

105TH CONGRESS
1ST SESSION

H. R. 1757

To consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 3, 1997

Mr. GILMAN (for himself and Mr. SMITH of New Jersey) introduced the following bill; which was referred to the Committee on International Relations

A BILL

To consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Relations Au-
5 thorization Act, Fiscal Years 1998 and 1999”.

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

3 (a) DIVISIONS.—This Act is organized into 2 divi-
 4 sions as follows:

5 (1) Division A—Consolidation of foreign affairs
 6 agencies.

7 (2) Division B—State Department and Related
 8 Agencies Authorization Act.

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

Sec. 1. Short title.

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

DIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS
AGENCIES

TITLE I—GENERAL PROVISIONS

Sec. 101. Short title.

Sec. 102. Congressional findings.

Sec. 103. Purposes.

Sec. 104. Definitions.

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

Sec. 201. Effective date.

CHAPTER 2—ABOLITION OF UNITED STATES ARMS CONTROL AND
 DISARMAMENT AGENCY AND TRANSFER OF FUNCTIONS

Sec. 211. Abolition of United States Arms Control and Disarmament Agency.

Sec. 212. Transfer of functions to Secretary of State.

Sec. 213. Under Secretary for Arms Control and International Security.

Sec. 214. Assistant Secretary for Arms Transfer and Export Control Policy;
 Assistant Secretary for Arms Control and Nonproliferation.

Sec. 215. Repeal relating to Inspector General for United States Arms Control
 and Disarmament Agency.

CHAPTER 3—CONFORMING AMENDMENTS

Sec. 221. References.

Sec. 222. Repeal of establishment of ACDA.

Sec. 223. Repeal of positions and offices.

- Sec. 224. Authorities of Secretary of State.
 Sec. 225. Conforming amendments.

TITLE III—UNITED STATES INFORMATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

- Sec. 301. Effective date.

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

- Sec. 311. Abolition of United States Information Agency.
 Sec. 312. Transfer of functions.
 Sec. 313. Under Secretary of State for Public Diplomacy.
 Sec. 314. Assistant Secretary for International Exchanges; Assistant Secretary
for International Information Programs.
 Sec. 315. Abolition of office of Inspector General of United States Information
Agency and transfer of functions.

CHAPTER 3—CONFORMING AMENDMENTS

- Sec. 321. References in law.
 Sec. 322. Amendments to title 5, United States Code.
 Sec. 323. Amendments to United States Information and Educational Ex-
change Act of 1948.
 Sec. 324. Amendments to Mutual Educational and Cultural Exchange Act of
1961 (Fulbright-Hays Act).
 Sec. 325. International broadcasting activities.
 Sec. 326. Television broadcasting to Cuba.
 Sec. 327. Radio broadcasting to Cuba.
 Sec. 328. National Endowment for Democracy.
 Sec. 329. United States Scholarship Program for Developing Countries.
 Sec. 330. Fascell Fellowship Board.
 Sec. 331. National Security Education Board.
 Sec. 332. Center for Cultural and Technical Interchange Between North and
South.
 Sec. 333. Center for Cultural and Technical Interchange Between East and
West.
 Sec. 334. Mission of Department of State.
 Sec. 335. Consolidation of administrative services.
 Sec. 336. Grants.
 Sec. 337. Ban on domestic activities.
 Sec. 338. Conforming repeal to Arms Control and Disarmament Act.
 Sec. 339. Repeal relating to procurement of legal services.
 Sec. 340. Repeal relating to payment of subsistence expenses.
 Sec. 341. Conforming amendment to SEED Act.
 Sec. 342. International Cultural and Trade Center Commission.
 Sec. 343. Other laws referenced in reorganization plan no. 2 of 1977.
 Sec. 344. Exchange program with countries in transition from totalitarianism
to democracy.
 Sec. 345. Edmund S. Muskie Fellowship Program.
 Sec. 346. Implementation of Convention on Cultural Property.
 Sec. 347. Mike Mansfield fellowships.
 Sec. 348. United States Advisory Committee for Public Diplomacy.

TITLE IV—UNITED STATES INTERNATIONAL DEVELOPMENT
COOPERATION AGENCY.

CHAPTER 1—GENERAL PROVISIONS

Sec. 401. Effective date.

CHAPTER 2—ABOLITION OF INTERNATIONAL DEVELOPMENT COOPERATION
AGENCY AND TRANSFER OF FUNCTIONS

Sec. 411. Abolition of United States International Development Cooperation
Agency.

Sec. 412. Transfer of functions.

CHAPTER 3—CONFORMING AMENDMENTS

Sec. 421. References.

TITLE V—AGENCY FOR INTERNATIONAL DEVELOPMENT

CHAPTER 1—GENERAL PROVISIONS

Sec. 501. Effective date.

CHAPTER 2—REORGANIZATION OF AGENCY FOR INTERNATIONAL
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Sec. 511. Reorganization of Agency for International Development.

TITLE VI—TRANSITION

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Sec. 601. Reorganization plan.

CHAPTER 2—REORGANIZATION AUTHORITY

Sec. 611. Reorganization authority.

Sec. 612. Transfer and allocation of appropriations and personnel.

Sec. 613. Incidental transfers.

Sec. 614. Effect on personnel.

Sec. 615. Transition fund.

Sec. 616. Savings provisions.

Sec. 617. Property and facilities.

Sec. 618. Authority of Secretary of State to facilitate transition.

Sec. 619. Recommendations for additional conforming amendments.

Sec. 620. Final report.

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Sec. 622. Severability.

**DIVISION B—STATE DEPARTMENT AND RELATED
AGENCIES AUTHORIZATION ACT**

TITLE X—GENERAL PROVISIONS

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TITLE XI—AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF STATE AND CERTAIN INTERNATIONAL AFFAIRS FUNCTIONS AND ACTIVITIES

- Sec. 1101. Administration of foreign affairs.
- Sec. 1102. International organizations, programs, and conferences.
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- Sec. 1104. Migration and refugee assistance.
- Sec. 1105. Asia foundation.
- Sec. 1106. United States informational, educational, and cultural programs.
- Sec. 1107. United States arms control and disarmament.

TITLE XII—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

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- Sec. 1201. Revision of department of State rewards program.
- Sec. 1202. Capital investment fund.
- Sec. 1203. Reduction of reporting.
- Sec. 1204. Contracting for local guards services overseas.
- Sec. 1205. Preadjudication of claims.
- Sec. 1206. Expenses relating to certain international claims and proceedings.
- Sec. 1207. Establishment of fee account and providing for passport information services.
- Sec. 1208. Establishment of machine readable fee account.
- Sec. 1209. Retention of additional defense trade controls registration fees.
- Sec. 1210. Training.
- Sec. 1211. Fee for use of diplomatic reception rooms.
- Sec. 1212. Fees for commercial services.
- Sec. 1213. Budget presentation documents.
- Sec. 1214. Grants to overseas educational facilities.
- Sec. 1215. Grants to remedy international child abductions.

CHAPTER 2—CONSULAR AUTHORITIES OF THE DEPARTMENT OF STATE

- Sec. 1241. Use of certain passport processing fees for enhanced passport services.
- Sec. 1242. Consular officers.
- Sec. 1243. Repeal of outdated consular receipt requirements.
- Sec. 1244. Elimination of duplicate publication requirements.

CHAPTER 3—REFUGEES AND MIGRATION

- Sec. 1261. Report to Congress concerning Cuban emigration policies.
- Sec. 1262. Reprogramming of migration and refugee assistance funds.

TITLE XIII—ORGANIZATION OF THE DEPARTMENT OF STATE; DEPARTMENT OF STATE PERSONNEL; THE FOREIGN SERVICE

CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE

- Sec. 1301. Coordinator for counterterrorism.
- Sec. 1302. Elimination of statutory establishment of certain positions of the Department of State.
- Sec. 1303. Establishment of Assistant Secretary of State for Human Resources.

- Sec. 1304. Establishment of Assistant Secretary of State for Diplomatic Security.
- Sec. 1305. Special Envoy for Tibet.
- Sec. 1306. Responsibilities for bureau charged with refugee assistance.

CHAPTER 2—PERSONNEL OF THE DEPARTMENT OF STATE; THE FOREIGN SERVICE

- Sec. 1321. Authorized strength of the Foreign Service.
- Sec. 1322. Nonovertime differential pay.
- Sec. 1323. Authority of Secretary to separate convicted felons from service.
- Sec. 1324. Career counseling.
- Sec. 1325. Report concerning minorities and the foreign service.
- Sec. 1326. Retirement benefits for involuntary separation.
- Sec. 1327. Availability pay for certain criminal investigators within the diplomatic security service.
- Sec. 1328. Labor management relations.
- Sec. 1329. Office of the Inspector General.

TITLE XIV—UNITED STATES PUBLIC DIPLOMACY: AUTHORITIES AND ACTIVITIES FOR UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS

- Sec. 1401. Extension of au pair programs.
- Sec. 1402. Retention of interest.
- Sec. 1403. Center for Cultural and Technical Interchange Between North and South.
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- Sec. 1405. Muskie Fellowship Program.
- Sec. 1406. Working group on United States Government sponsored international exchanges and training.
- Sec. 1407. Educational and cultural exchanges and scholarships for Tibetans and Burmese.
- Sec. 1408. United States—Japan Commission.
- Sec. 1409. Surrogate broadcasting studies.
- Sec. 1410. Authority to administer summer travel/work programs.
- Sec. 1411. Permanent administrative authorities regarding appropriations.
- Sec. 1412. Authorities of the broadcasting board of governors.

TITLE XV—INTERNATIONAL ORGANIZATIONS; UNITED NATIONS AND RELATED AGENCIES

CHAPTER 1—GENERAL PROVISIONS

- Sec. 1501. Service in international organizations.
- Sec. 1502. Organization of American States.

CHAPTER 2—UNITED NATIONS AND RELATED AGENCIES

- Sec. 1521. Reform in budget decisionmaking procedures of the United Nations and its specialized agencies.
- Sec. 1522. Reports on efforts to promote full equality at the United Nations for Israel.
- Sec. 1523. United Nations Population Fund.
- Sec. 1524. Continued extension of privileges, exemptions, and immunities of the International Organizations Immunities Act to UNIDO.

TITLE XVI—ARMS CONTROL AND DISARMAMENT AGENCY

- Sec. 1601. Comprehensive compilation of arms control and disarmament studies.
- Sec. 1602. Use of funds.

TITLE XVII—FOREIGN POLICY PROVISIONS

- Sec. 1701. United States policy regarding the involuntary return of refugees.
- Sec. 1702. United States policy with respect to the involuntary return of persons in danger of subjection to torture.
- Sec. 1703. Reports on claims by United States firms against the Government of Saudi Arabia.
- Sec. 1704. Human rights reports.
- Sec. 1705. Reports on determinations under title IV of the Libertad Act.
- Sec. 1706. Reports and policy concerning diplomatic immunity.
- Sec. 1707. Congressional statement with respect to efficiency in the conduct of foreign policy.
- Sec. 1708. Congressional statement concerning Radio Free Europe/Radio Liberty.
- Sec. 1709. Programs or projects of the International Atomic Energy Agency in Cuba.
- Sec. 1710. United States policy with respect to Jerusalem as the capital of Israel.
- Sec. 1711. Report on compliance with the Hague Convention on International Child Abduction.
- Sec. 1712. Sense of Congress relating to recognition of the Ecumenical Patriarchate by the Government of Turkey.
- Sec. 1713. Return of Hong Kong to People's Republic of China.
- Sec. 1714. Development of democracy in the Republic of Serbia.
- Sec. 1715. Relations with Vietnam.
- Sec. 1716. Statement concerning return of or compensation for wrongly confiscated foreign properties.

1 **DIVISION A—CONSOLIDATION**
 2 **OF FOREIGN AFFAIRS AGENCIES**
 3 **TITLE I—GENERAL PROVISIONS**

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

5 This division may be cited as the “Foreign Affairs
 6 Agencies Consolidation Act of 1997”.

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

8 Congress makes the following findings:

- 9 (1) With the end of the Cold War, the inter-
 10 national challenges facing the United States have

1 changed, but the fundamental national interests of
2 the United States have not. The security, economic,
3 and humanitarian interests of the United States re-
4 quire continued United States engagement in inter-
5 national affairs. The leading role of the United
6 States in world affairs will be as important in the
7 twenty-first century as it has been in the twentieth.

8 (2) The United States budget deficit requires
9 that the foreign as well as the domestic programs
10 and activities of the United States be carefully re-
11 viewed for potential savings. Wherever possible, for-
12 eign programs and activities must be streamlined,
13 managed more efficiently, and adapted to the re-
14 quirements of the post-Cold War era.

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

1 versed, and functions of these agencies must be re-
2 stored to the Secretary of State.

3 (4) A streamlined and reorganized foreign af-
4 fairs structure under the strengthened leadership of
5 the Secretary of State can more effectively promote
6 the international interests of the United States in
7 the next century than the existing structure.

8 (5) The new foreign affairs structure should be
9 one that will maintain the quality and integrity of
10 the public diplomacy and arms control functions now
11 performed by the United States Information Agency
12 and the Arms Control and Disarmament Agency.

13 **SEC. 103. PURPOSES.**

14 The purposes of this division are—

15 (1) to consolidate and reinvent the foreign af-
16 fairs agencies of the United States within the De-
17 partment of State;

18 (2) to assist congressional efforts to balance the
19 Federal budget and reduce the Federal debt;

20 (3) to provide for the reorganization of the De-
21 partment of State to maximize the efficient use of
22 resources, eliminate redundancy in functions, effect
23 budget savings, and improve the management of the
24 Department of State;

1 (4) to ensure that the United States maintains
2 adequate representation abroad within budgetary re-
3 straints;

4 (5) to ensure that programs critical to the pro-
5 motion of United States national interests be main-
6 tained;

7 (6) to encourage United States foreign affairs
8 agencies to maintain a high percentage of the best
9 qualified, most competent United States citizens
10 serving in the United States Government while
11 downsizing significantly the total number of people
12 employed by such agencies;

13 (7) to strengthen—

14 (A) the coordination of United States for-
15 eign policy; and

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

19 (8) to abolish the United States Arms Control
20 and Disarmament Agency, the United States Infor-
21 mation Agency, the United States International De-
22 velopment Cooperation Agency, and consolidate the
23 functions of these agencies into the Department of
24 State while preserving the quality and integrity of
25 these functions; and

1 (9) to consolidate some functions of the Agency
2 for International Development into the Department
3 of State.

4 **SEC. 104. DEFINITIONS.**

5 The following terms have the following meanings for
6 the purposes of this division:

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

9 (2) The term “AID” means the Agency for
10 International Development.

11 (3) The term “appropriate congressional com-
12 mittees” means the Committee on International Re-
13 lations of the House of Representatives and the
14 Committee on Foreign Relations of the Senate.

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

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

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

23 (7) The term “office” includes any office, ad-
24 ministration, agency, institute, unit, organizational
25 entity, or component thereof.

1 (8) The term “Secretary” means the Secretary
2 of State.

3 (9) The term “USIA” means the United States
4 Information Agency.

5 **TITLE II—UNITED STATES ARMS**
6 **CONTROL AND DISAR-**
7 **MAMENT AGENCY**

8 **CHAPTER 1—GENERAL PROVISIONS**

9 **SEC. 201. EFFECTIVE DATE.**

10 This title, and the amendments made by this title,
11 shall take effect on the earlier of—

12 (1) August 17, 1998; or

13 (2) the date of abolition of the United States
14 Arms Control and Disarmament Agency pursuant to
15 the reorganization plan described in section 601.

16 **CHAPTER 2—ABOLITION OF UNITED**
17 **STATES ARMS CONTROL AND DISAR-**
18 **MAMENT AGENCY AND TRANSFER OF**
19 **FUNCTIONS**

20 **SEC. 211. ABOLITION OF UNITED STATES ARMS CONTROL**
21 **AND DISARMAMENT AGENCY.**

22 The United States Arms Control and Disarmament
23 Agency is abolished.

1 **SEC. 212. TRANSFER OF FUNCTIONS TO SECRETARY OF**
2 **STATE.**

3 There are transferred to the Secretary of State all
4 functions of the Director of the United States Arms Con-
5 trol and Disarmament Agency and all functions of the
6 United States Arms Control and Disarmament Agency
7 and any office or component of such agency under any
8 statute, reorganization plan, Executive order, or other pro-
9 vision of law as of the day before the effective date of this
10 title, except as otherwise provided in this division.

11 **SEC. 213. UNDER SECRETARY FOR ARMS CONTROL AND**
12 **INTERNATIONAL SECURITY.**

13 (a) ESTABLISHMENT OF UNDER SECRETARY FOR
14 ARMS CONTROL AND INTERNATIONAL SECURITY.—Sec-
15 tion 1 of the State Department Basic Authorities Act of
16 1956 (22 U.S.C. 2651a) is amended in subsection (b)—

17 (1) by striking “There” and inserting the fol-
18 lowing:

19 “(1) IN GENERAL.—There”; and

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

21 “(2) UNDER SECRETARY FOR ARMS CONTROL
22 AND INTERNATIONAL SECURITY.—There shall be in
23 the Department of State, among the Under Sec-
24 retaries authorized by paragraph (1), an Under Sec-
25 retary for Arms Control and International Security
26 who shall assist the Secretary and the Deputy Sec-

1 “(4) ASSISTANT SECRETARY OF STATE FOR
2 ARMS CONTROL AND NONPROLIFERATION.—There
3 shall be in the Department of State an Assistant
4 Secretary for Arms Control and Nonproliferation
5 who shall report to the Under Secretary for Arms
6 Control and International Security.”.

7 **SEC. 215. REPEAL RELATING TO INSPECTOR GENERAL FOR**
8 **UNITED STATES ARMS CONTROL AND DISAR-**
9 **MAMENT AGENCY.**

10 Section 50 of the Arms Control and Disarmament
11 Act (22 U.S.C. 2593a), relating to the ACDA Inspector
12 General, is repealed.

13 **CHAPTER 3—CONFORMING AMENDMENTS**

14 **SEC. 221. REFERENCES.**

15 Any reference in any statute, reorganization plan,
16 Executive order, regulation, agreement, determination, or
17 other official document or proceeding to—

18 (1) the Director of the United States Arms
19 Control and Disarmament Agency, or any other offi-
20 cer or employee of the United States Arms Control
21 and Disarmament Agency, shall be deemed to refer
22 to the Secretary of State; and

23 (2) the United States Arms Control and Disar-
24 mament Agency shall be deemed to refer to the De-
25 partment of State.

1 **SEC. 222. REPEAL OF ESTABLISHMENT OF ACDA.**

2 Section 21 of the Arms Control and Disarmament
3 Act (22 U.S.C. 2561; relating to the establishment of
4 ACDA) is repealed.

5 **SEC. 223. REPEAL OF POSITIONS AND OFFICES.**

6 The following sections of the Arms Control and Dis-
7 armament Act are repealed:

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

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

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

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

16 **SEC. 224. AUTHORITIES OF SECRETARY OF STATE.**

17 (a) IN GENERAL.—(1) Except as provided in para-
18 graph (2), the Arms Control and Disarmament Act (22
19 U.S.C. 2551 et seq.) is amended by striking “Agency” and
20 “Director” each place it appears and inserting “Depart-
21 ment” and “Secretary”, respectively.

22 (2) No amendment shall be made under paragraph
23 (1) to references to the On-Site Inspection Agency or to
24 the Director of Central Intelligence.

25 (b) PURPOSE.—Section 2 of such Act (22 U.S.C.
26 2551) is amended—

1 (1) by striking the second, fourth, fifth, and
2 sixth sentences; and

3 (2) in the seventh sentence—

4 (A) by striking “It” and all that follows
5 through “State,” and inserting “The Depart-
6 ment of State shall have the authority”; and

7 (B) by striking “primary”.

8 (c) DEFINITIONS.—Section 3 of such Act (22 U.S.C.
9 2552) is amended by striking paragraph (c) and inserting
10 the following:

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

13 “(d) The term ‘Secretary’ means the Secretary
14 of State.”.

15 (d) SCIENTIFIC AND POLICY ADVISORY COMMIT-
16 TEE.—Section 26(b) of such Act (22 U.S.C. 2566(b)) is
17 amended by striking “, the Secretary of State, and the
18 Director” and inserting “and the Secretary of State”.

19 (e) PRESIDENTIAL SPECIAL REPRESENTATIVES.—
20 Section 27 of such Act (22 U.S.C. 2567) is amended by
21 striking “, acting through the Director”.

22 (f) PROGRAM FOR VISITING SCHOLARS.—Section 28
23 of such Act (22 U.S.C. 2568) is amended—

24 (1) in the second sentence, by striking “Agen-
25 cy’s activities” and inserting “Department’s arms

1 control, nonproliferation, and disarmament activi-
2 ties”; and

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

5 (g) POLICY FORMULATION.—Section 33(a) of such
6 Act (22 U.S.C. 2573(a)) is amended by striking “shall
7 prepare for the President, the Secretary of State,” and
8 inserting “shall prepare for the President”.

9 (h) NEGOTIATION MANAGEMENT.—Section 34 of
10 such Act (22 U.S.C. 2574) is amended—

11 (1) in subsection (a), by striking “the President
12 and the Secretary of State” and inserting “the
13 President”; and

14 (2) by striking subsection (b).

15 (i) VERIFICATION OF COMPLIANCE.—Section 37(d)
16 of such Act (22 U.S.C. 2577(d)) is amended by striking
17 “Director’s designee” and inserting “Secretary’s des-
18 ignee”.

19 (j) GENERAL AUTHORITY.—Section 41 of such Act
20 (22 U.S.C. 2581) is repealed.

21 (k) SECURITY REQUIREMENTS.—Section 45 of such
22 Act (22 U.S.C. 2585) is amended—

23 (1) by striking subsections (a), (b), and (d);
24 and

1 (2) by striking “(c)” before “The Atomic En-
2 ergy Commission”.

3 (l) USE OF FUNDS.—Section 48 of such Act (22
4 U.S.C. 2588) is repealed.

5 (m) ANNUAL REPORT.—Section 51(a) of such Act
6 (22 U.S.C. 2593a(a)) is amended by striking “the Sec-
7 retary of State,”.

8 (n) REQUIREMENT FOR AUTHORIZATION OF APPRO-
9 PRIATIONS.—Section 53 of such Act (22 U.S.C. 2593c)
10 is repealed.

11 (o) ON-SITE INSPECTION AGENCY.—Section 61 of
12 such Act (22 U.S.C. 2595) is amended—

13 (1) in paragraph (1), by striking “United
14 States Arms Control and Disarmament Agency is”
15 and inserting “Department of State and the Depart-
16 ment of Defense are respectively”; and

17 (2) in paragraph (7), by striking “the United
18 States Arms Control and Disarmament Agency
19 and”.

20 **SEC. 225. CONFORMING AMENDMENTS.**

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

23 (1) in section 36(b)(1)(D) (22 U.S.C.
24 2776(b)(1)(D)), by striking “Director of the Arms
25 Control and Disarmament Agency in consultation

1 with the Secretary of State and” and inserting “Sec-
2 retary of State in consultation with”;

3 (2) in section 38(a)(2) (22 U.S.C.
4 2778(a)(2))—

5 (A) in the first sentence, by striking “Di-
6 rector of the United States Arms Control and
7 Disarmament Agency, taking into account the
8 Director’s” and inserting “Secretary of State,
9 taking into account the Secretary’s”; and

10 (B) in the second sentence, by striking
11 “The Director of the Arms Control and Disar-
12 mament Agency is authorized, whenever the Di-
13 rector” and inserting “The Secretary of State is
14 authorized, whenever the Secretary”;

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

16 (A) in paragraph (1)(C), by striking “Di-
17 rector of the United States Arms Control and
18 Disarmament Agency” and inserting “Secretary
19 of State”; and

20 (B) in paragraph (2)—

21 (i) in the first sentence, by striking
22 “Director of the United States Arms Con-
23 trol and Disarmament Agency” and insert-
24 ing “Secretary of State”; and

1 (ii) in the second sentence, by striking
2 “Director of the Arms Control and Disar-
3 mament Agency is authorized, whenever
4 the Director” and inserting “Secretary of
5 State is authorized, whenever the Sec-
6 retary”;

7 (4) in section 71(a) (22 U.S.C. 2797(a)), by
8 striking “, the Director of the Arms Control and
9 Disarmament Agency,” and inserting “Secretary of
10 State”;

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

15 (6) in section 71(b)(2) (22 U.S.C.
16 2797(b)(2))—

17 (A) by striking “Director of the United
18 States Arms Control and Disarmament Agen-
19 cy” and inserting “Secretary of State”; and

20 (B) by striking “or the Director”;

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

1 (8) in section 73(d) (22 U.S.C. 2797b(d)), by
2 striking “, the Secretary of Commerce, and the Di-
3 rector of the United States Arms Control and Disar-
4 mament Agency” and inserting “and the Secretary
5 of Commerce”.

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

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

10 (2) by redesignating paragraphs (4) and (5) as
11 paragraphs (3) and (4), respectively; and

12 (3) in paragraph (4) (as redesignated by para-
13 graph (2)), by striking “Eleven” and inserting
14 “Twelve”.

15 (c) ATOMIC ENERGY ACT OF 1954.—The Atomic En-
16 ergy Act of 1954 is amended—

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

18 (A) in the first sentence, by striking “the
19 Arms Control and Disarmament Agency,”; and

20 (B) in the second sentence, by striking
21 “the Director of the Arms Control and Disar-
22 mament Agency,”; and

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

24 (A) in subsection a. (in the text below
25 paragraph (9))—

1 (i) by striking “and in consultation
2 with the Director of the Arms Control and
3 Disarmament Agency (‘the Director’)”;
4 and

5 (ii) by striking “and the Director”
6 and inserting “and the Secretary of De-
7 fense”;

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

12 (C) in the first undesignated paragraph
13 following subsection d., by striking “the Arms
14 Control and Disarmament Agency,”.

15 (d) NUCLEAR NON-PROLIFERATION ACT OF 1978.—

16 The Nuclear Non-Proliferation Act of 1978 is amended—

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

18 (2) in section 102, by striking “the Secretary of
19 State, and the Director of the Arms Control and
20 Disarmament Agency” and inserting “and the Sec-
21 retary of State”; and

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

24 (e) TITLE 5, UNITED STATES CODE.—Title 5, Unit-
25 ed States Code, is amended—

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

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

7 (3) in section 5315—

8 (A) by striking “Assistant Directors, Unit-
9 ed States Arms Control and Disarmament
10 Agency (4).”; and

11 (B) by striking “Special Representatives of
12 the President for arms control, nonproliferation,
13 and disarmament matters, United States Arms
14 Control and Disarmament Agency”, and insert-
15 ing “Special Representatives of the President
16 for arms control, nonproliferation, and disar-
17 mament matters, Department of State”; and

18 (4) in section 5316, by striking “General Coun-
19 sel of the United States Arms Control and Disar-
20 mament Agency.”.

1 **TITLE III—UNITED STATES**
2 **INFORMATION AGENCY**
3 **CHAPTER 1—GENERAL PROVISIONS**

4 **SEC. 301. EFFECTIVE DATE.**

5 This title, and the amendments made by this title,
6 shall take effect on the earlier of—

7 (1) August 17, 1999; or

8 (2) the date of abolition of the United States
9 Information Agency pursuant to the reorganization
10 plan described in section 601.

11 **CHAPTER 2—ABOLITION OF UNITED**
12 **STATES INFORMATION AGENCY AND**
13 **TRANSFER OF FUNCTIONS**

14 **SEC. 311. ABOLITION OF UNITED STATES INFORMATION**
15 **AGENCY.**

16 The United States Information Agency is abolished.

17 **SEC. 312. TRANSFER OF FUNCTIONS.**

18 (a) **TRANSFER TO SECRETARY OF STATE.**—There
19 are transferred to the Secretary of State all functions of
20 the Director of the United States Information Agency and
21 all functions of the United States Information Agency and
22 any office or component of such agency under any statute,
23 reorganization plan, Executive order, or other provision of
24 law as of the day before the effective date of this title,
25 except as otherwise provided in this division.

1 (b) PRESERVING THE INDEPENDENCE OF INTER-
2 NATIONAL BROADCASTING.—The Broadcasting Board of
3 Governors and the Director of the International Broad-
4 casting Bureau shall continue to have the responsibilities
5 set forth in title III of the Foreign Relations Authorization
6 Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6201 et
7 seq.), except that, as further set forth in chapter 3 of this
8 title, references in that Act to the United States Informa-
9 tion Agency shall be deemed to refer to the Department
10 of State, and references to the Director of the United
11 States Information Agency shall be deemed to refer to the
12 Under Secretary of the State for Public Diplomacy.

13 **SEC. 313. UNDER SECRETARY OF STATE FOR PUBLIC DI-**
14 **PLOMACY.**

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

17 (1) by inserting “(1) before “There”; and

18 (2) by adding at the end the following new
19 paragraph:

20 “(2) UNDER SECRETARY FOR PUBLIC DIPLO-
21 MACY.—There shall be in the Department of State,
22 among the Under Secretaries authorized by para-
23 graph (1), an Under Secretary for Public Diplomacy
24 who shall have responsibility to assist the Secretary
25 and the Deputy Secretary in the supervision and im-

1 plementation of United States public diplomacy poli-
2 cies, personnel, and activities, including international
3 educational and cultural exchange programs, infor-
4 mation, and international broadcasting. The Under
5 Secretary for Public Diplomacy shall be responsible
6 for ensuring as provided in 501 of the United States
7 Information and Educational Exchange Act of 1948
8 (22 U.S.C. 1461) and section 208 of the Foreign
9 Relations Authorization Act, Fiscal Years 1986 and
10 1987 (22 U.S.C. 1461–1a), and except as expressly
11 exempted in those Acts, that no program material
12 produced under authority of the United States Infor-
13 mation and Exchange Act of 1948 shall be dissemi-
14 nated within the United States and that no funds
15 authorized to be appropriated for public diplomacy
16 activities shall be used to influence public opinion in
17 the United States.”.

18 **SEC. 314. ASSISTANT SECRETARY FOR INTERNATIONAL EX-**
19 **CHANGES; ASSISTANT SECRETARY FOR**
20 **INTERNATIONAL INFORMATION PROGRAMS.**

21 Section 1(c) of the State Department Basic Authori-
22 ties Act of 1956 (22 U.S.C. 2651a(c)), as amended by
23 this Act, is further amended by adding at the end the fol-
24 lowing new paragraphs:

1 “(5) ASSISTANT SECRETARY OF STATE FOR
2 INTERNATIONAL EXCHANGES.—There shall be in
3 the Department of State an Assistant Secretary for
4 International Exchanges who shall report to the
5 Under Secretary for Public Diplomacy.

6 “(6) ASSISTANT SECRETARY OF STATE FOR
7 INTERNATIONAL INFORMATION PROGRAMS.—There
8 shall be in the Department of State an Assistant
9 Secretary for International Information Programs
10 who shall report to the Under Secretary for Public
11 Diplomacy.

12 **SEC. 315. ABOLITION OF OFFICE OF INSPECTOR GENERAL**
13 **OF UNITED STATES INFORMATION AGENCY**
14 **AND TRANSFER OF FUNCTIONS.**

15 (a) ABOLITION OF OFFICE.—The Office of Inspector
16 General of the United States Information Agency is abol-
17 ished.

18 (b) AMENDMENTS TO INSPECTOR GENERAL ACT OF
19 1978.—Section 11 of the Inspector General Act of 1978
20 (5 U.S.C. App.) is amended—

21 (1) in paragraph (1), by striking “, the Office
22 of Personnel Management or the United States In-
23 formation Agency” and inserting “or the Office of
24 Personnel Management”; and

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

3 (c) EXECUTIVE SCHEDULE.—Section 5315 of title 5,
4 United States Code, is amended by striking the following:
5 “Inspector General, United States Information
6 Agency.”.

7 (d) AMENDMENTS TO PUBLIC LAW 103–236.—Sub-
8 sections (i) and (j) of section 308 of Public Law 103–
9 236 are amended by striking “Inspector General of the
10 United States Information Agency” each place it appears
11 and inserting “Inspector General for the Department of
12 State”.

13 (e) TRANSFER OF FUNCTIONS.—There are trans-
14 ferred to the Office of the Inspector General of the De-
15 partment of State the functions that the Office of Inspec-
16 tor General of the United States Information Agency exer-
17 cised before the effective date of this title (including all
18 related functions of the Inspector General of the United
19 States Information Agency).

20 (f) TRANSFER AND ALLOCATIONS OF APPROPRIA-
21 TIONS AND PERSONNEL.—The Director of the Office of
22 Management and Budget, in consultation with the Sec-
23 retary of State, is authorized to make such incidental dis-
24 positions of personnel, assets, liabilities, grants, contracts,
25 property, records, and unexpended balances of appropria-

1 tions, authorizations, allocations, and other funds held,
2 used, arising from, available to, or to be made available
3 in connection with such functions, as may be necessary
4 to carry out the provisions of this section.

5 **CHAPTER 3—CONFORMING AMENDMENTS**

6 **SEC. 321. REFERENCES IN LAW.**

7 Any reference in any statute, reorganization plan,
8 Executive order, regulation, agreement, determination, or
9 other official document or proceeding to—

10 (1) the Director of the United States Informa-
11 tion Agency or the Director of the International
12 Communication Agency shall be deemed to refer to
13 the Secretary of State; and

14 (2) the United States Information Agency,
15 USIA, or the International Communication Agency
16 shall be deemed to refer to the Department of State.

17 **SEC. 322. AMENDMENTS TO TITLE 5, UNITED STATES CODE.**

18 Title 5, United States Code, is amended—

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

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

23 (3) in section 5316, by striking “Deputy Direc-
24 tor, Policy and Plans, United States Information

1 Agency.” and striking “Associate Director (Policy
2 and Plans), United States Information Agency.”.

3 **SEC. 323. AMENDMENTS TO UNITED STATES INFORMATION**
4 **AND EDUCATIONAL EXCHANGE ACT OF 1948.**

5 (a) REFERENCES IN SECTION.—Except as specifi-
6 cally provided in this section, whenever in this section an
7 amendment or repeal is expressed as an amendment or
8 repeal of a provision, the reference shall be deemed to be
9 made to the United States Information and Educational
10 Exchange Act of 1948 (22 U.S.C. 1431 et seq.).

11 (b) IN GENERAL.—Except as otherwise provided in
12 this section, the Act (other than section 604 and sub-
13 sections (a) and (c) of section 701) is amended—

14 (1) by striking “United States Information
15 Agency” each place it appears and inserting “De-
16 partment of State”;

17 (2) by striking “Director of the United States
18 Information Agency” each place it appears and in-
19 sserting “Secretary of State”;

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

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

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

1 (c) SATELLITE AND TELEVISION BROADCASTS.—

2 Section 505 (22 U.S.C. 1464a) is amended—

3 (1) by striking “Director of the United States
4 Information Agency” each of the three places it ap-
5 pears and inserting “Secretary of State”;

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

10 (3) by striking “USIA-TV” each place it ap-
11 pears and inserting “DEPARTMENT OF STATE-
12 TV”; and

13 (4) by striking subsection (e).

14 (d) NONDISCRETIONARY PERSONNEL COSTS AND

15 CURRENCY FLUCTUATIONS.—Section 704 (22 U.S.C.

16 1477b) is amended—

17 (1) in subsection (b), by inserting after “au-
18 thorized by law” the following: “in connection with
19 carrying out the informational and educational ex-
20 change functions of the Department”; and

21 (2) in subsection (c), by striking “United States
22 Information Agency” each place it appears and in-
23 serting “Department of State in carrying out the in-
24 formational and educational exchange functions of
25 the Department”.

1 (e) REPROGRAMMING NOTIFICATIONS.—Section 705
2 (22 U.S.C. 1477c) is amended by striking “United States
3 Information Agency” each place it appears and inserting
4 “Department of State in carrying out its informational
5 and educational exchange functions”.

6 (f) AUTHORITIES OF THE SECRETARY.—Section
7 801(3) (22 U.S.C. 1471(3)) is amended by striking all “if
8 the sufficiency” and all that follows and inserting “if the
9 Secretary determines that title to such real property or
10 interests is sufficient;”.

11 (g) REPEAL OF THE USIA SEAL.—Section 807 (22
12 U.S.C. 1475b) is repealed.

13 (h) ACTING ASSOCIATE DIRECTORS.—Section 808
14 (22 U.S.C. 1475c) is repealed.

15 (i) DEBT COLLECTION.—Section 811 (22 U.S.C.
16 1475f) is amended by inserting “informational and edu-
17 cational exchange” before “activities” each place it ap-
18 pears.

19 (j) OVERSEAS POSTS.—Section 812 (22 U.S.C.
20 1475g) is amended by striking “United States Informa-
21 tion Agency post” each place it appears and inserting “in-
22 formational and educational exchange post of the Depart-
23 ment of State”.

24 (k) DEFINITION.—Section 4 (22 U.S.C. 1433) is
25 amended by adding at the end the following:

1 “(4) ‘informational and educational exchange
2 functions’, with respect to the Department of State,
3 refers to functions exercised by the United States
4 Information Agency before the effective date of title
5 III of the Foreign Affairs Agencies Consolidation
6 Act of 1997.”.

7 **SEC. 324. AMENDMENTS TO MUTUAL EDUCATIONAL AND**
8 **CULTURAL EXCHANGE ACT OF 1961 (FUL-**
9 **BRIGHT-HAYS ACT).**

10 (a) REFERENCES IN SECTION.—Except as specifi-
11 cally provided in this section, whenever in this section an
12 amendment or repeal is expressed as an amendment or
13 repeal of a provision, the reference shall be deemed to be
14 made to the Mutual Educational and Cultural Exchange
15 Act of 1961 (22 U.S.C. 2451 et seq.).

16 (b) IN GENERAL.—The Act (22 U.S.C. 2451 et seq.)
17 is amended by striking “Director of the International
18 Communication Agency” each place it appears and insert-
19 ing “Secretary of State”.

20 (c) PROGRAM AUTHORITIES.—(1) Section 102(a) (22
21 U.S.C. 2452(a)) is amended by striking “President” each
22 place it appears and inserting “Secretary of State”.

23 (2) Section 102(b) (22 U.S.C. 2452(b)) is amended
24 by striking “President” and inserting “Secretary of State

1 (except, in the case of paragraphs (6) and (10), the Presi-
2 dent)”.

3 (d) INTERNATIONAL AGREEMENTS.—Section 103
4 (22 U.S.C. 2453) is amended by striking “President” each
5 place it appears and inserting “Secretary of State”.

6 (e) PERSONNEL BENEFITS.—Section 104(d) (22
7 U.S.C. 2454(d)) is amended by striking “President” each
8 place it appears and inserting “Secretary of State”.

9 (f) FOREIGN STUDENT COUNSELING.—Section
10 104(e)(3) (22 U.S.C. 2454(e)(3)) is amended by striking
11 “President” and inserting “Secretary of State”.

12 (g) PUBLICITY AND PROMOTION OVERSEAS.—Sec-
13 tion 104(e)(4) (22 U.S.C. 2454(e)(4)) is amended by
14 striking “President” and inserting “Secretary of State”.

15 (h) USE OF FUNDS.—Section 105(e) (22 U.S.C.
16 2455(e)) is amended by striking “President” each place
17 it appears and inserting “Secretary of State”.

18 (i) REPEAL OF AUTHORITY FOR ABOLISHED ADVI-
19 SORY COMMITTEE.—Section 106(c) of the Mutual Edu-
20 cational and Cultural Exchange Act of 1961 (22 U.S.C.
21 2456(c)) is repealed.

22 (j) BUREAU OF EDUCATIONAL AND CULTURAL AF-
23 FAIRS.—

24 (1) IN GENERAL.—Section 112 (22 U.S.C.
25 2460) is amended—

1 (A) in subsection (a) by striking the first
2 sentence; and

3 (B) by striking “Bureau” each place it ap-
4 pears and inserting “Department of State”.

5 (2) IMPLEMENTATION OF PROGRAMS.—Section
6 112(c) (22 U.S.C. 2460(c)) is amended by striking
7 “President” each place it appears and inserting
8 “Secretary of State”.

9 **SEC. 325. INTERNATIONAL BROADCASTING ACTIVITIES.**

10 (a) IN GENERAL.—(1) Except as otherwise provided
11 in paragraph (2), title III of the Foreign Relations Au-
12 thorization Act, Fiscal Years 1994 and 1995 (Public Law
13 103–236) is amended—

14 (A) by striking “Director of the United States
15 Information Agency” or “Director” each place it ap-
16 pears and inserting “Under Secretary of State for
17 Public Diplomacy”;

18 (B) by striking all references to “United States
19 Information Agency” that were not stricken in sub-
20 paragraph (A) and inserting “Department of State”;

21 (C) in section 305(a)(1), by inserting “(includ-
22 ing activities of the Voice of America previously car-
23 ried out by the United States Information Agency)”
24 after “this title”;

1 (D) in section 305(b), by striking “Agency’s”
2 each place it appears and inserting “Department’s”;
3 and

4 (E) by striking “Bureau” each place it appears
5 and inserting “Office”.

6 (2) Title III of such Act is amended—

7 (A) in section 304(c)—

8 (i) by striking “Director’s” and inserting
9 “Under Secretary’s”; and

10 (ii) in the fifth sentence, by striking “Di-
11 rector of the United States Information Agency,
12 the acting Director of the agency” and insert-
13 ing “Under Secretary of State for Public Diplo-
14 macy, the acting Under Secretary”;

15 (B) in sections 305(b) and 307(b)(1), by strik-
16 ing “Director of the Bureau” each place it appears
17 and inserting “Director of the Office”; and

18 (C) in section 310(d), by striking “Director on
19 the date of enactment of this Act, to the extent that
20 the Director” and inserting “Under Secretary on the
21 effective date of title III of the Foreign Affairs
22 Agencies Consolidation Act of 1996, to the extent
23 that the Under Secretary”.

24 (b) CONFORMING AMENDMENT TO TITLE 5.—Sec-
25 tion 5315 of title 5, United States Code, is amended by

1 striking “Director of the International Broadcasting Bu-
2 reau, the United States Information Agency” and insert-
3 ing “Director of the International Broadcasting Office,
4 the Department of State”.

5 **SEC. 326. TELEVISION BROADCASTING TO CUBA.**

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

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

15 (1) in subsection (a)—

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

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

23 (2) in subsection (b)—

24 (A) in the subsection heading, by striking
25 “USIA” and inserting “Department of State”;

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

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

6 (3) in subsection (c)—

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

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

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

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

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

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

21 **SEC. 327. RADIO BROADCASTING TO CUBA.**

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

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

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

9 (3) by striking subsection (d); and

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

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

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

19 and

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

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

1 (1) in subsection (a)—

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

4 and

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

7 (2) in subsection (b)—

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

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

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

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

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

18 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
19 8 of such Act (22 U.S.C. 1465f) is amended—

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

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

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

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

5 **SEC. 328. NATIONAL ENDOWMENT FOR DEMOCRACY.**

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

8 (1) in subsection (a)—

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

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

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

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

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

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

24 (1) in subsection (b)—

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

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

7 (2) in subsection (c)—

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

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

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

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

20 **SEC. 329. UNITED STATES SCHOLARSHIP PROGRAM FOR**
21 **DEVELOPING COUNTRIES.**

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

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

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

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

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

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

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

19 **SEC. 330. FASCELL FELLOWSHIP BOARD.**

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

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

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

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

3 **SEC. 331. NATIONAL SECURITY EDUCATION BOARD.**

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

6 (1) in subsection (b)—

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

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

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

12 **SEC. 332. CENTER FOR CULTURAL AND TECHNICAL INTER-**
13 **CHANGE BETWEEN NORTH AND SOUTH.**

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

19 **SEC. 333. CENTER FOR CULTURAL AND TECHNICAL INTER-**
20 **CHANGE BETWEEN EAST AND WEST.**

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

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

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

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

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

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

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

12 **SEC. 334. MISSION OF DEPARTMENT OF STATE.**

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

15 (1) in the first sentence, by striking “mission of
16 the United States Information Agency” and insert-
17 ing “mission of the Department of State in carrying
18 out its information, educational, and cultural func-
19 tions”;

20 (2) in the second sentence, in the text above
21 paragraph (1), by striking “United States Informa-
22 tion Agency” and inserting “Department of State”;

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

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

4 **SEC. 335. CONSOLIDATION OF ADMINISTRATIVE SERVICES.**

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

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

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

11 **SEC. 336. GRANTS.**

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

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

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

22 (3) in subsection (c)—

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

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

5 (B) in paragraph (2), by striking “United
6 States Information Agency” and inserting “De-
7 partment of State”; and

8 (C) in paragraphs (2) and (3), by striking
9 “Agency” each of the two places it appears and
10 inserting “Department”; and

11 (4) by striking subsection (d).

12 **SEC. 337. BAN ON DOMESTIC ACTIVITIES.**

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

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

19 (2) by inserting “in carrying out international
20 information, educational, and cultural activities com-
21 parable to those previously administered by the
22 United States Information Agency” before “shall be
23 distributed”.

1 **SEC. 338. CONFORMING REPEAL TO ARMS CONTROL AND**
2 **DISARMAMENT ACT.**

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

5 **SEC. 339. REPEAL RELATING TO PROCUREMENT OF LEGAL**
6 **SERVICES.**

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

9 **SEC. 340. REPEAL RELATING TO PAYMENT OF SUBSIST-**
10 **ENCE EXPENSES.**

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

14 **SEC. 341. CONFORMING AMENDMENT TO SEED ACT.**

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

19 **SEC. 342. INTERNATIONAL CULTURAL AND TRADE CENTER**
20 **COMMISSION.**

21 Section 7(c)(1) of the Federal Triangle Development
22 Act (40 U.S.C. 1106(c)(1)) is amended—

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

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

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

4 **SEC. 343. OTHER LAWS REFERENCED IN REORGANIZATION**
5 **PLAN NO. 2 OF 1977.**

6 (a) IMMIGRATION AND NATIONALITY ACT.—(1) Sec-
7 tion 101(a)(15)(J) of the Immigration and Nationality
8 Act (8 U.S.C. 1101(a)(15)(J)) is amended by striking
9 “Director of the United States Information Agency” and
10 inserting “Secretary of State”.

11 (2) Section 212(e) of such Act (8 U.S.C. 1182(e))
12 is amended—

13 (A) by striking “Director of the United States
14 Information Agency” and inserting “Secretary of
15 State”; and

16 (B) by striking “Director” each place it appears
17 and inserting “Secretary”.

18 (b) ARTS AND ARTIFACTS INDEMNITY ACT.—Section
19 3(a) of the Arts and Artifacts Indemnity Act (20 U.S.C.
20 972(a)) is amended by striking out “Director of the Unit-
21 ed States Information Agency” and inserting in lieu there-
22 of “Secretary of State”.

23 (c) NATIONAL FOUNDATION ON THE ARTS AND THE
24 HUMANITIES ACT OF 1965.—Section 9(b) of the National
25 Foundation on the Arts and the Humanities Act of 1965

1 (20 U.S.C. 958(b)) is amended by striking out “a member
2 designated by the Director of the United States Informa-
3 tion Agency,” and inserting in lieu thereof “a member des-
4 ignated by the Secretary of State,”.

5 (d) WOODROW WILSON MEMORIAL ACT OF 1968.—
6 Section 3(b) of the Woodrow Wilson Memorial Act of 1968
7 (20 U.S.C. 80f(b)) is amended—

8 (1) in the matter preceding paragraph (1), by
9 striking out “19 members” and inserting in lieu
10 thereof “18 members”;

11 (2) by striking out paragraph (7); and

12 (3) by redesignating paragraphs (8), (9), and
13 (10) as paragraphs (7), (8), and (9), respectively.

14 (e) PUBLIC LAW 95–86.—Title V of the Departments
15 of State, Justice, and Commerce, the Judiciary, and Re-
16 lated Agencies Appropriations Act, 1978 (Public Law 95–
17 86) is amended in the third proviso of the paragraph
18 “SALARIES AND EXPENSES” under the heading “UNITED
19 STATES INFORMATION AGENCY” (22 U.S.C. 1461b) by
20 striking out “the United States Information Agency is au-
21 thorized,” and inserting in lieu thereof “the Secretary of
22 State may,”.

23 (f) ACT OF JULY 9, 1949.—The Act of July 9, 1949
24 (63 Stat. 408; chapter 301; 22 U.S.C. 2681 et seq.) is
25 repealed.

1 **SEC. 344. EXCHANGE PROGRAM WITH COUNTRIES IN TRAN-**
2 **SITION FROM TOTALITARIANISM TO DEMOC-**
3 **RACY.**

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

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

9 (2) in subsection (b)—

10 (A) by striking “appropriations account of
11 the United States Information Agency” and in-
12 serting “appropriate appropriations account of
13 the Department of State”; and

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

16 **SEC. 345. EDMUND S. MUSKIE FELLOWSHIP PROGRAM.**

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

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

23 (2) by striking subsection (d).

1 **SEC. 346. IMPLEMENTATION OF CONVENTION ON CUL-**
2 **TURAL PROPERTY.**

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

8 **SEC. 347. MIKE MANSFIELD FELLOWSHIPS.**

9 Part C of title II of the Foreign Relations Authoriza-
10 tion Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6101
11 et seq.) is amended—

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

15 (2) by striking “United States Information
16 Agency” each place it appears and inserting “De-
17 partment of State”.

18 **SEC. 348. UNITED STATES ADVISORY COMMITTEE FOR PUB-**
19 **LIC DIPLOMACY.**

20 Section 604 of the United States Information and
21 Educational Exchange Act of 1948 (22 U.S.C. 1469) is
22 amended—

23 (1) in subsection (c)(1)—

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

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

8 (2) in subsection (c)(2), in the first sentence—

9 (A) by striking “the Secretary of State,
10 and the Director of the United States Informa-
11 tion Agency” and inserting “, and the Secretary
12 of State”;

13 (B) by striking “Agency” the first place it
14 appears and inserting “Department of State”;
15 and

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

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

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

4 **TITLE IV—UNITED STATES**
5 **INTERNATIONAL DEVELOP-**
6 **MENT COOPERATION AGENCY**
7 **CHAPTER 1—GENERAL PROVISIONS**

8 **SEC. 401. EFFECTIVE DATE.**

9 This title, and the amendments made by this title,
10 shall take effect on the earlier of—

11 (1) August 17, 1998; or

12 (2) the date of abolition of the United States
13 International Development Cooperation Agency pur-
14 suant to the reorganization plan described in section
15 601.

16 **CHAPTER 2—ABOLITION OF INTER-**
17 **NATIONAL DEVELOPMENT COOPERA-**
18 **TION AGENCY AND TRANSFER OF**
19 **FUNCTIONS**

20 **SEC. 411. ABOLITION OF UNITED STATES INTERNATIONAL**
21 **DEVELOPMENT COOPERATION AGENCY.**

22 (a) IN GENERAL.—The United States International
23 Development Cooperation Agency is abolished.

24 (b) OPIC.—Subsection (a) shall not be interpreted
25 to apply to the Overseas Private Investment Corporation.

1 **SEC. 412. TRANSFER OF FUNCTIONS.**

2 There are transferred to the Secretary of State all
3 functions of the Director of the United States Inter-
4 national Development Cooperation Agency and all func-
5 tions of the United States International Development Co-
6 operation Agency (other than the functions with respect
7 to the Overseas Private Investment Corporation) and any
8 office or component of such agencies under any statute,
9 reorganization plan, Executive order, or other provision of
10 law before the effective date of this title, except as other-
11 wise provided in this division.

12 **CHAPTER 3—CONFORMING AMENDMENTS**

13 **SEC. 421. REFERENCES.**

14 Any reference in any statute, reorganization plan,
15 Executive order, regulation, agreement, determination, or
16 other official document or proceeding to—

17 (1) the Director or any other officer or em-
18 ployee of the United States International Develop-
19 ment Cooperation Agency (IDCA) shall be deemed
20 to refer to the Secretary of State; or

21 (2) the United States International Develop-
22 ment Cooperation Agency (IDCA) shall be deemed
23 to refer to the Department of State.

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

4 **SEC. 501. EFFECTIVE DATE.**

5 This title, and the amendments made by this title,
6 shall take effect on the earlier of—

7 (1) August 17, 1999; or

8 (2) the date of reorganization of the Agency for
9 International Development pursuant to the reorga-
10 nization plan described in section 601.

11 **CHAPTER 2—REORGANIZATION OF AGEN-**
12 **CY FOR INTERNATIONAL DEVELOP-**
13 **MENT AND TRANSFER OF FUNCTIONS**

14 **SEC. 511. REORGANIZATION OF AGENCY FOR INTER-**
15 **NATIONAL DEVELOPMENT.**

16 (a) **IN GENERAL.**—The Agency for International De-
17 velopment shall be reorganized in accordance with this di-
18 vision and the reorganization plan transmitted pursuant
19 to section 601.

20 (b) **FUNCTIONS TO BE TRANSFERRED.**—The reorga-
21 nization of the Agency for International Development shall
22 provide, at a minimum, for the transfer to and consolida-
23 tion with the Department of State of the following func-
24 tions of the agency:

25 (1) Non-specialized procurement.

1 (2) Travel and transportation.

2 (3) Facilities management.

3 (4) Security operations.

4 (5) Press affairs.

5 **TITLE VI—TRANSITION**

6 **CHAPTER 1—REORGANIZATION PLAN**

7 **SEC. 601. REORGANIZATION PLAN.**

8 (a) SUBMISSION OF PLAN.—Not later than August
9 17, 1997, or the date of the enactment of this Act, which-
10 ever occurs later, the President shall, in consultation with
11 the Secretary and the heads of the agencies under sub-
12 section (b), transmit to the appropriate congressional com-
13 mittees a reorganization plan providing for—

14 (1) with respect to the United States Arms
15 Control and Disarmament Agency, the United
16 States Information Agency, and the United States
17 International Development Cooperation Agency, the
18 abolition of each agency in accordance with this divi-
19 sion;

20 (2) with respect to the Agency for International
21 Development, the consolidation and streamlining of
22 the agency and the transfer of certain functions of
23 the agency to the Department in accordance with
24 this division;

1 (3) the termination of functions of each agency
2 that would be redundant if transferred to the De-
3 partment, and the separation from service of em-
4 ployees of each such agency or of the Department
5 not otherwise provided for in the plan;

6 (4) the transfer to the Department of the func-
7 tions and personnel of each agency consistent with
8 the provisions of this division; and

9 (5) the consolidation, reorganization, and
10 streamlining of the Department upon the transfer of
11 such functions and personnel in order to carry out
12 such functions.

13 (b) COVERED AGENCIES.—The agencies under this
14 subsection are the following:

15 (A) The United States Arms Control and
16 Disarmament Agency.

17 (B) The United States Information Agen-
18 cy.

19 (C) The United States International Devel-
20 opment Cooperation Agency.

21 (D) The Agency for International Develop-
22 ment.

23 (c) PLAN ELEMENTS.—The plan transmitted under
24 subsection (a) shall—

1 (1) identify the functions of each agency that
2 will be transferred to the Department under the
3 plan;

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

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

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

23 (5) specify the funds available to each agency
24 that will be transferred to the Department as a re-

1 sult of the transfer of functions of such agency to
2 the Department;

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

7 (7) specify the proposed disposition of the prop-
8 erty, facilities, contracts, records, and other assets
9 and liabilities of each such agency in connection with
10 the transfer of the functions of the agency to the
11 Department.

12 (d) REORGANIZATION PLAN OF AGENCY FOR INTER-
13 NATIONAL DEVELOPMENT.—In addition to applicable pro-
14 visions of subsection (c), the reorganization plan transmit-
15 ted under this section for the Agency for International De-
16 velopment —

17 (1) shall provide for the transfer to and consoli-
18 dation within the Department of the functions of the
19 agency set forth in section 511; and

20 (2) may provide for additional consolidation, re-
21 organization, and streamlining of the agency, includ-
22 ing—

23 (A) the termination of functions and re-
24 ductions in personnel of the agency;

1 (B) the transfer of functions of the agency
2 (including personnel operations other than per-
3 sonnel management, financial operations, and
4 legal affairs), and the personnel associated with
5 such functions, to the Department; and

6 (C) the consolidation, reorganization, and
7 streamlining of the Department upon the trans-
8 fer of such functions and personnel in order to
9 carry out the functions transferred.

10 (e) MODIFICATION OF PLAN.—The President may,
11 on the basis of consultations with the appropriate congres-
12 sional committees, modify or revise the plan transmitted
13 under subsection (a).

14 (f) EFFECTIVE DATE.—(1) The reorganization plan
15 described in this section, including any modifications or
16 revisions of the plan under subsection (e), shall become
17 effective on the earlier of—

18 (A)(i) August 17, 1998 with respect to the
19 Arms Control and Disarmament Agency and the
20 United States International Development Coopera-
21 tion Agency; and

22 (ii) August 17, 1999, with respect to the United
23 States Information Agency and the Agency for
24 International Development, or

1 (B) such date as the President shall determine
2 to be appropriate and announce by notice published
3 in the Federal Register, which date may be not ear-
4 lier than 60 calendar days (excluding any day on
5 which either House of Congress is not in session be-
6 cause of an adjournment sine die or because of an
7 adjournment of more than 3 days to a day certain)
8 after the President has transmitted the reorganiza-
9 tion plan to the appropriate congressional commit-
10 tees pursuant to subsection (a).

11 (2) Paragraph (1) shall apply notwithstanding sec-
12 tion 905(b) of title 5, United States Code.

13 **CHAPTER 2—REORGANIZATION**

14 **AUTHORITY**

15 **SEC. 611. REORGANIZATION AUTHORITY.**

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

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

3 (2) the alteration of the delegation of functions
4 to any specific organizational entity or officer re-
5 quired by this Act or any other Act.

6 (b) **REQUIREMENTS AND LIMITATIONS ON REORGA-**
7 **NIZATION PLAN.**—The reorganization plan under section
8 601 may not have the effect of—

9 (1) creating a new executive department;

10 (2) continuing a function beyond the period au-
11 thorized by law for its exercise or beyond the time
12 when it would have terminated if the reorganization
13 had not been made;

14 (3) authorizing an agency to exercise a function
15 which is not authorized by law at the time the plan
16 is transmitted to Congress;

17 (4) creating a new agency which is not a com-
18 ponent or part of an existing executive department
19 or independent agency; or

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

22 **SEC. 612. TRANSFER AND ALLOCATION OF APPROPRIA-**
23 **TIONS AND PERSONNEL.**

24 (a) **IN GENERAL.**—Except as otherwise provided in
25 this Act, the personnel employed in connection with, and

1 the assets, liabilities, contracts, property, records, and un-
2 expended balance of appropriations, authorizations, alloca-
3 tions, and other funds employed, held, used, arising from,
4 available to, or to be made available in connection with
5 the functions and offices, or portions thereof transferred
6 by any title of this division, subject to section 1531 of title
7 31, United States Code, shall be transferred to the Sec-
8 retary for appropriate allocation.

9 (b) LIMITATION ON USE OF TRANSFERRED
10 FUNDS.—Unexpended and unobligated funds transferred
11 pursuant to any title of this division shall be used only
12 for the purposes for which the funds were originally au-
13 thorized and appropriated.

14 (c) AUTHORIZED STRENGTH OF THE FOREIGN SERV-
15 ICE.—When an agency is abolished under this division, the
16 limitations for fiscal years 1998 and 1999 under section
17 1321 of this Act on the members of the Foreign Service
18 authorized to be employed by such agency shall be added
19 to the limitations under such section which apply to the
20 Department.

21 **SEC. 613. INCIDENTAL TRANSFERS.**

22 The Director of the Office of Management and Budg-
23 et, in consultation with the Secretary, is authorized to
24 make such incidental dispositions of personnel, assets, li-
25 abilities, grants, contracts, property, records, and unex-

1 pended balances of appropriations, authorizations, alloca-
2 tions, and other funds held, used, arising from, available
3 to, or to be made available in connection with such func-
4 tions, as may be necessary to carry out the provisions of
5 any title of this division. The Director of the Office of
6 Management and Budget, in consultation with the Sec-
7 retary, shall provide for the termination of the affairs of
8 all entities terminated by this division and for such further
9 measures and dispositions as may be necessary to effec-
10 tuate the purposes of any title of this division.

11 **SEC. 614. EFFECT ON PERSONNEL.**

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

1 (b) TREATMENT OF APPOINTED POSITIONS.—(1)
2 Positions whose incumbents are appointed by the Presi-
3 dent, by and with the advice and consent of the Senate,
4 the functions of which are transferred by any title of this
5 division, shall terminate on the effective date of that title.

6 (2) An individual holding an office immediately prior
7 to the abolition or transfer of the office by a title of this
8 division—

9 (A) who was appointed to the office by the
10 President, by and with the advice and consent of the
11 Senate; and

12 (B) who performs duties substantially similar to
13 the duties of an office proposed to be created under
14 the reorganization plan submitted under section 601,
15 may, in the discretion of the Secretary, assume the duties
16 of such new office, and shall not be required to be re-
17 appointed by reason of the abolition or transfer of the in-
18 dividual's previous office.

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

1 (2) The Department may decline a transfer of au-
2 thority under paragraph (1) (and the employees appointed
3 pursuant thereto) to the extent that such authority relates
4 to positions excepted from the competitive service because
5 of their confidential, policy-making, policy-determining, or
6 policy-advocating character, and noncareer positions in the
7 Senior Executive Service (within the meaning of section
8 3132(a)(7) of title 5, United States Code).

9 (d) EMPLOYEE BENEFIT PROGRAMS.—(1) Any em-
10 ployee accepting employment with the Department as a
11 result of a transfer pursuant to any title of this division
12 may retain for 1 year after the date such transfer occurs
13 membership in any employee benefit program of the
14 former agency, including insurance, to which such em-
15 ployee belongs on the date of the enactment of this Act
16 if—

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

19 (B) the benefit or program is continued by the
20 Secretary.

21 (2) The difference in the costs between the benefits
22 which would have been provided by such agency or entity
23 and those provided by this section shall be paid by the
24 Secretary. If any employee elects to give up membership
25 in a health insurance program or the health insurance pro-

1 gram is not continued by the Secretary, the employee shall
2 be permitted to select an alternate Federal health insur-
3 ance program within 30 days of such election or notice,
4 without regard to any other regularly scheduled open sea-
5 son.

6 (e) SENIOR EXECUTIVE SERVICE.—Any employee in
7 the career Senior Executive Service who is transferred
8 pursuant to any title of this division shall be placed in
9 a position at the Department which is comparable to the
10 position the employee held in the agency.

11 (f) ASSIGNMENTS.—(1) Transferring employees shall
12 be provided reasonable notice of new positions and assign-
13 ments prior to their transfer pursuant to any title of this
14 division.

15 (2) Foreign Service personnel transferred to the De-
16 partment pursuant to any title of this division shall be
17 eligible for any assignment open to Foreign Service per-
18 sonnel within the Department for which such transferred
19 personnel are qualified.

20 (g) TREATMENT OF PERSONNEL EMPLOYED IN TER-
21 MINATED FUNCTIONS.—The provisions of this subsection
22 shall apply with respect to officers and employees in the
23 competitive service, or employed under an established
24 merit system in the excepted service, whose employment
25 is terminated as a result of the abolition of the agency

1 or the reorganization and consolidation of functions of the
2 Department under any title of this division:

3 (1) Under such regulations as the Office of Per-
4 sonnel Management may prescribe, the head of any
5 agency in the executive branch may appoint in the
6 competitive service any person who is certified by
7 the head of the former agency as having served sat-
8 isfactorily in the competitive service in the former
9 agency and who passes such examination as the Of-
10 fice of Personnel Management may prescribe. Any
11 person so appointed shall, upon completion of the
12 prescribed probationary period, acquire a competitive
13 status.

14 (2) The head of any agency in the executive
15 branch having an established merit system in the ex-
16 cepted service may appoint in such service any per-
17 son who is certified by the head of the former agen-
18 cy as having served satisfactorily in the former agen-
19 cy and who passes such examination as the head of
20 such agency in the executive branch may prescribe.

21 (3) Any appointment under this subsection
22 shall be made within a period of one year after com-
23 pletion of the appointee's service.

24 (4) Any law, Executive order, or regulation
25 which would disqualify an applicant for appointment

1 in the competitive service or in the excepted service
2 concerned shall also disqualify an applicant for ap-
3 pointment under this subsection.

4 (5) Any rights or benefits created by this sub-
5 section are in addition to rights and benefits other-
6 wise provided by law.

7 **SEC. 615. TRANSITION FUND.**

8 (a) ESTABLISHMENT.—There is hereby established
9 on the books of the Treasury an account to be known as
10 the “Foreign Affairs Reorganization Transition Fund”.

11 (b) PURPOSE.—The purpose of the account is to pro-
12 vide funds for the orderly transfer of functions and per-
13 sonnel to the Department as a result of the implementa-
14 tion of this division and for payment of other costs associ-
15 ated with the consolidation of foreign affairs agencies
16 under this division.

17 (c) DEPOSITS.—

18 (1) IN GENERAL.—Subject to paragraphs (2)
19 and (3), there shall be deposited into the account the
20 following:

21 (A) Funds appropriated to the account.

22 (B) Funds transferred to the account by
23 the Secretary from funds that are transferred
24 to the Secretary by the head of an agency
25 under subsection (d).

1 (C) Funds transferred to the account by
2 the Secretary from funds that are transferred
3 to the Department together with the transfer of
4 functions to the Department under this division
5 and that are not required by the Secretary in
6 order to carry out the functions.

7 (D) Funds transferred to the account by
8 the Secretary from any unobligated funds that
9 are appropriated or otherwise made available to
10 the Department.

11 (2) LIMITATION ON TRANSFER OF CERTAIN DE-
12 PARTMENT FUNDS.—The Secretary may transfer
13 funds to the account under subparagraph (C) of
14 paragraph (1) only if the Secretary determines that
15 the amount of funds deposited in the account pursu-
16 ant to subparagraphs (A) and (B) of that paragraph
17 is inadequate to pay the costs of carrying out this
18 division.

19 (3) LIMITATION ON TRANSFER OF UNOBLI-
20 GATED FUNDS OF DEPARTMENT.—The Secretary
21 may transfer funds to the account under subpara-
22 graph (D) of paragraph (1) only if the Secretary de-
23 termines that the amount of funds deposited in the
24 account pursuant to subparagraphs (A), (B), and

1 (C) of that paragraph is inadequate to pay the costs
2 of carrying out this division.

3 (d) TRANSFER OF FUNDS TO SECRETARY.—The
4 head of an agency abolished under this division shall
5 transfer to the Secretary the amount, if any, of the unobli-
6 gated funds appropriated or otherwise made available to
7 the agency for functions of the agency that are abolished
8 under this division which funds are not required to carry
9 out the functions of the agency as a result of the abolish-
10 ment of the functions under this division.

11 (e) USE OF FUNDS.—

12 (1) IN GENERAL.—Notwithstanding any other
13 provision of law and subject to paragraph (2), the
14 Secretary shall use sums in the account for payment
15 of the costs of carrying out this division, including
16 costs relating to the consolidation of functions of the
17 Department and the termination of employees of the
18 Department.

19 (2) LIMITATION ON USE OF FUNDS.—

20 (A) Except as provided in subparagraph
21 (B), the Secretary may not use sums in the ac-
22 count for payment of the costs described in
23 paragraph (1) unless the appropriate congress-
24 sional committees are notified 15 days in ad-
25 vance of such use in accordance with proce-

1 dures applicable to reprogramming notifications
2 under section 34 of the State Department Basic
3 Authorities Act of 1956 (22 U.S.C. 2706).

4 (B) EXCEPTION.—Subparagraph (A) does
5 not apply to the following uses of sums in the
6 account:

7 (i) For payment of the cost of any
8 severance payments required to be paid by
9 the Secretary to employees of the Depart-
10 ment, but only if the cost of such pay-
11 ments is less than \$10,000,000.

12 (ii) For transfer to the head of an
13 agency to be abolished under this division
14 for payment of the cost of any severance
15 payments required to be paid to employees
16 of the agency, but only if the total amount
17 transferred with respect to the agency is
18 less than \$40,000,000.

19 (iii) For payment of the cost of any
20 improvements of the information manage-
21 ment systems of the Department that are
22 carried out as a result of the abolishment
23 of agencies under this division, but only if
24 the cost of such improvements is less than
25 \$15,000,000.

1 (iv) For payment of the cost of the
2 physical relocation of fixtures, materials,
3 and other resources from an agency to be
4 abolished under this division to the De-
5 partment or of such relocation within the
6 Department, but only if the cost of such
7 relocation is less than \$10,000,000.

8 (3) AVAILABILITY WITHOUT FISCAL YEAR LIM-
9 TATION.—Funds in the account shall be available for
10 the payment of costs under paragraph (1) without
11 fiscal year limitation.

12 (f) TREATMENT OF UNOBLIGATED BALANCES.—

13 (1) IN GENERAL.—Subject to paragraph (2),
14 unobligated funds, if any, which remain in the ac-
15 count after the payment of the costs described in
16 subsection (e)(1) shall be transferred to the Depart-
17 ment and shall be available to the Secretary for pur-
18 poses of carrying out the functions of the Depart-
19 ment.

20 (2) NOTIFICATION.—The Secretary may not
21 transfer funds in the account to the Department
22 under paragraph (1) unless the appropriate congress-
23 sional committees are notified in advance of such
24 transfer in accordance with the procedures applica-
25 ble to reprogramming notifications under section 34

1 of the State Department Basic Authorities Act of
2 1956.

3 (g) REPORT ON ACCOUNT.—Not later than October
4 1, 1998, the Secretary shall transmit to the appropriate
5 congressional committees a report containing an account-
6 ing of—

7 (1) the expenditures from the account estab-
8 lished under this section; and

9 (2) in the event of any transfer of funds to the
10 Department under subsection (f), the functions for
11 which the funds so transferred were expended.

12 (h) TERMINATION OF AUTHORITY TO USE AC-
13 COUNT.—The Secretary may not obligate funds in the ac-
14 count after September 30, 1999.

15 **SEC. 616. SAVINGS PROVISIONS.**

16 (a) CONTINUING LEGAL FORCE AND EFFECT.—All
17 orders, determinations, rules, regulations, permits, agree-
18 ments, grants, contracts, certificates, licenses, registra-
19 tions, privileges, and other administrative actions—

20 (1) that have been issued, made, granted, or al-
21 lowed to become effective by the President, any Fed-
22 eral agency or official thereof, or by a court of com-
23 petent jurisdiction, in the performance of functions
24 that are transferred under any title of this division;
25 and

1 (2) that are in effect at the time such title
2 takes effect, or were final before the effective date
3 of such title and are to become effective on or after
4 the effective date of such title,
5 shall continue in effect according to their terms until
6 modified, terminated, superseded, set aside, or revoked in
7 accordance with law by the President, the Secretary, or
8 other authorized official, a court of competent jurisdiction,
9 or by operation of law.

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

20 (2) Orders shall be issued in such proceedings, ap-
21 peals shall be taken therefrom, and payments shall be
22 made pursuant to such orders, as if this division had not
23 been enacted. Orders issued in any such proceedings shall
24 continue in effect until modified, terminated, superseded,

1 or revoked by the Secretary, by a court of competent juris-
2 diction, or by operation of law.

3 (3) Nothing in this division shall be deemed to pro-
4 hibit the discontinuance or modification of any such pro-
5 ceeding under the same terms and conditions and to the
6 same extent that such proceeding could have been discon-
7 tinued or modified if this division had not been enacted.

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

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

13 (1) the provisions of this division shall not af-
14 fect suits commenced prior to the effective date of
15 this Act, and

16 (2) in all such suits, proceedings shall be had,
17 appeals taken, and judgments rendered in the same
18 manner and effect as if this division had not been
19 enacted.

20 (d) NON-ABATEMENT OF PROCEEDINGS.—No suit,
21 action, or other proceeding commenced by or against any
22 officer in the official capacity of such individual as an offi-
23 cer of any department or agency, functions of which are
24 transferred by any title of this division, shall abate by rea-
25 son of the enactment of this division. No cause of action

1 by or against any department or agency, functions of
2 which are transferred by any title of this division, or by
3 or against any officer thereof in the official capacity of
4 such officer shall abate by reason of the enactment of this
5 division.

6 (e) CONTINUATION OF PROCEEDING WITH SUBSTI-
7 TUTION OF PARTIES.—If, before the date on which any
8 title of this division takes effect, any department or agen-
9 cy, or officer thereof in the official capacity of such officer,
10 is a party to a suit, and under this division any function
11 of such department, agency, or officer is transferred to
12 the Secretary or any other official of the Department, then
13 such suit shall be continued with the Secretary or other
14 appropriate official of the Department substituted or
15 added as a party.

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

1 title of this division shall apply to the exercise of such
2 function by the Secretary.

3 **SEC. 617. PROPERTY AND FACILITIES.**

4 The Secretary shall review the property and facilities
5 transferred to the Department under this division to de-
6 termine whether such property and facilities are required
7 by the Department.

8 **SEC. 618. AUTHORITY OF SECRETARY OF STATE TO FACILI-**
9 **TATE TRANSITION.**

10 Prior to, or after, any transfer of a function under
11 any title of this division, the Secretary is authorized to
12 utilize—

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

17 (2) funds appropriated to such functions for
18 such period of time as may reasonably be needed to
19 facilitate the orderly implementation of any title of
20 this division.

21 **SEC. 619. RECOMMENDATIONS FOR ADDITIONAL CON-**
22 **FORMING AMENDMENTS.**

23 Congress urges the President, in consultation with
24 the Secretary and the heads of other appropriate agencies,
25 to develop and submit to Congress recommendations for

1 such additional technical and conforming amendments to
2 the laws of the United States as may be appropriate to
3 reflect the changes made by this division.

4 **SEC. 620. FINAL REPORT.**

5 Not later than October 1, 1998, the President, in
6 consultation with the Secretary of the Treasury and the
7 Director of the Office of Management and Budget shall
8 submit to the appropriate congressional committees a re-
9 port which provides a final accounting of the finances and
10 operations of the agencies abolished under this division.

11 **SEC. 621. TRANSFER OF FUNCTION.**

12 Any determination as to whether a transfer of func-
13 tion, carried out under this Act, constitutes a transfer of
14 function for purposes of subchapter I of chapter 35 of title
15 5, United States Code, shall be made without regard to
16 whether or not the function involved is identical to func-
17 tions already being performed by the receiving agency.

18 **SEC. 622. SEVERABILITY.**

19 If a provision of this division or its application to any
20 person or circumstance is held invalid, neither the remain-
21 der of this division nor the application of the provision
22 to other persons or circumstances shall be affected.

1 **DIVISION B—STATE DEPART-**
2 **MENT AND RELATED AGEN-**
3 **CIES AUTHORIZATION ACT**
4 **TITLE X—GENERAL PROVISIONS**

5 **SEC. 1001. SHORT TITLE.**

6 This division may be cited as the “State Department
7 and Related Agencies Authorization Act, Fiscal Years
8 1998 and 1999” and shall be effective for all purposes
9 as if enacted as a separate Act.

10 **SEC. 1002. STATEMENT OF HISTORY OF LEGISLATION.**

11 This division consists of H.R. 1253, the Foreign Re-
12 lations Authorization Act, Fiscal Years 1998 and 1999,
13 which was introduced by Representative Smith of New
14 Jersey on April 9, 1997, and amended and reported by
15 the Subcommittee on International Operations and
16 Human Rights of the Committee on International Rela-
17 tions on April 10, 1997.

18 **SEC. 1003. DEFINITIONS.**

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

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

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

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

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

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

10 (6) The term “Secretary” means the Secretary
11 of State.

12 (7) The term “USIA” means the United States
13 Information Agency.

14 **TITLE XI—AUTHORIZATION OF**
15 **APPROPRIATIONS FOR DE-**
16 **PARTMENT OF STATE AND**
17 **CERTAIN INTERNATIONAL AF-**
18 **FAIRS FUNCTIONS AND AC-**
19 **TIVITIES**

20 **SEC. 1101. ADMINISTRATION OF FOREIGN AFFAIRS.**

21 The following amounts are authorized to be appro-
22 priated for the Department of State under “Administra-
23 tion of Foreign Affairs” to carry out the authorities, func-
24 tions, duties, and responsibilities in the conduct of the for-
25 eign affairs of the United States and for other purposes

1 authorized by law, including the diplomatic security pro-
2 gram:

3 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—

4 For “Diplomatic and Consular Programs”, of the
5 Department of State \$1,291,977,000 for the fiscal
6 year 1998 and \$1,291,977,000 for the fiscal year
7 1999.

8 (2) SALARIES AND EXPENSES.—

9 (A) AUTHORIZATION OF APPROPRIA-
10 TIONS.—For “Salaries and Expenses”, of the
11 Department of State \$363,513,000 for the fis-
12 cal year 1998 and \$363,513,000 for the fiscal
13 year 1999.

14 (B) LIMITATIONS.—Of the amounts au-
15 thorized to be appropriated by subparagraph
16 (A) \$2,000,000 for fiscal year 1998 and
17 \$2,000,000 for fiscal year 1999 are authorized
18 to be appropriated only for the recruitment of
19 minorities for careers in the Foreign Service
20 and international affairs.

21 (3) CAPITAL INVESTMENT FUND.—For “Cap-
22 ital Investment Fund”, of the Department of State
23 \$64,600,000 for the fiscal year 1998 and
24 \$64,600,000 for the fiscal year 1999.

1 (4) SECURITY AND MAINTENANCE OF BUILD-
2 INGS ABROAD.—For “Security and Maintenance of
3 Buildings Abroad”, \$373,081,000 for the fiscal year
4 1998 and \$373,081,000 for the fiscal year 1999.

5 (5) REPRESENTATION ALLOWANCES.—For
6 “Representation Allowances”, \$4,300,000 for the
7 fiscal year 1998 and \$4,300,000 for the fiscal year
8 1999.

9 (6) EMERGENCIES IN THE DIPLOMATIC AND
10 CONSULAR SERVICE.—For “Emergencies in the Dip-
11 lomatic and Consular Service”, \$5,500,000 for the
12 fiscal 1998 and \$5,500,000 for the fiscal year 1999.

13 (7) OFFICE OF THE INSPECTOR GENERAL.—
14 For “Office of the Inspector General”, \$28,300,000
15 for the fiscal year 1998 and \$28,300,000 for the fis-
16 cal year 1999.

17 (8) PAYMENT TO THE AMERICAN INSTITUTE IN
18 TAIWAN.—For “Payment to the American Institute
19 in Taiwan”, \$14,490,000 for the fiscal year 1998
20 and \$14,490,000 for the fiscal year 1999.

21 (9) PROTECTION OF FOREIGN MISSIONS AND
22 OFFICIALS.—For “Protection of Foreign Missions
23 and Officials”, \$7,900,000 for the fiscal year 1998
24 and \$7,900,000 for the fiscal year 1999.

1 (10) REPATRIATION LOANS.—For “Repatri-
2 ation Loans”, \$1,200,000 for the fiscal year 1998
3 and \$1,200,000 for the fiscal year 1999, for admin-
4 istrative expenses.

5 **SEC. 1102. INTERNATIONAL ORGANIZATIONS, PROGRAMS,**
6 **AND CONFERENCES.**

7 (a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL
8 ORGANIZATIONS.—There are authorized to be appro-
9 priated for “Contributions to International Organiza-
10 tions”, \$960,389,000 for the fiscal year 1998 and
11 \$987,590,000 for the fiscal year 1999 for the Department
12 of State to carry out the authorities, functions, duties, and
13 responsibilities in the conduct of the foreign affairs of the
14 United States with respect to international organizations
15 and to carry out other authorities in law consistent with
16 such purposes.

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

19 (1) AUTHORIZATION OF APPROPRIATIONS.—
20 There are authorized to be appropriated for “Vol-
21 untary Contributions to International Organiza-
22 tions”, \$199,725,000 for the fiscal year 1998 and
23 \$199,725,000 for the fiscal year 1999.

24 (2) LIMITATIONS.—

1 (A) WORLD FOOD PROGRAM.—Of the
2 amounts authorized to be appropriated under
3 paragraph (1), \$5,000,000 for the fiscal year
4 1998 and \$5,000,000 for the fiscal year 1999
5 are authorized to be appropriated only for a
6 United States contribution to the World Food
7 Program.

8 (B) UNITED NATIONS VOLUNTARY FUND
9 FOR VICTIMS OF TORTURE.—Of the amount au-
10 thorized to be appropriated under paragraph
11 (1), \$3,000,000 for the fiscal year 1998 and
12 \$3,000,000 for the fiscal year 1999 are author-
13 ized to be appropriated only for a United States
14 contribution to the United Nations Voluntary
15 Fund for Victims of Torture.

16 (C) INTERNATIONAL PROGRAM ON THE
17 ELIMINATION OF CHILD LABOR.—Of the
18 amounts authorized to be appropriated under
19 paragraph (1), \$10,000,000 for the fiscal year
20 1998 and \$10,000,000 for the fiscal year 1999
21 are authorized to be appropriated only for a
22 United States contribution to the International
23 Labor Organization for the activities of the
24 International Program on the Elimination of
25 Child Labor.

1 (3) AVAILABILITY OF FUNDS.—Amounts au-
2 thorized to be appropriated under paragraph (1) are
3 authorized to remain available until expended.

4 (c) ASSESSED CONTRIBUTIONS FOR INTERNATIONAL
5 PEACEKEEPING ACTIVITIES.—There are authorized to be
6 appropriated for “Contributions for International Peace-
7 keeping Activities”, \$240,000,000 for the fiscal year 1998
8 and \$240,000,000 for the fiscal year 1999 for the Depart-
9 ment of State to carry out the authorities, functions, du-
10 ties, and responsibilities in the conduct of the foreign af-
11 fairs of the United States with respect to international
12 peacekeeping activities and to carry out other authorities
13 in law consistent with such purposes.

14 (d) VOLUNTARY CONTRIBUTIONS TO PEACEKEEPING
15 OPERATIONS.—There are authorized to be appropriated
16 for “Peacekeeping Operations”, \$87,600,000 for the fiscal
17 year 1998 and \$67,000,000 for the fiscal year 1999 for
18 the Department of State to carry out section 551 of Public
19 Law 87–195.

20 (e) INTERNATIONAL CONFERENCES AND CONTIN-
21 GENCIES.—There are authorized to be appropriated for
22 “International Conferences and Contingencies”,
23 \$3,000,000 for the fiscal year 1998 and \$3,000,000 for
24 the fiscal year 1999 for the Department of State to carry
25 out the authorities, functions, duties, and responsibilities

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

5 (f) FOREIGN CURRENCY EXCHANGE RATES.—In ad-
6 dition to amounts otherwise authorized to be appropriated
7 by subsections (a) and (b) of this section, there are au-
8 thorized to be appropriated such sums as may be nec-
9 essary for each of the fiscal years 1998 and 1999 to offset
10 adverse fluctuations in foreign currency exchange rates.
11 Amounts appropriated under this subsection shall be avail-
12 able for obligation and expenditure only to the extent that
13 the Director of the Office of Management and Budget de-
14 termines and certifies to Congress that such amounts are
15 necessary due to such fluctuations.

16 (g) LIMITATION ON UNITED STATES VOLUNTARY
17 CONTRIBUTIONS TO UNITED NATIONS DEVELOPMENT
18 PROGRAM.—

19 (1) Of the amounts made available for fiscal
20 years 1998 and 1999 for United States voluntary
21 contributions to the United Nations Development
22 Program an amount equal to the amount the United
23 Nations Development Program will spend in Burma
24 during each fiscal year shall be withheld unless dur-
25 ing such fiscal year, the President submits to the ap-

1 appropriate congressional committees the certification
2 described in paragraph (2).

3 (2) The certification referred to in paragraph
4 (1) is a certification by the President that all pro-
5 grams and activities of the United Nations Develop-
6 ment Program (including United Nations Develop-
7 ment Program—Administered Funds) in Burma—

8 (A) are focused on eliminating human suf-
9 fering and addressing the needs of the poor;

10 (B) are undertaken only through inter-
11 national or private voluntary organizations that
12 have been deemed independent of the State
13 Law and Order Restoration Council (SLORC),
14 after consultation with the leadership of the
15 National League for Democracy and the leader-
16 ship of the National Coalition Government of
17 the Union of Burma;

18 (C) provide no financial, political, or mili-
19 tary benefit to the SLORC; and

20 (D) are carried out only after consultation
21 with the leadership of the National League for
22 Democracy and the leadership of the National
23 Coalition Government of the Union of Burma.

1 **SEC. 1103. INTERNATIONAL COMMISSIONS.**

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

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

12 (A) for “Salaries and Expenses”
13 \$18,490,000 for the fiscal year 1998 and
14 \$18,490,000 for the fiscal year 1999; and

15 (B) for “Construction” \$6,493,000 for the
16 fiscal year 1998 and \$6,493,000 for the fiscal
17 year 1999.

18 (2) INTERNATIONAL BOUNDARY COMMISSION,
19 UNITED STATES AND CANADA.—For “International
20 Boundary Commission, United States and Canada”,
21 \$785,000 for the fiscal year 1998 and \$785,000 for
22 the fiscal year 1999.

23 (3) INTERNATIONAL JOINT COMMISSION.—For
24 “International Joint Commission”, \$3,225,000 for
25 the fiscal year 1998 and \$3,225,000 for the fiscal
26 year 1999.

1 (4) INTERNATIONAL FISHERIES COMMISS-
2 SIONS.—For “International Fisheries Commissions”,
3 \$14,549,000 for the fiscal year 1998 and
4 \$14,549,000 for the fiscal year 1999.

5 **SEC. 1104. MIGRATION AND REFUGEE ASSISTANCE.**

6 (a) MIGRATION AND REFUGEE ASSISTANCE.—

7 (1) AUTHORIZATION OF APPROPRIATIONS.—

8 There are authorized to be appropriated for “Migra-
9 tion and Refugee Assistance” for authorized activi-
10 ties, \$623,000,000 for the fiscal year 1998 and
11 \$623,000,000 for the fiscal year 1999.

12 (2) LIMITATION REGARDING TIBETAN REFU-
13 GEES IN INDIA AND NEPAL.—Of the amounts au-
14 thorized to be appropriated in paragraph (1),
15 \$1,000,000 for the fiscal year 1998 and \$1,000,000
16 for the fiscal year 1999 are authorized to be avail-
17 able only for humanitarian assistance, including but
18 not limited to food, medicine, clothing, and medical
19 and vocational training, to Tibetan refugees in India
20 and Nepal who have fled Chinese-occupied Tibet.

21 (b) REFUGEES RESETTLING IN ISRAEL.—There are
22 authorized to be appropriated \$80,000,000 for the fiscal
23 year 1998 and \$80,000,000 for the fiscal year 1999 for
24 assistance for refugees resettling in Israel from other
25 countries.

1 (c) HUMANITARIAN ASSISTANCE FOR DISPLACED
2 BURMESE.—There are authorized to be appropriated
3 \$1,500,000 for the fiscal year 1998 and \$1,500,000 for
4 the fiscal year 1999 for humanitarian assistance, includ-
5 ing but not limited to food, medicine, clothing, and medi-
6 cal and vocational training, to persons displaced as a re-
7 sult of civil conflict in Burma, including persons still with-
8 in Burma.

9 (d) AVAILABILITY OF FUNDS.—Funds appropriated
10 pursuant to this section are authorized to be available
11 until expended.

12 **SEC. 1105. ASIA FOUNDATION.**

13 There are authorized to be appropriated for “Asia
14 Foundation”, \$10,000,000 for the fiscal year 1998 and
15 \$10,000,000 for the fiscal year 1999 for the Department
16 of State to carry out the authorities, functions, duties, and
17 responsibilities in the conduct of the foreign affairs of the
18 United States with respect to Asia Foundation and to
19 carry out other authorities in law consistent with such
20 purposes.

21 **SEC. 1106. UNITED STATES INFORMATIONAL, EDU-**
22 **CATIONAL, AND CULTURAL PROGRAMS.**

23 The following amounts are authorized to be appro-
24 priated to carry out international information activities
25 and educational and cultural exchange programs under

1 the United States Information and Educational Exchange
2 Act of 1948, the Mutual Educational and Cultural Ex-
3 change Act of 1961, Reorganization Plan Number 2 of
4 1977, the United States International Broadcasting Act
5 of 1994, the Radio Broadcasting to Cuba Act, the Tele-
6 vision Broadcasting to Cuba Act, the Board for Inter-
7 national Broadcasting Act, the North/South Center Act of
8 1991, the National Endowment for Democracy Act, and
9 to carry out other authorities in law consistent with such
10 purposes:

11 (1) SALARIES AND EXPENSES.—For “Salaries
12 and Expenses”, \$434,097,000 for the fiscal year
13 1998 and \$434,097,000 for the fiscal year 1999.

14 (2) TECHNOLOGY FUND.—For “Technology
15 Fund” for the United States Information Agency,
16 \$6,350,000 for the fiscal year 1998 and \$6,350,000
17 for the fiscal year 1999.

18 (3) EDUCATIONAL AND CULTURAL EXCHANGE
19 PROGRAMS.—

20 (A) FULBRIGHT ACADEMIC EXCHANGE
21 PROGRAMS.—For the “Fulbright Academic Ex-
22 change Programs”, \$94,236,000 for the fiscal
23 year 1998 and \$94,236,000 for the fiscal year
24 1999.

1 (B) SOUTH PACIFIC EXCHANGES.—For the
2 “South Pacific Exchanges”, \$500,000 for the
3 fiscal year 1998 and \$500,000 for the fiscal
4 year 1999.

5 (C) EAST TIMORESE SCHOLARSHIPS.—For
6 the “East Timorese Scholarships”, \$500,000
7 for the fiscal year 1998 and \$500,000 for the
8 fiscal year 1999.

9 (D) TIBETAN EXCHANGES.—For the
10 “Educational and Cultural Exchanges with
11 Tibet” under section 236 of the Foreign Rela-
12 tions Authorization Act, Fiscal Years 1994 and
13 1995 (Public Law 103–236), \$500,000 for the
14 fiscal year 1998 and \$500,000 for the fiscal
15 year 1999.

16 (E) OTHER PROGRAMS.—For “Hubert H.
17 Humphrey Fellowship Program”, “Edmund S.
18 Muskie Fellowship Program”, “International
19 Visitors Program”, “Mike Mansfield Fellowship
20 Program”, “Claude and Mildred Pepper Schol-
21 arship Program of the Washington Workshops
22 Foundation”, “Citizen Exchange Programs”,
23 “Congress-Bundestag Exchange Program”,
24 “Newly Independent States and Eastern Eu-
25 rope Training”, and “Institute for Representa-

1 tive Government”, \$97,995,000 for the fiscal
2 year 1998 and \$97,995,000 for the fiscal year
3 1999.

4 (4) INTERNATIONAL BROADCASTING ACTIVI-
5 TIES.—

6 (A) AUTHORIZATION OF APPROPRIA-
7 TIONS.—For “International Broadcasting Ac-
8 tivities”, \$334,655,000 for the fiscal year 1998,
9 and \$334,655,000 for the fiscal year 1999.

10 (B) ALLOCATION.—Of the amounts au-
11 thorized to be appropriated under subparagraph
12 (A), the Director of the United States Informa-
13 tion Agency and the Board of Broadcasting
14 Governors shall seek to ensure that the
15 amounts made available for broadcasting to na-
16 tions whose people do not fully enjoy freedom of
17 expression do not decline in proportion to the
18 amounts made available for broadcasting to
19 other nations.

20 (5) RADIO CONSTRUCTION.—For “Radio Con-
21 struction”, \$30,000,000 for the fiscal year 1998,
22 and \$30,000,000 for the fiscal year 1999.

23 (6) RADIO FREE ASIA.—For “Radio Free
24 Asia”, \$10,000,000 for the fiscal year 1998 and
25 \$10,000,000 for the fiscal year 1999.

1 (7) BROADCASTING TO CUBA.—For “Broad-
2 casting to Cuba”, \$22,095,000 for the fiscal year
3 1998 and \$22,095,000 for the fiscal year 1999.

4 (8) CENTER FOR CULTURAL AND TECHNICAL
5 INTERCHANGE BETWEEN EAST AND WEST.—For
6 “Center for Cultural and Technical Interchange be-
7 tween East and West”, \$10,000,000 for the fiscal
8 year 1998 and \$10,000,000 for the fiscal year 1999.

9 (9) NATIONAL ENDOWMENT FOR DEMOC-
10 RACY.—For “National Endowment for Democracy”,
11 \$30,000,000 for the fiscal year 1998 and
12 \$30,000,000 for the fiscal year 1999.

13 (10) CENTER FOR CULTURAL AND TECHNICAL
14 INTERCHANGE BETWEEN NORTH AND SOUTH.—For
15 “Center for Cultural and Technical Interchange be-
16 tween North and South” \$2,000,000 for the fiscal
17 year 1998 and \$2,000,000 for the fiscal year 1999.

18 **SEC. 1107. UNITED STATES ARMS CONTROL AND DISAR-**
19 **MAMENT.**

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

22 (1) \$44,000,000 for the fiscal year 1998 and
23 \$44,000,000 for the fiscal year 1999; and

24 (2) such sums as may be necessary for each of
25 the fiscal years 1998 and 1999 for increases in sal-

1 ary, pay, retirement, other employee benefits author-
2 ized by law, and to offset adverse fluctuations in for-
3 eign currency exchange rates.

4 **TITLE XII—DEPARTMENT OF**
5 **STATE AUTHORITIES AND AC-**
6 **TIVITIES**

7 **CHAPTER 1—AUTHORITIES AND**
8 **ACTIVITIES**

9 **SEC. 1201. REVISION OF DEPARTMENT OF STATE REWARDS**
10 **PROGRAM.**

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

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

15 “**(a) ESTABLISHMENT.**—(1) There is established a
16 program for the payment of rewards to carry out the pur-
17 poses of this section.

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

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

1 “(2) At the sole discretion of the Secretary of State
2 and in consultation, as appropriate, with the Attorney
3 General, the Secretary may pay a reward to any individual
4 who furnishes information leading to—

5 “(A) the arrest or conviction in any country of
6 any individual for the commission of an act of inter-
7 national terrorism against a United States person or
8 United States property;

9 “(B) the arrest or conviction in any country of
10 any individual conspiring or attempting to commit
11 an act of international terrorism against a United
12 States person or United States property;

13 “(C) the arrest or conviction in any country of
14 any individual for committing, primarily outside the
15 territorial jurisdiction of the United States, any nar-
16 cotics-related offense if that offense involves or is a
17 significant part of conduct that involves—

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

21 “(ii) the killing or kidnapping of—

22 “(I) any officer, employee, or contract
23 employee of the United States Government
24 while such individual is engaged in official
25 duties, or on account of that individual’s

1 official duties, in connection with the en-
2 forcement of United States narcotics laws
3 or the implementing of United States nar-
4 cotics control objectives; or

5 “(II) a member of the immediate fam-
6 ily of any such individual on account of
7 that individual’s official duties, in connec-
8 tion with the enforcement of United States
9 narcotics laws or the implementing of
10 United States narcotics control objectives;

11 or

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

14 or

15 “(D) the arrest or conviction in any country of
16 any individual aiding or abetting in the commission
17 of an act described in subparagraphs (A) through
18 (C); or

19 “(E) the prevention, frustration, or favorable
20 resolution of an act described in subparagraphs (A)
21 through (C).

22 “(c) COORDINATION.—(1) To ensure that the pay-
23 ment of rewards pursuant to this section does not dupli-
24 cate or interfere with the payment of informants or the
25 obtaining of evidence or information, as authorized to the

1 Department of Justice, the offering, administration, and
2 payment of rewards under this section, including proce-
3 dures for—

4 “(A) identifying individuals, organizations, and
5 offenses with respect to which rewards will be of-
6 fered;

7 “(B) the publication of rewards;

8 “(C) offering of joint rewards with foreign gov-
9 ernments;

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

11 “(E) the payment and approval of payment,

12 shall be governed by procedures developed by the Sec-
13 retary of State, in consultation with the Attorney General.

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

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

24 “(2) No amount of funds may be appropriated which,
25 when added to the amounts previously appropriated but

1 not yet obligated, would cause such amounts to exceed
2 \$15,000,000.

3 “(3) To the maximum extent practicable, funds made
4 available to carry out this section should be distributed
5 equally for the purpose of preventing acts of international
6 terrorism and for the purpose of preventing international
7 narcotics trafficking.

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

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

12 “(2) A reward under this section of more than
13 \$100,000 may not be made without the approval of the
14 President or the Secretary of State.

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

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

21 “(5) If the Secretary determines that the identity of
22 the recipient of a reward or of the members of the recipi-
23 ent’s immediate family must be protected, the Secretary
24 may take such measures in connection with the payment

1 of the reward as he considers necessary to effect such pro-
2 tection.

3 “(f) INELIGIBILITY.—An officer or employee of any
4 governmental entity who, while in the performance of his
5 or her official duties, furnishes information described in
6 subsection (b) shall not be eligible for a reward under this
7 section.

8 “(g) REPORTS.—(1) Not later than 30 days after
9 paying any reward under this section, the Secretary of
10 State shall submit a report to the appropriate congres-
11 sional committees with respect to such reward. The report,
12 which may be submitted on a classified basis if necessary,
13 shall specify the amount of the reward paid, to whom the
14 reward was paid, and the acts with respect to which the
15 reward was paid. The report shall also discuss the signifi-
16 cance of the information for which the reward was paid
17 in dealing with those acts.

18 “(2) Not later than 60 days after the end of each
19 fiscal year, the Secretary of State shall submit an annual
20 report to the appropriate congressional committees with
21 respect to the operation of the rewards program author-
22 ized by this section. Such report shall provide information
23 on the total amounts expended during such fiscal year to
24 carry out the purposes of this section, including amounts
25 spent to publicize the availability of rewards.

1 “(h) PUBLICATION REGARDING REWARDS OFFERED
2 BY FOREIGN GOVERNMENTS.—Notwithstanding any other
3 provision of this section, at the sole discretion of the Sec-
4 retary of State the resources of the rewards program au-
5 thorized by this section, shall be available for the publica-
6 tion of rewards offered by foreign governments regarding
7 acts of international terrorism which do not involve United
8 States persons or property or a violation of the narcotics
9 laws of the United States.

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

11 “(1) the term ‘appropriate congressional com-
12 mittees’ means the Committee on International Re-
13 lations of the House of Representatives and the
14 Committee on Foreign Relations of the Senate;

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

17 “(A) any act substantially contributing to
18 the acquisition of unsafeguarded special nuclear
19 material (as defined in section 830(8) of the
20 Nuclear Proliferation Prevention Act of 1994)
21 or any nuclear explosive device (as defined in
22 section 830(4) of that Act) by an individual,
23 group, or non-nuclear weapon state (as defined
24 in section 830(5) of that Act); and

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

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

15 “(4) the term ‘member of the immediate family’
16 includes—

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

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

21 “(C) any other person living in the individ-
22 ual’s household and related to the individual by
23 blood or marriage.

24 “(j) DETERMINATIONS OF THE SECRETARY.—A de-
25 termination made by the Secretary of State under this sec-

1 tion shall be final and conclusive and shall not be subject
2 to judicial review.”.

3 (b) USE OF EARNINGS FROM FROZEN ASSETS FOR
4 PROGRAM.—

5 (1) AMOUNTS TO BE MADE AVAILABLE.—Up to
6 2 percent of the earnings accruing, during periods
7 beginning October 1, 1998, on all assets of foreign
8 countries blocked by the President pursuant to the
9 International Emergency Powers Act (50 U.S.C.
10 1701 and following) shall be available, subject to ap-
11 propriations Acts, to carry out section 36 of the
12 State Department Basic Authorities Act, as amend-
13 ed by this section, except that the limitation con-
14 tained in subsection (d)(2) of such section shall not
15 apply to amounts made available under this para-
16 graph.

17 (2) CONTROL OF FUNDS BY THE PRESIDENT.—
18 The President is authorized and directed to take
19 possession and exercise full control of so much of the
20 earnings described in paragraph (1) as are made
21 available under such paragraph.

22 **SEC. 1202. CAPITAL INVESTMENT FUND.**

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

1 (1) in subsection (a) by inserting “and enhance-
2 ment” after “procurement”;

3 (2) in subsection (c) by striking “are authorized
4 to” and inserting “shall”;

5 (3) in subsection (d) by striking “for expendi-
6 ture to procure capital equipment and information
7 technology” and inserting in lieu thereof “for pur-
8 poses of subsection (a)”;

9 (4) by amending subsection (e) to read as fol-
10 lows:

11 “(e) REPROGRAMMING PROCEDURES.—Funds cred-
12 ited to the Capital Investment Fund shall not be available
13 for obligation or expenditure except in compliance with the
14 procedures applicable to reprogrammings under section 34
15 of the State Department Basic Authorities Act of 1956
16 (22 U.S.C. 2710).”.

17 **SEC. 1203. REDUCTION OF REPORTING.**

18 (a) REPORT ON FOREIGN SERVICE PERSONNEL IN
19 EACH AGENCY.—Section 601(c)(4) of the Foreign Service
20 Act of 1980 (22 U.S.C. 4001(c)(4)) is repealed.

21 (b) REPORT ON PARTICIPATION BY U.S. MILITARY
22 PERSONNEL ABROAD IN U.S. ELECTIONS.—Section
23 101(b)(6) of the Uniformed and Overseas Citizens Absen-
24 tee Voting Act (42 U.S.C. 1973ff(b)(6)) is amended by
25 striking “of voter participation” and inserting “of uni-

1 formed services voter participation, a general assessment
2 of overseas nonmilitary participation,”.

3 (c) COUNTRY REPORTS ON ECONOMIC POLICY AND
4 TRADE PRACTICES.—Section 2202 of the Omnibus Trade
5 and Competitiveness Act of 1988 (15 U.S.C. 4711) is re-
6 pealed.

7 (d) ANNUAL REPORT ON SOCIAL AND ECONOMIC
8 GROWTH.—Section 574 of the Foreign Operations, Ex-
9 port Financing, and Related Programs Appropriations
10 Act, 1996 (Public Law 104–107) is repealed.

11 (e) REPORT.—Section 308 of the Chemical and Bio-
12 logical Weapons and Warfare Elimination Act of 1991 (22
13 U.S.C. 5606) is repealed.

14 **SEC. 1204. CONTRACTING FOR LOCAL GUARDS SERVICES**
15 **OVERSEAS.**

16 Section 136(c) of the Foreign Relations Authoriza-
17 tion Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864(c))
18 is amended—

19 (1) by amending paragraph (3) to read as fol-
20 lows:

21 “(3) in evaluating proposals for such contracts,
22 award contracts to the technically acceptable firm
23 offering the lowest evaluated price, except that pro-
24 posals of United States persons and qualified United
25 States joint venture persons (as defined in sub-

1 section (d)) shall be evaluated by reducing the bid
2 price by 5 percent;”;

3 (2) by inserting “and” at the end of paragraph
4 (5);

5 (3) by striking “; and” at the end of paragraph
6 (6) and inserting a period; and

7 (4) by striking paragraph (7).

8 **SEC. 1205. PREADJUDICATION OF CLAIMS.**

9 Section 4(a) of the International Claims Settlement
10 Act (22 U.S.C. 1623(a)) is amended—

11 (1) in the first sentence by striking “1948, or”
12 and inserting “1948,”;

13 (2) by inserting before the period at the end of
14 the first sentence “, or included in a category of
15 claims against a foreign government which is re-
16 ferred to the Commission by the Secretary of State”;
17 and

18 (3) in paragraph (1) by striking “the applica-
19 ble” and inserting “any applicable”.

20 **SEC. 1206. EXPENSES RELATING TO CERTAIN INTER-**
21 **NATIONAL CLAIMS AND PROCEEDINGS.**

22 (a) RECOVERY OF CERTAIN EXPENSES.—The De-
23 partment of State Appropriation Act of 1937 (49 Stat.
24 1321, 22 U.S.C. 2661) is amended in the fifth undesig-
25 nated paragraph under the heading entitled “INTER-

1 NATIONAL FISHERIES COMMISSION” by striking “extraor-
2 dinary”.

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

7 **SEC. 1207. ESTABLISHMENT OF FEE ACCOUNT AND PROVID-**
8 **ING FOR PASSPORT INFORMATION SERVICES.**

9 (a) DISPOSITION OF FEES.—Amounts collected by
10 the Department of State pursuant to section 281 of the
11 Immigration and Nationality Act (8 U.S.C. 1351), section
12 1 of the Passport Act of June 4, 1920 (22 U.S.C. 214),
13 section 16 of the Act of August 18, 1856 (22 U.S.C.
14 4219), and section 9701 of title 31, United States Code,
15 shall be deposited in a special fund of the Treasury.

16 (b) USE OF FUNDS.—Subject to subsections (d) and
17 (e), amounts collected and deposited in the special fund
18 in the Treasury pursuant to subsection (a) shall be avail-
19 able to the extent and in such amounts as are provided
20 in advance in appropriations Acts for the following pur-
21 poses:

22 (1) To pay all necessary expenses of the De-
23 partment of State and the Foreign Service, including
24 expenses authorized by the State Department Basic
25 Authorities Act of 1956.

1 (2) Representation to certain international or-
2 ganizations in which the United States participates
3 pursuant to treaties ratified pursuant to the advice
4 and consent of the Senate or specific Acts of Con-
5 gress.

6 (3) Acquisition by exchange or purchase of pas-
7 senger motor vehicles as authorized by section 1343
8 of title 31, United States Code, section 201(c) of the
9 Federal Property and Administrative Services Act of
10 1949 (40 U.S.C. 481(c)), and section 7 of the State
11 Department Basic Authorities Act (22 U.S.C. 2674).

12 (4) Expenses of general administration of the
13 Department of State.

14 (5) To carry out the Foreign Service Buildings
15 Act of 1926 (22 U.S.C. 292–300) and the Diplo-
16 matic Security Construction Program as authorized
17 by title IV of the Omnibus Diplomatic Security and
18 Antiterrorism Act of 1986 (22 U.S.C. 4851).

19 (c) AVAILABILITY OF FUNDS.—Amounts collected
20 and deposited in the special fund pursuant to subsection
21 (a) are authorized to remain available until expended.

22 (d) LIMITATION.—For any fiscal year, any amount
23 deposited in the special fund under subsection (a) that ex-
24 ceeds \$455,000,000 is authorized to be made available
25 only if a notification is submitted in compliance with the

1 procedures applicable to a reprogramming of funds under
2 section 34 of the State Department Basic Authorities Act
3 of 1956.

4 (e) PASSPORT INFORMATION SERVICES.—For each
5 of the fiscal years 1998 and 1999, \$5,000,000 of the
6 amounts available in the fund shall be available only for
7 the purpose of providing passport information without
8 charge to citizens of the United States, including—

9 (1) information about who is eligible to receive
10 a United States passport and how and where to
11 apply;

12 (2) information about the status of pending ap-
13 plications; and

14 (3) names, addresses, and telephone numbers of
15 State and Federal officials who are authorized to
16 provide passport information in cooperation with the
17 Department of State.

18 **SEC. 1208. ESTABLISHMENT OF MACHINE READABLE FEE**

19 **ACCOUNT.**

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

23 (1) by redesignating paragraph (4) as para-
24 graph (6);

25 (2) by striking paragraph (5);

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

3 “(2) Amounts collected under the authority of
4 paragraph (1) shall be deposited in a special fund of
5 the Treasury.

6 “(3) Subject to paragraph (5), fees deposited in
7 the special fund pursuant to paragraph (2) shall be
8 available to the extent and in such amounts as are
9 provided in advance in appropriations Acts for costs
10 of the Department of State’s border security pro-
11 gram, including the costs of—

12 “(A) installation and operation of the ma-
13 chine readable visa and automated name-check
14 process;

15 “(B) improving the quality and security of
16 the United States passport;

17 “(C) passport and visa fraud investiga-
18 tions; and

19 “(D) the technological infrastructure to
20 support and operate the programs referred to in
21 subparagraphs (A) through (C).

22 “(4) Amounts deposited pursuant to paragraph
23 (2) shall remain available for obligation until ex-
24 pended.

1 compliance audits of United States and foreign par-
2 ties, the conduct of administrative proceedings, end-
3 use monitoring of direct commercial arms sales and
4 transfer, and cooperation in criminal proceedings re-
5 lated to defense trade export controls.”.

6 **SEC. 1210. TRAINING.**

7 (a) INSTITUTE FOR TRAINING.—Section 701 of the
8 Foreign Service Act of 1980 (22 U.S.C. 4021) is amend-
9 ed—

10 (1) by redesignating subsection (d)(4) as sub-
11 section (g); and

12 (2) by inserting after paragraph (3) of sub-
13 section (d) the following new subsections:

14 “(e)(1) The Secretary of State may, in the discretion
15 of the Secretary, provide appropriate training and related
16 services through the institution to employees of United
17 States companies engaged in business abroad, and to the
18 families of such employees.

19 “(2) In the case of any company under contract to
20 provide services to the Department of State, the Secretary
21 of State is authorized to provide job-related training and
22 related services to any company employee who is perform-
23 ing such services.

24 “(3) Training under this subsection shall be on a re-
25 imburseable or advance-of-funds basis. Such reimburse-

1 ments or advances shall be credited to the currently avail-
2 able applicable appropriation account.

3 “(4) Training and related services under this sub-
4 section is authorized only to the extent that it will not
5 interfere with the institution’s primary mission of training
6 employees of the Department and of other agencies in the
7 field of foreign relations.

8 “(f)(1) The Secretary of State is authorized to pro-
9 vide on a reimbursable basis training programs to Mem-
10 bers of Congress or the judiciary.

11 “(2) Congressional staff members and employees of
12 the judiciary may participate on a reimbursable, space-
13 available basis in training programs offered by the institu-
14 tion.

15 “(3) Reimbursements collected under this subsection
16 shall be credited to the currently available applicable ap-
17 propriation account.

18 “(4) Training under this subsection is authorized
19 only to the extent that it will not interfere with the institu-
20 tion’s primary mission of training employees of the De-
21 partment of State and of other agencies in the field of
22 foreign relations.”.

23 (b) FEES FOR USE OF NATIONAL FOREIGN AFFAIRS
24 TRAINING CENTER.—The State Department Basic Au-

1 thorities Act of 1956 (22 U.S.C. 2669 et seq.) is amended
2 by adding after section 52 the following new section:

3 **“SEC. 53. FEES FOR USE OF THE NATIONAL FOREIGN AF-**
4 **FAIRS TRAINING CENTER.**

5 “The Secretary is authorized to charge a fee for use
6 of the National Foreign Affairs Training Center Facility
7 of the Department of State. Funds collected under the au-
8 thority of this section, including reimbursements, sur-
9 charges, and fees, shall be deposited as an offsetting col-
10 lection to any Department of State appropriation to re-
11 cover the costs of such use and shall remain available for
12 obligation until expended.”.

13 **SEC. 1211. FEE FOR USE OF DIPLOMATIC RECEPTION**
14 **ROOMS.**

15 The State Department Basic Authorities Act of 1956
16 (22 U.S.C. 2651a et seq.) is amended by adding after sec-
17 tion 53 (as added by section 1210(b)) the following new
18 section:

19 **“SEC. 54. FEE FOR USE OF DIPLOMATIC RECEPTION**
20 **ROOMS.**

21 “The Secretary of State is authorized to charge a fee
22 for use of the diplomatic reception rooms of the Depart-
23 ment of State. Amounts collected under the authority of
24 this section (including any reimbursements and sur-
25 charges) shall be deposited as an offsetting collection to

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

4 **SEC. 1212. FEES FOR COMMERCIAL SERVICES.**

5 Section 52 of the State Department Basic Authorities
6 Act of 1956 (22 U.S.C. 2724) is amended in subsection
7 (b) by adding at the end the following: “Funds deposited
8 under this subsection shall remain available for obligation
9 until expended.”.

10 **SEC. 1213. BUDGET PRESENTATION DOCUMENTS.**

11 The Secretary of State shall include in the annual
12 Congressional Presentation Document and the Budget in
13 Brief, a detailed accounting of the total collections re-
14 ceived by the Department of State from all sources, in-
15 cluding fee collections. Reporting on total collections shall
16 also include the previous year’s collection and the pro-
17 jected expenditures from all collections accounts.

18 **SEC. 1214. GRANTS TO OVERSEAS EDUCATIONAL FACILI-**
19 **TIES.**

20 Section 29 of the State Department Basic Authorities
21 Act of 1956 (22 U.S.C. 2701) is amended by adding at
22 the end the following: “Notwithstanding any other provi-
23 sion of law, where the children of United States citizen
24 employees of an agency of the United States Government
25 who are stationed outside the United States attend edu-

1 cational facilities assisted by the Department of State
 2 under this section, such agency is authorized to make
 3 grants to, or otherwise to reimburse or credit with advance
 4 payment, the Department of State for funds used in pro-
 5 viding assistance to such educational facilities.”.

6 **SEC. 1215. GRANTS TO REMEDY INTERNATIONAL CHILD AB-**
 7 **DUCTIONS.**

8 (a) GRANT AUTHORITY.—Section 7 of the Inter-
 9 national Child Abduction Remedies Act (42 U.S.C. 11606;
 10 Public Law 100–300) is amended by adding at the end
 11 the following new subsection:

12 “(e) GRANT AUTHORITY.—The United States
 13 Central Authority is authorized to make grants to, or
 14 enter into contracts or agreements with, any individual,
 15 corporation, other Federal, State, or local agency, or pri-
 16 vate entity or organization in the United States for pur-
 17 poses of accomplishing its responsibilities under the con-
 18 vention and this Act.”.

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

21 **SEC. 1241. USE OF CERTAIN PASSPORT PROCESSING FEES**
 22 **FOR ENHANCED PASSPORT SERVICES.**

23 For each of the fiscal years 1998 and 1999, of the
 24 fees collected for expedited passport processing and depos-
 25 ited to an offsetting collection pursuant to the Department

1 of State and Related Agencies Appropriations Act for Fis-
2 cal Year 1995 (Public Law 103–317; 22 U.S.C. 214), 30
3 percent shall be available only for enhancing passport
4 services for United States citizens, improving the integrity
5 and efficiency of the passport issuance process, improving
6 the secure nature of the United States passport, inves-
7 tigating passport fraud, and deterring entry into the Unit-
8 ed States by terrorists, drug traffickers, or other crimi-
9 nals.

10 **SEC. 1242. CONSULAR OFFICERS.**

11 (a) PERSONS AUTHORIZED TO ISSUE REPORTS OF
12 BIRTH ABROAD.—Section 33 of the State Department
13 Basic Authorities Act of 1956 (22 U.S.C. 2705) is amend-
14 ed in paragraph (2) by inserting “(or any United States
15 citizen employee of the Department of State designated
16 by the Secretary of State to adjudicate nationality abroad
17 pursuant to such regulations as the Secretary may pre-
18 scribe)” after “consular officer”.

19 (b) PROVISIONS APPLICABLE TO CONSULAR OFFI-
20 CERS.—Section 1689 of the Revised Statutes of the Unit-
21 ed States (22 U.S.C. 4191), is amended by inserting “and
22 to such other United States citizen employees of the De-
23 partment of State as may be designated by the Secretary
24 of State pursuant to such regulations as the Secretary
25 may prescribe” after “such officers”.

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

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

18 **SEC. 1243. REPEAL OF OUTDATED CONSULAR RECEIPT RE-**
19 **QUIREMENTS.**

20 Sections 1726, 1727, and 1728 of the Revised Stat-
21 utes of the United States (22 U.S.C. 4212, 4213, and
22 4214) (concerning accounting for consular fees) are re-
23 pealed.

1 **SEC. 1244. ELIMINATION OF DUPLICATE PUBLICATION RE-**
2 **QUIREMENTS.**

3 (a) FEDERAL REGISTER PUBLICATION OF TRAVEL
4 ADVISORIES.—Section 44908(a) of title 49, United States
5 Code, is amended—

6 (1) by striking paragraph (2); and

7 (2) by redesignating paragraph (3) as para-
8 graph (2).

9 (b) PUBLICATION IN THE FEDERAL REGISTER OF
10 TRAVEL ADVISORIES CONCERNING SECURITY AT FOR-
11 EIGN PORTS.—Section 908(a) of the International Mari-
12 time and Port Security Act of 1986 (Public Law 99–399;
13 100 Stat. 891; 46 U.S.C. App. 1804(a)) is amended by
14 striking the second sentence.

15 **CHAPTER 3—REFUGEES AND MIGRATION**

16 **SEC. 1261. REPORT TO CONGRESS CONCERNING CUBAN**
17 **EMIGRATION POLICIES.**

18 Beginning 3 months after the date of the enactment
19 of this Act and every subsequent 6 months, the Secretary
20 of State shall include in the monthly report to Congress
21 entitled “Update on Monitoring of Cuban Migrant Return-
22 ees” additional information concerning the methods em-
23 ployed by the Government of Cuba to enforce the United
24 States-Cuba agreement of September 1994 to restrict the
25 emigration of the Cuban people from Cuba to the United
26 States and the treatment by the Government of Cuba of

1 persons who have returned to Cuba pursuant to the Unit-
2 ed States-Cuba agreement of May 1995.

3 **SEC. 1262. REPROGRAMMING OF MIGRATION AND REFU-**
4 **GEE ASSISTANCE FUNDS.**

5 Section 34 of the State Department Basic Authorities
6 Act of 1956 (22 U.S.C. 2706) is amended by adding at
7 the end the following new subsection:

8 “(c) EMERGENCY WAIVER OF NOTIFICATION RE-
9 QUIREMENT.—The Secretary of State may waive the noti-
10 fication requirement of subsection (a), if the Secretary de-
11 termines that failure to do so would pose a substantial
12 risk to human health or welfare. In the case of any waiver
13 under this subsection, notification to the appropriate con-
14 gressional committees shall be provided as soon as prac-
15 ticable, but not later than 3 days after taking the action
16 to which the notification requirement was applicable, and
17 shall contain an explanation of the emergency cir-
18 cumstances.”.

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

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

8 **SEC. 1301. COORDINATOR FOR COUNTERTERRORISM.**

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

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

13 “(1) In”; and

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

15 “(2) COORDINATOR FOR COUNTERTERRORISM.—

16 “(A) There shall be within the office of the Sec-
17 retary of State a Coordinator for Counterterrorism
18 (hereafter in this paragraph referred to as the ‘Coor-
19 dinator’) who shall be appointed by the President, by
20 and with the advice and consent of the Senate.

21 “(B)(i) The Coordinator shall perform such du-
22 ties and exercise such power as the Secretary of
23 State shall prescribe.

24 “(ii) The principal duty of the Coordinator shall
25 be the overall supervision (including policy oversight

1 of resources) of international counterterrorism ac-
2 tivities. The Coordinator shall be the principal ad-
3 viser to the Secretary of State on international
4 counterterrorism matters. The Coordinator shall be
5 the principal counterterrorism official within the
6 senior management of the Department of State and
7 shall report directly to the Secretary of State.

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

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

21 (c) TRANSITION PROVISION.—The individual serving
22 as Coordinator for Counterterrorism of the Department
23 of State on the day before the effective date of this division
24 may continue to serve in that position.

1 **SEC. 1302. ELIMINATION OF STATUTORY ESTABLISHMENT**
2 **OF CERTAIN POSITIONS OF THE DEPART-**
3 **MENT OF STATE.**

4 (a) ASSISTANT SECRETARY OF STATE FOR SOUTH
5 ASIAN AFFAIRS.—Section 122 of the Foreign Relations
6 Authorization Act, Fiscal Years 1992 and 1993 (22
7 U.S.C. 2652b) is repealed.

8 (b) DEPUTY ASSISTANT SECRETARY OF STATE FOR
9 BURDENSARING.—Section 161 of the Foreign Relations
10 Authorization Act, Fiscal Years 1994 and 1995 (22
11 U.S.C. 2651a note) is amended by striking subsection (f).

12 (c) ASSISTANT SECRETARY FOR OCEANS AND INTER-
13 NATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS.—
14 Section 9 of the Department of State Appropriations Au-
15 thorization Act of 1973 (22 U.S.C. 2655a) is repealed.

16 **SEC. 1303. ESTABLISHMENT OF ASSISTANT SECRETARY OF**
17 **STATE FOR HUMAN RESOURCES.**

18 Section 1(c) of the State Department Basic Authori-
19 ties Act of 1956 (22 U.S.C. 2651a(c)) is amended by add-
20 ing after paragraph (2) the following new paragraph:

21 “(3) ASSISTANT SECRETARY FOR HUMAN RE-
22 SOURCES.—There shall be in the Department of
23 State an Assistant Secretary for Human Resources
24 who shall be responsible to the Secretary of State
25 for matters relating to human resources including
26 the implementation of personnel policies and pro-

1 (b) RANK.—A United States Special Envoy for Tibet
2 appointed under subsection (a) shall have the personal
3 rank of ambassador and shall be appointed by and with
4 the advice and consent of the Senate.

5 (c) SPECIAL FUNCTIONS.—The United States Special
6 Envoy for Tibet should be authorized and encouraged—

7 (1) to promote substantive negotiations between
8 the Dalai Lama or his representatives and senior
9 members of the Government of the People’s Republic
10 of China;

11 (2) to promote good relations between the Dalai
12 Lama and his representatives and the United States
13 Government, including meeting with members or
14 representatives of the Tibetan government-in-exile;
15 and

16 (3) to travel regularly throughout Tibet and Ti-
17 betan refugee settlements.

18 (d) DUTIES AND RESPONSIBILITIES.—The United
19 States Special Envoy for Tibet should—

20 (1) consult with the Congress on policies rel-
21 evant to Tibet and the future and welfare of all Ti-
22 betan people;

23 (2) coordinate United States Government poli-
24 cies, programs, and projects concerning Tibet; and

1 (3) report to the Secretary of State regarding
2 the matters described in section 536(a)(2) of the
3 Foreign Relations Authorization Act, Fiscal Years
4 1994 and 1995 (Public Law 103–236).

5 **SEC. 1306. RESPONSIBILITIES FOR BUREAU CHARGED WITH**
6 **REFUGEE ASSISTANCE.**

7 The Bureau of Migration and Refugee Assistance
8 shall be the bureau within the Department of State with
9 principal responsibility for assisting the Secretary in car-
10 rying out the Migration and Refugee Assistance Act of
11 1962 and shall not be charged with responsibility for as-
12 sisting the Secretary in matters relating to family plan-
13 ning or population policy.

14 **CHAPTER 2—PERSONNEL OF THE DE-**
15 **PARTMENT OF STATE; THE FOREIGN**
16 **SERVICE**

17 **SEC. 1321. AUTHORIZED STRENGTH OF THE FOREIGN SERV-**
18 **ICE.**

19 (a) END FISCAL YEAR 1998 LEVELS.—The number
20 of members of the Foreign Service authorized to be em-
21 ployed as of September 30, 1998—

22 (1) for the Department of State, shall not ex-
23 ceed 8,700, of whom not more than 750 shall be
24 members of the Senior Foreign Service;

1 (2) for the United States Information Agency,
2 shall not exceed 1,000, of whom not more than 140
3 shall be members of the Senior Foreign Service; and

4 (3) for the Agency for International Develop-
5 ment, not to exceed 1070, of whom not more than
6 140 shall be members of the Senior Foreign Service.

7 (b) END FISCAL YEAR 1999 LEVELS.—The number
8 of members of the Foreign Service authorized to be em-
9 ployed as of September 30, 1999—

10 (1) for the Department of State, shall not ex-
11 ceed 8,800, of whom not more than 750 shall be
12 members of the Senior Foreign Service;

13 (2) for the United States Information Agency,
14 not to exceed 1,000 of whom not more than 140
15 shall be members of the Senior Foreign Service; and

16 (3) for the Agency for International Develop-
17 ment, not to exceed 1065 of whom not more than
18 135 shall be members of the Senior Foreign Service.

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

24 (1) members of the Service under paragraphs
25 (6) and (7) of such section;

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

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

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

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

11 (d) WAIVER AUTHORITY.—(1) Subject to paragraph
12 (2), the President may waive any limitation under sub-
13 section (a) or (b) to the extent that such waiver is nec-
14 essary to carry on the foreign affairs functions of the
15 United States.

16 (2) Not less than 15 days before the President exer-
17 cises a waiver under paragraph (1), such agency head
18 shall notify the Chairman of the Committee on Foreign
19 Relations of the Senate and the Chairman of the Commit-
20 tee on International Relations of the House of Representa-
21 tives. Such notice shall include an explanation of the cir-
22 cumstances and necessity for such waiver.

23 **SEC. 1322. NONOVERTIME DIFFERENTIAL PAY.**

24 Title 5 of the United States Code is amended—

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

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

19 **SEC. 1323. AUTHORITY OF SECRETARY TO SEPARATE CON-**
20 **VICTED FELONS FROM SERVICE.**

21 Section 610(a)(2) of the Foreign Service Act of 1980
22 (22 U.S.C. 4010(a)(2)) is amended in the first sentence
23 by striking “A member” and inserting “Except in the case
24 of an individual who has been convicted of a crime for

1 which a sentence of imprisonment of more than 1 year
2 may be imposed, a member”.

3 **SEC. 1324. CAREER COUNSELING.**

4 (a) IN GENERAL.—Section 706(a) of the Foreign
5 Service Act of 1980 (22 U.S.C. 4026(a)) is amended by
6 adding at the end the following sentence: “Career counsel-
7 ing and related services provided pursuant to this Act shall
8 not be construed to permit an assignment to training or
9 to another assignment that consists primarily of paid time
10 to conduct a job search and without other substantive du-
11 ties, except that career members of the Service who upon
12 their separation are not eligible to receive an immediate
13 annuity and have not been assigned to a post in the Unit-
14 ed States during the 12 months prior to their separation
15 from the Service may be permitted up to 2 months of paid
16 time to conduct a job search.”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 subsection (a) shall be effective 180 days after the date
19 of the enactment of this Act.

20 **SEC. 1325. REPORT CONCERNING MINORITIES AND THE**
21 **FOREIGN SERVICE.**

22 The Secretary of State shall annually submit a report
23 to the Congress concerning minorities and the Foreign
24 Service officer corps. In addition to such other information
25 as is relevant to this issue, the report shall include the

1 following data (reported in terms of real numbers and per-
2 centages and not as ratios):

3 (1) The numbers and percentages of all minori-
4 ties taking the written foreign service examination.

5 (2) The numbers and percentages of all minori-
6 ties successfully completing and passing the written
7 foreign service examination.

8 (3) The numbers and percentages of all minori-
9 ties successfully completing and passing the oral for-
10 eign service examination.

11 (4) The numbers and percentages of all minori-
12 ties entering the junior officers class of the Foreign
13 Service.

14 (5) The numbers and percentages of all minori-
15 ties in the Foreign Service officer corps.

16 (6) The numbers and percentages of all minor-
17 ity Foreign Service officers at each grade, particu-
18 larly at the senior levels in policy directive positions.

19 (7) The numbers of and percentages of minori-
20 ties promoted at each grade of the Foreign Service
21 officer corps.

22 **SEC. 1326. RETIREMENT BENEFITS FOR INVOLUNTARY SEP-**
23 **ARATION.**

24 (a) BENEFITS.—Section 609 of the Foreign Service
25 Act of 1980 (22 U.S.C. 4009) is amended—

1 (1) in subsection (a)(2)(A) by inserting “or any
2 other applicable provision of chapter 84 of title 5,
3 United States Code,” after “section 811,”;

4 (2) in subsection (a) by inserting “or section
5 855, as appropriate” after “section 806”; and

6 (3) in subsection (b)(2)—

7 (A) by inserting “(A) for those partici-
8 pants in the Foreign Service Retirement and
9 Disability System,” before “a refund”; and

10 (B) by inserting before the period at the
11 end “; and (B) for those participants in the
12 Foreign Service Pension System, benefits as
13 provided in section 851”.

14 (4) in subsection (b) in the matter following
15 paragraph (2) by inserting “(for participants in the
16 Foreign Service Retirement and Disability System)
17 or age 62 (for participants in the Foreign Service
18 Pension System)” after “age 60”.

19 (b) ENTITLEMENT TO ANNUITY.—Section 855(b) of
20 the Foreign Service Act of 1980 (22 U.S.C. 4071d(b)) is
21 amended—

22 (1) in paragraph (1) by inserting “611,” after
23 “608,”;

24 (2) in paragraph (1) by inserting “and for par-
25 ticipants in the Foreign Service Pension System”

1 after “for participants in the Foreign Service Retirement and Disability System”; and

2
3 (3) in paragraph (3) by striking “or 610” and
4 inserting “610, or 611”.

5 (c) EFFECTIVE DATES.—

6 (1) Except as provided in paragraph (2), the
7 amendments made by this section shall take effect
8 on the date of the enactment of this Act.

9 (2) The amendments made by paragraphs (2)
10 and (3) of subsection (a) and paragraphs (1) and
11 (3) of subsection (b) shall apply with respect to any
12 actions taken under section 611 of the Foreign Service Act of 1980 after January 1, 1996.

14 **SEC. 1327. AVAILABILITY PAY FOR CERTAIN CRIMINAL INVESTIGATORS WITHIN THE DIPLOMATIC SECURITY SERVICE.**

17 (a) IN GENERAL.—Section 5545a of title 5, United
18 States Code, is amended by adding at the end the following:
19

20 “(k)(1) For purposes of this section, the term ‘criminal investigator’ includes an officer occupying a position
21 under title II of Public Law 99–399 if—

22
23 “(A) subject to subparagraph (C), such officer
24 meets the definition of such term under paragraph

1 (2) of subsection (a) (applied disregarding the par-
2 enthetical matter before subparagraph (A) thereof);

3 “(B) the primary duties of the position held by
4 such officer consist of performing—

5 “(i) protective functions; or

6 “(ii) criminal investigations; and

7 “(C) such officer satisfies the requirements of
8 subsection (d) without taking into account any hours
9 described in paragraph (2)(B) thereof.

10 “(2) In applying subsection (h) with respect to an
11 officer under this subsection—

12 “(A) any reference in such subsection to ‘basic
13 pay’ shall be considered to include amounts des-
14 ignated as ‘salary’;

15 “(B) paragraph (2)(A) of such subsection shall
16 be considered to include (in addition to the provi-
17 sions of law specified therein) sections 609(b)(1),
18 805, 806, and 856 of the Foreign Service Act of
19 1980; and

20 “(C) paragraph (2)(B) of such subsection shall
21 be applied by substituting for ‘Office of Personnel
22 Management’ the following: ‘Office of Personnel
23 Management or the Secretary of State (to the extent
24 that matters exclusively within the jurisdiction of the
25 Secretary are concerned)’.”.

1 (b) IMPLEMENTATION.—Not later than the date on
2 which the amendments made by this section take effect,
3 each special agent of the Diplomatic Security Service who
4 satisfies the requirements of subsection (k)(1) of section
5 5545a of title 5, United States Code, as amended by this
6 section, and the appropriate supervisory officer, to be des-
7 ignated by the Secretary of State, shall make an initial
8 certification to the Secretary of State that the special
9 agent is expected to meet the requirements of subsection
10 (d) of such section 5545a. The Secretary of State may
11 prescribe procedures necessary to administer this sub-
12 section.

13 (c) TECHNICAL AND CONFORMING AMENDMENTS.—
14 (1) Paragraph (2) of section 5545a(a) of title 5, United
15 States Code, is amended (in the matter before subpara-
16 graph (A)) by striking “Public Law 99–399” and insert-
17 ing “Public Law 99–399, subject to subsection (k)”.

18 (2) Section 5542(e) of such title is amended by strik-
19 ing “title 18, United States Code,” and inserting “title
20 18 or section 37(a)(3) of the State Department Basic Au-
21 thorities Act of 1956,”.

22 (d) EFFECTIVE DATE.—The amendments made by
23 this section shall take effect on the first day of the first
24 applicable pay period—

1 (1) which begins on or after the 90th day fol-
2 lowing the date of the enactment of this Act; and

3 (2) on which date all regulations necessary to
4 carry out such amendments are (in the judgment of
5 the Director of the Office of Personnel Management
6 and the Secretary of State) in effect.

7 **SEC. 1328. LABOR MANAGEMENT RELATIONS.**

8 Section 1017(e)(2) of the Foreign Service Act of
9 1980 (22 U.S.C. 4117(e)(2)) is amended to read as fol-
10 lows:

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

19 **SEC. 1329. OFFICE OF THE INSPECTOR GENERAL.**

20 (a) PROCEDURES.—Section 209(c) of the Foreign
21 Service Act of 1980 (22 U.S.C. 3929(c)) is amended by
22 adding after paragraph (3) the following new paragraphs:

23 “(4) In the case of a formal interview where an
24 employee is the likely subject or target of an Inspec-
25 tor General criminal investigation, the Inspector

1 General shall make all best efforts to provide the
2 employee with notice of the full range of his or her
3 rights, including the right to retain counsel and the
4 right to remain silent, as well as the identification
5 of those attending the interview.

6 “(5) In carrying out the duties and responsibil-
7 ities established under this section, the Inspector
8 General shall develop and provide to employees—

9 “(A) information detailing their rights to
10 counsel; and

11 “(B) guidelines describing in general terms
12 the policies and procedures of the Office of In-
13 spector General with respect to individuals
14 under investigation, other than matters exempt
15 from disclosure under other provisions of law.”.

16 (b) REPORT.—Not later than April 30, 1998, the In-
17 spector General of the Department of State shall submit
18 a report to the appropriate congressional committees
19 which includes the following information:

20 (1) Detailed descriptions of the internal guid-
21 ance developed or used by the Office of the Inspector
22 General with respect to public disclosure of any in-
23 formation related to an ongoing investigation of any
24 employee or official of the Department of State, the

1 United States Information Agency, or the Arms
2 Control and Disarmament Agency.

3 (2) Detailed descriptions of those instances for
4 the year ending December 31, 1997, in which any
5 disclosure of information to the public by an em-
6 ployee of the Office of Inspector General about an
7 ongoing investigation occurred, including details on
8 the recipient of the information, the date of the dis-
9 closure, and the internal clearance process for the
10 disclosure.

11 **TITLE XIV—UNITED STATES**
12 **PUBLIC DIPLOMACY: AU-**
13 **THORITIES AND ACTIVITIES**
14 **FOR UNITED STATES INFOR-**
15 **MATIONAL, EDUCATIONAL,**
16 **AND CULTURAL PROGRAMS**

17 **SEC. 1401. EXTENSION OF AU PAIR PROGRAMS.**

18 Section 1(b) of the Act entitled “An Act to extend
19 au pair programs.” (Public Law 104–72; 109 Stat.
20 1065(b)) is amended by striking “, through fiscal year
21 1997”.

22 **SEC. 1402. RETENTION OF INTEREST.**

23 Notwithstanding any other provision of law, with the
24 approval of the National Endowment for Democracy,
25 grant funds made available by the National Endowment

1 for Democracy may be deposited in interest-bearing ac-
2 counts pending disbursement and any interest which ac-
3 crues may be retained by the grantee without returning
4 such interest to the Treasury of the United States and
5 interest earned by be obligated and expended for the pur-
6 poses for which the grant was made without further ap-
7 propriation.

8 **SEC. 1403. CENTER FOR CULTURAL AND TECHNICAL INTER-**
9 **CHANGE BETWEEN NORTH AND SOUTH.**

10 Section 208(e) of the Foreign Relations Authoriza-
11 tion Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075(e))
12 is amended by striking “\$10,000,000” and inserting
13 “\$4,000,000”.

14 **SEC. 1404. USE OF SELECTED PROGRAM FEES.**

15 Section 810 of the United States Information and
16 Educational Exchange Act of 1948 (22 U.S.C. 1475e) is
17 amended by inserting “educational advising and counsel-
18 ing, exchange visitor program services, advertising sold by
19 the Voice of America, receipts from cooperating inter-
20 national organizations and from the privatization of VOA
21 Europe,” after “library services,”.

22 **SEC. 1405. MUSKIE FELLOWSHIP PROGRAM.**

23 (a) GUIDELINES.—Section 227(c)(5) of the Foreign
24 Relations Authorization Act, Fiscal Years 1992 and 1993
25 (22 U.S.C. 2452 note) is amended—

1 (1) in the first sentence by inserting “journal-
2 ism and communications, education administration,
3 public policy, library and information science,” after
4 “business administration,”; and

5 (2) in the second sentence by inserting “jour-
6 nalism and communications, education administra-
7 tion, public policy, library and information science,”
8 after “business administration,”.

9 (b) REDESIGNATION OF SOVIET UNION.—Section
10 227 of the Foreign Relations Authorization Act, Fiscal
11 Years 1992 and 1993 (22 U.S.C. 2452 note) is amend-
12 ed—

13 (1) by striking “Soviet Union” each place it ap-
14 pears and inserting “Independent States of the
15 Former Soviet Union”; and

16 (2) in the section heading by inserting “**INDE-**
17 **PENDENT STATES OF THE FORMER**” after
18 “**FROM THE**”.

19 **SEC. 1406. WORKING GROUP ON UNITED STATES GOVERN-**
20 **MENT SPONSORED INTERNATIONAL EX-**
21 **CHANGES AND TRAINING.**

22 Section 112 of the Mutual Educational and Cultural
23 Exchange Act of 1961 (22 U.S.C. 2460) is amended by
24 adding at the end the following new subsection:

1 “(g) WORKING GROUP ON UNITED STATES GOVERN-
2 MENT SPONSORED INTERNATIONAL EXCHANGES AND
3 TRAINING.—(1) In order to carry out the purposes of sub-
4 section (f) and to improve the coordination, efficiency, and
5 effectiveness of United States Government sponsored
6 international exchanges and training, there is established
7 within the United States Information Agency a senior-
8 level interagency working group to be known as the Work-
9 ing Group on United States Government Sponsored Inter-
10 national Exchanges and Training (hereinafter in this sec-
11 tion referred to as ‘the Working Group’).

12 “(2) For purposes of this subsection, the term ‘Gov-
13 ernment sponsored international exchanges and training’
14 means the movement of people between countries to pro-
15 mote the sharing of ideas, to develop skills, and to foster
16 mutual understanding and cooperation, financed wholly or
17 in part, directly or indirectly, with United States Govern-
18 ment funds.

19 “(3) The Working Group shall be composed as fol-
20 lows:

21 “(A) The Associate Director for Educational
22 and Cultural Affairs of the United States Informa-
23 tion Agency, who shall act as Chair.

24 “(B) A senior representative designated by the
25 Secretary of State.

1 “(C) A senior representative designated by the
2 Secretary of Defense.

3 “(D) A senior representative designated by the
4 Secretary of Education.

5 “(E) A senior representative designated by the
6 Attorney General.

7 “(F) A senior representative designated by the
8 Administrator of the Agency for International Devel-
9 opment.

10 “(G) Senior representatives of other depart-
11 ments and agencies as the Chair determines to be
12 appropriate.

13 “(4) Representatives of the National Security Adviser
14 and the Director of the Office of Management and Budget
15 may participate in the Working Group at the discretion
16 of the adviser and the director, respectively.

17 “(5) The Working Group shall be supported by an
18 interagency staff office established in the Bureau of Edu-
19 cational and Cultural Affairs of the United States Infor-
20 mation Agency.

21 “(6) The Working Group shall have the following
22 purposes and responsibilities:

23 “(A) To collect, analyze, and report data pro-
24 vided by all United States Government departments

1 and agencies conducting international exchanges and
2 training programs.

3 “(B) To promote greater understanding and co-
4 operation among concerned United States Govern-
5 ment departments and agencies of common issues
6 and challenges in conducting international exchanges
7 and training programs, including through the estab-
8 lishment of a clearinghouse for information on inter-
9 national exchange and training activities in the gov-
10 ernmental and nongovernmental sectors.

11 “(C) In order to achieve the most efficient and
12 cost-effective use of Federal resources, to identify
13 administrative and programmatic duplication and
14 overlap of activities by the various United States
15 Government departments and agencies involved in
16 Government sponsored international exchange and
17 training programs, to identify how each Government
18 sponsored international exchange and training pro-
19 gram promotes United States foreign policy, and to
20 report thereon.

21 “(D) Not later than 1 year after the date of the
22 enactment of the Foreign Relations Authorization
23 Act, Fiscal Years 1998 and 1999, to develop and
24 thereafter assess, annually, a coordinated and cost-
25 effective strategy for all United States Government

1 sponsored international exchange and training pro-
2 grams, and to issue a report on such strategy. This
3 strategy will include an action plan for consolidating
4 United States Government sponsored international
5 exchange and training programs with the objective
6 of achieving a minimum 10 percent cost saving
7 through consolidation or the elimination of duplica-
8 tion.

9 “(E) Not later than 2 years after the date of
10 the enactment of the Foreign Relations Authoriza-
11 tion Act, Fiscal Years 1998 and 1999, to develop
12 recommendations on common performance measures
13 for all United States Government sponsored inter-
14 national exchange and training programs, and to
15 issue a report.

16 “(F) To conduct a survey of private sector
17 international exchange activities and develop strate-
18 gies for expanding public and private partnerships
19 in, and leveraging private sector support for, United
20 States Government sponsored international exchange
21 and training activities.

22 “(G) Not later than 6 months after the date of
23 the enactment of the Foreign Relations Authoriza-
24 tion Act, Fiscal Years 1998 and 1999, to report on
25 the feasibility of transferring funds and program

1 management for the ATLAS and/or the Mandela
2 Fellows programs in South Africa from the Agency
3 for International Development to the United States
4 Information Agency. The report shall include an as-
5 sessment of the capabilities of the South African
6 Fulbright Commission to manage such programs
7 and the cost advantages of consolidating such pro-
8 grams under one entity.

9 “(7) All reports prepared by the Working Group shall
10 be submitted to the President, through the Director of the
11 United States Information Agency.

12 “(8) The Working Group shall meet at least on a
13 quarterly basis.

14 “(9) All decisions of the Working Group shall be by
15 majority vote of the members present and voting.

16 “(10) The members of the Working Group shall serve
17 without additional compensation for their service on the
18 Working Group. Any expenses incurred by a member of
19 the Working Group in connection with service on the
20 Working Group shall be compensated by that member’s
21 department or agency.

22 “(11) With respect to any report promulgated pursu-
23 ant to paragraph (6), a member may submit dissenting
24 views to be submitted as part of the report of the Working
25 Group.”.

1 **SEC. 1407. EDUCATIONAL AND CULTURAL EXCHANGES AND**
2 **SCHOLARSHIPS FOR TIBETANS AND BUR-**
3 **MESE.**

4 (a) **ESTABLISHMENT OF EDUCATIONAL AND CUL-**
5 **TURAL EXCHANGE FOR TIBETANS.**—The Director of the
6 United States Information Agency shall establish pro-
7 grams of educational and cultural exchange between the
8 United States and the people of Tibet. Such programs
9 shall include opportunities for training and, as the Direc-
10 tor considers appropriate, may include the assignment of
11 personnel and resources abroad.

12 (b) **SCHOLARSHIPS FOR TIBETANS AND BURMESE.**—

13 (1) **IN GENERAL.**—For each of the fiscal years
14 1998 and 1999, at least 30 scholarships shall be
15 made available to Tibetan students and professionals
16 who are outside Tibet, and at least 15 scholarships
17 shall be made available to Burmese students and
18 professionals who are outside Burma.

19 (2) **WAIVER.**—Paragraph (1) shall not apply to
20 the extent that the Director of the United States In-
21 formation Agency determines that there are not
22 enough qualified students to fulfill such allocation
23 requirement.

24 (3) **SCHOLARSHIP DEFINED.**—For the purposes
25 of this section, the term “scholarship” means an
26 amount to be used for full or partial support of tui-

1 tion and fees to attend an educational institution,
2 and may include fees, books, and supplies, equip-
3 ment required for courses at an educational institu-
4 tion, living expenses at a United States educational
5 institution, and travel expenses to and from, and
6 within, the United States.

7 **SEC. 1408. UNITED STATES—JAPAN COMMISSION.**

8 (a) RELIEF FROM RESTRICTION OF INTERCHANGE-
9 ABILITY OF FUNDS.—

10 (1) Section 6(4) of the Japan-United States
11 Friendship Act (22 U.S.C. 2905(4)) is amended by
12 striking “needed, except” and all that follows
13 through “United States” and inserting “needed”.

14 (2) The second sentence of section 7(b) of the
15 Japan-United States Friendship Act (22 U.S.C.
16 2906(b)) is amended to read as follows: “Such in-
17 vestment may be made only in interest-bearing obli-
18 gations of the United States, in obligations guaran-
19 teed as to both principal and interest by the United
20 States, in interest-bearing obligations of Japan, or
21 in obligations guaranteed as to both principal and
22 interest by Japan.”.

23 (b) REVISION OF NAME OF COMMISSION.—

24 (1) After the date of the enactment of this Act,
25 the Japan-United States Friendship Commission

1 shall be designated as the “United States-Japan
2 Commission”. Any reference in any provision of law,
3 Executive order, regulation, delegation of authority,
4 or other document to the Japan-United States
5 Friendship Commission shall be considered to be a
6 reference to the United States-Japan Commission.

7 (2) The heading of section 4 of the Japan-Unit-
8 ed States Friendship Act (22 U.S.C. 2903) is
9 amended to read as follows:

10 “UNITED STATES-JAPAN COMMISSION”.

11 (3) The Japan-United States Friendship Act is
12 amended by striking “Japan-United States Friend-
13 ship Commission” each place such term appears and
14 inserting “United States-Japan Commission”.

15 (c) REVISION OF NAME OF TRUST FUND.—

16 (1) After the date of the enactment of this Act,
17 the Japan-United States Friendship Trust Fund
18 shall be designated as the “United States-Japan
19 Trust Fund”. Any reference in any provision of law,
20 Executive order, regulation, delegation of authority,
21 or other document to the Japan-United States
22 Friendship Trust Fund shall be considered to be a
23 reference to the United States-Japan Trust Fund.

24 (2) Section 3(a) of the Japan-United States
25 Friendship Act (22 U.S.C. 2902(a)) is amended by
26 striking “Japan-United States Friendship Trust

1 Fund” and inserting “United States-Japan Trust
2 Fund”.

3 **SEC. 1409. SURROGATE BROADCASTING STUDIES.**

4 (a) RADIO FREE AFRICA.—Not later than 6 months
5 after the date of the enactment of this Act, the United
6 States Information Agency and the Board of Broadcasting
7 Governors should conduct and complete a study of the ap-
8 propriateness, feasibility, and projected costs of providing
9 surrogate broadcasting service to Africa and transmit the
10 results of the study to the appropriate congressional com-
11 mittees.

12 (b) RADIO FREE IRAN.—Not later than 6 months
13 after the date of the enactment of this Act, the United
14 States Information Agency and the Board of Broadcasting
15 Governors should conduct and complete a study of the ap-
16 propriateness, feasibility, and projected costs of a Radio
17 Free Europe/Radio Liberty broadcasting service to Iran
18 and transmit the results of the study to the appropriate
19 congressional committees.

20 **SEC. 1410. AUTHORITY TO ADMINISTER SUMMER TRAVEL/
21 WORK PROGRAMS.**

22 The Director of the United States Information Agen-
23 cy is authorized to administer summer travel/work pro-
24 grams without regard to preplacement requirements.

1 **SEC. 1411. PERMANENT ADMINISTRATIVE AUTHORITIES**
2 **REGARDING APPROPRIATIONS.**

3 Section 701(f) of the United States Information and
4 Educational Exchange Act of 1948 (22 U.S.C. 1476(f))
5 is amended by striking paragraph (4).

6 **SEC. 1412. AUTHORITIES OF THE BROADCASTING BOARD**
7 **OF GOVERNORS.**

8 (a) **AUTHORITIES.**—Section 305(a)(1) of the United
9 States International Broadcasting Act of 1994 (22 U.S.C.
10 6204(a)(1)) is amended by striking “direct and”.

11 (b) **DIRECTOR OF THE BUREAU.**—The first sentence
12 of section 307(b)(1) of the United States International
13 Broadcasting Act of 1994 (22 U.S.C. 6206(b)(1)) is
14 amended to read as follows: “The Director of the Bureau
15 shall be appointed by the Board with the concurrence of
16 the Director of the United States Information Agency.”.

17 (c) **RESPONSIBILITIES OF THE DIRECTOR.**—Section
18 307 of the United States International Broadcasting Act
19 of 1994 (22 U.S.C. 6206) is amended by adding at the
20 end the following new subsection:

21 “(c) **RESPONSIBILITIES OF THE DIRECTOR.**—The
22 Director shall organize and chair a coordinating commit-
23 tee to examine long-term strategies for the future of inter-
24 national broadcasting, including the use of new tech-
25 nologies, further consolidation of broadcast services, and
26 consolidation of currently existing public affairs and legis-

1 lative relations functions in the various international
 2 broadcasting entities. The coordinating committee shall
 3 include representatives of RFA, RFE/RL, the Broadcast-
 4 ing Board of Governors, and, as appropriate, from the Of-
 5 fice of Cuba Broadcasting, the Voice of America, and
 6 WorldNet.”.

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

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

16 **TITLE XV—INTERNATIONAL OR-**
 17 **GANIZATIONS; UNITED NA-**
 18 **TIONS AND RELATED AGEN-**
 19 **CIES**

20 **CHAPTER 1—GENERAL PROVISIONS**

21 **SEC. 1501. SERVICE IN INTERNATIONAL ORGANIZATIONS.**

22 (a) IN GENERAL.—Section 3582(b) of title 5, United
 23 States Code, is amended by striking all after the first sen-
 24 tence and inserting the following: “On reemployment, he
 25 is entitled to the rate of basic pay to which he would have

1 been entitled had he remained in the civil service. On re-
2 employment, the agency shall restore his sick leave ac-
3 count, by credit or charge, to its status at the time of
4 transfer. The period of separation caused by his employ-
5 ment with the international organization and the period
6 necessary to effect reemployment are deemed creditable
7 service for all appropriate civil service employment pur-
8 poses. This subsection does not apply to a congressional
9 employee.”.

10 (b) APPLICATION.—The amendment made by sub-
11 section (a) shall apply with respect transfers which take
12 effect on or after the date of the enactment of this Act.

13 **SEC. 1502. ORGANIZATION OF AMERICAN STATES.**

14 Taking into consideration the long-term commitment
15 by the United States to the affairs of this hemisphere and
16 the need to build further upon the linkages between the
17 United States and its neighbors, it is the sense of the Con-
18 gress that the Secretary of State should make every effort
19 to pay the United States assessed funding levels for the
20 Organization of American States, which is uniquely de-
21 pendent on United States contributions and is continuing
22 fundamental reforms in its structure and its agenda.

1 **CHAPTER 2—UNITED NATIONS AND**
2 **RELATED AGENCIES**

3 **SEC. 1521. REFORM IN BUDGET DECISIONMAKING PROCE-**
4 **DURES OF THE UNITED NATIONS AND ITS**
5 **SPECIALIZED AGENCIES.**

6 (a) **ASSESSED CONTRIBUTIONS.**—Of amounts au-
7 thORIZED to be appropriated for “Assessed Contributions
8 to International Organizations” by this Act, the President
9 may withhold 20 percent of the funds appropriated for the
10 United States assessed contribution to the United Nations
11 or to any of its specialized agencies for any calendar year
12 if the Secretary of State determines that the United Na-
13 tions or any such agency has failed to implement or to
14 continue to implement consensus-based decisionmaking
15 procedures on budgetary matters which assure that suffi-
16 cient attention is paid to the views of the United States
17 and other member states that are the major financial con-
18 tributors to such assessed budgets.

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

1 appropriate consultation between the President (or the
2 President's representative) and the Committee on Inter-
3 national Relations of the House of Representatives and
4 the Committee on Foreign Relations of the Senate.

5 (c) CONTRIBUTIONS FOR PRIOR YEARS.—Subject to
6 the availability of appropriations, payment of assessed
7 contributions for prior years may be made to the United
8 Nations or any of its specialized agencies notwithstanding
9 subsection (a) if such payment would further United
10 States interests in that organization.

11 (d) REPORT TO CONGRESS.—Not later than Feb-
12 ruary 1 of each year, the President shall submit to the
13 appropriate congressional committees a report concerning
14 the amount of United States assessed contributions paid
15 to the United Nations and each of its specialized agencies
16 during the preceding calendar year.

17 **SEC. 1522. REPORTS ON EFFORTS TO PROMOTE FULL**
18 **EQUALITY AT THE UNITED NATIONS FOR IS-**
19 **RAEL.**

20 (a) CONGRESSIONAL STATEMENT.—It is the sense of
21 the Congress that the United States must help promote
22 an end to the persistent inequity experienced by Israel in
23 the United Nations whereby Israel is the only longstand-
24 ing member of the organization to be denied acceptance
25 into any of the United Nation's regional blocs.

1 (b) REPORTS TO CONGRESS.—Not later than 90 days
2 after the date of the enactment of this Act and on a quar-
3 terly basis thereafter, the Secretary of State shall submit
4 to the appropriate congressional committees a report
5 which includes the following information (in classified or
6 unclassified form as appropriate):

7 (1) Actions taken by representatives of the
8 United States to encourage the nations of the West-
9 ern Europe and Others Group (WEOG) to accept Is-
10 rael into their regional bloc.

11 (2) Efforts undertaken by the Secretary Gen-
12 eral of the United Nations to secure Israel's full and
13 equal participation in that body.

14 (3) Specific responses received by the Secretary
15 of State from each of the nations of the Western
16 Europe and Others Group (WEOG) on their position
17 concerning Israel's acceptance into their organiza-
18 tion.

19 (4) Other measures being undertaken, and
20 which will be undertaken, to ensure and promote Is-
21 rael's full and equal participation in the United Na-
22 tions.

23 **SEC. 1523. UNITED NATIONS POPULATION FUND.**

24 (a) LIMITATION.—Subject to subsections (b), (c), and
25 (d)(2), of the amounts made available for each of the fiscal

1 years 1998 and 1999 to carry out part I of the Foreign
2 Assistance Act of 1961, not more than \$25,000,000 shall
3 be available for each such fiscal year for the United Na-
4 tions Population Fund.

5 (b) PROHIBITION ON USE OF FUNDS IN CHINA.—
6 None of the funds made available under this section shall
7 be made available for a country program in the People’s
8 Republic of China.

9 (c) CONDITIONS ON AVAILABILITY OF FUNDS.—

10 (1) Not more than one-half of the amount made
11 available to the United Nations Population Fund
12 under this section may be provided to the Fund be-
13 fore March 1 of the fiscal year for which funds are
14 made available.

15 (2) Amounts made available for each of the fis-
16 cal years 1998 and 1999 under part I of the Foreign
17 Assistance Act of 1961 for the United Nations Pop-
18 ulation Fund may not be made available to the
19 Fund unless—

20 (A) the Fund maintains amounts made
21 available to the Fund under this section in an
22 account separate from accounts of the Fund for
23 other funds; and

1 (B) the Fund does not commingle amounts
2 made available to the Fund under this section
3 with other funds.

4 (d) REPORTS.—

5 (1) Not later than February 15, 1998, and
6 February 15, 1999, the Secretary of State shall sub-
7 mit a report to the appropriate congressional com-
8 mittees indicating the amount of funds that the
9 United Nations Population Fund is budgeting for
10 the year in which the report is submitted for a coun-
11 try program in the People’s Republic of China.

12 (2) If a report under paragraph (1) indicates
13 that the United Nations Population Fund plans to
14 spend China country program funds in the People’s
15 Republic of China in the year covered by the report,
16 then the amount of such funds that the Fund plans
17 to spend in the People’s Republic of China shall be
18 deducted from the funds made available to the Fund
19 after March 1 for obligation for the remainder of the
20 fiscal year in which the report is submitted.

1 **SEC. 1524. CONTINUED EXTENSION OF PRIVILEGES, EXEMP-**
 2 **TIONS, AND IMMUNITIES OF THE INTER-**
 3 **NATIONAL ORGANIZATIONS IMMUNITIES ACT**
 4 **TO UNIDO.**

5 Section 12 of the International Organizations Immu-
 6 nities Act (22 U.S.C. 288f–2) is amended by inserting
 7 “and the United Nations Industrial Development Organi-
 8 zation” after “International Labor Organization”.

9 **TITLE XVI—ARMS CONTROL AND**
 10 **DISARMAMENT AGENCY**

11 **SEC. 1601. COMPREHENSIVE COMPILATION OF ARMS CON-**
 12 **TROL AND DISARMAMENT STUDIES.**

13 Section 39 of the Arms Control and Disarmament
 14 Act (22 U.S.C. 2579) is repealed.

15 **SEC. 1602. USE OF FUNDS.**

16 Section 48 of the Arms Control and Disarmament
 17 Act (22 U.S.C. 2588) is amended by striking “section 11
 18 of the Act of March 1, 1919 (44 U.S.C. 111)” and insert-
 19 ing “any other Act”.

20 **TITLE XVII—FOREIGN POLICY**
 21 **PROVISIONS**

22 **SEC. 1701. UNITED STATES POLICY REGARDING THE INVOL-**
 23 **UNTARY RETURN OF REFUGEES.**

24 (a) IN GENERAL.—No funds authorized to be appro-
 25 priated by this division shall be available to effect the in-
 26 voluntary return by the United States of any person to

1 a country in which the person has a well founded fear of
2 persecution on account of race, religion, nationality, mem-
3 bership in a particular social group, or political opinion,
4 except on grounds recognized as precluding protection as
5 a refugee under the United Nations Convention Relating
6 to the Status of Refugees of July 28, 1951, and the Proto-
7 col Relating to the Status of Refugees of January 31,
8 1967.

9 (b) MIGRATION AND REFUGEE ASSISTANCE.—No
10 funds authorized to be appropriated by section 1104 of
11 this Act or by section 2(c) of the Migration and Refugee
12 Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be avail-
13 able to effect the involuntary return of any person to any
14 country unless the Secretary of State first notifies the ap-
15 propriate congressional committees, except that in the
16 case of an emergency involving a threat to human life the
17 Secretary of State shall notify the appropriate congres-
18 sional committees as soon as practicable.

19 (c) INVOLUNTARY RETURN DEFINED.—As used in
20 this section, the term “to effect the involuntary return”
21 means to require, by means of physical force or cir-
22 cumstances amounting to a threat thereof, a person to re-
23 turn to a country against the person’s will, regardless of
24 whether the person is physically present in the United

1 States and regardless of whether the United States acts
2 directly or through an agent.

3 **SEC. 1702. UNITED STATES POLICY WITH RESPECT TO THE**
4 **INVOLUNTARY RETURN OF PERSONS IN DAN-**
5 **GER OF SUBJECTION TO TORTURE.**

6 (a) IN GENERAL.—The United States shall not expel,
7 extradite, or otherwise effect the involuntary return of any
8 person to a country in which there are reasonable grounds
9 for believing the person would be in danger of subjection
10 to torture.

11 (b) DEFINITIONS.—

12 (1) IN GENERAL.—Except as otherwise pro-
13 vided, terms used in this section have the meanings
14 given such terms under the United Nations Conven-
15 tion Against Torture and Other Cruel, Inhuman or
16 Degrading Treatment or Punishment, subject to any
17 reservations, understandings, declarations, and pro-
18 visos contained in the United States resolution of
19 advice and consent to ratification to such conven-
20 tion.

21 (2) INVOLUNTARY RETURN.—As used in this
22 section, the term “effect the involuntary return”
23 means to take action by which it is reasonably fore-
24 seeable that a person will be required to return to
25 a country against the person’s will, regardless of

1 whether such return is induced by physical force and
2 regardless of whether the person is physically
3 present in the United States.

4 **SEC. 1703. REPORTS ON CLAIMS BY UNITED STATES FIRMS**
5 **AGAINST THE GOVERNMENT OF SAUDI ARA-**
6 **BIA.**

7 (a) **IN GENERAL.**—Within 60 days after the date of
8 the enactment of this Act and every 120 days thereafter,
9 the Secretary of State, in coordination with the Secretary
10 of Defense and the Secretary of Commerce, shall report
11 to the appropriate congressional committees on specific ac-
12 tions taken by the Department of State, the Department
13 of Defense, and the Department of Commerce toward
14 progress in resolving the commercial disputes between
15 United States firms and the Government of Saudi Arabia
16 that are described in the June 30, 1993, report by the
17 Secretary of Defense pursuant to section 9140(e) of the
18 Department of Defense Appropriations Act, 1993 (Public
19 Law 102–396), including the additional claims noticed by
20 the Department of Commerce on page 2 of that report.

21 (b) **TERMINATION.**—Subsection (a) shall cease to
22 have effect when the Secretary of State, in coordination
23 with the Secretary of Defense and the Secretary of Com-
24 merce, certifies in writing to the appropriate congressional

1 committees that the commercial disputes referred to in
2 subsection (a) have been resolved satisfactorily.

3 **SEC. 1704. HUMAN RIGHTS REPORTS.**

4 Section 116(d) of the Foreign Assistance Act of 1961
5 (22 U.S.C. 2151n) is amended—

6 (1) by striking “January 31” and inserting
7 “February 25”;

8 (2) redesignating paragraphs (3), (4), and (5)
9 as paragraphs (4), (5), and (6), respectively; and

10 (3) by inserting after paragraph (2) the follow-
11 ing new paragraph (3):

12 “(3) the status of child labor practices in each
13 country, including—

14 “(A) whether such country has adopted
15 policies to protect children from exploitation in
16 the workplace, including a prohibition of forced
17 and bonded labor and policies regarding accept-
18 able working conditions; and

19 “(B) the extent to which each country en-
20 forces such policies, including the adequacy of
21 resources and oversight dedicated to such poli-
22 cies;”.

1 **SEC. 1705. REPORTS ON DETERMINATIONS UNDER TITLE IV**
2 **OF THE LIBERTAD ACT.**

3 Section 401 of the Cuban Liberty and Democratic
4 Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6091)
5 is amended by adding at the end the following:

6 “(e) REPORTS TO CONGRESS.—The Secretary of
7 State shall, not later than 30 days after the date of the
8 enactment of this subsection and every 3 months there-
9 after, submit to the Committee on International Relations
10 of the House of Representatives and the Committee on
11 Foreign Relations of the Senate a report on the implemen-
12 tation of this section. Each report shall include—

13 “(1) an unclassified list, by economic sector, of
14 the number of entities then under review pursuant
15 to this section;

16 “(2) an unclassified list of all entities and a
17 classified list of all individuals that the Secretary of
18 State has determined to be subject to this section;

19 “(3) an unclassified list of all entities and a
20 classified list of all individuals that the Secretary of
21 State has determined are no longer subject to this
22 section;

23 “(4) an explanation of the status of the review
24 under way for the cases referred to in paragraph
25 (1); and

1 “(5) an unclassified explanation of each deter-
2 mination of the Secretary of State under subsection
3 (a) and each finding of the Secretary under sub-
4 section (c)—

5 “(A) since the date of the enactment of
6 this Act, in the case of the first report under
7 this subsection; and

8 “(B) in the preceding 3-month period, in
9 the case of each subsequent report.”.

10 **SEC. 1706. REPORTS AND POLICY CONCERNING DIPLO-**
11 **MATIC IMMUNITY.**

12 (a) **ANNUAL REPORT CONCERNING DIPLOMATIC IM-**
13 **MUNITY.—**

14 (1) **REPORT TO CONGRESS.—**The Secretary of
15 State shall prepare and submit to the Congress, an-
16 nually, a report concerning diplomatic immunity en-
17 titled “Report on Cases Involving Diplomatic Immu-
18 nity”.

19 (2) **CONTENT OF REPORT.—**In addition to such
20 other information as the Secretary of State may con-
21 sider appropriate, the report under paragraph (1)
22 shall include the following:

23 (A) The number of persons residing in the
24 United States who enjoy full immunity from the
25 criminal jurisdiction of the United States under

1 laws extending diplomatic privileges and immu-
2 nities.

3 (B) Each case involving an alien described
4 in subparagraph (A) in which the appropriate
5 authorities of a State, a political subdivision of
6 a State, or the United States reported to the
7 Department of State that the authority had
8 reasonable cause to believe the alien committed
9 a serious criminal offense within the United
10 States.

11 (C) Each case in which the United States
12 has certified that a person enjoys full immunity
13 from the criminal jurisdiction of the United
14 States under laws extending diplomatic privi-
15 leges and immunities.

16 (D) The number of United States citizens
17 who are residing in a receiving state and who
18 enjoy full immunity from the criminal jurisdic-
19 tion of such state under laws extending diplo-
20 matic privileges and immunities.

21 (E) Each case involving a United States
22 citizen under subparagraph (D) in which the
23 United States has been requested by the gov-
24 ernment of a receiving state to waive the immu-

1 nity from criminal jurisdiction of the United
2 States citizen.

3 (3) SERIOUS CRIMINAL OFFENSE DEFINED.—

4 The term “serious criminal offense” means—

5 (A) any felony under Federal, State, or
6 local law;

7 (B) any Federal, State, or local offense
8 punishable by a term of imprisonment of more
9 than 1 year;

10 (C) any crime of violence as defined for
11 purposes of section 16 of title 18, United States
12 Code; or

13 (D) driving under the influence of alcohol
14 or drugs or driving while intoxicated if the case
15 involves personal injury to another individual.

16 (b) UNITED STATES POLICY CONCERNING REFORM
17 OF DIPLOMATIC IMMUNITY.—It is the sense of the Con-
18 gress that the Secretary of State should explore, in appro-
19 priate fora, whether states should enter into agreements
20 and adopt legislation—

21 (1) to provide jurisdiction in the sending state
22 to prosecute crimes committed in the receiving state
23 by persons entitled to immunity from criminal juris-
24 diction under laws extending diplomatic privileges
25 and immunities; and

1 (2) to provide that where there is probable
2 cause to believe that an individual who is entitled to
3 immunity from the criminal jurisdiction of the re-
4 ceiving state under laws extending diplomatic privi-
5 leges and immunities committed a serious crime, the
6 sending state will waive such immunity or the send-
7 ing state will prosecute such individual.

8 **SEC. 1707. CONGRESSIONAL STATEMENT WITH RESPECT TO**
9 **EFFICIENCY IN THE CONDUCT OF FOREIGN**
10 **POLICY.**

11 It is the sense of the Congress that the Secretary,
12 after consultation with the appropriate congressional com-
13 mittees, should submit a plan to the Congress to consoli-
14 date some or all of the functions currently performed by
15 the Department of State, the agency for International De-
16 velopment, and the Arms Control and Disarmament Agen-
17 cy, in order to increase efficiency and accountability in the
18 conduct of the foreign policy of the United States.

19 **SEC. 1708. CONGRESSIONAL STATEMENT CONCERNING**
20 **RADIO FREE EUROPE/RADIO LIBERTY.**

21 It is the sense of the Congress that Radio Free Eu-
22 rope/Radio Liberty should continue surrogate broadcast-
23 ing beyond the year 2000 to countries whose people do
24 not yet fully enjoy freedom of expression. Recent events
25 in Serbia, Belarus, and Slovakia, among other nations,

1 demonstrate that even after the end of communist rule
2 in such nations, tyranny under other names still threatens
3 the freedom of their peoples, and hence the stability of
4 Europe and the national security interest of the United
5 States. The Broadcasting Board of Governors should
6 therefore continue to allocate sufficient funds to Radio
7 Free Europe/Radio Liberty to continue broadcasting at
8 current levels to target countries and to increase these lev-
9 els in response to renewed threats to freedom.

10 **SEC. 1709. PROGRAMS OR PROJECTS OF THE INTER-**
11 **NATIONAL ATOMIC ENERGY AGENCY IN**
12 **CUBA.**

13 (a) WITHHOLDING OF UNITED STATES PROPOR-
14 TIONAL SHARE OF ASSISTANCE.—

15 (1) IN GENERAL.—Section 307(c) of the For-
16 eign Assistance Act of 1961 (22 U.S.C. 2227(c)) is
17 amended—

18 (A) by striking “The limitations” and in-
19 serting “(1) Subject to paragraph (2), the limi-
20 tations”; and

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

22 “(2)(A) Except as provided in subparagraph (B),
23 with respect to funds authorized to be appropriated by this
24 chapter and available for the International Atomic Energy

1 Agency, the limitations of subsection (a) shall apply to
2 programs or projects of such Agency in Cuba.

3 “(B)(i) Subparagraph (A) shall not apply with re-
4 spect to programs or projects of the International Atomic
5 Energy Agency that provide for the discontinuation, dis-
6 mantling, or safety inspection of nuclear facilities or relat-
7 ed materials, or for inspections and similar activities de-
8 signed to prevent the development of nuclear weapons by
9 a country described in subsection (a).

10 “(ii) Clause (i) shall not apply with respect to the
11 Juragua Nuclear Power Plant near Cienfuegos, Cuba, or
12 the Pedro Pi Nuclear Research Center unless Cuba—

13 “(I) ratifies the Treaty on the Non-Prolifera-
14 tion of Nuclear Weapons (21 UST 483) or the Trea-
15 ty for the Prohibition of Nuclear Weapons in Latin
16 America (commonly known as the Treaty of
17 Tlatelolco);

18 “(II) negotiates full-scope safeguards of the
19 International Atomic Energy Agency not later than
20 two years after ratification by Cuba of such Treaty;
21 and

22 “(III) incorporates internationally accepted nu-
23 clear safety standards.”.

24 (2) EFFECTIVE DATE.—The amendments made
25 by paragraph (1) shall take effect on October 1,

1 1997, or the date of the enactment of this Act,
2 whichever occurs later.

3 (b) OPPOSITION TO CERTAIN PROGRAMS OR
4 PROJECTS.—The Secretary of State shall direct the Unit-
5 ed States representative to the International Atomic En-
6 ergy Agency to oppose the following:

7 (1) Technical assistance programs or projects of
8 the Agency at the Juragua Nuclear Power Plant
9 near Cienfuegos, Cuba, and at the Pedro Pi Nuclear
10 Research Center.

11 (2) Any other program or project of the Agency
12 in Cuba that is, or could become, a threat to the se-
13 curity of the United States.

14 (c) REPORTING REQUIREMENTS.—

15 (1) REQUEST FOR IAEA REPORTS.—The Sec-
16 retary of State shall direct the United States rep-
17 resentative to the International Atomic Energy
18 Agency to request the Director-General of the Agen-
19 cy to submit to the United States all reports pre-
20 pared with respect to all programs or projects of the
21 Agency that are of concern to the United States, in-
22 cluding the programs or projects described in sub-
23 section (b).

24 (2) ANNUAL REPORTS TO THE CONGRESS.—Not
25 later than 180 days after the date of the enactment

1 of this Act, and on an annual basis thereafter, the
2 Secretary of State, in consultation with the United
3 States representative to the International Atomic
4 Energy Agency, shall prepare and submit to the
5 Congress a report containing a description of all
6 programs or projects of the Agency in each country
7 described in section 307(a) of the Foreign Assist-
8 ance Act of 1961 (22 U.S.C. 2227(a)).

9 **SEC. 1710. UNITED STATES POLICY WITH RESPECT TO JE-**
10 **RUSALEM AS THE CAPITAL OF ISRAEL.**

11 (a) LIMITATION.—Of the amounts authorized to be
12 appropriated by section 1101(4) for “Acquisition and
13 Maintenance of Buildings Abroad” \$25,000,000 for the
14 fiscal year 1998 and \$75,000,000 for the fiscal year 1999
15 is authorized to be appropriated for the construction of
16 a United States Embassy in Jerusalem, Israel.

17 (b) LIMITATION ON USE OF FUNDS FOR CONSULATE
18 IN JERUSALEM.—None of the funds authorized to be ap-
19 propriated by this division may be expended for the oper-
20 ation of a United States consulate or diplomatic facility
21 in Jerusalem unless such consulate or diplomatic facility
22 is under the supervision of the United States Ambassador
23 to Israel.

24 (c) LIMITATION ON USE OF FUNDS FOR PUBLICA-
25 TIONS.—None of the funds authorized to be appropriated

1 by this division may be available for the publication of any
2 official government document which lists countries and
3 their capital cities unless the publication identifies Jerusa-
4 lem as the capital of Israel.

5 (d) RECORD OF PLACE OF BIRTH.—For purposes of
6 the registration of birth, certification of nationality, or is-
7 suance of a passport of a United States citizen born in
8 the city of Jerusalem, upon request, the Secretary of State
9 shall permit the place of birth to be recorded as Jerusa-
10 lem, Israel.

11 **SEC. 1711. REPORT ON COMPLIANCE WITH THE HAGUE**
12 **CONVENTION ON INTERNATIONAL CHILD AB-**
13 **DUCTION.**

14 Beginning 6 months after the date of the enactment
15 of this Act and every 12 months thereafter during the fis-
16 cal years 1998 and 1999, the Secretary shall provide to
17 the appropriate congressional committees a report on the
18 compliance with the provisions of The Hague Convention
19 on the Civil Aspects of International Child Abduction by
20 the signatories to such convention. Each such report shall
21 include the following information:

22 (1) The number of applications for the return
23 of children submitted by United States citizens to
24 the Central Authority for the United States that re-

1 main unresolved more than 18 months after the date
2 of filing.

3 (2) A list of the countries to which children in
4 unresolved applications described in paragraph (1)
5 are alleged to have been abducted.

6 (3) A list of the countries that have dem-
7 onstrated a pattern of noncompliance with the obli-
8 gations of such convention with respect to applica-
9 tions for the return of children submitted by United
10 States citizens to the Central Authority for the Unit-
11 ed States.

12 (4) Detailed information on each unresolved
13 case described in paragraph (1) and on actions
14 taken by the Department of State to resolve each
15 such case.

16 **SEC. 1712. SENSE OF CONGRESS RELATING TO RECOGNI-**
17 **TION OF THE ECUMENICAL PATRIARCHATE**
18 **BY THE GOVERNMENT OF TURKEY.**

19 It is the sense of the Congress that the United
20 States—

21 (1) should recognize the Ecumenical Patriarch-
22 ate and its nonpolitical, religious mission;

23 (2) should encourage the continued mainte-
24 nance of the institution's physical security needs, as

1 provided for under Turkish and international law;
2 and

3 (3) should use its good offices to encourage the
4 reopening of the Ecumenical Patriarchate's Halki
5 Patriarchal School of Theology.

6 **SEC. 1713. RETURN OF HONG KONG TO PEOPLE'S REPUB-**
7 **LIC OF CHINA.**

8 It is the sense of the Congress that—

9 (1) the return of Hong Kong to the People's
10 Republic of China should be carried out in a peace-
11 ful manner, with respect for the rule of law and re-
12 spect for human rights, freedom of speech, freedom
13 of the press, freedom of association, freedom of
14 movement; and

15 (2) these basic freedoms are not incompatible
16 with the rich culture and history of the People's Re-
17 public of China.

18 **SEC. 1714. DEVELOPMENT OF DEMOCRACY IN THE REPUB-**
19 **LIC OF SERBIA.**

20 (a) FINDINGS.—The Congress finds the following:

21 (1) The United States stands as a beacon of de-
22 mocracy and freedom in the world.

23 (2) A stable and democratic Republic of Serbia
24 is important to the interests of the United States,

1 the international community, and to peace in the
2 Balkans.

3 (3) Democratic forces in the Republic of Serbia
4 are beginning to emerge, notwithstanding the efforts
5 of Europe's longest-standing communist dictator,
6 Slobodan Milosevic.

7 (4) The Republic of Serbia completed municipal
8 elections on November 17, 1996.

9 (5) In 14 of Serbia's 18 largest cities, and in
10 a total of 42 major municipalities, candidates rep-
11 resenting parties in opposition to the Socialist Party
12 of President Milosevic and the Yugoslav United Left
13 Party of his wife Mirjana Markovic won a majority
14 of the votes cast.

15 (6) Socialist Party-controlled election commis-
16 sions and government authorities thwarted the peo-
17 ple's will by annulling free elections in the cities of
18 Belgrade, Nis, Smederevska Palanka, and several
19 other cities where opposition party candidates won
20 fair elections.

21 (7) Countries belonging to the Organization for
22 Security and Cooperation in Europe (OSCE) on
23 January 3, 1997, called upon President Milosevic
24 and all the political forces in the Republic of Serbia

1 to honor the people's will and honor the election re-
2 sults.

3 (8) Hundreds of thousands of Serbs marched in
4 the streets of Belgrade on a daily basis from Novem-
5 ber 20, 1996, through February 1997, demanding
6 the implementation of the election results and great-
7 er democracy in the country.

8 (9) The partial reinstatement of opposition
9 party victories in January 1997 and the subsequent
10 enactment by the Serbian legislature of a special law
11 implementing the results of all the 1996 municipal
12 elections does not atone for the Milosevic regime's
13 trampling of rule of law, orderly succession of power,
14 and freedom of speech and of assembly.

15 (10) The Serbian authorities have sought to
16 continue to hinder the growth of a free and inde-
17 pendent news media in the Republic of Serbia, in
18 particular the broadcast news media, and harassed
19 journalists performing their professional duties.

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

22 (1) the United States, the Organization for Se-
23 curity and Cooperation in Europe (OSCE), and the
24 international community should continue to press
25 the Government of the Republic of Serbia to ensure

1 the implementation of free, fair, and honest presi-
2 dential and parliamentary elections in 1997, and to
3 fully abide by their outcome;

4 (2) the United States, the OSCE, the inter-
5 national community, nongovernmental organizations,
6 and the private sector should continue to promote
7 the building of democratic institutions and civic soci-
8 ety in the Republic of Serbia, help strengthen the
9 independent news media, and press for the Govern-
10 ment of the Republic of Serbia to respect the rule
11 of law; and

12 (3) the normalization of relations between the
13 Federal Republic of Yugoslavia and the United
14 States requires, among other things, that President
15 Milosevic and the leadership of Serbia—

16 (A) ensure the implementation of free, fair,
17 and honest presidential and parliamentary elec-
18 tions in 1997;

19 (B) abide by the outcome of such elections;
20 and

21 (C) promote the building of democratic in-
22 stitutions, including strengthening the inde-
23 pendent news media and respecting the rule of
24 law.

1 **SEC. 1715. RELATIONS WITH VIETNAM.**

2 (a) SENSE OF CONGRESS.—It is the sense of the Con-
3 gress that—

4 (1) the development of a cooperative bilateral
5 relationship between the United States and the So-
6 cialist Republic of Vietnam should facilitate maxi-
7 mum progress toward resolving outstanding POW/
8 MIA issues, promote the protection of human rights
9 including universally recognized religious, political,
10 and other freedoms, contribute to regional stability,
11 and encourage continued development of mutually
12 beneficial economic relations;

13 (2) the satisfactory resolution of United States
14 concerns with respect to outstanding POW/MIA,
15 human rights, and refugee issues is essential to the
16 full normalization of relations between the United
17 States and Vietnam;

18 (3) the United States should upgrade the prior-
19 ity afforded to the ongoing bilateral human rights
20 dialog between the United States and Vietnam by
21 requiring the Department of State to schedule the
22 next dialog with Vietnam, and all subsequent dia-
23 logs, at a level no lower than that of Assistant Sec-
24 retary of State;

25 (4) during any future negotiations regarding
26 the provision of Overseas Private Investment Cor-

1 poration insurance to American companies investing
2 in Vietnam and the granting of Generalized System
3 of Preference status for Vietnam, the United States
4 Government should strictly hold the Government of
5 Vietnam to internationally recognized worker rights
6 standards, including the right of association, the
7 right to organize and bargain collectively, and the
8 prohibition on the use of any forced or compulsory
9 labor; and

10 (5) the Department of State should consult
11 with other governments to develop a coordinated
12 multilateral strategy to encourage Vietnam to invite
13 the United Nations Special Rapporteur on Religious
14 Intolerance to visit Vietnam to carry out inquiries
15 and make recommendations.

16 (b) REPORT TO CONGRESS.—In order to provide
17 Congress with the necessary information by which to
18 evaluate the relationship between the United States and
19 Vietnam, the Secretary shall report to the appropriate
20 congressional committees, not later than 90 days after the
21 enactment of this Act and every 180 days thereafter dur-
22 ing fiscal years 1998 and 1999, on the extent to which—

23 (1) the Government of the Socialist Republic of
24 Vietnam is cooperating with the United States in
25 providing the fullest possible accounting of all unre-

1 solved POW/MIA cases and the recovery and repa-
2 triation of American remains;

3 (2) the Government of the Socialist Republic of
4 Vietnam has made progress toward the release of all
5 political and religious prisoners, including but not
6 limited to Catholic, Protestant, and Buddhist clergy;

7 (3) the Government of the Socialist Republic of
8 Vietnam is cooperating with requests by the United
9 States to obtain full and free access to persons of
10 humanitarian interest to the United States for inter-
11 views under the Orderly Departure (ODP) and Re-
12 settlement Opportunities for Vietnamese Refugees
13 (ROVR) programs, and in providing exit visas for
14 such persons;

15 (4) the Government of the Socialist Republic of
16 Vietnam has taken vigorous action to end extortion,
17 bribery, and other corrupt practices in connection
18 with such exit visas; and

19 (5) the Government of the United States is
20 making vigorous efforts to interview and resettle
21 former reeducation camp victims, their immediate
22 families including, but not limited to, unmarried
23 sons and daughters, former United States Govern-
24 ment employees, and other persons eligible for the
25 ODP program, and to give such persons the full

1 benefit of all applicable United States laws includ-
2 ing, but not limited to, sections 599D and 599E of
3 the Foreign Operations, Export Financing, and Re-
4 lated Programs Appropriations Act of 1990 (Public
5 Law 101–167).

6 **SEC. 1716. STATEMENT CONCERNING RETURN OF OR COM-**
7 **PENSATION FOR WRONGLY CONFISCATED**
8 **FOREIGN PROPERTIES.**

9 The Congress—

10 (1) welcomes the efforts of many post-Com-
11 munist countries to address the complex and dif-
12 ficult question of the status of plundered properties;

13 (2) urges countries which have not already done
14 so to return plundered properties to their rightful
15 owners or, as an alternative, pay compensation, in
16 accordance with principles of justice and in a man-
17 ner that is just, transparent, and fair;

18 (3) calls for the urgent return of property for-
19 merly belonging to Jewish communities as a means
20 of redressing the particularly compelling problems of
21 aging and destitute survivors of the Holocaust;

22 (4) calls on the Czech Republic, Latvia, Lithua-
23 nia, Romania, Slovakia, and any other country with
24 restrictions which require those whose properties
25 have been wrongly plundered by Nazi or Communist

1 regimes to reside in or have the citizenship of the
2 country from which they now seek restitution or
3 compensation to remove such restrictions from their
4 restitution or compensation laws;

5 (5) calls upon foreign financial institutions, and
6 the states having legal authority over their oper-
7 ation, that possess wrongfully and illegally obtained
8 property confiscated from Holocaust victims, from
9 residents of former Warsaw Pact states who were
10 forbidden by Communist law from obtaining restitu-
11 tion of such property, and from states that were oc-
12 cupied by Nazi, Fascist, or Communist forces, to as-
13 sist and to cooperate fully with efforts to restore this
14 property to its rightful owners; and

15 (6) urges post-Communist countries to pass and
16 effectively implement laws that provide for restitu-
17 tion of, or compensation for, plundered property.

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