

Calendar No. 91

106TH CONGRESS  
1ST Session

**S. 886**

[Report No. 106-43]

**A BILL**

To authorize appropriations for the Department of State for fiscal years 2000 and 2001; to provide for enhanced security at United States diplomatic facilities; to provide for certain arms control, nonproliferation, and other national security measures; to provide for reform of the United Nations; and for other purposes.

APRIL 27, 1999

Read twice and placed on the calendar

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IN THE SENATE OF THE UNITED STATES

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

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

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
 3 “Foreign Relations Authorization Act, Fiscal Years 2000  
 4 and 2001”.

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

- Sec. 1. Short title; table of contents.
- Sec. 2. Appropriate congressional committees defined.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS FOR  
DEPARTMENT OF STATE

- Sec. 101. Administration of Foreign Affairs.
- Sec. 102. International Commissions.
- Sec. 103. Migration and Refugee Assistance.
- Sec. 104. United States informational, educational, and cultural programs.
- Sec. 105. Grants to The Asia Foundation.

TITLE II—DEPARTMENT OF STATE BASIC AUTHORITIES AND  
ACTIVITIES

Subtitle A—Basic Authorities and Activities

- Sec. 201. Office of Children’s Issues.
- Sec. 202. Strengthening implementation of The Hague Convention on the Civil Aspects of International Child Abduction.
- Sec. 203. Human rights reporting on the treatment of children.
- Sec. 204. Diplomatic Telecommunications Service Program Office; report on cost allocation system.
- Sec. 205. Study for establishment of Russian Democracy Foundation.
- Sec. 206. Limitation on participation in international expositions.

Subtitle B—Consular Authorities

- Sec. 211. Fees for machine readable visas.
- Sec. 212. Fees relating to affidavits of support.
- Sec. 213. Passport fees.
- Sec. 214. Deaths and estates of United States citizens abroad.
- Sec. 215. Major disasters and other incidents abroad affecting United States citizens.

TITLE III—ORGANIZATION AND PERSONNEL OF THE  
DEPARTMENT OF STATE

Subtitle A—Organization Matters

- Sec. 301. Legislative liaison offices of the Department of State.

Subtitle B—Foreign Service Reform

- Sec. 311. Findings.

- Sec. 312. United States citizens hired abroad.
- Sec. 313. Limitation on percentage of Senior Foreign Service eligible for performance pay.
- Sec. 314. Placement of Senior Foreign Service personnel.
- Sec. 315. Report on management training.
- Sec. 316. Workforce planning for Foreign Service personnel by Federal agencies.
- Sec. 317. Records of disciplinary actions.
- Sec. 318. Limitation on salary and benefits for members of the Foreign Service recommended for separation for cause.
- Sec. 319. Foreign language proficiency.
- Sec. 320. Treatment of grievance records.
- Sec. 321. Deadlines for filing grievances.
- Sec. 322. Reports by the Foreign Service Grievance Board.

#### Subtitle C—Other Personnel Matters

- Sec. 331. Border equalization pay adjustment.
- Sec. 332. Treatment of certain persons reemployed after service with international organizations.
- Sec. 333. Home service transfer allowance.
- Sec. 334. Parental choice in education.
- Sec. 335. Medical emergency assistance.
- Sec. 336. Report concerning financial disadvantages for administrative and technical personnel.

### TITLE IV—EMBASSY SECURITY AND COUNTERTERRORISM MEASURES

- Sec. 401. Short title.
- Sec. 402. Findings.
- Sec. 403. United States diplomatic facility defined.
- Sec. 404. Authorizations of appropriations.
- Sec. 405. Obligations and expenditures.
- Sec. 406. Security requirements for United States diplomatic facilities.
- Sec. 407. Closure of vulnerable posts.
- Sec. 408. Accountability Review Boards.
- Sec. 409. Awards of Foreign Service stars.

### TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES

- Sec. 501. Authorizations of appropriations.
- Sec. 502. Reauthorization of Radio Free Asia.
- Sec. 503. Nomination requirements for the Chairman of the Broadcasting Board of Governors.

### TITLE VI—ARMS CONTROL, NONPROLIFERATION, AND NATIONAL SECURITY

- Sec. 601. Short title.
- Sec. 602. Definitions.

#### Subtitle A—Arms Control

#### CHAPTER 1—EFFECTIVE VERIFICATION OF COMPLIANCE WITH ARMS CONTROL AGREEMENTS

- Sec. 611. Key Verification Assets Fund.
- Sec. 612. Assistant Secretary of State for Verification and Compliance.
- Sec. 613. Enhanced annual (“Pell”) report.
- Sec. 614. Report on START and START II treaties monitoring issues.
- Sec. 615. Standards for verification.
- Sec. 616. Contribution to the advancement of seismology.
- Sec. 617. Protection of United States companies.

## CHAPTER 2—LANDMINE POLICY, DEMINING ACTIVITIES, AND RELATED MATTERS

- Sec. 621. Conforming amendment.
- Sec. 622. Development of Advanced Humanitarian Demining Capabilities Fund.

### Subtitle B—Nuclear Nonproliferation, Safety, and Related Matters

- Sec. 631. Reporting burden on United States nuclear industry.
- Sec. 632. Authority to suspend nuclear cooperation for failure to ratify Convention on Nuclear Safety.
- Sec. 633. Elimination of duplicative Government activities.
- Sec. 634. Congressional notification of nonproliferation activities.
- Sec. 635. Effective use of resources for nonproliferation programs.
- Sec. 636. Disposition of weapons-grade material.
- Sec. 637. Status of Hong Kong and Macao in United States export law.

### Subtitle C—Miscellaneous Provisions

- Sec. 641. Requirement for transmittal of summaries.
- Sec. 642. Prohibition on withholding certain information from Congress.

## TITLE VII—MISCELLANEOUS PROVISIONS

### Subtitle A—People’s Republic of China

- Sec. 701. Findings.
- Sec. 702. Funding for additional personnel at diplomatic posts to report on political, economic, and human rights matters in the People’s Republic of China.
- Sec. 703. Prisoner Information Registry for the People’s Republic of China.
- Sec. 704. Report regarding establishment of Organization for Security and Cooperation in Asia.
- Sec. 705. Sense of Congress regarding organ harvesting and transplanting in the People’s Republic of China.

### Subtitle B—Other Matters

- Sec. 721. Denial of entry into United States of foreign nationals engaged in establishment or enforcement of forced abortion or sterilization policy.
- Sec. 722. Semiannual reports on United States support for membership or participation of Taiwan in international organizations.
- Sec. 723. Congressional policy regarding United Nations General Assembly Resolution ES–10/6.
- Sec. 724. Waiver of certain prohibitions regarding the Palestine Liberation Organization.
- Sec. 725. United States policy regarding Jerusalem as the capital of Israel.
- Sec. 726. United States policy with respect to Nigeria.

- Sec. 727. Partial liquidation of blocked Libyan assets.
- Sec. 728. Support for refugees from Russia who choose to resettle in Israel.
- Sec. 729. Sense of Congress regarding extradition of Lt. General Igor Giorgadze.

## TITLE VIII—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

### Subtitle A—Authorizations of Appropriations

- Sec. 801. Contributions to international organizations.
- Sec. 802. Contributions for international peacekeeping activities.

### Subtitle B—United Nations Activities

- Sec. 811. United Nations policy on Israel and the Palestinians.
- Sec. 812. Data on costs incurred in support of United Nations peacekeeping operations.
- Sec. 813. Reimbursement for goods and services provided by the United States to the United Nations.

### Subtitle C—International Organizations Other Than the United Nations

- Sec. 821. Restriction relating to United States accession to the International Criminal Court.
- Sec. 822. Prohibition on extradition or transfer of United States citizens to the International Criminal Court.
- Sec. 823. Permanent requirement for reports regarding foreign travel.
- Sec. 824. Assistance to States and local governments by the International Boundary and Water Commission.

## TITLE IX—ARREARS PAYMENTS AND REFORM

### Subtitle A—General Provisions

- Sec. 901. Short title.
- Sec. 902. Definitions.

### Subtitle B—Arrearages to the United Nations

## CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS; OBLIGATION AND EXPENDITURE OF FUNDS

- Sec. 911. Authorization of appropriations.
- Sec. 912. Obligation and expenditure of funds.
- Sec. 913. Forgiveness of amounts owed by the United Nations to the United States.

## CHAPTER 2—UNITED STATES SOVEREIGNTY

- Sec. 921. Certification requirements.

## CHAPTER 3—REFORM OF ASSESSMENTS AND UNITED NATIONS PEACEKEEPING OPERATIONS

- Sec. 931. Certification requirements.

## CHAPTER 4—BUDGET AND PERSONNEL REFORM

- Sec. 941. Certification requirements.

Subtitle C—Miscellaneous Provisions

Sec. 951. Statutory construction on relation to existing laws.

Sec. 952. Prohibition on payments relating to UNIDO and other international organizations from which the United States has withdrawn or rescinded funding.

**1 SEC. 2. APPROPRIATE CONGRESSIONAL COMMITTEES DE-**  
**2 FINED.**

3 Except as otherwise provided in section 902(1), in  
 4 this Act the term “appropriate congressional committees”  
 5 means the Committee on Foreign Relations of the Senate  
 6 and the Committee on International Relations of the  
 7 House of Representatives.

**8 TITLE I—AUTHORIZATIONS OF**  
**9 APPROPRIATIONS FOR DE-**  
**10 PARTMENT OF STATE**

**11 SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.**

12 (a) AUTHORIZATIONS OF APPROPRIATIONS.—The  
 13 following amounts are authorized to be appropriated for  
 14 the Department of State under “Administration of For-  
 15 eign Affairs” to carry out the authorities, functions, du-  
 16 ties, and responsibilities in the conduct of the foreign af-  
 17 fairs of the United States and for other purposes author-  
 18 ized by law, including public diplomacy activities and the  
 19 diplomatic security program:

20 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—

21 For “Diplomatic and Consular Programs” of the  
 22 Department of State, \$2,837,772,000 for the fiscal

1 year 2000 and \$2,837,772,000 for the fiscal year  
2 2001.

3 (2) CAPITAL INVESTMENT FUND.—For “Cap-  
4 ital Investment Fund” of the Department of State,  
5 \$90,000,000 for the fiscal year 2000 and  
6 \$90,000,000 for the fiscal year 2001.

7 (3) SECURITY AND MAINTENANCE OF UNITED  
8 STATES MISSIONS.—For “Security and Maintenance  
9 of United States Missions”, \$434,066,000 for the  
10 fiscal year 2000 and \$434,066,000 for the fiscal  
11 year 2001.

12 (4) REPRESENTATION ALLOWANCES.—For  
13 “Representation Allowances”, \$5,850,000 for the  
14 fiscal year 2000 and \$5,850,000 for the fiscal year  
15 2001.

16 (5) EMERGENCIES IN THE DIPLOMATIC AND  
17 CONSULAR SERVICE.—For “Emergencies in the Dip-  
18 lomatic and Consular Service”, \$17,000,000 for the  
19 fiscal year 2000 and \$17,000,000 for the fiscal year  
20 2001.

21 (6) OFFICE OF THE INSPECTOR GENERAL.—  
22 For “Office of the Inspector General”, \$30,054,000  
23 for the fiscal year 2000 and \$30,054,000 for the fis-  
24 cal year 2001.



1           (7) PAYMENT TO THE AMERICAN INSTITUTE IN  
2           TAIWAN.—For “Payment to the American Institute  
3           in Taiwan”, \$15,760,000 for the fiscal year 2000  
4           and \$15,760,000 for the fiscal year 2001.

5           (8) PROTECTION OF FOREIGN MISSIONS AND  
6           OFFICIALS.—

7           (A) AMOUNTS AUTHORIZED TO BE APPRO-  
8           PRIATED.—For “Protection of Foreign Missions  
9           and Officials”, \$9,490,000 for the fiscal year  
10          2000 and \$9,490,000 for the fiscal year 2001.

11          (B) AVAILABILITY OF FUNDS.—Each  
12          amount appropriated pursuant to this para-  
13          graph is authorized to remain available through  
14          September 30 of the fiscal year following the  
15          fiscal year for which the amount was appro-  
16          priated.

17          (9) REPATRIATION LOANS.—For “Repatriation  
18          Loans”, \$1,200,000 for the fiscal year 2000 and  
19          \$1,200,000 for the fiscal year 2001, for administra-  
20          tive expenses.

21          (b) ALLOCATION OF FUNDS FOR COMMERCIAL LI-  
22          CENSES.—Of the funds made available to the Department  
23          of State under subsection (a)(1), \$8,000,000 shall be  
24          made available only for the activities of the Office of De-  
25          fense Trade Controls of the Department of State.

1 **SEC. 102. INTERNATIONAL COMMISSIONS.**

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

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

12           (A) for “Salaries and Expenses”,  
13 \$20,413,000 for the fiscal year 2000 and  
14 \$20,413,000 for the fiscal year 2001; and

15           (B) for “Construction”, \$8,435,000 for the  
16 fiscal year 2000 and \$8,435,000 for the fiscal  
17 year 2001.

18           (2) INTERNATIONAL BOUNDARY COMMISSION,  
19 UNITED STATES AND CANADA.—For “International  
20 Boundary Commission, United States and Canada”,  
21 \$859,000 for the fiscal year 2000 and \$859,000 for  
22 the fiscal year 2001.

23           (3) INTERNATIONAL JOINT COMMISSION.—For  
24 “International Joint Commission”, \$3,819,000 for  
25 the fiscal year 2000 and \$3,819,000 for the fiscal  
26 year 2001.

1           (4)   INTERNATIONAL   FISHERIES   COMMIS-  
2       SIONS.—For “International Fisheries Commissions”,  
3       \$16,702,000   for   the   fiscal   year   2000   and  
4       \$16,702,000 for the fiscal year 2001.

5   **SEC. 103. MIGRATION AND REFUGEE ASSISTANCE.**

6       (a) MIGRATION AND REFUGEE ASSISTANCE.—There  
7   are authorized to be appropriated for “Migration and Ref-  
8   ugee Assistance” for authorized activities, \$660,000,000  
9   for the fiscal year 2000 and \$660,000,000 for the fiscal  
10   year 2001.

11      (b) AVAILABILITY OF FUNDS.—Funds appropriated  
12   pursuant to this section are authorized to remain available  
13   until expended.

14   **SEC. 104. UNITED STATES INFORMATIONAL, EDUCATIONAL,**  
15                   **AND CULTURAL PROGRAMS.**

16      (a) IN GENERAL.—The following amounts are au-  
17   thorized to be appropriated to carry out educational and  
18   cultural exchange programs under the United States In-  
19   formation and Educational Exchange Act of 1948, the  
20   Mutual Educational and Cultural Exchange Act of 1961,  
21   Reorganization Plan Number 2 of 1977, the North/South  
22   Center Act of 1991, and the National Endowment for De-  
23   mocracy Act, and to carry out other authorities in law con-  
24   sistent with such purposes:

1           (1) EDUCATIONAL AND CULTURAL EXCHANGE  
2 PROGRAMS.—

3           (A) FULBRIGHT ACADEMIC EXCHANGE  
4 PROGRAMS.—For the “Fulbright Academic Ex-  
5 change Programs” (other than programs de-  
6 scribed in subparagraph (B)), \$112,000,000 for  
7 the fiscal year 2000 and \$112,000,000 for the  
8 fiscal year 2001.

9           (B) OTHER EDUCATIONAL AND CULTURAL  
10 EXCHANGE PROGRAMS.—For other educational  
11 and cultural exchange programs authorized by  
12 law, \$98,329,000 for the fiscal year 2000 and  
13 \$98,329,000 for the fiscal year 2001.

14          (2) CENTER FOR CULTURAL AND TECHNICAL  
15 INTERCHANGE BETWEEN EAST AND WEST.—For the  
16 “Center for Cultural and Technical Interchange be-  
17 tween East and West”, \$12,500,000 for the fiscal  
18 year 2000 and \$12,500,000 for the fiscal year 2001.

19          (3) NATIONAL ENDOWMENT FOR DEMOC-  
20 RACY.—For the “National Endowment for Democ-  
21 racy”, \$31,000,000 for the fiscal year 2000 and  
22 \$31,000,000 for the fiscal year 2001.

23          (4) CENTER FOR CULTURAL AND TECHNICAL  
24 INTERCHANGE BETWEEN NORTH AND SOUTH.—For  
25 “Center for Cultural and Technical Interchange be-

1       tween North and South” \$1,750,000 for the fiscal  
2       year 2000 and \$1,750,000 for the fiscal year 2001.

3       (b) EXCHANGES WITH RUSSIA.—

4             (1) MUSKIE FELLOWSHIPS.—Of the amounts  
5       authorized to be appropriated under subsection  
6       (a)(1)(B), \$7,000,000 for each of the fiscal years  
7       2000 and 2001 shall be available only to carry out  
8       the Edmund S. Muskie Fellowship Program under  
9       section 227 of the Foreign Relations Authorization  
10      Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452  
11      note) with the Russian Federation.

12            (2) SENSE OF CONGRESS ON ALLOCATION OF  
13      RESOURCES FOR EXCHANGES WITH RUSSIA.—It is  
14      the sense of the Congress that educational and pro-  
15      fessional exchanges with the Russian Federation  
16      have proven to be an effective mechanism for en-  
17      hancing democratization in that country and that,  
18      therefore, Congress should significantly increase the  
19      financial resources allocated for those programs.

20           (c) VIETNAM FULBRIGHT ACADEMIC EXCHANGE  
21      PROGRAM.—Of the amounts authorized to be appro-  
22      priated under subsection (a)(1)(A), \$5,000,000 for the fis-  
23      cal year 2000 and \$5,000,000 for the fiscal year 2001  
24      shall be available only to carry out the Vietnam scholar-  
25      ship program established by section 229 of the Foreign

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

3 **SEC. 105. GRANTS TO THE ASIA FOUNDATION.**

4 Section 404 of The Asia Foundation Act (title IV of  
 5 Public Law 98–164; 22 U.S.C. 4403) is amended to read  
 6 as follows:

7 “SEC. 404. There are authorized to be appropriated  
 8 to the Secretary of State \$15,000,000 for each of the fis-  
 9 cal years 2000 and 2001 for grants to The Asia Founda-  
 10 tion pursuant to this title.”.

11 **TITLE II—DEPARTMENT OF**  
 12 **STATE BASIC AUTHORITIES**  
 13 **AND ACTIVITIES**

14 **Subtitle A—Basic Authorities and**  
 15 **Activities**

16 **SEC. 201. OFFICE OF CHILDREN’S ISSUES.**

17 (a) DIRECTOR REQUIREMENTS.—At the earliest date  
 18 practicable, the Secretary of State is requested to fill the  
 19 position of Director of the Office of Children’s Issues of  
 20 the Department of State (in this section referred to as  
 21 the “Office”) with a career member of the Senior Execu-  
 22 tive Service. Effective January 1, 2001, only a career  
 23 member of the Senior Executive Service may occupy the  
 24 position of Director of the Office. In selecting an indi-  
 25 vidual to fill the position of Director, the Secretary of

1 State shall seek an individual who can assure long-term  
2 continuity in the management of the Office.

3 (b) CASE OFFICER STAFFING.—Effective April 1,  
4 2000, there shall be assigned to the Office of Children’s  
5 Issues of the Department of State a sufficient number of  
6 case officers to ensure that the average caseload for each  
7 officer does not exceed 75.

8 (c) EMBASSY CONTACT.—The Secretary of State  
9 shall designate in each United States diplomatic mission  
10 an employee who shall serve as the point of contact for  
11 matters relating to international abductions of children by  
12 parents. The Director of the Office shall regularly inform  
13 the designated employee of children of United States citi-  
14 zens abducted by parents to that country.

15 (d) COORDINATION.—

16 (1) PARTICULAR ABDUCTIONS.—Not later than  
17 24 hours after notice of the possible abduction of a  
18 child by a parent to a location abroad has been sub-  
19 mitted to the Department of State, the Secretary of  
20 State shall submit to the National Center for Miss-  
21 ing and Exploited Children a report including the  
22 following:

23 (A) The name of the abducted child.

1 (B) The name and contact information of  
2 the parent or guardian who is searching for the  
3 child.

4 (C) The name and contact information for  
5 the law enforcement officials, including the  
6 agencies which employ the officials, assisting in  
7 the effort to return the child.

8 (D) The country to which the child is be-  
9 lieved to have been abducted.

10 (E) The name of the person believed to  
11 have abducted the child.

12 (2) GENERAL CASE INFORMATION.—At least  
13 once every six months, the Secretary shall submit to  
14 the Center a report on the following:

15 (A) Any case of abduction of a child by a  
16 parent previously submitted to the Secretary  
17 that has been closed during the preceding six  
18 months, including the reason for closing the  
19 case.

20 (B) Any case for which the Department of  
21 State has received a request during such  
22 months for assistance from a parent concerned  
23 about preventing the abduction of a child to a  
24 location abroad.

25 (e) REPORTS TO PARENTS.—



1           (1) IN GENERAL.—Except as provided in para-  
 2           graph (2), beginning 6 months after the date of en-  
 3           actment of this Act, and at least once every 6  
 4           months thereafter, the Secretary of State shall re-  
 5           port to each parent who has requested assistance re-  
 6           garding an abducted child. Each such report shall  
 7           include information on the current status of the ab-  
 8           ducted child’s case and the efforts by the Depart-  
 9           ment of State to resolve the case.

10           (2) EXCEPTION.—The requirement in para-  
 11           graph (1) shall not apply in a case of an abducted  
 12           child if—

13                   (A) the case has been closed and the Sec-  
 14                   retary of State has reported the reason the case  
 15                   was closed to the parent who requested assist-  
 16                   ance; or

17                   (B) the parent seeking assistance requests  
 18                   that such reports not be provided.

19 **SEC. 202. STRENGTHENING IMPLEMENTATION OF THE**  
 20 **HAGUE CONVENTION ON THE CIVIL ASPECTS**  
 21 **OF INTERNATIONAL CHILD ABDUCTION.**

22           (a) REPORTS ON COMPLIANCE WITH THE CONVEN-  
 23           TION.—Section 2803(a) of the Foreign Affairs Reform  
 24           and Restructuring Act of 1998 (as contained in division  
 25           G of Public Law 105–277) is amended—

1           (1) in the first sentence, by striking “during  
2           the period ending September 30, 1999”;

3           (2) in paragraph (4), by inserting before the pe-  
4           riod at the end the following: “, including the spe-  
5           cific actions taken by the United States chief of mis-  
6           sion in the country to which the child is alleged to  
7           have been abducted”; and

8           (3) by adding at the end the following new  
9           paragraph:

10           “(6) a description of the efforts of the Sec-  
11           retary of State to encourage the parties to the Con-  
12           vention to facilitate the work of nongovernmental or-  
13           ganizations within their countries that assist parents  
14           seeking the return of children under the Conven-  
15           tion.”.

16           (b) COORDINATION IN THE UNITED STATES.—It is  
17           the sense of Congress that the Secretary of State should  
18           continue to work with the National Center for Missing and  
19           Exploited Children in the United States to assist parents  
20           seeking the return of, or access to, children brought to  
21           the United States in violation of the Convention on the  
22           Civil Aspects of International Child Abduction, done at  
23           The Hague on October 25, 1980.

1   **SEC. 203. HUMAN RIGHTS REPORTING ON THE TREATMENT**  
2                   **OF CHILDREN.**

3           (a) IN GENERAL.—It is the sense of Congress that  
4 the annual human rights report by the Department of  
5 State should include a section on each country regarding  
6 the treatment of children in that country.

7           (b) CONTENTS OF REPORT SECTIONS.—Each report  
8 section described in subsection (a) should include—

9               (1) a description of compliance by the country  
10 with the Convention on the Civil Aspects of Inter-  
11 national Child Abduction, done at The Hague on  
12 October 25, 1980;

13               (2) a description of the cooperation, or lack  
14 thereof, in resolving cases of abducted children by  
15 each country that is not a party to the Convention  
16 on the Civil Aspects of International Child Abduc-  
17 tion, done at The Hague on October 25, 1980;

18               (3) the number of children who were abducted  
19 and remain in the country, with special emphasis on  
20 cases of more than one year in duration; and

21               (4) an identification of those cases that have re-  
22 sulted in the successful return of children.

1 **SEC. 204. DIPLOMATIC TELECOMMUNICATIONS SERVICE**  
2 **PROGRAM OFFICE; REPORT ON COST ALLO-**  
3 **CATION SYSTEM.**

4 Not later than December 31, 1999, the Director and  
5 Deputy Director of the Diplomatic Telecommunications  
6 Service Program Office (DTS-PO) shall jointly submit to  
7 the Office's congressional oversight committees a report  
8 regarding the feasibility of fairly allocating the costs of  
9 DTS-PO to customer agencies at United States diplomatic  
10 missions overseas, which shall address—

11 (1) past and ongoing efforts to allocate those  
12 costs;

13 (2) trends in diplomatic telecommunications re-  
14 quirements and options for meeting those require-  
15 ments;

16 (3) a strategy for best meeting those require-  
17 ments and fairly allocating the costs; and

18 (4) an explanation of any legislation, the enact-  
19 ment of which would be required for this purpose.

20 **SEC. 205. STUDY FOR ESTABLISHMENT OF RUSSIAN DE-**  
21 **MOCRACY FOUNDATION.**

22 (a) IN GENERAL.—The Secretary of State shall con-  
23 duct a study of the feasibility of establishing a Russia-  
24 based foundation for the promotion of democratic institu-  
25 tions in the Russian Federation.

1 (b) ALLOCATION OF FUNDS.—Of the funds author-  
 2 ized to be appropriated for the Department of State for  
 3 fiscal year 2000, up to \$50,000 shall be available to carry  
 4 out this section.

5 (c) REPORT.—Not later than 90 days after the date  
 6 of enactment of this Act, the Secretary of State shall sub-  
 7 mit a report to the appropriate congressional committees  
 8 setting forth the results of the study conducted under sub-  
 9 section (a).

10 **SEC. 206. LIMITATION ON PARTICIPATION IN INTER-**  
 11 **NATIONAL EXPOSITIONS.**

12 Section 230 of the Foreign Relations Authorization  
 13 Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2452 note)  
 14 is amended—

15 (1) by striking “Notwithstanding” and insert-  
 16 ing “(a) LIMITATION.—Except as provided in sub-  
 17 section (b) and notwithstanding”; and

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

19 “(b) EXCEPTIONS.—Notwithstanding subsection (a),  
 20 the United States Information Agency may use funds to  
 21 carry out any of its responsibilities—

22 “(1) under section 102(a)(3) of the Mutual  
 23 Educational and Cultural Exchange Act of 1961 (22  
 24 U.S.C. 2452(a)(3)) to provide for United States par-

1       ticipation in international fairs and expositions  
2       abroad;

3           “(2) under section 105(f) of such Act (22  
4       U.S.C. 2455(f)) with respect to encouraging foreign  
5       governments, international organizations, and pri-  
6       vate individuals, firms, associations, agencies, and  
7       other groups to participate in international fairs and  
8       expositions and to make contributions to be utilized  
9       for United States participation in international fairs  
10      and expositions; or

11           “(3) to facilitate support to the United States  
12      Commissioner General for participation in inter-  
13      national fairs and expositions.

14      “(c) STATUTORY CONSTRUCTION.—Nothing in sub-  
15   section (b) authorizes the use of funds available to the  
16   United States Information Agency to make any payment  
17   for—

18           “(1) any contract, grant, or other agreement  
19      with any other party to carry out any activity de-  
20      scribed in subsection (b); or

21           “(2) the satisfaction of any legal judgment or  
22      the cost of any litigation brought against the United  
23      States Information Agency arising from any activity  
24      described in subsection (b).”.

## 1     **Subtitle B—Consular Authorities**

### 2     **SEC. 211. FEES FOR MACHINE READABLE VISAS.**

3         Section 140(a) of the Foreign Relations Authoriza-  
 4     tion Act, Fiscal Years 1994 and 1995 (Public Law 103–  
 5     236; 8 U.S.C. 1351 note) is amended—

6             (1) by striking the first sentence of paragraph  
 7             (3), and inserting “For each of the fiscal years 2000  
 8             and 2001, any amount collected under paragraph  
 9             (1) that exceeds \$300,000,000 may be made avail-  
 10            able for the purposes of paragraph (2) only if a noti-  
 11            fication is submitted to Congress in accordance with  
 12            the procedures applicable to reprogramming notifica-  
 13            tions under section 34 of the State Department  
 14            Basic Authorities Act of 1956 (22 U.S.C. 2706).”;  
 15            and

16            (2) by striking paragraphs (4) and (5).

### 17     **SEC. 212. FEES RELATING TO AFFIDAVITS OF SUPPORT.**

18         (a) **AUTHORITY TO CHARGE FEE.**—The Secretary of  
 19     State may charge and retain a fee or surcharge for serv-  
 20     ices provided by the Department of State to any sponsor  
 21     who provides an affidavit of support under section 213A  
 22     of the Immigration and Nationality Act (8 U.S.C. 1183a)  
 23     to ensure that such affidavit is properly completed before  
 24     it is forwarded to a consular post for adjudication by a  
 25     consular officer in connection with the adjudication of an

1 immigrant visa. Such fee or surcharge shall be in addition  
 2 to and separate from any fee imposed for immigrant visa  
 3 application processing and issuance, and shall recover only  
 4 the costs of such services not recovered by such fee.

5 (b) LIMITATION.—Any fee established under sub-  
 6 section (a) shall be charged only once to a sponsor who  
 7 files essentially duplicative affidavits of support in connec-  
 8 tion with separate immigrant visa applications from the  
 9 spouse and children of any petitioner required by the Im-  
 10 migration and Nationality Act to petition separately for  
 11 such persons.

12 (c) TREATMENT OF FEES.—Fees collected under the  
 13 authority of subsection (a) shall be deposited as an offset-  
 14 ting collection to any Department of State appropriation  
 15 to recover the cost of providing consular services.

16 (d) COMPLIANCE WITH BUDGET ACT.—Fees may be  
 17 collected under the authority of subsection (a) only to such  
 18 extent or in such amounts as are provided in advance in  
 19 an appropriation Act.

20 **SEC. 213. PASSPORT FEES.**

21 (a) APPLICATIONS.—Section 1 of the Passport Act  
 22 of June 4, 1920 (22 U.S.C. 214), is amended—

23 (1) in the first sentence—

24 (A) by striking “each passport issued” and  
 25 inserting “the filing of each application for a



1 passport (including the cost of passport  
2 issuance and use)”; and

3 (B) by striking “each application for a  
4 passport;” and inserting “each such applica-  
5 tion”; and

6 (2) by adding after the first sentence the fol-  
7 lowing new sentence: “Such fees shall not be refund-  
8 able, except as the Secretary may by regulation pre-  
9 scribe.”.

10 (b) REPEAL OF OUTDATED PROVISION ON PASSPORT  
11 FEES.—Section 4 of the Passport Act of June 4, 1920  
12 (22 U.S.C. 216) is repealed.

13 **SEC. 214. DEATHS AND ESTATES OF UNITED STATES CITI-**  
14 **ZENS ABROAD.**

15 (a) REPEAL.—Section 1709 of the Revised Statutes  
16 (22 U.S.C. 4195) is repealed.

17 (b) AMENDMENT TO STATE DEPARTMENT BASIC AU-  
18 THORITIES ACT.—The State Department Basic Authori-  
19 ties Act of 1956 is amended by inserting after section 43  
20 (22 U.S.C. 2715) the following new sections:

21 **“SEC. 43A. NOTIFICATION OF NEXT OF KIN; REPORTS OF**  
22 **DEATH.**

23 “(a) IN GENERAL.—Whenever a United States cit-  
24 izen or national dies abroad, a consular officer shall en-  
25 deavor to notify, or assist the Secretary of State in noti-

1 flying, the next of kin or legal guardian as soon as possible,  
 2 except that, in the case of death of any Peace Corps volun-  
 3 teer (within the meaning of section 5(a) of the Peace  
 4 Corps Act (22 U.S.C. 2504(a)), any member of the Armed  
 5 Forces, any dependent of such a volunteer or member, or  
 6 any Department of Defense employee, the consular officer  
 7 shall assist the Peace Corps or the appropriate military  
 8 authorities, as the case may be, in making such notifica-  
 9 tions.

10 “(b) REPORTS OF DEATH OR PRESUMPTIVE  
 11 DEATH.—The consular officer may, for any United States  
 12 citizen who dies abroad—

13 “(1) in the case of a finding of death by the ap-  
 14 propriate local authorities, issue a report of death or  
 15 of presumptive death; or

16 “(2) in the absence of a finding of death by the  
 17 appropriate local authorities, issue a report of pre-  
 18 sumptive death.

19 “(c) IMPLEMENTING REGULATIONS.—The Secretary  
 20 of State shall prescribe such regulations as may be nec-  
 21 essary to carry out this section.

22 **“SEC. 43B. CONSERVATION AND DISPOSITION OF ESTATES.**

23 “(a) CONSERVATION OF ESTATES ABROAD.—

24 “(1) AUTHORITY TO ACT AS CONSERVATOR.—

25 Whenever a United States citizen or national dies

1       abroad, a consular officer shall act as the provisional  
2       conservator of the portion of the decedent's estate  
3       located abroad and, subject to paragraphs (3), (4),  
4       and (5), shall—

5               “(A) take possession of the personal effects  
6               of the decedent within his jurisdiction;

7               “(B) inventory and appraise the personal  
8               effects of the decedent, sign the inventory, and  
9               annex thereto a certificate as to the accuracy of  
10              the inventory and appraised value of each arti-  
11              cle;

12              “(C) when appropriate in the exercise of  
13              prudent administration, collect the debts due to  
14              the decedent in the officer's jurisdiction and  
15              pay from the estate the obligations owed by the  
16              decedent;

17              “(D) sell or dispose of, as appropriate, in  
18              the exercise of prudent administration, all per-  
19              ishable items of property;

20              “(E) sell, after reasonable public notice  
21              and notice to such next of kin as can be  
22              ascertained with reasonable diligence, such ad-  
23              ditional items of property as necessary to pro-  
24              vide funds sufficient to pay the decedent's debts  
25              and property taxes in the country of death, fu-

1           neral expenses, and other expenses incident to  
2           the disposition of the estate;

3           “(F) upon the expiration of the one-year  
4           period beginning on the date of death (or after  
5           such additional period as may be required for  
6           final settlement of the estate), if no claimant  
7           shall have appeared, after reasonable public no-  
8           tice and notice to such next of kin as can be  
9           ascertained with reasonable diligence, sell or  
10          dispose of the residue of the personal estate, ex-  
11          cept as provided in subparagraph (G), in the  
12          same manner as United States Government-  
13          owned foreign excess property;

14          “(G) transmit to the custody of the Sec-  
15          retary of State in Washington, D.C. the pro-  
16          ceeds of any sales, together with all financial in-  
17          struments (including bonds, shares of stock,  
18          and notes of indebtedness), jewelry, heirlooms,  
19          and other articles of obvious sentimental value,  
20          to be held in trust for the legal claimant; and

21          “(H) in the event that the decedent’s es-  
22          tate includes an interest in real property located  
23          within the jurisdiction of the officer and such  
24          interest does not devolve by the applicable laws  
25          of intestate succession or otherwise, provide for

1 title to the property to be conveyed to the Gov-  
2 ernment of the United States unless the Sec-  
3 retary declines to accept such conveyance.

4 “(2) AUTHORITY TO ACT AS ADMINISTRATOR.—  
5 Subject to paragraphs (3) and (4), a consular officer  
6 may act as administrator of an estate in exceptional  
7 circumstances if expressly authorized to do so by the  
8 Secretary of State.

9 “(3) EXCEPTIONS.—The responsibilities de-  
10 scribed in paragraphs (1) and (2) may not be per-  
11 formed to the extent that the decedent has left or  
12 there is otherwise appointed, in the country where  
13 the death occurred or where the decedent was domi-  
14 ciled, a legal representative, partner in trade, or  
15 trustee appointed to take care of his personal estate.  
16 If the decedent’s legal representative shall appear at  
17 any time prior to transmission of the estate to the  
18 Secretary and demand the proceeds and effects  
19 being held by the consular officer, the officer shall  
20 deliver them to the representative after having col-  
21 lected any prescribed fee for the services performed  
22 under this section.

23 “(4) ADDITIONAL REQUIREMENT.—In addition  
24 to being subject to the limitations in paragraph (3),

1 the responsibilities described in paragraphs (1) and  
 2 (2) may not be performed unless—

3 “(A) authorized by treaty provisions or  
 4 permitted by the laws or authorities of the  
 5 country wherein the death occurs, or the dece-  
 6 dent is domiciled; or

7 “(B) permitted by established usage in  
 8 that country.

9 “(5) STATUTORY CONSTRUCTION.—Nothing in  
 10 this section supersedes or otherwise affects the au-  
 11 thority of any military commander under title 10 of  
 12 the United States Code with respect to the person  
 13 or property of any decedent who died while under a  
 14 military command or jurisdiction or the authority of  
 15 the Peace Corps with respect to a Peace Corps vol-  
 16 unteer or the volunteer’s property.

17 “(b) DISPOSITION OF ESTATES BY THE SECRETARY  
 18 OF STATE.—

19 “(1) PERSONAL ESTATES.—

20 “(A) IN GENERAL.—After receipt of a per-  
 21 sonal estate pursuant to subsection (a), the  
 22 Secretary may seek payment of all outstanding  
 23 debts to the estate as they become due, may re-  
 24 ceive any balances due on such estate, may en-  
 25 dorse all checks, bills of exchange, promissory

1 notes, and other instruments of indebtedness  
2 payable to the estate for the benefit thereof,  
3 and may take such other action as is reasonably  
4 necessary for the conservation of the estate.

5 “(B) DISPOSITION AS SURPLUS UNITED  
6 STATES PROPERTY.—If, upon the expiration of  
7 a period of 5 fiscal years beginning on October  
8 1 after a consular officer takes possession of a  
9 personal estate under subsection (a), no legal  
10 claimant for such estate has appeared, title to  
11 the estate shall be conveyed to the United  
12 States, the property in the estate shall be under  
13 the custody of the Department of State, and  
14 the Secretary shall dispose of the estate in the  
15 same manner as surplus United States Govern-  
16 ment-owned property is disposed or by such  
17 means as may be appropriate in light of the na-  
18 ture and value of the property involved. The ex-  
19 penses of sales shall be paid from the estate,  
20 and any lawful claim received thereafter shall  
21 be payable to the extent of the value of the net  
22 proceeds of the estate as a refund from the ap-  
23 propriate Treasury appropriations account.

24 “(C) TRANSFER OF PROCEEDS.—The net  
25 cash estate after disposition as provided in sub-

1 paragraph (B) shall be transferred to the mis-  
2 cellaneous receipts account of the Treasury of  
3 the United States.

4 “(2) REAL PROPERTY.—

5 “(A) DESIGNATION AS EXCESS PROP-  
6 ERTY.—In the event that title to real property  
7 is conveyed to the Government of the United  
8 States pursuant to subsection (a)(1)(H) and is  
9 not required by the Department of State, such  
10 property shall be considered foreign excess  
11 property under title IV of the Federal Property  
12 and Administrative Services Act of 1949 (40  
13 U.S.C. 511 et seq.).

14 “(B) TREATMENT AS GIFT.—In the event  
15 that the Department requires such property,  
16 the Secretary of State shall treat such property  
17 as if it were an unconditional gift accepted on  
18 behalf of the Department of State under section  
19 25 of this Act and section 9(a)(3) of the For-  
20 eign Service Buildings Act of 1926.

21 “(c) LOSSES IN CONNECTION WITH THE CONSERVA-  
22 TION OF ESTATES.—

23 “(1) AUTHORITY TO COMPENSATE.—The Sec-  
24 retary is authorized to compensate the estate of any



1 United States citizen who has died overseas for  
2 property—

3 “(A) the conservation of which has been  
4 undertaken under section 43 or subsection (a)  
5 of this section; and

6 “(B) that has been lost, stolen, or de-  
7 stroyed while in the custody of officers or em-  
8 ployees of the Department of State.

9 “(2) LIABILITY.—

10 “(A) EXCLUSION OF PERSONAL LIABILITY  
11 AFTER PROVISION OF COMPENSATION.—Any  
12 such compensation shall be in lieu of personal  
13 liability of officers or employees of the Depart-  
14 ment of State.

15 “(B) LIABILITY TO THE DEPARTMENT.—  
16 An officer or employee of the Department of  
17 State may be liable to the Department of State  
18 to the extent of any compensation provided  
19 under paragraph (1).

20 “(C) DETERMINATIONS OF LIABILITY.—  
21 The liability of any officer or employee of the  
22 Department of State to the Department for any  
23 payment made under subsection (a) shall be de-  
24 termined pursuant to the Department’s proce-

1           dures for determining accountability for United  
2           States Government property.

3           “(d) REGULATIONS.—The Secretary of State may  
4 prescribe such regulations as may be necessary to carry  
5 out this section.”.

6           (c) EFFECTIVE DATE.—The repeal and amendment  
7 made by this section shall take effect six months after the  
8 date of enactment of this Act.

9   **SEC. 215. MAJOR DISASTERS AND OTHER INCIDENTS**  
10                   **ABROAD AFFECTING UNITED STATES CITI-**  
11                   **ZENS.**

12           Section 43 of the State Department Basic Authorities  
13 Act of 1956 (22 U.S.C. 2715) is amended—

14           (1) by inserting “(a) AUTHORITY.—” before  
15           “In”;

16           (2) by striking “disposition of personal effects”  
17 in the last sentence and inserting “disposition of  
18 personal estates pursuant to section 43B”; and

19           (3) by adding at the end the following new sub-  
20 section:

21           “(b) DEFINITIONS.—For purposes of this section and  
22 sections 43A and 43B, the term ‘consular officer’ includes  
23 any United States citizen employee of the Department of  
24 State who is designated by the Secretary of State to per-

1 form consular services pursuant to such regulations as the  
 2 Secretary may prescribe.”.

### 3 **TITLE III—ORGANIZATION AND** 4 **PERSONNEL OF THE DEPART-** 5 **MENT OF STATE**

#### 6 **Subtitle A—Organization Matters**

##### 7 **SEC. 301. LEGISLATIVE LIAISON OFFICES OF THE DEPART-** 8 **MENT OF STATE.**

9 (a) DEVELOPMENT OF PLAN.—The Secretary of  
 10 State shall develop a plan for the establishment of legisla-  
 11 tive liaison offices for the Department of State within the  
 12 office buildings of the House of Representatives and the  
 13 Senate. In developing the plan, the Secretary should exam-  
 14 ine existing liaison offices of other executive departments  
 15 that are located in the congressional office buildings, in-  
 16 cluding the liaison offices of the military services.

17 (b) PLAN ELEMENTS.—The plan developed under  
 18 subsection (a) shall consider—

- 19 (1) space requirements;
- 20 (2) cost implications;
- 21 (3) personnel structure; and
- 22 (4) the feasibility of modifying the Pearson Fel-  
 23 lowship program in order to require members of the  
 24 Foreign Service who serve in such fellowships to  
 25 serve a second year in a legislative liaison office.

1 (c) TRANSMITTAL OF PLAN.—Not later than October  
2 1, 1999, the Secretary of State shall submit to the Com-  
3 mittee on International Relations and the Committee on  
4 House Administration of the House of Representatives  
5 and the Committee on Foreign Relations and the Com-  
6 mittee on Rules and Administration of the Senate the plan  
7 developed under subsection (a).

8 **Subtitle B—Foreign Service**  
9 **Reform**

10 **SEC. 311. FINDINGS.**

11 Congress makes the following findings:

12 (1) To carry out its international relations and  
13 diplomacy, the United States has relied on a profes-  
14 sional career Foreign Service that was established by  
15 law in 1924.

16 (2) The Foreign Service Act of 1980 accurately  
17 states that the United States career foreign service  
18 is essential to the national interest in that it assists  
19 the President and the Secretary of State in con-  
20 ducting the foreign affairs of the United States.

21 (3) The career Foreign Service is premised on  
22 a membership that is characterized by excellence, in-  
23 telligence, professionalism, and integrity.

24 (4) Ethical, professional, financial, and moral  
25 misconduct by career members of the Foreign Serv-

1 ice, while uncommon, must be met with fair but  
 2 swift disciplinary action. A failure to adequately dis-  
 3 cipline, and in some cases remove from the Foreign  
 4 Service, those career members who violate laws or  
 5 regulations would erode the qualities of excellence  
 6 required of United States Foreign Service members.

7 (5) Retention of members of the Foreign Serv-  
 8 ice who do not meet these high standards of conduct  
 9 would in the long term harm important national in-  
 10 terests of the United States.

11 **SEC. 312. UNITED STATES CITIZENS HIRED ABROAD.**

12 Section 408(a)(1) of the Foreign Service Act of 1980  
 13 (22 U.S.C. 3968(a)(1)) is amended in the last sentence—

14 (1) by striking “(A)” and all that follows  
 15 through “(B)”; and

16 (2) by striking “this total compensation pack-  
 17 age” and insert “the compensation plan”.

18 **SEC. 313. LIMITATION ON PERCENTAGE OF SENIOR FOR-**  
 19 **EIGN SERVICE ELIGIBLE FOR PERFORMANCE**  
 20 **PAY.**

21 Section 405(b)(1) of the Foreign Service Act of 1980  
 22 (22 U.S.C. 3965(b)(1)) is amended by striking “50” and  
 23 inserting “33”.

1 **SEC. 314. PLACEMENT OF SENIOR FOREIGN SERVICE PER-**  
 2 **SONNEL.**

3 The Director General of the Foreign Service shall  
 4 submit a report on the first day of each fiscal quarter to  
 5 the appropriate congressional committees containing the  
 6 following:

7 (1) The number of members of the Senior For-  
 8 eign Service.

9 (2) The number of vacant positions designated  
 10 for members of the Senior Foreign Service.

11 (3) The number of members of the Senior For-  
 12 eign Service who are not assigned to positions.

13 **SEC. 315. REPORT ON MANAGEMENT TRAINING.**

14 Not later than February 1, 2000, the Department of  
 15 State shall report to the appropriate congressional com-  
 16 mittees on the feasibility of modifying current training  
 17 programs and curricula so that the Department can pro-  
 18 vide significant and comprehensive management training  
 19 at all career grades for Foreign Service personnel.

20 **SEC. 316. WORKFORCE PLANNING FOR FOREIGN SERVICE**  
 21 **PERSONNEL BY FEDERAL AGENCIES.**

22 Section 601(c) of the Foreign Service Act of 1980  
 23 (22 U.S.C. 4001(c)) is amended by striking paragraph (4)  
 24 and inserting the following:

25 “(4) Not later than March 1, 2001, and every four  
 26 years thereafter, the Secretary of State shall submit a re-

1 port to the Speaker of the House of Representatives and  
2 to the Committee on Foreign Relations of the Senate  
3 which shall include the following:

4 “(A) A description of the steps taken and  
5 planned in furtherance of—

6 “(i) maximum compatibility among agen-  
7 cies utilizing the Foreign Service personnel sys-  
8 tem, as provided for in section 203, and

9 “(ii) the development of uniform policies  
10 and procedures and consolidated personnel  
11 functions, as provided for in section 204.

12 “(B) A workforce plan for the subsequent five  
13 years, including projected personnel needs, by grade  
14 and by skill. Each such plan shall include for each  
15 category the needs for foreign language proficiency,  
16 geographic and functional expertise, and specialist  
17 technical skills. Each workforce plan shall specifi-  
18 cally account for the training needs of Foreign Serv-  
19 ice personnel and shall delineate an intake program  
20 of generalist and specialist Foreign Service per-  
21 sonnel to meet projected future requirements.

22 “(5) If there are substantial modifications to any  
23 workforce plan under paragraph (4)(B) during any year  
24 in which a report under paragraph (4) is not required,  
25 a supplemental annual notification shall be submitted in

1 the same manner as reports are required to be submitted  
 2 under paragraph (4).”.

3 **SEC. 317. RECORDS OF DISCIPLINARY ACTIONS.**

4 (a) IN GENERAL.—Section 604 of the Foreign Serv-  
 5 ice Act of 1980 (22 U.S.C. 4004) is amended—

6 (1) by striking “CONFIDENTIALITY OF  
 7 RECORDS.—” and inserting “RECORDS.—(a)”; and

8 (2) by adding at the end the following new sub-  
 9 section:

10 “(b) Notwithstanding subsection (a), any record of  
 11 disciplinary action taken against a member of the Service,  
 12 including any correction of that record under section  
 13 1107(b)(1), shall remain a part of the personnel records  
 14 until the member is tenured as a career member of the  
 15 Service or next promoted.”.

16 (b) EFFECTIVE DATE.—The amendments made by  
 17 this section apply to all disciplinary actions initiated on  
 18 or after the date of enactment of this Act.

19 **SEC. 318. LIMITATION ON SALARY AND BENEFITS FOR**  
 20 **MEMBERS OF THE FOREIGN SERVICE REC-**  
 21 **OMMENDED FOR SEPARATION FOR CAUSE.**

22 Section 610(a) of the Foreign Service Act (22 U.S.C.  
 23 4010(a)) is amended by adding at the end the following  
 24 new paragraph:



1       “(6) Notwithstanding the hearing required by para-  
 2 graph (2), at the time the Secretary recommends that a  
 3 member of the Service be separated for cause, that mem-  
 4 ber shall be placed on leave without pay pending final reso-  
 5 lution of the underlying matter, subject to reinstatement  
 6 with back pay if cause for separation is not established  
 7 in a hearing before the Board.”.

8   **SEC. 319. FOREIGN LANGUAGE PROFICIENCY.**

9       (a) REPORT ON LANGUAGE PROFICIENCY.—Section  
 10 702 of the Foreign Service Act of 1980 (22 U.S.C. 4022)  
 11 is amended by adding at the end the following new sub-  
 12 section:

13       “(c) Not later than March 31 of each year, the Direc-  
 14 tor General of the Foreign Service shall submit a report  
 15 to the Committee on Foreign Relations of the Senate and  
 16 the Committee on International Relations of the House  
 17 of Representatives summarizing the number of positions  
 18 in each overseas mission requiring foreign language com-  
 19 petence that—

20               “(1) became vacant during the previous cal-  
 21 endar year; and

22               “(2) were filled by individuals having the re-  
 23 quired foreign language competence.”.

24       (b) REPEAL.—Section 304(c) of the Foreign Service  
 25 Act of 1980 (22 U.S.C. 3944(c)) is repealed.

1   **SEC. 320. TREATMENT OF GRIEVANCE RECORDS.**

2       Section 1103(d)(1) of the Foreign Service Act of  
3   1980 (22 U.S.C. 4133(d)(1)) is amended by adding at the  
4   end the following new sentence: “Nothing in this sub-  
5   section prevents a grievant from placing in the grievant’s  
6   personnel records a rebuttal to accompany a record of dis-  
7   ciplinary action, nor prevents the Department from plac-  
8   ing in the file a statement that the disciplinary action has  
9   been reviewed and upheld by the Foreign Service Griev-  
10   ance Board.”.

11   **SEC. 321. DEADLINES FOR FILING GRIEVANCES.**

12       (a) IN GENERAL.—Section 1104(a) of the Foreign  
13   Service Act of 1980 (22 U.S.C. 4134(a)) is amended in  
14   the first sentence by striking “within a period of 3 years”  
15   and all that follows through the period and inserting “not  
16   later than one year after the occurrence giving rise to the  
17   grievance or, if the grievance arises from an employee’s  
18   performance evaluation, not later than one year after the  
19   date on which the employee ceased to be supervised by  
20   the person who was the employee’s rater or reviewer in  
21   that evaluation. The limitation in the preceding sentence  
22   may not be extended by regulation.”.

23       (b) GRIEVANCES ALLEGING DISCRIMINATION.—Sec-  
24   tion 1104 of that Act (22 U.S.C. 4134) is amended by  
25   striking subsection (c).

1       (c) EFFECTIVE DATE.—The amendments made by  
 2 this section shall take effect 180 days after the date of  
 3 enactment of this Act and shall apply to grievances which  
 4 arise on or after such effective date.

5       **SEC. 322. REPORTS BY THE FOREIGN SERVICE GRIEVANCE**  
 6                               **BOARD.**

7       Section 1105 of the Foreign Service Act of 1980 (22  
 8 U.S.C. 4135) is amended by adding the following new sub-  
 9 section:

10       “(f)(1) Not later than March 1 of each year, the  
 11 Chairman of the Foreign Service Grievance Board shall  
 12 prepare a report summarizing the activities of the Board  
 13 during the previous calendar year. The report shall  
 14 include—

15               “(A) the number of cases filed;

16               “(B) the types of cases filed;

17               “(C) the number of cases on which a final deci-  
 18 sion was reached, as well as data on the outcome of  
 19 cases, whether affirmed, reversed, settled, with-  
 20 drawn, or dismissed;

21               “(D) the number of oral hearings conducted  
 22 and the length of each such hearing;

23               “(E) the number of instances in which interim  
 24 relief was granted by the Board; and

1           “(F) data on the average time for consideration  
2           of a grievance, from the time of filing to a decision  
3           of the Board.

4           “(2) The report required under paragraph (1) shall  
5           be submitted to the Director General of the Foreign Serv-  
6           ice and the Committee on Foreign Relations of the Senate  
7           and the Committee on International Relations of the  
8           House of Representatives.”.

## 9           **Subtitle C—Other Personnel** 10           **Matters**

### 11   **SEC. 331. BORDER EQUALIZATION PAY ADJUSTMENT.**

12           (a) IN GENERAL.—Chapter 4 of title I of the Foreign  
13           Service Act of 1980 (22 U.S.C. 3961 et seq.) is amended  
14           by adding at the end the following new section:

### 15   **“SEC. 414. BORDER EQUALIZATION PAY ADJUSTMENT.**

16           “(a) IN GENERAL.—An employee who regularly com-  
17           mutes from the employee’s place of residence in the conti-  
18           nental United States to an official duty station in Canada  
19           or Mexico shall receive a border equalization pay adjust-  
20           ment equal to the amount of comparability payments  
21           under section 5304 of title 5, United States Code, that  
22           the employee would receive if the employee were assigned  
23           to an official duty station within the United States locality  
24           pay area closest to the employee’s official duty station.

1       “(b) EMPLOYEE DEFINED.—For purposes of this  
2 section, the term ‘employee’ means a person who—

3               “(1) is an ‘employee’ as defined under section  
4 2105 of title 5, United States Code; and

5               “(2) is employed by the Department of State,  
6 the United States Agency for International Develop-  
7 ment, or the International Joint Commission of the  
8 United States and Canada (established under Article  
9 VII of the treaty signed January 11, 1909) (36  
10 Stat. 2448), except that the term shall not include  
11 members of the Service (as specified in section 103).

12       “(c) TREATMENT AS BASIC PAY.—An equalization  
13 pay adjustment paid under this section shall be considered  
14 to be part of basic pay for the same purposes for which  
15 comparability payments are considered to be part of basic  
16 pay under section 5304 of title 5, United States Code.

17       “(d) REGULATIONS.—The heads of the agencies re-  
18 ferred to in subsection (b)(2) may prescribe regulations  
19 to carry out this section.”.

20       (b) CONFORMING AMENDMENT.—The table of con-  
21 tents for the Foreign Service Act of 1980 is amended by  
22 inserting after the item relating to section 413 the fol-  
23 lowing new item:

“Sec. 414. Border equalization pay adjustment.”.

1 **SEC. 332. TREATMENT OF CERTAIN PERSONS REEMPLOYED**  
 2 **AFTER SERVICE WITH INTERNATIONAL OR-**  
 3 **GANIZATIONS.**

4 (a) IN GENERAL.—Title 5 of the United States Code  
 5 is amended by inserting after section 8432b the following  
 6 new section:

7 **“§ 8432c. Contributions of certain persons reem-**  
 8 **ployed after service with international**  
 9 **organizations**

10 “(a) In this section, the term ‘covered person’ means  
 11 any person who—

12 “(1) transfers from a position of employment  
 13 covered by chapter 83 or 84 or subchapter I or II  
 14 of chapter 8 of the Foreign Service Act of 1980 to  
 15 a position of employment with an international orga-  
 16 nization pursuant to section 3582;

17 “(2) pursuant to section 3582 elects to retain  
 18 coverage, rights, and benefits under any system es-  
 19 tablished by law for the retirement of persons during  
 20 the period of employment with the international or-  
 21 ganization and currently deposits the necessary de-  
 22 ductions in payment for such coverage, rights, and  
 23 benefits in the system’s fund; and

24 “(3) is reemployed pursuant to section 3582(b)  
 25 to a position covered by chapter 83 or 84 or sub-  
 26 chapter I or II of chapter 8 of the Foreign Service

1 Act of 1980 after separation from the international  
2 organization.

3 “(b)(1) Each covered person may contribute to the  
4 Thrift Savings Fund, in accordance with this subsection,  
5 an amount not to exceed the amount described in para-  
6 graph (2).

7 “(2) The maximum amount which a covered person  
8 may contribute under paragraph (1) is equal to—

9 “(A) the total amount of all contributions under  
10 section 8351(b)(2) or 8432(a), as applicable, which  
11 the person would have made over the period begin-  
12 ning on the date of transfer of the person (as de-  
13 scribed in subsection (a)(1)) and ending on the day  
14 before the date of reemployment of the person (as  
15 described in subsection (a)(3)), minus

16 “(B) the total amount of all contributions, if  
17 any, under section 8351(b)(2) or 8432(a), as appli-  
18 cable, actually made by the person over the period  
19 described in subparagraph (A).

20 “(3) Contributions under paragraph (1)—

21 “(A) shall be made at the same time and in the  
22 same manner as would any contributions under sec-  
23 tion 8351(b)(2) or 8432(a), as applicable;

24 “(B) shall be made over the period of time  
25 specified by the person under paragraph (4)(B); and

1           “(C) shall be in addition to any contributions  
2           actually being made by the person during that pe-  
3           riod under section 8351(b)(2) or 8432(a), as appli-  
4           cable.

5           “(4) The Executive Director shall prescribe the time,  
6           form, and manner in which a covered person may  
7           specify—

8           “(A) the total amount the person wishes to con-  
9           tribute with respect to any period described in para-  
10          graph (2)(A); and

11          “(B) the period of time over which the covered  
12          person wishes to make contributions under this sub-  
13          section.

14          “(c) If a covered person who makes contributions  
15          under section 8432(a) makes contributions under sub-  
16          section (b), the agency employing the person shall make  
17          those contributions to the Thrift Savings Fund on the per-  
18          son’s behalf in the same manner as contributions are made  
19          for an employee described in section 8432b(a) under sec-  
20          tions 8432b(c), 8432b(d), and 8432b(f). Amounts paid  
21          under this subsection shall be paid in the same manner  
22          as amounts are paid under section 8432b(g).

23          “(d) For purposes of any computation under this sec-  
24          tion, a covered person shall, with respect to the period de-  
25          scribed in subsection (b)(2)(A), be considered to have been



1 paid at the rate which would have been payable over such  
 2 period had the person remained continuously employed in  
 3 the position that the person last held before transferring  
 4 to the international organization.

5 “(e) For purposes of section 8432(g), a covered per-  
 6 son shall be credited with a period of civilian service equal  
 7 to the period beginning on the date of transfer of the per-  
 8 son (as described in subsection (a)(1)) and ending on the  
 9 day before the date of reemployment of the person (as de-  
 10 scribed in subsection (a)(3)).

11 “(f) The Executive Director shall prescribe regula-  
 12 tions to carry out this section.”.

13 (b) CONFORMING AMENDMENT.—The table of sec-  
 14 tions for chapter 84 of title 5, United States Code, is  
 15 amended by inserting after the item relating to section  
 16 8432b the following:

“8432c. Contributions of certain persons reemployed after service with inter-  
 national organizations.”.

17 (c) EFFECTIVE DATE.—The amendment made by  
 18 subsection (a) shall apply to persons reemployed on or  
 19 after the date of enactment of this Act.

20 **SEC. 333. HOME SERVICE TRANSFER ALLOWANCE.**

21 Section 5922 of title 5, United States Code is amend-  
 22 ed by adding at the end the following new subsection:

23 “(f) Upon the death of an employee, a transfer allow-  
 24 ance under section 5924(2)(B) may be furnished to any

1 spouse or dependent of such employee for the purpose of  
2 returning such spouse or dependent to the United  
3 States.”.

4 **SEC. 334. PARENTAL CHOICE IN EDUCATION.**

5 Section 5924(4) of title 5, United States Code, is  
6 amended—

7 (1) in subparagraph (A), by striking “between  
8 that post and the nearest locality where adequate  
9 schools are available,” and inserting “between that  
10 post and the school chosen by the employee, not to  
11 exceed the total cost to the Government of the de-  
12 pendent attending an adequate school in the nearest  
13 locality where an adequate school is available,”; and

14 (2) by adding at the end the following new sub-  
15 paragraph:

16 “(C) In those cases in which an adequate  
17 school is available at the post of the employee,  
18 if the employee chooses to educate the depend-  
19 ent at a school away from post, the education  
20 allowance which includes board and room, and  
21 periodic travel between the post and the school  
22 chosen, shall not exceed the total cost to the  
23 Government of the dependent attending an ade-  
24 quate school at the post of the employee.”.

1 **SEC. 335. MEDICAL EMERGENCY ASSISTANCE.**

2 Section 5927 of title 5, United States Code, is  
3 amended—

4 (1) by inserting “(a)” before “Up”; and

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

6 “(b)(1) Subject to paragraph (2), up to three months’  
7 pay may be paid in advance to—

8 “(A) a United States citizen employee of an  
9 agency (other than a United States citizen employed  
10 under section 311(a) of the Foreign Service Act of  
11 1980 (22 U.S.C. 3951(a))—

12 “(i) who is assigned or located outside of  
13 the United States pursuant to Government au-  
14 thorization; and

15 “(ii) who must, or has a family member  
16 who must, undergo outside of the United States  
17 medical treatment of the nature specified in  
18 regulations promulgated by the Secretary of  
19 State; and

20 “(B) each foreign national employee appointed  
21 under section 303 of the Foreign Service Act of  
22 1980 (22 U.S.C. 3943) and each United States cit-  
23 izen employed under section 311(a) of that Act (22  
24 U.S.C. 3951(a)) who is not a family member of a  
25 government employee assigned abroad—

1           “(i) who is located outside of the country  
2           of employment pursuant to United States Gov-  
3           ernment authorization; and

4           “(ii) who must undergo outside the coun-  
5           try of employment medical treatment of the na-  
6           ture specified in regulations promulgated by the  
7           Secretary of State.

8           “(2) Not more than 3 months pay may be advanced  
9           to an employee with respect to any single illness or injury,  
10          without regard to the number of courses of medical treat-  
11          ment required by the employee.

12          “(3)(A) Subject to the adjustment of the account of  
13          an employee under subparagraph (B) and other applicable  
14          provisions of law, the amount paid to an employee in ad-  
15          vance shall be equal to the rate of pay authorized with  
16          respect to the employee on the date the advance payment  
17          is made under agency procedures governing other advance  
18          payments permitted under this subchapter.

19          “(B) The head of each agency shall provide for—

20               “(i) the review of the account of each employee  
21               of the agency who receives any advance payment  
22               under this section; and

23               “(ii) the recovery of the amount of pay or waiv-  
24               er thereof.

1       “(4) For the purposes of this subsection, the term  
 2 ‘country of employment’ means the country outside the  
 3 United States where the employee was appointed for em-  
 4 ployment or employed by the United States Government.”.

5 **SEC. 336. REPORT CONCERNING FINANCIAL DISADVAN-**  
 6 **TAGES FOR ADMINISTRATIVE AND TECH-**  
 7 **NICAL PERSONNEL.**

8       (a) FINDINGS.—Congress finds that administrative  
 9 and technical personnel posted to United States missions  
 10 abroad who do not have diplomatic status suffer financial  
 11 disadvantages from their lack of such status.

12       (b) REPORT.—Not later than 1 year after the date  
 13 of the enactment of this Act, the Secretary of State shall  
 14 submit a report to the appropriate congressional commit-  
 15 tees concerning the extent to which administrative and  
 16 technical personnel posted to United States missions  
 17 abroad who do not have diplomatic status suffer financial  
 18 disadvantages from their lack of such status, including  
 19 proposals to alleviate such disadvantages.

20 **TITLE IV—EMBASSY SECURITY**  
 21 **AND COUNTERTERRORISM**  
 22 **MEASURES**

23 **SEC. 401. SHORT TITLE.**

24       This title may be cited as the “Secure Embassy Con-  
 25 struction and Counterterrorism Act of 1999”.

1 **SEC. 402. FINDINGS.**

2 Congress makes the following findings:

3 (1) On August 7, 1998, the United States em-  
4 bassies in Nairobi, Kenya, and in Dar es Salaam,  
5 Tanzania, were destroyed by simultaneously explod-  
6 ing bombs. The resulting explosions killed 220 per-  
7 sons and injured more than 4,000 others. Twelve  
8 Americans and 40 Kenyan and Tanzanian employees  
9 of the United States Foreign Service were killed in  
10 the attack.

11 (2) The United States personnel in both Dar es  
12 Salaam and Nairobi showed leadership and personal  
13 courage in their response to the attacks. Despite the  
14 havoc wreaked upon the embassies, staff in both em-  
15 bassies provided rapid response in locating and res-  
16 cuing victims, providing emergency assistance, and  
17 quickly restoring embassy operations during a crisis.

18 (3) The bombs are believed to have been set by  
19 individuals associated with Osama bin Laden, leader  
20 of a known transnational terrorist organization. In  
21 February 1998, bin Laden issued a directive to his  
22 followers that called for attacks against United  
23 States interests anywhere in the world.

24 (4) Following the bombings, additional threats  
25 have been made against United States diplomatic fa-  
26 cilities.

1           (5) Accountability Review Boards were con-  
2           vened following the bombings, as required by Public  
3           Law 99–399, chaired by Admiral William J. Crowe,  
4           United States Navy (Ret.) (in this section referred  
5           to as the “Crowe panels”).

6           (6) The conclusions of the Crowe panels were  
7           strikingly similar to those stated by the Inman Com-  
8           mission, which issued an extensive embassy security  
9           report more than 14 years ago.

10          (7) The Crowe panels issued a report setting  
11          out many problems with security at United States  
12          diplomatic facilities, in particular the following:

13                (A) The United States Government has de-  
14                voted inadequate resources to security against  
15                terrorist attacks.

16                (B) The United States Government places  
17                too low a priority on security concerns. The re-  
18                sult has been a failure to take adequate steps  
19                to prevent tragedies such as the bombings in  
20                Kenya and Tanzania.

21          (8) The Crowe panels found that there was an  
22          institutional failure on the part of the Department  
23          of State to recognize threats posed by transnational  
24          terrorism and vehicular bombs.

1           (9) Responsibility for ensuring adequate re-  
2       sources for security programs is widely shared  
3       throughout the United States Government, including  
4       Congress. Unless the vulnerabilities identified by the  
5       Crowe panels are addressed in a sustained and fi-  
6       nancially realistic manner, the lives and safety of  
7       United States employees in diplomatic facilities will  
8       continue to be at risk from further terrorist attacks.

9           (10) Although service in the Foreign Service or  
10      other United States Government positions abroad  
11      can never be completely without risk, the United  
12      States Government must take all reasonable steps to  
13      minimize security risks.

14   **SEC. 403. UNITED STATES DIPLOMATIC FACILITY DEFINED.**

15      In this title, the terms “United States diplomatic fa-  
16   cility” and “diplomatic facility” mean any chancery, lega-  
17   tion, consulate, or other office building used by a United  
18   States diplomatic mission or consular post or by personnel  
19   of any agency of the United States abroad, except that  
20   those terms do not include any facility under the command  
21   of a United States area commander.

22   **SEC. 404. AUTHORIZATIONS OF APPROPRIATIONS.**

23      (a) ESTABLISHMENT OF ACCOUNT.—There is estab-  
24   lished in the general fund of the Treasury of the United  
25   States an appropriations account for the Department of



1 State which shall be known as the “Embassy Construction  
2 and Security” account.

3 (b) PURPOSES.—Funds made available under the  
4 “Embassy Construction and Security” account may be  
5 used only for the purposes of—

6 (1) the acquisition or construction of United  
7 States diplomatic facilities and, if necessary, any  
8 residences or other structures located in close phys-  
9 ical proximity to such facilities, or

10 (2) the provision of major security enhance-  
11 ments to United States diplomatic facilities,  
12 necessary to bring the United States Government into  
13 compliance with all requirements applicable to the security  
14 of United States diplomatic facilities, including the rel-  
15 evant requirements set forth in section 406.

16 (c) AUTHORIZATIONS OF APPROPRIATIONS.—

17 (1) IN GENERAL.—There are authorized to be  
18 appropriated to the Department of State under  
19 “Embassy Construction and Security”—

20 (A) for fiscal year 2000, \$600,000,000;

21 (B) for fiscal year 2001, \$600,000,000;

22 (C) for fiscal year 2002, \$600,000,000;

23 (D) for fiscal year 2003, \$600,000,000;

24 and

25 (E) for fiscal year 2004, \$600,000,000.

1           (2) AVAILABILITY OF AUTHORIZATIONS.—Au-  
2           thorizations of appropriations under paragraph (1)  
3           shall remain available until the appropriations are  
4           made.

5           (3) AVAILABILITY OF FUNDS.—Amounts appro-  
6           priated pursuant to paragraph (1) are authorized to  
7           remain available until expended.

8   **SEC. 405. OBLIGATIONS AND EXPENDITURES.**

9           (a) REPORT AND PRIORITY OF OBLIGATIONS.—

10          (1) REPORT.—Not later than 90 days after the  
11          date of enactment of this Act, and on February 1  
12          of each year for 5 years thereafter, the Secretary of  
13          State shall submit a classified report to the appro-  
14          priate congressional committees identifying each dip-  
15          lomatic facility that is a priority for replacement or  
16          for any major security enhancement because of its  
17          vulnerability to terrorist attack (by reason of the  
18          terrorist threat and the current condition of the fa-  
19          cility). The report shall list such facilities in groups  
20          of 20. The groups shall be ranked in order from  
21          most vulnerable to least vulnerable to such an at-  
22          tack.

23          (2) PRIORITY ON USE OF FUNDS.—

24                (A) IN GENERAL.—Except as provided in  
25                subparagraph (B), funds made available in the

1           “Embassy Construction and Security” account  
 2           for a particular project may be used only for  
 3           those facilities which are listed in the first four  
 4           groups described in paragraph (1).

5           (B) EXCEPTIONS.—Funds made available  
 6           in the “Embassy Construction and Security”  
 7           account may be used for facilities which are not  
 8           in the first four groups, if the Secretary of  
 9           State certifies to the appropriate congressional  
 10          committees that such use of the funds is in the  
 11          national interest of the United States.

12          (b) CONGRESSIONAL NOTIFICATION REQUIRED  
 13 PRIOR TO TRANSFER OF FUNDS.—Prior to the transfer  
 14 of funds from the “Embassy Construction and Security”  
 15 account to any other account, the Secretary of State shall  
 16 notify the appropriate congressional committees in accord-  
 17 ance with the procedures applicable to a reprogramming  
 18 of funds under section 34(a) of the State Department  
 19 Basic Authorities Act of 1956 (22 U.S.C. 2706(a)).

20          (c) SEMIANNUAL REPORTS ON CONSTRUCTION AND  
 21 MAJOR SECURITY UPGRADES.—On June 1 and December  
 22 1 of each year, the Secretary of State shall submit a report  
 23 to the appropriate congressional committees on the em-  
 24 bassy security and construction program authorized under  
 25 this title. The report shall include—

1 (1) obligations and expenditures—

2 (A) during the previous six months; and

3 (B) since the establishment of the “Em-  
4 bassy Construction and Security” account;

5 (2) projected obligations and expenditures dur-  
6 ing the four fiscal quarters following the submission  
7 of the report, and how these obligations and expend-  
8 itures will improve security conditions of specific  
9 diplomatic facilities; and

10 (3) the status of ongoing acquisition, construc-  
11 tion, and major security enhancement projects, in-  
12 cluding any significant changes in—

13 (A) the anticipated budgetary requirements  
14 for such projects;

15 (B) the anticipated schedule of such  
16 projects; and

17 (C) the anticipated scope of the projects.

18 **SEC. 406. SECURITY REQUIREMENTS FOR UNITED STATES**

19 **DIPLOMATIC FACILITIES.**

20 (a) IN GENERAL.—The following security require-  
21 ments shall apply with respect to United States diplomatic  
22 facilities:

23 (1) THREAT ASSESSMENTS.—

24 (A) EMERGENCY ACTION PLAN.—The  
25 Emergency Action Plan (EAP) of each United

1 States mission shall address the threat of large  
2 explosive attacks from vehicles and the safety of  
3 employees during such an explosive attack.

4 (B) SECURITY ENVIRONMENT THREAT  
5 LIST.—The Security Environment Threat List  
6 shall contain a section that addresses potential  
7 acts of international terrorism against United  
8 States diplomatic facilities based on threat  
9 identification criteria that emphasize the threat  
10 of transnational terrorism and include the local  
11 security environment, host government support,  
12 and other relevant factors such as cultural re-  
13 alities.

14 (2) SITE SELECTION.—

15 (A) IN GENERAL.—In selecting sites for  
16 new United States diplomatic facilities abroad,  
17 all personnel of United States Government  
18 agencies except those under the command of a  
19 United States area military commander shall be  
20 located on the same compound.

21 (B) WAIVER.—

22 (i) IN GENERAL.—The Secretary of  
23 State may waive subparagraph (A) if—

24 (I) the Secretary determines and  
25 certifies to the appropriate congres-

1                   sional committees that it is in the na-  
 2                   tional interest of the United States to  
 3                   do so; and

4                   (II) the Secretary provides the  
 5                   appropriate congressional committees  
 6                   in writing the reasons justifying the  
 7                   determination under subclause (I).

8                   (ii) AUTHORITY NOT DELEGABLE.—  
 9                   The Secretary may not delegate the au-  
 10                  thority provided in clause (i).

11                  (C) CONGRESSIONAL NOTIFICATION.—Any  
 12                  waiver under this paragraph may be exercised  
 13                  only on a date that is at least 15 days after no-  
 14                  tification of the intention to waive this para-  
 15                  graph has been provided to the appropriate con-  
 16                  gressional committees.

17                  (3) PERIMETER DISTANCE.—

18                  (A) REQUIREMENT.—Each newly con-  
 19                  structed or acquired United States diplomatic  
 20                  facility shall be sited not less than 100 feet  
 21                  from the perimeter of the property on which the  
 22                  facility is to be situated.

23                  (B) WAIVER.—

24                  (i) IN GENERAL.—The Secretary of  
 25                  State may waive subparagraph (A) if—

1 (I) the Secretary determines and  
2 certifies to the appropriate congres-  
3 sional committees that it is in the na-  
4 tional interest of the United States to  
5 do so; and

6 (II) the Secretary provides the  
7 appropriate congressional committees  
8 in writing the reasons justifying the  
9 determination under subclause (I).

10 (ii) AUTHORITY NOT DELEGABLE.—

11 The Secretary may not delegate the au-  
12 thority provided in clause (i).

13 (4) CRISIS MANAGEMENT TRAINING.—

14 (A) TRAINING OF HEADQUARTERS  
15 STAFF.—The appropriate personnel of the De-  
16 partment of State headquarters staff shall un-  
17 dertake crisis management training for mass  
18 casualty and mass destruction incidents relating  
19 to diplomatic facilities for the purpose of bring-  
20 ing about a rapid response to such incidents  
21 from Department of State headquarters in  
22 Washington, D.C.

23 (B) TRAINING OF PERSONNEL ABROAD.—

24 A program of appropriate instruction in crisis

1 management shall be provided to personnel at  
2 United States diplomatic facilities abroad.

3 (5) STATE DEPARTMENT SUPPORT.—

4 (A) FOREIGN EMERGENCY SUPPORT  
5 TEAM.—The Foreign Emergency Support Team  
6 (FEST) of the Department of State shall re-  
7 ceive sufficient support from the Department,  
8 including—

9 (i) conducting routine training exer-  
10 cises of the FEST;

11 (ii) providing personnel identified to  
12 serve on the FEST as a collateral duty;

13 (iii) providing personnel to assist in  
14 activities such as security, medical relief,  
15 public affairs, engineering, and building  
16 safety; and

17 (iv) providing such additional support  
18 as may be necessary to enable the FEST  
19 to provide support in a post-crisis environ-  
20 ment involving mass casualties and phys-  
21 ical damage.

22 (B) FEST AIRCRAFT.—

23 (i) REPLACEMENT AIRCRAFT.—The  
24 President shall develop a plan to replace  
25 on a priority basis the current FEST air-



1 craft funded by the Department of Defense  
2 with a dedicated, capable, and reliable re-  
3 placement aircraft and backup aircraft, to  
4 be operated and maintained by the Depart-  
5 ment of Defense.

6 (ii) REPORT.—Not later than 60 days  
7 after the date of enactment of this Act, the  
8 President shall submit a report to the ap-  
9 propriate congressional committees describ-  
10 ing the aircraft selected pursuant to clause  
11 (i) and the arrangements for the funding,  
12 operation, and maintenance of that air-  
13 craft.

14 (6) RAPID RESPONSE PROCEDURES.—The Sec-  
15 retary of State shall enter into a memorandum of  
16 understanding with the Secretary of Defense setting  
17 out rapid response procedures for mobilization of  
18 personnel and equipment of their respective depart-  
19 ments to provide more effective assistance in times  
20 of emergency with respect to United States diplo-  
21 matic facilities.

22 (7) STORAGE OF EMERGENCY EQUIPMENT AND  
23 RECORDS.—All United States diplomatic facilities  
24 shall have emergency equipment and records re-

1       quired in case of an emergency situation stored at  
2       an off-site facility.

3       (b) STATUTORY CONSTRUCTION.—Nothing in this  
4       section alters or amends existing security requirements  
5       not addressed by this section.

6       **SEC. 407. CLOSURE OF VULNERABLE POSTS.**

7       (a) REVIEW.—The Secretary of State shall review the  
8       findings of the Overseas Presence Advisory Panel.

9       (b) REPORT.—

10           (1) IN GENERAL.—Not later than 120 days  
11       after submission of the Overseas Presence Panel Re-  
12       port, the Secretary of State shall submit a report to  
13       Congress setting forth the results of the review con-  
14       ducted under subsection (a).

15           (2) ELEMENTS OF THE REPORT.—The report  
16       shall—

17           (A) specify whether any United States dip-  
18       lomatic facility should be closed because—

19                   (i) the facility is highly vulnerable and  
20       subject to threat of terrorist attack; and

21                   (ii) adequate security enhancements  
22       cannot be provided to the facility;

23           (B) in the event that closure of a diplo-  
24       matic facility is required, identify plans to pro-  
25       vide secure premises for permanent use by the

1 United States diplomatic mission, whether in  
 2 country or in a regional United States diplo-  
 3 matic facility, or for temporary occupancy by  
 4 the mission in a facility pending acquisition or  
 5 construction of new buildings;

6 (C) outline the potential for reduction or  
 7 transfer of personnel or closure of missions if  
 8 technology is adequately exploited for maximum  
 9 efficiencies;

10 (D) examine the possibility of creating re-  
 11 gional missions in certain parts of the world;  
 12 and

13 (E) in the case of class 3 and 4 missions,  
 14 report on the foreign policy objectives served by  
 15 retaining such missions, balancing the impor-  
 16 tance of these objectives against the well-being  
 17 of United States personnel.

18 **SEC. 408. ACCOUNTABILITY REVIEW BOARDS.**

19 Section 301 of the Omnibus Diplomatic Security and  
 20 Antiterrorism Act of 1986 (22 U.S.C. 4831) is amended—

21 (1) in the first sentence, by inserting “(a)” be-  
 22 fore “In”;

23 (2) by inserting after the first sentence of sub-  
 24 section (a) (as designated by paragraph (1)) the fol-  
 25 lowing new sentence: “The Secretary shall convene a

1 Board not later than 60 days after the occurrence  
 2 of the injury, loss of life, destruction of property, or  
 3 breach of security described in the preceding sen-  
 4 tence, except that such 60-day period may be ex-  
 5 tended for two additional 30-day periods if the Sec-  
 6 retary determines that the additional period is nec-  
 7 essary for the convening of the Board.”; and

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

9 “(b) Whenever the Secretary convenes a Board, the  
 10 Secretary shall promptly inform the chairman of the Com-  
 11 mittee on Foreign Relations of the Senate and the Speaker  
 12 of the House of Representatives—

13 “(1) that a Board has been convened;

14 “(2) the membership of the Board; and

15 “(3) other appropriate information about the  
 16 Board.”.

17 **SEC. 409. AWARDS OF FOREIGN SERVICE STARS.**

18 The State Department Basic Authorities Act of 1956  
 19 is amended by inserting after section 36 (22 U.S.C. 2708)  
 20 the following new section:

21 **“SEC. 36A. AWARDS OF FOREIGN SERVICE STARS.**

22 “(a) **AUTHORITY TO AWARD.**—The President, upon  
 23 the recommendation of the Secretary, may award a For-  
 24 eign Service star to any member of the Foreign Service  
 25 or any other civilian employee of the Government of the

1 United States who, after August 1, 1998, while employed  
2 at, or assigned permanently or temporarily to, an official  
3 mission overseas or while traveling abroad on official busi-  
4 ness, incurred a wound or other injury or an illness  
5 (whether or not the wound, other injury, or illness resulted  
6 in death) in a case described in subsection (b)—

7 “(1) as the person was performing official du-  
8 ties;

9 “(2) as the person was on the premises of a  
10 United States mission abroad; or

11 “(3) by reason of the person’s status as a  
12 United States Government employee.

13 “(b) CASES RESULTING FROM UNLAWFUL CON-  
14 DUCT.—Cases covered by subsection (a) include cases of  
15 wounds or other injuries incurred as a result of terrorist  
16 or military action, civil unrest, or criminal activities di-  
17 rected at any facility of the Government of the United  
18 States.

19 “(c) SELECTION CRITERIA.—The Secretary shall pre-  
20 scribe the procedures for identifying and considering per-  
21 sons eligible for award of a Foreign Service star and for  
22 selecting the persons to be recommended for the award.

23 “(d) AWARD IN THE EVENT OF DEATH.—If a person  
24 selected for award of a Foreign Service star dies before  
25 being presented the award, the award may be made and

1 the star presented to the person's family or to the person's  
 2 representative, as designated by the President.

3 “(e) FORM OF AWARD.—The Secretary shall pre-  
 4 scribe the design of the Foreign Service star. The award  
 5 may not include a stipend or any other cash payment.

6 “(f) FUNDING.—Any expenses incurred in awarding  
 7 a person a Foreign Service star may be paid out of appro-  
 8 priations available at the time of the award for personnel  
 9 of the department or agency of the United States Govern-  
 10 ment in which the person was employed when the person  
 11 incurred the wound, injury, or illness upon which the  
 12 award is based.”.

13 **TITLE V—UNITED STATES**  
 14 **INTERNATIONAL BROAD-**  
 15 **CASTING ACTIVITIES**

16 **SEC. 501. AUTHORIZATIONS OF APPROPRIATIONS.**

17 (a) IN GENERAL.—The following amounts are au-  
 18 thorized to be appropriated to carry out the United States  
 19 International Broadcasting Act of 1994, the Radio Broad-  
 20 casting to Cuba Act, and the Television Broadcasting to  
 21 Cuba Act, and to carry out other authorities in law con-  
 22 sistent with such purposes:

23 (1) INTERNATIONAL BROADCASTING ACTIVI-  
 24 TIES.—For “International Broadcasting Activities”,

1       \$408,979,000 for the fiscal year 2000, and  
 2       \$408,979,000 for the fiscal year 2001.

3           (2) RADIO CONSTRUCTION.—For “Radio Con-  
 4       struction”, \$20,868,000 for the fiscal year 2000,  
 5       and \$20,868,000 for the fiscal year 2001.

6           (3) BROADCASTING TO CUBA.—For “Broad-  
 7       casting to Cuba”, \$22,743,000 for the fiscal year  
 8       2000 and \$22,743,000 for the fiscal year 2001.

9   **SEC. 502. REAUTHORIZATION OF RADIO FREE ASIA.**

10       Section 309 of the United States International  
 11       Broadcasting Act of 1994 (22 U.S.C. 6208) is amended—

12           (1) by striking subsection (c);

13           (2) by redesignating subsections (d), (e), (f),  
 14       (g), (h), and (i) as subsections (c), (d), (e), (f), (g),  
 15       and (h), respectively;

16           (3) in subsection (c) (as redesignated by para-  
 17       graph (2))—

18                (A) in paragraph (1)—

19                   (i) by striking “(A)”; and

20                   (ii) by striking subparagraph (B);

21                (B) in paragraph (2), by striking “Sep-  
 22       tember 30, 1999” and inserting “September 30,  
 23       2005”;

24                (C) in paragraph (4), by striking  
 25       “\$22,000,000 in any fiscal year” and inserting

1           “\$28,000,000 in each of the fiscal years 2000  
2           and 2001”;

3           (D) by striking paragraph (5); and

4           (E) by redesignating paragraph (6) as  
5           paragraph (5); and

6           (4) by amending subsection (f) (as redesignated  
7           by paragraph (2)) to read as follows:

8           “(f) SUNSET PROVISION.—The Board may not make  
9           any grant for the purpose of operating Radio Free Asia  
10          after September 30, 2005.”.

11   **SEC. 503. NOMINATION REQUIREMENTS FOR THE CHAIR-**  
12                           **MAN OF THE BROADCASTING BOARD OF GOV-**  
13                           **ERNORS.**

14          Section 304(b)(2) of the Foreign Relations Author-  
15          ization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6203  
16          (b)(2)), is amended—

17               (1) by striking “designate” and inserting “ap-  
18               point”; and

19               (2) by adding at the end the following: “, sub-  
20               ject to the advice and consent of the Senate”.



1 **TITLE VI—ARMS CONTROL, NON-**  
 2 **PROLIFERATION, AND NA-**  
 3 **TIONAL SECURITY**

4 **SEC. 601. SHORT TITLE.**

5 This title may be cited as the “Arms Control, Non-  
 6 proliferation, and National Security Act of 1999”.

7 **SEC. 602. DEFINITIONS.**

8 In this title:

9 (1) ASSISTANT SECRETARY.—The term “Assist-  
 10 ant Secretary” means the position of Assistant Sec-  
 11 retary of State for Verification and Compliance des-  
 12 ignated under section 612.

13 (2) CONVENTION ON NUCLEAR SAFETY.—The  
 14 term “Convention on Nuclear Safety” means the  
 15 Convention on Nuclear Safety, done at Vienna on  
 16 September 20, 1994 (Senate Treaty Document 104–  
 17 6).

18 (3) EXECUTIVE AGENCY.—The term “Executive  
 19 agency” has the meaning given the term in section  
 20 105 of title 5, United States Code.

21 (4) INTELLIGENCE COMMUNITY.—The term  
 22 “intelligence community” has the meaning given the  
 23 term in section 3(4) of the National Security Act of  
 24 1947 (50 U.S.C. 401a(4)).

1           (5) START TREATY OR TREATY.—The term  
2       “START Treaty” or “Treaty” means the Treaty  
3       With the Union of Soviet Socialist Republics on the  
4       Reduction and Limitation of Strategic Offensive  
5       Arms, including all agreed statements, annexes, pro-  
6       tocols, and memoranda, signed at Moscow on July  
7       31, 1991.

8           (6) START II TREATY.—The term “START II  
9       Treaty” means the Treaty Between the United  
10      States of America and the Russian Federation on  
11      Further Reduction and Limitation of Strategic Of-  
12      fensive Arms, and related protocols and memo-  
13      randum of understanding, signed at Moscow on Jan-  
14      uary 3, 1993.

15          (7) APPROPRIATE COMMITTEES OF CON-  
16      GRESS.—The term “appropriate committees of Con-  
17      gress” means the Committee on International Rela-  
18      tions and the Permanent Select Committee on Intel-  
19      ligence of the House of Representatives and the  
20      Committee on Foreign Relations and the Select  
21      Committee on Intelligence of the Senate.

1           **Subtitle A—Arms Control**  
2   **CHAPTER 1—EFFECTIVE VERIFICATION**  
3       **OF COMPLIANCE WITH ARMS CON-**  
4       **TROL AGREEMENTS**

5   **SEC. 611. KEY VERIFICATION ASSETS FUND.**

6       (a) IN GENERAL.—The Secretary of State is author-  
7 ized to transfer funds available to the Department of State  
8 under this section to the Department of Defense, Depart-  
9 ment of Energy, or any agency, entity, or other component  
10 of the intelligence community, as needed, for retaining, re-  
11 searching, developing, or acquiring technologies or pro-  
12 grams relating to the verification of arms control, non-  
13 proliferation and disarmament agreements or commit-  
14 ments.

15       (b) PROHIBITION ON REPROGRAMMING.—Notwith-  
16 standing any other provision of law, funds made available  
17 to carry out this section may not be used for any purpose  
18 other than the purposes specified in subsection (a).

19       (c) FUNDING.—Of the funds available to the Depart-  
20 ment of State for the fiscal years 2000 and 2001, not to  
21 exceed \$5,000,000 for each such fiscal year shall be made  
22 available to carry out subsection (a).

23       (d) DESIGNATION OF FUND.—Amounts made avail-  
24 able under subsection (c) may be referred to as the “Key  
25 Verification Assets Fund”.

1 **SEC. 612. ASSISTANT SECRETARY OF STATE FOR**  
2 **VERIFICATION AND COMPLIANCE.**

3 (a) DESIGNATION OF POSITION.—The Secretary of  
4 State shall designate one of the Assistant Secretaries of  
5 State authorized by section 1(c)(1) of the State Depart-  
6 ment Basic Authorities Act of 1956 (22 U.S.C.  
7 2651a(c)(1)) as the Assistant Secretary of State for  
8 Verification and Compliance. The Assistant Secretary  
9 shall report to the Under Secretary of State for Arms Con-  
10 trol and International Security.

11 (b) DIRECTIVE GOVERNING THE ASSISTANT SEC-  
12 RETARY OF STATE.—

13 (1) IN GENERAL.—Not later than 30 days after  
14 the date of enactment of this Act, the Secretary of  
15 State shall issue a directive governing the position of  
16 Assistant Secretary.

17 (2) ELEMENTS OF THE DIRECTIVE.—The direc-  
18 tive issued under paragraph (1) shall set forth, con-  
19 sistent with this section—

20 (A) the duties of the Assistant Secretary;

21 (B) the relationships between the Assistant  
22 Secretary and other officials of the Department  
23 of State;

24 (C) any delegation of authority from the  
25 Secretary of State to the Assistant Secretary;  
26 and

1 (D) such other matters as the Secretary  
2 considers appropriate.

3 (c) DUTIES.—

4 (1) IN GENERAL.—The Assistant Secretary  
5 shall have as his principal responsibility the overall  
6 supervision (including oversight of policy and re-  
7 sources) within the Department of State of all mat-  
8 ters relating to verification and compliance with  
9 international arms control, nonproliferation, and dis-  
10 armament agreements or commitments.

11 (2) PARTICIPATION OF THE ASSISTANT SEC-  
12 RETARY.—

13 (A) PRIMARY ROLE.—Except as provided  
14 in subparagraphs (B) and (C), the Assistant  
15 Secretary, or his designee, shall participate in  
16 all interagency groups or organizations within  
17 the executive branch of Government that assess,  
18 analyze, or review United States planned or on-  
19 going policies, programs, or actions that have a  
20 direct bearing on verification or compliance  
21 matters, including interagency intelligence com-  
22 mittees concerned with the development or ex-  
23 ploitation of measurement or signals intel-  
24 ligence or other national technical means of  
25 verification.

(B) REQUIREMENT FOR DESIGNATION.—

Subparagraph (A) shall not apply to groups or organizations on which the Secretary of State or the Undersecretary of State for Arms Control and International Security sits, unless such official designates the Assistant Secretary to attend in his stead.

(C) NATIONAL SECURITY LIMITATION.—

(i) The President may waive the provisions of subparagraph (A) if inclusion of the Assistant Secretary would not be in the national security interests of the United States.

(ii) With respect to an interagency group or organization, or meeting thereof, working with exceptionally sensitive information contained in compartments under the control of the Director of Central Intelligence, the Secretary of Defense, or the Secretary of Energy, such Director or Secretary, as the case may be, may waive the provision of subparagraph (A) if inclusion of the Assistant Secretary would not be in the national security interests of the United States.

1 (iii) Any waiver of participation under  
2 clause (i) or (ii) shall be transmitted in  
3 writing to the appropriate committees of  
4 Congress.

5 (3) RELATIONSHIP TO THE INTELLIGENCE  
6 COMMUNITY.—The Assistant Secretary shall be the  
7 principal liaison between the policy community and  
8 the intelligence community on verification and com-  
9 pliance matters.

10 (4) REPORTING RESPONSIBILITIES.—The As-  
11 sistant Secretary shall have responsibility within the  
12 Department of State for—

13 (A) all reports required pursuant to section  
14 37 of the Arms Control and Disarmament Act  
15 (22 U.S.C. 2577);

16 (B) so much of the report required under  
17 paragraphs (5) through (10) of section 51(a) of  
18 the Arms Control and Disarmament Act (22  
19 U.S.C. 2593a(a)) as relates to verification or  
20 compliance matters; and

21 (C) other reports being prepared by the  
22 Department of State as of the date of enact-  
23 ment of this Act relating to arms control, non-  
24 proliferation, or disarmament verification or  
25 compliance matters.

1 **SEC. 613. ENHANCED ANNUAL (“PELL”) REPORT.**

2 Section 51(a) of the Arms Control and Disarmament  
3 Act (22 U.S.C. 2593a(a)) is amended—

4 (1) by striking “and” at the end of paragraph  
5 (6);

6 (2) by striking the period at the end of para-  
7 graph (7) and inserting a semicolon;

8 (3) in paragraph (6), by inserting:

9 (A) “or commitments, including the Missile  
10 Technology Control Regime,” after “agree-  
11 ments” the first time it appears;

12 (B) “or commitments” after “agreements”  
13 the second time it appears; and

14 (C) “or commitment” after “agreement”;

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

16 “(8) a specific identification, to the maximum  
17 extent practicable in unclassified form, of each and  
18 every question that exists with respect to compliance  
19 by other countries with arms control, nonprolifera-  
20 tion, and disarmament agreements with the United  
21 States.”; and

22 (5) by adding at the end the following new sub-  
23 section:

24 “(d) Each report shall include a discussion of each  
25 significant issue contained in a previous report issued dur-  
26 ing 1995, or after December 31, 1995, pursuant to para-



1 graph (6), until the question or concern has been resolved  
2 and such resolution has been reported to the appropriate  
3 committees of Congress (as defined in section 601(7) of  
4 the Foreign Relations Authorization Act, Fiscal Years  
5 2000 and 2001) in detail.”.

6 **SEC. 614. REPORT ON START AND START II TREATIES MONI-**  
7 **TORING ISSUES.**

8 (a) REPORT.—Not later than 180 days after the date  
9 of enactment of this Act, the Director of Central Intel-  
10 ligence shall submit a detailed classified report to the ap-  
11 propriate committees of Congress including the following:

12 (1) A comprehensive identification of all moni-  
13 toring activities associated with the START and  
14 START II treaties.

15 (2) The specific intelligence community assets  
16 and capabilities, including analytical capabilities,  
17 that the Senate was informed, prior to the Senate  
18 giving its advice and consent to ratification of the  
19 treaties, would be necessary to accomplish those ac-  
20 tivities.

21 (3) An identification of the extent to which  
22 those assets and capabilities have, or have not, been  
23 attained or retained, and the corresponding effect  
24 this has had upon United States monitoring con-  
25 fidence levels.

1           (4) An assessment of any Russian activities re-  
2           lating to the START Treaty which have had an im-  
3           pact upon the ability of the United States to monitor  
4           Russian adherence to the Treaty.

5           (b) COMPARTMENTED ANNEX.—Exceptionally sen-  
6           sitive, compartmented information in the report required  
7           by this section may be provided in a compartmented annex  
8           submitted to the Select Committee on Intelligence of the  
9           Senate and the Permanent Select Committee on Intel-  
10          ligence of the House of Representatives.

11   **SEC. 615. STANDARDS FOR VERIFICATION.**

12          (a) DEFINITIONS.—It is the sense of the Senate that  
13          the following terms when used in publications of the  
14          United States Government, or in oral representations by  
15          officials of the United States Government, should have the  
16          following meanings:

17               (1) EFFECTIVELY VERIFIABLE.—The term “ef-  
18               fectively verifiable” means that the requirements of  
19               subparagraphs (A) and (B) are met, as follows:

20                       (A) The Director of Central Intelligence  
21                       has certified to the President that the intel-  
22                       ligence community has a high degree of con-  
23                       fidence, with respect to a particular treaty or  
24                       other agreement, in its ability to detect any  
25                       militarily significant violation of the treaty or

1 other agreement in a timely fashion, and to de-  
2 tect patterns of marginal violation over time. In  
3 determining the intelligence community's con-  
4 fidence, the Director should assume that all  
5 measures of concealment could be employed and  
6 that standard practices could be altered so as to  
7 impede monitoring.

8 (B) The Secretaries of State and Defense  
9 and the Chairman of the Joint Chiefs of Staff  
10 have certified to the President that they have a  
11 high degree of confidence, with respect to a par-  
12 ticular treaty or other agreement, that the  
13 United States will be able to reach a legal and  
14 technical determination regarding any militarily  
15 significant violation of the treaty or other  
16 agreement in a timely fashion, and to reach  
17 such a determination regarding patterns of  
18 marginal violation, once detected. In deter-  
19 mining the level of confidence under this sub-  
20 paragraph, the Secretaries of State and Defense  
21 and the Chairman of the Joint Chiefs of Staff  
22 should assume that all measures of concealment  
23 could be employed and that standard practices  
24 could be altered so as to impede monitoring.

1           (2) MILITARILY SIGNIFICANT VIOLATION.—The  
 2           Chairman of the Joint Chiefs of Staff, in consulta-  
 3           tion with the Secretary of Defense, shall have sole  
 4           responsibility for determining with specificity, for  
 5           purposes of any treaty or other international agree-  
 6           ment having implications for the national security of  
 7           the United States, what constitutes a militarily sig-  
 8           nificant violation. In making such a determination,  
 9           the Chairman should give great weight to his judg-  
 10          ment that the violation could pose a threat to the  
 11          national security interests of the United States.

12          (3) TIMELY FASHION DEFINED.—In this sec-  
 13          tion, the term “timely fashion” means in sufficient  
 14          time for the United States to take remedial action  
 15          to safeguard the national security.

16          (b) CONFORMING AMENDMENTS.—Section 37(a) of  
 17          the Arms Control and Disarmament Act (22 U.S.C.  
 18          2577(a)) is amended—

19               (1) by striking “adequately”;

20               (2) by redesignating subsections (b), (c), and  
 21               (d) as subsections (c), (d), and (e); and

22               (3) by inserting after subsection (a) the fol-  
 23          lowing new subsection:

24          “(b) ASSESSMENTS UPON REQUEST.—Upon the re-  
 25          quest of the chairman or ranking minority member of the

1 Committee on Foreign Relations of the Senate or the  
2 Committee on International Relations of the House of  
3 Representatives, in case of an arms control, nonprolifera-  
4 tion, or disarmament proposal—

5 “(1) under consideration for presentation to a  
6 foreign country by the United States;

7 “(2) presented to a foreign country by the  
8 United States; or

9 “(3) presented to the United States by a for-  
10 eign country;

11 the Secretary of State shall submit a report to the Com-  
12 mittee on the degree to which elements of the proposal  
13 are capable of being verified.”.

14 **SEC. 616. CONTRIBUTION TO THE ADVANCEMENT OF SEIS-**  
15 **MOLOGY.**

16 The United States Government shall make available  
17 to the public in real time, or as quickly as possible, all  
18 raw seismological data provided to the United States Gov-  
19 ernment by any international organization that is directly  
20 responsible for seismological monitoring.

21 **SEC. 617. PROTECTION OF UNITED STATES COMPANIES.**

22 The United States National Authority (as designated  
23 pursuant to section 101 of the Chemical Weapons Conven-  
24 tion Implementation Act of 1998 (as contained in division  
25 I of Public Law 105–277)) shall reimburse the Federal

1 Bureau of Investigation for all costs incurred by the Bu-  
 2 reau in connection with implementation of section  
 3 303(b)(2)(A) of that Act, except that such reimbursement  
 4 may not exceed \$1,000,000 in any fiscal year.

5 **CHAPTER 2—LANDMINE POLICY,**  
 6 **DEMINING ACTIVITIES, AND RELATED**  
 7 **MATTERS**

8 **SEC. 621. CONFORMING AMENDMENT.**

9 Subsection (d) of section 248 of the Strom Thurmond  
 10 National Defense Authorization Act for Fiscal Year 1999  
 11 (Public Law 105–261; 112 Stat. 1958) is amended by in-  
 12 serting “, and to the Committee on Foreign Relations of  
 13 the Senate and the Committee on International Relations  
 14 of the House of Representatives,” after “congressional de-  
 15 fense committees”.

16 **SEC. 622. DEVELOPMENT OF ADVANCED HUMANITARIAN**  
 17 **DEMINING CAPABILITIES FUND.**

18 (a) IN GENERAL.—The Secretary of State is author-  
 19 ized to transfer funds available to the Department of State  
 20 under this section to the Department of Defense, Depart-  
 21 ment of Energy, or any of the military departments, for  
 22 researching, developing, adapting, and deploying tech-  
 23 nologies to achieve the destruction or other removal of  
 24 antipersonnel landmines for humanitarian purposes.

1 (b) PROHIBITION ON REPROGRAMMING.—Notwith-  
 2 standing any other provision of law, funds made available  
 3 to carry out this section may not be used for any purpose  
 4 other than the purposes specified in subsection (a).

5 (c) AUTHORIZATION OF APPROPRIATIONS.—

6 (1) IN GENERAL.—There is authorized to be  
 7 appropriated to the Department of State \$5,000,000  
 8 for each of the fiscal years 2000 and 2001 to carry  
 9 out subsection (a).

10 (2) AVAILABILITY OF FUNDS.—Amounts appro-  
 11 priated pursuant to paragraph (1) are authorized to  
 12 remain available until expended.

13 (d) DESIGNATION OF FUND.—Amounts made avail-  
 14 able under subsection (c) may be referred to as the “De-  
 15 velopment of Advanced Humanitarian Demining Capabili-  
 16 ties Fund”.

17 **Subtitle B—Nuclear Nonprolifera-**  
 18 **tion, Safety, and Related Mat-**  
 19 **ters**

20 **SEC. 631. REPORTING BURDEN ON UNITED STATES NU-**  
 21 **CLEAR INDUSTRY.**

22 In carrying out any United States obligation under  
 23 the Convention on Nuclear Safety, no Executive agency  
 24 may impose any new reporting obligation upon any United  
 25 States business concern.

1 **SEC. 632. AUTHORITY TO SUSPEND NUCLEAR COOPERA-**  
2 **TION FOR FAILURE TO RATIFY CONVENTION**  
3 **ON NUCLEAR SAFETY.**

4 Section 132 of the Atomic Energy Act of 1954 (42  
5 U.S.C. 2160b) is amended—

6 (1) in the section heading, by inserting before  
7 the period the following: “OR THE CONVENTION ON  
8 NUCLEAR SAFETY”; and

9 (2) by inserting “or the Convention on Nuclear  
10 Safety” after “Material”.

11 **SEC. 633. ELIMINATION OF DUPLICATIVE GOVERNMENT AC-**  
12 **TIVITIES.**

13 (a) PRIMARY RESPONSIBILITY OF THE SECRETARY  
14 OF STATE.—Congress urges the Secretary of State, in  
15 consultation with the Nuclear Regulatory Commission, to  
16 ensure that the functions performed by the International  
17 Nuclear Regulators Association are undertaken to the  
18 maximum extent practicable in connection with implemen-  
19 tation of the Convention on Nuclear Safety.

20 (b) REPORT.—Not later than one year after the date  
21 of enactment of this Act, the President shall submit a re-  
22 port to the Committees on Foreign Relations and Appro-  
23 priations of the Senate and to the Speaker of the House  
24 of Representatives—

25 (1) detailing all activities being undertaken by  
26 the United States in the field of international nu-



1 clear regulation and nuclear safety, and justifying  
 2 continuation of such activities if the activities in any  
 3 way duplicate an activity undertaken pursuant to  
 4 the Convention on Nuclear Safety; and

5 (2) identifying all activities terminated pursu-  
 6 ant to his certification made on April 9, 1999, in ac-  
 7 cordance with Condition (1) of the resolution of rati-  
 8 fication for the Convention on Nuclear Safety.

9 **SEC. 634. CONGRESSIONAL NOTIFICATION OF NON-**  
 10 **PROLIFERATION ACTIVITIES.**

11 Section 602(c) of the Nuclear Non-Proliferation Act  
 12 of 1978 (22 U.S.C. 3282(c)) is amended to read as fol-  
 13 lows:

14 “(c)(1) The Department of State, the Department of  
 15 Defense, the Department of Commerce, the Department  
 16 of Energy, the Commission, and, with regard to subpara-  
 17 graph (B), the Director of Central Intelligence, shall keep  
 18 the Committees on Foreign Relations and Governmental  
 19 Affairs of the Senate and the Committee on International  
 20 Relations of the House of Representatives fully and cur-  
 21 rently informed with respect to—

22 “(A) their activities to carry out the purposes  
 23 and policies of this Act and to otherwise prevent  
 24 proliferation, including the proliferation of nuclear,

1 chemical, or biological weapons, or their means of  
2 delivery; and

3 “(B) the current activities of foreign nations  
4 which are of significance from the proliferation  
5 standpoint.

6 “(2) For the purposes of this subsection with respect  
7 to subparagraph (B), the phrase ‘fully and currently in-  
8 formed’ means the transmittal of information not later  
9 than 60 days after becoming aware of the activity con-  
10 cerned.”.

11 **SEC. 635. EFFECTIVE USE OF RESOURCES FOR NON-**  
12 **PROLIFERATION PROGRAMS.**

13 (a) REQUIREMENT FOR REPORT.—Not later than  
14 180 days after the date of enactment of this Act, the Sec-  
15 retary of Energy shall submit a report to the Committees  
16 on Foreign Relations, Armed Services, and Appropriations  
17 of the Senate and to the Speaker of the House of Rep-  
18 resentatives detailing, with respect to the Initiatives for  
19 Proliferation Prevention (IPP) program, a plan of  
20 action—

21 (1) to reduce the amount of funds expended on  
22 administrative support fees at the national labora-  
23 tories;

24 (2) to maximize the amount of money paid Rus-  
25 sian scientists under the program;

1           (3) to require program officials to obtain com-  
2       plete and accurate information on the number of sci-  
3       entists participating in program projects, and on  
4       their backgrounds;

5           (4) to provide a comprehensive review of  
6       projects in order to minimize or eliminate the trans-  
7       fer of defense-related or militarily useful information  
8       under the program;

9           (5) to formalize a process for review of pro-  
10      posed chemical and biological projects under the pro-  
11      gram;

12          (6) to set forth specific criteria and timeframes  
13      for determining when an IPP project shall be termi-  
14      nated if progress to the next level does not occur;

15          (7) to reevaluate all “Thrust 1” projects with  
16      particular emphasis given to those having received  
17      funds for three years or more; and

18          (8) to identify, with respect to the Nuclear Cit-  
19      ies Initiative, the program’s goals, costs, timeframes,  
20      measures of performance, and expected outcomes  
21      such as the number of commercial jobs to be created  
22      in each city covered by the program.

23      (b) PROHIBITION ON FUNDING RUSSIAN WMD MOD-  
24      ERNIZATION.—No assistance may be provided under the  
25      International Science and Technology Center program of

1 the Department of State or the International Proliferation  
 2 Prevention (IPP) program of the Department of Energy  
 3 to any person who is involved in the research, develop-  
 4 ment, design, testing, or evaluation of chemical or biologi-  
 5 cal weapons for offensive purposes.

6 **SEC. 636. DISPOSITION OF WEAPONS-GRADE MATERIAL.**

7 (a) REPORT ON REDUCTION OF THE STOCKPILE.—  
 8 Not later than 120 days after signing an agreement be-  
 9 tween the United States and Russia for the disposition  
 10 of excess weapons plutonium, the Secretary of Energy,  
 11 with the concurrence of the Secretary of Defense, shall  
 12 submit a report to the Committee on Foreign Relations  
 13 and the Committee on Armed Services of the Senate and  
 14 to the Speaker of the House of Representatives—

15 (1) detailing plans for United States implemen-  
 16 tation of such agreement;

17 (2) identifying the number of United States  
 18 warhead “pits” of each type deemed “excess” for the  
 19 purpose of dismantlement or disposition; and

20 (3) describing any implications this may have  
 21 for the Stockpile Stewardship and Management Pro-  
 22 gram.

23 (b) NON-PROLIFERATION CERTIFICATION REGARD-  
 24 ING A MOX FUEL FABRICATION FACILITY IN RUSSIA.—  
 25 No funds available to the Department of State or the De-

1 partment of Energy may be used to establish a mixed  
2 oxide fuel fabrication or production facility in Russia un-  
3 less and until the Secretary of State certifies that—

4           (1) arrangements for the establishment of that  
5 facility will further United States nuclear non-pro-  
6 liferation objectives and will outweigh the prolifera-  
7 tion risks inherent in the use of mixed oxide fuel ele-  
8 ments;

9           (2) a guaranty has been given by Russia that  
10 no fuel elements produced, fabricated, reprocessed,  
11 or assembled at such facility, and no sensitive nu-  
12 clear technology related to such facility, will be ex-  
13 ported or supplied by the Russian Federation to any  
14 country in the event that the United States objects  
15 to such export or supply; and

16           (3) a guaranty has been given by Russia that  
17 the facility and all nuclear materials and equipment  
18 therein, and any fuel elements or special nuclear ma-  
19 terial produced, fabricated, reprocessed, or assem-  
20 bled at that facility, including fuel elements exported  
21 or supplied by Russia to a third party, will be sub-  
22 ject to international monitoring and transparency  
23 sufficient to ensure that special nuclear material is  
24 not diverted.

25           (c) DEFINITIONS.—

1           (1) PRODUCED.—The terms “produce” and  
2           “produced” have the same meaning that such terms  
3           are given under section 11 u. of the Atomic Energy  
4           Act of 1954.

5           (2) PRODUCTION FACILITY.—The term “pro-  
6           duction facility” has the same meaning that such  
7           term is given under section 11 v. of the Atomic En-  
8           ergy Act of 1954.

9           (3) SPECIAL NUCLEAR MATERIAL.—The term  
10          “special nuclear material” has the meaning that  
11          such term is given under section 11 aa. of the Atom-  
12          ic Energy Act of 1954.

13 **SEC. 637. STATUS OF HONG KONG AND MACAO IN UNITED**  
14 **STATES EXPORT LAW.**

15          (a) PRELICENSE VERIFICATION.—Notwithstanding  
16 any other provision of law and except as provided in sub-  
17 section (c), no license may be approved for the export to  
18 Hong Kong or Macao, as the case may be, of any item  
19 described in subsection (d) unless appropriate United  
20 States officials are provided the right and ability to con-  
21 duct prelicense verification, in such manner as the United  
22 States considers appropriate, of the validity of the stated  
23 end-user, and the validity of the stated end-use, as speci-  
24 fied on the license application.

1       (b)     POST-SHIPMENT     VERIFICATION.—Notwith-  
2 standing any other provision of law and except as provided  
3 in subsection (c), in the event that appropriate United  
4 States officials, with respect to any item defined in sub-  
5 section (d)(1), or the Secretary of Commerce, with respect  
6 to any item defined in subsection (d)(2), are denied the  
7 ability to conduct post-shipment verification, in such man-  
8 ner as the United States considers appropriate, of the lo-  
9 cation and end-use of any item under their jurisdiction  
10 that has been exported from the United States to Hong  
11 Kong or Macao, then Hong Kong or Macao, as the case  
12 may be, shall thereafter be treated in the same manner  
13 as the People’s Republic of China for the purpose of any  
14 export of any item described in subsection (d).

15       (c)     WAIVER AUTHORITY.—The Secretary of State  
16 may waive or remove the imposition of the requirements  
17 imposed by subsections (a) and (b) upon a written finding,  
18 which shall be transmitted to the Committee on Foreign  
19 Relations of the Senate and the Committee on Inter-  
20 national Relations of the House of Representatives, that—

21               (1) the case that warranted the imposition of  
22       such requirements has been settled to the satisfac-  
23       tion of the United States; or

1           (2) there are specific reasons why the waiver or  
 2           removal of such requirements is in the national in-  
 3           terest of the United States.

4           (d) ITEM DEFINED.—The term “item” as used in  
 5 this section means—

6           (1) any item controlled on the United States  
 7           Munitions List under section 38 of the Arms Export  
 8           Control Act (22 U.S.C. 2778); or

9           (2) any item for which export controls are ad-  
 10          ministered by the Department of Commerce for for-  
 11          eign policy or national security reasons.

12          (e) EFFECTIVE DATE.—Effective January 1, 2000,  
 13 this section shall apply to Macao.

## 14                   **Subtitle C—Miscellaneous** 15                   **Provisions**

### 16 **SEC. 641. REQUIREMENT FOR TRANSMITTAL OF SUM-** 17 **MARIES.**

18          Whenever a United States delegation engaging in ne-  
 19 gotiations on arms control, nonproliferation, or disar-  
 20 mament submits to the Secretary of State a summary of  
 21 the activities of the delegation or the status of those nego-  
 22 tiations, a copy of each such summary shall be further  
 23 transmitted by the Secretary of State to the Committee  
 24 on Foreign Relations of the Senate promptly.



1 **SEC. 642. PROHIBITION ON WITHHOLDING CERTAIN INFOR-**  
2 **MATION FROM CONGRESS.**

3 (a) PROHIBITION.—No officer or employee of the  
4 United States may knowingly withhold information from  
5 the chairman or ranking minority member of the Com-  
6 mittee on Foreign Relations of the Senate or the Com-  
7 mittee on International Relations of the House of Rep-  
8 resentatives that is required to be transmitted pursuant  
9 to subsection (c) or (d) of section 602 of the Nuclear Non-  
10 Proliferation Act of 1978.

11 (b) ISSUANCE OF REGULATIONS.—Not later than  
12 January 1, 2000, the Secretaries of State, Defense, Com-  
13 merce, and Energy, the Director of Central Intelligence,  
14 and the Chairman of the Nuclear Regulatory Commission  
15 shall issue directives to implement their responsibilities  
16 under subsections (c) and (d) of section 602 of the Nu-  
17 clear Non-Proliferation Act of 1978. Copies of such direc-  
18 tives shall be forwarded promptly to the Committee on  
19 Foreign Relations of the Senate and the Committee on  
20 International Relations of the House of Representatives  
21 upon the issuance of the directives.

1       **TITLE VII—MISCELLANEOUS**  
2               **PROVISIONS**  
3       **Subtitle A—People’s Republic of**  
4               **China**

5       **SEC. 701. FINDINGS.**

6               Congress makes the following findings:

7                       (1) Congress concurs in the conclusions of the  
8               Department of State on human rights in the Peo-  
9               ple’s Republic of China in 1998 as follows:

10                               (A) “The People’s Republic of China  
11                               (PRC) is an authoritarian state in which the  
12                               Chinese Communist Party (CCP) is the para-  
13                               mount source of power. . . Citizens lack both  
14                               the freedom peacefully to express opposition to  
15                               the party-led political system and the right to  
16                               change their national leaders or form of govern-  
17                               ment.”.

18                               (B) “The Government continued to commit  
19                               widespread and well-documented human rights  
20                               abuses, in violation of internationally accepted  
21                               norms. These abuses stemmed from the au-  
22                               thorities’ very limited tolerance of public dissent  
23                               aimed at the Government, fear of unrest, and  
24                               the limited scope or inadequate implementation  
25                               of laws protecting basic freedoms.”.

1           (C) “Abuses included instances of  
2           extrajudicial killings, torture and mistreatment  
3           of prisoners, forced confessions, arbitrary arrest  
4           and detention, lengthy incommunicado deten-  
5           tion, and denial of due process.”.

6           (D) “Prison conditions at most facilities  
7           remained harsh. . . The Government infringed  
8           on citizens’ privacy rights. The Government  
9           continued restrictions on freedom of speech and  
10          of the press, and tightened these toward the  
11          end of the year. The Government severely re-  
12          stricted freedom of assembly, and continued to  
13          restrict freedom of association, religion, and  
14          movement.”.

15          (E) “Discrimination against women, mi-  
16          norities, and the disabled; violence against  
17          women, including coercive family planning prac-  
18          tices—which sometimes include forced abortion  
19          and forced sterilization; prostitution, trafficking  
20          in women and children, and the abuse of chil-  
21          dren all are problems.”.

22          (F) “The Government continued to restrict  
23          tightly worker rights, and forced labor remains  
24          a problem.”.

1 (G) “Serious human rights abuses per-  
2 sisted in minority areas, including Tibet and  
3 Xinjiang, where restrictions on religion and  
4 other fundamental freedoms intensified.”.

5 (H) “Unapproved religious groups, includ-  
6 ing Protestant and Catholic groups, continued  
7 to experience varying degrees of official inter-  
8 ference and repression.”.

9 (I) “Although the Government denies that  
10 it holds political or religious prisoners, and ar-  
11 gues that all those in prison are legitimately  
12 serving sentences for crimes under the law, an  
13 unknown number of persons, estimated at sev-  
14 eral thousand, are detained in violation of inter-  
15 national human rights instruments for peace-  
16 fully expressing their political, religious, or so-  
17 cial views.”.

18 (2) In addition to the State Department, cred-  
19 ible press reports and human rights organizations  
20 have documented an intense crackdown on political  
21 activists by the Government of the People’s Republic  
22 of China, involving the harassment, detainment, ar-  
23 rest, and imprisonment of dozens of activists.

24 (3) The People’s Republic of China, as a mem-  
25 ber of the United Nations, is expected to abide by

1 the provisions of the Universal Declaration of  
2 Human Rights.

3 (4) The People's Republic of China is a party  
4 to numerous international human rights conventions,  
5 including the Convention Against Torture and Other  
6 Cruel, Inhuman or Degrading Treatment or Punish-  
7 ment, and is a signatory to the International Cov-  
8 enant on Civil and Political Rights and the Covenant  
9 on Economic, Social, and Cultural Rights.

10 **SEC. 702. FUNDING FOR ADDITIONAL PERSONNEL AT DIP-**  
11 **LOMATIC POSTS TO REPORT ON POLITICAL,**  
12 **ECONOMIC, AND HUMAN RIGHTS MATTERS IN**  
13 **THE PEOPLE'S REPUBLIC OF CHINA.**

14 Of the amounts authorized to be appropriated for the  
15 Department of State by this Act, \$2,200,000 for fiscal  
16 year 2000 and \$2,200,000 for fiscal year 2001 shall be  
17 made available only to support additional personnel in the  
18 United States Embassies in Beijing and Kathmandu, as  
19 well as the American consulates in Guangzhou, Shanghai,  
20 Shenyang, Chengdu, and Hong Kong, in order to monitor  
21 political and economic conditions, including in particular  
22 respect for internationally recognized human rights, in the  
23 People's Republic of China.

1 **SEC. 703. PRISONER INFORMATION REGISTRY FOR THE**  
2 **PEOPLE'S REPUBLIC OF CHINA.**

3 (a) REQUIREMENT.—The Secretary of State shall es-  
4 tablish and maintain a registry which shall, to the extent  
5 practicable, provide information on all political prisoners,  
6 prisoners of conscience, and prisoners of faith in the Peo-  
7 ple's Republic of China. The registry shall be known as  
8 the "Prisoner Information Registry for the People's Re-  
9 public of China".

10 (b) INFORMATION IN REGISTRY.—The registry re-  
11 quired by subsection (a) shall include information on the  
12 charges, judicial processes, administrative actions, uses of  
13 forced labor, incidents of torture, lengths of imprisonment,  
14 physical and health conditions, and other matters associ-  
15 ated with the incarceration of prisoners in the People's  
16 Republic of China referred to in that subsection.

17 (c) AVAILABILITY OF FUNDS.—The Secretary may  
18 make funds available to nongovernmental organizations  
19 currently engaged in monitoring activities regarding polit-  
20 ical prisoners in the People's Republic of China in order  
21 to assist in the establishment and maintenance of the reg-  
22 istry required by subsection (a).

1 **SEC. 704. REPORT REGARDING ESTABLISHMENT OF ORGA-**  
2 **NIZATION FOR SECURITY AND COOPERATION**  
3 **IN ASIA.**

4 Not later than 180 days after the date of enactment  
5 of this Act, the Secretary of State shall submit to the ap-  
6 propriate congressional committees a report assessing the  
7 feasibility and utility of establishing an Organization for  
8 Security and Cooperation in Asia which would be modeled  
9 after the Organization for Security and Cooperation in  
10 Europe.

11 **SEC. 705. SENSE OF CONGRESS REGARDING ORGAN HAR-**  
12 **VESTING AND TRANSPLANTING IN THE PEO-**  
13 **PLE'S REPUBLIC OF CHINA.**

14 It is the sense of Congress that—

15 (1) the Government of the People's Republic of  
16 China should stop the practice of harvesting and  
17 transplanting organs for profit from prisoners that  
18 it executes;

19 (2) the Government of the People's Republic of  
20 China should be strongly condemned for such organ  
21 harvesting and transplanting practice;

22 (3) the President should bar from entry into  
23 the United States any and all officials of the Gov-  
24 ernment of the People's Republic of China known to  
25 be directly involved in such organ harvesting and  
26 transplanting practice;

1           (4) individuals determined to be participating in  
2           or otherwise facilitating the sale of organs harvested  
3           through such practice in the United States should be  
4           prosecuted to the fullest possible extent of the law;  
5           and

6           (5) the appropriate officials in the United  
7           States should interview individuals, including doc-  
8           tors, who may have knowledge of such organ har-  
9           vesting and transplanting practice.

## 10           **Subtitle B—Other Matters**

### 11   **SEC. 721. DENIAL OF ENTRY INTO UNITED STATES OF FOR-** 12                   **EIGN NATIONALS ENGAGED IN ESTABLISH-** 13                   **MENT OR ENFORCEMENT OF FORCED ABOR-** 14                   **TION OR STERILIZATION POLICY.**

15           (a) DENIAL OF ENTRY.—Notwithstanding any other  
16   provision of law, the Secretary of State may not issue any  
17   visa to, and the Attorney General may not admit to the  
18   United States, any foreign national whom the Secretary  
19   finds, based on credible and specific information, to have  
20   been directly involved in the establishment or enforcement  
21   of population control policies forcing a woman to undergo  
22   an abortion against her free choice or forcing a man or  
23   woman to undergo sterilization against his or her free  
24   choice.



1 (b) EXCEPTIONS.—The prohibitions in subsection (a)  
 2 shall not apply in the case of a foreign national who is  
 3 a head of state, head of government, or cabinet level min-  
 4 ister.

5 (c) WAIVER.—The President may waive the prohibi-  
 6 tions in subsection (a) with respect to a foreign national  
 7 if the President—

8 (1) determines that it is vital to the national in-  
 9 terest of the United States to do so; and

10 (2) provides written notification to the appro-  
 11 priate congressional committees containing a jus-  
 12 tification for the waiver.

13 **SEC. 722. SEMIANNUAL REPORTS ON UNITED STATES SUP-**  
 14 **PORT FOR MEMBERSHIP OR PARTICIPATION**  
 15 **OF TAIWAN IN INTERNATIONAL ORGANIZA-**  
 16 **TIONS.**

17 (a) REPORTS REQUIRED.—Not later than 60 days  
 18 after the date of enactment of this Act, and every 6  
 19 months thereafter, the Secretary of State shall submit to  
 20 Congress a report on the status of efforts by the United  
 21 States Government to support—

22 (1) the membership of Taiwan in international  
 23 organizations that do not require statehood as a pre-  
 24 requisite to such membership; and

1           (2) the appropriate level of participation by  
 2       Taiwan in international organizations that may re-  
 3       quire statehood as a prerequisite to full membership.

4       (b) REPORT ELEMENTS.—Each report under sub-  
 5       section (a) shall—

6           (1) set forth a comprehensive list of the inter-  
 7       national organizations in which the United States  
 8       Government supports the membership or participa-  
 9       tion of Taiwan;

10          (2) describe in detail the efforts of the United  
 11       States Government to achieve the membership or  
 12       participation of Taiwan in each organization listed;  
 13       and

14          (3) identify the obstacles to the membership or  
 15       participation of Taiwan in each organization listed,  
 16       including a list of any governments that do not sup-  
 17       port the membership or participation of Taiwan in  
 18       each such organization.

19 **SEC. 723. CONGRESSIONAL POLICY REGARDING UNITED**  
 20 **NATIONS GENERAL ASSEMBLY RESOLUTION**  
 21 **ES-10/6.**

22       (a) FINDINGS.—Congress makes the following find-  
 23       ings:

24           (1) In an emergency special session the United  
 25       Nations General Assembly voted on February 9,

1       1999, to adopt Resolution ES–10/6, entitled “Illegal  
2       Israeli Actions in Occupied East Jerusalem And The  
3       Rest Of The Occupied Palestinian Territory”, to  
4       convene for the first time in 50 years the parties to  
5       the Fourth Geneva Convention for the Protection of  
6       Civilians in Time of War.

7           (2) That resolution unfairly places full blame  
8       for the deterioration of the peace process in the Mid-  
9       dle East on Israel and dangerously politicizes the  
10      Geneva Convention, which was established to ad-  
11      dress critical humanitarian crises.

12          (3) The adoption of that resolution is intended  
13      to prejudge direct negotiations in the peace process  
14      in the Middle East, put additional and undue pres-  
15      sure on Israel to influence the results of such nego-  
16      tiations, and single out Israel for unprecedented en-  
17      forcement proceedings which have never been in-  
18      voked, even against governments with records of  
19      massive violations of the Geneva Convention.

20      (b) STATEMENT OF POLICY.—Congress—

21          (1) commends the Department of State for the  
22      vote of the United States against United Nations  
23      General Assembly Resolution ES–10/6, thereby af-  
24      firming that the text of the resolution politicizes the

1 Fourth Geneva Convention, which is primarily hu-  
2 manitarian in nature; and

3 (2) urges the Department of State to continue  
4 its efforts against convening the conference specified  
5 in the resolution.

6 **SEC. 724. WAIVER OF CERTAIN PROHIBITIONS REGARDING**  
7 **THE PALESTINE LIBERATION ORGANIZATION.**

8 (a) **AUTHORITY TO WAIVE.**—The President may  
9 waive any prohibition set forth in section 1003 of the For-  
10 eign Relations Authorization Act, Fiscal Years 1988 and  
11 1989 (Public Law 100–204; 101 Stat. 1407; 22 U.S.C.  
12 5202) if the President determines and so certifies to the  
13 appropriate congressional committees that—

14 (1) it is in the national interest of the United  
15 States to do so; and

16 (2) after the date of the enactment of this Act,  
17 neither the Palestine Liberation Organization, the  
18 Palestinian Authority, the Palestinian Legislative  
19 Council, nor any Palestinian governing body with ju-  
20 risdiction over territories controlled by the Pales-  
21 tinian Authority has made a declaration of statehood  
22 outside the framework of negotiations with the State  
23 Israel.

1 (b) PERIOD OF APPLICABILITY OF WAIVER.—Any  
2 waiver under subsection (a) shall be effective for not more  
3 than 6 months at a time.

4 **SEC. 725. UNITED STATES POLICY REGARDING JERUSALEM**  
5 **AS THE CAPITAL OF ISRAEL.**

6 (a) CONSTRUCTION OF UNITED STATES EMBASSY IN  
7 JERUSALEM.—Of the amounts authorized to be appro-  
8 priated by section 101(a)(3) of this Act for “Security and  
9 Maintenance of United States Missions”, \$50,000,000 for  
10 the fiscal year 2000 and \$50,000,000 for the fiscal year  
11 2001 may be available for the construction of a United  
12 States embassy in Jerusalem, Israel.

13 (b) LIMITATION ON USE OF FUNDS FOR CONSULATE  
14 IN JERUSALEM.—None of the funds authorized to be ap-  
15 propriated by this Act should be obligated or expended for  
16 the operation of a United States consulate or diplomatic  
17 facility in Jerusalem unless such consulate or diplomatic  
18 facility is under the supervision of the United States Am-  
19 bassador to Israel.

20 (c) LIMITATION ON USE OF FUNDS FOR CERTAIN  
21 PUBLICATIONS.—None of the funds authorized to be ap-  
22 propriated by this Act may be obligated or expended for  
23 the publication of any official government document which  
24 lists countries and their capital cities unless the document  
25 identifies Jerusalem as the capital of Israel.

1 (d) RECORD OF PLACE OF BIRTH AS ISRAEL FOR  
2 PASSPORT PURPOSES.—For purposes of the registration  
3 of birth, certification of nationality, or issuance of a pass-  
4 port of a United States citizen born in the city of Jeru-  
5 salem, the Secretary of State shall, upon the request of  
6 the citizen, record the place of birth as Israel.

7 **SEC. 726. UNITED STATES POLICY WITH RESPECT TO NIGE-**  
8 **RIA.**

9 (a) FINDINGS.—Congress makes the following find-  
10 ings:

11 (1) A stable and democratic Nigeria is impor-  
12 tant to the interests of the United States, the West  
13 African region, and the international community.

14 (2) Millions of Nigerians participated in four  
15 rounds of multiparty elections as part of a transition  
16 program that will culminate in the inauguration of  
17 a civilian president, members of the National Assem-  
18 bly, governors, and local leaders on May 29, 1999.  
19 Although turnout in each of the four rounds was  
20 lower than expected, a clear majority of Nigerians  
21 demonstrated their support for a swift and orderly  
22 transition to democratic civilian rule through partici-  
23 pation in the elections or through other means.

24 (3) Nevertheless, continued rule by successive  
25 military regimes in Nigeria has harmed the lives of

1 the people of Nigeria, undermined confidence in the  
2 Nigerian economy, damaged relations between Nige-  
3 ria and the United States, and threatened the polit-  
4 ical and economic stability of West Africa.

5 (4) Although the current military regime, under  
6 the leadership of General Abdusalami Abubakar, has  
7 made significant progress in liberalizing the political  
8 environment in Nigeria, including increased respect  
9 for freedom of assembly, expression, and association,  
10 numerous decrees are still in force that suspend the  
11 constitutional protection of fundamental human  
12 rights, allow indefinite detention without charge, and  
13 revoke the jurisdiction of civilian courts over execu-  
14 tive actions.

15 (5) Despite the optimism expressed by many  
16 observers about the progress that has been made in  
17 Nigeria, the country's recent history raises serious  
18 questions about the potential success of the transi-  
19 tion program. In particular, events in the Niger  
20 Delta in early 1999 underscore the critical need for  
21 ongoing monitoring of the situation and indicate  
22 that a return by the Government of Nigeria to re-  
23 pressive methods remains a possibility.

24 (b) DECLARATION OF POLICY.—Congress declares  
25 that the United States—

1 (1) supports a timely, effective, and sustainable  
 2 transition to democratic, civilian government in Ni-  
 3 geria; and

4 (2) encourages the incoming civilian govern-  
 5 ment in Nigeria to make the political, economic, and  
 6 legal reforms necessary to ensure the rule of law and  
 7 respect for human rights in Nigeria, including estab-  
 8 lishing effective democratic institutions, integrating  
 9 the military into democratic society, and creating  
 10 mechanisms for transparency and accountability.

11 **SEC. 727. PARTIAL LIQUIDATION OF BLOCKED LIBYAN AS-**  
 12 **SETS.**

13 (a) LIQUIDATION OF CERTAIN BLOCKED LIBYAN AS-  
 14 SETS.—The President shall vest and liquidate so much of  
 15 blocked Libyan assets, ordered pursuant to Executive  
 16 Order No. 12544 (January 8, 1986), as is necessary to  
 17 pay for the reasonable costs of travel to and from The  
 18 Hague, Netherlands, by immediate family members of  
 19 United States citizens who were victims of the crash of  
 20 Pan American flight 103 in 1988 and wish to attend the  
 21 trial of those individuals suspected of terrorist acts caus-  
 22 ing the crash.

23 (b) DEFINITIONS.—In this section—

24 (1) BLOCKED LIBYAN ASSETS.—The term  
 25 “blocked Libyan assets” refers to property and in-



1       terests of the Government of Libya, its agencies, in-  
 2       strumentalities, and controlled entities and the Bank  
 3       of Libya, blocked pursuant to Executive Order No.  
 4       12544 (January 8, 1986).

5               (2) IMMEDIATE FAMILY MEMBERS.—The term  
 6       “immediate family member” means parents, siblings,  
 7       children, spouse, or a person who stood in loco  
 8       parentis or to whom he or she stood in loco parentis,  
 9       of a crash victim.

10   **SEC. 728. SUPPORT FOR REFUGEES FROM RUSSIA WHO**  
 11       **CHOOSE TO RESETTLE IN ISRAEL.**

12       (a) FINDINGS.—Congress makes the following find-  
 13       ings:

14               (1) The Russian Jewish community is the third  
 15       largest Jewish community in the world.

16               (2) Anti-Semitic rhetoric from members of the  
 17       Duma of the Russian Federation has increased dur-  
 18       ing the past year.

19               (3) The Duma failed to pass a resolution con-  
 20       demning the anti-Semitic statements made by Rus-  
 21       sian lawmakers on March 19, 1999.

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

24               (1) the United States should support members  
 25       of Russia’s Jewish community; and

1           (2) the United States should continue to pro-  
2       vide assistance to Russian Jewish refugees resettling  
3       in Israel.

4   **SEC. 729. SENSE OF CONGRESS REGARDING EXTRADITION**  
5                   **OF LT. GENERAL IGOR GIORGADZE.**

6       (a) FINDINGS.—Congress makes the following find-  
7       ings:

8           (1) On Tuesday, August 29, 1995, President  
9       Eduard Shevardnadze of Georgia was the victim of  
10      an attempted assassination plot as he was departing  
11      his offices in the Georgian Parliament building to  
12      attend the signing ceremony for a new Georgian con-  
13      stitution.

14          (2) Former Chief of the Georgian National Se-  
15      curity Service, Lt. General Igor Giorgadze, has been  
16      implicated in organizing the August 29, 1995 car  
17      bomb attack on President Shevardnadze, and alleg-  
18      edly fled from the Varziani air base, one of Russia's  
19      four military bases in Georgia at that time, and the  
20      same Russian base on which three Georgia aircraft  
21      SU 25's were sabotaged, preventing them from per-  
22      forming fighter escort duty for President  
23      Shevardnadze's aircraft.

24          (3) Lt. General Igor Giorgadze has subse-  
25      quently been seen walking freely on the streets of

1 Moscow as well as living and utilizing facilities of  
2 the Government of Russia.

3 (4) Interpol is conducting a search for Lt. Gen-  
4 eral Igor Giorgadze for his role in the assassination  
5 attempt against President Shevardnadze.

6 (5) In the aftermath of the attack on President  
7 Shevardnadze, and regularly since that time, the  
8 Government of Georgia has made repeated requests  
9 for the extradition of Lt. General Igor Giorgadze to  
10 Tbilisi, Georgia.

11 (6) The Russian Interior Ministry has claimed  
12 that it is unable to locate Giorgadze.

13 (7) The Georgian Security and Interior Min-  
14 istries on repeated occasions have provided to the  
15 Russian Interior Ministry—

16 (A) the exact locations in Russia where  
17 Giorgadze could be found, including the exact  
18 location in Moscow where Giorgadze's family  
19 lived;

20 (B) the exact location where Giorgadze  
21 himself stayed outside of Moscow in a dacha of  
22 the Russian Ministry of Defense;

23 (C) people he associates with;

24 (D) apartments he visits; and

1                   (E) the places, including restaurants, mar-  
2                   kets, and companies, he frequents.

3                   (8) Russian newspapers regularly carry inter-  
4                   views with Giorgadze in which Giorgadze calls for a  
5                   change in regime in Tbilisi.

6                   (9) Giorgadze is actively engaged in a propa-  
7                   ganda campaign against President Shevardnadze  
8                   and the democratic forces in Georgia, with the as-  
9                   sistance of his father who is the Communist Party  
10                  chief in Georgia.

11                  (10) Giorgadze continues to organize and plan  
12                  attempts on the life of President Shevardnadze.

13                  (b) SENSE OF CONGRESS.—It is the sense of Con-  
14                  gress that the President and other senior United States  
15                  Government officials should raise at each bilateral meeting  
16                  between officials of the United States Government and of-  
17                  ficials of the Russian Federation the issue of the extra-  
18                  dition of Lt. General Igor Giorgadze to Georgia.

1 **TITLE VIII—INTERNATIONAL OR-**  
2 **GANIZATIONS AND COMMIS-**  
3 **SIONS**

4 **Subtitle A—Authorizations of**  
5 **Appropriations**

6 **SEC. 801. CONTRIBUTIONS TO INTERNATIONAL ORGANIZA-**  
7 **TIONS.**

8 (a) AUTHORIZATION OF APPROPRIATIONS.—

9 (1) IN GENERAL.—There are authorized to be  
10 appropriated under the heading “Contributions to  
11 International Organizations” \$940,000,000 for the  
12 fiscal year 2000 and \$940,000,000 for the fiscal  
13 year 2001 for the Department of State to carry out  
14 the authorities, functions, duties, and responsibilities  
15 in the conduct of the foreign affairs of the United  
16 States with respect to international organizations  
17 and to carry out other authorities in law consistent  
18 with such purposes.

19 (2) AVAILABILITY OF FUNDS FOR CIVIL BUDG-  
20 ET OF NATO.—Of the amounts authorized in para-  
21 graph (1), \$48,977,000 are authorized in fiscal year  
22 2000 and \$48,977,000 in fiscal year 2001 for the  
23 United States assessment for the civil budget of the  
24 North Atlantic Treaty Organization.

1 (b) NO GROWTH BUDGET.—Of the funds made avail-  
2 able under subsection (a), \$80,000,000 may be made  
3 available during each calendar year only after the Sec-  
4 retary of State certifies that the United Nations has taken  
5 no action during the preceding calendar year to increase  
6 funding for any United Nations program without identi-  
7 fying an offsetting decrease during that calendar year else-  
8 where in the United Nations budget of \$2,533,000,000,  
9 and cause the United Nations to exceed the initial 1998–  
10 99 United Nations biennium budget adopted in December  
11 1997.

12 (c) INSPECTOR GENERAL OF THE UNITED NA-  
13 TIONS.—

14 (1) WITHHOLDING OF FUNDS.—Twenty percent  
15 of the funds made available in each fiscal year under  
16 subsection (a) for the assessed contribution of the  
17 United States to the United Nations shall be with-  
18 held from obligation and expenditure until a certifi-  
19 cation is made under paragraph (2).

20 (2) CERTIFICATION.—A certification under this  
21 paragraph is a certification by the Secretary of State  
22 in the fiscal year concerned that the following condi-  
23 tions are satisfied:

24 (A) ACTION BY THE UNITED NATIONS.—

25 The United Nations—

1 (i) has met the requirements of para-  
2 graphs (1) through (6) of section 401(b) of  
3 the Foreign Relations Authorization Act,  
4 Fiscal Years 1994 and 1995 (22 U.S.C.  
5 287e note), as amended by paragraph (3);

6 (ii) has established procedures that  
7 require the Under Secretary General of the  
8 Office of Internal Oversight Services to re-  
9 port directly to the Secretary General on  
10 the adequacy of the Office's resources to  
11 enable the Office to fulfill its mandate; and

12 (iii) has made available an adequate  
13 amount of funds to the Office for carrying  
14 out its functions.

15 (B) AUTHORITY BY OIOS.—The Office of  
16 Internal Oversight Services has authority to  
17 audit, inspect, or investigate each program,  
18 project, or activity funded by the United Na-  
19 tions, and each executive board created under  
20 the United Nations has been notified, in writ-  
21 ing, of that authority.

22 (3) AMENDMENT OF THE FOREIGN RELATIONS  
23 AUTHORIZATION ACT, FISCAL YEARS 1994 AND  
24 1995.—Section 401(b) of the Foreign Relations Au-

1       thorization Act, Fiscal Years 1994 and 1995 is  
2       amended—

3               (A) by amending paragraph (6) to read as  
4       follows:

5               “(6) the United Nations has procedures in  
6       place to ensure that all reports submitted by the Of-  
7       fice of Internal Oversight Services are made avail-  
8       able to the member states of the United Nations  
9       without modification except to the extent necessary  
10      to protect the privacy rights of individuals.”; and

11              (B) by striking “Inspector General” each  
12      place it appears and inserting “Office of Inter-  
13      nal Oversight Services”.

14      (d) PROHIBITION ON CERTAIN GLOBAL CON-  
15      FERENCES.—None of the funds made available under sub-  
16      section (a) shall be available for any United States con-  
17      tribution to pay for any expense related to the holding of  
18      any United Nations global conference, except for any con-  
19      ference scheduled prior to October 1, 1998.

20      (e) PROHIBITION ON FUNDING OTHER FRAMEWORK  
21      TREATY-BASED ORGANIZATIONS.—None of the funds  
22      made available for the 1998–1999 biennium budget under  
23      subsection (a) for United States contributions to the reg-  
24      ular budget of the United Nations shall be available for  
25      the United States proportionate share of any other frame-



1 work treaty-based organization, including the Framework  
2 Convention on Global Climate Change, the International  
3 Seabed Authority, the Desertification Convention, and the  
4 International Criminal Court.

5 (f) FOREIGN CURRENCY EXCHANGE RATES.—

6 (1) AUTHORIZATION OF APPROPRIATIONS.—In  
7 addition to amounts authorized to be appropriated  
8 by subsection (a), there are authorized to be appro-  
9 priated such sums as may be necessary for each of  
10 fiscal years 2000 and 2001 to offset adverse fluctua-  
11 tions in foreign currency exchange rates.

12 (2) AVAILABILITY OF FUNDS.—Amounts appro-  
13 priated under this subsection shall be available for  
14 obligation and expenditure only to the extent that  
15 the Director of the Office of Management and Budget  
16 determines and certifies to Congress that such  
17 amounts are necessary due to such fluctuations.

18 (g) REFUND OF EXCESS CONTRIBUTIONS.—The  
19 United States shall continue to insist that the United Na-  
20 tions and its specialized and affiliated agencies shall credit  
21 or refund to each member of the agency concerned its pro-  
22 portionate share of the amount by which the total con-  
23 tributions to the agency exceed the expenditures of the  
24 regular assessed budgets of these agencies.

1 **SEC. 802. CONTRIBUTIONS FOR INTERNATIONAL PEACE-**  
2 **KEEPING ACTIVITIES.**

3 (a) AUTHORIZATION OF APPROPRIATIONS.—There  
4 are authorized to be appropriated under the heading  
5 “Contributions for International Peacekeeping Activities”  
6 \$215,000,000 for the fiscal year 2000 and \$215,000,000  
7 for the fiscal year 2001 for the Department of State to  
8 carry out the authorities, functions, duties, and respon-  
9 sibilities in the conduct of the foreign affairs of the United  
10 States with respect to international peacekeeping activities  
11 and to carry out other authorities in law consistent with  
12 such purposes.

13 (b) CODIFICATION OF REQUIRED NOTICE OF PRO-  
14 POSED UNITED NATIONS PEACEKEEPING OPERATIONS.—

15 (1) CODIFICATION.—Section 4 of the United  
16 Nations Participation Act of 1945 (22 U.S.C. 287b)  
17 is amended—

18 (A) in subsection (a), by striking the sec-  
19 ond sentence; and

20 (B) by striking subsection (e) and insert-  
21 ing the following:

22 “(e) CONSULTATIONS AND REPORTS ON UNITED NA-  
23 TIONS PEACEKEEPING OPERATIONS.—

24 “(1) CONSULTATIONS.—Each month the Presi-  
25 dent shall consult with Congress on the status of  
26 United Nations peacekeeping operations.

1           “(2) INFORMATION TO BE PROVIDED.—In con-  
2           nection with such consultations, the following infor-  
3           mation shall be provided each month to the des-  
4           ignated congressional committees:

5                   “(A) With respect to ongoing United Na-  
6           tions peacekeeping operations, the following:

7                           “(i) A list of all resolutions of the  
8                           United Nations Security Council antici-  
9                           pated to be voted on during such month  
10                          that would extend or change the mandate  
11                          of any United Nations peacekeeping oper-  
12                          ation.

13                          “(ii) For each such operation, any  
14                          changes in the duration, mandate, and  
15                          command and control arrangements that  
16                          are anticipated as a result of the adoption  
17                          of the resolution.

18                          “(iii) An estimate of the total cost to  
19                          the United Nations of each such operation  
20                          for the period covered by the resolution,  
21                          and an estimate of the amount of that cost  
22                          that will be assessed to the United States.

23                          “(iv) Any anticipated significant  
24                          changes in United States participation in  
25                          or support for each such operation during

1 the period covered by the resolution (in-  
2 cluding the provision of facilities, training,  
3 transportation, communication, and  
4 logistical support, but not including intel-  
5 ligence activities reportable under title V of  
6 the National Security Act of 1947 (50  
7 U.S.C. 413 et seq.)), and the estimated  
8 costs to the United States of such changes.

9 “(B) With respect to each new United Na-  
10 tions peacekeeping operation that is anticipated  
11 to be authorized by a Security Council resolu-  
12 tion during such month, the following informa-  
13 tion for the period covered by the resolution:

14 “(i) The anticipated duration, man-  
15 date, and command and control arrange-  
16 ments of such operation, the planned exit  
17 strategy, and the vital national interest to  
18 be served.

19 “(ii) An estimate of the total cost to  
20 the United Nations of the operation, and  
21 an estimate of the amount of that cost  
22 that will be assessed to the United States.

23 “(iii) A description of the functions  
24 that would be performed by any United  
25 States Armed Forces participating in or

1 otherwise operating in support of the oper-  
2 ation, an estimate of the number of mem-  
3 bers of the Armed Forces that will partici-  
4 pate in or otherwise operate in support of  
5 the operation, and an estimate of the cost  
6 to the United States of such participation  
7 or support.

8 “(iv) A description of any other  
9 United States assistance to or support for  
10 the operation (including the provision of  
11 facilities, training, transportation, commu-  
12 nication, and logistical support, but not in-  
13 cluding intelligence activities reportable  
14 under title V of the National Security Act  
15 of 1947 (50 U.S.C. 413 et seq.)), and an  
16 estimate of the cost to the United States  
17 of such assistance or support.

18 “(v) A reprogramming of funds pur-  
19 suant to section 34 of the State Depart-  
20 ment Basic Authorities Act of 1956, sub-  
21 mitted in accordance with the procedures  
22 set forth in such section, describing the  
23 source of funds that will be used to pay for  
24 the cost of the new United Nations peace-  
25 keeping operation, provided that such noti-

1           fication shall also be submitted to the  
2           Committee on Appropriations of the House  
3           of Representatives and the Committee on  
4           Appropriations of the Senate.

5           “(3) FORM AND TIMING OF INFORMATION.—

6                 “(A) FORM.—The President shall submit  
7           information under clauses (i) and (iii) of para-  
8           graph (2)(A) in writing.

9                 “(B) TIMING.—

10                 “(i) ONGOING OPERATIONS.—The in-  
11           formation required under paragraph (2)(A)  
12           for a month shall be submitted not later  
13           than the 10th day of the month.

14                 “(ii) NEW OPERATIONS.—The infor-  
15           mation required under paragraph (2)(B)  
16           shall be submitted in writing with respect  
17           to each new United Nations peacekeeping  
18           operation not less than 15 days before the  
19           anticipated date of the vote on the resolu-  
20           tion concerned unless the President deter-  
21           mines that exceptional circumstances pre-  
22           vent compliance with the requirement to  
23           report 15 days in advance. If the President  
24           makes such a determination, the informa-  
25           tion required under paragraph (2)(B) shall

1                   be submitted as far in advance of the vote  
2                   as is practicable.

3                   “(4) NEW UNITED NATIONS PEACEKEEPING OP-  
4                   ERATION DEFINED.—As used in paragraph (2), the  
5                   term ‘new United Nations peacekeeping operation’  
6                   includes any existing or otherwise ongoing United  
7                   Nations peacekeeping operation—

8                   “(A) where the authorized force strength is  
9                   to be expanded;

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

13                  “(C) the mandate of which is to be  
14                  changed so that the operation would be engaged  
15                  in significant additional or significantly dif-  
16                  ferent functions.

17                  “(5) NOTIFICATION AND QUARTERLY REPORTS  
18                  REGARDING UNITED STATES ASSISTANCE.—

19                  “(A) NOTIFICATION OF CERTAIN ASSIST-  
20                  ANCE.—

21                  “(i) IN GENERAL.—The President  
22                  shall notify the designated congressional  
23                  committees at least 15 days before the  
24                  United States provides any assistance to

1 the United Nations to support peace-  
2 keeping operations.

3 “(ii) EXCEPTION.—This subpara-  
4 graph does not apply to—

5 “(I) assistance having a value of  
6 less than \$3,000,000 in the case of  
7 nonreimbursable assistance or less  
8 than \$14,000,000 in the case of reim-  
9 bursable assistance; or

10 “(II) assistance provided under  
11 the emergency drawdown authority of  
12 sections 506(a)(1) and 552(c)(2) of  
13 the Foreign Assistance Act of 1961  
14 (22 U.S.C. 2318(a)(1) and  
15 2348a(c)(2)).

16 “(B) QUARTERLY REPORTS.—

17 “(i) IN GENERAL.—The President  
18 shall submit quarterly reports to the des-  
19 ignated congressional committees on all as-  
20 sistance provided by the United States  
21 during the preceding calendar quarter to  
22 the United Nations to support peace-  
23 keeping operations.

24 “(ii) MATTERS INCLUDED.—Each re-  
25 port under this subparagraph shall de-



1           scribe the assistance provided for each  
2           such operation, listed by category of assist-  
3           ance.

4           “(iii) FOURTH QUARTER REPORT.—

5           The report under this subparagraph for  
6           the fourth calendar quarter of each year  
7           shall be submitted as part of the annual  
8           report required by subsection (d) and shall  
9           include cumulative information for the pre-  
10          ceding calendar year.

11          “(f) DESIGNATED CONGRESSIONAL COMMITTEES.—

12         In this section, the term ‘designated congressional com-  
13         mittees’ means the Committee on Foreign Relations and  
14         the Committee on Appropriations of the Senate and the  
15         Committee on International Relations and the Committee  
16         on Appropriations of the House of Representatives.”.

17                 (2) CONFORMING REPEAL.—Subsection (a) of  
18         section 407 of the Foreign Relations Authorization  
19         Act, Fiscal Years 1994 and 1995 (Public Law 103–  
20         236; 22 U.S.C. 287b note; 108 Stat. 448) is re-  
21         pealed.

22                 (c) RELATIONSHIP TO OTHER NOTICE REQUIRE-  
23         MENTS.—Section 4 of the United Nations Participation  
24         Act of 1945, as amended by subsection (b), is further  
25         amended by adding at the end the following:

1       “(g) RELATIONSHIP TO OTHER NOTIFICATION RE-  
 2 QUIREMENTS.—Nothing in this section is intended to alter  
 3 or supersede any notification requirement with respect to  
 4 peacekeeping operations that is established under any  
 5 other provision of law.”.

6               **Subtitle B—United Nations**  
 7                       **Activities**

8   **SEC. 811. UNITED NATIONS POLICY ON ISRAEL AND THE**  
 9                       **PALESTINIANS.**

10       (a) CONGRESSIONAL STATEMENT.—It shall be the  
 11 policy of the United States to promote an end to the per-  
 12 sistent inequity experienced by Israel in the United Na-  
 13 tions whereby Israel is the only longstanding member of  
 14 the organization to be denied acceptance into any of the  
 15 United Nations regional blocs.

16       (b) POLICY ON ABOLITION OF CERTAIN UNITED NA-  
 17 TIONS GROUPS.—It shall be the policy of the United  
 18 States to seek the abolition of certain United Nations  
 19 groups the existence of which is inimical to the ongoing  
 20 Middle East peace process, those groups being the Special  
 21 Committee to Investigate Israeli Practices Affecting the  
 22 Human Rights of the Palestinian People and other Arabs  
 23 of the Occupied Territories; the Committee on the Exer-  
 24 cise of the Inalienable Rights of the Palestinian People;

1 the Division for the Palestinian Rights; and the Division  
2 on Public Information on the Question of Palestine.

3 (c) ANNUAL REPORTS.—On January 15 of each year,  
4 the Secretary of State shall submit a report to the appro-  
5 priate congressional committees (in classified or unclassi-  
6 fied form as appropriate) on—

7 (1) actions taken by representatives of the  
8 United States to encourage the nations of the West-  
9 ern Europe and Others Group (WEOG) to accept  
10 Israel into their regional bloc;

11 (2) other measures being undertaken, and  
12 which will be undertaken, to ensure and promote  
13 Israel's full and equal participation in the United  
14 Nations; and

15 (3) steps taken by the United States under sub-  
16 section (b) to secure abolition by the United Nations  
17 of groups described in that subsection.

18 (d) ANNUAL CONSULTATION.—At the time of the  
19 submission of each annual report under subsection (c), the  
20 Secretary of State shall consult with the appropriate con-  
21 gressional committees on specific responses received by the  
22 Secretary of State from each of the nations of the Western  
23 Europe and Others Group (WEOG) on their position con-  
24 cerning Israel's acceptance into their organization.

1 **SEC. 812. DATA ON COSTS INCURRED IN SUPPORT OF**  
2 **UNITED NATIONS PEACEKEEPING OPER-**  
3 **ATIONS.**

4 Chapter 6 of part II of the Foreign Assistance Act  
5 of 1961 (22 U.S.C. 2348 et seq.) is amended by adding  
6 at the end the following:

7 **“SEC. 554. DATA ON COSTS INCURRED IN SUPPORT OF**  
8 **UNITED NATIONS PEACEKEEPING OPER-**  
9 **ATIONS.**

10 “(a) UNITED STATES COSTS.—The President shall  
11 annually provide to the Secretary General of the United  
12 Nations data regarding all costs incurred by the United  
13 States Department of Defense during the preceding year  
14 in support of all United Nations Security Council resolu-  
15 tions.

16 “(b) UNITED NATIONS MEMBER COSTS.—The Presi-  
17 dent shall request that the United Nations compile and  
18 publish information concerning costs incurred by United  
19 Nations members in support of such resolutions.”.

20 **SEC. 813. REIMBURSEMENT FOR GOODS AND SERVICES**  
21 **PROVIDED BY THE UNITED STATES TO THE**  
22 **UNITED NATIONS.**

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

1 **“SEC. 10. REIMBURSEMENT FOR GOODS AND SERVICES**  
2 **PROVIDED BY THE UNITED STATES TO THE**  
3 **UNITED NATIONS.**

4 “(a) REQUIREMENT TO OBTAIN REIMBURSEMENT.—

5 “(1) IN GENERAL.—Except as provided in para-  
6 graph (2), the President shall seek and obtain in a  
7 timely fashion a commitment from the United Na-  
8 tions to provide reimbursement to the United States  
9 from the United Nations whenever the United States  
10 Government furnishes assistance pursuant to the  
11 provisions of law described in subsection (c)—

12 “(A) to the United Nations when the as-  
13 sistance is designed to facilitate or assist in car-  
14 rying out an assessed peacekeeping operation;

15 “(B) for any United Nations peacekeeping  
16 operation that is authorized by the United Na-  
17 tions Security Council under Chapter VI or  
18 Chapter VII of the United Nations Charter and  
19 paid for by peacekeeping or regular budget as-  
20 sessment of the United Nations members; or

21 “(C) to any country participating in any  
22 operation authorized by the United Nations Se-  
23 curity Council under Chapter VI or Chapter  
24 VII of the United Nations Charter and paid for  
25 by peacekeeping assessments of United Nations  
26 members when the assistance is designed to fa-

1 cilitate or assist the participation of that coun-  
 2 try in the operation.

3 “(2) EXCEPTIONS.—

4 “(A) IN GENERAL.—The requirement in  
 5 paragraph (1) shall not apply to—

6 “(i) goods and services provided to the  
 7 United States Armed Forces;

8 “(ii) assistance having a value of less  
 9 than \$3,000,000 per fiscal year per oper-  
 10 ation;

11 “(iii) assistance furnished before the  
 12 date of enactment of this section;

13 “(iv) salaries and expenses of civilian  
 14 police and other civilian and military mon-  
 15 itors where United Nations policy is to re-  
 16 quire payment by contributing members  
 17 for similar assistance to United Nations  
 18 peacekeeping operations; or

19 “(v) any assistance commitment made  
 20 before the date of enactment of this sec-  
 21 tion.

22 “(B) DEPLOYMENTS OF UNITED STATES  
 23 MILITARY FORCES.— The requirements of sub-  
 24 section (d)(1)(B) shall not apply to the deploy-  
 25 ment of United States military forces when the

1           President determines that such deployment is  
2           important to the security interests of the  
3           United States. The cost of such deployment  
4           shall be included in the data provided under  
5           section 554 of the Foreign Assistance Act of  
6           1961.

7           “(3) FORM AND AMOUNT.—

8                   “(A) AMOUNT.—The amount of any reim-  
9                   bursement under this subsection shall be deter-  
10                  mined at the usual rate established by the  
11                  United Nations.

12                  “(B) FORM.—Reimbursement under this  
13                  subsection may include credits against the  
14                  United States assessed contributions for United  
15                  States peacekeeping operations, if the expenses  
16                  incurred by any United States department or  
17                  agency providing the assistance have first been  
18                  reimbursed.

19           “(b) TREATMENT OF REIMBURSEMENTS.—

20                   “(1) CREDIT.—The amount of any reimburse-  
21                  ment paid the United States under subsection (a)  
22                  shall be credited to the current applicable appropria-  
23                  tion, fund, or account of the United States depart-  
24                  ment or agency providing the assistance for which  
25                  the reimbursement is paid.

1           “(2) AVAILABILITY.—Amounts credited under  
2       paragraph (1) shall be merged with the appropria-  
3       tions, or with appropriations in the fund or account,  
4       to which credited and shall be available for the same  
5       purposes, and subject to the same conditions and  
6       limitations, as the appropriations with which  
7       merged.

8           “(c) COVERED ASSISTANCE.—Subsection (a) applies  
9       to assistance provided under the following provisions of  
10      law:

11           “(1) Sections 6 and 7 of this Act.

12           “(2) Sections 451, 506(a)(1), 516, 552(c), and  
13       607 of the Foreign Assistance Act of 1961.

14           “(3) Any other provisions of law pursuant to  
15       which assistance is provided by the United States to  
16       carry out the mandate of an assessed United Na-  
17       tions peacekeeping operation.

18           “(d) WAIVER.—

19           “(1) AUTHORITY.—

20           “(A) IN GENERAL.—The President may  
21       authorize the furnishing of assistance covered  
22       by this section without regard to subsection (a)  
23       if the President determines, and so notifies in  
24       writing the Committee on Foreign Relations of  
25       the Senate and the Speaker of the House of



1           Representatives, that to do so is important to  
2           the security interests of the United States.

3           “(B) CONGRESSIONAL NOTIFICATION.—

4           When exercising the authorities of subpara-  
5           graph (A), the President shall notify the appro-  
6           priate congressional committees in accordance  
7           with the procedures applicable to reprogram-  
8           ming notifications under section 634A of the  
9           Foreign Assistance Act of 1961.

10          “(2) CONGRESSIONAL REVIEW.—Notwith-  
11          standing a notice under paragraph (1) with respect  
12          to assistance covered by this section, subsection (a)  
13          shall apply to the furnishing of the assistance if, not  
14          later than 15 calendar days after receipt of a notifi-  
15          cation under that paragraph, the Congress enacts a  
16          joint resolution disapproving the determination of  
17          the President contained in the notification.

18          “(3) SENATE PROCEDURES.—Any joint resolu-  
19          tion described in paragraph (2) shall be considered  
20          in the Senate in accordance with the provisions of  
21          section 601(b) of the International Security Assist-  
22          ance and Arms Export Control Act of 1976.

23          “(e) RELATIONSHIP TO OTHER REIMBURSEMENT  
24          AUTHORITY.—Nothing in this section shall preclude the  
25          President from seeking reimbursement for assistance cov-

1 ered by this section that is in addition to the reimburse-  
 2 ment sought for the assistance under subsection (a).

3 “(f) DEFINITION.—In this section, the term ‘assist-  
 4 ance’ includes personnel, services, supplies, equipment, fa-  
 5 cilities, and other assistance if such assistance is provided  
 6 by the Department of Defense or any other United States  
 7 Government agency.”.

## 8 **Subtitle C—International Organi-** 9 **zations Other than the United** 10 **Nations**

### 11 **SEC. 821. RESTRICTION RELATING TO UNITED STATES AC-** 12 **CESSION TO THE INTERNATIONAL CRIMINAL** 13 **COURT.**

14 (a) PROHIBITION.—The United States shall not be-  
 15 come a party to the International Criminal Court except  
 16 pursuant to a treaty made under Article II, section 2,  
 17 clause 2 of the Constitution of the United States on or  
 18 after the date of enactment of this Act.

19 (b) PROHIBITION.—None of the funds authorized to  
 20 be appropriated by this or any other Act may be obligated  
 21 for use by, or for support of, the International Criminal  
 22 Court unless the United States has become a party to the  
 23 Court pursuant to a treaty made under Article II, section  
 24 2, clause 2 of the Constitution of the United States on  
 25 or after the date of enactment of this Act.

1 (c) INTERNATIONAL CRIMINAL COURT DEFINED.—

2 In this section, the term “International Criminal Court”  
 3 means the court established by the Rome Statute of the  
 4 International Criminal Court, adopted by the United Na-  
 5 tions Diplomatic Conference of Plenipotentiaries on the  
 6 Establishment of an International Criminal Court on July  
 7 17, 1998.

8 **SEC. 822. PROHIBITION ON EXTRADITION OR TRANSFER OF**  
 9 **UNITED STATES CITIZENS TO THE INTER-**  
 10 **NATIONAL CRIMINAL COURT.**

11 (a) PROHIBITION ON EXTRADITION.—None of the  
 12 funds authorized to be appropriated or otherwise made  
 13 available by this or any other Act may be used to extradite  
 14 a United States citizen to a foreign country that is under  
 15 an obligation to surrender persons to the International  
 16 Criminal Court unless that foreign country confirms to the  
 17 United States that applicable prohibitions on reextradition  
 18 apply to such surrender or gives other satisfactory assur-  
 19 ances to the United States that the country will not extra-  
 20 dite or otherwise transfer that citizen to the International  
 21 Criminal Court.

22 (b) PROHIBITION ON CONSENT TO EXTRADITION BY  
 23 THIRD COUNTRIES.—None of the funds authorized to be  
 24 appropriated or otherwise made available by this or any  
 25 other Act may be used to provide consent to the extra-

1 dition or transfer of a United States citizen by a foreign  
 2 country that is under an obligation to surrender persons  
 3 to the International Criminal Court to a third country,  
 4 unless the third country confirms to the United States  
 5 that applicable prohibitions on reextradition apply to such  
 6 surrender or gives other satisfactory assurances to the  
 7 United States that the third country will not extradite or  
 8 otherwise transfer that citizen to the International Crimi-  
 9 nal Court.

10 (c) DEFINITION.—In this section, the term “Inter-  
 11 national Criminal Court” has the meaning given the term  
 12 in section 821(c) of this Act.

13 **SEC. 823. PERMANENT REQUIREMENT FOR REPORTS RE-**  
 14 **GARDING FOREIGN TRAVEL.**

15 Section 2505 of the Foreign Affairs Reform and Re-  
 16 structuring Act of 1998 (as contained in division G of  
 17 Public Law 105–277) is amended—

18 (1) in subsection (a), by striking “by this divi-  
 19 sion for fiscal year 1999” and inserting “for the De-  
 20 partment of State for any fiscal year”; and

21 (2) in subsection (d), by striking “not later  
 22 than April 1, 1999,” and inserting “on April 1 and  
 23 October 1 of each year”.

1 **SEC. 824. ASSISTANCE TO STATES AND LOCAL GOVERN-**  
2 **MENTS BY THE INTERNATIONAL BOUNDARY**  
3 **AND WATER COMMISSION.**

4 (a) **AUTHORITY.**—Upon the request of a State or  
5 local government, the Commissioner of the United States  
6 Section of the International Boundary and Water Com-  
7 mission may provide, on a reimbursable basis, technical  
8 tests, evaluations, information, surveys, or other similar  
9 services to that government.

10 (b) **REIMBURSEMENTS.**—

11 (1) **AMOUNT OF REIMBURSEMENT.**—Reim-  
12 bursement for services under subsection (a) shall be  
13 made before the services are provided and shall be  
14 in an amount equal to the estimated or actual cost  
15 of providing the goods or services, as determined by  
16 the United States Section of the International  
17 Boundary and Water Commission. Proper adjust-  
18 ment of amounts paid in advance by the recipient of  
19 the services shall be made as agreed to by the  
20 United States Section of the International Boundary  
21 and Water Commission on the basis of the actual  
22 cost of goods or services provided.

23 (2) **CREDITING APPLICABLE APPROPRIATION**  
24 **ACCOUNT.**—Reimbursements received by the United  
25 States Section of the International Boundary and  
26 Water Commission for providing services under this

1 section shall be deposited as an offsetting collection  
2 to the appropriation account from which the cost of  
3 providing the services has been paid or will be  
4 charged.

5 **TITLE IX—ARREARS PAYMENTS**  
6 **AND REFORM**

7 **Subtitle A—General Provisions**

8 **SEC. 901. SHORT TITLE.**

9 This title may be cited as the “United Nations Re-  
10 form Act of 1999”.

11 **SEC. 902. DEFINITIONS.**

12 In this title:

13 (1) APPROPRIATE CONGRESSIONAL COMMIT-  
14 TEES.—The term “appropriate congressional com-  
15 mittees” means the Committee on Foreign Relations  
16 and the Committee on Appropriations of the Senate  
17 and the Committee on International Relations and  
18 the Committee on Appropriations of the House of  
19 Representatives.

20 (2) DESIGNATED SPECIALIZED AGENCY DE-  
21 FINED.—The term “designated specialized agency”  
22 means the International Labor Organization, the  
23 World Health Organization, and the Food and Agri-  
24 culture Organization.

1           (3) GENERAL ASSEMBLY.—The term “General  
2       Assembly” means the General Assembly of the  
3       United Nations.

4           (4) SECRETARY GENERAL.—The term “Sec-  
5       retary General” means the Secretary General of the  
6       United Nations.

7           (5) SECURITY COUNCIL.—The term “Security  
8       Council” means the Security Council of the United  
9       Nations.

10          (6) UNITED NATIONS MEMBER.—The term  
11       “United Nations member” means any country that  
12       is a member of the United Nations.

13          (7) UNITED NATIONS PEACEKEEPING OPER-  
14       ATION.—The term “United Nations peacekeeping  
15       operation” means any United Nations-led operation  
16       to maintain or restore international peace or security  
17       that—

18               (A) is authorized by the Security Council;

19               and

20               (B) is paid for from assessed contributions  
21       of United Nations members that are made  
22       available for peacekeeping activities.

**Subtitle B—Arrearages to the  
United Nations**

**CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS;  
OBLIGATION AND EXPENDITURE OF FUNDS**

**SEC. 911. AUTHORIZATION OF APPROPRIATIONS.**

(a) AUTHORIZATION.—

(1) FISCAL YEAR 1998.—

(A) REGULAR ASSESSMENTS.—In title IV of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105-119), under the heading “Contributions to International Organizations”, the first proviso shall not apply.

(B) PEACEKEEPING ASSESSMENTS.—In title IV of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (Public Law 105-119), under the heading “Contributions for International Peacekeeping Activities”, the first and second provisos shall not apply.

(2) FISCAL YEAR 1999.—Pursuant to the first proviso under the heading “Arrearage Payments” in title IV of the Commerce, Justice, and State, the



1       Judiciary, and Related Agencies Appropriations Act,  
2       1999 (as contained in section 101(b) of division A  
3       of the Omnibus Consolidated and Emergency Sup-  
4       plemental Appropriations Act, 1999; Public Law  
5       105–277), the obligation and expenditure of funds  
6       appropriated under such heading for payment of ar-  
7       rearages to meet obligations of membership in the  
8       United Nations, and to pay assessed expenses of  
9       international peacekeeping activities are hereby au-  
10      thorized, and the second proviso under such heading  
11      shall not apply.

12           (3) FISCAL YEAR 2000.—There are authorized  
13      to be appropriated to the Department of State for  
14      payment of arrearages owed by the United States  
15      described in subsection (b) as of September 30,  
16      1997, \$244,000,000 for fiscal year 2000.

17      (b) LIMITATION.—Amounts made available under  
18      subsection (a) are authorized to be available only—

19           (1) to pay the United States share of assess-  
20      ments for the regular budget of the United Nations;

21           (2) to pay the United States share of United  
22      Nations peacekeeping 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 using funds made available under sub-  
8       section (a), section 404(b)(2) of the Foreign Relations Au-  
9       thorization Act, Fiscal Years 1994 and 1995 (Public Law  
10      103–236) shall not apply to United Nations peacekeeping  
11      operation assessments received by the United States prior  
12      to October 1, 1995.

13   **SEC. 912. OBLIGATION AND EXPENDITURE OF FUNDS.**

14       (a) IN GENERAL.—Funds made available pursuant to  
15      section 911 may be obligated and expended only if the re-  
16      quirements of subsections (b) and (c) of this section are  
17      satisfied.

18       (b) OBLIGATION AND EXPENDITURE UPON SATIS-  
19      FACTION OF CERTIFICATION REQUIREMENTS.—Subject to  
20      subsections (e) and (f), funds made available pursuant to  
21      section 911 may be obligated and expended only in the  
22      following allotments and upon the following certifications:

23           (1) Amounts made available for fiscal year  
24      1998, upon the certification described in section  
25      921.

1           (2) Amounts made available for fiscal year  
2       1999, upon the certification described in section  
3       931.

4           (3) Amounts authorized to be appropriated for  
5       fiscal year 2000, upon the certification described in  
6       section 941.

7       (c) ADVANCE CONGRESSIONAL NOTIFICATION.—  
8       Funds made available pursuant to section 911 may be ob-  
9       ligated and expended only if the appropriate certification  
10      has been submitted to the appropriate congressional com-  
11      mittees 30 days prior to the payment of the funds.

12      (d) TRANSMITTAL OF CERTIFICATIONS.—Certifi-  
13      cations made under this chapter shall be transmitted by  
14      the Secretary of State to the appropriate congressional  
15      committees.

16      (e) WAIVER AUTHORITY WITH RESPECT TO FISCAL  
17      YEAR 1999 FUNDS.—

18           (1) IN GENERAL.—Subject to paragraph (3)  
19      and notwithstanding subsection (b), funds made  
20      available under section 911 for fiscal year 1999 may  
21      be obligated or expended pursuant to subsection  
22      (b)(2) even if the Secretary of State cannot certify  
23      that the condition described in section 931(b)(1) has  
24      been satisfied.

25           (2) REQUIREMENTS.—

1 (A) IN GENERAL.—The authority to waive  
2 the condition described in paragraph (1) of this  
3 subsection may be exercised only if the Sec-  
4 retary of State—

5 (i) determines that substantial  
6 progress towards satisfying the condition  
7 has been made and that the expenditure of  
8 funds pursuant to that paragraph is im-  
9 portant to the interests of the United  
10 States; and

11 (ii) has notified, and consulted with,  
12 the appropriate congressional committees  
13 prior to exercising the authority.

14 (B) EFFECT ON SUBSEQUENT CERTIFI-  
15 CATION.—If the Secretary of State exercises the  
16 authority of paragraph (1), the condition de-  
17 scribed in that paragraph shall be deemed to  
18 have been satisfied for purposes of making any  
19 certification under section 941.

20 (3) ADDITIONAL REQUIREMENT.—If the au-  
21 thority to waive a condition under paragraph (1)(A)  
22 is exercised, the Secretary of State shall notify the  
23 United Nations that the Congress does not consider  
24 the United States obligated to pay, and does not in-  
25 tend to pay, arrearages that have not been included

1 in the contested arrearages account or other mecha-  
2 nism described in section 931(b)(1).

3 (f) WAIVER AUTHORITY WITH RESPECT TO FISCAL  
4 YEAR 2000 FUNDS.—

5 (1) IN GENERAL.—Subject to paragraph (2)  
6 and notwithstanding subsection (b), funds made  
7 available under section 911 for fiscal year 2000 may  
8 be obligated or expended pursuant to subsection  
9 (b)(3) even if the Secretary of State cannot certify  
10 that the condition described in paragraph (1) of sec-  
11 tion 941(b) has been satisfied.

12 (2) REQUIREMENTS.—

13 (A) IN GENERAL.—The authority to waive  
14 a condition under paragraph (1) may be exer-  
15 cised only if the Secretary of State has notified,  
16 and consulted with, the appropriate congres-  
17 sional committees prior to exercising the au-  
18 thority.

19 (B) EFFECT ON SUBSEQUENT CERTIFI-  
20 CATION.—If the Secretary of State exercises the  
21 authority of paragraph (1) with respect to a  
22 condition, such condition shall be deemed to  
23 have been satisfied for purposes of making any  
24 certification under section 941.

1 **SEC. 913. FORGIVENESS OF AMOUNTS OWED BY THE**  
2 **UNITED NATIONS TO THE UNITED STATES.**

3 (a) **FORGIVENESS OF INDEBTEDNESS.**—Subject to  
4 subsection (b), the President is authorized to forgive or  
5 reduce any amount owed by the United Nations to the  
6 United States as a reimbursement, including any reim-  
7 bursement payable under the Foreign Assistance Act of  
8 1961 or the United Nations Participation Act of 1945.

9 (b) **LIMITATIONS.**—

10 (1) **TOTAL AMOUNT.**—The total of amounts for-  
11 given or reduced under subsection (a) may not ex-  
12 ceed \$107,000,000.

13 (2) **RELATION TO UNITED STATES ARREAR-**  
14 **AGES.**—Amounts shall be forgiven or reduced under  
15 this section only to the same extent as the United  
16 Nations forgives or reduces amounts owed by the  
17 United States to the United Nations as of Sep-  
18 tember 30, 1997.

19 (c) **REQUIREMENTS.**—The authority in subsection (a)  
20 shall be available only to the extent and in the amounts  
21 provided in advance in appropriations Acts.

22 (d) **CONGRESSIONAL NOTIFICATION.**—Before exer-  
23 cising any authority in subsection (a), the President shall  
24 notify the appropriate congressional committees in accord-  
25 ance with the same procedures as are applicable to re-

1 programming notifications under section 634A of the For-  
 2 eign Assistance Act of 1961 (22 U.S.C. 2394–1).

3 (e) EFFECTIVE DATE.—This section shall take effect  
 4 on the date a certification is transmitted to the appro-  
 5 priate congressional committees under section 931.

## 6 **CHAPTER 2—UNITED STATES**

### 7 **SOVEREIGNTY**

#### 8 **SEC. 921. CERTIFICATION REQUIREMENTS.**

9 (a) CONTENTS OF CERTIFICATION.—A certification  
 10 described in this section is a certification by the Secretary  
 11 of State that the following conditions are satisfied:

12 (1) SUPREMACY OF THE UNITED STATES CON-  
 13 STITUTION.—No action has been taken by the  
 14 United Nations or any of its specialized or affiliated  
 15 agencies that requires the United States to violate  
 16 the United States Constitution or any law of the  
 17 United States.

18 (2) NO UNITED NATIONS SOVEREIGNTY.—Nei-  
 19 ther the United Nations nor any of its specialized or  
 20 affiliated agencies—

21 (A) has exercised sovereignty over the  
 22 United States; or

23 (B) has taken any steps that require the  
 24 United States to cede sovereignty.

25 (3) NO UNITED NATIONS TAXATION.—

1           (A) NO LEGAL AUTHORITY.—Except as  
2           provided in subparagraph (D), neither the  
3           United Nations nor any of its specialized or af-  
4           filiated agencies has the authority under United  
5           States law to impose taxes or fees on United  
6           States nationals.

7           (B) NO TAXES OR FEES.—Except as pro-  
8           vided in subparagraph (D), a tax or fee has not  
9           been imposed on any United States national by  
10          the United Nations or any of its specialized or  
11          affiliated agencies.

12          (C) NO TAXATION PROPOSALS.—Except as  
13          provided in subparagraph (D), neither the  
14          United Nations nor any of its specialized or af-  
15          filiated agencies has, on or after October 1,  
16          1996, officially approved any formal effort to  
17          develop, advocate, or promote any proposal con-  
18          cerning the imposition of a tax or fee on any  
19          United States national in order to raise revenue  
20          for the United Nations or any such agency.

21          (D) EXCEPTION.—This paragraph does  
22          not apply to—

23                 (i) fees for publications or other kinds  
24                 of fees that are not tantamount to a tax on  
25                 United States citizens;



- 1 (ii) the World Intellectual Property  
2 Organization; or  
3 (iii) the staff assessment costs of the  
4 United Nations and its specialized or affili-  
5 ated agencies.

6 (4) NO STANDING ARMY.—The United Nations  
7 has not, on or after October 1, 1996, budgeted any  
8 funds for, nor taken any official steps to develop,  
9 create, or establish any special agreement under Ar-  
10 ticle 43 of the United Nations Charter to make  
11 available to the United Nations, on its call, the  
12 armed forces of any member of the United Nations.

13 (5) NO INTEREST FEES.—The United Nations  
14 has not, on or after October 1, 1996, levied interest  
15 penalties against the United States or any interest  
16 on arrearages on the annual assessment of the  
17 United States, and neither the United Nations nor  
18 its specialized agencies have, on or after October 1,  
19 1996, amended their financial regulations or taken  
20 any other action that would permit interest penalties  
21 to be levied against the United States or otherwise  
22 charge the United States any interest on arrearages  
23 on its annual assessment.

24 (6) UNITED STATES REAL PROPERTY  
25 RIGHTS.—Neither the United Nations nor any of its

1 specialized or affiliated agencies has exercised au-  
2 thority or control over any United States national  
3 park, wildlife preserve, monument, or real property,  
4 nor has the United Nations nor any of its specialized  
5 or affiliated agencies implemented plans, regulations,  
6 programs, or agreements that exercise control or au-  
7 thority over the private real property of United  
8 States citizens located in the United States without  
9 the approval of the property owner.

10 (7) TERMINATION OF BORROWING AUTHOR-  
11 ITY.—

12 (A) PROHIBITION ON AUTHORIZATION OF  
13 EXTERNAL BORROWING.—On or after the date  
14 of enactment of this Act, neither the United  
15 Nations nor any specialized agency of the  
16 United Nations has amended its financial regu-  
17 lations to permit external borrowing.

18 (B) PROHIBITION OF UNITED STATES PAY-  
19 MENT OF INTEREST COSTS.—The United States  
20 has not, on or after October 1, 1984, paid its  
21 share of any interest costs made known to or  
22 identified by the United States Government for  
23 loans incurred, on or after October 1, 1984, by  
24 the United Nations or any specialized agency of  
25 the United Nations through external borrowing.

1 (b) TRANSMITTAL.—The Secretary of State may  
 2 transmit a certification under subsection (a) at any time  
 3 during fiscal year 1998 or thereafter if the requirements  
 4 of the certification are satisfied.

5 **CHAPTER 3—REFORM OF ASSESSMENTS**  
 6 **AND UNITED NATIONS PEACEKEEPING**  
 7 **OPERATIONS**

8 **SEC. 931. CERTIFICATION REQUIREMENTS.**

9 (a) IN GENERAL.—A certification described in this  
 10 section is a certification by the Secretary of State that  
 11 the conditions in subsection (b) are satisfied. Such certifi-  
 12 cation shall not be made by the Secretary if the Secretary  
 13 determines that any of the conditions set forth in section  
 14 921 are no longer satisfied.

15 (b) CONDITIONS.—The conditions under this sub-  
 16 section are the following:

17 (1) CONTESTED ARREARAGES.—The United  
 18 Nations has established an account or other appro-  
 19 priate mechanism with respect to all United States  
 20 arrearages incurred before the date of enactment of  
 21 this Act with respect to which payments are not au-  
 22 thorized by this Act, and the failure to pay amounts  
 23 specified in the account does not affect the applica-  
 24 tion of Article 19 of the Charter of the United Na-  
 25 tions. The account established under this paragraph

(3) LIMITATION ON ASSESSED SHARE OF REGULAR BUDGET.—The share of the total of all assessed contributions for the regular budget of the United Nations does not exceed 22 percent for any single United Nations member.

14 **CHAPTER 4—BUDGET AND PERSONNEL**  
15 **REFORM**

17 (a) IN GENERAL.—

(2) SPECIFIED CERTIFICATION.—A certification described in this section is also a certification that, with respect to the United Nations or a particular designated specialized agency, the conditions in sub-

1       section (b)(4) applicable to that organization are  
2       satisfied, regardless of whether the conditions in  
3       subsection (b)(4) applicable to any other organiza-  
4       tion are satisfied, if the other conditions in sub-  
5       section (b) are satisfied.

6           (3) EFFECT OF SPECIFIED CERTIFICATION.—  
7       Funds made available under section 912(b)(3) upon  
8       a certification made under this section with respect  
9       to the United Nations or a particular designated  
10      specialized agency shall be limited to that portion of  
11      the funds available under that section that is allo-  
12      cated for the organization with respect to which the  
13      certification is made and for any other organization  
14      to which none of the conditions in subsection (b)  
15      apply.

16          (4) LIMITATION.—A certification described in  
17      this section shall not be made by the Secretary if the  
18      Secretary determines that any of the conditions set  
19      forth in sections 921 and 931 are no longer satis-  
20      fied.

21          (b) CONDITIONS.—The conditions under this sub-  
22      section are the following:

23           (1) LIMITATION ON ASSESSED SHARE OF REG-  
24      ULAR BUDGET.—The share of the total of all as-  
25      sessed contributions for the regular budget of the

1 United Nations, or any designated specialized agen-  
2 cy of the United Nations, does not exceed 20 percent  
3 for any single United Nations member.

4 (2) INSPECTORS GENERAL FOR CERTAIN ORGA-  
5 NIZATIONS.—

6 (A) ESTABLISHMENT OF OFFICES.—Each  
7 designated specialized agency has established an  
8 independent office of inspector general to con-  
9 duct and supervise objective audits, inspections,  
10 and investigations relating to the programs and  
11 operations of the organization.

12 (B) APPOINTMENT OF INSPECTORS GEN-  
13 ERAL.—The Director General of each des-  
14 ignated specialized agency has appointed an in-  
15 spector general, with the approval of the mem-  
16 ber states, and that appointment was made  
17 principally on the basis of the appointee's integ-  
18 rity and demonstrated ability in accounting, au-  
19 diting, financial analysis, law, management  
20 analysis, public administration, or investiga-  
21 tions.

22 (C) ASSIGNED FUNCTIONS.—Each inspec-  
23 tor general appointed under subparagraph (A)  
24 is authorized to—

1 (i) make investigations and reports re-  
2 lating to the administration of the pro-  
3 grams and operations of the agency con-  
4 cerned;

5 (ii) have access to all records, docu-  
6 ments, and other available materials relat-  
7 ing to those programs and operations of  
8 the agency concerned; and

9 (iii) have direct and prompt access to  
10 any official of the agency concerned.

11 (D) COMPLAINTS.—Each designated spe-  
12 cialized agency has procedures in place designed  
13 to protect the identity of, and to prevent repris-  
14 als against, any staff member making a com-  
15 plaint or disclosing information to, or cooper-  
16 ating in any investigation or inspection by, the  
17 inspector general of the agency.

18 (E) COMPLIANCE WITH RECOMMENDA-  
19 TIONS.—Each designated specialized agency has  
20 in place procedures designed to ensure compli-  
21 ance with the recommendations of the inspector  
22 general of the agency.

23 (F) AVAILABILITY OF REPORTS.—Each  
24 designated specialized agency has in place pro-  
25 cedures to ensure that all annual and other rel-

1           evant reports submitted by the inspector gen-  
2           eral to the agency are made available to the  
3           member states without modification except to  
4           the extent necessary to protect the privacy  
5           rights of individuals.

6           (3) NEW BUDGET PROCEDURES FOR THE  
7           UNITED NATIONS.—The United Nations has estab-  
8           lished and is implementing budget procedures that—

9                   (A) require the maintenance of a budget  
10           not in excess of the level agreed to by the Gen-  
11           eral Assembly at the beginning of each United  
12           Nations budgetary biennium, unless increases  
13           are agreed to by consensus; and

14                   (B) require the system-wide identification  
15           of expenditures by functional categories such as  
16           personnel, travel, and equipment.

17           (4) SUNSET POLICY FOR CERTAIN UNITED NA-  
18           TIONS PROGRAMS.—

19                   (A) EXISTING AUTHORITY.—The Secretary  
20           General and the Director General of each des-  
21           ignated specialized agency have used their exist-  
22           ing authorities to require program managers  
23           within the United Nations Secretariat and the  
24           Secretariats of the designated specialized agen-  
25           cies to conduct evaluations of United Nations



1 programs approved by the General Assembly,  
2 and of programs of the designated specialized  
3 agencies, in accordance with the standardized  
4 methodology referred to in subparagraph (B).

5 (B) DEVELOPMENT OF EVALUATION CRI-  
6 TERIA.—

7 (i) UNITED NATIONS.—The Office of  
8 Internal Oversight Services has developed  
9 a standardized methodology for the evalua-  
10 tion of United Nations programs approved  
11 by the General Assembly, including specific  
12 criteria for determining the continuing rel-  
13 evance and effectiveness of the programs.

14 (ii) DESIGNATED SPECIALIZED AGEN-  
15 CIES.—Patterned on the work of the Office  
16 of Internal Oversight Services of the  
17 United Nations, each designated special-  
18 ized agency has developed a standardized  
19 methodology for the evaluation of the pro-  
20 grams of the agency, including specific cri-  
21 teria for determining the continuing rel-  
22 evance and effectiveness of the programs.

23 (C) PROCEDURES.—Consistent with the  
24 July 16, 1997, recommendations of the Sec-  
25 retary General regarding a sunset policy and re-

1           sults-based budgeting for United Nations pro-  
2           grams, the United Nations and each designated  
3           specialized agency has established and is imple-  
4           menting procedures—

5                   (i) requiring the Secretary General or  
6                   the Director General of the agency, as the  
7                   case may be, to report on the results of  
8                   evaluations referred to in this paragraph,  
9                   including the identification of programs  
10                  that have met criteria for continuing rel-  
11                  evance and effectiveness and proposals to  
12                  terminate or modify programs that have  
13                  not met such criteria; and

14                  (ii) authorizing an appropriate body  
15                  within the United Nations or the agency,  
16                  as the case may be, to review each evalua-  
17                  tion referred to in this paragraph and re-  
18                  port to the General Assembly on means of  
19                  improving the program concerned or on  
20                  terminating the program.

21           (D) UNITED STATES POLICY.—It shall be  
22           the policy of the United States to seek adoption  
23           by the United Nations of a resolution requiring  
24           that each United Nations program approved by  
25           the General Assembly, and to seek adoption by

1 each designated specialized agency of a resolu-  
 2 tion requiring that each program of the agency,  
 3 be subject to an evaluation referred to in this  
 4 paragraph and have a specific termination date  
 5 so that the program will not be renewed unless  
 6 the evaluation demonstrates the continuing rel-  
 7 evance and effectiveness of the program.

8 (E) DEFINITION.—For purposes of this  
 9 paragraph, the term “United Nations program  
 10 approved by the General Assembly” means a  
 11 program approved by the General Assembly of  
 12 the United Nations which is administered or  
 13 funded by the United Nations.

14 (5) UNITED NATIONS ADVISORY COMMITTEE ON  
 15 ADMINISTRATIVE AND BUDGETARY QUESTIONS.—

16 (A) IN GENERAL.—The United States has  
 17 a seat on the United Nations Advisory Com-  
 18 mittee on Administrative and Budgetary Ques-  
 19 tions or the five largest member contributors  
 20 each have a seat on the Advisory Committee.

21 (B) DEFINITION.—As used in this para-  
 22 graph, the term “5 largest member contribu-  
 23 tors” means the 5 United Nations member  
 24 states that, during a United Nations budgetary  
 25 biennium, have more total assessed contribu-

1           tions than any other United Nations member  
2           state to the aggregate of the United Nations  
3           regular budget and the budget (or budgets) for  
4           United Nations peacekeeping operations.

5           (6) ACCESS BY THE GENERAL ACCOUNTING OF-  
6           FICE.—The United Nations has in effect procedures  
7           providing access by the United States General Ac-  
8           counting Office to United Nations financial data to  
9           assist the Office in performing nationally mandated  
10          reviews of United Nations operations.

11          (7) PERSONNEL.—

12           (A) APPOINTMENT AND SERVICE OF PER-  
13          SONNEL.—The Secretary General—

14           (i) has established and is imple-  
15          menting procedures that ensure that staff  
16          employed by the United Nations is ap-  
17          pointed on the basis of merit consistent  
18          with Article 101 of the United Nations  
19          Charter; and

20           (ii) is enforcing those contractual obli-  
21          gations requiring worldwide availability of  
22          all professional staff of the United Nations  
23          to serve and be relocated based on the  
24          needs of the United Nations.

1 (B) CODE OF CONDUCT.—The General As-  
2 sembly has adopted, and the Secretary General  
3 has the authority to enforce and is effectively  
4 enforcing, a code of conduct binding on all  
5 United Nations personnel, including the re-  
6 quirement of financial disclosure statements  
7 binding on senior United Nations personnel and  
8 the establishment of rules against nepotism that  
9 are binding on all United Nations personnel.

10 (C) PERSONNEL EVALUATION SYSTEM.—  
11 The United Nations has adopted and is enforce-  
12 ing a personnel evaluation system.

13 (D) PERIODIC ASSESSMENTS.—The United  
14 Nations has established and is implementing a  
15 mechanism to conduct periodic assessments of  
16 the United Nations payroll to determine total  
17 staffing, and the results of such assessments  
18 are reported in an unabridged form to the Gen-  
19 eral Assembly.

20 (E) REVIEW OF UNITED NATIONS ALLOW-  
21 ANCE SYSTEM.—The United States has com-  
22 pleted a thorough review of the United Nations  
23 personnel allowance system. The review shall in-  
24 clude a comparison of that system with the  
25 United States civil service system, and shall

1           make recommendations to reduce entitlements  
2           to allowances and allowance funding levels from  
3           the levels in effect on January 1, 1998.

4           (8) REDUCTION IN BUDGET AUTHORITIES.—  
5           The designated specialized agencies have achieved  
6           zero nominal growth in their biennium budgets for  
7           2000–01 from the 1998–99 biennium budget levels  
8           of the respective agencies.

9           (9) NEW BUDGET PROCEDURES AND FINANCIAL  
10          REGULATIONS.—Each designated specialized agency  
11          has established procedures to—

12                (A) require the maintenance of a budget  
13                that does not exceed the level agreed to by the  
14                member states of the organization at the begin-  
15                ning of each budgetary biennium, unless in-  
16                creases are agreed to by consensus;

17                (B) require the identification of expendi-  
18                tures by functional categories such as per-  
19                sonnel, travel, and equipment; and

20                (C) require approval by the member states  
21                of the agency’s supplemental budget requests to  
22                the Secretariat in advance of expenditures  
23                under those requests.

24           (10) LIMITATION ON ASSESSED SHARE OF REG-  
25          ULAR BUDGET FOR THE DESIGNATED SPECIALIZED

1 AGENCIES.—The share of the total of all assessed  
2 contributions for any designated specialized agency  
3 does not exceed 22 percent for any single member of  
4 the agency.

5 **Subtitle C—Miscellaneous**  
6 **Provisions**

7 **SEC. 951. STATUTORY CONSTRUCTION ON RELATION TO EX-**  
8 **ISTING LAWS.**

9 Except as otherwise specifically provided, nothing in  
10 this title may be construed to make available funds in vio-  
11 lation of any provision of law containing a specific prohibi-  
12 tion or restriction on the use of the funds, including sec-  
13 tion 114 of the Department of State Authorization Act,  
14 Fiscal Years 1984 and 1985 (22 U.S.C. 287e note), sec-  
15 tion 151 of the Foreign Relations Authorization Act, Fis-  
16 cal Years 1986 and 1987 (22 U.S.C. 287e note), and sec-  
17 tion 404 of the Foreign Relations Authorization Act, Fis-  
18 cal Years 1994 and 1995 (22 U.S.C. 287e note).

19 **SEC. 952. PROHIBITION ON PAYMENTS RELATING TO**  
20 **UNIDO AND OTHER INTERNATIONAL ORGANI-**  
21 **ZATIONS FROM WHICH THE UNITED STATES**  
22 **HAS WITHDRAWN OR RESCINDED FUNDING.**

23 None of the funds authorized to be appropriated by  
24 this title shall be used to pay any arrearage for—

1           (1) the United Nations Industrial Development  
2       Organization;

3           (2) any costs to merge that organization into  
4       the United Nations;

5           (3) the costs associated with any other organi-  
6       zation of the United Nations from which the United  
7       States has withdrawn including the costs of the  
8       merger of such organization into the United Na-  
9       tions; or

10          (4) the World Tourism Organization, or any  
11       other international organization with respect to  
12       which Congress has rescinded funding.