs:

(1) MIGRATION SANCTION.—

(A) INDIVIDUALS.—The sanctioned person shall be ineligible to receive a visa for entry into the United States and shall be excluded from admission into the United States.

(B) CORPORATIONS.—In the case of a sanctioned person that is a corporation, partnership, or other form of association, the officers, directors, employees, and agents of the corporation, partnership, or association shall be ineligible to receive a visa for entry into the United States and shall be excluded from admission into the United States.

(2) FINANCIAL INSTITUTIONS.—The President shall by order prohibit any depository institution that is chartered by, or that has its principal place of business in, a State, the District of Columbia, or the United States from making any loan or providing any credit to the sanctioned person, except for loans or credits for the purpose of purchasing food or other agricultural commodities.
"(5) Transiting United States Territory.—(A) Notwithstanding any other provision of law (other than a treaty or other international agreement), no sanctioned person, nor any item which is the product, the transformation, the reprocessing, the manufacture of the sanctioned person, and no technology developed by the sanctioned person may transit any territory subject to the jurisdiction of the United States.

(B) The Secretary of Transportation may provide for such exceptions from this paragraph as the Secretary determines to be necessary to provide for the safety of an aircraft or its crew or passengers, or to provide for the safety of any sea, railroad, pipeline or other transportation in which the safety of an aircraft or a vessel, or its crew or passengers, is threatened.

(3) The section is further amended by adding at the end the following new subsection:

(c) EXCEPTIONS.—The sanction described in subsection (b)(i) shall not apply in the case of procurement of defense articles or defense services—

(1) under existing contracts or subcontracts, including the exercise of options for production quantities to satisfy operational military requirements necessary to the national security of the United States;

(2) if the President determines that such contracts or subcontracts, including the exercise of options for production quantities to satisfy operational military requirements necessary to the national security of the United States, are essential, and that alternative sources are not readily or reasonably available; or

(3) if the President determines that such articles or services are essential to the national security under defense coproduction agreements.

(d) Sanctions Against Foreign Countries.—(1) Subsection (a) of section 1605 of such Act is amended by inserting “to acquire weapons of mass destruction, or the means of their delivery, to acquire”.

(2) Subsection (b) of such section 1605 is amended by adding at the end the following new paragraph:

"(2) ADDITIONAL SANCTIONS.—The sanctions against Iraq specified in paragraphs (1), (3), (4), (6), and (7) of section 586A(a) of the Iraq Sanctions Act of 1990 (50 U.S.C. 1701 note) shall be applied to the same extent and in the same manner with respect to a sanctioned country.”.

(3) Such section 1605 is further amended—

(A) in subsection (a)(2), by striking out “the sanction” and inserting in lieu thereof “the sanctions”;

(B) by striking out subsection (c) and inserting in lieu thereof the following new subsection (c):

"(c) DISCRETIONARY SANCTIONS.—The sanctions referred to in subsection (a)(2) are as follows:

"(1) USE OF AUTHORITIES OF INTERNATIONAL EMERGENCY ECONOMIC POWERS ACT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the President may exercise, in accordance with the provisions of that Act, the authorities of the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to the sanctioned country.

(B) EXCEPTION.—Subparagraph (A) does not apply with respect to urgent humanitarian assistance.

"(2) PROHIBITION ON VESSELS THAT ENTER PORTS OF SANCTIONED COUNTRIES TO ENGAGE IN TRADE.—

(A) IN GENERAL.—Beginning on the 10th day after a sanction is imposed under this title against a country, a vessel which enters a port of a sanctioned country to engage in the trade of goods or services may not, if the President so requires, within 180 days after departing from such port or place in the sanctioned country, carry, discharge, unload, or load or unload any freight at any place in the United States.

(B) DEFINITION.—As used in this paragraph, the term ‘vessel’ includes every description of water craft or other contrivance description of which is a vessel, or capable of being used, as a means of transportation in water, but does not include aircraft.

(3) PRESIDENTIAL ACTION REGARDING AVIATION.—(A)(i) The President may notify the government of the sanctioned country of his intention to suspend the authority of foreign air carriers owned or controlled by the government of that country to engage in foreign air transportation to or from the United States.

(ii) The President may direct the Secretary of Transportation to suspend at the earliest possible date the authority of any foreign air carrier owned or controlled, directly or indirectly, by the government of that country to engage in foreign air transportation to or from the United States.

(iii) The President may direct the Secretary of State to terminate any air service agreement between the United States and the sanctioned country in accordance with the provisions of that agreement.

(B) EXCEPTION. Subparagraph (A) does not apply with respect to urgent humanitarian assistance.

"(B)(i) The President may direct the Secretary of Transportation to suspend at the earliest possible date the authority of any foreign air carrier owned or controlled, directly or indirectly, by the government of that country to engage in foreign air transportation to or from the United States.

(ii) The President may direct the Secretary of State to terminate any air service agreement between the United States and the sanctioned country in accordance with the provisions of that agreement.

("C) The President shall direct the Secretary of Transportation to provide for such exceptions from this paragraph as the President considers necessary to provide for emergencies in which the safety of an aircraft or its crew or passengers is threatened.

(4) For the purposes of this paragraph, the terms ‘air carrier’, ‘air transportation’, ‘aircraft’, and ‘foreign air carrier’ have the meanings given such terms in paragraphs (2), (5), (6), and (22) of section 40102 of title 49, United States Code, respectively.

(4) Such section 1605 is further amended by adding at the end the following new subsection:

"(d) SANCTION FOR ASSISTING IRAN IN IMPROVING ROCKET OR OTHER WEAPONS CAPABILITY.—

In section 586A(a) of the Iraq Sanctions Act of 1990 (50 U.S.C. 1701 note) against governments that assist Iran in improving its rocket technology or any other weapon system, the construction capability shall be applied to the same extent and in the same manner with respect to governments that so assist Iran.

(e) TERMINATION OF SANCTIONS AGAINST CERTAIN PERSONS.—Such Act is further amended—

(1) in subsection 1604(b)—

(A) by striking out “subject to section 1606, the United States” in paragraphs (1) and (2) and inserting in lieu thereof “The United States”;

(B) in subsection 1605—

(i) by striking out “for a period of one year,” in paragraphs (1), (3), and (4); and

(ii) by striking out “for a period of one year,” in paragraph (4); and

(iii) by striking out “during that period” in paragraph (4); and

(iv) by striking out “for a period of one year” in paragraph (5); and

(2) by inserting after section 1606 the following new section:

"SEC. 1606A. TERMINATION OF SANCTIONS.

"Except as otherwise provided in this title, the sanctions imposed pursuant to section 1606A or 1606A(2) shall cease to apply to a country at 60 days after the President certifies to the Congress that reliable information indicates that the sanctioned person or government, as the case may be, has ceased to violate this title.

(f) WAIVER.—Section 1606 of such Act is amended by striking out ‘‘(or 1605(b))’’ and inserting in lieu thereof ‘‘1606A(b), or 1606A(2)’’.

"(g) Definitions.—Section 1608 of such Act is amended by striking—

(1) in paragraph (1)—

(A) by inserting ‘‘naval vessels with offensive capabilities’’, after ‘‘advanced military aircraft’’, in subparagraph (A); and

(B) by striking out ‘‘or enhance offensive capabilities in destabilizing ways’’ each place it appears and inserting in lieu thereof ‘‘enhance offensive capabilities in destabilizing ways, or threaten international shipping’’;

(2) in paragraph (7), by striking out subparagraph (A) and inserting in lieu thereof the following new subparagraph (A):

‘‘(A) any assistance under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), other than urgent humanitarian assistance or medicine,’’; and

(3) by adding at the end the following:

‘‘(h) The term ‘goods or technology’ includes any item of the types defined in section 7401 of the Export Administration Act of 1979, section 2304 of the Arms Export Control Act, and the MTCR Annex (as defined in section 744 of the Arms Export Control Act) or any item that is subject to licensing by the Nuclear Regulatory Commission.

(9) The term ‘United States’ includes territories and possessions of the United States and the customs waters of the United States, as defined in section 401 of the Tariff Act of 1930 (19 U.S.C. 1401).

(10) The term ‘weapons of mass destruction’ includes nuclear, chemical, and biological weapons, and nuclear weapons capability.”

(i) TECHNICAL AMENDMENTS.—Such Act is further amended—

(1) in section 1606, by striking out “the Committees on Armed Services and Foreign Affairs of the House of Representatives” and inserting in lieu thereof “the Committees on National Security and International Relations of the House of Representatives”; and

(2) in section 1607, by striking out “the Committees on Armed Services and Foreign Affairs of the House of Representatives” and inserting in lieu thereof “the Committees on National Security and International Relations of the House of Representatives”.

(j) REVISION OF FOREIGN ASSISTANCE ACT OF 1961.—Section 409A(b)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2295a(b)(3)) is amended by striking out “ensuring the compliance of such state with international agreements relating to weapons of mass destruction, before knowingly transferring” and inserting in lieu thereof “the compliance of such state with international agreements relating to weapons of mass destruction, before knowingly transferring”.

(k) REVISION OF IRAQ SANCTIONS ACT OF 1990.—Section 588(a) of the Iraq Sanctions Act of 1990 (50 U.S.C. 1701 note) is amended by striking out “or chemical, biological, or nuclear weapons capability” and inserting in
McCAIN AMENDMENT NO. 1983 (Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 91, between lines 4 and 5, insert the following:

SEC. 31A. LIMITATION REGARDING ASSISTANCE FOR INTERNATIONAL EXECUTIVE SERVICE CORPS.

No department or agency of the Federal Government administering assistance programs for which appropriations are authorized under this Act may provide financial assistance for any project or activity of the International Executive Service Corps if such project or activity would provide services to an organization that, in the judgment of the administrator of such assistance, is capable of obtaining the same or similar services without such assistance and without significant financial burden to that organization.

McCAIN AMENDMENT NO. 1984 (Ordered to lie on the table.)

Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 124, after line 20, insert the following:

SEC. 61B. SENSE OF THE SENATE ON RUSSIAN COMPLIANCE WITH THE TREATY ON CONVENTIONAL ARMED FORCES IN EUROPE.

It is the sense of the Senate that the President should insist on the full compliance of the Russian Federation with the terms of the Treaty on Conventional Armed Forces in Europe and should reject offers by the Russian Federation to renegotiate or otherwise change the terms of the treaty.

DOLE AMENDMENT NO. 1985 (Ordered to lie on the table.)

Mr. DOLE submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place in the bill, insert the following new section:

SEC. . POLICY ON THE EXTENDED SUSPENSION AND TERMINATION OF SANCTIONS AGAINST SERBIA AND MONTENEGRO.

It is the policy of the United States that prior to the termination of the United States sanctions against Serbia and Montenegro or the suspension of sanctions for a period longer than 90 days against Serbia and Montenegro—

(1) the Federal Republic of Yugoslavia must halt all forms of support, including manpower, arms, fuel, financial subsidies and military material, for separatist Serb militants and their leaders in Bosnia and Herzegovina and Croatia;

(2) The Federal Republic of Yugoslavia must halt all forms of support, including military material, for separatist Serb militants and their leaders in Macedonia;

(3) the elected parliament of Kosova must exercising its legitimate right to democratic self-government;

(4) The Federal Republic of Yugoslavia (consisting of Serbia and Montenegro) must.

SARBANES AMENDMENTS NOS. 1986±1987 (Ordered to lie on the table.)

Mr. SARBANES submitted two amendments intended to be proposed by him to the bill, S. 908, supra; as follows:

AMENDMENT NO. 1986

Beginning on page 232, strike line 16 and all that follows through line 51 on page 236.

AMENDMENT NO. 1987

On page 222, strike lines 3 through 7.

SARBANES (AND LEAHY) AMENDMENT NO. 1988 (Ordered to lie on the table.)

Mr. SARBANES (for himself and Mr. LEAHY) submitted an amendment intended to be proposed by them to the bill, S. 908, supra; as follows:

Beginning on page 210, strike line 4 and all that follows through line 20 on page 215 and insert the following:

TITLE XIV—AGENCY FOR INTERNATIONAL DEVELOPMENT

SEC. 1401. ELIMINATION OF DUPLICATION.

(a) IN GENERAL.—The Secretary of State shall consult with the Administrator of the Agency for International Development, identify and eliminate all duplicative, overlapping, or superfluous personnel, programs with other bilateral and multilateral programs within and between the Department of State and the Agency for International Development.

(b) REPORT.—Not later than March 31, 1996, or 180 days after the date of enactment of this Act, whichever is later, the Secretary of State shall submit a report describing the personnel, functions, goals, activities, offices, and programs identified under subsection (a) to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives, together with proposed legislation if additional statutory authority is required to implement subsection (a). Each report shall also include projected cost savings and personnel reductions to be achieved through implementation of subsection (a).

SEC. 1402. COORDINATION OF PROGRAMS.

(a) IN GENERAL.—The United States shall coordinate its sustainable development programs with other bilateral and multilateral donors, as well as with the private sector, in order to maximize the effectiveness of resources allocated to sustainable development. The United States shall also exercise leadership in building commitment and cooperation necessary for countries to make significant progress toward the

SEC. 1403. TECHNICAL AMENDMENT.

Section 1311 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103-100) is amended by striking subsection (e) and—

(c) REPORTING REQUIREMENT.

Not later than 60 days after the date of enactment of this Act, the President of the United States shall prepare and submit to the President Pro Tempore of the Senate and the Speaker of the House a detailed report on—

(i) the systematic human rights violations against the ethnic Albanian majority living in Kosova, to include reports of "ethnic cleansing";

(j) the nature and extent of the Federal Republic of Yugoslavia's support for Serb militant separatists and their leaders in the Republic of Bosnia and Herzegovina and the Republic of Croatia, to include fuel, financial subsidies, arms, and war material, as well as the means by which these are being provided.

(k) the nature and extent of the Federal Republic of Yugoslavia's political and military leadership and the leaders of the Serb militant separatists in the Republic of Bosnia and Herzegovina and the Republic of Croatia.

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goals adopted at international fora relating to sustainable development.

(b) COORDINATION OF UNITED STATES PROGRAMS AND POLICIES.—The President shall establish:

(1) to coordinate, and to eliminate duplication among, all United States policies, programs and activities designed to promote sustainable development, including programs that are funded or carried out by the United States Agency for International Development, the Department of State, the Department of Treasury, the Department of Agriculture, the African Development Foundation, the Inter-American Foundation, the Environmental Protection Agency, the Peace Corps, and other involved departments or agencies;

(2) to ensure that United States policies and activities at the international financial institutions and other international organizations engaged in development activities are consistent and complementary with sustainable development; and

(3) to ensure that United States policies, programs and activities designed to promote growth through trade and investment, such as the Overseas Private Investment Corporation, the Export-Import Bank of the United States, and the Export-Import Bank of the United States, are consistent and complementary with those purposes.

(c) REPORT.—Not later than 6 months after the date of enactment of this Act, and not later than March 1 of each year thereafter, the President shall submit to the appropriate congressional committees a report explaining the way in which the responsibilities for programs are delineated and coordinated among the various agencies and departments identified under subsection (b) and the way in which duplication and waste will be avoided.

SEC. 1403. REFORM AND STREAMLINING OF GOALS AND PURPOSES.

(a) REPEALS.—The following provisions of the Foreign Assistance Act of 1961 are repealed: Sections 102, 103, 103A, 104 (a)–(e) and (g), 105, 106, 113, 117 (a) and (b), 118, 119, 120, 125, 126, 206, 219, 241, and 261.

(b) SUSTAINABLE DEVELOPMENT PROGRAM.—Section 101 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151) is amended to read as follows:

"SEC. 101. SUSTAINABLE DEVELOPMENT PROGRAM.

"(a) In General.—The promotion of sustainable development at home and abroad is in the long-term interests of the United States. Sustainable development means broad-based economic growth that protects the environment, enhances human capabilities, upholds human rights and democratic values, and improves the quality of life for current generations while preserving that opportunity for future generations.

"(b) PURPOSE.—The ultimate purpose of programs under this chapter is to enable the poorest people, countries and regions of the world to provide for their own economic security without further outside assistance. This purpose is pursued internationally by supporting the self-help efforts of people in developing countries—

"(1) to implement sound policies that in-crease self-reliance, equity, and productive capacity;

"(2) to invest in developing their human resources; and

"(3) to build effective and accountable in-digenous political, economic, and social in-stitutions.

"(c) PROGRAMS.—The President is au-thorized to provide assistance under this chapter of the United States government to the Department of Agriculture, the African Development Foundation, the Inter-American Foundation, the Environmental Protection Agency, the Peace Corps, and other involved departments or agencies.

"(1) ENCOURAGING BROAD-BASED ECONOMIC GROWTH.—

"(A) RATIONALE.—Broad-based economic growth means equitable and inclusive eco-nomic expansion in developing countries. Such growth is in the economic, political, and social interests of the United States because it permits countries to progress toward economic self-reliance, improve the living standards of their citizens, reduce the incidence of undernourishment, promote food security and nutritional well-being, slow population growth, and increase opportunities for mutually beneficial international trade and investment.

"(B) MEANS.—Programs to support eco-nomic growth require, in addition to sound eco-nomic policies—

"(i) a broader role for and access to mar-kets for both foreign and the United States producers, through improved policies that protect and advance economic rights for all citizens without regard to gender, race, religion, language or social status, that increase self-reliance in meeting basic needs, and that raise real incomes for poor people;

"(ii) stronger and more accountable public and private institutions at the local, regional, and national level, and sound public investments;

"(iii) enhanced food security, including improved access to safe food and adequate nu-trition through programs that promote improve-ded nutrition and food production, and expansion of local, small-scale, food-based agriculture and post-harvest food pres-ervation.

"(iv) sound debt management, including debt relief as appropriate;

"(v) investments in people's productive ca-pabilities, including measures to upgrade technical and managerial knowledge and skills;

"(vi) measures to ensure that the poor, es-pecially women, have improved access to productive resources (including credit for microenterprise initiatives, technical training and market-related information, affordable and resource-conserving technologies, and land) and that they participate fully in the benefits of growth in employment and in-come; and

"(vii) sustainable improvements to agricul-ture, through support for agricultural re-search, provision of appropriate technology, outreach to farmers, and improvement of marketing, storage and transportation sys-tems.

"(2) PROTECTING THE GLOBAL ENVIRON-MENT.—

"(A) RATIONALE.—The economic and social well-being and the security of the United States, indeed the health of United States citizens and for the planet as a whole, depend critically on the global environment and natural resource base. Consumption pat-terns, systems of industrial and agricultural production, demographic trends, and the use of natural resources directly affect the sus-tainability of long-term development and growth and the integrity of the ecosystem. The continued growth and development of this country's economic activities and its environmental consequences will not be economically sustainable. Improved resource management is a critical element of a bal-anced pattern of development. Both developed and developing countries share responsibility to present and future generations for the rational and sustainable management of natural resources for continued environmental pro-tection. The industrialization and consump-tion patterns of developed countries often impose heavy environmental costs worldwide. Developing countries are the stewards of most of the world's biological di-versity, not only suffer disproportionately from the consequences of environmental degrad-ation but also contribute largely to that degrad-ation as they struggle to meet the basic needs of their people. Therefore, environ-
mental sustainability cannot be secured without reducing poverty, nor can poverty be eliminated without sustainable manage-ment of the natural resource base.

"(B) MEANS.—Protection of the global envi-ronment requires addressing the root causes of environmental harm, promoting environ-mentally-sound patterns of growth and sup-porting programs and activities designed to promote sustainable development.

"(3) SUPPORTING DEMOCRATIC PARTICIPA-TION.—

"(A) RATIONALE.—It is in the national in-terest of the United States and in keeping with United States democratic traditions to support democratic aspirations and values, freedom of business enterprises, institutions, and encourage universal respect for civil and human rights. The strengthening of civil society and non-governmental insti-tutions, including business associations and labor unions, that encourage broad par-ticipation and protect human rights is an es-sential element of the ability of nations to sustain democratic government.

"(B) MEANS.—Programs to support demo-cratic participation must help to build and strengthen organizations and institutions that foster inclusion in economic and politi-cal decision-making at the local and na-tional levels. Such programs shall include those that promote respect for human rights and the rule of law; an expanding role for nongovernmental and citizens' organizations and their capacity to effectively participate in political and economic decision-making and implement their programs; enhanced citizen access to public informa-tion; the ability of all citizens to choose free-dom and exchange ideas, and for their govern-ment accountable for its actions; advance-ment of legal, social, and economic equality for women, workers, and minorities, includ-ing the elimination of all forms of discrimination against women and expanded opportunities for persons with disabilities; and strength-ened principles of tolerance among and with-in religious and ethnic groups.

"(4) STABILIZING WORLD POPULATION AND PROMOTING REPRODUCTIVE HEALTH.—

"(A) RATIONALE.—Many individuals still do not have access to the information and means to determine the number and spacing of their children. Rapid population growth, among other fac-tors, aggravates poor health, perpetuates pov-erty, and inhibits saving and investment, particularly in investments in people in the form of basic health and education services. Continued rapid growth in world population will undercut sustainable development ef-forts. Unsustainable population growth is di-rectly tied to degradation of the natural re-source base and the environment and contri-butes to economic, social and political instability. The problems associated with rapid population growth are interrelated with economic and social inequities, particu-larly in the low use of family planning and the high costs of maternal and new-borne care, and the high rates of population growth.

"(B) MEANS.—Programs to support family planning must help to build and strengthen organizations and institutions that foster inclusion in economic and politi-cal decision-making and implement their programs; enhanced access to and use of information on and means of fertility control; the ability of all citizens to choose freedom and exchange ideas, and for their govern-ment accountable for its actions; advancement of legal, educational, and economic equality for women across the world; the elimination of all forms of discrimination against women and expanded opportunities for persons with disabilities; and strengthened principles of tolerance among and with-in religious and ethnic groups.
progress on global issues of direct concern to the United States.

"(B) MEANS.—The primary means to sta-
bilize population at levels that are consist-
ent with the principles of a broad-based ap-
proach to development and with recognized standards of human rights, are to provide women and men with the means to freely and responsibly choose the spacing of their children, and to contribute to improved repro-
ductive health. This calls for a focus on en-
hanced access to and improved quality of voluntary contraceptive programs and services, as well as improved reproductive health care. Such efforts should be complemented by programs carried out in accordance with paragraphs (2) and (3) to im-
prove female education, raise the economic and social status of women, and increase in-
fant and child survival rates.

(5) DEVELOPING HUMAN RESOURCES.—
(A) RATIONALE.—Reducing the worst mani-
festations of poverty through the devel-
oment of human resource capability is essen-
tial to long-term peace and international sta-
bility. Individuals, communities, and na-
tions cannot be fully productive when im-
paired by disease, illiteracy, and hunger re-
sulting from lack of investment in human cap-
abilities. While broad-based economic growth is nec-
essary for the reduction of the worst mani-
festations of poverty, such growth cannot be sus-
tained by small people, and especially women, have the basic assets and capabili-
ties that foster the opportunity for partici-
pation in the economic, social and political life of their community.

(B) MEANS.—To reduce the worst mani-
festations of poverty, sustainable develop-
ment programs must develop human re-
sources by securing universal access to ade-
quate food, safe drinking water, basic sanita-
tion, and basic shelter; expanding education to all children, and, with emphasis on bas-
ic education and particular attention to equalizing male and female literacy and school-
ing; providing equal access to credit; im-
proving the coverage, quality and sustain-
ability of basic health services; preventing the spread of HIV/AIDS and other commu-
nicable diseases; reducing substantially undernutrition and malnutrition through ex-
panded nutrition education and food safety measures, promotion of breast-feeding and sound weaning practices, and micronutrient ther-
apy; family planning programs and services; and shift scarce resources from unproductive to pro-
ductive roles throughout the world in the well-
being of nations, communities and fami-
lies. Recognize the contributions and incorporating their perspectives, knowledge and ex-
perience is critical in developing global-
strategies for promoting peace, prosperity and democracy.

(6) EMPOWERMENT OF WOMEN.—To be sus-
tainable, development must foster the eco-
omic, political and social empowerment of women. Expanding opportunities for women is essential to reducing poverty, improving health, slowing population growth and envi-
ronmental degradation, and achieving sus-
tainable development. For this to occur, women must have full and equitable access to produc-
tive resources: credit, land, techn-
ology, agricultural extension and market-
ing services, training and other forms of as-
sistance. Increased female education further empowers women by allowing their effective participation in the development process.

Therefore, United States sustainable devel-
oping programs and programs must be de-
developed in order to integrate women as agents and beneficiaries.

(7) MANAGING FOR RESULTS.—
(A) IN GENERAL.—Assistance cannot sub-
stitute for the United States own efforts to improve the lives of its people, nor can the United States afford to provide assist-
ance which does not yield enduring results in terms of reducing the lives of the poor, en-
couraging a stable and prosperous global order, and contributing to the interests of the people of the United States.

(B) CONGRESSIONAL REPORTS.—Targeting assistance toward countries that have demo-
strated a need for such programs, that will make effective use of such programs, and that have a commitment to achieving the sustainable development purposes described in this title ensures the most effective use of scarce foreign aid resources. Indicators of such country commitment include the extent to which: there is a high incidence of hunger and pov-
erty, there is an enabling environment in which government economic policies are conduc-
tive toward making those sustain-
able development purposes, government deci-
sion-making is transparent, government in-
itutions are accountable to the public, an independent judiciary is main-
tained, local government bodies are demo-
cratically elected, and political parties, non-
governmental organizations and the media operate without undue constraints.

(C) MEASURING RESULTS.—Assistance under this part requires the commitment of countries in moving toward the purpose of sustainable development de-
scribed in subsection (b), while recognizing the long-term nature of development proc-
esses. The Secretary will assess the effectiveness of its programs and shift scarce resources from unproductive programs, sectors or countries to those that have demonstrated commitment and ability to use them effectively.

(c) EFFECTIVE DATE.—The repeals made by subsection (a) and the amendment made by subsection (b) shall take effect on October 1, 1995.

On page 222, strike lines 3 through 7. On page 222, strike lines 17 through 23. On page 224, strike lines 6 through 12. Beginning on page 232, strike line 16 and all that follows through line 21 on page 236. On page 234, beginning on line 1, strike "the United" and all that follows through the pe-

HELMS AMENDMENT NO. 1989

Ordered to lie on the table.

Mr. HELMS submitted an amend-
ment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 124, after line 29, insert the follow-
ing:

SEC. . Report on enforcement of United
Nations sanctions against the Federal Re-
public of Yugoslavia (consisting of Serbia
and Montenegro).

By December 31, 1995 the Secretary of State, in cooperation with the Secretary of
Treasury, shall report to the Senate and Speaker of the House of Representatives on whether the Governments of Europeans countries re-
ceiving assistance pursuant to Title V of the Foreign Assistance Act of 1961 or the Arms
Export Control Act are taking all necessary steps to implement effectively United Na-
tions sanctions against the Federal Republic of
Yugoslavia (consisting of Serbia and Montenegro).

FEINGOLD AMENDMENT NO. 1990

Ordered to lie on the table.

Mr. FEINGOLD submitted an amend-
ment intended to be proposed by him to the bill, S. 908, supra; as follows:

At the appropriate place, insert:

SEC. 1. FINDINGS.
This section makes the following find-
ings:

(1) The People's Republic of China com-
promises one-fifth of the world's population,
The People's Republic of China, as a permanent member of the United Nations Security Council and plays an important role in regional organizations such as the Asia-Pacific Economic Cooperation Forum and the ASEAN Regional Forum.

2. The People's Republic of China is currently undergoing a change of leadership which has strategic implications for the political and economic future of the Chinese people and for China's relations with the United States.

3. According to the State Department Country Report on Human Rights Practices for 1994, there continues to be "widespread and well-documented human rights abuses in China, in violation of the internationally accepted norms . . . (including) arbitrary and lengthy pretrial detention, torture, and mistreatment of prisoners . . . The regime continued severe restrictions on freedom of speech, press, assembly and association, and tightened control on the exercise of these rights during 1994. Serious human rights abuses persisted in Tibet and other areas populated by ethnic minorities."

4. The People's Republic of China continues to detain political prisoners and continues to violate internationally recognized standards regarding the nonproliferation of weapons of mass destruction.

5. China's estimated $600,000,000,000 economy has enjoyed unparalleled growth in recent years. Despite increased economic linkages between the United States and China, bilateral relations have deteriorated significantly because of fundamental policy differences over a variety of important issues.

6. The People's Republic of China has violated international standards regarding the nonproliferation of weapons of mass destruction.

7. The Government of the People's Republic of China, a member of the United Nations Security Council, is obligated to respect and uphold fundamental standards recognized by international law and conduct its foreign policy in accordance with the United Nations Declaration of Human Rights.

8. The Government of the People's Republic of China continues to employ the policy and practice of controlling all trade and transactions and to suppress and harass members of the independent labor union movement.

9. The United States-Hong Kong Policy Act of 1992 states that Congress wishes to see the provisions of the joint declaration implemented, and declares that "the rights of the people of Hong Kong are of great importance to the United States and Human Rights also serve as a basis for Hong Kong's continued prosperity.". This together with the rule of law and a free press is essential for a successful transition in 1997.

10. The United States currently has numerous sanctions on the People's Republic of China with respect to permanent boycott, arms sales and other commercial transactions.

11. It is in the interest of the United States to foster China's continued engagement in the broadest range of international fora and increased respect for human rights, democratic institutions, and the rule of law in China.

SEC. 3. UNITED STATES DIPLOMATIC INITIATIVES

(a) UNITED STATES OBJECTIVES. The Congress calls upon the President to undertake intensified diplomatic initiatives to persuade the Government of the People's Republic of China to:

1. Immediately and unconditionally release Harry Wu from detention;
2. Adhere to prevailing international standards to prevent the nonproliferation of weapons of mass destruction by, among other things, immediately halting the export of ballistic missile technology and the provision of other weapons of mass destruction and military assistance, in violation of international standards, to Iran, Pakistan, and other countries of concern;
3. Respect for the internationally-recognized human rights of its citizens by, among other things:

(A) permitting freedom of speech, freedom of press, freedom of association, and freedom of religion;
(B) ending arbitrary detention, torture, forced labor, and other mistreatment of prisoners;
(C) releasing all political prisoners, and dismantling the Chinese system of jailing political prisoners (the Laogai) and the Chinese forced labor system (the Laogai);
(D) ending coercive birth control practices; and
(E) respecting the legitimate rights of the people of Tibet, ethnic minorities, and ending the crackdown on religious practices.

(b) VENUES FOR DIPLOMATIC INITIATIVES. The diplomatic initiatives taken in accordance with subsection (a) should include actions by the United States—

1. In the conduct of bilateral relations with China;
2. In the United Nations and other international organizations;
3. In the World Bank and other international trade fora; and
4. In the conduct of bilateral relations with other countries in order to encourage them to support and join with the United States in taking the foregoing actions.

SEC. 4. REPORTING REQUIREMENTS.

The President shall report to Congress within 30 days after the date of enactment of the Act, and no less frequently than every 6 months thereafter, on:

1. The actions taken by the United States in accordance with section 3 during the preceding 6-month period;
2. The actions taken with respect to China during the preceding 6-month period by—

(A) the United Nations and other international organizations;
(B) the World Bank and other international financial institutions; and
(C) the World Trade Organization and other international trade fora; and
3. The progress achieved with respect to each of the United States objectives identified in section 3(a). Such reports may be submitted in classified and unclassified form.

SEC. 5. COMMENDATION OF DEMOCRACY MOVEMENT.

The Congress commends the brave men and women who have expressed their concerns to the Government of the People's Republic of China in the form of petitions and commends the democracy movement as a whole for its commitment to the promotion of political, economic, and religious freedom.

SEC. 6. RADIO FREE ASIA.

(a) PLAN FOR RADIO FREE ASIA. The plan required by paragraph (1) shall be submitted not later than 60 days after the date on which all members of the Board are confirmed.

(b) INITIATION OF BROADCASTING TO CHINA. Not later than 90 days submission of the plan required in Section 309(c) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208b(c)) is amended to read as follows:

(2) The plan required by paragraph (1) shall be submitted not later than 60 days after the date of enactment of the Act, and no less frequently than every 6 months after the date on which the Board is confirmed.

Mr. FEINGOLD submitted an amendment to Section 309(c) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208b(c)) which authorized the President to broadcast to China.

Amend Title VI to insert the following new section:

SEC. 618. CONDITIONS ON SALE OF F-16 TO INDONESIA.

The sale of F-16 aircraft to the Government of Indonesia is prohibited unless:

(a) Congress authorizes the sale by joint resolution of approval;

(b) the Secretary of State certifies to the appropriate Congressional committee that
the aircraft will not be used against civilians in East Timor; and
(c) the Secretary of State has submitted a plan to the appropriate Congressional com-
mittees on how the U.S. Government will ad-
vocate for significant withdrawals of Indo-
nesian military troops from East Timor.

FEINGOLD (AND HELMS)
AMENDMENT NO. 1992
(Ordered to lie on the table.)
Mr. FEINGOLD (for himself and Mr. HELMS) submitted an amendment inten-
ded to be proposed by him to the bill, S. 908, supra; as follows:
At the appropriate place in the bill, insert the following: "Notwithstanding any other
provision of law, non-discrimination treat-
ment (most-favored-nation treatment) to the
products of the People's Republic of China is
revoked.''

GLENN AMENDMENTS NO. 1993-
1994
(Ordered to lie on the table.)
Mr. GLENN submitted two amend-
ments intended to be proposed by him to
the bill, S. 908, supra; as follows:
A MENDMENT NO. 1993
At the appropriate place in the bill, insert
the following new section:

SEC. . REPEAL OF TERMINATION OF PROVI-
SIONS OF THE NUCLEAR PRO-
LIFERATION PREVENTION ACT

Part D of the Nuclear Proliferation
Prevention Act of 1994 (title VIII of the Foreign
Relations Authorization Act, Fiscal Years
507) is repealed.

A MENDMENT NO. 1994
On page 12, between lines 4 and 5, insert
the following new subsection:
(d) Reimbursement of Columbus, Ohio,
for extraordinary security expenses.--Of
the amounts authorized to be appropriated for
"protection of foreign missions and offici-
als" in subsection (a)(9), $1,500,000 is au-
thorized to be used to reimburse the City of Columbus, Ohio, for the costs associ-
ated with the provision by the city of ex-
traordinary security services in connection
with the World Summit on Trade Efficiency,
held in Columbus in October 1994, in ac-
cordance with section 208 of title 3, United States
Code. For purposes of making reimburse-
ments under this section, the limitations of
section 202(a)(1) of title 3, United States Code,
shall not apply.

PRESSLER AMENDMENTS
1995-1999
(Ordered to lie on the table.)
Mr. PRESSLER submitted five amend-
ments intended to be proposed by him to
the bill, S. 908, supra; as follows:
A MENDMENT NO. 1995
At the appropriate place in the bill, insert
the following:

SEC. . CERTIFICATIVE REQUIREMENT FOR TRANSFER OF MILITARY EQUIP-
MENT.
(a) Government-to-Government Sales.--
Section 36(b) of the Arms Export Control Act (22 U.S.C. 2776(b)) is amended--
(1) in paragraph (1), by inserting after the
second sentence the following: "Such num-
bered certificates shall contain the deter-
mination specified in paragraph (6)(c); and
(2) by adding at the end the following:
"(6) The determination referred to in the
third sentence of paragraph (1) is a deter-
mination by the President that the govern-
ment of the country, in the five years immediately prior to the date of
certification, has not---
"(A) engaged in cooperation with any
country listed under section 620(f) of the For-
eign Assistance Act of 1961, or listed under
section 6(j)(1)(A) of the Export Administra-
tion Act of 1979, for the purpose of develop-
ing or using nuclear, chemical, biological,
weapon or any means of delivery for such a device; or
"(B) engaged in joint military exercises
with any country listed under section 6(j)(1)(A) of the Export Administra-
tion Act of 1979."
(b) Commercial Sales.--Section 36(c) of
the Arms Export Control Act (22 U.S.C.
2776(c)) is amended--
(1) in paragraph (1), by inserting after the
first sentence the following: "Such numbered
certifications shall also contain the deter-
mination specified in paragraph (6)(c); and
(2) by adding at the end the following:
"(4) The determination referred to in the
third sentence of paragraph (2) is a deter-
mination by the President that the govern-
ment of the proposed recipient country, in
the five years immediately prior to the date of
certification, has not---
"(A) engaged in cooperation with any
country listed under section 620(f) of the For-
eign Assistance Act of 1961, or listed under
section 6(j)(1)(A) of the Export Administra-
tion Act of 1979, for the purpose of develop-
ing or using nuclear, chemical, biological,
weapon or any means of delivery for such a device; or
"(B) engaged in joint military exercises
with any country listed under section 6(j)(1)(A) of the Export Administra-
tion Act of 1979."
(c) Military Equipment Previously Not
Delivered.—Military equipment purchased
by a foreign country before October 1, 1990,
but not delivered by the United States Gov-
ernment by virtue of the operation section
620E(e) of the Foreign Assistance Act of 1961,
may not be transferred to that country until the President determines and certifies to the
Congress that the government of the country
has met the requirements of paragraphs (1)
and (2) of section 36(c) of the Arms Export
Control Act, as added by this section.

A MENDMENT NO. 1996
At the appropriate place in the bill, insert
the following:

SEC. . PEACE AND STABILITY IN THE SOUTH
CHINA SEA.
(a) Findings.—The Congress finds the follow-
ing:
(1) The South China Sea is a critically im-
portant waterway through which 25 percent
of the world's ocean freight and 70 percent
of Japan's energy supplies transit.
(2) The South China Sea serves as a crucial
sea lane foravy ships on intercontinental
voyages between the Pacific and Indian Oceans,
particularly in time of emergency.
(3) There are a number of competing
claims to territorial waters and those of the
Philippines.
(4) The 1992 Manila Declaration adhered to
by the Association of South East Asian
Nations, the Socialist Republic of Vietnam, and
the People's Republic of China calls for all
claimants to territory in the South China
Sea to resolve questions of boundaries through
peaceful negotiations.
(5) The illegal actions of the People's Repub-
lic of China have asserted China's claim to
the South China Sea through the kidnapping
of citizens of the Republic of the Philippines
and the construction of military bases on
territory claimed by the Philippines.
(6) These acts of aggression committed by
the armed forces of the People's Republic of
China against the citizens of the Philippines are
counter to both international law and to
peace and stability in East Asia.
(b) Policy Declarations.—The Congress—
(1) declares the right of free passage
through the South China Sea to be vital to
the national security interests of the United
States and its friends and allies;
(2) declares that any attempt by a
democratic power to assert, through
the use of force or intimidation, its claims to
territory in the South China Sea to be
of grave concern to the United
States;
(3) calls upon the Government of the Peo-
ple's Republic of China to adhere faithfully
to its commitment under the Manila decla-
ration of 1992; and
(4) calls upon the military to review the
defense needs of democratic countries with
claims to territory in the South China Sea.

A MENDMENT NO. 1997
At the appropriate place in the bill, insert
the following:

SEC. . MARTIN C.M. LEE, Q.C. OF HONG
KONG.
(a) Findings.—The Congress finds the follow-
ing:
(1) Mr. Martin C.M. Lee, Q.C. is a distin-
guished barrister and a former chairman of
the Hong Kong Bar Association.
(2) Mr. Lee was the chairman of the Demo-
cratic Party of Hong Kong.
(3) Mr. Lee is the Chairman of the Demo-
cratic Party of Hong Kong.
(4) In Hong Kong's first-ever democratic
elections in 1991, Mr. Lee won the most votes
of any candidate.
(5) In recognition of his "extraordinary
contributions to the causes of human rights,
the rule of law and promotion of access to
justice", the American Bar Association has
announced that it has chosen Mr. Martin
C.M. Lee, Q.C., as the recipient of its 1995
International Human Rights Award.
(b) Commendations.—The Congress—
(1) commends the American Bar Associa-
tion for its recognition of Mr. Martin C.
Lee, Q.C. of Hong Kong and its decision to
present him with the 1995ABA International
Human Rights Award;
(2) commends Mr. Martin C.M. Lee, Q.C. of
Hong Kong for his tireless devotion to the
people of Hong Kong and the cause of human
rights for all peoples.

A MENDMENT NO. 1998
At the appropriate place in the bill, insert
the following:

SEC. . HUMAN RIGHTS IN BURMA.
(a) Findings.—The Congress finds the fol-
lowing:
(1) The United States Department of State
has declared that, "Burma is ruled by a high-
ly authoritarian, military regime that has been
condemned for its serious human rights
abuses."
(2) Among the human rights abuses the
Burmesemilitary regime, known as the
State Law and Order Restoration Council or
SLORC has committed are summary execu-
tions, rape, torture, forced labor, politically
motivated arrests and detention, and sup-
pression of minority groups.
(3) In democratic elections held on May 27,
1990 the Burmese people voted by an over-
whelming majority for the representatives of
the National League for Democracy led by
Aung San Suu Kyi.
(4) The Burmese military regime used the
elections to place Mr. Suu Kyi under
house arrest and jailed thousands of her sup-
porters.
AMENDMENT NO. 1999

At the appropriate place in the bill, insert the following:

Findings: The United States Department of State believes Iran was the greatest supporter of international terrorism in 1992, and more than 20 terrorist acts, including the bombing of the Amia synagogue in Buenos Aires that killed 29 people.

The Secretary of State has determined, under the terms of section 6(j)(1)(A) of the Export Administration Act of 1979, that Iran has repeatedly provided support for acts of international terrorism.

Credible information exists indicating that defense industrial trading companies of the People’s Republic of China have transferred ballistic missile technology to Iran.

Section 73(f) of the Arms Export Control Act states that when determining whether a foreign country is actively interfering with the arms embargo of the Government of the United States sanctions for transferring technology listed on the Missile Technology Control Regime Annex, it should be a rebuttable presumption that such technology is designed for use in a missile listed on the MTCA Annex, if the President determines that the final destination of the item is a country the government of which the Secretary of State has determined, for purposes of section 6(j)(1)(A) of the Export Administration Act of 1979, has repeatedly provided support for acts of international terrorism.

In 1994 Congress explicitly created section 73(f) of the Arms Export Control Act in order to target the transfer of ballistic missile technology to transition nations:

A ballistic missile race exists on the Indian subcontinent which is a threat to regional peace and stability; and

Credible information exists indicating that defense industrial trading companies of the People’s Republic of China have transferred ballistic missile technology to Pakistan.

Now, therefore, it is the sense of the Senate that—

(1) it is in the direct national security interest of the United States to prevent the spread of ballistic missiles and related technology to Iran and the Indian subcontinent; and

(2) the President should exercise all legal authority available to him to prevent the spread of ballistic missiles and related technology to Iran and the Indian subcontinent.

HATCH (AND OTHERS)

AMENDMENT NO. 2001

Ordered to lie on the table.

Mr. HATCH (for himself, Mr. MOYNIHAN, Mr. JEFFORDS, Mr. PELL, and Mr. HARKIN) submitted an amendment intended to be proposed by them to the bill, S. 908, supra; as follows:

<table>
<thead>
<tr>
<th>SEC. 63B. TERMINATION OF THE UNITED STATES ARMS EMBARGO APPLICABLE TO THE GOVERNMENT OF THE REPUBLIC OF CROATIA.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) TERMINATION.—Subject to subsection (b), the President shall terminate the United States arms embargo of the Government of the Republic of Croatia at such time as the United States determines the United States arms embargo of the Government of Bosnia and Herzegovina.</td>
</tr>
<tr>
<td>(b) TERMINATION.—The President may terminate the United States arms embargo of the Government of Bosnia and Herzegovina upon—</td>
</tr>
<tr>
<td>(1) certifying to the Congress that the Government of Bosnia and Herzegovina—</td>
</tr>
<tr>
<td>(A) is not interfering with the arms embargo of the Government of the United States with respect to the transshipment of arms deliveries to the Armed Forces of the United States.</td>
</tr>
<tr>
<td>(B) is not interfering with the arms embargo of the Government of the United States with respect to the transshipment of arms delivered to the Armed Forces of the United States.</td>
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HATCH (AND OTHERS)

AMENDMENT NO. 2002

Ordered to lie on the table.

Mr. HELMS submitted 12 amendments intended to be proposed by him to the bill, S. 908, supra; as follows:

<table>
<thead>
<tr>
<th>SEC. 121. LEASE-PURCHASE OF OVERSEAS PROPERTY.</th>
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� LOCATION.—The authority granted in subsection (a) may be exercised only—

(1) to acquire appropriate housing for Department of State personnel stationed abroad and for the acquisition of other facilities, in locations in which the United States has a diplomatic mission and |

(2) during fiscal years 1996 through 1999.

AMENDMENT NO. 2003

Ordered to lie on the table.

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(1) to acquire appropriate housing for Department of State personnel stationed abroad and for the acquisition of other facilities, in locations in which the United States has a diplomatic mission and |

(2) during fiscal years 1996 through 1999.

AMENDMENT NO. 2004

Ordered to lie on the table.

Mr. HELMS submitted 12 amendments intended to be proposed by him to the bill, S. 908, supra; as follows:

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� LOCATION.—The authority granted in subsection (a) may be exercised only—

(1) to acquire appropriate housing for Department of State personnel stationed abroad and for the acquisition of other facilities, in locations in which the United States has a diplomatic mission and |

(2) during fiscal years 1996 through 1999.
"(AA) without the property having been returned or adequate and effective compensation provided or in violation of the law of the place where the property was situated when the confiscation occurred; or

Amendment No. 2004

On page 47, strike line 18 and all that follows through page 49, line 15, and insert the following:

(ii) As used in this subparagraph:

(a) Confiscated. The term "confiscated" refers to:

(aa) the nationalization, expropriation, or other seizure of ownership or control of property, on or after January 1, 1996;

(AA) for purposes of a drawdown under this section un-der a debt by any enterprise which has been confiscated;

(bb) a debt which is a charge on property confiscated; or

(cc) a debt incurred in satisfaction or settlement of a confiscated property claim.

(ii) Property. The term "property" means any property, whether real, personal, or mixed, and any present, future, or contingent right or security of other interest therein, including any leasehold interest.

(iii) Traffic. The term "traffic" means that a person knowingly and intentionally—

(aa) sells, transfers, distributes, dispenses, brokers, manages, or otherwise disposes of confiscated property, or purchases, leases, receives, possesses, obtains control of, manages, uses, or otherwise acquires an interest in confiscated property;

(bb) engages in a commercial activity using or otherwise benefitting from a confiscated property; or

(cc) causes, directs, participates in, or profits from, activities of another person described in subclause (aa) or (bb), or otherwise engages in the activities described in subclause (aa) or (bb), without the authorization of the national of the United States who holds a claim to the property.

Amendment No. 2005

On page 50, between lines 14 and 15, insert the following new subsection:

"(C) Reporting Requirement. (1) The United States Embassy in each country shall provide to the Secretary of State a report listing those foreign nationals who have confiscated, converted, or trafficked in property the claim to which is held by a United States national. The confiscation claim has not been fully resolved.

(2) Beginning six months after the date of enactment of this Act, and every year thereafter, the Secretary of State shall submit to the appropriate congressional committees a list of those foreign nationals who—

(A) have confiscated, converted, or trafficked in property the claim to which is held by a United States national; and in which the confiscation claim has not been fully resolved; or

(B) have been excluded from entry into the United States.

On page 58, line 10, insert "and" after "operations."

On page 58, strike lines 13 through 15. On page 58, line 8, insert "relevant" after "all.""

On page 59, line 9, strike "was provided, and"

On page 59, beginning on line 19, strike "for" and "that all follows through "there-"after,"

"(c) Reporting Requirement. The President may not exercise the authority in subsection (a) to drawdown articles, services, and education and training authorized under this section on or after January 1, 1996 or any funds derived from or available under budget function 050.

(2) Funds may not be utilized for the purposes of a drawdown under this section unless for such drawdown, funds are specifically made available in an appropriations Act.

Amendment No. 2010

On page 124, after line 20, insert the following:

SEC. 618. MIDDLE EAST PEACE FACILITATION ACT OF 1995.

(a) Short Title. This section may be cited as the "Middle East Peace Facilitation Act of 1995.

(b) Findings. The Congress finds that—

(1) the Palestine Liberation Organization (in this section referred to as the "PLO") has recognized the State of Israel and has signed a Declaration of Principles on Interim Self-Government Arrangements (in this section referred to as the "Declaration on Principle") on September 13, 1993, at the White House;

(2) Israel and the PLO signed an Agreement on the Gaza Strip and the Jericho Area (in this section referred to as the "Gaza-Jericho Agreement") on May 4, 1994, which established a Palestinian Authority for the Gaza and Jericho areas;

(3) Israel and the PLO signed an Agreement on Preparatory Transfer of Powers and Responsibilities (in this section referred to as the "Early Empowerment Agreement") on August 29, 1994, which provided for the transfer to the Palestinian Authority of certain powers and responsibilities in the West Bank outside of the Jericho Area;

(4) Permanent status negotiations relating to the West Bank and Gaza Strip are scheduled to begin by May 1996.

(5) The Congress has since the conclusion of the Declaration of Principles and the PLO's renunciation of terrorism, provided authorities to the President to suspend certain statutory restrictions relating to the PLO, subject to Presidential certifications that the PLO has continued to abide by commitments made in and in connection with or related to the good faith implementation of the Declaration of Principles.

(6) The PLO commitments relevant to Presidential certifications have included commitments to renounce and condemn terrorism, to submit to the Palestinian National Council for formal approval the necessary changes to those articles of the Palestinian Constitution which call for the destruction of Israel, and to prevent acts of terrorism and hostil-ities against Israel; and

(7) The President, in exercising the authorities described in paragraph (5), has certified to the Congress on four occasions that the PLO was abiding by its relevant commitments.

Amendment No. 2013

It is the sense of Congress that the President's certification is the sense of Congress that the President's certification was premature and should not have been made available in an appropriations Act.
fulfill its commitments, the PLO must do far more to demonstrate an irreproachable denunciation of terrorism and ensure a peaceful settlement of the Middle East dispute, and in particular the PLO must:

(i) submit to the Senate National Council for formal approval the necessary changes to those articles of the Palestinian National Covenant which call for Israel's destruction;

(ii) make greater efforts to preempt acts of terror, to discipline violators, and to contribute to peace and stability;

(iii) prohibit participation in its activities and in the Palestinian Authority and its successors by any groups or individuals which continue to promote and commit acts of terrorism;

(iv) cease all anti-Israel rhetoric, which potentially undermines the peace process;

(v) transfer person, and cooperate in transferring to the United States; and

(vi) respect democratic norms.

(A) AUTHORITY TO SUSPEND CERTAIN PROVISIONS.—(i) in general.—Subject to paragraph (2), beginning on the date of enactment of this Act and for 18 months thereafter the President may suspend for a period of not more than 6 months at any time any provision of law specified in paragraph (4). Any such suspension shall cease to be effective after 6 months, or at such earlier date as the President may specify.

(ii) conditions.—(A) CONSULTATIONS.—Prior to each exercise of the authority provided in paragraph (1) or certification pursuant to paragraph (3), the President shall consult with the relevant congressional committees. The President may not exercise that authority to make such suspension until 30 days after a written policy justification is submitted to the relevant congressional committees.

(B) PRESIDENTIAL CERTIFICATION.—The President shall certify to the relevant congressional committees that the PLO is not complying with the requirements described in subparagraph (A) and that the PLO has exercised its authority or its successors by any groups or individuals which continue to promote and commit acts of terrorism;

(C) Section 37 of the Bretton Woods Agreement Act (22 U.S.C. 2227) as it applies with respect to the PLO or entities associated with it.

(3) REQUIREMENT FOR CONTINUING PROVISION OF ASSISTANCE.—Six months after the date of enactment of this Act, no assistance shall be provided pursuant to the exercise by the President of the authority provided by paragraph (1) until such time as the President makes the certification required by subparagraph (D).

(D) PLO COMMITMENTS DESCRIBED.—The commitments referred to in subparagraphs (B) and (C) are the commitments made by the PLO—

(i) in its letter of September 9, 1993, to the Prime Minister of Israel and in its letter of September 9, 1993, to the Foreign Minister of Norway, concerning the PLO's recognition of the State of Israel and its rights to exist in peace and security;

(ii) acceptance of the Security Council Resolutions 242 and 338;

(iii) renounce the use of terrorism and other acts of violence;

(iv) immediately assume responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations, and discipline violators;

(v) call upon the Palestinian people in the West Bank and Gaza Strip to take part in the steps leading to the normalization of life, including the prevention of terrorism, and contributing to peace and stability;

(vi) submit to the Palestine National Council for formal approval the necessary changes to the Palestinian National Covenant eliminating calls for Israel's destruction; and

(vii) in, and resulting from, the good faith implementation of principles, including good faith implementation of subsequent agreements with Israel, with particular attention to the objective of preventing terrorism, as reflected in the provisions of the Gaza-Jericho Agreement concerning—

(I) prevention of acts of terrorism and legal measures against terrorists; and

(II) cooperation with the Government of Israel in criminal matters, including cooperation in the conduct of investigations;

(viii) exercise of powers and responsibilities under the agreement with due regard to internationally accepted norms and principles of human rights and the rule of law.

(4) PROVISIONS THAT MAY BE SUSPENDED.—(A) Section 307 of the Foreign Assistance Act of 1961 (22 U.S.C. 2227) as it applies with respect to the PLO or entities associated with it.

(B) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note) as it applies with respect to the PLO or entities associated with it.


(D) Section 37 of the Bretton Woods Agreement Act (22 U.S.C. 286W) as it applies to the granting to the PLO of observer status or other official status at any meeting sponsored by or associated with International Monetary Fund. As used in this subparagraph, the term ‘other official status’ does not include membership in the International Monetary Fund.

(E) RELEVANT CONGRESSIONAL COMMITTEES—.—As used in this subsection, the term ‘relevant congressional committees’ means—

(A) the Committee on International Relations, the Committee on Banking, Finance and Urban Affairs, and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.
Service Act of 1980 (22 U.S.C. 3027) is amended—
(1) by redesignating subsection (c) as subsection (e); and
(2) by inserting after subsection (b) the following:
"(c)(1) In carrying out subsection (b), the head of a department, agency, or other entity of the executive branch of Government shall ensure that, in coordination with the Department of State, the approval of the chief of a foreign country is sought on any proposed change in the size, composition, or mandate of employees of the respective department, agency, or entity (other than those under the command of a United States area military commander) if the employees are performing duties in that country.
(2) In seeking the approval of the chief of mission under paragraph (1), the head of a department, agency, or other entity of the executive branch of Government shall comply with the procedures set forth in National Security Decision Directive Number 38, as in effect on June 2, 1982, and the implementing guidelines issued thereunder.
(3) The Secretary of State, in the sole discretion of the Secretary, may accord diplomatic titles, privileges, and immunities to employees of the executive branch of Government who are performing duties in a foreign country."

SEC. 1502. UNITED NATIONS REORGANIZATION PLAN.
(a) REQUIREMENT FOR PLAN.—The President shall submit to Congress, together with the budget submitted pursuant to section 1105 of title 31, United States Code, for fiscal year 1995, a plan recommending a strategic reorganization of the United Nations.
(b) REQUIREMENT RELATING TO DEVELOPMENT.—The President shall develop the plan in consultation with Congress.
(c) PLAN ELEMENTS.—The plan should include the elements described in section 1503 and such other recommendations as may be necessary to achieve the efficient, cost-effective conduct of the responsibilities of the United Nations.

SEC. 1503. CONTENTS OF REORGANIZATION PLAN.
It is the sense of the Congress that the reorganization plan required by section 1502(a) should—
(1) constitute a comprehensive statement of United States policy toward reform of the United Nations;
(2) set forth an agenda to implement the reforms set forth in the plan in a timely manner;
(3) include specific proposals to achieve—
(A) a substantial reduction in the number of agencies within the United Nations system, including proposals to consolidate, abolish, or restructure mechanisms for financing agencies of the United Nations that have a low priority;
(B) the identification and strengthening of the core agencies of the United Nations system that most directly serve the objectives of the United Nations set forth in the United Nations Charter;
(4) the increased cooperation, and the elimination of duplication, among United Nations agencies and programs consistent with the principle of a unitary United Nations;
(D) the consolidation of the United Nations technical cooperation between the United Nations Headquarters and the offices of the United Nations in Geneva, Switzerland, including the merger of the technical cooperation functions of the United Nations Development Program (UNDP), the United Nations Population Fund (UNFPA), the United Nations Environmental Program (UNEP), the United Nations Industrial Development Organization (UNIDO), the International Fund for Agricultural Development (IFAD), the United Nations Capital Development Fund (UNCDF), and the United Nations Development Fund for Women (UNIFEM);
(E) the consolidation of the United Nations emergency response mechanism by merging the emergency functions of the relevant United Nations agencies, including the United Nations Children's Fund, the World Food Program, and the Office of the United Nations High Commissioner for Refugees;
(F) a substantial reduction in, or elimination of, the cost and number of intergovernmental meetings and the amount of the remittances required by the United Nations Charter;
(G) a significant increase in the openness to the public of the budget decision-making procedures of the United Nations; and
(I) the establishment of a truly independent inspector general at the United Nations.
(2) include proposals to coordinate and implement proposals for reform of the United Nations such as those proposals set forth in the report of the Summit of the Heads of State and Government of the seven major industrialized nations and the President of the European Commission at Halifax, Nova Scotia, dated June 15-17, 1995; and

AMENDMENT NO. 2012
Beginning on page 216, strike line 4 and all that follows through line 22 on page 217 and insert the following:
SEC. 1201. SENSE OF CONGRESS REGARDING UNITED NATIONS REFORM.
It is the sense of Congress that—
(1) the 50th anniversary of the United Nations provides an important opportunity for a comprehensive review of the strengths and weaknesses of the United Nations and for the identification and implementation of changes in the United Nations that would improve its ability to discharge effectively the objectives of the United Nations set forth in the United Nations Charter;
(2) the structure of the United Nations system, which has evolved over 50 years, should be subject to a comprehensive review in order to make changes to the system that will best serve the interests of the United States and of the international community;
(3) the United States, as the strongest member state of the United Nations, should lead this comprehensive review;
(4) the United States must be a smaller, more focused, more efficient United Nations with clearly defined missions in the interest of the United States and of the United Nations;
(5) the United States should develop a unified position in support of reforms at the United Nations that are broadly supported by both the legislative branch and the executive branch;
(6) the need for reform of the United Nations is urgent; and
(7) the failure to develop and implement promptly a strategic reorganization of the United Nations will result in a continued diminution of the relevance of the United Nations to United States foreign policy and to international politics generally.

AMENDMENT NO. 2013
On page 208, strike lines 8 through 11 and insert the following:
SEC. 1327. MIKE MANFIELD FELLOWSHIPS.
(1) by striking "Secretary of State" each place it appears and inserting "Secretary of State"; and
(2) by striking "United States Information Agency" each place it appears and inserting "Department of State".

SMITH AMENDMENT NO. 2014
(Ordered to lie on the table.)
Mr. SMITH submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:
FEINSTEIN AMENDMENTS NOS. 2015-2016

(Orated to lie on the table.)

Mrs. FEINSTEIN submitted two amendments intended to be proposed by her to the bill, S. 908, supra; as follows:

AMENDMENT NO. 2015

On page 124, after line 20, insert the following new section:

SEC. 618. THE ROLE OF RUSSIA IN ENDING THE WAR IN BOSNIA AND HERZEGOVINA.

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

(1) since 1992, Bosnian Serbs, backed by the Government of the Federal Republic of Yugoslavia, and in particular leaders of the Republic of Serbia, have engaged in attacks against the Government of the Republic of Bosnia and Herzegovina;

(2) the Bosnian Serb army has engaged in brutal attacks on Bosnian civilians with backing from the Yugoslav People’s Army, with headquarters in Belgrade;

(3) the war in Bosnia and Herzegovina has cost some two hundred thousand lives, created hundreds of thousands of refugees, and threatens the stability of Europe;

(4) the Government of the Russian Federation has significant influence with the Government of the Federal Republic of Yugoslavia, and in particular leaders of the Republic of Serbia, with its extensive historical, cultural, and economic ties;

(5) the United States and the Russian Federation have a mutual interest in seeing the war in Bosnia and Herzegovina come to a just and lasting resolution at the earliest possible date.

(b) It is the Sense of Congress that the President should use all diplomatic efforts to urge the Government of the Russian Federation to cooperate with the United States Government in encouraging the Government of the Federal Republic of Yugoslavia, and in particular leaders of the Republic of Serbia, to help end the war in Bosnia and Herzegovina.

AMENDMENT NO. 2016

On page 52, beginning on line 4, strike “SEC. 171.” and all that follows through the period on page 53, line 13.

FEINSTEIN (AND BROWN) AMENDMENT NO. 2017

(Orated to lie on the table.)

Mrs. FEINSTEIN (for herself and Mr. BROWN) submitted an amendment intended to be proposed by them to the bill, S. 908, supra; as follows:

On page 124, after line 20, insert the following new section:

SEC. 618. SENSE OF CONGRESS SUPPORTING THE MIDDLE EAST PEACE PROCESS.

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

(1) the Bush Administration and the Clinton Administration have both worked relentlessly to build on the Middle East peace process that began in Madrid in October 1991, with the goal of achieving a comprehensive, lasting peace between Israel and all its neighbors;

(2) on September 13, 1993, the first major breakthrough of the Middle East peace process was achieved when Israel and the Palestinians signed the Declaration of Principles on Interim Self-Government Arrangements;

(3) the United States pledged to support the Israeli-Palestinian Declaration of Principles by providing $500,000,000 of assistance over the next five years to Israel and Gaza;

(4) the May 4, 1994 Cairo Agreement between Israel and the Palestinians resulted in the withdrawal of the Israeli army from the Gaza Strip and the Jericho area and the establishment of a Palestinian Authority with responsibility for those areas;

(5) Israel and the Palestinian Authority are continuing negotiations on the redeployment of Israeli troops out of Arab population centers in the West Bank, the expansion of the Palestinian Authority’s jurisdiction into the areas vacated by the Israeli army, and the convening of elections for a Palestinian council;

(6) the issue of security and preventing acts of terrorism is and must remain of paramount importance in the Israeli-Palestinian negotiations;

(7) on October 25, 1994, Israel and Jordan signed a full peace treaty, establishing full diplomatic relations and pledging to resolve all future disputes by peaceful means;

(8) the Israeli-Jordanian peace treaty has resulted in unprecedented cooperation between the two nations in security, economic development, the environment, and other areas;

(9) Israel and Syria have engaged in serious and increasingly substantive peace negotiations, including discussions between their leading military officers on the security arrangements that would accompany a peace treaty;

(10) Israel now enjoys low-level diplomatic relations with Morocco and Tunisia, and Israeli officials have conducted face-to-face discussions with senior officials from Qatar, Oman, and Bahrain;

(11) the six nations of the Gulf Cooperation Council have announced their decision to end all enforcement of the secondary and tertiary boycotts of Israel; and

(12) extremists opposed to the Middle East peace process continue to use terrorism to undermine the chances of achieving a comprehensive peace, including on July 24, 1995, when a suicide bomber blew up a bus in Tel Aviv, killing five Israeli civilians.

(b) SENSE OF CONGRESS.—The Congress—

(1) welcomes the progress made toward peace between Israel and its neighbors; and

(2) reiterates its consistent condemnation of all acts of terrorism aimed at undermining the Middle East peace process, and calls upon all parties to take all necessary steps to prevent such acts and compel the parties to act responsibly in order to achieve a lasting peace agreement.

HATFIELD AMENDMENT NO. 2018

(Orated to lie on the table.)

Mr. HATFIELD submitted an amendment intended to be proposed by him to the bill, S. 908, supra; as follows:

On page 124, after line 20, insert the following new section:

SEC. 618. SENSE OF CONGRESS WITH RESPECT TO THE MIDDLE EAST PEACE PROCESS.

(a) FINDING.—The Congress makes the following findings:

(1) the Middle East peace process is an essential element of the broader effort to achieve lasting peace and security for Israel, its neighbors, and all those of good will in the Middle East; and

(2) the United States must ensure its continued leadership in the effort to achieve a lasting peace in the Middle East; and

(3) the Congress urges the President to use all appropriate means to achieve lasting peace; and

(4) the Congress strongly urges the President to pursue policies that will help the peace process reach a successful conclusion.
(1) A substantial but undetermined number of asylum seekers who have escaped from Vietnam, Laos, and Cambodia, and who are now detained in refugee camps throughout Asia, possible claim asylum under United States law because of corruption, hostility to asylum seekers, or other defects in refugee screening processes.

(2) Others have had their claims rejected because the standard which was applied did not recognize persecution on account of close relatives who have been murdered or injured in Vietnam, Laos, or Cambodia. Persons who fought on the side of the United States or who were otherwise closely identified with the United States war effort, victims of religious persecution, or other persons who are refugees under United States law.

(2) Within numerical limitations provided by law, refugees described in paragraph (1) should be permitted to resettle in the United States and in other free countries.

(3) To the extent necessary to ensure that genuine refugees are not involuntarily repatriated, if an individual who was a refugee or a person who had a reasonable fear of persecution is found to be deportable to Vietnam, Laos, or Cambodia, the person shall not be deported in violation of United States law to determine the asylum claims of persons physically present in the United States. It would be preferable to conduct such rescreening in the countries in which the asylum seekers are currently detained. If this should prove impossible, rescreening should be deferred to asylum seekers voluntarily repatriated to their countries of nationality, if their safety can be ensured during the process of rescreening and resettlement.

(a) Definition.—As used in this section, the term "involuntary repatriation" includes return because of force, threat of force, duress, or any other means calculated or likely to effect such return without genuine regard for the wishes of the person retained.

THE ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 1996

FRIST (AND THOMPSON) AMENDMENTS NOS. 2019±2024

(Ordered to lie on the table.)

Mr. FRIST (for himself and Mr. Thompson) proposed six amendments intended to be proposed by them to the bill (H.R. 1905) making appropriations for energy and water development for the fiscal year ending September 30, 1996, and for other purposes; as follows:

On page 20, line 23, before the colon insert "Provided, That of this amount, no funds shall be available for construction of the Elise project, number 96-E-310, until a fair and impartial competitive site selection process has been completed by the Department of Energy."

AMENDMENT NO. 2021

On page 25, line 17, before the period insert "Provided, That of this amount, no funds shall be available for construction of the National Ignition Facility, project number 96-D-111, until a fair and impartial competitive site selection process has been completed by the Department of Energy."

AMENDMENT NO. 2022

On page 25, line 17, before the period insert "Provided, That of this amount, no funds shall be available for construction of the ATLAS project, number 96-D-103, until a fair and impartial competitive site selection process has been completed by the Department of Energy."

AMENDMENT NO. 2023

On page 25, line 17, before the period insert "Provided, That of this amount, no funds shall be available for construction of the Center for Biomedical Technology Innovation until a fair and impartial competitive site selection process has been completed by the Department of Energy."

AMENDMENT NO. 2024

On page 20, line 23, before the colon insert "Provided, That of this amount, no funds shall be available for construction of the La Plata project, Colorado and New Mexico, until a fair and impartial competitive site selection process has been completed by the Department of Energy."

DOLE (AND OTHERS) AMENDMENT NO. 2025

Mr. DOLE (for himself, Ms. SNOWE, Mr. LOTT, Mr. HELMS, and Mr. D'AMATO) proposed an amendment to the bill S. 908, supra; as follows:

On page 8, line 3, add the following:

(c) Further Conditional Authority.—(1) Of the funds authorized to be appropriated for Fiscal Year 1996, $3,500,000 shall be withheld from obligation until the Secretary of State certifies to the appropriate congressional committees, with respect to the United Nations Fourth World Conference on Women being held in Beijing, that no funds available to the Department of State were obligated or expended for United States participation in the United Nations Fourth World Conference on Women while Harry Wu, a United States citizen, was detained by the People's Republic of China.

(2) If the Secretary of State makes the certification in Section 301(c)(1), the withheld funds shall be returned to the U.S. Treasury.

HELMS AMENDMENT NO. 2026

Mr. HELMS proposed an amendment to amendment No. 2025 proposed by Mr. DOLE to the bill S. 908, supra; as follows:

At the appropriate place, insert the following:

SEC. . ENERGY SAVINGS AT FEDERAL FACILITIES.

(a) Reduction in Facilities Energy Costs.—The head of each agency for which funds are made available under this Act shall take all actions necessary to achieve during fiscal year 1997 a 5 percent reduction, from fiscal year 1996 levels, in the energy costs of the facilities used by the agency.

(b) Use of Cost Savings.—An amount equal to the amount of cost savings realized by an agency under subsection (a) shall remain available for obligation through the end of fiscal year 1997, without further authorization or appropriation, for the following:

(1) Conservation Measures.—Fifty percent of the amount shall remain available for the implementation of additional energy conservation measures and for water conservation measures at such facilities used by the agency as are designated by the head of the agency.

(2) Other Purposes.—Fifty percent of the amount shall remain available for use by the agency for such purposes as are designated by the head of the agency, consistent with applicable law.

(1) In General.—Not later than December 31, 1996, the head of each agency described in