

Calendar No. 83

105TH CONGRESS
1ST Session

S. 903

[Report No. 105-28]

A BILL

To consolidate the foreign affairs agencies of the United States, to authorize appropriations for the Department of State for the fiscal years 1998 and 1999, to provide for reform of the United Nations, and for other purposes.

JUNE 13, 1997

Read twice and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

JUNE 13, 1997

Mr. HELMS, from the Committee on Foreign Relations, reported, under authority of the order of the Senate on June 12, 1997, the following original bill; which was read twice and placed on the calendar

A BILL

To consolidate the foreign affairs agencies of the United States, to authorize appropriations for the Department of State for the fiscal years 1998 and 1999, to provide for reform of the United Nations, 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 Affairs Re-
5 form and Restructuring Act of 1997”.

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

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

5 (1) DIVISION A.—Foreign Affairs Agencies
 6 Consolidation Act of 1997.

7 (2) DIVISION B.—Foreign Relations Authoriza-
 8 tion Act, Fiscal Years 1998 and 1999.

9 (3) DIVISION C.—United Nations Reform Act
 10 of 1997.

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

Sec. 1. Short title.

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

DIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS AGENCIES

TITLE I—GENERAL PROVISIONS

Sec. 101. Short title.

Sec. 102. Purposes.

Sec. 103. Definitions.

Sec. 104. Report on budgetary cost savings resulting from reorganization.

TITLE II—UNITED STATES ARMS CONTROL AND DISARMAMENT
 AGENCY

CHAPTER 1—GENERAL PROVISIONS

Sec. 201. Effective date.

CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS

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

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

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

Sec. 214. Reporting requirements.

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

CHAPTER 3—CONFORMING AMENDMENTS

Sec. 221. References.

Sec. 222. Repeal of establishment of ACDA.

- Sec. 223. Repeal of positions and offices.
- Sec. 224. Compensation of officers.

TITLE III—UNITED STATES INFORMATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

- Sec. 301. Effective date.

CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS

- Sec. 311. Abolition of United States Information Agency.
- Sec. 312. Transfer of functions.
- Sec. 313. Under Secretary of State for Public Diplomacy.
- Sec. 314. Abolition of Office of Inspector General of United States Information Agency and transfer of functions.
- Sec. 315. Interim transfer of functions.

CHAPTER 3—INTERNATIONAL BROADCASTING

- Sec. 321. Congressional findings and declaration of purpose.
- Sec. 322. Continued existence of Broadcasting Board of Governors.
- Sec. 323. Conforming amendments to the United States International Broadcasting Act of 1994.
- Sec. 324. Amendments to the Radio Broadcasting to Cuba Act.
- Sec. 325. Amendments to the Television Broadcasting to Cuba Act.
- Sec. 326. Savings provisions.
- Sec. 327. Report on the privatization of RFE/RL, Incorporated.

CHAPTER 4—CONFORMING AMENDMENTS

- Sec. 331. References.
- Sec. 332. Amendments to title 5, United States Code.
- Sec. 333. Ban on domestic activities.

TITLE IV—UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

- Sec. 401. Effective date.

CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS

- Sec. 411. Abolition of United States International Development Cooperation Agency.
- Sec. 412. Transfer of functions.
- Sec. 413. Status of AID.

CHAPTER 3—CONFORMING AMENDMENTS

- Sec. 421. References.
- Sec. 422. Conforming amendments.

TITLE V—AGENCY FOR INTERNATIONAL DEVELOPMENT

CHAPTER 1—GENERAL PROVISIONS

- Sec. 501. Effective date.

CHAPTER 2—REORGANIZATION AND TRANSFER OF FUNCTIONS

Sec. 511. Reorganization of Agency for International Development.

CHAPTER 3—AUTHORITIES OF THE SECRETARY OF STATE

Sec. 521. Definition of United States assistance.

Sec. 522. Placement of Administrator of AID under the direct authority of the Secretary of State.

Sec. 523. Assistance programs coordination, implementation, and oversight.

Sec. 524. Sense of the Senate regarding apportionment of certain funds to the Secretary of State.

TITLE VI—TRANSITION

CHAPTER 1—REORGANIZATION PLAN

Sec. 601. Reorganization plan.

CHAPTER 2—REORGANIZATION AUTHORITY

Sec. 611. Reorganization authority.

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

Sec. 613. Incidental transfers.

Sec. 614. Savings provisions.

Sec. 615. Property and facilities.

Sec. 616. Authority of Secretary of State to facilitate transition.

Sec. 617. Final report.

TITLE VII—FUNCTIONS, CONDUCT, AND STRUCTURE OF UNITED STATES FOREIGN POLICY FOR THE 21ST CENTURY.

Sec. 701. Findings.

Sec. 702. Establishment.

Sec. 703. Composition and qualifications.

Sec. 704. Duties of the Commission.

Sec. 705. Commission reports.

Sec. 706. Powers.

Sec. 707. Personnel.

Sec. 708. Payment of Commission expenses.

Sec. 709. Termination.

Sec. 710. Executive branch action.

Sec. 711. Annual foreign affairs strategy report.

Sec. 712. Definition of foreign affairs agencies.

DIVISION B—FOREIGN RELATIONS AUTHORIZATION

TITLE X—GENERAL PROVISIONS

Sec. 1001. Short title.

Sec. 1002. Definition.

TITLE XI—DEPARTMENT OF STATE AND RELATED AGENCIES

CHAPTER 1—AUTHORIZATIONS OF APPROPRIATIONS

Sec. 1101. Authorizations of appropriations for Administration of Foreign Affairs.

Sec. 1102. Migration and refugee assistance.

Sec. 1103. Asia Foundation.

CHAPTER 2—AUTHORITIES AND ACTIVITIES

- Sec. 1121. Reduction in required reports.
- Sec. 1122. Authority of the Foreign Claims Settlement Commission.
- Sec. 1123. Procurement of services.
- Sec. 1124. Fee for use of diplomatic reception rooms.
- Sec. 1125. Prohibition on judicial review Department of State counterterrorism and narcotics-related rewards program.
- Sec. 1126. Office of the Inspector General.
- Sec. 1127. Reaffirming United States international telecommunications policy.

CHAPTER 3—PERSONNEL

- Sec. 1141. Elimination of position of Deputy Assistant Secretary of State for Burdensharing.
- Sec. 1142. Restriction on lobbying activities of former United States chiefs of mission.
- Sec. 1143. Recovery of costs of health care services.
- Sec. 1144. Nonovertime differential pay.
- Sec. 1145. Clarification of remedial authority of the Foreign Service Grievance Board.
- Sec. 1146. Pilot program for foreign affairs reimbursement.
- Sec. 1147. Grants to overseas educational facilities.
- Sec. 1148. Grants to remedy international child abductions.
- Sec. 1149. Foreign Service reform.
- Sec. 1150. Law enforcement availability pay.
- Sec. 1151. Law enforcement authority of DS special agents overseas.

CHAPTER 4—CONSULAR AND RELATED ACTIVITIES

- Sec. 1161. Consular officers.
- Sec. 1162. Repeal of outdated consular receipt requirements.
- Sec. 1163. Elimination of duplicate Federal Register publication for travel advisories.
- Sec. 1164. Inadmissibility of members of former Soviet Union intelligence services.
- Sec. 1165. Denial of visas to aliens who have confiscated property claimed by nationals of the United States.
- Sec. 1166. Inadmissibility of aliens supporting international child abductors.

TITLE XII—OTHER INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

- Sec. 1201. International conferences and contingencies.
- Sec. 1202. International commissions.

CHAPTER 2—GENERAL PROVISIONS

- Sec. 1211. International criminal court participation.
- Sec. 1212. Withholding of assistance for parking fines owed by foreign countries.
- Sec. 1213. United States membership in the Interparliamentary Union.
- Sec. 1214. Reporting of foreign travel by United States officials.

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

CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

- Sec. 1301. Authorization of appropriations.
- Sec. 1302. National Endowment for Democracy.

CHAPTER 2—USIA AND RELATED AGENCIES AUTHORITIES AND ACTIVITIES

- Sec. 1311. Authorization to receive and recycle fees.
- Sec. 1312. Appropriations transfer authority.
- Sec. 1313. Expansion of Muskie Fellowship Program.
- Sec. 1314. Au pair extension.
- Sec. 1315. Radio broadcasting to Iran in the Farsi language.
- Sec. 1316. Voice of America broadcasts.
- Sec. 1317. Working group on government-sponsored international exchanges and training.
- Sec. 1318. International information programs.
- Sec. 1319. Authority to administer summer travel and work programs.

TITLE XIV—PEACE CORPS

- Sec. 1401. Short title.
- Sec. 1402. Authorization of appropriations.
- Sec. 1403. Amendments to the Peace Corps Act.

TITLE XV—UNITED STATES ARMS CONTROL AND DISARMAMENT
AGENCY

CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

- Sec. 1501. Authorization of appropriations.

CHAPTER 2—AUTHORITIES

- Sec. 1511. Statutory construction.

TITLE XVI—FOREIGN POLICY

- Sec. 1601. Payment of Iraqi claims.
- Sec. 1602. United Nations membership for Belarus.
- Sec. 1603. United States policy with respect to Jerusalem as the capital of Israel.
- Sec. 1604. Special envoy for Tibet.
- Sec. 1605. Financial transactions with state sponsors of international terrorism.
- Sec. 1606. United States policy with respect to the involuntary return of persons in danger of subjection to torture.
- Sec. 1607. Reports on the situation in Haiti.
- Sec. 1608. Report on an alliance against narcotics trafficking in the Western Hemisphere.
- Sec. 1609. Report on greenhouse gas emissions agreement.
- Sec. 1610. Reports and policy concerning diplomatic immunity.
- Sec. 1611. Italian confiscation of property case.

DIVISION C—UNITED NATIONS REFORM

TITLE XX—GENERAL PROVISIONS

- Sec. 2001. Short title.
- Sec. 2002. Definitions.
- Sec. 2003. Nondelegation of certification requirements.

TITLE XXI—AUTHORIZATION OF APPROPRIATIONS

- Sec. 2101. Assessed contributions to the United Nations and affiliated organizations.
- Sec. 2102. United Nations policy on Israel and the Palestinians.
- Sec. 2103. Assessed contributions for international peacekeeping activities.
- Sec. 2104. Data on costs incurred in support of United Nations peace and security operations.
- Sec. 2105. Reimbursement for goods and services provided by the United States to the United Nations.
- Sec. 2106. Restriction on United States funding for United Nations peace operations.
- Sec. 2107. United States policy regarding United Nations peacekeeping missions.
- Sec. 2108. Organization of American States.

TITLE XXII—ARREARS PAYMENTS AND REFORM

CHAPTER 1—ARREARAGES TO THE UNITED NATIONS

SUBCHAPTER A—AUTHORIZATION OF APPROPRIATIONS; DISBURSEMENT OF FUNDS

- Sec. 2201. Authorization of appropriations.
- Sec. 2202. Disbursement of funds.

SUBCHAPTER B—UNITED STATES SOVEREIGNTY

- Sec. 2211. Certification requirements.

SUBCHAPTER C—REFORM OF ASSESSMENTS AND UNITED NATIONS PEACE OPERATIONS

- Sec. 2221. Certification requirements.

SUBCHAPTER D—BUDGET AND PERSONNEL REFORM

- Sec. 2231. Certification requirements.

CHAPTER 2—MISCELLANEOUS PROVISIONS

- Sec. 2241. Statutory construction on relation to existing laws.
- Sec. 2242. Prohibition on payments relating to UNIDO and other organizations from which the United States has withdrawn or rescinded funding.

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

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

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

7 **SEC. 102. PURPOSES.**

8 The purposes of this division are—

9 (1) to strengthen—

10 (A) the coordination of United States for-
11 eign policy; and

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

15 (2) to consolidate and reinvigorate the foreign
16 affairs functions of the United States within the De-
17 partment of State by—

18 (A) abolishing the United States Arms
19 Control and Disarmament Agency, the United
20 States Information Agency, the United States
21 International Development Cooperation Agency,
22 and transferring the functions of these agencies
23 to the Department of State while preserving the
24 quality and integrity of these functions;

1 (B) transferring certain functions of the
2 Agency for International Development to the
3 Department of State; and

4 (C) providing for the reorganization of the
5 Department of State to maximize the efficient
6 use of resources, which may lead to budget sav-
7 ings, eliminated redundancy in functions, and
8 improvement in the management of the Depart-
9 ment of State;

10 (3) to ensure that programs critical to the pro-
11 motion of United States national interests be main-
12 tained;

13 (4) to assist congressional efforts to balance the
14 Federal budget and reduce the Federal debt;

15 (5) to ensure that the United States maintains
16 effective representation abroad within budgetary re-
17 straints; and

18 (6) to encourage United States foreign affairs
19 agencies to maintain a high percentage of the best
20 qualified, most competent United States citizens
21 serving in the United States Government.

22 **SEC. 103. DEFINITIONS.**

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

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

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

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

11 (4) 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 (5) The term “function” means any duty, obli-
15 gation, power, authority, responsibility, right, privi-
16 lege, activity, or program.

17 (6) The term “office” includes any office, ad-
18 ministration, agency, institute, unit, organizational
19 entity, or component thereof.

20 (7) The term “Secretary” means the Secretary
21 of State.

22 (8) The term “USIA” means the United States
23 Information Agency.

1 **SEC. 104. REPORT ON BUDGETARY COST SAVINGS RESULT-**
 2 **ING FROM REORGANIZATION.**

3 Not later than 90 days after the date of enactment
 4 of this Act, and every 180 days thereafter through the
 5 end of fiscal year 2000, the Secretary of State shall submit
 6 a report to the appropriate congressional committees de-
 7 scribing the total anticipated and achieved cost savings in
 8 budget outlays and budget authority related to the reorga-
 9 nization made under this Act, including cost savings by
 10 each of the following categories:

- 11 (1) Reductions in personnel.
 12 (2) Administrative consolidation.
 13 (3) Program consolidation.
 14 (4) Sales of real property.
 15 (5) Termination of property leases.
 16 (6) Coordinated procurement.

17 **TITLE II—UNITED STATES ARMS**
 18 **CONTROL AND DISAR-**
 19 **MAMENT AGENCY**
 20 **CHAPTER 1—GENERAL PROVISIONS**

21 **SEC. 201. EFFECTIVE DATE.**

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

- 24 (1) October 1, 1998; or

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

4 **CHAPTER 2—ABOLITION AND TRANSFER**
5 **OF FUNCTIONS**

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

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

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

12 Except as otherwise provided in this division, there
13 are transferred to the Secretary of State—

14 (1) all functions of the Director of the United
15 States Arms Control and Disarmament Agency, and

16 (2) all functions of the United States Arms
17 Control and Disarmament Agency and any office or
18 component of such agency under any statute, reor-
19 ganization plan, Executive order, or other provision
20 of law,

21 as of the day before the effective date of this title.

1 **SEC. 213. UNDER SECRETARY FOR ARMS CONTROL AND**
2 **INTERNATIONAL SECURITY.**

3 Section 1 of the State Department Basic Authorities
4 Act of 1956 (22 U.S.C. 2651a) is amended in subsection
5 (b)—

6 (1) by striking “There” and inserting the fol-
7 lowing:

8 “(1) IN GENERAL.—There”; and

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

10 “(2) UNDER SECRETARY FOR ARMS CONTROL
11 AND INTERNATIONAL SECURITY.—There shall be in
12 the Department of State, among the Under Sec-
13 retaries authorized by paragraph (1), an Under Sec-
14 retary for Arms Control and International Security
15 who shall assist the Secretary and the Deputy Sec-
16 retary in matters related to international security
17 policy, arms control, and nonproliferation matters.
18 Subject to the direction of the President, the Under
19 Secretary may attend and participate in meetings of
20 the National Security Council in his role as advisor
21 on arms control and nonproliferation matters.”.

22 **SEC. 214. REPORTING REQUIREMENTS.**

23 (a) VERIFICATION OF COMPLIANCE.—Section 37 of
24 the Arms Control and Disarmament Act (22 U.S.C. 2577)
25 is amended—

1 (1) in subsection (a), by striking “Director”
2 each place it appears and inserting “Under Sec-
3 retary of State for Arms Control and International
4 Security”;

5 (2) in subsection (d), by striking “Director”
6 each place it appears and inserting “Under Sec-
7 retary of State”;

8 (3) by redesignating subsections (b) through (d)
9 as subsections (c) through (e), respectively; and

10 (4) by inserting after subsection (a) the follow-
11 ing:

12 “(b) INCLUSION OF COMMENTS BY THE SECRETARY
13 OF STATE.—In the preparation of each report under sub-
14 section (a), the Under Secretary of State for Arms Control
15 and International Security shall include the comments, if
16 any, of the Secretary of State after the Secretary has had
17 an opportunity to review the report for a period of not
18 to exceed 14 days.”.

19 (b) ANNUAL REPORT.—Section 51 of that Act (22
20 U.S.C. 2593a) is amended—

21 (1) in subsection (a)—

22 (A) by striking “Director” and inserting
23 “Under Secretary of State for Arms Control
24 and International Security”; and

25 (B) by striking “the Secretary of State,”;

1 (2) by redesignating subsections (b) and (c) as
2 subsections (c) and (d), respectively; and

3 (3) by inserting after subsection (a) the follow-
4 ing:

5 “(b) INCLUSION OF COMMENTS BY THE SECRETARY
6 OF STATE.—In the preparation of each report under sub-
7 section (a), the Under Secretary of State for Arms Control
8 and International Security shall include the comments, if
9 any, of the Secretary of State after the Secretary has had
10 an opportunity to review the report for a period of not
11 to exceed 14 days.”.

12 **SEC. 215. REPEAL RELATING TO INSPECTOR GENERAL FOR**
13 **UNITED STATES ARMS CONTROL AND DISAR-**
14 **MAMENT AGENCY.**

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

18 **CHAPTER 3—CONFORMING AMENDMENTS**

19 **SEC. 221. REFERENCES.**

20 Except as provided in section 214, any reference in
21 any statute, reorganization plan, Executive order, regula-
22 tion, agreement, determination, or other official document
23 or proceeding to—

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

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

4 (2) the United States Arms Control and Disar-
5 mament Agency shall be deemed to refer to the De-
6 partment of State.

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

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

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

12 The following sections of the Arms Control and Dis-
13 armament Act are repealed:

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

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

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

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

22 **SEC. 224. COMPENSATION OF OFFICERS.**

23 Title 5, United States Code, is amended—

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

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

7 (3) in section 5315—

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

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

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

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

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

5 Except as otherwise provided, this title, and the
6 amendments made by this title, shall take effect on the
7 earlier of—

8 (1) October 1, 1999; or

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

12 **CHAPTER 2—ABOLITION AND TRANSFER**
13 **OF FUNCTIONS**

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

16 The United States Information Agency (other than
17 the Broadcasting Board of Governors) is abolished.

18 **SEC. 312. TRANSFER OF FUNCTIONS.**

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

1 **SEC. 313. UNDER SECRETARY OF STATE FOR PUBLIC DI-**
2 **PLOMACY.**

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

5 (1) by striking “There” and inserting the fol-
6 lowing:

7 “(1) IN GENERAL.—There”; and

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

9 “(2) UNDER SECRETARY FOR PUBLIC DIPLO-
10 MACY.—There shall be in the Department of State,
11 among the Under Secretaries authorized by para-
12 graph (1), an Under Secretary for Public Diplomacy
13 who shall have responsibility to assist the Secretary
14 and the Deputy Secretary in the formation and im-
15 plementation of United States public diplomacy poli-
16 cies and activities, including international edu-
17 cational and cultural exchange programs, informa-
18 tion, and international broadcasting.”.

19 **SEC. 314. ABOLITION OF OFFICE OF INSPECTOR GENERAL**
20 **OF UNITED STATES INFORMATION AGENCY**
21 **AND TRANSFER OF FUNCTIONS.**

22 (a) ABOLITION OF OFFICE.—The Office of Inspector
23 General of the United States Information Agency is abol-
24 ished.

1 (b) AMENDMENTS TO INSPECTOR GENERAL ACT OF
2 1978.—Section 11 of the Inspector General Act of 1978
3 (5 U.S.C. App.) is amended—

4 (1) in paragraph (1), by striking “, the Office
5 of Personnel Management or the United States In-
6 formation Agency” and inserting “or the Office of
7 Personnel Management”; and

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

10 (c) EXECUTIVE SCHEDULE.—Section 5315 of title 5,
11 United States Code, is amended by striking the following:

12 “Inspector General, United States Information
13 Agency.”.

14 (d) AMENDMENTS TO PUBLIC LAW 103–236.—Sub-
15 sections (i) and (j) of section 308 of Public Law 103–
16 236 are amended by striking “Inspector General of the
17 United States Information Agency” each place it appears
18 and inserting “Inspector General of the Department of
19 State and the Foreign Service”.

20 (e) TRANSFER OF FUNCTIONS.—There are trans-
21 ferred to the Office of the Inspector General of the De-
22 partment of State and the Foreign Service the functions
23 that the Office of Inspector General of the United States
24 Information Agency exercised before the effective date of

1 this title (including all related functions of the Inspector
2 General of the United States Information Agency).

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

13 **SEC. 315. INTERIM TRANSFER OF FUNCTIONS.**

14 (a) INTERIM TRANSFER.—Except as otherwise pro-
15 vided in this division, there are transferred to the Sec-
16 retary of State the following functions of the United
17 States Information Agency exercised as of the day before
18 the effective date of this section:

19 (1) The functions exercised by the Office of
20 Public Liaison of the Agency.

21 (2) The functions exercised by the Office of
22 Congressional and Intergovernmental Affairs of the
23 Agency.

24 (b) EFFECTIVE DATE.—This section shall take effect
25 on the earlier of—

1 (1) October 1, 1998, or

2 (2) the date of the proposed transfer of func-
3 tions described in this section pursuant to the reor-
4 ganization plan described in section 601.

5 **CHAPTER 3—INTERNATIONAL**
6 **BROADCASTING**

7 **SEC. 321. CONGRESSIONAL FINDINGS AND DECLARATION**
8 **OF PURPOSE.**

9 The Congress finds that—

10 (1) it is the policy of the United States to pro-
11 mote the right of freedom of opinion and expression,
12 including the freedom “to seek, receive, and impart
13 information and ideas through any media and re-
14 gardless of frontiers,” in accordance with Article 19
15 of the Universal Declaration of Human Rights;

16 (2) open communication of information and
17 ideas among the peoples of the world contributes to
18 international peace and stability and the promotion
19 of such communication is in the interests of the
20 United States;

21 (3) it is in the interest of the United States to
22 support broadcasting to other nations consistent
23 with the requirements of this chapter and the Unit-
24 ed States International Broadcasting Act of 1994;
25 and

1 (4) international broadcasting is, and should re-
2 main, an essential instrument of United States for-
3 eign policy.

4 **SEC. 322. CONTINUED EXISTENCE OF BROADCASTING**
5 **BOARD OF GOVERNORS.**

6 Section 304(a) of the United States International
7 Broadcasting Act of 1994 (22 U.S.C. 6203(a)) is amended
8 to read as follows:

9 “(a) CONTINUED EXISTENCE WITHIN EXECUTIVE
10 BRANCH.—

11 “(1) IN GENERAL.—The Broadcasting Board of
12 Governors shall continue to exist within the Execu-
13 tive branch of Government as an entity described in
14 section 104 of title 5, United States Code.

15 “(2) RETENTION OF EXISTING BOARD MEM-
16 BERS.—The members of the Broadcasting Board of
17 Governors appointed by the President pursuant to
18 subsection (b)(1)(A) before the effective date of the
19 United States International Broadcasting Amend-
20 ments Act of 1997 and holding office as of that date
21 shall serve the remainder of their terms of office
22 without reappointment.

23 “(3) INSPECTOR GENERAL AUTHORITIES.—The
24 Inspector General of the Department of State and
25 the Foreign Service shall exercise the same authori-

1 ties with respect to the Broadcasting Board of Gov-
2 ernors as the Inspector General exercises under sec-
3 tion 209 of the Foreign Service Act of 1980 with re-
4 spect to the Department of State. The Inspector
5 General, in carrying out the functions of the Inspec-
6 tor General, shall respect the professional independ-
7 ence and integrity of all the broadcasters covered by
8 this title.”.

9 **SEC. 323. CONFORMING AMENDMENTS TO THE UNITED**
10 **STATES INTERNATIONAL BROADCASTING**
11 **ACT OF 1994.**

12 (a) REFERENCES IN SECTION.—Whenever in this
13 section an amendment or repeal is expressed as an amend-
14 ment or repeal of a provision, the reference shall be
15 deemed to be made to the United States International
16 Broadcasting Act of 1994 (22 U.S.C. 6201 et seq.).

17 (b) SUBSTITUTION OF UNDER SECRETARY OF STATE
18 FOR PUBLIC DIPLOMACY.—Sections 304(b)(1)(B), 304(b)
19 (2) and (3), 304(c), 304(e), 305(c), and 306 (22 U.S.C.
20 6203(b)(1)(B), 6203(b) (2) and (3), 6203(c), 6203(e),
21 6204(c), and 6205) are amended by striking “Director of
22 the United States Information Agency” each place it ap-
23 pears and inserting “Under Secretary of State for Public
24 Diplomacy”.

1 (c) SUBSTITUTION OF ACTING UNDER SECRETARY
2 OF STATE FOR PUBLIC DIPLOMACY.—Section 304(c) (22
3 U.S.C. 6203(c)) is amended by striking “acting Director
4 of the agency” and inserting “Acting Under Secretary of
5 State for Public Diplomacy”.

6 (d) STANDARDS AND PRINCIPLES OF INTER-
7 NATIONAL BROADCASTING.—Section 303 (22 U.S.C.
8 6202) is amended—

9 (1) in paragraph (3), by inserting “, including
10 editorials, broadcast by the Voice of America, which
11 present the views of the United States Government”
12 after “policies”;

13 (2) by redesignating paragraphs (4) through
14 (9) as paragraphs (5) through (10), respectively;
15 and

16 (3) by inserting after paragraph (3) the follow-
17 ing:

18 “(4) the capability to provide a surge capacity
19 to support United States foreign policy objectives
20 during crises abroad;”;

21 (e) AUTHORITIES OF THE BOARD.—Section 305(a)
22 (22 U.S.C. 6204(a)) is amended—

23 (1) in paragraph (1), by striking “direct and”;

1 (2) in paragraph (4), by inserting “, after con-
2 sultation with the Secretary of State,” after “annu-
3 ally,”;

4 (3) in paragraph (9), by striking “, through the
5 Director of the United States Information Agency,”;

6 (4) in paragraph (12)—

7 (A) by striking “1994 and 1995” and in-
8 serting “1998 and 1999”; and

9 (B) by striking “to the Board for Inter-
10 national Broadcasting for such purposes for fis-
11 cal year 1993” and inserting “to the Board and
12 the International Broadcasting Bureau for such
13 purposes for fiscal year 1997”;

14 (5) by adding at the end the following new
15 paragraphs:

16 “(15)(A) To procure temporary and intermit-
17 tent personal services to the same extent as is au-
18 thorized by section 3109 of title 5, United States
19 Code, at rates not to exceed the daily equivalent of
20 the rate provided for positions classified above grade
21 GS-15 of the General Schedule under section 5108
22 of title 5, United States Code.

23 “(B) To allow those providing such services,
24 while away from their homes or their regular places
25 of business, travel expenses (including per diem in

1 lieu of subsistence) as authorized by section 5703 of
2 title 5, United States Code, for persons in the Gov-
3 ernment service employed intermittently, while so
4 employed.

5 “(16) To receive donations, bequests, devises,
6 gifts, and other forms of contributions of cash, serv-
7 ices, and other property, from persons, corporations,
8 foundations, and all other groups and entities both
9 within the United States and abroad, and, pursuant
10 to the Federal Property and Administrative Services
11 Act of 1949, to use, sell, or otherwise dispose of
12 such property for the carrying out of its functions.
13 For the purposes of sections 170, 2055, and 2522
14 of the Internal Revenue Code of 1986 (26 U.S.C.
15 170, 2055, or 2522), the Board shall be deemed to
16 be a corporation described in section 170(c)(2),
17 2055(a)(2), or 2522(a)(2) of the Code, as the case
18 may be.”.

19 (f) BROADCASTING BUDGETS.—Section 305(b)(1)
20 (22 U.S.C. 6204(b)(1)) is amended—

21 (1) by striking “(1)” before “The Director”;

22 and

23 (2) by striking “the Director of the United
24 States Information Agency for the consideration of

1 the Director as a part of the Agency’s budget sub-
2 mission to”.

3 (g) REPEAL.—Section 305(b)(2) (22 U.S.C.
4 6204(b)(2)) is repealed.

5 (h) IMPLEMENTATION.—Section 305(c) (22 U.S.C.
6 6204(c)) is amended—

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

9 (2) by striking “their” and inserting “its”.

10 (i) FOREIGN POLICY GUIDANCE.—Section 306 (22
11 U.S.C. 6205) is amended by inserting before the period
12 at the end the following: “, as the Secretary may deem
13 appropriate”.

14 (j) INTERNATIONAL BROADCASTING BUREAU.—Sec-
15 tion 307 (22 U.S.C. 6206) is amended—

16 (1) in subsection (a), by striking “within the
17 United States Information Agency” and inserting
18 “under the Board”;

19 (2) in subsection (b)(1), by striking “Chairman
20 of the Board, in consultation with the Director of
21 the United States Information Agency and with the
22 concurrence of a majority of the Board” and insert-
23 ing “President, by and with the advice and consent
24 of the Senate”; and

1 (4) in section 4 (22 U.S.C. 1465b), by striking
2 “the Director of the Voice of America” and inserting
3 “the International Broadcasting Bureau”; and

4 (5) by striking any other reference to “Direc-
5 tor” not amended by paragraph (3) each place it ap-
6 pears and inserting “Chairman”.

7 **SEC. 325. AMENDMENTS TO THE TELEVISION BROADCAST-**
8 **ING TO CUBA ACT.**

9 The Television Broadcasting to Cuba Act (22 U.S.C.
10 1465aa et seq.) is amended—

11 (1) by striking “United States Information
12 Agency” and inserting “Broadcasting Board of Gov-
13 ernors” each place it appears;

14 (2) by striking “Agency” and inserting
15 “Board” each place it appears;

16 (3) by striking “Director of the United States
17 Information Agency” each place it appears and in-
18 serting “Chairman of the Broadcasting Board of
19 Governors”;

20 (4) in section 244a. (22 U.S.C. 1465cc(a)), by
21 striking “the Director of the Voice of America” and
22 inserting “the International Broadcasting Bureau”;
23 and

1 (5) by striking any other reference to “Direc-
2 tor” not amended by paragraph (3) or (4) each
3 place it appears and inserting “Chairman”.

4 **SEC. 326. SAVINGS PROVISIONS.**

5 (a) CONTINUING EFFECT OF LEGAL DOCUMENTS.—

6 All orders, determinations, rules, regulations, permits,
7 agreements, grants, contracts, certificates, licenses, reg-
8 istrations, privileges, and other administrative actions—

9 (1) which have been issued, made, granted, or
10 allowed to become effective by the President, any
11 Federal agency or official thereof, or by a court of
12 competent jurisdiction, in the performance of func-
13 tions exercised by the Broadcasting Board of Gov-
14 ernors of the United States Information Agency on
15 the day before the effective date of this chapter, and

16 (2) which are in effect at the time this chapter
17 takes effect, or were final before the effective date
18 of this chapter and are to become effective on or
19 after the effective date of this chapter,

20 shall continue in effect according to their terms until
21 modified, terminated, superseded, set aside, or revoked in
22 accordance with law by the President, the Broadcasting
23 Board of Governors, or other authorized official, a court
24 of competent jurisdiction, or by operation of law.

1 (b) PROCEEDINGS NOT AFFECTED.—The provisions
2 of this chapter, or amendments made by this chapter, shall
3 not affect any proceedings, including notices of proposed
4 rulemaking, or any application for any license, permit, cer-
5 tificate, or financial assistance pending before the Broad-
6 casting Board of Governors of the United States Informa-
7 tion Agency at the time this chapter takes effect, with re-
8 spect to functions exercised by the Board as of the effec-
9 tive date of this chapter but such proceedings and applica-
10 tions shall be continued. Orders shall be issued in such
11 proceedings, appeals shall be taken therefrom, and pay-
12 ments shall be made pursuant to such orders, as if this
13 chapter had not been enacted, and orders issued in any
14 such proceedings shall continue in effect until modified,
15 terminated, superseded, or revoked by a duly authorized
16 official, by a court of competent jurisdiction, or by oper-
17 ation of law. Nothing in this subsection shall be deemed
18 to prohibit the discontinuance or modification of any such
19 proceeding under the same terms and conditions and to
20 the same extent that such proceeding could have been dis-
21 continued or modified if this chapter had not been en-
22 acted.

23 (c) SUITS NOT AFFECTED.—The provisions of this
24 chapter, and amendments made by this chapter, shall not
25 affect suits commenced before the effective date of this

1 chapter, and in all such suits, proceedings shall be had,
2 appeals taken, and judgments rendered in the same man-
3 ner and with the same effect as if this chapter had not
4 been enacted.

5 (d) NONABATEMENT OF ACTIONS.—No suit, action,
6 or other proceeding commenced by or against the Board,
7 or by or against any individual in the official capacity of
8 such individual as an officer of the Board, shall abate by
9 reason of the enactment of this chapter.

10 (e) ADMINISTRATIVE ACTIONS RELATING TO PRO-
11 MULGATION OF REGULATIONS.—Any administrative ac-
12 tion relating to the preparation or promulgation of a regu-
13 lation by the Board relating to a function exercised by the
14 Board before the effective date of this chapter may be con-
15 tinued by the Board with the same effect as if this chapter
16 had not been enacted.

17 (f) REFERENCES.—Reference in any other Federal
18 law, Executive order, rule, regulation, or delegation of au-
19 thority, or any document of or relating to the Broadcast-
20 ing Board of Governors of the United States Information
21 Agency with regard to functions exercised before the effec-
22 tive date of this chapter, shall be deemed to refer to the
23 Board.

1 **SEC. 327. REPORT ON THE PRIVATIZATION OF RFE/RL, IN-**
2 **CORPORATED.**

3 (a) FINDINGS.—Congress makes the following find-
4 ings:

5 (1) The Foreign Relations Authorization Act,
6 Fiscal Years 1994 and 1995, set a limitation on the
7 operating costs of RFE/RL, Incorporated, at
8 \$75,000,000 for any fiscal year after fiscal year
9 1995.

10 (2) Section 312(a) of the Foreign Relations Au-
11 thorization Act, Fiscal Years 1994 and 1995, ex-
12 pressed the sense of Congress that, in furtherance of
13 the objectives of section 302 of that Act, the funding
14 of RFE/RL, Incorporated, should be assumed by the
15 private sector not later than December 31, 1999.

16 (3) The conference report on the Foreign Rela-
17 tions Authorization Act, Fiscal Years 1994 and
18 1995 (House Report 103–482) noted that “The
19 committee on the conference expects that the Broad-
20 casting Board of Governors will do everything pos-
21 sible, within available resources, to support this pri-
22 vatization effort”.

23 (b) DECLARATION OF POLICY.—It is the sense of
24 Congress that RFE/RL, Incorporated, should act in ac-
25 cordance with subsection (a)(2), that is, that the United

1 States Government should cease Federal support for
2 RFE/RL, Incorporated, prior to December 31, 1999.

3 (c) REPORT.—Not later than 90 days after the date
4 of enactment of this Act and every 180 days thereafter,
5 the President acting through the Chairman of the Broad-
6 casting Board of Governors shall submit to the appro-
7 priate congressional committees a report on the progress
8 of the Board and of RFE/RL, Incorporated, in implement-
9 ing section 312(a) of the Foreign Relations Authorization
10 Act, Fiscal Years 1994 and 1995. The report under this
11 subsection shall include the following:

12 (1) Efforts by RFE/RL, Incorporated, to termi-
13 nate individual language services.

14 (2) A detailed description of steps taken to
15 comply with subsection (a)(2).

16 (3) An analysis of prospects for privatization
17 over the coming year.

18 (d) DEFINITIONS.—In this section, the term “the
19 Board” means the Broadcasting Board of Governors.

20 **CHAPTER 4—CONFORMING AMENDMENTS**

21 **SEC. 331. REFERENCES.**

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

1 (1) the Director of the United States Informa-
2 tion Agency or the Director of the International
3 Communication Agency shall be deemed to refer to
4 the Secretary of State; and

5 (2) the United States Information Agency,
6 USIA, or the International Communication Agency
7 shall be deemed to refer to the Department of State,
8 except as otherwise provided by this division.

9 **SEC. 332. AMENDMENTS TO TITLE 5, UNITED STATES CODE.**

10 Title 5, United States Code, is amended—

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

13 (2) in section 5315—

14 ((A) by striking “Deputy Director of the
15 United States Information Agency.”; and

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

17 “Director of the International Broadcasting
18 Bureau.”; and

19 (3) in section 5316, by striking “Deputy Direc-
20 tor, Policy and Plans, United States Information
21 Agency.” and striking “Associate Director (Policy
22 and Plans), United States Information Agency.”.

1 **SEC. 333. BAN ON DOMESTIC ACTIVITIES.**

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

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

8 (2) by inserting “in carrying out international
9 information, educational, and cultural activities com-
10 parable to those previously administered by the
11 United States Information Agency” before “shall be
12 distributed”.

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

17 **SEC. 401. 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
24 601.

1 **CHAPTER 2—ABOLITION AND TRANSFER**
2 **OF FUNCTIONS**

3 **SEC. 411. ABOLITION OF UNITED STATES INTERNATIONAL**
4 **DEVELOPMENT COOPERATION AGENCY.**

5 (a) IN GENERAL.—Except for the components de-
6 scribed in subsection (b), the United States International
7 Development Cooperation Agency (including the Institute
8 for Scientific and Technological Cooperation) is abolished.

9 (b) OPIC AND AID EXEMPTED.—Subsection (a)
10 does not apply to the Agency for International Develop-
11 ment or the Overseas Private Investment Corporation.

12 **SEC. 412. TRANSFER OF FUNCTIONS.**

13 (a) TO THE SECRETARY OF STATE.—There are
14 transferred to the Secretary of State the functions of the
15 Director of the United States International Development
16 Cooperation Agency and of the United States Inter-
17 national Development Cooperation Agency, as of the day
18 before the effective date of this title, in allocating the
19 funds described in subsection (d).

20 (b) WITH RESPECT TO THE OVERSEAS PRIVATE IN-
21 VESTMENT CORPORATION.—There are transferred to the
22 Administrator of the Agency for International Develop-
23 ment all functions of the Director of the United States
24 International Development Cooperation Agency as of the

1 day before the effective date of this title with respect to
2 the Overseas Private Investment Corporation.

3 (c) TO ANOTHER AGENCY OR AGENCIES.—

4 (1) PURSUANT TO A REORGANIZATION PLAN.—

5 Except as provided in paragraph (2), there are
6 transferred to such agency or agencies as may be
7 specified in the reorganization plan transmitted
8 under section 601 all functions not transferred
9 under subsection (a) of the Director of the United
10 States International Development Cooperation Agen-
11 cy and the United States International Development
12 Cooperation Agency as of the day before the effec-
13 tive date of this title.

14 (2) FAILURE TO SUBMIT A REORGANIZATION

15 PLAN.—In the event that the President fails to sub-
16 mit a reorganization plan under section 601, all
17 functions not transferred under subsection (a) or (b)
18 of the Director of the United States International
19 Development Cooperation Agency and the United
20 States International Development Cooperation Agen-
21 cy as of the day before the effective date of this title
22 shall be transferred to the Secretary of State.

23 (d) ALLOCATION OF FUNDS.—Funds under the cat-
24 egories of assistance deemed allocated to the Director of
25 the International Development Cooperation Agency under

1 section 1–801 of Executive Order No. 12163 (22 U.S.C.
2 2381 note) as of the day before the effective date of this
3 title shall be deemed allocated to the Secretary of State
4 on and after that date without further action by the Presi-
5 dent.

6 **SEC. 413. STATUS OF AID.**

7 (a) IN GENERAL.—Unless abolished pursuant to the
8 reorganization plan submitted under section 601, and ex-
9 cept as provided in section 412, there is within the Execu-
10 tive branch of Government the United States Agency for
11 International Development as an entity described in sec-
12 tion 104 of title 5, United States Code.

13 (b) RETENTION OF OFFICERS.—Nothing in this sec-
14 tion shall require the reappointment of any officer of the
15 United States serving in the Agency for International De-
16 velopment of the United States International Development
17 Cooperation Agency as of the day before the effective date
18 of this title.

19 (c) UTILIZATION OF THE FOREIGN SERVICE PER-
20 SONNEL SYSTEM.—Section 202(a)(1) of the Foreign Serv-
21 ice Act of 1980 (22 U.S.C. 3922(a)(1)) is amended to read
22 as follows:

23 “(a)(1) The Administrator of the United States
24 Agency for International Development may utilize the

1 Foreign Service personnel system with respect to the
2 Agency in accordance with this Act.”.

3 **CHAPTER 3—CONFORMING AMENDMENTS**

4 **SEC. 421. REFERENCES.**

5 Except as otherwise provided in this title, any ref-
6 erence in any statute, reorganization plan, Executive
7 order, regulation, agreement, determination, or other offi-
8 cial document or proceeding to the Director or any other
9 officer or employee of the United States International De-
10 velopment Cooperation Agency (IDCA) or the Agency—

11 (1) insofar as such references relate to func-
12 tions transferred under section 412(a), shall be
13 deemed to refer to the Secretary of State;

14 (2) insofar as such references relate to func-
15 tions transferred under section 412(b), shall be
16 deemed to refer to the Administrator of the Agency
17 for International Development; and

18 (3) insofar as such references relate to func-
19 tions transferred under section 412(c), shall be
20 deemed to refer to such agency or agencies as may
21 be specified in the reorganization plan submitted
22 under section 601.

23 **SEC. 422. CONFORMING AMENDMENTS.**

24 The following shall cease to be effective:

1 (1) Reorganization Plan Numbered 2 of 1979
2 (5 U.S.C. App.).

3 (2) Section 1–101 through 1–103, sections 1–
4 401 through 1–403, section 1–801(a), and such
5 other provisions that relate to the United States
6 International Development Cooperation Agency or
7 the Director of such Agency, of Executive Order No.
8 12163 (22 U.S.C. 2381 note; relating to administra-
9 tion of foreign assistance and related functions).

10 (3) The International Development Cooperation
11 Agency Delegation of Authority Numbered 1 (44
12 Fed. Reg. 57521), except for section 1–6 of such
13 Delegation of Authority.

14 (4) Section 3 of Executive Order No. 12884
15 (58 Fed. Reg. 64099; relating to the delegation of
16 functions under the Freedom for Russia and Emerg-
17 ing Eurasian Democracies and Open Markets Sup-
18 port Act of 1992, the Foreign Assistance Act of
19 1961, the Foreign Operations, Export Financing
20 and Related Programs Appropriations Act, 1993,
21 and section 301 of title 3, United States Code).

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

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

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

7 (1) October 1, 1998; or

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

11 **CHAPTER 2—REORGANIZATION AND**
12 **TRANSFER OF FUNCTIONS**

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

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

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

24 (1) Press and public affairs.

25 (2) Legislative affairs.

1 **CHAPTER 3—AUTHORITIES OF THE**
2 **SECRETARY OF STATE**

3 **SEC. 521. DEFINITION OF UNITED STATES ASSISTANCE.**

4 In this chapter, the term “United States assistance”
5 means development and other economic assistance, includ-
6 ing assistance made available under the following provi-
7 sions of law:

8 (1) Chapter 1 of part I of the Foreign Assist-
9 ance Act of 1961 (relating to development assist-
10 ance).

11 (2) Chapter 4 of part II of the Foreign Assist-
12 ance Act of 1961 (relating to the economic support
13 fund).

14 (3) Chapter 10 of part I of the Foreign Assist-
15 ance Act of 1961 (relating to the Development Fund
16 for Africa).

17 (4) Chapter 11 of part I of the Foreign Assist-
18 ance Act of 1961 (relating to assistance for the inde-
19 pendent states of the former Soviet Union).

20 (5) The Support for East European Democracy
21 Act (22 U.S.C. 5401 et seq.).

22 (6) The FREEDOM Support Act (22 U.S.C.
23 5801 et seq.).

1 **SEC. 522. PLACEMENT OF ADMINISTRATOR OF AID UNDER**
2 **THE DIRECT AUTHORITY OF THE SECRETARY**
3 **OF STATE.**

4 The Administrator of the Agency for International
5 Development, appointed pursuant to section 624(a) of the
6 Foreign Assistance Act of 1961 (22 U.S.C. 2384(a)), shall
7 serve under the direct authority of the Secretary of State.

8 **SEC. 523. ASSISTANCE PROGRAMS COORDINATION, IMPLE-**
9 **MENTATION, AND OVERSIGHT.**

10 (a) **AUTHORITY OF THE SECRETARY OF STATE.—**

11 (1) **IN GENERAL.—**Under the direction of the
12 President, the Secretary of State shall coordinate all
13 programs, projects, and activities of United States
14 assistance in accordance with this section, except as
15 provided in paragraphs (2) and (3).

16 (2) **EXPORT PROMOTION ACTIVITIES.—**Coordi-
17 nation of activities relating to promotion of exports
18 of United States goods and services shall continue to
19 be primarily the responsibility of the Secretary of
20 Commerce.

21 (3) **INTERNATIONAL ECONOMIC ACTIVITIES.—**
22 Coordination of activities relating to United States
23 participation in international financial institutions
24 and relating to organization of multilateral efforts
25 aimed at currency stabilization, currency convertibil-
26 ity, debt reduction, and comprehensive economic re-

1 form programs shall continue to be primarily the re-
2 sponsibility of the Secretary of the Treasury.

3 (4) RELATION TO EXISTING LAW.—The respon-
4 sibilities of the Secretary of State under this section
5 are in addition to responsibilities of the Secretary
6 under section 622(c) of the Foreign Assistance Act
7 of 1961 (22 U.S.C. 2382(c)).

8 (b) COORDINATION ACTIVITIES.—Coordination ac-
9 tivities of the Secretary of State under subsection (a) shall
10 include—

11 (1) designing an overall assistance and eco-
12 nomic cooperation strategy;

13 (2) ensuring program and policy coordination
14 among agencies of the United States Government in
15 carrying out the policies set forth in the Foreign As-
16 sistance Act of 1961, the Arms Export Control Act,
17 and other relevant assistance Acts;

18 (3) pursuing coordination with other countries
19 and international organizations;

20 (4) ensuring proper management, implementa-
21 tion, and oversight by agencies responsible for as-
22 sistance programs; and

23 (5) resolving policy, program, and funding dis-
24 putes among United States Government agencies.

1 (c) STATUTORY CONSTRUCTION.—Nothing in this
2 section may be construed to lessen the accountability of
3 any Federal agency administering any program, project,
4 or activity of United States assistance for any funds made
5 available to the agency for that purpose.

6 (d) AUTHORITY TO PROVIDE PERSONNEL OF THE
7 AGENCY FOR INTERNATIONAL DEVELOPMENT.—The Ad-
8 ministrator of the Agency for International Development
9 shall, upon request, detail to the Department of State on
10 a nonreimbursable basis such personnel employed by the
11 agency as the Secretary of State may require to carry out
12 this section.

13 **SEC. 524. SENSE OF THE SENATE REGARDING APPORTION-**
14 **MENT OF CERTAIN FUNDS TO THE SEC-**
15 **RETARY OF STATE.**

16 It is the sense of the Senate that the Director of the
17 Office of Management and Budget should apportion Unit-
18 ed States assistance funds appropriated to the President
19 under major functional budget category 150 (relating to
20 international affairs) to the Secretary of State in lieu of
21 the apportionment of those funds to the head of any other
22 Federal agency.

1 **TITLE VI—TRANSITION**
2 **CHAPTER 1—REORGANIZATION PLAN**

3 **SEC. 601. REORGANIZATION PLAN.**

4 (a) SUBMISSION OF PLAN.—Not later than October
5 1, 1997, or the date that is 15 days after the date of the
6 enactment of this Act, whichever occurs later, the Presi-
7 dent shall, in consultation with the Secretary and the
8 heads of the agencies under subsection (b), transmit to
9 the appropriate congressional committees a reorganization
10 plan providing for—

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

17 (2) with respect to the Agency for International
18 Development, the consolidation and streamlining of
19 the Agency and the transfer of certain functions of
20 the Agency to the Department in accordance with
21 section 511;

22 (3) with respect to the United States Informa-
23 tion Agency, the transfer of certain functions of the
24 Agency to the Department in accordance with sec-
25 tion 313;

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

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

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

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

15 (1) The United States Arms Control and Disar-
16 mament Agency.

17 (2) The United States Information Agency.

18 (3) The United States International Develop-
19 ment Cooperation Agency.

20 (4) The Agency for International Development.

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

23 (1) identify the functions of each agency that
24 will be transferred to the Department under the
25 plan;

1 (2) identify the number of personnel and num-
2 ber of positions of each agency (including civil serv-
3 ice personnel, Foreign Service personnel, and
4 detailees) that will be transferred to the Depart-
5 ment, separated from service with such agency, or
6 eliminated under the plan, and set forth a schedule
7 for such transfers, separations, and terminations;

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

15 (4) specify the steps to be taken by the Sec-
16 retary of State to reorganize internally the functions
17 of the Department, including the consolidation of of-
18 fices and functions, that will be required under the
19 plan in order to permit the Department to carry out
20 the functions transferred to it under the plan;

21 (5) specify the funds available to each agency
22 that will be transferred to the Department as a re-
23 sult of the transfer of functions of such agency to
24 the Department;

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

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

10 (8) recommend legislation necessary to carry
11 out changes made by this division relating to person-
12 nel and to incidental transfers.

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

18 (1) may provide for the abolition of the Agency
19 for International Development and the transfer of all
20 its functions to the Department of State; or

21 (2) in lieu of the abolition and transfer of func-
22 tions under paragraph (1)—

23 (A) shall provide for the transfer to and
24 consolidation within the Department of the

1 functions of the agency set forth in section 511;
2 and

3 (B) may provide for additional consolida-
4 tion, reorganization, and streamlining of the
5 Agency, including—

6 (i) the termination of functions and
7 reductions in personnel of the Agency;

8 (ii) the transfer of functions of the
9 Agency, and the personnel associated with
10 such functions, to the Department; and

11 (iii) the consolidation, reorganization,
12 and streamlining of the Department upon
13 the transfer of such functions and person-
14 nel in order to carry out the functions
15 transferred.

16 (e) MODIFICATION OF PLAN.—The President may,
17 on the basis of consultations with the appropriate congres-
18 sional committees, modify or revise the plan transmitted
19 under subsection (a).

20 (f) EFFECTIVE DATE.—

21 (1) IN GENERAL.—The reorganization plan de-
22 scribed in this section, including any modifications
23 or revisions of the plan under subsection (e), shall
24 become effective on the earlier of the date for the re-
25 spective agency specified in paragraph (2) or the

1 date announced by the President under paragraph
2 (3).

3 (2) STATUTORY EFFECTIVE DATES.—The effective
4 dates under this paragraph for the reorganiza-
5 tion plan described in this section are the following:

6 (A) October 1, 1998, with respect to func-
7 tions of the Agency for International Develop-
8 ment described in section 511.

9 (B) October 1, 1998, with respect to func-
10 tions of the United States Information Agency
11 described in section 313.

12 (C) October 1, 1998, with respect to the
13 abolition of the United States Arms Control
14 and Disarmament Agency and the United
15 States International Development Cooperation
16 Agency.

17 (D) October 1, 1999, with respect to the
18 abolition of the United States Information
19 Agency (other than as described in subpara-
20 graph (B)).

21 (3) EFFECTIVE DATE BY PRESIDENTIAL DE-
22 TERMINATION.—An effective date under this para-
23 graph for a reorganization plan described in this sec-
24 tion is such date as the President shall determine to
25 be appropriate and announce by notice published in

1 the Federal Register, which date may be not earlier
2 than 60 calendar days (excluding any day on which
3 either House of Congress is not in session because
4 of an adjournment sine die or because of an ad-
5 journment of more than 3 days to a day certain)
6 after the President has transmitted the reorganiza-
7 tion plan to the appropriate congressional commit-
8 tees pursuant to subsection (a).

9 (4) STATUTORY CONSTRUCTION.—Nothing in
10 this subsection may be construed to require the
11 transfer of functions, personnel, records, balance of
12 appropriations, or other assets of an agency on a
13 single date.

14 (5) SUPERSEDES EXISTING LAW.—Paragraph
15 (1) shall apply notwithstanding section 905(b) of
16 title 5, United States Code.

17 **CHAPTER 2—REORGANIZATION**

18 **AUTHORITY**

19 **SEC. 611. REORGANIZATION AUTHORITY.**

20 (a) IN GENERAL.—The Secretary is authorized, sub-
21 ject to the requirements of this division, to allocate or re-
22 allocate any function transferred to the Department under
23 any title of this division among the officers of the Depart-
24 ment, and to establish, consolidate, alter, or discontinue
25 such organizational entities within the Department as may

1 be necessary or appropriate to carry out any reorganiza-
2 tion under this division, but the authority of the Secretary
3 under this section does not extend to—

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

6 (2) the alteration of the delegation of functions
7 to any specific organizational entity or officer re-
8 quired by this Act or any other Act.

9 (b) REQUIREMENTS AND LIMITATIONS ON REORGA-
10 NIZATION PLAN.—The reorganization plan under section
11 601 may not have the effect of—

12 (1) creating a new executive department;

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

17 (3) authorizing an agency to exercise a function
18 which is not authorized by law at the time the plan
19 is transmitted to Congress;

20 (4) creating a new agency which is not a com-
21 ponent or part of an existing executive department
22 or independent agency; or

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

1 **SEC. 612. TRANSFER AND ALLOCATION OF APPROPRIA-**
2 **TIONS AND PERSONNEL.**

3 (a) IN GENERAL.—Except as otherwise provided in
4 this Act, the personnel employed in connection with, and
5 the assets, liabilities, contracts, property, records, and un-
6 expended balance of appropriations, authorizations, alloca-
7 tions, and other funds employed, held, used, arising from,
8 available to, or to be made available in connection with
9 the functions and offices, or portions thereof transferred
10 by any title of this division, subject to section 1531 of title
11 31, United States Code, shall be transferred to the Sec-
12 retary for appropriate allocation.

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

18 **SEC. 613. INCIDENTAL TRANSFERS.**

19 The Director of the Office of Management and Budg-
20 et, in consultation with the Secretary, is authorized to
21 make such incidental dispositions of personnel, assets, li-
22 abilities, grants, contracts, property, records, and unex-
23 pended balances of appropriations, authorizations, alloca-
24 tions, and other funds held, used, arising from, available
25 to, or to be made available in connection with such func-
26 tions, as may be necessary to carry out the provisions of

1 any title of this division. The Director of the Office of
2 Management and Budget, in consultation with the Sec-
3 retary, shall provide for the termination of the affairs of
4 all entities terminated by this division and for such further
5 measures and dispositions as may be necessary to effec-
6 tuate the purposes of any title of this division.

7 **SEC. 614. SAVINGS PROVISIONS.**

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

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

18 (2) that are in effect at the time such title
19 takes effect, or were final before the effective date
20 of such title and are to become effective on or after
21 the effective date of such title,

22 shall continue in effect according to their terms until
23 modified, terminated, superseded, set aside, or revoked in
24 accordance with law by the President, the Secretary, or

1 other authorized official, a court of competent jurisdiction,
2 or by operation of law.

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

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

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

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

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

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

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

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

24 (e) CONTINUATION OF PROCEEDING WITH SUBSTI-
25 TUTION OF PARTIES.—If, before the date on which any

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

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

21 **SEC. 615. PROPERTY AND FACILITIES.**

22 The Secretary shall review the property and facilities
23 transferred to the Department under this division to de-
24 termine whether such property and facilities are required
25 by the Department.

1 **SEC. 616. AUTHORITY OF SECRETARY OF STATE TO FACILI-**
2 **TATE TRANSITION.**

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

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

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

14 **SEC. 617. FINAL REPORT.**

15 Not later than January 1, 2000, the President, in
16 consultation with the Secretary of the Treasury and the
17 Director of the Office of Management and Budget shall
18 submit to the appropriate congressional committees a re-
19 port which provides a final accounting of the finances and
20 operations of the agencies abolished under this division.

1 **TITLE VII—FUNCTIONS, CON-**
2 **DUCT, AND STRUCTURE OF**
3 **UNITED STATES FOREIGN**
4 **POLICY FOR THE 21ST CEN-**
5 **TURY.**

6 **SEC. 701. FINDINGS.**

7 Congress makes the following findings:

8 (1) The United States has prevailed after a
9 half-century of Cold War and must now redesign di-
10 plomacy to meet the different challenges of a new
11 and changed international context.

12 (2) The security of the United States requires
13 that the United States maintain an effective, profes-
14 sional diplomacy, working in concert with the na-
15 tional intelligence and defense forces of the United
16 States.

17 (3) With modern communications and accelerat-
18 ing technological change, the world is ever more
19 interdependent.

20 (4) Because 30 percent of the United States
21 gross domestic product is trade-related and every
22 one billion dollars of United States exports rep-
23 resents 20,000 American jobs, national prosperity
24 requires assured access to foreign markets and our
25 diplomacy promotes and defends that access.

1 (5) American consumers and American industry
2 count upon the availability of foreign goods and raw
3 materials.

4 (6) The new international agenda includes the
5 following pressing issues, which the Cold War diplo-
6 matic structure of the United States is not framed
7 to address adequately: intellectual property rights,
8 refugee migrations, runaway immigration, ethnic
9 conflict, narcotics, international terrorism, epidemic
10 disease, human rights, the advancement of democ-
11 racy and of market economic systems in developing
12 countries, and a hospitable natural environment.

13 (7) The United States, as the one remaining
14 global power, must provide global leadership to ad-
15 dress these issues that affect Americans.

16 (8) It is in the national interest to review the
17 functions, conduct, and structure of United States
18 foreign policy for the 21st century.

19 **SEC. 702. ESTABLISHMENT.**

20 There is established a commission to be known as the
21 Commission on the Functions, Conduct, and Structure of
22 United States Foreign Policy for the 21st Century (in this
23 Act referred to as the “Commission”).

1 **SEC. 703. COMPOSITION AND QUALIFICATIONS.**

2 (a) MEMBERSHIP.—The Commission shall be com-
3 posed of 9 members who shall be United States citizens
4 who have substantial experience with and expertise in the
5 operations of the foreign affairs agencies of the Federal
6 Government, to be selected as follows:

7 (1) Five members shall be appointed by the
8 President, at least 3 of whom shall have held senior
9 positions in at least 1 foreign affairs agency of the
10 Federal Government, except that not more than 3
11 members may be appointed from the same political
12 party.

13 (2) One member shall be appointed by the Ma-
14 jority Leader of the Senate.

15 (3) One member shall be appointed by the Mi-
16 nority Leader of the Senate.

17 (4) One member shall be appointed by the
18 Speaker of the House of Representatives.

19 (5) One member shall be appointed by the Mi-
20 nority Leader of the House of Representatives.

21 (b) CHAIR AND VICE CHAIR.—The President shall
22 designate, in consultation with the Majority Leader of the
23 Senate, the Minority Leader of the Senate, the Speaker
24 of the House of Representatives, and the Minority Leader
25 of the House of Representatives, 2 of the members of the
26 Commission to serve as Chair and Vice Chair, respectively.

1 (c) PERIOD OF APPOINTMENT, VACANCIES.—Mem-
2 bers shall be appointed for the life of the Commission. Any
3 vacancy in the Commission shall not affect its powers but
4 shall be filled expeditiously in the same manner as the
5 original appointment.

6 (d) DEADLINE FOR APPOINTMENTS.—The appoint-
7 ments required by subsection (a) shall, to the extent prac-
8 ticable, be made within 30 days after the date of enact-
9 ment of this Act.

10 (e) MEETINGS.—

11 (1) FREQUENCY OF MEETINGS.—The Commis-
12 sion shall meet upon request of the Chair but not
13 less than once every 2 months for the duration of
14 the Commission.

15 (2) FIRST MEETING.—The Commission shall
16 hold its first meeting not later than 2 months after
17 the date of enactment of this Act.

18 (f) QUORUM.—Five members of the Commission shall
19 constitute a quorum, but a lesser number of members may
20 hold hearings, take testimony, or receive evidence.

21 (g) SECURITY CLEARANCES.—Appropriate security
22 clearances shall be required for members of the Commis-
23 sion. Such clearances shall be processed and completed on
24 an expedited basis by appropriate elements of the execu-
25 tive branch of Government and shall, in any case, be com-

1 pleted within 60 days after the date such members are
2 appointed.

3 **SEC. 704. DUTIES OF THE COMMISSION.**

4 (a) IN GENERAL.—It shall be the duty of the Com-
5 mission—

6 (1) to review the functions required of United
7 States foreign policy to assure continued United
8 States global leadership in the 21st century;

9 (2) to assess the effectiveness and adequacy of
10 the current structures, procedures, and priorities of
11 foreign policy decisionmaking and management, and,
12 if necessary, to consider alternatives;

13 (3) to evaluate the general level and apportion-
14 ment of resources necessary to promote United
15 States interests, values, and principles abroad and to
16 assess the contribution of diplomatic functions to the
17 national security of the United States; and

18 (4) to submit reports and recommendations as
19 described in section 705.

20 (b) IMPLEMENTATION.—In carrying out subsection
21 (a), the Commission shall consult with appropriate officers
22 of the executive branch of Government and appropriate
23 Members of Congress and shall specifically consider the
24 following:

1 (1) What should be the operating principles and
2 functions of the foreign affairs bureaucracies of the
3 United States?

4 (2) Is the apparatus for formulating and exe-
5 cuting the foreign affairs policies of the United
6 States organized most effectively to achieve its aims,
7 particularly with respect to the nonmilitary aspects
8 of the President's national security strategy?

9 (3) What are the implications for the functions,
10 resources, and structures of the foreign affairs agen-
11 cies of the United States of fundamental changes in
12 the international environment, especially advances in
13 information technology, economic interdependence,
14 and the emergence of rival countries or interests?

15 (4) Is the overseas representation of the United
16 States Government of adequate size, properly dis-
17 tributed, and supported with sufficient resources to
18 advocate effectively the national interests, values,
19 and principles of the United States?

20 (5) Are the foreign affairs agencies structured
21 to best advance the national interests, values, and
22 principles of the United States?

23 (6) Do the current personnel systems of the for-
24 eign affairs agencies produce individuals trained and

1 supported in the skills necessary to project American
2 leadership abroad in the 21st century?

3 (7) What level and allocation among foreign af-
4 fairs agencies and functions of resources are nec-
5 essary to promote effectively United States national
6 interests, values, and principles?

7 (8) What is the rationale, mission, and mecha-
8 nism for delivering foreign assistance? Could such
9 resources be better managed and delivered through
10 private entities or other organizations?

11 (9) How should multilateral institutions, coal-
12 ition building, and unilateral actions be used to pro-
13 mote American national interests, values, and prin-
14 ciples abroad? What is the most effective way to co-
15 ordinate the foreign policy interests of special inter-
16 est groups, including nongovernmental organiza-
17 tions?

18 (10) How should coordination be improved and
19 resources be allocated between all the United States
20 foreign affairs agencies?

21 (11) What is the appropriate mechanism for de-
22 termining the appropriate level of representation
23 overseas of each department or agency of the United
24 States?

1 (12) What is the appropriate mechanism to fos-
2 ter cooperation and coordination between the De-
3 partment of the State and all departments or agen-
4 cies of the United States abroad?

5 (13) How can consultation and cooperation be
6 improved between the executive and legislative
7 branches of Government in the formulation, execu-
8 tion, and evaluation of American foreign policy inter-
9 ests so that the United States can maximize its
10 international effectiveness and speak with a strong
11 voice on vital American interests, values, and prin-
12 ciples?

13 **SEC. 705. COMMISSION REPORTS.**

14 (a) INITIAL REPORT.—Not later than 2 months after
15 the date of enactment of this Act, the Commission shall
16 transmit to Congress, the President, and the Secretary of
17 State a report describing its plan to carry out the work
18 of the Commission.

19 (b) PRELIMINARY REPORT.—Before the submission
20 of the report required by subsection (c), but not later than
21 6 months after the date of enactment of this Act, the Com-
22 mission shall submit a report to the Secretary of State
23 a report on its preliminary findings and recommendations.

24 (c) FINAL REPORT ON FINDINGS AND REC-
25 COMMENDATIONS.—

1 (1) IN GENERAL.—Not later than 12 months
2 after the date of enactment of this Act, the Commis-
3 sion shall submit to the President, the Secretary of
4 State, and Congress a report describing the activi-
5 ties, findings, and recommendations of the Commis-
6 sion.

7 (2) LEGISLATIVE RECOMMENDATIONS.—In ad-
8 dition to the requirements of paragraph (1), the re-
9 port shall make recommendations that may be im-
10 plemented through the enactment of legislation or
11 the issuance of an Executive order, as appropriate.

12 (d) INTERIM REPORTS ON IMPLEMENTATION.—The
13 Commission shall submit to the President, the Secretary
14 of State, and Congress such interim reports on the status
15 of implementation of recommendations as it deems nec-
16 essary and appropriate.

17 (e) EVALUATION OF IMPLEMENTATION.—The mem-
18 bers of the Commission shall make themselves available
19 to relevant committees of Congress to discuss their views
20 of the implementation of recommendations and proposals
21 submitted by the Secretary of State in compliance with
22 the provisions of this Act.

23 **SEC. 706. POWERS.**

24 (a) HEARINGS.—The Commission or, at its direction,
25 any panel of members of the Commission, may, for the

1 purpose of carrying out the provisions of this Act, hold
2 hearings, take testimony, receive evidence, and administer
3 oaths to the extent that the Commission or any panel con-
4 siders advisable.

5 (b) INFORMATION FROM FEDERAL AGENCIES.—The
6 Commission may secure directly from any Federal depart-
7 ment or agency information that the Commission consid-
8 ers necessary to enable the Commission to carry out its
9 responsibilities under this section. Upon the request of the
10 Chair of the Commission, the head of any such depart-
11 ment or agency shall furnish such information expedi-
12 tiously to the Commission.

13 (c) POSTAL, PRINTING, AND BINDING SERVICES.—
14 The Commission may use the United States mails and ob-
15 tain printing and binding services in the same manner and
16 under the same conditions as other departments and agen-
17 cies of the Federal Government.

18 (d) PANELS.—The Commission may establish panels
19 composed of less than the full membership of the Commis-
20 sion for the purpose of carrying out the Commission's du-
21 ties. The action of each panel shall be subject to the review
22 and control of the Commission. Any findings and deter-
23 minations made by such a panel shall not be considered
24 the findings and determinations of the Commission unless
25 approved as such by the Commission.

1 (e) AUTHORITY OF INDIVIDUALS TO ACT FOR THE
2 COMMISSION.—Any member or agent of the Commission
3 may, if authorized by the Commission, take any action
4 which the Commission is authorized to take under this
5 Act.

6 **SEC. 707. PERSONNEL.**

7 (a) COMPENSATION OF MEMBERS.—Each member of
8 the Commission who is a private United States citizen
9 shall be compensated at a level not greater than the daily
10 equivalent of the annual rate of basic pay payable for level
11 III of the Executive Schedule under section 5317 of title
12 5, United States Code, for each full day (including travel
13 time) during which the member is engaged in the perform-
14 ance of the duties of the Commission. Any member of the
15 Commission who is already a Government employee shall
16 continue to be paid at the same rate by the employing
17 department or agency on a nonreimbursable basis.

18 (b) TRAVEL EXPENSES.—Each member of the Com-
19 mission shall be allowed travel expenses, including per
20 diem in lieu of subsistence, at rates authorized for employ-
21 ees of agencies under subchapter I of chapter 58 of title
22 5, United States Code, while away from their homes or
23 regular places of business in the performance of services
24 for the Commission.

25 (c) STAFF.—

1 (1) IN GENERAL.—The Chair of the Commis-
2 sion may, without regard to the provisions of title 5,
3 United States Code, governing appointments in the
4 competitive services, appoint a staff director, subject
5 to the approval of the Commission, and such addi-
6 tional personnel as necessary to enable the Commis-
7 sion to perform its duties.

8 (2) COMPENSATION.—The Chair of the Com-
9 mission may fix the pay of the staff director and
10 other personnel without regard to the provisions of
11 chapter 51 or subchapter III of chapter 53 of title
12 5, United States Code, relating to classification of
13 positions and General Schedule pay rates, except
14 that the rate of pay fixed under this paragraph for
15 the staff director may not exceed the rate payable
16 for level III of the Executive Schedule under section
17 5316 of such title and the rate of pay for other per-
18 sonnel may not exceed the maximum rate payable
19 for grade GS–15 of the General Schedule.

20 (d) DETAIL OF GOVERNMENT EMPLOYEES.—Upon
21 the request of the Chair of the Commission, the head of
22 any Federal department or agency is authorized and en-
23 couraged to detail, on a nonreimbursable basis, any per-
24 sonnel of that department or agency to the Commission
25 to assist it in carrying out its functions.

1 (e) PROCUREMENT OF TEMPORARY AND INTERMIT-
2 TENT SERVICES.—The Chair of the Commission may pro-
3 cure temporary and intermittent services under section
4 3109(b) of title 5, United States Code, at rates for individ-
5 uals which do not exceed the daily equivalent of the annual
6 rate of basic pay payable for level IV of the Executive
7 Schedule under section 5316 of such title.

8 (f) ADMINISTRATIVE AND SUPPORT SERVICES.—The
9 Secretary of State may furnish the Commission any ad-
10 ministrative and support services requested by the Com-
11 mission consistent with this Act. The Department of State
12 shall be reimbursed for any costs for these services by
13 other appropriate Federal departments and agencies on a
14 basis consistent with worldwide levels of international co-
15 operative administrative support system participation and
16 funding.

17 **SEC. 708. PAYMENT OF COMMISSION EXPENSES.**

18 The compensation, travel expenses, and per diem al-
19 lowances of members and employees of the Commission,
20 and other expenses of the Commission shall be paid out
21 of funds appropriated by Congress.

22 **SEC. 709. TERMINATION.**

23 The Commission shall terminate upon submission of
24 the final report on findings and recommendations, section
25 705(c), except as provided for in section 705(e).

1 **SEC. 710. EXECUTIVE BRANCH ACTION.**

2 (a) SECRETARY OF STATE'S REVIEW.—Promptly
3 after the date of enactment of this Act, the Secretary of
4 State, in consultation with the heads of all other affected
5 Federal departments and agencies, shall initiate a review
6 of the functions, conduct, and structure of United States
7 foreign relations in the same manner and to the same ex-
8 tent as the review conducted by the Commission under
9 section 704.

10 (b) INFORMATION FROM FEDERAL AGENCIES.—The
11 Secretary may secure directly from any Federal depart-
12 ment or agency information necessary to carry out the re-
13 sponsibilities under this section. Upon the request of the
14 Secretary, the head of any such department or agency
15 shall furnish such information expeditiously.

16 (c) INITIAL REPORT.—Not later than 2 months after
17 the date of enactment of this Act, the Secretary of State,
18 in consultation with the heads of all other affected depart-
19 ments and agencies, shall transmit to Congress a report
20 describing the plan of the Secretary of State to carry out
21 the review.

22 (d) PRELIMINARY REPORT.—Not later than 6
23 months after the date of enactment of this Act, the Sec-
24 retary of State, in consultation with the heads of all other
25 affected departments and agencies, shall submit to the

1 Commission a report of preliminary findings and rec-
2 ommendations.

3 (e) FINAL REPORT ON FINDINGS AND PROPOSALS.—

4 Not later than 18 months after the date of enactment of
5 this Act, the Secretary of State, in consultation with the
6 heads of all other affected foreign affairs agencies, shall
7 submit to Congress a report describing the activities and
8 findings of the Secretary's review and shall include specific
9 proposals for recommended reforms, including those re-
10 quiring legislative action or Executive order. The report
11 shall respond to, and wherever appropriate, incorporate
12 the findings and recommendations of the Commission as
13 described in section 705(c).

14 **SEC. 711. ANNUAL FOREIGN AFFAIRS STRATEGY REPORT.**

15 Not later than 1 year after the date of enactment
16 of this Act, and on an annual basis thereafter, the Sec-
17 retary of State, consistent with section 306 of title 5, and
18 section 1115 of title 31, United States Code, and in con-
19 sultation with the heads of all other foreign affairs agen-
20 cies, shall submit to Congress in both classified and un-
21 classified versions an annual national foreign relations
22 strategy report describing the priorities and resources re-
23 quired to advance successfully the national interests, val-
24 ues, and principles of the United States.

1 **SEC. 712. DEFINITION OF FOREIGN AFFAIRS AGENCIES.**

2 In this Act, the term “foreign affairs agencies” in-
3 cludes the following:

4 (1) The Department of State.

5 (2) The United States Agency for International
6 Development.

7 (3) The United States Information Agency.

8 (4) The United States Arms Control and Disar-
9 mament Agency.

10 (5) The Overseas Private Investment Corpora-
11 tion.

12 (6) Appropriate elements of the Department of
13 the Treasury.

14 (7) Appropriate elements of the Department of
15 Defense.

16 (8) Appropriate elements of the Department of
17 Justice (including the Drug Enforcement Adminis-
18 tration and the Federal Bureau of Investigation).

19 (9) Appropriate elements of the Department of
20 Agriculture.

21 (10) Office of the United States Trade Rep-
22 resentative.

23 (11) The National Security Council staff.

24 (12) The Central Intelligence Agency.

25 (13) The Trade and Development Agency.

1 (14) Appropriate elements of the Department of
2 Commerce.

3 (15) Other Federal departments, agencies, or
4 bureaus with official representation overseas.

5 **DIVISION B—FOREIGN**
6 **RELATIONS AUTHORIZATION**
7 **TITLE X—GENERAL PROVISIONS**

8 **SEC. 1001. SHORT TITLE.**

9 This division may be cited as the “Foreign Relations
10 Authorization Act, Fiscal Years 1998 and 1999”.

11 **SEC. 1002. DEFINITION.**

12 In this division, the term “appropriate congressional
13 committees” means the Committees on Foreign Relations
14 and Appropriations of the Senate and the Committees on
15 International Relations and Appropriations of the House
16 of Representatives.

17 **TITLE XI—DEPARTMENT OF**
18 **STATE AND RELATED AGENCIES**

19 **CHAPTER 1—AUTHORIZATIONS OF**
20 **APPROPRIATIONS**

21 **SEC. 1101. AUTHORIZATIONS OF APPROPRIATIONS FOR AD-**
22 **MINISTRATION OF FOREIGN AFFAIRS.**

23 The following amounts are authorized to be appro-
24 priated for the Department of State under “Administra-
25 tion of Foreign Affairs” to carry out the authorities, func-

1 tions, duties, and responsibilities in the conduct of the for-
2 eign affairs of the United States and for other purposes
3 authorized by law, including the diplomatic security pro-
4 gram:

5 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—
6 For “Diplomatic and Consular Programs” of the
7 Department of State, \$1,746,977,000 for the fiscal
8 year 1998, and \$1,764,447,000 for the fiscal year
9 1999.

10 (2) SALARIES AND EXPENSES.—For “Salaries
11 and Expenses” of the Department of State,
12 \$363,513,000 for the fiscal year 1998, and
13 \$367,148,000 for the fiscal year 1999.

14 (3) SECURITY AND MAINTENANCE OF BUILD-
15 INGS ABROAD.—For “Security and Maintenance of
16 Buildings Abroad”, \$373,081,000 for the fiscal year
17 1998, and \$376,811,000 for the fiscal year 1999.

18 (4) CAPITAL INVESTMENT FUND.—For the
19 “Capital Investment Fund” of the Department of
20 the State, \$64,600,000 for the fiscal year 1998, and
21 \$64,600,000 for the fiscal year 1999.

22 (5) REPRESENTATION ALLOWANCES.—For
23 “Representation Allowances”, \$4,100,000 for the
24 fiscal year 1998, and \$4,100,000 for the fiscal year
25 1999.

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

6 (7) OFFICE OF THE INSPECTOR GENERAL.—
7 For “Office of the Inspector General”, \$28,300,000
8 for the fiscal year 1998, and \$28,300,000 for the
9 fiscal year 1999.

10 (8) PAYMENT TO THE AMERICAN INSTITUTE IN
11 TAIWAN.—For “Payment to the American Institute
12 in Taiwan”, \$14,490,000 for the fiscal year 1998,
13 and \$14,600,000 for the fiscal year 1999.

14 (9) PROTECTION OF FOREIGN MISSIONS AND
15 OFFICIALS.—(A) For “Protection of Foreign Mis-
16 sions and Officials”, \$7,900,000 for the fiscal year
17 1998, and \$8,000,000 for the fiscal year 1999.

18 (B) Each amount appropriated pursuant to this
19 paragraph is authorized to remain available for two
20 fiscal years.

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

1 **SEC. 1102. MIGRATION AND REFUGEE ASSISTANCE.**

2 (a) AUTHORIZATION OF APPROPRIATIONS.—There
 3 are authorized to be appropriated for “Migration and Ref-
 4 ugee Assistance” for authorized activities, \$650,000,000
 5 for the fiscal year 1998, and \$650,000,000 for the fiscal
 6 year 1999.

7 (b) AVAILABILITY OF FUNDS.—Funds appropriated
 8 pursuant to subsection (a) are authorized to remain avail-
 9 able until expended.

10 **SEC. 1103. ASIA FOUNDATION.**

11 (a) AUTHORIZATION OF APPROPRIATIONS.—There
 12 are authorized to be appropriated to the Department of
 13 State to make grants to “The Asia Foundation”, pursuant
 14 to The Asia Foundation Act (title IV of Public Law 98–
 15 164), \$8,000,000 for the fiscal year 1998, and \$8,000,000
 16 for the fiscal year 1999.

17 (b) CONFORMING AMENDMENT.—The first sentence
 18 of section 403(a) of The Asia Foundation Act (22 U.S.C.
 19 4402) is amended by striking “with” and all that follows
 20 through “404”.

21 **CHAPTER 2—AUTHORITIES AND**
 22 **ACTIVITIES**

23 **SEC. 1121. REDUCTION IN REQUIRED REPORTS.**

24 (a) AMENDMENT AND REPEALS.—

25 (1) AMENDMENT.—Section 40(g)(2) of the
 26 State Department Basic Authorities Act of 1956 (22

1 U.S.C. 2712(g)(2)) is amended by striking “six
2 months” and inserting “12 months”.

3 (2) REPEALS.—The following provisions of law
4 are repealed:

5 (A) The second sentence of section 161(c)
6 of the Foreign Relations Authorization Act,
7 Fiscal Year 1990 and 1991 (22 U.S.C. 4171
8 note).

9 (B) Section 502B(b) of the Foreign Assist-
10 ance Act of 1961 (22 U.S.C. 2304(b)).

11 (C) Section 705(e) of the International Se-
12 curity and Development Cooperation Act of
13 1985 (Public Law 99–83).

14 (D) Section 123(e)(2) of the Foreign Rela-
15 tions Authorization Act, Fiscal Years 1986 and
16 1987 (Public Law 99–93).

17 (E) Section 203(c) of the Special Foreign
18 Assistance Act of 1986 (Public Law 99–529).

19 (F) Sections 5 and 6 of the Act entitled
20 “An Act providing for the implementation of
21 the International Sugar Agreement, 1977, and
22 for other purposes” (Public Law 96–236; 7
23 U.S.C. 3605 and 3606).

1 (G) Section 514 of the Foreign Assistance
2 and Related Programs Appropriations Act,
3 1982 (Public Law 97–121).

4 (H) Section 209 (c) and (d) of the Foreign
5 Relations Authorization Act, Fiscal Years 1988
6 and 1989 (Public Law 100–204).

7 (I) Section 228(b) of the Foreign Relations
8 Authorization Act, Fiscal Years 1992 and 1993
9 (Public Law 102–138; 22 U.S.C. 2452 note).

10 (b) PROGRESS TOWARD REGIONAL NONPROLIFERA-
11 TION.—Section 620F(c) of the Foreign Assistance Act of
12 1961 (22 U.S.C. 2376(c); relating to periodic reports on
13 progress toward regional nonproliferation) is amended by
14 striking “Not later than April 1, 1993 and every six
15 months thereafter,” and inserting “Not later than April
16 1 of each year,”.

17 (c) REPORT ON OVERSEAS VOTER PARTICIPATION.—
18 Section 101(b)(6) of the Uniformed and Overseas Citizens
19 Absentee Voting Act of 1986 (42 U.S.C. 1973ff(b)(6)) is
20 amended by striking “of voter participation” and inserting
21 “of uniformed services voter participation, a general as-
22 sessment of overseas nonmilitary participation,”.

1 **SEC. 1122. AUTHORITY OF THE FOREIGN CLAIMS SETTLE-**
2 **MENT COMMISSION.**

3 Section 4(a) of the International Claims Settlement
4 Act of 1949 (22 U.S.C. 1623) is amended—

5 (1) by redesignating paragraphs (1) and (2) as
6 subparagraphs (A) and (B), respectively;

7 (2) in the first sentence, by striking “(a) The”
8 and all that follows through the period and inserting
9 the following:

10 “(a)(1) The Commission shall have jurisdiction to re-
11 ceive, examine, adjudicate, and render final decisions with
12 respect to claims of the Government of the United States
13 and of nationals of the United States—

14 “(A) included within the terms of the Yugoslav
15 Claims Agreement of 1948;

16 “(B) included within the terms of any claims
17 agreement concluded on or after March 10, 1954,
18 between the Government of the United States and a
19 foreign government (exclusive of governments
20 against which the United States declared the exist-
21 ence of a state of war during World War II) simi-
22 larly providing for the settlement and discharge of
23 claims of the Government of the United States and
24 of nationals of the United States against a foreign
25 government, arising out of the nationalization or
26 other taking of property, by the agreement of the

1 Government of the United States to accept from
2 that government a sum in en bloc settlement thereof;
3 or

4 “(C) included in a category of claims against a
5 foreign government which is referred to the Commis-
6 sion by the Secretary of State.”; and

7 (3) by redesignating the second sentence as
8 paragraph (2).

9 **SEC. 1123. PROCUREMENT OF SERVICES.**

10 Section 38(c) of the State Department Basic Authori-
11 ties Act of 1956 (22 U.S.C. 2710(c)) is amended by in-
12 serting “personal or” before “other support services”.

13 **SEC. 1124. FEE FOR USE OF DIPLOMATIC RECEPTION**
14 **ROOMS.**

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

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

20 “The Secretary of State is authorized to charge a fee
21 for use of the Department of State diplomatic reception
22 rooms to recover the costs of such use. Fees collected
23 under the authority of this section, including reimburse-
24 ments, surcharges and fees, shall be deposited as an off-
25 setting collection to any Department of State appropria-

1 tion to recover the costs of such use and shall remain
2 available for obligation until expended. The Secretary
3 shall, at the time of the submission of the budget pursuant
4 to section 1105 of title 31, United States Code, submit
5 a report to Congress describing each such transaction.”.

6 **SEC. 1125. PROHIBITION ON JUDICIAL REVIEW DEPART-**
7 **MENT OF STATE COUNTERTERRORISM AND**
8 **NARCOTICS-RELATED REWARDS PROGRAM.**

9 Section 36 of the State Department Basic Authorities
10 Act of 1956 (22 U.S.C. 2708) is amended—

11 (1) in subsection (a)(1), by inserting “, in the
12 sole discretion of the Secretary,” after “rewards may
13 be paid”;

14 (2) by redesignating subsection (i) as subsection
15 (j); and

16 (3) by inserting after subsection (h) the follow-
17 ing:

18 “(i) JUDICIAL REVIEW.—A determination made by
19 the Secretary of State under this section shall be final and
20 conclusive and shall not be subject to judicial review.”.

21 **SEC. 1126. OFFICE OF THE INSPECTOR GENERAL.**

22 (a) PROCEDURES.—Section 209(c) of the Foreign
23 Service Act of 1980 (22 U.S.C. 3929(c)) is amended by
24 adding at the end the following:

1 “(4) The Inspector General shall develop and
2 provide to employees—

3 “(A) information detailing their rights to
4 counsel; and

5 “(B) guidelines describing in general terms
6 the policies and procedures of the Office of In-
7 spector General with respect to individuals
8 under investigation, other than matters exempt
9 from disclosure under other provisions of law.”.

10 (b) REPORT.—

11 (1) IN GENERAL.—Not later than April 30,
12 1998, the Inspector General of the Department of
13 State shall submit a report to the appropriate con-
14 gressional committees which includes the following
15 information:

16 (A) Detailed descriptions of the internal
17 guidance developed or used by the Office of the
18 Inspector General with respect to public disclo-
19 sure of any information related to an ongoing
20 investigation of any employee or official of the
21 Department of State, the United States Infor-
22 mation Agency, or the United States Arms
23 Control and Disarmament Agency.

24 (B) Detailed descriptions of those in-
25 stances for the year ending December 31, 1997,

1 in which any disclosure of information to the
2 public by an employee of the Office of Inspector
3 General about an ongoing investigation oc-
4 curred, including details on the recipient of the
5 information, the date of the disclosure, and the
6 internal clearance process for the disclosure.

7 (2) EXCLUSION.—Disclosure of information to
8 the public under this section does not include infor-
9 mation shared by an employee of the Inspector Gen-
10 eral Office with Members of Congress.

11 **SEC. 1127. REAFFIRMING UNITED STATES INTERNATIONAL**
12 **TELECOMMUNICATIONS POLICY.**

13 (a) PROCUREMENT POLICY.—It is the policy of the
14 United States to foster and support procurement of goods
15 and services from private, commercial companies.

16 (b) IMPLEMENTATION.—In order to achieve the pol-
17 icy set forth in subsection (a), the Diplomatic Tele-
18 communications Service Program Office (DTS-PO)
19 shall—

20 (1) utilize full and open competition in the pro-
21 curement of telecommunications services, including
22 satellite space segment, for the Department of State
23 and each other Federal entity represented at United
24 States diplomatic missions and consular posts over-
25 seas;

1 (2) make every effort to ensure and promote
 2 the participation of commercial private sector pro-
 3 viders of satellite space segment who have no owner-
 4 ship or other connection with an intergovernmental
 5 satellite organization; and

6 (3) implement the competitive procedures re-
 7 quired by paragraphs (1) and (2) at the prime con-
 8 tracting level and, to the greatest extent practicable,
 9 the subcontracting level.

10 **CHAPTER 3—PERSONNEL**

11 **SEC. 1141. ELIMINATION OF POSITION OF DEPUTY ASSIST-** 12 **ANT SECRETARY OF STATE FOR** 13 **BURDENSARING.**

14 Section 161 of the Foreign Relations Authorization
 15 Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2651a note)
 16 is amended by striking subsection (f).

17 **SEC. 1142. RESTRICTION ON LOBBYING ACTIVITIES OF** 18 **FORMER UNITED STATES CHIEFS OF MIS-** 19 **SION.**

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

22 (1) by striking “or” at the end of subparagraph
 23 (B);

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

1 (3) by inserting after subparagraph (C) the fol-
2 lowing new subparagraph:

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

6 **SEC. 1143. RECOVERY OF COSTS OF HEALTH CARE SERV-**
7 **ICES.**

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

10 (1) in subsection (a)—

11 (A) by striking “and” before “members of
12 the families of such members and employees”;
13 and

14 (B) by inserting before the period “, and
15 (for care provided abroad) such other persons
16 as are designated by the Secretary of State, ex-
17 cept that such persons shall be considered per-
18 sons other than covered beneficiaries for pur-
19 poses of subsections (g) and (h)”;

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

23 (3) by adding the following new subsections at
24 the end:

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

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

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

17 “(4) No provision of any insurance, medical service,
18 or health plan contract or agreement having the effect of
19 excluding from coverage or limiting payment of charges
20 for care in the following circumstances shall operate to
21 prevent collection by the Secretary of State under para-
22 graph (1) for—

23 “(A) care provided directly or indirectly by a
24 governmental entity;

1 “(B) care provided to an individual who has not
2 paid a required deductible or copayment; or

3 “(C) care provided by a provider with which the
4 third party payer has no participation agreement.

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

9 “(6) As to the authority provided in paragraph (1)
10 of this subsection:

11 “(A) The United States shall be subrogated to
12 any right or claim that the covered beneficiary may
13 have against a third-party payer.

14 “(B) The United States may institute and pros-
15 ecute legal proceedings against a third-party payer
16 to enforce a right of the United States under this
17 subsection.

18 “(C) The Secretary may compromise, settle, or
19 waive a claim of the United States under this sub-
20 section.

21 “(7) The Secretary shall prescribe regulations for the
22 administration of this subsection and subsection (h). Such
23 regulations shall provide for computation of the reasonable
24 cost of health care services.

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

8 “(A) that the care or services for which recovery
9 or collection is sought were furnished to the covered
10 beneficiary; and

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

16 “(9) Amounts collected under this subsection, under
17 subsection (h), or under any authority referred to in sub-
18 section (i), from a third-party payer or from any other
19 payer shall be deposited as an offsetting collection to any
20 Department of State appropriation and shall remain avail-
21 able until expended. Amounts deposited shall be obligated
22 and expended only to the extent and in such amounts as
23 are provided in advance in an appropriation Act.

24 “(10) In this section:

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

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

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

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

22 “(i) Nothing in subsection (g) or (h) shall be con-
23 strued as limiting any authority the Secretary otherwise
24 has with respect to payment and obtaining reimbursement

1 for the costs of medical treatment of an individual eligible
2 under this section for health care.”.

3 (b) EFFECTIVE DATE.—The authorities of this sec-
4 tion shall be effective beginning October 1, 1998.

5 **SEC. 1144. NONOVERTIME DIFFERENTIAL PAY.**

6 Title 5, United States Code, is amended—

7 (1) in section 5544(a), by inserting after the
8 fourth sentence the following new sentence: “For
9 employees serving outside the United States in areas
10 where Sunday is a routine workday and another day
11 of the week is officially recognized as the day of rest
12 and worship, the Secretary of State may designate
13 the officially recognized day of rest and worship in
14 lieu of Sunday as the day with respect to which ad-
15 ditional pay is authorized by the preceding sen-
16 tence.”; and

17 (2) in section 5546(a), by adding at the end the
18 following new sentence: “For employees serving out-
19 side the United States in areas where Sunday is a
20 routine workday and another day of the week is offi-
21 cially recognized as the day of rest and worship, the
22 Secretary of State may designate the officially recog-
23 nized day of rest and worship in lieu of Sunday as
24 the day with respect to which additional pay is au-
25 thorized by the preceding sentence.”.

1 **SEC. 1145. CLARIFICATION OF REMEDIAL AUTHORITY OF**
2 **THE FOREIGN SERVICE GRIEVANCE BOARD.**

3 Section 1107 of the Foreign Service Act of 1980 (22
4 U.S.C. 4137) is amended—

5 (1) in subsection (c), by inserting after “(c)”
6 the following: “The Board’s remedial authority is ex-
7 pressly limited to those actions specified in sub-
8 section (b).”; and

9 (2) in subsection (f), by adding at the end the
10 following new sentence: “This subsection shall not be
11 construed as giving the Board any remedial author-
12 ity beyond that specified in subsection (b).”.

13 **SEC. 1146. PILOT PROGRAM FOR FOREIGN AFFAIRS REIM-**
14 **BURSEMENT.**

15 (a) FOREIGN AFFAIRS REIMBURSEMENT.—

16 (1) IN GENERAL.—Section 701 of the Foreign
17 Service Act of 1980 (22 U.S.C. 4021) is amended—

18 (A) by redesignating subsection (d)(4) as
19 subsection (g); and

20 (B) by inserting after subsection (d) the
21 following new subsections:

22 “(e)(1) The Secretary of State may, as a matter of
23 discretion, provide appropriate training and related serv-
24 ices through the institution to employees of United States
25 companies that are engaged in business abroad, and to
26 the families of such employees.

1 “(2) In the case of companies that are under contract
2 to provide services to the Department of State, the Sec-
3 retary of State is authorized to provide job-related train-
4 ing and related services to the companies’ employees who
5 are performing such services.

6 “(3) Training under this subsection shall be on a
7 space-available and reimbursable or advance-of-funds
8 basis. Such reimbursements or advances shall be credited
9 to the currently available applicable appropriation ac-
10 count.

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

16 “(5) Training under this subsection is not available
17 for foreign language services.

18 “(f)(1) The Secretary of State is authorized to pro-
19 vide on a reimbursable basis training programs to Mem-
20 bers of Congress or the Judiciary.

21 “(2) Legislative Branch staff members and employees
22 of the Judiciary may participate on a reimbursable basis
23 in training programs offered by the institution.

1 tion, including reimbursements, surcharges and fees, shall
2 be deposited as an offsetting collection to any Department
3 of State appropriation to recover the costs of such use and
4 shall remain available for obligation until expended.”.

5 (c) REPORTING ON PILOT PROGRAM.—One year after
6 the date of enactment of this Act, the Secretary of State
7 shall submit a report to the appropriate congressional
8 committees on the number of persons, including their busi-
9 ness or government affiliation, who have taken advantage
10 of the pilot program established under subsections (e) and
11 (f) of section 701 of the Foreign Service Act of 1980 and
12 section 53 of the State Department Basic Authorities Act
13 of 1956, the amount of fees collected, and the impact of
14 the program on the primary mission of the institute.

15 **SEC. 1147. GRANTS TO OVERSEAS EDUCATIONAL FACILI-**
16 **TIES.**

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

1 payment, the Department of State for funds used in pro-
2 viding assistance to such educational facilities.”.

3 **SEC. 1148. GRANTS TO REMEDY INTERNATIONAL CHILD AB-**
4 **DUCTIONS.**

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

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

16 **SEC. 1149. FOREIGN SERVICE REFORM.**

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

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

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

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

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

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

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

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

20 **SEC. 1150. LAW ENFORCEMENT AVAILABILITY PAY.**

21 (a) LAW ENFORCEMENT AVAILABILITY PAY.—Sec-
22 tion 5545a of title 5, United States Code, is amended—

23 (1) in subsection (a)(2), by striking “(other
24 than an officer occupying a position under title II of
25 Public Law 99–399)” and inserting “, including any

1 special agent of the Diplomatic Security Service,”;
2 and

3 (2) by amending subsection (h) to read as fol-
4 lows:

5 “(h) Availability pay under this section shall be—

6 (1) 25 percent of the rate of basic pay for the
7 position;

8 (2) treated as part of basic pay for the pur-
9 poses of—

10 (A) sections 5595(c), 8114(e), 8331(3),
11 8431, and 8704(c) of this title and section 856
12 of the Foreign Service Act of 1980; and

13 (B) such other purposes as may be ex-
14 pressly provided for by law or as the Office of
15 Personnel Management may by regulations pre-
16 scribe; and

17 (3) treated as part of salary for purposes of
18 sections 609(b)(1), 805, and 806 of the Foreign
19 Service Act of 1980.”.

20 (b) CONFORMING AMENDMENT.—Section 5542(e) of
21 title 5, United States Code, is amended by inserting “,
22 or section 37(a)(3) of the State Department Basic Au-
23 thorities Act of 1956,” after “section 3056(a) of title 18,”.

24 (c) IMPLEMENTATION.—Not later than the effective
25 date of this section, each special agent of the Diplomatic

1 Security Service under section 5545a of title 5, United
2 States Code, as amended by this section, and the appro-
3 priate supervisory officer, to be designated by the Sec-
4 retary of State, shall make an initial certification to the
5 Secretary of State that the special agent is expected to
6 meet the requirements of subsection (d) of such section
7 5545a. The Secretary of State may prescribe procedures
8 necessary to administer this subsection.

9 (d) EFFECTIVE DATE.—The amendments made by
10 this section shall take effect on the first day of the first
11 applicable pay period which begins on or after the 90th
12 day following the date of enactment of this Act.

13 **SEC. 1151. LAW ENFORCEMENT AUTHORITY OF DS SPECIAL**
14 **AGENTS OVERSEAS.**

15 Section 37 of the State Department Basic Authorities
16 Act of 1956 (22 U.S.C. 2709) is amended—

17 (1) by striking “and” at the end of subsection
18 (a)(4);

19 (2) by striking the period at the end of sub-
20 section (a)(5)(B) and inserting “; and”;

21 (3) by adding at the end of subsection (a) the
22 following:

23 “(6) conduct investigative leads or perform
24 other law enforcement duties at the request of any
25 duly authorized law enforcement agency while as-

1 signed to a United States Mission outside the Unit-
2 ed States.

3 Requests for investigative assistance from State and local
4 law enforcement agencies under paragraph (6) shall be co-
5 ordinated with the Federal law enforcement agency having
6 jurisdiction over the subject matter for which assistance
7 is requested.”; and

8 (4) by adding at the end the following:

9 “(d) AGENCIES NOT AFFECTED.—Nothing in sub-
10 section (a)(6) may be construed to limit or impair the au-
11 thority or responsibility of any other Federal or State law
12 enforcement agency with respect to its law enforcement
13 functions.”.

14 **CHAPTER 4—CONSULAR AND RELATED**
15 **ACTIVITIES**

16 **SEC. 1161. CONSULAR OFFICERS.**

17 (a) PERSONS AUTHORIZED TO ISSUE REPORTS OF
18 BIRTHS ABROAD.—Section 33(2) of the State Department
19 Basic Authorities Act of 1956 (22 U.S.C. 2705) is amend-
20 ed by adding at the end the following: “For purposes of
21 this paragraph, the term ‘consular officer’ includes any
22 employee of the Department of State who is a United
23 States citizen and who is designated by the Secretary of
24 State to adjudicate nationality abroad pursuant to such
25 regulations as the Secretary may prescribe.”.

1 (b) PROVISIONS APPLICABLE TO CONSULAR OFFI-
2 CERS.—Section 31 of the Act of August 18, 1856 (Rev.
3 Stat. 1689; 22 U.S.C. 4191), is amended by inserting
4 after “such officers” the following: “and to such other em-
5 ployees of the Department of State who are United States
6 citizens as may be designated by the Secretary of State
7 pursuant to such regulations as the Secretary may pre-
8 scribe”.

9 (c) PERSONS AUTHORIZED TO AUTHENTICATE FOR-
10 EIGN DOCUMENTS.—

11 (1) DEFINITION OF CONSULAR OFFICERS.—
12 Section 3492(c) of title 18, United States Code, is
13 amended by adding at the end the following: “For
14 purposes of this section and sections 3493 through
15 3496 of this title, the term ‘consular officers’ in-
16 cludes any officer or employee of the United States
17 Government who is a United States citizen and who
18 is designated to perform notarial functions pursuant
19 to section 24 of the Act of August 18, 1856 (Rev.
20 Stat. 1750; 22 U.S.C. 4221).”.

21 (2) DESIGNATED UNITED STATES CITIZENS
22 PERFORMING NOTARIAL ACTS.—Section 24 of the
23 Act of August 18, 1856 (Rev. Stat. 1750; 22 U.S.C.
24 4221) is amended by inserting after the first sen-
25 tence: “At any post, port, or place where there is no

1 consular officer, the Secretary of State may author-
2 ize any other officer or employee of the United
3 States Government serving overseas including per-
4 sons employed as United States Government con-
5 tractors, to perform such acts.”.

6 (d) PERSONS AUTHORIZED TO ADMINISTER
7 OATHS.—Section 115 of title 35 of the United States
8 Code is amended by adding at the end the following: “For
9 purposes of this section, the term ‘consular officer’ in-
10 cludes any officer or employee of the United States Gov-
11 ernment who is a United States citizen and who is des-
12 igned to perform notarial functions pursuant to section
13 24 of the Act of August 18, 1856 (Rev. Stat. 1750; 22
14 U.S.C. 4221).”.

15 (e) NATURALIZATION FUNCTIONS.—Section
16 101(a)(9) of the Immigration and Nationality Act (8
17 U.S.C. 1101(a)(9)) is amended by adding at the end the
18 following new sentence: “As used in title III, the term
19 ‘consular officer’ includes any employee of the Department
20 of State who is a United States citizen and who is des-
21 igned by the Secretary of State to adjudicate nationality
22 abroad pursuant to such regulations as the Secretary may
23 prescribe.”.

1 **SEC. 1162. REPEAL OF OUTDATED CONSULAR RECEIPT RE-**
2 **QUIREMENTS.**

3 The Act of August 18, 1856 (Revised Statutes 1726–
4 28; 22 U.S.C. 4212–14), concerning accounting for con-
5 sular fees, is repealed.

6 **SEC. 1163. ELIMINATION OF DUPLICATE FEDERAL REG-**
7 **ISTER PUBLICATION FOR TRAVEL**
8 **ADVISORIES.**

9 (a) FOREIGN AIRPORTS.—Section 44908(a) of title
10 49, United States Code, is amended—

11 (1) by inserting “and” at the end of paragraph
12 (1);

13 (2) by striking paragraph (2); and

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

16 (b) FOREIGN PORTS.—Section 908(a) of the Inter-
17 national Maritime and Port Security Act of 1986 (46
18 U.S.C. App. 1804(a)) is amended by striking the second
19 sentence, relating to Federal Register publication by the
20 Secretary of State.

21 **SEC. 1164. INADMISSIBILITY OF MEMBERS OF FORMER SO-**
22 **VIET UNION INTELLIGENCE SERVICES.**

23 Section 212(a)(3) of the Immigration and Natu-
24 ralization Act (8 U.S.C. 1182(a)(3)) is amended by adding
25 at the end the following new subparagraph:

1 “(F) MEMBERS OF FORMER SOVIET UNION
2 INTELLIGENCE SERVICES.—Any alien who was
3 employed by an intelligence service of the Soviet
4 Union prior to the dissolution of the Soviet
5 Union on December 31, 1991, is inadmissible,
6 unless—

7 “(i) The Secretary of State, in con-
8 sultation with the Director of Central In-
9 telligence, determines that it is in the na-
10 tional interest to admit the alien; or

11 “(ii) The admission of the alien is for
12 the purpose of the alien’s attendance at a
13 scholarly conference or educational meeting
14 in the United States.”.

15 **SEC. 1165. DENIAL OF VISAS TO ALIENS WHO HAVE CON-**
16 **FISCATED PROPERTY CLAIMED BY NATION-**
17 **ALS OF THE UNITED STATES.**

18 (a) DENIAL OF VISAS.—Except as otherwise provided
19 in section 401 of the Cuban Liberty and Democratic Soli-
20 darity (LIBERTAD) Act of 1996 (Public Law 104–114),
21 and subject to subsection (b), the Secretary of State may
22 deny the issuance of a visa to any alien who has con-
23 fiscated or has directed or overseen the confiscation or ex-
24 propriation of property the claim to which is owned by
25 a national of the United States, or converts or has con-

1 verted for personal gain confiscated or expropriated prop-
2 erty the claim to which is owned by a national of the Unit-
3 ed States.

4 (b) EXCEPTION.—This section shall not apply to
5 claims arising from any territory in dispute as a result
6 of war between United Nations member states in which
7 the ultimate resolution of the disputed territory has not
8 been resolved.

9 (c) REPORTING REQUIREMENT.—

10 (1) LIST OF FOREIGN NATIONALS.—The Sec-
11 retary of State shall direct the United States chief
12 of mission in each country to provide the Secretary
13 of State with a list of foreign nationals in that coun-
14 try who have confiscated or converted properties of
15 nationals of the United States where the cases of
16 confiscated or converted properties of nationals of
17 the United States have not been fully resolved.

18 (2) REPORT.—Not later than 3 months after
19 the date of enactment of this Act and not later than
20 every 6 months thereafter, the Secretary of State
21 shall submit to the Appropriations and Foreign Re-
22 lations Committees of the Senate and the Appropria-
23 tions and International Relations Committees of the
24 House of Representatives a report—

1 (A) listing foreign nationals who could
 2 have been denied a visa under subsection (a)
 3 but were given a visa to travel to the United
 4 States; and

5 (B) an explanation as to why the visa was
 6 given.

7 **SEC. 1166. INADMISSIBILITY OF ALIENS SUPPORTING**
 8 **INTERNATIONAL CHILD ABDUCTORS.**

9 (a) AMENDMENT TO IMMIGRATION AND NATIONAL-
 10 ITY ACT.—Section 212(a)(10)(C) of the Immigration and
 11 Nationality Act (8 U.S.C. 1182(a)(10)(C)) is amended—

12 (1) by redesignating clause (ii) as clause (iii);
 13 (2) by inserting after clause (i) the following:

14 “(ii) ALIENS SUPPORTING ABDUCTORS
 15 AND RELATIVES OF ABDUCTORS.—Any
 16 alien who—

17 “(I) knowingly assists or has as-
 18 sisted an alien in the conduct de-
 19 scribed in clause (i),

20 “(II) is providing or has provided
 21 material support or safe haven to an
 22 alien described in clause (i), or

23 “(III) is a spouse (other than the
 24 spouse who is the parent of the ab-
 25 ducted child), child (other than the

1 abducted child), parent, sibling, or
 2 agent of an alien described in clause
 3 (i),
 4 is inadmissible until the child described in
 5 clause (i) is surrendered to the person
 6 granted custody by the order described in
 7 that clause.”;

8 (3) in clause (i), by striking “clause (ii)” and
 9 inserting “clause (iii)”;

10 (4) in clause (iii) (as redesignated), by striking
 11 “Clause (i)” and inserting “Clauses (i) and (ii)”.

12 (b) EFFECTIVE DATE.—The amendments made by
 13 subsection (a) shall apply to aliens seeking admission to
 14 the United States on or after the date of enactment of
 15 this Act.

16 **TITLE XII—OTHER INTER-**
 17 **NATIONAL ORGANIZATIONS**
 18 **AND COMMISSIONS**

19 **CHAPTER 1—AUTHORIZATION OF**
 20 **APPROPRIATIONS**

21 **SEC. 1201. INTERNATIONAL CONFERENCES AND CONTIN-**
 22 **GENCIES.**

23 There are authorized to be appropriated for “Inter-
 24 national Conferences and Contingencies”, \$3,944,000 for
 25 the fiscal year 1998 and \$3,500,000 for the fiscal year

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

7 **SEC. 1202. INTERNATIONAL COMMISSIONS.**

8 There are authorized to be appropriated for “Inter-
9 national Commissions” for the Department of State to
10 carry out the authorities, functions, duties, and respon-
11 sibilities in the conduct of the foreign affairs of the United
12 States and for other purposes authorized by law:

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

17 (A) for “Salaries and Expenses”,
18 \$18,200,000 for the fiscal year 1998, and
19 \$18,200,000 for the fiscal year 1999; and

20 (B) for “Construction”, \$6,463,000 for the
21 fiscal year 1998, and \$6,463,000 for the fiscal
22 year 1999.

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

1 \$785,000 for the fiscal year 1998, and \$785,000 for
2 the fiscal year 1999.

3 (3) INTERNATIONAL JOINT COMMISSION.—For
4 “International Joint Commission”, \$3,225,000 for
5 the fiscal year 1998, and \$3,225,000 for the fiscal
6 year 1999.

7 (4) INTERNATIONAL FISHERIES COMMISS-
8 SIONS.—For “International Fisheries Commissions”,
9 \$14,549,000 for the fiscal year 1998, and
10 \$14,549,000 for the fiscal year 1999.

11 **CHAPTER 2—GENERAL PROVISIONS**

12 **SEC. 1211. INTERNATIONAL CRIMINAL COURT PARTICIPA-** 13 **TION.**

14 The United States may not participate in an inter-
15 national criminal court with jurisdiction over crimes of an
16 international character except—

17 (1) pursuant to a treaty made in accordance
18 with Article II, section 2, clause 2 of the Constitu-
19 tion; and

20 (2) as specifically authorized by statute.

21 **SEC. 1212. WITHHOLDING OF ASSISTANCE FOR PARKING** 22 **FINES OWED BY FOREIGN COUNTRIES.**

23 (a) IN GENERAL.—Of the funds made available for
24 a foreign country under part I of the Foreign Assistance
25 Act of 1961, an amount equivalent to 110 percent of the

1 total unpaid fully adjudicated parking fines and penalties
2 owed to the District of Columbia, the City of New York,
3 and jurisdictions in the States of Virginia and Maryland
4 by such country as of the date of enactment of this Act
5 shall be withheld from obligation for such country until
6 the Secretary of State certifies and reports in writing to
7 the appropriate congressional committees that such fines
8 and penalties are fully paid to the governments of the Dis-
9 trict of Columbia, the City of New York, and the States
10 of Virginia and Maryland, respectively.

11 (b) DEFINITION.—For purposes of this section, the
12 term “appropriate congressional committees” means the
13 Committee on Foreign Relations and the Committee on
14 Appropriations of the Senate and the Committee on Inter-
15 national Relations and the Committee on Appropriations
16 of the House of Representatives.

17 **SEC. 1213. UNITED STATES MEMBERSHIP IN THE INTER-**
18 **PARLIAMENTARY UNION.**

19 (a) INTERPARLIAMENTARY UNION LIMITATION.—
20 The United States shall either—

21 (1) pay no more than \$500,000 in annual dues
22 for membership in the Interparliamentary Union in
23 fiscal year 1998 and fiscal year 1999; or

24 (2) formally withdraw from the Organization.

25 (b) RETURN OF APPROPRIATED FUNDS.—

1 (1) PROHIBITION.—None of the funds made
2 available under this Act to the Department of State
3 may be used for congressional participation in the
4 International Parliamentary Union.

5 (2) TRANSFER OF FUNDS.—Unobligated bal-
6 ances of appropriations for the International Par-
7 liamentary Union shall be transferred to, and
8 merged with, funds available under the “Contribu-
9 tions for International Organizations” appropria-
10 tions account of the Department of State, to be
11 available only for payment in fiscal year 1998 of
12 United States assessed contributions to international
13 organizations covered by that account.

14 **SEC. 1214. REPORTING OF FOREIGN TRAVEL BY UNITED**
15 **STATES OFFICIALS.**

16 (a) INITIAL REPORTS.—

17 (1) PROHIBITION.—Except as provided in para-
18 graph (2), none of the funds made available under
19 this Act may be used to pay—

20 (A) the expenses of foreign travel by any
21 officer or employee of United States Executive
22 agencies in attending any international con-
23 ference or in engaging in any other foreign
24 travel; or

1 (B) the routine services that a United
2 States diplomatic mission or consular post pro-
3 vides in support of travel by such officer or em-
4 ployee,

5 unless, prior to the commencement of the travel, the
6 individual submits a report to the Director that
7 states the purpose, duration, and estimated cost of
8 the travel.

9 (2) EXCEPTION.—Paragraph (1) shall not
10 apply to—

11 (A) the President, the Vice President, or
12 any person traveling on a delegation led by the
13 President or Vice President, or any officer or
14 employee of the Executive Office of the Presi-
15 dent;

16 (B) the foreign travel of officers or employ-
17 ees of United States Executive agencies who are
18 carrying out intelligence or intelligence-related
19 activities, or law enforcement activities;

20 (C) the deployment of members of the
21 Armed Forces of the United States; or

22 (D) any United States Government official
23 engaged in a sensitive diplomatic mission.

24 (b) UPDATED REPORTS.—Not later than 30 days
25 after the conclusion of any travel for which a report is

1 required to be submitted under subsection (a)(1), the offi-
2 cer or employee of the United States shall submit an up-
3 dated report to the Director on the purpose, duration, or
4 costs of the travel from those indicated in the initial re-
5 port.

6 (c) QUARTERLY REPORTS.—The Director shall sub-
7 mit a quarterly report suitable for publication, containing
8 the information required in subsection (b) to the Commit-
9 tees on Appropriations and Foreign Relations of the Sen-
10 ate and the Committees on Appropriations and Inter-
11 national Relations of the House of Representatives.

12 (d) EMERGENCY WAIVER.—Subsection (a)(1) shall
13 not apply if the President determines that an emergency
14 or other unforeseen event necessitates the travel and thus
15 prevents the timely filing of the report required by that
16 subsection, however nothing in this section shall be inter-
17 preted to authorize a waiver of subsection (a)(2)(b).

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

19 (1) DIRECTOR.—The term “Director” means
20 the Director of the Office of International Con-
21 ferences of the Department of State.

22 (2) EXECUTIVE AGENCIES.—The term “Execu-
23 tive agencies” means those entities, other than the
24 General Accounting Office, defined in section 105 of
25 title 5, United States Code.

1 (3) FOREIGN TRAVEL.—The term “foreign
2 travel” refers to—

3 (A) travel between the United States and
4 a foreign country or territory except home
5 leave; and

6 (B) in the case of personnel assigned to a
7 United States diplomatic mission or consular
8 post in a foreign country or territory, travel
9 outside that country or territory.

10 (4) UNITED STATES.—The term “United
11 States” means the several States and the District of
12 Columbia and the commonwealths, territories, and
13 possessions of the United States.

14 (f) AVAILABLE FUNDS.—Funds available under sec-
15 tion 1201 shall be available for purposes of carrying out
16 this section.

17 **TITLE XIII—UNITED STATES IN-**
18 **FORMATIONAL, EDUCATION-**
19 **AL, AND CULTURAL PRO-**
20 **GRAMS**

21 **CHAPTER 1—AUTHORIZATION OF**
22 **APPROPRIATIONS**

23 **SEC. 1301. AUTHORIZATION OF APPROPRIATIONS.**

24 (a) IN GENERAL.—The following amounts are au-
25 thorized to be appropriated to carry out international in-

1 formation activities, and educational and cultural ex-
2 change programs under the United States Information
3 and Educational Exchange Act of 1948, the Mutual Edu-
4 cational and Cultural Exchange Act of 1961, Reorganiza-
5 tion Plan Number 2 of 1977, the Radio Broadcasting to
6 Cuba Act, the Television Broadcasting to Cuba Act, the
7 National Endowment for Democracy Act, the United
8 States International Broadcasting Act of 1994, and to
9 carry out other authorities in law consistent with such
10 purposes:

11 (1) “International Information Programs”,
12 \$427,097,000 for the fiscal year 1998 and
13 \$427,097,000 for the fiscal year 1999.

14 (2) “Educational and Cultural Exchange Pro-
15 grams”:

16 (A) For the “Fulbright Academic Ex-
17 change Programs”, \$99,236,000 for the fiscal
18 year 1998 and \$99,236,000 for the fiscal year
19 1999.

20 (B) For other educational and cultural ex-
21 change programs authorized by law,
22 \$100,764,000 for the fiscal year 1998 and
23 \$100,764,000 for the fiscal year 1999.

24 (3) “International Broadcasting Activities”:

1 (A) For the activities of Radio Free Asia,
2 \$20,000,000 for the fiscal year 1998 and
3 \$20,000,000 for the fiscal year 1999.

4 (B) For the activities of Broadcasting to
5 Cuba, \$22,095,000 for the fiscal year 1998 and
6 \$22,095,000 for the fiscal year 1999.

7 (C) For the activities of Radio Free Iran,
8 \$2,000,000 for the fiscal year 1998 and
9 \$2,000,000 for the fiscal year 1999.

10 (D) For other “International Broadcasting
11 Activities”, \$331,168,000 for the fiscal year
12 1998 and \$331,168,000 for the fiscal year
13 1999.

14 (4) “Radio Construction”, \$37,710,000 for the
15 fiscal year 1998 and \$31,000,000 for the fiscal year
16 1999.

17 (5) “Technology Fund”, \$5,050,000 for the fis-
18 cal year 1998 and \$5,050,000 for the fiscal year
19 1999.

20 (b) VIETNAM FULBRIGHT SCHOLARSHIPS.—Of the
21 funds authorized to be appropriated in subsection
22 (a)(2)(A), \$5,000,000 is authorized to be appropriated for
23 fiscal year 1998 and \$5,000,000 is authorized to be appro-
24 priated for fiscal year 1999 for the Vietnam scholarship
25 program established by section 229 of the Foreign Rela-

1 tions Authorization Act, Fiscal Years 1992 and 1993
2 (Public Law 102–138).

3 **SEC. 1302. NATIONAL ENDOWMENT FOR DEMOCRACY.**

4 There are authorized to be appropriated \$30,000,000
5 for the fiscal year 1998 and \$30,000,000 for the fiscal
6 year 1999 to carry out the National Endowment for De-
7 mocracy Act (title V of Public Law 98–164), of which
8 amount for each fiscal year not more than 55 percent shall
9 be available only for the following organizations, in equal
10 allotments:

11 (1) The International Republican Institute
12 (IRI).

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

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

15 (4) The Center for International Private Enter-
16 prise (CIPE).

17 **CHAPTER 2—USIA AND RELATED**
18 **AGENCIES AUTHORITIES AND ACTIVITIES**

19 **SEC. 1311. AUTHORIZATION TO RECEIVE AND RECYCLE**
20 **FEES.**

21 Section 810 of the United States Information and
22 Educational Exchange Act of 1948 (22 U.S.C. 1475e) is
23 hereby amended by adding “educational advising and
24 counselling, Exchange Visitor Programs Services, adver-
25 tising sold by the Voice of America, receipts from cooper-

1 ating international organizations and from the privatiza-
 2 tion of VOA Europe” after “library services” and before
 3 “, and Agency-produced publications,”.

4 **SEC. 1312. APPROPRIATIONS TRANSFER AUTHORITY.**

5 Section 701(f) of the United States Information and
 6 Educational Exchange Act of 1948 (22 U.S.C. 1476(f))
 7 is amended—

8 (1) in paragraph (1), by striking “, for the sec-
 9 ond fiscal year of any 2-year authorization cycle may
 10 be appropriated for such second fiscal year” and in-
 11 serting “for a fiscal year may be appropriated for
 12 such fiscal year”; and

13 (2) by striking paragraph (4).÷

14 **SEC. 1313. EXPANSION OF MUSKIE FELLOWSHIP PROGRAM.**

15 Section 227(c)(5) of the Foreign Relations Author-
 16 ization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452
 17 note) is amended—

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

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

1 **SEC. 1314. AU PAIR EXTENSION.**

2 Section 1(b) of Public Law 104–72 is amended by
3 striking “, through fiscal year 1997”.

4 **SEC. 1315. RADIO BROADCASTING TO IRAN IN THE FARSI**
5 **LANGUAGE.**

6 (a) RADIO FREE IRAN.—Not more than \$2,000,000
7 of the funds made available under section 1301(a)(3) for
8 each of the fiscal years 1998 and 1999 for grants to RFE/
9 RL, Incorporated, shall be available only for surrogate
10 radio broadcasting by RFE/RL, Incorporated, to the Ira-
11 nian people in the Farsi language, such broadcasts to be
12 designated as “Radio Free Iran”.

13 (b) REPORT TO CONGRESS.—Not later than 60 days
14 after the date of enactment of this Act, the Broadcasting
15 Board of Governors of the United States Information
16 Agency shall submit a detailed report to Congress describ-
17 ing the costs, implementation, and plans for creation of
18 the surrogate broadcasting service to be designated as
19 Radio Free Iran.

20 (c) AVAILABILITY OF FUNDS.—None of the funds
21 made available under subsection (a) may be made avail-
22 able until submission of the report required under sub-
23 section (b).

24 **SEC. 1316. VOICE OF AMERICA BROADCASTS.**

25 (a) IN GENERAL.—The Voice of America shall devote
26 programming time each day to broadcasting information

1 on the individual States of the United States. The broad-
2 casts shall include information on the products, and cul-
3 tural and educational facilities of each State, potential
4 trade with each State, and interactive discussions with
5 State officials.

6 (b) REPORT.—Not later than July 1, 1998, the
7 Broadcasting Board of Governors of the United States In-
8 formation Agency shall submit a report to Congress detail-
9 ing the actions that have been taken to carry out sub-
10 section (a).

11 **SEC. 1317. WORKING GROUP ON GOVERNMENT-SPONSORED**
12 **INTERNATIONAL EXCHANGES AND TRAINING.**

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

16 “(g)(1) In order to carry out the purposes of sub-
17 section (f) and to improve the coordination, efficiency and
18 effectiveness of Government-sponsored international ex-
19 changes and training, there is established within the Unit-
20 ed States Information Agency a senior-level inter-agency
21 Working Group on Government-Sponsored International
22 Exchanges and Training (in this section referred to as ‘the
23 Working Group’).

24 “(2) In this subsection, the term ‘Government-spon-
25 sored international exchanges and training’ refers to the

1 movement of people between countries to promote the
2 sharing of ideas, develop skills, and foster mutual under-
3 standing and cooperation, financed wholly or in part, di-
4 rectly or indirectly, with United States Government funds.

5 “(3) The Working Group shall consist of the Associ-
6 ate Director of the Bureau, who shall act as Chairperson
7 of the Working Group, and comparable senior representa-
8 tives appointed by the Secretaries of State, Defense, Jus-
9 tice, and Education, and by the Administrator of the Unit-
10 ed States Agency for International Development. Other
11 departments and agencies shall participate in the Working
12 Group’s meetings at the discretion of the Chairperson, and
13 shall cooperate with the Working Group to help accom-
14 plish the purposes of the Working Group. The National
15 Security Advisor and the Director of the Office of Manage-
16 ment and Budget may, at their discretion, each appoint
17 a representative to participate in the Working Group. The
18 Working Group shall be supported by an interagency staff
19 office established in the Bureau.

20 “(4) The Working Group shall have the following
21 authority:

22 “(A) To collect, analyze and report data pro-
23 vided by all United States Government departments
24 and agencies conducting international exchanges and
25 training programs.

1 “(B) To promote greater understanding and co-
2 operation among concerned United States Govern-
3 ment departments and agencies of common issues
4 and challenges in conducting international exchanges
5 and training programs, including through the estab-
6 lishment of a clearinghouse of information on inter-
7 national exchange and training activities in the gov-
8 ernmental and non-governmental sectors.

9 “(C) In order to achieve the most efficient and
10 cost-effective use of Federal resources, to identify
11 administrative and programmatic duplication and
12 overlap of activities by the various United States
13 Government departments and agencies involved in
14 Government-sponsored international exchange and
15 training programs.

16 “(D) Not later than 1 year after the date of en-
17 actment of the Foreign Relations Authorization Act,
18 Fiscal Years 1998 and 1999, to submit a report on
19 Government-sponsored international exchange and
20 training programs, along with the findings of the
21 Working Group made under subparagraph (c).

22 “(E) To develop strategies for expanding public
23 and private partnerships in, and leveraging private
24 sector support for, Government-sponsored inter-
25 national exchange and training activities.

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

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

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

10 “(8) The members of the Working Group shall serve
11 without additional compensation for their service on the
12 Working Group, and any expenses incurred by a member
13 of the Working Group in connection with such member’s
14 service on the Working Group shall be borne by the mem-
15 ber’s respective department or agency.

16 “(9) If any member of the Working Group disagrees
17 regarding to any matter in a report prepared pursuant
18 to this subsection, the member may prepare a statement
19 setting forth the reasons for such disagreement and such
20 statement shall be appended to, and considered a part of,
21 the report.”.

22 **SEC. 1318. INTERNATIONAL INFORMATION PROGRAMS.**

23 Section 704(c) of the United States Information and
24 Educational Exchange Act of 1948 (22 U.S.C. 1477b(c))
25 is amended—

1 **SEC. 1403. AMENDMENTS TO THE PEACE CORPS ACT.**

2 (a) TERMS AND CONDITIONS OF VOLUNTEER SERV-
3 ICE.—Section 5 of the Peace Corps Act (22 U.S.C. 2504)
4 is amended—

5 (1) in subsection (f)(1)(B), by striking “Civil
6 Service Commission” and inserting “Office of Per-
7 sonnel Management”;

8 (2) in subsection (h), by striking “the Federal
9 Voting Assistance Act of 1955” and all that follows
10 through the end of the subsection and inserting
11 “sections 5584 and 5732 of title 5, United States
12 Code (and readjustment allowances paid under this
13 Act shall be considered as pay for purposes of such
14 section 5732), section 1 of the Act of June 4, 1920
15 (22 U.S.C. 214), and section 3342 of title 31, Unit-
16 ed States Code.”; and

17 (3) in subsection (j), by striking “section 1757
18 of the Revised Statutes” and all that follows through
19 the end of the subsection and inserting “section
20 3331 of title 5, United States Code.”.

21 (b) GENERAL POWERS AND AUTHORITIES.—Section
22 10 of such Act (22 U.S.C. 2509) is amended—

23 (1) in subsection (a)(4), by striking “31 U.S.C.
24 665(b)” and inserting “section 1342 of title 31,
25 United States Code”; and

1 (2) in subsection (a)(5), by striking “: *Provided,*
2 That” and all that follows through the end of the
3 paragraph and inserting “, except that such individ-
4 uals shall not be deemed employees for the purpose
5 of any law administered by the Office of Personnel
6 Management.”.

7 (c) UTILIZATION OF FUNDS.—Section 15 of such Act
8 (22 U.S.C. 2514) is amended—

9 (1) in the first sentence of subsection (c)—

10 (A) by striking “Public Law 84–918 (7
11 U.S.C. 1881 et seq.)” and inserting “sub-
12 chapter VI of chapter 33 of title 5, United
13 States Code (5 U.S.C. 3371 et seq.)”; and

14 (B) by striking “specified in that Act” and
15 inserting “or other organizations specified in
16 section 3372(b) of such title”; and

17 (2) in subsection (d)—

18 (A) in paragraph (2), by striking “section
19 9 of Public Law 60–328 (31 U.S.C. 673)” and
20 inserting “section 1346 of title 31, United
21 States Code”;

22 (B) in paragraph (6), by striking “without
23 regard to section 3561 of the Revised Statutes
24 (31 U.S.C. 543)”;

25 (C) in paragraph (11)—

1 (i) by striking “Foreign Service Act of
2 1946, as amended (22 U.S.C. 801 et
3 seq.),” and inserting “Foreign Service Act
4 of 1980 (22 U.S.C. 3901 et seq.)”; and

5 (ii) by striking “and” at the end;

6 (D) in paragraph (12), by striking the pe-
7 riod at the end and by inserting “; and”; and

8 (E) by adding at the end the following:

9 “(13) the transportation of Peace Corps em-
10 ployees, Peace Corps volunteers, dependents of em-
11 ployees and volunteers, and accompanying baggage,
12 by a foreign air carrier when the transportation is
13 between 2 places outside the United States without
14 regard to section 40118 of title 49, United States
15 Code.”.

16 (d) PROHIBITION ON USE OF FUNDS FOR ABOR-
17 TIONS.—Section 15 of such Act (22 U.S.C. 2514) is
18 amended, as amended by this Act, is further amended by
19 adding at the end the following new subsection:

20 “(e) Funds made available for the purposes of this
21 Act may not be used to pay for abortions.”.

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

4 **CHAPTER 1—AUTHORIZATION OF**
5 **APPROPRIATIONS**

6 **SEC. 1501. AUTHORIZATION OF APPROPRIATIONS.**

7 There are authorized to be appropriated to carry out
8 the purposes of the Arms Control and Disarmament Act
9 \$39,000,000 for fiscal year 1998.

10 **CHAPTER 2—AUTHORITIES**

11 **SEC. 1511. STATUTORY CONSTRUCTION.**

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

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

22 **TITLE XVI—FOREIGN POLICY**

23 **SEC. 1601. PAYMENT OF IRAQI CLAIMS.**

24 (a) VESTING OF ASSETS.—All nondiplomatic ac-
25 counts of the Government of Iraq in the United States

1 that have been blocked pursuant to the International
2 Emergency Economic Powers Act (50 U.S.C. 1701 et
3 seq.) shall vest in the President, and the President, not
4 later than 30 days after the date of the enactment of this
5 Act, shall liquidate such accounts. Amounts from such liq-
6 uidation shall be transferred into the Iraq Claims Fund
7 established under subsection (b).

8 (b) IRAQ CLAIMS FUND.—Upon the vesting of ac-
9 counts under subsection (a), the Secretary of the Treasury
10 shall establish in the Treasury of the United States a fund
11 to be known as the Iraq Claims Fund (hereafter in this
12 section referred to as the “Fund”) for payment of private
13 claims or United States Government claims in accordance
14 with subsection (c).

15 (c) PAYMENTS.—

16 (1) PAYMENTS ON PRIVATE CLAIMS.—Not later
17 than 2 years after the date of the enactment of this
18 Act, the Secretary of the Treasury shall make pay-
19 ment out of the Fund in ratable proportions on pri-
20 vate claims certified under subsection (e) according
21 to the proportions which the total amount of the pri-
22 vate claims so certified bear to the total amount in
23 the Fund that is available for distribution at the
24 time such payments are made.

1 (2) PAYMENTS ON UNITED STATES GOVERN-
2 MENT CLAIMS.—After payment has been made in
3 full out of the Fund on all private claims certified
4 under subsection (e), any funds remaining in the
5 Fund shall be made available to satisfy claims of the
6 United States Government against the Government
7 of Iraq determined under subsection (d).

8 (d) DETERMINATION OF VALIDITY OF UNITED
9 STATES GOVERNMENT CLAIMS.—The President shall de-
10 termine the validity and amounts of claims of the Govern-
11 ment of the United States against the Government of Iraq
12 which the Secretary of State has determined are outside
13 the jurisdiction of the United Nations Commission, and,
14 to the extent that such claims are not satisfied from funds
15 made available by the Fund, the President is authorized
16 and requested to enter into a settlement agreement with
17 the Government of Iraq which would provide for the pay-
18 ment of such unsatisfied claims.

19 (e) DETERMINATION OF PRIVATE CLAIMS.—

20 (1) AUTHORITY OF THE FOREIGN CLAIMS SET-
21 TLEMENT COMMISSION.—The Foreign Claims Settle-
22 ment Commission of the United States is authorized
23 to receive and determine, in accordance with sub-
24 stantive law, including international law, the validity
25 and amounts of private claims. The Commission

1 shall complete its affairs in connection with the de-
2 termination of private claims under this section
3 within such time as is necessary to allow the pay-
4 ment of the claims under subsection (c)(1).

5 (2) APPLICABILITY.—Except to the extent in-
6 consistent with the provisions of this section, the
7 provisions of title I of the International Claims Set-
8 tlement Act of 1949 (22 U.S.C. 1621 et seq.) shall
9 apply with respect to private claims under this sec-
10 tion. Any reference in such provisions to “this title”
11 shall be deemed to refer to those provisions and to
12 this section.

13 (3) CERTIFICATION.—The Foreign Claims Set-
14 tlement Commission shall certify to the Secretary of
15 the Treasury the awards made in favor of each pri-
16 vate claim under paragraph (1).

17 (f) UNSATISFIED CLAIMS.—Payment of any award
18 made pursuant to this section shall not extinguish any
19 unsatisfied claim, or be construed to have divested any
20 claimant, or the United States on his or her behalf, of
21 any rights against the Government of Iraq with respect
22 to any unsatisfied claim.

23 (g) DEFINITIONS.—As used in this section—

24 (1) the term “Government of Iraq” includes
25 agencies, instrumentalities, and controlled entities

1 (including public sector enterprises) of that govern-
2 ment;

3 (2) the term “private claims” mean claims of
4 United States persons against the Government of
5 Iraq that are determined by the Secretary of State
6 to be outside the jurisdiction of the United Nations
7 Commission;

8 (3) the term “United Nations Commission”
9 means the United Nations Compensation Commis-
10 sion established pursuant to United Nations Secu-
11 rity Council Resolution 687, adopted in 1991; and

12 (4) the term “United States person”—

13 (A) includes—

14 (i) any person, wherever located, who
15 is a citizen of the United States;

16 (ii) any corporation, partnership, asso-
17 ciation, or other legal entity organized
18 under the laws of the United States or of
19 any State, the District of Columbia, or any
20 commonwealth, territory, or possession of
21 the United States; and

22 (iii) any corporation, partnership, as-
23 sociation, or other organization, wherever
24 organized or doing business, which is

1 owned or controlled by persons described
2 in clause (i) or (ii); and
3 (B) does not include the United States
4 Government or any officer or employee of the
5 United States Government acting in an official
6 capacity.

7 **SEC. 1602. UNITED NATIONS MEMBERSHIP FOR BELARUS.**

8 It is the sense of Congress that, if Belarus concludes
9 a treaty of unification with another country, the United
10 States Permanent Representative to the United Nations
11 and the Organization for Security and Cooperation in Eu-
12 rope should introduce a resolution abrogating the sov-
13 ereign status of Belarus within the United Nations.

14 **SEC. 1603. UNITED STATES POLICY WITH RESPECT TO JE-**
15 **RUSALEM AS THE CAPITAL OF ISRAEL.**

16 (a) **AUTHORIZATION OF APPROPRIATIONS.**—Of the
17 amounts authorized to be appropriated by section 1101(3)
18 for “Security and Maintenance of Buildings Abroad”,
19 \$25,000,000 for the fiscal year 1998 and \$75,000,000 for
20 the fiscal year 1999 are authorized to be appropriated for
21 the construction of a United States Embassy in Jerusa-
22 lem, Israel.

23 (b) **LIMITATION ON USE OF FUNDS FOR CONSULATE**
24 **IN JERUSALEM.**—None of the funds authorized to be ap-
25 propriated by this Act may be expended for the operation

1 of a United States consulate or diplomatic facility in Jeru-
2 salem unless such consulate or diplomatic facility is under
3 the supervision of the United States Ambassador to Israel.

4 (c) LIMITATION ON USE OF FUNDS FOR PUBLICA-
5 TIONS.—None of the funds authorized to be appropriated
6 by this Act may be available for the publication of any
7 official government document which lists countries and
8 their capital cities unless the publication identifies Jerusa-
9 lem as the capital of Israel.

10 (d) RECORD OF PLACE OF BIRTH AS ISRAEL FOR
11 PASSPORT PURPOSES.—For purposes of the registration
12 of birth, certification of nationality, or issuance of a pass-
13 port of a United States citizen born in the city of Jerusa-
14 lem, the Secretary of State shall, upon the request of the
15 citizen, record the place of birth as Israel.

16 **SEC. 1604. SPECIAL ENVOY FOR TIBET.**

17 (a) UNITED STATES SPECIAL ENVOY FOR TIBET.—
18 The President shall appoint within the Department of
19 State a United States Special Envoy for Tibet, who shall
20 hold office at the pleasure of the President.

21 (b) RANK.—A United States Special Envoy for Tibet
22 appointed under subsection (a) shall have the personal
23 rank of ambassador and shall be appointed by and with
24 the advice and consent of the Senate.

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

3 (1) to promote substantive negotiations between
4 the Dalai Lama or his representatives and senior
5 members of the Government of the People’s Republic
6 of China;

7 (2) to promote good relations between the Dalai
8 Lama and his representatives and the United States
9 Government, including meeting with members or
10 representatives of the Tibetan government-in-exile;
11 and

12 (3) to travel regularly throughout Tibet and Ti-
13 betan refugee settlements.

14 (d) DUTIES AND RESPONSIBILITIES.—The United
15 States Special Envoy for Tibet shall—

16 (1) consult with the Congress on policies rel-
17 evant to Tibet and the future and welfare of all Ti-
18 betan people;

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

21 (3) report to the Secretary of State regarding
22 the matters described in section 536(a)(2) of the
23 Foreign Relations Authorization Act, Fiscal Years
24 1994 and 1995 (Public Law 103–236).

1 **SEC. 1605. FINANCIAL TRANSACTIONS WITH STATE SPON-**
2 **SORS OF INTERNATIONAL TERRORISM.**

3 (a) PROHIBITED TRANSACTIONS.—Section 2332d(a)
4 of title 18, United States Code, is amended—

5 (1) by striking “Except as provided in regula-
6 tions issued by the Secretary of the Treasury, in
7 consultation with the Secretary of State, whoever”
8 and inserting “(1) Except as provided in paragraph
9 (2), whoever”;

10 (2) by inserting “of 1979” after “Export Ad-
11 ministration Act”; and

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

13 “(2) Paragraph (1) does not apply to any financial
14 transaction—

15 “(A) engaged in by an officer or employee of
16 the United States acting within his or her official ca-
17 pacity;

18 “(B) for the sole purpose of providing humani-
19 tarian assistance in a country designated under sec-
20 tion 6(j) of the Export Administration Act of 1979;

21 “(C) involving travel or other activity by any
22 journalist or other member of the news media in a
23 country designated under section 6(j) of the Export
24 Administration Act of 1979; or

25 “(D) within a class of financial transactions,
26 and with a specified country, covered by a deter-

1 mination of the President stating that it is vital to
2 the national security interests of the United States
3 that financial transactions of that class and with
4 that country be permitted.

5 “(3) Each determination under paragraph (2)(D)
6 shall be published in the Federal Register at least 15 days
7 in advance of the transaction and shall include a state-
8 ment of the determination, a detailed explanation of the
9 types of financial transactions permitted, the estimated
10 dollar amount of the financial transactions permitted, and
11 an explanation of the manner in which those financial
12 transactions would further the national interests of the
13 United States.

14 “(4) The President shall submit a report to the Com-
15 mittees on Foreign Relations and Appropriations of the
16 Senate and the Committees on International Relations
17 and Appropriations of the House of Representatives and
18 the Speaker of the House of Representatives containing
19 any determination under paragraph (2)(D) at least 30
20 days before the determination is to take effect. Any such
21 determination shall be effective only for a period of 12
22 months but may be extended for an additional period or
23 periods of 12 months each.”.

24 (b) DEFINITION.—Section 2332d(b) of title 18, Unit-
25 ed States Code, is amended—

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

3 (2) by redesignating paragraph (2) as para-
4 graph (3); and

5 (3) by inserting after paragraph (1) the follow-
6 ing:

7 “(2) the term ‘humanitarian assistance’ in-
8 cludes, but is not limited to, the provision of medi-
9 cines and religious materials; and”.

10 (c) EFFECTIVE DATE.—The amendments made by
11 this section shall apply to financial transactions entered
12 into on or after the date of enactment of this Act.

13 **SEC. 1606. UNITED STATES POLICY WITH RESPECT TO THE**
14 **INVOLUNTARY RETURN OF PERSONS IN DAN-**
15 **GER OF SUBJECTION TO TORTURE.**

16 (a) IN GENERAL.—The United States shall not expel,
17 extradite, or otherwise effect the involuntary return of any
18 person to a country in which there are reasonable grounds
19 for believing the person would be in danger of subjection
20 to torture.

21 (b) DEFINITIONS.—

22 (1) IN GENERAL.—Except as otherwise pro-
23 vided, terms used in this section have the meanings
24 given such terms under the United Nations Conven-
25 tion Against Torture and Other Cruel, Inhuman or

1 Degrading Treatment or Punishment, subject to any
2 reservations, understandings, declarations, and pro-
3 visos contained in the United States Senate resolu-
4 tion of advice and consent to ratification to such
5 convention.

6 (2) INVOLUNTARY RETURN.—As used in this
7 section, the term “effect the involuntary return”
8 means to take action by which it is reasonably fore-
9 seeable that a person will be required to return to
10 a country against the person’s will, regardless of
11 whether such return is induced by physical force and
12 regardless of whether the person is physically
13 present in the United States.

14 **SEC. 1607. REPORTS ON THE SITUATION IN HAITI.**

15 Section 3 of Public Law 103–423 is amended to read
16 as follows:

17 **“SEC. 3. REPORTS.**

18 “(a) REPORTING REQUIREMENT.—Not later than
19 January 1, 1998, and every six months thereafter, the
20 President shall submit a report to Congress on the situa-
21 tion in Haiti, including—

22 “(1) a listing of the units of the United States
23 Armed Forces or Coast Guard and of the police and
24 military units of other nations participating in oper-
25 ations in and around Haiti;

1 “(2) armed incidents or the use of force in or
2 around Haiti involving United States Armed Forces
3 or Coast Guard personnel during the period covered
4 by the report;

5 “(3) the estimated cumulative cost, including
6 incremental cost, of all United States activities in
7 and around Haiti during the period covered by the
8 report, including—

9 “(A) the cost of deployments of United
10 States Armed Forces and Coast Guard person-
11 nel training, exercises, mobilization, and prepa-
12 ration activities, including the preparation of
13 police and military units of other nations of any
14 multilateral force involved in activities in and
15 around Haiti; and

16 “(B) the costs of all other activities relat-
17 ing to United States policy toward Haiti, in-
18 cluding humanitarian assistance, reconstruction
19 assistance, assistance under part I of the For-
20 eign Assistance Act of 1961, and other financial
21 assistance, and all other costs to the United
22 States Government; and

23 “(4) a detailed accounting of the source of
24 funds obligated or expended to meet the costs de-
25 scribed in paragraph (3), including—

1 “(A) in the case of amounts expended out
2 of funds available to the Department of Defense
3 budget, by military service or defense agency,
4 line item and program; and

5 “(B) in the case of amounts expended out
6 of funds available to departments and agencies
7 other than the Department of Defense, by de-
8 partment or agency and program.

9 “(b) DEFINITION.—The term ‘period covered by the
10 report’ means the six-month period prior to the date the
11 report is required to be submitted, except that, in the case
12 of the initial report, the term means the period since the
13 date of enactment of the Foreign Relations Authorization
14 Act, Fiscal Years 1998 and 1999.”.

15 **SEC. 1608. REPORT ON AN ALLIANCE AGAINST NARCOTICS**
16 **TRAFFICKING IN THE WESTERN HEMI-**
17 **SPHERE.**

18 (a) SENSE OF CONGRESS ON DISCUSSIONS FOR ALLI-
19 ANCE.—

20 (1) SENSE OF CONGRESS.—It is the sense of
21 Congress that the President should discuss with the
22 democratically-elected governments of the Western
23 Hemisphere, during the President’s trips in the re-
24 gion in 1997 and through other consultations, the
25 prospect of forming a multilateral alliance to address

1 problems relating to international drug trafficking in
2 the Western Hemisphere.

3 (2) CONSULTATIONS.—In the consultations on
4 the prospect of forming an alliance described in
5 paragraph (1), the President should seek the input
6 of such governments on the possibility of forming
7 one or more structures within the alliance—

8 (A) to develop a regional, multilateral
9 strategy to address the threat posed to nations
10 in the Western Hemisphere by drug trafficking;
11 and

12 (B) to establish a new mechanism for im-
13 proving multilateral coordination of drug inter-
14 diction and drug-related law enforcement activi-
15 ties in the Western Hemisphere.

16 (b) REPORT.—

17 (1) REQUIREMENT.—Not later than October 1,
18 1997, the President shall submit to Congress a re-
19 port on the proposal discussed under subsection (a).
20 The report shall include the following:

21 (A) An analysis of the reactions of the gov-
22 ernments concerned to the proposal.

23 (B) An assessment of the proposal, includ-
24 ing an evaluation of the feasibility and advis-
25 ability of forming the alliance.

1 (C) A determination in light of the analysis
2 and assessment whether or not the formation of
3 the alliance is in the national interests of the
4 United States.

5 (D) If the President determines that the
6 formation of the alliance is in the national in-
7 terests of the United States, a plan for encour-
8 aging and facilitating the formation of the alli-
9 ance.

10 (E) If the President determines that the
11 formation of the alliance is not in the national
12 interests of the United States, an alternative
13 proposal to improve significantly efforts against
14 the threats posed by narcotics trafficking in the
15 Western Hemisphere, including an explanation
16 of how the alternative proposal will—

17 (i) improve upon current cooperation
18 and coordination of counter-drug efforts
19 among nations in the Western Hemisphere;

20 (ii) provide for the allocation of the
21 resources required to make significant
22 progress in disrupting and disbanding the
23 criminal organizations responsible for the
24 trafficking of illegal drugs in the Western
25 Hemisphere; and

1 (iii) differ from and improve upon
2 past strategies adopted by the United
3 States Government which have failed to
4 make sufficient progress against the traf-
5 ficking of illegal drugs in the Western
6 Hemisphere.

7 (2) UNCLASSIFIED FORM.—The report under
8 paragraph (1) shall be submitted in unclassified
9 form, but may contain a classified annex.

10 **SEC. 1609. REPORT ON GREENHOUSE GAS EMISSIONS**
11 **AGREEMENT.**

12 (a) ASSESSMENT OF PROPOSED AGREEMENT.—

13 (1) ASSESSMENT.—The President shall assess
14 the effect on the United States economy and envi-
15 ronment of any quantified objectives, targets, poli-
16 cies, or measures proposed for the control, limita-
17 tion, or reduction of greenhouse gas emissions of
18 Annex I Parties.

19 (2) ELEMENTS.—The assessment under para-
20 graph (1) shall include—

21 (A) an assessment of the costs and bene-
22 fits to the United States economy and the envi-
23 ronment of pursuing a policy of reducing green-
24 house gas emissions;

1 (B) an assessment of the schedules for
2 achieving reductions in greenhouse gas emis-
3 sions;

4 (C) an assessment of the ability of Annex
5 I Parties to meet the schedules identified under
6 subparagraph (B);

7 (D) an assessment of the effect of in-
8 creased greenhouse gas emissions by non-Annex
9 I Parties and all nonparticipating nations on
10 the overall effort to reduce greenhouse gas
11 emissions;

12 (E) an assessment of the long-term impact
13 on the global economy and the environment of
14 increased greenhouse gas emissions by Annex I
15 Parties; and

16 (F) an assessment of consequences for em-
17 ployment, trade, consumer activities, competi-
18 tiveness, and the environment in the United
19 States of the requirements of paragraphs 3, 4,
20 and 5 of Article 4 of the FCCC regarding the
21 transfer by Annex I Parties of financial re-
22 sources, technology, and other resources to non-
23 Annex I Parties.

24 (b) NOTIFICATION OF CONGRESS.—Not later than
25 six months before any vote by the parties to the FCCC

1 on the final negotiating text of a proposed agreement to
2 reduce greenhouse gas emissions under the FCCC, the
3 President shall submit to Congress a comprehensive analy-
4 sis of the effect of the proposed agreement on the United
5 States economy and the environment, including the assess-
6 ments made under subsection (a). To the extent prac-
7 ticable, the analysis shall include the text and negotiating
8 notes of the proposed agreement.

9 (c) DEFINITIONS.—For the purposes of this sec-
10 tion—

11 (1) FCCC.—The term “FCCC” means the
12 United Nations Framework Convention on Climate
13 Change, with annexes, done at New York May 9,
14 1992.

15 (2) ANNEX I PARTIES.—The term “Annex I
16 Parties” means the Developed Country Parties of
17 the FCCC, including the United States, Canada, the
18 Russian Federation, the European Union Countries,
19 Australia, Japan, and countries undergoing the
20 process of transition to a market economy, as listed
21 in Annex I of the FCCC.

22 (3) NON-ANNEX I PARTIES.—The term “Non-
23 Annex I Parties” means the developing countries
24 (including China, India, South Korea, Malaysia,
25 Brazil, Mexico, other trading partners of the United

1 States, and the Small Island Countries) that are
2 parties to the FCCC but not listed in Annex I of the
3 FCCC.

4 **SEC. 1610. REPORTS AND POLICY CONCERNING DIPLO-**
5 **MATIC IMMUNITY.**

6 (a) ANNUAL REPORT CONCERNING DIPLOMATIC IM-
7 MUNITY.—

8 (1) REPORT TO CONGRESS.—The Secretary of
9 State shall prepare and submit to the Congress, an-
10 nually, a report concerning diplomatic immunity en-
11 titled “Report on Cases Involving Diplomatic Immu-
12 nity”.

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

17 (A) The number of persons residing in the
18 United States who enjoy full immunity from the
19 criminal jurisdiction of the United States under
20 laws extending diplomatic privileges and immu-
21 nities.

22 (B) Each case involving an alien described
23 in subparagraph (A) in which the appropriate
24 authorities of a State, a political subdivision of
25 a State, or the United States reported to the

1 Department of State that the authority had
2 reasonable cause to believe the alien committed
3 a serious criminal offense within the United
4 States.

5 (C) Each case in which the United States
6 has certified that a person enjoys full immunity
7 from the criminal jurisdiction of the United
8 States under laws extending diplomatic privi-
9 leges and immunities.

10 (D) The number of United States citizens
11 who are residing in a receiving state and who
12 enjoy full immunity from the criminal jurisdic-
13 tion of such state under laws extending diplo-
14 matic privileges and immunities.

15 (E) Each case involving a United States
16 citizen under subparagraph (D) in which the
17 United States has been requested by the gov-
18 ernment of a receiving state to waive the immu-
19 nity from criminal jurisdiction of the United
20 States citizen.

21 (3) SERIOUS CRIMINAL OFFENSE DEFINED.—In
22 this section, the term “serious criminal offense”
23 means—

24 (A) any felony under Federal, State, or
25 local law;

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

4 (C) any crime of violence as defined for
5 purposes of section 16 of title 18, United States
6 Code; or

7 (D) driving under the influence of alcohol
8 or drugs or driving while intoxicated if the case
9 involves personal injury to another individual.

10 (b) UNITED STATES POLICY CONCERNING REFORM
11 OF DIPLOMATIC IMMUNITY.—It is the sense of the Con-
12 gress that the Secretary of State should explore, in appro-
13 priate fora, whether states should enter into agreements
14 and adopt legislation—

15 (1) to provide jurisdiction in the sending state
16 to prosecute crimes committed in the receiving state
17 by persons entitled to immunity from criminal juris-
18 diction under laws extending diplomatic privileges
19 and immunities; and

20 (2) to provide that where there is probable
21 cause to believe that an individual who is entitled to
22 immunity from the criminal jurisdiction of the re-
23 ceiving state under laws extending diplomatic privi-
24 leges and immunities committed a serious crime, the

1 sending state will waive such immunity or the send-
2 ing state will prosecute such individual.

3 **SEC. 1611. ITALIAN CONFISCATION OF PROPERTY CASE.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) The United States and the Italian Republic
7 signed the Treaty of Friendship, Commerce and
8 Navigation in 1948.

9 (2) Article V, paragraph 2 of the Treaty states
10 that property owned by nationals of either treaty
11 partner shall not be taken without “due process of
12 law and without the prompt payment of just and ef-
13 fective compensation.”.

14 (3) The Italian Republic confiscated the prop-
15 erty of an American citizen, Mr. Pier Talenti, and
16 has failed to compensate Mr. Talenti for his prop-
17 erty.

18 (4) The failure of the Italian government to
19 compensate Mr. Talenti runs counter to its treaty
20 obligations and accepted international standards.

21 (5) Mr. Talenti has exhausted all remedies
22 available to him within the Italian judicial system.

23 (6) To date, Mr. Talenti has not received “just
24 and effective compensation” from the Italian govern-
25 ment as called for in the Treaty.

1 and the Committee on Appropriations of the Senate
2 and the Committee on International Relations and
3 the Committee on Appropriations of the House of
4 Representatives.

5 (2) DESIGNATED SPECIALIZED AGENCY DE-
6 FINED.—In this section, the term “designated spe-
7 cialized agency” refers to the International Labor
8 Organization, the World Health Organization, and
9 the Food and Agriculture Organization.

10 (3) SECRETARY GENERAL.—The term “Sec-
11 retary General” means the Secretary General of the
12 United Nations.

13 (4) UNITED NATIONS MEMBER.—The term
14 “United Nations member” means any country that
15 is a member of the United Nations.

16 (5) UNITED NATIONS PEACE OPERATION.—The
17 term “United Nations peace operation” means any
18 United Nations led peace operation paid for from
19 the assessed peacekeeping budget and authorized by
20 the Security Council.

21 **SEC. 2003. NONDELEGATION OF CERTIFICATION REQUIRE-**
22 **MENTS.**

23 The Secretary of State may not delegate the author-
24 ity in this division to make any certification.

1 **TITLE XXI—AUTHORIZATION OF**
2 **APPROPRIATIONS**

3 **SEC. 2101. ASSESSED CONTRIBUTIONS TO THE UNITED NA-**
4 **TIONS AND AFFILIATED ORGANIZATIONS.**

5 (a) AUTHORIZATION OF APPROPRIATIONS.—There
6 are authorized to be appropriated under the heading “As-
7 sessed Contributions to International Organizations”
8 \$938,000,000 for the fiscal year 1998 and \$900,000,000
9 for the fiscal year 1999 for the Department of State to
10 carry out the authorities, functions, duties, and respon-
11 sibilities in the conduct of the foreign affairs of the United
12 States with respect to international organizations and to
13 carry out other authorities in law consistent with such
14 purposes.

15 (b) NO GROWTH BUDGET.—Of the funds made avail-
16 able under subsection (a), \$80,000,000 may be made
17 available during each fiscal year only on a semi-annual
18 basis and only after the Secretary of State certifies on a
19 semi-annual basis that the United Nations has taken no
20 action during the preceding six months to increase funding
21 for any United Nations program without identifying an
22 offsetting decrease during that six month period elsewhere
23 in the United Nations budget of \$2,533,000,000 and
24 cause the United Nations to exceed its budget for the bien-
25 nium 1998–99 adopted in December 1997.

1 (c) INSPECTOR GENERAL OF THE UNITED NA-
2 TIONS.—

3 (1) WITHHOLDING OF FUNDS.—Twenty percent
4 of the funds made available in each fiscal year under
5 subsection (a) for the assessed contribution of the
6 United States to the United Nations shall be with-
7 held from obligation and expenditure until a certifi-
8 cation is made under paragraph (2).

9 (2) CERTIFICATION.—A certification under this
10 paragraph is a certification by the Secretary of State
11 in the fiscal year concerned that the following condi-
12 tions are satisfied:

13 (A) ACTION BY THE UNITED NATIONS.—

14 The United Nations—

15 (i) has met the requirements of para-
16 graphs (1) through (6) of section 401(b) of
17 the Foreign Relations Authorization Act,
18 Fiscal Years 1994 and 1995 (22 U.S.C.
19 287e note); and

20 (ii) has established procedures that
21 require the Under Secretary General of the
22 Office of Internal Oversight Service to re-
23 port directly to the Secretary General on
24 the adequacy of the Office's resources to
25 enable the Office to fulfill its mandate.

1 (B) ACTION BY OIOS.—The Office of Inter-
2 nal Oversight Services has authority to audit,
3 inspect, or investigate each program, project, or
4 activity funded by the United Nations, and each
5 executive board created under the United Na-
6 tions has been notified, in writing, of that au-
7 thority.

8 (d) PROHIBITION ON CERTAIN GLOBAL CON-
9 FERENCES.—Funds made available under subsection (a)
10 shall be withheld from disbursement until the Secretary
11 of State certifies to Congress that the United States has
12 not contributed any funds authorized to be appropriated
13 in subsection (a) to pay for any expenses related to the
14 holding of a United Nations Global Conference.

15 (e) REDUCTION IN NUMBER OF POSTS.—

16 (1) FISCAL YEAR 1998.—Of the funds appro-
17 priated for fiscal year 1998 for the United Nations
18 pursuant to subsection (a), \$50,000,000 shall be
19 withheld from disbursement until the Secretary of
20 State certifies to Congress that the number of posts
21 established under the 1998–99 regular budget of the
22 United Nations and authorized by the General As-
23 sembly has been reduced by at least 1,000 posts
24 from those authorized by the 1996–97 biennium, as
25 a result of a suppression of that number of posts.

1 (2) FISCAL YEAR 1999.—Of the funds appro-
2 priated for fiscal year 1999 for the United Nations,
3 pursuant to subsection (a), \$50,000,000 shall be
4 withheld from disbursement until the Secretary of
5 State certifies to Congress that the 1998–99 United
6 Nations budget contains a vacancy rate of not less
7 than 5 percent for professional staff and not less
8 than 2.5 percent for general services staff.

9 (f) PROHIBITION ON FUNDING ORGANIZATIONS
10 OTHER THAN UNITED NATIONS.—None of the funds
11 made available under subsection (a) shall be available for
12 disbursement until the Secretary of State certifies to Con-
13 gress that no portion of the United States contribution
14 will be used to fund any other organization other than the
15 United Nations out of the United Nations regular budget,
16 including the Framework Convention on Global Climate
17 Change and the International Seabed Authority.

18 (g) LIMITATION.—

19 (1) IN GENERAL.—The total amount of funds
20 made available for all United States memberships in
21 international organizations for which contributions
22 are assessed may not exceed \$900,000,000 in con-
23 stant dollars for any fiscal year after fiscal year
24 1998. The limitation contained in this paragraph in-

1 includes the assessed costs of United States member-
2 ship in new organizations.

3 (2) WITHDRAWAL REQUIRED.—Notwithstand-
4 ing any other provision of law, the United States
5 shall withdraw from an international organization or
6 otherwise reduce United States assessments in the
7 following budget cycle of that organization if the
8 Secretary determines that the amount of funds au-
9 thorized to be appropriated for assessments to that
10 international organization could cause the total
11 amount of funds made available for assessments to
12 all international organizations for that fiscal year to
13 exceed the limitation in paragraph (1).

14 (3) PROCEDURES.—

15 (A) IN GENERAL.—The United States
16 shall, in consultation with Congress, withdraw
17 from an international organization under this
18 subsection in accordance with the procedures
19 identified for withdrawal in the treaty, pact,
20 agreement, charter, or other instrument of the
21 organization which establishes such procedures.

22 (B) DEADLINE.—Unless otherwise pro-
23 vided for in the instrument concerned, a with-
24 drawal under this subsection shall be completed

1 within one year in which the withdrawal is re-
2 quired.

3 (4) REPORT.—Not less than 30 days before the
4 commencement of the withdrawal of the United
5 States from an international organization under this
6 subsection, the President shall submit to Congress a
7 report on the withdrawal.

8 (h) FOREIGN CURRENCY EXCHANGE RATES.—

9 (1) AUTHORIZATION OF APPROPRIATIONS.—In
10 addition to amounts authorized to be appropriated
11 by subsection (a), there are authorized to be appro-
12 priated such sums as may be necessary for each of
13 fiscal years 1998 and 1999 to offset adverse fluctua-
14 tions in foreign currency exchange rates.

15 (2) AVAILABILITY OF FUNDS.—Amounts appro-
16 priated under this subsection shall be available for
17 obligation and expenditure only to the extent that
18 the Director of the Office of Management and Budg-
19 et determines and certifies to Congress that such
20 amounts are necessary due to such fluctuations.

21 (i) REFUND OF EXCESS CONTRIBUTIONS.—The
22 United States shall continue to insist that the United Na-
23 tions and its specialized and affiliated agencies shall estab-
24 lish and implement a procedure to credit or refund to each
25 member of the agency concerned its proportionate share

1 of the amount by which the total contributions to the
2 agency exceed the expenditures of the regular assessed
3 budgets of these agencies.

4 **SEC. 2102. UNITED NATIONS POLICY ON ISRAEL AND THE**
5 **PALESTINIANS.**

6 (a) CONGRESSIONAL STATEMENT.—It shall be the
7 policy of the United States to promote an end to the per-
8 sistent inequity experienced by Israel in the United Na-
9 tions whereby Israel is the only longstanding member of
10 the organization to be denied acceptance into any of the
11 United Nation’s regional blocs.

12 (b) POLICY ON ABOLITION OF CERTAIN UNITED NA-
13 TIONS GROUPS.—It shall be the policy of the United
14 States to seek abolition of certain United Nations groups
15 the existence of which is inimical to the ongoing Middle
16 East peace process, those groups being the Special Com-
17 mittee to Investigate Israeli Practices Affecting the
18 Human Rights of the Palestinian People and other Arabs
19 of the Occupied Territories; the Committee on the Exer-
20 cise of the Inalienable Rights of the Palestinian People;
21 the Division for the Palestinian Rights; and the Division
22 on Public Information on the Question of Palestine.

23 (c) CONSULTATIONS WITH CONGRESS.—Not later
24 than 90 days after the date of the enactment of this Act
25 and on a semi-annual basis thereafter, the Secretary of

1 State shall consult with the appropriate congressional
2 committees (in classified or unclassified form as appro-
3 priate) on—

4 (1) actions taken by representatives of the
5 United States to encourage the nations of the West-
6 ern Europe and Others Group (WEOG) to accept Is-
7 rael into their regional bloc;

8 (2) 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 (3) 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; and

17 (4) steps taken by the United States to secure
18 abolition by the United Nations of groups under
19 subsection (b).

20 **SEC. 2103. ASSESSED CONTRIBUTIONS FOR INTER-**
21 **NATIONAL PEACEKEEPING ACTIVITIES.**

22 (a) **AUTHORIZATION OF APPROPRIATIONS.**—There
23 are authorized to be appropriated under the heading “As-
24 sessed Contributions for International Peacekeeping Ac-
25 tivities” \$200,000,000 for the fiscal year 1998 and

1 \$205,000,000 for the fiscal year 1999 for the Department
2 of State to carry out the authorities, functions, duties, and
3 responsibilities in the conduct of the foreign affairs of the
4 United States with respect to international peacekeeping
5 activities and to carry out other authorities in law consist-
6 ent with such purposes.

7 (b) CODIFICATION OF REQUIRED NOTICE OF PRO-
8 POSED UNITED NATIONS PEACEKEEPING OPERATIONS.—

9 (1) CODIFICATION.—Section 4 of the United
10 Nations Participation Act of 1945 (22 U.S.C. 287b)
11 is amended—

12 (A) in subsection (a), by striking the sec-
13 ond sentence;

14 (B) by striking subsection (e); and

15 (C) by adding after subsection (d) the fol-
16 lowing new subsections:

17 “(e) CONSULTATIONS AND REPORTS ON UNITED NA-
18 TIONS PEACEKEEPING OPERATIONS.—

19 “(1) CONSULTATIONS.—Each month the Presi-
20 dent shall consult with Congress on the status of
21 United Nations peacekeeping operations.

22 “(2) INFORMATION TO BE PROVIDED.—In con-
23 nection with such consultations, the following infor-
24 mation shall be provided each month to the des-
25 ignated congressional committees:

1 “(A) With respect to ongoing United Na-
2 tions peacekeeping operations, the following:

3 “(i) A list of all resolutions of the
4 United Nations Security Council antici-
5 pated to be voted on during such month
6 that would extend or change the mandate
7 of any United Nations peacekeeping oper-
8 ation.

9 “(ii) For each such operation, any
10 changes in the duration, mandate, and
11 command and control arrangements that
12 are anticipated as a result of the adoption
13 of the resolution.

14 “(iii) An estimate of the total cost to
15 the United Nations of each such operation
16 for the period covered by the resolution,
17 and an estimate of the amount of that cost
18 that will be assessed to the United States.

19 “(iv) Any anticipated significant
20 changes in United States participation in
21 or support for each such operation during
22 the period covered by the resolution (in-
23 cluding the provision of facilities, training,
24 transportation, communication, and
25 logistical support, but not including intel-

1 ligence activities reportable under title V of
2 the National Security Act of 1947 (50
3 U.S.C. 413 et seq.) and the estimated
4 costs to the United States of such changes.

5 “(B) With respect to each new United Na-
6 tions peacekeeping operation that is anticipated
7 to be authorized by a Security Council resolu-
8 tion during such month, the following informa-
9 tion for the period covered by the resolution:

10 “(i) The anticipated duration, man-
11 date, the command and control arrange-
12 ments of such operation, the planned exit
13 strategy, and the vital national interest to
14 be served.

15 “(ii) An estimate of the total cost to
16 the United Nations of the operation, an es-
17 timate of the amount of that cost that will
18 be assessed to the United States, and a no-
19 tice of intent to submit a reprogramming
20 of funds to cover that cost.

21 “(iii) A description of the functions
22 that would be performed by any United
23 States Armed Forces participating in or
24 otherwise operating in support of the oper-
25 ation, an estimate of the number of mem-

1 bers of the Armed Forces that will partici-
2 pate in or otherwise operate in support of
3 the operation, and an estimate of the cost
4 to the United States of such participation
5 or support.

6 “(iv) A description of any other Unit-
7 ed States assistance to or support for the
8 operation (including the provision of facili-
9 ties, training, transportation, communica-
10 tion, and logistical support, but not includ-
11 ing intelligence activities reportable under
12 title V of the National Security Act of
13 1947 (50 U.S.C. 413 et seq.)) and an esti-
14 mate of the cost to the United States of
15 such assistance or support.

16 “(3) FORM AND TIMING OF INFORMATION.—

17 “(A) FORM.—The President shall submit
18 information under clauses (i) and (iii) of para-
19 graph (2)(A) in writing.

20 “(B) TIMING.—

21 “(i) IN GENERAL.—The information
22 required under paragraph (2)(A) for a
23 month shall be submitted not later than
24 the 10th day of the month.

1 “(ii) PARTICULAR INFORMATION.—

2 The information required under paragraph
3 (2)(B) shall be submitted in writing not
4 less than 15 days before the anticipated
5 date of the vote on the resolution con-
6 cerned or, if a 15-day advance submission
7 is not practicable, in as far advance of the
8 vote as is practicable.

9 “(4) NEW UNITED NATIONS PEACEKEEPING OP-
10 ERATION DEFINED.—As used in paragraph (2), the
11 term ‘new United Nations peacekeeping operation’
12 includes any existing or otherwise ongoing United
13 Nations peacekeeping operation—

14 “(A) in the case of an operation in exist-
15 ence, where the authorized force strength is to
16 be expanded by more than 15 percent in an op-
17 eration of less than 200 military or police per-
18 sonnel, or 10 percent in an operation of more
19 than 200 military or police personnel during the
20 period covered by the Security Council resolu-
21 tion;

22 “(B) that is to be authorized to operate in
23 a country in which it was not previously author-
24 ized to operate; or

1 “(C) the mandate of which is to be
2 changed so that the operation would be engaged
3 in significant additional or different functions.

4 “(5) NOTIFICATION AND QUARTERLY REPORTS
5 REGARDING UNITED STATES ASSISTANCE.—

6 “(A) NOTIFICATION OF CERTAIN ASSIST-
7 ANCE.—

8 “(i) IN GENERAL.—The President
9 shall notify the designated congressional
10 committees at least 15 days before the
11 United States provides any assistance to
12 the United Nations to support peacekeep-
13 ing operations.

14 “(ii) EXCEPTION.—This subpara-
15 graph does not apply to—

16 “(I) assistance having a value of
17 less than \$3,000,000 in the case of
18 nonreimbursable assistance or less
19 than \$14,000,000 in the case of reim-
20 bursable assistance; or

21 “(II) assistance provided under
22 the emergency drawdown authority of
23 sections 506(a)(1) and 552(c)(2) of
24 the Foreign Assistance Act of 1961

1 (22 U.S.C. 2318(a)(1) and
2 2348a(c)(2)).

3 “(B) QUARTERLY REPORTS.—

4 “ (i) IN GENERAL.—The President
5 shall submit quarterly reports to the des-
6 ignated congressional committees on all as-
7 sistance provided by the United States
8 during the preceding calendar quarter to
9 the United Nations to support peacekeep-
10 ing operations.

11 “(ii) MATTERS INCLUDED.—Each re-
12 port under this subparagraph shall de-
13 scribe the assistance provided for each
14 such operation, listed by category of assist-
15 ance.

16 “(iii) FOURTH QUARTER REPORT.—
17 The report under this subparagraph for
18 the fourth calendar quarter of each year
19 shall be submitted as part of the annual
20 report required by subsection (d) and shall
21 include cumulative information for the pre-
22 ceding calendar year.

23 “(f) DESIGNATED CONGRESSIONAL COMMITTEES.—

24 In this section, the term ‘designated congressional com-
25 mittees’ means the Committee on Foreign Relations and

1 the Committee on Appropriations of the Senate and the
2 Committee on International Relations and the Committee
3 on Appropriations of the House of Representatives.”.

4 (2) CONFORMING REPEAL.—Subsection (a) of
5 section 407 of the Foreign Relations Authorization
6 Act, Fiscal Years 1994 and 1995 (Public Law 103–
7 236; 22 U.S.C. 287b note; 108 Stat. 448) is re-
8 pealed.

9 (c) RELATIONSHIP TO OTHER NOTICE REQUIRE-
10 MENTS.—Section 4 of the United Nations Participation
11 Act of 1945, as amended by subsection (c), is further
12 amended by adding at the end the following:

13 “(g) RELATIONSHIP TO OTHER NOTIFICATION RE-
14 QUIREMENTS.—Nothing in this section is intended to alter
15 or supersede any notification requirement with respect to
16 peacekeeping operations that is established under any
17 other provision of law.”.

18 **SEC. 2104. DATA ON COSTS INCURRED IN SUPPORT OF**
19 **UNITED NATIONS PEACE AND SECURITY OP-**
20 **ERATIONS.**

21 Chapter 6 of part II of the Foreign Assistance Act
22 of 1961 (22 U.S.C. 2348 et seq.) is amended by adding
23 at the end the following:

1 **“SEC. 555. DATA ON COSTS INCURRED IN SUPPORT OF**
2 **UNITED NATIONS PEACE AND SECURITY OP-**
3 **ERATIONS.**

4 “(a) UNITED STATES COSTS.—The United States
5 shall annually provide to the Secretary General of the
6 United Nations data regarding all costs incurred by the
7 United States in support of all United Nations authorized
8 operations in support of international peace and security.

9 “(b) UNITED NATIONS MEMBER COSTS.—The Unit-
10 ed States shall request that the United Nations compile
11 and publish information concerning costs incurred by
12 United Nations members in support of such operations.”.

13 **SEC. 2105. REIMBURSEMENT FOR GOODS AND SERVICES**
14 **PROVIDED BY THE UNITED STATES TO THE**
15 **UNITED NATIONS.**

16 (a) REQUIREMENT TO OBTAIN REIMBURSEMENT.—

17 (1) IN GENERAL.—Except as provided in para-
18 graph (2), the President shall seek and obtain a
19 commitment from the United Nations to provide re-
20 imbursement to the United States from the United
21 Nations in a timely fashion whenever the United
22 States Government furnishes assistance pursuant to
23 the provisions of law described in subsection (c)—

24 (A) to the United Nations;

25 (B) for any United Nations peacekeeping
26 operation that is authorized by the United Na-

1 tions Security Council under Chapter VI or
2 Chapter VII of the United Nations Charter and
3 paid for by peacekeeping or regular budget as-
4 sessment of the United Nations members; or

5 (C) to any country participating in any op-
6 eration authorized by the United Nations Secu-
7 rity Council under Chapter VI or Chapter VII
8 of the United Nations Charter and paid for by
9 peacekeeping assessments of United Nations
10 members when the assistance is designed to fa-
11 cilitate or assist the participation of that coun-
12 try in the operation.

13 (2) EXCEPTION.—The requirement in para-
14 graph (1) shall not apply to—

15 (A) expenses incurred by the United States
16 for the direct benefit of the United States
17 Armed Forces;

18 (B) assistance having a value of less than
19 \$3,000,000 per fiscal year per operation; or

20 (C) assistance furnished before the date of
21 enactment of this Act.

22 (3) FORM AND AMOUNT.—

23 (A) AMOUNT.—The amount of any reim-
24 bursement under this subsection shall be deter-

1 mined at the usual rate established by the Unit-
2 ed Nations.

3 (B) FORM.—Reimbursement under this
4 subsection may include credits against the Unit-
5 ed States assessed contributions for United
6 States peacekeeping operations, if the expenses
7 incurred by any United States department or
8 agency providing the assistance have first been
9 reimbursed.

10 (b) TREATMENT OF REIMBURSEMENTS.—

11 (1) CREDIT.—The amount of any reimburse-
12 ment paid the United States under subsection (a)
13 shall be credited to the current applicable appropria-
14 tion, fund, or account of the United States depart-
15 ment or agency providing the assistance for which
16 the reimbursement is paid.

17 (2) AVAILABILITY.—Amounts credited under
18 paragraph (1) shall be merged with the appropria-
19 tions, or with appropriations in the fund or account,
20 to which credited and shall be available for the same
21 purposes, and subject to the same conditions and
22 limitations, as the appropriations with which
23 merged.

24 (c) COVERED ASSISTANCE.—Subsection (a) assist-
25 ance provided under the following provisions of law:

1 (1) Sections 6 and 7 of the United Nations
2 Participation Act of 1945.

3 (2) Sections 451, 506(a)(1), 516, 552(c), and
4 607 of the Foreign Assistance Act of 1961.

5 (3) Any other provisions of law pursuant to
6 which assistance is provided by the United States to
7 carry out the mandate of an assessed United Na-
8 tions peacekeeping operation.

9 (d) WAIVER.—

10 (1) AUTHORITY.—

11 (A) IN GENERAL.—The President may au-
12 thorize the furnishing assistance covered by this
13 section without regard to subsection (a) if the
14 President determines, and so notifies in writing
15 the Committee on Foreign Relations of the Sen-
16 ate and the Speaker of the House of Represent-
17 atives, that to do so is important to the security
18 interests of the United States.

19 (B) CONGRESSIONAL NOTIFICATION.—Be-
20 fore exercising the authorities of subparagraph
21 (A), the President shall notify the appropriate
22 congressional committees in accordance with
23 the procedures applicable to reprogramming no-
24 tifications under section 634A of the Foreign
25 Assistance Act of 1961.

1 (2) CONGRESSIONAL REVIEW.—Notwithstand-
2 ing a notice under paragraph (1) with respect to as-
3 sistance covered by this section, subsection (a) shall
4 apply to the furnishing of the assistance if, not later
5 than 15 calendar days after receipt of a notification
6 under that paragraph, the Congress enacts a joint
7 resolution disapproving the determination of the
8 President contained in the notice.

9 (3) SENATE PROCEDURES.—Any joint resolu-
10 tion described in paragraph (2) shall be considered
11 in the Senate in accordance with the provisions of
12 section 601(b) of the International Security Assist-
13 ance and Arms Export Control Act of 1976.

14 (e) RELATIONSHIP TO OTHER REIMBURSEMENT AU-
15 THORITY.—Nothing in this section shall preclude the
16 President from seeking reimbursement for assistance cov-
17 ered by this section that is in addition to the reimburse-
18 ment sought for the assistance under in subsection (a).

19 (f) DEFINITION.—In this section, the term “assist-
20 ance” includes personnel, services, supplies, equipment,
21 facilities, and other assistance, provided by the United
22 States Department of Defense or any other United States
23 Government agency.

1 **SEC. 2106. RESTRICTION ON UNITED STATES FUNDING FOR**
2 **UNITED NATIONS PEACE OPERATIONS.**

3 The President shall withhold from disbursement for
4 any United Nations peace operation established after the
5 date of enactment of this Act the United States propor-
6 tionate share of any amount made available to that oper-
7 ation out of the regular budget of the United Nations, un-
8 less the President determines, and so notifies the appro-
9 priate congressional committees, that funding such a
10 peacekeeping operation serves an important national secu-
11 rity interest of the United States.

12 **SEC. 2107. UNITED STATES POLICY REGARDING UNITED**
13 **NATIONS PEACEKEEPING MISSIONS.**

14 It shall be the policy of the United States—

15 (1) to ensure that major peacekeeping oper-
16 ations (in general, those comprised of more than
17 10,000 troops) authorized by the United Nations Se-
18 curity Council under Chapter VII of the United Na-
19 tions Charter (or missions such as the United Na-
20 tions Protection Force (UNPROFOR)) are under-
21 taken by a competent regional organization such as
22 NATO or a multinational force, and not established
23 as a peacekeeping operation under United Nations
24 operational control which would be paid for by as-
25 sessment of United Nations members; and

1 (2) to consider, on a case-by-case basis, whether
2 it is in the national interest of the United States to
3 agree that smaller peacekeeping operations author-
4 ized by the United Nations Security Council under
5 Chapter VII of the United Nations Charter and paid
6 for by assessment of United Nations members (such
7 as the United Nations Transitional Authority in
8 Slavonia (UNTAES)) should be established as
9 peacekeeping operations under United Nations oper-
10 ational control which would be paid for by assess-
11 ment of United Nations members.

12 **SEC. 2108. ORGANIZATION OF AMERICAN STATES.**

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

1 **TITLE XXII—ARREARS**
2 **PAYMENTS AND REFORM**
3 **CHAPTER 1—ARREARAGES TO THE**
4 **UNITED NATIONS**

5 **Subchapter A—Authorization of**
6 **Appropriations; Disbursement of Funds**

7 **SEC. 2201. AUTHORIZATION OF APPROPRIATIONS.**

8 (a) **IN GENERAL.**—There are authorized to be appro-
9 priated to the Department of State for payment of arrear-
10 ages owed by the United States to the United Nations and
11 its specialized agencies as of September 30, 1997—

12 (1) \$100,000,000 for fiscal year 1998;

13 (2) \$475,000,000 for fiscal year 1999; and

14 (3) \$244,000,000 for fiscal year 2000.

15 (b) **LIMITATION.**—Amounts made available under
16 subsection (a) are authorized to be available only—

17 (1) to pay the United States share of assess-
18 ments for the regular budget of the United Nations
19 (excluding the budgets of the United Nations spe-
20 cialized agencies);

21 (2) to pay the United States share of United
22 Nations peace operations;

23 (3) to pay the United States share of United
24 Nations specialized agencies; and

1 (4) to pay the United States share of other
2 international organizations.

3 (c) AVAILABILITY OF FUNDS.—Amounts appro-
4 priated pursuant to subsection (a) are authorized to re-
5 main available until expended.

6 (d) STATUTORY CONSTRUCTION.—For purposes of
7 payments made pursuant to subsection (a), section
8 404(b)(2) of the Foreign Relations Authorization Act, Fis-
9 cal Years 1994 and 1995 (Public Law 103–236) shall not
10 apply to United Nations peace operation assessments re-
11 ceived by the United States prior to October 1, 1995.

12 **SEC. 2202. DISBURSEMENT OF FUNDS.**

13 (a) IN GENERAL.—Funds made available pursuant to
14 section 2201 may be disbursed only if the requirements
15 of subsections (b) and (c) of this section are satisfied.

16 (b) DISBURSEMENTS UPON SATISFACTION OF CER-
17 TIFICATION REQUIREMENTS.—Funds made available pur-
18 suant to section 2201 may be disbursed only in the follow-
19 ing allotments and upon the following certifications:

20 (1) Amounts authorized to be appropriated for
21 fiscal year 1998, upon the certification described in
22 section 2211.

23 (2) Amounts authorized to be appropriated for
24 fiscal year 1999, upon the certification described in
25 section 2221.

1 (3) Amounts authorized to be appropriated for
2 fiscal year 2000, upon the certification described in
3 section 2231.

4 (c) **ADVANCE CONGRESSIONAL NOTIFICATION.**—
5 Funds made available pursuant to section 2201 may be
6 disbursed only if the appropriate certification has been
7 submitted to Congress 30 days prior to the payment of
8 funds to the United Nations or its specialized agencies.

9 (d) **TRANSMITTAL OF CERTIFICATIONS.**—Certifi-
10 cations made under this chapter shall be transmitted by
11 the Secretary of State to the appropriate congressional
12 committees.

13 **Subchapter B—United States Sovereignty**

14 **SEC. 2211. CERTIFICATION REQUIREMENTS.**

15 (a) **CONTENTS OF CERTIFICATION.**—A certification
16 described in this section is a certification by the Secretary
17 of State that the following conditions are satisfied:

18 (1) **CONTESTED ARREARAGES.**—The United
19 Nations has established an account or other appro-
20 priate mechanism with respect to all United States
21 arrearages incurred before the date of enactment of
22 this Act with respect to which payments are not au-
23 thorized by this Act, and the failure to pay amounts
24 specified in the account do not affect the application
25 of Article 19 of the Charter of the United Nations.

1 The account established under this paragraph may
2 be referred to as the “contested arrearages ac-
3 count”.

4 (2) SUPREMACY OF THE UNITED STATES CON-
5 STITUTION.—No action has been taken on or after
6 October 1, 1996, by the United Nations or any of
7 its specialized or affiliated agencies that requires the
8 United States to violate the United States Constitu-
9 tion or any law of the United States.

10 (3) NO UNITED NATIONS SOVEREIGNTY.—Nei-
11 ther the United Nations nor any of its specialized or
12 affiliated agencies—

13 (A) has exercised sovereignty over the
14 United States; or

15 (B) has taken any steps that require the
16 United States to cede sovereignty.

17 (4) NO UNITED NATIONS TAXATION.—

18 (A) NO LEGAL AUTHORITY.—Except as
19 provided in subparagraph (D), neither the Unit-
20 ed Nations nor any of its specialized or affili-
21 ated agencies has the authority under United
22 States law to impose taxes or fees on United
23 States nationals.

24 (B) NO TAXES OR FEES.—Except as pro-
25 vided in subparagraph (D), a tax or fee has not

1 been imposed on any United States national by
2 the United Nations or any of its specialized or
3 affiliated agencies.

4 (C) NO TAXATION PROPOSALS.—Except as
5 provided in subparagraph (D), neither the Unit-
6 ed Nations nor any of its specialized or affili-
7 ated agencies has officially approved any formal
8 effort to develop, advocate, or promote any pro-
9 posal concerning the imposition of a tax or fee
10 on any United States national in order to raise
11 revenue for the United Nations or any such
12 agency.

13 (D) EXCEPTION.—This paragraph does
14 not apply to—

15 (i) fees for publications or other kinds
16 of fees that are not tantamount to a tax on
17 United States citizens; or

18 (ii) the World Intellectual Property
19 Organization.

20 (5) NO STANDING ARMY.—The United Nations
21 has not budgeted any funds for, nor taken any offi-
22 cial steps to develop, create, or establish any special
23 agreement under Article 43 of the United Nations
24 Charter to make available to the United Nations, on

1 its call, the armed forces of any member of the Unit-
2 ed Nations.

3 (6) NO INTEREST FEES.—The United Nations
4 has not levied interest penalties against the United
5 States or any interest on arrearages on the annual
6 assessment of the United States, and from the date
7 of enactment of this Act, neither the United Nations
8 nor its specialized agencies have amended their fi-
9 nancial regulations or taken any other action that
10 would permit interest penalties to be levied against
11 or otherwise charge the United States any interest
12 on arrearages on its annual assessment.

13 (7) UNITED STATES PROPERTY RIGHTS.—Nei-
14 ther the United Nations nor any of its specialized or
15 affiliated agencies has exercised authority or control
16 over any United States national park, wildlife pre-
17 serve, monument, or property, nor has the United
18 Nations nor any of its specialized or affiliated agen-
19 cies implemented plans, regulations, programs, or
20 agreements that exercise control or authority over
21 the private property of United States citizens.

22 (8) TERMINATION OF BORROWING AUTHOR-
23 ITY.—

24 (A) LIMITATION ON EXTERNAL BORROW-
25 ING.—On or after the date of enactment of this

1 Act, neither the United Nations nor any spe-
2 cialized agency of the United Nations has en-
3 gaged in external borrowing that would result
4 in total net income being in excess of the ap-
5 proved budgetary appropriation for that fiscal
6 year.

7 (B) PROHIBITION ON AUTHORIZATION OF
8 EXTERNAL BORROWING.—On or after the date
9 of enactment of this Act, neither the United
10 Nations nor any specialized agency of the Unit-
11 ed Nations has amended its financial regula-
12 tions to permit external borrowing.

13 (C) PROHIBITION OF UNITED STATES PAY-
14 MENT OF INTEREST COSTS.—The United States
15 has not paid its share of any interest costs
16 made known to or identified by the United
17 States Government for loans incurred by the
18 United Nations or any specialized agency of the
19 United Nations through external borrowing.

20 (b) TRANSMITTAL.—The Secretary of State may
21 transmit a certification under subsection (a) at any time
22 during fiscal year 1998 or thereafter if the requirements
23 of the certification are satisfied.

1 **Subchapter C—Reform of Assessments and**
2 **United Nations Peace Operations**

3 **SEC. 2221. CERTIFICATION REQUIREMENTS.**

4 (a) IN GENERAL.—A certification described in this
5 section is a certification by the Secretary of State that
6 the conditions in subsection (b) are satisfied. Such certifi-
7 cation shall not be made by the Secretary if the Secretary
8 determines that any of the conditions set forth in section
9 2211 are no longer valid.

10 (b) CONDITIONS.—The conditions under this sub-
11 section are the following:

12 (1) LIMITATION ON ASSESSED SHARE OF REGU-
13 LAR BUDGET.—The share of the total of all assessed
14 contributions for the regular budget of the United
15 Nations, or any designated specialized agency of the
16 United Nations, does not exceed 22 percent for any
17 single United Nations member.

18 (2) LIMITATION ON ASSESSED SHARE OF BUDG-
19 ET FOR PEACE OPERATIONS.—The assessed share of
20 the budget for each assessed United Nations peace
21 operation does not exceed 25 percent for any single
22 United Nations member.

23 (3) TRANSFER OF REGULAR BUDGET-FUNDED
24 PEACE OPERATIONS.—The mandates of the United
25 Nations Truce Supervision Organization (UNTSO)

1 and the United Nations Military Observer Group in
2 India and Pakistan (UNMOGIP) are subject to an-
3 nual review by members of the Security Council, and
4 are subject to the notification requirements pursuant
5 to section 2103(c).

6 **Subchapter D—Budget and Personnel**

7 **Reform**

8 **SEC. 2231. CERTIFICATION REQUIREMENTS.**

9 (a) IN GENERAL.—A certification described in this
10 section is a certification by the Secretary of State that
11 the following conditions in subsection (b) are satisfied.
12 Such certification shall not be made by the Secretary if
13 the Secretary determines that any of the conditions set
14 forth in sections 2211 and 2221 are no longer valid.

15 (b) CONDITIONS.—The conditions under this sub-
16 section are the following:

17 (1) LIMITATION ON ASSESSED SHARE OF REGU-
18 LAR BUDGET.—The share of the total of all assessed
19 contributions for the regular budget of the United
20 Nations, or any specialized agency of the United Na-
21 tions, does not exceed 20 percent for any single
22 United Nations member.

23 (2) INSPECTORS GENERAL FOR CERTAIN ORGA-
24 NIZATIONS.—

1 (A) ESTABLISHMENT OF OFFICES.—Each
2 designated specialized agency has established an
3 independent office of inspector general to con-
4 duct and supervise objective audits, inspections,
5 and investigations relating to the programs and
6 operations of the organization.

7 (B) APPOINTMENT OF INSPECTORS GEN-
8 ERAL.—The Director General of each des-
9 ignated specialized agency has appointed an in-
10 spector general, with the approval of the mem-
11 ber states, and that appointment was made
12 principally on the basis of the appointee's integ-
13 rity and demonstrated ability in accounting, au-
14 diting, financial analysis, law, management
15 analysis, public administration, or investiga-
16 tions.

17 (C) ASSIGNED FUNCTIONS.—Each inspec-
18 tor general appointed under subparagraph (A)
19 is authorized to—

20 (i) make investigations and reports re-
21 lating to the administration of the pro-
22 grams and operations of the agency con-
23 cerned;

24 (ii) have access to all records, docu-
25 ments, and other available materials relat-

1 ing to those programs and operations of
2 the agency concerned; and

3 (iii) have direct and prompt access to
4 any official of the agency concerned.

5 (D) COMPLAINTS.—Each designated spe-
6 cialized agency has procedures in place designed
7 to protect the identity of, and to prevent repris-
8 als against, any staff member making a com-
9 plaint or disclosing information to, or cooperat-
10 ing in any investigation or inspection by, the in-
11 specter general of the agency.

12 (E) COMPLIANCE WITH RECOMMENDA-
13 TIONS.—Each designated specialized agency has
14 in place procedures designed to ensure compli-
15 ance with the recommendations of the inspector
16 general of the agency.

17 (F) AVAILABILITY OF REPORTS.—Each
18 designated specialized agency has in place pro-
19 cedures to ensure that all annual and other rel-
20 evant reports submitted by the inspector gen-
21 eral to the agency are made available to the
22 member states without modification.

23 (3) NEW BUDGET PROCEDURES FOR THE UNIT-
24 ED NATIONS.—The United Nations has established
25 and is implementing budget procedures that—

1 (A) require the maintenance of a budget
2 not in excess of the level agreed to by the Gen-
3 eral Assembly at the beginning of each United
4 Nations budgetary biennium, unless increases
5 are agreed to by consensus; and

6 (B) require the systemwide identification
7 of expenditures by functional categories such as
8 personnel, travel, and equipment.

9 (4) SUNSET POLICY FOR CERTAIN UNITED NA-
10 TIONS PROGRAMS.—

11 (A) EXISTING AUTHORITY.—The Secretary
12 General and the Director General of each des-
13 ignated specialized agency have used their exist-
14 ing authorities to require program managers
15 within the United Nations Secretariat and the
16 Secretariats of the designated specialized agen-
17 cies to conduct evaluations of United Nations
18 programs approved by the General Assembly
19 and of programs of the designated specialized
20 agencies in accordance with the standardized
21 methodology referred to in subparagraph (B).

22 (B) DEVELOPMENT OF EVALUATION CRI-
23 TERIA.—

24 (i) UNITED NATIONS.—The Office of
25 Internal Oversight Services has developed

1 a standardized methodology for the evalua-
2 tion of United Nations programs approved
3 by the General Assembly, including specific
4 criteria for determining the continuing rel-
5 evance and effectiveness of the programs.

6 (ii) DESIGNATED SPECIALIZED AGEN-
7 CIES.—Patterned on the work of the Office
8 of Internal Oversight Services of the Unit-
9 ed Nations, the inspector general office
10 equivalent of each designated specialized
11 agency has developed a standardized meth-
12 odology for the evaluation of programs of
13 designated specialized agencies, including
14 specific criteria for determining the con-
15 tinuing relevance and effectiveness of the
16 programs.

17 (C) PROCEDURES.—The United Nations
18 and each designated specialized agency has es-
19 tablished and is implementing procedures—

20 (i) requiring the Secretary General
21 and the Director General of the agency, as
22 the case may be, to report on the results
23 of evaluations referred to in this para-
24 graph, including the identification of pro-
25 grams that have met criteria for continu-

1 ing relevance and effectiveness and propos-
2 als to terminate or modify programs that
3 have not met such criteria; and

4 (ii) authorizing an appropriate body
5 within the United Nations or the agency,
6 as the case may be, to review each evalua-
7 tion referred to in this paragraph and re-
8 port to the General Assembly on means of
9 improving the program concerned or on
10 terminating the program.

11 (D) UNITED STATES POLICY.—It shall be
12 the policy of the United States to seek adoption
13 by the United Nations of a resolution requiring
14 that each United Nations program approved by
15 the General Assembly, and to seek adoption by
16 each designated specialized agency of a resolu-
17 tion requiring that each program of the agency,
18 be subject to an evaluation referred to in this
19 paragraph and have a specific termination date
20 so that the program will not be renewed unless
21 the evaluation demonstrates the continuing rel-
22 evance and effectiveness of the program.

23 (E) DEFINITION.—For purposes of this
24 paragraph, the term “United Nations program
25 approved by the General Assembly” means a

1 program approved by the General Assembly of
2 the United Nations that is administered or
3 funded by the United Nations.

4 (5) UNITED NATIONS ADVISORY COMMITTEE ON
5 ADMINISTRATIVE AND BUDGETARY QUESTIONS.—

6 (A) IN GENERAL.—The United States has
7 a seat on the United Nations Advisory Commit-
8 tee on Administrative and Budgetary Questions
9 or the five largest member contributors each
10 have a seat on the Advisory Committee.

11 (B) DEFINITION.—As used in this para-
12 graph the term “5 largest member state con-
13 tributors” means the 5 United Nations member
14 states that, during a United Nations budgetary
15 biennium, have more total assessed contribu-
16 tions than any other United Nations member
17 states to the aggregate of the United Nations
18 regular budget and the budget (or budgets) for
19 United Nations peace operations.

20 (6) NATIONAL AUDITS.—The United Nations
21 has in effect procedures providing access by the
22 United States General Accounting Office to United
23 Nations financial data so that the Office may per-
24 form nationally mandated reviews of United Nations
25 operations.

1 (7) PERSONNEL.—

2 (A) APPOINTMENT AND SERVICE OF PER-
3 SONNEL.—The Secretary General—

4 (i) has established and is implement-
5 ing procedures that ensure that staff em-
6 ployed by the United Nations is appointed
7 on the basis of merit consistent with Arti-
8 cle 101 of the United Nations charter; and

9 (ii) is enforcing those contractual obli-
10 gations requiring worldwide availability of
11 all professional staff of the United Nations
12 to serve and be relocated based on the
13 needs of the United Nations.

14 (B) CODE OF CONDUCT.—The General As-
15 sembly has adopted, and the Secretary General
16 has the authority to enforce and is effectively
17 enforcing, a code of conduct binding on all
18 United Nations personnel, including the re-
19 quirement of financial disclosure statements
20 binding on senior United Nations personnel and
21 the establishment of rules against nepotism that
22 are binding on all United Nations officials.

23 (C) PERSONNEL EVALUATION SYSTEM.—
24 The United Nations has adopted and is enforce-
25 ing a personnel evaluation system.

1 (D) PERIODIC ASSESSMENTS.—The United
2 Nations has established and is implementing a
3 mechanism to conduct periodic assessments of
4 the United Nations payroll to determine total
5 staffing, and the results of such assessments
6 are reported in an unabridged form to the Gen-
7 eral Assembly.

8 (E) REVIEW OF UNITED NATIONS ALLOW-
9 ANCE SYSTEM.—The United States has com-
10 pleted a thorough review of the United Nations
11 personnel allowance system. The review shall in-
12 clude a comparison to the United States civil
13 service, and shall make recommendations to re-
14 duce entitlements to allowances and allowance
15 funding levels from the levels in effect on Janu-
16 ary 1, 1998.

17 (8) REDUCTION IN BUDGET AUTHORITIES AND
18 PERSONNEL LEVELS.—The designated specialized
19 agencies have achieved a negative growth budget in
20 the budget for 2000–01 from the 1998–99 biennium
21 levels of the respective agencies.

22 (9) NEW BUDGET PROCEDURES AND FINANCIAL
23 REGULATIONS.—Each designated specialized agency
24 has established procedures to—

1 (A) require the maintenance of a budget
 2 that does not exceed the level agreed to by the
 3 member states of the organization at the begin-
 4 ning of each budgetary biennium, unless in-
 5 creases are agreed to by consensus;

6 (B) require the identification of expendi-
 7 tures by functional categories such as person-
 8 nel, travel, and equipment; and

9 (C) require approval by the member states
 10 of the organization of supplemental budget re-
 11 quests to the Secretariat in advance of expendi-
 12 tures under those requests.

13 **CHAPTER 2—MISCELLANEOUS**
 14 **PROVISIONS**

15 **SEC. 2241. STATUTORY CONSTRUCTION ON RELATION TO**
 16 **EXISTING LAWS.**

17 Except as otherwise specifically provided, nothing in
 18 this chapter may be construed to make available funds in
 19 violation of any provision of law containing a specific pro-
 20 hibition or restriction on the use of the funds, including
 21 section 114 of the Department of State Authorization Act,
 22 Fiscal Years 1984 and 1985 (22 U.S.C. 287e note) and
 23 section 151 of the Foreign Relations Authorization Act,
 24 Fiscal Years 1986 and 1987 (22 U.S.C. 287e note), and

1 section 404 of the Foreign Relations Authorization Act,
2 Fiscal Years 1994 and 1995 (22 U.S.C. 287e note).

3 **SEC. 2242. PROHIBITION ON PAYMENTS RELATING TO**
4 **UNIDO AND OTHER ORGANIZATIONS FROM**
5 **WHICH THE UNITED STATES HAS WITH-**
6 **DRAWN OR RESCINDED FUNDING.**

7 None of the funds authorized to be appropriated by
8 this chapter shall be used to pay any arrearage for—

9 (1) the United Nations Industrial Development
10 Organization;

11 (2) any costs to merge that organization into
12 the United Nations;

13 (3) the costs associated with any other organi-
14 zation of the United Nations from which the United
15 States has withdrawn including the costs of the
16 merger of such organization into the United Na-
17 tions; or

18 (4) the World Tourism Organization, or any
19 other organization with respect to which Congress
20 has rescinded funding.