

105TH CONGRESS
1ST SESSION

H. R. 1757

IN THE SENATE OF THE UNITED STATES

JUNE 12, 1997

Received; read twice and referred to the Committee on Foreign Relations

AN ACT

To consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and to ensure that the enlargement of the North Atlantic Treaty Organization (NATO) proceeds in a manner consistent with United States interests, to strengthen relations between the United States and Russia, to preserve the preroga-

tives of the Congress with respect to certain arms control agreements, 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, and Euro-
 6 pean Security Act of 1997”.

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

9 (a) DIVISIONS.—This Act is organized into 10 divi-
 10 sions as follows:

11 (1) Division A—Consolidation and reinvestment
 12 of foreign affairs agencies.

13 (2) Division B—State Department and Related
 14 Agencies Authorization Act.

15 (3) Division C—Buy-American requirements.

16 (4) Division D—Foreign Aid Reporting Reform
 17 Act of 1997.

18 (5) Division E—Miscellaneous provisions.

19 (6) Division F—Additional miscellaneous provi-
 20 sions.

21 (7) Division G—Further additional miscellane-
 22 ous provisions.

23 (8) Division H—Arms transfers code of con-
 24 duct.

1 (9) Division I—Miscellaneous provisions.

2 (10) Division J—European Security Act of
3 1997.

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

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

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- Sec. 413. Under Secretary of State for Public Diplomacy.

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- Sec. 512. Transfer of functions.

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2 **AND REINVENTION OF FOR-**
3 **IGN AFFAIRS AGENCIES**
4 **TITLE I—GENERAL PROVISIONS**

5 **SEC. 101. SHORT TITLE.**

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

8 **SEC. 102. CONGRESSIONAL FINDINGS.**

9 Congress makes the following findings:

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

19 (2) In this context, the United States has a his-
20 toric opportunity to continue the reinvention of the
21 agencies primarily responsible for implementing the
22 Nation’s foreign policies.

23 (3) The United States budget deficit and the
24 agreement to come to a balanced budget over 5
25 years requires that the foreign as well as the domes-

1 tic programs and activities of the United States be
2 carefully reviewed. Wherever possible, foreign pro-
3 grams and activities must be streamlined, managed
4 more efficiently, and adapted to the requirements of
5 the post-Cold War era.

6 (4) In order to streamline the foreign programs
7 and activities of the United States without jeopardiz-
8 ing United States interests, strong and effective
9 leadership will be required. In order to promote this
10 streamlining process, the proliferation of foreign af-
11 fairs agencies that occurred during the Cold War
12 must be reversed by reinventing, streamlining, and
13 reorganizing the foreign affairs structure under the
14 strengthened leadership of the Secretary of State.

15 (5) The continuing reinvention, streamlining,
16 and reorganization of the foreign affairs agencies,
17 the Department of State, the Arms Control and Dis-
18 armament Agency, the United States Information
19 Agency, the International Development Cooperation
20 Agency, and the United States Agency for Inter-
21 national Development, must ensure that these agen-
22 cies can effectively confront the new and pressing
23 challenges of the post-Cold War world.

24 (6) Any reinvention, streamlining, and reorga-
25 nization of the foreign affairs agencies must recog-

1 nize the fact that arms control and nonproliferation,
2 sustainable development, and public diplomacy are
3 now more central than ever to the success of the
4 United States foreign policy. Any integration of
5 these agencies should preserve the unique skills and
6 capabilities of each of the agencies in a reinvented
7 Department of State.

8 (7) A reinvented, streamlined, reorganized, and
9 more flexible foreign affairs structure under the
10 strengthened leadership of the Secretary of State
11 can more effectively promote the international inter-
12 ests of the United States and enhance the United
13 States' ability to meet the growing foreign policy
14 challenges during the next century.

15 (8) The new foreign affairs structure should be
16 one that will maintain the quality of and strengthen
17 the public diplomacy and arms control functions now
18 performed by the United States Information Agency
19 and the Arms Control and Disarmament Agency.

20 **SEC. 103. PURPOSES.**

21 The purposes of this division are—

22 (1) to provide for the streamlining and reinven-
23 tion of the Department of State to enable it better
24 to incorporate additional functions and agencies,
25 manage new responsibilities, make the Department

1 more effective, maximize the efficient use of re-
2 sources, and make it better able to defend American
3 interests and promote American values abroad;

4 (2) to consolidate and integrate certain agencies
5 and certain functions of other agencies of the United
6 States into the reinvented Department of State;

7 (3) to ensure that the United States maintains
8 adequate representation abroad within available
9 budgetary resources;

10 (4) to ensure that programs critical to the pro-
11 motion of United States interests be maintained;
12 and

13 (5) 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 **SEC. 104. DEFINITIONS.**

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

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

24 (2) The term “agency” means the Department
25 of State, the Arms Control and Disarmament Agen-

1 cy, the United States Information Agency, the Inter-
2 national Development Cooperation Agency, and the
3 Agency for International Development.

4 (3) The term “AID” means the Agency for
5 International Development.

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

8 (5) The term “officer” is not limited by the
9 meaning of such term under section 2104 of title 5,
10 United States Code.

11 (6) The term “reorganization” means integra-
12 tion, transfer, consolidation, coordination, authoriza-
13 tion, or abolition.

14 (7) The term “Secretary” means the Secretary
15 of State.

16 (8) The term “USIA” means the United States
17 Information Agency.

18 **TITLE II—PLAN FOR CONSOLI-**
19 **DATING, STREAMLINING, AND**
20 **REORGANIZING THE FOR-**
21 **EIGN AFFAIRS AGENCIES**

22 **SEC. 201. REORGANIZATION PLAN.**

23 (a) REORGANIZATION AUTHORITY.—

24 (1) IN GENERAL.—No later than 60 days after
25 the date of the enactment of this Act, the President

1 shall submit to the Congress a reorganization plan
2 for the foreign affairs agencies specifying, in accord-
3 ance with titles III through VI of this division, the
4 reorganization of the Department of State, the Arms
5 Control and Disarmament Agency, the United
6 States Information Agency, the International Devel-
7 opment Cooperation Agency, and the Agency for
8 International Development.

9 (2) MANDATORY ELEMENTS.—The plan shall
10 provide for—

11 (A) the transfer of the whole or a part of
12 agencies, or of the whole or a part of the func-
13 tions thereof, to the jurisdiction and control of
14 the Department of State; and

15 (B) the consolidation or coordination of the
16 whole or a part of agencies, or of the whole or
17 a part of the functions thereof, with the whole
18 or a part of another agency or the functions
19 thereof.

20 (3) DISCRETIONARY ELEMENTS.—The plan
21 may provide for—

22 (A) the abolition of all or a part of the
23 functions of an agency, except that no enforce-
24 ment function or statutory program shall be
25 abolished by the plan; and

1 (B) the consolidation or coordination of a
2 part of an agency or the functions thereof with
3 another part of the same agency or the func-
4 tions thereof.

5 (b) SUBMISSION OF PLAN.—

6 (1) IN GENERAL.—The President shall submit
7 the reorganization plan for the foreign affairs agen-
8 cies under subsection (a) to both Houses of Con-
9 gress on the same day and to each House while it
10 is in session. If on the date that is 60 days after the
11 date of the enactment of this Act, the plan has not
12 been submitted and either House is not in session,
13 the plan shall be submitted on the first day there-
14 after when both Houses are in session.

15 (2) INFORMATION REGARDING IMPLEMENTA-
16 TION.—The message of the President, submitted to-
17 gether with the reorganization plan, shall include in-
18 formation regarding implementation of the plan
19 which shall—

20 (A) describe in detail—

21 (i) the actions necessary or planned to
22 complete the reorganization,

23 (ii) the anticipated nature and sub-
24 stance of any orders, directives, and other
25 administrative and operational actions

1 which are expected to be required for com-
2 pleting or implementing the reorganization,
3 and

4 (iii) any preliminary actions which
5 have been taken in the implementation
6 process, and

7 (B) contain a projected timetable for com-
8 pletion of the implementation process.

9 The President shall also provide such further background
10 or other information as the Congress may require for its
11 consideration of the plan.

12 (c) AMENDMENT OF PLAN.—During the 60 calendar-
13 day period after the date on which the plan is submitted
14 to the Congress, the President may transmit to the Con-
15 gress amendments or modifications to the plan, consistent
16 with this division, which shall be considered as though
17 submitted together with the reorganization plan and shall
18 not affect any effective date or deadline under this divi-
19 sion.

20 **SEC. 202. CONTENTS OF REORGANIZATION PLAN.**

21 (a) CONTENTS.—A reorganization plan for the for-
22 eign affairs agencies submitted under section 201 of this
23 title—

24 (1) notwithstanding section 1 of the State De-
25 partment Basic Authorities Act of 1956, may pro-

1 vide for the appointment and pay of one or more of-
2 ficers of any agency, including appointment of addi-
3 tional Under Secretaries and Assistant Secretaries
4 (except that the total number may not exceed the
5 total number of officers previously authorized at Ex-
6 ecutive Schedule levels III and IV of the agencies
7 subject to this division), if the President determines,
8 and in the President's message submitting the plan
9 declares that, by reason of a reorganization made by
10 the plan, the provisions are necessary;

11 (2) shall provide for the transfer or other dis-
12 position of the records, property, and personnel af-
13 fected by a reorganization;

14 (3) shall provide for the transfer of such unex-
15 pended balances of appropriations, and of other
16 funds, available for use in connection with a function
17 or agency affected by a reorganization, as the Presi-
18 dent considers necessary by reason of the reorga-
19 nization for use in connection with the functions af-
20 fected by the reorganization, or for the use of the
21 agency which shall have the functions after the reor-
22 ganization plan is effective; and

23 (4) shall provide for terminating the affairs of
24 an agency abolished.

1 (b) TRANSFERS OF OFFICIALS.—If the reorganiza-
2 tion plan for the foreign affairs agencies under section 201
3 contains provisions pursuant to subsection (a)(1) of this
4 section, an individual holding office immediately prior to
5 the abolition or transfer of the office by this division who
6 was appointed to the office by the President, by and with
7 the advice and consent of the Senate, and who performs
8 duties substantially similar to the duties of an office pro-
9 posed to be created under such plan, may, in the discretion
10 of the Secretary of State, assume the duties of such new
11 office, and shall not be required to be reappointed by rea-
12 son of the abolition or transfer of the individual’s previous
13 office.

14 (c) LIMITATION ON TRANSFERS OF UNEXPENDED
15 BALANCES.—The reorganization plan for the foreign af-
16 fairs agencies may provide for the transfer of unexpended
17 balances pursuant to subsection (a)(3) only if such bal-
18 ances are used for the purposes for which the appropria-
19 tion was originally made or for the purpose of reorganiza-
20 tion.

21 **SEC. 203. LIMITATION ON POWERS.**

22 The reorganization plan for the foreign affairs agen-
23 cies submitted under this title may not provide for, and
24 a reorganization under this title may not have the effect
25 of—

1 (1) creating a new executive department, re-
2 naming an existing executive department, or abolish-
3 ing or transferring an executive department or all
4 the functions thereof;

5 (2) authorizing an agency to exercise a function
6 which is not expressly authorized by law at the time
7 the plan is submitted to Congress; or

8 (3) creating a new agency which is not a com-
9 ponent or part of an existing agency.

10 **SEC. 204. EFFECTIVE DATE AND PUBLICATION OF REORGA-**
11 **NIZATION PLAN FOR THE FOREIGN AFFAIRS**
12 **AGENCIES.**

13 (a) **EFFECTIVE DATE.**—A reorganization plan for the
14 foreign affairs agencies submitted pursuant to section 201
15 shall become effective in accordance with titles III through
16 VI of this division, on the effective date specified in each
17 such title with respect to the agency or agencies subject
18 to each such title.

19 (b) **PUBLICATION.**—A reorganization plan for the
20 foreign affairs agencies which is effective shall be printed
21 (1) in the Statutes at Large, and (2) in the Federal Reg-
22 ister.

23 (c) **AUTHORITY PRIOR TO EFFECTIVE DATE.**—Not-
24 withstanding subsection (a), the reorganization plan for
25 the foreign affairs agencies submitted pursuant to section

1 201 may provide for the transfer of the whole or part of
2 functions prior to the effective dates established in titles
3 II through VI, including the transfer of personnel and
4 funds associated with such functions.

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

8 **CHAPTER 1—GENERAL PROVISIONS**

9 **SEC. 301. EFFECTIVE DATE.**

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

12 (1) October 1, 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 201.

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

20 **SEC. 311. ABOLITION OF UNITED STATES ARMS CONTROL**
21 **AND DISARMAMENT AGENCY.**

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

1 **SEC. 312. 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. 313. 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, among other duties, assist the Secretary

1 and the Deputy Secretary in matters related to arms
2 control and international security policy.”.

3 (b) PARTICIPATION IN MEETINGS OF NATIONAL SE-
4 CURITY COUNCIL.—Section 101 of the National Security
5 Act of 1947 (50 U.S.C. 402) is amended by adding at
6 the end the following new subsection:

7 “(i) The Under Secretary for Arms Control and
8 International Security may, in the role of advisor to the
9 National Security Council on arms control, nonprolifera-
10 tion, and disarmament matters, and subject to the direc-
11 tion of the President, attend and participate in meetings
12 of the National Security Council.”.

13 **SEC. 314. REPEAL RELATING TO INSPECTOR GENERAL FOR**
14 **UNITED STATES ARMS CONTROL AND DISAR-**
15 **MAMENT AGENCY.**

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

19 **CHAPTER 3—CONFORMING AMENDMENTS**

20 **SEC. 321. REFERENCES.**

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

24 (1) the Director of the United States Arms
25 Control and Disarmament Agency, or any other offi-

cer or employee of the United States Arms Control and Disarmament Agency, shall be deemed to refer to the Secretary of State; and

(2) the United States Arms Control and Disarmament Agency shall be deemed to refer to the Department of State.

TITLE IV—UNITED STATES INFORMATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

SEC. 401. EFFECTIVE DATE.

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

(1) October 1, 1999; or

(2) the date of abolition of the United States Information Agency pursuant to the reorganization plan described in section 201.

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

SEC. 411. ABOLITION OF UNITED STATES INFORMATION AGENCY.

The United States Information Agency is abolished.

SEC. 412. TRANSFER OF FUNCTIONS.

(a) TRANSFER TO SECRETARY OF STATE.—There are transferred to the Secretary of State all functions of

1 the Director of the United States Information Agency and
2 all functions of the United States Information Agency and
3 any office or component of such agency under any statute,
4 reorganization plan, Executive order, or other provision of
5 law as of the day before the effective date of this title,
6 except as otherwise provided in this division.

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

19 **SEC. 413. UNDER SECRETARY OF STATE FOR PUBLIC DI-**
20 **PLOMACY.**

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

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

24 (2) by adding at the end the following new
25 paragraph:

1 “(2) UNDER SECRETARY FOR PUBLIC DIPLO-
 2 MACY.—There shall be in the Department of State,
 3 in addition to the Under Secretaries authorized by
 4 paragraph (1), an Under Secretary for Public Diplo-
 5 macy who shall have responsibility, among other du-
 6 ties, to assist the Secretary and the Deputy Sec-
 7 retary in matters related to United States public di-
 8 plomacy policies and programs, including inter-
 9 national educational and cultural exchange pro-
 10 grams, information, and international broadcasting.

11 **CHAPTER 3—CONFORMING AMENDMENTS**

12 **SEC. 421. REFERENCES IN LAW.**

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

16 (1) the Director of the United States Informa-
 17 tion Agency or the Director of the International
 18 Communication Agency shall be deemed to refer to
 19 the Secretary of State; and

20 (2) the United States Information Agency,
 21 USIA, or the International Communication Agency
 22 shall be deemed to refer to the Department of State.

23 **SEC. 422. APPLICATION OF CERTAIN LAWS.**

24 (a) APPLICATION TO FUNCTIONS OF DEPARTMENT
 25 OF STATE.—Section 501 of Public Law 80–402, section

1 202 of Public Law 95–426, and section 208 of Public Law
 2 99–93 shall not apply to public affairs and other informa-
 3 tion dissemination functions of the Secretary of State as
 4 carried out prior to any transfer of functions pursuant to
 5 this division.

6 (b) APPLICATION TO FUNCTIONS TRANSFERRED TO
 7 DEPARTMENT OF STATE.—Section 501 of Public Law
 8 80–402, section 202 of Public Law 95–426, and section
 9 208 of Public Law 99–93 shall apply only to overseas pub-
 10 lic diplomacy programs of the Director of the United
 11 States Information Agency as carried out prior to any
 12 transfer of functions pursuant to this division.

13 **TITLE V—UNITED STATES**
 14 **INTERNATIONAL DEVELOP-**
 15 **MENT COOPERATION AGENCY**
 16 **CHAPTER 1—GENERAL PROVISIONS**

17 **SEC. 501. EFFECTIVE DATE.**

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

20 (1) October 1, 1998; or

21 (2) the date of abolition of the United States
 22 International Development Cooperation Agency pur-
 23 suant to the reorganization plan described in section
 24 201.

1 **CHAPTER 2—ABOLITION OF INTER-**
2 **NATIONAL DEVELOPMENT COOPERA-**
3 **TION AGENCY AND TRANSFER OF**
4 **FUNCTIONS**

5 **SEC. 511. ABOLITION OF UNITED STATES INTERNATIONAL**
6 **DEVELOPMENT COOPERATION AGENCY.**

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

9 (b) AID AND OPIC.—Subsection (a) shall not be in-
10 terpreted to apply to the Agency for International Devel-
11 opment (AID) or the Overseas Private Investment Cor-
12 poration (OPIC).

13 **SEC. 512. TRANSFER OF FUNCTIONS.**

14 The reorganization plan submitted pursuant to sec-
15 tion 201 shall provide for the transfer to another agency
16 or agencies of all functions of the Director of the United
17 States International Development Cooperation Agency
18 and all functions of the United States International Devel-
19 opment Cooperation Agency and any office or component
20 of such agencies under any statute, reorganization plan,
21 Executive order, or other provision of law before the effec-
22 tive date of this title, except as otherwise provided in this
23 division.

1 **TITLE VI—AGENCY FOR**
2 **INTERNATIONAL DEVELOPMENT**

3 **CHAPTER 1—GENERAL PROVISIONS**

4 **SEC. 601. EFFECTIVE DATE.**

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

7 (1) October 1, 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 201.

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

14 **SEC. 611. 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 submitted pursuant to
19 section 201.

20 (b) AUTHORITY OF THE SECRETARY OF STATE.—
21 The Agency for International Development shall report to
22 and be under the direct authority and foreign policy guid-
23 ance of the Secretary of State.

24 (c) FUNCTIONS TO BE TRANSFERRED.—The reorga-
25 nization of the Agency for International Development shall

1 provide, at a minimum, for the transfer to and consolida-
2 tion with the Department of State of the following func-
3 tions of the agency:

4 (1) Press office.

5 (2) Certain administrative functions.

6 **DIVISION B—STATE DEPART-**
7 **MENT AND RELATED AGEN-**
8 **CIES AUTHORIZATION ACT**
9 **TITLE X—GENERAL PROVISIONS**

10 **SEC. 1001. SHORT TITLE.**

11 This division may be cited as the “State Department
12 and Related Agencies Authorization Act, Fiscal Years
13 1998 and 1999” and shall be effective for all purposes
14 as if enacted as a separate Act.

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

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

23 **SEC. 1003. DEFINITIONS.**

24 The following terms have the following meanings for
25 the purposes of this division:

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

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

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

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

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

14 (6) The term “Secretary” means the Secretary
15 of State.

16 (7) The term “USIA” means the United States
17 Information Agency.

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

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

8 The following amounts are authorized to be appro-
9 priated for the Department of State under “Administra-
10 tion of Foreign Affairs” to carry out the authorities, func-
11 tions, duties, and responsibilities in the conduct of the for-
12 eign affairs of the United States and for other purposes
13 authorized by law, including the diplomatic security pro-
14 gram:

15 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—

16 (A) AUTHORIZATION OF APPROPRIA-
17 TIONS.—For “Diplomatic and Consular Pro-
18 grams”, of the Department of State
19 \$1,746,977,000 for the fiscal year 1998 and
20 \$1,746,977,000 for the fiscal year 1999.

21 (B) PASSPORT INFORMATION SERVICES.—

22 The Secretary of State shall provide passport
23 information without charge to citizens of the
24 United States, including—

1 (i) information about who is eligible to
2 receive a United States passport and how
3 and where to apply;

4 (ii) information about the status of
5 pending applications; and

6 (iii) names, addresses, and telephone
7 numbers of State and Federal officials who
8 are authorized to provide passport infor-
9 mation in cooperation with the Department
10 of State.

11 (2) SALARIES AND EXPENSES.—

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

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

24 (3) CAPITAL INVESTMENT FUND.—For “Cap-
25 ital Investment Fund”, of the Department of State

1 \$64,600,000 for the fiscal year 1998 and
2 \$64,600,000 for the fiscal year 1999.

3 (4) SECURITY AND MAINTENANCE OF BUILD-
4 INGS ABROAD.—For “Security and Maintenance of
5 Buildings Abroad”, \$373,081,000 for the fiscal year
6 1998 and \$373,081,000 for the fiscal year 1999.

7 (5) REPRESENTATION ALLOWANCES.—For
8 “Representation Allowances”, \$4,300,000 for the
9 fiscal year 1998 and \$4,300,000 for the fiscal year
10 1999.

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

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

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

23 (9) PROTECTION OF FOREIGN MISSIONS AND
24 OFFICIALS.—For “Protection of Foreign Missions

1 and Officials”, \$7,900,000 for the fiscal year 1998
2 and \$7,900,000 for the fiscal year 1999.

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

7 **SEC. 1102. INTERNATIONAL ORGANIZATIONS, PROGRAMS,**
8 **AND CONFERENCES.**

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

19 (b) VOLUNTARY CONTRIBUTIONS TO INTER-
20 NATIONAL ORGANIZATIONS.—

21 (1) AUTHORIZATION OF APPROPRIATIONS.—
22 There are authorized to be appropriated for “Vol-
23 untary Contributions to International Organiza-
24 tions”, \$199,725,000 for the fiscal year 1998 and
25 \$199,725,000 for the fiscal year 1999.

1 (2) LIMITATIONS.—

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

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

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

1 International Program on the Elimination of
2 Child Labor.

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

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

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

22 (e) INTERNATIONAL CONFERENCES AND CONTIN-
23 GENCIES.—There are authorized to be appropriated for
24 “International Conferences and Contingencies”,
25 \$3,000,000 for the fiscal year 1998 and \$3,000,000 for

1 the fiscal year 1999 for the Department of State to carry
2 out the authorities, functions, duties, and responsibilities
3 in the conduct of the foreign affairs of the United States
4 with respect to international conferences and contin-
5 gencies and to carry out other authorities in law consistent
6 with such purposes.

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

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

21 (1) Of the amounts made available for fiscal
22 years 1998 and 1999 for United States voluntary
23 contributions to the United Nations Development
24 Program an amount equal to the amount the United
25 Nations Development Program will spend in Burma

1 during each fiscal year shall be withheld unless dur-
2 ing such fiscal year, the President submits to the ap-
3 propriate congressional committees the certification
4 described in paragraph (2).

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

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

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

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

22 (D) are carried out only after consultation
23 with the leadership of the National League for
24 Democracy and the leadership of the National
25 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”, \$344,655,000 for the fiscal year 1998,
9 and \$341,655,000 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”, \$40,000,000 for the fiscal year 1998,
22 and \$33,000,000 for the fiscal year 1999.

23 (6) RADIO FREE ASIA.—For “Radio Free
24 Asia”, \$30,000,000 for the fiscal year 1998 and
25 \$30,000,000 for the fiscal year 1999.

1 (7) BROADCASTING TO CUBA.—

2 (A) AUTHORIZATION OF APPROPRIA-
3 TIONS.—For “Broadcasting to Cuba”,
4 \$22,095,000 for the fiscal year 1998 and
5 \$22,095,000 for the fiscal year 1999.

6 (B) LIMITATION.—Of the amounts author-
7 ized to be appropriated under subparagraph
8 (A), no funds shall be used for television broad-
9 casting to Cuba after October 1, 1997, if the
10 President certifies that continued funding is not
11 in the national interest of the United States.

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

17 (9) NATIONAL ENDOWMENT FOR DEMOC-
18 RACY.—For “National Endowment for Democracy”,
19 \$30,000,000 for the fiscal year 1998 and
20 \$30,000,000 for the fiscal year 1999.

21 (10) CENTER FOR CULTURAL AND TECHNICAL
22 INTERCHANGE BETWEEN NORTH AND SOUTH.—For
23 “Center for Cultural and Technical Interchange be-
24 tween North and South” \$2,000,000 for the fiscal
25 year 1998 and \$2,000,000 for the fiscal year 1999.

1 **SEC. 1107. UNITED STATES ARMS CONTROL AND DISAR-**
2 **MAMENT.**

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

5 (1) \$44,000,000 for the fiscal year 1998 and
6 \$44,000,000 for the fiscal year 1999; and

7 (2) such sums as may be necessary for each of
8 the fiscal years 1998 and 1999 for increases in sal-
9 ary, pay, retirement, other employee benefits author-
10 ized by law, and to offset adverse fluctuations in for-
11 eign currency exchange rates.

12 **SEC. 1108. RADIO FREE ASIA AND VOICE OF AMERICA.**

13 (a) It is the sense of Congress that the United States
14 broadcasting through Radio Free Asia and Voice of Amer-
15 ica increase to continuous, 24-hour broadcasting in Man-
16 darin, Cantonese, Tibetan, and that broadcasting in addi-
17 tional Chinese dialects be increased.

18 (b) Within 90 days of enactment of this Act, the
19 President shall report to the Congress on a plan to achieve
20 continuous broadcasting in Asia.

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

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

6 **SEC. 1201. REVISION OF DEPARTMENT OF STATE REWARDS**
7 **PROGRAM.**

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

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

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

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

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

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

1 “(A) the arrest or conviction in any country of
2 any individual for the commission of an act of inter-
3 national terrorism against a United States person or
4 United States property;

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

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

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

17 “(ii) the killing or kidnapping of—

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

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

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

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

15 “(E) the prevention, frustration, or favorable
16 resolution of an act described in subparagraphs (A)
17 through (C).

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

1 “(A) identifying individuals, organizations, and
2 offenses with respect to which rewards will be of-
3 fered;

4 “(B) the publication of rewards;

5 “(C) offering of joint rewards with foreign gov-
6 ernments;

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

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

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

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

21 “(2) No amount of funds may be appropriated which,
22 when added to the amounts previously appropriated but
23 not yet obligated, would cause such amounts to exceed
24 \$15,000,000.

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

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

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

10 “(2) A reward under this section of more than
11 \$100,000 may not be made without the approval of the
12 President or the Secretary of State.

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

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

19 “(5) If the Secretary determines that the identity of
20 the recipient of a reward or of the members of the recipi-
21 ent’s immediate family must be protected, the Secretary
22 may take such measures in connection with the payment
23 of the reward as he considers necessary to effect such pro-
24 tection.

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

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

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

24 “(h) PUBLICATION REGARDING REWARDS OFFERED
25 BY FOREIGN GOVERNMENTS.—Notwithstanding any other

1 provision of this section, at the sole discretion of the Sec-
2 retary of State the resources of the rewards program au-
3 thorized by this section, shall be available for the publica-
4 tion of rewards offered by foreign governments regarding
5 acts of international terrorism which do not involve United
6 States persons or property or a violation of the narcotics
7 laws of the United States.

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

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

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

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

23 “(B) any act, as determined by the Sec-
24 retary of State, which materially supports the
25 conduct of international terrorism, including the

1 counterfeiting of United States currency or the
2 illegal use of other monetary instruments by an
3 individual, group, or country supporting inter-
4 national terrorism as determined for purposes
5 of section 6(j) of the Export Administration Act
6 of 1979;

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

12 “(4) the term ‘member of the immediate family’
13 includes—

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

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

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

21 “(j) DETERMINATIONS OF THE SECRETARY.—A de-
22 termination made by the Secretary of State under this sec-
23 tion shall be final and conclusive and shall not be subject
24 to judicial review.”.

1 (b) USE OF EARNINGS FROM FROZEN ASSETS FOR
2 PROGRAM.—

3 (1) AMOUNTS TO BE MADE AVAILABLE.—Up to
4 2 percent of the earnings accruing, during periods
5 beginning October 1, 1998, on all assets of foreign
6 countries blocked by the President pursuant to the
7 International Emergency Powers Act (50 U.S.C.
8 1701 and following) shall be available, subject to ap-
9 propriations Acts, to carry out section 36 of the
10 State Department Basic Authorities Act, as amend-
11 ed by this section, except that the limitation con-
12 tained in subsection (d)(2) of such section shall not
13 apply to amounts made available under this para-
14 graph.

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

20 **SEC. 1202. CAPITAL INVESTMENT FUND.**

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

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

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

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

7 (4) by amending subsection (e) to read as fol-
8 lows:

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

15 **SEC. 1203. REDUCTION OF REPORTING.**

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

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

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

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

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

12 **SEC. 1204. CONTRACTING FOR LOCAL GUARDS SERVICES**
 13 **OVERSEAS.**

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

17 (1) by amending paragraph (3) to read as fol-
 18 lows:

19 “(3) in evaluating proposals for such contracts,
 20 award contracts to the technically acceptable firm
 21 offering the lowest evaluated price, except that pro-
 22 posals of United States persons and qualified United
 23 States joint venture persons (as defined in sub-
 24 section (d)) shall be evaluated by reducing the bid
 25 price by 5 percent;”;

1 (2) by inserting “and” at the end of paragraph
2 (5);
3 (3) by striking “; and” at the end of paragraph
4 (6) and inserting a period; and
5 (4) by striking paragraph (7).

6 **SEC. 1205. PREADJUDICATION OF CLAIMS.**

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

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

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

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

18 **SEC. 1206. EXPENSES RELATING TO CERTAIN INTER-**
19 **NATIONAL CLAIMS AND PROCEEDINGS.**

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

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

5 **SEC. 1207. SURCHARGE FOR PROCESSING CERTAIN MA-**
6 **CHINE READABLE VISAS.**

7 Section 140(a) of the Foreign Relations Authoriza-
8 tion Act, Fiscal Years 1994 and 1995 (Public Law 103–
9 236) is amended—

10 (1) in paragraph (2) by striking “providing con-
11 sular services.” and inserting “the Department of
12 State’s border security program, including the costs
13 of installation and operation of the machine readable
14 visa and automated name-check process, improving
15 the quality and security of the United States pass-
16 port, passport and visa fraud investigations, and the
17 technological infrastructure to support the programs
18 referred to in this sentence.”;

19 (2) by striking the first sentence of paragraph
20 (3) and inserting “For fiscal years 1998 and 1999,
21 fees deposited under the authority of paragraph (2)
22 may not exceed \$140,000,000 in each fiscal year
23 and, notwithstanding paragraph (2), such fees shall
24 be available only to the extent provided in advance
25 in appropriations Acts.”; and

1 (3) by striking paragraph (5).

2 **SEC. 1208. RETENTION OF ADDITIONAL DEFENSE TRADE**
3 **CONTROLS REGISTRATION FEES.**

4 Section 45(a) of the State Department Basic Au-
5 thorities Act of 1956 (22 U.S.C. 2717(a)) is amended—

6 (1) by striking “\$700,000 of the” and inserting
7 “all”;

8 (2) at the end of paragraph (1) by striking
9 “and”;

10 (3) in paragraph (2)—

11 (A) by striking “functions” and inserting
12 “functions, including compliance and enforce-
13 ment activities,”; and

14 (B) by striking the period at the end and
15 inserting “; and”; and

16 (4) by adding at the end the following new
17 paragraph (3):

18 “(3) the enhancement of defense trade export
19 compliance and enforcement activities to include
20 compliance audits of United States and foreign par-
21 ties, the conduct of administrative proceedings, end-
22 use monitoring of direct commercial arms sales and
23 transfer, and cooperation in criminal proceedings re-
24 lated to defense trade export controls.”.

1 **SEC. 1209. TRAINING.**

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

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

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

9 “(e)(1) The Secretary of State may, in the discretion
10 of the Secretary, provide appropriate training and related
11 services through the institution to employees of United
12 States companies engaged in business abroad, and to the
13 families of such employees.

14 “(2) In the case of any company under contract to
15 provide services to the Department of State, the Secretary
16 of State is authorized to provide job-related training and
17 related services to any company employee who is perform-
18 ing such services.

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

23 “(4) Training and related services under this sub-
24 section is authorized only to the extent that it will not
25 interfere with the institution’s primary mission of training

1 employees of the Department and of other agencies in the
2 field of foreign relations.

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

6 “(2) Congressional staff members and employees of
7 the judiciary may participate on a reimbursable, space-
8 available basis in training programs offered by the institu-
9 tion.

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

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

18 (b) FEES FOR USE OF NATIONAL FOREIGN AFFAIRS
19 TRAINING CENTER.—The State Department Basic Au-
20 thorities Act of 1956 (22 U.S.C. 2669 et seq.) is amended
21 by adding after section 52 the following new section:

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

24 “The Secretary is authorized to charge a fee for use
25 of the National Foreign Affairs Training Center Facility

1 of the Department of State. Funds collected under the au-
2 thority of this section, including reimbursements, sur-
3 charges, and fees, shall be deposited as an offsetting col-
4 lection to any Department of State appropriation to re-
5 cover the costs of such use and shall remain available for
6 obligation until expended.”.

7 **SEC. 1210. FEE FOR USE OF DIPLOMATIC RECEPTION**
8 **ROOMS.**

9 The State Department Basic Authorities Act of 1956
10 (22 U.S.C. 2651a et seq.) is amended by adding after sec-
11 tion 53 (as added by section 1210(b)) the following new
12 section:

13 **“SEC. 54. FEE FOR USE OF DIPLOMATIC RECEPTION**
14 **ROOMS.**

15 “The Secretary of State is authorized to charge a fee
16 for use of the diplomatic reception rooms of the Depart-
17 ment of State. Amounts collected under the authority of
18 this section (including any reimbursements and sur-
19 charges) shall be deposited as an offsetting collection to
20 any Department of State appropriation to recover the
21 costs of such use and shall remain available for obligation
22 until expended.”.

23 **SEC. 1211. FEES FOR COMMERCIAL SERVICES.**

24 Section 52 of the State Department Basic Authorities
25 Act of 1956 (22 U.S.C. 2724) is amended in subsection

1 (b) by adding at the end the following: “Funds deposited
2 under this subsection shall remain available for obligation
3 until expended.”.

4 **SEC. 1212. BUDGET PRESENTATION DOCUMENTS.**

5 The Secretary of State shall include in the annual
6 Congressional Presentation Document and the Budget in
7 Brief, a detailed accounting of the total collections re-
8 ceived by the Department of State from all sources, in-
9 cluding fee collections. Reporting on total collections shall
10 also include the previous year’s collection and the pro-
11 jected expenditures from all collections accounts.

12 **SEC. 1213. GRANTS TO OVERSEAS EDUCATIONAL FACILI-**
13 **TIES.**

14 Section 29 of the State Department Basic Authorities
15 Act of 1956 (22 U.S.C. 2701) is amended by adding at
16 the end the following: “Notwithstanding any other provi-
17 sion of law, where the children of United States citizen
18 employees of an agency of the United States Government
19 who are stationed outside the United States attend edu-
20 cational facilities assisted by the Department of State
21 under this section, such agency is authorized to make
22 grants to, or otherwise to reimburse or credit with advance
23 payment, the Department of State for funds used in pro-
24 viding assistance to such educational facilities.”.

1 **SEC. 1214. GRANTS TO REMEDY INTERNATIONAL CHILD AB-**
2 **DUCTIONS.**

3 (a) GRANT AUTHORITY.—Section 7 of the Inter-
4 national Child Abduction Remedies Act (42 U.S.C. 11606;
5 Public Law 100–300) is amended by adding at the end
6 the following new subsection:

7 “(e) GRANT AUTHORITY.—The United States
8 Central Authority is authorized to make grants to, or
9 enter into contracts or agreements with, any individual,
10 corporation, other Federal, State, or local agency, or pri-
11 vate entity or organization in the United States for pur-
12 poses of accomplishing its responsibilities under the con-
13 vention and this Act.”.

14 **SEC. 1215. NOTIFICATION OF CRIMES COMMITTED BY DIP-**
15 **LOMATS.**

16 Title II of the State Department Basic Authorities
17 Act of 1956 (22 U.S.C. 4301 et seq.; commonly referred
18 to as the “Foreign Missions Act”) is amended by inserting
19 after section 204A the following:

20 **“SEC. 204B. CRIMES COMMITTED BY DIPLOMATS.**

21 “(a) RECORDS.—(1) The Secretary of State shall de-
22 velop and maintain records on each incident in which an
23 individual with immunity from the criminal jurisdiction of
24 the United States under the Vienna Convention who the
25 Secretary reasonably believes has committed a serious
26 criminal offense within the United States which was not

1 subject to the criminal jurisdiction of the United States.

2 Each such record shall include—

3 “(A) the identity of such individual;

4 “(B) the nature of the offense committed by
5 such individual, including whether against property
6 or persons;

7 “(C) whether such offense involved reckless
8 driving or driving while intoxicated; and

9 “(D) the number and nature of all other crimi-
10 nal offenses committed in the United States by such
11 individual.

12 “(2) The Secretary shall submit an annual report to
13 the Congress on the incidents occurring during the preced-
14 ing year. The report shall include the information main-
15 tained under paragraph (1) together with information
16 under section 1706(a).

17 “(b) EDUCATION AND ENCOURAGEMENT OF LOCAL
18 LAW ENFORCEMENT INDIVIDUALS.—The Secretary shall
19 take such steps as may be necessary—

20 “(1) to educate local law enforcement officials
21 on the extent of the immunity from criminal juris-
22 diction provided to members of a foreign mission,
23 and family members of such members, under the Vi-
24 enna Convention; and

1 “(2) to encourage local law enforcement offi-
2 cials to fully investigate, charge, and prosecute, to
3 the extent consistent with immunity from criminal
4 jurisdiction under the Vienna Convention, any mem-
5 ber of a foreign mission, and any family member of
6 such a member, who commits a serious criminal of-
7 fense within the United States.

8 “(c) INTERFERENCE WITH LOCAL PROSECUTIONS.—
9 No officer or employee of the Department of State may
10 interfere with any investigation, charge, or prosecution by
11 a State or local government of—

12 “(1) an alien who is a member of a foreign mis-
13 sion,

14 “(2) a family member of an alien described in
15 subparagraph (A), or

16 “(3) any other alien,
17 not covered by immunity from the criminal jurisdic-
18 tion of the United States under the Vienna Conven-
19 tion.

20 “(d) NOTIFICATION OF DIPLOMATIC CORPS.—The
21 Secretary shall notify the members of each foreign mission
22 of United States policies relating to criminal offenses (par-
23 ticularly crimes of violence) committed by such members,
24 and the family members of such members, including the
25 policy of obtaining criminal indictments, requiring such

1 members to leave the country, and declaring such mem-
2 bers persona non grata.

3 “(e) VIENNA CONVENTION.—For the purposes of this
4 section, the term ‘Vienna Convention’ means the Vienna
5 Convention on Diplomatic Relations of April 18, 1961
6 (TIAS numbered 7502; 23 UST 3227), entered into force
7 with respect to the United States on December 13,
8 1972.”.

9 **SEC. 1216. REPORT ON OVERSEAS SURPLUS PROPERTIES.**

10 (a) REPORT TO CONGRESS.—Not later than March
11 1 of each year, the Secretary of State shall submit to the
12 Congress a report listing overseas United States surplus
13 properties for sale.

14 (b) USE OF FUNDS RECEIVED FROM SALE OF OVER-
15 SEAS SURPLUS PROPERTIES.—Notwithstanding any other
16 provision of law, amounts received by the United States
17 from the sale of any overseas United States surplus prop-
18 erty shall be deposited in the Treasury of the United
19 States to be used to reduce the deficit.

20 **CHAPTER 2—CONSULAR AUTHORITIES OF**
21 **THE DEPARTMENT OF STATE**

22 **SEC. 1241. USE OF CERTAIN PASSPORT PROCESSING FEES**
23 **FOR ENHANCED PASSPORT SERVICES.**

24 For each of the fiscal years 1998 and 1999, of the
25 fees collected for expedited passport processing and depos-

1 ited to an offsetting collection pursuant to the Department
2 of State and Related Agencies Appropriations Act for Fis-
3 cal Year 1995 (Public Law 103–317; 22 U.S.C. 214), 30
4 percent shall be available only for enhancing passport
5 services for United States citizens, improving the integrity
6 and efficiency of the passport issuance process, improving
7 the secure nature of the United States passport, inves-
8 tigating passport fraud, and deterring entry into the Unit-
9 ed States by terrorists, drug traffickers, or other crimi-
10 nals.

11 **SEC. 1242. CONSULAR OFFICERS.**

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

21 (b) PROVISIONS APPLICABLE TO CONSULAR OFFI-
22 CERS.—Section 1689 of the Revised Statutes of the Unit-
23 ed States (22 U.S.C. 4191), is amended by inserting “and
24 to such other United States citizen employees of the De-
25 partment of State as may be designated by the Secretary

1 of State pursuant to such regulations as the Secretary
2 may prescribe” after “such officers”.

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

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

20 (e) DEFINITION OF CONSULAR OFFICER.—Section
21 101(a)(9) of the Immigration and Nationality Act (8
22 U.S.C. 1101(a)(9)) is amended by—

23 (1) inserting “or employee” after “officer”; and

1 (2) inserting before the period at the end of the
2 sentence “or, when used in title III, for the purpose
3 of adjudicating nationality”.

4 (f) TRAINING FOR EMPLOYEES PERFORMING CON-
5 SULAR FUNCTIONS.—Section 704 of the Foreign Service
6 Act of 1980 (22 U.S.C. 4024) is amended by adding at
7 the end the following new subsection:

8 “(d) Prior to designation by the Secretary of State
9 pursuant to regulation to perform a consular function
10 abroad, a United States citizen employee (other than a
11 diplomatic or consular officer of the United States) shall
12 be required to complete successfully a program of training
13 essentially equivalent to the training that a consular offi-
14 cer who is a member of the Foreign Service would receive
15 for purposes of performing such function and shall be cer-
16 tified by an appropriate official of the Department of
17 State to be qualified by knowledge and experience to per-
18 form such function. As used in this subsection, the term
19 ‘consular function’ includes the issuance of visas, the per-
20 formance of notarial and other legalization functions, the
21 adjudication of passport applications, the adjudication of
22 nationality, and the issuance of citizenship documenta-
23 tion.”.

1 **SEC. 1243. REPEAL OF OUTDATED CONSULAR RECEIPT RE-**
2 **QUIREMENTS.**

3 Sections 1726, 1727, and 1728 of the Revised Stat-
4 utes of the United States (22 U.S.C. 4212, 4213, and
5 4214) (concerning accounting for consular fees) are re-
6 pealed.

7 **SEC. 1244. ELIMINATION OF DUPLICATE PUBLICATION RE-**
8 **QUIREMENTS.**

9 (a) FEDERAL REGISTER PUBLICATION OF TRAVEL
10 ADVISORIES.—Section 44908(a) of title 49, United States
11 Code, is amended—

12 (1) by striking paragraph (2); and

13 (2) by redesignating paragraph (3) as para-
14 graph (2).

15 (b) PUBLICATION IN THE FEDERAL REGISTER OF
16 TRAVEL ADVISORIES CONCERNING SECURITY AT FOR-
17 EIGN PORTS.—Section 908(a) of the International Mari-
18 time and Port Security Act of 1986 (Public Law 99–399;
19 100 Stat. 891; 46 U.S.C. App. 1804(a)) is amended by
20 striking the second sentence.

21 **CHAPTER 3—REFUGEES AND MIGRATION**

22 **SEC. 1261. REPORT TO CONGRESS CONCERNING CUBAN**
23 **EMIGRATION POLICIES.**

24 Beginning 3 months after the date of the enactment
25 of this Act and every subsequent 6 months, the Secretary
26 of State shall include in the monthly report to Congress

1 entitled “Update on Monitoring of Cuban Migrant Return-
2 ees” additional information concerning the methods em-
3 ployed by the Government of Cuba to enforce the United
4 States-Cuba agreement of September 1994 to restrict the
5 emigration of the Cuban people from Cuba to the United
6 States and the treatment by the Government of Cuba of
7 persons who have returned to Cuba pursuant to the Unit-
8 ed States-Cuba agreement of May 1995.

9 **SEC. 1262. REPROGRAMMING OF MIGRATION AND REFU-**
10 **GEE ASSISTANCE FUNDS.**

11 Section 34 of the State Department Basic Authorities
12 Act of 1956 (22 U.S.C. 2706) is amended by adding at
13 the end the following new subsection:

14 “(c) EMERGENCY WAIVER OF NOTIFICATION RE-
15 QUIREMENT.—The Secretary of State may waive the noti-
16 fication requirement of subsection (a), if the Secretary de-
17 termines that failure to do so would pose a substantial
18 risk to human health or welfare. In the case of any waiver
19 under this subsection, notification to the appropriate con-
20 gressional committees shall be provided as soon as prac-
21 ticable, but not later than 3 days after taking the action
22 to which the notification requirement was applicable, and
23 shall contain an explanation of the emergency cir-
24 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. PERSONNEL MANAGEMENT.**

17 The official with primary responsibility for matters
18 relating to personnel in the Department of State, or that
19 person's principal deputy, shall have substantial profes-
20 sional qualifications in the field of human resource policy
21 and management.

22 **SEC. 1304. DIPLOMATIC SECURITY.**

23 Any Assistant Secretary with primary responsibility
24 for diplomatic security, or that person's principal deputy,
25 shall have substantial professional qualifications in the

1 fields of (1) management, and (2) Federal law enforce-
2 ment, intelligence, or security.

3 **SEC. 1305. SPECIAL ENVOY FOR TIBET.**

4 (a) UNITED STATES SPECIAL ENVOY FOR TIBET.—

5 The President should appoint within the Department of
6 State a United States Special Envoy for Tibet, who shall
7 hold office at the pleasure of the President.

8 (b) RANK.—A United States Special Envoy for Tibet
9 appointed under subsection (a) shall have the personal
10 rank of ambassador and shall be appointed by and with
11 the advice and consent of the Senate.

12 (c) SPECIAL FUNCTIONS.—The United States Special
13 Envoy for Tibet should be authorized and encouraged—

14 (1) to promote substantive negotiations between
15 the Dalai Lama or his representatives and senior
16 members of the Government of the People's Republic
17 of China;

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

23 (3) to travel regularly throughout Tibet and Ti-
24 betan refugee settlements.

1 (d) DUTIES AND RESPONSIBILITIES.—The United
2 States Special Envoy for Tibet should—

3 (1) consult with the Congress on policies rel-
4 evant to Tibet and the future and welfare of all Ti-
5 betan people;

6 (2) coordinate United States Government poli-
7 cies, programs, and projects concerning Tibet; and

8 (3) report to the Secretary of State regarding
9 the matters described in section 536(a)(2) of the
10 Foreign Relations Authorization Act, Fiscal Years
11 1994 and 1995 (Public Law 103–236).

12 **CHAPTER 2—PERSONNEL OF THE DE-**
13 **PARTMENT OF STATE; THE FOREIGN**
14 **SERVICE**

15 **SEC. 1321. AUTHORIZED STRENGTH OF THE FOREIGN SERV-**
16 **ICE.**

17 (a) END FISCAL YEAR 1998 LEVELS.—The number
18 of members of the Foreign Service authorized to be em-
19 ployed as of September 30, 1998—

20 (1) for the Department of State, shall not ex-
21 ceed 8,700, of whom not more than 750 shall be
22 members of the Senior Foreign Service;

23 (2) for the United States Information Agency,
24 shall not exceed 1,000, of whom not more than 140
25 shall be members of the Senior Foreign Service; and

1 (3) for the Agency for International Develop-
2 ment, not to exceed 1,210, of whom not more than
3 150 shall be members of the Senior Foreign Service.

4 (b) END FISCAL YEAR 1999 LEVELS.—The number
5 of members of the Foreign Service authorized to be em-
6 ployed as of September 30, 1999—

7 (1) for the Department of State, shall not ex-
8 ceed 8,800, of whom not more than 750 shall be
9 members of the Senior Foreign Service;

10 (2) for the United States Information Agency,
11 not to exceed 1,000, of whom not more than 140
12 shall be members of the Senior Foreign Service; and

13 (3) for the Agency for International Develop-
14 ment, not to exceed 1,182, of whom not more than
15 147 shall be members of the Senior Foreign Service.

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

21 (1) members of the Service under paragraphs
22 (6) and (7) of such section;

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

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

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

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

9 (d) WAIVER AUTHORITY.—(1) Subject to paragraph
10 (2), the President may waive any limitation under sub-
11 section (a) or (b) to the extent that such waiver is nec-
12 essary to carry on the foreign affairs functions of the
13 United States.

14 (2) Not less than 15 days before the President exer-
15 cises a waiver under paragraph (1), such agency head
16 shall notify the Chairman of the Committee on Foreign
17 Relations of the Senate and the Chairman of the Commit-
18 tee on International Relations of the House of Representa-
19 tives. Such notice shall include an explanation of the cir-
20 cumstances and necessity for such waiver.

21 **SEC. 1322. NONOVERTIME DIFFERENTIAL PAY.**

22 Title 5 of the United States Code is amended—

23 (1) in section 5544(a), by inserting after the
24 fourth sentence the following new sentence: “For
25 employees serving outside the United States in areas

1 where Sunday is a routine workday and another day
2 of the week is officially recognized as the day of rest
3 and worship, the Secretary of State may designate
4 the officially recognized day of rest and worship as
5 the day with respect to which the preceding sentence
6 shall apply instead of Sunday.”; and

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

16 **SEC. 1323. AUTHORITY OF SECRETARY TO SEPARATE CON-**
17 **VICTED FELONS FROM SERVICE.**

18 Section 610(a)(2) of the Foreign Service Act of 1980
19 (22 U.S.C. 4010(a)(2)) is amended in the first sentence
20 by striking “A member” and inserting “Except in the case
21 of an individual who has been convicted of a crime for
22 which a sentence of imprisonment of more than 1 year
23 may be imposed, a member”.

1 **SEC. 1324. CAREER COUNSELING.**

2 (a) IN GENERAL.—Section 706(a) of the Foreign
3 Service Act of 1980 (22 U.S.C. 4026(a)) is amended by
4 adding at the end the following sentence: “Career counsel-
5 ing and related services provided pursuant to this Act shall
6 not be construed to permit an assignment to training or
7 to another assignment that consists primarily of paid time
8 to conduct a job search and without other substantive du-
9 ties, except that career members of the Service who upon
10 their separation are not eligible to receive an immediate
11 annuity and have not been assigned to a post in the Unit-
12 ed States during the 12 months prior to their separation
13 from the Service may be permitted up to 2 months of paid
14 time to conduct a job search.”.

15 (b) EFFECTIVE DATE.—The amendment made by
16 subsection (a) shall be effective 180 days after the date
17 of the enactment of this Act.

18 **SEC. 1325. REPORT CONCERNING MINORITIES AND THE**
19 **FOREIGN SERVICE.**

20 The Secretary of State shall annually submit a report
21 to the Congress concerning minorities and the Foreign
22 Service officer corps. In addition to such other information
23 as is relevant to this issue, the report shall include the
24 following data (reported in terms of real numbers and per-
25 centages and not as ratios):

1 (1) The numbers and percentages of all minori-
2 ties taking the written foreign service examination.

3 (2) The numbers and percentages of all minori-
4 ties successfully completing and passing the written
5 foreign service examination.

6 (3) The numbers and percentages of all minori-
7 ties successfully completing and passing the oral for-
8 eign service examination.

9 (4) The numbers and percentages of all minori-
10 ties entering the junior officers class of the Foreign
11 Service.

12 (5) The numbers and percentages of all minori-
13 ties in the Foreign Service officer corps.

14 (6) The numbers and percentages of all minor-
15 ity Foreign Service officers at each grade, particu-
16 larly at the senior levels in policy directive positions.

17 (7) The numbers of and percentages of minori-
18 ties promoted at each grade of the Foreign Service
19 officer corps.

20 **SEC. 1326. RETIREMENT BENEFITS FOR INVOLUNTARY SEP-**
21 **ARATION.**

22 (a) BENEFITS.—Section 609 of the Foreign Service
23 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

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 IN-**
15 **VESTIGATORS WITHIN THE DIPLOMATIC SE-**
16 **CURITY SERVICE.**

17 (a) IN GENERAL.—Section 5545a of title 5, United
18 States Code, is amended by adding at the end the follow-
19 ing:

20 “(k)(1) For purposes of this section, the term ‘crimi-
21 nal investigator’ includes an officer occupying a position
22 under title II of Public Law 99–399 if—

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.”.

1 **TITLE XIV—UNITED STATES**
2 **PUBLIC DIPLOMACY: AU-**
3 **THORITIES AND ACTIVITIES**
4 **FOR UNITED STATES INFOR-**
5 **MATIONAL, EDUCATIONAL,**
6 **AND CULTURAL PROGRAMS**

7 **SEC. 1401. EXTENSION OF AU PAIR PROGRAMS.**

8 Section 1(b) of the Act entitled “An Act to extend
9 au pair programs.” (Public Law 104–72; 109 Stat.
10 1065(b)) is amended by striking “, through fiscal year
11 1997”.

12 **SEC. 1402. RETENTION OF INTEREST.**

13 Notwithstanding any other provision of law, with the
14 approval of the National Endowment for Democracy,
15 grant funds made available by the National Endowment
16 for Democracy may be deposited in interest-bearing ac-
17 counts pending disbursement and any interest which ac-
18 crues may be retained by the grantee without returning
19 such interest to the Treasury of the United States and
20 interest earned by be obligated and expended for the pur-
21 poses for which the grant was made without further ap-
22 propriation.

1 **SEC. 1403. CENTER FOR CULTURAL AND TECHNICAL INTER-**
2 **CHANGE BETWEEN NORTH AND SOUTH.**

3 Section 208(e) of the Foreign Relations Authoriza-
4 tion Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075(e))
5 is amended by striking “\$10,000,000” and inserting
6 “\$4,000,000”.

7 **SEC. 1404. USE OF SELECTED PROGRAM FEES.**

8 Section 810 of the United States Information and
9 Educational Exchange Act of 1948 (22 U.S.C. 1475e) is
10 amended by inserting “educational advising and counsel-
11 ing, exchange visitor program services, advertising sold by
12 the Voice of America, receipts from cooperating inter-
13 national organizations and from the privatization of VOA
14 Europe,” after “library services,”.

15 **SEC. 1405. MUSKIE FELLOWSHIP PROGRAM.**

16 (a) GUIDELINES .—Section 227(c)(5) of the Foreign
17 Relations Authorization Act, Fiscal Years 1992 and 1993
18 (22 U.S.C. 2452 note) is amended—

19 (1) in the first sentence by inserting “journal-
20 ism and communications, education administration,
21 public policy, library and information science,” after
22 “business administration,”; and

23 (2) in the second sentence by inserting “jour-
24 nalism and communications, education administra-
25 tion, public policy, library and information science,”
26 after “business administration,”.

1 (b) REDESIGNATION OF SOVIET UNION.—Section
 2 227 of the Foreign Relations Authorization Act, Fiscal
 3 Years 1992 and 1993 (22 U.S.C. 2452 note) is amend-
 4 ed—

5 (1) by striking “Soviet Union” each place it ap-
 6 pears and inserting “Independent States of the
 7 Former Soviet Union”; and

8 (2) in the section heading by inserting “**INDE-**
 9 **PENDENT STATES OF THE FORMER**” after
 10 “**FROM THE**”.

11 **SEC. 1406. WORKING GROUP ON UNITED STATES GOVERN-**
 12 **MENT SPONSORED INTERNATIONAL EX-**
 13 **CHANGES AND TRAINING.**

14 Section 112 of the Mutual Educational and Cultural
 15 Exchange Act of 1961 (22 U.S.C. 2460) is amended by
 16 adding at the end the following new subsection:

17 “(g) WORKING GROUP ON UNITED STATES GOVERN-
 18 MENT SPONSORED INTERNATIONAL EXCHANGES AND
 19 TRAINING.—(1) In order to carry out the purposes of sub-
 20 section (f) and to improve the coordination, efficiency, and
 21 effectiveness of United States Government sponsored
 22 international exchanges and training, there is established
 23 within the United States Information Agency a senior-
 24 level interagency working group to be known as the Work-
 25 ing Group on United States Government Sponsored Inter-

1 national Exchanges and Training (hereinafter in this sec-
2 tion referred to as ‘the Working Group’).

3 “(2) For purposes of this subsection, the term ‘Gov-
4 ernment sponsored international exchanges and training’
5 means the movement of people between countries to pro-
6 mote the sharing of ideas, to develop skills, and to foster
7 mutual understanding and cooperation, financed wholly or
8 in part, directly or indirectly, with United States Govern-
9 ment funds.

10 “(3) The Working Group shall be composed as fol-
11 lows:

12 “(A) The Associate Director for Educational
13 and Cultural Affairs of the United States Informa-
14 tion Agency, who shall act as Chair.

15 “(B) A senior representative designated by the
16 Secretary of State.

17 “(C) A senior representative designated by the
18 Secretary of Defense.

19 “(D) A senior representative designated by the
20 Secretary of Education.

21 “(E) A senior representative designated by the
22 Attorney General.

23 “(F) A senior representative designated by the
24 Administrator of the Agency for International Devel-
25 opment.

1 “(G) Senior representatives of other depart-
2 ments and agencies as the Chair determines to be
3 appropriate.

4 “(4) Representatives of the National Security Adviser
5 and the Director of the Office of Management and Budget
6 may participate in the Working Group at the discretion
7 of the adviser and the director, respectively.

8 “(5) The Working Group shall be supported by an
9 interagency staff office established in the Bureau of Edu-
10 cational and Cultural Affairs of the United States Infor-
11 mation Agency.

12 “(6) The Working Group shall have the following
13 purposes and responsibilities:

14 “(A) To collect, analyze, and report data pro-
15 vided by all United States Government departments
16 and agencies conducting international exchanges and
17 training programs.

18 “(B) To promote greater understanding and co-
19 operation among concerned United States Govern-
20 ment departments and agencies of common issues
21 and challenges in conducting international exchanges
22 and training programs, including through the estab-
23 lishment of a clearinghouse for information on inter-
24 national exchange and training activities in the gov-
25 ernmental and nongovernmental sectors.

1 “(C) In order to achieve the most efficient and
2 cost-effective use of Federal resources, to identify
3 administrative and programmatic duplication and
4 overlap of activities by the various United States
5 Government departments and agencies involved in
6 Government sponsored international exchange and
7 training programs, to identify how each Government
8 sponsored international exchange and training pro-
9 gram promotes United States foreign policy, and to
10 report thereon.

11 “(D) Not later than 1 year after the date of the
12 enactment of the Foreign Relations Authorization
13 Act, Fiscal Years 1998 and 1999, to develop and
14 thereafter assess, annually, a coordinated and cost-
15 effective strategy for all United States Government
16 sponsored international exchange and training pro-
17 grams, and to issue a report on such strategy. This
18 strategy will include an action plan for consolidating
19 United States Government sponsored international
20 exchange and training programs with the objective
21 of achieving a minimum 10 percent cost saving
22 through consolidation or the elimination of duplica-
23 tion.

24 “(E) Not later than 2 years after the date of
25 the enactment of the Foreign Relations Authoriza-

1 tion Act, Fiscal Years 1998 and 1999, to develop
2 recommendations on common performance measures
3 for all United States Government sponsored inter-
4 national exchange and training programs, and to
5 issue a report.

6 “(F) To conduct a survey of private sector
7 international exchange activities and develop strate-
8 gies for expanding public and private partnerships
9 in, and leveraging private sector support for, United
10 States Government sponsored international exchange
11 and training activities.

12 “(G) Not later than 6 months after the date of
13 the enactment of the Foreign Relations Authoriza-
14 tion Act, Fiscal Years 1998 and 1999, to report on
15 the feasibility of transferring funds and program
16 management for the ATLAS and/or the Mandela
17 Fellows programs in South Africa from the Agency
18 for International Development to the United States
19 Information Agency. The report shall include an as-
20 sessment of the capabilities of the South African
21 Fulbright Commission to manage such programs
22 and the cost advantages of consolidating such pro-
23 grams under one entity.

1 “(7) All reports prepared by the Working Group shall
2 be submitted to the President, through the Director of the
3 United States Information Agency.

4 “(8) The Working Group shall meet at least on a
5 quarterly basis.

6 “(9) All decisions of the Working Group shall be by
7 majority vote of the members present and voting.

8 “(10) The members of the Working Group shall serve
9 without additional compensation for their service on the
10 Working Group. Any expenses incurred by a member of
11 the Working Group in connection with service on the
12 Working Group shall be compensated by that member’s
13 department or agency.

14 “(11) With respect to any report promulgated pursu-
15 ant to paragraph (6), a member may submit dissenting
16 views to be submitted as part of the report of the Working
17 Group.”.

18 **SEC. 1407. EDUCATIONAL AND CULTURAL EXCHANGES AND**
19 **SCHOLARSHIPS FOR TIBETANS AND BUR-**
20 **MESE.**

21 (a) ESTABLISHMENT OF EDUCATIONAL AND CUL-
22 TURAL EXCHANGE FOR TIBETANS.—The Director of the
23 United States Information Agency shall establish pro-
24 grams of educational and cultural exchange between the
25 United States and the people of Tibet. Such programs

1 shall include opportunities for training and, as the Direc-
2 tor considers appropriate, may include the assignment of
3 personnel and resources abroad.

4 (b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—

5 (1) IN GENERAL.—For each of the fiscal years
6 1998 and 1999, at least 30 scholarships shall be
7 made available to Tibetan students and professionals
8 who are outside Tibet, and at least 15 scholarships
9 shall be made available to Burmese students and
10 professionals who are outside Burma.

11 (2) WAIVER.—Paragraph (1) shall not apply to
12 the extent that the Director of the United States In-
13 formation Agency determines that there are not
14 enough qualified students to fulfill such allocation
15 requirement.

16 (3) SCHOLARSHIP DEFINED.—For the purposes
17 of this section, the term “scholarship” means an
18 amount to be used for full or partial support of tui-
19 tion and fees to attend an educational institution,
20 and may include fees, books, and supplies, equip-
21 ment required for courses at an educational institu-
22 tion, living expenses at a United States educational
23 institution, and travel expenses to and from, and
24 within, the United States.

1 **SEC. 1408. UNITED STATES-JAPAN COMMISSION.**

2 (a) RELIEF FROM RESTRICTION OF INTERCHANGE-
3 ABILITY OF FUNDS.—

4 (1) Section 6(4) of the Japan-United States
5 Friendship Act (22 U.S.C. 2905(4)) is amended by
6 striking “needed, except” and all that follows
7 through “United States” and inserting “needed”.

8 (2) The second sentence of section 7(b) of the
9 Japan-United States Friendship Act (22 U.S.C.
10 2906(b)) is amended to read as follows: “Such in-
11 vestment may be made only in interest-bearing obli-
12 gations of the United States, in obligations guaran-
13 teed as to both principal and interest by the United
14 States, in interest-bearing obligations of Japan, or
15 in obligations guaranteed as to both principal and
16 interest by Japan.”.

17 (b) REVISION OF NAME OF COMMISSION.—

18 (1) After the date of the enactment of this Act,
19 the Japan-United States Friendship Commission
20 shall be designated as the “United States-Japan
21 Commission”. Any reference in any provision of law,
22 Executive order, regulation, delegation of authority,
23 or other document to the Japan-United States
24 Friendship Commission shall be considered to be a
25 reference to the United States-Japan Commission.

1 (2) The heading of section 4 of the Japan-Unit-
2 ed States Friendship Act (22 U.S.C. 2903) is
3 amended to read as follows:

4 “UNITED STATES-JAPAN COMMISSION”.

5 (3) The Japan-United States Friendship Act is
6 amended by striking “Japan-United States Friend-
7 ship Commission” each place such term appears and
8 inserting “United States-Japan Commission”.

9 (c) REVISION OF NAME OF TRUST FUND.—

10 (1) After the date of the enactment of this Act,
11 the Japan-United States Friendship Trust Fund
12 shall be designated as the “United States-Japan
13 Trust Fund”. Any reference in any provision of law,
14 Executive order, regulation, delegation of authority,
15 or other document to the Japan-United States
16 Friendship Trust Fund shall be considered to be a
17 reference to the United States-Japan Trust Fund.

18 (2) Section 3(a) of the Japan-United States
19 Friendship Act (22 U.S.C. 2902(a)) is amended by
20 striking “Japan-United States Friendship Trust
21 Fund” and inserting “United States-Japan Trust
22 Fund”.

23 **SEC. 1409. SURROGATE BROADCASTING STUDIES.**

24 (a) RADIO FREE AFRICA.—Not later than 6 months
25 after the date of the enactment of this Act, the United
26 States Information Agency and the Board of Broadcasting

1 Governors should conduct and complete a study of the ap-
2 propriateness, feasibility, and projected costs of providing
3 surrogate broadcasting service to Africa and transmit the
4 results of the study to the appropriate congressional com-
5 mittees.

6 (b) RADIO FREE IRAN.—Not later than 6 months
7 after the date of the enactment of this Act, the United
8 States Information Agency and the Board of Broadcasting
9 Governors should conduct and complete a study of the ap-
10 propriateness, feasibility, and projected costs of a Radio
11 Free Europe/Radio Liberty broadcasting service to Iran
12 and transmit the results of the study to the appropriate
13 congressional committees.

14 **SEC. 1410. AUTHORITY TO ADMINISTER SUMMER TRAVEL/**
15 **WORK PROGRAMS.**

16 The Director of the United States Information Agen-
17 cy is authorized to administer summer travel/work pro-
18 grams without regard to preplacement requirements.

19 **SEC. 1411. PERMANENT ADMINISTRATIVE AUTHORITIES**
20 **REGARDING APPROPRIATIONS.**

21 Section 701(f) of the United States Information and
22 Educational Exchange Act of 1948 (22 U.S.C. 1476(f))
23 is amended by striking paragraph (4).

1 **SEC. 1412. AUTHORITIES OF THE BROADCASTING BOARD**
2 **OF GOVERNORS.**

3 (a) **AUTHORITIES.**—Section 305(a)(1) of the United
4 States International Broadcasting Act of 1994 (22 U.S.C.
5 6204(a)(1)) is amended by striking “direct and”.

6 (b) **DIRECTOR OF THE BUREAU.**—The first sentence
7 of section 307(b)(1) of the United States International
8 Broadcasting Act of 1994 (22 U.S.C. 6206(b)(1)) is
9 amended to read as follows: “The Director of the Bureau
10 shall be appointed by the Board with the concurrence of
11 the Director of the United States Information Agency.”.

12 (c) **RESPONSIBILITIES OF THE DIRECTOR.**—Section
13 307 of the United States International Broadcasting Act
14 of 1994 (22 U.S.C. 6206) is amended by adding at the
15 end the following new subsection:

16 “(c) **RESPONSIBILITIES OF THE DIRECTOR.**—The
17 Director shall organize and chair a coordinating commit-
18 tee to examine long-term strategies for the future of inter-
19 national broadcasting, including the use of new tech-
20 nologies, further consolidation of broadcast services, and
21 consolidation of currently existing public affairs and legis-
22 lative relations functions in the various international
23 broadcasting entities. The coordinating committee shall
24 include representatives of RFA, RFE/RL, the Broadcast-
25 ing Board of Governors, and, as appropriate, from the Of-

1 fice of Cuba Broadcasting, the Voice of America, and
2 WorldNet.”.

3 (d) RADIO BROADCASTING TO CUBA.—Section 4 of
4 the Radio Broadcasting to Cuba Act (22 U.S.C. 1465b)
5 is amended by striking “of the Voice of America” and in-
6 serting “of the International Broadcasting Bureau”.

7 (e) TELEVISION BROADCASTING TO CUBA.—Section
8 244(a) of the Television Broadcasting to Cuba Act (22
9 U.S.C. 1465cc(a)) is amended in the third sentence by
10 striking “of the Voice of America” and inserting “of the
11 International Broadcasting Bureau”.

12 **TITLE XV—INTERNATIONAL OR-** 13 **GANIZATIONS; UNITED NA-** 14 **TIONS AND RELATED AGEN-** 15 **CIES**

16 **CHAPTER 1—GENERAL PROVISIONS**

17 **SEC. 1501. SERVICE IN INTERNATIONAL ORGANIZATIONS.**

18 (a) IN GENERAL.—Section 3582(b) of title 5, United
19 States Code, is amended by striking all after the first sen-
20 tence and inserting the following: “On reemployment, he
21 is entitled to the rate of basic pay to which he would have
22 been entitled had he remained in the civil service. On re-
23 employment, the agency shall restore his sick leave ac-
24 count, by credit or charge, to its status at the time of
25 transfer. The period of separation caused by his employ-

1 ment with the international organization and the period
 2 necessary to effect reemployment are deemed creditable
 3 service for all appropriate civil service employment pur-
 4 poses. This subsection does not apply to a congressional
 5 employee.”.

6 (b) APPLICATION.—The amendment made by sub-
 7 section (a) shall apply with respect transfers which take
 8 effect on or after the date of the enactment of this Act.

9 **SEC. 1502. ORGANIZATION OF AMERICAN STATES.**

10 Taking into consideration the long-term commitment
 11 by the United States to the affairs of this hemisphere and
 12 the need to build further upon the linkages between the
 13 United States and its neighbors, it is the sense of the Con-
 14 gress that the Secretary of State should make every effort
 15 to pay the United States assessed funding levels for the
 16 Organization of American States, which is uniquely de-
 17 pendent on United States contributions and is continuing
 18 fundamental reforms in its structure and its agenda.

19 **CHAPTER 2—UNITED NATIONS AND**
 20 **RELATED AGENCIES**

21 **SEC. 1521. REFORM IN BUDGET DECISIONMAKING PROCE-**
 22 **DURES OF THE UNITED NATIONS AND ITS**
 23 **SPECIALIZED AGENCIES.**

24 (a) ASSESSED CONTRIBUTIONS.—Of amounts au-
 25 thorized to be appropriated for “Assessed Contributions

1 to International Organizations” by this Act, the President
2 may withhold 20 percent of the funds appropriated for the
3 United States assessed contribution to the United Nations
4 or to any of its specialized agencies for any calendar year
5 if the Secretary of State determines that the United Na-
6 tions or any such agency has failed to implement or to
7 continue to implement consensus-based decisionmaking
8 procedures on budgetary matters which assure that suffi-
9 cient attention is paid to the views of the United States
10 and other member states that are the major financial con-
11 tributors to such assessed budgets.

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

23 (c) CONTRIBUTIONS FOR PRIOR YEARS.—Subject to
24 the availability of appropriations, payment of assessed
25 contributions for prior years may be made to the United

1 Nations or any of its specialized agencies notwithstanding
2 subsection (a) if such payment would further United
3 States interests in that organization.

4 (d) REPORT TO CONGRESS.—Not later than Feb-
5 ruary 1 of each year, the President shall submit to the
6 appropriate congressional committees a report concerning
7 the amount of United States assessed contributions paid
8 to the United Nations and each of its specialized agencies
9 during the preceding calendar year.

10 **SEC. 1522. REPORTS ON EFFORTS TO PROMOTE FULL**
11 **EQUALITY AT THE UNITED NATIONS FOR IS-**
12 **RAEL.**

13 (a) CONGRESSIONAL STATEMENT.—It is the sense of
14 the Congress that the United States must help promote
15 an end to the persistent inequity experienced by Israel in
16 the United Nations whereby Israel is the only longstand-
17 ing member of the organization to be denied acceptance
18 into any of the United Nation's regional blocs.

19 (b) REPORTS TO CONGRESS.—Not later than 90 days
20 after the date of the enactment of this Act and on a quar-
21 terly basis thereafter, the Secretary of State shall submit
22 to the appropriate congressional committees a report
23 which includes the following information (in classified or
24 unclassified form as appropriate):

1 (1) Actions taken by representatives of the
2 United States to encourage the nations of the West-
3 ern Europe and Others Group (WEOG) to accept Is-
4 rael into their regional bloc.

5 (2) Efforts undertaken by the Secretary Gen-
6 eral of the United Nations to secure Israel's full and
7 equal participation in that body.

8 (3) Specific responses received by the Secretary
9 of State from each of the nations of the Western
10 Europe and Others Group (WEOG) on their position
11 concerning Israel's acceptance into their organiza-
12 tion.

13 (4) Other measures being undertaken, and
14 which will be undertaken, to ensure and promote Is-
15 rael's full and equal participation in the United Na-
16 tions.

17 **SEC. 1523. UNITED NATIONS POPULATION FUND.**

18 (a) LIMITATION.—Subject to subsections (b), (c), and
19 (d)(2), of the amounts made available for each of the fiscal
20 years 1998 and 1999 to carry out part I of the Foreign
21 Assistance Act of 1961, not more than \$25,000,000 shall
22 be available for each such fiscal year for the United Na-
23 tions Population Fund.

24 (b) PROHIBITION ON USE OF FUNDS IN CHINA.—
25 None of the funds made available under this section shall

1 be made available for a country program in the People's
2 Republic of China.

3 (c) CONDITIONS ON AVAILABILITY OF FUNDS.—

4 (1) Not more than one-half of the amount made
5 available to the United Nations Population Fund
6 under this section may be provided to the Fund be-
7 fore March 1 of the fiscal year for which funds are
8 made available.

9 (2) Amounts made available for each of the fis-
10 cal years 1998 and 1999 under part I of the Foreign
11 Assistance Act of 1961 for the United Nations Pop-
12 ulation Fund may not be made available to the
13 Fund unless—

14 (A) the Fund maintains amounts made
15 available to the Fund under this section in an
16 account separate from accounts of the Fund for
17 other funds; and

18 (B) the Fund does not commingle amounts
19 made available to the Fund under this section
20 with other funds.

21 (d) REPORTS.—

22 (1) Not later than February 15, 1998, and
23 February 15, 1999, the Secretary of State shall sub-
24 mit a report to the appropriate congressional com-
25 mittees indicating the amount of funds that the

1 United Nations Population Fund is budgeting for
2 the year in which the report is submitted for a coun-
3 try program in the People’s Republic of China.

4 (2) If a report under paragraph (1) indicates
5 that the United Nations Population Fund plans to
6 spend China country program funds in the People’s
7 Republic of China in the year covered by the report,
8 then the amount of such funds that the Fund plans
9 to spend in the People’s Republic of China shall be
10 deducted from the funds made available to the Fund
11 after March 1 for obligation for the remainder of the
12 fiscal year in which the report is submitted.

13 **SEC. 1524. CONTINUED EXTENSION OF PRIVILEGES, EXEMP-**
14 **TIONS, AND IMMUNITIES OF THE INTER-**
15 **NATIONAL ORGANIZATIONS IMMUNITIES ACT**
16 **TO UNIDO.**

17 Section 12 of the International Organizations Immu-
18 nities Act (22 U.S.C. 288f–2) is amended by inserting
19 “and the United Nations Industrial Development Organi-
20 zation” after “International Labor Organization”.

21 **SEC. 1525. PROHIBITION ON FUNDING FOR UNESCO WORLD**
22 **HERITAGE AND MAN AND BIOSPHERE PRO-**
23 **GRAMS.**

24 None of the funds authorized to be appropriated by
25 this Act may be made available to the Man and Biosphere

1 (MAB) Program or the World Heritage Program adminis-
2 tered by the United Nations Educational, Scientific, and
3 Cultural Organization (UNESCO).

4 **TITLE XVI—ARMS CONTROL AND** 5 **DISARMAMENT AGENCY**

6 **SEC. 1601. COMPREHENSIVE COMPILATION OF ARMS CON-** 7 **TROL AND DISARMAMENT STUDIES.**

8 Section 39 of the Arms Control and Disarmament
9 Act (22 U.S.C. 2579) is repealed.

10 **SEC. 1602. USE OF FUNDS.**

11 Section 48 of the Arms Control and Disarmament
12 Act (22 U.S.C. 2588) is amended by striking “section 11
13 of the Act of March 1, 1919 (44 U.S.C. 111)” and insert-
14 ing “any other Act”.

15 **TITLE XVII—FOREIGN POLICY** 16 **PROVISIONS**

17 **SEC. 1701. UNITED STATES POLICY REGARDING THE INVOL-** 18 **UNTARY RETURN OF REFUGEES.**

19 (a) IN GENERAL.—No funds authorized to be appro-
20 priated by this division shall be available to effect the in-
21 voluntary return by the United States of any person to
22 a country in which the person has a well founded fear of
23 persecution on account of race, religion, nationality, mem-
24 bership in a particular social group, or political opinion,
25 except on grounds recognized as precluding protection as

1 a refugee under the United Nations Convention Relating
2 to the Status of Refugees of July 28, 1951, and the Proto-
3 col Relating to the Status of Refugees of January 31,
4 1967.

5 (b) MIGRATION AND REFUGEE ASSISTANCE.—No
6 funds authorized to be appropriated by section 1104 of
7 this Act or by section 2(c) of the Migration and Refugee
8 Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be avail-
9 able to effect the involuntary return of any person to any
10 country unless the Secretary of State first notifies the ap-
11 propriate congressional committees, except that in the
12 case of an emergency involving a threat to human life the
13 Secretary of State shall notify the appropriate congres-
14 sional committees as soon as practicable.

15 (c) INVOLUNTARY RETURN DEFINED.—As used in
16 this section, the term “to effect the involuntary return”
17 means to require, by means of physical force or cir-
18 cumstances amounting to a threat thereof, a person to re-
19 turn to a country against the person’s will, regardless of
20 whether the person is physically present in the United
21 States and regardless of whether the United States acts
22 directly or through an agent.

1 **SEC. 1702. UNITED STATES POLICY WITH RESPECT TO THE**
2 **INVOLUNTARY RETURN OF PERSONS IN DAN-**
3 **GER OF SUBJECTION TO TORTURE.**

4 (a) **POLICY.**—It shall be the policy of the United
5 States that the United States shall not expel, extradite,
6 or otherwise effect the involuntary return of any person
7 to a country in which there are substantial grounds for
8 believing that the person would be in danger of being sub-
9 jected to torture, regardless of whether the person is phys-
10 ically present in the United States.

11 (b) **DEFINITIONS.**—Except as otherwise provided,
12 terms used in this section have the meanings assigned
13 under the United Nations Convention Against Torture
14 and Other Cruel, Inhuman or Degrading Treatment or
15 Punishment, subject to any reservations, understandings,
16 declarations and provisos contained in the United States
17 resolution of advice and consent to ratification of such
18 Convention.

19 (c) **PROCEDURES.**—Procedures shall be established to
20 ensure compliance with subsection (a) in the cases of
21 aliens who are arriving in the United States or who are
22 physically present in the United States and who are sub-
23 ject to removal.

24 (d) **REVIEW AND CONSTRUCTION.**—Notwithstanding
25 any other provision of law, no court shall have jurisdiction
26 to review the procedures adopted to implement this sec-

1 tion, and nothing in this section shall be construed as pro-
2 viding any court jurisdiction to review claims raised under
3 the Convention or this section, or any other determination
4 made with respect to the application of the policy set forth
5 in subsection (a), except as part of the review of a final
6 order of removal pursuant to section 242 of the Immigra-
7 tion and Nationality Act, as amended.

8 **SEC. 1703. REPORTS ON CLAIMS BY UNITED STATES FIRMS**
9 **AGAINST THE GOVERNMENT OF SAUDI ARA-**
10 **BIA.**

11 (a) IN GENERAL.—Within 60 days after the date of
12 the enactment of this Act and every 120 days thereafter,
13 the Secretary of State, in coordination with the Secretary
14 of Defense and the Secretary of Commerce, shall report
15 to the appropriate congressional committees on specific ac-
16 tions taken by the Department of State, the Department
17 of Defense, and the Department of Commerce toward
18 progress in resolving the commercial disputes between
19 United States firms and the Government of Saudi Arabia
20 that are described in the June 30, 1993, report by the
21 Secretary of Defense pursuant to section 9140(c) of the
22 Department of Defense Appropriations Act, 1993 (Public
23 Law 102–396), including the additional claims noticed by
24 the Department of Commerce on page 2 of that report.

1 (b) **TERMINATION.**—Subsection (a) shall cease to
2 have effect when the Secretary of State, in coordination
3 with the Secretary of Defense and the Secretary of Com-
4 merce, certifies in writing to the appropriate congressional
5 committees that the commercial disputes referred to in
6 subsection (a) have been resolved satisfactorily.

7 **SEC. 1704. HUMAN RIGHTS REPORTS.**

8 Section 116(d) of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2151n) is amended—

10 (1) by striking “January 31” and inserting
11 “February 25”;

12 (2) redesignating paragraphs (3), (4), and (5)
13 as paragraphs (4), (5), and (6), respectively; and

14 (3) by inserting after paragraph (2) the follow-
15 ing new paragraph (3):

16 “(3) the status of child labor practices in each
17 country, including—

18 “(A) whether such country has adopted
19 policies to protect children from exploitation in
20 the workplace, including a prohibition of forced
21 and bonded labor and policies regarding accept-
22 able working conditions; and

23 “(B) the extent to which each country en-
24 forces such policies, including the adequacy of

1 resources and oversight dedicated to such poli-
2 cies;”.

3 **SEC. 1705. REPORTS ON DETERMINATIONS UNDER TITLE IV**
4 **OF THE LIBERTAD ACT.**

5 Section 401 of the Cuban Liberty and Democratic
6 Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6091)
7 is amended by adding at the end the following:

8 “(e) REPORTS TO CONGRESS.—The Secretary of
9 State shall, not later than 30 days after the date of the
10 enactment of this subsection and every 3 months there-
11 after, submit to the Committee on International Relations
12 of the House of Representatives and the Committee on
13 Foreign Relations of the Senate a report on the implemen-
14 tation of this section. Each report shall include—

15 “(1) an unclassified list, by economic sector, of
16 the number of entities then under review pursuant
17 to this section;

18 “(2) an unclassified list of all entities and a
19 classified list of all individuals that the Secretary of
20 State has determined to be subject to this section;

21 “(3) an unclassified list of all entities and a
22 classified list of all individuals that the Secretary of
23 State has determined are no longer subject to this
24 section;

1 “(4) an explanation of the status of the review
2 under way for the cases referred to in paragraph
3 (1); and

4 “(5) an unclassified explanation of each deter-
5 mination of the Secretary of State under subsection
6 (a) and each finding of the Secretary under sub-
7 section (c)—

8 “(A) since the date of the enactment of
9 this Act, in the case of the first report under
10 this subsection; and

11 “(B) in the preceding 3-month period, in
12 the case of each subsequent report.”.

13 **SEC. 1706. REPORTS AND POLICY CONCERNING DIPLO-**
14 **MATIC IMMUNITY.**

15 (a) ANNUAL REPORT CONCERNING DIPLOMATIC IM-
16 MUNITY.—

17 (1) REPORT TO CONGRESS.—The Secretary of
18 State shall prepare and submit to the Congress, an-
19 nually, a report concerning diplomatic immunity en-
20 titled “Report on Cases Involving Diplomatic Immu-
21 nity”.

22 (2) CONTENT OF REPORT.—In addition to such
23 other information as the Secretary of State may con-
24 sider appropriate, the report under paragraph (1)
25 shall include the following:

1 (A) The number of persons residing in the
2 United States who enjoy full immunity from the
3 criminal jurisdiction of the United States under
4 laws extending diplomatic privileges and immu-
5 nities.

6 (B) Each case involving an alien described
7 in subparagraph (A) in which the appropriate
8 authorities of a State, a political subdivision of
9 a State, or the United States reported to the
10 Department of State that the authority had
11 reasonable cause to believe the alien committed
12 a serious criminal offense within the United
13 States.

14 (C) Each case in which the United States
15 has certified that a person enjoys full immunity
16 from the criminal jurisdiction of the United
17 States under laws extending diplomatic privi-
18 leges and immunities.

19 (D) The number of United States citizens
20 who are residing in a receiving state and who
21 enjoy full immunity from the criminal jurisdic-
22 tion of such state under laws extending diplo-
23 matic privileges and immunities.

24 (E) Each case involving a United States
25 citizen under subparagraph (D) in which the

1 United States has been requested by the gov-
2 ernment of a receiving state to waive the immu-
3 nity from criminal jurisdiction of the United
4 States citizen.

5 (3) SERIOUS CRIMINAL OFFENSE DEFINED.—

6 The term “serious criminal offense” means—

7 (A) any felony under Federal, State, or
8 local law;

9 (B) any Federal, State, or local offense
10 punishable by a term of imprisonment of more
11 than 1 year;

12 (C) any crime of violence as defined for
13 purposes of section 16 of title 18, United States
14 Code; or

15 (D) driving under the influence of alcohol
16 or drugs or driving while intoxicated if the case
17 involves personal injury to another individual.

18 (b) UNITED STATES POLICY CONCERNING REFORM
19 OF DIPLOMATIC IMMUNITY.—It is the sense of the Con-
20 gress that the Secretary of State should explore, in appro-
21 priate fora, whether states should enter into agreements
22 and adopt legislation—

23 (1) to provide jurisdiction in the sending state
24 to prosecute crimes committed in the receiving state
25 by persons entitled to immunity from criminal juris-

1 diction under laws extending diplomatic privileges
2 and immunities; and

3 (2) to provide that where there is probable
4 cause to believe that an individual who is entitled to
5 immunity from the criminal jurisdiction of the re-
6 ceiving state under laws extending diplomatic privi-
7 leges and immunities committed a serious crime, the
8 sending state will waive such immunity or the send-
9 ing state will prosecute such individual.

10 **SEC. 1707. CONGRESSIONAL STATEMENT CONCERNING**
11 **RADIO FREE EUROPE/RADIO LIBERTY.**

12 It is the sense of the Congress that Radio Free Eu-
13 rope/Radio Liberty should continue surrogate broadcast-
14 ing beyond the year 2000 to countries whose people do
15 not yet fully enjoy freedom of expression. Recent events
16 in Serbia, Belarus, and Slovakia, among other nations,
17 demonstrate that even after the end of communist rule
18 in such nations, tyranny under other names still threatens
19 the freedom of their peoples, and hence the stability of
20 Europe and the national security interest of the United
21 States. The Broadcasting Board of Governors should
22 therefore continue to allocate sufficient funds to Radio
23 Free Europe/Radio Liberty to continue broadcasting at
24 current levels to target countries and to increase these lev-
25 els in response to renewed threats to freedom.

1 **SEC. 1708. PROGRAMS OR PROJECTS OF THE INTER-**
2 **NATIONAL ATOMIC ENERGY AGENCY IN**
3 **CUBA.**

4 (a) WITHHOLDING OF UNITED STATES PROPOR-
5 TIONAL SHARE OF ASSISTANCE.—

6 (1) IN GENERAL.—Section 307(c) of the For-
7 eign Assistance Act of 1961 (22 U.S.C. 2227(c)) is
8 amended—

9 (A) by striking “The limitations” and in-
10 serting “(1) Subject to paragraph (2), the limi-
11 tations”; and

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

13 “(2)(A) Except as provided in subparagraph (B),
14 with respect to funds authorized to be appropriated by this
15 chapter and available for the International Atomic Energy
16 Agency, the limitations of subsection (a) shall apply to
17 programs or projects of such Agency in Cuba.

18 “(B)(i) Subparagraph (A) shall not apply with re-
19 spect to programs or projects of the International Atomic
20 Energy Agency that provide for the discontinuation, dis-
21 mantling, or safety inspection of nuclear facilities or relat-
22 ed materials, or for inspections and similar activities de-
23 signed to prevent the development of nuclear weapons by
24 a country described in subsection (a).

1 “(ii) Clause (i) shall not apply with respect to the
2 Juragua Nuclear Power Plant near Cienfuegos, Cuba, or
3 the Pedro Pi Nuclear Research Center unless Cuba—

4 “(I) ratifies the Treaty on the Non-Prolifera-
5 tion of Nuclear Weapons (21 UST 483) or the Trea-
6 ty for the Prohibition of Nuclear Weapons in Latin
7 America (commonly known as the Treaty of
8 Tlatelolco);

9 “(II) negotiates full-scope safeguards of the
10 International Atomic Energy Agency not later than
11 two years after ratification by Cuba of such Treaty;
12 and

13 “(III) incorporates internationally accepted nu-
14 clear safety standards.”.

15 (2) EFFECTIVE DATE.—The amendments made
16 by paragraph (1) shall take effect on October 1,
17 1997, or the date of the enactment of this Act,
18 whichever occurs later.

19 (b) OPPOSITION TO CERTAIN PROGRAMS OR
20 PROJECTS.—The Secretary of State shall direct the Unit-
21 ed States representative to the International Atomic En-
22 ergy Agency to oppose the following:

23 (1) Technical assistance programs or projects of
24 the Agency at the Juragua Nuclear Power Plant

1 near Cienfuegos, Cuba, and at the Pedro Pi Nuclear
2 Research Center.

3 (2) Any other program or project of the Agency
4 in Cuba that is, or could become, a threat to the se-
5 curity of the United States.

6 (c) REPORTING REQUIREMENTS.—

7 (1) REQUEST FOR IAEA REPORTS.—The Sec-
8 retary of State shall direct the United States rep-
9 resentative to the International Atomic Energy
10 Agency to request the Director-General of the Agen-
11 cy to submit to the United States all reports pre-
12 pared with respect to all programs or projects of the
13 Agency that are of concern to the United States, in-
14 cluding the programs or projects described in sub-
15 section (b).

16 (2) ANNUAL REPORTS TO THE CONGRESS.—Not
17 later than 180 days after the date of the enactment
18 of this Act, and on an annual basis thereafter, the
19 Secretary of State, in consultation with the United
20 States representative to the International Atomic
21 Energy Agency, shall prepare and submit to the
22 Congress a report containing a description of all
23 programs or projects of the Agency in each country
24 described in section 307(a) of the Foreign Assist-
25 ance Act of 1961 (22 U.S.C. 2227(a)).

1 **SEC. 1709. UNITED STATES POLICY WITH RESPECT TO JE-**
2 **RUSALEM AS THE CAPITAL OF ISRAEL.**

3 (a) LIMITATION.—Of the amounts authorized to be
4 appropriated by section 1101(4) for “Acquisition and
5 Maintenance of Buildings Abroad” \$25,000,000 for the
6 fiscal year 1998 and \$75,000,000 for the fiscal year 1999
7 is authorized to be appropriated for the construction of
8 a United States Embassy in Jerusalem, Israel.

9 (b) LIMITATION ON USE OF FUNDS FOR CONSULATE
10 IN JERUSALEM.—None of the funds authorized to be ap-
11 propriated by this division may be expended for the oper-
12 ation of a United States consulate or diplomatic facility
13 in Jerusalem unless such consulate or diplomatic facility
14 is under the supervision of the United States Ambassador
15 to Israel.

16 (c) LIMITATION ON USE OF FUNDS FOR PUBLICA-
17 TIONS.—None of the funds authorized to be appropriated
18 by this division may be available for the publication of any
19 official government document which lists countries and
20 their capital cities unless the publication identifies Jerusa-
21 lem as the capital of Israel.

22 (d) RECORD OF PLACE OF BIRTH.—For purposes of
23 the registration of birth, certification of nationality, or is-
24 suance of a passport of a United States citizen born in
25 the city of Jerusalem, upon request, the Secretary of State

1 shall permit the place of birth to be recorded as Jerusa-
2 lem, Israel.

3 **SEC. 1710. REPORT ON COMPLIANCE WITH THE HAGUE**
4 **CONVENTION ON INTERNATIONAL CHILD AB-**
5 **DUCTION.**

6 Beginning 6 months after the date of the enactment
7 of this Act and every 12 months thereafter during the fis-
8 cal years 1998 and 1999, the Secretary shall provide to
9 the appropriate congressional committees a report on the
10 compliance with the provisions of The Hague Convention
11 on the Civil Aspects of International Child Abduction by
12 the signatories to such convention. Each such report shall
13 include the following information:

14 (1) The number of applications for the return
15 of children submitted by United States citizens to
16 the Central Authority for the United States that re-
17 main unresolved more than 18 months after the date
18 of filing.

19 (2) A list of the countries to which children in
20 unresolved applications described in paragraph (1)
21 are alleged to have been abducted.

22 (3) A list of the countries that have dem-
23 onstrated a pattern of noncompliance with the obli-
24 gations of such convention with respect to applica-
25 tions for the return of children submitted by United

1 States citizens to the Central Authority for the Unit-
2 ed States.

3 (4) Detailed information on each unresolved
4 case described in paragraph (1) and on actions
5 taken by the Department of State to resolve each
6 such case.

7 **SEC. 1711. SENSE OF THE CONGRESS RELATING TO REC-**
8 **OGNITION OF THE ECUMENICAL PATRIARCH-**
9 **ATE BY THE GOVERNMENT OF TURKEY.**

10 It is the sense of the Congress that the United States
11 should use its influence with the Turkish Government and
12 as a permanent member of the United Nations Security
13 Council to suggest that the Turkish Government—

14 (1) recognize the Ecumenical Patriarchate and
15 its nonpolitical, religious mission;

16 (2) ensure the continued maintenance of the in-
17 stitution's physical security needs, as provided for
18 under Turkish and international law, including but
19 not limited to, the Treaty of Lausanne, the 1968
20 Protocol, the Helsinki Final Act (1975), and the
21 Charter of Paris;

22 (3) provide for the proper protection and safety
23 of the Ecumenical Patriarch and Patriarchate per-
24 sonnel; and

1 (4) reopen the Ecumenical Patriarchate's Halki
2 Patriarchal School of Theology.

3 **SEC. 1712. RETURN OF HONG KONG TO PEOPLE'S REPUB-**
4 **LIC OF CHINA.**

5 It is the sense of the Congress that—

6 (1) the return of Hong Kong to the People's
7 Republic of China should be carried out in a peace-
8 ful manner, with respect for the rule of law and re-
9 spect for human rights, freedom of speech, freedom
10 of the press, freedom of association, freedom of
11 movement; and

12 (2) these basic freedoms are not incompatible
13 with the rich culture and history of the People's Re-
14 public of China.

15 **SEC. 1713. DEVELOPMENT OF DEMOCRACY IN THE REPUB-**
16 **LIC OF SERBIA.**

17 (a) FINDINGS.—The Congress finds the following:

18 (1) The United States stands as a beacon of de-
19 mocracy and freedom in the world.

20 (2) A stable and democratic Republic of Serbia
21 is important to the interests of the United States,
22 the international community, and to peace in the
23 Balkans.

24 (3) Democratic forces in the Republic of Serbia
25 are beginning to emerge, notwithstanding the efforts

1 of Europe's longest-standing communist dictator,
2 Slobodan Milosevic.

3 (4) The Republic of Serbia completed municipal
4 elections on November 17, 1996.

5 (5) In 14 of Serbia's 18 largest cities, and in
6 a total of 42 major municipalities, candidates rep-
7 resenting parties in opposition to the Socialist Party
8 of President Milosevic and the Yugoslav United Left
9 Party of his wife Mirjana Markovic won a majority
10 of the votes cast.

11 (6) Socialist Party-controlled election commis-
12 sions and government authorities thwarted the peo-
13 ple's will by annulling free elections in the cities of
14 Belgrade, Nis, Smederevska Palanka, and several
15 other cities where opposition party candidates won
16 fair elections.

17 (7) Countries belonging to the Organization for
18 Security and Cooperation in Europe (OSCE) on
19 January 3, 1997, called upon President Milosevic
20 and all the political forces in the Republic of Serbia
21 to honor the people's will and honor the election re-
22 sults.

23 (8) Hundreds of thousands of Serbs marched in
24 the streets of Belgrade on a daily basis from Novem-
25 ber 20, 1996, through February 1997, demanding

1 the implementation of the election results and great-
2 er democracy in the country.

3 (9) The partial reinstatement of opposition
4 party victories in January 1997 and the subsequent
5 enactment by the Serbian legislature of a special law
6 implementing the results of all the 1996 municipal
7 elections does not atone for the Milosevic regime's
8 trampling of rule of law, orderly succession of power,
9 and freedom of speech and of assembly.

10 (10) The Serbian authorities have sought to
11 continue to hinder the growth of a free and inde-
12 pendent news media in the Republic of Serbia, in
13 particular the broadcast news media, and harassed
14 journalists performing their professional duties.

15 (b) SENSE OF THE CONGRESS.—It is the sense of
16 the Congress that—

17 (1) the United States, the Organization for Se-
18 curity and Cooperation in Europe (OSCE), and the
19 international community should continue to press
20 the Government of the Republic of Serbia to ensure
21 the implementation of free, fair, and honest presi-
22 dential and parliamentary elections in 1997, and to
23 fully abide by their outcome;

24 (2) the United States, the OSCE, the inter-
25 national community, nongovernmental organizations,

1 and the private sector should continue to promote
2 the building of democratic institutions and civic soci-
3 ety in the Republic of Serbia, help strengthen the
4 independent news media, and press for the Govern-
5 ment of the Republic of Serbia to respect the rule
6 of law; and

7 (3) the normalization of relations between the
8 Federal Republic of Yugoslavia and the United
9 States requires, among other things, that President
10 Milosevic and the leadership of Serbia—

11 (A) ensure the implementation of free, fair,
12 and honest presidential and parliamentary elec-
13 tions in 1997;

14 (B) abide by the outcome of such elections;
15 and

16 (C) promote the building of democratic in-
17 stitutions, including strengthening the inde-
18 pendent news media and respecting the rule of
19 law.

20 **SEC. 1714. RELATIONS WITH VIETNAM.**

21 (a) SENSE OF CONGRESS.—It is the sense of the Con-
22 gress that—

23 (1) the development of a cooperative bilateral
24 relationship between the United States and the So-
25 cialist Republic of Vietnam should facilitate maxi-

1 mum progress toward resolving outstanding POW/
2 MLA issues, promote the protection of human rights
3 including universally recognized religious, political,
4 and other freedoms, contribute to regional stability,
5 and encourage continued development of mutually
6 beneficial economic relations;

7 (2) the satisfactory resolution of United States
8 concerns with respect to outstanding POW/MLA,
9 human rights, and refugee issues is essential to the
10 full normalization of relations between the United
11 States and Vietnam;

12 (3) the United States should upgrade the prior-
13 ity afforded to the ongoing bilateral human rights
14 dialog between the United States and Vietnam by
15 requiring the Department of State to schedule the
16 next dialog with Vietnam, and all subsequent dia-
17 logs, at a level no lower than that of Assistant Sec-
18 retary of State;

19 (4) during any future negotiations regarding
20 the provision of Overseas Private Investment Cor-
21 poration insurance to American companies investing
22 in Vietnam and the granting of Generalized System
23 of Preference status for Vietnam, the United States
24 Government should strictly hold the Government of
25 Vietnam to internationally recognized worker rights

1 standards, including the right of association, the
2 right to organize and bargain collectively, and the
3 prohibition on the use of any forced or compulsory
4 labor; and

5 (5) the Department of State should consult
6 with other governments to develop a coordinated
7 multilateral strategy to encourage Vietnam to invite
8 the United Nations Special Rapporteur on Religious
9 Intolerance to visit Vietnam to carry out inquiries
10 and make recommendations.

11 (b) REPORT TO CONGRESS.—In order to provide
12 Congress with the necessary information by which to
13 evaluate the relationship between the United States and
14 Vietnam, the Secretary shall report to the appropriate
15 congressional committees, not later than 90 days after the
16 enactment of this Act and every 180 days thereafter dur-
17 ing fiscal years 1998 and 1999, on the extent to which—

18 (1) the Government of the Socialist Republic of
19 Vietnam is cooperating with the United States in
20 providing the fullest possible accounting of all unre-
21 solved POW/MIA cases through the provision of
22 records and the unilateral and joint recovery and re-
23 patriation of American remains;

24 (2) the Government of the Socialist Republic of
25 Vietnam has made progress toward the release of all

1 political and religious prisoners, including but not
2 limited to Catholic, Protestant, and Buddhist clergy;

3 (3) the Government of the Socialist Republic of
4 Vietnam is cooperating with requests by the United
5 States to obtain full and free access to persons of
6 humanitarian interest to the United States for inter-
7 views under the Orderly Departure (ODP) and Re-
8 settlement Opportunities for Vietnamese Refugees
9 (ROVR) programs, and in providing exit visas for
10 such persons;

11 (4) the Government of the Socialist Republic of
12 Vietnam has taken vigorous action to end extortion,
13 bribery, and other corrupt practices in connection
14 with such exit visas; and

15 (5) the Government of the United States is
16 making vigorous efforts to interview and resettle
17 former reeducation camp victims, their immediate
18 families including, but not limited to, unmarried
19 sons and daughters, former United States Govern-
20 ment employees, and other persons eligible for the
21 ODP program, and to give such persons the full
22 benefit of all applicable United States laws includ-
23 ing, but not limited to, sections 599D and 599E of
24 the Foreign Operations, Export Financing, and Re-

1 lated Programs Appropriations Act of 1990 (Public
2 Law 101–167).

3 **SEC. 1715. STATEMENT CONCERNING RETURN OF OR COM-**
4 **PENSATION FOR WRONGLY CONFISCATED**
5 **FOREIGN PROPERTIES.**

6 The Congress—

7 (1) welcomes the efforts of many post-Com-
8 munist countries to address the complex and dif-
9 ficult question of the status of plundered properties;

10 (2) urges countries which have not already done
11 so to return plundered properties to their rightful
12 owners or, as an alternative, pay compensation, in
13 accordance with principles of justice and in a man-
14 ner that is just, transparent, and fair;

15 (3) calls for the urgent return of property for-
16 merly belonging to Jewish communities as a means
17 of redressing the particularly compelling problems of
18 aging and destitute survivors of the Holocaust;

19 (4) calls on the Czech Republic, Latvia, Lithua-
20 nia, Romania, Slovakia, and any other country with
21 restrictions which require those whose properties
22 have been wrongly plundered by Nazi or Communist
23 regimes to reside in or have the citizenship of the
24 country from which they now seek restitution or

1 compensation to remove such restrictions from their
2 restitution or compensation laws;

3 (5) calls upon foreign financial institutions, and
4 the states having legal authority over their oper-
5 ation, that possess wrongfully and illegally obtained
6 property confiscated from Holocaust victims, from
7 residents of former Warsaw Pact states who were
8 forbidden by Communist law from obtaining restitu-
9 tion of such property, and from states that were oc-
10 cupied by Nazi, Fascist, or Communist forces, to as-
11 sist and to cooperate fully with efforts to restore this
12 property to its rightful owners; and

13 (6) urges post-Communist countries to pass and
14 effectively implement laws that provide for restitu-
15 tion of, or compensation for, plundered property.

16 **SEC. 1716. SENSE OF THE CONGRESS REGARDING UNITED**
17 **STATES CITIZENS HELD IN PRISONS IN PERU.**

18 (a) FINDINGS.—The Congress finds the following:

19 (1) The Government of Peru has made substan-
20 tial progress in the effort to restrict the flow of illicit
21 drugs from Peru to the United States.

22 (2) The Government of Peru has cooperated
23 greatly with the United States Government to stop
24 individuals and organizations seeking to transport il-

1 licit drugs from Peru to the United States and to
2 jail such drug exporters.

3 (3) Any individual engaging in such exporting
4 of illicit drugs and convicted in a court of law should
5 face stiff penalties.

6 (4) Any such individual should also have a right
7 to timely legal procedures.

8 (5) Two United States citizens, Jennifer Davis
9 and Krista Barnes, were arrested in Peru on Sep-
10 tember 25, 1996, for attempting to transport illicit
11 drugs from Peru to the United States.

12 (6) Ms. Davis and Ms. Barnes have admitted
13 their guilt upon arrest and to an investigative judge.

14 (7) Ms. Davis and Ms. Barnes have volunteered
15 to cooperate fully with Peruvian judicial authorities
16 in naming individuals responsible for drug traffick-
17 ing and several have been arrested.

18 (8) More than seven months after their arrest,
19 Ms. Davis and Ms. Barnes have not yet been for-
20 mally charged with a crime.

21 (9) Peruvian domestic law mandates that for-
22 mal charges be brought within four to six months
23 after arrest.

24 (b) SENSE OF THE CONGRESS.—It is the sense of
25 the Congress that the Government of Peru should respect

1 the rights of prisoners to timely legal procedures, includ-
2 ing the rights of all United States citizens held in prisons
3 in Peru.

4 **SEC. 1717. ASSISTANCE FOR ETHIOPIA.**

5 The Department of State should closely monitor and
6 take into account human rights progress in Ethiopia as
7 it obligates fiscal year 1998 and 1999 funds for Ethiopia
8 authorized to be appropriated by this Act.

9 **SEC. 1718. SPECIAL ENVOYS FOR MUTUAL DISARMAMENT.**

10 The President shall instruct the United States Am-
11 bassador to the United Nations to support in the Security
12 Council, the General Assembly, and other United Nations
13 bodies, resolutions and other efforts to—

14 (1) appoint special envoys for conflict preven-
15 tion to organize and conduct, in cooperation with ap-
16 propriate multilateral institutions, mutual disar-
17 mament talks in every region of the world in which
18 all nations would participate, and to report to inter-
19 national financial institutions on the degree of co-
20 operation of governments with these talks;

21 (2) commit each member state to agree to meet
22 with its regional special envoy within 3 months of
23 appointment to deliver and discuss its proposal for
24 regional (and, where appropriate, international) con-
25 fidence-building measures, including mutual reduc-

1 tions in the size, proximity, and technological sophis-
2 tication of its and other nations' armed forces, that
3 would lead to significant cuts in threat levels and
4 military spending; and

5 (3) commit each member state to agree to con-
6 tinue meeting with the special envoy and such re-
7 gional bodies and states as the special envoy shall
8 suggest to complete negotiations on such confidence-
9 building measures, with the goal of making signifi-
10 cant cuts in military spending by the year 2000.

11 **SEC. 1719. SENSE OF THE CONGRESS RELATING TO THE**
12 **TRANSFER OF NUCLER WASTE FROM TAIWAN**
13 **TO NORTH KOREA.**

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

16 (1) The Republic of China on Taiwan (Taiwan)
17 is considering transferring low-level nuclear waste to
18 the Democratic People's Republic of Korea (North
19 Korea) and paying North Korea an amount in ex-
20 cess of \$220,000,000 to accept the nuclear waste.

21 (2) The transfer of nuclear waste across inter-
22 national boundaries creates worldwide environmental
23 safety concerns.

24 (3) North Korea rejected the request of the
25 International Atomic Energy Agency (IAEA) to in-

1 spect 2 nuclear facilities at Yongbyon in March
2 1993, in violation of Article III of the Treaty on the
3 Non-Proliferation of Nuclear Weapons, to which
4 North Korea is a signatory.

5 (4) North Korea has historically been unwilling
6 to allow any third party investigators to inspect its
7 nuclear waste storage facilities.

8 (5) The failure of North Korea to store nuclear
9 waste safely raises environmental concerns on the
10 Korean peninsula.

11 (6) The United States has in excess of 37,000
12 military personnel, plus their families, on the Korean
13 peninsula.

14 (7) The current North Korean regime has been
15 linked to numerous terrorist activities, including the
16 bombing in 1987 of a Korean Airline aircraft, and
17 the bombing in 1983 in Rangoon, Burma, which
18 killed 4 South Korean Government and 13 diplo-
19 matic officials.

20 (8) North Korea continues to be listed by the
21 United States Department of State as a state sup-
22 porting international terrorism.

23 (9) The several hundred million dollars of hard
24 currency generated by this transaction could be used
25 by the militarist regime in North Korea to continue

1 their reign of terror over their own people and the
2 sovereign nations of the Pacific Rim.

3 (b) SENSE OF CONGRESS.—It is the sense of the
4 Congress that the Government of Taiwan should refrain
5 from issuing an export license for the transfer of nuclear
6 waste to North Korea until all parties on the Korean pe-
7 ninsula can be assured that—

8 (1) North Korea can safely handle this nuclear
9 waste;

10 (2) North Korea will submit to independent
11 third party inspection of their nuclear storage facili-
12 ties; and

13 (3) North Korea indicates a willingness to com-
14 ply with the commitments it made in the “Agreed
15 Framework”, entered into in 1994 between North
16 Korea, South Korea, Japan, and the United States,
17 relating to nuclear materials and facilities in North
18 Korea, and meet International Atomic Energy Agen-
19 cy safeguards with respect to North Korea’s nuclear
20 program.

21 **SEC. 1720. CONGRESSIONAL STATEMENT REGARDING**
22 **PRIME MINISTER GUJRAL OF INDIA.**

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

1 (1) Prime Minister Gujral of India has recently
2 received a vote of confidence from the Indian par-
3 liament.

4 (2) Prime Minister Gujral is committed to
5 strengthening ties between the United States and
6 India through the continuation of free market re-
7 forms and initiatives.

8 (3) The Gujral government is on the verge of
9 passing a budget package that will carry forward
10 economic reforms initiated in 1991 that have opened
11 India to foreign investment and trade.

12 (4) Prime Minister Gujral has made it a prior-
13 ity to improve relations with Pakistan and has re-
14 cently met with the Prime Minister of Pakistan,
15 Nawaz Sharif, to better relations between the two
16 countries.

17 (b) SENSE OF CONGRESS.—It is the sense of the
18 Congress that the Clinton Administration should support
19 and work closely with Indian Prime Minister Gujral in
20 strengthening relations between the United States and
21 India and improving relations in the South Asia region.

22 **SEC. 1721. SENSE OF THE CONGRESS REGARDING THE SOV-**
23 **EREIGNTY OF BELARUS.**

24 It is the sense of the Congress that the President
25 should strongly urge the Government of President Alek-

1 sandr Lukashenka of the Republic of Belarus to defend
2 the sovereignty of Belarus, maintain its independence
3 from the Russian Federation, abide by the provisions of
4 the Helsinki Accords and guarantee freedom of the press,
5 allow for the flowering of the Belarusian language and cul-
6 ture, and enforce the separation of powers.

7 **SEC. 1722. CONGRESSIONAL STATEMENT REGARDING THE**
8 **ACCESSION OF TAIWAN TO THE WORLD**
9 **TRADE ORGANIZATION.**

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

12 (1) The people of the United States and the
13 people of the Republic of China on Taiwan have long
14 enjoyed extensive ties.

15 (2) Taiwan is currently the 8th largest trading
16 partner of the United States, and exports from the
17 United States to Taiwan total more than
18 \$18,000,000 annually, substantially more than the
19 United States exports to the People's Republic of
20 China.

21 (3) The executive branch has committed pub-
22 licly to support Taiwan's bid to join the World
23 Trade Organization and has declared that the Unit-
24 ed States will not oppose this bid solely on the
25 grounds that the People's Republic of China, which

1 also seeks membership in the World Trade Organi-
2 zation, is not yet eligible because of its unacceptable
3 trade practices.

4 (4) The United States and Taiwan have con-
5 cluded discussions on a variety of outstanding trade
6 issues that remain unresolved with the People's Re-
7 public of China and that are necessary for the Unit-
8 ed States to support Taiwan's membership in the
9 World Trade Organization.

10 (5) The reversion of control over Hong Kong—
11 a member of the World Trade Organization—to the
12 People's Republic of China, scheduled by treaty to
13 occur on July 1, 1997, will, in many respects, afford
14 to the People's Republic of China the practical bene-
15 fit of membership in the World Trade Organization
16 for the substantial portion of its trade in goods—de-
17 spite the fact that the trade practices of the People's
18 Republic of China currently fall far short of what
19 the United States expects for membership in the
20 World Trade Organization.

21 (6) The executive branch has announced its in-
22 terest in the admission of the People's Republic of
23 China to the World Trade Organization; the fun-
24 damental sense of fairness of the people of the Unit-
25 ed States warrants the United States Government's

1 support for Taiwan's relatively more meritorious ap-
2 plication for membership in the World Trade Orga-
3 nization.

4 (7) It is in the economic interest of United
5 States consumers and exporters for Taiwan to com-
6 plete the requirements for accession to the World
7 Trade Organization at the earliest possible moment.

8 (b) CONGRESSIONAL STATEMENT.—The Congress fa-
9 vors public support by officials of the Department of State
10 for the accession of Taiwan to the World Trade Organi-
11 zation.

12 **SEC. 1723. REPORTS AND POLICY CONCERNING HUMAN**
13 **RIGHTS VIOLATIONS IN LAOS.**

14 Within 180 days after the enactment of this Act, the
15 Secretary of State shall report to the appropriate congres-
16 sional committees on the allegations of persecution and
17 abuse of the Hmong and Laotian refugees who have re-
18 turned to Laos. The report shall include:

19 (1) A full investigation, including full docu-
20 mentation of individual cases of persecution, of the
21 Lao Government's treatment of Hmong and Laotian
22 refugees who have returned to Laos.

23 (2) The steps the State Department will take to
24 continue to monitor any systematic human rights
25 violations by the Government of Laos.

1 (3) The actions which the State Department
2 will take to ensure the cessation of human rights
3 violations.

4 **SEC. 1724. REPORT ON BORDER CLOSURES OR ECONOMIC**
5 **OR COMMERCIAL BLOCKADES AFFECTING IN**
6 **THE INDEPENDENT STATES OF THE FORMER**
7 **SOVIET UNION.**

8 (a) REPORT.—

9 (1) IN GENERAL.—Not later than 60 days after
10 the date of the enactment of this Act the President
11 shall prepare and transmit to the Congress a report
12 on any border closure or use of an economic or com-
13 mercial blockade by or against any independent state
14 of the former Soviet Union against any other coun-
15 try.

16 (2) CONTENTS OF REPORT.—Such report shall
17 contain a description of the extent to which such a
18 closure or blockade restricts, directly or indirectly,
19 the transport or delivery of United States humani-
20 tarian assistance, and whether such closure or block-
21 ade is considered to restrict, directly or indirectly,
22 the transport or delivery of such assistance for pur-
23 poses of section 620I of the Foreign Assistance Act
24 of 1961 (22 U.S.C. 2379).

1 (b) DEFINITION.—The term “independent states of
2 the former Soviet Union” has the meaning given such
3 term in section 3 of the Freedom for Russia and Emerging
4 Eurasian Democracies and Open Markets Support Act of
5 1992 (22 U.S.C. 5801).

6 **SEC. 1725. SENSE OF THE CONGRESS REGARDING THE**
7 **NAGORNO-KARABAGH CONFLICT.**

8 (a) SENSE OF CONGRESS.—It is the sense of the Con-
9 gress that—

10 (1) the United States should take a greater
11 leadership role in working for a negotiated settle-
12 ment of the Nagorno-Karabagh conflict;

13 (2) the Secretary of State should consider the
14 participation of the United States as a co-chair of
15 the OSCE’s Minsk Group a priority of the Depart-
16 ment of State; and

17 (3) the United States reaffirms its neutrality in
18 the conflict.

19 (b) CONGRESSIONAL STATEMENT.—The Congress
20 urges the President of the United States and the Sec-
21 retary of State to encourage direct talks between the par-
22 ties to the Nagorno-Karabagh conflict.

23 **SEC. 1726. CRISIS IN ALBANIA.**

24 (a) FINDINGS.—The Congress finds the following:

1 (1) During March 1997 United States Armed
2 Forces personnel evacuated approximately 500
3 Americans from Albania.

4 (2) No Americans were injured in the evacu-
5 ation.

6 (3) The military operation was at times risky
7 and dangerous, with helicopters of the United States
8 Armed Forces occasionally receiving fire.

9 (4) Several United States diplomats, including
10 Ambassador Marissa Lino, remained in Tirana dur-
11 ing these unsettled and perilous times.

12 (5) The evacuation is the result of a rebellion
13 in Albania which followed the collapse of several pyr-
14 amid investment schemes.

15 (6) Hundreds of thousands of Albanian citizens
16 lost large portions of their life savings in the pyra-
17 mid investment schemes.

18 (7) Hundreds of Albanians have been killed
19 since the crisis began.

20 (8) The almost complete collapse of central gov-
21 ernmental authority left Albania in a state of near-
22 anarchy.

23 (9) Many weapons depots were raided by the
24 general population of Albania and many small arms
25 were taken by the citizenry.

1 (10) The proliferation of weapons in Albania
2 has made the situation very dangerous.

3 (11) On March 9, 1997, Albania's political par-
4 ties agreed to a nine-point agreement on political
5 reconciliation.

6 (12) Under the nine-point agreement, President
7 Sali Berisha, a member of the ruling Democratic
8 Party, appointed a broadly based unity government,
9 led by an opposition socialist, former mayor of
10 Gjirokaster Bashkim Fino.

11 (13) Under the nine-point agreement, President
12 Berisha and opposition parties have agreed to hold
13 general elections by June 1997.

14 (14) More than 5,500 multinational troops, led
15 by Italy, have entered Albania in order to stabilize
16 the nation and to create a safe security environment
17 for the distribution of humanitarian assistance.

18 (b) DECLARATION OF POLICY.—The Congress de-
19 clares the following:

20 (1) United States Armed Forces personnel are
21 to be commended for the evacuation operations in
22 Albania.

23 (2) United States diplomats are to be com-
24 mended for their service in Albania during these
25 dangerous times.

1 (3) The nine-point agreement of March 9,
2 1997, among all Albanian political parties represents
3 a key step toward lifting Albania out of the current
4 crisis.

5 (4) Albania's new multiparty leadership is
6 strongly urged to implement in good faith the terms
7 of the nine-point agreement of March 9, 1997, and
8 to do all possible to reinspire the trust of the Alba-
9 nian people.

10 (5) The Albanian people are strongly urged to
11 afford their new government an opportunity to gov-
12 ern by laying down weapons and making any
13 changes to the government through peaceful means,
14 particularly the upcoming elections.

15 (6) The United States should support the new
16 Albanian Government as it attempts to reestablish
17 calm and achieve political reconciliation and should
18 urge the new government to guarantee human
19 rights, free and fair elections, and freedom of ex-
20 pression.

21 (7) The United States must remain closely en-
22 gaged in the diplomatic efforts to ease Albania's cri-
23 sis and should strongly support similar efforts by
24 the Organization for Security and Cooperation in

1 Europe and the multinational force, led by Italy,
2 seeking to stabilize Albania.

3 (8) The United States and the international
4 community should work with the new Albanian Gov-
5 ernment to ensure that upcoming elections will be
6 free and fair by supplying political inducement, tech-
7 nical advice, and large numbers of observers.

8 (9) The United States should support the con-
9 vening of a multinational conference, possibly in
10 Rome, Italy, to consider options for assisting Alba-
11 nia recover from the political and economic crisis.

12 (10) The United States should oppose any chal-
13 lenge to Albania's international borders or territorial
14 integrity offered as a potential solution to the con-
15 flict.

16 **SEC. 1727. SENSE OF THE CONGRESS CONCERNING ASSIST-**
17 **ANCE FOR UKRAINE.**

18 (a) IN GENERAL.—It is the sense of the Congress
19 that—

20 (1) the Government and nation of Ukraine are
21 to be commended for their decision to relinquish the
22 nuclear weapons in the possession of Ukraine after
23 the demise of the former Soviet Union;

24 (2) the Government of Ukraine is to be com-
25 mended for its recent announcement that Ukrainian

1 enterprises will not participate in the construction of
2 nuclear reactors in Iran;

3 (3) the Government of Ukraine is to be com-
4 mended for taking a positive and cooperative posi-
5 tion with regard to the admission into the NATO al-
6 liance of new member-states in Central and Eastern
7 Europe, particularly Ukraine's willingness to nego-
8 tiate a bilateral charter with that alliance;

9 (4) the Government of Ukraine is to be com-
10 mended for its efforts to ensure that the Russian-
11 dominated Commonwealth of Independent States or-
12 ganization does not serve as a means to reintegrate
13 the independent states of the former Soviet Union
14 into a new political entity under Russian leadership
15 and occupying the territory that comprised the
16 former Soviet Union;

17 (5) the Government of Ukraine should imme-
18 diately move to ensure that United States investors
19 who have been subjected to extortion, fraud, or other
20 criminal activity, or to inappropriate, corrupt activi-
21 ties carried out by officials or representatives of the
22 Ukrainian Government, are provided with full res-
23 titution or compensation for their losses;

24 (6) the nation and Government of Ukraine are
25 to be commended for the adoption of a democratic

1 constitution, the conduct of free and fair elections,
2 and the peaceful transfer of executive power since
3 Ukraine gained its independence in 1991; and

4 (7) the President should respond positively to
5 any request made by the government of Ukraine for
6 United States government agencies assistance and
7 involvement in the implementation of additional pro-
8 grams to fight corruption in Ukraine and to ensure
9 that American investors in that country are not sub-
10 jected to unfair, inappropriate, or criminal practices
11 on the part of officials of the Government of
12 Ukraine or any citizens of Ukraine.

13 (b) AVAILABILITY OF AMOUNTS FOR UKRAINE.—It
14 is further the sense of the Congress that the President
15 should ensure that Ukraine receives assistance for fiscal
16 years 1998 and 1999 for political and economic reforms
17 at a level equal to that allocated to Ukraine for fiscal year
18 1997.

19 **SEC. 1728. SENSE OF THE CONGRESS REGARDING COMPLI-**
20 **ANCE WITH CHILD AND SPOUSAL SUPPORT**
21 **OBLIGATIONS BY UNITED NATIONS PERSON-**
22 **NEL.**

23 (a) SENSE OF CONGRESS.—It is the sense of the Con-
24 gress that—

1 (1) all United Nations staff, including dip-
2 lomats, should comply with binding United States
3 Federal, State, and local court orders regarding
4 child and spousal support obligations;

5 (2) the internal regulations of the United Na-
6 tions allows—

7 (A) the United Nations to release staff sal-
8 ary information to the courts in spousal and
9 child support cases;

10 (B) the Secretary General to authorize de-
11 duction of dependency related allowances from
12 staff salary;

13 (C) the United Nations to cooperate with
14 appropriate authorities to facilitate proper legal
15 or judicial resolution of the family's claim.

16 (b) CONGRESSIONAL STATEMENT.—The Secretary of
17 State should urge the United Nations to fully comply with
18 regulations regarding compliance with child and spousal
19 support obligations by United Nations personnel, in a
20 timely manner and to the fullest extent possible.

21 (c) LIMITATION ON PAYMENT OF ARREARAGES TO
22 THE UNITED NATIONS.—Notwithstanding any other pro-
23 vision of this Act, of funds appropriated for the payment
24 of United States arrearages to the United Nations out of
25 funds authorized to be appropriated by this Act,

1 \$10,000,000 shall not be available until the Secretary of
2 State certifies that—

3 (1) the United Nations is actively enforcing
4 child and spousal support payments in compliance
5 with Federal, State, and local court orders; and

6 (2) the United Nations is actively reforming its
7 pension policy, making the United Nations pension
8 fund subject to Federal, State, or local court orders
9 of spousal or child support.

10 **SEC. 1729. SENSE OF THE CONGRESS REGARDING DEVEL-**
11 **OPMENT OF AZERBAIJAN'S CASPIAN SEA PE-**
12 **TROLEUM RESERVES.**

13 It is the sense of the Congress that—

14 (1) the President should seek cooperation from
15 the governments of Armenia, Azerbaijan, and Tur-
16 key, as well as private companies with an interest in
17 developing Azerbaijan's Caspian Sea petroleum re-
18 serves, to encourage the construction of a pipeline
19 route from Azerbaijan through Armenia that could
20 reach Turkey and Mediterranean sea ports; and

21 (2) such a route for a pipeline should in no way
22 prejudice other trans-Caucasus pipeline routes, but
23 would help to promote stability and economic growth
24 in the Caucasus region, improving relations between
25 neighboring countries and the United States.

1 **SEC. 1730. SENSE OF THE CONGRESS CONCERNING THE**
2 **RIGHTS OF PRISONERS IN ANDEAN COUN-**
3 **TRIES.**

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

6 (1) Several American prisoners have spent years in
7 Ecuadorian prisons on drug-related offenses without hav-
8 ing received a trial.

9 (2) The prisoners include James Williams, a
10 United States citizen who has been held for 9
11 months without any findings, and Sandra Chase,
12 who has been held for more than 18 months and has
13 never seen a judge.

14 (b) SENSE OF CONGRESS.—It is the sense of the
15 Congress that the Governments of the Andean countries
16 of Peru, Ecuador, Bolivia, Columbia, and Venezuela,
17 should respect the rights of prisoners, including United
18 States citizens, to timely legal procedures and abide by
19 international standards of due process.

20 **SEC. 1731. ADDITIONAL REQUIREMENTS RELATING TO AS-**
21 **SISTANCE.**

22 (a) IN GENERAL.—Section 481(e)(4) of the Foreign
23 Assistance Act of 1961 (22 U.S.C. 2291(e)(4)) is amend-
24 ed—

1 (1) in subparagraph (A)(ii), inserting “or under
2 chapter 5 of part II” after “(including chapter 4 of
3 part II)”; and

4 (2) in subparagraph (B), by inserting before
5 the semicolon at the end the following: “, other than
6 sales or financing provided for narcotics-related pur-
7 poses following notification in accordance with proce-
8 dures applicable to reprogramming notifications
9 under section 634A of this Act.”.

10 (b) EFFECTIVE DATE.—The amendments made by
11 subsection (a) shall apply with respect to assistance pro-
12 vided on or after the date of the enactment of this Act.

13 **SEC. 1732. SCHOLARSHIPS TO TIBETAN AND BURMESE STU-**
14 **DENTS.**

15 Notwithstanding section 1407(b)(1) of this Act, for
16 each of the fiscal years 1998 and 1999 at least 30 scholar-
17 ships shall be made available to Tibetan students and pro-
18 fessionals who are outside of Tibet (if practicable, includ-
19 ing individuals active in the preservation of Tibet’s unique
20 culture, religion, and language), and at least 15 scholar-
21 ships shall be made available to Burmese students and
22 professionals who are outside of Burma.

1 **SEC. 1733. UNITED STATES POLICY REGARDING RELIGIOUS**
2 **PERSECUTION AND SUPPORT OF TERRORISM**
3 **BY SUDAN.**

4 (a) FINDINGS.—The Congress finds the following:

5 (1) Continued disregard of the freedom of reli-
6 gion by Sudan is unacceptable.

7 (2) Continued support of terrorist activities by
8 Sudan is of deepest concern and shall not be toler-
9 ated.

10 (b) FINANCIAL TRANSACTIONS WITH TERRORISTS.—
11 Notwithstanding any other provision of law, the exception
12 with respect to Sudan under section 2332(a) of title 18,
13 United States Code (provided in regulations issued in Au-
14 gust 1996 by the Office of Foreign Assets Control of the
15 Department of the Treasury) shall cease to be effective
16 on the date of the enactment of this Act. No such excep-
17 tion under this section may be issued with respect to
18 Sudan until the President certifies to the Congress that
19 Sudan is no longer sponsoring or supporting terrorism.
20 This restriction shall not be interpreted to restrict human-
21 itarian assistance or transactions relating to normal diplo-
22 matic activities.

23 **SEC. 1734. SANCTIONS AGAINST SYRIA.**

24 (a) FINDINGS.—The Congress finds the following:

1 (1) Syria remains in a state of war with Israel
2 and maintains large numbers of heavily armed forces
3 near the border with Israel.

4 (2) Syria occupies Lebanon with almost 40,000
5 troops and maintains undue influence on all aspects
6 of the Lebanese Government and society.

7 (3) Syria continues to provide safe haven and
8 support for several groups that engage in terrorism,
9 according to the Department of State's "Patterns of
10 Global Terrorism" report for 1996.

11 (4) Syria was listed by the Department of State
12 as a country that does not cooperate in the war on
13 drugs.

14 (5) Syria has not signed the Chemical Weapons
15 Convention, and numerous reports indicate that
16 Syria has increased the production and level of so-
17 phistication of chemical weapons. Reports also indi-
18 cate that such unconventional warheads have been
19 loaded on SCUD-type ballistic missiles with the
20 range to reach numerous targets in friendly nations,
21 such as Israel, Turkey, and Jordan.

22 (6) Syria routinely commits a wide array of se-
23 rious human rights violations, and according to a re-
24 cent Human Rights Watch report, is engaging in the

1 abduction of Lebanese citizens and Palestinian refu-
2 gees in Lebanon.

3 (7) Several reports indicate that Syria know-
4 ingly allowed the explosives used in the June 1996
5 Dharan bombing, which killed 19 United States
6 service personnel, to pass through Syria from Leb-
7 anon to Saudi Arabia.

8 (8) More than 20 trips by former Secretary of
9 State Christopher to Damascus, a meeting between
10 President Clinton and Syrian President Hafez
11 Assad, and a Department of State-sponsored inten-
12 sive negotiation session at Wye Plantation were all
13 unsuccessful in convincing Syria to make peace with
14 Israel. At the same time, most reports indicated that
15 Israel was prepared to make substantial concessions
16 of land in exchange for peace.

17 (9) According to the Central Intelligence Agen-
18 cy World Fact Book of 1995, petroleum comprises
19 53 percent of Syrian exports.

20 (10) By imposing sanctions against the Syrian
21 petroleum industry, the United States can apply ad-
22 ditional pressure against Syria to press the Assad
23 regime to change its dangerous and destabilizing
24 policies.

1 (b) POLICY.—It is the sense of the Congress that the
2 United States should consider applying to Syria sanctions
3 which are currently enforced against Iran and Libya under
4 the Iran and Libya Sanctions Act of 1996 if the Govern-
5 ment of Syria does not eliminate its dangerous and desta-
6 bilizing policies.

7 **SEC. 1735. SENSE OF THE CONGRESS RELATING TO THE AB-**
8 **DUCTION AND DETAINMENT OF DONALD**
9 **HUTCHINGS OF THE STATE OF WASHINGTON.**

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

12 (1) Al-Faran, a militant organization that seeks
13 to merge Kashmir with Pakistan, has waged a war
14 against the Government of India.

15 (2) During the week of July 2, 1995, Al-Faran
16 abducted Donald Hutchings of the State of Wash-
17 ington, another American John Childs, and 4 West-
18 ern Europeans in the State of Jammu and Kashmir.
19 John Childs has since escaped.

20 (3) Al-Faran has executed one hostage and
21 threatened to kill Donald Hutchings and the remain-
22 ing Western European hostages unless the Govern-
23 ment of India agrees to release suspected guerrillas
24 from its jails.

1 (4) Several militants have been captured by the
2 Indian Government and have given conflicting and
3 unconfirmed reports about the hostages.

4 (5) Donald Hutchings and the 3 remaining
5 Western European hostages have been held against
6 their will by Al-Faran for nearly 2 years.

7 (b) SENSE OF CONGRESS.—It is the sense of the
8 Congress that—

9 (1) the militant organization Al-Faran should
10 release, immediately, Donald Hutchings and 3 West-
11 ern Europeans from captivity;

12 (2) Al-Faran and their supporters should cease
13 and desist from all acts of hostage-taking and other
14 violent acts within the State of Jammu and Kash-
15 mir.

16 (3) the State Department Rewards Program
17 should be used to the greatest extent possible to so-
18 licit new information pertaining to hostages; and

19 (4) the governments of the United States, the
20 United Kingdom, Germany, Norway, India, and
21 Pakistan should share and investigate all informa-
22 tion relating to these hostages as quickly as possible.

23 **SEC. 1736. CUBAN CIGARS.**

24 It is the sense of Congress that the United States
25 should not prohibit the importation into the United States,

1 or the sale or distribution in the United States, of cigars
2 that are the product of Cuba at such time as the Govern-
3 ment of Cuba has—

- 4 (1) freed all political prisoners;
- 5 (2) legalized all political activity; and
- 6 (3) agreed to hold free and fair elections.

7 **SEC. 1737. INTERNATIONAL FUND FOR IRELAND.**

8 (a) **SHORT TITLE.**—This section may be cited as the
9 “MacBride Principles of Economic Justice Act of 1997”.

10 (b) **ADDITIONAL REQUIREMENTS.**—

11 (1) **PURPOSES.**—Section 2(b) of the Anglo-Irish
12 Agreement Support Act of 1986 (Public Law 99–
13 415; 100 Stat. 947) is amended by adding at the
14 end the following new sentences: “United States con-
15 tributions shall be used in a manner that effectively
16 increases employment opportunities in communities
17 with rates of unemployment significantly higher than
18 the local or urban average of unemployment in
19 Northern Ireland. In addition, such contributions
20 shall be used to benefit individuals residing in such
21 communities.”.

22 (2) **CONDITIONS AND UNDERSTANDINGS.**—Sec-
23 tion 5(a) of such Act is amended—

24 (A) in the first sentence—

1 (i) by striking “The United States”
2 and inserting the following:

3 “(1) IN GENERAL.—The United States”;

4 (ii) by striking “in this Act may be
5 used” and inserting the following: “in this
6 Act—

7 “(A) may be used”;

8 (iii) by striking the period and insert-
9 ing “; and”; and

10 (iv) by adding at the end the follow-
11 ing:

12 “(B) may be provided to an individual or
13 entity in Northern Ireland only if such individ-
14 ual or entity is in compliance with the prin-
15 ciples of economic justice.”; and

16 (B) in the second sentence, by striking
17 “The restrictions” and inserting the following:

18 “(2) ADDITIONAL REQUIREMENTS.—The re-
19 strictions”.

20 (3) PRIOR CERTIFICATIONS.—Section 5(c)(2) of
21 such Act is amended—

22 (A) in subparagraph (A), by striking
23 “principle of equality” and all that follows and
24 inserting “principles of economic justice; and”;
25 and

1 (B) in subparagraph (B), by inserting be-
2 fore the period at the end the following: “and
3 will create employment opportunities in regions
4 and communities of Northern Ireland suffering
5 the highest rates of unemployment”.

6 (4) ANNUAL REPORTS.—Section 6 of such Act
7 is amended—

8 (A) in paragraph (2), by striking “and” at
9 the end;

10 (B) in paragraph (3), by striking the pe-
11 riod and inserting “; and”; and

12 (C) by adding at the end the following new
13 paragraph:

14 “(4) each individual or entity receiving assist-
15 ance from United States contributions to the Inter-
16 national Fund has agreed in writing to comply with
17 the principles of economic justice.”.

18 (5) REQUIREMENTS RELATING TO FUNDS.—
19 Section 7 of such Act is amended by adding at the
20 end the following:

21 “(c) PROHIBITION.—Nothing included herein shall
22 require quotas or reverse discrimination or mandate their
23 use.”.

24 (6) DEFINITIONS.—Section 8 of such Act is
25 amended—

1 (A) in paragraph (1), by striking “and” at
2 the end;

3 (B) in paragraph (2), by striking the pe-
4 riod at the end and inserting a semicolon; and

5 (C) by adding at the end the following new
6 paragraphs:

7 “(3) the term ‘Northern Ireland’ includes the
8 counties of Antrim, Armagh, Derry, Down, Tyrone,
9 and Fermanagh; and

10 “(4) the term ‘principles of economic justice’
11 means the following principles:

12 “(A) Increasing the representation of indi-
13 viduals from underrepresented religious groups
14 in the workforce, including managerial, super-
15 visory, administrative, clerical, and technical
16 jobs.

17 “(B) Providing adequate security for the
18 protection of minority employees at the work-
19 place.

20 “(C) Banning provocative sectarian or po-
21 litical emblems from the workplace.

22 “(D) Providing that all job openings be ad-
23 vertised publicly and providing that special re-
24 cruitment efforts be made to attract applicants
25 from underrepresented religious groups.

1 “(E) Providing that layoff, recall, and ter-
2 mination procedures do not favor a particular
3 religious group.

4 “(F) Abolishing job reservations, appren-
5 ticeship restrictions, and differential employ-
6 ment criteria which discriminate on the basis of
7 religion.

8 “(G) Providing for the development of
9 training programs that will prepare substantial
10 numbers of minority employees for skilled jobs,
11 including the expansion of existing programs
12 and the creation of new programs to train, up-
13 grade, and improve the skills of minority em-
14 ployees.

15 “(H) Establishing procedures to assess,
16 identify, and actively recruit minority employees
17 with the potential for further advancement.

18 “(I) Providing for the appointment of a
19 senior management staff member to be respon-
20 sible for the employment efforts of the entity
21 and, within a reasonable period of time, the im-
22 plementation of the principles described in sub-
23 paragraphs (A) through (H).”.

1 (7) EFFECTIVE DATE.—The amendments made
2 by this subsection shall take effect 180 days after
3 the date of the enactment of this Act.

4 **SEC. 1738. SENSE OF THE CONGRESS REGARDING ASSIST-**
5 **ANCE TO LITHUANIA AND LATVIA.**

6 It is the sense of the United States House of Rep-
7 resentatives that—

8 (1) adequate assistance should be provided to
9 Lithuania and Latvia in fiscal year 1998;

10 (2) assistance to Lithuania should be continued
11 beyond fiscal year 1998 as it continues to build
12 democratic and free market institutions; and

13 (3) the President should consider continuing as-
14 sistance to Latvia beyond fiscal year 1998, as appro-
15 priate, to build democratic and free market institu-
16 tions.

17 **SEC. 1739. STATEMENT CONCERNING CONFLICT IN EAST**
18 **TIMOR.**

19 (a) FINDINGS.—The Congress finds the following:

20 (1) Indonesia invaded East Timor in 1975 and
21 has since systematically oppressed the people of East
22 Timor.

23 (2) Since 1975 one-third of the population of
24 East Timor is estimated to have perished of starva-
25 tion, war, and terror.

1 (3) Indonesia's invasion was condemned by the
2 United Nations, as was its subsequent occupation of
3 East Timor.

4 (4) On November 12, 1991, Indonesian troops
5 opened fire on thousands of peaceful mourners and
6 demonstrators at the Santa Cruz cemetery in Dili,
7 the capital of East Timor, killing hundreds and
8 wounding hundreds.

9 (5) Bishop Carlos Felipe Ximenes Belo has
10 been the preeminent representative of the people of
11 East Timor, and has at great risk to his own life
12 fought for the human and civil rights of the people
13 of East Timor, while also being a steadfast advocate
14 for nonviolence and dialogue between the people of
15 East Timor and the Indonesian authorities.

16 (b) DECLARATION OF POLICY.—The Congress af-
17 firms its support for a just and peaceful solution to the
18 conflict in East Timor.

19 **SEC. 1740. DESIGNATION OF ROMANIA AS ELIGIBLE FOR**
20 **ASSISTANCE UNDER THE NATO PARTICIPA-**
21 **TION ACT OF 1994.**

22 (a) SENSE OF THE CONGRESS.—It is the sense of the
23 Congress that—

24 (1) Romania has made tremendous progress to-
25 ward meeting the criteria for accession into the

1 North Atlantic Treaty Organization (NATO) by es-
2 tablishing a mature and functioning democracy, a
3 free market economy, civilian control of the armed
4 forces, respect for the rule of law, respect for human
5 rights and civil liberties, and by implementing a
6 strong economic reform;

7 (2) Romania has further exhibited its strong
8 commitment to contribute to the stability, reconcili-
9 ation, and cooperation among the nations of the re-
10 gion by the very significant signing of the basic po-
11 litical bilateral Treaty with Hungary and recent ini-
12 tialing of a similar document with Ukraine;

13 (3) Romania has already demonstrated its will-
14 ingness and ability to contribute as a future NATO
15 ally to strengthening the military capabilities and
16 strategic cohesiveness of the Alliance by joining, first
17 among Central and Eastern European countries, the
18 Partnership for Peace Program and by actively par-
19 ticipating alongside NATO allies in Bosnia, Angola,
20 Somalia, and Albania;

21 (4) due to its size, geo-strategic location, eco-
22 nomic and military potential, and huge popular sup-
23 port for NATO integration, Romania is of immense
24 and key strategic importance to European stability;
25 and

1 (5) Romania qualifies under section 203 of the
2 NATO Participation Act of 1994 to receive assist-
3 ance in making the transition to a full NATO mem-
4 bership and should be invited to start accession ne-
5 gotiations at the earliest stage.

6 (b) DESIGNATION.—Not later than 180 days after
7 the date of the enactment of this Act, the President shall,
8 pursuant to section 203(d)(2) of the NATO Participation
9 Act of 1994, designate Romania as eligible to receive as-
10 sistance under the program established under section
11 203(a) of such Act.

12 **TITLE XVIII—WITHHOLDING OF**
13 **ASSISTANCE TO COUNTRIES**
14 **THAT PROVIDE NUCLEAR**
15 **FUEL TO CUBA**

16 **SEC. 1801. AMENDMENT TO SECTION 620 OF THE FOREIGN**
17 **ASSISTANCE ACT OF 1961.**

18 (a) IN GENERAL.—Section 620 of the Foreign Assist-
19 ance Act of 1961 (22 U.S.C. 2370), as amended by this
20 Act, is further amended by adding at the end the follow-
21 ing:

22 “(y)(1) Except as provided in paragraph (2), the
23 President shall withhold from amounts made available
24 under this Act or any other Act and allocated for a coun-
25 try for a fiscal year an amount equal to the aggregate

1 value of nuclear fuel and related assistance and credits
2 provided by that country, or any entity of that country,
3 to Cuba during the preceding fiscal year.

4 “(2) The requirement to withhold assistance for a
5 country for a fiscal year under paragraph (1) shall not
6 apply if Cuba—

7 “(A) has ratified the Treaty on the Non-Pro-
8 liferation of Nuclear Weapons (21 UST 483) or the
9 Treaty of Tlatelelco, and Cuba is in compliance with
10 the requirements of either such Treaty;

11 “(B) has negotiated and is in compliance with
12 full-scope safeguards of the International Atomic
13 Energy Agency not later than two years after ratifi-
14 cation by Cuba of such Treaty; and

15 “(C) incorporates and is in compliance with
16 internationally accepted nuclear safety standards.

17 “(3) The Secretary of State shall prepare and submit
18 to the Congress each year a report containing a descrip-
19 tion of the amount of nuclear fuel and related assistance
20 and credits provided by any country, or any entity of a
21 country, to Cuba during the preceding year, including the
22 terms of each transfer of such fuel, assistance, or cred-
23 its.”.

24 (b) EFFECTIVE DATE.—Section 620(y) of the For-
25 eign Assistance Act of 1961, as added by subsection (a),

1 shall apply with respect to assistance provided in fiscal
2 years beginning on or after the date of the enactment of
3 this Act.

4 **TITLE XIX—AVAILABILITY OF**
5 **AMOUNTS FOR CUBAN LIB-**
6 **ERTY AND DEMOCRATIC SOL-**
7 **IDARITY ACT OF 1996 AND**
8 **THE CUBAN DEMOCRACY ACT**
9 **OF 1992**

10 **SEC. 1901. FUNDS MADE AVAILABLE UNDER CHAPTER 4 OF**
11 **PART II OF THE FOREIGN ASSISTANCE ACT**
12 **OF 1961.**

13 Not less than \$2,000,000 shall be made available
14 under chapter 4 of part II of the Foreign Assistance Act
15 of 1961 (22 U.S.C. 2346; relating to the economic support
16 fund), for fiscal years 1998 and 1999 to carry out the
17 programs and activities under the Cuban Liberty and
18 Democratic Solidarity (LIBERTAD) Act of 1996 (22
19 U.S.C. 6021 et seq.) and the Cuban Democracy Act of
20 1992 (22 U.S.C. 6001 et seq.).

1 **TITLE XX—INTERNATIONAL**
2 **ARMS SALES CODE OF CON-**
3 **DUCT WITH ALL WASSENAAR**
4 **ARRANGEMENT COUNTRIES**

5 **SEC. 2001. SENSE OF THE CONGRESS.**

6 It is the sense of the Congress that the President of
7 the United States should attempt to achieve the foreign
8 policy goal of an international arms sales code of conduct
9 with all Wassenaar Arrangement countries. The purpose
10 of this goal shall be to achieve an agreement on restricting
11 or prohibiting arms transfers to countries that—

12 (1) do not respect democratic processes and the
13 rule of law;

14 (2) do not adhere to internationally-recognized
15 norms on human rights; or

16 (3) are engaged in acts of armed aggression.

1 **TITLE XXI—UNITED STATES POL-**
2 **ICY WITH RESPECT TO**
3 **FORCED ABORTION AND FOR-**
4 **EIGN ORGANIZATIONS THAT**
5 **PERFORM OR PROMOTE**
6 **ABORTION**

7 **SEC. 2101. FOREIGN ORGANIZATIONS THAT PERFORM OR**
8 **PROMOTE ABORTION.**

9 Section 104 of the Foreign Assistance Act of 1961
10 (Public Law 87–195), is amended by adding the following
11 new subsection:

12 “(h) RESTRICTION ON ASSISTANCE TO FOREIGN OR-

13 GANIZATIONS THAT PERFORM OR ACTIVELY PROMOTE

14 ABORTIONS.—

15 “(1) PERFORMANCE OF ABORTIONS.—

16 “(A) Notwithstanding section 614 of this

17 Act or any other provision of law, no funds ap-

18 propriated for population planning activities or

19 other population assistance may be made avail-

20 able for any foreign private, nongovernmental,

21 or multilateral organization until the organiza-

22 tion certifies that it will not, during the period

23 for which the funds are made available, perform

24 abortions in any foreign country, except where

25 the life of the mother would be endangered if

1 the pregnancy were carried to term or in cases
2 of forcible rape or incest.

3 “(B) Paragraph (A) may not be construed
4 to apply to the treatment of injuries or illnesses
5 caused by legal or illegal abortions or to assist-
6 ance provided directly to the government of a
7 foreign country.

8 “(2) LOBBYING ACTIVITIES.—

9 “(A) Notwithstanding section 614 of this
10 Act or any other provision of law, no funds ap-
11 propriated for population planning activities or
12 other population assistance may be made avail-
13 able for any foreign private, nongovernmental,
14 or multilateral organization until the organiza-
15 tion certifies that it will not, during the period
16 for which the funds are made available, violate
17 the laws of any foreign country concerning the
18 circumstances under which abortion is per-
19 mitted, regulated, or prohibited, or engage in
20 any activity or effort to alter the laws or gov-
21 ernmental policies of any foreign country con-
22 cerning the circumstances under which abortion
23 is permitted, regulated, or prohibited.

1 “(B) Paragraph (A) shall not apply to ac-
2 tivities in opposition to coercive abortion or in-
3 voluntary sterilization.

4 “(3) PROHIBITIONS.—

5 “(A) The prohibitions of this subsection
6 apply to funds made available to a foreign orga-
7 nization either directly or as a subcontractor or
8 sub-grantee, and the required certifications
9 apply to activities in which the organization en-
10 gages either directly or through a subcontractor
11 or sub-grantee.”.

12 **SEC. 2102. FORCED ABORTION IN THE PEOPLE’S REPUBLIC**
13 **OF CHINA.**

14 Section 301 of the Foreign Assistance Act of 1961
15 (Public Law 87–195), is amended by adding the following
16 new subsection:

17 “(i) LIMITATION RELATING TO FORCED ABORTIONS
18 IN THE PEOPLE’S REPUBLIC OF CHINA.—Notwithstand-
19 ing section 614 of this Act or any other provision of law,
20 no funds may be made available for the United Nations
21 Population Fund (UNFPA) in any fiscal year unless the
22 President certifies that (1) UNFPA has terminated all ac-
23 tivities in the People’s Republic of China, and the United
24 States has received assurances that UNFPA will conduct
25 no such activities during the fiscal year for which funds

1 are to be made available; or (2) during the 12 months
 2 preceding such certification there have been no abortions
 3 as the result of coercion associated with the family plan-
 4 ning policies of the national government or other govern-
 5 mental entities within the People’s Republic of China. As
 6 used in this section the term ‘coercion’ includes physical
 7 duress or abuse, destruction or confiscation of property,
 8 loss of means of livelihood, or severe psychological pres-
 9 sure.”.

10 **TITLE XXII—OTHER FOREIGN** 11 **POLICY PROVISIONS**

12 **SEC. 2201. CONDEMNATION OF PALESTINIAN DEATH PEN-** 13 **ALTY FOR LAND SALES.**

14 (a) FINDINGS.—The Congress finds the following:

15 (1) In recent weeks, senior officials of the Pal-
 16 estinian Authority have announced that the death
 17 penalty will be imposed on anyone who sells land to
 18 a Jew, based on a now-repealed Jordanian law, even
 19 in Israel.

20 (2) Palestinian Authority Chairman Yasser
 21 Arafat stated on May 21, 1997, “Our law is a Jor-
 22 danian law that we inherited * * * and sets the
 23 death penalty for those who sell land to Israelis * *
 24 *. We are talking about a few traitors, and we shall

1 implement against them what is written in the law
2 books.”.

3 (3) Palestinian Authority Justice Minister
4 Freih Abu Middein stated on May 5, 1997, “I
5 warned the land dealers several times through the
6 media not to play with fire. For us, whoever sells
7 land to Jews and settlers is more dangerous than
8 collaborators. Therefore, they must be put on trial
9 and sentenced to death * * * they are traitors.”.

10 (4) Palestinian Authority Justice Minister
11 Freih Abu Middein stated on May 28, 1997, “it is
12 obligatory to forbid the sale of land in Ramle, Lod,
13 the Negev, and everywhere else * * *. There are
14 many [land dealers] who have fled from Palestine,
15 but anyone who has broken this serious law will re-
16 main a wanted fugitive by the Palestinian people,
17 wherever he may go.”.

18 (5) Legislation implementing the death penalty
19 was prepared for consideration by the Palestinian
20 Legislative Council, but has not yet been considered.

21 (6) Since the pronouncement of senior Palestin-
22 ian leaders, at least three Palestinians have been
23 killed for selling land to Israelis, some after visits or
24 other scrutiny by Palestinian security officials.

1 There is further evidence that the killings were com-
2 mitted by Palestinian security officials.

3 (7) Three Palestinians were extrajudicially exe-
4 cuted following their sale of land to Israelis.

5 (8) The International Covenant on Civil and
6 Political Rights, to which the United States is a
7 party, states, “sentence of death may be imposed
8 only for the most serious crimes in accordance with
9 the law in force at the time of commission of the
10 crime * * *. This penalty can only be carried out
11 pursuant to a final judgement rendered by a com-
12 petent court.”.

13 (9) The United States has made a financial
14 commitment to the Palestinian Authority with the
15 understanding that the rule of law would prevail,
16 that there would be no official sanction to
17 extrajudicial killings or violations of human rights,
18 and that basic principles of peaceful and normal re-
19 lations would be upheld.

20 (10) Despite claims to the contrary, there is no
21 law in Israel forbidding the sale of land to Arabs or
22 people of other ethnicities or nationalities.

23 (b) DECLARATIONS OF POLICY.—The Congress de-
24 clares the following:

1 (1) The Congress condemns in the strongest
2 possible terms the abhorrent policy and practice of
3 murdering Palestinians for sales of land to Jews.
4 Such actions are violations of international law and
5 the spirit of the Oslo agreements, casting strong
6 doubt as to whether the Palestinians are in compli-
7 ance with their commitments to Israel. The Con-
8 gress finds the endorsement and encouragement of
9 this practice by the most senior leadership of the
10 Palestinian Authority to be reprehensible.

11 (2) The Congress demands that this practice of
12 murder and racism be condemned and renounced by
13 the Palestinian leadership and that it will end imme-
14 diately. If it does not, the Congress should not per-
15 mit the provision of direct aid to the Palestinian Au-
16 thority when the Middle East Peace Facilitation Act
17 of 1995 is considered for reauthorization. The Con-
18 gress urges the President to take this practice fully
19 into account as he now determines whether the Pal-
20 estinian Authority is in compliance with its commit-
21 ments to Israel, which he must do in accordance
22 with the Middle East Peace Facilitation Act of
23 1995.

24 (3) The Congress strongly urges the Palestinian
25 Legislative Council to reject categorically legislation

1 imposing the penalty of death on those who sell land
2 to Israelis.

3 (c) TRANSMISSION OF COPIES.—The Clerk of the
4 House of Representatives and the Secretary of the Senate
5 are directed to transmit copies of this section to the Presi-
6 dent of the United States, the Secretary of State, the
7 United Nations Secretary General, the United States Am-
8 bassador to Israel, the Consul General of the United
9 States in Jerusalem, Israel, the Rais of the Palestinian
10 Authority, all members of Palestinian Legislative Council,
11 and the office of the Palestine Liberation Organization in
12 Washington, District of Columbia.

13 **TITLE XXIII—MISCELLANEOUS**
14 **PROVISIONS**

15 **SEC. 2301. ASSISTANCE TO THE DEMOCRATIC REPUBLIC OF**
16 **CONGO.**

17 Notwithstanding section 620(q) of the Foreign As-
18 sistance Act of 1961 or any other provision of law, assist-
19 ance under chapter 1 of part I of the Foreign Assistance
20 Act of 1961 (relating to development assistance) and
21 under chapter 10 of part I of such Act (relating to the
22 Development Fund for Africa) may be made available for
23 the Democratic Republic of Congo.

1 **TITLE XXIV—SENSE OF THE**
2 **CONGRESS REGARDING THE**
3 **IMPRISONMENT OF**
4 **NGAWANG CHOEPHEL IN**
5 **CHINA.**

6 **SEC. 2401. SENSE OF THE CONGRESS REGARDING THE IM-**
7 **PRISONMENT OF NGAWANG CHOEPHEL IN**
8 **CHINA.**

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

11 (1) The Chinese Government sentenced Ngawa-
12 ng Choephel to an 18-year prison term plus 4 years
13 subsequent deprivation of his political rights on De-
14 cember 26, 1996, following a secret trial.

15 (2) Mr. Choephel is a Tibetan national whose
16 family fled Chinese oppression to live in exile in
17 India in 1968.

18 (3) Mr. Choephel studied ethnomusicology at
19 Middlebury College in Vermont as a Fulbright
20 Scholar, and at the Tibetan Institute of Performing
21 Arts in Dharamsala, India.

22 (4) Mr. Choephel returned to Tibet in July
23 1995 to prepare a documentary film about tradi-
24 tional Tibetan performing arts.

1 (5) Mr. Choephel was detained in August 1995
2 by the Chinese authorities and held incommunicado
3 for over a year before the Government of the Peo-
4 ple's Republic of China admitted to holding him, and
5 finally charged him with espionage in October 1996.

6 (6) There is no evidence that Mr. Choephel's
7 activities in Tibet involved anything other than pure-
8 ly academic research.

9 (7) The Government of the People's Republic of
10 China denies Tibetans their fundamental human
11 rights, as reported in the State Department's Coun-
12 try Reports on Human Rights Practices, and by
13 human rights organizations, including Amnesty
14 International and Human Rights Watch, Asia.

15 (8) The Government of the People's Republic of
16 China is responsible for the destruction of much of
17 Tibetan civilization since its invasion of Tibet in
18 1949.

19 (9) The arrest of a Tibetan scholar such as Mr.
20 Choephel, who worked to preserve Tibetan culture,
21 reflects the systematic attempt by the Government
22 of the People's Republic of China to repress cultural
23 expression in Tibet.

24 (10) The Government of the People's Republic
25 of China, through direct and indirect incentives, has

1 established discriminatory development programs
2 which have resulted in an overwhelming flow of Chi-
3 nese immigrants into Tibet, including those areas in-
4 corporated into the Chinese provinces of Sichuan,
5 Yunnan, Gansu, and Quinghai, and have excluded
6 Tibetans from participation in important policy deci-
7 sions, which further threatens traditional Tibetan
8 life.

9 (11) The Government of the People's Republic
10 of China withholds meaningful participation in the
11 governance of Tibet from Tibetans and has failed to
12 abide by its own constitutional guarantee of auton-
13 omy for Tibetans.

14 (12) The Dalai Lama of Tibet has stated his
15 willingness to enter into negotiations with the Chi-
16 nese and has repeatedly accepted the framework
17 Deng Xiaoping proposed for such negotiations in
18 1979.

19 (13) The Chinese have displayed provocative
20 disregard for the concerns of the United States by
21 arresting and sentencing prominent dissidents in
22 close proximity to visits to China by senior United
23 States Government officials.

24 (14) The United States Government policy
25 seeks to foster negotiations between the Government

1 of the People's Republic of China and the Dalai
2 Lama, and presses China to respect Tibet's unique
3 religious, linguistic, and cultural traditions.

4 (b) SENSE OF CONGRESS.—It is the sense of the
5 Congress that—

6 (1) Ngawang Choephel and other prisoners of
7 conscience in Tibet, as well as in China, should be
8 released immediately and unconditionally;

9 (2) to underscore the gravity of this matter, in
10 all appropriate official meetings with representatives
11 of the Government of the People's Republic of
12 China, United States officials should request Mr.
13 Choephel's immediate and unconditional release;

14 (3) the United States Government should spon-
15 sor and promote a resolution at future meetings of
16 the United Nations Commission on Human Rights
17 and other appropriate international fora regarding
18 China and Tibet which specifically addresses politi-
19 cal prisoners and negotiations with the Dalai Lama,
20 until those situations in China and Tibet improve
21 substantially;

22 (4) the United States Department of State
23 should advise American citizens that Tibet is not
24 currently a safe destination for American travelers;

1 (5) an exchange program should be established
2 in honor of Ngawang Choephel, involving students of
3 the Tibetan Institute of Performing Arts and appropriate educational institutions in the United States;
4 and
5

6 (6) the United States Government should seek
7 access for internationally recognized human rights
8 groups to monitor human rights in Tibet.

9 **DIVISION C—BUY-AMERICAN**
10 **REQUIREMENTS**
11 **TITLE XXV—COMPLIANCE WITH**
12 **BUY-AMERICAN ACT**

13 **SEC. 2501. BUY-AMERICAN REQUIREMENTS.**

14 (a) COMPLIANCE WITH BUY AMERICAN ACT.—None
15 of the funds made available in this Act may be expended
16 by an entity unless the entity agrees that in expending
17 the funds the entity will, consistent with international
18 trade agreements implemented in U.S. law, comply with
19 the Buy American Act (41 U.S.C. 10a–10c).

20 (b) SENSE OF CONGRESS; REQUIREMENT REGARD-
21 ING NOTICE.—

22 (1) PURCHASE OF AMERICAN-MADE EQUIPMENT
23 AND PRODUCTS.—In the case of any equipment or
24 product that may be authorized to be purchased
25 with financial assistance provided using funds made

1 available in this Act, it is the sense of the Congress
2 that entities receiving the assistance should, in ex-
3 pending the assistance, purchase only American-
4 made equipment and products.

5 (2) NOTICE TO RECIPIENTS OF ASSISTANCE.—

6 In providing financial assistance using funds made
7 available in this Act, the head of each Federal agen-
8 cy shall provide to each recipient of the assistance
9 a notice describing the statement made in paragraph
10 (1) by the Congress.

11 (c) PROHIBITION OF CONTRACTS WITH PERSONS
12 FALSELY LABELING PRODUCTS AS MADE IN AMERICA.—

13 If it has been finally determined by a court or Federal
14 agency that any person intentionally affixed a label bear-
15 ing a “Made in America” inscription, or any inscription
16 with the same meaning, to any product sold in or shipped
17 to the United States that is not made in the United
18 States, the person shall be ineligible to receive any con-
19 tract or subcontract made with funds made available in
20 this Act, pursuant to the debarment, suspension, and ineli-
21 gibility procedures described in sections 9.400 through
22 9.409 of title 48, Code of Federal Regulations.

1 **DIVISION D—FOREIGN AID RE-**
2 **PORTING REFORM ACT OF**
3 **1997**

4 **TITLE XXVI—FOREIGN AID**
5 **REPORTING REFORM**

6 **SEC. 2601. SHORT TITLE.**

7 This division may be cited as the “Foreign Aid Re-
8 porting Reform Act of 1997”.

9 **SEC. 2602. ANNUAL FOREIGN ASSISTANCE JUSTIFICATION**
10 **REPORT.**

11 (a) IN GENERAL.—In conjunction with the submis-
12 sion of the annual requests for enactment of authoriza-
13 tions and appropriations for foreign assistance programs
14 for each fiscal year, the President shall submit to the Con-
15 gress a single report containing—

16 (1) an integrated justification for all foreign as-
17 sistance programs proposed by the President for the
18 coming fiscal year; and

19 (2) an assessment of when the objectives of
20 those programs will be achieved so that the assist-
21 ance can be terminated.

22 (b) SPECIFIC INFORMATION TO BE PROVIDED.—
23 Each such report shall include the following:

1 (1) INFORMATION REGARDING A FOREIGN AS-
2 SISTANCE PROGRAM GENERALLY.—For each foreign
3 assistance program taken as a whole—

4 (A) the total amount of assistance pro-
5 posed to be provided under that program;

6 (B) the justification for that amount;

7 (C) the objectives that assistance under
8 that program is intended to achieve;

9 (D) an explanation of the relationship of
10 assistance under that program to assistance
11 under other foreign assistance programs; and

12 (E) the President's estimation of the date
13 by which the objectives of that program will be
14 achieved and the program terminated.

15 (2) INFORMATION REGARDING SPECIFIC ASSIST-
16 ANCE RECIPIENTS.—For each country or organiza-
17 tion which is a proposed recipient of assistance
18 under any foreign assistance program—

19 (A) the amount of each type of assistance
20 proposed;

21 (B) the justification for providing each
22 such type of assistance;

23 (C) the objectives that each such type of
24 assistance is intended to achieve;

1 (D) an explanation of the relationship of
2 each type of assistance proposed to other types
3 of assistance proposed for that recipient; and

4 (E) the President's estimation of the date
5 by which the objectives of assistance for such
6 recipient under each foreign assistance program
7 will be achieved and assistance under that pro-
8 gram to that recipient terminated.

9 The information required by subparagraphs (A)
10 through (E) shall be provided on a recipient-by-re-
11 cipient basis.

12 (3) INFORMATION REGARDING CENTRALLY-
13 FUNDED PROGRAMS.—For each centrally-funded
14 program under a foreign assistance program—

15 (A) the amount proposed for such pro-
16 gram;

17 (B) the justification for such program;

18 (C) the objectives each such program is in-
19 tended to achieve;

20 (D) an explanation of the relationship of
21 such program to other types of assistance pro-
22 posed under that foreign assistance program
23 and under other foreign assistance programs;
24 and

1 (E) the President's estimation of the date
2 by which the objectives of such program will be
3 achieved and such program terminated.

4 **SEC. 2603. REQUIREMENT FOR CONGRESSIONAL EXPLA-**
5 **NATION OF PROPOSED CHANGES TO THE**
6 **PRESIDENT'S FOREIGN ASSISTANCE BUDGET.**

7 Any committee of the House of Representatives or
8 any committee of the Senate reporting legislation author-
9 izing the enactment of new budget authority for, or provid-
10 ing new budget authority for, foreign assistance programs
11 shall, to the maximum extent feasible, include in the re-
12 port accompanying that legislation an explanation for any
13 change proposed by that committee—

14 (1) in the total amount of new budget authority
15 authorized or provided (as the case may be) for any
16 foreign assistance program as compared to the
17 amount proposed by the President; or

18 (2) in the amount of assistance for any specific
19 recipient of assistance, or for any centrally-funded
20 program, under any foreign assistance program as
21 compared to the amount proposed by the President.

22 **SEC. 2604. DEFINITION OF FOREIGN ASSISTANCE PRO-**
23 **GRAMS.**

24 As used in this chapter, the term “foreign assistance
25 program” includes—

1 (1) any program of assistance authorized by the
2 Foreign Assistance Act of 1961 (such as the devel-
3 opment assistance program, the economic support
4 fund program, and the international military edu-
5 cation and training program) or authorized by the
6 African Development Foundation Act, section 401 of
7 the Foreign Assistance Act of 1969 (relating to the
8 Inter-American Development Foundation), or any
9 other foreign assistance legislation;

10 (2) any program of grant, credit, or guaranty
11 assistance under the Arms Export Control Act;

12 (3) assistance under the Migration and Refugee
13 Assistance Act of 1962;

14 (4) assistance under any title of the Agricul-
15 tural Trade Development and Assistance Act of
16 1954;

17 (5) contributions to the International Monetary
18 Fund;

19 (6) contributions to the International Bank for
20 Reconstruction and Development, the International
21 Development Association, or any other institution
22 within the World Bank group; and

23 (7) contributions to any regional multilateral
24 development bank.

1 **DIVISION E—MISCELLANEOUS**
2 **PROVISIONS**
3 **TITLE XXVII—FUNDS MADE**
4 **AVAILABLE UNDER SECTIONS**
5 **103 THROUGH 106 OF THE**
6 **FOREIGN ASSISTANCE ACT OF**
7 **1961**

8 **SEC. 2701. ACTIVITIES AND PROGRAMS IN LATIN AMERICA**
9 **AND THE CARIBBEAN REGION AND THE ASIA**
10 **AND THE PACIFIC REGION.**

11 Of the amount made available for assistance for a
12 fiscal year under sections 103 through 106 of the Foreign
13 Assistance Act of 1961 (22 U.S.C. 2151a through 2151d),
14 including assistance under section 104(c) of such Act (22
15 U.S.C. 2151b(c)), the amount made available for activities
16 and programs in Latin America and the Caribbean region
17 and the Asia and the Pacific region should be in at least
18 the same proportion to the total amount of such assistance
19 made available as the amount identified in the congres-
20 sional presentation documents for development assistance
21 for the fiscal year for each such region is to the total
22 amount requested for development assistance for the fiscal
23 year.

**DIVISION F—ADDITIONAL
MISCELLANEOUS PROVISIONS
TITLE XXVIII—INDONESIA
MILITARY ASSISTANCE**

**SEC. 2801. SENSE OF THE CONGRESS RELATING TO INDO-
NESIA MILITARY ASSISTANCE.**

(a) FINDINGS.—The Congress finds the following:

(1)(A) Despite a surface adherence to democratic forms, the Indonesian political system remains strongly authoritarian.

(B) The government is dominated by an elite comprising President Soeharto (now in his sixth 5-year term), his close associates, and the military.

(C) The government requires allegiance to a state ideology known as “Pancasila”, which stresses consultation and consensus, but is also used to limit dissent, to enforce social and political cohesion, and to restrict the development of opposition elements.

(2) The Government of Indonesia recognizes only one official trade union, has refused to register independent trade unions such as the Indonesian Prosperity Trade Union (SBSI), has arrested Muchtar Pakpahan, the General Chairman of the SBSI, on charges of subversion, and other labor ac-

1 tivists, and has closed the offices and confiscated
2 materials of the SBSI.

3 (3) Civil society organizations in Indonesia,
4 such as environmental organizations, election-mon-
5 itoring organizations, legal aid organizations, stu-
6 dent organizations, trade union organizations, and
7 community organizations, have been harassed by the
8 Government of Indonesia through such means as de-
9 tentions, interrogations, denial of permission for
10 meetings, banning of publications, repeated orders to
11 report to security forces or judicial courts, and ille-
12 gal seizure of documents.

13 (4)(A) The armed forces of Indonesia continue
14 to carry out torture and other severe violations of
15 human rights in East Timor, Irian Jaya, and other
16 parts of Indonesia, to detain and imprison East
17 Timorese and others for nonviolent expression of po-
18 litical views, and to maintain unjustifiably high
19 troop levels in East Timor.

20 (B) From May 27 to May 31, the East
21 Timoreses resistance forces carried out deplorable
22 human rights violations, including the reported kill-
23 ing of over two dozen persons in an apparent at-
24 tempt to disrupt national elections. A resistance at-
25 tack on a truck resulted in the deaths of 16 police-

1 men and one soldier. Attacks on polling places also
2 resulted in the deaths of two election officials.

3 (C) Violence on the part of either the Indo-
4 nesian military or the East Timorese resistance
5 forces is not conducive to the just and peaceful solu-
6 tion to the conflict in East Timor.

7 (D) Indonesian civil authorities must improve
8 their human rights performance in East Timor,
9 Irian Jaya, and elsewhere in Indonesia, and aggres-
10 sively prosecute violations.

11 (E) The Indonesian authorities and the resist-
12 ance forces in East Timor must refrain from human
13 rights violations, including attacks on civilians and
14 non-combatants.

15 (5) The Nobel Prize Committee awarded the
16 1996 Nobel Peace Prize to Bishop Carlos Felipe
17 Ximenes Belo and Jose Ramos Horta for their tire-
18 less efforts to find a just and peaceful solution to
19 the conflict in East Timor.

20 (6) In 1992, the Congress suspended the inter-
21 national military and education training (IMET)
22 program for Indonesia in response to a November
23 12, 1991, shooting incident in East Timor by Indo-
24 nesian security forces against peaceful Timorese
25 demonstrators in which no progress has been made

1 in accounting for the missing persons either in that
2 incident or others who disappeared in 1995–96.

3 (7) On August 1, 1996, then Secretary of State
4 Warren Christopher stated in testimony before the
5 Committee on Foreign Relations of the Senate, “I
6 think there’s a strong interest in seeing an orderly
7 transition of power there [in Indonesia] that will rec-
8 ognize the pluralism that should exist in a country
9 of that magnitude and importance.”.

10 (8) The United States has important economic,
11 commercial, and security interests in Indonesia be-
12 cause of its growing economy and markets and its
13 strategic location astride a number of key inter-
14 national straits which will only be strengthened by
15 democratic development in Indonesia and a policy
16 which promotes political pluralism and respect for
17 universal human rights.

18 (b) SENSE OF THE CONGRESS.—It is the sense of
19 the Congress that the United States should not provide
20 military assistance and arms transfers for a fiscal year
21 to the Government of Indonesia unless the President de-
22 termines and certifies to the Congress for that fiscal year
23 that the Government of Indonesia meets the following re-
24 quirements:

1 (1) DOMESTIC MONITORING OF ELECTIONS.—

2 (A) The Government of Indonesia provides official
3 accreditation to independent election-monitoring or-
4 ganizations, including the Independent Election
5 Monitoring Committee (KIPP), to observe national
6 elections without interference by personnel of the
7 Government or of the armed forces.

8 (B) In addition, such organizations are allowed
9 to assess such elections and to publicize or otherwise
10 disseminate the assessments throughout Indonesia.

11 (2) PROTECTION OF NONGOVERNMENTAL ORGA-
12 NIZATIONS.—The police or military of Indonesia do
13 not confiscate materials from or otherwise engage in
14 illegal raids on the offices or homes of members of
15 both domestic or international nongovernmental or-
16 ganizations, including election-monitoring organiza-
17 tions, legal aid organizations, student organizations,
18 trade union organizations, community organizations,
19 environmental organizations, and religious organiza-
20 tions.

21 (3) ACCOUNTABILITY FOR ATTACK ON PDI
22 HEADQUARTERS.—As recommended by the Govern-
23 ment of Indonesia's National Human Rights Com-
24 mission, the Government of Indonesia has inves-
25 tigated the attack on the headquarters of the Demo-

1 cratic Party of Indonesia (PDI) on July 27, 1996,
2 prosecuted individuals who planned and carried out
3 the attack, and made public the postmortem exam-
4 ination of the five individuals killed in the attack.

5 (4) RESOLUTION OF CONFLICT IN EAST
6 TIMOR.—

7 (A) ESTABLISHMENT OF DIALOGUE.—The
8 Government of Indonesia is doing everything
9 possible to enter into a process of dialogue,
10 under the auspices of the United Nations, with
11 Portugal and East Timorese leaders of various
12 viewpoints to discuss ideas toward a resolution
13 of the conflict in East Timor and the political
14 status of East Timor.

15 (B) REDUCTION OF TROOPS.—The Gov-
16 ernment of Indonesia has established and im-
17 plemented a plan to reduce the number of Indo-
18 nesian troops in East Timor.

19 (C) RELEASE OF POLITICAL PRISONERS.—
20 Individuals detained or imprisoned for the non-
21 violent expression of political views in East
22 Timor have been released from custody.

23 (5) IMPROVEMENT IN LABOR RIGHTS.—The
24 Government of Indonesia has taken the following ac-
25 tions to improve labor rights in Indonesia:

1 (A) The Government has dropped charges
2 of subversion, and previous charges against the
3 General Chairman of the SBSI trade union,
4 Muchtar Pakpahan, and released him from cus-
5 tody.

6 (B) The Government has substantially re-
7 duced the requirements for legal recognition of
8 the SBSI or other legitimate worker organiza-
9 tions as a trade union.

10 (c) SENSE OF THE CONGRESS.—It also is the sense
11 of the Congress that the violent acts of the resistance in
12 East Timor should be condemned, as they discredit the
13 East Timorese cause, and could result in additional violent
14 reprisals by the Indonsian armed forces.

15 (d) UNITED STATES MILITARY ASSISTANCE AND
16 ARMS TRANSFERS DEFINED.—As used in this section, the
17 term “military assistance and arms transfers” means—

18 (1) small arms, crowd control equipment, ar-
19 mored personnel carriers, and such other items that
20 can commonly be used in the direct violation of
21 human rights; and

22 (2) assistance under chapter 5 of part II of the
23 Foreign Assistance Act of 1961 (22 U.S.C. 2347 et
24 seq.; relating to international military education and
25 training or “IMET”), except such term shall not in-

1 clude Expanded IMET, pursuant to section 541 of
2 such Act.

3 **DIVISION G—FURTHER ADDI-**
4 **TIONAL MISCELLANEOUS**
5 **PROVISIONS**

6 **TITLE XXIX—PROHIBITION ON**
7 **FUNDS TO FOREIGN COUN-**
8 **TRIES THAT ASSIT THE GOV-**
9 **ERNMENT OF LIBYA**

10 **SEC. 2901. PROHIBITION ON FOREIGN ASSISTANCE TO ANY**
11 **COUNTRY THAT ASSISTS LIBYA IN CIR-**
12 **CUMVENTING UNITED NATIONS SANCTIONS.**

13 (a) IN GENERAL.—None of the funds made available
14 in this Act and the amendments made by this Act shall
15 be made available for assistance to any government if the
16 President determines that such country has assisted the
17 Government of Libya in violating sanctions imposed by
18 United Nations Security Council Resolution 748 (1992).

19 (b) EXCEPTION.—This section shall not apply if the
20 President determines that making such funds available is
21 important to the national security interest of the United
22 States.

1 **DIVISION H—ARMS TRANSFERS**
2 **CODE OF CONDUCT**
3 **TITLE XXX—ARMS TRANSFERS**
4 **CODE OF CONDUCT**

5 **SEC. 3001. SHORT TITLE.**

6 This division may be cited as the “Code of Conduct
7 on Arms Transfers Act of 1997”.

8 **SEC. 3002. FINDINGS.**

9 The Congress finds the following:

10 (1) Approximately 40,000,000 people, over 75
11 percent civilians, died as a result of civil and inter-
12 national wars fought with conventional weapons dur-
13 ing the 45 years of the cold war, demonstrating that
14 conventional weapons can in fact be weapons of
15 mass destruction.

16 (2) Conflict has actually increased in the post
17 cold war era, with 30 major armed conflicts in
18 progress during 1995.

19 (3) War is both a human tragedy and an ongo-
20 ing economic disaster affecting the entire world, in-
21 cluding the United States and its economy, because
22 it decimates both local investment and potential ex-
23 port markets.

24 (4) International trade in conventional weapons
25 increases the risk and impact of war in an already

1 over-militarized world, creating far more costs than
2 benefits for the United States economy through in-
3 creased United States defense and foreign assistance
4 spending and reduced demand for United States ci-
5 vilian exports.

6 (5) The United Nations Register of Conven-
7 tional Arms can be an effective first step in support
8 of limitations on the supply of conventional weapons
9 to developing countries and compliance with its re-
10 porting requirements by a foreign government can
11 be an integral tool in determining the worthiness of
12 such government for the receipt of United States
13 military assistance and arms transfers.

14 (6) It is in the national security and economic
15 interests of the United States to reduce dramatically
16 the \$840,000,000,000 that all countries spend on
17 armed forces every year, \$191,000,000,000 of which
18 is spent by developing countries, an amount equiva-
19 lent to 4 times the total bilateral and multilateral
20 foreign assistance such countries receive every year.

21 (7) According to the Congressional Research
22 Service, the United States supplies more conven-
23 tional weapons to developing countries than all other
24 countries combined, averaging \$11,889,000,000 a
25 year in agreements to supply such weapons to devel-

1 oping countries for the six years since the end of the
2 cold war, 58 percent higher than the \$7,515,000,000
3 a year in such agreements for the six years prior to
4 the dissolution of the Soviet Union.

5 (8) Since the end of the cold war, 84 percent
6 of United States arms transfers have been to devel-
7 oping countries are to countries with an undemo-
8 cratic form of government whose citizens, according
9 to the Department of State Country Reports on
10 Human Rights Practices do not have the ability to
11 peaceably change their form of government.

12 (9) Although a goal of United States foreign
13 policy should be to work with foreign governments
14 and international organizations to reduce militariza-
15 tion and dictatorship and therefore prevent conflicts
16 before they arise, during 4 recent deployments of
17 United States Armed Forces—to the Republic of
18 Panama, the Persian Gulf, Somalia, and Haiti—
19 such Armed Forces faced conventional weapons that
20 had been provided or financed by the United States
21 to undemocratic governments.

22 (10) The proliferation of conventional arms and
23 conflicts around the globe are multilateral problems,
24 and the fact that the United States has emerged as
25 the world's primary seller of conventional weapons,

1 combined with the world leadership role of the Unit-
2 ed States, signifies that the United States is in a po-
3 sition to seek multilateral restraints on the competi-
4 tion for and transfers of conventional weapons.

5 (11) The Congress has the constitutional re-
6 sponsibility to participate with the executive branch
7 in decisions to provide military assistance and arms
8 transfers to a foreign government, and in the formu-
9 lation of a policy designed to reduce dramatically the
10 level of international militarization.

11 (12) A decision to provide military assistance
12 and arms transfers to a government that is undemo-
13 cratic, does not adequately protect human rights, is
14 currently engaged in acts of armed aggression, or is
15 not fully participating in the United Nations Reg-
16 ister of Conventional Arms, should require a higher
17 level of scrutiny than does a decision to provide such
18 assistance and arms transfers to a government to
19 which these conditions do not apply.

20 **SEC. 3003. PURPOSE.**

21 The purpose of this title is to provide clear policy
22 guidelines and congressional responsibility for determining
23 the eligibility of foreign governments to be considered for
24 United States military assistance and arms transfers.

1 **SEC. 3004. PROHIBITION OF UNITED STATES MILITARY AS-**
2 **SISTANCE AND ARMS TRANSFERS TO CER-**
3 **TAIN FOREIGN GOVERNMENTS.**

4 (a) PROHIBITION.—Except as provided in subsections
5 (b) and (c), beginning on and after October 1, 1998, Unit-
6 ed States military assistance and arms transfers may not
7 be provided to a foreign government for a fiscal year un-
8 less the President certifies to the Congress for that fiscal
9 year that such government meets the following require-
10 ments:

11 (1) PROMOTES DEMOCRACY.—Such govern-
12 ment—

13 (A) was chosen by and permits free and
14 fair elections;

15 (B) promotes civilian control of the mili-
16 tary and security forces and has civilian institu-
17 tions controlling the policy, operation, and
18 spending of all law enforcement and security in-
19 stitutions, as well as the armed forces;

20 (C) promotes the rule of law, equality be-
21 fore the law, and respect for individual and mi-
22 nority rights, including freedom to speak, pub-
23 lish, associate, and organize; and

24 (D) promotes the strengthening of politi-
25 cal, legislative, and civil institutions of democ-
26 racy, as well as autonomous institutions to

1 monitor the conduct of public officials and to
2 combat corruption.

3 (2) RESPECTS HUMAN RIGHTS.—Such govern-
4 ment—

5 (A) does not engage in gross violations of
6 internationally recognized human rights, includ-
7 ing—

8 (i) extra judicial or arbitrary execu-
9 tions;

10 (ii) disappearances;

11 (iii) torture or severe mistreatment;

12 (iv) prolonged arbitrary imprisonment;

13 (v) systematic official discrimination
14 on the basis of race, ethnicity, religion,
15 gender, national origin, or political affili-
16 ation; and

17 (vi) grave breaches of international
18 laws of war or equivalent violations of the
19 laws of war in internal conflicts;

20 (B) vigorously investigates, disciplines, and
21 prosecutes those responsible for gross violations
22 of internationally recognized human rights;

23 (C) permits access on a regular basis to
24 political prisoners by international humani-

1 tarian organizations such as the International
2 Committee of the Red Cross;

3 (D) promotes the independence of the judi-
4 ciary and other official bodies that oversee the
5 protection of human rights;

6 (E) does not impede the free functioning of
7 domestic and international human rights orga-
8 nizations; and

9 (F) provides access on a regular basis to
10 humanitarian organizations in situations of con-
11 flict or famine.

12 (3) NOT ENGAGED IN CERTAIN ACTS OF ARMED
13 AGGRESSION.—Such government is not currently en-
14 gaged in acts of armed aggression in violation of
15 international law.

16 (4) FULL PARTICIPATION IN U.N. REGISTER OF
17 CONVENTIONAL ARMS.—Such government is fully
18 participating in the United Nations Register of Con-
19 ventional Arms.

20 (b) REQUIREMENT FOR CONTINUING COMPLI-
21 ANCE.—Any certification with respect to a foreign govern-
22 ment for a fiscal year under subsection (a) shall cease to
23 be effective for that fiscal year if the President certifies
24 to the Congress that such government has not continued

1 to comply with the requirements contained in paragraphs
2 (1) through (4) of such subsection.

3 (c) EXEMPTIONS.—

4 (1) IN GENERAL.—The prohibition contained in
5 subsection (a) shall not apply with respect to a for-
6 eign government for a fiscal year if—

7 (A) subject to paragraph (2), the President
8 submits a request for an exemption to the Con-
9 gress containing a determination that it is in
10 the national security interest of the United
11 States to provide military assistance and arms
12 transfers to such government; or

13 (B) the President determines that an
14 emergency exists under which it is vital to the
15 interest of the United States to provide military
16 assistance and arms transfers to such govern-
17 ment.

18 (2) DISAPPROVAL.—A request for an exemption
19 to provide military assistance and arms transfers to
20 a foreign government shall not take effect, or shall
21 cease to be effective, if a law is enacted disapproving
22 such request.

23 (d) NOTIFICATIONS TO CONGRESS.—

24 (1) IN GENERAL.—The President shall submit
25 to the Congress initial certifications under sub-

1 section (a) and requests for exemptions under sub-
2 section (c)(1)(A) in conjunction with the submission
3 of the annual request for enactment of authoriza-
4 tions and appropriations for foreign assistance pro-
5 grams for a fiscal year and shall, where appropriate,
6 submit additional or amended certifications and re-
7 quests for exemptions at any time thereafter in the
8 fiscal year.

9 (2) DETERMINATION WITH RESPECT TO EMER-
10 GENCY SITUATIONS.—The President, when, in his
11 determination, it is not contrary to the national in-
12 terest to do so, shall submit to the Congress at the
13 earliest possible date reports containing determina-
14 tions with respect to emergencies under subsection
15 (c)(1)(B). Each such report shall contain a descrip-
16 tion of—

17 (A) the nature of the emergency;

18 (B) the type of military assistance and
19 arms transfers provided to the foreign govern-
20 ment; and

21 (C) the cost to the United States of such
22 assistance and arms transfers.

23 **SEC. 3005. SENSE OF THE CONGRESS.**

24 It is the sense of the Congress that the Committee
25 on International Relations of the House of Representa-

1 tives and the Committee on Foreign Relations of the Sen-
2 ate should hold hearings on—

3 (1) controversial certifications submitted under
4 section 2004(a);

5 (2) all requests for exemptions submitted under
6 section 2004(c)(1)(A); and

7 (3) all determinations with respect to emer-
8 gencies under section 2004(c)(1)(B).

9 **SEC. 3006. UNITED STATES MILITARY ASSISTANCE AND**
10 **ARMS TRANSFERS DEFINED.**

11 For purposes of this title, the terms “United States
12 military assistance and arms transfers” and “military as-
13 sistance and arms transfers” mean—

14 (1) assistance under chapter 2 of part II of the
15 Foreign Assistance Act of 1961 (relating to military
16 assistance), including the transfer of excess defense
17 articles under section 516 of that Act;

18 (2) assistance under chapter 5 of part II of the
19 Foreign Assistance Act of 1961 (relating to inter-
20 national military education and training); or

21 (3) the transfer of defense articles, defense
22 services, or design and construction services under
23 the Arms Export Control Act (excluding any trans-
24 fer or other assistance under section 23 of such
25 Act), including defense articles and defense services

1 licensed or approved for export under section 38 of
2 that Act.

3 **DIVISION I—MISCELLANEOUS**
4 **PROVISIONS**
5 **TITLE XXXI—MISCELLANEOUS**
6 **PROVISIONS**

7 **SEC. 3101. ASSISTANCE FOR THE RUSSIAN FEDERATION.**

8 None of the funds made available to carry out chap-
9 ter 11 of part I of the Foreign Assistance Act of 1961
10 (22 U.S.C. 2295 et seq.) for fiscal years 1998 and 1999
11 may be made available for the Russian Federation if the
12 Russian Federation, on or after the date of the enactment
13 of this Act, transfers an SS-N-22 missile system to the
14 People's Republic of China.

15 **DIVISION J—EUROPEAN**
16 **SECURITY ACT OF 1997**
17 **TITLE XXXII—NORTH ATLANTIC**
18 **TREATY ORGANIZATION (NATO)**

19 **SEC. 3201. SHORT TITLE.**

20 This division may be cited as the “European Security
21 Act of 1997”.

22 **SEC. 3202. STATEMENTS OF POLICY.**

23 The Congress declares the following to be the policy
24 of the United States:

1 (1) POLICY WITH RESPECT TO NATO ENLARGE-
2 MENT.—(A) The emerging democracies in Central
3 and Eastern Europe that will be invited to begin ac-
4 cession negotiations with the North Atlantic Treaty
5 Organization (NATO) at the NATO summit in Ma-
6 drid on July 8 and 9, 1997, should not be the last
7 such countries invited to join NATO.

8 (B) The United States should seek to ensure
9 that the NATO leaders assembled in Madrid agree
10 on a process whereby all other emerging democracies
11 in Central and Eastern Europe that wish to join
12 NATO will be considered for membership in NATO
13 as soon as they meet the criteria for such member-
14 ship.

15 (2) POLICY WITH RESPECT TO NEGOTIATIONS
16 WITH RUSSIA.—(A) NATO enlargement should be
17 carried out in such a manner as to underscore the
18 Alliance's defensive nature and demonstrate to Rus-
19 sia that NATO enlargement will enhance the secu-
20 rity of all countries in Europe, including Russia. Ac-
21 cordingly, the United States and its NATO Allies
22 should make this intention clear in the negotiations
23 with Russia, including those regarding adaptation of
24 the Conventional Armed Forces in Europe (CFE)
25 Treaty of November 19, 1990.

1 (B) In seeking to demonstrate to Russia
2 NATO's defensive and security-enhancing intentions,
3 it is essential that neither fundamental United
4 States security interests in Europe nor the effective-
5 ness and flexibility of NATO as a defensive alliance
6 be jeopardized. In particular, no commitments
7 should be made to Russia that would have the effect
8 of—

9 (i) extending rights or imposing respon-
10 sibilities on new NATO members different from
11 those applicable to current NATO members, in-
12 cluding with respect to the deployment of nu-
13 clear weapons and the stationing of troops and
14 equipment from other NATO members;

15 (ii) limiting the ability of NATO to defend
16 the territory of new NATO members by, for ex-
17 ample, restricting the construction of defense
18 infrastructure or limiting the ability of NATO
19 to deploy necessary reinforcements;

20 (iii) providing any international organiza-
21 tion, or any country that is not a member of
22 NATO, with authority to review, delay, veto, or
23 otherwise impede deliberations and decisions of
24 the North Atlantic Council or the implementa-
25 tion of such decisions, including with respect to

1 the deployment of NATO forces or the admis-
2 sion of additional members to NATO; or

3 (iv) impeding the development of enhanced
4 relations between NATO and other European
5 countries that do not belong to the Alliance.

6 (C) In order to enhance security and stability in
7 Europe, the United States should seek commitments
8 from the Russian Federation—

9 (i) to demarcate and respect all its borders
10 with neighboring states;

11 (ii) to station its armed forces on the terri-
12 tory of other states only with the consent of
13 such states and in strict accordance with inter-
14 national law; and

15 (iii) to take steps to reduce nuclear and
16 conventional forces in Kaliningrad.

17 (D) As negotiations on adaptation of the Con-
18 ventional Armed Forces in Europe (CFE) Treaty
19 proceed, the United States should engage in close
20 and continuous consultations not only with its
21 NATO allies, but also with the emerging democ-
22 racies of Central and Eastern Europe, Ukraine, and
23 the newly independent states of the Caucasus region.

24 (3) POLICY WITH RESPECT TO BALLISTIC MIS-
25 SILE DEFENSE COOPERATION WITH RUSSIA.—(A) As

1 the United States proceeds with efforts to develop
2 defenses against ballistic missile attack, it should
3 seek to foster a climate of cooperation with Russia
4 on matters related to missile defense. In particular,
5 the United States and its NATO allies should seek
6 to cooperate with Russia in such areas as early
7 warning and technical aspects of ballistic missile de-
8 fense.

9 (B) Even as the Congress seeks to promote bal-
10 listic missile defense cooperation with Russia, it
11 must insist on its constitutional prerogatives regard-
12 ing consideration of arms control agreements with
13 Russia that bear on ballistic missile defense.

14 **SEC. 3203. AUTHORITIES RELATING TO NATO ENLARGE-**
15 **MENT.**

16 (a) **POLICY OF SECTION.**—This section is enacted in
17 order to implement the policy set forth in section 2(1).

18 (b) **DESIGNATION OF ADDITIONAL COUNTRIES ELI-**
19 **GIBLE FOR NATO ENLARGEMENT ASSISTANCE.**—

20 (1) **DESIGNATION OF ADDITIONAL COUN-**
21 **TRIES.**—Effective 180 days after the date of the en-
22 actment of this Act, Romania, Estonia, Latvia, and
23 Lithuania are each designated as eligible to receive
24 assistance under the program established under sec-
25 tion 203(a) of the NATO Participation Act of 1994

1 and shall be deemed to have been so designated pur-
2 suant to section 203(d)(1) of such Act, except that
3 any such country shall not be so designated if, prior
4 to such effective date, the President certifies to the
5 Committee on International Relations of the House
6 of Representatives and the Committee on Foreign
7 Relations of the Senate that the country fails to
8 meet the criteria under section 203(d)(3) of the
9 NATO Participation Act of 1994.

10 (2) RULE OF CONSTRUCTION.—The designation
11 of countries pursuant to paragraph (1) as eligible to
12 receive assistance under the program established
13 under section 203(a) of the NATO Participation Act
14 of 1994—

15 (A) is in addition to the designation of
16 other countries by law or pursuant to section
17 203(d)(2) of such Act as eligible to receive as-
18 sistance under the program established under
19 section 203(a) of such Act; and

20 (B) shall not preclude the designation by
21 the President of other emerging democracies in
22 Central and Eastern Europe pursuant to sec-
23 tion 203(d)(2) of such Act as eligible to receive
24 assistance under the program established under
25 section 203(a) of such Act.

1 (3) SENSE OF THE CONGRESS.—It is the sense
2 of the Congress that Romania, Estonia, Latvia, and
3 Lithuania—

4 (A) are to be commended for their
5 progress toward political and economic reform
6 and meeting the guidelines for prospective
7 NATO members;

8 (B) would make an outstanding contribu-
9 tion to furthering the goals of NATO and en-
10 hancing stability, freedom, and peace in Europe
11 should they become NATO members; and

12 (C) upon complete satisfaction of all rel-
13 evant criteria should be invited to become full
14 NATO members at the earliest possible date.

15 (c) REGIONAL AIRSPACE INITIATIVE AND PARTNER-
16 SHIP FOR PEACE INFORMATION MANAGEMENT SYS-
17 TEM.—

18 (1) IN GENERAL.—Funds described in para-
19 graph (2) are authorized to be made available to
20 support the implementation of the Regional Airspace
21 Initiative and the Partnership for Peace Information
22 Management System, including—

23 (A) the procurement of items in support of
24 these programs; and

1 (B) the transfer of such items to countries
2 participating in these programs.

3 (2) FUNDS DESCRIBED.—Funds described in
4 this paragraph are funds that are available—

5 (A) during any fiscal year under the
6 NATO Participation Act of 1994 with respect
7 to countries eligible for assistance under that
8 Act; or

9 (B) during fiscal year 1998 under any Act
10 to carry out the Warsaw Initiative.

11 (d) EXTENSION OF AUTHORITY REGARDING EXCESS
12 DEFENSE ARTICLES.—Section 105 of Public Law 104-
13 164 (110 Stat. 1427) is amended by striking “1996 and
14 1997” and inserting “1997, 1998, and 1999”.

15 (e) CONFORMING AMENDMENTS TO THE NATO PAR-
16 TICIPATION ACT OF 1994.—Section 203(c) of the NATO
17 Participation Act of 1994 is amended—

18 (1) in paragraph (1), by striking “, without re-
19 gard to the restrictions” and all that follows and in-
20 serting a period;

21 (2) by striking paragraph (2);

22 (3) in paragraph (6), by striking “appropriated
23 under the ‘Nonproliferation and Disarmament Fund’
24 account” and inserting “made available for the
25 ‘Nonproliferation and Disarmament Fund’”;

1 (4) in paragraph (8)—

2 (A) by striking “any restrictions in sec-
3 tions 516 and 519” and inserting “section
4 516(e)”;

5 (B) by striking “as amended,”; and

6 (C) by striking “paragraphs (1) and (2)”
7 and inserting “paragraph (1)”;

8 (5) by redesignating paragraphs (3) through
9 (8) as paragraphs (2) through (7), respectively.

10 **SEC. 3204. AUTHORITIES RELATING TO THE TREATY ON**
11 **CONVENTIONAL ARMED FORCES IN EUROPE.**

12 (a) **POLICY OF SECTION.**—This section is enacted in
13 order to implement the policy set forth in section 2(2).

14 (b) **AUTHORITY TO APPROVE THE CFE FLANK**
15 **AGREEMENT.**—The President is authorized to approve on
16 behalf of the United States the Document Agreed Among
17 States Parties to the Treaty on Conventional Armed
18 Forces in Europe of November 19, 1990, adopted in Vi-
19 enna, Austria on May 31, 1996, concerning the resolution
20 of issues related to the Conventional Armed Forces in Eu-
21 rope (CFE) Treaty flank zone.

22 (c) **SENSE OF CONGRESS WITH RESPECT TO CFE**
23 **ADAPTATION.**—It is the sense of Congress that any revi-
24 sions to the Treaty on Conventional Armed Forces in Eu-
25 rope that may be agreed in the ongoing CFE adaptation

1 negotiations can enter into force only if those revisions are
2 specifically approved in a manner described in section
3 33(b) of the Arms Control and Disarmament Act (22
4 U.S.C. 2573(b)), and no such approval will be provided
5 to any revisions to that Treaty that jeopardize fundamen-
6 tal United States security interests in Europe or the effec-
7 tiveness and flexibility of NATO as a defensive alliance
8 by—

9 (1) extending rights or imposing responsibilities
10 on new NATO members different from those appli-
11 cable to current NATO members, including with re-
12 spect to the deployment of nuclear weapons and the
13 stationing of troops and equipment from other
14 NATO members;

15 (2) limiting the ability of NATO to defend the
16 territory of new NATO members by, for example, re-
17 stricting the construction of defense infrastructure
18 or limiting the ability of NATO to deploy necessary
19 reinforcements;

20 (3) providing any international organization, or
21 any country that is not a member of NATO, with
22 authority to review, delay, veto, or otherwise impede
23 deliberations and decisions of the North Atlantic
24 Council or the implementation of such decisions, in-
25 cluding with respect to the deployment of NATO

1 forces or the admission of additional members to
2 NATO; or

3 (4) impeding the development of enhanced rela-
4 tions between NATO and other European countries
5 that do not belong to the Alliance by, for example,
6 recognizing spheres of influence in Europe.

7 **SEC. 3205. BALLISTIC MISSILE DEFENSE COOPERATIVE**
8 **PROJECTS WITH RUSSIA.**

9 (a) POLICY OF SECTION.—This section is enacted in
10 order to implement the policy set forth in section 2(3)(A).

11 (b) ESTABLISHMENT OF PROGRAM OF BALLISTIC
12 MISSILE DEFENSE COOPERATION WITH RUSSIA.—The
13 Secretary of Defense is authorized to carry out a program
14 of cooperative ballistic missile defense-related projects
15 with the Russian Federation.

16 (c) CONDUCT OF PROGRAM.—The program of coop-
17 erative ballistic missile defense-related projects with the
18 Russian Federation under subsection (b) may include (but
19 is not limited to) projects in the following areas:

20 (1) Cooperation between the United States and
21 the Russian Federation with respect to early warn-
22 ing of ballistic missile launches, including the shar-
23 ing of information on ballistic missile launches de-
24 tected by either the United States or the Russian
25 Federation, formalization of an international launch

1 notification regime, and development of a joint glob-
2 al warning center.

3 (2) Technical cooperation in research, develop-
4 ment, test, and production of technology and sys-
5 tems for ballistic missile defense.

6 (3) Conduct of joint ballistic missile defense ex-
7 ercises.

8 (4) Planning for cooperation in defense against
9 ballistic missile threats aimed at either the United
10 States or the Russian Federation.

11 (d) DIALOGUE WITH RUSSIA.—The President should
12 seek to initiate a dialogue with the Russian Federation
13 aimed at exploring the potential for mutual accommoda-
14 tion of outstanding issues between the two nations on mat-
15 ters relating to ballistic missile defense and the Anti-Bal-
16 listic Missile Treaty of 1972, including the possibility of
17 developing a strategic relationship not based on mutual
18 nuclear threats.

19 (e) ANNUAL REPORT.—Not later than January 1,
20 1998, January 1, 1999, and January 1, 2000, the Presi-
21 dent shall submit to the Congress a report on the coopera-
22 tive program under this section. Each such report shall
23 include the following:

1 (1) A description of the conduct of the program
2 during the preceding fiscal year, including a descrip-
3 tion of the projects carried out under the program.

4 (2) A description of the status of the dialogue
5 under subsection (d) during the preceding fiscal
6 year.

7 (3) A description of the funding for the pro-
8 gram during the preceding fiscal year and the year
9 during which the report is submitted and the pro-
10 posed funding for the program for the next fiscal
11 year.

12 **SEC. 3206. RESTRICTION ON ENTRY INTO FORCE OF ABM/**
13 **TMD DEMARCATION AGREEMENTS.**

14 (a) **POLICY OF SECTION.**—This section is enacted in
15 order to implement the policy set forth in section 2(3)(B).

16 (b) **RESTRICTION.**—An ABM/TMD demarcation
17 agreement shall not be binding on the United States, and
18 shall not enter into force with respect to the United
19 States, unless, after the date of the enactment of this Act,
20 that agreement is specifically approved in a manner de-
21 scribed in section 33(b) of the Arms Control and Disar-
22 mament Act (22 U.S.C. 2573(b)).

23 (c) **SENSE OF CONGRESS WITH RESPECT TO DEMAR-**
24 **CATION AGREEMENTS.**—

1 (1) OPPOSITION TO MULTILATERALIZATION OF
2 ABM TREATY.—It is the sense of the Congress that
3 until the United States has taken the steps nec-
4 essary to ensure that the ABM Treaty remains a bi-
5 lateral treaty between the United States and the
6 Russian Federation (such state being the only suc-
7 cessor state of the Union of Soviet Socialist Repub-
8 lics that has deployed or realistically may deploy an
9 anti-ballistic missile defense system) no ABM/TMD
10 demarcation agreement will be considered for ap-
11 proval for entry into force with respect to the United
12 States (any such approval, as stated in subsection
13 (b), to be effective only if provided in a manner de-
14 scribed in section 33(b) of the Arms Control and
15 Disarmament Act (22 U.S.C. 2573(b))).

16 (2) PRESERVATION OF U.S. THEATER BALLIS-
17 TIC MISSILE DEFENSE POTENTIAL.—It is the sense
18 of the Congress that no ABM/TMD demarcation
19 agreement that would reduce the potential of United
20 States theater missile defense systems to defend the
21 Armed Forces of the United States abroad or the
22 armed forces or population of allies of the United
23 States will be approved for entry into force with re-
24 spect to the United States (any such approval, as
25 stated in subsection (b), to be effective only if pro-

1 vided in a manner described in section 33(b) of the
2 Arms Control and Disarmament Act (22 U.S.C.
3 2573(b))).

4 (d) ABM/TMD DEMARCATION AGREEMENT DE-
5 FINED.—For the purposes of this section, the term
6 “ABM/TMD demarcation agreement” means an agree-
7 ment that establishes a demarcation between theater bal-
8 listic missile defense systems and strategic anti-ballistic
9 missile defense systems for purposes of the ABM Treaty,
10 including the following:

11 (1) The agreement concluded by the Standing
12 Consultative Commission on June 24, 1996, con-
13 cerning lower velocity theater missile defense sys-
14 tems.

15 (2) The agreement concluded (or to be con-
16 cluded) by the Standing Consultative Commission
17 concerning higher velocity theater missile defense
18 systems, based on the Joint Statement Concerning
19 the Anti-Ballistic Missile Treaty issued on March
20 21, 1997, at the conclusion of the Helsinki Summit.

21 (3) Any agreement similar to the agreements
22 identified in paragraphs (1) and (2).

23 (e) ABM TREATY DEFINED.—For purposes of this
24 section, the term “ABM Treaty” means the Treaty Be-
25 tween the United States of America and the Union of So-

1 viet Socialist Republics on the Limitation of Anti-Ballistic
2 Missile Systems, signed at Moscow on May 26, 1972 (23
3 UST 3435), and includes the Protocols to that Treaty,
4 signed at Moscow on July 3, 1974 (27 UST 1645).

5 **SEC. 3207. BURDENSARING.**

6 It is the sense of the Congress that the United States
7 already pays more than a proportionate share of the costs
8 of the common defense of Europe, and that the European
9 members of NATO should pay the bulk of the costs of
10 NATO expansion which are incurred by existing NATO
11 members.

Passed the House of Representatives June 11, 1997.

Attest:

ROBIN H. CARLE,

Clerk.

By JULIE PERRIER,

Assistant to the Clerk.