

June 30, 1999

Ordered to be printed as passed

106TH CONGRESS
1ST SESSION

S. 886

AN ACT

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.

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

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

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Admiral James W. Nance Foreign Relations Authoriza-
6 tion Act, Fiscal Years 2000 and 2001”.

1 (b) TABLE OF CONTENTS.—The table of contents of
 2 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. Study for establishment of Russian Democracy Foundation.
 Sec. 205. Limitation on participation in international expositions.
 Sec. 206. Inspector General for the Inter-American Foundation and the African
 Development Foundation.

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.
 Sec. 216. Mikey Kale Passport Notification Act of 1999.

TITLE III—ORGANIZATION AND PERSONNEL OF THE
 DEPARTMENT OF STATE

Subtitle A—Organization Matters

- Sec. 301. Legislative liaison offices of the Department of State.
 Sec. 302. State Department official for Northeastern Europe.
 Sec. 303. Science and Technology Adviser to Secretary 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 per-
 formance 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.
- Sec. 323. Extension of use of foreign service personnel system.

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.
- Sec. 337. State Department Inspector General and personnel investigations.

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.
- Sec. 618. Preservation of the START Treaty verification regime.

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.
- Sec. 643. Reform of the Diplomatic Telecommunications Service Program Office.
- Sec. 644. Sense of Congress on factors for consideration in negotiations with the Russian Federation on reductions in strategic nuclear forces.
- Sec. 645. Clarification of exception to national security controls on satellite export licensing.
- Sec. 646. Study on licensing process under the Arms Export Control Act.

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.
- Sec. 730. Sense of Congress on the use of children as soldiers or other combatants in foreign armed forces.
- Sec. 731. Technical corrections.
- Sec. 732. Reports with respect to a referendum on Western Sahara.
- Sec. 733. Self-determination in East Timor.
- Sec. 734. Prohibition on the return of veterans memorial objects to foreign nations without specific authorization in law.
- Sec. 735. Support for the peace process in Sudan.
- Sec. 736. Expressing the sense of the Congress regarding the treatment of religious minorities in the Islamic Republic of Iran, and particularly the recent arrests of members of that country's Jewish community.
- Sec. 737. Reporting requirements under PLO Commitments Compliance Act of 1989.
- Sec. 738. Report on terrorist activity in which United States citizens were killed and related matters.
- Sec. 739. Sense of Senate regarding child labor.
- Sec. 740. Reporting requirement on worldwide circulation of small arms and light weapons.

Subtitle C—United States Entry-Exit Controls

- Sec. 751. Amendment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.
- Sec. 752. Report on automated entry-exit control system.
- Sec. 753. Annual reports on entry-exit control and use of entry-exit control data.

TITLE VIII—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

Subtitle A—Authorizations of Appropriations

- Sec. 801. Contributions to international organizations.
- Sec. 802. Contributions for international peacekeeping activities.
- Sec. 803. Authorization of appropriations for contributions to the United Nations Voluntary Fund for Victims of Torture.

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.
- Sec. 825. United States representation at the International Atomic Energy Agency.
- Sec. 826. Annual financial audits of United States section of the International Boundary and Water Commission.
- Sec. 827. Sense of Congress concerning ICTR.

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.

TITLE IX—RUSSIAN BUSINESS MANAGEMENT EDUCATION

- Sec. 1001. Purpose.
- Sec. 1002. Definitions.
- Sec. 1003. Authorization for training program and internships.
- Sec. 1004. Applications for technical assistance.
- Sec. 1005. United States-Russian business management training board.
- Sec. 1006. Restrictions not applicable.

Sec. 1007. Authorization of appropriations.

Sec. 1008. Effective date.

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
 23 year 2000 and \$2,837,772,000 for the fiscal year
 24 2001.

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

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

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

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

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

23 (7) PAYMENT TO THE AMERICAN INSTITUTE IN
24 TAIWAN.—For “Payment to the American Institute

1 in Taiwan”, \$15,760,000 for the fiscal year 2000
2 and \$15,760,000 for the fiscal year 2001.

3 (8) PROTECTION OF FOREIGN MISSIONS AND
4 OFFICIALS.—

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

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

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

19 (b) ALLOCATION OF FUNDS FOR COMMERCIAL LI-
20 CENSES.—Of the funds made available to the Department
21 of State under subsection (a)(1), \$8,000,000 shall be
22 made available only for the activities of the Office of De-
23 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 COMMISS-
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), \$5,000,000 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) MUSKIE FELLOWSHIP DOCTORAL GRADUATE
21 STUDIES FOR NATIONALS OF THE INDEPENDENT STATES
22 OF THE FORMER SOVIET UNION.—

23 (1) ALLOCATION OF FUNDS.—Of the amounts
24 authorized to be appropriated under subsection
25 (a)(1)(B), not less than \$2,000,000 for fiscal year

1 2000, and not less than \$2,000,000 for fiscal year
2 2001, shall be made available to provide scholarships
3 for doctoral graduate study in the social sciences to
4 nationals of the independent states of the former So-
5 viet Union under the Edmund S. Muskie Fellowship
6 Program authorized by section 227 of the Foreign
7 Relations Authorization Act, Fiscal Years 1992 and
8 1993 (22 U.S.C. 2452 note).

9 (2) REQUIREMENTS.—

10 (A) NON-FEDERAL SUPPORT.—Not less
11 than 20 percent of the costs of each student's
12 doctoral study supported under paragraph (1)
13 shall be provided from non-Federal sources.

14 (B) HOME COUNTRY RESIDENCE REQUIRE-
15 MENT.—

16 (i) AGREEMENT FOR SERVICE IN
17 HOME COUNTRY.—Before an individual
18 may receive scholarship assistance under
19 paragraph (1), the individual shall enter
20 into a written agreement with the Depart-
21 ment of State under which the individual
22 agrees that after completing all degree re-
23 quirements, or terminating his or her stud-
24 ies, whichever occurs first, the individual
25 will return to the country of the individ-

1 ual's nationality, or country of last habit-
2 ual residence, within the independent
3 states of the former Soviet Union (as de-
4 fined in section 3 of the FREEDOM Sup-
5 port Act (22 U.S.C. 5801)), to reside and
6 remain physically present there for an ag-
7 gregate of at least one year for each year
8 of study supported under paragraph (1).

9 (ii) DENIAL OF ENTRY INTO THE
10 UNITED STATES FOR NONCOMPLIANCE.—

11 Any individual who has entered into an
12 agreement under clause (i) and who has
13 not completed the period of home country
14 residence and presence required by that
15 agreement shall be ineligible for a visa and
16 inadmissible to the United States.

17 (d) VIETNAM FULBRIGHT ACADEMIC EXCHANGE
18 PROGRAM.—Of the amounts authorized to be appro-
19 priated under subsection (a)(1)(A), \$5,000,000 for the fis-
20 cal year 2000 and \$5,000,000 for the fiscal year 2001
21 shall be available only to carry out the Vietnam scholar-
22 ship program established by section 229 of the Foreign
23 Relations Authorization Act, Fiscal Years 1992 and 1993
24 (Public Law 102–138).

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

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

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

9 **TITLE II—DEPARTMENT OF**
10 **STATE BASIC AUTHORITIES**
11 **AND ACTIVITIES**

12 **Subtitle A—Basic Authorities and**
13 **Activities**

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

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

1 (b) CASE OFFICER STAFFING.—Effective April 1,
2 2000, there shall be assigned to the Office of Children’s
3 Issues of the Department of State a sufficient number of
4 case officers to ensure that the average caseload for each
5 officer does not exceed 75.

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

13 (d) COORDINATION.—

14 (1) PARTICULAR ABDUCTIONS.—Not later than
15 24 hours after notice of the possible abduction of a
16 child by a parent to a location abroad has been sub-
17 mitted to the Department of State, the Secretary of
18 State shall submit to the National Center for Miss-
19 ing and Exploited Children a report including the
20 following:

21 (A) The name of the abducted child.

22 (B) The name and contact information of
23 the parent or guardian who is searching for the
24 child.

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

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

7 (E) The name of the person believed to
8 have abducted the child.

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

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

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

22 (e) REPORTS TO PARENTS.—

23 (1) IN GENERAL.—Except as provided in para-
24 graph (2), beginning 6 months after the date of en-
25 actment of this Act, and at least once every 6

1 months thereafter, the Secretary of State shall re-
 2 port to each parent who has requested assistance re-
 3 garding an abducted child. Each such report shall
 4 include information on the current status of the ab-
 5 ducted child's case and the efforts by the Depart-
 6 ment of State to resolve the case.

7 (2) EXCEPTION.—The requirement in para-
 8 graph (1) shall not apply in a case of an abducted
 9 child if—

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

14 (B) the parent seeking assistance requests
 15 that such reports not be provided.

16 **SEC. 202. STRENGTHENING IMPLEMENTATION OF THE**
 17 **HAGUE CONVENTION ON THE CIVIL ASPECTS**
 18 **OF INTERNATIONAL CHILD ABDUCTION.**

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

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

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

6 (3) by adding at the end the following new
7 paragraph:

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

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

22 **SEC. 203. HUMAN RIGHTS REPORTING ON THE TREATMENT**
23 **OF CHILDREN.**

24 (a) **IN GENERAL.**—It is the sense of Congress that
25 the annual human rights report by the Department of

1 State should include a section on each country regarding
2 the treatment of children in that country.

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

5 (1) a description of compliance by the country
6 with the Convention on the Civil Aspects of Inter-
7 national Child Abduction, done at The Hague on
8 October 25, 1980;

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

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

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

19 **SEC. 204. STUDY FOR ESTABLISHMENT OF RUSSIAN DE-**
20 **MOCRACY FOUNDATION.**

21 (a) IN GENERAL.—The Secretary of State shall con-
22 duct a study of the feasibility of establishing a Russia-
23 based foundation for the promotion of democratic institu-
24 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. 205. 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 participation 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 **SEC. 206. INSPECTOR GENERAL FOR THE INTER-AMERICAN**
2 **FOUNDATION AND THE AFRICAN DEVELOP-**
3 **MENT FOUNDATION.**

4 Notwithstanding any other provision of law, the In-
5 spector General of the Agency for International Develop-
6 ment shall serve as the Inspector General of the Inter-
7 American Foundation and the African Development Foun-
8 dation and shall have all the authorities and responsibil-
9 ities with respect to the Inter-American Foundation and
10 the African Development Foundation as the Inspector
11 General has with respect to the Agency for International
12 Development.

13 **Subtitle B—Consular Authorities**

14 **SEC. 211. FEES FOR MACHINE READABLE VISAS.**

15 Section 140(a) of the Foreign Relations Authoriza-
16 tion Act, Fiscal Years 1994 and 1995 (Public Law 103-
17 236; 8 U.S.C. 1351 note) is amended—

18 (1) by striking the first sentence of paragraph
19 (3), and inserting “For each of the fiscal years 2000
20 and 2001, any amount collected under paragraph
21 (1) that exceeds \$300,000,000 may be made avail-
22 able for the purposes of paragraph (2) only if a noti-
23 fication is submitted to Congress in accordance with
24 the procedures applicable to reprogramming notifica-
25 tions under section 34 of the State Department

1 Basic Authorities Act of 1956 (22 U.S.C. 2706).”;
2 and
3 (2) by striking paragraphs (4) and (5).

4 **SEC. 212. FEES RELATING TO AFFIDAVITS OF SUPPORT.**

5 (a) **AUTHORITY TO CHARGE FEE.**—The Secretary of
6 State may charge and retain a fee or surcharge for serv-
7 ices provided by the Department of State to any sponsor
8 who provides an affidavit of support under section 213A
9 of the Immigration and Nationality Act (8 U.S.C. 1183a)
10 to ensure that such affidavit is properly completed before
11 it is forwarded to a consular post for adjudication by a
12 consular officer in connection with the adjudication of an
13 immigrant visa. Such fee or surcharge shall be in addition
14 to and separate from any fee imposed for immigrant visa
15 application processing and issuance, and shall recover only
16 the costs of such services not recovered by such fee.

17 (b) **LIMITATION.**—Any fee established under sub-
18 section (a) shall be charged only once to a sponsor who
19 files essentially duplicative affidavits of support in connec-
20 tion with separate immigrant visa applications from the
21 spouse and children of any petitioner required by the Im-
22 migration and Nationality Act to petition separately for
23 such persons.

24 (c) **TREATMENT OF FEES.**—Fees collected under the
25 authority of subsection (a) shall be deposited as an offset-

1 ting collection to any Department of State appropriation
2 to recover the cost of providing consular services.

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

7 **SEC. 213. PASSPORT FEES.**

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

10 (1) in the first sentence—

11 (A) by striking “each passport issued” and
12 inserting “the filing of each application for a
13 passport (including the cost of passport
14 issuance and use)”; and

15 (B) by striking “each application for a
16 passport;” and inserting “each such applica-
17 tion”; and

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

22 (b) REPEAL OF OUTDATED PROVISION ON PASSPORT
23 FEES.—Section 4 of the Passport Act of June 4, 1920
24 (22 U.S.C. 216) is repealed.

1 **SEC. 214. DEATHS AND ESTATES OF UNITED STATES CITI-**
2 **ZENS ABROAD.**

3 (a) REPEAL.—Section 1709 of the Revised Statutes
4 (22 U.S.C. 4195) is repealed.

5 (b) AMENDMENT TO STATE DEPARTMENT BASIC AU-
6 THORITIES ACT.—The State Department Basic Authori-
7 ties Act of 1956 is amended by inserting after section 43
8 (22 U.S.C. 2715) the following new sections:

9 **“SEC. 43A. NOTIFICATION OF NEXT OF KIN; REPORTS OF**
10 **DEATH.**

11 “(a) IN GENERAL.—Whenever a United States citi-
12 izen or national dies abroad, a consular officer shall en-
13 deavor to notify, or assist the Secretary of State in noti-
14 fying, the next of kin or legal guardian as soon as possible,
15 except that, in the case of death of any Peace Corps volun-
16 teer (within the meaning of section 5(a) of the Peace
17 Corps Act (22 U.S.C. 2504(a)), any member of the Armed
18 Forces, any dependent of such a volunteer or member, or
19 any Department of Defense employee, the consular officer
20 shall assist the Peace Corps or the appropriate military
21 authorities, as the case may be, in making such notifica-
22 tions.

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

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

4 “(2) in the absence of a finding of death by the
5 appropriate local authorities, issue a report of pre-
6 sumptive death.

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

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

11 “(a) CONSERVATION OF ESTATES ABROAD.—

12 “(1) AUTHORITY TO ACT AS CONSERVATOR.—
13 Whenever a United States citizen or national dies
14 abroad, a consular officer shall act as the provisional
15 conservator of the portion of the decedent’s estate
16 located abroad and, subject to paragraphs (3), (4),
17 and (5), shall—

18 “(A) take possession of the personal effects
19 of the decedent within his jurisdiction;

20 “(B) inventory and appraise the personal
21 effects of the decedent, sign the inventory, and
22 annex thereto a certificate as to the accuracy of
23 the inventory and appraised value of each arti-
24 cle;

1 “(C) when appropriate in the exercise of
2 prudent administration, collect the debts due to
3 the decedent in the officer’s jurisdiction and
4 pay from the estate the obligations owed by the
5 decedent;

6 “(D) sell or dispose of, as appropriate, in
7 the exercise of prudent administration, all per-
8 ishable items of property;

9 “(E) sell, after reasonable public notice
10 and notice to such next of kin as can be
11 ascertained with reasonable diligence, such ad-
12 ditional items of property as necessary to pro-
13 vide funds sufficient to pay the decedent’s debts
14 and property taxes in the country of death, fu-
15 neral expenses, and other expenses incident to
16 the disposition of the estate;

17 “(F) upon the expiration of the one-year
18 period beginning on the date of death (or after
19 such additional period as may be required for
20 final settlement of the estate), if no claimant
21 shall have appeared, after reasonable public no-
22 tice and notice to such next of kin as can be
23 ascertained with reasonable diligence, sell or
24 dispose of the residue of the personal estate, ex-
25 cept as provided in subparagraph (G), in the

1 same manner as United States Government-
2 owned foreign excess property;

3 “(G) transmit to the custody of the Sec-
4 retary of State in Washington, D.C. the pro-
5 ceeds of any sales, together with all financial in-
6 struments (including bonds, shares of stock,
7 and notes of indebtedness), jewelry, heirlooms,
8 and other articles of obvious sentimental value,
9 to be held in trust for the legal claimant; and

10 “(H) in the event that the decedent’s es-
11 tate includes an interest in real property located
12 within the jurisdiction of the officer and such
13 interest does not devolve by the applicable laws
14 of intestate succession or otherwise, provide for
15 title to the property to be conveyed to the Gov-
16 ernment of the United States unless the Sec-
17 retary declines to accept such conveyance.

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

23 “(3) EXCEPTIONS.—The responsibilities de-
24 scribed in paragraphs (1) and (2) may not be per-
25 formed to the extent that the decedent has left or

1 there is otherwise appointed, in the country where
2 the death occurred or where the decedent was domi-
3 ciled, a legal representative, partner in trade, or
4 trustee appointed to take care of his personal estate.
5 If the decedent’s legal representative shall appear at
6 any time prior to transmission of the estate to the
7 Secretary and demand the proceeds and effects
8 being held by the consular officer, the officer shall
9 deliver them to the representative after having col-
10 lected any prescribed fee for the services performed
11 under this section.

12 “(4) ADDITIONAL REQUIREMENT.—In addition
13 to being subject to the limitations in paragraph (3),
14 the responsibilities described in paragraphs (1) and
15 (2) may not be performed unless—

16 “(A) authorized by treaty provisions or
17 permitted by the laws or authorities of the
18 country wherein the death occurs, or the dece-
19 dent is domiciled; or

20 “(B) permitted by established usage in
21 that country.

22 “(5) STATUTORY CONSTRUCTION.—Nothing in
23 this section supersedes or otherwise affects the au-
24 thority of any military commander under title 10 of
25 the United States Code with respect to the person

1 or property of any decedent who died while under a
2 military command or jurisdiction or the authority of
3 the Peace Corps with respect to a Peace Corps vol-
4 unteer or the volunteer's property.

5 “(b) DISPOSITION OF ESTATES BY THE SECRETARY
6 OF STATE.—

7 “(1) PERSONAL ESTATES.—

8 “(A) IN GENERAL.—After receipt of a per-
9 sonal estate pursuant to subsection (a), the
10 Secretary may seek payment of all outstanding
11 debts to the estate as they become due, may re-
12 ceive any balances due on such estate, may en-
13 dorse all checks, bills of exchange, promissory
14 notes, and other instruments of indebtedness
15 payable to the estate for the benefit thereof,
16 and may take such other action as is reasonably
17 necessary for the conservation of the estate.

18 “(B) DISPOSITION AS SURPLUS UNITED
19 STATES PROPERTY.—If, upon the expiration of
20 a period of 5 fiscal years beginning on October
21 1 after a consular officer takes possession of a
22 personal estate under subsection (a), no legal
23 claimant for such estate has appeared, title to
24 the estate shall be conveyed to the United
25 States, the property in the estate shall be under

1 the custody of the Department of State, and
2 the Secretary shall dispose of the estate in the
3 same manner as surplus United States Govern-
4 ment-owned property is disposed or by such
5 means as may be appropriate in light of the na-
6 ture and value of the property involved. The ex-
7 penses of sales shall be paid from the estate,
8 and any lawful claim received thereafter shall
9 be payable to the extent of the value of the net
10 proceeds of the estate as a refund from the ap-
11 propriate Treasury appropriations account.

12 “(C) TRANSFER OF PROCEEDS.—The net
13 cash estate after disposition as provided in sub-
14 paragraph (B) shall be transferred to the mis-
15 cellaneous receipts account of the Treasury of
16 the United States.

17 “(2) REAL PROPERTY.—

18 “(A) DESIGNATION AS EXCESS PROP-
19 erty.—In the event that title to real property
20 is conveyed to the Government of the United
21 States pursuant to subsection (a)(1)(H) and is
22 not required by the Department of State, such
23 property shall be considered foreign excess
24 property under title IV of the Federal Property

1 and Administrative Services Act of 1949 (40
2 U.S.C. 511 et seq.).

3 “(B) TREATMENT AS GIFT.—In the event
4 that the Department requires such property,
5 the Secretary of State shall treat such property
6 as if it were an unconditional gift accepted on
7 behalf of the Department of State under section
8 25 of this Act and section 9(a)(3) of the For-
9 eign Service Buildings Act of 1926.

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

12 “(1) AUTHORITY TO COMPENSATE.—The Sec-
13 retary is authorized to compensate the estate of any
14 United States citizen who has died overseas for
15 property—

16 “(A) the conservation of which has been
17 undertaken under section 43 or subsection (a)
18 of this section; and

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

22 “(2) LIABILITY.—

23 “(A) EXCLUSION OF PERSONAL LIABILITY
24 AFTER PROVISION OF COMPENSATION.—Any
25 such compensation shall be in lieu of personal

1 liability of officers or employees of the Depart-
2 ment of State.

3 “(B) LIABILITY TO THE DEPARTMENT.—
4 An officer or employee of the Department of
5 State may be liable to the Department of State
6 to the extent of any compensation provided
7 under paragraph (1).

8 “(C) DETERMINATIONS OF LIABILITY.—
9 The liability of any officer or employee of the
10 Department of State to the Department for any
11 payment made under subsection (a) shall be de-
12 termined pursuant to the Department’s proce-
13 dures for determining accountability for United
14 States Government property.

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

18 (e) EFFECTIVE DATE.—The repeal and amendment
19 made by this section shall take effect six months after the
20 date of enactment of this Act.

21 **SEC. 215. MAJOR DISASTERS AND OTHER INCIDENTS**
22 **ABROAD AFFECTING UNITED STATES CITI-**
23 **ZENS.**

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

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

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

6 (3) by adding at the end the following new sub-
7 section:

8 “(b) DEFINITIONS.—For purposes of this section and
9 sections 43A and 43B, the term ‘consular officer’ includes
10 any United States citizen employee of the Department of
11 State who is designated by the Secretary of State to per-
12 form consular services pursuant to such regulations as the
13 Secretary may prescribe.”.

14 **SEC. 216. MIKEY KALE PASSPORT NOTIFICATION ACT OF**
15 **1999.**

16 (a) Not later than 180 days after the enactment of
17 this Act, the Secretary of State shall issue regulations
18 that—

19 (1) provide that, in the issuance of a passport
20 to minors under the age of 18 years, both parents,
21 a guardian, or a person in loco parentis have—

22 (A) executed the application; and

23 (B) provided documentary evidence dem-
24 onstrating that they are the parents, guardian,
25 or person in loco parentis; and

1 (2) provide that, in the issuance of a passport
 2 to minors under the age of 18 years, in those cases
 3 where both parents have not executed the passport
 4 application, the person executing the application has
 5 provided documentary evidence that such person—

6 (A) has sole custody of the child; or

7 (B) the other parent has provided consent
 8 to the issuance of the passport.

9 The requirement of this paragraph shall not apply to
 10 guardians or persons in loco parentis.

11 (b) The regulations required to be issued by this sec-
 12 tion may provide for exceptions in exigent circumstances
 13 involving the health or welfare of the child.

14 **TITLE III—ORGANIZATION AND**
 15 **PERSONNEL OF THE DEPART-**
 16 **MENT OF STATE**

17 **Subtitle A—Organization Matters**

18 **SEC. 301. LEGISLATIVE LIAISON OFFICES OF THE DEPART-**
 19 **MENT OF STATE.**

20 (a) DEVELOPMENT OF PLAN.—The Secretary of
 21 State shall develop a plan for the establishment of legisla-
 22 tive liaison offices for the Department of State within the
 23 office buildings of the House of Representatives and the
 24 Senate. In developing the plan, the Secretary should exam-
 25 ine existing liaison offices of other executive departments

1 that are located in the congressional office buildings, in-
2 cluding the liaison offices of the military services.

3 (b) PLAN ELEMENTS.—The plan developed under
4 subsection (a) shall consider—

5 (1) space requirements;

6 (2) cost implications;

7 (3) personnel structure; and

8 (4) the feasibility of modifying the Pearson Fel-
9 lowship program in order to require members of the
10 Foreign Service who serve in such fellowships to
11 serve a second year in a legislative liaison office.

12 (c) TRANSMITTAL OF PLAN.—Not later than October
13 1, 1999, the Secretary of State shall submit to the Com-
14 mittee on International Relations and the Committee on
15 House Administration of the House of Representatives
16 and the Committee on Foreign Relations and the Com-
17 mittee on Rules and Administration of the Senate the plan
18 developed under subsection (a).

19 **SEC. 302. STATE DEPARTMENT OFFICIAL FOR NORTH-**
20 **EASTERN EUROPE.**

21 The Secretary of State shall designate an existing
22 senior-level official of the Department of State with re-
23 sponsibility for promoting regional cooperation in and co-
24 ordinating United States policy toward Northeastern Eu-
25 rope.

1 **SEC. 303. SCIENCE AND TECHNOLOGY ADVISER TO SEC-**
2 **RETARY OF STATE.**

3 (a) ESTABLISHMENT OF POSITION.—Section 1 of the
4 State Department Basic Authorities Act of 1956 (22
5 U.S.C. 2651a) is amended by adding at the end the fol-
6 lowing new subsection:

7 “(g) SCIENCE AND TECHNOLOGY ADVISER.—

8 “(1) IN GENERAL.—There shall be within the
9 Department of State a Science and Technology Ad-
10 viser (in this paragraph referred to as the ‘Adviser’).
11 The Adviser shall report to the Secretary of State
12 through the Under Secretary of State for Global Af-
13 fairs.

14 “(2) DUTIES.—The Adviser shall—

15 “(A) advise the Secretary of State, through
16 the Under Secretary of State for Global Affairs,
17 on international science and technology matters
18 affecting the foreign policy of the United
19 States; and

20 “(B) perform such duties, exercise such
21 powers, and have such rank and status as the
22 Secretary of State shall prescribe.”.

23 (b) REPORT.—Not later than six months after receipt
24 by the Secretary of State of the report by the National
25 Research Council of the National Academy of Sciences
26 with respect to the contributions that science, technology,

1 and health matters can make to the foreign policy of the
2 United States, the Secretary of State, acting through the
3 Under Secretary of State for Global Affairs, shall submit
4 a report to Congress setting forth the Secretary of State's
5 plans for implementation, as appropriate, of the rec-
6 ommendations of the report.

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

9 **SEC. 311. FINDINGS.**

10 Congress makes the following findings:

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

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

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

23 (4) Ethical, professional, and financial mis-
24 conduct by career members of the Foreign Service,
25 while uncommon, must be met with fair but swift

1 disciplinary action. A failure to adequately discipline,
2 and in some cases remove from the Foreign Service,
3 those career members who violate laws or regula-
4 tions would erode the qualities of excellence required
5 of United States Foreign Service members.

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

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

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

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

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

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

19 **PAY.**

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

22 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 that includes a suspension of more than
12 five days taken against a member of the Service, including
13 any correction of that record under section 1107(b)(1),
14 shall remain a part of the personnel records until the
15 member is tenured as a career member of the Service or
16 next promoted.”.

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

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

23 Section 610(a) of the Foreign Service Act (22 U.S.C.
24 4010(a)) is amended by adding at the end the following
25 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 two years after the occurrence giving rise to
17 the grievance or, in the case of a grievance with respect
18 to the grievant’s rater or reviewer, one year after the date
19 on which the grievant ceased to be subject to rating or
20 review by that person, but in no case less than two years
21 after the occurrence giving rise to the grievance.”.

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

25 (c) EFFECTIVE DATE.—The amendments made by
26 this section shall take effect 180 days after the date of

1 enactment of this Act and shall apply to grievances which
2 arise on or after such effective date.

3 **SEC. 322. REPORTS BY THE FOREIGN SERVICE GRIEVANCE**
4 **BOARD.**

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

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

13 “(A) the number of cases filed;

14 “(B) the types of cases filed;

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

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

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

23 “(F) data on the average time for consideration
24 of a grievance, from the time of filing to a decision
25 of the Board.

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

6 **SEC. 323. EXTENSION OF USE OF FOREIGN SERVICE PER-**
7 **SONNEL SYSTEM.**

8 Section 202(a) of the Foreign Service Act of 1980
9 (22 U.S.C. 3922(a)) is amended by adding at the end the
10 following new paragraph:

11 “(4)(A) Whenever (and to the extent) the Sec-
12 retary of State considers it in the best interests of
13 the United States Government, the Secretary of
14 State may authorize the head of any agency or other
15 Government establishment (including any establish-
16 ment in the legislative or judicial branch) to appoint
17 under section 303 individuals described in subpara-
18 graph (B) as members of the Service and to utilize
19 the Foreign Service personnel system with respect to
20 such individuals under such regulations as the Sec-
21 retary of State may prescribe.

22 “(B) The individuals referred to in subpara-
23 graph (A) are individuals hired for employment
24 abroad under section 311(a).”.

1 **Subtitle C—Other Personnel**
2 **Matters**

3 **SEC. 331. BORDER EQUALIZATION PAY ADJUSTMENT.**

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

7 **“SEC. 414. BORDER EQUALIZATION PAY ADJUSTMENT.**

8 “(a) IN GENERAL.—An employee who regularly com-
9 mutes from the employee’s place of residence in the conti-
10 nental United States to an official duty station in Canada
11 or Mexico shall receive a border equalization pay adjust-
12 ment equal to the amount of comparability payments
13 under section 5304 of title 5, United States Code, that
14 the employee would receive if the employee were assigned
15 to an official duty station within the United States locality
16 pay area closest to the employee’s official duty station.

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

19 “(1) is an ‘employee’ as defined under section
20 2105 of title 5, United States Code; and

21 “(2) is employed by the Department of State,
22 the United States Agency for International Develop-
23 ment, or the International Joint Commission of the
24 United States and Canada (established under Article
25 VII of the treaty signed January 11, 1909) (36

1 Stat. 2448), except that the term shall not include
 2 members of the Service (as specified in section 103).

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

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

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

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

15 **SEC. 332. TREATMENT OF CERTAIN PERSONS REEMPLOYED**
 16 **AFTER SERVICE WITH INTERNATIONAL OR-**
 17 **GANIZATIONS.**

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

21 **“§ 8432c. Contributions of certain persons reem-**
 22 **ployed after service with international**
 23 **organizations**

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

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

6 “(2) pursuant to section 3582 elects to retain
7 coverage, rights, and benefits under any system es-
8 tablished by law for the retirement of persons during
9 the period of employment with the international or-
10 ganization and currently deposits the necessary de-
11 ductions in payment for such coverage, rights, and
12 benefits in the system’s fund; and

13 “(3) is reemployed pursuant to section 3582(b)
14 to a position covered by chapter 83 or 84 or sub-
15 chapter I or II of chapter 8 of the Foreign Service
16 Act of 1980 after separation from the international
17 organization.

18 “(b)(1) Each covered person may contribute to the
19 Thrift Savings Fund, in accordance with this subsection,
20 an amount not to exceed the amount described in para-
21 graph (2).

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

24 “(A) the total amount of all contributions under
25 section 8351(b)(2) or 8432(a), as applicable, which

1 the person would have made over the period begin-
2 ning on the date of transfer of the person (as de-
3 scribed in subsection (a)(1)) and ending on the day
4 before the date of reemployment of the person (as
5 described in subsection (a)(3)), minus

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

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

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

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

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

20 “(4) The Executive Director shall prescribe the time,
21 form, and manner in which a covered person may
22 specify—

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

1 “(B) the period of time over which the covered
2 person wishes to make contributions under this sub-
3 section.

4 “(c) If a covered person who makes contributions
5 under section 8432(a) makes contributions under sub-
6 section (b), the agency employing the person shall make
7 those contributions to the Thrift Savings Fund on the per-
8 son’s behalf in the same manner as contributions are made
9 for an employee described in section 8432b(a) under sec-
10 tions 8432b(c), 8432b(d), and 8432b(f). Amounts paid
11 under this subsection shall be paid in the same manner
12 as amounts are paid under section 8432b(g).

13 “(d) For purposes of any computation under this sec-
14 tion, a covered person shall, with respect to the period de-
15 scribed in subsection (b)(2)(A), be considered to have been
16 paid at the rate which would have been payable over such
17 period had the person remained continuously employed in
18 the position that the person last held before transferring
19 to the international organization.

20 “(e) For purposes of section 8432(g), a covered per-
21 son shall be credited with a period of civilian service equal
22 to the period beginning on the date of transfer of the per-
23 son (as described in subsection (a)(1)) and ending on the
24 day before the date of reemployment of the person (as de-
25 scribed in subsection (a)(3)).

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

3 (b) CONFORMING AMENDMENT.—The table of sec-
4 tions for chapter 84 of title 5, United States Code, is
5 amended by inserting after the item relating to section
6 8432b the following:

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

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

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

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

13 “(f) Upon the death of an employee, a transfer allow-
14 ance under section 5924(2)(B) may be furnished to any
15 spouse or dependent of such employee for the purpose of
16 returning such spouse or dependent to the United
17 States.”.

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

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

21 (1) in subparagraph (A), by striking “between
22 that post and the nearest locality where adequate
23 schools are available,” and inserting “between that
24 post and the school chosen by the employee, not to

1 exceed the total cost to the Government of the de-
2 pendent attending an adequate school in the nearest
3 locality where an adequate school is available,”; and

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

6 “(C) In those cases in which an adequate
7 school is available at the post of the employee,
8 if the employee chooses to educate the depend-
9 ent at a school away from post, the education
10 allowance which includes board and room, and
11 periodic travel between the post and the school
12 chosen, shall not exceed the total cost to the
13 Government of the dependent attending an ade-
14 quate school at the post of the employee.”.

15 **SEC. 335. MEDICAL EMERGENCY ASSISTANCE.**

16 Section 5927 of title 5, United States Code, is
17 amended—

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

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

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

22 “(A) a United States citizen employee of an
23 agency (other than a United States citizen employed
24 under section 311(a) of the Foreign Service Act of
25 1980 (22 U.S.C. 3951(a))—

1 “(i) who is assigned or located outside of
2 the United States pursuant to Government au-
3 thorization; and

4 “(ii) who must, or has a family member
5 who must, undergo outside of the United States
6 medical treatment of the nature specified in
7 regulations promulgated by the Secretary of
8 State; and

9 “(B) each foreign national employee appointed
10 under section 303 of the Foreign Service Act of
11 1980 (22 U.S.C. 3943) and each United States cit-
12 izen employed under section 311(a) of that Act (22
13 U.S.C. 3951(a)) who is not a family member of a
14 government employee assigned abroad—

15 “(i) who is located outside of the country
16 of employment pursuant to United States Gov-
17 ernment authorization; and

18 “(ii) who must undergo outside the coun-
19 try of employment medical treatment of the na-
20 ture specified in regulations promulgated by the
21 Secretary of State.

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

1 “(3)(A) Subject to the adjustment of the account of
2 an employee under subparagraph (B) and other applicable
3 provisions of law, the amount paid to an employee in ad-
4 vance shall be equal to the rate of pay authorized with
5 respect to the employee on the date the advance payment
6 is made under agency procedures governing other advance
7 payments permitted under this subchapter.

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

9 “(i) the review of the account of each employee
10 of the agency who receives any advance payment
11 under this section; and

12 “(ii) the recovery of the amount of pay or waiv-
13 er thereof.

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

18 **SEC. 336. REPORT CONCERNING FINANCIAL DISADVAN-**
19 **TAGES FOR ADMINISTRATIVE AND TECH-**
20 **NICAL PERSONNEL.**

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

1 (b) REPORT.—Not later than 1 year after the date
2 of the enactment of this Act, the Secretary of State shall
3 submit a report to the appropriate congressional commit-
4 tees concerning the extent to which administrative and
5 technical personnel posted to United States missions
6 abroad who do not have diplomatic status suffer financial
7 disadvantages from their lack of such status, including
8 proposals to alleviate such disadvantages.

9 **SEC. 337. STATE DEPARTMENT INSPECTOR GENERAL AND**
10 **PERSONNEL INVESTIGATIONS.**

11 (a) AMENDMENT OF THE FOREIGN SERVICE ACT of
12 1980.—Section 209(c) of the Foreign Service Act of 1980
13 (22 U.S.C. 3929(c)) is amended by adding at the end the
14 following:

15 “(5) INVESTIGATIONS.—

16 “(A) CONDUCT OF INVESTIGATIONS.—In
17 conducting investigations of potential violations
18 of Federal criminal law or Federal regulations,
19 the Inspector General shall—

20 “(i) abide by professional standards
21 applicable to Federal law enforcement
22 agencies; and

23 “(ii) permit each subject of an inves-
24 tigation an opportunity to provide excul-
25 patory information.

1 “(B) REPORTS OF INVESTIGATIONS.—In
2 order to ensure that reports of investigations
3 are thorough and accurate, the Inspector Gen-
4 eral shall—

5 “(i) make every reasonable effort to
6 ensure that any person named in a report
7 of investigation has been afforded an op-
8 portunity to refute any allegation or asser-
9 tion made regarding that person’s actions;

10 “(ii) include in every report of inves-
11 tigation any exculpatory information, as
12 well as any inculpatory information, that
13 has been discovered in the course of the in-
14 vestigation.”.

15 (b) ANNUAL REPORT.—Section 209(d)(2) of the For-
16 eign Service Act of 1980 (22 U.S.C. 3929(d)(2)) is
17 amended—

18 (1) by striking “and” at the end of subpara-
19 graph (D);

20 (2) by striking the period at the end of sub-
21 paragraph (E) and inserting “; and”; and

22 (3) by inserting after subparagraph (E) the fol-
23 lowing new subparagraph:

24 “(F) a description, which may be included,
25 if necessary, in the classified portion of the re-

1 port, of any instance in a case that was closed
2 during the period covered by the report when
3 the Inspector General decided not to afford an
4 individual the opportunity described in sub-
5 section (c)(5)(B)(i) to refute any allegation or
6 assertion, and the rationale for denying such in-
7 dividual that opportunity.”.

8 (c) STATUTORY CONSTRUCTION.—Nothing in the
9 amendments made by this section may be construed to
10 modify—

11 (1) section 209(d)(4) of the Foreign Service Act
12 of 1980 (22 U.S.C. 3929(d)(4));

13 (2) section 7(b) of the Inspector General Act of
14 1978 (5 U.S.C. app.);

15 (3) the Privacy Act of 1974 (5 U.S.C. 552a);

16 or

17 (4) the provisions of section 2302(b)(8) of title
18 5 (relating to whistleblower protection).

19 (d) EFFECTIVE DATE.—The amendments made by
20 this section shall apply to cases opened on or after the
21 date of the enactment of this Act.

1 **TITLE IV—EMBASSY SECURITY**
2 **AND COUNTERTERRORISM**
3 **MEASURES**

4 **SEC. 401. SHORT TITLE.**

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

7 **SEC. 402. FINDINGS.**

8 Congress makes the following findings:

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

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

24 (3) The bombs are believed to have been set by
25 individuals associated with Osama bin Laden, leader

1 of a known transnational terrorist organization. In
2 February 1998, bin Laden issued a directive to his
3 followers that called for attacks against United
4 States interests anywhere in the world.

5 (4) Following the bombings, additional threats
6 have been made against United States diplomatic fa-
7 cilities.

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

13 (6) The conclusions of the Crowe panels were
14 strikingly similar to those stated by the Commission
15 chaired by Admiral Bobby Ray Inman, which issued
16 an extensive embassy security report more than 14
17 years ago.

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

21 (A) The United States Government has de-
22 voted inadequate resources to security against
23 terrorist attacks.

24 (B) The United States Government places
25 too low a priority on security concerns.

1 (8) The result has been a failure to take ade-
2 quate steps to prevent tragedies such as the bomb-
3 ings in Kenya and Tanzania.

4 (9) The Crowe panels found that there was an
5 institutional failure on the part of the Department
6 of State to recognize threats posed by transnational
7 terrorism and vehicular bombs.

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

16 (11) Although service in the Foreign Service or
17 other United States Government positions abroad
18 can never be completely without risk, the United
19 States Government must take all reasonable steps to
20 minimize security risks.

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

22 In this title, the terms “United States diplomatic fa-
23 cility” and “diplomatic facility” mean any chancery, con-
24 sulate, or other office building used by a United States
25 diplomatic mission or consular post or by personnel of any

1 agency of the United States abroad, except that those
2 terms do not include any facility under the command of
3 a United States area military commander.

4 **SEC. 404. AUTHORIZATIONS OF APPROPRIATIONS.**

5 (a) ESTABLISHMENT OF ACCOUNT.—There is estab-
6 lished in the general fund of the Treasury of the United
7 States an appropriations account for the Department of
8 State which shall be known as the “Embassy Construction
9 and Security” account.

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

13 (1) the acquisition of United States diplomatic
14 facilities and, if necessary, any residences or other
15 structures located in close physical proximity to such
16 facilities, or

17 (2) the provision of major security enhance-
18 ments to United States diplomatic facilities,
19 necessary to bring the United States Government into
20 compliance with all requirements applicable to the security
21 of United States diplomatic facilities, including the rel-
22 evant requirements set forth in section 406.

23 (c) AUTHORIZATIONS OF APPROPRIATIONS.—

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

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

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

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

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

8 and

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

10 (2) AVAILABILITY OF AUTHORIZATIONS.—Au-
11 thorizations of appropriations under paragraph (1)
12 shall remain available until the appropriations are
13 made.

14 (3) AVAILABILITY OF FUNDS.—Amounts appro-
15 priated pursuant to paragraph (1) are authorized to
16 remain available until expended.

17 **SEC. 405. OBLIGATIONS AND EXPENDITURES.**

18 (a) REPORT AND PRIORITY OF OBLIGATIONS.—

19 (1) REPORT.—Not later than 90 days after the
20 date of enactment of this Act, and on February 1
21 of each year for 5 years thereafter, the Secretary of
22 State shall submit a classified report to the appro-
23 priate congressional committees identifying each dip-
24 lomatic facility that is a priority for replacement or
25 for any major security enhancement because of its

1 vulnerability to terrorist attack (by reason of the
2 terrorist threat and the current condition of the fa-
3 cility). The report shall list such facilities in groups
4 of 20. The groups shall be ranked in order from
5 most vulnerable to least vulnerable to such an at-
6 tack.

7 (2) PRIORITY ON USE OF FUNDS.—

8 (A) IN GENERAL.—Except as provided in
9 subparagraph (B), funds made available in the
10 “Embassy Construction and Security” account
11 for a particular project may be used only for
12 those facilities which are listed in the first four
13 groups described in paragraph (1).

14 (B) EXCEPTIONS.—Funds made available
15 in the “Embassy Construction and Security”
16 account may be used for facilities which are not
17 in the first four groups, if the Secretary of
18 State certifies to the appropriate congressional
19 committees that such use of the funds is in the
20 national interest of the United States.

21 (b) CONGRESSIONAL NOTIFICATION REQUIRED
22 PRIOR TO TRANSFER OF FUNDS.—Prior to the transfer
23 of funds from the “Embassy Construction and Security”
24 account to any other account, the Secretary of State shall
25 notify the appropriate congressional committees in accord-

1 ance with the procedures applicable to a reprogramming
2 of funds under section 34(a) of the State Department
3 Basic Authorities Act of 1956 (22 U.S.C. 2706(a)).

4 (c) SEMIANNUAL REPORTS ON ACQUISITION AND
5 MAJOR SECURITY UPGRADES.—On June 1 and December
6 1 of each year, the Secretary of State shall submit a report
7 to the appropriate congressional committees on the em-
8 bassy construction and security program authorized under
9 this title. The report shall include—

10 (1) obligations and expenditures—

11 (A) during the previous six months; and

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

14 (2) projected obligations and expenditures dur-
15 ing the four fiscal quarters following the submission
16 of the report, and how these obligations and expend-
17 itures will improve security conditions of specific
18 diplomatic facilities; and

19 (3) the status of ongoing acquisition and major
20 security enhancement projects, including any signifi-
21 cant changes in—

22 (A) the anticipated budgetary requirements
23 for such projects;

24 (B) the anticipated schedule of such
25 projects; and

1 (C) the anticipated scope of the projects.

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

3 **DIPLOMATIC FACILITIES.**

4 (a) IN GENERAL.—The following security require-
5 ments shall apply with respect to United States diplomatic
6 facilities:

7 (1) THREAT ASSESSMENTS.—

8 (A) EMERGENCY ACTION PLAN.—The
9 Emergency Action Plan (EAP) of each United
10 States mission shall address the threat of large
11 explosive attacks from vehicles and the safety of
12 employees during such an explosive attack.

13 (B) SECURITY ENVIRONMENT THREAT
14 LIST.—The Security Environment Threat List
15 shall contain a section that addresses potential
16 acts of international terrorism against United
17 States diplomatic facilities based on threat
18 identification criteria that emphasize the threat
19 of transnational terrorism and include the local
20 security environment, host government support,
21 and other relevant factors such as cultural re-
22 alities.

23 (2) SITE SELECTION.—

24 (A) IN GENERAL.—In selecting sites for
25 new United States diplomatic facilities abroad,

1 all personnel of United States Government
2 agencies except those under the command of a
3 United States area military commander shall be
4 located on the same compound.

5 (B) WAIVER.—

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

8 (I) the Secretary and the head of
9 each agency employing affected per-
10 sonnel determine and certify to the
11 appropriate congressional committees
12 that security so permits, and it is in
13 the national interest of the United
14 States to do so; and

15 (II) the Secretary provides the
16 appropriate congressional committees
17 in writing the reasons justifying the
18 determination under subclause (I).

19 (ii) AUTHORITY NOT DELEGABLE.—

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

22 (C) CONGRESSIONAL NOTIFICATION.—Any
23 waiver under this paragraph may be exercised
24 only on a date that is at least 15 days after no-
25 tification of the intention to waive this para-

1 graph has been provided to the appropriate con-
2 gressional committees.

3 (3) PERIMETER DISTANCE.—

4 (A) REQUIREMENT.—Each newly acquired
5 United States diplomatic facility shall be sited
6 not less than 100 feet from the perimeter of the
7 property on which the facility is to be situated.

8 (B) WAIVER.—

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

11 (I) the Secretary determines and
12 certifies to the appropriate congres-
13 sional committees that security so per-
14 mits, and it is in the national interest
15 of the United States to do so; and

16 (II) the Secretary provides the
17 appropriate congressional committees
18 in writing the reasons justifying the
19 determination under subclause (I).

20 (ii) AUTHORITY NOT DELEGABLE.—

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

23 (4) CRISIS MANAGEMENT TRAINING.—

24 (A) TRAINING OF HEADQUARTERS
25 STAFF.—The appropriate personnel of the De-

1 partment of State headquarters staff shall un-
2 dertake crisis management training for mass
3 casualty and mass destruction incidents relating
4 to diplomatic facilities for the purpose of bring-
5 ing about a rapid response to such incidents
6 from Department of State headquarters in
7 Washington, D.C.

8 (B) TRAINING OF PERSONNEL ABROAD.—

9 A program of appropriate instruction in crisis
10 management shall be provided to personnel at
11 United States diplomatic facilities abroad.

12 (5) STATE DEPARTMENT SUPPORT.—

13 (A) FOREIGN EMERGENCY SUPPORT
14 TEAM.—The Foreign Emergency Support Team
15 (FEST) of the Department of State shall re-
16 ceive sufficient support from the Department,
17 including—

18 (i) conducting routine training exer-
19 cises of the FEST;

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

22 (iii) providing personnel to assist in
23 activities such as security, medical relief,
24 public affairs, engineering, and building
25 safety; and

1 (iv) providing such additional support
2 as may be necessary to enable the FEST
3 to provide support in a post-crisis environ-
4 ment involving mass casualties and phys-
5 ical damage.

6 (B) FEST AIRCRAFT.—

7 (i) REPLACEMENT AIRCRAFT.—The
8 President shall develop a plan to replace
9 on a priority basis the current FEST air-
10 craft funded by the Department of Defense
11 with a dedicated, capable, and reliable re-
12 placement aircraft and backup aircraft, to
13 be operated and maintained by the Depart-
14 ment of Defense.

15 (ii) REPORT.—Not later than 60 days
16 after the date of enactment of this Act, the
17 President shall submit a report to the ap-
18 propriate congressional committees describ-
19 ing the aircraft selected pursuant to clause
20 (i) and the arrangements for the funding,
21 operation, and maintenance of that air-
22 craft.

23 (6) RAPID RESPONSE PROCEDURES.—The Sec-
24 retary of State shall enter into a memorandum of
25 understanding with the Secretary of Defense setting

1 out rapid response procedures for mobilization of
2 personnel and equipment of their respective depart-
3 ments to provide more effective assistance in times
4 of emergency with respect to United States diplo-
5 matic facilities.

6 (7) STORAGE OF EMERGENCY EQUIPMENT AND
7 RECORDS.—All United States diplomatic facilities
8 shall have emergency equipment and records re-
9 quired in case of an emergency situation stored at
10 an off-site facility.

11 (b) NATIONAL SECURITY WAIVER.—

12 (1) IN GENERAL.—The President may waive
13 the application of paragraph (2) or (3) of subsection
14 (a) with respect to a diplomatic facility, other than
15 a United States diplomatic mission or consular post
16 or a United States Agency for International Devel-
17 opment mission, if the President determines that—

18 (A) it is important to the national security
19 of the United States to so exempt that facility;
20 and

21 (B) all feasible steps are being taken, con-
22 sistent with the national security requirements
23 that require the waiver, to minimize the risk
24 and the possible consequences of a terrorist at-
25 tack involving that facility or its personnel.

1 (2) PERIODIC REPORTS.—

2 (A) IN GENERAL.—Not later than January
3 1, 2000, and every six months thereafter, the
4 President shall submit to the appropriate con-
5 gressional committees a classified report
6 describing—

7 (i) the waivers that have been exer-
8 cised under this subsection during the pre-
9 ceding six-month period or, in the case of
10 the initial report, during the period since
11 the date of enactment of this Act; and

12 (ii) the steps taken to maintain max-
13 imum feasible security at the facilities in-
14 volved.

15 (B) SPECIAL RULE.—Any waiver that, for
16 national security reasons, may not be described
17 in a report required by subparagraph (A) shall
18 be noted in that report and described in an ap-
19 pendix submitted to the congressional commit-
20 tees with direct oversight responsibility for the
21 facility.

22 (c) STATUTORY CONSTRUCTION.—Nothing in this
23 section alters or amends existing security requirements
24 not addressed by this section.

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

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

4 (b) REPORT.—

5 (1) IN GENERAL.—Not later than 120 days
6 after submission of the Overseas Presence Panel Re-
7 port, the Secretary of State shall submit a report to
8 Congress setting forth the results of the review con-
9 ducted under subsection (a).

10 (2) ELEMENTS OF THE REPORT.—The report
11 shall—

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

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

16 (ii) adequate security enhancements
17 cannot be provided to the facility;

18 (B) in the event that closure of a diplo-
19 matic facility is required, identify plans to pro-
20 vide secure premises for permanent use by the
21 United States diplomatic mission, whether in
22 country or in a regional United States diplo-
23 matic facility, or for temporary occupancy by
24 the mission in a facility pending acquisition of
25 new buildings;

1 (C) outline the potential for reduction or
2 transfer of personnel or closure of missions if
3 technology is adequately exploited for maximum
4 efficiencies;

5 (D) examine the possibility of creating re-
6 gional missions in certain parts of the world;

7 (E) in the case of diplomatic facilities that
8 are part of the Special Embassy Program, re-
9 port on the foreign policy objectives served by
10 retaining such missions, balancing the impor-
11 tance of these objectives against the well-being
12 of United States personnel; and

13 (F) examine the feasibility of opening new
14 regional outreach centers, modeled on the sys-
15 tem used by the United States Embassy in
16 Paris, France, with each center designed to
17 operate—

18 (i) at no additional cost to the United
19 States Government;

20 (ii) with staff consisting of one or two
21 Foreign Service officers currently assigned
22 to the United States diplomatic mission in
23 the country in which the center is located;
24 and

1 (iii) in a region of the country with
2 high gross domestic product (GDP), a high
3 density population, and a media market
4 that not only includes but extends beyond
5 the region.

6 **SEC. 408. ACCOUNTABILITY REVIEW BOARDS.**

7 Section 301 of the Omnibus Diplomatic Security and
8 Antiterrorism Act of 1986 (22 U.S.C. 4831) is amended
9 to read as follows:

10 **“SEC. 301. ACCOUNTABILITY REVIEW BOARDS.**

11 “(a) IN GENERAL.

12 “(1) CONVENING A BOARD.—Except as pro-
13 vided in paragraph (2), in any case of serious injury,
14 loss of life, or significant destruction of property at
15 or related to a United States Government mission
16 abroad, and in any case of a serious breach of secu-
17 rity involving intelligence activities of a foreign gov-
18 ernment directed at a United States Government
19 mission abroad, which is covered by the provisions of
20 titles I through IV (other than a facility or installa-
21 tion subject to the control of a United States area
22 military commander), the Secretary of State shall
23 convene an Accountability Review Board (in this
24 title referred to as the ‘Board’). The Secretary shall
25 not convene a Board where the Secretary determines

1 that a case clearly involves only causes unrelated to
2 security.

3 “(2) DEPARTMENT OF DEFENSE FACILITIES
4 AND PERSONNEL.—The Secretary of State is not re-
5 quired to convene a Board in the case of an incident
6 described in paragraph (1) that involves any facility,
7 installation, or personnel of the Department of De-
8 fense with respect to which the Secretary has dele-
9 gated operational control of overseas security func-
10 tions to the Secretary of Defense pursuant to section
11 106 of this Act. In any such case, the Secretary of
12 Defense shall conduct an appropriate inquiry. The
13 Secretary of Defense shall report the findings and
14 recommendations of such inquiry, and the action
15 taken with respect to such recommendations, to the
16 Secretary of State and Congress.

17 “(b) DEADLINES FOR CONVENING BOARDS.—

18 “(1) IN GENERAL.—Except as provided in para-
19 graph (2), the Secretary of State shall convene a
20 Board not later than 60 days after the occurrence
21 of an incident described in subsection (a)(1), except
22 that such 60-day period may be extended for two ad-
23 ditional 30-day periods if the Secretary determines
24 that the additional period or periods are necessary
25 for the convening of the Board.

1 “(2) DELAY IN CASES INVOLVING INTEL-
2 LIGENCE ACTIVITIES.—With respect to breaches of
3 security involving intelligence activities, the Sec-
4 retary of State may delay the establishment of a
5 Board if, after consultation with the chairman of the
6 Select Committee on Intelligence of the Senate and
7 the chairman of the Permanent Select Committee on
8 Intelligence of the House of Representatives, the
9 Secretary determines that doing so would com-
10 promise intelligence sources and methods. The Sec-
11 retary shall promptly advise the chairmen of such
12 committees of each determination pursuant to this
13 paragraph to delay the establishment of a Board.

14 “(c) NOTIFICATION TO CONGRESS.—Whenever the
15 Secretary of State convenes a Board, the Secretary shall
16 promptly inform the chairman of the Committee on For-
17 eign Relations of the Senate and the Speaker of the House
18 of Representatives—

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

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

21 “(3) of other appropriate information about the
22 Board.”.

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

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

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

6 “(a) **AUTHORITY TO AWARD.**—The President, upon
7 the recommendation of the Secretary, may award a For-
8 eign Service star to any member of the Foreign Service
9 or any other civilian employee of the Government of the
10 United States who, after August 1, 1998, while employed
11 at, or assigned permanently or temporarily to, an official
12 mission overseas or while traveling abroad on official busi-
13 ness, incurred a wound or other injury or an illness
14 (whether or not the wound, other injury, or illness resulted
15 in death) in a case described in subsection (b)—

16 “(1) as the person was performing official du-
17 ties;

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

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

22 “(b) **CASES RESULTING FROM UNLAWFUL CON-**
23 **DUCT.**—Cases covered by subsection (a) include cases of
24 wounds or other injuries incurred as a result of terrorist
25 or military action, civil unrest, or criminal activities di-

1 rected at any facility of the Government of the United
2 States.

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

7 “(d) AWARD IN THE EVENT OF DEATH.—If a person
8 selected for award of a Foreign Service star dies before
9 being presented the award, the award may be made and
10 the star presented to the person’s family or to the person’s
11 representative, as designated by the President.

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

15 “(f) FUNDING.—Any expenses incurred in awarding
16 a person a Foreign Service star may be paid out of appro-
17 priations available at the time of the award for personnel
18 of the department or agency of the United States Govern-
19 ment in which the person was employed when the person
20 incurred the wound, injury, or illness upon which the
21 award is based.”.

1 **TITLE V—UNITED STATES**
2 **INTERNATIONAL BROAD-**
3 **CASTING ACTIVITIES**

4 **SEC. 501. AUTHORIZATIONS OF APPROPRIATIONS.**

5 (a) IN GENERAL.—The following amounts are au-
6 thorized to be appropriated to carry out the United States
7 International Broadcasting Act of 1994, the Radio Broad-
8 casting to Cuba Act, and the Television Broadcasting to
9 Cuba Act, and to carry out other authorities in law con-
10 sistent with such purposes:

11 (1) INTERNATIONAL BROADCASTING ACTIVI-
12 TIES.—For “International Broadcasting Activities”,
13 \$408,979,000 for the fiscal year 2000, and
14 \$408,979,000 for the fiscal year 2001.

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

18 (3) BROADCASTING TO CUBA.—For “Broad-
19 casting to Cuba”, \$22,743,000 for the fiscal year
20 2000 and \$22,743,000 for the fiscal year 2001.

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

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

24 (1) by striking subsection (c);

1 (2) by redesignating subsections (d), (e), (f),
2 (g), (h), and (i) as subsections (c), (d), (e), (f), (g),
3 and (h), respectively;

4 (3) in subsection (c) (as redesignated by para-
5 graph (2))—

6 (A) in paragraph (1)—

7 (i) by striking “(A)”; and

8 (ii) by striking subparagraph (B);

9 (B) in paragraph (2), by striking “Sep-
10 tember 30, 1999” and inserting “September 30,
11 2005”;

12 (C) in paragraph (4), by striking
13 “\$22,000,000 in any fiscal year” and inserting
14 “\$28,000,000 in each of the fiscal years 2000
15 and 2001”;

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

17 (E) by redesignating paragraph (6) as
18 paragraph (5); and

19 (4) by amending subsection (f) (as redesignated
20 by paragraph (2)) to read as follows:

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

1 **SEC. 503. NOMINATION REQUIREMENTS FOR THE CHAIR-**
2 **MAN OF THE BROADCASTING BOARD OF GOV-**
3 **ERNORS.**

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

7 (1) by striking “designate” and inserting “ap-
8 point”; and

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

11 **TITLE VI—ARMS CONTROL, NON-**
12 **PROLIFERATION, AND NA-**
13 **TIONAL SECURITY**

14 **SEC. 601. SHORT TITLE.**

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

17 **SEC. 602. DEFINITIONS.**

18 In this title:

19 (1) ASSISTANT SECRETARY.—The term “Assist-
20 ant Secretary” means the position of Assistant Sec-
21 retary of State for Verification and Compliance des-
22 igned under section 612.

23 (2) CONVENTION ON NUCLEAR SAFETY.—The
24 term “Convention on Nuclear Safety” means the
25 Convention on Nuclear Safety, done at Vienna on

1 September 20, 1994 (Senate Treaty Document 104–
2 6).

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

6 (4) INTELLIGENCE COMMUNITY.—The term
7 “intelligence community” has the meaning given the
8 term in section 3(4) of the National Security Act of
9 1947 (50 U.S.C. 401a(4)).

10 (5) START TREATY OR TREATY.—The term
11 “START Treaty” or “Treaty” means the Treaty
12 With the Union of Soviet Socialist Republics on the
13 Reduction and Limitation of Strategic Offensive
14 Arms, including all agreed statements, annexes, pro-
15 tocols, and memoranda, signed at Moscow on July
16 31, 1991.

17 (6) START II TREATY.—The term “START II
18 Treaty” means the Treaty Between the United
19 States of America and the Russian Federation on
20 Further Reduction and Limitation of Strategic Of-
21 fensive Arms, and related protocols and memo-
22 randum of understanding, signed at Moscow on Jan-
23 uary 3, 1993.

24 (7) APPROPRIATE COMMITTEES OF CON-
25 GRESS.—The term “appropriate committees of Con-

1 gress” means the Committee on International Rela-
2 tions and the Permanent Select Committee on Intel-
3 ligence of the House of Representatives and the
4 Committee on Foreign Relations and the Select
5 Committee on Intelligence of the Senate.

6 **Subtitle A—Arms Control**

7 **CHAPTER 1—EFFECTIVE VERIFICATION** 8 **OF COMPLIANCE WITH ARMS CON-** 9 **TROL AGREEMENTS**

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

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

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

24 (c) **FUNDING.**—Of the total amount of funds author-
25 ized to be appropriated to the Department of State by this

1 Act for the fiscal years 2000 and 2001, \$5,000,000 is au-
2 thorized to be available for each such fiscal year to carry
3 out subsection (a).

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

7 **SEC. 612. ASSISTANT SECRETARY OF STATE FOR**
8 **VERIFICATION AND COMPLIANCE.**

9 (a) DESIGNATION OF POSITION.—The Secretary of
10 State shall designate one of the Assistant Secretaries of
11 State authorized by section 1(c)(1) of the State Depart-
12 ment Basic Authorities Act of 1956 (22 U.S.C.
13 2651a(c)(1)) as the Assistant Secretary of State for
14 Verification and Compliance. The Assistant Secretary
15 shall report to the Under Secretary of State for Arms Con-
16 trol and International Security.

17 (b) DIRECTIVE GOVERNING THE ASSISTANT SEC-
18 RETARY OF STATE.—

19 (1) IN GENERAL.—Not later than 30 days after
20 the date of enactment of this Act, the Secretary of
21 State shall issue a directive governing the position of
22 Assistant Secretary.

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

1 (A) the duties of the Assistant Secretary;

2 (B) the relationships between the Assistant
3 Secretary and other officials of the Department
4 of State;

5 (C) any delegation of authority from the
6 Secretary of State to the Assistant Secretary;
7 and

8 (D) such other matters as the Secretary
9 considers appropriate.

10 (c) DUTIES.—

11 (1) IN GENERAL.—The Assistant Secretary
12 shall have as his principal responsibility the overall
13 supervision (including oversight of policy and re-
14 sources) within the Department of State of all mat-
15 ters relating to verification and compliance with
16 international arms control, nonproliferation, and dis-
17 armament agreements or commitments.

18 (2) PARTICIPATION OF THE ASSISTANT SEC-
19 RETARY.—

20 (A) PRIMARY ROLE.—Except as provided
21 in subparagraphs (B) and (C), the Assistant
22 Secretary, or his designee, shall participate in
23 all interagency groups or organizations within
24 the executive branch of Government that assess,
25 analyze, or review United States planned or on-

1 going policies, programs, or actions that have a
2 direct bearing on verification or compliance
3 matters, including interagency intelligence com-
4 mittees concerned with the development or ex-
5 ploitation of measurement or signals intel-
6 ligence or other national technical means of
7 verification.

8 (B) REQUIREMENT FOR DESIGNATION.—

9 Subparagraph (A) shall not apply to groups or
10 organizations on which the Secretary of State
11 or the Undersecretary of State for Arms Con-
12 trol and International Security sits, unless such
13 official designates the Assistant Secretary to at-
14 tend in his stead.

15 (C) NATIONAL SECURITY LIMITATION.—

16 (i) The President may waive the pro-
17 visions of subparagraph (A) if inclusion of
18 the Assistant Secretary would not be in the
19 national security interests of the United
20 States.

21 (ii) With respect to an interagency
22 group or organization, or meeting thereof,
23 working with exceptionally sensitive infor-
24 mation contained in compartments under
25 the control of the Director of Central Intel-

1 ligence, the Secretary of Defense, or the
2 Secretary of Energy, such Director or Sec-
3 retary, as the case may be, may waive the
4 provision of subparagraph (A) if inclusion
5 of the Assistant Secretary would not be in
6 the national security interests of the
7 United States.

8 (iii) Any waiver of participation under
9 clause (i) or (ii) shall be transmitted in
10 writing to the appropriate committees of
11 Congress.

12 (3) RELATIONSHIP TO THE INTELLIGENCE
13 COMMUNITY.—The Assistant Secretary shall be the
14 principal policy community representative to the in-
15 telligence community on verification and compliance
16 matters.

17 (4) REPORTING RESPONSIBILITIES.—The As-
18 sistant Secretary shall have responsibility within the
19 Department of State for—

20 (A) all reports required pursuant to section
21 37 of the Arms Control and Disarmament Act
22 (22 U.S.C. 2577);

23 (B) so much of the report required under
24 paragraphs (5) through (10) of section 51(a) of
25 the Arms Control and Disarmament Act (22

1 U.S.C. 2593a(a)) as relates to verification or
2 compliance matters; and

3 (C) other reports being prepared by the
4 Department of State as of the date of enact-
5 ment of this Act relating to arms control, non-
6 proliferation, or disarmament verification or
7 compliance matters.

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

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

11 (1) by striking “and” at the end of paragraph
12 (6);

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

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

16 (A) “or commitments, including the Missile
17 Technology Control Regime,” after “agree-
18 ments” the first time it appears;

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

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

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

23 “(8) a specific identification, to the maximum
24 extent practicable in unclassified form, of each and
25 every question that exists with respect to compliance

1 by other countries with arms control, nonprolifera-
2 tion, and disarmament agreements with the United
3 States.”; and

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

6 “(d) Each report shall include a discussion of each
7 significant issue contained in a previous report issued dur-
8 ing 1995, or after December 31, 1995, pursuant to para-
9 graph (6), until the question or concern has been resolved
10 and such resolution has been reported to the appropriate
11 committees of Congress (as defined in section 601(7) of
12 the Foreign Relations Authorization Act, Fiscal Years
13 2000 and 2001) in detail.”.

14 **SEC. 614. REPORT ON START AND START II TREATIES MONI-**
15 **TORING ISSUES.**

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

20 (1) A comprehensive identification of all moni-
21 toring activities associated with the START and
22 START II treaties.

23 (2) The specific intelligence community assets
24 and capabilities, including analytical capabilities,
25 that the Senate was informed, prior to the Senate

1 giving its advice and consent to ratification of the
2 treaties, would be necessary to accomplish those ac-
3 tivities.

4 (3) An identification of the extent to which
5 those assets and capabilities have, or have not, been
6 attained or retained, and the corresponding effect
7 this has had upon United States monitoring con-
8 fidence levels.

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

13 (b) COMPARTMENTED ANNEX.—Exceptionally sen-
14 sitive, compartmented information in the report required
15 by this section may be provided in a compartmented annex
16 submitted to the Select Committee on Intelligence of the
17 Senate and the Permanent Select Committee on Intel-
18 ligence of the House of Representatives.

19 **SEC. 615. STANDARDS FOR VERIFICATION.**

20 (a) DEFINITIONS.—It is the sense of the Senate that
21 the following terms when used in publications of the
22 United States Government, or in oral representations by
23 officials of the United States Government, should have the
24 following meanings:

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

4 (A) The Director of Central Intelligence
5 has certified to the President that the intel-
6 ligence community has a high degree of con-
7 fidence, with respect to a particular treaty or
8 other agreement, in its ability to detect any
9 militarily significant violation of the treaty or
10 other agreement in a timely fashion, and to de-
11 tect patterns of marginal violation over time. In
12 determining the intelligence community’s con-
13 fidence, the Director should assume that all
14 measures of concealment could be employed and
15 that standard practices could be altered so as to
16 impede monitoring.

17 (B) The Secretaries of State and Defense
18 and the Chairman of the Joint Chiefs of Staff
19 have certified to the President that they have a
20 high degree of confidence, with respect to a par-
21 ticular treaty or other agreement, that the
22 United States will be able to reach a legal and
23 technical determination regarding any militarily
24 significant violation of the treaty or other
25 agreement in a timely fashion, and to reach

1 such a determination regarding patterns of
2 marginal violation, once detected. In deter-
3 mining the level of confidence under this sub-
4 paragraph, the Secretaries of State and Defense
5 and the Chairman of the Joint Chiefs of Staff
6 should assume that all measures of concealment
7 could be employed and that standard practices
8 could be altered so as to impede monitoring.

9 (2) MILITARILY SIGNIFICANT VIOLATION.—The
10 Chairman of the Joint Chiefs of Staff, in consulta-
11 tion with the Secretary of Defense, has sole respon-
12 sibility for determining with specificity, for purposes
13 of any treaty or other international agreement hav-
14 ing implications for the national security of the
15 United States, what constitutes a militarily signifi-
16 cant violation. In making such a determination, the
17 Chairman should give great weight to his judgment
18 that the violation could pose a threat to the national
19 security interests of the United States.

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

1 (b) CONFORMING AMENDMENTS.—Section 37(a) of
2 the Arms Control and Disarmament Act (22 U.S.C.
3 2577(a)) is amended—

4 (1) by striking “adequately”;

5 (2) by redesignating subsections (b), (c), and
6 (d) as subsections (c), (d), and (e); and

7 (3) by inserting after subsection (a) the fol-
8 lowing new subsection:

9 “(b) ASSESSMENTS UPON REQUEST.—Upon the re-
10 quest of the chairman or ranking minority member of the
11 Committee on Foreign Relations of the Senate or the
12 Committee on International Relations of the House of
13 Representatives, in case of an arms control, nonprolifera-
14 tion, or disarmament proposal—

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

17 “(2) presented to a foreign country by the
18 United States; or

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

21 the Secretary of State shall submit a report to the Com-
22 mittee on the degree to which elements of the proposal
23 are capable of being verified.”.

1 **SEC. 616. CONTRIBUTION TO THE ADVANCEMENT OF SEIS-**
2 **MOLOGY.**

3 The United States Government shall make available
4 to the public in real time, or as quickly as possible, all
5 raw seismological data provided to the United States Gov-
6 ernment by any international organization that is directly
7 responsible for seismological monitoring.

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

9 The United States National Authority (as designated
10 pursuant to section 101 of the Chemical Weapons Conven-
11 tion Implementation Act of 1998 (as contained in division
12 I of Public Law 105–277)) shall reimburse the Federal
13 Bureau of Investigation for all costs incurred by the Bu-
14 reau in connection with implementation of section
15 303(b)(2)(A) of that Act, except that such reimbursement
16 may not exceed \$1,000,000 in any fiscal year.

17 **SEC. 618. PRESERVATION OF THE START TREATY**
18 **VERIFICATION REGIME.**

19 (a) FINDINGS.—The Senate makes the following
20 findings:

21 (1) Paragraph 6 of Article XI of the START
22 Treaty states the following: “Each Party shall have
23 the right to conduct reentry vehicle inspections of
24 deployed ICBMs and SLBMs to confirm that such
25 ballistic missiles contain no more reentry vehicles
26 than the number of warheads attributed to them.”.

1 (2) Paragraph 1 of Section IX of the Inspections Protocol to the START Treaty states that
2 each Party “shall have the right to conduct a total
3 of ten reentry vehicle inspections each year”.

4 (3) Paragraph 4 of Section XVIII of the Inspections Protocol to the START Treaty states that
5 the Parties “shall, when possible, clarify ambiguities
6 regarding factual information contained in the inspection report” that each inspection team must provide
7 at the end of an inspection, pursuant to paragraph 1 of Section XVIII of that Protocol.
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12 (4) Paragraph 12 of Annex 3 to the Inspections Protocol to the START Treaty states that, once a
13 missile has been selected and prepared for reentry vehicle inspection, the inspectors shall be given “a
14 clear, unobstructed view of the front section [of the
15 missile], to ascertain that the front section contains
16 no more reentry vehicles than the number of warheads attributed to missiles of that type”.

17 (5) Paragraph 13 of Annex 3 to the Inspections Protocol to the START Treaty states the following:
18 “If a member of the in-country escort declares that
19 an object contained in the front section is not a reentry vehicle, the inspected Party shall demonstrate
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1 to the satisfaction of the inspectors that this object
2 is not a reentry vehicle.”.

3 (6) Section II of Annex 8 to the Inspections
4 Protocol to the START Treaty provides that radi-
5 ation detection equipment may be used during re-
6 entry vehicle inspections.

7 (7) Paragraph F.1 of Section VI of Annex 8 to
8 the Inspections Protocol to the START Treaty
9 states the following: “Radiation detection equipment
10 shall be used to measure nuclear radiation levels in
11 order to demonstrate that objects declared to be
12 non-nuclear are non-nuclear.”.

13 (8) While the use of radiation detection equip-
14 ment may help to determine whether an object that
15 “a member of the in-country escort declares..is not
16 a reentry vehicle” is a reentry vehicle with a nuclear
17 warhead, it cannot help to determine whether that
18 object is a reentry vehicle with a non-nuclear war-
19 head.

20 (9) Article XV of the START Treaty provides
21 for a Joint Compliance and Inspection Commission
22 that shall meet to “resolve questions relating to com-
23 pliance with the obligations assumed”.

24 (b) SENSE OF THE SENATE.—It is the sense of the
25 Senate that—

1 (1) the United States should assert and, to the
2 maximum extent possible, exercise the right for re-
3 entry vehicle inspectors to obtain a clear, unob-
4 structed view of the front section of a deployed SS-
5 18 ICBM selected for reentry vehicle inspection pur-
6 suant to paragraph 6 of Article XI of the START
7 Treaty;

8 (2) the United States should assert and, to the
9 maximum extent possible, obtain Russian compliance
10 with the obligation of the host Party, pursuant to
11 paragraph 13 of Annex 3 to the Inspections Protocol
12 to the START Treaty, to demonstrate to the satis-
13 faction of the inspectors that an object which is de-
14 clared not to be a reentry vehicle is not a reentry ve-
15 hicle;

16 (3) if a member of the in-country escort de-
17 clares that an object contained in the front section
18 of a deployed SS-18 ICBM selected for reentry vehi-
19 cle inspection pursuant to paragraph 6 of Article XI
20 of the START Treaty is not a reentry vehicle, but
21 the inspected Party does not demonstrate to the sat-
22 isfaction of the inspectors that this object is not a
23 reentry vehicle, the United States inspection team
24 should record this fact in the official inspection re-
25 port as an ambiguity and the United States should

1 raise this matter in the Joint Compliance and In-
2 spection Commission as a concern relating to compli-
3 ance of Russia with the obligations assumed under
4 the Treaty;

5 (4) the United States should not agree to any
6 arrangement whereby the use of radiation detection
7 equipment in a reentry vehicle inspection, or a com-
8 bination of the use of such equipment and Russian
9 assurances regarding SS-18 ICBMs, would suffice to
10 demonstrate to the satisfaction of the inspectors that
11 an object which is declared not to be a reentry vehi-
12 cle is not a reentry vehicle; and

13 (5) the United States should not agree to any
14 arrangement whereby the use of technical equipment
15 in a reentry vehicle inspection would suffice to dem-
16 onstrate to the satisfaction of the inspectors that an
17 object which is declared not to be a reentry vehicle
18 is not a reentry vehicle, unless the Director of Cen-
19 tral Intelligence, in consultation with the Secretaries
20 of State, Defense, and Energy, has determined that
21 such equipment can demonstrate to the satisfaction
22 of the inspectors that an object which is declared not
23 to be a reentry vehicle is not a reentry vehicle.

24 (c) START TREATY DEFINED.—In this section, the
25 term “START Treaty” means the Treaty With the Union

1 of Soviet Socialist Republics on the Reduction and Limita-
2 tion of Strategic Offensive Arms, including all agreed
3 statements, annexes, protocols, and memoranda, signed at
4 Moscow on July 31, 1991.

5 **CHAPTER 2—LANDMINE POLICY,**
6 **DEMINEING 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 **DEMINEING 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) FUNDING.—Of the total amount of funds author-
6 ized to be appropriated to the Department of State by this
7 Act for the fiscal years 2000 and 2001, \$5,000,000 is au-
8 thorized to be available for each such fiscal year to carry
9 out subsection (a).

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

14 **Subtitle B—Nuclear Nonprolifera-**
15 **tion, Safety, and Related Mat-**
16 **ters**

17 **SEC. 631. REPORTING BURDEN ON UNITED STATES NU-**
18 **CLEAR INDUSTRY.**

19 In carrying out any United States obligation under
20 the Convention on Nuclear Safety, no Executive agency
21 may impose any new reporting obligation upon any United
22 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) PROHIBITION.—Except as provided in subsection
14 (b), no assistance may be provided by the United States
15 Government to any person who is involved in the research,
16 development, design, testing, or evaluation of chemical or
17 biological weapons for offensive purposes.

18 (b) EXCEPTION.—The prohibition contained in sub-
19 section (a) shall not apply to any activity conducted to
20 title V of the National Security Act of 1947 (50 U.S.C.
21 413 et seq.).

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

23 (a) REPORT ON REDUCTION OF THE STOCKPILE.—
24 Not later than 120 days after signing an agreement be-
25 tween the United States and Russia for the disposition

1 of excess weapons plutonium, the Secretary of Energy,
2 with the concurrence of the Secretary of Defense, shall
3 submit a report to the Committee on Foreign Relations
4 and the Committee on Armed Services of the Senate and
5 to the Speaker of the House of Representatives—

6 (1) detailing plans for United States implemen-
7 tation of such agreement;

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

11 (3) describing any implications this may have
12 for the Stockpile Stewardship and Management Pro-
13 gram.

14 (b) SUBMISSION OF THE FABRICATION FACILITY
15 AGREEMENT PURSUANT TO LAW.—Whenever the Presi-
16 dent submits to Congress the agreement to establish a
17 mixed oxide fuel fabrication or production facility in Rus-
18 sia pursuant to section 123 of the Atomic Energy Act of
19 1954 (42 U.S.C. 2153), it is the sense of Congress that
20 the Secretary of State should be prepared to certify to the
21 Committee on Foreign Relations of the Senate and the
22 Committee on International Relations of the House Rep-
23 resentatives that—

24 (1) arrangements for the establishment of that
25 facility will further United States nuclear non-pro-

1 proliferation objectives and will outweigh the prolifera-
2 tion risks inherent in the use of mixed oxide fuel ele-
3 ments;

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

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

20 (c) DEFINITIONS.—

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

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

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

9 **SEC. 637. STATUS OF HONG KONG AND MACAO IN UNITED**
10 **STATES EXPORT LAW.**

11 (a) PRELICENSE VERIFICATION.—Notwithstanding
12 any other provision of law and except as provided in sub-
13 sections (e) and (f), no license may be approved for the
14 export to Hong Kong or Macao, as the case may be, of
15 any item described in subsection (d) unless appropriate
16 United States officials are provided the right and ability
17 to conduct prelicense verification, in such manner as the
18 United States considers appropriate, of the validity of the
19 stated end-user, and the validity of the stated end-use, as
20 specified on the license application.

21 (b) POST-SHIPMENT VERIFICATION.—Notwith-
22 standing any other provision of law and except as provided
23 in subsections (e) and (f), in the event that appropriate
24 United States officials are denied the ability to conduct
25 post-shipment verification, in such manner as the United

1 States considers appropriate, of the location and end-use
2 of any item under their jurisdiction that has been exported
3 from the United States to Hong Kong or Macao, then
4 Hong Kong or Macao, as the case may be, shall thereafter
5 be treated in the same manner as the People's Republic
6 of China for the purpose of any export of any item de-
7 scribed in subsection (d).

8 (c) WAIVER AUTHORITY.—The Secretary of State,
9 with respect to any item defined in subsection (d)(1), or
10 the Secretary of Commerce, with respect to any item de-
11 fined in subsection (d)(2), may waive or remove the im-
12 position of the requirements imposed by subsections (a) and
13 (b) upon a written finding, which shall be transmitted to
14 the Committee on Foreign Relations of the Senate and
15 the Committee on International Relations of the House
16 of Representatives, that—

17 (1) the case that warranted the imposition of
18 such requirements has been settled to the satisfac-
19 tion of the United States; or

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

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

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

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

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

9 (f) EXCEPTION.—The provisions of this section do
10 not apply to any activity subject to reporting under title
11 V of the National Security Act of 1947 (50 U.S.C. 413
12 et seq.).

13 **Subtitle C—Miscellaneous** 14 **Provisions**

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

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

22 **SEC. 643. REFORM OF THE DIPLOMATIC TELECOMMUNI-**
23 **CATIONS SERVICE PROGRAM OFFICE.**

24 (a) ADDITIONAL RESOURCES.—In addition to other
25 amounts authorized to be appropriated for the purposes
26 of the Diplomatic Telecommunications Service Program

1 Office (DTS-PO), of the amounts made available to the
2 Department of State under section 101(a)(2),
3 \$18,000,000 shall be made available only to the DTS-PO
4 for enhancement of Diplomatic Telecommunications Serv-
5 ice capabilities.

6 (b) IMPROVEMENT OF DTS-PO.—In order for the
7 DTS-PO to better manage a fully integrated telecommuni-
8 cations network to service all agencies at diplomatic mis-
9 sions and consular posts, the DTS-PO shall—

10 (1) ensure that those enhancements of, and the
11 provision of service for, telecommunication capabili-
12 ties that involve the national security interests of the
13 United States receive the highest prioritization;

14 (2) not later than December 31, 1999, termi-
15 nate all leases for satellite systems located at posts
16 in criteria countries, unless all maintenance and
17 servicing of the satellite system is undertaken by
18 United States citizens who have received appropriate
19 security clearances;

20 (3) institute a system of charges for utilization
21 of bandwidth by each agency beginning October 1,
22 2000, and institute a comprehensive chargeback sys-
23 tem to recover all, or substantially all, of the other
24 costs of telecommunications services provided

1 through the Diplomatic Telecommunications Service
2 to each agency beginning October 1, 2001;

3 (4) ensure that all DTS-PO policies and proce-
4 dures comply with applicable policies established by
5 the Overseas Security Policy Board; and

6 (5) maintain the allocation of the positions of
7 Director and Deputy Director of DTS-PO as those
8 positions were assigned as of June 1, 1999, which
9 assignments shall pertain through fiscal year 2001,
10 at which time such assignments shall be adjusted in
11 the customary manner.

12 (c) REPORT ON IMPROVING MANAGEMENT.—Not
13 later than March 31, 2000, the Director and Deputy Di-
14 rector of DTS-PO shall jointly submit to the appropriate
15 committees of Congress the Director's plan for improving
16 network architecture, engineering, operations monitoring
17 and control, service metrics reporting, and service provi-
18 sioning, so as to achieve highly secure, reliable, and robust
19 communications capabilities that meet the needs of both
20 national security agencies and other United States agen-
21 cies with overseas personnel.

22 (d) FUNDING OF DTS-PO.—Funds appropriated for
23 allocation to DTS-PO shall be made available only for
24 DTS-PO until a comprehensive chargeback system is in
25 place.

1 **SEC. 644. SENSE OF CONGRESS ON FACTORS FOR CONSID-**
2 **ERATION IN NEGOTIATIONS WITH THE RUS-**
3 **SIAN FEDERATION ON REDUCTIONS IN STRA-**
4 **TEGIC NUCLEAR FORCES.**

5 It is the sense of Congress that, in negotiating a
6 START III Treaty with the Russian Federation, or any
7 other arms control treaty with the Russian Federation
8 making comparable amounts of reductions in United
9 States strategic nuclear forces—

10 (1) the strategic nuclear forces and nuclear
11 modernization programs of the People's Republic of
12 China and every other nation possessing nuclear
13 weapons should be taken into full consideration in
14 the negotiation of such treaty; and

15 (2) such programs should not undermine the
16 limitations set forth in the treaty.

17 **SEC. 645. CLARIFICATION OF EXCEPTION TO NATIONAL SE-**
18 **CURITY CONTROLS ON SATELLITE EXPORT**
19 **LICENSING.**

20 Section 1514(b) of Public Law 105–261 is amended
21 by striking all that follows after “EXCEPTION.—” and in-
22 serting the following: “Subsections (a)(2), (a)(4), and
23 (a)(8) shall not apply to the export of a satellite or sat-
24 ellite-related items for launch in, or by nationals of, a
25 country that is a member of the North Atlantic Treaty
26 Organization (NATO) or that is a major non-NATO ally

1 (as defined in section 644(q) of the Foreign Assistance
2 Act of 1961 (22 U.S.C. 2403(q)) of the United States un-
3 less, in each instance of a proposed export of such item,
4 the Secretary of State, in consultation with the Secretary
5 of Defense, first provides a written determination to the
6 Committee on Foreign Relations of the Senate and the
7 Committee on International Relations of the House of
8 Representatives that it is in the national security or for-
9 eign policy interests of the United States to apply the ex-
10 port controls required under such subsections.”.

11 **SEC. 646. STUDY ON LICENSING PROCESS UNDER THE**
12 **ARMS EXPORT CONTROL ACT.**

13 Not later than 120 days after the date of enactment
14 of this Act, the Secretary of State shall submit to the
15 chairman of the Committee on Foreign Relations of the
16 Senate and the chairman of the Committee on Inter-
17 national Relations of the House of Representatives a study
18 on the performance of the licensing process pursuant to
19 the Arms Export Control Act, with recommendations on
20 how to improve that performance. The study shall include:

21 (1) An analysis of the typology of licenses on
22 which action was completed in 1999. The analysis
23 should provide information on major categories of li-
24 cense requests, including—

1 (A) the number for nonautomatic small
2 arms, automatic small arms, technical data,
3 parts and components, and other weapons;

4 (B) the percentage of each category staffed
5 to other agencies;

6 (C) the average and median time taken for
7 the processing cycle for each category when
8 staffed and not staffed;

9 (D) the average time taken by White
10 House or National Security Council review or
11 scrutiny; and

12 (E) the average time each spent at the De-
13 partment of State after a decision had been
14 taken on the license but before a contractor was
15 notified of the decision. For each category the
16 study should provide a breakdown of licenses by
17 country. The analysis also should identify each
18 country that has been identified in the past
19 three years pursuant to section 3(e) of the
20 Arms Export Control Act (22 U.S.C. 2753(e)).

21 (2) A review of the current computer capabili-
22 ties of the Department of State relevant to the proc-
23 essing of licenses and its ability to communicate
24 electronically with other agencies and contractors,
25 and what improvements could be made that would

1 speed the process, including the cost for such im-
2 provements.

3 (3) An analysis of the work load and salary
4 structure for export licensing officers of the Office of
5 Defense Trade Control of the Department of State
6 as compared to comparable jobs at the Department
7 of Commerce and the Department of Defense.

8 (4) Any suggestions of the Department of State
9 relating to resources and regulations, and any rel-
10 evant statutory changes that might expedite the li-
11 censing process while furthering the objectives of the
12 Arms Export Control Act.

13 **TITLE VII—MISCELLANEOUS**
14 **PROVISIONS**

15 **Subtitle A—People’s Republic of**
16 **China**

17 **SEC. 701. FINDINGS.**

18 Congress makes the following findings:

19 (1) Congress concurs in the conclusions of the
20 Department of State, as set forth in the Country
21 Reports on Human Rights Practices for 1998, on
22 human rights in the People’s Republic of China in
23 1998 as follows:

24 (A) “The People’s Republic of China
25 (PRC) is an authoritarian state in which the

1 Chinese Communist Party (CCP) is the para-
2 mount source of power. . . . Citizens lack both
3 the freedom peacefully to express opposition to
4 the party-led political system and the right to
5 change their national leaders or form of govern-
6 ment.”.

7 (B) “The Government continued to commit
8 widespread and well-documented human rights
9 abuses, in violation of internationally accepted
10 norms. These abuses stemmed from the au-
11 thorities’ very limited tolerance of public dissent
12 aimed at the Government, fear of unrest, and
13 the limited scope or inadequate implementation
14 of laws protecting basic freedoms.”.

15 (C) “Abuses included instances of
16 extrajudicial killings, torture and mistreatment
17 of prisoners, forced confessions, arbitrary arrest
18 and detention, lengthy incommunicado deten-
19 tion, and denial of due process.”.

20 (D) “Prison conditions at most facilities
21 remained harsh. . . . The Government in-
22 fringed on citizens’ privacy rights. The Govern-
23 ment continued restrictions on freedom of
24 speech and of the press, and tightened these to-
25 ward the end of the year. The Government se-

1 verely restricted freedom of assembly, and con-
2 tinued to restrict freedom of association, reli-
3 gion, and movement.”.

4 (E) “Discrimination against women, mi-
5 norities, and the disabled; violence against
6 women, including coercive family planning prac-
7 tices—which sometimes include forced abortion
8 and forced sterilization; prostitution, trafficking
9 in women and children, and the abuse of chil-
10 dren all are problems.”.

11 (F) “The Government continued to restrict
12 tightly worker rights, and forced labor remains
13 a problem.”.

14 (G) “Serious human rights abuses per-
15 sisted in minority areas, including Tibet and
16 Xinjiang, where restrictions on religion and
17 other fundamental freedoms intensified.”.

18 (H) “Unapproved religious groups, includ-
19 ing Protestant and Catholic groups, continued
20 to experience varying degrees of official inter-
21 ference and repression.”.

22 (I) “Although the Government denies that
23 it holds political or religious prisoners, and ar-
24 gues that all those in prison are legitimately
25 serving sentences for crimes under the law, an

1 unknown number of persons, estimated at sev-
2 eral thousand, are detained in violation of inter-
3 national human rights instruments for peace-
4 fully expressing their political, religious, or so-
5 cial views.”.

6 (2) In addition to the State Department, cred-
7 ible press reports and human rights organizations
8 have documented an intense crackdown on political
9 activists by the Government of the People’s Republic
10 of China, involving the harassment, detainment, ar-
11 rest, and imprisonment of dozens of activists.

12 (3) The People’s Republic of China, as a mem-
13 ber of the United Nations, is expected to abide by
14 the provisions of the Universal Declaration of
15 Human Rights.

16 (4) The People’s Republic of China is a party
17 to numerous international human rights conventions,
18 including the Convention Against Torture and Other
19 Cruel, Inhuman or Degrading Treatment or Punish-
20 ment, and is a signatory to the International Cov-
21 enant on Civil and Political Rights and the Covenant
22 on Economic, Social, and Cultural Rights.

1 **SEC. 702. FUNDING FOR ADDITIONAL PERSONNEL AT DIP-**
2 **LOMATIC POSTS TO REPORT ON POLITICAL,**
3 **ECONOMIC, AND HUMAN RIGHTS MATTERS IN**
4 **THE PEOPLE'S REPUBLIC OF CHINA.**

5 Of the amounts authorized to be appropriated for the
6 Department of State by this Act, \$2,200,000 for fiscal
7 year 2000 and \$2,200,000 for fiscal year 2001 shall be
8 made available only to support additional personnel in the
9 United States Embassies in Beijing and Kathmandu, as
10 well as the American consulates in Guangzhou, Shanghai,
11 Shenyang, Chengdu, and Hong Kong, in order to monitor
12 political and economic conditions, including in particular
13 respect for internationally recognized human rights, in the
14 People's Republic of China.

15 **SEC. 703. PRISONER INFORMATION REGISTRY FOR THE**
16 **PEOPLE'S REPUBLIC OF CHINA.**

17 (a) **REQUIREMENT.**—The Secretary of State shall es-
18 tablish and maintain a registry which shall, to the extent
19 practicable, provide information on all political prisoners,
20 prisoners of conscience, and prisoners of faith in the Peo-
21 ple's Republic of China. The registry shall be known as
22 the "Prisoner Information Registry for the People's Re-
23 public of China".

24 (b) **INFORMATION IN REGISTRY.**—The registry re-
25 quired by subsection (a) shall include information on the
26 charges, judicial processes, administrative actions, uses of

1 forced labor, incidents of torture, lengths of imprisonment,
2 physical and health conditions, and other matters associ-
3 ated with the incarceration of prisoners in the People's
4 Republic of China referred to in that subsection.

5 (c) AVAILABILITY OF FUNDS.—The Secretary may
6 make funds available to nongovernmental organizations
7 currently engaged in monitoring activities regarding polit-
8 ical prisoners in the People's Republic of China in order
9 to assist in the establishment and maintenance of the reg-
10 istry required by subsection (a).

11 **SEC. 704. REPORT REGARDING ESTABLISHMENT OF ORGA-**
12 **NIZATION FOR SECURITY AND COOPERATION**
13 **IN ASIA.**

14 Not later than 180 days after the date of enactment
15 of this Act, the Secretary of State shall submit to the ap-
16 propriate congressional committees a report assessing the
17 feasibility and utility of establishing an Organization for
18 Security and Cooperation in Asia which would be modeled
19 after the Organization for Security and Cooperation in
20 Europe.

21 **SEC. 705. SENSE OF CONGRESS REGARDING ORGAN HAR-**
22 **VESTING AND TRANSPLANTING IN THE PEO-**
23 **PLE'S REPUBLIC OF CHINA.**

24 It is the sense of Congress that—

1 (1) the Government of the People’s Republic of
2 China should stop the practice of harvesting and
3 transplanting organs for profit from prisoners that
4 it executes;

5 (2) the Government of the People’s Republic of
6 China should be strongly condemned for such organ
7 harvesting and transplanting practice;

8 (3) the President should bar from entry into
9 the United States any and all officials of the Gov-
10 ernment of the People’s Republic of China known to
11 be directly involved in such organ harvesting and
12 transplanting practice;

13 (4) individuals subject to the jurisdiction of the
14 United States who are determined to be partici-
15 pating in or otherwise facilitating the sale of organs
16 harvested should be prosecuted to the fullest possible
17 extent of the law; and

18 (5) the appropriate officials in the United
19 States should interview individuals, including doc-
20 tors, who may have knowledge of such organ har-
21 vesting and transplanting practice.

1 **Subtitle B—Other Matters**

2 **SEC. 721. DENIAL OF ENTRY INTO UNITED STATES OF FOR-**
3 **EIGN NATIONALS ENGAGED IN ESTABLISH-**
4 **MENT OR ENFORCEMENT OF FORCED ABOR-**
5 **TION OR STERILIZATION POLICY.**

6 (a) DENIAL OF ENTRY.—Notwithstanding any other
7 provision of law, the Secretary of State may not issue any
8 visa to, and the Attorney General may not admit to the
9 United States, any foreign national whom the Secretary
10 finds, based on credible and specific information, to have
11 been directly involved in the establishment or enforcement
12 of population control policies forcing a woman to undergo
13 an abortion against her free choice or forcing a man or
14 woman to undergo sterilization against his or her free
15 choice.

16 (b) EXCEPTIONS.—The prohibitions in subsection (a)
17 shall not apply in the case of a foreign national who is
18 a head of state, head of government, or cabinet level min-
19 ister.

20 (c) WAIVER.—The President may waive the prohibi-
21 tions in subsection (a) with respect to a foreign national
22 if the President—

23 (1) determines that it is important to the na-
24 tional interest of the United States to do so; and

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

4 **SEC. 722. SEMIANNUAL REPORTS ON UNITED STATES SUP-**
5 **PORT FOR MEMBERSHIP OR PARTICIPATION**
6 **OF TAIWAN IN INTERNATIONAL ORGANIZA-**
7 **TIONS.**

8 (a) **REPORTS REQUIRED.**—Not later than 60 days
9 after the date of enactment of this Act, and every 6
10 months thereafter, the Secretary of State shall submit to
11 Congress a report on the status of efforts by the United
12 States Government to support—

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

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

19 (b) **REPORT ELEMENTS.**—Each report under sub-
20 section (a) shall—

21 (1) set forth a comprehensive list of the inter-
22 national organizations in which the United States
23 Government supports the membership or participa-
24 tion of Taiwan;

1 (2) describe in detail the efforts of the United
2 States Government to achieve the membership or
3 participation of Taiwan in each organization listed;
4 and

5 (3) identify the obstacles to the membership or
6 participation of Taiwan in each organization listed,
7 including a list of any governments that do not sup-
8 port the membership or participation of Taiwan in
9 each such organization.

10 **SEC. 723. CONGRESSIONAL POLICY REGARDING UNITED**
11 **NATIONS GENERAL ASSEMBLY RESOLUTION**
12 **ES-10/6.**

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

15 (1) In an emergency special session the United
16 Nations General Assembly voted on February 9,
17 1999, to adopt Resolution ES-10/6, entitled “Illegal
18 Israeli Actions in Occupied East Jerusalem And The
19 Rest Of The Occupied Palestinian Territory”, to
20 convene for the first time in 50 years the parties to
21 the Fourth Geneva Convention for the Protection of
22 Civilians in Time of War.

23 (2) That resolution unfairly places full blame
24 for the deterioration of the peace process in the Mid-
25 dle East on Israel and dangerously politicizes the

1 Geneva Convention, which was established to ad-
2 dress critical humanitarian crises.

3 (3) The adoption of that resolution is intended
4 to prejudice direct negotiations in the peace process
5 in the Middle East, put additional and undue pres-
6 sure on Israel to influence the results of such nego-
7 tiations, and single out Israel for unprecedented en-
8 forcement proceedings which have never been in-
9 voked, even against governments with records of
10 massive violations of the Geneva Convention.

11 (b) STATEMENT OF POLICY.—Congress—

12 (1) commends the Department of State for the
13 vote of the United States against United Nations
14 General Assembly Resolution ES-10/6, thereby af-
15 firming that the text of the resolution politicizes the
16 Fourth Geneva Convention, which is primarily hu-
17 manitarian in nature; and

18 (2) urges the Department of State to continue
19 its efforts against convening the conference specified
20 in the resolution.

21 **SEC. 724. WAIVER OF CERTAIN PROHIBITIONS REGARDING**
22 **THE PALESTINE LIBERATION ORGANIZATION.**

23 (a) AUTHORITY TO WAIVE.—The President may
24 waive any prohibition set forth in section 1003 of the For-
25 eign Relations Authorization Act, Fiscal Years 1988 and

1 1989 (Public Law 100–204; 101 Stat. 1407; 22 U.S.C.
2 5202) if the President determines and so certifies to the
3 appropriate congressional committees that—

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

6 (2) after the date of the enactment of this Act,
7 neither the Palestine Liberation Organization, the
8 Palestinian Authority, the Palestinian Legislative
9 Council, nor any Palestinian governing body with ju-
10 risdiction over territories controlled by the Pales-
11 tinian Authority has made a declaration of statehood
12 outside the framework of negotiations with the State
13 Israel.

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

17 **SEC. 725. UNITED STATES POLICY REGARDING JERUSALEM**
18 **AS THE CAPITAL OF ISRAEL.**

19 (a) CONSTRUCTION OF UNITED STATES EMBASSY IN
20 JERUSALEM.—Of the amounts authorized to be appro-
21 priated by section 101(a)(3) of this Act for “Security and
22 Maintenance of United States Missions”, \$50,000,000 for
23 the fiscal year 2000 and \$50,000,000 for the fiscal year
24 2001 may be available for the construction of a United
25 States embassy in Jerusalem, Israel.

1 (b) LIMITATION ON USE OF FUNDS FOR CONSULATE
2 IN JERUSALEM.—None of the funds authorized to be ap-
3 propriated by this Act should be obligated or expended for
4 the operation of a United States consulate or diplomatic
5 facility in Jerusalem unless such consulate or diplomatic
6 facility is under the supervision of the United States Am-
7 bassador to Israel.

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

14 (d) RECORD OF PLACE OF BIRTH AS ISRAEL FOR
15 PASSPORT PURPOSES.—For purposes of the registration
16 of birth, certification of nationality, or issuance of a pass-
17 port of a United States citizen born in the city of Jeru-
18 salem, the Secretary of State shall, upon the request of
19 the citizen, record the place of birth as Israel.

20 **SEC. 726. UNITED STATES POLICY WITH RESPECT TO NIGE-**
21 **RIA.**

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

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

4 (2) Millions of Nigerians participated in four
5 rounds of multiparty elections as part of a transition
6 program that will culminate in the inauguration of
7 a civilian president, members of the National Assem-
8 bly, governors, and local leaders on May 29, 1999.
9 Although turnout in each of the four rounds was
10 lower than expected, a clear majority of Nigerians
11 demonstrated their support for a swift and orderly
12 transition to democratic civilian rule through partici-
13 pation in the elections or through other means.

14 (3) Nevertheless, continued rule by successive
15 military regimes in Nigeria has harmed the lives of
16 the people of Nigeria, undermined confidence in the
17 Nigerian economy, damaged relations between Nige-
18 ria and the United States, and threatened the polit-
19 ical and economic stability of West Africa.

20 (4) Although the current military regime, under
21 the leadership of General Abdusalami Abubakar, has
22 made significant progress in liberalizing the political
23 environment in Nigeria, including increased respect
24 for freedom of assembly, expression, and association,
25 numerous decrees are still in force that suspend the

1 constitutional protection of fundamental human
2 rights, allow indefinite detention without charge, and
3 revoke the jurisdiction of civilian courts over execu-
4 tive actions.

5 (5) Despite the optimism expressed by many
6 observers about the progress that has been made in
7 Nigeria, the country's recent history raises serious
8 questions about the potential success of the transi-
9 tion program. In particular, events in the Niger
10 Delta in early 1999 underscore the critical need for
11 ongoing monitoring of the situation and indicate
12 that a return by the Government of Nigeria to re-
13 pressive methods remains a possibility.

14 (b) DECLARATION OF POLICY.—Congress declares
15 that the United States—

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

19 (2) encourages the incoming civilian govern-
20 ment in Nigeria to make the political, economic, and
21 legal reforms necessary to ensure the rule of law and
22 respect for human rights in Nigeria, including estab-
23 lishing effective democratic institutions, integrating
24 the military into democratic society, and creating
25 mechanisms for transparency and accountability.

1 **SEC. 727. PARTIAL LIQUIDATION OF BLOCKED LIBYAN AS-**
2 **SETS.**

3 (a) LIQUIDATION OF CERTAIN BLOCKED LIBYAN AS-
4 SETS.—The President shall vest and liquidate so much of
5 blocked Libyan assets, ordered pursuant to Executive
6 Order No. 12544 (January 8, 1986), as is necessary to
7 pay for the reasonable costs of travel to and from The
8 Hague, Netherlands, by immediate family members of
9 United States citizens who were victims of the crash of
10 Pan American flight 103 in 1988 and wish to attend the
11 trial of those individuals suspected of terrorist acts caus-
12 ing the crash.

13 (b) DEFINITIONS.—In this section—

14 (1) BLOCKED LIBYAN ASSETS.—The term
15 “blocked Libyan assets” refers to property and in-
16 terests of the Government of Libya, its agencies, in-
17 strumentalities, and controlled entities and the Bank
18 of Libya, blocked pursuant to Executive Order No.
19 12544 (January 8, 1986).

20 (2) IMMEDIATE FAMILY MEMBERS.—The term
21 “immediate family member” means parents, siblings,
22 children, spouse, or a person who stood in loco
23 parentis or to whom he or she stood in loco parentis,
24 of a crash victim.

1 **SEC. 728. SUPPORT FOR REFUGEES FROM RUSSIA WHO**
2 **CHOOSE TO RESETTLE IN ISRAEL.**

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

5 (1) The Russian Jewish community is the third
6 largest Jewish community in the world.

7 (2) Anti-Semitic rhetoric from members of the
8 Duma of the Russian Federation has increased dur-
9 ing the past year.

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

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

15 (1) the United States should support members
16 of Russia's Jewish community; and

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

20 **SEC. 729. SENSE OF CONGRESS REGARDING EXTRADITION**
21 **OF LT. GENERAL IGOR GIORGADZE.**

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

24 (1) On Tuesday, August 29, 1995, President
25 Eduard Shevardnadze of Georgia was the victim of
26 an attempted assassination plot as he was departing

1 his offices in the Georgian Parliament building to
2 attend the signing ceremony for a new Georgian con-
3 stitution.

4 (2) Former Chief of the Georgian National Se-
5 curity Service, Lt. General Igor Giorgadze, has been
6 implicated in organizing the August 29, 1995 car
7 bomb attack on President Shevardnadze, and alleg-
8 edly fled from the Varziani air base, one of Russia's
9 four military bases in Georgia at that time, and the
10 same Russian base on which three Georgia aircraft
11 SU 25's were sabotaged, preventing them from per-
12 forming fighter escort duty for President
13 Shevardnadze's aircraft.

14 (3) Lt. General Igor Giorgadze has subse-
15 quently been seen walking freely on the streets of
16 Moscow as well as living and utilizing facilities of
17 the Government of Russia.

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

21 (5) In the aftermath of the attack on President
22 Shevardnadze, and regularly since that time, the
23 Government of Georgia has made repeated requests
24 for the extradition of Lt. General Igor Giorgadze to
25 Tbilisi, Georgia.

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

3 (7) The Georgian Security and Interior Min-
4 istries on repeated occasions have provided to the
5 Russian Interior Ministry—

6 (A) the exact locations in Russia where
7 Giorgadze could be found, including the exact
8 location in Moscow where Giorgadze's family
9 lived;

10 (B) the exact location where Giorgadze
11 himself stayed outside of Moscow in a dacha of
12 the Russian Ministry of Defense;

13 (C) people he associates with;

14 (D) apartments he visits; and

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

17 (8) Russian newspapers regularly carry inter-
18 views with Giorgadze in which Giorgadze calls for a
19 change in regime in Tbilisi.

20 (9) Giorgadze is actively engaged in a propa-
21 ganda campaign against President Shevardnadze
22 and the democratic forces in Georgia, with the as-
23 sistance of his father who is the Communist Party
24 chief in Georgia.

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

3 (b) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the President and other senior United States
5 Government officials should raise at each bilateral meeting
6 between officials of the United States Government and of-
7 ficials of the Russian Federation the issue of the extra-
8 dition of Lt. General Igor Giorgadze to Georgia.

9 **SEC. 730. SENSE OF CONGRESS ON THE USE OF CHILDREN**
10 **AS SOLDIERS OR OTHER COMBATANTS IN**
11 **FOREIGN ARMED FORCES.**

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

14 (1) There are at least 300,000 children who are
15 involved in armed conflict in at least 25 countries
16 around the world. This is an escalating international
17 humanitarian crisis which must be addressed
18 promptly.

19 (2) Children are uniquely vulnerable to military
20 recruitment because of their emotional and physical
21 immaturity, are easily manipulated, and can be
22 drawn into violence that they are too young to resist
23 or understand.

24 (3) Children are most likely to become child sol-
25 diers if they are orphans, refugees, poor, separated

1 from their families, displaced from their homes, liv-
2 ing in a combat zone, or have limited access to edu-
3 cation.

4 (4) Child soldiers, besides being exposed to the
5 normal hazards of combat, are also afflicted with
6 other injuries due to their lives in the military.
7 Young children may have sexually related illnesses,
8 suffer from malnutrition, have deformed backs and
9 shoulders which are the result of carrying loads too
10 heavy for them, as well as respiratory and skin in-
11 fections.

12 (5) One of the most egregious examples of the
13 use of child soldiers is the abduction thousands of
14 children, some as young as 8 years of age, by the
15 Lord's Resistance Army (in this section referred to
16 as the "LRA") in northern Uganda.

17 (6) The Department of State's Country Reports
18 on Human Rights Practices For 1999 reports that
19 in Uganda the LRA abducted children "to be gue-
20 rillas and tortured them by beating them, raping
21 them, forcing them to march until collapse, and de-
22 denying them adequate food, water, or shelter".

23 (7) Children who manage to escape from LRA
24 captivity have little access to trauma care and reha-
25 bilitation programs, and many find their families

1 displaced, missing, dead, or fearful of having their
2 children return home.

3 (8) A large number of children have partici-
4 pated and been killed in the armed conflict in Sri
5 Lanka, and the use of children as soldiers has led
6 to a breakdown in law and order in Sierra Leone.

7 (b) SENSE OF CONGRESS.—

8 (1) CONDEMNATION.—Congress hereby joins
9 the international community in condemning the use
10 of children as soldiers and other combatants by gov-
11 ernmental and non-governmental armed forces.

12 (2) FURTHER SENSE OF CONGRESS.—It is the
13 sense of Congress that the Secretary of State
14 should—

15 (A) study the issue of the rehabilitation of
16 former child soldiers, the manner in which their
17 suffering can be alleviated, and the positive role
18 that the United States can play in such an ef-
19 fort; and

20 (B) submit a report to Congress on the
21 issue of rehabilitation of child soldiers and their
22 families.

23 **SEC. 731. TECHNICAL CORRECTIONS.**

24 (a) Section 1422(b)(3)(B) of the Foreign Affairs Re-
25 form and Restructuring Act (as contained in division G

1 of Public Law 105–277; 112 Stat. 2681–792) is amended
2 by striking “divisionAct” and inserting “division”.

3 (b) Section 1002(a) of the Foreign Affairs Reform
4 and Restructuring Act (as contained in division G of Pub-
5 lie Law 105–277; 112 Stat. 2681–762) is amended by
6 striking paragraph (3).

7 (c) The table of contents of division G of Public Law
8 105–277 (112 Stat. 2681–762) is amended by striking
9 “DIVISION__” and inserting “DIVISION G”.

10 **SEC. 732. REPORTS WITH RESPECT TO A REFERENDUM ON**
11 **WESTERN SAHARA.**

12 (a) REPORTS REQUIRED.—

13 (1) IN GENERAL.—Not later than each of the
14 dates specified in paragraph (2), the Secretary of
15 State shall submit a report to the appropriate con-
16 gressional committees describing specific steps being
17 taken by the Government of Morocco and by the
18 Popular Front for the Liberation of Saguia el-
19 Hamra and Rio de Oro (POLISARIO) to ensure
20 that a free, fair, and transparent referendum in
21 which the people of the Western Sahara will choose
22 between independence and integration with Morocco
23 will be held by July 2000.

1 (2) DEADLINES FOR SUBMISSION OF RE-
2 PORTS.—The dates referred to in paragraph (1) are
3 January 1, 2000, and June 1, 2000.

4 (b) REPORT ELEMENTS.—The report shall include—

5 (1) a description of preparations for the ref-
6 erendum, including the extent to which free access
7 to the territory for independent international organi-
8 zations, including election observers and inter-
9 national media, will be guaranteed;

10 (2) a description of current efforts by the De-
11 partment of State to ensure that a referendum will
12 be held by July 2000;

13 (3) an assessment of the likelihood that the
14 July 2000 date will be met;

15 (4) a description of obstacles, if any, to the
16 voter-registration process and other preparations for
17 the referendum, and efforts being made by the par-
18 ties and the United States Government to overcome
19 those obstacles; and

20 (5) an assessment of progress being made in
21 the repatriation process.

22 **SEC. 733. SELF-DETERMINATION IN EAST TIMOR**

23 (a) FINDINGS.—The Congress finds as follows:

24 (1) On May 5, 1999, the Governments of Indo-
25 nesia and Portugal signed an agreement that pro-

1 vides for an August 8, 1999 ballot organized by the
2 United Nations on East Timor's political status.

3 (2) On June 22, 1999, the ballot was resched-
4 uled for August 21 or August 22 due to concerns
5 that the conditions necessary for a free and fair vote
6 could not be established prior to August 8.

7 (3) On January 27, 1999, President Habibie
8 expressed a willingness to consider independence for
9 East Timor if a majority of the East Timorese reject
10 autonomy in the August ballot.

11 (4) Under the May 5th agreement the Govern-
12 ment of Indonesia is responsible for ensuring that
13 the August ballot is carried out in a fair and peace-
14 ful way in an atmosphere free of intimidation, vio-
15 lence or interference.

16 (5) The inclusion of anti-independence militia
17 members in Indonesian forces responsible for estab-
18 lishing security in East Timor violates the May 5th
19 agreement which states that the absolute neutrality
20 of the military and police is essential for holding a
21 free and fair ballot.

22 (6) The arming of anti-independence militias by
23 members of the Indonesian military for the purpose
24 of sabotaging the August ballot has resulted in hun-
25 dreds of civilians killed, injured or disappeared in

1 separate attacks by these militias who continue to
2 act without restraint.

3 (7) The United Nations Secretary General has
4 received credible reports of political violence, includ-
5 ing intimidation and killings, by armed anti-inde-
6 pendence militias against unarmed pro-independence
7 civilians.

8 (8) There have been killings of opponents of
9 independence, including civilians and militia mem-
10 bers.

11 (9) The killings in East Timor should be fully
12 investigated and the individuals responsible brought
13 to justice.

14 (10) Access to East Timor by international
15 human rights monitors and humanitarian organiza-
16 tions is limited, and members of the press have been
17 threatened.

18 (11) The presence of members of the United
19 Nations Assistance Mission in East Timor has al-
20 ready resulted in an improved security environment
21 in the East Timorese capital of Dili.

22 (12) A robust international observer mission
23 and police force throughout East Timor is critical to
24 creating a stable and secure environment necessary
25 for a free and fair ballot.

1 (13) The Administration should be commended
2 for its support for the United Nations Assistance
3 Mission in East Timor which will provide monitoring
4 and support for the ballot and include international
5 civilian police, military liaison officers and election
6 monitors.

7 (b) POLICY.—(1) The President, Secretary of State,
8 Secretary of Defense, and the Secretary of the Treasury
9 (acting through the United States executive directors to
10 international financial institutions) should immediately in-
11 tensify their efforts to prevail upon the Indonesian Gov-
12 ernment and military to—

13 (A) disarm and disband anti-independence mili-
14 tias;

15 (B) grant full access to East Timor by inter-
16 national human rights monitors, humanitarian orga-
17 nizations, and the press;

18 (C) allow Timorese who have been living in exile
19 to return to East Timor to participate in the ballot.

20 (2) The President should submit a report to the Con-
21 gress not later than 21 days after passage of this Act,
22 containing a description of the Administration's efforts
23 and his assessment of steps taken by the Indonesian Gov-
24 ernment and military to ensure a stable and secure envi-

1 ronment in East Timor, including those steps described
2 in paragraph (1).

3 **SEC. 734. PROHIBITION ON THE RETURN OF VETERANS ME-**
4 **MEMORIAL OBJECTS TO FOREIGN NATIONS**
5 **WITHOUT SPECIFIC AUTHORIZATION IN LAW.**

6 (a) PROHIBITION.—Notwithstanding section 2572 of
7 title 10, United States Code, or any other provision of law,
8 the President may not transfer a veterans memorial object
9 to a foreign country or entity controlled by a foreign gov-
10 ernment, or otherwise transfer or convey such object to
11 any person or entity for purposes of the ultimate transfer
12 or conveyance of such object to a foreign country or entity
13 controlled by a foreign government, unless specifically au-
14 thorized by law.

15 (b) DEFINITIONS.—In this section:

16 (1) ENTITY CONTROLLED BY A FOREIGN GOV-
17 ERNMENT.—The term “entity controlled by a for-
18 eign government” has the meaning given that term
19 in section 2536(c)(1) of title 10, United States
20 Code.

21 (2) VETERANS MEMORIAL OBJECT.—The term
22 “veterans memorial object” means any object, in-
23 cluding a physical structure or portion thereof,
24 that—

1 (A) is located at a cemetery of the Na-
2 tional Cemetery System, war memorial, or mili-
3 tary installation in the United States;

4 (B) is dedicated to, or otherwise memorial-
5 izes, the death in combat or combat-related du-
6 ties of members of the United States Armed
7 Forces; and

8 (C) was brought to the United States from
9 abroad as a memorial of combat abroad.

10 **SEC. 735. SUPPORT FOR THE PEACE PROCESS IN SUDAN.**

11 (a) FINDINGS.—Congress finds that—

12 (1) the civil war in Sudan has continued
13 unabated for 16 years and raged intermittently for
14 40 years;

15 (2) an estimated 1,900,000 Sudanese people
16 have died as a result of war-related causes and fam-
17 ine;

18 (3) an estimated 4,000,000 people are currently
19 in need of emergency food assistance in different
20 areas of Sudan;

21 (4) approximately 4,000,000 people are inter-
22 nally displaced in Sudan;

23 (5) the continuation of war has led to human
24 rights abuses by all parties to the conflict, including
25 the killing of civilians, slavery, rape, and torture on

1 the part of government forces and paramilitary
2 forces; and

3 (6) it is in the interest of all the people of
4 Sudan for the parties to the conflict to seek a nego-
5 tiated settlement of hostilities and the establishment
6 of a lasting peace in Sudan.

7 (b) SENSE OF CONGRESS.—(1) Congress—

8 (A) acknowledges the renewed vigor in facili-
9 tating and assisting the Inter-Governmental Author-
10 ity for Development (IGAD) peace process in Sudan;
11 and

12 (B) urges continued and sustained engagement
13 by the Department of State in the IGAD peace proc-
14 ess and the IGAD Partners' Forum.

15 (2) It is the sense of Congress that the President
16 should—

17 (A) appoint a special envoy—

18 (i) to serve as a point of contact for the
19 Inter-Governmental Authority for Development
20 peace process;

21 (ii) to coordinate with the Inter-Govern-
22 mental Authority for Development Partners
23 Forum as the Forum works to support the
24 peace process in Sudan; and

1 (iii) to coordinate United States humani-
2 tarian assistance to southern Sudan.

3 (B) provide increased financial and technical
4 support for the IGAD Peace Process and especially
5 the IGAD Secretariat in Nairobi, Kenya; and

6 (C) instruct the United States Permanent Rep-
7 resentative to the United Nations to call on the
8 United Nations Secretary General to consider the
9 appointment of a special envoy for Sudan.

10 **SEC. 736. EXPRESSING THE SENSE OF THE CONGRESS RE-**
11 **GARDING THE TREATMENT OF RELIGIOUS**
12 **MINORITIES IN THE ISLAMIC REPUBLIC OF**
13 **IRAN, AND PARTICULARLY THE RECENT AR-**
14 **RESTS OF MEMBERS OF THAT COUNTRY'S**
15 **JEWISH COMMUNITY.**

16 (a) FINDINGS.—The Senate finds that—

17 (1) ten percent of the citizens of the Islamic
18 Republic of Iran are members of religious minority
19 groups;

20 (2) according to the State Department and
21 internationally recognized human rights organiza-
22 tions, such as Human Rights Watch and Amnesty
23 International, religious minorities in the Islamic Re-
24 public of Iran—including Sunni Muslims, Baha'is,
25 Christians, and Jews—have been the victims of

1 human rights violations solely because of their status
2 as religious minorities;

3 (3) the 55th session of the United Nations
4 Commission on Human Rights passed Resolution
5 1999/13, which expresses the concern of the inter-
6 national community over “continued discrimination
7 against religious minorities” in the Islamic Republic
8 of Iran, and calls on that country to moderate its
9 policy on religious minorities until they are “com-
10 pletely emancipated”;

11 (4) more than half the Jews in Iran have been
12 forced to flee that country since the Islamic Revolu-
13 tion of 1979 because of religious persecution, and
14 many of them now reside in the United States;

15 (5) the Iranian Jewish community, with a
16 2,500-year history and currently numbering some
17 30,000 people, is the oldest Jewish community living
18 in the Diaspora;

19 (6) five Jews have been executed by the Iranian
20 government in the past five years without having
21 been tried;

22 (7) there has been a noticeable increase recently
23 in anti-Semitic propaganda in the government-con-
24 trolled Iranian press;

1 (8) on the eve of the Jewish holiday of Passover
2 1999, thirteen or more Jews, including community
3 and religious leaders in the city of Shiraz, were ar-
4 rested by the authorities of the Islamic Republic of
5 Iran; and

6 (9) in keeping with its dismal record on pro-
7 viding accused prisoners with due process and fair
8 treatment, the Islamic Republic of Iran failed to
9 charge the detained Jews with any specific crime or
10 allow visitation by relatives of the detained for more
11 than two months.

12 (b) SENSE OF CONGRESS.—It is the sense of the
13 Congress that the United States should—

14 (1) continue to work through the United Na-
15 tions to assure that the Islamic Republic of Iran im-
16 plements the recommendations of Resolution 1999/
17 13;

18 (2) condemn, in the strongest possible terms,
19 the recent arrest of members of Iran’s Jewish mi-
20 nority and urge their immediate release;

21 (3) urge all nations having relations with the
22 Islamic Republic of Iran to condemn the treatment
23 of religious minorities in Iran and call for the re-
24 lease of all prisoners held on the basis of their reli-
25 gious beliefs; and

1 (4) maintain the current United States policy
2 toward the Islamic Republic of Iran unless and until
3 that country moderates its treatment of religious mi-
4 norities.

5 **SEC. 737. REPORTING REQUIREMENTS UNDER PLO COM-**
6 **MITMENTS COMPLIANCE ACT OF 1989.**

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

9 (1) The PLO Commitments Compliance Act of
10 1989 (title VIII of Public Law 101–246) requires
11 the President to submit reports to the Speaker of
12 the House of Representatives and the chairman of
13 the Committee on Foreign Relations of the Senate
14 every 180 days, on Palestinian compliance with the
15 Geneva commitments of 1988, the commitments con-
16 tained in the letter of September 9, 1993 to the
17 Prime Minister of Israel, and the letter of Sep-
18 tember 9, 1993 to the Foreign Minister of Norway.

19 (2) The reporting requirements of the PLO
20 Commitments Compliance Act of 1989 have re-
21 mained in force from enactment until the present.

22 (3) Modification and amendment to the PLO
23 Commitments Compliance Act of 1989, and the ex-
24 piration of the Middle East Peace Facilitation Act

1 (Public Law 104–107) did not alter the reporting
2 requirements.

3 (4) According to the official records of the
4 Committee on Foreign Relations of the Senate, the
5 last report under the PLO Commitments Compli-
6 ance Act of 1989 was submitted and received on De-
7 cember 27, 1997.

8 (b) REPORTING REQUIREMENTS.—The PLO Com-
9 mitments Compliance Act of 1989 is amended —

10 (1) in section 804(b), by striking “In conjunc-
11 tion with each written policy justification required
12 under section 604(b)(1) of the Middle East Peace
13 Facilitation Act of 1995 or every” and inserting
14 “Every”;

15 (2) in section 804(b)—

16 (A) by striking “and” at the end of para-
17 graph (9);

18 (B) by striking the period at the end of
19 paragraph (10); and

20 (C) by adding at the end the following new
21 paragraphs:

22 “(11) a statement on the effectiveness of end-
23 use monitoring of international or United States aid
24 being provided to the Palestinian Authority, Pales-
25 tinian Liberation Organization, or the Palestinian

1 Legislative Council, or to any other agent or instru-
2 mentality of the Palestinian Authority, on Pales-
3 tinian efforts to comply with international account-
4 ing standards and on enforcement of anti-corruption
5 measures; and

6 “(12) a statement on compliance by the Pales-
7 tinian Authority with the democratic reforms, with
8 specific details regarding the separation of powers
9 called for between the executive and Legislative
10 Council, the status of legislation passed by the Leg-
11 islative Council and sent to the executive, the sup-
12 port of the executive for local and municipal elec-
13 tions, the status of freedom of the press, and of the
14 ability of the press to broadcast debate from within
15 the Legislative Council and about the activities of
16 the Legislative Council.”.

17 **SEC. 738. REPORT ON TERRORIST ACTIVITY IN WHICH**
18 **UNITED STATES CITIZENS WERE KILLED AND**
19 **RELATED MATTERS.**

20 (a) IN GENERAL.—Not later than 6 months after the
21 date of enactment of this legislation and every 6 months
22 thereafter, the Secretary of State shall prepare and submit
23 a report, with a classified annex as necessary, to the ap-
24 propriate congressional committees regarding terrorist at-
25 tacks in Israel, in territory administered by Israel, and

1 in territory administered by the Palestinian Authority.

2 The report shall contain the following information:

3 (1) A list of formal commitments the Pales-
4 tinian Authority has made to combat terrorism.

5 (2) A list of terrorist attacks, occurring between
6 September 13, 1993 and the date of the report,
7 against United States citizens in Israel, in territory
8 administered by Israel, or in territory administered
9 by the Palestinian Authority, including—

10 (A) a list of all citizens of the United
11 States killed or injured in such attacks;

12 (B) the date of each attack, the total num-
13 ber of people killed or injured in each attack;

14 (C) the person or group claiming responsi-
15 bility for the attack and where such person or
16 group has found refuge or support;

17 (D) a list of suspects implicated in each at-
18 tack and the nationality of each suspect, includ-
19 ing information on—

20 (i) which suspects are in the custody
21 of the Palestinian Authority and which
22 suspects are in the custody of Israel;

23 (ii) which suspects are still at large in
24 areas controlled by the Palestinian Author-
25 ity or Israel; and

1 (iii) the whereabouts (or suspected
2 whereabouts) of suspects implicated in
3 each attack.

4 (3) Of the suspects implicated in the attacks
5 described in paragraph (2) and detained by Pales-
6 tinian or Israeli authorities, information on—

7 (A) the date each suspect was incarcer-
8 ated;

9 (B) whether any suspects have been re-
10 leased, the date of such release, and whether
11 any released suspect was implicated in subse-
12 quent acts of terrorism; and

13 (C) the status of each case pending against
14 a suspect, including information on whether the
15 suspect has been indicted, prosecuted, or con-
16 victed by the Palestinian Authority or Israel.

17 (4) The policy of the Department of State with
18 respect to offering rewards for information on ter-
19 rorist suspects, including any information on wheth-
20 er a reward has been posted for suspects involved in
21 terrorist attacks listed in the report.

22 (5) A list of each request by the United States
23 for assistance in investigating terrorist attacks listed
24 in the report, a list of each request by the United
25 States for the transfer of terrorist suspects from the

1 Palestinian Authority and Israel since September
2 13, 1993 and the response to each request from the
3 Palestinian Authority and Israel.

4 (6) A description of efforts made by United
5 States officials since September 13, 1993 to bring to
6 justice perpetrators of terrorist acts against United
7 States citizens as listed in the report.

8 (7) A list of any terrorist suspects in these
9 cases who are members of Palestinian police or secu-
10 rity forces, the Palestine Liberation Organization, or
11 any Palestinian governing body.

12 (8) A list of all United States citizens killed or
13 injured in terrorist attacks in Israel or in territory
14 administered by Israel between 1950 and September
15 13, 1993, to include in each case, where such infor-
16 mation is available, any stated claim of responsibility
17 and the resolution or disposition of each case, in-
18 cluding information as to the whereabouts of the
19 perpetrators of the acts: *Provided*, That this list
20 shall be submitted only once with the initial report
21 required under this section, unless additional rel-
22 evant information on these cases becomes available.

23 (9) The amount of compensation the United
24 States has requested for United States citizens, or
25 their families, injured or killed in attacks by terror-

1 ists in Israel, in territory administered by Israel, or
2 in territory administered by the Palestinian Author-
3 ity since September 13, 1993, and, if no compensa-
4 tion has been requested, an explanation of why such
5 requests have not been made.

6 (b) CONSULTATION WITH OTHER DEPARTMENTS.—

7 The Secretary of State shall, in preparing the report re-
8 quired by this section, consult and coordinate with all
9 other Government officials who have information nec-
10 essary to complete the report. Nothing contained in this
11 section shall require the disclosure, on a classified or un-
12 classified basis, of information that would jeopardize sen-
13 sitive sources and methods or other vital national security
14 interests or jeopardize ongoing criminal investigations or
15 proceedings.

16 (c) INITIAL REPORT.—Except as provided in sub-
17 section (a)(8), the initial report filed under this section
18 shall cover the period between September 13, 1993 and
19 the date of the report.

20 (d) APPROPRIATE CONGRESSIONAL COMMITTEES.—

21 For purposes of this section, the term “appropriate con-
22 gressional committees” means the Committee on Foreign
23 Relations of the Senate and the Committee on Inter-
24 national Relations of the House of Representatives.

1 **SEC. 739. SENSE OF SENATE REGARDING CHILD LABOR.**

2 (a) FINDINGS.—The Senate makes the following
3 findings:

4 (1) The International Labor Organization (in
5 this resolution referred to as the “ILO”) estimates
6 that at least 250,000,000 children under the age of
7 15 are working around the world, many of them in
8 dangerous jobs that prevent them from pursuing an
9 education and damage their physical and moral well-
10 being.

11 (2) Children are the most vulnerable element of
12 society and are often abused physically and mentally
13 in the work place.

14 (3) Making children work endangers their edu-
15 cation, health, and normal development.

16 (4) UNICEF estimates that by the year 2000,
17 over 1,000,000,000 adults will be unable to read or
18 write on even a basic level because they had to work
19 as children and were not educated.

20 (5) Nearly 41 percent of the children in Africa,
21 22 percent in Asia, and 17 percent in Latin America
22 go to work without ever having seen the inside of a
23 classroom.

24 (6) The President, in his State of the Union ad-
25 dress, called abusive child labor “the most intoler-
26 able labor practice of all,” and called upon other

1 countries to join in the fight against abusive and ex-
2 ploitative child labor.

3 (7) The Department of Labor has conducted 5
4 detailed studies that document the growing trend of
5 child labor in the global economy, including a study
6 that shows children as young as 4 are making as-
7 sorted products that are traded in the global mar-
8 ketplace.

9 (8) The prevalence of child labor in many devel-
10 oping countries is rooted in widespread poverty that
11 is attributable to unemployment and underemploy-
12 ment among adults, low living standards, and insuf-
13 ficient education and training opportunities among
14 adult workers and children.

15 (9) The ILO has unanimously reported a new
16 Convention on the Worst Forms of Child Labor.

17 (10) The United States negotiators played a
18 leading role in the negotiations leading up to the
19 successful conclusion of the new ILO Convention on
20 the Worst Forms of Child Labor.

21 (11) On September 23, 1993, the United States
22 Senate unanimously adopted a resolution stating its
23 opposition to the importation of products made by
24 abusive and exploitative child labor and the exploi-
25 tation of children for commercial gain.

1 (b) SENSE OF THE SENATE.—It is the sense of the
2 Senate that—

3 (1) abusive and exploitative child labor should
4 not be tolerated anywhere it occurs;

5 (2) ILO member States should be commended
6 for their efforts in negotiating this historic conven-
7 tion;

8 (3) it should be the policy of the United States
9 to continue to work with all foreign nations and
10 international organizations to promote an end to
11 abusive and exploitative child labor; and

12 (4) the Senate looks forward to the prompt sub-
13 mission by the President of the new ILO Convention
14 on the Worst Forms of Child Labor.

15 **SEC. 740. REPORTING REQUIREMENT ON WORLDWIDE CIR-**
16 **CULATION OF SMALL ARMS AND LIGHT**
17 **WEAPONS.**

18 (a) FINDINGS.—Congress makes the following find-
19 ings:

20 (1) In numerous regional conflicts, the presence
21 of vast numbers of small arms and light weapons
22 has prolonged and exacerbated conflict and frus-
23 trated attempts by the international community to
24 secure lasting peace. The sheer volume of available
25 weaponry has been a major factor in the devastation

1 witnessed in recent conflicts in Angola, Cambodia,
2 Liberia, Mozambique, Rwanda, Sierra Leone, Soma-
3 lia, Sri Lanka, and Afghanistan, among others, and
4 has contributed to the violence endemic to
5 narcotrafficking in Colombia and Mexico.

6 (2) Increased access by terrorists, guerrilla
7 groups, criminals, and others to small arms and
8 light weapons poses a real threat to United States
9 participants in peacekeeping operations and United
10 States forces based overseas, as well as to United
11 States citizens traveling overseas.

12 (3) In accordance with the reorganization of the
13 Department of State made by the Foreign Affairs
14 Reform and Restructuring Act of 1998, effective
15 March 28, 1999, all functions and authorities of the
16 Arms Control and Disarmament Agency were trans-
17 ferred to the Secretary of State. One of the stated
18 goals of that Act is to integrate the Arms Control
19 and Disarmament Agency into the Department of
20 State “to give new emphasis to a broad range of ef-
21 forts to curb proliferation of dangerous weapons and
22 delivery systems”.

23 (b) REPORT.—Not later than 180 days after the date
24 of enactment of this Act, the Secretary of State shall sub-

1 mit to the appropriate congressional committees a report
2 containing—

3 (1) an assessment of whether the export of
4 small arms poses any proliferation problems
5 including—

6 (A) estimates of the numbers and sources
7 of licit and illicit small arms and light arms in
8 circulation and their origins;

9 (B) the challenges associated with moni-
10 toring small arms; and

11 (C) the political, economic, and security di-
12 mensions of this issue, and the threats posed,
13 if any, by these weapons to United States inter-
14 ests, including national security interests;

15 (2) an assessment of whether the export of
16 small arms of the type sold commercially in the
17 United States should be considered a foreign policy
18 or proliferation issue;

19 (3) a description of current Department of
20 State activities to monitor and, to the extent possible
21 ensure adequate control of, both the licit and illicit
22 manufacture, transfer, and proliferation of small
23 arms and light weapons, including efforts to survey
24 and assess this matter with respect to Africa and to
25 survey and assess the scope and scale of the issue,

1 including stockpile security and destruction of excess
2 inventory, in NATO and Partnership for Peace
3 countries;

4 (4) a description of the impact of the reorga-
5 nization of the Department of State made by the
6 Foreign Affairs Reform and Restructuring Act of
7 1998 on the transfer of functions relating to moni-
8 toring, licensing, analysis, and policy on small arms
9 and light weapons, including—

10 (A) the integration of and the functions re-
11 lating to small arms and light weapons of the
12 United States Arms Control and Disarmament
13 Agency with those of the Department of State;

14 (B) the functions of the Bureau of Arms
15 Control, the Bureau of Nonproliferation, the
16 Bureau of Political-Military Affairs, the Bureau
17 of International Narcotics and Law Enforce-
18 ment, regional bureaus, and any other relevant
19 bureau or office of the Department of State, in-
20 cluding the allocation of personnel and funds,
21 as they pertain to small arms and light weap-
22 ons;

23 (C) the functions of the regional bureaus
24 of the Department of State in providing infor-
25 mation and policy coordination in bilateral and

1 multilateral settings on small arms and light
2 weapons;

3 (D) the functions of the Under Secretary
4 of State for Arms Control and International Se-
5 curity pertaining to small arms and light weap-
6 ons; and

7 (E) the functions of the scientific and pol-
8 icy advisory board on arms control, non-
9 proliferation, and disarmament pertaining to
10 small arms and light weapons; and

11 (5) an assessment of whether foreign govern-
12 ments are enforcing their own laws concerning small
13 arms and light weapons import and sale, including
14 commitments under the Inter-American Convention
15 Against the Illicit Manufacturing of and Trafficking
16 in Firearms, Ammunition, Explosives, and Other
17 Related Materials or other relevant international
18 agreements.

1 **Subtitle C—United States Entry-**
2 **Exit Controls**

3 **SEC. 751. AMENDMENT OF THE ILLEGAL IMMIGRATION RE-**
4 **FORM AND IMMIGRANT RESPONSIBILITY ACT**
5 **OF 1996.**

6 (a) IN GENERAL.—Section 110(a) of the Illegal Im-
7 migration Reform and Immigrant Responsibility Act of
8 1996 (8 U.S.C. 1221 note) is amended to read as follows:

9 “(a) SYSTEM.—

10 “(1) IN GENERAL.—Subject to paragraph (2),
11 not later than 2 years after the date of enactment
12 of this Act, the Attorney General shall develop an
13 automated entry and exit control system that will—

14 “(A) collect a record of departure for every
15 alien departing the United States and match
16 the record of departure with the record of the
17 alien’s arrival in the United States; and

18 “(B) enable the Attorney General to iden-
19 tify, through online searching procedures, law-
20 fully admitted nonimmigrants who remain in
21 the United States beyond the period authorized
22 by the Attorney General.

23 “(2) EXCEPTION.—The system under para-
24 graph (1) shall not collect a record of arrival or
25 departure—

1 “(A) at a land border or seaport of the
2 United States for any alien; or

3 “(B) for any alien for whom the documen-
4 tary requirements in section 212(a)(7)(B) of
5 the Immigration and Nationality Act have been
6 waived by the Attorney General and the Sec-
7 retary of State under section 212(d)(4)(B) of
8 the Immigration and Nationality Act.”.

9 (b) EFFECTIVE DATE.—The amendment made by
10 subsection (a) shall take effect as if included in the enact-
11 ment of the Illegal Immigration Reform and Immigrant
12 Responsibility Act of 1996 (division C of Public Law 104–
13 208; 110 Stat. 3009–546).

14 **SEC. 752. REPORT ON AUTOMATED ENTRY-EXIT CONTROL**
15 **SYSTEM.**

16 (a) REQUIREMENT.—Not later than 1 year after the
17 date of enactment of this Act, the Attorney General shall
18 submit a report to the Committees on the Judiciary of
19 the Senate and the House of Representatives on the feasi-
20 bility of developing and implementing an automated entry-
21 exit control system that would collect a record of depar-
22 ture for every alien departing the United States and match
23 the record of departure with the record of the alien’s ar-
24 rival in the United States, including departures and arriv-
25 als at the land borders and seaports of the United States.

1 (b) CONTENTS OF REPORT.—Such report shall—

2 (1) assess the costs and feasibility of various
3 means of operating such an automated entry-exit
4 control system, including exploring—

5 (A) how, if the automated entry-exit con-
6 trol system were limited to certain aliens arriv-
7 ing at airports, departure records of those
8 aliens could be collected when they depart
9 through a land border or seaport; and

10 (B) the feasibility of the Attorney General,
11 in consultation with the Secretary of State, ne-
12 gotiating reciprocal agreements with the gov-
13 ernments of contiguous countries to collect such
14 information on behalf of the United States and
15 share it in an acceptable automated format;

16 (2) consider the various means of developing
17 such a system, including the use of pilot projects if
18 appropriate, and assess which means would be most
19 appropriate in which geographical regions;

20 (3) evaluate how such a system could be imple-
21 mented without increasing border traffic congestion
22 and border crossing delays and, if any such system
23 would increase border crossing delays, evaluate to
24 what extent such congestion or delays would in-
25 crease; and

1 (4) estimate the length of time that would be
2 required for any such system to be developed and
3 implemented.

4 **SEC. 753. ANNUAL REPORTS ON ENTRY-EXIT CONTROL AND**
5 **USE OF ENTRY-EXIT CONTROL DATA.**

6 (a) ANNUAL REPORTS ON IMPLEMENTATION OF
7 ENTRY-EXIT CONTROL AT AIRPORTS.—Not later than 30
8 days after the end of each fiscal year until the fiscal year
9 in which the Attorney General certifies to Congress that
10 the entry-exit control system required by section 110(a)
11 of the Illegal Immigration Reform and Immigrant Respon-
12 sibility Act of 1996, as amended by section 751 of this
13 Act, has been developed, the Attorney General shall sub-
14 mit to the Committees on the Judiciary of the Senate and
15 the House of Representatives a report that—

16 (1) provides an accurate assessment of the sta-
17 tus of the development of the entry-exit control sys-
18 tem;

19 (2) includes a specific schedule for the develop-
20 ment of the entry-exit control system that the Attor-
21 ney General anticipates will be met; and

22 (3) includes a detailed estimate of the funding,
23 if any, needed for the development of the entry-exit
24 control system.

1 (b) ANNUAL REPORTS ON VISA OVERSTAYS IDENTI-
2 FIED THROUGH THE ENTRY-EXIT CONTROL SYSTEM.—
3 Not later than June 30 of each year, the Attorney General
4 shall submit to the Committees on the Judiciary of the
5 Senate and the House of Representatives a report that
6 sets forth—

7 (1) the number of arrival records of aliens and
8 the number of departure records of aliens that were
9 collected during the preceding fiscal year under the
10 entry-exit control system under section 110(a) of the
11 Illegal Immigration Reform and Immigrant Respon-
12 sibility Act of 1996, as so amended, with a separate
13 accounting of such numbers by country of nation-
14 ality;

15 (2) the number of departure records of aliens
16 that were successfully matched to records of such
17 aliens' prior arrival in the United States, with a sep-
18 arate accounting of such numbers by country of na-
19 tionality and by classification as immigrant or non-
20 immigrant; and

21 (3) the number of aliens who arrived as non-
22 immigrants, or as visitors under the visa waiver pro-
23 gram under section 217 of the Immigration and Na-
24 tionality Act, for whom no matching departure
25 record has been obtained through the system, or

1 through other means, as of the end of such aliens'
 2 authorized period of stay, with an accounting by
 3 country of nationality and approximate date of ar-
 4 rival in the United States.

5 (c) INCORPORATION INTO OTHER DATABASES.—In-
 6 formation regarding aliens who have remained in the
 7 United States beyond their authorized period of stay that
 8 is identified through the system referred to in subsection
 9 (a) shall be integrated into appropriate databases of the
 10 Immigration and Naturalization Service and the Depart-
 11 ment of State, including those used at ports-of-entry and
 12 at consular offices.

13 **TITLE VIII—INTERNATIONAL OR-**
 14 **GANIZATIONS AND COMMIS-**
 15 **SIONS**

16 **Subtitle A—Authorizations of**
 17 **Appropriations**

18 **SEC. 801. CONTRIBUTIONS TO INTERNATIONAL ORGANIZA-**
 19 **TIONS.**

20 (a) AUTHORIZATION OF APPROPRIATIONS.—

21 (1) IN GENERAL.—There are authorized to be
 22 appropriated under the heading “Contributions to
 23 International Organizations” \$940,000,000 for the
 24 fiscal year 2000 and \$940,000,000 for the fiscal
 25 year 2001 for the Department of State to carry out

1 the authorities, functions, duties, and responsibilities
2 in the conduct of the foreign affairs of the United
3 States with respect to international organizations
4 and to carry out other authorities in law consistent
5 with such purposes.

6 (2) AVAILABILITY OF FUNDS FOR CIVIL BUDG-
7 ET OF NATO.—Of the amounts authorized in para-
8 graph (1), \$48,977,000 are authorized in fiscal year
9 2000 and \$48,977,000 in fiscal year 2001 for the
10 United States assessment for the civil budget of the
11 North Atlantic Treaty Organization.

12 (b) NO GROWTH BUDGET.—Of the funds made avail-
13 able under subsection (a), \$80,000,000 may be made
14 available during each calendar year only after the Sec-
15 retary of State certifies that the United Nations has taken
16 no action during the preceding calendar year to increase
17 funding for any United Nations program without identi-
18 fying an offsetting decrease during that calendar year else-
19 where in the United Nations budget of \$2,533,000,000,
20 and cause the United Nations to exceed the initial 1998–
21 99 United Nations biennium budget adopted in December
22 1997.

23 (c) INSPECTOR GENERAL OF THE UNITED NA-
24 TIONS.—

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

7 (2) CERTIFICATION.—A certification under this
8 paragraph is a certification by the Secretary of State
9 in the fiscal year concerned that the following condi-
10 tions are satisfied:

11 (A) ACTION BY THE UNITED NATIONS.—

12 The United Nations—

13 (i) has met the requirements of para-
14 graphs (1) through (6) of section 401(b) of
15 the Foreign Relations Authorization Act,
16 Fiscal Years 1994 and 1995 (22 U.S.C.
17 287e note), as amended by paragraph (3);

18 (ii) has established procedures that
19 require the Under Secretary General of the
20 Office of Internal Oversight Services to re-
21 port directly to the Secretary General on
22 the adequacy of the Office's resources to
23 enable the Office to fulfill its mandate; and

1 (iii) has made available an adequate
2 amount of funds to the Office for carrying
3 out its functions.

4 (B) AUTHORITY BY OIOS.—The Office of
5 Internal Oversight Services has authority to
6 audit, inspect, or investigate each program,
7 project, or activity funded by the United Na-
8 tions, and each executive board created under
9 the United Nations has been notified, in writ-
10 ing, of that authority.

11 (3) AMENDMENT OF THE FOREIGN RELATIONS
12 AUTHORIZATION ACT, FISCAL YEARS 1994 AND
13 1995.—Section 401(b) of the Foreign Relations Au-
14 thorization Act, Fiscal Years 1994 and 1995 is
15 amended—

16 (A) by amending paragraph (6) to read as
17 follows:

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

1 (B) by striking “Inspector General” each
2 place it appears and inserting “Office of Inter-
3 nal Oversight Services”.

4 (d) PROHIBITION ON CERTAIN GLOBAL CON-
5 FERENCES.—None of the funds made available under sub-
6 section (a) shall be available for any United States con-
7 tribution to pay for any expense related to the holding of
8 any United Nations global conference, except for any con-
9 ference scheduled prior to October 1, 1998.

10 (e) PROHIBITION ON FUNDING OTHER FRAMEWORK
11 TREATY-BASED ORGANIZATIONS.—None of the funds
12 made available for the 1998–1999 biennium budget under
13 subsection (a) for United States contributions to the reg-
14 ular budget of the United Nations shall be available for
15 the United States proportionate share of any other frame-
16 work treaty-based organization, including the Framework
17 Convention on Global Climate Change, the International
18 Seabed Authority, the Desertification Convention, and the
19 International Criminal Court.

20 (f) FOREIGN CURRENCY EXCHANGE RATES.—

21 (1) AUTHORIZATION OF APPROPRIATIONS.—In
22 addition to amounts authorized to be appropriated
23 by subsection (a), there are authorized to be appro-
24 priated such sums as may be necessary for each of

1 fiscal years 2000 and 2001 to offset adverse fluctua-
2 tions in foreign currency exchange rates.

3 (2) AVAILABILITY OF FUNDS.—Amounts appro-
4 priated under this subsection shall be available for
5 obligation and expenditure only to the extent that
6 the Director of the Office of Management and Budg-
7 et determines and certifies to Congress that such
8 amounts are necessary due to such fluctuations.

9 (g) REFUND OF EXCESS CONTRIBUTIONS.—The
10 United States shall continue to insist that the United Na-
11 tions and its specialized and affiliated agencies shall credit
12 or refund to each member of the agency concerned its pro-
13 portionate share of the amount by which the total con-
14 tributions to the agency exceed the expenditures of the
15 regular assessed budgets of these agencies.

16 **SEC. 802. CONTRIBUTIONS FOR INTERNATIONAL PEACE-**
17 **KEEPING ACTIVITIES.**

18 (a) AUTHORIZATION OF APPROPRIATIONS.—There
19 are authorized to be appropriated under the heading
20 “Contributions for International Peacekeeping Activities”
21 \$235,000,000 for the fiscal year 2000 and \$235,000,000
22 for the fiscal year 2001 for the Department of State to
23 carry out the authorities, functions, duties, and respon-
24 sibilities in the conduct of the foreign affairs of the United
25 States with respect to international peacekeeping activities

1 and to carry out other authorities in law consistent with
2 such purposes.

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

5 (1) CODIFICATION.—Section 4 of the United
6 Nations Participation Act of 1945 (22 U.S.C. 287b)
7 is amended—

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

10 (B) by striking subsection (e) and insert-
11 ing the following:

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

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

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

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

23 “(i) A list of all resolutions of the
24 United Nations Security Council antici-
25 pated to be voted on during such month

1 that would extend or change the mandate
2 of any United Nations peacekeeping oper-
3 ation.

4 “(ii) For each such operation, any
5 changes in the duration, mandate, and
6 command and control arrangements that
7 are anticipated as a result of the adoption
8 of the resolution.

9 “(iii) An estimate of the total cost to
10 the United Nations of each such operation
11 for the period covered by the resolution,
12 and an estimate of the amount of that cost
13 that will be assessed to the United States.

14 “(iv) Any anticipated significant
15 changes in United States participation in
16 or support for each such operation during
17 the period covered by the resolution (in-
18 cluding the provision of facilities, training,
19 transportation, communication, and
20 logistical support, but not including intel-
21 ligence activities reportable under title V of
22 the National Security Act of 1947 (50
23 U.S.C. 413 et seq.)), and the estimated
24 costs to the United States of such changes.

1 “(B) With respect to each new United Na-
2 tions peacekeeping operation that is anticipated
3 to be authorized by a Security Council resolu-
4 tion during such month, the following informa-
5 tion for the period covered by the resolution:

6 “(i) The anticipated duration, man-
7 date, and command and control arrange-
8 ments of such operation, the planned exit
9 strategy, and the vital national interest to
10 be served.

11 “(ii) An estimate of the total cost to
12 the United Nations of the operation, and
13 an estimate of the amount of that cost
14 that will be assessed to the United States.

15 “(iii) A description of the functions
16 that would be performed by any United
17 States Armed Forces participating in or
18 otherwise operating in support of the oper-
19 ation, an estimate of the number of mem-
20 bers of the Armed Forces that will partici-
21 pate in or otherwise operate in support of
22 the operation, and an estimate of the cost
23 to the United States of such participation
24 or support.

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

11 “(v) A reprogramming of funds pur-
12 suant to section 34 of the State Depart-
13 ment Basic Authorities Act of 1956, sub-
14 mitted in accordance with the procedures
15 set forth in such section, describing the
16 source of funds that will be used to pay for
17 the cost of the new United Nations peace-
18 keeping operation, provided that such noti-
19 fication shall also be submitted to the
20 Committee on Appropriations of the House
21 of Representatives and the Committee on
22 Appropriations of the Senate.

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

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

4 “(B) TIMING.—

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

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

23 “(4) NEW UNITED NATIONS PEACEKEEPING OP-
24 ERATION DEFINED.—As used in paragraph (2), the
25 term ‘new United Nations peacekeeping operation’

1 includes any existing or otherwise ongoing United
2 Nations peacekeeping operation—

3 “(A) where the authorized force strength is
4 to be expanded;

5 “(B) that is to be authorized to operate in
6 a country in which it was not previously author-
7 ized to operate; or

8 “(C) the mandate of which is to be
9 changed so that the operation would be engaged
10 in significant additional or significantly dif-
11 ferent functions.

12 “(5) NOTIFICATION AND QUARTERLY REPORTS
13 REGARDING UNITED STATES ASSISTANCE.—

14 “(A) NOTIFICATION OF CERTAIN ASSIST-
15 ANCE.—

16 “(i) IN GENERAL.—The President
17 shall notify the designated congressional
18 committees at least 15 days before the
19 United States provides any assistance to
20 the United Nations to support peace-
21 keeping operations.

22 “(ii) EXCEPTION.—This subpara-
23 graph does not apply to—

24 “(I) assistance having a value of
25 less than \$3,000,000 in the case of

1 nonreimbursable assistance or less
2 than \$14,000,000 in the case of reim-
3 bursable assistance; or

4 “(II) assistance provided under
5 the emergency drawdown authority of
6 sections 506(a)(1) and 552(c)(2) of
7 the Foreign Assistance Act of 1961
8 (22 U.S.C. 2318(a)(1) and
9 2348a(c)(2)).

10 “(B) QUARTERLY REPORTS.—

11 “(i) IN GENERAL.—The President
12 shall submit quarterly reports to the des-
13 ignated congressional committees on all as-
14 sistance provided by the United States
15 during the preceding calendar quarter to
16 the United Nations to support peace-
17 keeping operations.

18 “(ii) MATTERS INCLUDED.—Each re-
19 port under this subparagraph shall de-
20 scribe the assistance provided for each
21 such operation, listed by category of assist-
22 ance.

23 “(iii) FOURTH QUARTER REPORT.—
24 The report under this subparagraph for
25 the fourth calendar quarter of each year

1 shall be submitted as part of the annual
2 report required by subsection (d) and shall
3 include cumulative information for the pre-
4 ceding calendar year.

5 “(f) DESIGNATED CONGRESSIONAL COMMITTEES.—
6 In this section, the term ‘designated congressional com-
7 mittees’ means the Committee on Foreign Relations and
8 the Committee on Appropriations of the Senate and the
9 Committee on International Relations and the Committee
10 on Appropriations of the House of Representatives.”.

11 (2) CONFORMING REPEAL.—Subsection (a) of
12 section 407 of the Foreign Relations Authorization
13 Act, Fiscal Years 1994 and 1995 (Public Law 103-
14 236; 22 U.S.C. 287b note; 108 Stat. 448) is re-
15 pealed.

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

20 “(g) RELATIONSHIP TO OTHER NOTIFICATION RE-
21 QUIREMENTS.—Nothing in this section is intended to alter
22 or supersede any notification requirement with respect to
23 peacekeeping operations that is established under any
24 other provision of law.”.

1 **SEC. 803. AUTHORIZATION OF APPROPRIATIONS FOR CON-**
2 **TRIBUTIONS TO THE UNITED NATIONS VOL-**
3 **UNTARY FUND FOR VICTIMS OF TORTURE.**

4 There are authorized to be appropriated to the Presi-
5 dent \$5,000,000 for each of the fiscal years 2000 and
6 2001 for payment of contributions to the United Nations
7 Voluntary Fund for Victims of Torture.

8 **Subtitle B—United Nations**
9 **Activities**

10 **SEC. 811. UNITED NATIONS POLICY ON ISRAEL AND THE**
11 **PALESTINIANS.**

12 (a) CONGRESSIONAL STATEMENT.—It shall be the
13 policy of the United States to promote an end to the per-
14 sistent inequity experienced by Israel in the United Na-
15 tions whereby Israel is the only longstanding member of
16 the organization to be denied acceptance into any of the
17 United Nations regional blocs.

18 (b) POLICY ON ABOLITION OF CERTAIN UNITED NA-
19 TIONS GROUPS.—It shall be the policy of the United
20 States to seek the abolition of certain United Nations
21 groups the existence of which is inimical to the ongoing
22 Middle East peace process, those groups being the Special
23 Committee to Investigate Israeli Practices Affecting the
24 Human Rights of the Palestinian People and other Arabs
25 of the Occupied Territories; the Committee on the Exer-
26 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 facilitate 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 Nations peacekeeping operations, if the ex-
16 penses incurred by any United States depart-
17 ment or agency providing the assistance have
18 first been 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 **SEC. 825. UNITED STATES REPRESENTATION AT THE**
6 **INTERNATIONAL ATOMIC ENERGY AGENCY.**

7 (a) AMENDMENT TO THE UNITED NATIONS PARTICI-
8 PATION ACT OF 1945.—Section 2(h) of the United Na-
9 tions Participation Act of 1945 (22 U.S.C. 287(h)) is
10 amended by adding at the end the following new sentence:
11 “The representative of the United States to the Vienna
12 office of the United Nations shall also serve as representa-
13 tive of the United States to the International Atomic En-
14 ergy Agency.”.

15 (b) AMENDMENT TO THE IAEA PARTICIPATION ACT
16 OF 1957.—Section 2(a) of the International Atomic En-
17 ergy Agency Participation Act of 1957 (22 U.S.C.
18 2021(a)) is amended by adding at the end the following
19 new sentence: “The Representative of the United States
20 to the Vienna office of the United Nations shall also serve
21 as representative of the United States to the Agency.”.

22 (c) EFFECTIVE DATE.—The amendments made by
23 subsections (a) and (b) shall apply to individuals ap-
24 pointed on or after the date of enactment of this Act.

1 **SEC. 826. ANNUAL FINANCIAL AUDITS OF UNITED STATES**
2 **SECTION OF THE INTERNATIONAL BOUND-**
3 **ARY AND WATER COMMISSION.**

4 (a) **IN GENERAL.**—An independent auditor shall an-
5 nually conduct an audit of the financial statements and
6 accompanying notes to the financial statements of the
7 United States Section of the International Boundary and
8 Water Commission, United States and Mexico (in this sec-
9 tion referred to as the “Commission”), in accordance with
10 generally accepted Government auditing standards and
11 such other procedures as may be established by the Office
12 of the Inspector General of the Department of State.

13 (b) **REPORTS.**—The independent auditor shall report
14 the results of such audit, including a description of the
15 scope of the audit and an expression of opinion as to the
16 overall fairness of the financial statements, to the Inter-
17 national Boundary and Water Commission, United States
18 and Mexico. The financial statements of the Commission
19 shall be presented in accordance with generally accepted
20 accounting principles. These financial statements and the
21 report of the independent auditor shall be included in a
22 report which the Commission shall submit to the Congress
23 not later than 90 days after the end of the last fiscal year
24 covered by the audit.

25 (c) **REVIEW BY THE COMPTROLLER GENERAL.**—The
26 Comptroller General of the United States (in this section

1 referred to as the “Comptroller General”) may review the
2 audit conducted by the auditor and the report to the Con-
3 gress in the manner and at such times as the Comptroller
4 General considers necessary. In lieu of the audit required
5 by subsection (b), the Comptroller General shall, if the
6 Comptroller General considers it necessary or, upon the
7 request of the Congress, audit the financial statements of
8 the Commission in the manner provided in subsection (b).

9 (d) AVAILABILITY OF INFORMATION.—In the event
10 of a review by the Comptroller General under subsection
11 (c), all books, accounts, financial records, reports, files,
12 workpapers, and property belonging to or in use by the
13 Commission and the auditor who conducts the audit under
14 subsection (b), which are necessary for purposes of this
15 subsection, shall be made available to the representatives
16 of the General Accounting Office designated by the Comp-
17 troller General.

18 **SEC. 827. SENSE OF CONGRESS CONCERNING ICTR.**

19 (a) FINDINGS.—The Congress finds as follows:

20 (1) The International Criminal Tribunal for
21 Rwanda (ICTR) was established to prosecute indi-
22 viduals responsible for genocide and other serious
23 violations of international humanitarian law com-
24 mitted in the territory of Rwanda.

1 (2) A separate tribunal, the International
2 Criminal Tribunal for the Former Yugoslavia
3 (ICTY), was created with a similar purpose for
4 crimes committed in the territory of the former
5 Yugoslavia.

6 (3) The acts of genocide and crimes against hu-
7 manity that have been perpetrated against civilians
8 in the Great Lakes region of Africa equal in horror
9 the acts committed in the territory of the former
10 Yugoslavia.

11 (4) The ICTR has succeeded in issuing at least
12 28 indictments against 48 individuals, and currently
13 has in custody 38 individuals presumed to have led
14 and directed the 1994 genocide.

15 (5) The ICTR issued the first conviction ever
16 by an international court for the crime of genocide
17 against Jean-Paul Akayesu, the former mayor of
18 Taba, who was sentenced to life in prison.

19 (6) The mandate of the ICTR is limited to acts
20 committed only during calendar year 1994, yet the
21 mandate of the ICTY covers serious violations of
22 international humanitarian law since 1991 through
23 the present.

24 (7) There have been well substantiated allega-
25 tions of major crimes against humanity and war

1 crimes that have taken place in the Great Lakes re-
2 gion of Africa that fall outside of the current man-
3 date of the Tribunal in terms of either the dates
4 when, or geographical areas where, such crimes took
5 place.

6 (8) The attention accorded the ICTY and the
7 indictments that have been made as a result of the
8 ICTY's broad mandate continue to play an impor-
9 tant role in current United States policy in the Bal-
10 kans.

11 (9) The international community must send an
12 unmistakable signal that genocide and other crimes
13 against humanity cannot be committed with impu-
14 nity.

15 (b) SENSE OF CONGRESS.—It is the sense of the
16 Congress that the President should instruct the United
17 States United Nations Representative to advocate to the
18 Security Council to direct the Office for Internal Oversight
19 Services (OIOS) to reevaluate the conduct and operation
20 of the ICTR. Particularly, the OIOS should assess the
21 progress made by the Tribunal in implementing the rec-
22 ommendations of the Report of the United Nations Sec-
23 retary-General on the Activities of the Office of Internal
24 Oversight Services, A/52/784, of February 6, 1998. The

1 OIOS should also include an evaluation of the potential
2 impact of expanding the original mandate of the ICTR.

3 (c) REPORT.—Ninety days after enactment of this
4 Act, the Secretary of State shall report to Congress on
5 the effectiveness and progress of the ICTR. The report
6 shall include an assessment of the ICTR’s ability to meet
7 its current mandate and an evaluation of the potential im-
8 pact of expanding that mandate to include crimes com-
9 mitted after calendar year 1994.

10 **TITLE IX—ARREARS PAYMENTS** 11 **AND REFORM**

12 **Subtitle A—General Provisions**

13 **SEC. 901. SHORT TITLE.**

14 This title may be cited as the “United Nations Re-
15 form Act of 1999”.

16 **SEC. 902. DEFINITIONS.**

17 In this title:

18 (1) APPROPRIATE CONGRESSIONAL COMMIT-
19 TEES.—The term “appropriate congressional com-
20 mittees” means the Committee on Foreign Relations
21 and the Committee on Appropriations of the Senate
22 and the Committee on International Relations and
23 the Committee on Appropriations of the House of
24 Representatives.

1 (2) DESIGNATED SPECIALIZED AGENCY DE-
2 FINED.—The term “designated specialized agency”
3 means the International Labor Organization, the
4 World Health Organization, and the Food and Agri-
5 culture Organization.

6 (3) GENERAL ASSEMBLY.—The term “General
7 Assembly” means the General Assembly of the
8 United Nations.

9 (4) SECRETARY GENERAL.—The term “Sec-
10 retary General” means the Secretary General of the
11 United Nations.

12 (5) SECURITY COUNCIL.—The term “Security
13 Council” means the Security Council of the United
14 Nations.

15 (6) UNITED NATIONS MEMBER.—The term
16 “United Nations member” means any country that
17 is a member of the United Nations.

18 (7) UNITED NATIONS PEACEKEEPING OPER-
19 ATION.—The term “United Nations peacekeeping
20 operation” means any United Nations-led operation
21 to maintain or restore international peace or security
22 that—

23 (A) is authorized by the Security Council;
24 and

1 (B) is paid for from assessed contributions
2 of United Nations members that are made
3 available for peacekeeping activities.

4 **Subtitle B—Arrearages to the**
5 **United Nations**

6 **CHAPTER 1—AUTHORIZATION OF APPRO-**
7 **PRIATIONS; OBLIGATION AND EX-**
8 **PENDITURE OF FUNDS**

9 **SEC. 911. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) AUTHORIZATION.—

11 (1) FISCAL YEAR 1998.—

12 (A) REGULAR ASSESSMENTS.—In title IV
13 of the Departments of Commerce, Justice, and
14 State, the Judiciary, and Related Agencies Ap-
15 propriations Act, 1998 (Public Law 105-119),
16 under the heading “Contributions to Inter-
17 national Organizations”, the first proviso shall
18 not apply.

19 (B) PEACEKEEPING ASSESSMENTS.—In
20 title IV of the Departments of Commerce, Jus-
21 tice, and State, the Judiciary, and Related
22 Agencies Appropriations Act, 1998 (Public Law
23 105-119), under the heading “Contributions for
24 International Peacekeeping Activities”, the first
25 and second provisos shall not apply.

1 (2) FISCAL YEAR 1999.—Pursuant to the first
2 proviso under the heading “Arrearage Payments” in
3 title IV of the Commerce, Justice, and State, the
4 Judiciary, and Related Agencies Appropriations Act,
5 1999 (as contained in section 101(b) of division A
6 of the Omnibus Consolidated and Emergency Sup-
7 plemental Appropriations Act, 1999; Public Law
8 105–277), the obligation and expenditure of funds
9 appropriated under such heading for payment of ar-
10 rearages to meet obligations of membership in the
11 United Nations, and to pay assessed expenses of
12 international peacekeeping activities are hereby au-
13 thorized, and the second proviso under such heading
14 shall not apply.

15 (3) FISCAL YEAR 2000.—There are authorized
16 to be appropriated to the Department of State for
17 payment of arrearages owed by the United States
18 described in subsection (b) as of September 30,
19 1997, \$244,000,000 for fiscal year 2000.

20 (b) LIMITATION.—Amounts made available under
21 subsection (a) are authorized to be available only—

22 (1) to pay the United States share of assess-
23 ments for the regular budget of the United Nations;

24 (2) to pay the United States share of United
25 Nations peacekeeping operations;

1 (3) to pay the United States share of United
2 Nations specialized agencies; and

3 (4) to pay the United States share of other
4 international organizations.

5 (c) AVAILABILITY OF FUNDS.—Amounts appro-
6 priated pursuant to subsection (a) are authorized to re-
7 main available until expended.

8 (d) STATUTORY CONSTRUCTION.—For purposes of
9 payments made using funds made available under sub-
10 section (a), section 404(b)(2) of the Foreign Relations Au-
11 thorization Act, Fiscal Years 1994 and 1995 (Public Law
12 103–236) shall not apply to United Nations peacekeeping
13 operation assessments received by the United States prior
14 to October 1, 1995.

15 **SEC. 912. OBLIGATION AND EXPENDITURE OF FUNDS.**

16 (a) IN GENERAL.—Funds made available pursuant to
17 section 911 may be obligated and expended only if the re-
18 quirements of subsections (b) and (c) of this section are
19 satisfied.

20 (b) OBLIGATION AND EXPENDITURE UPON SATIS-
21 FACTION OF CERTIFICATION REQUIREMENTS.—Subject to
22 subsections (e) and (f), funds made available pursuant to
23 section 911 may be obligated and expended only in the
24 following allotments and upon the following certifications:

1 (1) Amounts made available for fiscal year
2 1998, upon the certification described in section
3 921.

4 (2) Amounts made available for fiscal year
5 1999, upon the certification described in section
6 931.

7 (3) Amounts authorized to be appropriated for
8 fiscal year 2000, upon the certification described in
9 section 941.

10 (c) ADVANCE CONGRESSIONAL NOTIFICATION.—
11 Funds made available pursuant to section 911 may be ob-
12 ligated and expended only if the appropriate certification
13 has been submitted to the appropriate congressional com-
14 mittees 30 days prior to the payment of the funds.

15 (d) TRANSMITTAL OF CERTIFICATIONS.—Certifi-
16 cations made under this chapter shall be transmitted by
17 the Secretary of State to the appropriate congressional
18 committees.

19 (e) WAIVER AUTHORITY WITH RESPECT TO FISCAL
20 YEAR 1999 FUNDS.—

21 (1) IN GENERAL.—Subject to paragraph (3)
22 and notwithstanding subsection (b), funds made
23 available under section 911 for fiscal year 1999 may
24 be obligated or expended pursuant to subsection
25 (b)(2) even if the Secretary of State cannot certify

1 that the condition described in section 931(b)(1) has
2 been satisfied.

3 (2) REQUIREMENTS.—

4 (A) IN GENERAL.—The authority to waive
5 the condition described in paragraph (1) of this
6 subsection may be exercised only if the Sec-
7 retary of State—

8 (i) determines that substantial
9 progress towards satisfying the condition
10 has been made and that the expenditure of
11 funds pursuant to that paragraph is im-
12 portant to the interests of the United
13 States; and

14 (ii) has notified, and consulted with,
15 the appropriate congressional committees
16 prior to exercising the authority.

17 (B) EFFECT ON SUBSEQUENT CERTIFI-
18 CATION.—If the Secretary of State exercises the
19 authority of paragraph (1), the condition de-
20 scribed in that paragraph shall be deemed to
21 have been satisfied for purposes of making any
22 certification under section 941.

23 (3) ADDITIONAL REQUIREMENT.—If the au-
24 thority to waive a condition under paragraph (1)(A)
25 is exercised, the Secretary of State shall notify the

1 United Nations that the Congress does not consider
2 the United States obligated to pay, and does not in-
3 tend to pay, arrearages that have not been included
4 in the contested arrearages account or other mecha-
5 nism described in section 931(b)(1).

6 (f) WAIVER AUTHORITY WITH RESPECT TO FISCAL
7 YEAR 2000 FUNDS.—

8 (1) IN GENERAL.—Subject to paragraph (2)
9 and notwithstanding subsection (b), funds made
10 available under section 911 for fiscal year 2000 may
11 be obligated or expended pursuant to subsection
12 (b)(3) even if the Secretary of State cannot certify
13 that the condition described in paragraph (1) of sec-
14 tion 941(b) has been satisfied.

15 (2) REQUIREMENTS.—

16 (A) IN GENERAL.—The authority to waive
17 a condition under paragraph (1) may be exer-
18 cised only if the Secretary of State has notified,
19 and consulted with, the appropriate congress-
20 sional committees prior to exercising the au-
21 thority.

22 (B) EFFECT ON SUBSEQUENT CERTIFI-
23 CATION.—If the Secretary of State exercises the
24 authority of paragraph (1) with respect to a
25 condition, such condition shall be deemed to

1 have been satisfied for purposes of making any
2 certification under section 941.

3 **SEC. 913. FORGIVENESS OF AMOUNTS OWED BY THE**
4 **UNITED NATIONS TO THE UNITED STATES.**

5 (a) **FORGIVENESS OF INDEBTEDNESS.**—Subject to
6 subsection (b), the President is authorized to forgive or
7 reduce any amount owed by the United Nations to the
8 United States as a reimbursement, including any reim-
9 bursement payable under the Foreign Assistance Act of
10 1961 or the United Nations Participation Act of 1945.

11 (b) **LIMITATIONS.**—

12 (1) **TOTAL AMOUNT.**—The total of amounts for-
13 given or reduced under subsection (a) may not ex-
14 ceed \$107,000,000.

15 (2) **RELATION TO UNITED STATES ARREAR-**
16 **AGES.**—Amounts shall be forgiven or reduced under
17 this section only to the same extent as the United
18 Nations forgives or reduces amounts owed by the
19 United States to the United Nations as of Sep-
20 tember 30, 1997.

21 (c) **REQUIREMENTS.**—The authority in subsection (a)
22 shall be available only to the extent and in the amounts
23 provided in advance in appropriations Acts.

24 (d) **CONGRESSIONAL NOTIFICATION.**—Before exer-
25 cising any authority in subsection (a), the President shall

1 notify the appropriate congressional committees in accord-
2 ance with the same procedures as are applicable to re-
3 programming notifications under section 634A of the For-
4 eign Assistance Act of 1961 (22 U.S.C. 2394–1).

5 (e) EFFECTIVE DATE.—This section shall take effect
6 on the date a certification is transmitted to the appro-
7 priate congressional committees under section 931.

8 **CHAPTER 2—UNITED STATES**

9 **SOVEREIGNTY**

10 **SEC. 921. CERTIFICATION REQUIREMENTS.**

11 (a) CONTENTS OF CERTIFICATION.—A certification
12 described in this section is a certification by the Secretary
13 of State that the following conditions are satisfied:

14 (1) SUPREMACY OF THE UNITED STATES CON-
15 STITUTION.—No action has been taken by the
16 United Nations or any of its specialized or affiliated
17 agencies that requires the United States to violate
18 the United States Constitution or any law of the
19 United States.

20 (2) NO UNITED NATIONS SOVEREIGNTY.—Nei-
21 ther the United Nations nor any of its specialized or
22 affiliated agencies—

23 (A) has exercised sovereignty over the
24 United States; or

1 (B) has taken any steps that require the
2 United States to cede sovereignty.

3 (3) NO UNITED NATIONS TAXATION.—

4 (A) NO LEGAL AUTHORITY.—Except as
5 provided in subparagraph (D), neither the
6 United Nations nor any of its specialized or af-
7 filiated agencies has the authority under United
8 States law to impose taxes or fees on United
9 States nationals.

10 (B) NO TAXES OR FEES.—Except as pro-
11 vided in subparagraph (D), a tax or fee has not
12 been imposed on any United States national by
13 the United Nations or any of its specialized or
14 affiliated agencies.

15 (C) NO TAXATION PROPOSALS.—Except as
16 provided in subparagraph (D), neither the
17 United Nations nor any of its specialized or af-
18 filiated agencies has, on or after October 1,
19 1996, officially approved any formal effort to
20 develop, advocate, or promote any proposal con-
21 cerning the imposition of a tax or fee on any
22 United States national in order to raise revenue
23 for the United Nations or any such agency.

24 (D) EXCEPTION.—This paragraph does
25 not apply to—

1 (i) fees for publications or other kinds
2 of fees that are not tantamount to a tax on
3 United States citizens;

4 (ii) the World Intellectual Property
5 Organization; or

6 (iii) the staff assessment costs of the
7 United Nations and its specialized or affili-
8 ated agencies.

9 (4) NO STANDING ARMY.—The United Nations
10 has not, on or after October 1, 1996, budgeted any
11 funds for, nor taken any official steps to develop,
12 create, or establish any special agreement under Ar-
13 ticle 43 of the United Nations Charter to make
14 available to the United Nations, on its call, the
15 armed forces of any member of the United Nations.

16 (5) NO INTEREST FEES.—The United Nations
17 has not, on or after October 1, 1996, levied interest
18 penalties against the United States or any interest
19 on arrearages on the annual assessment of the
20 United States, and neither the United Nations nor
21 its specialized agencies have, on or after October 1,
22 1996, amended their financial regulations or taken
23 any other action that would permit interest penalties
24 to be levied against the United States or otherwise

1 charge the United States any interest on arrearages
2 on its annual assessment.

3 (6) UNITED STATES REAL PROPERTY
4 RIGHTS.—Neither the United Nations nor any of its
5 specialized or affiliated agencies has exercised au-
6 thority or control over any United States national
7 park, wildlife preserve, monument, or real property,
8 nor has the United Nations nor any of its specialized
9 or affiliated agencies implemented plans, regulations,
10 programs, or agreements that exercise control or au-
11 thority over the private real property of United
12 States citizens located in the United States without
13 the approval of the property owner.

14 (7) TERMINATION OF BORROWING AUTHOR-
15 ITY.—

16 (A) PROHIBITION ON AUTHORIZATION OF
17 EXTERNAL BORROWING.—On or after the date
18 of enactment of this Act, neither the United
19 Nations nor any specialized agency of the
20 United Nations has amended its financial regu-
21 lations to permit external borrowing.

22 (B) PROHIBITION OF UNITED STATES PAY-
23 MENT OF INTEREST COSTS.—The United States
24 has not, on or after October 1, 1984, paid its
25 share of any interest costs made known to or

1 identified by the United States Government for
2 loans incurred, on or after October 1, 1984, by
3 the United Nations or any specialized agency of
4 the United Nations through external borrowing.

5 (b) TRANSMITTAL.—The Secretary of State may
6 transmit a certification under subsection (a) at any time
7 during fiscal year 1998 or thereafter if the requirements
8 of the certification are satisfied.

9 **CHAPTER 3—REFORM OF ASSESSMENTS**
10 **AND UNITED NATIONS PEACEKEEPING**
11 **OPERATIONS**

12 **SEC. 931. CERTIFICATION REQUIREMENTS.**

13 (a) IN GENERAL.—A certification described in this
14 section is a certification by the Secretary of State that
15 the conditions in subsection (b) are satisfied. Such certifi-
16 cation shall not be made by the Secretary if the Secretary
17 determines that any of the conditions set forth in section
18 921 are no longer satisfied.

19 (b) CONDITIONS.—The conditions under this sub-
20 section are the following:

21 (1) CONTESTED ARREARAGES.—The United
22 Nations has established an account or other appro-
23 priate mechanism with respect to all United States
24 arrearages incurred before the date of enactment of
25 this Act with respect to which payments are not au-

1 thorized by this Act, and the failure to pay amounts
2 specified in the account does not affect the applica-
3 tion of Article 19 of the Charter of the United Na-
4 tions. The account established under this paragraph
5 may be referred to as the “contested arrearages ac-
6 count”.

7 (2) LIMITATION ON ASSESSED SHARE OF BUDG-
8 ET FOR UNITED NATIONS PEACEKEEPING OPER-
9 ATIONS.—The assessed share of the budget for each
10 assessed United Nations peacekeeping operation
11 does not exceed 25 percent for any single United
12 Nations member.

13 (3) LIMITATION ON ASSESSED SHARE OF REG-
14 ULAR BUDGET.—The share of the total of all as-
15 sessed contributions for the regular budget of the
16 United Nations does not exceed 22 percent for any
17 single United Nations member.

18 **CHAPTER 4—BUDGET AND PERSONNEL**

19 **REFORM**

20 **SEC. 941. CERTIFICATION REQUIREMENTS.**

21 (a) IN GENERAL.—

22 (1) IN GENERAL.—Except as provided in para-
23 graph (2), a certification described in this section is
24 a certification by the Secretary of State that the
25 conditions in subsection (b) are satisfied.

1 (2) SPECIFIED CERTIFICATION.—A certification
2 described in this section is also a certification that,
3 with respect to the United Nations or a particular
4 designated specialized agency, the conditions in sub-
5 section (b)(4) applicable to that organization are
6 satisfied, regardless of whether the conditions in
7 subsection (b)(4) applicable to any other organiza-
8 tion are satisfied, if the other conditions in sub-
9 section (b) are satisfied.

10 (3) EFFECT OF SPECIFIED CERTIFICATION.—
11 Funds made available under section 912(b)(3) upon
12 a certification made under this section with respect
13 to the United Nations or a particular designated
14 specialized agency shall be limited to that portion of
15 the funds available under that section that is allo-
16 cated for the organization with respect to which the
17 certification is made and for any other organization
18 to which none of the conditions in subsection (b)
19 apply.

20 (4) LIMITATION.—A certification described in
21 this section shall not be made by the Secretary if the
22 Secretary determines that any of the conditions set
23 forth in sections 921 and 931 are no longer satis-
24 fied.

1 (b) CONDITIONS.—The conditions under this sub-
2 section are the following:

3 (1) LIMITATION ON ASSESSED SHARE OF REG-
4 ULAR BUDGET.—The share of the total of all as-
5 sessed contributions for the regular budget of the
6 United Nations, or any designated specialized agen-
7 cy of the United Nations, does not exceed 20 percent
8 for any single United Nations member.

9 (2) INSPECTORS GENERAL FOR CERTAIN ORGA-
10 NIZATIONS.—

11 (A) ESTABLISHMENT OF OFFICES.—Each
12 designated specialized agency has established an
13 independent office of inspector general to con-
14 duct and supervise objective audits, inspections,
15 and investigations relating to the programs and
16 operations of the organization.

17 (B) APPOINTMENT OF INSPECTORS GEN-
18 ERAL.—The Director General of each des-
19 ignated specialized agency has appointed an in-
20 spector general, with the approval of the mem-
21 ber states, and that appointment was made
22 principally on the basis of the appointee's integ-
23 rity and demonstrated ability in accounting, au-
24 diting, financial analysis, law, management

1 analysis, public administration, or investiga-
2 tions.

3 (C) ASSIGNED FUNCTIONS.—Each inspec-
4 tor general appointed under subparagraph (A)
5 is authorized to—

6 (i) make investigations and reports re-
7 lating to the administration of the pro-
8 grams and operations of the agency con-
9 cerned;

10 (ii) have access to all records, docu-
11 ments, and other available materials relat-
12 ing to those programs and operations of
13 the agency concerned; and

14 (iii) have direct and prompt access to
15 any official of the agency concerned.

16 (D) COMPLAINTS.—Each designated spe-
17 cialized agency has procedures in place designed
18 to protect the identity of, and to prevent repris-
19 als against, any staff member making a com-
20 plaint or disclosing information to, or cooper-
21 ating in any investigation or inspection by, the
22 inspector general of the agency.

23 (E) COMPLIANCE WITH RECOMMENDA-
24 TIONS.—Each designated specialized agency has
25 in place procedures designed to ensure compli-

1 ance with the recommendations of the inspector
2 general of the agency.

3 (F) AVAILABILITY OF REPORTS.—Each
4 designated specialized agency has in place pro-
5 cedures to ensure that all annual and other rel-
6 evant reports submitted by the inspector gen-
7 eral to the agency are made available to the
8 member states without modification except to
9 the extent necessary to protect the privacy
10 rights of individuals.

11 (3) NEW BUDGET PROCEDURES FOR THE
12 UNITED NATIONS.—The United Nations has estab-
13 lished and is implementing budget procedures that—

14 (A) require the maintenance of a budget
15 not in excess of the level agreed to by the Gen-
16 eral Assembly at the beginning of each United
17 Nations budgetary biennium, unless increases
18 are agreed to by consensus; and

19 (B) require the system-wide identification
20 of expenditures by functional categories such as
21 personnel, travel, and equipment.

22 (4) SUNSET POLICY FOR CERTAIN UNITED NA-
23 TIONS PROGRAMS.—

24 (A) EXISTING AUTHORITY.—The Secretary
25 General and the Director General of each des-

1 ignated specialized agency have used their exist-
2 ing authorities to require program managers
3 within the United Nations Secretariat and the
4 Secretariats of the designated specialized agen-
5 cies to conduct evaluations of United Nations
6 programs approved by the General Assembly,
7 and of programs of the designated specialized
8 agencies, in accordance with the standardized
9 methodology referred to in subparagraph (B).

10 (B) DEVELOPMENT OF EVALUATION CRI-
11 TERIA.—

12 (i) UNITED NATIONS.—The Office of
13 Internal Oversight Services has developed
14 a standardized methodology for the evalua-
15 tion of United Nations programs approved
16 by the General Assembly, including specific
17 criteria for determining the continuing rel-
18 evance and effectiveness of the programs.

19 (ii) DESIGNATED SPECIALIZED AGEN-
20 CIES.—Patterned on the work of the Office
21 of Internal Oversight Services of the
22 United Nations, each designated special-
23 ized agency has developed a standardized
24 methodology for the evaluation of the pro-
25 grams of the agency, including specific cri-

1 teria for determining the continuing rel-
2 evance and effectiveness of the programs.

3 (C) PROCEDURES.—Consistent with the
4 July 16, 1997, recommendations of the Sec-
5 retary General regarding a sunset policy and re-
6 sults-based budgeting for United Nations pro-
7 grams, the United Nations and each designated
8 specialized agency has established and is imple-
9 menting procedures—

10 (i) requiring the Secretary General or
11 the Director General of the agency, as the
12 case may be, to report on the results of
13 evaluations referred to in this paragraph,
14 including the identification of programs
15 that have met criteria for continuing rel-
16 evance and effectiveness and proposals to
17 terminate or modify programs that have
18 not met such criteria; and

19 (ii) authorizing an appropriate body
20 within the United Nations or the agency,
21 as the case may be, to review each evalua-
22 tion referred to in this paragraph and re-
23 port to the General Assembly on means of
24 improving the program concerned or on
25 terminating the program.

1 (D) UNITED STATES POLICY.—It shall be
2 the policy of the United States to seek adoption
3 by the United Nations of a resolution requiring
4 that each United Nations program approved by
5 the General Assembly, and to seek adoption by
6 each designated specialized agency of a resolu-
7 tion requiring that each program of the agency,
8 be subject to an evaluation referred to in this
9 paragraph and have a specific termination date
10 so that the program will not be renewed unless
11 the evaluation demonstrates the continuing rel-
12 evance and effectiveness of the program.

13 (E) DEFINITION.—For purposes of this
14 paragraph, the term “United Nations program
15 approved by the General Assembly” means a
16 program approved by the General Assembly of
17 the United Nations which is administered or
18 funded by the United Nations.

19 (5) UNITED NATIONS ADVISORY COMMITTEE ON
20 ADMINISTRATIVE AND BUDGETARY QUESTIONS.—

21 (A) IN GENERAL.—The United States has
22 a seat on the United Nations Advisory Com-
23 mittee on Administrative and Budgetary Ques-
24 tions or the five largest member contributors
25 each have a seat on the Advisory Committee.

1 (B) DEFINITION.—As used in this para-
2 graph, the term “5 largest member contribu-
3 tors” means the 5 United Nations member
4 states that, during a United Nations budgetary
5 biennium, have more total assessed contribu-
6 tions than any other United Nations member
7 state to the aggregate of the United Nations
8 regular budget and the budget (or budgets) for
9 United Nations peacekeeping operations.

10 (6) ACCESS BY THE GENERAL ACCOUNTING OF-
11 FICE.—The United Nations has in effect procedures
12 providing access by the United States General Ac-
13 counting Office to United Nations financial data to
14 assist the Office in performing nationally mandated
15 reviews of United Nations operations.

16 (7) PERSONNEL.—

17 (A) APPOINTMENT AND SERVICE OF PER-
18 SONNEL.—The Secretary General—

19 (i) has established and is imple-
20 menting procedures that ensure that staff
21 employed by the United Nations is ap-
22 pointed on the basis of merit consistent
23 with Article 101 of the United Nations
24 Charter; and

1 (ii) is enforcing those contractual obli-
2 gations requiring worldwide availability of
3 all professional staff of the United Nations
4 to serve and be relocated based on the
5 needs of the United Nations.

6 (B) CODE OF CONDUCT.—The General As-
7 sembly has adopted, and the Secretary General
8 has the authority to enforce and is effectively
9 enforcing, a code of conduct binding on all
10 United Nations personnel, including the re-
11 quirement of financial disclosure statements
12 binding on senior United Nations personnel and
13 the establishment of rules against nepotism that
14 are binding on all United Nations personnel.

15 (C) PERSONNEL EVALUATION SYSTEM.—
16 The United Nations has adopted and is enforce-
17 ing a personnel evaluation system.

18 (D) PERIODIC ASSESSMENTS.—The United
19 Nations has established and is implementing a
20 mechanism to conduct periodic assessments of
21 the United Nations payroll to determine total
22 staffing, and the results of such assessments
23 are reported in an unabridged form to the Gen-
24 eral Assembly.

1 (E) REVIEW OF UNITED NATIONS ALLOW-
2 ANCE SYSTEM.—The United States has com-
3 pleted a thorough review of the United Nations
4 personnel allowance system. The review shall in-
5 clude a comparison of that system with the
6 United States civil service system, and shall
7 make recommendations to reduce entitlements
8 to allowances and allowance funding levels from
9 the levels in effect on January 1, 1998.

10 (8) REDUCTION IN BUDGET AUTHORITIES.—
11 The designated specialized agencies have achieved
12 zero nominal growth in their biennium budgets for
13 2000–01 from the 1998–99 biennium budget levels
14 of the respective agencies.

15 (9) NEW BUDGET PROCEDURES AND FINANCIAL
16 REGULATIONS.—Each designated specialized agency
17 has established procedures to—

18 (A) require the maintenance of a budget
19 that does not exceed the level agreed to by the
20 member states of the organization at the begin-
21 ning of each budgetary biennium, unless in-
22 creases are agreed to by consensus;

23 (B) require the identification of expendi-
24 tures by functional categories such as per-
25 sonnel, travel, and equipment; and

1 (C) require approval by the member states
2 of the agency's supplemental budget requests to
3 the Secretariat in advance of expenditures
4 under those requests.

5 (10) LIMITATION ON ASSESSED SHARE OF REG-
6 ULAR BUDGET FOR THE DESIGNATED SPECIALIZED
7 AGENCIES.—The share of the total of all assessed
8 contributions for any designated specialized agency
9 does not exceed 22 percent for any single member of
10 the agency.

11 **Subtitle C—Miscellaneous**
12 **Provisions**

13 **SEC. 951. STATUTORY CONSTRUCTION ON RELATION TO EX-**
14 **ISTING LAWS.**

15 Except as otherwise specifically provided, nothing in
16 this title may be construed to make available funds in vio-
17 lation of any provision of law containing a specific prohibi-
18 tion or restriction on the use of the funds, including sec-
19 tion 114 of the Department of State Authorization Act,
20 Fiscal Years 1984 and 1985 (22 U.S.C. 287e note), sec-
21 tion 151 of the Foreign Relations Authorization Act, Fis-
22 cal Years 1986 and 1987 (22 U.S.C. 287e note), and sec-
23 tion 404 of the Foreign Relations Authorization Act, Fis-
24 cal Years 1994 and 1995 (22 U.S.C. 287e note).

1 **SEC. 952. PROHIBITION ON PAYMENTS RELATING TO**
2 **UNIDO AND OTHER INTERNATIONAL ORGANI-**
3 **ZATIONS FROM WHICH THE UNITED STATES**
4 **HAS WITHDRAWN OR RESCINDED FUNDING.**

5 None of the funds authorized to be appropriated by
6 this title shall be used to pay any arrearage for—

7 (1) the United Nations Industrial Development
8 Organization;

9 (2) any costs to merge that organization into
10 the United Nations;

11 (3) the costs associated with any other organi-
12 zation of the United Nations from which the United
13 States has withdrawn including the costs of the
14 merger of such organization into the United Na-
15 tions; or

16 (4) the World Tourism Organization, or any
17 other international organization with respect to
18 which Congress has rescinded funding.

19 **TITLE X—RUSSIAN BUSINESS**
20 **MANAGEMENT EDUCATION**

21 **SEC. 1001. PURPOSE.**

22 The purpose of this title is to establish a training pro-
23 gram in Russia for nationals of Russia to obtain skills in
24 business administration, accounting, and marketing, with
25 special emphasis on instruction in business ethics and in
26 the basic terminology, techniques, and practices of those

1 disciplines, to achieve international standards of quality,
2 transparency, and competitiveness.

3 **SEC. 1002. DEFINITIONS.**

4 (a) BOARD.—The term “Board” means the United
5 States-Russia Business Management Training Board es-
6 tablished under section 1005(a).

7 (b) DISTANCE LEARNING.—The term “distance
8 learning” means training through computers, interactive
9 videos, teleconferencing, and videoconferencing between
10 and among students and teachers.

11 (c) ELIGIBLE ENTERPRISE.—The term “eligible en-
12 terprise” means—

13 (1) a business concern operating in Russia that
14 employs Russian nationals; and

15 (2) a private enterprise that is being formed or
16 operated by former officers of the Russian armed
17 forces in Russia.

18 (d) SECRETARY.—The term “Secretary” means the
19 Secretary of State.

20 **SEC. 1003. AUTHORIZATION FOR TRAINING PROGRAM AND**
21 **INTERNSHIPS.**

22 (a) TRAINING PROGRAM.—

23 (1) IN GENERAL.—The Secretary of State, act-
24 ing through the Under Secretary of State for Public
25 Diplomacy, and taking into account the general poli-

1 cies recommended by the United States-Russia Busi-
2 ness Management Training Board established under
3 section 1005(a), is authorized to establish a program
4 of technical assistance (in this title referred to as the
5 “program”) to provide the training described in sec-
6 tion 1001 to eligible enterprises.

7 (2) IMPLEMENTATION.—Training shall be car-
8 ried out by United States nationals having expertise
9 in business administration, accounting, and mar-
10 keting or by Russian nationals who have been
11 trained under the program or by those who meet cri-
12 teria established by the Board. Such training may be
13 carried out—

14 (A) in the offices of eligible enterprises, at
15 business schools or institutes, or at other loca-
16 tions in Russia, including facilities of the armed
17 forces of Russia, educational institutions, or in
18 the offices of trade or industry associations,
19 with special consideration given to locations
20 where similar training opportunities are limited
21 or nonexistent; or

22 (B) by “distance learning” programs origi-
23 nating in the United States or in European
24 branches of United States institutions.

1 (b) INTERNSHIPS WITH UNITED STATES DOMESTIC
2 BUSINESS CONCERNS.—The Secretary, acting through
3 the Under Secretary of State for Public Diplomacy, is au-
4 thorized to pay the travel expenses and appropriate in-
5 country business English language training, if needed, of
6 certain Russian nationals who have completed training
7 under the program to undertake short-term internships
8 with business concerns in the United States upon the rec-
9 ommendation of the Board.

10 **SEC. 1004. APPLICATIONS FOR TECHNICAL ASSISTANCE.**

11 (a) PROCEDURES.—

12 (1) IN GENERAL.—Each eligible enterprise that
13 desires to receive training for its employees and
14 managers under this title shall submit an application
15 to the clearinghouse established by subsection (d), at
16 such time, in such manner, and accompanied by
17 such additional information as the Secretary may
18 reasonably require.

19 (2) JOINT APPLICATIONS.—A consortium of eli-
20 gible enterprises may file a joint application under
21 the provisions of paragraph (1).

22 (b) CONTENTS.—The Secretary shall approve an ap-
23 plication under subsection (a) only if the application—

1 (1) is for an individual or individuals employed
2 in an eligible enterprise or enterprises applying
3 under the program;

4 (2) describes the level of training for which as-
5 sistance under this title is sought;

6 (3) provides evidence that the eligible enterprise
7 meets the general policies adopted by the Secretary
8 for the administration of this title;

9 (4) provides assurances that the eligible enter-
10 prise will pay a share of the costs of the training,
11 which share may include in-kind contributions; and

12 (5) provides such additional assurances as the
13 Secretary determines to be essential to ensure com-
14 pliance with the requirements of this title.

15 (c) COMPLIANCE WITH BOARD POLICIES.—The Sec-
16 retary shall approve applications for technical assistance
17 under the program after taking into account the rec-
18 ommendations of the Board.

19 (d) CLEARINGHOUSE.—There is established a clear-
20 inghouse in Russia to manage and execute the program.
21 The clearinghouse shall screen applications, provide infor-
22 mation regarding training and teachers, monitor perform-
23 ance of the program, and coordinate appropriate post-pro-
24 gram follow-on activities.

1 **SEC. 1005. UNITED STATES-RUSSIAN BUSINESS MANAGE-**
2 **MENT TRAINING BOARD.**

3 (a) ESTABLISHMENT.—There is established within
4 the Department of State a United States-Russian Busi-
5 ness Management Training Board.

6 (b) COMPOSITION.—The Board established pursuant
7 to subsection (a) shall be composed of 12 members as fol-
8 lows:

9 (1) The Under Secretary of State for Public Di-
10 plomacy.

11 (2) The Administrator of the Agency for Inter-
12 national Development.

13 (3) The Secretary of Commerce.

14 (4) The Secretary of Education.

15 (5) Six individuals from the private sector hav-
16 ing expertise in business administration, accounting,
17 and marketing, who shall be appointed by the Sec-
18 retary of State, as follows:

19 (A) Two individuals employed by graduate
20 schools of management offering accredited de-
21 grees.

22 (B) Two individuals employed by eligible
23 enterprises.

24 (C) Two individuals from nongovernmental
25 organizations involved in promoting free market
26 economy practices in Russia.

1 (6) Two nationals of Russia having experience
2 in business administration, accounting, or mar-
3 keting, who shall be appointed by the Secretary of
4 State upon the recommendation of the Government
5 of Russia, and who shall serve as nonvoting mem-
6 bers.

7 (c) GENERAL POLICIES.—The Board shall make rec-
8 ommendations to the Secretary with respect to general
9 policies for the administration of this title, including—

10 (1) guidelines for the administration of the pro-
11 gram under this title;

12 (2) criteria for determining the qualifications of
13 applicants under the program;

14 (3) the appointment of panels of business lead-
15 ers in the United States and Russia for the purpose
16 of nominating trainees; and

17 (4) such other matters with respect to which
18 the Secretary may request recommendations.

19 (d) CHAIRPERSON.—The Chairperson of the Board
20 shall be designated by the President from among the vot-
21 ing members of the Board. Except as provided in sub-
22 section (e)(2), a majority of the voting members of the
23 Board shall constitute a quorum.

24 (e) MEETINGS.—The Board shall meet at the call of
25 the Chairperson, except that—

1 (1) the Board shall meet not less than 4 times
2 each year; and

3 (2) the Board shall meet whenever one-third of
4 the voting members request a meeting in writing, in
5 which event 7 of the voting members shall constitute
6 a quorum.

7 (f) COMPENSATION.—Members of the Board who are
8 not in the regular full-time employ of the United States
9 shall receive, while engaged in the business of the Board,
10 compensation for service at a rate to be fixed by the Presi-
11 dent, except that such rate shall not exceed the rate speci-
12 fied at the time of such service for level V of the Executive
13 Schedule under section 5316 of title 5, United States
14 Code, including traveltime, and, while so serving away
15 from their homes or regular places of business, they may
16 be allowed travel expenses, including per diem in lieu of
17 subsistence, as authorized by section 5703 of title 5,
18 United States Code, for persons employed intermittently
19 in Government service.

20 **SEC. 1006. RESTRICTIONS NOT APPLICABLE.**

21 Prohibitions on the use of foreign assistance funds
22 for assistance for the Russian Federation shall not apply
23 with respect to the funds made available to carry out this
24 title.

1 **SEC. 1007. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) IN GENERAL.—There is authorized to be appro-
3 priated \$10,000,000 for each of fiscal years 2000 and
4 2001 to carry out this title.

5 (b) AVAILABILITY OF FUNDS.—Amounts appro-
6 priated under subsection (a) are authorized to remain
7 available until expended.

8 **SEC. 1008. EFFECTIVE DATE.**

9 This title shall take effect on October 1, 1999.

Passed the Senate June 22, 1999.

Attest:

Secretary.

106TH CONGRESS
1ST SESSION
S. 886

AN ACT

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.

June 30, 1999

Ordered to be printed as passed

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