Bonds (a new proposal), and expansion of the Qualified Zone Academy Bonds (created last year). These tax credits will cost the Treasury $5 billion over 5 years, and more than $10 billion over ten years.

SCHOOL MODERNIZATION BONDS

$19.4 billion in zero-interst bonds ($9.7 billion in 1999 and $9.7 billion in 2000) is proposed for construction and renovation of public school facilities. The Department of the Treasury would allocate the rights to offer these special 15-year bonds to States, territories, and certain school districts that have submitted school construction plans to the Secretary of Education.

Half of the bond authority would be allocated to the 100 school districts with the largest number of low-income children, in proportion to the number of such children served (the Title I Basic Grant formula), to provide assistance in accordance with each school district's plan.

The other half would be allocated to States and territories to provide to school districts in need of assistance in accordance with each State's plan. The bond authority would be allocated according to the State's proportion of low-income children (Title I Basic Grant formula), except that children in the 100 school districts (above) would not be included in the count.

School Construction Plans: In order to receive a bond allocation, States, territories, and the eligible 100 school districts would be required to submit a plan to the Secretary of Education. The plans would (1) demonstrate that a comprehensive survey has been undertaken of the construction and renovation needs in the jurisdiction, including meeting requirements for access by persons with disabilities, and (2) describe how the jurisdiction will ensure that the bond funds are used for the purposes intended by this proposal, including the requirement that they will supplement, not supplant, amounts that would have been spent on construction and renovation in the absence of these bonds. State plans would also describe how they will ensure that localities with the greatest need—as demonstrated by inadequate facilities coupled with a low level of resources to meet the needs—would be served.

QUALIFIED ZONE ACADEMY BONDS

This program, created by the Taxpayer Relief Act of 1997, provides a tax credit to pay interest on bonds for a variety of expenses (including building renovation) related to certain public school-business partnerships. The FY 99 Budget would expand these bonds to cover school construction and would increase and extend the bond authority by $2.4 billion (an additional $1 billion, to $1.4 billion, in 1999, and $1.4 billion in 2000). This bond authority is allocated to States on the basis of their respective populations of individuals with incomes below the poverty line.

CONFERENCE REPORT ON H.R. 1757, FOREIGN AFFAIRS REFORM AND RESTRUCTURING ACT

Mr. SMITH of New Jersey (during special order of the gentleman from Oklahoma, Mr. ISTOOK) submitted the following conference report and statement on the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and to ensure that the enlargement of the North Atlantic Treaty Organization (NATO) proceeds in a manner consistent with United States interests, to strengthen relations between the United States and Russia, to preserve the prerogatives of the Congress with respect to certain arms control agreements, and for other purposes:

CONFERENCE REPORT (H. REPT. 105–432)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1757), to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and to ensure that the enlargement of the North Atlantic Treaty Organization (NATO) proceeds in a manner consistent with United States interests, to strengthen relations between the United States and Russia, to preserve the prerogatives of the Congress with respect to certain arms control agreements, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreign Affairs Reform and Restructuring Act of 1998''.

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

(a) DIVISIONS.—This Act is organized into three divisions as follows:

(1) DIVISION A.—Foreign Affairs Agencies Consolidation Act of 1998.

(2) DIVISION B.—Foreign Relations Authorization Act, Fiscal Years 1998 and 1999.

(3) DIVISION C.—United Nations Reform Act of 1998.

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

Sec. 1. Short title.
Sec. 2. Organization of Act into divisions; table of contents.

SUBDIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS AGENCIES

TITLE I—GENERAL PROVISIONS

Sec. 101. Short title.
Sec. 102. Purposes.
Sec. 103. Definitions.
Sec. 104. Report on budgetary cost savings resulting from reorganization.

TITLE II—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

CHAPTER 1—GENERAL PROVISIONS

Sec. 201. Effective date.

CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS

Sec. 211. Abolition of United States Arms Control and Disarmament Agency.
Sec. 212. Transfer of functions to Secretary of State.
Sec. 213. Under Secretary for Arms Control and International Security.

CHAPTER 3—CONFORMING AMENDMENTS

Sec. 221. References.
Sec. 222. Repeals.
Sec. 223. Amendments to the Arms Control and Disarmament Act.
Sec. 224. Compensation of officers.
Sec. 225. Additional conforming amendments.

TITLE III—UNITED STATES INFORMATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

Sec. 301. Effective date.

CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS

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

CHAPTER 3—INTERNATIONAL BROADCASTING

Sec. 321. Congressional findings and declaration of purpose.
Sec. 322. Continued existence of Broadcasting Board of Governors.
Sec. 323. Conforming amendments to the United States International Broadcasting Act of 1994.
Sec. 324. Amendments to the Radio Broadcasting to Cuba Act.
Sec. 325. Amendments to the Television Broadcasting to Cuba Act.
Sec. 326. Transfer of broadcasting related funds, property, and personnel.
Sec. 327. Savings provisions.
Sec. 328. Report on the privatization of RFE/RL, Incorporated.

CHAPTER 4—CONFORMING AMENDMENTS

Sec. 331. References.
Sec. 332. Amendments to title 5, United States Code.
Sec. 333. Application of certain laws.
Sec. 334. Abolition of United States Advisory Commission on Public Diplomacy.
Sec. 335. Conforming amendments.
Sec. 336. Repeals.

TITLE IV—UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

Sec. 401. Effective date.

CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS

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

CHAPTER 3—CONFORMING AMENDMENTS

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

TITLE V—AGENCY FOR INTERNATIONAL DEVELOPMENT

CHAPTER 1—GENERAL PROVISIONS

Sec. 501. Effective date.

CHAPTER 2—REORGANIZATION AND TRANSFER OF FUNCTIONS

Sec. 511. Reorganization of Agency for International Development.

CHAPTER 3—AUTHORITIES OF THE SECRETARY OF STATE

Sec. 521. Definition of United States assistance.
Sec. 522. Administrator of AID reporting to the Secretary of State.
Sec. 523. Assistance programs coordination and oversight.

TITLE VI—TRANSITION

CHAPTER 1—REORGANIZATION PLAN

Sec. 601. Reorganization plan and report.

CHAPTER 2—REORGANIZATION AUTHORITY

Sec. 611. Reorganization authority.
Sec. 612. Transfer and allocation of appropriations.
Sec. 613. Transfer, appointment, and assignment of personnel.
Sec. 614. Incidental transfers.
Sec. 615. Savings provisions.
Sec. 616. Authority of Secretary of State to facilitate transition.
Sec. 617. Final report.

DIVISION B—FOREIGN RELATIONS AUTHORIZATION

TITLE X—GENERAL PROVISIONS

Sec. 1001. Short title.
Sec. 1002. Definition of appropriate congressional committees.

TITLE XI—AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF STATE

Sec. 1101. Administration of foreign affairs.
Sec. 1102. International commissions.
Sec. 1103. Grants to The Asia Foundation.
Sec. 1104. Voluntary contributions to international organizations.
Sec. 1105. Voluntary contributions to peacekeeping operations.
Sec. 1106. Limitation on United States voluntary contributions to United Nations Development Program.
Sec. 1107. United Nations Population Fund.

TITLE XII—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

CHAPTER 1—AUTHORITIES AND ACTIVITIES

Sec. 1201. Reimbursement of Department of State for assistance to overseas educational facilities.
Sec. 1202. Revision of Department of State rewards program.
Sec. 1203. Retention of additional defense trade controls registration fees.
Sec. 1204. Fees for commercial services.
Sec. 1205. Pilot program for foreign affairs reimbursement.
Sec. 1206. Fee for use of diplomatic reception rooms.
Sec. 1207. Budget presentation documents.
Sec. 1208. Office of the Inspector General.
Sec. 1209. Capital Investment Fund.
Sec. 1210. Contracting for local guards services overseas.
Sec. 1211. Authority of the Foreign Claims Settlement Commission.
Sec. 1212. Expenses relating to certain international claims and proceedings.
Sec. 1213. Grants to remedy international abductions of children.
Sec. 1214. Counterdrug and anticrime activities of the Department of State.
Sec. 1215. Annual report on overseas surplus properties.
Sec. 1216. Human rights reports.
Sec. 1217. Reports and policy concerning diplomatic immunity.
Sec. 1218. Reaffirming United States international telecommunications policy.
Sec. 1219. Reduction of reporting.

CHAPTER 2—CONSULAR AUTHORITIES OF THE DEPARTMENT OF STATE

Sec. 1221. Use of certain passport processing fees for enhanced passport services.
Sec. 1222. Surcharge for processing certain machine readable visas.
Sec. 1223. Consular officers.
Sec. 1224. Repeal of outdated consular receipt requirements.
Sec. 1225. Elimination of duplicate Federal Register publication for travel advisories.
Sec. 1226. Denial of visas to confiscators of American property.
Sec. 1227. Inadmissibility of any alien supporting an international child abductor.
Sec. 1228. Haiti; exclusion of certain aliens; reporting requirements.

CHAPTER 3—REFUGEES AND MIGRATION

SUBCHAPTER A—AUTHORIZATION OF APPROPRIATIONS

Sec. 1231. Migration and refugee assistance.

SUBCHAPTER B—AUTHORITIES

Sec. 1241. United States policy regarding the involuntary return of refugees.
Sec. 1242. United States policy with respect to the involuntary return of persons in danger of subjection to torture.
Sec. 1243. Reprogramming of migration and refugee assistance funds.
Sec. 1244. Eligibility for refugee status.
Sec. 1245. Reports to Congress concerning Cuban emigration policies.

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

CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE

Sec. 1301. Coordinator for Counterterrorism.
Sec. 1302. Elimination of Deputy Assistant Secretary of State for Burdensharing.
Sec. 1303. Personnel management.
Sec. 1304. Diplomatic security.
Sec. 1305. Number of senior official positions authorized for the Department of State.
Sec. 1306. Nomination of Under Secretaries and Assistant Secretaries of State.

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

Sec. 1311. Foreign Service reform.
Sec. 1312. Retirement benefits for involuntary separation.
Sec. 1313. Authority of Secretary to separate convicted felons from the Foreign Service.
Sec. 1314. Career counseling.
Sec. 1315. Limitations on management assignments.
Sec. 1316. Availability pay for certain criminal investigators within the Diplomatic Security Service.
Sec. 1317. Nonovertime differential pay.
Sec. 1318. Report concerning minorities and the Foreign Service.

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

CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

Sec. 1401. International information activities and educational and cultural exchange programs.

CHAPTER 2—AUTHORITIES AND ACTIVITIES

Sec. 1411. Retention of interest.
Sec. 1412. Use of selected program fees.
Sec. 1413. Muskie Fellowship Program.
Sec. 1414. Working Group on United States Government-Sponsored International Exchanges and Training.
Sec. 1415. Educational and cultural exchanges and scholarships for Tibetans and Burmese.
Sec. 1416. United States-Japan Commission.
Sec. 1417. Surrogate broadcasting study.
Sec. 1418. Radio broadcasting to Iran in the Farsi language.
Sec. 1419. Authority to administer summer travel and work programs.
Sec. 1420. Permanent administrative authorities regarding appropriations.
Sec. 1421. Voice of America broadcasts.

TITLE XV—INTERNATIONAL ORGANIZATIONS OTHER THAN UNITED NATIONS

Sec. 1501. International conferences and contingencies.
Sec. 1502. Restriction relating to United States accession to any new international criminal tribunal.
Sec. 1503. United States membership in the Bureau of the Interparliamentary Union.
Sec. 1504. Service in international organizations.
Sec. 1505. Reports regarding foreign travel.

TITLE XVI—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

Sec. 1601. Authorization of appropriations.
Sec. 1602. Statutory construction.

TITLE XVII—EUROPEAN SECURITY ACT OF 1998

Sec. 1701. Short title.
Sec. 1702. Statement of policy.
Sec. 1703. Authorities relating to NATO enlargement.
Sec. 1704. Sense of Congress with respect to the Treaty on Conventional Armed Forces in Europe.
Sec. 1705. Restrictions and requirements relating to ballistic missile defense.

TITLE XVIII—OTHER FOREIGN POLICY PROVISIONS

Sec. 1801. Reports on claims by United States firms against the Government of Saudi Arabia.
Sec. 1802. Reports on determinations under title IV of the Libertad Act.
Sec. 1803. Report on compliance with the Hague Convention on International Child Abduction.
Sec. 1804. Sense of Congress relating to recognition of the Ecumenical Patriarchate by the Government of Turkey.
Sec. 1805. Report on relations with Vietnam.
Sec. 1806. Reports and policy concerning human rights violations in Laos.
Sec. 1807. Report on an alliance against narcotics trafficking in the Western Hemisphere.
Sec. 1808. Congressional statement regarding the accession of Taiwan to the World Trade Organization.
Sec. 1809. Programs or projects of the International Atomic Energy Agency in Cuba.
Sec. 1810. Limitation on assistance to countries aiding Cuba nuclear development.
Sec. 1811. International Fund for Ireland.
Sec. 1812. United States policy with respect to Jerusalem as the capital of Israel.
Sec. 1813. Support for democratic opposition in Iraq.
Sec. 1814. Development of democracy in the Republic of Serbia.
Sec. 1815. Funds made available under chapter 4 of part II of the Foreign Assistance Act of 1961.
Sec. 1816. Foreign organizations that perform or promote abortion; forced abortion in the People's Republic of China.

DIVISION C—UNITED NATIONS REFORM

TITLE XX—GENERAL PROVISIONS

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

TITLE XXI—AUTHORIZATION OF APPROPRIATIONS

Sec. 2101. Contributions to international organizations.
Sec. 2102. Contributions for international peacekeeping activities.

TITLE XXII—UNITED NATIONS ACTIVITIES

Sec. 2201. United Nations policy on Israel and the Palestinians.
Sec. 2202. Data on costs incurred in support of United Nations peacekeeping operations.
Sec. 2203. Reimbursement for goods and services provided by the United States to the United Nations.
Sec. 2204. United States policy regarding United Nations peacekeeping operations.
Sec. 2205. Reform in budget decisionmaking procedures of the United Nations and its specialized agencies.
Sec. 2206. Continued extension of privileges, exemptions, and immunities of the International Organizations Immunities Act to UNIDO.
Sec. 2207. Sense of the Congress regarding compliance with child and spousal support obligations by United Nations personnel.

TITLE XXIII—ARREARS PAYMENTS AND REFORM

CHAPTER 1—ARREARAGES TO THE UNITED NATIONS

SUBCHAPTER A—AUTHORIZATION OF APPROPRIATIONS; OBLIGATION AND EXPENDITURE OF FUNDS

Sec. 2301. Authorization of appropriations.

Sec. 2302. Obligation and expenditure of funds.
Sec. 2303. Forgiveness of amounts owed by the United Nations to the United States.
SUBCHAPTER B—UNITED STATES SOVEREIGNTY
Sec. 2311. Certification requirements.
SUBCHAPTER C—REFORM OF ASSESSMENTS AND UNITED NATIONS PEACEKEEPING OPERATIONS
Sec. 2321. Certification requirements.
SUBCHAPTER D—BUDGET AND PERSONNEL REFORM
Sec. 2331. Certification requirements.
CHAPTER 2—MISCELLANEOUS PROVISIONS
Sec. 2341. Statutory construction on relation to existing laws.
Sec. 2342. Prohibition on payments relating to UNIDO and other organizations from which the United States has withdrawn or rescinded funding.

DIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS AGENCIES

TITLE I—GENERAL PROVISIONS

SEC. 101. SHORT TITLE.

This division may be cited as the ''Foreign Affairs Agencies Consolidation Act of 1998''.

SEC. 102. PURPOSES.

The purposes of this division are—

(1) to strengthen—

(A) the coordination of United States foreign policy; and

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

(2) to consolidate and reinvigorate the foreign affairs functions of the United States within the Department of State by—

(A) abolishing the United States Arms Control and Disarmament Agency, the United States Information Agency, and the United States International Development Cooperation Agency, and transferring the functions of these agencies to the Department of State while preserving the special missions and skills of these agencies;

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

(C) providing for the reorganization of the Department of State to maximize the efficient use of resources, which may lead to budget savings, eliminated redundancy in functions, and improvement in the management of the Department of State;

(3) to ensure that programs critical to the promotion of United States national interests be maintained;

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

(5) to ensure that the United States maintains effective representation abroad within budgetary restraints; and

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

SEC. 103. DEFINITIONS.

In this division:

(1) ACDA.—The term ''ACDA'' means the United States Arms Control and Disarmament Agency.

(2) AID.—The term ''AID'' means the United States Agency for International Development.

(3) AGENCY; FEDERAL AGENCY.—The term ''agency'' or ''Federal agency'' means an Executive agency as defined in section 105 of title 5, United States Code.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on International Relations and the Committee on Appropriations of the House of Representatives and the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(5) COVERED AGENCY.—The term ''covered agency'' means any of the following agencies: ACDA, USIA, IDCA, and AID.

(6) DEPARTMENT.—The term ''Department'' means the Department of State.

(7) FUNCTION.—The term ''function'' means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program.

(8) IDCA.—The term ''IDCA'' means the United States International Development Cooperation Agency.

(9) OFFICE.—The term ''office'' includes any office, administration, agency, institute, unit, organizational entity, or component thereof.

(10) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(11) USIA.—The term ''USIA'' means the United States Information Agency.

SEC. 104. REPORT ON BUDGETARY COST SAVINGS RESULTING FROM REORGANIZATION.

The Secretary of State shall submit a report, together with the congressional presentation document for the budget of the Department of State for each of the fiscal years 1999, 2000, and 2001, to the appropriate congressional committees describing the total anticipated and achieved cost savings in budget outlays and budget authority related to the reorganization implemented under this division, including cost savings by each of the following categories:

(1) Reductions in personnel.

(2) Administrative consolidation, including procurement.

(3) Program consolidation.

(4) Consolidation of real properties and leases.

TITLE II—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

CHAPTER 1—GENERAL PROVISIONS

SEC. 201. EFFECTIVE DATE.

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

(1) October 1, 1998; or

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

CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS

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

The United States Arms Control and Disarmament Agency is abolished.

SEC. 212. TRANSFER OF FUNCTIONS TO SECRETARY OF STATE.

There are transferred to the Secretary of State all functions of the Director of the United States Arms Control and Disarmament Agency, and all functions of the United States Arms Control and Disarmament Agency and any office or component of such agency, under any statute, reorganization plan, Executive order, or other provision of law, as of the day before the effective date of this title.

SEC. 213. UNDER SECRETARY FOR ARMS CONTROL AND INTERNATIONAL SECURITY.

Section 1(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651(b)) is amended—

(1) by striking ''There'' and inserting the following:

''(1) IN GENERAL.—There''; and

(2) by adding at the end the following:

''(2) UNDER SECRETARY FOR ARMS CONTROL AND INTERNATIONAL SECURITY.—There shall be in the Department of State, among the Under Secretaries authorized by paragraph (1), an Under Secretary for Arms Control and International Security, who shall assist the Secretary and the Deputy Secretary in matters related to international security policy, arms control, and nonproliferation. Subject to the direction of the President, the Under Secretary may attend and participate in meetings of the National Security Council in his role as Senior Advisor to the President and the Secretary of State on Arms Control and Nonproliferation Matters.''.

CHAPTER 3—CONFORMING AMENDMENTS

SEC. 221. REFERENCES.

Except as otherwise provided in section 223 or 225, any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to—

(1) the Director of the United States Arms Control and Disarmament Agency, the Director of the Arms Control and Disarmament Agency, or any other officer or employee of the United States Arms Control and Disarmament Agency or the Arms Control and Disarmament Agency shall be deemed to refer to the Secretary of State; or

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

SEC. 222. REPEALS.

The following sections of the Arms Control and Disarmament Act (22 U.S.C. 2551 et seq.) are repealed: Sections 21 through 26 (22 U.S.C. 2561–2566), section 35 (22 U.S.C. 2575), section 42 (22 U.S.C. 2582), section 43 (22 U.S.C. 2583), sections 45 through 50 (22 U.S.C. 2585–2593), section 53 (22 U.S.C. 2593c), section 54 (22 U.S.C. 2593d), and section 63 (22 U.S.C. 2595b).

SEC. 223. AMENDMENTS TO THE ARMS CONTROL AND DISARMAMENT ACT.

The Arms Control and Disarmament Act (22 U.S.C. 2551 et seq.) is amended—

(1) in section 2 (22 U.S.C. 2551)—

(A) in the first undesignated paragraph, by striking ''creating a new agency of peace to deal with'' and inserting ''addressing'';

(B) by striking the second undesignated paragraph; and

(C) in the third undesignated paragraph—

(i) by striking ''This organization'' and inserting ''The Secretary of State'';

(ii) by striking ''It shall have'' and inserting ''The Secretary shall have'';

(iii) by striking ''and the Secretary of State'';

(iv) by inserting '', nonproliferation,'' after ''arms control'' in paragraph (1);

(v) by striking paragraph (2);

(vi) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively; and

(vii) by striking '', as appropriate,'' in paragraph (3) (as redesignated);

(2) in section 3 (22 U.S.C. 2552), by striking subsection (c);

*(3) in the heading for title II, by striking ''**ORGANIZATION**'' and inserting ''**SPECIAL REPRESENTATIVES AND VISITING SCHOLARS**'';*

(4) in section 27 (22 U.S.C. 2567)—

(A) by striking the third sentence;

(B) in the fourth sentence, by striking '', acting through the Director''; and

(C) in the fifth sentence, by striking ''Agency'' and inserting ''Department of State'';

(5) in section 28 (22 U.S.C. 2568)—

(A) by striking ''Director'' each place it appears and inserting ''Secretary of State'';

(B) in the second sentence—

(i) by striking ''Agency'' each place it appears and inserting ''Department of State''; and

(ii) by striking ''Agency's'' and inserting ''Department of State's''; and

(C) by striking the fourth sentence;

(6) in section 31 (22 U.S.C. 2571)—

(A) by inserting ''this title in'' after ''powers in'';

(B) by striking ''Director'' each place it appears and inserting ''Secretary of State'';

(C) by striking ''insure'' each place it appears and inserting ''ensure'';

(D) in the second sentence, by striking ''in accordance with procedures established under section 35 of this Act'';

(E) in the fourth sentence by striking ''The authority'' and all that follows through ''disarmament:'' and inserting the following: ''The authority of the Secretary under this Act with respect to research, development, and other studies concerning arms control, nonproliferation, and disarmament shall be limited to participation in the following:''; and

(F) in subsection (l), by inserting ''and'' at the end;

(7) in section 32 (22 U.S.C. 2572)—

(A) by striking ''Director'' and inserting ''Secretary of State''; and

(B) by striking ''subsection'' and inserting ''section'';

(8) in section 33(a) (22 U.S.C. 2573(a))—

(A) by striking ''the Secretary of State,''; and

(B) by striking ''Director'' and inserting ''Secretary of State'';

(9) in section 34 (22 U.S.C. 2574)—

(A) in subsection (a)—

(i) in the first sentence, by striking ''Director'' and inserting ''Secretary of State'';

(ii) in the first sentence, by striking ''and the Secretary of State'';

(iii) in the first sentence, by inserting '', nonproliferation,'' after ''in the fields of arms control'';

(iv) in the first sentence, by striking ''and shall have primary responsibility, whenever directed by the President, for the preparation, conduct, and management of the United States participation in international negotiations and implementation fora in the field of nonproliferation'';

(v) in the second sentence, by striking ''section 27'' and inserting ''section 201''; and

(vi) in the second sentence, by striking ''the'' after ''serve as'';

(B) by striking subsection (b);

(C) by redesignating subsection (c) as subsection (b); and

(D) in subsection (b) (as redesignated)—

(i) in the text above paragraph (1), by striking ''Director'' and inserting ''Secretary of State'';

(ii) by striking paragraph (1); and

(iii) by redesignating paragraphs (2) and (3) as paragraphs (1) and (2), respectively;

(10) in section 36 (22 U.S.C. 2576)—

(A) by striking ''Director'' each place it appears and inserting ''Secretary of State''; and

(B) by striking '', in accordance with the procedures established pursuant to section 35 of this Act,'';

(11) in section 37 (22 U.S.C. 2577)—

(A) by striking ''Director'' and ''Agency'' each place it appears and inserting ''Secretary of State'' or ''Department of State'', respectively; and

(B) by striking subsection (d);

(12) in section 38 (22 U.S.C. 2578)—

(A) by striking ''Director'' each place it appears and inserting ''Secretary of State''; and

(B) by striking subsection (c);

(13) in section 41 (22 U.S.C. 2581)—

(A) by striking ''In the performance of his functions, the Director'' and inserting ''In addition to any authorities otherwise available, the Secretary of State in the performance of functions under this Act'';

(B) by striking ''Agency'', ''Agency's'', ''Director'', and ''Director's'' each place they appear and inserting ''Department of State'', ''Department of State's'', ''Secretary of State'', or ''Secretary of State's'', as appropriate;

(C) in subsection (a), by striking the sentence that begins ''It is the intent'';

(D) in subsection (b)—

(i) by striking ''appoint officers and employees, including attorneys, for the Agency in accordance with the provisions of title 5, United States Code, governing appointment in the competitive service, and fix their compensation in accordance with chapter 51 and with subchapter III of chapter 53 of such title, relating to classification and General Schedule pay rates, except that the Director may, to the extent the Director determines necessary to the discharge of his responsibilities,'';

(ii) in paragraph (1), by striking ''exception'' and inserting ''subsection''; and

(iii) in paragraph (2)—

(I) by striking ''exception'' and inserting ''subsection''; and

(II) by striking ''ceiling'' and inserting ''positions allocated to carry out the purpose of this Act'';

(E) by striking subsection (g);

(F) by redesignating subsections (h), (i), and (j) as subsections (g), (h), and (i), respectively;

(G) by amending subsection (f) to read as follows:

''(f) establish a scientific and policy advisory board to advise with and make recommendations to the Secretary of State on United States arms control, nonproliferation, and disarmament policy and activities. A majority of the board shall be composed of individuals who have a demonstrated knowledge and technical expertise with respect to arms control, nonproliferation, and disarmament matters and who have distinguished themselves in any of the fields of physics, chemistry, mathematics, biology, or engineering, including weapons engineering. The members of the board may receive the compensation and reimbursement for expenses specified for consultants by subsection (d) of this section;''; and

(H) in subsection (h) (as redesignated), by striking ''Deputy Director'' and inserting ''Under Secretary for Arms Control and International Security'';

(14) in section 44 (22 U.S.C. 2584)—

(A) by striking ''CONFLICT-OF-INTEREST AND'';

(B) by striking ''The members'' and all that follows through ''(5 U.S.C. 2263), or any other'' and inserting ''Members of advisory boards and consultants may serve as such without regard to any''; and

(C) by inserting at the end the following new sentence: ''This section shall apply only to individuals carrying out activities related to arms control, nonproliferation, and disarmament.'';

(15) in section 51 (22 U.S.C. 2593a)—

(A) in subsection (a)—

(i) in paragraphs (1) and (3), by inserting '', nonproliferation,'' after ''arms control'' each place it appears;

(ii) by striking ''Director, in consultation with the Secretary of State,'' and inserting ''Secretary of State with the concurrence of the Director of Central Intelligence and in consultation with'';

(iii) by striking ''the Chairman of the Joint Chiefs of Staff, and the Director of Central Intelligence'' and inserting ''and the Chairman of the Joint Chiefs of Staff'';

(iv) by striking paragraphs (2) and (4); and

(v) by redesignating paragraphs (3), (5), (6), and (7) as paragraphs (2) through (5), respectively; and

(B) by adding at the end of subsection (b) the following: ''The portions of this report described in paragraphs (4) and (5) of subsection (a) shall summarize in detail, at least in classified annexes, the information, analysis, and conclusions relevant to possible noncompliance by other nations that are provided by United States intelligence agencies.'';

(16) in section 52 (22 U.S.C. 2593b), by striking ''Director'' and inserting ''Secretary of State'';

(17) in section 61 (22 U.S.C. 2593a)—

(A) in paragraph (1), by striking ''United States Arms Control and Disarmament Agency'' and inserting ''Department of State'';

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) through (7) as paragraphs (2) through (6), respectively;

(D) in paragraph (4) (as redesignated), by striking ''paragraph (4)'' and inserting ''paragraph (3)''; and

(E) in paragraph (6) (as redesignated), by striking ''United States Arms Control and Disarmament Agency and the'';

(18) in section 62 (22 U.S.C. 2595a)—

(A) in subsection (c)—

(i) in the subsection heading, by striking ''DIRECTOR'' and inserting ''SECRETARY OF STATE''; and

(ii) by striking ''2(d), 22, and 34(c)'' and inserting ''102(3) and 304(b)''; and

(B) by striking ''Director'' and inserting ''Secretary of State'';

(19) in section 64 (22 U.S.C. 2595b–1)—

*(A) by striking the section title and inserting ''**SEC. 503. REVIEW OF CERTAIN REPROGRAMMING NOTIFICATIONS.**'';*

(B) by striking subsection (a); and

(C) in subsection (b)—

(i) by striking ''(b) REVIEW OF CERTAIN REPROGRAMMING NOTIFICATIONS.—''; and

(ii) by striking ''Foreign Affairs'' and inserting ''International Relations'';

(20) in section 65(1) (22 U.S.C. 2595c(1)) by inserting ''of America'' after ''United States''; and

(21) by redesignating sections 1, 2, 3, 27, 28, 31, 32, 33, 34, 36, 37, 38, 39, 41, 44, 51, 52, 61, 62, 64, and 65, as amended by this section, as sections 101, 102, 103, 201, 202, 301, 302, 303, 304, 305, 306, 307, 308, 401, 402, 403, 404, 501, 502, 503, and 504, respectively.

SEC. 224. COMPENSATION OF OFFICERS.

Title 5, United States Code, is amended—

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

(2) in section 5314, by striking ''Deputy Director of the United States Arms Control and Disarmament Agency.'';

(3) in section 5315—

(A) by striking ''Assistant Directors, United States Arms Control and Disarmament Agency (4).''; and

(B) by striking ''Special Representatives of the President for arms control, nonproliferation, and disarmament matters, United States Arms Control and Disarmament Agency'', and inserting ''Special Representatives of the President for arms control, nonproliferation, and disarmament matters, Department of State''; and

(4) in section 5316, by striking ''General Counsel of the United States Arms Control and Disarmament Agency.''.

SEC. 225. ADDITIONAL CONFORMING AMENDMENTS.

(a) ARMS EXPORT CONTROL ACT.—The Arms Export Control Act is amended—

(1) in section 36(b)(1)(D) (22 U.S.C. 2776(b)(1)(D)), by striking ''Director of the Arms Control and Disarmament Agency in consultation with the Secretary of State and the Secretary of Defense'' and inserting ''Secretary of State in consultation with the Secretary of Defense and the Director of Central Intelligence'';

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

(A) in the first sentence, by striking ''be made in coordination with the Director of the United States Arms Control and Disarmament Agency, taking into account the Director's assessment as to'' and inserting ''take into account''; and

(B) by striking the second sentence;

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

(A) in paragraph (1)(C), by striking ''the assessment of the Director of the United States Arms Control and Disarmament Agency as to'';

(B) by striking ''(1)'' after ''(a)''; and

(C) by striking paragraph (2);

(4) in section 71(a) (22 U.S.C. 2797(a)), by striking '', the Director of the Arms Control and Disarmament Agency,'';

(5) in section 71(b)(1) (22 U.S.C. 2797(b)(1)), by striking ''and the Director of the United States Arms Control and Disarmament Agency'';

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

(A) by striking '', the Secretary of Commerce, and the Director of the United States Arms Control and Disarmament Agency'' and inserting ''and the Secretary of Commerce''; and

(B) by striking ''or the Director'';

(7) in section 71(c) (22 U.S.C. 2797(c)), by striking ''with the Director of the United States Arms Control and Disarmament Agency,''; and

(8) in section 73(d) (22 U.S.C. 2797b(d)), by striking '', the Secretary of Commerce, and the Director of the United States Arms Control and Disarmament Agency'' and inserting ''and the Secretary of Commerce''.

(b) FOREIGN ASSISTANCE ACT.—Section 511 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321d) is amended by striking ''be made in coordination with the Director of the United States Arms Control and Disarmament Agency and shall take into account his opinion as to'' and inserting ''take into account''.

(c) UNITED STATES INSTITUTE OF PEACE ACT.—

(1) Section 1706(b) of the United States Institute of Peace Act (22 U.S.C. 4605(b)) is amended—

(A) by striking paragraph (3);

(B) by redesignating paragraphs (4) and (5) as paragraphs (3) and (4), respectively; and

(C) in paragraph (4) (as redesignated), by striking ''Eleven'' and inserting ''Twelve''.

(2) Section 1707(d)(2) of that Act (22 U.S.C. 4606(d)(2)) is amended by striking '', Director of the Arms Control and Disarmament Agency''.

(d) ATOMIC ENERGY ACT OF 1954.—The Atomic Energy Act of 1954 is amended—

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

(A) in the first sentence, by striking ''the Arms Control and Disarmament Agency,''; and

(B) in the second sentence, by striking ''the Director of the Arms Control and Disarmament Agency,'';

(2) in section 109b. (42 U.S.C. 2129(b)), by striking ''and the Director'';

(3) in section 111b. (42 U.S.C. 2131(b)) by striking ''the Arms Control and Disarmament Agency, the Nuclear Regulatory Commission,'' and inserting ''the Nuclear Regulatory Commission'';

(4) in section 123 (42 U.S.C. 2153)—

(A) in subsection a., in the third sentence—

(i) by striking ''and in consultation with the Director of the Arms Control and Disarmament Agency ('the Director)'';

(ii) by inserting ''and'' after ''Energy,'';

(iii) by striking ''Commission, and the Director, who'' and inserting ''Commission. The Secretary of State''; and

(iv) after ''nuclear explosive purpose.'', by inserting the following new sentence: ''Each Nuclear Proliferation Assessment Statement prepared pursuant to this Act shall be accompanied by a classified annex, prepared in consultation with the Director of Central Intelligence, summarizing relevant classified information.'';

(B) in subsection d., in the first proviso—

(i) by striking ''Nuclear Proliferation Assessment Statement prepared by the Director of the Arms Control and Disarmament Agency,'' and inserting ''Nuclear Proliferation Assessment Statement prepared by the Secretary of State, and any annexes thereto,''; and

(ii) by striking ''has been'' and inserting ''have been''; and

(C) in the first undesignated paragraph following subsection d., by striking ''the Arms Control and Disarmament Agency,'';

(5) in section 126a.(1), by striking ''the Director of the Arms Control and Disarmament Agency, and the Nuclear Regulatory Commission'' and inserting ''and the Nuclear Regulatory Commission,'';

(6) in section 131a. (42 U.S.C. 2160(a))—

(A) in paragraph (1)—

(i) in the first sentence, by striking ''the Director,'';

(ii) in the third sentence, by striking ''the Director declares that he intends'' and inserting ''the Secretary of State is required''; and

(iii) in the third sentence, by striking ''the Director's declaration'' and inserting ''the requirement to prepare a Nuclear Proliferation Assessment Statement'';

(B) in paragraph (2)—

(i) by striking ''Director's view'' and inserting ''view of the Secretary of State, Secretary of Energy, Secretary of Defense, or the Commission''; and

(ii) by striking ''he may prepare'' and inserting ''the Secretary of State, in consultation with such Secretary or the Commission, shall prepare''; and

(7) in section 131c. (42 U.S.C. 2160(c))—

(A) in the first sentence, by striking '', the Director of the Arms Control and Disarmament Agency,'';

(B) in the sixth and seventh sentences, by striking ''Director'' each place it appears and inserting ''Secretary of State''; and

(C) in the seventh sentence, by striking ''Director's'' and inserting ''Secretary of State's''.

(e) NUCLEAR NON-PROLIFERATION ACT OF 1978.—The Nuclear Non-Proliferation Act of 1978 is amended—

(1) in section 4 (22 U.S.C. 3203)—

(A) by striking paragraph (2); and

(B) by redesignating paragraphs (3) through (8) as paragraphs (2) through (7), respectively;

(2) in section 102 (22 U.S.C. 3222), by striking '', the Secretary of State, and the Director of the Arms Control and Disarmament Agency'' and inserting ''and the Secretary of State'';

(3) in section 304(d) (42 U.S.C. 2156a), by striking ''the Secretary of Defense, and the Director,'' and inserting ''and the Secretary of Defense,'';

(4) in section 309 (42 U.S.C. 2139a)—

(A) in subsection (b), by striking ''the Department of Commerce, and the Arms Control and Disarmament Agency'' and inserting ''and the Department of Commerce''; and

(B) in subsection (c), by striking ''the Arms Control and Disarmament Agency,'';

(5) in section 406 (42 U.S.C. 2160a), by inserting '', or any annexes thereto,'' after ''Statement''; and

(6) in section 602 (22 U.S.C. 3282)—

(A) in subsection (c), by striking ''the Arms Control and Disarmament Agency,''; and

(B) in subsection (e), by striking ''and the Director''.

(f) STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956.—Section 23(a) of the State Department basic Authorities Act of 1956 (22 U.S.C. 2695(a)) is amended by striking ''the Agency for International Development, and the Arms Control and Disarmament Agency'' and inserting ''and the Agency for International Development''.

(g) FOREIGN RELATIONS AUTHORIZATION ACT OF 1972.—Section 502 of the Foreign Relations Authorization Act of 1972 (2 U.S.C. 194a) is amended by striking ''the United States Arms Control and Disarmament Agency,''.

(h) TITLE 49.—Section 40118(d) of title 49, United States Code, is amended by striking '', or the Director of the Arms Control and Disarmament Agency''.

TITLE III—UNITED STATES INFORMATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

SEC. 301. EFFECTIVE DATE.

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

(1) October 1, 1999; or

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

CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS

SEC. 311. ABOLITION OF UNITED STATES INFORMATION AGENCY.

The United States Information Agency (other than the Broadcasting Board of Governors and the International Broadcasting Bureau) is abolished.

SEC. 312. TRANSFER OF FUNCTIONS.

(a) IN GENERAL.—There are transferred to the Secretary of State all functions of the Director of the United States Information Agency and all functions of the United States Information Agency and any office or component of such agency, under any statute, reorganization plan, Executive order, or other provision of law, as of the day before the effective date of this title.

(b) EXCEPTION.—Subsection (a) does not apply to the Broadcasting Board of Governors, the International Broadcasting Bureau, or any function performed by the Board or the Bureau.

SEC. 313. UNDER SECRETARY OF STATE FOR PUBLIC DIPLOMACY.

Section 1(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)), as amended by this Act, is further amended by adding at the end the following new paragraph:

''(3) UNDER SECRETARY FOR PUBLIC DIPLOMACY.—There shall be in the Department of State, among the Under Secretaries authorized by paragraph (1), an Under Secretary for Public Diplomacy, who shall have primary responsibility to assist the Secretary and the Deputy Secretary in the formation and implementation of United States public diplomacy policies and activities, including international educational and cultural exchange programs, information, and international broadcasting.''.

SEC. 314. ABOLITION OF OFFICE OF INSPECTOR GENERAL OF UNITED STATES INFORMATION AGENCY AND TRANSFER OF FUNCTIONS.

(a) ABOLITION OF OFFICE.—The Office of Inspector General of the United States Information Agency is abolished.

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

(1) in paragraph (1), by striking ''the Office of Personnel Management, the United States Information Agency'' and inserting ''or the Office of Personnel Management''; and

(2) in paragraph (2), by striking ''the United States Information Agency,''.

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

''Inspector General, United States Information Agency.''.

(d) AMENDMENTS TO PUBLIC LAW 103–236.—Subsections (i) and (j) of section 308 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6207 (i) and (j)) are amended—

(1) by striking ''Inspector General of the United States Information Agency'' each place it appears and inserting ''Inspector General of the Department of State and the Foreign Service''; and

(2) by striking '', the Director of the United States Information Agency,''.

(e) TRANSFER OF FUNCTIONS.—There are transferred to the Office of the Inspector General of the Department of State and the Foreign Service the functions that the Office of Inspector General of the United States Information Agency exercised before the effective date of this title (including all related functions of the Inspector General of the United States Information Agency).

CHAPTER 3—INTERNATIONAL BROADCASTING

SEC. 321. CONGRESSIONAL FINDINGS AND DECLARATION OF PURPOSE.

Congress finds that—

(1) it is the policy of the United States to promote the right of freedom of opinion and expression, including the freedom ''to seek, receive, and impart information and ideas through any media and regardless of frontiers'', in accordance with Article 19 of the Universal Declaration of Human Rights;

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

(3) it is in the interest of the United States to support broadcasting to other nations consistent with the requirements of this chapter and the United States International Broadcasting Act of 1994; and

(4) international broadcasting is, and should remain, an essential instrument of United States foreign policy.

SEC. 322. CONTINUED EXISTENCE OF BROADCASTING BOARD OF GOVERNORS.

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

''(a) CONTINUED EXISTENCE WITHIN EXECUTIVE BRANCH.—

''(1) IN GENERAL.—The Broadcasting Board of Governors shall continue to exist within the Executive branch of Government as an entity described in section 104 of title 5, United States Code.

''(2) RETENTION OF EXISTING BOARD MEMBERS.—The members of the Broadcasting Board of Governors appointed by the President pursuant to subsection (b)(1)(A) before the effective date of title III of the Foreign Affairs Agencies Consolidation Act of 1998 and holding office as of that date may serve the remainder of their terms of office without reappointment.

''(3) INSPECTOR GENERAL AUTHORITIES.—

''(A) IN GENERAL.—The Inspector General of the Department of State and the Foreign Service shall exercise the same authorities with respect to the Broadcasting Board of Governors and the International Broadcasting Bureau as the Inspector General exercises under the Inspector General Act of 1978 and section 209 of the Foreign Service Act of 1980 with respect to the Department of State.

''(B) RESPECT FOR JOURNALISTIC INTEGRITY OF BROADCASTERS.—The Inspector General shall respect the journalistic integrity of all the broadcasters covered by this title and may not evaluate the philosophical or political perspectives reflected in the content of broadcasts.''.

SEC. 323. CONFORMING AMENDMENTS TO THE UNITED STATES INTERNATIONAL BROADCASTING ACT OF 1994.

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

(b) SUBSTITUTION OF SECRETARY OF STATE.—Sections 304(b)(1)(B), 304(b) (2) and (3), 304(c), and 304(e) (22 U.S.C. 6203(b)(1)(B), 6203(b) (2) and (3), 6203(c), and 6203(e)) are amended by striking ''Director of the United States Information Agency'' each place it appears and inserting ''Secretary of State''.

(c) SUBSTITUTION OF ACTING SECRETARY OF STATE.—Section 304(c) (22 U.S.C. 6203(c)) is amended by striking ''acting Director of the agency'' and inserting ''Acting Secretary of State''.

(d) STANDARDS AND PRINCIPLES OF INTERNATIONAL BROADCASTING.—Section 303(b) (22 U.S.C. 6202(b)) is amended—

(1) in paragraph (3), by inserting '', including editorials, broadcast by the Voice of America, which present the views of the United States Government'' after ''policies'';

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

(3) by inserting after paragraph (3) the following:

''(4) the capability to provide a surge capacity to support United States foreign policy objectives during crises abroad;'';

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

(1) in paragraph (1)—

(A) by striking ''direct and''; and

(B) by striking ''and the Television Broadcasting to Cuba Act'' and inserting '', the Television Broadcasting to Cuba Act, and Worldnet Television, except as provided in section 306(b)'';

(2) in paragraph (4), by inserting '', after consultation with the Secretary of State,'' after ''annually,'';

(3) in paragraph (9)—

(A) by striking '', through the Director of the United States Information Agency,''; and

(B) by adding at the end the following new sentence: ''Each annual report shall place special emphasis on the assessment described in paragraph (2).'';

(4) in paragraph (12)—

(A) by striking ''1994 and 1995'' and inserting ''1998 and 1999''; and

(B) by striking ''to the Board for International Broadcasting for such purposes for fiscal year 1993'' and inserting ''to the Board and the International Broadcasting Bureau for such purposes for fiscal year 1997''; and

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

''(15)(A) To procure temporary and intermittent personal services to the same extent as is authorized by section 3109 of title 5, United States Code, at rates not to exceed the daily equivalent of the rate provided for positions classified above grade GS–15 of the General Schedule under section 5108 of title 5, United States Code.

''(B) To allow those providing such services, while away from their homes or their regular places of business, travel expenses (including per diem in lieu of subsistence) as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently, while so employed.

''(16) To procure, pursuant to section 1535 of title 31, United States Code (commonly known as the 'Economy Act'), such goods and services from other departments or agencies for the Board and the International Broadcasting Bureau as the Board determines are appropriate.

''(17) To utilize the provisions of titles III, IV, V, VII, VIII, IX, and X of the United States Information and Educational Exchange Act of 1948, and section 6 of Reorganization Plan Number 2 of 1977, as in effect on the day before the effective date of title III of the Foreign Affairs Agencies Consolidation Act of 1998, to the extent the Board considers necessary in carrying out the provisions and purposes of this title.

''(18) To utilize the authorities of any other statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding that had been available to the Director of the United States Information Agency, the Bureau, or the Board before the effective date of title III of the Foreign Affairs Consolidation Act of 1998 for carrying out the broadcasting activities covered by this title.''.

(f) DELEGATION OF AUTHORITY.—Section 305 (22 U.S.C. 6204) is amended—

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

(2) by inserting after subsection (a) the following new subsection:

''(b) DELEGATION OF AUTHORITY.—The Board may delegate to the Director of the International Broadcasting Bureau, or any other officer or employee of the United States, to the extent the Board determines to be appropriate, the authorities provided in this section, except those authorities provided in paragraph (1), (2), (3), (4), (5), (6), (9), or (11) of subsection (a).''.

(g) BROADCASTING BUDGETS.—Section 305(c)(1) (as redesignated) is amended—

(1) by striking ''(1)'' before ''The Director''; and

(2) by striking ''the Director of the United States Information Agency for the consideration of the Director as a part of the Agency's budget submission to''.

(h) REPEAL.—Section 305(c)(2) (as redesignated) is repealed.

(i) IMPLEMENTATION.—Section 305(d) (as redesignated) is amended to read as follows:

''(d) PROFESSIONAL INDEPENDENCE OF BROADCASTERS.—The Secretary of State and the Board, in carrying out their functions, shall respect the professional independence and integrity of the International Broadcasting Bureau, its broadcasting services, and the grantees of the Board.''.

(j) FOREIGN POLICY GUIDANCE.—Section 306 (22 U.S.C. 6205) is amended—

(1) in the section heading, by striking ''**FOREIGN POLICY GUIDANCE**'' and inserting ''**ROLE OF THE SECRETARY OF STATE**'';

(2) by inserting ''(a) FOREIGN POLICY GUIDANCE.—'' immediately before ''To'';

(3) by striking ''State, acting through the Director of the United States Information Agency,'' and inserting ''State'';

(4) by inserting before the period at the end the following: '', as the Secretary may deem appropriate''; and

(5) by adding at the end the following:

''(b) CERTAIN WORLDNET PROGRAMMING.—The Secretary of State is authorized to use Worldnet broadcasts for the purposes of continuing interactive dialogues with foreign media and other similar overseas public diplomacy programs sponsored by the Department of State. The Chairman of the Broadcasting Board of Governors shall provide access to Worldnet for this purpose on a nonreimbursable basis.''.

(k) INTERNATIONAL BROADCASTING BUREAU.—Section 307 (22 U.S.C. 6206) is amended—

(1) in subsection (a), by striking ''within the United States Information Agency'' and inserting ''under the Board'';

(2) in subsection (b)(1), by striking ''Chairman of the Board, in consultation with the Director of the United States Information Agency and with the concurrence of a majority of the Board'' and inserting ''President, by and with the advice and consent of the Senate'';

(3) by redesignating subsection (b)(1) as subsection (b);

(4) by striking subsection (b)(2); and

(5) by adding at the end the following new subsection:

''(c) RESPONSIBILITIES OF THE DIRECTOR.—The Director shall organize and chair a coordinating committee to examine and make recommendations to the Board on long-term strategies for the future of international broadcasting, including the use of new technologies, further consolidation of broadcast services, and consolidation of currently existing public affairs and legislative relations functions in the various international broadcasting entities. The coordinating committee shall include representatives of Radio Free Asia, RFE/RL, Incorporated, the Broadcasting Board of Governors, and, as appropriate, the Office of Cuba Broadcasting, the Voice of America, and Worldnet.''.

(l) REPEALS.—The following provisions of law are repealed:

(1) Subsections (k) and (l) of section 308 (22 U.S.C. 6207 (k), (l)).

(2) Section 310 (22 U.S.C. 6209).

SEC. 324. AMENDMENTS TO THE RADIO BROADCASTING TO CUBA ACT.

The Radio Broadcasting to Cuba Act (22 U.S.C. 1465 et seq.) is amended—

(1) by striking ''United States Information Agency'' each place it appears and inserting ''Broadcasting Board of Governors'';

(2) by striking ''Agency'' each place it appears and inserting ''Board'';

(3) by striking ''the Director of the United States Information Agency'' each place it appears and inserting ''the Broadcasting Board of Governors'';

(4) in section 4 (22 U.S.C. 1465b), by striking ''the Voice of America'' and inserting ''the International Broadcasting Bureau'';

(5) in section 5 (22 U.S.C. 1465c)—

(A) by striking ''Board'' each place it appears and inserting ''Advisory Board''; and

(B) in subsection (a), by striking the first sentence and inserting ''There is established within the Office of the President the Advisory Board for Cuba Broadcasting (in this Act referred to as the 'Advisory Board').''; and

(6) by striking any other reference to ''Director'' not amended by paragraph (3) each place it appears and inserting ''Board''.

SEC. 325. AMENDMENTS TO THE TELEVISION BROADCASTING TO CUBA ACT.

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

(1) in section 243(a) (22 U.S.C. 1465bb(a)) and section 246 (22 U.S.C. 1465dd), by striking ''United States Information Agency'' each place it appears and inserting ''Broadcasting Board of Governors'';

(2) in section 243(c) (22 U.S.C. 1465bb(c))—

(A) in the subsection heading, by striking ''USIA''; and

(B) by striking ''USIA Television'' and inserting ''the 'Television'';

(3) in section 244(c) (22 U.S.C. 1465cc(c)) and section 246 (22 U.S.C. 1465dd), by striking ''Agency'' each place it appears and inserting ''Board'';

(4) in section 244 (22 U.S.C. 1465cc)—

*(A) in the section heading, by striking ''**OF THE UNITED STATES INFORMATION AGENCY**'';*

(B) in subsection (a)—

(i) in the first sentence, by striking ''The Director of the United States Information Agency shall establish'' and inserting ''There is''; and

(ii) in the second sentence—

(I) by striking ''Director of the United States Information Agency'' and inserting ''Broadcasting Board of Governors''; and

(II) by striking ''the Director of the Voice of America'' and inserting ''the International Broadcasting Bureau'';

(C) in subsection (b)—

(i) by striking ''Agency facilities'' and inserting ''Board facilities''; and

(ii) by striking ''Information Agency'' and inserting ''International''; and

(D) in the heading of subsection (c), by striking ''USIA''; and

(5) in section 245(d) (22 U.S.C. 1465c note), by striking ''Board'' and inserting ''Advisory Board''.

SEC. 326. TRANSFER OF BROADCASTING RELATED FUNDS, PROPERTY, AND PERSONNEL.

(a) TRANSFER AND ALLOCATION OF PROPERTY AND APPROPRIATIONS.—

(1) IN GENERAL.—The assets, liabilities (including contingent liabilities arising from suits continued with a substitution or addition of parties under section 327(d)), contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available to, or to be made available in connection with the functions and offices of USIA transferred to the Broadcasting Board of Governors by this chapter shall be transferred to the Broadcasting Board of Governors for appropriate allocation.

(2) ADDITIONAL TRANSFERS.—In addition to the transfers made under paragraph (1), there shall be transferred to the Chairman of the Broadcasting Board of Governors the assets, contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds, as determined by the Secretary, in concurrence with the Broadcasting Board of Governors, to support the functions transferred by this chapter.

(b) TRANSFER OF PERSONNEL.—Notwithstanding any other provision of law—

(1) except as provided in subsection (c), all personnel and positions of USIA employed or maintained to carry out the functions transferred by this chapter to the Broadcasting Board of Governors shall be transferred to the Broadcasting Board of Governors at the same grade or class and the same rate of basic pay or basic salary rate and with the same tenure held immediately preceding transfer; and

(2) the personnel and positions of USIA, as determined by the Secretary of State, with the concurrence of the Broadcasting Board of Governors and the Director of USIA, to support the functions transferred by this chapter shall be transferred to the Broadcasting Board of Governors, including the International Broadcasting Bureau, at the same grade or class and the same rate of basic pay or basic salary rate and with the same tenure held immediately preceding transfer.

(c) TRANSFER AND ALLOCATION OF PROPERTY, APPROPRIATIONS, AND PERSONNEL ASSOCIATED WITH WORLDNET.—USIA personnel responsible for carrying out interactive dialogs with foreign media and other similar overseas public diplomacy programs using the Worldnet television broadcasting system, and funds associated with such personnel, shall be transferred to the Department of State in accordance with the provisions of title VI of this division.

(d) INCIDENTAL TRANSFERS.—The Director of the Office of Management and Budget, when requested by the Broadcasting Board of Governors, is authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with functions and offices transferred from USIA, as may be necessary to carry out the provisions of this section.

SEC. 327. SAVINGS PROVISIONS.

(a) CONTINUING LEGAL FORCE AND EFFECT.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(1) that have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions exercised by the Broadcasting Board of Governors of the United States Information Agency on the day before the effective date of this title, and

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

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

(b) PENDING PROCEEDINGS.—

(1) IN GENERAL.—The provisions of this chapter, or amendments made by this chapter, shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before the Broadcasting Board of Governors of the United States Information Agency at the time this title takes effect, with respect to functions exercised by the Board as of the effective date of this title but such proceedings and applications shall be continued.

(2) ORDERS, APPEALS, AND PAYMENTS.—Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this chapter had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law.

(3) STATUTORY CONSTRUCTION.—Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this chapter had not been enacted.

(c) NONABATEMENT OF PROCEEDINGS.—No suit, action, or other proceeding commenced by or against any officer in the official capacity of such individual as an officer of the Broadcasting Board of Governors, or any commission or component thereof, shall abate by reason of the enactment of this chapter. No cause of action by or against the Broadcasting Board of Governors, or any commission or component thereof, or by or against any officer thereof in the official capacity of such officer, shall abate by reason of the enactment of this chapter.

(d) CONTINUATION OF PROCEEDINGS WITH SUBSTITUTION OF PARTIES.—

(1) SUBSTITUTION OF PARTIES.—If, before the effective date of this title, USIA or the Broadcasting Board of Governors, or any officer thereof in the official capacity of such officer, is a party to a suit which is related to the functions transferred by this chapter, then effective on such date such suit shall be continued with the Broadcasting Board of Governors or other appropriate official of the Board substituted or added as a party.

(2) LIABILITY OF THE BOARD.—The Board shall participate in suits continued under paragraph (1) where the Broadcasting Board of Governors or other appropriate official of the Board is added as a party and shall be liable for any judgments or remedies in those suits or proceedings arising from the exercise of the functions transferred by this chapter to the same extent that USIA would have been liable if such judgment or remedy had been rendered on the day before the abolition of USIA.

(e) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.—Any administrative action relating to the preparation or promulgation of a regulation by the Broadcasting Board of Governors relating to a function exercised by the Board before the effective date of this title may be continued by the Board with the same effect as if this chapter had not been enacted.

(f) REFERENCES.—Reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or relating to the Broadcasting Board of Governors of the United States Information Agency with regard to functions exercised before the effective date of this title, shall be deemed to refer to the Board.

SEC. 328. REPORT ON THE PRIVATIZATION OF RFE/RL, INCORPORATED.

Not later than March 1 of each year, the Broadcasting Board of Governors shall submit to the appropriate congressional committees a report on the progress of the Board and of RFE/RL, Incorporated, on any steps taken to further the policy declared in section 312(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995. The report under this subsection shall include the following:

(1) Efforts by RFE/RL, Incorporated, to terminate individual language services.

(2) A detailed description of steps taken with regard to section 312(a) of that Act.

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

(4) An assessment of the extent to which United States Government funding may be appropriate in the year 2000 and subsequent years for surrogate broadcasting to the countries to which RFE/RL, Incorporated, broadcast during the year. This assessment shall include an analysis of the environment for independent media in those countries, noting the extent of government control of the media, the ability of independent journalists and news organizations to operate, relevant domestic legislation, level of government harassment and efforts to censor, and other indications of whether the people of such countries enjoy freedom of expression.

CHAPTER 4—CONFORMING AMENDMENTS

SEC. 331. REFERENCES.

(a) IN GENERAL.—Except as otherwise provided in this division, any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to—

(1) the Director of the United States Information Agency or the Director of the International Communication Agency shall be deemed to refer to the Secretary of State; and

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

(b) CONTINUING REFERENCES TO USIA OR DIRECTOR.—Subsection (a) shall not apply to section 146 (a), (b), or (c) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4069a(f), 4069b(g), or 4069c(f)).

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

Title 5, United States Code, is amended—

(1) in section 5313, by striking ''Director of the United States Information Agency.'';

(2) in section 5315—

(A) by striking ''Deputy Director of the United States Information Agency.''; and

(B) by striking ''Director of the International Broadcasting Bureau, the United States Information Agency.'' and inserting ''Director of the International Broadcasting Bureau.''; and

(3) in section 5316—

(A) by striking ''Deputy Director, Policy and Plans, United States Information Agency.''; and

(B) by striking ''Associate Director (Policy and Plans), United States Information Agency.''.

SEC. 333. APPLICATION OF CERTAIN LAWS.

(a) APPLICATION TO FUNCTIONS OF DEPARTMENT OF STATE.—Section 501 of Public Law 80–402 (22 U.S.C. 1461), section 202 of Public Law 95–426 (22 U.S.C. 1461–1), and section 208 of Public Law 99–93 (22 U.S.C. 1461–1a) shall not apply to public affairs and other information dissemination functions of the Secretary of State as carried out prior to any transfer of functions pursuant to this division.

(b) APPLICATION TO FUNCTIONS TRANSFERRED TO DEPARTMENT OF STATE.—Section 501 of Public Law 80–402 (22 U.S.C. 1461), section 202 of Public Law 95–426 (22 U.S.C. 1461–1), and section 208 of Public Law 99–93 (22 U.S.C. 1461–1a) shall apply only to public diplomacy programs of the Director of the United States Information Agency as carried out prior to any transfer of functions pursuant to this division to the same extent that such programs were covered by these provisions prior to such transfer.

(c) LIMITATION ON USE OF FUNDS.—Except as provided in section 501 of Public Law 80–402 and section 208 of Public Law 99–93, funds specifically authorized to be appropriated for such public diplomacy programs shall not be used to influence public opinion in the United States, and no program material prepared using such funds shall be distributed or disseminated in the United States.

(d) REPORTING REQUIREMENTS.—The report submitted pursuant to section 601(f) of this division shall include a detailed statement of the manner in which the special mission of public diplomacy carried out by USIA prior to the transfer of functions under this division shall be preserved within the Department of State, including the planned duties and responsibilities of any new bureaus that will perform such public diplomacy functions. Such report shall also include the best available estimates of—

(1) the amounts to be expended by the Department of State for public affairs programs during fiscal year 1998, and on the personnel and support costs for such programs;

(2) the amounts to be expended by USIA for its public diplomacy programs during fiscal year 1998, and on the personnel and support costs for such programs; and

(3) the amounts, including funds to be transferred from USIA and funds appropriated to the Department, that will be allocated for the programs described in paragraphs (1) and (2), respectively, during the fiscal year in which the transfer of functions from USIA to the Department occurs.

(e) CONGRESSIONAL PRESENTATION DOCUMENT.—The Department of State's Congressional Presentation Document for fiscal year 2000 and each fiscal year thereafter shall include—

(1) the aggregated amounts that the Department will spend on such public diplomacy programs and on costs of personnel for such programs, and a detailed description of the goals and purposes for which such funds shall be expended; and

(2) the amount of funds allocated to and the positions authorized for such public diplomacy programs, including bureaus to be created upon the transfer of functions from USIA to the Department.

SEC. 334. ABOLITION OF UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

(a) ABOLITION.—The United States Advisory Commission on Public Diplomacy is abolished.

(b) REPEALS.—Section 604 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469) and section 8 of Reorganization Plan Numbered 2 of 1977 are repealed.

SEC. 335. CONFORMING AMENDMENTS.

(a) The United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.) is amended—

(1) in section 505 (22 U.S.C. 1464a)—

(A) by striking ''Director of the United States Information Agency'' each place it appears and inserting ''Broadcasting Board of Governors'';

(B) by striking ''United States Information Agency'' each place it appears and inserting ''Broadcasting Board of Governors'';

(C) in subsection (b)—

(i) by striking ''Agency's'' and all that follows through ''(USIA-TV)'' and inserting ''television broadcasts of the United States International Television Service''; and

(ii) in paragraphs (1), (2), and (3), by striking ''USIA-TV'' each place it appears and inserting ''The United States International Television Service''; and

(D) in subsections (d) and (e), by striking ''USIA-TV'' each place it appears and inserting ''the United States International Television Service'';

(2) in section 506(c) (22 U.S.C. 1464b(c))—

(A) by striking ''Director of the United States Information Agency'' and inserting ''Broadcasting Board of Governors'';

(B) by striking ''Agency'' and inserting ''Board''; and

(C) by striking ''Director'' and inserting ''Board''.

(3) in section 705 (22 U.S.C 1477c)—

(A) by striking subsections (a) and (c); and

(B) in subsection (b)—

(i) by striking ''(b) In addition, the United State Information Agency'' and inserting ''The Department of State''; and

(ii) by striking ''program grants'' and inserting ''grants for overseas public diplomacy programs'';

(4) in section 801(7) (22 U.S.C. 1471(7))—

(A) by striking ''Agency'' and inserting ''overseas public diplomacy''; and

(B) by inserting ''other'' after ''together with''; and

(5) in section 812 (22 U.S.C. 1475g)—

(A) by striking ''United States Information Agency post'' each place it appears and inserting ''overseas public diplomacy post'';

(B) in subsection (a), by striking ''United States Information Agency'' the first place it appears and inserting ''Department of State'';

(C) in subsection (b), by striking ''Director of the United States Information Agency'' and inserting ''Secretary of State''; and

(D) in the section heading, by striking ''usia'' and inserting ''overseas public diplomacy''.

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

(1) by striking ''United States Information Agency'' each place it appears and inserting ''Department of State'';

(2) in subsection (a), by inserting ''for carrying out its overseas public diplomacy functions'' after ''grants'';

(3) in subsection (b)—

(A) by striking ''a grant'' the first time it appears and inserting ''an overseas public diplomacy grant''; and

(B) in paragraph (1), by inserting ''such'' before ''a grant'' the first place it appears;

(4) in subsection (c)(1), by inserting ''overseas public diplomacy'' before ''grants'';

(5) in subsection (c)(3), by inserting ''such'' before ''grant''; and

(6) by striking subsection (d).

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

(1) in the second sentence of subsection (a), by striking ''United States Information Agency'' and inserting ''Department of State''; and

(2) in subsection (b)—

(A) by striking ''appropriations account of the United States Information Agency'' and inserting ''appropriate appropriations account of the Department of State''; and

(B) by striking ''and the United States Information Agency''.

(d) Section 305 of Public Law 97–446 (19 U.S.C. 2604) is amended in the first sentence, by striking '', after consultation with the Director of the United States Information Agency,''.

(e) Section 601 of Public Law 103–227 (20 U.S.C. 5951(a)) is amended by striking ''of the Director of the United States Information Agency and with'' and inserting ''and''.

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

(1) in the text above paragraph (1), by striking ''9 members'' and inserting ''7 members'';

(2) in paragraph (4), by striking ''Six'' and inserting ''Five'';

(3) by striking paragraph (3); and

(4) by redesignating paragraph (4) as paragraph (3).

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

(1) in subsection (b)—

(A) by striking paragraph (6); and

(B) by redesignating paragraphs (7) and (8) as paragraphs (6) and (7), respectively; and

(2) in subsection (c), by striking ''subsection (b)(7)'' and inserting ''subsection (b)(6)''.

(h) Section 7 of the Federal Triangle Development Act (40 U.S.C. 1106) is amended—

(1) in subsection (c)(1)—

(A) in the text above subparagraph (A), by striking ''15 members'' and inserting ''14 members'';

(B) by striking subparagraph (F); and

(C) by redesignating subparagraphs (G) through (J) as subparagraphs (F) through (I), respectively;

(2) in paragraphs (3) and (5) of subsection (c), by striking ''paragraph (1)(J)'' each place it appears and inserting ''paragraph (1)(I)''; and

(3) in subsection (d)(3) and subsection (e), by striking ''the Administrator and the Director of the United States Information Agency'' each place it appears and inserting ''and the Administrator''.

(i) Section 3 of the Woodrow Wilson Memorial Act of 1968 (Public Law 90–637; 20 U.S.C. 80f) is amended—

(1) in subsection (b)—

(A) in the text preceding paragraph (1), by striking ''19 members'' and inserting ''17 members'';

(B) by striking paragraph (7);

(C) by striking ''10'' in paragraph (10) and inserting ''9''; and

(D) by redesignating paragraphs (8) through (10) as paragraphs (7) through (9), respectively; and

(2) in subsection (c), by striking ''(9)'' and inserting ''(8)''.

(j) Section 624 of Public Law 89–329 (20 U.S.C. 1131c) is amended by striking ''the United States Information Agency,''.

(k) The Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) is amended—

(1) in section 202(a)(1) (22 U.S.C. 3922(a)(1)), by striking ''Director of the United States Information Agency'' and inserting ''Broadcasting Board of Governors'';

(2) in section 210 (22 U.S.C. 3930), by striking ''United States Information Agency'' and inserting ''Broadcasting Board of Governors'';

(3) in section 1003(a) (22 U.S.C. 4103(a)), by striking ''United States Information Agency'' and inserting ''Broadcasting Board of Governors''; and

(4) in section 1101(c) (22 U.S.C. 4131(c)), by striking ''the United States Information Agency,'' and inserting ''Broadcasting Board of Governors,''.

(l) The Department of State Basic Authorities Act of 1956, as amended by this Act, is further amended—

(1) in section 23(a) (22 U.S.C. 2695(a)), by striking ''United States Information Agency'' and inserting ''Broadcasting Board of Governors'';

(2) in section 25(f) (22 U.S.C. 2697(f))—

(A) by striking ''Director of the United States Information Agency'' and inserting ''Broadcasting Board of Governors''; and

(B) by striking ''with respect to their respective agencies'' and inserting ''with respect to the Board and the Agency'';

(3) in section 26(b) (22 U.S.C. 2698(b)), as amended by this Act—

(A) by striking ''Director of the United States Information Agency, the chairman of the Board for International Broadcasting,'' and inserting ''Broadcasting Board of Governors,''; and

(B) by striking ''with respect to their respective agencies'' and inserting ''with respect to the Board and the Agency''; and

(4) in section 32 (22 U.S.C. 2704), as amended by this Act, by striking ''the Director of the United States Information Agency'' and inserting ''the Broadcasting Board of Governors''.

(m) Section 507(b)(3) of Public Law 103–317 (22 U.S.C. 2669a(b)(3)) is amended by striking '', the United States Information Agency,''.

(n) Section 502 of Public Law 92–352 (2 U.S.C. 194a) is amended by striking ''the United States Information Agency,''.

(o) Section 6 of Public Law 104–288 (22 U.S.C. 2141d) is amended—

(1) in subsection (a), by striking ''Director of the United States Information Agency,''; and

(2) in subsection (b), by striking ''the Director of the United States Information Agency'' and inserting ''the Under Secretary of State for Public Diplomacy''.

(p) Section 40118(d) of title 49, United States Code, is amended by striking '', the Director of the United States Information Agency,''.

(q) Section 155 of Public Law 102–138 is amended—

(1) by striking the comma before ''Department of Commerce'' and inserting ''and''; and

(2) by striking '', and the United States Information Agency''.

(r) Section 107 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6037) is amended by striking ''Director of the United States Information Agency'' each place it appears and inserting ''Director of the International Broadcasting Bureau''.

SEC. 336. REPEALS.

The following provisions are repealed:

(1) Sections 701 (22 U.S.C. 1476), 704 (22 U.S.C. 1477b), 807 (22 U.S.C 1475b), 808 (22 U.S.C 1475c), 811 (22 U.S.C 1475f), and 1009 (22 U.S.C. 1440) of the United States Information and Educational Exchange Act of 1948.

(2) Section 106(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2456(c)).

(3) Section 565(e) of the Anti-Economic Discrimination Act of 1994 (22 U.S.C. 2679c(e)).

(4) Section 206(b) of Public Law 102–138.

(5) Section 2241 of Public Law 104–66.

(6) Sections 1 through 6 of Reorganization Plan Numbered 2 of 1977 (91 Stat. 636).

(7) Section 207 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 22 U.S.C. 1463 note).

TITLE IV—UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

CHAPTER 1—GENERAL PROVISIONS

SEC. 401. EFFECTIVE DATE.

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

(1) October 1, 1998; or

(2) the date of abolition of the United States International Development Cooperation Agency pursuant to the reorganization plan described in section 601.

CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS

SEC. 411. ABOLITION OF UNITED STATES INTERNATIONAL DEVELOPMENT COOPERATION AGENCY.

(a) IN GENERAL.—Except for the components specified in subsection (b), the United States International Development Cooperation Agency (including the Institute for Scientific and Technological Cooperation) is abolished.

(b) AID AND OPIC EXEMPTED.—Subsection (a) does not apply to the Agency for International Development or the Overseas Private Investment Corporation.

SEC. 412. TRANSFER OF FUNCTIONS AND AUTHORITIES.

(a) ALLOCATION OF FUNDS.—

(1) ALLOCATION TO THE SECRETARY OF STATE.—Funds made available under the categories of assistance deemed allocated to the Director of the International Development Cooperation Agency under section 1–801 of Executive Order No. 12163 (22 U.S.C. 2381 note) as of October 1, 1997, shall be allocated to the Secretary of State on and after the effective date of this title without further action by the President.

(2) PROCEDURES FOR REALLOCATIONS OR TRANSFERS.—The Secretary of State may allocate or transfer as appropriate any funds received under paragraph (1) in the same manner as previously provided for the Director of the International Development Cooperation Agency under section 1–802 of that Executive Order, as in effect on October 1, 1997.

(b) WITH RESPECT TO THE OVERSEAS PRIVATE INVESTMENT CORPORATION.—There are transferred to the Administrator of the Agency for International Development all functions of the Director of the United States International Development Cooperation Agency as of the day before the effective date of this title with respect to the Overseas Private Investment Corporation.

(c) OTHER ACTIVITIES.—The authorities and functions transferred to the United States International Development Cooperation Agency or the Director of that Agency by section 6 of Reorganization Plan Numbered 2 of 1979 shall, to the extent such authorities and functions have not been repealed, be transferred to those agencies or heads of agencies, as the case may be, in which those authorities and functions were vested by statute as of the day before the effective date of such reorganization plan.

SEC. 413. STATUS OF AID.

(a) IN GENERAL.—Unless abolished pursuant to the reorganization plan submitted under section 601, and except as provided in section 412, there is within the Executive branch of Government the United States Agency for International Development as an entity described in section 104 of title 5, United States Code.

(b) RETENTION OF OFFICERS.—Nothing in this section shall require the reappointment of any officer of the United States serving in the Agency for International Development of the United States International Development Cooperation Agency as of the day before the effective date of this title.

CHAPTER 3—CONFORMING AMENDMENTS

SEC. 421. REFERENCES.

Except as otherwise provided in this division, any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to the United States International Development Cooperation Agency (IDCA) or to the Director or any other officer or employee of IDCA—

(1) insofar as such reference relates to any function or authority transferred under section 412(a), shall be deemed to refer to the Secretary of State;

(2) insofar as such reference relates to any function or authority transferred under section 412(b), shall be deemed to refer to the Administrator of the Agency for International Development;

(3) insofar as such reference relates to any function or authority transferred under section 412(c), shall be deemed to refer to the head of the agency to which such function or authority is transferred under such section; and

(4) insofar as such reference relates to any function or authority not transferred by this title, shall be deemed to refer to the President or such agency or agencies as may be specified by Executive order.

SEC. 422. CONFORMING AMENDMENTS.

(a) TERMINATION OF REORGANIZATION PLANS AND DELEGATIONS.—The following shall cease to be effective:

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

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

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

(4) Section 3 of Executive Order No. 12884 (58 Fed. Reg. 64099; relating to the delegation of functions under the Freedom for Russia and Emerging Eurasian Democracies and Open Markets Support Act of 1992, the Foreign Assistance Act of 1961, the Foreign Operations, Export Financing and Related Programs Appropriations Act, 1993, and section 301 of title 3, United States Code).

(b) OTHER STATUTORY AMENDMENTS AND REPEAL.—

(1) TITLE 5.—Section 7103(a)(2)(B)(iv) of title 5, United States Code, is amended by striking ''United States International Development Cooperation Agency'' and inserting ''Agency for International Development''.

(2) INSPECTOR GENERAL ACT OF 1978.—Section 8A of the Inspector General Act of 1978 (5 U.S.C. App. 3) is amended—

(A) in subsection (a)—

(i) by striking ''Development'' through ''(1) shall'' and inserting ''Development shall'';

(ii) by striking ''; and'' at the end of subsection (a)(1) and inserting a period; and

(iii) by striking paragraph (2);

(B) by striking subsections (c) and (f); and

(C) by redesignating subsections (d), (e), (g), and (h) as subsections (c), (d), (e), and (f), respectively.

(3) STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956.—The State Department Basic Authorities Act of 1956 is amended—

(A) in section 25(f) (22 U.S.C. 2697(f)), as amended by this Act, by striking ''Director of the United States International Development Cooperation Agency'' and inserting ''Administrator of the Agency for International Development'';

(B) in section 26(b) (22 U.S.C. 2698(b)), as amended by this Act, by striking ''Director of the United States International Development Cooperation Agency'' and inserting ''Administrator of the Agency for International Development''; and

(C) in section 32 (22 U.S.C. 2704), by striking ''Director of the United States International Development Cooperation Agency'' and inserting ''Administrator of the Agency for International Development''.

(4) FOREIGN SERVICE ACT OF 1980.—The Foreign Service Act of 1980 is amended—

(A) in section 202(a)(1) (22 U.S.C. 3922(a)(1)), by striking ''Director of the United States International Development Cooperation Agency'' and inserting ''Administrator of the Agency for International Development'';

(B) in section 210 (22 U.S.C. 3930), by striking ''United States International Development Cooperation Agency'' and inserting ''Agency for International Development'';

(C) in section 1003(a) (22 U.S.C. 4103(a)), by striking ''United States International Development Cooperation Agency'' and inserting ''Agency for International Development''; and

(D) in section 1101(c) (22 U.S.C. 4131(c)), by striking ''United States International Development Cooperation Agency'' and inserting ''Agency for International Development''.

(5) REPEAL.—Section 413 of Public Law 96–53 (22 U.S.C. 3512) is repealed.

(6) TITLE 49.—Section 40118(d) of title 49, United States Code, is amended by striking ''the Director of the United States International Development Cooperation Agency'' and inserting ''or the Administrator of the Agency for International Development''.

(7) EXPORT ADMINISTRATION ACT OF 1979.—Section 2405(g) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(g)) is amended—

(A) by striking ''Director of the United States International Development Cooperation Agency'' each place it appears and inserting ''Administrator of the Agency for International Development''; and

(B) in the fourth sentence, by striking ''Director'' and inserting ''Administrator''.

TITLE V—AGENCY FOR INTERNATIONAL DEVELOPMENT

CHAPTER 1—GENERAL PROVISIONS

SEC. 501. EFFECTIVE DATE.

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

(1) October 1, 1998; or

(2) the date of reorganization of the Agency for International Development pursuant to the reorganization plan described in section 601.

CHAPTER 2—REORGANIZATION AND TRANSFER OF FUNCTIONS

SEC. 511. REORGANIZATION OF AGENCY FOR INTERNATIONAL DEVELOPMENT.

(a) IN GENERAL.—The Agency for International Development shall be reorganized in accordance with this division and the reorganization plan transmitted pursuant to section 601.

(b) FUNCTIONS TO BE TRANSFERRED.—The reorganization of the Agency for International Development shall provide, at a minimum, for the transfer to and consolidation with the Department of State of the following functions of AID:

(1) The Press office.

(2) Certain administrative functions.

CHAPTER 3—AUTHORITIES OF THE SECRETARY OF STATE

SEC. 521. DEFINITION OF UNITED STATES ASSISTANCE.

In this chapter, the term ''United States assistance'' means development and other economic assistance, including assistance made available under the following provisions of law:

(1) Chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance).

(2) Chapter 4 of part II of the Foreign Assistance Act of 1961 (relating to the economic support fund).

(3) Chapter 10 of part I of the Foreign Assistance Act of 1961 (relating to the Development Fund for Africa).

(4) Chapter 11 of part I of the Foreign Assistance Act of 1961 (relating to assistance for the independent states of the former Soviet Union).

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

SEC. 522. ADMINISTRATOR OF AID REPORTING TO THE SECRETARY OF STATE.

The Administrator of the Agency for International Development, appointed pursuant to section 624(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2384(a)), shall report to and be under the direct authority and foreign policy guidance of the Secretary of State.

SEC. 523. ASSISTANCE PROGRAMS COORDINATION AND OVERSIGHT.

(a) AUTHORITY OF THE SECRETARY OF STATE.—

(1) IN GENERAL.—Under the direction of the President, the Secretary of State shall coordinate all United States assistance in accordance with this section, except as provided in paragraphs (2) and (3).

(2) EXPORT PROMOTION ACTIVITIES.—Coordination of activities relating to promotion of exports of United States goods and services shall continue to be primarily the responsibility of the Secretary of Commerce.

(3) INTERNATIONAL ECONOMIC ACTIVITIES.—Coordination of activities relating to United States participation in international financial institutions and relating to organization of multilateral efforts aimed at currency stabilization, currency convertibility, debt reduction, and comprehensive economic reform programs shall continue to be primarily the responsibility of the Secretary of the Treasury.

(4) AUTHORITIES AND POWERS OF THE SECRETARY OF STATE.—The powers and authorities of the Secretary provided in this chapter are in addition to the powers and authorities provided to the Secretary under any other Act, including section 101(b) and section 622(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151(b), 2382(c)).

(b) COORDINATION ACTIVITIES.—Coordination activities of the Secretary of State under subsection (a) shall include—

(1) approving an overall assistance and economic cooperation strategy;

(2) ensuring program and policy coordination among agencies of the United States Government in carrying out the policies set forth in the Foreign Assistance Act of 1961, the Arms Export Control Act, and other relevant assistance Acts;

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

(4) resolving policy, program, and funding disputes among United States Government agencies.

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

(d) AUTHORITY TO PROVIDE PERSONNEL OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT.—The Administrator of the Agency for International Development is authorized to detail to the Department of State on a nonreimbursable basis such personnel employed by the Agency as the Secretary of State may require to carry out this section.

TITLE VI—TRANSITION

CHAPTER 1—REORGANIZATION PLAN

SEC. 601. REORGANIZATION PLAN AND REPORT.

(a) SUBMISSION OF PLAN AND REPORT.—Not later than 60 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a reorganization plan and report regarding—

(1) the abolition of the United States Arms Control and Disarmament Agency, the United States Information Agency, and the United States International Development Cooperation Agency in accordance with this division;

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

(3) the termination of functions of each covered agency as may be necessary to effectuate the reorganization under this division, and the termination of the affairs of each agency abolished under this division;

(4) the transfer to the Department of the functions and personnel of each covered agency consistent with the provisions of this division; and

(5) the consolidation, reorganization, and streamlining of the Department in connection with the transfer of such functions and personnel in order to carry out such functions.

(b) COVERED AGENCIES.—The agencies covered by this section are the following:

(1) The United States Arms Control and Disarmament Agency.

(2) The United States Information Agency.

(3) The United States International Development Cooperation Agency.

(4) The Agency for International Development.

(c) PLAN ELEMENTS.—The plan transmitted under subsection (a) shall contain, consistent with this division, such elements as the President deems appropriate, including elements that—

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

(2) specify the steps to be taken by the Secretary of State to reorganize internally the functions of the Department, including the consolidation of offices and functions, that will be required under the plan in order to permit the Department to carry out the functions transferred to it under the plan;

(3) specify the funds available to each covered agency that will be transferred to the Department as a result of the transfer of functions of such agency to the Department;

(4) specify the proposed allocations within the Department of unexpended funds transferred in connection with the transfer of functions under the plan; and

(5) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of each covered agency in connection with the transfer of the functions of such agency to the Department.

(d) REORGANIZATION PLAN OF AGENCY FOR INTERNATIONAL DEVELOPMENT.—In addition to applicable provisions of subsection (c), the reorganization plan transmitted under this section for the Agency for International Development—

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

(2) in lieu of the abolition and transfer of functions under paragraph (1)—

(A) shall provide for the transfer to and consolidation within the Department of the functions set forth in section 511; and

(B) may provide for additional consolidation, reorganization, and streamlining of AID, including—

(i) the termination of functions and reductions in personnel of AID;

(ii) the transfer of functions of AID, and the personnel associated with such functions, to the Department; and

(iii) the consolidation, reorganization, and streamlining of the Department upon the transfer of such functions and personnel in order to carry out the functions transferred.

(e) MODIFICATION OF PLAN.—The President may, on the basis of consultations with the appropriate congressional committees, modify or revise any part of the plan transmitted under subsection (a) until that part of the plan becomes effective in accordance with subsection (g).

(f) REPORT.—The report accompanying the reorganization plan for the Department and the covered agencies submitted pursuant to this section shall describe the implementation of the plan and shall include—

(1) a detailed description of—

(A) the actions necessary or planned to complete the reorganization,

(B) the anticipated nature and substance of any orders, directives, and other administrative and operational actions which are expected to be required for completing or implementing the reorganization, and

(C) any preliminary actions which have been taken in the implementation process;

(2) the number of personnel and positions of each covered agency (including civil service personnel, Foreign Service personnel, and detailees) that are expected to be transferred to the Department, separated from service with

such agency, or eliminated under the plan, and a projected schedule for such transfers, separations, and terminations;

(3) the number of personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that are expected to be transferred within the Department, separated from service with the Department, or eliminated under the plan, and a projected schedule for such transfers, separations, and terminations;

(4) a projected schedule for completion of the implementation process; and

(5) recommendations, if any, for legislation necessary to carry out changes made by this division relating to personnel and to incidental transfers.

(g) EFFECTIVE DATE.—

(1) IN GENERAL.—The reorganization plan described in this section, including any modifications or revisions of the plan under subsection (e), shall become effective on the earlier of the date for the respective covered agency specified in paragraph (2) or the date announced by the President under paragraph (3).

(2) STATUTORY EFFECTIVE DATES.—The effective dates under this paragraph for the reorganization plan described in this section are the following:

(A) October 1, 1998, with respect to functions of the Agency for International Development described in section 511.

(B) October 1, 1998, with respect to the abolition of the United States Arms Control and Disarmament Agency and the United States International Development Cooperation Agency.

(C) October 1, 1999, with respect to the abolition of the United States Information Agency.

(3) EFFECTIVE DATE BY PRESIDENTIAL DETERMINATION.—An effective date under this paragraph for a reorganization plan described in this section is such date as the President shall determine to be appropriate and announce by notice published in the Federal Register, which date may be not earlier than 90 calendar days after the President has transmitted the reorganization plan to the appropriate congressional committees pursuant to subsection (a).

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

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

(h) PUBLICATION.—The reorganization plan described in this section shall be printed in the Federal Register after the date upon which it first becomes effective.

CHAPTER 2—REORGANIZATION AUTHORITY

SEC. 611. REORGANIZATION AUTHORITY.

(a) IN GENERAL.—The Secretary is authorized, subject to the requirements of this division, to allocate or reallocate any function transferred to the Department under any title of this division, and to establish, consolidate, alter, or discontinue such organizational entities within the Department as may be necessary or appropriate to carry out any reorganization under this division, but this subsection does not authorize the Secretary to modify the terms of any statute that establishes or defines the functions of any bureau, office, or officer of the Department.

(b) REQUIREMENTS AND LIMITATIONS ON REORGANIZATION PLAN.—The reorganization plan transmitted under section 601 may not have the effect of—

(1) creating a new executive department;

(2) continuing a function beyond the period authorized by law for its exercise or beyond the time when it would have terminated if the reorganization had not been made;

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

(4) creating a new Federal agency which is not a component or part of an existing executive department or independent agency; or

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

SEC. 612. TRANSFER AND ALLOCATION OF APPROPRIATIONS.

(a) IN GENERAL.—Except as otherwise provided in this division, the assets, liabilities (including contingent liabilities arising from suits continued with a substitution or addition of parties under section 615(e)), contracts, property, records, and unexpended balance of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available to, or to be made available in connection with the functions and offices, or portions thereof, transferred by any title of this division shall be transferred to the Secretary for appropriate allocation.

(b) LIMITATION ON USE OF TRANSFERRED FUNDS.—Except as provided in subsection (c), unexpended and unobligated funds transferred pursuant to any title of this division shall be used only for the purposes for which the funds were originally authorized and appropriated.

(c) FUNDS TO FACILITATE TRANSITION.—

(1) CONGRESSIONAL NOTIFICATION.—Funds transferred pursuant to subsection (a) may be available for the purposes of reorganization subject to notification of the appropriate congressional committees in accordance with the procedures applicable to a reprogramming of funds under section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706).

(2) TRANSFER AUTHORITY.—Funds in any account appropriated to the Department of State may be transferred to another such account for the purposes of reorganization, subject to notification of the appropriate congressional committees in accordance with the procedures applicable to a reprogramming of funds under section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706). The authority in this paragraph is in addition to any other transfer authority available to the Secretary of State and shall expire September 30, 2000.

SEC. 613. TRANSFER, APPOINTMENT, AND ASSIGNMENT OF PERSONNEL.

(a) TRANSFER OF PERSONNEL FROM ACDA AND USIA.—Except as otherwise provided in title III—

(1) not later than the date of abolition of ACDA, all personnel and positions of ACDA, and

(2) not later than the date of abolition of USIA, all personnel and positions of USIA,

shall be transferred to the Department of State at the same grade or class and the same rate of basic pay or basic salary rate and with the same tenure held immediately preceding transfer.

(b) TRANSFER OF PERSONNEL FROM AID.—Except as otherwise provided in title III, not later than the date of transfer of any function of AID to the Department of State under this division, all AID personnel performing such functions and all positions associated with such functions shall be transferred to the Department of State at the same grade or class and the same rate of basic pay or basic salary rate and with the same tenure held immediately preceding transfer.

(c) ASSIGNMENT AUTHORITY.—The Secretary, for a period of not more than 6 months commencing on the effective date of the transfer to the Department of State of personnel under subsections (a) and (b), is authorized to assign such personnel to any position or set of duties in the Department of State regardless of the position held or duties performed by such personnel prior to transfer, except that, by virtue of such assignment, such personnel shall not have their grade or class or their rate of basic pay or basic salary rate reduced, nor their tenure changed. The Secretary shall consult with the relevant exclusive representatives (as defined in section 1002 of the Foreign Service Act and in section 7103 of title 5, United States Code) with regard to the exercise of this authority. This subsection does not authorize the Secretary to assign any individual to any position that by law requires appointment by the President, by and with the advice and consent of the Senate.

(d) SUPERSEDING OTHER PROVISIONS OF LAW.—Subsections (a) through (c) shall be exercised notwithstanding any other provision of law.

SEC. 614. INCIDENTAL TRANSFERS.

The Director of the Office of Management and Budget, when requested by the Secretary, is authorized to make such incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of any title of this division. The Director of the Office of Management and Budget, in consultation with the Secretary, shall provide for the termination of the affairs of all entities terminated by this division and for such further measures and dispositions as may be necessary to effectuate the purposes of any title of this division.

SEC. 615. SAVINGS PROVISIONS.

(a) CONTINUING LEGAL FORCE AND EFFECT.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(1) that have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in the performance of functions that are transferred under any title of this division; and

(2) that are in effect as of the effective date of such title, or were final before the effective date of such title and are to become effective on or after the effective date of such title,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Secretary, or other authorized official, a court of competent jurisdiction, or by operation of law.

(b) PENDING PROCEEDINGS.—

(1) IN GENERAL.—The provisions of any title of this division shall not affect any proceedings, includinging notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending on the effective date of any title of this division before any Federal agency, commission, or component thereof, functions of which are transferred by any title of this division. Such proceedings and applications, to the extent that they relate to functions so transferred, shall be continued.

(2) ORDERS, APPEALS, PAYMENTS.—Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this division had not been enacted. Orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by the Secretary, by a court of competent jurisdiction, or by operation of law.

(3) STATUTORY CONSTRUCTION.—Nothing in this division shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this division had not been enacted.

(4) REGULATIONS.—The Secretary is authorized to promulgate regulations providing for the orderly transfer of proceedings continued under this subsection to the Department.

(c) NO EFFECT ON JUDICIAL OR ADMINISTRATIVE PROCEEDINGS.—Except as provided in subsection (e) and section 327(d)—

(1) the provisions of this division shall not affect suits commenced prior to the effective dates of the respective titles of this division; and

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

(d) NONABATEMENT OF PROCEEDINGS.—No suit, action, or other proceeding commenced by or against any officer in the official capacity of such individual as an officer of any Federal agency, or any commission or component thereof, functions of which are transferred by any title of this division, shall abate by reason of the enactment of this division. No cause of action by or against any Federal agency, or any commission or component thereof, functions of which are transferred by any title of this division, or by or against any officer thereof in the official capacity of such officer shall abate by reason of the enactment of this division.

(e) CONTINUATION OF PROCEEDING WITH SUBSTITUTION OF PARTIES.—If, before the effective date of any title of this division, any Federal agency, or officer thereof in the official capacity of such officer, is a party to a suit, and under this division any function of such department, agency, or officer is transferred to the Secretary or any other official of the Department, then effective on such date such suit shall be continued with the Secretary or other appropriate official of the Department substituted or added as a party.

(f) REVIEWABILITY OF ORDERS AND ACTIONS UNDER TRANSFERRED FUNCTIONS.—Orders and actions of the Secretary in the exercise of functions transferred under any title of this division shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the Federal agency or office, or part thereof, exercising such functions immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by any title of this division shall apply to the exercise of such function by the Secretary.

SEC. 616. AUTHORITY OF SECRETARY OF STATE TO FACILITATE TRANSITION.

Notwithstanding any provision of this division, the Secretary of State, with the concurrence of the head of the appropriate Federal agency exercising functions transferred under this division, may transfer the whole or part of such functions prior to the effective dates established in this division, including the transfer of personnel and funds associated with such functions.

SEC. 617. FINAL REPORT.

Not later than January 1, 2001, the President, in consultation with the Secretary of the Treasury and the Director of the Office of Management and Budget, shall submit to the appropriate congressional committees a report which provides a final accounting of the finances and operations of the agencies abolished under this division.

DIVISION B—FOREIGN RELATIONS AUTHORIZATION

TITLE X—GENERAL PROVISIONS

SEC. 1001. SHORT TITLE.

This division may be cited as the ''Foreign Relations Authorization Act, Fiscal Years 1998 and 1999''.

SEC. 1002. DEFINITION OF APPROPRIATE CONGRESSIONAL COMMITTEES.

In this division, the term ''appropriate congressional committees'' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

TITLE XI—AUTHORIZATION OF APPROPRIATIONS FOR DEPARTMENT OF STATE

SEC. 1101. ADMINISTRATION OF FOREIGN AFFAIRS.

The following amounts are authorized to be appropriated for the Department of State under ''Administration of Foreign Affairs'' to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law, including the diplomatic security program:

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—For ''Diplomatic and Consular Programs'', of the Department of State $1,746,977,000 for the fiscal year 1998 and $1,691,282,000 for the fiscal year 1999.

(2) SALARIES AND EXPENSES.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For ''Salaries and Expenses'', of the Department of State $363,513,000 for the fiscal year 1998 and $367,148,000 for the fiscal year 1999.

(B) LIMITATIONS.—Of the amounts authorized to be appropriated by subparagraph (A), $2,000,000 for fiscal year 1998 and $2,000,000 for the fiscal year 1999 are authorized to be appropriated only for the recruitment of minorities for careers in the Foreign Service and international affairs.

(3) CAPITAL INVESTMENT FUND.—For ''Capital Investment Fund'', of the Department of State $86,000,000 for the fiscal year 1998 and $118,340,000 for the fiscal year 1999.

(4) SECURITY AND MAINTENANCE OF BUILDINGS ABROAD.—For ''Security and Maintenance of Buildings Abroad'', $397,943,000 for the fiscal year 1998 and $590,800,000 for the fiscal year 1999.

(5) REPRESENTATION ALLOWANCES.—For ''Representation Allowances'', $4,300,000 for the fiscal year 1998 and $4,300,000 for the fiscal year 1999.

(6) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For ''Emergencies in the Diplomatic and Consular Service'', $5,500,000 for the fiscal 1998 and $5,500,000 for the fiscal year 1999.

(7) OFFICE OF THE INSPECTOR GENERAL.—For ''Office of the Inspector General'', $28,300,000 for the fiscal year 1998 and $28,717,000 for the fiscal year 1999.

(8) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For ''Payment to the American Institute in Taiwan'', $14,490,000 for the fiscal year 1998 and $15,000,000 for the fiscal year 1999.

(9) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—(A) For ''Protection of Foreign Missions and Officials'', $7,900,000 for the fiscal year 1998 and $8,100,000 for the fiscal year 1999.

(B) Each amount appropriated pursuant to this paragraph is authorized to remain available through September 30 of the fiscal year following the fiscal year for which the amount appropriated was made.

(10) REPATRIATION LOANS.—For ''Repatriation Loans'', $1,200,000 for the fiscal year 1998 and $1,200,000 for the fiscal year 1999, for administrative expenses.

SEC. 1102. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under ''International Commissions'' for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

(1) INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO.—For ''International Boundary and Water Commission, United States and Mexico''—

(A) for ''Salaries and Expenses'' $17,490,000 for the fiscal year 1998 and $19,179,000 for the fiscal year 1999; and

(B) for ''Construction'' $6,463,000 for the fiscal year 1998 and $7,125,000 for the fiscal year 1999.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For ''International Boundary Commission, United States and Canada'', $761,000 for the fiscal year 1998 and $835,000 for the fiscal year 1999.

(3) INTERNATIONAL JOINT COMMISSION.—For ''International Joint Commission'', $3,189,000 for the fiscal year 1998 and $3,432,000 for the fiscal year 1999.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For ''International Fisheries Commissions'', $14,549,000 for the fiscal year 1998 and $14,549,000 for the fiscal year 1999.

SEC. 1103. GRANTS TO THE ASIA FOUNDATION.

Section 404 of The Asia Foundation Act (title IV of Public Law 98–164) is amended to read as follows:

''SEC. 404. There are authorized to be appropriated to the Secretary of State $10,000,000 for each of the fiscal years 1998 and 1999 for grants to The Asia Foundation pursuant to this title.''.

SEC. 1104. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for ''Voluntary Contributions to International Organizations'', $294,500,000 for the fiscal year 1998 and $294,500,000 for the fiscal year 1999.

(b) LIMITATIONS.—

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

(2) UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.—Of the amount authorized to be appropriated under subsection (a), $3,000,000 for the fiscal year 1998 and $3,000,000 for the fiscal year 1999 are authorized to be appropriated only for a United States contribution to the United Nations Voluntary Fund for Victims of Torture.

(3) INTERNATIONAL PROGRAM ON THE ELIMINATION OF CHILD LABOR.—Of the amounts authorized to be appropriated under subsection (a), $5,000,000 for the fiscal year 1998 and $5,000,000 for the fiscal year 1999 are authorized to be appropriated only for a United States contribution to the International Labor Organization for the activities of the International Program on the Elimination of Child Labor.

(c) AVAILABILITY OF FUNDS.—Amounts authorized to be appropriated under subsection (a) are authorized to remain available until expended.

SEC. 1105. VOLUNTARY CONTRIBUTIONS TO PEACEKEEPING OPERATIONS.

There are authorized to be appropriated for ''Peacekeeping Operations'', $77,500,000 for the fiscal year 1998 and $68,000,000 for the fiscal year 1999 for the Department of State to carry out section 551 of Public Law 87–195.

SEC. 1106. LIMITATION ON UNITED STATES VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS DEVELOPMENT PROGRAM.

(a) LIMITATION.—Of the amounts made available for fiscal years 1998 and 1999 for United States voluntary contributions to the United Nations Development Program an amount equal to the amount the United Nations Development Program will spend in Burma during each fiscal year shall be withheld unless during such fiscal year the President submits to the appropriate congressional committees the certification described in subsection (b).

(b) CERTIFICATION.—The certification referred to in subsection (a) is a certification by the President that all programs and activities of the United Nations Development Program (including United Nations Development Program—Administered Funds) in Burma—

(1) are focused on eliminating human suffering and addressing the needs of the poor;

(2) are undertaken only through international or private voluntary organizations that have been deemed independent of the State Law and Order Restoration Council (SLORC), after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma;

(3) provide no financial, political, or military benefit to the SLORC; and

(4) are carried out only after consultation with the leadership of the National League for Democracy and the leadership of the National Coalition Government of the Union of Burma.

SEC. 1107. UNITED NATIONS POPULATION FUND.

The amounts made available for each of the fiscal years 1998 and 1999 to carry out part I of the Foreign Assistance Act of 1961, not more than $25,000,000 shall be available for each such fiscal year for the United Nations Population Fund.

TITLE XII—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

CHAPTER 1—AUTHORITIES AND ACTIVITIES

SEC. 1201. REIMBURSEMENT OF DEPARTMENT OF STATE FOR ASSISTANCE TO OVERSEAS EDUCATIONAL FACILITIES.

Section 29 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2701) is amended by adding at the end the following: ''Notwithstanding any other provision of law, where the child of a United States citizen employee of an agency of the United States Government who is stationed outside the United States attends an educational facility assisted by the Secretary of State under this section, the head of that agency is authorized to reimburse, or credit with advance payment, the Department of State for funds used in providing assistance to such educational facilities, by grant or otherwise, under this section.''.

SEC. 1202. REVISION OF DEPARTMENT OF STATE REWARDS PROGRAM.

Section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended to read as follows:

''SEC. 36. DEPARTMENT OF STATE REWARDS PROGRAM.

''(a) ESTABLISHMENT.—

''(1) IN GENERAL.—There is established a program for the payment of rewards to carry out the purposes of this section.

''(2) PURPOSE.—The rewards program shall be designed to assist in the prevention of acts of international terrorism, international narcotics trafficking, and other related criminal acts.

''(3) IMPLEMENTATION.—The rewards program shall be administered by the Secretary of State, in consultation, as appropriate, with the Attorney General.

''(b) REWARDS AUTHORIZED.—In the sole discretion of the Secretary (except as provided in subsection (c)(2)) and in consultation, as appropriate, with the Attorney General, the Secretary may pay a reward to any individual who furnishes information leading to—

''(1) the arrest or conviction in any country of any individual for the commission of an act of international terrorism against a United States person or United States property;

''(2) the arrest or conviction in any country of any individual conspiring or attempting to commit an act of international terrorism against a United States person or United States property;

''(3) the arrest or conviction in any country of any individual for committing, primarily outside the territorial jurisdiction of the United States, any narcotics-related offense if that offense involves or is a significant part of conduct that involves—

''(A) a violation of United States narcotics laws such that the individual would be a major violator of such laws;

''(B) the killing or kidnapping of—

''(i) any officer, employee, or contract employee of the United States Government while such individual is engaged in official duties, or on account of that individual's official duties, in connection with the enforcement of United States narcotics laws or the implementing of United States narcotics control objectives; or

''(ii) a member of the immediate family of any such individual on account of that individual's official duties, in connection with the enforcement of United States narcotics laws or the implementing of United States narcotics control objectives; or

''(C) an attempt or conspiracy to commit any act described in subparagraph (A) or (B);

''(4) the arrest or conviction in any country of any individual aiding or abetting in the commission of an act described in paragraph (1), (2), or (3); or

''(5) the prevention, frustration, or favorable resolution of an act described in paragraph (1), (2), or (3).

''(c) COORDINATION.—

''(1) PROCEDURES.—To ensure that the payment of rewards pursuant to this section does not duplicate or interfere with the payment of informants or the obtaining of evidence or information, as authorized to the Department of Justice, the offering, administration, and payment of rewards under this section, including procedures for—

''(A) identifying individuals, organizations, and offenses with respect to which rewards will be offered;

''(B) the publication of rewards;

''(C) the offering of joint rewards with foreign governments;

''(D) the receipt and analysis of data; and

''(E) the payment and approval of payment,

shall be governed by procedures developed by the Secretary of State, in consultation with the Attorney General.

''(2) PRIOR APPROVAL OF ATTORNEY GENERAL REQUIRED.—Before making a reward under this section in a matter over which there is Federal criminal jurisdiction, the Secretary of State shall obtain the concurrence of the Attorney General.

''(d) FUNDING.—

''(1) AUTHORIZATION OF APPROPRIATIONS.—Notwithstanding section 102 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99–93; 99 Stat. 408), but subject to paragraph (2), there are authorized to be appropriated to the Department of State from time to time such amounts as may be necessary to carry out this section.

''(2) LIMITATION.—No amount of funds may be appropriated under paragraph (1) which, when added to the unobligated balance of amounts previously appropriated to carry out this section, would cause such amounts to exceed $15,000,000.

''(3) ALLOCATION OF FUNDS.—To the maximum extent practicable, funds made available to carry out this section should be distributed equally for the purpose of preventing acts of international terrorism and for the purpose of preventing international narcotics trafficking.

''(4) PERIOD OF AVAILABILITY.—Amounts appropriated under paragraph (1) shall remain available until expended.

''(e) LIMITATIONS AND CERTIFICATION.—

''(1) MAXIMUM AMOUNT.—No reward paid under this section may exceed $2,000,000.

''(2) APPROVAL.—A reward under this section of more than $100,000 may not be made without the approval of the Secretary.

''(3) CERTIFICATION FOR PAYMENT.—Any reward granted under this section shall be approved and certified for payment by the Secretary.

''(4) NONDELEGATION OF AUTHORITY.—The authority to approve rewards of more than $100,000 set forth in paragraph (2) may not be delegated.

''(5) PROTECTION MEASURES.—If the Secretary determines that the identity of the recipient of a reward or of the members of the recipient's immediate family must be protected, the Secretary may take such measures in connection with the payment of the reward as he considers necessary to effect such protection.

''(f) INELIGIBILITY.—An officer or employee of any entity of Federal, State, or local government or of a foreign government who, while in the performance of his or her official duties, furnishes information described in subsection (b) shall not be eligible for a reward under this section.

''(g) REPORTS.—

''(1) REPORTS ON PAYMENT OF REWARDS.—Not later than 30 days after the payment of any reward under this section, the Secretary shall submit a report to the appropriate congressional committees with respect to such reward. The report, which may be submitted in classified form if necessary, shall specify the amount of the reward paid, to whom the reward was paid, and the acts with respect to which the reward was paid. The report shall also discuss the significance of the information for which the reward was paid in dealing with those acts.

''(2) ANNUAL REPORTS.—Not later than 60 days after the end of each fiscal year, the Secretary shall submit a report to the appropriate congressional committees with respect to the operation of the rewards program. The report shall provide information on the total amounts expended during the fiscal year ending in that year to carry out this section, including amounts expended to publicize the availability of rewards.

''(h) PUBLICATION REGARDING REWARDS OFFERED BY FOREIGN GOVERNMENTS.—Notwithstanding any other provision of this section, in the sole discretion of the Secretary, the resources of the rewards program shall be available for the publication of rewards offered by foreign governments regarding acts of international terrorism which do not involve United States persons or property or a violation of the narcotics laws of the United States.

''(i) DETERMINATIONS OF THE SECRETARY.—A determination made by the Secretary under this section shall be final and conclusive and shall not be subject to judicial review.

''(j) DEFINITIONS.—As used in this section:

''(1) ACT OF INTERNATIONAL TERRORISM.—The term 'act of international terrorism' includes—

''(A) any act substantially contributing to the acquisition of unsafeguarded special nuclear material (as defined in paragraph (8) of section 830 of the Nuclear Proliferation Prevention Act of 1994 (22 U.S.C. 3201 note)) or any nuclear explosive device (as defined in paragraph (4) of that section) by an individual, group, or nonnuclear-weapon state (as defined in paragraph (5) of that section); and

''(B) any act, as determined by the Secretary, which materially supports the conduct of international terrorism, including the counterfeiting of United States currency or the illegal use of other monetary instruments by an individual, group, or country supporting international terrorism as determined for purposes of section 6(j)(1)(A) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)(A)).

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

''(3) MEMBER OF THE IMMEDIATE FAMILY.—The term 'member of the immediate family', with respect to an individual, includes—

''(A) a spouse, parent, brother, sister, or child of the individual;

''(B) a person with respect to whom the individual stands in loco parentis; and

''(C) any person not covered by subparagraph (A) or (B) who is living in the individual's household and is related to the individual by blood or marriage.

''(4) REWARDS PROGRAM.—The term 'rewards program' means the program established in subsection (a)(1).

''(5) UNITED STATES NARCOTICS LAWS.—The term 'United States narcotics laws' means the laws of the United States for the prevention and control of illicit trafficking in controlled substances (as such term is defined in section 102(6) of the Controlled Substances Act (21 U.S.C. 802(6))).

''(6) UNITED STATES PERSON.—The term 'United States person' means—

''(A) a citizen or national of the United States; and

''(B) an alien lawfully present in the United States.''.

SEC. 1203. RETENTION OF ADDITIONAL DEFENSE TRADE CONTROLS REGISTRATION FEES.

Section 45(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2717(a)) is amended—

(1) by striking ''$700,000 of the'' and inserting ''all'';

(2) at the end of paragraph (1), by striking ''and'';

(3) in paragraph (2)—

(A) by striking ''functions'' and inserting ''functions, including compliance and enforcement activities,''; and

(B) by striking the period at the end and inserting ''; and''; and

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

''(3) the enhancement of defense trade export compliance and enforcement activities, including compliance audits of United States and foreign parties, the conduct of administrative proceedings, monitoring of end-uses in cases of direct commercial arms sales or other transfers, and cooperation in proceedings for enforcement of criminal laws related to defense trade export controls.''.

SEC. 1204. FEES FOR COMMERCIAL SERVICES.

Section 52(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2724(b)) is amended by adding at the end the following: ''Funds deposited under this subsection shall remain available for obligation through September 30 of the fiscal year following the fiscal year in which the funds were deposited.''.

SEC. 1205. PILOT PROGRAM FOR FOREIGN AFFAIRS REIMBURSEMENT.

(a) FOREIGN AFFAIRS REIMBURSEMENT.—

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

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

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

''(e)(1) The Secretary may provide appropriate training or related services, except foreign language training, through the institution to any United States person (or any employee or family member thereof) that is engaged in business abroad.

''(2) The Secretary may provide job-related training or related services, including foreign language training, through the institution to a United States person under contract to provide services to the United States Government or to any employee thereof that is performing such services.

''(3) Training under this subsection may be provided only to the extent that space is available and only on a reimbursable or advance-of-funds basis. Reimbursements and advances shall be credited to the currently available applicable appropriation account.

''(4) Training and related services under this subsection is authorized only to the extent that it will not interfere with the institution's primary mission of training employees of the Department and of other agencies in the field of foreign relations.

''(5) In this subsection, the term 'United States person' means—

''(A) any individual who is a citizen or national of the United States; or

''(B) any corporation, company, partnership, association, or other legal entity that is 50 percent or more beneficially owned by citizens or nationals of the United States.

''(f)(1) The Secretary is authorized to provide, on a reimbursable basis, training programs to Members of Congress or the Judiciary.

''(2) Employees of the legislative branch and employees of the judicial branch may participate, on a reimbursable basis, in training programs offered by the institution.

''(3) Reimbursements collected under this subsection shall be credited to the currently available applicable appropriation account.

''(4) Training under this subsection is authorized only to the extent that it will not interfere with the institution's primary mission of training employees of the Department and of other agencies in the field of foreign relations.''.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect on October 1, 1998.

(3) TERMINATION OF PILOT PROGRAM.—Effective October 1, 2002, section 701 of the Foreign Service Act of 1980 (22 U.S.C. 4021), as amended by this subsection, is further amended—

(A) by striking subsections (e) and (f); and

(B) by redesignating subsection (g) as paragraph (4) of subsection (d).

(b) FEES FOR USE OF NATIONAL FOREIGN AFFAIRS TRAINING CENTER.—Title I of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a et seq.) is amended by adding at the end the following new section:

''SEC. 53. FEES FOR USE OF THE NATIONAL FOREIGN AFFAIRS TRAINING CENTER.

''The Secretary is authorized to charge a fee for use of the National Foreign Affairs Training Center of the Department of State. Amounts collected under this section (including reimbursements and surcharges) shall be deposited as an offsetting collection to any Department of State appropriation to recover the costs of such use and shall remain available for obligation until expended.''.

(c) REPORTING ON PILOT PROGRAM.—Two years after the date of enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees containing—

(1) the number of persons who have taken advantage of the pilot program established under subsections (e) and (f) of section 701 of the Foreign Service Act of 1980 and section 53 of the State Department Basic Authorities Act of 1956, as added by this section;

(2) the business or government affiliation of such persons;

(3) the amount of fees collected; and

(4) the impact of the program on the primary mission of the National Foreign Affairs Training Center.

SEC. 1206. FEE FOR USE OF DIPLOMATIC RECEPTION ROOMS.

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

''SEC. 54. FEE FOR USE OF DIPLOMATIC RECEPTION ROOMS.

''The Secretary is authorized to charge a fee for use of the diplomatic reception rooms of the Department of State. Amounts collected under this section (including reimbursements and surcharges) shall be deposited as an offsetting collection to any Department of State appropriation to recover the costs of such use and shall remain available for obligation until expended.''.

SEC. 1207. ACCOUNTING OF COLLECTIONS IN BUDGET PRESENTATION DOCUMENTS.

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

''SEC. 55. ACCOUNTING OF COLLECTIONS IN BUDGET PRESENTATION DOCUMENTS.

''The Secretary shall include in the annual Congressional Presentation Document and the Budget in Brief a detailed accounting of the–total collections received by the Department of State from all sources, including fee collections. Reporting on total collections shall also cover collections from the preceding fiscal year and the projected expenditures from all collections accounts.''.

SEC. 1208. OFFICE OF THE INSPECTOR GENERAL.

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

''(4) The Inspector General shall develop and provide to employees—

''(A) information detailing their rights to counsel; and

''(B) guidelines describing in general terms the policies and procedures of the Office of Inspector General with respect to individuals under investigation other than matters exempt from disclosure under other provisions of law.''.

(b) NOTICE.—Section 209(e) of the Foreign Service Act of 1980 (22 U.S.C. 3929(e)) is amended by adding at the end the following new paragraph:

''(3) The Inspector General shall ensure that only officials from the Office of the Inspector General may participate in formal interviews or other formal meetings with the individual who is the subject of an investigation, other than an intelligence-related or sensitive undercover investigation, or except in those situations when the Inspector General has a reasonable basis to believe that such notice would cause tampering with witnesses, destroying evidence, or endangering the lives of individuals, unless that individual receives prior adequate notice regarding participation by officials of any other agency, including the Department of Justice, in such interviews or meetings.''.

(c) REPORT.—

(1) IN GENERAL.—Not later than September 30, 1998, the Inspector General of the Department of State and the Foreign Service shall submit a report to the appropriate congressional committees which includes the following:

(A) Detailed descriptions of the internal guidance developed or used by the Office of the Inspector General with respect to public disclosure of any information related to an ongoing investigation of any officer or employee of the Department of State, the United States Information Agency, or the United States Arms Control and Disarmament Agency.

(B) Detailed descriptions of those instances for the year ending December 31, 1997, in which any disclosure of information to the public by an employee of the Office of Inspector General about an ongoing investigation occurred, including details on the recipient of the information, the date of the disclosure, and the internal clearance process for the disclosure.

(2) STATUTORY CONSTRUCTION.—Disclosure of information to the public under this section shall not be construed to include information shared with Congress by an employee of the Office of the Inspector General.

SEC. 1209. CAPITAL INVESTMENT FUND.

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

(1) in subsection (a), by inserting ''and enhancement'' after ''procurement'';

(2) in subsection (c), by striking ''are authorized to'' and inserting ''shall'';

(3) in subsection (d), by striking ''for expenditure to procure capital equipment and information technology'' and inserting ''for purposes of subsection (a)''; and

(4) by amending subsection (e) to read as follows:

''(e) REPROGRAMMING PROCEDURES.—Funds credited to the Capital Investment Fund shall not be available for obligation or expenditure except in compliance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706).''.

SEC. 1210. CONTRACTING FOR LOCAL GUARDS SERVICES OVERSEAS.

Section 136(c) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 4864(c)) is amended—

(1) by amending paragraph (3) to read as follows:

''(3) in evaluating proposals for such contracts, award contracts to the technically acceptable firm offering the lowest evaluated price, except that proposals of United States persons and qualified United States joint venture persons (as defined in subsection (d)) shall be evaluated by reducing the bid price by 10 percent;'';

(2) by inserting ''and'' at the end of paragraph (5);

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

(4) by striking paragraph (7).

SEC. 1211. AUTHORITY OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION.

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

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

(2) in the first sentence, by striking ''(a) The'' and all that follows through the period and inserting the following:

''(a)(1) The Commission shall have jurisdiction to receive, examine, adjudicate, and render a final decision with respect to any claim of the Government of the United States or of any national of the United States—

''(A) included within the terms of the Yugoslav Claims Agreement of 1948;

''(B) included within the terms of any claims agreement concluded on or after March 10, 1954, between the Government of the United States and a foreign government (exclusive of governments against which the United States declared the existence of a state of war during World War II) similarly providing for the settlement and discharge of claims of the Government of the United States and of nationals of the United States against a foreign government, arising out of the nationalization or other taking of property, by the agreement of the Government of the United States to accept from that government a sum in en bloc settlement thereof; or

''(C) included in a category of claims against a foreign government which is referred to the Commission by the Secretary of State.''; and

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

SEC. 1212. EXPENSES RELATING TO CERTAIN INTERNATIONAL CLAIMS AND PROCEEDINGS.

(a) RECOVERY OF CERTAIN EXPENSES.—The Department of State Appropriation Act of 1937 (22 U.S.C. 2661) is amended in the fifth undesignated paragraph under the heading entitled ''INTERNATIONAL FISHERIES COMMISSION'' by inserting ''(including such expenses as salaries and other personnel expenses)'' after ''extraordinary expenses''.

(b) PROCUREMENT OF SERVICES.—Section 38(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2710(c)) is amended in the first sentence by inserting ''personal and'' before ''other support services''.

SEC. 1213. GRANTS TO REMEDY INTERNATIONAL ABDUCTIONS OF CHILDREN.

Section 7 of the International Child Abduction Remedies Act (42 U.S.C. 11606; Public Law 100–300) is amended by adding at the end the following new subsection:

''(e) GRANT AUTHORITY.—The United States Central Authority is authorized to make grants to, or enter into contracts or agreements with, any individual, corporation, other Federal, State, or local agency, or private entity or organization in the United States for purposes of accomplishing its responsibilities under the Convention and this Act.''.

SEC. 1214. COUNTERDRUG AND ANTICRIME ACTIVITIES OF THE DEPARTMENT OF STATE.

(a) COUNTERDRUG AND LAW ENFORCEMENT STRATEGY.—

(1) REQUIREMENT.—Not later than 180 days after the date of enactment of this Act, the Secretary of State shall establish, implement, and submit to Congress a comprehensive, long-term strategy to carry out the counterdrug responsibilities of the Department of State in a manner consistent with the National Drug Control Strategy. The strategy shall involve all elements of the Department in the United States and abroad.

(2) OBJECTIVES.—In establishing the strategy, the Secretary shall—

(A) coordinate with the Office of National Drug Control Policy in the development of clear, specific, and measurable counterdrug objectives for the Department that support the goals and objectives of the National Drug Control Strategy;

(B) develop specific and, to the maximum extent practicable, quantifiable measures of performance relating to the objectives, including annual and long-term measures of performance, for purposes of assessing the success of the Department in meeting the objectives;

(C) assign responsibilities for meeting the objectives to appropriate elements of the Department;

(D) develop an operational structure within the Department that minimizes impediments to meeting the objectives;

(E) ensure that every United States ambassador or chief of mission is fully briefed on the strategy, and works to achieve the objectives; and

(F) ensure that—

(i) all budgetary requests and transfers of equipment (including the financing of foreign military sales and the transfer of excess defense articles) relating to international counterdrug efforts conforms with the objectives; and

(ii) the recommendations of the Department regarding certification determinations made by the President on March 1 as to the counterdrug cooperation, or adequate steps on its own, of each major illicit drug producing and drug trafficking country to achieve full compliance with the goals and objectives established by the United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances also conform to meet such objectives.

(3) REPORTS.—Not later than February 15 of each year subsequent to the submission of the strategy described in paragraph (1), the Secretary shall submit to Congress an update of the strategy. The update shall include—

(A) an outline of the proposed activities with respect to the strategy during the succeeding year, including the manner in which such activities will meet the objectives set forth in paragraph (2); and

(B) detailed information on how certification determinations described in paragraph (2)(F) made the previous year affected achievement of the objectives set forth in paragraph (2) for the previous calendar year.

(4) LIMITATION ON DELEGATION.—The Secretary shall designate an official in the Department who reports directly to the Secretary to oversee the implementation of the strategy throughout the Department.

(b) INFORMATION ON INTERNATIONAL CRIMINALS.—

(1) INFORMATION SYSTEM.—The Secretary shall, in consultation with the heads of appropriate United States law enforcement agencies, including the Attorney General and the Secretary of the Treasury, take appropriate actions to establish an information system or improve existing information systems containing comprehensive information on serious crimes committed by foreign nationals. The information system shall be available to United States embassies and missions abroad for use in consideration of applications for visas for entry into the United States.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate congressional committees a report on the actions taken under paragraph (1).

(c) OVERSEAS COORDINATION OF COUNTERDRUG AND ANTICRIME PROGRAMS, POLICY, AND ASSISTANCE.—

(1) STRENGTHENING COORDINATION.—The responsibilities of every diplomatic mission of the United States shall include the strengthening of cooperation between and among the United States and foreign governmental entities and multilateral entities with respect to activities relating to international narcotics and crime.

(2) DESIGNATION OF OFFICERS.—

(A) IN GENERAL.—Consistent with existing memoranda of understanding between the Department of State and other departments and agencies of the United States, including the Department of Justice, the chief of mission of every diplomatic mission of the United States shall designate an officer or officers within the mission to carry out the responsibility of the mission under paragraph (1), including the coordination of counterdrug, law enforcement, rule of law, and administration of justice programs, policy, and assistance. Such officer or officers shall report to the chief of mission, or the designee of the chief of mission, on a regular basis regarding activities undertaken in carrying out such responsibility.

(B) REPORTS.—The chief of mission of every diplomatic mission of the United States shall submit to the Secretary on a regular basis a report on the actions undertaken by the mission to carry out such responsibility.

(3) REPORT TO CONGRESS.—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report on the status of any proposals for action or on action undertaken to improve staffing and personnel management at diplomatic missions of the United States in order to carry out the responsibility set forth in paragraph (1).

SEC. 1215. ANNUAL REPORT ON OVERSEAS SURPLUS PROPERTIES.

The Foreign Service Buildings Act, 1926 (22 U.S.C. 292 et seq.) is amended by adding at the end the following new section:

''SEC. 12. Not later than March 1 of each year, the Secretary of State shall submit to Congress a report listing overseas United States surplus properties that are administered under this Act and that have been identified for sale.''.

SEC. 1216. HUMAN RIGHTS REPORTS.

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

(1) by striking ''January 31'' and inserting ''February 25'';

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

(3) by inserting after paragraph (2) the following new paragraph:

''(3) the status of child labor practices in each country, including—

''(A) whether such country has adopted policies to protect children from exploitation in the workplace, including a prohibition of forced and bonded labor and policies regarding acceptable working conditions; and

''(B) the extent to which each country enforces such policies, including the adequacy of the resources and oversight dedicated to such policies;''.

SEC. 1217. REPORTS AND POLICY CONCERNING DIPLOMATIC IMMUNITY.

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

''SEC. 56. CRIMES COMMITTED BY DIPLOMATS.

''(a) ANNUAL REPORT CONCERNING DIPLOMATIC IMMUNITY.—

''(1) REPORT TO CONGRESS.—180 days after the date of enactment, and annually thereafter, the Secretary of State shall prepare and submit to the Congress, a report concerning diplomatic immunity entitled ''Report on Cases Involving Diplomatic Immunity''.

''(2) CONTENT OF REPORT.—In addition to such other information as the Secretary of State may consider appropriate, the report under paragraph (1) shall include the following:

''(A) The number of persons residing in the United States who enjoy full immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

''(B) Each case involving an alien described in subparagraph (A) in which an appropriate authority of a State, a political subdivision of a

State, or the United States reported to the Department of State that the authority had reasonable cause to believe the alien committed a serious criminal offense within the United States, and any additional information provided to the Secretary relating to other serious criminal offenses that any such authority had reasonable cause to believe the alien committed before the period covered by the report. The Secretary may omit from such report any matter the provision of which the Secretary reasonably believes would compromise a criminal investigation or prosecution or which would directly compromise law enforcement or intelligence sources or methods.

''(C) Each case described in subparagraph (B) in which the Secretary of State has certified that a person enjoys full immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.

''(D) The number of United States citizens who are residing in a receiving state and who enjoy full immunity from the criminal jurisdiction of such state under laws extending diplomatic privileges and immunities.

''(E) Each case involving a United States citizen under subparagraph (D) in which the United States has been requested by the government of a receiving state to waive the immunity from criminal jurisdiction of the United States citizen.

''(F) Whether the Secretary has made the notifications referred to in subsection (c) during the period covered by the report.

''(3) SERIOUS CRIMINAL OFFENSE DEFINED.—For the purposes of this section, the term 'serious criminal offense' means—

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

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

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

''(D)(i) driving under the influence of alcohol or drugs;

''(ii) reckless driving; or

''(iii) driving while intoxicated.

''(b) UNITED STATES POLICY CONCERNING REFORM OF DIPLOMATIC IMMUNITY.—It is the sense of the Congress that the Secretary of State should explore, in appropriate fora, whether states should enter into agreements and adopt legislation—

''(1) to provide jurisdiction in the sending state to prosecute crimes committed in the receiving state by persons entitled to immunity from criminal jurisdiction under laws extending diplomatic privileges and immunities; and

''(2) to provide that where there is probable cause to believe that an individual who is entitled to immunity from the criminal jurisdiction of the receiving state under laws extending diplomatic privileges and immunities committed a serious crime, the sending state will waive such immunity or the sending state will prosecute such individual.

''(c) NOTIFICATION OF DIPLOMATIC CORPS.—The Secretary should periodically notify each foreign mission of United States policies relating to criminal offenses committed by individuals with immunity from the criminal jurisdiction of the United States under laws extending diplomatic privileges and immunities.''.

SEC. 1218. REAFFIRMING UNITED STATES INTERNATIONAL TELECOMMUNICATIONS POLICY.

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

(b) IMPLEMENTATION.—In order to achieve the policy set forth in subsection (a), the Diplomatic Telecommunications Service Program Office (DTS-PO) shall—

(1) utilize full and open competition, to the maximum extent practicable, in the procurement of telecommunications services, including satellite space segment, for the Department of State and each other Federal entity represented at United States diplomatic missions and consular posts overseas;

(2) make every effort to ensure and promote the participation in the competition for such procurement of commercial private sector providers of satellite space segment who have no ownership or other connection with an intergovernmental satellite organization; and

(3) implement the competitive procedures required by paragraphs (1) and (2) at the prime contracting level and, to the maximum extent practicable, the subcontracting level.

SEC. 1219. REDUCTION OF REPORTING.

(a) REPEALS.—The following provisions of law are repealed:

(1) MODEL FOREIGN LANGUAGE COMPETENCE POSTS.—The second sentence of section 161(c) of the Foreign Relations Authorization Act, Fiscal Year 1990 and 1991 (22 U.S.C. 4171 note).

(2) ACTIONS OF THE GOVERNMENT OF HAITI.—Section 705(c) of the International Security and Development Cooperation Act of 1985 (Public Law 99–83).

(3) TRAINING FACILITY FOR THE FOREIGN SERVICE INSTITUTE.—Section 123(e)(2) of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (Public Law 99–93).

(4) MILITARY ASSISTANCE FOR HAITI.—Section 203(c) of the Special Foreign Assistance Act of 1986 (Public Law 99–529).

(5) INTERNATIONAL SUGAR AGREEMENT, 1977.—Section 5 of the Act entitled ''An Act providing for the implementation of the International Sugar Agreement, 1977, and for other purposes'' (Public Law 96–236; 7 U.S.C. 3605 and 3606).

(6) AUDIENCE SURVEY OF WORLDNET PROGRAM.—Section 209 (c) and (d) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204).

(7) RESEARCH ON THE NEAR AND MIDDLE EAST.—Section 228(b) of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102–138; 22 U.S.C. 2452 note).

(b) PROGRESS TOWARD REGIONAL NONPROLIFERATION.—Section 620F(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2376(c); relating to periodic reports on progress toward regional nonproliferation) is amended by striking ''Not later than April 1, 1993 and every six months thereafter,'' and inserting ''Not later than April 1 of each year,''.

(c) REPORT ON PARTICIPATION BY UNITED STATES MILITARY PERSONNEL ABROAD IN UNITED STATES ELECTIONS.—Section 101(b)(6) of the Uniformed and Overseas Citizens Absentee Voting Act of 1986 (42 U.S.C. 1973ff(b)(6)) is amended by striking ''of voter participation'' and inserting ''of uniformed services voter participation, a general assessment of overseas nonmilitary participation,''.

CHAPTER 2—CONSULAR AUTHORITIES OF THE DEPARTMENT OF STATE

SEC. 1221. USE OF CERTAIN PASSPORT PROCESSING FEES FOR ENHANCED PASSPORT SERVICES.

For each of the fiscal years 1998 and 1999, of the fees collected for expedited passport processing and deposited to an offsetting collection pursuant to title V of the Department of State and Related Agencies Appropriations Act for Fiscal Year 1995 (Public Law 103–317; 22 U.S.C. 214 note), 30 percent shall be available only for enhancing passport services for United States citizens, improving the integrity and efficiency of the passport issuance process, improving the secure nature of the United States passport, investigating passport fraud, and deterring entry into the United States by terrorists, drug traffickers, or other criminals.

SEC. 1222. SURCHARGE FOR PROCESSING CERTAIN MACHINE READABLE VISAS.

Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is amended—

(1) in paragraph (2), by striking ''providing consular services'' and inserting ''the Department of State's border security program, including the costs of the installation and operation of the machine readable visa and automated namecheck process, improving the quality and security of the United States passport, investigations of passport and visa fraud, and the technological infrastructure to support the programs referred to in this sentence'';

(2) by striking the first sentence of paragraph (3) and inserting ''For each of the fiscal years 1998 and 1999, any amount collected under paragraph (1) that exceeds $140,000,000 may be made available only if a notification is submitted to Congress in accordance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956.''; and

(3) by striking paragraphs (4) and (5).

SEC. 1223. CONSULAR OFFICERS.

(a) PERSONS AUTHORIZED TO ISSUE REPORTS OF BIRTHS ABROAD.—Section 33 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2705) is amended in paragraph (2) by adding at the end the following: ''For purposes of this paragraph, the term 'consular officer' includes any United States citizen employee of the Department of State who is designated by the Secretary of State to adjudicate nationality abroad pursuant to such regulations as the Secretary may prescribe.''.

(b) PROVISIONS APPLICABLE TO CONSULAR OFFICERS.—Section 1689 of the Revised Statutes (22 U.S.C. 4191) is amended by inserting ''and to such other United States citizen employees of the Department of State as may be designated by the Secretary of State pursuant to such regulations as the Secretary may prescribe'' after ''such officers''.

(c) PERSONS AUTHORIZED TO AUTHENTICATE FOREIGN DOCUMENTS.—

(1) DESIGNATED UNITED STATES CITIZENS PERFORMING NOTARIAL ACTS.—Section 1750 of the Revised Statutes, as amended (22 U.S.C. 4221) is further amended by inserting after the first sentence: ''At any post, port, or place where there is no consular officer, the Secretary of State may authorize any other officer or employee of the United States Government who is a United States citizen serving overseas, including any contract employee of the United States Government, to perform such acts, and any such contractor so authorized shall not be considered to be a consular officer.''.

(2) DEFINITION OF CONSULAR OFFICERS.—Section 3492(c) of title 18, United States Code, is amended by adding at the end the following: ''For purposes of this section and sections 3493 through 3496 of this title, the term 'consular officers' includes any United States citizen who is designated to perform notarial functions pursuant to section 1750 of the Revised Statutes, as amended (22 U.S.C. 4221).''.

(d) PERSONS AUTHORIZED TO ADMINISTER OATHS.—Section 115 of title 35, United States Code, is amended by adding at the end the following: ''For purposes of this section, a consular officer shall include any United States citizen serving overseas, authorized to perform notarial functions pursuant to section 1750 of the Revised Statutes, as amended (22 U.S.C. 4221).''.

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

(1) inserting ''or employee'' after ''officer'' the second place it appears; and

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

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

''(d)(1) Before a United States citizen employee (other than a diplomatic or consular officer of the United States) may be designated by

the Secretary of State, pursuant to regulation, to perform a consular function abroad, the United States citizen employee shall—

''(A) be required to complete successfully a program of training essentially equivalent to the training that a consular officer who is a member of the Foreign Service would receive for purposes of performing such function; and

''(B) be certified by an appropriate official of the Department of State to be qualified by knowledge and experience to perform such function.

''(2) As used in this subsection, the term 'consular function' includes the issuance of visas, the performance of notarial and other legalization functions, the adjudication of passport applications, the adjudication of nationality, and the issuance of citizenship documentation.''.

SEC. 1224. REPEAL OF OUTDATED CONSULAR RECEIPT REQUIREMENTS.

Sections 1726, 1727, and 1728 of the Revised Statutes of the United States (22 U.S.C. 4212, 4213, and 4214), as amended (relating to accounting for consular fees) are repealed.

SEC. 1225. ELIMINATION OF DUPLICATE FEDERAL REGISTER PUBLICATION FOR TRAVEL ADVISORIES.

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

(1) by inserting ''and'' at the end of paragraph (1);

(2) by striking paragraph (2); and

(3) by redesignating paragraph (3) as paragraph (2).

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

SEC. 1226. DENIAL OF VISAS TO CONFISCATORS OF AMERICAN PROPERTY.

(a) DENIAL OF VISAS.—Except as otherwise provided in section 401 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (Public Law 104–114), and subject to subsection (b), the Secretary of State may deny the issuance of a visa to any alien who—

(1) through the abuse of position, including a governmental or political party position, converts or has converted for personal gain real property that has been confiscated or expropriated, a claim to which is owned by a national of the United States, or who is complicit in such a conversion; or

(2) induces any of the actions or omissions described in paragraph (1) by any person.

(b) EXCEPTIONS.—Subsection (a) shall not apply to—

(1) any country established by international mandate through the United Nations; or

(2) any territory recognized by the United States Government to be in dispute.

(c) REPORTING REQUIREMENT.—Not later than 6 months after the date of enactment of this Act, and every 12 months thereafter, the Secretary of State shall submit to the Speaker of the House of Representatives and to the chairman of the Committee on Foreign Relations of the Senate a report, including—

(1) a list of aliens who have been denied a visa under this subsection; and

(2) a list of aliens who could have been denied a visa under subsection (a) but were issued a visa and an explanation as to why each such visa was issued.

SEC. 1227. INADMISSIBILITY OF ANY ALIEN SUPPORTING AN INTERNATIONAL CHILD ABDUCTOR.

(a) AMENDMENT OF IMMIGRATION AND NATIONALITY ACT.—Section 212(a)(10)(C) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(10)(C)) is amended by striking clause (ii) and inserting the following:

''(ii) ALIENS SUPPORTING ABDUCTORS AND RELATIVES OF ABDUCTORS.—Any alien who—

''(I) is known by the Secretary of State to have intentionally assisted an alien in the conduct described in clause (i),

''(II) is known by the Secretary of State to be intentionally providing material support or safe haven to an alien described in clause (i), or

''(III) is a spouse (other than the spouse who is the parent of the abducted child), child (other than the abducted child), parent, sibling, or agent of an alien described in clause (i), if such person has been designated by the Secretary of State at the Secretary's sole and unreviewable discretion, is inadmissible until the child described in clause (i) is surrendered to the person granted custody by the order described in that clause, and such person and child are permitted to return to the United States or such person's place of residence.

''(iii) EXCEPTIONS.—Clauses (i) and (ii) shall not apply—

''(I) to a government official of the United States who is acting within the scope of his or her official duties;

''(II) to a government official of any foreign government if the official has been designated by the Secretary of State at the Secretary's sole and unreviewable discretion; or

''(III) so long as the child is located in a foreign state that is a party to the Convention on the Civil Aspects of International Child Abduction, done at The Hague on October 25, 1980.''.

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

SEC. 1228. HAITI; EXCLUSION OF CERTAIN ALIENS; REPORTING REQUIREMENTS.

(a) GROUNDS FOR EXCLUSION.—Except as provided in subsection (c), a consular officer shall not issue a visa to, and the Attorney General shall exclude from the United States, any alien who the Secretary of State, in the Secretary's sole and unreviewable discretion, has reason to believe is a person who—

(1) has been credibly alleged to have ordered, carried out, or materially assisted, in the extrajudicial and political killings of Antoine Izmery, Guy Malary, Father Jean-Marie Vincent, Pastor Antoine Leroy, Jacques Fleurival, Mireille Durocher Bertin, Eugene Baillergeau, Michelange Hermann, Max Mayard, Romulus Dumarsais, Claude Yves Marie, Mario Beaubrun, Leslie Grimar, Joseph Chilove, Michel Gonzalez, and Jean-Hubert Feuille;

(2) was included in the list presented to former president Jean-Bertrand Aristide by former National Security Council Advisor Anthony Lake in December 1995, and acted upon by President Rene Preval;

(3) was sought for an interview by the Federal Bureau of Investigation as part of its inquiry into the March 28, 1995, murder of Mireille Durocher Bertin and Eugene Baillergeau, Jr., and was credibly alleged to have ordered, carried out, or materially assisted, in those murders, per a June 28, 1995, letter to the then Minister of Justice of the Government of Haiti, Jean-Joseph Exume;

(4)(A) was a member of the Haitian High Command during the period 1991–1994, who has been credibly alleged to have planned, ordered, or participated with members of the Haitian Armed Forces in the September 1991 coup against the duly elected Government of Haiti or the subsequent murders of as many as three thousand Haitians during that period; or

(B) is an immediate relative of an individual described in subparagraph (A); or

(5) has been credibly alleged to have been a member of the paramilitary organization known as FRAPH who planned, ordered, or participated in acts of violence against the Haitian people.

(b) EXEMPTION.—Subsection (a) shall not apply where the Secretary of State finds, on a case by case basis, that the entry into the United States of the person who would otherwise be excluded under subsection (a) is necessary for medical reasons, or such person has cooperated fully with the investigation of the political murders or acts of violence described in subsection (a). If the Secretary of State exempts such a person, the Secretary shall notify the appropriate congressional committees in writing.

(c) REPORTING REQUIREMENT ON EXCLUSION OF CERTAIN HAITIAN ALIENS.—

(1) PREPARATION OF LIST.—The United States chief of mission in Haiti shall provide the Secretary of State a list of those who have been credibly alleged to have ordered or carried out the extrajudicial and political killings referred to in paragraph (1) of subsection (a).

(2) SUBMISSION OF LIST TO CONGRESS.—Not later than 3 months after the date of enactment of this Act, the Secretary of State shall submit the list provided under paragraph (1) to the appropriate congressional committees.

(3) LISTS OF VISA DENIALS AND EXCLUSIONS.—The Secretary of State shall submit to the Committee on Foreign Relations and the Committee on the Judiciary of the Senate and the Committee on International Relations and the Committee on the Judiciary of the House of Representatives a list of aliens denied visas, and the Attorney General shall submit to the appropriate congressional committees a list of aliens refused entry to the United States, as a result of subsection (a).

(4) DURATION FOR SUBMISSION OF LISTS.—The Secretary shall submit the list under paragraph (3) not later than six months after the date of enactment of this Act and not later than March 1 of each year thereafter as long as the Government of Haiti has not completed the investigation of the extrajudicial and political killings and has not prosecuted those implicated for the killings specified in paragraph (1) of subsection (a).

(d) REPORT ON THE COST OF UNITED STATES ACTIVITIES IN HAITI.—(1) Not later than September 1, 1998, and every 6 months thereafter, the President shall submit a report to Congress on the situation in Haiti, including—

(A) a listing of the units of the United States Armed Forces or Coast Guard and of the police and military units of other nations participating in operations in and around Haiti;

(B) incidents of the use of force in Haiti involving hostile acts against United States Armed Forces or Coast Guard personnel during the period covered by the report;

(C) the estimated cumulative program costs of all United States activities in Haiti during the period covered by the report, including—

(i) the incremental cost of deployments of United States Armed Forces and Coast Guard personnel training, exercises, mobilization, and preparation activities, including the United States contribution to the training and transportation of police and military units of other nations of any multilateral force involved in activities in Haiti;

(ii) the costs of all other activities relating to United States policy toward Haiti, including humanitarian assistance, reconstruction assistance, assistance under part I of the Foreign Assistance Act of 1961, and other financial assistance, and all other costs to the United States Government; and

(D) a detailed accounting of the source of funds obligated or expended to meet the costs described in paragraph (3), including—

(i) in the case of amounts expended out of funds available to the Department of Defense budget, by military service or defense agency, line item, and program; and

(ii) in the case of amounts expended out of funds available to departments and agencies other than the Department of Defense, by department or agency and program.

(2) DEFINITION.—In this section, the term ''period covered by the report'' means the 6-month period prior to the date the report is required to be submitted, except that, in the case of the initial report, the term means the period since the date of enactment of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999.

CHAPTER 3—REFUGEES AND MIGRATION

Subchapter A—Authorization of Appropriations

SEC. 1231. MIGRATION AND REFUGEE ASSISTANCE.

(a) MIGRATION AND REFUGEE ASSISTANCE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for ''Migration and Refugee Assistance'' for authorized activities, $650,000,000 for the fiscal year 1998 and $704,500,000 for the fiscal year 1999.

(2) LIMITATIONS.—

(A) LIMITATION REGARDING TIBETAN REFUGEES IN INDIA AND NEPAL.—Of the amounts authorized to be appropriated in paragraph (1), not more than $2,000,000 for the fiscal year 1998 and $2,000,000 for the fiscal year 1999 are authorized to be available only for humanitarian assistance, including food, medicine, clothing, and medical and vocational training, to Tibetan refugees in India and Nepal who have fled Chinese-occupied Tibet.

(B) REFUGEES RESETTLING IN ISRAEL.—Of the amounts authorized to be appropriated in paragraph (1), $80,000,000 for the fiscal year 1998 and $80,000,000 for the fiscal year 1999 are authorized to be available for assistance for refugees resettling in Israel from other countries.

(C) HUMANITARIAN ASSISTANCE FOR DISPLACED BURMESE.—Of the amounts authorized to be appropriated in paragraph (1), $1,500,000 for the fiscal year 1998 and $1,500,000 for the fiscal year 1999 for humanitarian assistance are authorized to be available, including food, medicine, clothing, and medical and vocational training, to persons displaced as a result of civil conflict in Burma, including persons still within Burma.

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

Subchapter B—Authorities

SEC. 1241. UNITED STATES POLICY REGARDING THE INVOLUNTARY RETURN OF REFUGEES.

(a) IN GENERAL.—None of the funds made available by this division shall be available to effect the involuntary return by the United States of any person to a country in which the person has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, except on grounds recognized as precluding protection as a refugee under the United Nations Convention Relating to the Status of Refugees of July 28, 1951, and the Protocol Relating to the Status of Refugees of January 31, 1967, subject to the reservations contained in the United States Senate Resolution of Ratification.

(b) MIGRATION AND REFUGEE ASSISTANCE.—None of the funds made available by section 1231 of this Act or by section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be available to effect the involuntary return of any person to any country unless the Secretary of State first notifies the appropriate congressional committees, except that in the case of an emergency involving a threat to human life the Secretary of State shall notify the appropriate congressional committees as soon as practicable.

(c) INVOLUNTARY RETURN DEFINED.—As used in this section, the term ''to effect the involuntary return'' means to require, by means of physical force or circumstances amounting to a threat thereof, a person to return to a country against the person's will, regardless of whether the person is physically present in the United States and regardless of whether the United States acts directly or through an agent.

SEC. 1242. UNITED STATES POLICY WITH RESPECT TO THE INVOLUNTARY RETURN OF PERSONS IN DANGER OF SUBJECTION TO TORTURE.

(a) POLICY.—It shall be the policy of the United States not to expel, extradite, or otherwise effect the involuntary return of any person to a country in which there are substantial grounds for believing the person would be in danger of being subjected to torture, regardless of whether the person is physically present in the United States.

(b) REGULATIONS.—Not later than 120 days after the date of enactment of this Act, the heads of the appropriate agencies shall prescribe regulations to implement the obligations of the United States under Article 3 of the United Nations Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, subject to any reservations, understandings, declarations, and provisos contained in the United States Senate resolution of ratification of the Convention.

(c) EXCLUSION OF CERTAIN ALIENS.—To the maximum extent consistent with the obligations of the United States under the Convention, subject to any reservations, understandings, declarations, and provisos contained in the United States Senate resolution of ratification of the Convention, the regulations described in subsection (b) shall exclude from the protection of such regulations aliens described in section 241(b)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1231(b)(3)(B)).

(d) REVIEW AND CONSTRUCTION.—Notwithstanding any other provision of law, and except as provided in the regulations described in subsection (b), no court shall have jurisdiction to review the regulations adopted to implement this section, and nothing in this section shall be construed as providing any court jurisdiction to consider or review claims raised under the Convention or this section, or any other determination made with respect to the application of the policy set forth in subsection (a), except as part of the review of a final order of removal pursuant to section 242 of the Immigration and Nationality Act (8 U.S.C. 1252).

(e) AUTHORITY TO DETAIN.—Nothing in this section shall be construed as limiting the authority of the Attorney General to detain any person under any provision of law, including, but not limited to, any provision of the Immigration and Nationality Act.

(f) DEFINITIONS.—

(1) CONVENTION DEFINED.—In this section, the term ''Convention'' means the United Nations Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, done at New York on December 10, 1984.

(2) SAME TERMS AS IN THE CONVENTION.—Except as otherwise provided, the terms used in this section have the meanings given those terms in the Convention, subject to any reservations, understandings, declarations, and provisos contained in the United States Senate resolution of ratification of the Convention.

SEC. 1243. REPROGRAMMING OF MIGRATION AND REFUGEE ASSISTANCE FUNDS.

Section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706) is amended—

(1) in subsection (a)—

(A) by striking ''Foreign Affairs'' and inserting ''International Relations and the Committee on Appropriations''; and

(B) by inserting ''and the Committee on Appropriations'' after ''Foreign Relations''; and

(2) by adding at the end the following new subsection:

''(c) The Secretary of State may waive the notification requirement of subsection (a), if the Secretary determines that failure to do so would pose a substantial risk to human health or welfare. In the case of any waiver under this subsection, notification to the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives shall be provided as soon as practicable, but not later than 3 days after taking the action to which the notification requirement was applicable, and shall contain an explanation of the emergency circumstances.''.

SEC. 1244. ELIGIBILITY FOR REFUGEE STATUS.

Section 584 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (Public Law 104–208; 110 Stat. 3009–171) is amended—

(1) in subsection (a)—

(A) by striking ''For purposes'' and inserting ''Notwithstanding any other provision of law, for purposes''; and

(B) by striking ''fiscal year 1997'' and inserting ''fiscal years 1997 and 1998''; and

(2) by amending subsection (b) to read as follows:

''(b) ALIENS COVERED.—

''(1) IN GENERAL.— An alien described in this subsection is an alien who—

''(A) is the son or daughter of a qualified national;

''(B) is 21 years of age or older; and

''(C) was unmarried as of the date of acceptance of the alien's parent for resettlement under the Orderly Departure Program.

''(2) QUALIFIED NATIONAL.—For purposes of paragraph (1), the term 'qualified national' means a national of Vietnam who—

''(A)(i) was formerly interned in a reeducation camp in Vietnam by the Government of the Socialist Republic of Vietnam; or

''(ii) is the widow or widower of an individual described in clause (i); and

''(B)(i) qualified for refugee processing under the reeducation camp internees subprogram of the Orderly Departure Program; and

''(ii) on or after April 1, 1995, is or has been accepted—

''(I) for resettlement as a refugee; or

''(II) for admission as an immigrant under the Orderly Departure Program.''.

SEC. 1245. REPORTS TO CONGRESS CONCERNING CUBAN EMIGRATION POLICIES.

Beginning not later than 6 months after the date of enactment of this Act, and every 6 months thereafter, the Secretary of State shall supplement the monthly report to Congress entitled ''Update on Monitoring of Cuban Migrant Returnees'' with additional information concerning the methods employed by the Government of Cuba to enforce the United States-Cuba agreement of September 1994 and the treatment by the Government of Cuba of persons who have returned to Cuba pursuant to the United States-Cuba agreement of May 1995.

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

CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE

SEC. 1301. COORDINATOR FOR COUNTERTERRORISM.

(a) ESTABLISHMENT.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a) is amended by adding at the end the following new subsection:

''(f) COORDINATOR FOR COUNTERTERRORISM.—

''(1) IN GENERAL.—There is within the office of the Secretary of State a Coordinator for Counterterrorism (in this paragraph referred to as the 'Coordinator') who shall be appointed by the President, by and with the advice and consent of the Senate.

''(2) DUTIES.—

''(A) IN GENERAL.—The Coordinator shall perform such duties and exercise such powers as the Secretary of State shall prescribe.

''(B) DUTIES DESCRIBED.—The principal duty of the Coordinator shall be the overall supervision (including policy oversight of resources) of international counterterrorism activities. The Coordinator shall be the principal adviser to the Secretary of State on international counterterrorism matters. The Coordinator shall be the principal counterterrorism official within the senior management of the Department of State and shall report directly to the Secretary of State.

''(3) RANK AND STATUS OF AMBASSADOR.—The Coordinator shall have the rank and status of Ambassador at Large.''.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 161 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) is amended by striking subsection (e).

SEC. 1302. ELIMINATION OF DEPUTY ASSISTANT SECRETARY OF STATE FOR BURDENSHARING.

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

SEC. 1303. PERSONNEL MANAGEMENT.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), as amended by this Act, is further amended by adding at the end the following new subsection:

''(g) QUALIFICATIONS OF OFFICER HAVING PRIMARY RESPONSIBILITY FOR PERSONNEL MANAGEMENT.—The officer of the Department of State with primary responsibility for assisting the Secretary of State with respect to matters relating to personnel in the Department of State, or that officer's principal deputy, shall have substantial professional qualifications in the field of human resource policy and management.''.

SEC. 1304. DIPLOMATIC SECURITY.

Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), as amended by this Act, is further amended by adding at the end the following new subsection:

''(h) QUALIFICATIONS OF OFFICER HAVING PRIMARY RESPONSIBILITY FOR DIPLOMATIC SECURITY.—The officer of the Department of State with primary responsibility for assisting the Secretary of State with respect to diplomatic security, or that officer's principal deputy, shall have substantial professional qualifications in the fields of (1) management, and (2) Federal law enforcement, intelligence, or security.''.

SEC. 1305. NUMBER OF SENIOR OFFICIAL POSITIONS AUTHORIZED FOR THE DEPARTMENT OF STATE.

(a) UNDER SECRETARIES.—

(1) IN GENERAL.—Section 1(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(b)) is amended by striking ''5'' and inserting ''6''.

(2) CONFORMING AMENDMENT TO TITLE 5.—Section 5314 of title 5, United States Code, is amended by striking ''Under Secretaries of State (5)'' and inserting ''Under Secretaries of State (6)''.

(b) ASSISTANT SECRETARIES.—

(1) IN GENERAL.—Section 1(c)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(1)) is amended by striking ''20'' and inserting ''24''.

(2) CONFORMING AMENDMENT TO TITLE 5.—Section 5315 of title 5, United States Code, is amended by striking ''Assistant Secretaries of State (20)'' and inserting ''Assistant Secretaries of State (24)''.

(c) DEPUTY ASSISTANT SECRETARIES.—Section 1 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a), as amended by this Act, is further amended—

(1) by striking subsection (d); and

(2) by redesignating subsections (e), (f), (g), and (h) as subsections (d), (e), (f), and (g), respectively.

SEC. 1306. NOMINATION OF UNDER SECRETARIES AND ASSISTANT SECRETARIES OF STATE.

(a) UNDER SECRETARIES OF STATE.—Section 1(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)), as amended by this Act, is further amended by adding at the end the following new paragraph:

''(4) NOMINATION OF UNDER SECRETARIES.—Whenever the President submits to the Senate a nomination of an individual for appointment to a position in the Department of State that is described in paragraph (1), the President shall designate the particular Under Secretary position in the Department of State that the individual shall have.''.

(b) ASSISTANT SECRETARIES OF STATE.—Section 1(c) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)), as amended by this Act, is further amended by adding at the end the following new paragraph:

''(3) NOMINATION OF ASSISTANT SECRETARIES.—Whenever the President submits to the Senate a nomination of an individual for appointment to a position in the Department of State that is described in paragraph (1), the President shall designate the regional or functional bureau or bureaus of the Department of State with respect to which the individual shall have responsibility.''.

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

SEC. 1311. FOREIGN SERVICE REFORM.

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

(1) in subsection (a), by striking ''Members'' and inserting ''Subject to subsection (e), members''; and

(2) by adding at the end the following new subsection:

''(e) Notwithstanding any other provision of law, the Secretary of State may provide for recognition of the meritorious or distinguished service of any member of the Foreign Service described in subsection (a) (including any member of the Senior Foreign Service) by means other than an award of performance pay in lieu of making such an award under this section.''.

(b) EXPEDITED SEPARATION OUT.—

(1) SEPARATION OF LOWEST RANKED FOREIGN SERVICE MEMBERS.—Not later than 90 days after the date of enactment of this Act, the Secretary of State shall develop and implement procedures to identify, and recommend for separation, any member of the Foreign Service ranked by promotion boards of the Department of State in the bottom 5 percent of his or her class for 2 or more of the 5 years preceding the date of enactment of this Act (in this subsection referred to as the ''years of lowest ranking'') if the rating official for such member was not the same individual for any two of the years of lowest ranking.

(2) SPECIAL INTERNAL REVIEWS.—In any case where the member was evaluated by the same rating official in any 2 of the years of lowest ranking, an internal review of the member's file shall be conducted to determine whether the member should be considered for action leading to separation.

(3) PROCEDURES.—The Secretary of State shall develop procedures for the internal reviews required under paragraph (2).

SEC. 1312. RETIREMENT BENEFITS FOR INVOLUNTARY SEPARATION.

(a) BENEFITS.—Section 609 of the Foreign Service Act of 1980 (22 U.S.C. 4009) is amended—

(1) in subsection (a)(2)(A), by inserting ''or any other applicable provision of chapter 84 of title 5, United States Code,'' after ''section 811'';

(2) in subsection (a), by inserting ''or section 855, as appropriate'' after ''section 806''; and

(3) in subsection (b)(2)—

(A) by striking ''(2)'' and inserting ''(2)(A) for those participants in the Foreign Service Retirement and Disability System,''; and

(B) by inserting before the period at the end ''; and (B) for those participants in the Foreign Service Pension System, benefits as provided in section 851''; and

(4) in subsection (b) in the matter following paragraph (2), by inserting ''(for participants in the Foreign Service Retirement and Disability System) or age 62 (for participants in the Foreign Service Pension System)'' after ''age 60''.

(b) ENTITLEMENT TO ANNUITY.—Section 855(b) of the Foreign Service Act of 1980 (22 U.S.C. 4071d(b)) is amended—

(1) in paragraph (1)—

(A) by inserting ''611,'' after ''608,'';

(B) by inserting ''or for participants in the Foreign Service Pension System,'' after ''for participants in the Foreign Service Retirement and Disability System''; and

(C) by striking ''Service shall'' and inserting ''Service, shall''; and

(2) in paragraph (3), by striking ''or 610'' and inserting ''610, or 611''.

(c) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) EXCEPTIONS.—The amendments made by paragraphs (2) and (3) of subsection (a) and paragraphs (1)(A) and (2) of subsection (b) shall apply with respect to any actions taken under section 611 of the Foreign Service Act of 1980 on or after January 1, 1996.

SEC. 1313. AUTHORITY OF SECRETARY TO SEPARATE CONVICTED FELONS FROM THE FOREIGN SERVICE.

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

SEC. 1314. CAREER COUNSELING.

(a) IN GENERAL.—Section 706(a) of the Foreign Service Act of 1980 (22 U.S.C. 4026(a)) is amended by adding at the end the following new sentence: ''Career counseling and related services provided pursuant to this Act shall not be construed to permit an assignment that consists primarily of paid time to conduct a job search and without other substantive duties for more than one month.''.

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

SEC. 1315. LIMITATIONS ON MANAGEMENT ASSIGNMENTS.

Section 1017(e)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4117(e)(2)) is amended to read as follows:

''(2) For the purposes of paragraph (1)(A)(ii) and paragraph (1)(B), the term 'management official' does not include—

''(A) any chief of mission;

''(B) any principal officer or deputy principal officer;

''(C) any administrative or personnel officer abroad; or

''(D) any individual described in section 1002(12) (B), (C), or (D) who is not involved in the administration of this chapter or in the formulation of the personnel policies and programs of the Department.''.

SEC. 1316. AVAILABILITY PAY FOR CERTAIN CRIMINAL INVESTIGATORS WITHIN THE DIPLOMATIC SECURITY SERVICE.

(a) IN GENERAL.—Section 5545a of title 5, United States Code, is amended by adding at the end the following:

''(k)(1) For purposes of this section, the term 'criminal investigator' includes a special agent occupying a position under title II of Public Law 99–399 if such special agent—

''(A) meets the definition of such term under paragraph (2) of subsection (a) (applied disregarding the parenthetical matter before subparagraph (A) thereof); and

''(B) such special agent satisfies the requirements of subsection (d) without taking into account any hours described in paragraph (2)(B) thereof.

''(2) In applying subsection (h) with respect to a special agent under this subsection—

''(A) any reference in such subsection to 'basic pay' shall be considered to include amounts designated as 'salary';

''(B) paragraph (2)(A) of such subsection shall be considered to include (in addition to the provisions of law specified therein) sections 609(b)(1), 805, 806, and 856 of the Foreign Service Act of 1980; and

''(C) paragraph (2)(B) of such subsection shall be applied by substituting for 'Office of Personnel Management' the following: 'Office of Personnel Management or the Secretary of State (to

the extent that matters exclusively within the jurisdiction of the Secretary are concerned)'.''.

(b) IMPLEMENTATION.—Not later than the date on which the amendments made by this section take effect, each special agent of the Diplomatic Security Service who satisfies the requirements of subsection (k)(1) of section 5545a of title 5, United States Code, as amended by this section, and the appropriate supervisory officer, to be designated by the Secretary of State, shall make an initial certification to the Secretary of State that the special agent is expected to meet the requirements of subsection (d) of such section 5545a. The Secretary of State may prescribe procedures necessary to administer this subsection.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—(1) Paragraph (2) of section 5545a(a) of title 5, United States Code, is amended (in the matter before subparagraph (A)) by striking ''Public Law 99–399)'' and inserting ''Public Law 99–399, subject to subsection (k))''.

(2) Section 5542(e) of such title is amended by striking ''title 18, United States Code,'' and inserting ''title 18 or section 37(a)(3) of the State Department Basic Authorities Act of 1956,''.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first applicable pay period—

(1) which begins on or after the 90th day following the date of the enactment of this Act; and

(2) on which date all regulations necessary to carry out such amendments are (in the judgment of the Director of the Office of Personnel Management and the Secretary of State) in effect.

SEC. 1317. NONOVERTIME DIFFERENTIAL PAY.

Title 5 of the United States Code is amended—

(1) in section 5544(a), by inserting after the fourth sentence the following new sentence: ''For employees serving outside the United States in areas where Sunday is a routine workday and another day of the week is officially recognized as the day of rest and worship, the Secretary of State may designate the officially recognized day of rest and worship as the day with respect to which the preceding sentence shall apply instead of Sunday.''; and

(2) at the end of section 5546(a), by adding the following new sentence: ''For employees serving outside the United States in areas where Sunday is a routine workday and another day of the week is officially recognized as the day of rest and worship, the Secretary of State may designate the officially recognized day of rest and worship as the day with respect to which the preceding sentence shall apply instead of Sunday.''.

SEC. 1318. REPORT CONCERNING MINORITIES AND THE FOREIGN SERVICE.

The Secretary of State shall during each of calendar years 1998 and 1999 submit a report to the Congress concerning minorities and the Foreign Service officer corps. In addition to such other information as is relevant to this issue, the report shall include the following data for the last preceding examination and promotion cycles for which such information is available (reported in terms of real numbers and percentages and not as ratios):

(1) The numbers and percentages of all minorities taking the written Foreign Service examination.

(2) The numbers and percentages of all minorities successfully completing and passing the written Foreign Service examination.

(3) The numbers and percentages of all minorities successfully completing and passing the oral Foreign Service examination.

(4) The numbers and percentages of all minorities entering the junior officers class of the Foreign Service.

(5) The numbers and percentages of all minority Foreign Service officers at each grade.

(6) The numbers of and percentages of minorities promoted at each grade of the Foreign Service officer corps.

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

CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

SEC. 1401. INTERNATIONAL INFORMATION ACTIVITIES AND EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

The following amounts are authorized to be appropriated to carry out international information activities and educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the United States International Broadcasting Act of 1994, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, the Board for International Broadcasting Act, the North/South Center Act of 1991, and the National Endowment for Democracy Act, and to carry out other authorities in law consistent with such purposes:

(1) SALARIES AND EXPENSES.—For ''Salaries and Expenses'', $431,000,000 for the fiscal year 1998 and $457,146,000 for the fiscal year 1999.

(2) TECHNOLOGY FUND.—For the ''Technology Fund'' for the United States Information Agency, $5,050,000 for the fiscal year 1998 and $5,050,000 for the fiscal year 1999.

(3) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.—

(i) FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.—There are authorized to be appropriated for the ''Fulbright Academic Exchange Programs'' (other than programs described in subparagraph (B)), $99,236,000 for the fiscal year 1998 and $99,236,000 for the fiscal year 1999.

(ii) VIETNAM FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.—Of the amounts authorized to be appropriated under clause (i), $5,000,000 for the fiscal year 1998 and $5,000,000 for the fiscal year 1999 are authorized to be available for the Vietnam scholarship program established by section 229 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (Public Law 102–138).

(B) OTHER EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(i) IN GENERAL.—There are authorized to be appropriated for other educational and cultural exchange programs authorized by law, $100,764,000 for the fiscal year 1998 and $100,764,000 for the fiscal year 1999.

(ii) SOUTH PACIFIC EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 1998 and $500,000 for the fiscal year 1999 are authorized to be available for ''South Pacific Exchanges''.

(iii) EAST TIMORESE SCHOLARSHIPS.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 1998 and $500,000 for the fiscal year 1999 are authorized to be available for ''East Timorese Scholarships''.

(iv) TIBETAN EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), $500,000 for the fiscal year 1998 and $500,000 for the fiscal year 1999 are authorized to be available for ''Educational and Cultural Exchanges with Tibet'' under section 236 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236).

(4) INTERNATIONAL BROADCASTING ACTIVITIES.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For ''International Broadcasting Activities'', $344,655,000 for the fiscal year 1998, and $341,655,000 for the fiscal year 1999.

(B) ALLOCATION.—Of the amounts authorized to be appropriated under subparagraph (A), the Director of the United States Information Agency and the Broadcasting Board of Governors shall seek to ensure that the amounts made available for broadcasting to nations whose people do not fully enjoy freedom of expression do not decline in proportion to the amounts made available for broadcasting to other nations.

(5) RADIO CONSTRUCTION.—For ''Radio Construction'', $40,000,000 for the fiscal year 1998, and $25,308,000 for the fiscal year 1999.

(6) RADIO FREE ASIA.—For ''Radio Free Asia'', $22,000,000 for the fiscal year 1998 and $22,000,000 for the fiscal year 1999, and an additional $8,000,000 in fiscal year 1998 for one-time capital costs.

(7) BROADCASTING TO CUBA.—For ''Broadcasting to Cuba'', $22,095,000 for the fiscal year 1998 and $22,704,000 for the fiscal year 1999.

(8) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—For the ''Center for Cultural and Technical Interchange between East and West'', not more than $12,000,000 for the fiscal year 1998 and not more than $10,000,000 for the fiscal year 1999.

(9) NATIONAL ENDOWMENT FOR DEMOCRACY.—For the ''National Endowment for Democracy'', $30,000,000 for the fiscal year 1998 and $30,000,000 for the fiscal year 1999.

(10) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN NORTH AND SOUTH.—For ''Center for Cultural and Technical Interchange between North and South'' not more than $1,500,000 for the fiscal year 1998 and not more than $1,500,000 for the fiscal year 1999.

CHAPTER 2—AUTHORITIES AND ACTIVITIES

SEC. 1411. RETENTION OF INTEREST.

Notwithstanding any other provision of law, with the approval of the National Endowment for Democracy, grant funds made available by the National Endowment for Democracy may be deposited in interest-bearing accounts pending disbursement, and any interest which accrues may be retained by the grantee without returning such interest to the Treasury of the United States and interest earned may be obligated and expended for the purposes for which the grant was made without further appropriation.

SEC. 1412. USE OF SELECTED PROGRAM FEES.

Section 810 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1475e) is amended to read as follows:

''USE OF ENGLISH-TEACHING PROGRAM FEES

''SEC. 810. (a) IN GENERAL.—Notwithstanding section 3302 of title 31, United States Code, or any other law or limitation of authority, fees and receipts described in subsection (b) are authorized to be credited each fiscal year for authorized purposes to the appropriate appropriations of the United States Information Agency to such extent as may be provided in advance in appropriations acts.

''(b) FEES AND RECEIPTS DESCRIBED.—The fees and receipts described in this subsection are fees and payments received by or for the use of the United States Information Agency from or in connection with—

''(1) English-teaching and library services,

''(2) educational advising and counseling,

''(3) Exchange Visitor Program Services,

''(4) advertising and business ventures of the Voice of America and the International Broadcasting Bureau,

''(5) cooperating international organizations, and

''(6) Agency-produced publications,

''(7) an amount not to exceed $100,000 of the payments from motion picture and television programs produced or conducted by or on behalf of the Agency under the authority of this Act or the Mutual Education and Cultural Exchange Act of 1961.''.

SEC. 1413. MUSKIE FELLOWSHIP PROGRAM.

(a) GUIDELINES.—Section 227(c)(5) of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note) is amended by inserting ''journalism and communications, education administration, public policy, library and information science,'' after ''business administration,'' each of the two places it appears.

(b) REDESIGNATION OF SOVIET UNION.—Section 227 of the Foreign Relations Authorization Act,

Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note) is amended—

(1) in subsections (a), (b), and (c)(5), by striking ''Soviet Union'' each place it appears and inserting ''independent states of the former Soviet Union'';

(2) in subsection (c)(11), by striking ''Soviet republics'' and inserting ''independent states of the former Soviet Union''; and

*(3) in the section heading, by inserting ''**INDEPENDENT STATES OF THE FORMER**'' after ''**FROM THE**''.*

SEC. 1414. WORKING GROUP ON UNITED STATES GOVERNMENT-SPONSORED INTERNATIONAL EXCHANGES AND TRAINING.

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

''(g) WORKING GROUP ON UNITED STATES GOVERNMENT SPONSORED INTERNATIONAL EXCHANGES AND TRAINING.—(1) In order to carry out the purposes of subsection (f) and to improve the coordination, efficiency, and effectiveness of United States Government-sponsored international exchanges and training, there is established within the United States Information Agency a senior-level interagency working group to be known as the Working Group on United States Government-Sponsored International Exchanges and Training (in this section referred to as the 'Working Group').

''(2) For purposes of this subsection, the term 'Government-sponsored international exchanges and training' means the movement of people between countries to promote the sharing of ideas, to develop skills, and to foster mutual understanding and cooperation, financed wholly or in part, directly or indirectly, with United States Government funds.

''(3) The Working Group shall be composed as follows:

''(A) The Associate Director for Educational and Cultural Affairs of the United States Information Agency, who shall act as Chair.

''(B) A senior representative of the Department of State, who shall be designated by the Secretary of State.

''(C) A senior representative of the Department of Defense, who shall be designated by the Secretary of Defense.

''(D) A senior representative of the Department of Education, who shall be designated by the Secretary of Education.

''(E) A senior representative of the Department of Justice, who shall be designated by the Attorney General.

''(F) A senior representative of the Agency for International Development, who shall be designated by the Administrator of the Agency.

''(G) Senior representatives of such other departments and agencies as the Chair determines to be appropriate.

''(4) Representatives of the National Security Adviser and the Director of the Office of Management and Budget may participate in the Working Group at the discretion of the Adviser and the Director, respectively.

''(5) The Working Group shall be supported by an interagency staff office established in the Bureau of Educational and Cultural Affairs of the United States Information Agency.

''(6) The Working Group shall have the following purposes and responsibilities:

''(A) To collect, analyze, and report data provided by all United States Government departments and agencies conducting international exchanges and training programs.

''(B) To promote greater understanding and cooperation among concerned United States Government departments and agencies of common issues and challenges in conducting international exchanges and training programs, including through the establishment of a clearinghouse for information on international exchange and training activities in the governmental and nongovernmental sectors.

''(C) In order to achieve the most efficient and cost-effective use of Federal resources, to identify administrative and programmatic duplication and overlap of activities by the various United States Government departments and agencies involved in Government-sponsored international exchange and training programs, to identify how each Government-sponsored international exchange and training program promotes United States foreign policy, and to report thereon.

''(D)(i) Not later than 1 year after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999, the Working Group shall develop a coordinated and cost-effective strategy for all United States Government-sponsored international exchange and training programs, including an action plan with the objective of achieving a minimum of 10 percent cost savings through greater efficiency, the consolidation of programs, or the elimination of duplication, or any combination thereof.

''(ii) Not later than 1 year after the date of enactment of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999, the Working Group shall submit a report to the appropriate congressional committees setting forth the strategy and action plan required by clause (i).

''(iii) Each year thereafter the Working Group shall assess the strategy and plan required by clause (i).

''(E) Not later than 2 years after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999, to develop recommendations on common performance measures for all United States Government-sponsored international exchange and training programs, and to issue a report.

''(F) To conduct a survey of private sector international exchange activities and develop strategies for expanding public and private partnerships in, and leveraging private sector support for, United States Government-sponsored international exchange and training activities.

''(G) Not later than 6 months after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Years 1998 and 1999, to report on the feasibility and advisability of transferring funds and program management for the ATLAS or the Mandela Fellows programs, or both, in South Africa from the Agency for International Development to the United States Information Agency. The report shall include an assessment of the capabilities of the South African Fulbright Commission to manage such programs and the cost effects of consolidating such programs under one entity.

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

''(8) The Working Group shall meet at least on a quarterly basis.

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

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

''(11) With respect to any report issued under paragraph (6), a member may submit dissenting views to be submitted as part of the report of the Working Group.''.

SEC. 1415. EDUCATIONAL AND CULTURAL EXCHANGES AND SCHOLARSHIPS FOR TIBETANS AND BURMESE.

(a) IN GENERAL.—Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319; 22 U.S.C. 2151 note) is amended—

(1) by striking ''for fiscal year 1997'' and inserting ''for the fiscal year 1999''; and

(2) by inserting after ''who are outside Tibet'' the following: ''(if practicable, including individuals active in the preservation of Tibet's unique culture, religion, and language)''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 1, 1998.

SEC. 1416. UNITED STATES-JAPAN COMMISSION.

(a) RELIEF FROM RESTRICTION OF INTERCHANGEABILITY OF FUNDS.—

(1) ELIMINATION OF RESTRICTION.—Section 6(4) of the Japan-United States Friendship Act (22 U.S.C. 2905(4)) is amended by striking ''needed, except'' and all that follows through ''United States'' and inserting ''needed''.

(2) AUTHORIZED INVESTMENTS.—The second sentence of section 7(b) of the Japan-United States Friendship Act (22 U.S.C. 2906(b)) is amended to read as follows: ''Such investment may be made only in interest-bearing obligations of the United States, in obligations guaranteed as to both principal and interest by the United States, in interest-bearing obligations of Japan, or in obligations guaranteed as to both principal and interest by Japan.''.

(b) REDESIGNATION OF COMMISSION.—

(1) REDESIGNATION.—Effective on the date of enactment of this Act, the Japan-United States Friendship Commission shall be redesignated as the ''United States-Japan Commission''. Any reference in any provision of law, Executive order, regulation, delegation of authority, or other document to the Japan-United States Friendship Commission shall be considered to be a reference to the United States-Japan Commission.

(2) CONFORMING AMENDMENT.—The heading of section 4 of the Japan-United States Friendship Act (22 U.S.C. 2903) is amended to read as follows:

''UNITED STATES-JAPAN COMMISSION''.

(3) CONFORMING AMENDMENT.—The Japan-United States Friendship Act is amended by striking ''Japan-United States Friendship Commission'' each place such term appears and inserting ''United States-Japan Commission''.

(c) REDESIGNATION OF TRUST FUND.—

(1) REDESIGNATION.—Effective on the date of enactment of this Act, the Japan-United States Friendship Trust Fund shall be redesignated as the ''United States-Japan Trust Fund''. Any reference in any provision of law, Executive order, regulation, delegation of authority, or other document to the Japan-United States Friendship Trust Fund shall be considered to be a reference to the United States-Japan Trust Fund.

(2) CONFORMING AMENDMENT.—Section 3(a) of the Japan-United States Friendship Act (22 U.S.C. 2902(a)) is amended by striking ''Japan-United States Friendship Trust Fund'' and inserting ''United States-Japan Trust Fund''.

SEC. 1417. SURROGATE BROADCASTING STUDY.

Not later than 6 months after the date of enactment of this Act, the Broadcasting Board of Governors, acting through the International Broadcasting Bureau, should conduct and complete a study of the appropriateness, feasibility, and projected costs of providing surrogate broadcasting service to Africa and transmit the results of the study to the appropriate congressional committees.

SEC. 1418. RADIO BROADCASTING TO IRAN IN THE FARSI LANGUAGE.

(a) RADIO FREE IRAN.—Not more than $2,000,000 of the funds made available under section 1401(a)(4) of this Act for each of the fiscal years 1998 and 1999 for grants to RFE/RL, Incorporated, shall be available only for surrogate radio broadcasting by RFE/RL, Incorporated, to the Iranian people in the Farsi language, such broadcasts to be designated as ''Radio Free Iran''.

(b) REPORT TO CONGRESS.—Not later than 60 days after the date of enactment of this Act, the Broadcasting Board of Governors of the United States Information Agency shall submit a detailed report to Congress describing the costs, implementation, and plans for creation of the

surrogate broadcasting service described in subsection (a).

(c) AVAILABILITY OF FUNDS.—None of the funds made available under subsection (a) may be made available until submission of the report required under subsection (b).

SEC. 1419. AUTHORITY TO ADMINISTER SUMMER TRAVEL AND WORK PROGRAMS.

The Director of the United States Information Agency is authorized to administer summer travel and work programs without regard to preplacement requirements.

SEC. 1420. PERMANENT ADMINISTRATIVE AUTHORITIES REGARDING APPROPRIATIONS.

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

SEC. 1421. VOICE OF AMERICA BROADCASTS.

(a) IN GENERAL.—The Voice of America shall devote programming each day to broadcasting information on the individual States of the United States. The broadcasts shall include—

(1) information on the products, tourism, and cultural and educational facilities of each State;

(2) information on the potential for trade with each State; and

(3) discussions with State officials with respect to the matters described in paragraphs (1) and (2).

(b) REPORT.—Not later than one year after the date of enactment of this Act, the Broadcasting Board of Governors of the United States Information Agency shall submit a report to Congress detailing the actions that have been taken to carry out subsection (a).

(c) STATE DEFINED.—In this section, the term ''State'' means any of the several States of the United States, the District of Columbia, or any commonwealth or territory of the United States.

TITLE XV—INTERNATIONAL ORGANIZATIONS OTHER THAN UNITED NATIONS

SEC. 1501. INTERNATIONAL CONFERENCES AND CONTINGENCIES.

There are authorized to be appropriated for ''International Conferences and Contingencies'', $3,500,000 for the fiscal year 1998 and $1,223,000 for the fiscal year 1999 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international conferences and contingencies and to carry out other authorities in law consistent with such purposes.

SEC. 1502. RESTRICTION RELATING TO UNITED STATES ACCESSION TO ANY NEW INTERNATIONAL CRIMINAL TRIBUNAL.

(a) PROHIBITION.—The United States shall not become a party to any new international criminal tribunal, nor give legal effect to the jurisdiction of such a tribunal over any matter described in subsection (b), except pursuant to—

(1) a treaty made under Article II, section 2, clause 2 of the Constitution of the United States on or after the date of enactment of this Act; or

(2) any statute enacted by Congress on or after the date of enactment of this Act.

(b) JURISDICTION DESCRIBED.—The jurisdiction described in this section is jurisdiction over—

(1) persons found, property located, or acts or omissions committed, within the territory of the United States; or

(2) nationals of the United States, wherever found.

(c) STATUTORY CONSTRUCTION.—Nothing in this section precludes sharing information, expertise, or other forms of assistance with such tribunal.

(d) DEFINITION.—The term ''new international criminal tribunal'' means any permanent international criminal tribunal established on or after the date of enactment of this Act and does not include—

(1) the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law in the Territory of the Former Yugoslavia, as established by United Nations Security Council Resolution 827 of May 25, 1993; or

(2) the International Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighboring States, as established by United Nations Security Council Resolution 955 of November 8, 1994.

SEC. 1503. UNITED STATES MEMBERSHIP IN THE BUREAU OF THE INTERPARLIAMENTARY UNION.

(a) INTERPARLIAMENTARY UNION LIMITATION.—Unless the Secretary of State certifies to Congress that the United States will be assessed not more than $500,000 for its annual contribution to the Bureau of the Interparliamentary Union during fiscal year 1999, then effective October 1, 1999, the authority for further participation by the United States in the Bureau shall terminate in accordance with subsection (d).

(b) ELIMINATION OF AUTHORITY TO PAY EXPENSES OF THE AMERICAN GROUP.—Section 1 of the Act entitled ''An Act to authorize participation by the United States in the Interparliamentary Union'', approved June 28, 1935 (22 U.S.C. 276) is amended—

(1) in the first sentence—

(A) by striking ''fiscal year'' and all that follows through ''(1) for'' and inserting ''fiscal year for'';

(B) by striking ''; and''; and

(C) by striking paragraph (2); and

(2) by striking the second sentence.

(c) ELIMINATION OF PERMANENT APPROPRIATION.—Section 303 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1988 (as contained in section 101(a) of the Continuing Appropriations Act, 1988 (Public Law 100–202; 22 U.S.C. 276 note)) is amended—

(1) by striking ''$440,000'' and inserting ''$350,000''; and

(2) by striking ''paragraph (2) of the first section of Public Law 74–170,''.

(d) CONDITIONAL TERMINATION OF AUTHORITY.—Unless Congress receives the certification described in subsection (a) before October 1, 1999, effective on that date the Act entitled ''An Act to authorize participation by the United States in the Interparliamentary Union'', approved June 28, 1935 (22 U.S.C. 276–276a–4) is repealed.

(e) TRANSFER OF FUNDS TO THE TREASURY.—Unobligated balances of appropriations made under section 303 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act 1988 (as contained in section 101(a) of the Continuing Appropriations Act, 1988; Public Law 100–202) that are available as of the day before the date of enactment of this Act shall be transferred on such date to the general fund of the Treasury of the United States.

SEC. 1504. SERVICE IN INTERNATIONAL ORGANIZATIONS.

(a) IN GENERAL.—Section 3582(b) of title 5, United States Code, is amended by striking all after the first sentence and inserting the following: ''On reemployment, an employee entitled to the benefits of subsection (a) is entitled to the rate of basic pay to which the employee would have been entitled had the employee remained in the civil service. On reemployment, the agency shall restore the sick leave account of the employee, by credit or charge, to its status at the time of transfer. The period of separation caused by the employment of the employee with the international organization and the period necessary to effect reemployment are deemed creditable service for all appropriate civil service employment purposes. This subsection does not apply to a congressional employee.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to transfers that take effect on or after the date of enactment of this Act.

SEC. 1505. REPORTS REGARDING FOREIGN TRAVEL.

(a) PROHIBITION.—Except as provided in subsection (e), none of the funds authorized to be appropriated by this Act for fiscal year 1999 may be used to pay for the expenses of foreign travel by an officer or employee of an Executive branch agency to attend an international conference, or for the routine services that a United States diplomatic mission or consular post provides in support of foreign travel by such an officer or employee to attend an international conference, unless that officer or employee has submitted a preliminary report with respect to that foreign travel in accordance with subsection (b), and has not previously failed to submit a final report with respect to foreign travel to attend an international conference required by subsection (c).

(b) PRELIMINARY REPORTS.—A preliminary report referred to in subsection (a) is a report by an officer or employee of an Executive branch agency with respect to proposed foreign travel to attend an international conference, submitted to the Director prior to commencement of the travel, setting forth—

(1) the name and employing agency of the officer or employee;

(2) the name of the official who authorized the travel; and

(3) the purpose and duration of the travel.

(c) FINAL REPORTS.—A final report referred to in subsection (a) is a report by an officer or employee of an Executive branch agency with respect to foreign travel to attend an international conference, submitted to the Director not later than 30 days after the conclusion of the travel—

(1) setting forth the actual duration and cost of the travel; and

(2) updating any other information included in the preliminary report.

(d) REPORT TO CONGRESS.—The Director shall submit a report not later than April 1, 1999, to the Committees on Foreign Relations and Appropriations of the Senate and the Committees on International Relations and Appropriations of the House of Representatives, setting forth with respect to each international conference for which reports described in subsection (c) were required to be submitted to the Director during the preceding six months—

(1) the names and employing agencies of all officers and employees of Executive branch agencies who attended the international conference;

(2) the names of all officials who authorized travel to the international conference, and the total number of officers and employees who were authorized to travel to the conference by each such official; and

(3) the total cost of travel by officers and employees of Executive branch agencies to the international conference.

(e) EXCEPTIONS.—This section shall not apply to travel by—

(1) the President or the Vice President; or

(2) any officer or employee who is carrying out an intelligence or intelligence-related activity, who is performing a protective function, or who is engaged in a sensitive diplomatic mission.

(f) DEFINITIONS.—In this section:

(1) DIRECTOR.—The term ''Director'' means the Director of the Office of International Conferences of the Department of State.

(2) EXECUTIVE BRANCH AGENCY.—The terms ''Executive branch agency'' and ''Executive branch agencies'' mean—

(A) an entity or entities, other than the General Accounting Office, defined in section 105 of title 5, United States Code; and

(B) the Executive Office of the President (except as provided in subsection (e)).

(3) INTERNATIONAL CONFERENCE.—The term ''international conference'' means any meeting

held under the auspices of an international organization or foreign government, at which representatives of more than two foreign governments are expected to be in attendance, and to which United States Executive branch agencies will send a total of ten or more representatives.

(g) REPORT.—Not later than 180 days after the date of enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a report describing—

(1) the total Federal expenditure of all official international travel in each Executive branch agency during the previous fiscal year; and

(2) the total number of individuals in each agency who engaged in such travel.

TITLE XVI—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

SEC. 1601. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out the purposes of the Arms Control and Disarmament Act $41,500,000 for the fiscal year 1998.

SEC. 1602. STATUTORY CONSTRUCTION.

Section 303 of the Arms Control and Disarmament Act (22 U.S.C. 2573), as redesignated by section 1223 of this Act, is amended by adding at the end the following new subsection:

''(c) STATUTORY CONSTRUCTION.—Nothing contained in this chapter shall be construed to authorize any policy or action by any Government agency which would interfere with, restrict, or prohibit the acquisition, possession, or use of firearms by an individual for the lawful purpose of personal defense, sport, recreation, education, or training.''.

TITLE XVII—EUROPEAN SECURITY ACT OF 1998

SEC. 1701. SHORT TITLE.

This title may be cited as the ''European Security Act of 1998''.

SEC. 1702. STATEMENT OF POLICY.

(a) POLICY WITH RESPECT TO NATO ENLARGEMENT.—Congress urges the President to outline a clear and complete strategic rationale for the enlargement of the North Atlantic Treaty Organization (NATO), and declares that—

(1) Poland, Hungary, and the Czech Republic should not be the last emerging democracies in Central and Eastern Europe invited to join NATO;

(2) the United States should ensure that NATO continues a process whereby all other emerging democracies in Central and Eastern Europe that wish to join NATO will be considered for membership in NATO as soon as they meet the criteria for such membership;

(3) the United States should ensure that no limitations are placed on the numbers of NATO troops or types of equipment, including tactical nuclear weapons, to be deployed on the territory of new member states;

(4) the United States should reject all efforts to condition NATO decisions on review or approval by the United Nations Security Council;

(5) the United States should clearly delineate those NATO deliberations, including but not limited to discussions on arms control, further Alliance enlargement, procurement matters, and strategic doctrine, that are not subject to review or discussion in the NATO-Russia Permanent Joint Council;

(6) the United States should work to ensure that countries invited to join the Alliance are provided an immediate seat in NATO discussions; and

(7) the United States already pays more than a proportionate share of the costs of the common defense of Europe and should obtain, in advance, agreement on an equitable distribution of the cost of NATO enlargement to ensure that the United States does not continue to bear a disproportionate burden.

(b) POLICY WITH RESPECT TO NEGOTIATIONS WITH RUSSIA.—

(1) IMPLEMENTATION.—NATO enlargement should be carried out in such a manner as to underscore the Alliance's defensive nature and demonstrate to Russia that NATO enlargement will enhance the security of all countries in Europe, including Russia. Accordingly, the United States and its NATO allies should make this intention clear in negotiations with Russia, including negotiations regarding adaptation of the Conventional Armed Forces in Europe (CFE) Treaty of November 19, 1990.

(2) LIMITATIONS ON COMMITMENTS TO RUSSIA.—In seeking to demonstrate to Russia NATO's defensive and security-enhancing intentions, it is essential that neither fundamental United States security interests in Europe nor the effectiveness and flexibility of NATO as a defensive alliance be jeopardized. In particular, no commitments should be made to Russia that would have the effect of—

(A) extending rights or imposing responsibilities on new NATO members different from those applicable to current NATO members, including rights or responsibilities with respect to the deployment of nuclear weapons and the stationing of troops and equipment from other NATO members;

(B) limiting the ability of NATO to defend the territory of new NATO members by, for example, restricting the construction of defense infrastructure or limiting the ability of NATO to deploy necessary reinforcements;

(C) providing any international organization, or any country that is not a member of NATO, with authority to delay, veto, or otherwise impede deliberations and decisions of the North Atlantic Council or the implementation of such decisions, including deliberations and decisions with respect to the deployment of NATO forces or the admission of additional members to NATO;

(D) impeding the development of enhanced relations between NATO and other European countries that do not belong to the Alliance;

(E) establishing a nuclear weapons-free zone in Central or Eastern Europe;

(F) requiring NATO to subsidize Russian arms sales, service, or support to the militaries of those former Warsaw Pact countries invited to join the Alliance; or

(G) legitimizing Russian efforts to link concessions in arms control negotiations to NATO enlargement.

(3) COMMITMENTS FROM RUSSIA.—In order to enhance security and stability in Europe, the United States should seek commitments from Russia—

(A) to demarcate and respect all its borders with neighboring states;

(B) to achieve the immediate and complete withdrawal of any armed forces and military equipment under the control of Russia that are deployed on the territories of the independent states of the former Soviet Union without the full and complete agreement of those states;

(C) to station its armed forces on the territory of other states only with the full and complete agreement of that state and in strict accordance with international law; and

(D) to take steps to reduce further its nuclear and conventional forces in Kaliningrad.

(4) CONSULTATIONS.—As negotiations on adaptation of the Treaty on Conventional Armed Forces in Europe proceed, the United States should engage in close and continuous consultations not only with its NATO allies, but also with the emerging democracies of Central and Eastern Europe, Ukraine, and the South Caucasus.

(c) POLICY WITH RESPECT TO BALLISTIC MISSILE DEFENSE COOPERATION.—

(1) IN GENERAL.—As the United States proceeds with efforts to develop defenses against ballistic missile attack, it should seek to foster a climate of cooperation with Russia on matters related to missile defense. In particular, the United States and its NATO allies should seek to cooperate with Russia in such areas as early warning.

(2) DISCUSSIONS WITH NATO ALLIES.—The United States should initiate discussions with its NATO allies for the purpose of examining the feasibility of deploying a ballistic missile defense capable of protecting NATO's southern and eastern flanks from a limited ballistic missile attack.

(3) CONSTITUTIONAL PREROGATIVES.—Even as the Congress seeks to promote ballistic missile defense cooperation with Russia, it must insist on its constitutional prerogatives regarding consideration of arms control agreements with Russia that bear on ballistic missile defense.

SEC. 1703. AUTHORITIES RELATING TO NATO ENLARGEMENT.

(a) POLICY OF SECTION.—This section is enacted in order to implement the policy set forth in section 2702(a).

(b) DESIGNATION OF ADDITIONAL COUNTRIES ELIGIBLE FOR NATO ENLARGEMENT ASSISTANCE.—

(1) DESIGNATION OF ADDITIONAL COUNTRIES.—Romania, Estonia, Latvia, Lithuania, and Bulgaria are each designated as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994 (22 U.S.C. 1928 note) and shall be deemed to have been so designated pursuant to section 203(d)(1) of such Act.

(2) RULE OF CONSTRUCTION.—The designation of countries pursuant to paragraph (1) as eligible to receive assistance under the program established under section 203(a) of the NATO Participation Act of 1994—

(A) is in addition to the designation of other countries by law or pursuant to section 203(d)(2) of such Act as eligible to receive assistance under the program established under section 203(a) of such Act; and

(B) shall not preclude the designation by the President of other emerging democracies in Central and Eastern Europe pursuant to section 203(d)(2) of such Act as eligible to receive assistance under the program established under section 203(a) of such Act.

(3) SENSE OF CONGRESS.—It is the sense of Congress that Romania, Estonia, Latvia, Lithuania, and Bulgaria—

(A) are to be commended for their progress toward political and economic reform and meeting the guidelines for prospective NATO members;

(B) would make an outstanding contribution to furthering the goals of NATO and enhancing stability, freedom, and peace in Europe should they become NATO members; and

(C) upon complete satisfaction of all relevant criteria should be invited to become full NATO members at the earliest possible date.

(c) REGIONAL AIRSPACE INITIATIVE AND PARTNERSHIP FOR PEACE INFORMATION MANAGEMENT SYSTEM.—

(1) IN GENERAL.—Funds described in paragraph (2) are authorized to be made available to support the implementation of the Regional Airspace Initiative and the Partnership for Peace Information Management System, including—

(A) the procurement of items in support of these programs; and

(B) the transfer of such items to countries participating in these programs.

(2) FUNDS DESCRIBED.—Funds described in this paragraph are funds that are available—

(A) during any fiscal year under the NATO Participation Act of 1994 with respect to countries eligible for assistance under that Act; or

(B) during fiscal year 1998 under any Act to carry out the Warsaw Initiative.

(d) EXTENSION OF AUTHORITY REGARDING EXCESS DEFENSE ARTICLES.—Section 105 of Public Law 104-164 (110 Stat. 1427) is amended by striking ''1996 and 1997'' and inserting ''1997, 1998, and 1999''.

(e) CONFORMING AMENDMENTS TO THE NATO PARTICIPATION ACT OF 1994.—Section 203(c) of the NATO Participation Act of 1994 (22 U.S.C. 1928 note) is amended—

(1) in paragraph (1), by striking '', without regard to the restrictions'' and all that follows through ''section)'';

(2) by striking paragraph (2);

(3) in paragraph (6), by striking ''appropriated under the 'Nonproliferation and Disarmament Fund' account'' and inserting ''made available for the 'Nonproliferation and Disarmament Fund' ''; and

(4) in paragraph (8)—

(A) by striking ''any restrictions in sections 516 and 519'' and inserting ''section 516(e)'';

(B) by striking ''as amended,''; and

(C) by striking ''paragraphs (1) and (2)'' and inserting ''paragraph (1)''; and

(5) by redesignating paragraphs (3) through (8) as paragraphs (2) through (7), respectively.

SEC. 1704. SENSE OF CONGRESS WITH RESPECT TO THE TREATY ON CONVENTIONAL ARMED FORCES IN EUROPE.

It is the sense of Congress that no revisions to the Treaty on Conventional Armed Forces in Europe will be approved for entry into force with respect to the United States that jeopardize fundamental United States security interests in Europe or the effectiveness and flexibility of NATO as a defensive alliance by—

(1) extending rights or imposing responsibilities on new NATO members different from those applicable to current NATO members, including rights or responsibilities with respect to the deployment of nuclear weapons and the stationing of troops and equipment from other NATO members;

(2) limiting the ability of NATO to defend the territory of new NATO members by, for example, restricting the construction of defense infrastructure or limiting the ability of NATO to deploy necessary reinforcements;

(3) providing any international organization, or any country that is not a member of NATO, with the authority to delay, veto, or otherwise impede deliberations and decisions of the North Atlantic Council or the implementation of such decisions, including deliberations and decisions with respect to the deployment of NATO forces or the admission of additional members to NATO; or

(4) impeding the development of enhanced relations between NATO and other European countries that do not belong to the Alliance.

SEC. 1705. RESTRICTIONS AND REQUIREMENTS RELATING TO BALLISTIC MISSILE DEFENSE.

(a) POLICY OF SECTION.—This section is enacted in order to implement the policy set forth in section 1702(c).

(b) RESTRICTION ON ENTRY INTO FORCE OF ABM/TMD DEMARCATION AGREEMENTS.—An ABM/TMD demarcation agreement shall not be binding on the United States, and shall not enter into force with respect to the United States, unless, after the date of enactment of this Act, that agreement is specifically approved with the advice and consent of the United States Senate pursuant to Article II, section 2, clause 2 of the Constitution.

(c) SENSE OF CONGRESS WITH RESPECT TO DEMARCATION AGREEMENTS.—

(1) RELATIONSHIP TO MULTILATERALIZATION OF ABM TREATY.—It is the sense of Congress that no ABM/TMD demarcation agreement will be considered for advice and consent to ratification unless, consistent with the certification of the President pursuant to condition (9) of the resolution of ratification of the CFE Flank Document, the President submits for Senate advice and consent to ratification any agreement, arrangement, or understanding that would—

(A) add one or more countries as State Parties to the ABM Treaty, or otherwise convert the ABM Treaty from a bilateral treaty to a multilateral treaty; or

(B) change the geographic scope or coverage of the ABM Treaty, or otherwise modify the meaning of the term ''national territory'' as used in Article VI and Article IX of the ABM Treaty.

(2) PRESERVATION OF UNITED STATES THEATER BALLISTIC MISSILE DEFENSE POTENTIAL.—It is the sense of Congress that no ABM/TMD demarcation agreement that would reduce the capabilities of United States theater missile defense systems, or the numbers or deployment patterns of such systems, will be approved for entry into force with respect to the United States.

(d) REPORT ON COOPERATIVE PROJECTS WITH RUSSIA.—Not later than January 1, 1999, and January 1, 2000, the President shall submit to the Committees on International Relations, National Security, and Appropriations of the House of Representatives and the Committees on Foreign Relations, Armed Services, and Appropriations of the Senate a report on cooperative projects with Russia in the area of ballistic missile defense, including in the area of early warning. Each such report shall include the following:

(1) COOPERATIVE PROJECTS.—A description of all cooperative projects conducted in the area of early warning and ballistic missile defense during the preceding fiscal year and the fiscal year during which the report is submitted.

(2) FUNDING.—A description of the funding for such projects during the preceding fiscal year and the year during which the report is submitted and the proposed funding for such projects for the next fiscal year.

(3) STATUS OF DIALOGUE OR DISCUSSIONS.—A description of the status of any dialogue or discussions conducted during the preceding fiscal year between the United States and Russia aimed at exploring the potential for mutual accommodation of outstanding issues between the two nations on matters relating to ballistic missile defense and the ABM Treaty, including the possibility of developing a strategic relationship not based on mutual nuclear threats.

(e) DEFINITIONS.—In this section:

(1) ABM/TMD DEMARCATION AGREEMENT.—The term ''ABM/TMD demarcation agreement'' means any agreement that establishes a demarcation between theater ballistic missile defense systems and strategic antiballistic missile defense systems for purposes of the ABM Treaty.

(2) ABM TREATY.—The term ''ABM Treaty'' means the Treaty Between the United States of American and the Union of Soviet Socialist Republics on the Limitation of Anti-Ballistic Missile Systems, signed at Moscow on May 26, 1972 (23 UST 3435), and includes the Protocols to that Treaty, signed at Moscow on July 3, 1974 (27 UST 1645).

TITLE XVIII—OTHER FOREIGN POLICY PROVISIONS

SEC. 1801. REPORTS ON CLAIMS BY UNITED STATES FIRMS AGAINST THE GOVERNMENT OF SAUDI ARABIA.

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act and every 180 days thereafter, the Secretary of State, after consultation with the Secretary of Defense and the Secretary of Commerce, shall submit a report to the appropriate congressional committees on specific actions taken by the Department of State, the Department of Defense, and the Department of Commerce toward progress in resolving the commercial disputes between United States firms and the Government of Saudi Arabia that are described in the June 30, 1993, report by the Secretary of Defense pursuant to section 9140(c) of the Department of Defense Appropriations Act, 1993 (Public Law 102–396), including the additional claims noticed by the Department of Commerce on page 2 of that report.

(b) TERMINATION.—Subsection (a) shall cease to have effect on the earlier of—

(1) the date of submission of the third report under that subsection; or

(2) the date that the Secretary of State, after consultation with the Secretary of Defense and the Secretary of Commerce, certifies in writing to the appropriate congressional committees that the commercial disputes referred to in subsection (a) have been resolved satisfactorily.

SEC. 1802. REPORTS ON DETERMINATIONS UNDER TITLE IV OF THE LIBERTAD ACT.

(a) REPORTS REQUIRED.—Not later than 30 days after the date of the enactment of this Act and every 3 months thereafter during the period ending September 30, 1999, the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of section 401 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6091). Each report shall include—

(1) an unclassified list, by economic sector, of the number of entities then under review pursuant to that section;

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

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

(4) an explanation of the status of the review underway for the cases referred to in paragraph (1); and

(5) an unclassified explanation of each determination of the Secretary of State under section 401(a) of that Act and each finding of the Secretary under section 401(c) of that Act—

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

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

(b) PROTECTION OF IDENTITY OF CONCERNED ENTITIES.—In preparing the report under subsection (a), the names of entities shall not be identified under paragraph (1) or (4).

SEC. 1803. REPORT ON COMPLIANCE WITH THE HAGUE CONVENTION ON INTERNATIONAL CHILD ABDUCTION.

(a) IN GENERAL.—Beginning 6 months after the date of the enactment of this Act and every 12 months thereafter during the period ending September 30, 1999, the Secretary of State shall submit a report to the appropriate congressional committees on the compliance with the provisions of the Convention on the Civil Aspects of International Child Abduction, done at The Hague on October 25, 1980, by the signatory countries of the Convention. Each such report shall include the following information:

(1) The number of applications for the return of children submitted by United States citizens to the Central Authority for the United States that remain unresolved more than 18 months after the date of filing.

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

(3) A list of the countries that have demonstrated a pattern of noncompliance with the obligations of the Convention with respect to applications for the return of children submitted by United States citizens to the Central Authority for the United States.

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

(5) Information on efforts by the Department of State to encourage other countries to become signatories of the Convention.

(b) DEFINITION.—In this section, the term ''Central Authority for the United States'' has the meaning given the term in Article 6 of the Convention on the Civil Aspects of International Child Abduction, done at The Hague on October 25, 1980.

SEC. 1804. SENSE OF CONGRESS RELATING TO RECOGNITION OF THE ECUMENICAL PATRIARCHATE BY THE GOVERNMENT OF TURKEY.

It is the sense of Congress that the United States should use its influence with the Government of Turkey to suggest that the Government of Turkey—

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

(2) ensure the continued maintenance of the institution's physical security needs, as provided for under Turkish and international law,

including the Treaty of Lausanne, the 1968 Protocol, the Helsinki Final Act (1975), and the Charter of Paris;

(3) provide for the proper protection and safety of the Ecumenical Patriarch and Patriarchate personnel; and

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

SEC. 1805. REPORT ON RELATIONS WITH VIETNAM.

In order to provide Congress with the necessary information by which to evaluate the relationship between the United States and Vietnam, the Secretary of State shall submit a report to the appropriate congressional committees, not later than 90 days after the date of enactment of this Act and every 180 days thereafter during the period ending September 30, 1999, on the extent to which—

(1) the Government of the Socialist Republic of Vietnam is cooperating with the United States in providing the fullest possible accounting of all unresolved cases of prisoners of war (POWs) or persons missing-in-action (MIAs) through the provision of records and the unilateral and joint recovery and repatriation of American remains;

(2) the Government of the Socialist Republic of Vietnam has made progress toward the release of all political and religious prisoners, including Catholic, Protestant, and Buddhist clergy;

(3) the Government of the Socialist Republic of Vietnam is cooperating with requests by the United States to obtain full and free access to persons of humanitarian interest to the United States for interviews under the Orderly Departure (ODP) and Resettlement Opportunities for Vietnamese Refugees (ROVR) programs, and in providing exit visas for such persons;

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

(5) the Government of the United States is making vigorous efforts to interview and resettle former reeducation camp victims, their immediate families including unmarried sons and daughters, former United States Government employees, and other persons eligible for the ODP program, and to give such persons the full benefit of all applicable United States laws including sections 599D and 599E of the Foreign Operations, Export Financing, and Related Programs Appropriations Act of 1990 (Public Law 101–167).

SEC. 1806. REPORTS AND POLICY CONCERNING HUMAN RIGHTS VIOLATIONS IN LAOS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Sate shall submit a report to the appropriate congressional committees on the allegations of persecution and abuse of the Hmong and Laotian refugees who have returned to Laos. The report shall include the following:

(1) A full investigation, including full documentation of individual cases of persecution, of the Lao Government's treatment of Hmong and Laotian refugees who have returned to Laos.

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

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

SEC. 1807. REPORT ON AN ALLIANCE AGAINST NARCOTICS TRAFFICKING IN THE WESTERN HEMISPHERE.

(a) SENSE OF CONGRESS ON DISCUSSIONS FOR ALLIANCE.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that the President should discuss with the democratically-elected governments of the Western Hemisphere, the prospect of forming a multilateral alliance to address problems relating to international drug trafficking in the Western Hemisphere.

(2) CONSULTATIONS.—In the consultations on the prospect of forming an alliance described in paragraph (1), the President should seek the input of such governments on the possibility of forming one or more structures within the alliance—

(A) to develop a regional, multilateral strategy to address the threat posed to nations in the Western Hemisphere by drug trafficking; and

(B) to establish a new mechanism for improving multilateral coordination of drug interdiction and drug-related law enforcement activities in the Western Hemisphere.

(b) REPORT.—

(1) REQUIREMENT.—Not later than 60 days after the date of enactment of this Act, the President shall submit to Congress a report on the proposal discussed under subsection (a). The report shall include the following:

(A) An analysis of the reactions of the governments concerned to the proposal.

(B) An assessment of the proposal, including an evaluation of the feasibility and advisability of forming the alliance.

(C) A determination in light of the analysis and assessment whether or not the formation of the alliance is in the national interests of the United States.

(D) If the President determines that the formation of the alliance is in the national interests of the United States, a plan for encouraging and facilitating the formation of the alliance.

(E) If the President determines that the formation of the alliance is not in the national interests of the United States, an alternative proposal to improve significantly efforts against the threats posed by narcotics trafficking in the Western Hemisphere, including an explanation of how the alternative proposal will—

(i) improve upon current cooperation and coordination of counter-drug efforts among nations in the Western Hemisphere;

(ii) provide for the allocation of the resources required to make significant progress in disrupting and disbanding the criminal organizations responsible for the trafficking of illegal drugs in the Western Hemisphere; and

(iii) differ from and improve upon past strategies adopted by the United States Government which have failed to make sufficient progress against the trafficking of illegal drugs in the Western Hemisphere.

(2) UNCLASSIFIED FORM.—The report under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.

SEC. 1808. CONGRESSIONAL STATEMENT REGARDING THE ACCESSION OF TAIWAN TO THE WORLD TRADE ORGANIZATION.

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

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

(2) Taiwan is currently the 8th largest trading partner of the United States.

(3) The executive branch of Government has committed publicly to support Taiwan's bid to join the World Trade Organization and has declared that the United States will not oppose this bid solely on the grounds that the People's Republic of China, which also seeks membership in the World Trade Organization, is not yet eligible because of its unacceptable trade practices.

(4) The United States and Taiwan have concluded discussions on a variety of outstanding trade issues that remain unresolved with the People's Republic of China and that are necessary for the United States to support Taiwan's membership in the World Trade Organization.

(5) The reversion of control over Hong Kong—a member of the World Trade Organization—to the People's Republic of China in many respects affords to the People's Republic of China the practical benefit of membership in the World Trade Organization for a substantial portion of its trade in goods despite the fact that the trade practices of the People's Republic of China currently fall far short of what the United States expects for membership in the World Trade Organization.

(6) The executive branch of Government has announced its interest in the admission of the People's Republic of China to the World Trade Organization; the fundamental sense of fairness of the people of the United States warrants the United States Government's support for Taiwan's relatively more meritorious application for membership in the World Trade Organization.

(7) Despite having made significant progress in negotiations for its accession to the World Trade Organization, Taiwan has yet to offer acceptable terms of accession in agricultural and certain other market sectors.

(8) It is in the economic interest of United States consumers and exporters for Taiwan to complete those requirements for accession to the World Trade Organization at the earliest possible moment.

(b) CONGRESSIONAL STATEMENT.—The Congress favors public support by officials of the Department of State for the accession of Taiwan to the World Trade Organization.

SEC. 1809. PROGRAMS OR PROJECTS OF THE INTERNATIONAL ATOMIC ENERGY AGENCY IN CUBA.

(a) WITHHOLDING OF UNITED STATES PROPORTIONAL SHARE OF ASSISTANCE.—Section 307(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(c)) is amended—

(1) by striking ''The limitations'' and inserting ''(1) Subject to paragraph (2), the limitations''; and

(2) by adding at the end the following:

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

''(B)(i) Subparagraph (A) shall not apply with respect to programs or projects of the International Atomic Energy Agency that provide for the discontinuation, dismantling, or safety inspection of nuclear facilities or related materials, or for inspections and similar activities designed to prevent the development of nuclear weapons by a country described in subsection (a).

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

''(I) ratifies the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483) or the Treaty for the Prohibition of Nuclear Weapons in Latin America (commonly known as the Treaty of Tlatelolco);

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

''(III) incorporates internationally accepted nuclear safety standards.''.

(b) OPPOSITION TO CERTAIN PROGRAMS OR PROJECTS.—The Secretary of State shall direct the United States representative to the International Atomic Energy Agency to oppose the following:

(1) Technical assistance programs or projects of the Agency at the Juragua Nuclear Power Plant near Cienfuegos, Cuba, and at the Pedro Pi Nuclear Research Center.

(2) Any other program or project of the Agency in Cuba that is, or could become, a threat to the security of the United States.

(c) REPORTING REQUIREMENTS.—

(1) REQUEST FOR IAEA REPORTS.—The Secretary of State shall direct the United States representative to the International Atomic Energy Agency to request the Director-General of the Agency to submit to the United States all reports prepared with respect to all programs or projects of the Agency that are of concern to the United States, including the programs or projects described in subsection (b).

(2) ANNUAL REPORTS TO THE CONGRESS.—Not later than 180 days after the date of the enactment of this Act, and on an annual basis thereafter, the Secretary of State, in consultation

with the United States representative to the International Atomic Energy Agency, shall prepare and submit to the Congress a report containing a description of all programs or projects of the Agency in each country described in section 307(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2227(a)).

SEC. 1810. LIMITATION ON ASSISTANCE TO COUNTRIES AIDING CUBA NUCLEAR DEVELOPMENT.

(a) IN GENERAL.—Section 620 of the Foreign Assistance Act of 1961 (22 U.S.C. 2370), as amended by this Act, is further amended by adding at the end the following:

''(y)(1) Except as provided in paragraph (2), the President shall withhold from amounts made available under this Act or any other Act and allocated for a country for a fiscal year an amount equal to the aggregate value of nuclear fuel and related assistance and credits provided by that country, or any entity of that country, to Cuba during the preceding fiscal year.

''(2) The requirement to withhold assistance for a country for a fiscal year under paragraph (1) shall not apply if Cuba—

''(A) has ratified the Treaty on the Non-Proliferation of Nuclear Weapons (21 UST 483) or the Treaty of Tlatelelco, and Cuba is in compliance with the requirements of either such Treaty;

''(B) has negotiated and is in compliance with full-scope safeguards of the International Atomic Energy Agency not later than two years after ratification by Cuba of such Treaty; and

''(C) incorporates and is in compliance with internationally accepted nuclear safety standards.

''(3) The Secretary of State shall prepare and submit to the Congress each year a report containing a description of the amount of nuclear fuel and related assistance and credits provided by any country, or any entity of a country, to Cuba during the preceding year, including the terms of each transfer of such fuel, assistance, or credits.''.

(b) EFFECTIVE DATE.—Section 620(y) of the Foreign Assistance Act of 1961, as added by subsection (a), shall apply with respect to assistance provided in fiscal years beginning on or after the date of the enactment of this Act.

SEC. 1811. INTERNATIONAL FUND FOR IRELAND.

(a) PURPOSES.—Section 2(b) of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99–415; 100 Stat. 947) is amended by adding at the end the following new sentences: ''United States contributions should be used in a manner that effectively increases employment opportunities in communities with rates of unemployment higher than the local or urban average of unemployment in Northern Ireland. In addition, such contributions should be used to benefit individuals residing in such communities.''.

(b) CONDITIONS AND UNDERSTANDINGS.—Section 5(a) of such Act is amended—

(1) in the first sentence—

(A) by striking ''The United States'' and inserting the following:

''(1) IN GENERAL.—The United States'';

(B) by striking ''in this Act may be used'' and inserting the following: ''in this Act—

''(A) may be used'';

(C) by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(B) should be provided to individuals or entities in Northern Ireland which employ practices consistent with the principles of economic justice.''; and

(2) in the second sentence, by striking ''The restrictions'' and inserting the following:

''(2) ADDITIONAL REQUIREMENTS.—The restrictions''.

(c) PRIOR CERTIFICATIONS.—Section 5(c)(2) of such Act is amended—

(1) in subparagraph (A), by striking ''in accordance with the principle of equality'' and all that follows and inserting ''to individuals and entities whose practices are consistent with principles of economic justice; and''; and

(2) in subparagraph (B), by inserting before the period at the end the following: ''and will create employment opportunities in regions and communities of Northern Ireland suffering from high rates of unemployment''.

(d) ANNUAL REPORTS.—Section 6 of such Act is amended—

(1) in paragraph (2), by striking ''and'' at the end;

(2) in paragraph (3), by striking the period and inserting ''; and''; and

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

''(4) the extent to which the practices of each individual or entity receiving assistance from United States contributions to the International Fund has been consistent with the principles of economic justice.''.

(e) REQUIREMENTS RELATING TO FUNDS.—Section 7 of such Act is amended by adding at the end the following:

''(c) PROHIBITION.—Nothing included herein shall require quotas or reverse discrimination or mandate their use.''.

(f) DEFINITIONS.—Section 8 of such Act is amended—

(1) in paragraph (1), by striking ''and'' at the end;

(2) in paragraph (2), by striking the period at the end and inserting ''; and''; and

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

''(3) the term 'principles of economic justice' means the following principles:

''(A) Increasing the representation of individuals from underrepresented religious groups in the workforce, including managerial, supervisory, administrative, clerical, and technical jobs.

''(B) Providing adequate security for the protection of minority employees at the workplace.

''(C) Banning provocative sectarian or political emblems from the workplace.

''(D) Providing that all job openings be advertised publicly and providing that special recruitment efforts be made to attract applicants from underrepresented religious groups.

''(E) Providing that layoff, recall, and termination procedures do not favor a particular religious group.

''(F) Abolishing job reservations, apprenticeship restrictions, and differential employment criteria which discriminate on the basis of religion.

''(G) Providing for the development of training programs that will prepare substantial numbers of minority employees for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade, and improve the skills of minority employees.

''(H) Establishing procedures to assess, identify, and actively recruit minority employees with the potential for further advancement.

''(I) Providing for the appointment of a senior management staff member to be responsible for the employment efforts of the entity and, within a reasonable period of time, the implementation of the principles described in subparagraphs (A) through (H).''.

SEC. 1812. UNITED STATES POLICY WITH RESPECT TO JERUSALEM AS THE CAPITAL OF ISRAEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Of the amounts authorized to be appropriated by section 1101(4) of this Act for ''Security and Maintenance of Buildings Abroad'', $25,000,000 for the fiscal year 1998 and $75,000,000 for the fiscal year 1999 are authorized to be appropriated for the construction of a United States Embassy in Jerusalem, Israel.

(b) LIMITATION ON USE OF FUNDS FOR CONSULATE IN JERUSALEM.—None of the funds authorized to be appropriated by this Act should be expended for the operation of a United States consulate or diplomatic facility in Jerusalem unless such consulate or diplomatic facility is under the supervision of the United States Ambassador to Israel.

(c) LIMITATION ON USE OF FUNDS FOR PUBLICATIONS.—None of the funds authorized to be appropriated by this Act may be available for the publication of any official government document which lists countries and their capital cities unless the publication identifies Jerusalem as the capital of Israel.

(d) RECORD OF PLACE OF BIRTH AS ISRAEL FOR PASSPORT PURPOSES.—For purposes of the registration of birth, certification of nationality, or issuance of a passport of a United States citizen born in the city of Jerusalem, the Secretary of State shall, upon the request of the citizen, record the place of birth as Israel.

SEC. 1813. SUPPORT FOR DEMOCRATIC OPPOSITION IN IRAQ.

(a) ASSISTANCE FOR JUSTICE IN IRAQ.—There are authorized to be appropriated for fiscal year 1998 $3,000,000 for assistance to an international commission to establish an international record for the criminal culpability of Saddam Hussein and other Iraqi officials and for an international criminal tribunal established for the purpose of indicting, prosecuting, and punishing Saddam Hussein and other Iraqi officials responsible for crimes against humanity, genocide, and other violations of international law.

(b) ASSISTANCE TO THE DEMOCRATIC OPPOSITION IN IRAQ.—There are authorized to be appropriated for fiscal year 1998 $15,000,000 to provide support for democratic opposition forces in Iraq, of which—

(1) not more than $10,000,000 shall be for assistance to the democratic opposition, including leadership organization, training political cadre, maintaining offices, disseminating information, and developing and implementing agreements among opposition elements; and

(2) not more than $5,000,000 of the funds made available under this subsection shall be available only for grants to RFE/RL, Incorporated, for surrogate radio broadcasting by RFE/RL, Incorporated, to the Iraqi people in the Arabic language, such broadcasts to be designated as ''Radio Free Iraq''.

(c) ASSISTANCE FOR HUMANITARIAN RELIEF AND RECONSTRUCTION.—There are authorized to be appropriated for fiscal year 1998 $20,000,000 for the relief, rehabilitation, and reconstruction of people living in Iraq, and communities located in Iraq, who are not under the control of the Saddam Hussein regime.

(d) AVAILABILITY.—Amounts authorized to be appropriated by this section shall be provided in addition to amounts otherwise made available and shall remain available until expended.

(e) NOTIFICATION.—All assistance provided pursuant to this section shall be notified to Congress in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961.

(f) RELATION TO OTHER LAWS.—Funds made available to carry out the provisions of this section may be made available notwithstanding any other provision of law.

(g) REPORT.—Not later than 45 days after the date of enactment of this Act, the Secretary of State and the Broadcasting Board of Governors of the United States Information Agency shall submit a detailed report to Congress describing—

(1) the costs, implementation, and plans for the establishment of an international war crimes tribunal described in subsection (a);

(2) the establishment of a political assistance program, and the surrogate broadcasting service, as described in subsection (b); and

(3) the humanitarian assistance program described in subsection (c).

SEC. 1814. DEVELOPMENT OF DEMOCRACY IN THE REPUBLIC OF SERBIA.

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

(1) The United States stands as the beacon of democracy and freedom in the world.

(2) A stable and democratic Republic of Serbia is important to the interests of the United

States, the international community, and to peace in the Balkans.

(3) Democratic forces in the Republic of Serbia are beginning to emerge, notwithstanding the efforts of Europe's longest-standing communist dictator, Slobodan Milosevic.

(4) The Serbian authorities have sought to continue to hinder the growth of free and independent news media in the Republic of Serbia, in particular the broadcast news media, and have harassed journalists performing their professional duties.

(5) Under Slobodan Milosevic, the political opposition in Serbia has been denied free, fair, and equal opportunity to participate in the democratic process.

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

(1) the United States, the international community, nongovernmental organizations, and the private sector should continue to promote the building of democratic institutions and civic society in the Republic of Serbia, help strengthen the independent news media, and press for the Government of the Republic of Serbia to respect the rule of law; and

(2) the normalization of relations between the ''Federal Republic of Yugoslavia'' (Serbia and Montenegro) and the United States requires, among other things, that President Milosevic and the leadership of Serbia—

(A) promote the building of democratic institutions, including strengthening the independent news media and respecting the rule of law;

(B) promote the respect for human rights throughout the ''Federal Republic of Yugoslavia'' (Serbia and Montenegro); and

(C) promote and encourage free, fair, and equal conditions for the democratic opposition in Serbia.

SEC. 1815. FUNDS MADE AVAILABLE UNDER CHAPTER 4 OF PART II OF THE FOREIGN ASSISTANCE ACT OF 1961.

Not less than $2,000,000 shall be made available under chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346; relating to the economic support fund), for fiscal years 1998 and 1999 to carry out the programs and activities under the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6021 et seq.) and the Cuban Democracy Act of 1992 (22 U.S.C. 6001 et seq.).

SEC. 1816. FOREIGN ORGANIZATIONS THAT PERFORM OR PROMOTE ABORTION; FORCED ABORTION IN THE PEOPLE'S REPUBLIC OF CHINA.

(a) Section 104 of the Foreign Assistance Act of 1961 is amended by adding at the end the following new subsection:

''(h) RESTRICTION ON ASSISTANCE TO FOREIGN ORGANIZATIONS THAT PERFORM OR ACTIVELY PROMOTE ABORTIONS.—

''(1) PERFORMANCE OF ABORTIONS.—

''(A) Notwithstanding section 614 of this Act or any other provision of law, no funds appropriated for population planning activities or other population assistance may be made available for any foreign private, nongovernmental, or multilateral organization until the organization certifies that it will not, during the period for which the funds are made available, perform abortions in any foreign country, except where the life of the mother would be endangered if the pregnancy were carried to term or in cases of forcible rape or incest.

''(B) Subparagraph (A) may not be construed to apply to the treatment of injuries or illnesses caused by legal or illegal abortions or to assistance provided directly to the government of a country.

''(2) LOBBYING ACTIVITIES.—(A) Notwithstanding section 614 of this Act or any other provision of law, no funds appropriated for population planning activities or other population assistance may be made available for any foreign private, nongovernmental, or multilateral organization until the organization certifies that it will not, during the period for which the funds are made available, violate the laws of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited, or engage in any activity or effort to alter the laws or governmental policies of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited.

''(B) Subparagraph (A) shall not apply to activities in opposition to coercive abortion or involuntary sterilization.

''(3) APPLICATION TO FOREIGN ORGANIZATIONS.—The prohibitions of this subsection apply to funds made available to a foreign organization either directly or as a subcontractor or subgrantee, and the certifications required by paragraphs (1) and (2) apply to activities in which the organization engages either directly or through a subcontractor or subgrantee.''.

(b) Section 301 of the Foreign Assistance Act of 1961 is amended by adding at the end the following new subsection:

''(i) LIMITATION RELATING TO FORCED ABORTIONS IN THE PEOPLE'S REPUBLIC OF CHINA.—Notwithstanding section 614 of this Act or any other provision of law, no funds may be made available for the United Nations Population Fund (UNFPA) in any fiscal year unless the President certifies that—

''(1) UNFPA has terminated all activities in the People's Republic of China, and the United States has received assurances that UNFPA will conduct no such activities during the fiscal year for which the funds are to be made available; or

''(2) during the 12 months preceding such certification there have been no abortions as the result of coercion associated with the family planning policies of the national government or other governmental entities within the People's Republic of China.

As used in this section, the term 'coercion' includes physical duress or abuse, destruction or confiscation of property, loss of means of livelihood, or severe psychological pressure.''.

(c) The President may waive the provisions of section 104(h)(1) of the Foreign Assistance Act of 1961, as amended, pertaining to population assistance to foreign organizations that perform abortions in foreign countries, for any fiscal year: Provided, That if the President exercises the waiver provided by this subsection for any fiscal year, not to exceed $356,000,000 may be made available for population planning activities or other population assistance for such fiscal year: Provided further, That the limitation in the previous proviso includes all funds for programs and activities designed to control fertility or to reduce or delay childbirths or pregnancies, irrespective of the heading under which such funds are made available.

DIVISION C—UNITED NATIONS REFORM

TITLE XX—GENERAL PROVISIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''United Nations Reform Act of 1998''.

SEC. 2002. DEFINITIONS.

In this division:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.

(2) DESIGNATED SPECIALIZED AGENCY DEFINED.—The term ''designated specialized agency'' means the International Labor Organization, the World Health Organization, and the Food and Agriculture Organization.

(3) GENERAL ASSEMBLY.—The term ''General Assembly'' means the General Assembly of the United Nations.

(4) SECRETARY GENERAL.—The term ''Secretary General'' means the Secretary General of the United Nations.

(5) SECURITY COUNCIL.—The term ''Security Council'' means the Security Council of the United Nations.

(6) UNITED NATIONS MEMBER.—The term ''United Nations member'' means any country that is a member of the United Nations.

(7) UNITED NATIONS PEACEKEEPING OPERATION.—The term ''United Nations peacekeeping operation'' means any United Nations-led operation to maintain or restore international peace or security that—

(A) is authorized by the Security Council; and

(B) is paid for from assessed contributions of United Nations members that are made available for peacekeeping activities.

SEC. 2003. NONDELEGATION OF CERTIFICATION REQUIREMENTS.

The Secretary of State may not delegate the authority in this division to make any certification.

TITLE XXI—AUTHORIZATION OF APPROPRIATIONS

SEC. 2101. CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated under the heading ''Contributions to International Organizations'' $901,000,000 for the fiscal year 1998 and $900,000,000 for the fiscal year 1999 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(b) NO GROWTH BUDGET.—Of the funds made available for fiscal year 1999 under subsection (a), $80,000,000 may be made available only after the Secretary of State certifies that the United Nations has taken no action during calendar year 1998 to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget of $2,533,000,000 and cause the United Nations to exceed that budget.

(c) INSPECTOR GENERAL OF THE UNITED NATIONS.—

(1) WITHHOLDING OF FUNDS.—Twenty percent of the funds made available in each fiscal year under subsection (a) for the assessed contribution of the United States to the United Nations shall be withheld from obligation and expenditure until a certification is made under paragraph (2).

(2) CERTIFICATION.—A certification under this paragraph is a certification by the Secretary of State in the fiscal year concerned that the following conditions are satisfied:

(A) ACTION BY THE UNITED NATIONS.—The United Nations—

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

(ii) has established procedures that require the Under Secretary General of the Office of Internal Oversight Service to report directly to the Secretary General on the adequacy of the Office's resources to enable the Office to fulfill its mandate; and

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

(B) AUTHORITY OF OIOS.—The Office of Internal Oversight Services has authority to audit, inspect, or investigate each program, project, or activity funded by the United Nations, and each executive board created under the United Nations has been notified, in writing, of that authority.

(3) AMENDMENT OF THE FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1994 AND 1995.—Section 401(b) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 is amended—

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

''(6) the United Nations has procedures in place to ensure that all reports submitted by the

Office of Internal Oversight Service are made available to the member states of the United Nations without modification except to the extent necessary to protect the privacy rights of individuals.''; and

(B) by striking ''Inspector General'' each place it appears and inserting ''Office of Internal Oversight Service''.

(d) PROHIBITION ON CERTAIN GLOBAL CONFERENCES.—None of the funds made available under subsection (a) shall be available for any United States contribution to pay for any expenses related to the holding of a United Nations Global Conference except any conference that the General Assembly, prior to the date of enactment of this Act, decided to convene.

(e) REDUCTION IN NUMBER OF POSTS.—

(1) FISCAL YEAR 1999.—Of the funds authorized to be appropriated for fiscal year 1999 for the United Nations by subsection (a), $50,000,000 shall be withheld from obligation and expenditure until the Secretary of State certifies to Congress that the number of posts authorized by the General Assembly, has resulted in a net reduction of at least 1,000 posts from the 10,012 posts authorized under the 1996–97 United Nations biennium budget, as a result of a suppression of that number of posts.

(2) REPORT.—Not later than October 1, 1998, the Secretary of State shall submit a report to the appropriate congressional committees specifying—

(A) the budget savings associated with the reduction of the 1,000 posts specified in paragraph (1), including any reduction in the United States assessed contribution for the United Nations regular budget resulting from those savings;

(B) the vacancy rates for United Nations professional and general service staff contained in the United Nations biennium budget for 1998–99, including any reduction in the United States assessed contribution for the United Nations regular budget resulting from those vacancy rates; and

(C) the goals of the United States for further staff reductions and associated budget savings for the 1998–99 United Nations biennium budget.

(f) PROHIBITION ON FUNDING OTHER FRAMEWORK TREATY-BASED ORGANIZATIONS.—None of the funds made available for the 1998-1999 biennium budget under subsection (a) for United States contributions to the regular budget of the United Nations shall be available for the United States proportionate share of any other framework treaty-based organization, including the Framework Convention on Global Climate Change, the International Seabed Authority, and the 1998 Desertification Convention.

(g) LIMITATIONS FOR FISCAL YEARS 1999 AND 2000.—

(1) IN GENERAL.—The total amount of funds made available for all United States memberships in international organizations under the heading ''Contributions to International Organizations'' may not exceed $900,000,000 for each of fiscal years 1999 and 2000.

(2) CONSULTATIONS WITH CONGRESS.—The Secretary of State shall regularly consult with the appropriate congressional committees regarding the impact, if any, of the limitation in paragraph (1) on the maintenance of United States membership in such international organizations.

(h) FOREIGN CURRENCY EXCHANGE RATES.—

(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts authorized to be appropriated by subsection (a), there are authorized to be appropriated such sums as may be necessary for each of fiscal years 1998 and 1999 to offset adverse fluctuations in foreign currency exchange rates.

(2) AVAILABILITY OF FUNDS.—Amounts appropriated under this subsection shall be available for obligation and expenditure only to the extent that the Director of the Office of Management and Budget determines and certifies to Congress that such amounts are necessary due to such fluctuations.

(i) REFUND OF EXCESS CONTRIBUTIONS.—The United States shall continue to insist that the United Nations and its specialized and affiliated agencies shall credit or refund to each member of the agency concerned its proportionate share of the amount by which the total contributions to the agency exceed the expenditures of the regular assessed budgets of these agencies.

SEC. 2102. CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated under the heading ''Contributions for International Peacekeeping Activities'' $210,000,000 for the fiscal year 1998 and $220,000,000 for the fiscal year 1999 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

(b) CODIFICATION OF REQUIRED NOTICE OF PROPOSED UNITED NATIONS PEACEKEEPING OPERATIONS.—

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

(A) in subsection (a), by striking the second sentence; and

(B) by striking subsection (e) and inserting the following:

''(e) CONSULTATIONS AND REPORTS ON UNITED NATIONS PEACEKEEPING OPERATIONS.—

''(1) CONSULTATIONS.—Each month the President shall consult with Congress on the status of United Nations peacekeeping operations.

''(2) INFORMATION TO BE PROVIDED.—In connection with such consultations, the following information shall be provided each month to the designated congressional committees:

''(A) With respect to ongoing United Nations peacekeeping operations, the following:

''(i) A list of all resolutions of the United Nations Security Council anticipated to be voted on during such month that would extend or change the mandate of any United Nations peacekeeping operation.

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

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

''(iv) Any anticipated significant changes in United States participation in or support for each such operation during the period covered by the resolution (including the provision of facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.)), and the estimated costs to the United States of such changes.

''(B) With respect to each new United Nations peacekeeping operation that is anticipated to be authorized by a Security Council resolution during such month, the following information for the period covered by the resolution:

''(i) The anticipated duration, mandate, the command and control arrangements of such operation, the planned exit strategy, and the vital national interest to be served.

''(ii) An estimate of the total cost to the United Nations of the operation, and an estimate of the amount of that cost that will be assessed to the United States.

''(iii) A description of the functions that would be performed by any United States Armed Forces participating in or otherwise operating in support of the operation, an estimate of the number of members of the Armed Forces that will participate in or otherwise operate in support of the operation, and an estimate of the cost to the United States of such participation or support.

''(iv) A description of any other United States assistance to or support for the operation (including the provision of facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.)) and an estimate of the cost to the United States of such assistance or support.

''(v) A reprogramming of funds pursuant to section 34 of the State Department Basic Authorities Act of 1956, submitted in accordance with the procedures set forth in such section, describing the source of funds that will be used to pay for the cost of the new United Nations peacekeeping operation, provided that such notification shall also be submitted to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate.

''(3) FORM AND TIMING OF INFORMATION.—

''(A) FORM.—The President shall submit information under clauses (i) and (iii) of paragraph (2)(A) in writing.

''(B) TIMING.—

''(i) ONGOING OPERATIONS.—The information required under paragraph (2)(A) for a month shall be submitted not later than the 10th day of the month.

''(ii) NEW OPERATIONS.—The information required under paragraph (2)(B) shall be submitted in writing with respect to each new United Nations peacekeeping operation not less than 15 days before the anticipated date of the vote on the resolution concerned unless the President determines that exceptional circumstances prevent compliance with the requirement to report 15 days in advance. If the President makes such a determination, the information required under paragraph (2)(B) shall be submitted as far in advance of the vote as is practicable.

''(4) NEW UNITED NATIONS PEACEKEEPING OPERATION DEFINED.—As used in paragraph (2), the term 'new United Nations peacekeeping operation' includes any existing or otherwise ongoing United Nations peacekeeping operation—

''(A) where the authorized force strength is to be expanded;

''(B) that is to be authorized to operate in a country in which it was not previously authorized to operate; or

''(C) the mandate of which is to be changed so that the operation would be engaged in significant additional or significantly different functions.

''(5) NOTIFICATION AND QUARTERLY REPORTS REGARDING UNITED STATES ASSISTANCE.—

''(A) NOTIFICATION OF CERTAIN ASSISTANCE.—

''(i) IN GENERAL.—The President shall notify the designated congressional committees at least 15 days before the United States provides any assistance to the United Nations to support peacekeeping operations.

''(ii) EXCEPTION.—This subparagraph does not apply to—

''(I) assistance having a value of less than $3,000,000 in the case of nonreimbursable assistance or less than $14,000,000 in the case of reimbursable assistance; or

''(II) assistance provided under the emergency drawdown authority of sections 506(a)(1) and 552(c)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1) and 2348a(c)(2)).

''(B) QUARTERLY REPORTS.—

''(i) IN GENERAL.—The President shall submit quarterly reports to the designated congressional committees on all assistance provided by the United States during the preceding calendar quarter to the United Nations to support peacekeeping operations.

''(ii) MATTERS INCLUDED.—Each report under this subparagraph shall describe the assistance provided for each such operation, listed by category of assistance.

''(iii) FOURTH QUARTER REPORT.—The report under this subparagraph for the fourth calendar quarter of each year shall be submitted as part of the annual report required by subsection (d)

and shall include cumulative information for the preceding calendar year.

''(f) DESIGNATED CONGRESSIONAL COMMITTEES.—In this section, the term 'designated congressional committees' means the Committee on Foreign Relations and the Committee on Appropriations of the Senate and the Committee on International Relations and the Committee on Appropriations of the House of Representatives.''.

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

(c) RELATIONSHIP TO OTHER NOTICE REQUIREMENTS.—Section 4 of the United Nations Participation Act of 1945, as amended by subsection (b), is further amended by adding at the end the following:

''(g) RELATIONSHIP TO OTHER NOTIFICATION REQUIREMENTS.—Nothing in this section is intended to alter or supersede any notification requirement with respect to peacekeeping operations that is established under any other provision of law.''.

TITLE XXII—UNITED NATIONS ACTIVITIES

SEC. 2201. UNITED NATIONS POLICY ON ISRAEL AND THE PALESTINIANS.

(a) CONGRESSIONAL STATEMENT.—It shall be the policy of the United States to promote an end to the persistent inequity experienced by Israel in the United Nations whereby Israel is the only longstanding member of the organization to be denied acceptance into any of the United Nation's regional blocs.

(b) POLICY ON ABOLITION OF CERTAIN UNITED NATIONS GROUPS.—It shall be the policy of the United States to seek abolition of certain United Nations groups the existence of which is inimical to the ongoing Middle East peace process, those groups being the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories; the Committee on the Exercise of the Inalienable Rights of the Palestinian People; the Division for the Palestinian Rights; and the Division on Public Information on the Question of Palestine.

(c) ANNUAL REPORTS.—On January 15 of each year, the Secretary of State shall submit a report to the appropriate congressional committees (in classified or unclassified form as appropriate) on—

(1) actions taken by representatives of the United States to encourage the nations of the Western Europe and Others Group (WEOG) to accept Israel into their regional bloc;

(2) other measures being undertaken, and which will be undertaken, to ensure and promote Israel's full and equal participation in the United Nations; and

(3) steps taken by the United States to secure abolition by the United Nations of groups under subsection (b).

(d) ANNUAL CONSULTATION.—At the time of the submission of each annual report under subsection (c), the Secretary of State shall consult with the appropriate congressional committees on specific responses received by the Secretary of State from each of the nations of the Western Europe and Others Group (WEOG) on their position concerning Israel's acceptance into their organization.

SEC. 2202. DATA ON COSTS INCURRED IN SUPPORT OF UNITED NATIONS PEACEKEEPING OPERATIONS.

Chapter 6 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2348 et seq.) is amended by adding at the end the following:

''SEC. 554. DATA ON COSTS INCURRED IN SUPPORT OF UNITED NATIONS PEACEKEEPING OPERATIONS.

''(a) UNITED STATES COSTS.—The United States shall annually provide to the Secretary General of the United Nations data regarding all costs incurred by the United States in support of all United Nations peacekeeping operations.

''(b) UNITED NATIONS MEMBER COSTS.—The United States shall request that the United Nations compile and publish information concerning costs incurred by United Nations members in support of such operations.''.

SEC. 2203. REIMBURSEMENT FOR GOODS AND SERVICES PROVIDED BY THE UNITED STATES TO THE UNITED NATIONS.

The United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding at the end the following new section:

''SEC. 10. REIMBURSEMENT FOR GOODS AND SERVICES PROVIDED BY THE UNITED STATES TO THE UNITED NATIONS.

''(a) REQUIREMENT TO OBTAIN REIMBURSEMENT.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the President shall seek and obtain in a timely fashion a commitment from the United Nations to provide reimbursement to the United States from the United Nations whenever the United States Government furnishes assistance pursuant to the provisions of law described in subsection (c)—

''(A) to the United Nations when the assistance is designed to facilitate or assist in carrying out an assessed peacekeeping operation;

''(B) for any United Nations peacekeeping operation that is authorized by the United Nations Security Council under Chapter VI or Chapter VII of the United Nations Charter and paid for by peacekeeping or regular budget assessment of the United Nations members; or

''(C) to any country participating in any operation authorized by the United Nations Security Council under Chapter VI or Chapter VII of the United Nations Charter and paid for by peacekeeping assessments of United Nations members when the assistance is designed to facilitate or assist the participation of that country in the operation.

''(2) EXCEPTIONS.—(A) The requirement in paragraph (1) shall not apply to—

''(i) goods and services provided to the United States Armed Forces;

''(ii) assistance having a value of less than $3,000,000 per fiscal year per operation;

''(iii) assistance furnished before the date of enactment of this section;

''(iv) salaries and expenses of civilian police and other civilian and military monitors where United Nations policy is to require payment by contributing members for similar assistance to United Nations peacekeeping operations; or

''(v) any assistance commitment made before the date of enactment of the United Nations Reform Act of 1998.

''(B) The requirements of subsection (d)(1)(B) shall not apply to the deployment of United States military forces when the President determines that such deployment is important to the security interests of the United States. The cost of such deployment shall be included in the data provided under section 554 of the Foreign Assistance Act of 1961.

''(3) FORM AND AMOUNT.—

''(A) AMOUNT.—The amount of any reimbursement under this subsection shall be determined at the usual rate established by the United Nations.

''(B) FORM.—Reimbursement under this subsection may include credits against the United States assessed contributions for United States peacekeeping operations, if the expenses incurred by any United States department or agency providing the assistance have first been reimbursed.

''(b) TREATMENT OF REIMBURSEMENTS.—

''(1) CREDIT.—The amount of any reimbursement paid the United States under subsection (a) shall be credited to the current applicable appropriation, fund, or account of the United States department or agency providing the assistance for which the reimbursement is paid.

''(2) AVAILABILITY.—Amounts credited under paragraph (1) shall be merged with the appropriations, or with appropriations in the fund or account, to which credited and shall be available for the same purposes, and subject to the same conditions and limitations, as the appropriations with which merged.

''(c) COVERED ASSISTANCE.—Subsection (a) applies to assistance provided under the following provisions of law:

''(1) Sections 6 and 7 of this Act.

''(2) Sections 451, 506(a)(1), 516, 552(c), and 607 of the Foreign Assistance Act of 1961.

''(3) Any other provisions of law pursuant to which assistance is provided by the United States to carry out the mandate of an assessed United Nations peacekeeping operation.

''(d) WAIVER.—

''(1) AUTHORITY.—

''(A) IN GENERAL.—The President may authorize the furnishing of assistance covered by this section without regard to subsection (a) if the President determines, and so notifies in writing the Committee on Foreign Relations of the Senate and the Speaker of the House of Representatives, that to do so is important to the security interests of the United States.

''(B) CONGRESSIONAL NOTIFICATION.—When exercising the authorities of subparagraph (A), the President shall notify the appropriate congressional committees in accordance with the procedures applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961.

''(2) CONGRESSIONAL REVIEW.—Notwithstanding a notice under paragraph (1) with respect to assistance covered by this section, subsection (a) shall apply to the furnishing of the assistance if, not later than 15 calendar days after receipt of a notification under that paragraph, the Congress enacts a joint resolution disapproving the determination of the President contained in the notification.

''(3) SENATE PROCEDURES.—Any joint resolution described in paragraph (2) shall be considered in the Senate in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976.

''(e) RELATIONSHIP TO OTHER REIMBURSEMENT AUTHORITY.—Nothing in this section shall preclude the President from seeking reimbursement for assistance covered by this section that is in addition to the reimbursement sought for the assistance under subsection (a).

''(f) DEFINITION.—In this section, the term 'assistance' includes personnel, services, supplies, equipment, facilities, and other assistance if such assistance is provided by the Department of Defense or any other United States Government agency.''.

SEC. 2204. UNITED STATES POLICY REGARDING UNITED NATIONS PEACEKEEPING OPERATIONS.

It shall be the policy of the United States—

(1) to ensure that major peacekeeping operations (in general, those comprised of more than 10,000 troops) authorized by the United Nations Security Council under Chapter VII of the United Nations Charter (or missions such as the United Nations Protection Force (UNPROFOR)) are undertaken by a competent regional organization or a multinational force, and not established as a peacekeeping operation under United Nations operational control which would be paid for by assessment of United Nations members;

(2) to consider, on a case-by-case basis, whether it is in the national interest of the United States to agree that smaller peacekeeping operations authorized by the United Nations Security Council under Chapter VII of the United Nations Charter and paid for by assessment of United Nations members (such as the United Nations Transitional Authority in Slavonia (UNTAES)) should be established as peacekeeping operations under United Nations operational control which would be paid for by assessment of United Nations members; and

(3) to oppose the establishment of United Nations peace operations approved by the General Assembly and funded out of the regular budget of the United Nations.

SEC. 2205. REFORM IN BUDGET DECISIONMAKING PROCEDURES OF THE UNITED NATIONS AND ITS SPECIALIZED AGENCIES.

For the fiscal year 1999, the President may withhold funds for the United States assessed contribution to the United Nations or to any of its specialized agencies in the same percentage and subject to the same requirements as are applicable to the withholding of funds under section 409 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 287e note).

SEC. 2206. CONTINUED EXTENSION OF PRIVILEGES, EXEMPTIONS, AND IMMUNITIES OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT TO UNIDO.

Section 12 of the International Organizations Immunities Act (22 U.S.C. 288f–2) is amended by inserting ''and the United Nations Industrial Development Organization'' after ''International Labor Organization''.

SEC. 2207. SENSE OF THE CONGRESS REGARDING COMPLIANCE WITH CHILD AND SPOUSAL SUPPORT OBLIGATIONS BY UNITED NATIONS PERSONNEL.

(a) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) all United Nations staff, including diplomats, should comply with binding United States Federal, State, and local court orders regarding child and spousal support obligations;

(2) the internal regulations of the United Nations allows—

(A) the United Nations to release staff salary information to the courts in spousal and child support cases;

(B) the Secretary General to authorize deduction of dependency related allowances from staff salary;

(C) the United Nations to cooperate with appropriate authorities to facilitate proper legal or judicial resolution of the family's claim.

(b) CONGRESSIONAL STATEMENT.—The Secretary of State should urge the United Nations to comply fully with regulations regarding compliance with child and spousal support obligations by United Nations personnel, in a timely manner and to the fullest extent possible.

TITLE XXIII—ARREARS PAYMENTS AND REFORM

CHAPTER 1—ARREARAGES TO THE UNITED NATIONS

Subchapter A—Authorization of Appropriations; Obligation and Expenditure of Funds

SEC. 2301. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL.—There are authorized to be appropriated to the Department of State for payment of arrearages owed by the United States described in subsection (b) as of September 30, 1997—

(1) $100,000,000 for fiscal year 1998;

(2) $475,000,000 for fiscal year 1999; and

(3) $244,000,000 for fiscal year 2000.

(b) LIMITATION.—Amounts made available under subsection (a) are authorized to be available only—

(1) to pay the United States share of assessments for the regular budget of the United Nations;

(2) to pay the United States share of United Nations peacekeeping operations;

(3) to pay the United States share of United Nations specialized agencies; and

(4) to pay the United States share of other international organizations.

(c) AVAILABILITY OF FUNDS.—Amounts appropriated pursuant to subsection (a) are authorized to remain available until expended.

(d) STATUTORY CONSTRUCTION.—For purposes of payments made pursuant to subsection (a), section 404(b)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103–236) shall not apply to United Nations peacekeeping operation assessments received by the United States prior to October 1, 1995.

SEC. 2302. OBLIGATION AND EXPENDITURE OF FUNDS.

(a) IN GENERAL.—Funds made available pursuant to section 2301 may be obligated and expended only if the requirements of subsections (b) and (c) of this section are satisfied.

(b) OBLIGATION AND EXPENDITURE UPON SATISFACTION OF CERTIFICATION REQUIREMENTS.—Subject to subsection (e), funds made available pursuant to section 2301 may be obligated and expended only in the following allotments and upon the following certifications:

(1) Amounts authorized to be appropriated for fiscal year 1998, upon the certification described in section 2311.

(2) Amounts authorized to be appropriated for fiscal year 1999, upon the certification described in section 2321.

(3) Amounts authorized to be appropriated for fiscal year 2000, upon the certification described in section 2331.

(c) ADVANCE CONGRESSIONAL NOTIFICATION.—Funds made available pursuant to section 2301 may be obligated and expended only if the appropriate certification has been submitted to the appropriate congressional committees 30 days prior to the payment of the funds.

(d) TRANSMITTAL OF CERTIFICATIONS.—Certifications made under this chapter shall be transmitted by the Secretary of State to the appropriate congressional committees.

(e) WAIVER AUTHORITY.—

(1) FISCAL YEAR 1999 FUNDS.—Subject to paragraph (3) and notwithstanding subsection (b), funds made available under section 2301 may be obligated or expended pursuant to subsection (b)(2) even if the Secretary of State cannot certify that one of the following three conditions has been satisfied:

(A) The condition described in section 2321(b)(1).

(B) The condition described in section 2321(b)(4).

(C) The condition described in section 2321(b)(5).

(2) FISCAL YEAR 2000 FUNDS.—Subject to paragraph (3) and notwithstanding subsection (b), funds made available under section 2301 may be obligated or expended pursuant to subsection (b)(3) even if the Secretary of State cannot certify that one of the following seven conditions has been satisfied: A condition described in paragraph (3), (4), (5), (6), (7), (8),or (9) of section 2331(b).

(3) REQUIREMENTS.—

(A) IN GENERAL.—The authority to waive a condition under paragraph (1) or (2) of this subsection may be exercised only if—

(i) the Secretary of State determines that substantial progress towards satisfying the condition has been made and that the expenditure of funds pursuant to that paragraph is important to the interests of the United States; and

(ii) the Secretary of State has notified, and consulted with, the appropriate congressional committees prior to exercising the authority.

(B) EFFECT ON SUBSEQUENT CERTIFICATION.—If the Secretary of State exercises the authority of paragraph (1) with respect to a condition, such condition shall be deemed to have been satisfied for purposes of making any certification under section 2331.

(4) ADDITIONAL REQUIREMENT.—If the authority to waive a condition under paragraph (1)(A) is exercised, the Secretary of State shall notify the United Nations that the Congress does not consider the United States obligated to pay, and does not intend to pay, arrearages that have not been included in the contested arrearages account or other mechanism described in section 2321(b)(1).

SEC. 2303. FORGIVENESS OF AMOUNTS OWED BY THE UNITED NATIONS TO THE UNITED STATES.

(a) FORGIVENESS OF INDEBTEDNESS.—Subject to subsection (b), the President is authorized to forgive or reduce any amount owed by the United Nations to the United States as a reimbursement, including any reimbursement payable under the Foreign Assistance Act of 1961 or the United Nations Participation Act of 1945.

(b) LIMITATIONS.—

(1) TOTAL AMOUNT.—The total of amounts forgiven or reduced under subsection (a) may not exceed $107,000,000.

(2) RELATION TO UNITED STATES ARREARAGES.—Amounts shall be forgiven or reduced under this section only to the same extent as the United Nations forgives or reduces amounts owed by the United States to the United Nations as of September 30, 1997.

(c) REQUIREMENTS.—The authority in subsection (a) shall be available only to the extent and in the amounts provided in advance in appropriations Acts.

(d) CONGRESSIONAL NOTIFICATION.—Before exercising any authority in subsection (a), the President shall notify the appropriate congressional committees in accordance with the same procedures as are applicable to reprogramming notifications under section 634A of the Foreign Assistance Act of 1961 (22 U.S.C. 2394–1).

(e) EFFECTIVE DATE.—This section shall take effect on the later of—

(1) the date a certification is transmitted to the appropriate congressional committees under section 2331; or

(2) October 1, 1999.

Subchapter B—United States Sovereignty

SEC. 2311. CERTIFICATION REQUIREMENTS.

(a) CONTENTS OF CERTIFICATION.—A certification described in this section is a certification by the Secretary of State that the following conditions are satisfied:

(1) SUPREMACY OF THE UNITED STATES CONSTITUTION.—No action has been taken by the United Nations or any of its specialized or affiliated agencies that requires the United States to violate the United States Constitution or any law of the United States.

(2) NO UNITED NATIONS SOVEREIGNTY.—Neither the United Nations nor any of its specialized or affiliated agencies—

(A) has exercised sovereignty over the United States; or

(B) has taken any steps that require the United States to cede sovereignty.

(3) NO UNITED NATIONS TAXATION.—

(A) NO LEGAL AUTHORITY.—Except as provided in subparagraph (D), neither the United Nations nor any of its specialized or affiliated agencies has the authority under United States law to impose taxes or fees on United States nationals.

(B) NO TAXES OR FEES.—Except as provided in subparagraph (D), a tax or fee has not been imposed on any United States national by the United Nations or any of its specialized or affiliated agencies.

(C) NO TAXATION PROPOSALS.—Except as provided in subparagraph (D), neither the United Nations nor any of its specialized or affiliated agencies has, on or after October 1, 1996, officially approved any formal effort to develop, advocate, or promote any proposal concerning the imposition of a tax or fee on any United States national in order to raise revenue for the United Nations or any such agency.

(D) EXCEPTION.—This paragraph does not apply to—

(i) fees for publications or other kinds of fees that are not tantamount to a tax on United States citizens;

(ii) the World Intellectual Property Organization; or

(iii) the staff assessment costs of the United Nations and its specialized or affiliated agencies.

(4) NO STANDING ARMY.—The United Nations has not, on or after October 1, 1996, budgeted any funds for, nor taken any official steps to develop, create, or establish any special agreement under Article 43 of the United Nations Charter to make available to the United Nations, on its call, the armed forces of any member of the United Nations.

(5) NO INTEREST FEES.—The United Nations has not, on or after October 1, 1996, levied interest penalties against the United States or any interest on arrearages on the annual assessment of the United States, and neither the United Nations nor its specialized agencies have, on or after October 1, 1996, amended their financial regulations or taken any other action that would permit interest penalties to be levied against the United States or otherwise charge the United States any interest on arrearages on its annual assessment.

(6) UNITED STATES REAL PROPERTY RIGHTS.—Neither the United Nations nor any of its specialized or affiliated agencies has exercised authority or control over any United States national park, wildlife preserve, monument, or real property, nor has the United Nations nor any of its specialized or affiliated agencies implemented plans, regulations, programs, or agreements that exercise control or authority over the private real property of United States citizens located in the United States without the approval of the property owner.

(7) TERMINATION OF BORROWING AUTHORITY.—

(A) PROHIBITION ON AUTHORIZATION OF EXTERNAL BORROWING.—On or after the date of enactment of this Act, neither the United Nations nor any specialized agency of the United Nations has amended its financial regulations to permit external borrowing.

(B) PROHIBITION OF UNITED STATES PAYMENT OF INTEREST COSTS.—The United States has not, on or after October 1, 1984, paid its share of any interest costs made known to or identified by the United States Government for loans incurred, on or after October 1, 1984, by the United Nations or any specialized agency of the United Nations through external borrowing.

(b) TRANSMITTAL.—The Secretary of State may transmit a certification under subsection (a) at any time during fiscal year 1998 or thereafter if the requirements of the certification are satisfied.

Subchapter C—Reform of Assessments and United Nations Peacekeeping Operations

SEC. 2321. CERTIFICATION REQUIREMENTS.

(a) IN GENERAL.—A certification described in this section is a certification by the Secretary of State that the conditions in subsection (b) are satisfied. Such certification shall not be made by the Secretary if the Secretary determines that any of the conditions set forth in section 2311 are no longer satisfied.

(b) CONDITIONS.—The conditions under this subsection are the following:

(1) CONTESTED ARREARAGES.—The United Nations has established an account or other appropriate mechanism with respect to all United States arrearages incurred before the date of enactment of this Act with respect to which payments are not authorized by this Act, and the failure to pay amounts specified in the account do not affect the application of Article 19 of the Charter of the United Nations. The account established under this paragraph may be referred to as the ''contested arrearages account''.

(2) LIMITATION ON ASSESSED SHARE OF BUDGET FOR UNITED NATIONS PEACEKEEPING OPERATIONS.—The assessed share of the budget for each assessed United Nations peacekeeping operation does not exceed 25 percent for any single United Nations member.

(3) LIMITATION ON ASSESSED SHARE OF REGULAR BUDGET FOR THE DESIGNATED SPECIALIZED AGENCIES.—The share of the total of all assessed contributions for the regular budget of the United Nations or any designated specialized agency does not exceed 22 percent for any single United Nations member.

(4) REVIEW OF REGULAR BUDGET-FUNDED PEACE OPERATIONS.—The mandates of the United Nations Truce Supervision Organization (UNTSO) and the United Nations Military Observer Group in India and Pakistan (UNMOGIP) are reviewed annually by the Security Council, and are subject to the notification requirements pursuant to section 4(e) of the United Nations Participation Act of 1945, as amended by section 2102(b) of this Act.

(5) PROCUREMENT.—

(A) PROHIBITION ON PUNITIVE ACTIONS.—The United Nations has implemented a system that prohibits punitive actions, such as suspension of contract eligibility against contractors on the basis that they have challenged contract awards or complained about delayed payments.

(B) PUBLIC ANNOUNCEMENT OF CERTAIN CONTRACT AWARDS.—The United Nations has implemented a system for public announcement of the award of any contract over $100,000.

(C) NOTIFICATION OF UNSUCCESSFUL BIDDERS.—The United Nations has implemented a system to notify unsuccessful bidders for contracts and to provide an explanation upon request of the reason for rejection of their bids.

(D) PERIODIC REPORTING TO UNITED NATIONS MEMBERS.—The United Nations reports to all United Nations members on a regular basis the value and a brief description of local procurement contracts awarded in excess of $70,000.

Subchapter D—Budget and Personnel Reform

SEC. 2331. CERTIFICATION REQUIREMENTS.

(a) IN GENERAL.—A certification described in this section is a certification by the Secretary of State that the following conditions in subsection (b) are satisfied. Such certification shall not be made by the Secretary if the Secretary determines that any of the conditions set forth in sections 2311 and 2321 are no longer satisfied.

(b) CONDITIONS.—The conditions under this subsection are the following:

(1) LIMITATION ON ASSESSED SHARE OF REGULAR BUDGET.—The share of the total of all assessed contributions for the regular budget of the United Nations, or any designated specialized agency of the United Nations, does not exceed 20 percent for any single United Nations member.

(2) INSPECTORS GENERAL FOR CERTAIN ORGANIZATIONS.—

(A) ESTABLISHMENT OF OFFICES.—Each designated specialized agency has established an independent office of inspector general to conduct and supervise objective audits, inspections, and investigations relating to the programs and operations of the organization.

(B) APPOINTMENT OF INSPECTORS GENERAL.—The Director General of each designated specialized agency has appointed an inspector general, with the approval of the member states, and that appointment was made principally on the basis of the appointee's integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations.

(C) ASSIGNED FUNCTIONS.—Each inspector general appointed under subparagraph (A) is authorized to—

(i) make investigations and reports relating to the administration of the programs and operations of the agency concerned;

(ii) have access to all records, documents, and other available materials relating to those programs and operations of the agency concerned; and

(iii) have direct and prompt access to any official of the agency concerned.

(D) COMPLAINTS.—Each designated specialized agency has procedures in place designed to protect the identity of, and to prevent reprisals against, any staff member making a complaint or disclosing information to, or cooperating in any investigation or inspection by, the inspector general of the agency.

(E) COMPLIANCE WITH RECOMMENDATIONS.—Each designated specialized agency has in place procedures designed to ensure compliance with the recommendations of the inspector general of the agency.

(F) AVAILABILITY OF REPORTS.—Each designated specialized agency has in place procedures to ensure that all annual and other relevant reports submitted by the inspector general to the agency are made available to the member states without modification except to the extent necessary to protect the privacy rights of individuals.

(3) NEW BUDGET PROCEDURES FOR THE UNITED NATIONS.—The United Nations has established and is implementing budget procedures that—

(A) require the maintenance of a budget not in excess of the level agreed to by the General Assembly at the beginning of each United Nations budgetary biennium, unless increases are agreed to by consensus; and

(B) require the systemwide identification of expenditures by functional categories such as personnel, travel, and equipment.

(4) SUNSET POLICY FOR CERTAIN UNITED NATIONS PROGRAMS.—

(A) EXISTING AUTHORITY.—The Secretary General and the Director General of each designated specialized agency have used their existing authorities to require program managers within the United Nations Secretariat and the Secretariats of the designated specialized agencies to conduct evaluations of United Nations programs approved by the General Assembly and of programs of the designated specialized agencies in accordance with the standardized methodology referred to in subparagraph (B).

(B) DEVELOPMENT OF EVALUATION CRITERIA.—

(i) UNITED NATIONS.—The Office of Internal Oversight Services has developed a standardized methodology for the evaluation of United Nations programs approved by the General Assembly, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(ii) DESIGNATED SPECIALIZED AGENCIES.—Patterned on the work of the Office of Internal Oversight Services of the United Nations, each designated specialized agency has developed a standardized methodology for the evaluation of programs of designated specialized agencies, including specific criteria for determining the continuing relevance and effectiveness of the programs.

(C) PROCEDURES.—Consistent with the July 16, 1997, recommendations of the Secretary General of the United Nations regarding a sunset policy and results-based budgeting for United Nations programs, the United Nations and each designated specialized agency has established and is implementing procedures—

(i) requiring the Secretary General or the Director General of the agency, as the case may be, to report on the results of evaluations referred to in this paragraph, including the identification of programs that have met criteria for continuing relevance and effectiveness and proposals to terminate or modify programs that have not met such criteria; and

(ii) authorizing an appropriate body within the United Nations or the agency, as the case may be, to review each evaluation referred to in this paragraph and report to the General Assembly on means of improving the program concerned or on terminating the program.

(D) UNITED STATES POLICY.—It shall be the policy of the United States to seek adoption by the United Nations of a resolution requiring that each United Nations program approved by the General Assembly, and to seek adoption by each designated specialized agency of a resolution requiring that each program of the agency, be subject to an evaluation referred to in this paragraph and have a specific termination date so that the program will not be renewed unless the evaluation demonstrates the continuing relevance and effectiveness of the program.

(E) DEFINITION.—For purposes of this paragraph, the term ''United Nations program approved by the General Assembly'' means a program approved by the General Assembly of the

United Nations, which is administered or funded by the United Nations.

(5) UNITED NATIONS ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS.—

(A) IN GENERAL.—The United States has a seat on the United Nations Advisory Committee on Administrative and Budgetary Questions or the five largest member contributors each have a seat on the Advisory Committee.

(B) DEFINITION.—As used in this paragraph, the term ''5 largest member contributors'' means the 5 United Nations member states that, during a United Nations budgetary biennium, have more total assessed contributions than any other United Nations member state to the aggregate of the United Nations regular budget and the budget (or budgets) for United Nations peacekeeping operations.

(6) ACCESS BY THE GENERAL ACCOUNTING OFFICE.—The United Nations has in effect procedures providing access by the United States General Accounting Office to United Nations financial data to assist the Office in performing nationally mandated reviews of United Nations operations.

(7) PERSONNEL.—

(A) APPOINTMENT AND SERVICE OF PERSONNEL.—The Secretary General—

(i) has established and is implementing procedures that ensure that staff employed by the United Nations is appointed on the basis of merit consistent with Article 101 of the United Nations Charter; and

(ii) is enforcing those contractual obligations requiring worldwide availability of all professional staff of the United Nations to serve and be relocated based on the needs of the United Nations.

(B) CODE OF CONDUCT.—The General Assembly has adopted, and the Secretary General has the authority to enforce and is effectively enforcing, a code of conduct binding on all United Nations personnel, including the requirement of financial disclosure statements binding on senior United Nations personnel and the establishment of rules against nepotism that are binding on all United Nations personnel.

(C) PERSONNEL EVALUATION SYSTEM.—The United Nations has adopted and is enforcing a personnel evaluation system.

(D) PERIODIC ASSESSMENTS.—The United Nations has established and is implementing a mechanism to conduct periodic assessments of the United Nations payroll to determine total staffing, and the results of such assessments are reported in an unabridged form to the General Assembly.

(E) REVIEW OF UNITED NATIONS ALLOWANCE SYSTEM.—The United States has completed a thorough review of the United Nations personnel allowance system. The review shall include a comparison of that system with the United States civil service, and shall make recommendations to reduce entitlements to allowances and allowance funding levels from the levels in effect on January 1, 1998.

(8) REDUCTION IN BUDGET AUTHORITIES.—The designated specialized agencies have achieved a negative growth budget in their biennium budgets for 2000–01 from the 1998–99 biennium budget levels of the respective agencies.

(9) NEW BUDGET PROCEDURES AND FINANCIAL REGULATIONS.—Each designated specialized agency has established procedures to—

(A) require the maintenance of a budget that does not exceed the level agreed to by the member states of the organization at the beginning of each budgetary biennium, unless increases are agreed to by consensus;

(B) require the identification of expenditures by functional categories such as personnel, travel, and equipment; and

(C) require approval by the member states of the agency's supplemental budget requests to the Secretariat in advance of expenditures under those requests.

CHAPTER 2—MISCELLANEOUS PROVISIONS

SEC. 2341. STATUTORY CONSTRUCTION ON RELATION TO EXISTING LAWS.

Except as otherwise specifically provided, nothing in this title may be construed to make available funds in violation of any provision of law containing a specific prohibition or restriction on the use of the funds, including section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note) and section 151 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 287e note), and section 404 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 287e note).

SEC. 2342. PROHIBITION ON PAYMENTS RELATING TO UNIDO AND OTHER INTERNATIONAL ORGANIZATIONS FROM WHICH THE UNITED STATES HAS WITHDRAWN OR RESCINDED FUNDING.

None of the funds authorized to be appropriated by this division shall be used to pay any arrearage for—

(1) the United Nations Industrial Development Organization;

(2) any costs to merge that organization into the United Nations;

(3) the costs associated with any other organization of the United Nations from which the United States has withdrawn including the costs of the merger of such organization into the United Nations; or

(4) the World Tourism Organization, or any other international organization with respect to which Congress has rescinded funding.

And the Senate agree to the same.

For consideration of the House bill and the Senate amendment, and modifications committed to conference:

BENJAMIN A. GILMAN,
HENRY HYDE,
CHRISTOPHER H. SMITH,

For consideration of the House bill (except title XXI) and the Senate amendment, and modifications committed to conference:

WILLIAM GOODLING,
DAN BURTON,
DOUG BEREUTER,
Managers on the part of the House.

JESSE HELMS,
PAUL COVERDELL,
CHUCK HAGEL,
ROD GRAMS,
Managers on the part of the Senate.

JOINT EXPLANATORY STATEMENT OF THE COMMITTEE OF CONFERENCE

The managers on the part of the House and the Senate at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and to ensure that the enlargement of the North Atlantic Treaty Organization (NATO) proceeds in a manner consistent with United States interests, to strengthen relations between the United States and Russia, to preserve the prerogatives of the Congress with respect to certain arms control agreements, and for other purposes, submit the following joint statement to the House and the Senate in explanation of the effect of the action agreed upon by the managers and recommended in the accompanying conference report:

DIVISION A—FOREIGN AFFAIRS REFORM AND RESTRUCTURING

USIA AND BROADCASTING

Section 313 of the Senate bill provides for the creation of a new Under Secretary of State for Public Diplomacy. It should be noted that it is slightly different from the original Senate-passed bill (S. 903) in delineating the duties of this Under Secretary. Specifically, Section 313 provides that the Under Secretary will have primary responsibility for assisting the Secretary and Deputy Secretary in carrying out the public diplomacy function. Additionally, although the bill provides, as did the original Senate bill, that the new Under Secretary will have responsibility for assisting the Secretary and Deputy Secretary with regard to international broadcasting, the authorities of the Department of State with regard to broadcasting are limited. While the Secretary has a seat and vote on the Broadcasting Board of Governors, and she provides foreign policy guidance to the Board, neither she nor the Under Secretary will have specific supervisory powers over the international broadcasting function; those powers are vested in the Broadcasting Board of Governors, as explained below.

Chapter 3 of Title III provides for the organization of all U.S.-sponsored international broadcasting. It is very similar to the original Senate bill (S. 903), with several modifications. The central element of this chapter is that the current Broadcasting Board of Governors—which supervises international broadcasting, but is currently part of the U.S. Information Agency—will remain in place, but it will not be merged into the Department of State. Instead, the Board will become an independent federal establishment.

The Broadcasting Board of Governors was established by the United States International Broadcasting Act of 1994 (Title III of the Foreign Relations Authorization Act for Fiscal Years 1994–1995, P.L. 103–236). In that Act, Congress consolidated all U.S.-sponsored international broadcasting—the Voice of America (VOA), Radio and TV Marti, Worldnet TV, Radio Free Europe/Radio Liberty (RFE/RL), and Radio Free Asia (RFA)—under the direction and supervision of one governing board. The Board is part of the United States Information Agency, although in essence it is a self-contained unit within the Agency.

The bill does not alter the consolidation achieved in 1994, but it does prevent the Board and the international broadcasting entities from being merged into the State Department, where the credibility and journalistic integrity of the broadcasters would be threatened. The rationale for creating this arms-length distance from the State Department is two-fold: (1) to provide ''deniability'' for the Department when foreign governments voice their complaints about specific broadcasts; and (2) to provide a ''firewall'' between the Department and the broadcasters to ensure the integrity of the journalism.

Establishing this structure is not to deny that the broadcast entities are funded by the United States government—quite obviously, they are. This structure in no way should be construed to lessen the responsibility of the Board to ensure that U.S. broadcasts are ''consistent with the broad foreign policy objectives of the United States,'' as required by Section 303(a)(1) of the 1994 Broadcasting Act. For example, this legislation states that the VOA should continue to include editorials which present the views of U.S. policy. But the concepts of ''deniability'' and ''firewall'' are not merely diplomatic fictions. In truth, the State Department will be able to deny responsibility for a specific broadcast—because it will have denied itself the ability to directly affect the content of any specific broadcast. It can do so because the ''firewall'' will have operational meaning. Whenever a foreign government complains to a U.S. diplomat that a broadcast is inconsistent with U.S. foreign policy objectives, that diplomat can plausibly deny that the broadcast is ''not my department,'' and

refer their counterpart to the Board. The Board, in turn, will exercise its oversight duties to investigate the matter, take steps to influence overall broadcast policy to ensure that broadcasts are consistent with broad foreign policy objectives of the United States, but the journalists themselves will be shielded from political interference by State Department officials.

Of course, this bureaucratic separation does not mean that the broadcasters should remain aloof from U.S. foreign policy interests. Broadcasting is an important instrument of U.S. foreign policy, and should remain so. The broadcasting agencies would continue to serve the foreign policy needs of the U.S. government, and would be linked to the foreign affairs apparatus by what might be described as a ''dotted-line'' relationship to the State Department: (1) the Secretary of State would be a permanent voting member of the Board (as the USIA Director is now), would provide foreign policy guidance to the Board, and would be consulted about the addition or deletion of language services; (2) the VOA mission of telling America's story would remain intact, as would the VOA Charter; (3) the statutory requirements requiring that the broadcasts be consistent with the broad foreign policy objectives of the United States would remain intact; (4) the broadcasters would continue to have the capability to provide surge capacity to support broad U.S. foreign policy objectives during crises abroad.

Although the Board will be a federal agency, the work performed by the international broadcasting entities under it can hardly be described as a typical government function. Cynics may deride their work as ''propaganda,'' but in fact the broadcasters are journalists, reporting the news of the United States and the world to foreign audiences. The news gathering and reporting functions of the broadcasters must continue to be independent and objective. The broadcasters themselves understand the importance of this imperative. It is no accident that VOA employees treasure the VOA Charter, which states that the VOA will ''serve as a consistently reliable and authoritative source of news'' and that VOA news will be ''accurate, objective, and comprehensive.'' The employees do so because they take this command seriously. Similarly, the employees of the surrogate services—Radio and TV Marti, RFE/RL and RFA—are committed to the highest standards of professional journalism. Accuracy and credibility are their watchwords.

This credibility would be at risk if the various broadcast services were placed inside the Department of State, where they would be perceived by foreign audiences as mere adjuncts of the Department, and where they would be subject to the daily pressures of diplomacy. But in establishing this structure, it is not intended that the broadcasters will become unmoored from the broad objectives of American policy.

The provision in this bill also provides that the current Board members may complete their existing terms without being reappointed. Furthermore, they may be appointed to new terms when those terms expire.

It should be noted here that the bill does not include the original Senate proposal to create a separate Inspector General for broadcasting within the Broadcasting Board of Governors. Instead, that function will continue to be performed by the Inspector General of the Department of State. The bill states, however, that the Inspector General shall respect the journalistic integrity of all broadcasters covered by this title, and may not evaluate the philosophical or political perspectives reflected in the content of broadcasts. The Inspector General must take great care in reviewing broadcast operations, for, as noted earlier, international broadcasting is not a typical government function. The broadcasters are journalists, and the Inspector General must not be involved in second-guessing the daily decisions of journalists and their editors. To do so could have a chilling effect on the activities of the journalists. The Inspector General is currently conducting a review of the Cuba services of the Voice of America, known as Radio and TV Marti. She contends that this review is limited to analyzing whether the Martis have a process in place for assuring that broadcasts are consistent with broad U.S. foreign policy objectives. This provision is intended to ensure that any content review not cross this line drawn by the Inspector General.

In establishing the Broadcasting Board of Governors as an independent agency in the executive branch, several changes to existing law were made—and new authorities were provided to the Board. A few of these changes are highlighted below:

Section 323(d)) amends the ''standards and principles'' section of the 1994 Broadcasting Act in two respects. First, it makes clear that U.S. international broadcasting should include editorials broadcast by the Voice of America which present the views of the U.S. government (only the VOA performs this function). This provision and this title are not intended to change in any manner the current process for ensuring that editorials are consistent with U.S. policy. Second, this section states that international broadcasting should have the capability to provide surge capacity to support U.S. foreign policy objectives during crises abroad.

Sections 323(e) and 323(f) make several amendments to the authorities of the Board, which are set forth in Section 305 of the 1994 Broadcasting Act. First, it amends the statute to provide that the Board has the power to ''supervise'' all broadcasting activities; current law gives the Board the power to ''direct and supervise.'' This change is intended to clarify any confusion that may have been caused by the use of the word ''direct''. The word ''direct'' implies day-to-day management responsibilities, a function that is incongruous with a part-time oversight board. The daily operations of the broadcasters are conducted by the Director of the International Broadcasting Bureau, and the presidents of the respective grantees (RFE/RL and RFA), operating under the supervision of the Board.

Second, the bill requires the Board to consult with the Secretary of State in making its determinations on the addition or deletion of language services. This change is not intended to give the Secretary veto power over such decisions; at the end of the day, she has but one vote on the Board. The amendment does recognize, however, that the addition or deletion of language services has foreign policy implications, and that the Board should give careful consideration to the Secretary's views on such matters.

Third, the bill provides the Board with several additional legal authorities that are necessary for it to function as a separate federal agency. These are intended to ensure that the Board and the Director of the International Broadcasting Bureau have, for the purposes of carrying out their respective duties, all the authorities which are now available to the Director of the U.S. Information Agency on the day before the effective date of this division. It is intended that the Board and the Bureau be enabled thereby to operate utilizing the full range of the Director's administrative, technical, contracting, personnel, and all other authorities, including acquisition and disposal of international broadcasting facilities abroad, liberally interpreted, to carry out their functions.

Fourth, the bill provides the Board with the authority to procure, pursuant to the ''Economy Act,'' goods and services from other federal departments and agencies. In keeping the Board and the Bureau outside the State Department, it is not intended that these entities will grow significantly. The Bureau will likely need additional personnel to carry out certain administrative tasks now performed by the administrative offices of USIA. But some of these routine functions may just as easily—and perhaps more efficiently—be performed by existing federal agencies.

Finally, the bill provides authority for the Board to delegate certain authorities to the Director of the International Broadcasting Bureau, and any other officer or employee of the United States. It bears emphasis here that the Board need not do so, for the Board has a small professional staff which assists it to carry out its statutory functions; the provision simply provides the Board with the option to delegate certain authorities.

Section 323(j) of the bill makes two changes to current law with regard to the role of the Secretary of State. First, the bill amends current law to make clear that the Secretary's authority to provide foreign policy guidance to the Board may be exercised at her discretion.

Second, it authorizes the Secretary of State to use Worldnet broadcasts, on a nonreimbursable basis, for the purposes of continuing interactive dialogues with foreign media and other similar overseas public diplomacy programs sponsored by the State Department. ''Interactive dialogue'' is a term of art, which describes, in essence, press conferences between a U.S. policy maker (sitting in a studio in Washington), and foreign journalists (sitting in a U.S. Information Service post or other facility overseas). This is a public diplomacy function that should be under the policy control of the State Department after the integration of USIA into the Department. Most other Worldnet programs are, by contrast, the type of traditional broadcasting carried out by the VOA; for example, the VOA has recently commenced simulcasts of its radio programs on television. The Broadcasting Board of Governors and USIA have already reached a cooperative agreement regarding Worldnet (which was submitted recently to the Foreign Relations Committee in the form of a reprogramming) that is similar to the design set forth in the bill. It is intended that this arrangement continue when USIA is merged into the State Department, with the Board making available appropriate broadcasting time slots to the State Department to continue this important program. This provision is not intended to limit the access the Secretary currently has to Worldnet for other purposes, such as the current practice of using this service to broadcast from time to time to employees located at U.S. missions abroad.

Section 326 contains specific authority for the transfer of appropriate USIA assets and personnel to the Broadcasting Board of Governors. This includes those assets and personnel employed in connection with, or to carry out, the functions transferred by this chapter to the Board. It also includes provisions which will permit the transfer of assets and personnel which support the functions transferred by this chapter. These latter determinations will be made by the Secretary of State, with the concurrence of the Broadcasting Board of Governors. It is intended that the Broadcasting Board of Governors should receive administrative support funds and personnel commensurate with the administrative support it now receives from the U.S. Information Agency.

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Section 333 addresses the complex question of how to apply restrictions in current law on USIA to influence public opinion in the United States once USIA is integrated into the Department of State. The Department has a responsibility to communicate with the American people on U.S. foreign policy, for example, to explain the importance of continuing U.S. involvement in international affairs. Subsection (a) makes clear that none of the restrictions applicable to USIA shall become applicable to public affairs and other information dissemination functions of the Secretary of State as carried out prior to any transfer of functions pursuant to this division. Subsection (b) provides that existing restrictions will, however, continue to apply to USIA public diplomacy programs (which are carried out abroad) once they are integrated into the State Department. This subsection preserves the exceptions in current law. Under this approach, public diplomacy programs that are unique to USIA, including the program material produced by them, shall continue to be subject to the restrictions of the Zorinsky Amendment and in the Smith-Mundt Act, as relevant. At the same time, the Department of State will be able to integrate the activities that it already performs, such as public outreach, direct public affairs contact with domestic and foreign press, and administrative activities, with such activities of the other foreign affairs agencies without these restrictions being applicable.

In addition, subsection (c) provides that funds that are specifically authorized in statute for such public diplomacy programs at the Department in the future shall not be used to influence public opinion in the United States, and that no program material prepared using such funds shall be distributed or disseminated in the United States. This provision makes clear that if an amount is specifically authorized in an authorization bill for such public diplomacy programs, such amount will be subject to these restrictions.

Subsections (d) and (e) create greater planning and budget transparency for how public diplomacy functions are integrated into the Department.

AUTHORITY TO REORGANIZE THE DEPARTMENT

Section 611(a) authorizes the Secretary, subject to the requirements of the subdivision, to allocate or reallocate any function transferred to the Department, and to establish, consolidate, alter, or discontinue such organizational entities within the Department as may be necessary or appropriate to carry out any reorganization under this subdivision. This subsection does not authorize the Secretary to modify the terms of any statute that establishes or defines the functions of any bureau, office or officer of the Department. Thus, while the Secretary could add functions and responsibilities to a bureau that is mandated under current law, she could not eliminate such a bureau or take away any responsibilities currently mandated by statute to be performed by that bureau.

TRANSFER OF PERSONNEL

Section 613 of the Senate bill provides in subsections (a) and (b) that except as provided in Title III, not later than the date of abolition of ACDA and USIA, or the transfer of any function of AID to the Department of State, affected personnel and positions of those agencies shall be transferred to the Department of State at their same grade or class, the same rate of basic pay or basic salary rate, and with the same tenure held immediately preceding transfer. Thus, members of the Foreign Service will transfer to the Department in the same Foreign Service class (or, in the case of Foreign Service nationals, at the same grade), at the same salary rate, and with the same tenure held prior to transfer. Civil Service employees transferred to the Department will transfer at the same Civil Service grade, at the same rate of basic pay, and with the same tenure held prior to transfer. Tenure, in this context, refers to the employment status of the employee (e.g., probationary, career conditional, or career tenure). This provision is also intended to ensure that the type of appointment (e.g., Civil Service competitive or excepted service appointment, or Foreign Service career or limited appointment) held immediately preceding transfer will remain unchanged by reason of the transfer.

Subsection (c) authorizes the Secretary, for a period of not more than six months commencing on the effective date of the transfer of personnel to the Department under subsections (a) and (b), to assign such personnel to any position or set of duties at any grade in the Department except that by virtue of such assignment, such personnel shall not have their grade or class or rate of basic pay or basic salary rate reduced, nor their tenure changed. Although the Secretary's authority to make assignments under this subsection is limited to a six-month period following transfer, the duration of any assignment made pursuant to this authority and the retention of grade may continue indefinitely, as long as the employee remains in a position to which s/he is assigned during the six month period. This provision will overcome any requirement for the Department of State involuntarily to demote or reassign personnel at the end of the six-month period, even though the number of employees who retain a particular grade may exceed the number of positions at that grade level. This provision does not, however, provide Civil Service personnel with a guaranteed grade if, for example, they apply for and obtain another position or the Department chooses to employ reduction in force procedures to reduce the number of Department employees. The Secretary shall consult with the relevant labor organizations with regard to the exercise of this authority. This subsection gives the Secretary the flexibility to assign and reassign for a six month period transferred personnel to any position within the Department after they have been transferred to the Department, except to positions that by law require appointment by the President, by and with the advice and consent of the Senate.

REORGANIZATION OF AGENCY FOR INTERNATIONAL DEVELOPMENT

The bill requires that AID's Press Office and certain administrative functions be transferred to and consolidated with the Department of State. The committee of conference is aware that the Department of State and the Agency for International Development recently entered into an agreement to implement the President's April 1997 decision that these two agencies should share certain administrative functions.

The single largest change will occur overseas as the International Cooperative Administrative Support Services (ICASS) system is put into place. ICASS is designed to provide AID with the data and other information needed to compare the costs of services within the system that encourages the use of the most economic service provider. Both agencies will, over the next fiscal year, work to maximize shared administrative support services. As part of this agreement, both agencies agree to analyze jointly the data generated by ICASS to identify opportunities where one or the other agency can expand shared services.

Also, AID had agreed already to have the Department of State provide retirement processing for Foreign Service officers, retirement counseling for AID officers, and site consolidation of AID headquarters' computer operations. According to the Administration, these are either now implemented or on their way to implementation.

Further, AID has agreed to expand its use of training services offered by the Department of State. Specifically, AID will attempt to obtain all of its foreign language training from the Department of State. In addition, State and AID have agreed to jointly develop training programs so that other professional and technical training can be shared to the maximum extent possible.

The Department of State has agreed to try to accommodate AID by taking responsibility for storage of employees' household goods. In addition, State and AID already share other transportation and storage services, and they will continue to review these areas for other opportunities. The committee of conference expects AID and the State Department to continue to explore areas in which additional consolidation and cost savings can occur and that the Foreign Relations Committee and the International Relations Committee will be notified of such progress.

ASSISTANCE PROGRAMS COORDINATION AND OVERSIGHT

The bill provides for the coordination of activities of the Secretary of State in relation to United States assistance. The activities include designing of an overall assistance strategy for countries in the region; ensuring the coordination of United States government agencies; coordinating with the individual country governments and international organizations; and resolving policy disputes among United States government agencies with respect to assistance being provided.

This coordination authority does not supersede the responsibility of the Secretary of Commerce in relation to the promotion of exports of United States goods and services. Nor does this supersede the responsibility of the Secretary of the Treasury to coordinate the activities of the United States in relation to the International Financial Institutions, and the organization of multilateral efforts aimed at currency stabilization, currency convertibility, debt reduction, and comprehensive economic reform programs.

This section of the bill is essential to bring improved coordination and rationalization to U.S. overseas economic and development assistance programs. The establishment within the Department of State of this coordination function will ensure that, in the future, foreign aid programs are being carried out in a manner consistent with our nations overall foreign policy. It furthers the President's goal of establishing the Secretary of State's pre-eminence in foreign policy making. According to the State Department's April 17, 1997, statement regarding reorganization, one reform ''...would be to further improve coordination between AID's and State's regional Bureaus.'' This section supports that objective.

A.I.D. UNDER THE DIRECT AUTHORITY AND FOREIGN POLICY GUIDANCE OF THE SECRETARY OF STATE

The President's decision on reorganization retains the Agency for International Development as a distinct agency but places it under the direct authority and foreign policy guidance of the Secretary of State. This bill supports that objective.

This bill includes a section which provides that funds formerly allocated to the International Development Cooperation Agency (IDCA)—which is abolished by this legislation—now be allocated to the Secretary of

State. The bill provides that the Secretary of State may allocate or transfer these funds to the head of any other agency. It is the understanding of the committee of conference that Secretary Albright intends to allocate this foreign aid and the administrative funds currently apportioned to AID to its Administrator. Bringing AID under the direct authority and foreign policy guidance of the Secretary of State, will strengthen the U.S. Government's coordination of long term development and humanitarian assistance.

AUTHORITY TO TRANSFER FUNCTIONS EARLY

Section 616 provides that the Secretary may, notwithstanding any provision of this subdivision and with the concurrence of the head of the appropriate Federal Agency, transfer the whole or part of any function prior to the effective dates established in this subdivision, including the transfer of personnel and funds associated with such functions. In exercising this authority, personnel and funds would be transferred in accordance with the applicable provisions of Title VI. This provision is intended to permit the Administration to have an orderly transfer of functions if the Administration chooses to transfer some functions from an agency prior to its abolition. It is intended that the Secretary will consult with the Broadcasting Board of Governors if she exercises the authority of this section to transfer personnel or assets that might otherwise be used to provide administrative support for the Board when it becomes a separate federal establishment.

DIVISION B—STATE DEPARTMENT AND RELATED AGENCIES AUTHORIZATION ACT

AUTHORIZATION OF APPROPRIATIONS FOR THE DEPARTMENT OF STATE

The conference substitute authorizes a total of $6,140,895,000 for fiscal year 1998 and $6,664,093,000 for fiscal 1999. The President's request for FY 1999 is $6,789,259,000. The conference substitute follows the Senate format providing the authorization of appropriations in the specific sections of the bill.

ADMINISTRATION OF FOREIGN AFFAIRS

The House bill (sec. 1101) authorizes $2,610,271,000 for fiscal year 1998 and $2,610,271,000 for fiscal year 1999 for the Administration of Foreign Affairs. The House bill (sec. 1101 (1)(B)) requires the Secretary of State to provide passport information without charge to citizens of the U.S.

The Senate amendment (sec. 1101) authorizes for $2,609,661,000 fiscal year 1998 and $2,634,706,000 for fiscal year 1999 for the Administration of Foreign Affairs. The Senate amendment has no comparable provision to House sec. 1101(1)(B) on passport information.

The conference substitute (sec. 1101) authorizes $2,656,143,000 for fiscal year 1998 and $2,830,387,000 for fiscal year 1999 for the Administration of Foreign Affairs. The conference substitute is the same as the Senate amendment with regard to the passport information provision.

The recommended level of authorization for Diplomatic and Consular Programs is intended to be utilized to maintain a strong U.S. presence abroad, and to meet current unfunded needs, including security of personnel and overseas U.S. facilities, and does not include funding for new programs, not presently funded for environmental conferences, programs, and associated expanded staffing.

The conference substitute incorporates the sub-authorization of $2,000,000 for fiscal years 1998 and 1999 for recruitment of minorities for careers in the foreign Service.

INTERNATIONAL COMMISSIONS

The House bill (sec. 1103) authorizes $43,512,000 for fiscal year 1998 and $43,512,000 for fiscal year 1999 for the International Commissions.

The Senate amendment (sec. 1202) authorizes $43,512,000 for fiscal year 1998 and $43,512,000 for fiscal year 1999 for the International Commissions.

The conference substitute (sec. 1102) authorizes $42,452,000 for fiscal year 1998 and $45,120,000 for fiscal year 1999 for the International Commissions.

ASIA FOUNDATION

The House bill (sec. 1105) authorizes $10,000,000 for fiscal year 1998 and $10,000,000 for fiscal year 1999 for the Asia Foundation.

The Senate amendment (sec. 1103) authorizes $8,000,000 fiscal year 1998 and $8,000,000 for fiscal year 1999 for the Asia Foundation.

The conference substitute (sec. 1103) authorizes $10,000,000 for fiscal year 1998 and $10,000,000 for fiscal year 1999 for the Asia Foundation.

VOLUNTARY CONTRIBUTIONS

The House bill (sec. 1102(b)) authorizes $199,725,000 for fiscal year 1988 and $199,725,000 for fiscal year 1999 for voluntary contributions to international organizations. The provision also includes limitations for the World Food Program, the United Nations Voluntary Fund for victims of Torture, and International Program on the Elimination of Child Labor.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1104) is the same as the House bill, except it authorizes $294,500,000 for fiscal year 1988 and $294,500,000 for fiscal year 1999.

VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL PEACEKEEPING OPERATIONS

The House bill (sec. 1102(d)) authorizes $87,600,000 in fiscal year 1988 and $67,000,000 in fiscal year 1999 for voluntary contributions to peacekeeping operations.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1105) authorizes $77,500,000 in fiscal year 1988 and $68,000,000 in fiscal year 1999 for voluntary contributions to peacekeeping operations.

LIMITATIONS ON U.S. VOLUNTARY CONTRIBUTIONS TO THE UNDP

The House bill (sec. 1102(g)) requires the withholding from U.S. voluntary contributions to the UN Development Program an amount equal to the amount UNDP intends to spend in Burma during each of the fiscal years 1998 and 1999, unless the President certifies to Congress that UNDP programs in Burma are focused on eliminating human sufffering and other issues.

The Senate amendment contains no comparable provision.

The conference subsititute (sec. 1106) is the same as the House bill.

UN POPULATION FUND

The House (1523) House bill section 1523 UN Population Fund, authorizes $25 million for the UN Population Fund for fiscal years 1998 and 1999, but makes only $12.5 million available to UNFPA before March 1 of each fiscal year. It also contains other prohibitions.

The conference substitute (sec. 1107) is similar to the House bill, but deletes subsections (b), (c) and (d).

Conference Report (H.R. 1757) (000s)

INTERNATIONAL RELATIONS COMMITTEE ACCOUNT	FY98 Enacted Levels	FY98 Conference Report	FY99 President's Request	FY99 Conference Report
Foreign Relations Authorization (H.R. 1757) Totals				
Administration of Foreign Affairs				
Diplomatic and Consular Programs	1,638,193	1,746,997	1,691,282	1,691,282
Salaries and Expenses	352,205	363,513	367,778	367,148
Minority Recruitment		[2,000]		[2,000]
Capital Investment Fund	86,000	86,000	118,340	118,340
Security and Maintenance of US Missions	397,943	397,943	640,800	590,800
Jerusalem Embassy Authorization	[9,500]	[25,000]		[75,000]
Representation Allowances	4,200	4,300	4,300	4,300
Emergencies in the Diplomatic and Consular Service	5,500	5,500	5,500	5,500
Office of the Inspector General	27,495	28,300	28,717	28,717
Payment to the American Institute in Taiwan	14,000	14,490	16,426	15,000
Protection of Foreign Missions and Officials	7,900	7,900	8,100	8,100
Repatriation Loans Program Account	1,200	1,200	1,200	1,200
International Commissions				
International Boundary Waters Comm. (S&E)	17,490	17,490	19,179	19,179
International Boundary Waters Comm. (Constr)	6,463	6,463	7,125	7,125
American Sections: IBC	761	761	835	835
American Sections: IJC	3,189	3,189	3,432	3,432
International Fisheries Commissions	14,549	14,549	14,549	14,549
Asia Foundation	8,000	10,000	15,000	10,000
Refugee Assistance				
Migration and Refugee Assistance	553,384	650,000	650,000	704,500
Administration	12,000			
Refugees Resettling In Israel	80,000	[80,000]		[80,000]

House International Relations Committee

Conference Report (H.R. 1757) (000s)

INTERNATIONAL RELATIONS COMMITTEE ACCOUNT	FY98 Enacted Levels	FY98 Conference Report	FY99 President's Request	FY99 Conference Report
UN Fund for Vulnerable Children	5,000			
Humanitarian Assistance for Displaced Burmese		[1,500]		[1,500]
Tibetan Refugees in India and Nepal		[2,000]		[2,000]
United States Information Agency				
Salaries and Expenses	453,146	431,000	461,728	457,146
Technology Fund	5,050	5,050	5,050	5,050
Educational and Cultural Exchange Programs				
Fulbright Academic Exchange Program	100,000	99,236	99,046	99,236
Vietnam Fulbright	[5,000]	[5,000]		[5,000]
Other Programs	97,731	100,764	99,978	100,764
South Pacific Exchanges		[500]	[439]	[500]
East Timorese Scholarships		[500]	[470]	[500]
Tibetan Exchanges		[500]	[416]	[500]
International Broadcasting Operations (IBO)	362,789	344,655	388,690	341,655
Radio Construction	40,000	40,000	25,308	25,308
Radio Free Asia	0	30,000	[19,400]	22,000
Broadcasting to Cuba	22,095	22,095	[22,704]	22,704
East-West Center	12,000	12,000	5,000	10,000
National Endowment for Democracy	30,000	30,000	31,000	30,000
North-South Center	1,500	1,500	2,500	1,500
International Conferences and Contingencies	6,537	3,500	1,223	1,223
International Organizations and Peacekeeping				
Voluntary International Organizations	294,500	294,500	314,000	294,500
World Food Program		[4,000]		[2,000]
U.N. Voluntary Fund for Victims of Torture		[3,000]		[3,000]
International Program on the Elimination of Child Labor		[5,000]		[5,000]

House International Relations Committee

Conference Report (H.R. 1757) (000s)

INTERNATIONAL RELATIONS COMMITTEE ACCOUNT	FY98 Enacted Levels	FY98 Conference Report	FY99 President's Request	FY99 Conference Report
UNFPA Limitation	[25,000]	[25,000]	[25,000]	[25,000]
Voluntary Peacekeeping Contributions	77,500	77,500	83,000	68,000
Assessed Contributions to International Organizations	894,461	901,000	930,773	900,000
Assessed Peacekeeping	210,000	210,000	231,000	220,000
International Organization or Peacekeeping Arrears	100,000	100,000	475,000	475,000
Arms Control and Disarmament Agency	42,716	41,500	43,400	0
State Authorization Bill Subtotals (FY98-FY99)	**5,985,497**	**6,102,895**	**6,789,259**	**6,664,093**
Foreign Assitance				
Iraq				
Justice in Iraq		3,000		
Democratic Opposition		15,000		
Political Training		[10,000]		
Radio Free Iraq		[5,000]		
Humanitarian Assistance		20,000		
Cuba ESF Earmark for LIBERTAD Activities		[2,000]		[2,000]
subtotal		**38,000**		**0**
Grand Total	**5,985,497**	**6,140,895**	**6,789,259**	**6,664,093**
UN and Other International Organization Arrears FY00				**244,000**
Grand Total FY 1998-2000				**13,048,988**

House International Relations Committee

DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

OVERSEAS EDUCATIONAL FACILITIES

The House bill (sec. 1213) provides the authority for US government agencies to make grants to overseas educational facilities. This amendment allows agencies that may not have grant authority to make grants to support these schools if agency employees have children attending these schools.

The Senate provision (sec. 1136) is identical.

The conference substitute (sec. 1201) is identical to the House provision.

REVISION OF DEPARTMENT OF STATE REWARDS PROGRAM

The House bill (sec. 1201(a)) rewrites the State Department rewards statute to update the program and improve its use as a tool to help capture fugitives abroad in cases of terrorism and narcotics offenses. The following changes are made to current law: (1) raising the cap on the funds available for the rewards program; (2) requiring that, to the maximum extent possible, the program funds are split equally between terrorism and narcotics related rewards programs; (3) allowing rewards to be paid for help in preventing counterfeiting of U.S. currency by state sponsors and others supporting terrorism; (4) allowing rewards to be paid for help in arresting any individual who aids or abets in the commission of any narcotics-related offense; (5) deleting the requirement for consultation over procedures for the chiefs' of mission recommendations of rewards the Secretary of State and the Attorney General; (6) requiring an annual report on the rewards program and; (7) making clear that the funds authorized for the rewards program are available to advertise rewards offered by foreign governments for international terrorism offenses. The Secretary is also required to submit a report to Congress when a reward payment is made.

The House bill also clarifies that determinations by the Secretary of State regarding counter terrorism and narcotics-related rewards are solely at the discretion of the Secretary, in consultation, as appropriate, with the Attorney General and are not subject to judicial review. This language conforms the State Department rewards program to similar provisions in various statutes that provide the reward authorities of the Attorney General, including those related to domestic terrorism. This language is intended to preclude unnecessary lawsuits that could divert Department resources, as well as bring unwarranted negative publicity to the rewards program and discourage potential informers.

The House bill (sec. 1201(b) makes available to carry out the rewards program up to two percent of the foreign assets frozen by of the President under the International Emergency Economic Powers Act. This section also clarifies that determinations by the Secretary of State regarding counter terrorism and narcotics-related rewards are solely at the discretion of the Secretary, in consultation as appropriate with the Attorney General and are not subject to judicial review.

The Senate amendment (sec. 1125) similar to the House provision, amends section 36 of the State Department Basic Authorities Act of 1956 to make clear that terrorism rewards would be paid at the sole discretion of the Secretary of State and that reward determinations made by the Secretary would not be subject to judicial review.

The conference substitute (sec. 1202) adopts the House language with modifications. The conference substitute requires that before making a reward in a matter over which there is federal criminal jurisdiction, the Secretary of State shall obtain the concurrence of the Attorney General. The House provision required ''consultation'' with the Attorney General. The conference substitute also deletes the House section requiring the use of frozen foreign assets for the rewards program.

RETENTION OF ADDITIONAL DEFENSE TRADE CONTROLS REGISTRATION FEES

The House bill (sec. 1208) amends section 45(a) of the State Department Basic Authorities Act to enable the Department to retain all of the registration fees that the Department's office of Defense Trade Controls collects. The additional fees are to be used for enhanced reporting on end-use monitoring and expanded registration and licensing and company audits.

The Senate amendment contains no comparable provision.

The conference substitute (sec. 1203) is the same as the House bill.

FEES FOR COMMERCIAL SERVICES

The House bill (sec. 1211) allows fees collected for commercial services provided to businesses to remain available for obligation until expended. This authority will ensure the Department does not forfeit funds collected late in a fiscal year and that are not obligated by the end of that year.

The Senate amendment contains no comparable provision.

The conference substitute (sec. 1204) is similar to the House position but makes the collected funds available only for two fiscal years.

PILOT PROGRAM FOR FOREIGN AFFAIRS REIMBURSEMENT

The House bill (sec. 1209) amends section 701 of the Foreign Service Act of 1980 by adding a new subsection to allow the State Department to provide training for employees and their family members of the U.S. companies operating overseas on a reimbursable basis. In addition, this section allows the Department to provide foreign language training on a reimbursable basis to Members and employees of Congress. Section 1209(b) authorizes the Secretary of State to charge a fee for use of the National Foreign Affairs Training Center Facility. These fees shall be deposited as an offsetting collection to any State Department appropriations and shall remain available until expended. Fees set for renting these facilities should not provide a competitive advantage over other commercial facilities.

The Senate amendment (sec. 1135) is similar to the House bill except the training program is set up as a pilot project that terminates October 1, 1999. The provision also requires an assessment of the program within one year after enactment.

The conference substitute (sec. 1205) is similar to the Senate amendment. Changes include extending the pilot program to October 2002, and requiring the report two years after enactment.

FEE FOR USE OF DIPLOMATIC RECEPTION ROOMS

The House bill (sec. 1210) authorizes the Secretary of State to charge a fee for use of the Department of State diplomatic reception rooms. Such fees are deposited as an offsetting collection to recover the costs of such use and shall remain available for obligation until expended.

The Senate amendment (sec. 1124) is identical to the House bill.

The conference substitute (sec. 1206) is the same as the House bill.

BUDGET PRESENTATION DOCUMENTS

The House bill (sec. 1212) requires the State Department to report in the budget presentation documents all sources of income from fees or other collections.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1207) is the same as the House bill. This Act provides several additional new fee collections for the Department, as well as continuing the collection and retention of fees for machine readable visas. This provision is designed to secure budget transparency particularly for funds that are not subject to appropriations, and provide a full accounting of resources available to the Department. The report on income required by this provision is intended to include an accounting of proceeds from the sale of properties owned by the Department, projected expenditures from and the balance in the Foreign Service Building Fund for long term capital reinvestment.

OFFICE OF THE INSPECTOR GENERAL

The Senate amendment (sec. 1126) amends Section 209 of the Foreign Service Act of 1980 to require the State Department Inspector General (IG) to provide (1) information to employees on rights to counsel, and (2) guidelines describing in general terms IG policies and procedures with respect to individuals under investigation, other than matters exempt from disclosure under other provisions of law.

The House bill contains no comparable provision.

The conference substitute (sec. 1208) maintains the Senate language and further amends Section 209 of the Foreign Service Act to require that only officials from the Office of the Inspector General may participate in formal interviews or other formal meetings with the individual who is the subject of an investigation unless that individual receives prior adequate notice regarding the participation of any other person, including any officer or employee of the Department of Justice, in such interview or meeting. The notice requirement does not apply to (1) any intelligence-related or sensitive undercover investigation; or (2) any situation in which the Inspector General has reasonable grounds to believe that the provision of notice would cause tampering with any witness, the destruction of evidence, or the endangering of the life of any individual.

CAPITAL INVESTMENT FUND

The House bill (sec. 1202) amends section 135 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 to allow the Capital Investment Fund to be used for the procurement and upgrade of information technology and other related capital investments of the department of State. Sec. 135(e) eliminates the requirement that subjects money in the fund to Congressional reprogramming requirements before it is obligated.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1209) is identical to the House bill.

CONTRACTING FOR LOCAL GUARD SERVICES OVERSEAS

The House bill (sec. 1204) amends section 136 of PL 101–246 by repealing subsection (c)(7) and replacing (c)(3) with a more efficient process for evaluating requests for proposals for contracts for the local guard program. These changes continue a preference for firms and joint ventures qualifying under an existing definition of a U.S. person.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1210) is similar to the House bill, with a change to the price preference system. The price preference which is used to reduce the price of US firms' contracts, was increased from five percent to ten percent.

AUTHORITY OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION

The House bill (sec. 1205) amends section 4 of the International Claims Settlement Act to permit the Foreign Claims Settlement Commission to preadjudicate claims by U.S. citizens. Preadjudication would provide the Department with important information on the value and validity of claims by the U.S. public in advance of the negotiations and conclusion of an agreement. The Committee understands that in the event of preadjudication, the Secretary of State will make every effort to inform affected people.

The Senate amendment (sec. 1122) amends section 4 of the International Claims Settlement Act to permit the Foreign Claims Settlement Commission to preadjudicate claims by the US citizens in a category determined by the Secretary of State. Currently the Commission only has general authority to adjudicate claims after settlement has been reached by the Department with a foreign government. This section is designed to facilitate claims settlement practices by providing a mechanism for obtaining further information from US citizens about their claims in advance of actual negotiation.

The conference substitute (sec. 1211) is identical to the Senate amendment.

EXPENSES RELATING TO CERTAIN INTERNATIONAL CLAIMS AND PROCEEDINGS

The House bill (sec. 1206) allows the Department to accept in certain cases reimbursement from private sector claimants for tribunal expenses, salaries and ordinary expenses. The intent of this provision is to allow the Department to accept reimbursement from claimants who would normally pay for the legal expenses of pursuing a claim.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1212) is similar to the House bill, with a clarification that eligible expenses include salaries and personnel expenses.

GRANTS TO REMEDY INTERNATIONAL ABDUCTIONS OF CHILDREN

The House bill (sec. 1214) amends section 7 of the International Child abduction Remedies Act to allow the U.S. Central Authority to make grants or enter into contracts or agreements for the purposes of carrying out certain functions required by the Hague Convention on the Civil Aspects of International Child Abduction.

The Senate amendment (sec. 1137) is identical.

The conference substitute (sec. 1213) is identical to the House bill.

COUNTERDRUG & ANTICRIME ACTIVITIES OF THE DEPARTMENT OF STATE

The Senate amendment (sec. 1128(a)) requires that not later than 180 days after the date of enactment of this Act, the Secretary of State shall establish, implement, and submit to Congress a comprehensive, long-term strategy, involving all elements of the Department, to carry out State Department counterdrug responsibilities in a manner consistent with the National Drug Control Strategy (''National Strategy'').

The House bill has no comparable provision.

The conference substitute (sec. 1214) adopts the Senate approach with several modifications: (1) the strategy shall also ensure that the President's drug certification determinations conform to meet the objectives of the strategy; (2) the annual reports shall include a detailed analysis of how drug certification determinations made the previous year affected achievement of such objectives for the previous calendar year; (3) the required coordination of counterdrug and law enforcement programs, policy and assistance shall include coordination of rule of law and administration of justice enforcement programs, policy and assistance; and (4) the section clarifies that such coordination will be consistent with memoranda of understanding between the State Department and other United States agencies.

ANNUAL REPORT ON OVERSEAS SURPLUS PROPERTIES

The House bill (sec. 1216) requires the Secretary of State to report annually on the list of overseas surplus properties for sale. In addition, the provision requires that proceeds for the sale of U.S. overseas surplus properties be deposited in the Treasury to be used for deficit reduction.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1215) requires an annual report on the surplus properties identified for sale.

HUMAN RIGHTS REPORTS

The House bill (sec. 1704) makes two changes to the requirement for the annual country reports on Human Rights Practices. First, the reporting date is extended from January 31 to February 25. Second, the section requires that the report include information on child labor practices in each country the report covers.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1216) is identical to the House bill.

REPORTS AND POLICY CONCERNING DIPLOMATIC IMMUNITY

The House bill (sec. 1215 and 1706) requires the Secretary of State to submit to Congress an annual report on cases involving diplomatic immunity.

A related provision, section 1215 of the House bill amends the State Department Basic Authorities Act, requiring reporting similar to that required under section 1706 of the House bill. It also requires the Secretary to take ''such steps as may be necessary'' to educate and encourage local law enforcement officials to investigate, charge and prosecute members of foreign missions to the extent consistent with international law. Section 1215 forbids ''interference'' by State Department officers in the investigation, charge, or prosecution of aliens not exempt from the criminal jurisdiction of the United States and requires notification by the Secretary to members of diplomatic missions about United States policies relative to criminal offenses committed by members of the diplomatic corps.

The Senate amendment has no comparable provision to House bill section 1215, and Senate section 1610 is identical to section 1706 of the House bill.

The conference substitute (sec. 1217) is a modification and consolidation of sections 1215 and 1706 of the House bill. The conference substitute adds several provisions drawn from Section 1215 of the House bill, such as broadening the definition of ''serious crime'' (triggering reports to Congress) to include reckless driving and driving while intoxicated or under the influence of drugs or alcohol whether or not personal injury resulted, requiring the provision of information furnished to the Secretary on crimes that appear to have been committed by a person with diplomatic immunity in periods prior to the period covered by a particular report by the Secretary (so that readers of the report will be aware if there is a pattern of violations attributable to a particular person), and encouraging the Secretary to notify diplomatic missions of United States policies encouraging the prosecution of members of foreign missions who commit crimes.

The conference substitute provides Congressional impetus for restructuring a troubling aspect of international practice with respect to diplomatic immunity: the prospect that an individual who commits a serious offense will escape all liability because of his or her status as a diplomat. A number of highly publicized, and indeed tragic, cases have occurred in recent years. The fact is that while cases of diplomats abusing their immunity in the United States are relatively rare, the number of such cases needs to be reduced, if possible, to zero.

Diplomatic immunity serves the interests of the United States. The United States cannot have its diplomats exposed to the full rigor of the criminal laws of the countries where they are stationed, since they could be subject to trumped-up charges, unfair treatment in court, or inhumane punishments.

The committee of conference applaud governments, such as the government of the Republic of Georgia, which have waived the immunity of their diplomats accused of serious crimes. They suggest that in the exceedingly rare cases where American officials apparently abuse their status—and do so in countries where they would prosecuted on an equal footing with local residents and can receive a fair trial and humane treatment if convicted—the Department consider waiving the immunity of the Americans in question.

The committee of conference also supports the Administration's practice of notifying prosecutors that they may charge diplomats whose immunity has not been waived and who been withdrawn from or expelled from the United States. Such abusers of diplomatic immunity are then put on the Department's ''watch list'' and are denied visas; they may also be subject to extradition if they travel to third countries where they are not covered by diplomatic immunity.

REAFFIRMING UNITED STATES INTERNATIONAL TELECOMMUNICATIONS POLICY

The Senate amendment (sec. 1127) clarifies that the Diplomatic Telecommunications Service Program Office will have full and open competition in the procurement of telecommunications services; will make efforts to promote the participation of all commercial private sector provider; and will implement these requirements at the prime contracting level and at the subcontracting level unless the fixed price contracts make it more costly to require a prime contractor to compete subcontracts.

The House bill has no comparable provision.

The conference substitute (sec. 1218) is identical to the Senate amendment.

Concerns about DTSPO continue as certain users have decided to utilize other systems to meet their overseas communications needs. DTS was unable to meet agency requirements in a timely fashion. Developing a cost sharing system to increase resources for DTS for post communications upgrades and maintenance should be priority. The committee of conference urges the Office of Management and Budget to promptly finalize a charge back system thereby enhancing DTS's capabilities to coordinate overseas communications structures and provide the services for which it was created.

REDUCTION OF REPORTING

The House bill (sec. 1203) eliminates several reporting requirements. This provision has been requested by the Administration.

The Senate (Sec. 1121) eliminates several reporting requirements as follows: Repeals section 161(c), second sentence, 22 U.S.C. 4171 note, on required reports on competency of foreign language experts at embassies. Repeals Section 502B (b), 22 U.S.C. 2304 (b), on required reports on human rights in countries that receive security assistance. Repeals Section 705 (c), P.L. 99–83, on required

reports on emigration from Haiti. Repeals Section 123 (e) (2), P.L. 99–93, on required reports on Operation, Maintenance, Security, Alteration, Repair of Foreign Service facilities. Repeals Section 203 (c), P.L. 99–529, on required reports on military training and other nonlethal assistance for Haiti. Repeals Sections 5 and 6, P.L. 96–236; 7 U.S.C. 3605 and 3606, on required reports on implementation of the sugar agreement. Repeals Section 514, P.L. 97–121, the Foreign Assistance and Related Programs Appropriations Act, a one time report on appropriations. Repeals Section 209 (c) and (d), P.L. 100–204, on required reports on audience survey of Worldnet program and notification of selected surveyor. Repeals Section 228 (b), P.L. 102–138; 22 USC 2452 note, on required reports on Near and Middle East research and training.

The conference substitute (sec. 1219) is similar to the Senate amendment and eliminates seven reports and modifies two reporting requirements. The provision does not repeal Section 502(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)) and Section 514 of the Foreign Assistance and Related Programs Appropriations Act, 1982 (PL 97–121).

USE OF CERTAIN PASSPORT PROCESSING FEES FOR ENHANCED PASSPORT SERVICES

The House bill (sec. 1241) requires that thirty percent of the funds generated by the expedited passport fee (estimated to be $18 million in fiscal year 1998) be dedicated exclusively to enhancing passport services for U.S. citizens, improving the system of issuing the passport, developing a more secure document and increasing U.S. border security.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1221) is identical to the House bill.

The Committee of conference is alarmed by recent revelations that the State Department does not maintain a data base on lost or stolen U.S. passport. These U.S. passports are the frequent document of choice for international travel by drug traffickers, other criminals, and terrorists who may target U.S. interests. The timely identification of lost or stolen documents for law enforcement purposes is critical to protecting our national security.

In addition, the committee of conference is aware that on weekends there is no Departmental procedure or mechanism to access the passport issuance records maintained by the Consular Affairs Bureau. The result is that when a foreign law enforcement authority inquires about the status of a person or passport on the weekend, the State Department does not or cannot respond. This is a clear deficiency in border security procedures. The two identified shortcomings limit the U.S. government's responses to foreign police security inquires at airports and often makes it impossible for such authorities to prevent travel by possible criminals and terrorists who may use lost or stolen U.S. travel documents.

The Department shall provide a report within 180 days of enactment on the Department's efforts to rectify weekend access to passport data, and establishing a data base for lost or stolen passports. The committee of conference urges that the Consular Affairs Bureau work expeditiously with the Diplomatic Security Bureau to establish a weekend access program to records now available on U.S. passports.

SURCHARGE FOR PROCESSING CERTAIN MACHINE READABLE VISAS

The House bill (sec. 1207) extends the authority to collect and retain fees collected for the machine readable visa for fiscal years 1998 and 1999. The fees collected are offsetting collections to be used for the costs of the State Department's border security program. The House bill limits fees deposited to $140 million in each fiscal year and fees are subject to appropriation.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1222) is similar to the House bill. The limitation on the deposit of $140 million and requiring that fees be subject to appropriations were both deleted. The provision requires that collections that exceed $140 million will only be available for expenditure subject to Congressional approval of a reprogramming notice that details how the Department intends to spend any fees above $140 million in either fiscal year 1998 or fiscal year 1999. The reprogramming notification will be sent to the Chairmen of the House and Senate authorizing committees and the House and Senate appropriations committees.

CONSULAR OFFICERS

The House bill (sec. 1242) permits U.S. citizen employees abroad who are not consular officers to perform additional consular functions, including the issuance of reports of birth abroad, the authentication of foreign documents, the administration of nationality provisions, and the administration of oaths for patent purposes. This provision is intended to improve the service to the public and to overcome consular staffing shortfalls abroad.

The Senate amendment (sec. 1151) is similar to the House bill except that it also authorizes the Secretary to allow US government contractors to serve as notaries abroad.

The conference substitute (sec. 1223) is similar to the House bill with the inclusion of the Senate provision on notaries.

REPEAL OF OUTDATED CONSULAR RECEIPT REQUIREMENTS

The House bill (sec. 1243) repeals an 1856 Act that required the issuance of a receipt when fees were collected by a consular officer for a service.

The Senate amendment (sec. 1152) is virtually identical.

The conference substitute (sec. 1224) is identical to the House bill.

ELIMINATION OF DUPLICATE FEDERAL REGISTER PUBLICATION FOR TRAVEL ADVISORIES

The House bill (sec. 1244) eliminates a duplicative report on travel advisories. Presently, both the Secretary of Transportation and the Secretary of State publish the same advisories. This section eliminates the need for the Secretary of State to publish this advisory.

The Senate amendment (sec. 1153) is virtually identical.

The conference substitute (sec. 1225) is the same as the Senate amendment.

DENIAL OF VISAS TO ALIENS WHO HAVE CONFISCATED PROPERTY CLAIMED BY NATIONALS OF THE UNITED STATES

The Senate amendment (sec. 1155) would provide the Secretary of State with discretion to deny the issuance of a visa to any alien who has confiscated or has directed or overseen the confiscation or expropriation of property claimed by a United States national, or converts or has converted for personal gain confiscated or expropriated property claimed by a United States national.

The House bill has no comparable provision.

The conference substitute (sec. 1226) provides the Secretary of State with the authority to deny the issuance of a visa to any alien who, through the abuse of position, including a position of governmental or political party position, converts or has converted for personal gain real property that has been confiscated or expropriated, a claim to which is held by a United States national, or who is complicit in such conversions, or who induces any such actions or omissions.

The committee of conference consulted closely with the Department of State in fashioning a provision that is acceptable to both sides. The committee of conference intends that this section provides the Secretary of State with the authority to respond to particularly egregious, unlawful confiscations by foreign governments, especially those confiscations not undertaken for a public purpose but rather for the private gain of certain persons of public position. The committee notes that this provision would cover abuses of governmental or political positions, but there may be rare cases where aliens hold positions of particular social prominence and exercise forms of authority that allow them to take the property of foreign nationals for personal gain.

This section is not intended to apply to the issuance of a visa to aliens involved in a foreign government's legitimate expropriation of property, consistent with international law. Neither is this section intended to affect in any way the broad variety of private commercial disputes in which United States citizens are involved all over the world. Further, this section does not cover the exercise of ministerial functions or legitimate police powers, such as seizures of property used in police and judicial authorities involved in anti-drug programs. While this section supplements the sanctioning authority of Section 527 of the 1994–1995 Foreign Relations Authorization Act (P.L. 103–236, April 30, 1994), it is not meant to revise or otherwise detract from the substantive requirements of that section of law.

INADMISSIBILITY OF ANY ALIEN SUPPORTING AN INTERNATIONAL CHILD ABDUCTOR

The Senate amendment (sec. 1156) denies visas to aliens or family members of such aliens who assist in the abducting of children.

The House bill has no similar provision.

The conference substitute (sec. 1227) is similar to the Senate amendment with technical changes.

HAITI; REPORTS AND EXCLUSION OF CERTAIN ALIENS

The Senate amendment (sec. 1607) requires a report to Congress on the deployment of United States armed forces, and the costs thereof, in Haiti. The Senate amendment (sec. 1614) makes findings regarding political killings in Haiti and requires the exclusion from the United States of any alien credibly alleged to have been involved in such political killings or in the September 1991 coup d'etat or related violence against Haitians. This exclusion provision is subject to an exemption by the Secretary of State on a case-by-case basis, under specific conditions.

The House bill has no similar provision.

The conference substitute (sec. 1228) combines and modifies Senate sections 1607 and 1614. This section clarifies the subjects of the report to Congress. For the purposes of the report, activities ''in Haiti'' shall apply to those activities in the territory of the Republic of Haiti, including its territorial waters; and ''cost of deployments of United States Armed Forces'' shall include, inter alia, any extraordinary United States Coast Guard operations initiated to control smuggling to and from Haiti.

Regarding the exclusion of aliens, the conference substitute incorporates several technical amendments requested by the Department of State; however, it does not include language that the Department requested that would have broadened the Secretary's exemption to include ''compelling foreign policy'' reasons.

MIGRATION AND REFUGEE ASSISTANCE

The House bill (sec. 1104) authorizes $623,000,000 for each of the fiscal years 1998 and 1999 for Migration and Refugee Assistance. Of this amount, $1,000,000 is authorized for each fiscal year 1998 and 1999 for Tibetan refugees in India. This section authorizes an additional $80,000,000 for each of the fiscal years 1998 and 1999 for the resettlement of refugees in Israel; and $1,500,000 for each of the fiscal years 1998 and 1999 for displaced Burmese. The total amount available for refugee programs for fiscal years '98 and '99 is $704,500,000.

The Senate amendment (sec. 1102) authorizes a total of $650,000,000 for each of the fiscal years 1998 and 1999 for Migration and Refugee Assistance.

The conference substitute (sec. 1231) authorizes $650,000,000 for fiscal year 1998 and $704,500,000 for fiscal year 1999 for Migration and Refugee Assistance. The total for each fiscal year includes specific authorization of no more than $2 million for the Tibetan refugee program, the resettlement of refugees in Israel and for humanitarian assistance for the displaced Burmese.

UNITED STATES POLICY REGARDING THE INVOLUNTARY RETURN OF REFUGEES

The House bill (sec. 1701) provides that no funds authorized by division B be used for the involuntary return of refugees to countries in which they have a well-founded fear of persecution, except on grounds recognized as precluding refugee protection under the 1951 Convention and the 1967 Protocol. It would not prohibit funding for the return of persons who had been found to be non-refugees by a process genuinely calculated to identify and protect refugees.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1241) is similar to the House bill with a technical change.

US POLICY WITH RESPECT TO THE INVOLUNTARY RETURN OF PERSON IN DANGER OF SUBJECTION TO TORTURE

The House bill (sec. 1702) prohibits the involuntary return of any person to country in which he or she is in serious danger of being subjected to torture.

The Senate amendment (sec. 1606) prohibits the United States from expelling, extraditing, or otherwise effecting the involuntary return of any person to a country in which there are reasonable grounds for believing the person would be in danger of subjection to torture.

The conference substitute (sec. 1242) is similar to the House bill but makes a statement of policy regarding implementation of the Torture Convention. The provision gives the authority to the appropriate federal agencies to promulgate regulations to implement the Convention, subject to the conditions of ratification set by the Senate in its resolution of ratification of the Torture Convention. The conference provision also makes clear that the regulations will be consistent with the Immigration and Nationality Act (INA). The provision agreed to by the conferees does not permit for judicial review of of the regulations or of most claims under the Convention. Finally, the Conference provision ensures that the Attorney General is not prevented from detaining any individual under the INA.

REPROGRAMMING OF MIGRATION AND REFUGEE ASSISTANCE FUNDS

The House bill (sec. 1262) provides a waiver of the 15-day notification requirement of the drawdown of funds from the migration and refugee account in the case of an emergency.

The Senate amendment has no similar provision.

The conference substitute (sec. 1243) is identical to the House bill.

ELIGIBILITY FOR REFUGEE STATUS

The Senate amendment (Sec. 1624) amends current law to permit the unmarried children of Vietnamese persons who emigrate to the United States under the Orderly Departure Program to also qualify for emigration under the program.

The House bill has no comparable provision.

The conference substitute (Sec. 1244) is identical to the Senate provision.

REPORT TO CONGRESS CONCERNING CUBAN EMIGRATION POLICIES

The House bill (sec. 1261) requires periodic reports on the Cuban Government's methods of enforcing its 1994 and 1995 anti-immigration agreements with the United States, on treatment of persons returned to Cuba under the 1995 agreement, and on the methods used by the United States to monitor such treatment and enforcement.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1245) is similar to the House bill with technical change on the first reporting date.

ORGANIZATION OF THE DEPARTMENT OF STATE; PERSONNEL; FOREIGN SERVICE

COORDINATOR FOR COUNTER TERRORISM

The House bill (sec. 1301) establishes the office of the Coordinator for Counter terrorism.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1301) is identical to the House bill.

ELIMINATION OF DEPUTY ASSISTANT SECRETARY OF STATE FOR BURDENSHARING

The House bill (sec. 1302) eliminates the statutory requirements for the Assistant Secretary for South Asia, the Assistant Secretary for Oceans, Environment and Science and the Deputy Assistant Secretary for Burden sharing.

The Senate amendment (sec. 1131) eliminates the Deputy Assistant Secretary for Burden sharing.

The conference substitute (sec. 1302) is identical to the Senate amendment.

PERSONNEL MANAGEMENT

The House bill (sec. 1303) provides that the official with primary responsibility for matters relating to personnel in the Department of State, or that person's deputy, shall have substantial professional qualifications in the field of human resource policy and management.

The Senate amendment contains no comparable provision.

The conference substitute (sec. 1303) is similar to the House bill and includes technical changes.

DIPLOMATIC SECURITY OFFICIALS OF THE DEPARTMENT OF STATE

The House bill (sec. 1304) provides that any Assistant Secretary with primary responsibility for diplomatic security, or that person's principal deputy, shall have substantial professional qualifications in the fields of (1) management and (2) federal law enforcement, intelligence, or security.

The Senate amendment contains no comparable provision.

The conference substitute (sec. 1304) is similar to the House bill. It modifies the House provision so that any ''official'' with primary responsibility, rather than any ''Assistant Secretary'' with such responsibility (or that person's deputy), is required to have the stated qualifications. This provision is intended to apply even if the primary responsibility for diplomatic security is lodged with someone other than an Assistant Secretary.

The committee of conference is concerned that a lack of professional expertise in the areas of security, law enforcement, intelligence, and management at the top often places the Bureau at an operational disadvantage. The head of the Diplomatic Security bureau must contend with the institutional indifference to security matters while keeping abreast of threats and countermeasures. Professionally experienced leadership should help improve the implementation of security standards, oversight of regional security operations, confidence within the executive branch agencies, and advocacy within the State Department for appropriate resources. In short qualified leadership will ensure that the duties assigned to the Diplomatic Security Service are fully executed.

NOMINATION OF UNDER SECRETARIES AND ASSISTANT SECRETARIES

The conference substitute (sec. 1306) added this section to require that the President identify the particular position the Under Secretary or the Assistant Secretary will occupy when the nomination is transmitted to the Senate for confirmation.

FOREIGN SERVICE REFORM

The Senate bill (Sec. 1138): 1) requires that Foreign Service Officers, as Officers commissioned by the President, receive in all such instances their regular salaries based upon rank and service; (2) makes it possible to confer a Presidential award without requiring an accompanying cash payment; and (3) requires the Secretary of State to develop and implement a plan to identify officers who are ranked by promotion boards in the bottom 5% of their class for any two of five years, and recommend such officers for separation from the Foreign Service.

The House bill has no comparable provision.

The conference substitute (Sec. 1311) is similar to the Senate bill but eliminates the requirement regarding regular salaries. The substitute also amends the expedited separation out requirement to add protections where one supervisor has a grudge against an individual he or she is supervising.

RETIREMENT BENEFITS FOR INVOLUNTARY SEPARATION

The House bill (sec. 1326) corrects drafting oversights regarding retirement benefits for the foreign service employees under the ''new system'' for those who are involuntarily separated. The amendment makes clear that separated members cannot receive both immediate retirement benefits and severance-type payments.

The Senate amendment had no comparable provision.

The conference substitute (sec. 1312) is identical to the House bill.

AUTHORITY OF SECRETARY TO SEPARATE CONVICTED FELONS FROM SERVICE

The House bill (sec. 1323) excludes individuals who have been convicted of a crime for which a sentence of imprisonment of greater than one year may be imposed from the right to have the cause for their separation established in a hearing before the Foreign Service Grievance Board.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1313) is identical to the House bill. The committee of conference believes that because of the special trust placed in members of the Foreign Service, in the case of an individual who has been convicted of a felony and where the Secretary has determined that the individual be separated for cause, the due process rights of the individual will have been sufficiently protected by the processes of the criminal

justice system, and the individual in question may be separated without the need for a hearing before the Grievance Board.

CAREER COUNSELING

The House bill (sec. 1324) provides that the statutory authority permitting career counseling and related job placement services that may be provided to employees prior to their separation from the Foreign Service shall not be construed to permit an assignment that consists primarily of paid time to conduct a job search and without other substantive duties. This limitation would not have applied to individuals being separated from the Foreign Service and who are both (a) not receiving an immediate annuity, and (b) have not been stationed in the United States within one year prior to their separation.

The Senate amendment contains no comparable provision.

The conference substitute (sec. 1314) modifies the House provision to prohibit any member of the foreign service to be assigned to more than one month of paid time, free of other substantive duties, to undertake a job search. This limitation does not apply to the one month ''job search seminar'' currently offered to certain departing employees. The Committee of conference does not intend to create an entitlement to either program. The Administration may further limit or eliminate the program.

As in the House bill, the effective date of this new provision is delayed for 180 days so as not to disadvantage individuals who had relied on the earlier policies of the Administration.

LIMITATIONS ON MANAGEMENT ASSIGNMENTS

The House bill (sec. 1328) amends section 1017(e) of the Foreign Service Act of 1980 to modify the definition of ''management official'' to include only those individuals involved in labor-management relations or personnel programs. Section 1017 was previously amended to restrict the movement of Foreign Service personnel between certain positions in labor organizations and management positions in the Foreign Affairs agencies in order to prevent conflicts of interests from arising. This provision is intended to continue to protect against conflicts of interest, but narrows the application of the two-year prohibition to individuals who take management jobs subsequent to serving in a position with the American Foreign Service Association and vice versa.

The Senate amendment (sec. 1141) is identical to the House bill.

The conference substitute (sec. 1315) is the same as the Senate amendment.

AVAILABILITY PAY FOR THE DIPLOMATIC SECURITY SERVICE

The House bill (sec. 1327) extends eligibility for law enforcement availability pay (LEAP) to certain agents with the Department of State's Diplomatic Security service. The House intended to provide LEAP to certain individuals (1) whose ''primary'' duties consist of ''performing'' protective functions or criminal investigations or both, and (2) who actually worked the required hours.

The Senate amendment (sec. 1139) is similar to the House bill but it does not contain either of the two conditions set out above.

The conference substitute (sec. 1316) is similar to the House bill. It deletes condition (1) and retains condition (2) of the House bill.

NON OVERTIME DIFFERENTIAL PAY

The House bill (sec. 1322) allows the Secretary of State to substitute another day in lieu of Sunday for purposes of Sunday premium pay in countries where the normal workweek includes Sunday.

The Senate amendment (sec. 1134) is virtually identical to the House bill.

The conference substitute (sec. 1317) is identical to the House bill.

REPORT CONCERNING MINORITIES AND THE FOREIGN SERVICE

The House bill (sec. 1325) requires the Secretary of State to submit an annual report concerning minorities in the Foreign Service.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1318) is similar to the House bill with two modifications: (1) it requires a report only for calendar years 1998 and 1999; and (2) it deletes the redundant requirement to provide the numbers and percentages of all minorities in the Foreign Service.

AUTHORITIES AND ACTIVITIES FOR UNITED STATES INFORMATION AGENCY

AUTHORIZATION OF APPROPRIATIONS

The House bill (sec. 1106) authorizes a total of $1,112,928,000 for fiscal year 1998 and $1,102,928,000 for 1999 for the U.S. Information Agency.

The Senate amendment (sec. 1301) authorizes a total of $1,093,120,000 for fiscal year 1998 and $1,083,410,000 for 1999 for the U.S. Information Agency.

The conference substitute (sec. 1401) authorizes a total of $1,116,300,000 for fiscal year 1998 and $1,115,363,000 for 1999 for the U.S. Information Agency. The conference report includes the following subauthorizations:

(1) Vietnam Fulbright exchange programs: $5,000,000 for fiscal year 1998 and $5,000,000 for fiscal year 1999.

(2) South Pacific exchanges programs: $500,000 for fiscal year 1998 and $500,000 for fiscal year 1999.

(3) East Timorese Scholarships: $500,000 for fiscal year 1998 and $500,000 for fiscal year 1999.

(4) Tibetan Exchanges: $500,000 for fiscal year 1998 and $500,000 for fiscal year 1999.

Vietnam Fulbright Authorization. The Senate bill (section 1301 (b)) authorizes to be appropriated $5,000,000 in each of the fiscal years 1998 and 1999 for the Vietnam Fulbright Program established by Section 229 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (PL 102–138).

The House bill contains no comparable provision.

The conference substitute (sec. 1401(3)(A)(ii)) is identical to the Senate provision.

This program was first authorized at an annual level of $3 million in fiscal year 1994 and was funded at $2.7 million in fiscal year 1997. The increase in authorization will provide for an increase in the number of scholarships given to Vietnamese candidates to study in the United States and an expansion of the teaching program in Vietnam including the curricula and the number of American teachers and Vietnamese students.

The conferees remain deeply concerned about the current lack of political and religious freedom in Vietnam. However, the conferees believe that exchange programs of this nature, which provide educational opportunities and exposure to American institutions and values, can be important tools in hastening the transition of countries like Vietnam into free and open societies. The conferees understand that the Vietnamese Government does not select the participants in this program and that any Vietnamese citizen can apply for admission to this program. The conferees expect USIA to continue to ensure that opportunities to participate in the program are made available to all qualified applicants and to administer this program under the guidelines set out in Section 102 of the Human Rights, Refugee, and Other Foreign Provisions Act of 1996 (PL 104–319).

The success of the Vietnam Fulbright Program and similar programs in like countries will be marked by the extent of progress toward freedom and democracy. The conferees will continue to monitor this program to evaluate its impact on such progress.

Women's World Cup Soccer. The committee of conference is pleased to note that the 1999 Women's World Cup soccer event will take place in the United States. The committee of conference recognizes that the U.S. Information Agency has provided support for similar events in the past since such competitions offer opportunities to advance the public diplomacy goals of the United States. Accordingly, the committee of conference urges the U.S. Information Agency to provide appropriate support within available resources for exchange-related activities associated with the World Cup.

National Endowment for Democracy. The Senate amendment (sec. 1302) authorizes $30,000,000 for fiscal year 1998 and $30,000,000 for fiscal year 1999 to carry out the National Endowment for Democracy Act. The section prescribes in law current National Endowment for Democracy (NED) practice, that 55 percent of funding will be divided equally between the four major NED grantees: the International Republican Institute (IRI), the National Democratic Institute (NDI), the Free Trade Union Institute (FTUI), and the Center for International Private Enterprise.

The House bill (sec. 1106(9)) authorizes $30,000,000 for fiscal year 1998 and $30,000,000 for fiscal year 1999 to carry out the National Endowment for Democracy Act.

The conference substitute (sec. 1401(9)) is identical to the House bill.

RETENTION OF INTEREST

The House bill (sec. 1402) authorizes grantees of the National Endowment of Democracy to deposit their grant money in interest bearing accounts and to use the interest for the purposes of the grant.

The Senate bill has no comparable provision.

The conference substitute (sec. 1411) is identical to the House bill.

USE OF SELECTED PROGRAM FEES

The House bill (sec. 1404) expands the United States Information Agency's existing fee retention authority.

The Senate amendment (sec. 1311) is virtually identical.

The conference substitute (sec. 1412) is similar to the Senate amendment, with technical changes to fully rewrite the section of law amended by the section.

MUSKIE FELLOWSHIP PROGRAM

The House bill (sec. 1405) expands the fields of study covered by the Muskie Fellowship Exchange Program which operates in the former Soviet Union, Lithuania, Latvia, and Estonia. In addition, the provision replaces the term ''Soviet Union'' in the statute with ''Independent States of the Former Soviet Union.''

The Senate amendment (sec. 1313) is nearly identical to the House bill.

The conference substitute (sec. 1413) is identical to the House bill.

WORKING GROUP ON UNITED STATES GOVERNMENT SPONSORED INTERNATIONAL EXCHANGES AND TRAINING

The House bill (sec. 1406) establishes an interagency working group on international exchanges and training to improve the coordination, efficiency and effectiveness of US government sponsored exchange programs.

The Senate amendment (sec. 1317) is similar to the House bill.

The conference substitute (sec. 1414) is similar to the House bill with technical changes.

EDUCATIONAL/CULTURAL EXCHANGES AND SCHOLARSHIPS FOR TIBETANS AND BURMESE

The House bill (sec. 1407) requires USIA to provide 30 scholarships for Tibetans and 15

scholarships for Burmese. It also requires USIA to establish exchange programs for Tibetans and Burmese.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1415) is similar to the House bill. The provision was redrafted to amend current law (Section 103(b)(1) of PL 104–319) to extend the Tibet and Burmese scholarship program for fiscal years 1998 and 1999. In addition, section 1732 of the House bill was incorporated into this section which provides for participants from Tibet to be active in the preservation of Tibet's culture, religion and language.

UNITED STATES-JAPAN COMMISSION

The House bill (sec. 1408) amends the United States-Japan Friendship Act (PL 94–118) to permit the Commission to invest the trust fund in either Japan or US Government securities.

The Senate amendment (sec. 1618) is virtually identical.

The conference substitute (sec. 1416) is identical to the House bill.

SURROGATE BROADCASTING STUDY

The House bill (sec. 1409) requires the USIA to conduct studies on the feasibility of providing surrogate broadcasting service to Africa and Iran.

The Senate has no comparable amendment.

The conference substitute (sec. 1417) is similar to the House bill but eliminates the study regarding Iran.

RADIO BROADCASTING TO IRAN

The Senate amendment (sec. 1315) provides $2 million of the grant funds designated for Radio Free Europe/Radio Liberty to be available for broadcasting to Iran. It also requires a report on how this new surrogate broadcasting service will be implemented.

The House bill has no comparable provision.

The conference substitute (sec. 1418) is identical to the Senate amendment.

AUTHORITY TO ADMINISTER SUMMER TRAVEL AND WORK PROGRAMS

The House bill (sec. 1410) authorizes the Director of USIA to administer the summer travel/work program without regard to the pre-placement requirements of the ''J'' visa.

The Senate amendment (sec. 1319) is virtually identical.

The conference substitute (sec. 1419) is identical to the Senate amendment.

PERMANENT ADMINISTRATIVE AUTHORITIES REGARDING APPROPRIATIONS

The House bill (sec. 1411) allows the USIA to transfer among accounts in the second year of a two-year bill and makes this authority permanent. The transfers could exceed the authorized levels, but are subject to limitation. The limitations are that amounts appropriated to the Salaries and Expenses and Exchange Program accounts may not exceed by more than 5% the authorized level. No other appropriation account may exceed by more than 10% the amount authorized.

The Senate amendment (sec. 1312) is similar to the House provision, except that it permits the transfer to occur in either year of a two year authorization and makes the authority permanent.

The conference substitute (sec. 1420) is the same as the House bill.

VOICE OF AMERICA BROADCASTS

The Senate amendment (sec. 1316) requires that the Voice of America devote programming time each day to broadcasting information on the individual States of the United States. The broadcasts are to include information on the products, cultural and educational facilities, and trade opportunities.

The House bill has no comparable provision.

The conference substitute (sec. 1421) is the same as the Senate amendment. The committee of conference notes that the House Report (105–94) discussed this issue in support of expanding VOA programming to incorporate specific interests of the states and territories. Such programming is in keeping with U.S. international broadcasting standards and principles.

INTERNATIONAL CONFERENCES AND CONTINGENCIES

The House bill (sec. 1102) provides authorization of appropriations for voluntary and assessed contributions to international organizations, voluntary and assessed contributions to UN peacekeeping, and international conferences and contingencies.

The Senate amendment (sec. 1201) provides authorization of appropriations for international conferences and contingencies on; $3,944,000 for fiscal year 1998, and $3,500,000 for fiscal year 1999.

The conference substitute (sec. 1501) provides $3,500,000 for fiscal years 1998, and $1,223,000 for fiscal year 1999 for international conferences and contingencies.

RESTRICTIONS RELATING TO INTERNATIONAL CRIMINAL TRIBUNAL

The Senate amendment (sec. 1211) requires that any participation of the United States in an international criminal court is subject to the advise and consent of the Senate and statutory implementing legislation.

The House bill has no similar provision

The conference substitute (sec. 1502) is similar to the Senate bill but clarifies the definition of membership and jurisdiction under such a court. The provision also makes clear that nothing in the section would prohibit the sharing of information, expertise, or other such assistance with such a court prior to Congressional approval. Finally, the conference substitute makes clear that this provision does not apply to the existing Rwanda and Former Yugoslavia war crimes tribunals.

MEMBERSHIP IN THE INTER-PARLIAMENTARY UNION

The Senate bill (Sec. 1213) requires either a cap of $500,000 on U.S. payments to the Inter-Parliamentary Union (IPU) or withdrawal by the United States. The fund also requires that funds allocated for travel by Members of Congress be returned to the State Department.

The House bill has no similar provision.

The conference substitute (Sec. 1503) makes technical and conforming amendments to the Senate provision. The provision has the same effect of capping U.S. payments at $500,000 or requiring withdrawal so that the United States will not accumulate arrears to the IPU. The provision also makes conforming amendments to delete the permanent appropriation for travel by Members of Congress. Unobligated balances in this account shall be transferred to the U.S. Treasury following enactment of this Act. This provision was requested by the Secretary of the Senate and the Clerk of the House of Representatives due to a lack of Congressional interest during the last decade. The Secretary of the Senate has indicated that interested Members of Congress can still travel under Leadership authorization and use State Department 502b funds.

SERVICE IN INTERNATIONAL ORGANIZATIONS

The House bill (sec. 1501) repeals a provision in the Federal Employees International Organizations Services Act which entitles a Federal employee after terminating his/her service with an international organization and reentering the federal service, the difference between (a) the salary, allowance, post adjustment and other monetary benefits actually paid to him/her by the international organization and (b) salary/benefits that he/she would have received had he/she been detailed to the international organization but paid by the U.S. Government.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1504) is similar to the House bill with technical changes.

REPORTS REGARDING FOREIGN TRAVEL

The Senate amendment (sec. 1214) requires any officer or employee of United States Executive agencies attending any international conference or engaging in any other foreign travel to submit a report to the Director of the Office of International Conferences of the Department of State stating the purpose, duration and estimated cost of the travel. The requirement does not apply to the President, the Vice President, or any person traveling on a delegation led by the President or Vice President, or any officer or employee of the Executive Office of the President, or the foreign travel of officers or employees of United States Executive agencies who are carrying out intelligence or intelligence-related activities, or law enforcement activities, or the deployment of members of the Armed forces of the United States or U.S. Government officials engaged in sensitive diplomatic missions.

The House bill has no similar provision.

The conference substitute (sec. 1505) is similar to the Senate amendment but makes changes to limit the application of the reporting requirement to travel to and from international conferences and meetings. The exception to this reporting requirement is narrowed to apply only to the President or Vice President (not their staffs), and officers or employees engaged in protective functions, intelligence activities, or sensitive diplomatic missions. For all other travel, the substitute requires the President to submit a report detailing the cost of and number of persons engaged in international travel.

ACDA AUTHORIZATION OF APPROPRIATIONS

The House bill (sec. 1107) authorizes $44,000,000 for fiscal year 1998 and $44,000,000 for fiscal year 1999 for the Arms Control and Disarmament Agency.

The Senate amendment (sec. 1501) authorizes $39,000,000 for fiscal year 1998 and $0 for fiscal year 1999 for the Arms Control and Disarmament Agency.

The conference substitute (sec. 1601) authorizes $41,500,000 for fiscal year 1998. For fiscal year 1999, $0 is authorzied for ACDA. The committee of conference notes that there will be an expected 2–fold increase in fees collected from the Machine Readable Visa which can be used to offset costs for ACDA.

STATUTORY CONSTRUCTION

The Senate bill (sec. 1511) reinstates a clarification contained in the Arms Control and Disarmament Act removed in the 102nd Congress. This section makes clear that the Arms Control and Disarmament Agency cannot authorize policies which would interfere with the use of firearms by an individual for the lawful purpose of personal defense, sport, recreation education or training.

The House bill has no comparable provision.

The conference substitute (sec. 1602) is identical to the Senate amendment.

TITLE XVIII—EUROPEAN SECURITY ACT

The House bill (sec. 3201–3207), includes the ''European Security Act of 1998'' which contains various provisions relating to security relations with Europe and Russia, including with respect to NATO enlargement, conventional arms control negotiations in Europe, and ballistic missile defense.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1701–1705) is similar to the House bill with modest changes.

With respect to NATO enlargement, the Act declares, among other things, that Poland, Hungary, and the Czech Republic should not be the last emerging democracies in central and Eastern Europe admitted to NATO. To implement this policy, the Act designates Romania, Estonia, Latvia, Lithuania, and Bulgaria as eligible to receive assistance under the NATO Participation Act of 1994. This designation gives these countries the same status under U.S. law as currently enjoyed by Poland, Hungary, the Czech Republic, and Slovenia. The Act further declares that NATO enlargement should be carried out in such a manner as to underscore the Alliance's defensive nature and demonstrate to Russia that NATO enlargement will enhance the security of all countries in Europe, including Russia.

With respect to conventional arms control, the Act declares that no revisions to the Conventional Armed Forces in Europe Treaty will be approved for entry into force with respect to the United States that jeopardize fundamental United States security interests in Europe or the effectiveness of NATO as a defensive alliance by, for example, extending rights or imposing responsibilities on new NATO members different from those applicable to current NATO members, or by limiting the ability of NATO to defend the territory of new NATO members.

With respect to ballistic missile defense, the Act declares that as the United States proceeds with efforts to develop defenses against ballistic missile attack, it should seek to foster a climate of cooperation with Russia on matters related to missile defense. In particular, the United States and its NATO allies should seek to cooperate with Russia in such areas as early warning.

To implement this policy, the Act provides that no agreement establishing a demarcation between theater and strategic missile defense systems may enter into force with respect to the United States without the advice and consent of the Senate pursuant to Article II, section 2, clause 2 of the Constitution. The purpose of this restriction is to prevent the Administration from implementing such an agreement on its own on the theory that Congress has ''preauthorized'' the implementation of such an agreement in prior legislation.

The Act further implements this policy regarding ballistic missile defense by requiring the submission of a report on cooperative ballistic missile defense efforts with Russia, including in the area of early warning, not later than July 1, 1998, July 1, 1999, and July 1, 2000. This report shall include, among other matters, a discussion of the status of any dialogue with Russia aimed at exploring the potential for mutual accommodation of outstanding issues between the two countries arising under the ABM Treaty.

REPORTS ON CLAIMS BY U.S. FIRMS AGAINST THE GOVERNMENT OF SAUDI ARABIA

The House bill (sec. 1703) requires a report every 120 days on the progress in resolving the commercial disputes between US firms and the Government of Saudi Arabia.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1801) is the same as the House bill with some modifications to the report requirements.

REPORTS ON DETERMINATIONS UNDER TITLE IV OF THE LIBERTAD ACT

The House bill (sec. 1705) requires the Secretary of State to make quarterly reports to the Congress on the implementation of Title IV of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (P.L. 104–114).

The Senate amendment has no comparable provision.

The conference substitute (sec. 1802) is similar to the House language, although it does not amend the permanent law but applies through September 30, 1999. The conference substitute also clarifies that the reports shall not identify the names of entities under review pursuant to Title IV of the LIBERTAD Act.

REPORT ON COMPLIANCE WITH THE HAGUE CONVENTION ON INTERNATIONAL CHILD ABDUCTION

The House bill (sec. 1710) requires periodic reports on the compliance of the signatories to the Hague Convention on the Civil Aspects of International Child Abduction.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1803) is similar to the House bill with the addition that the report include efforts by the State Department to encourage other countries to become signatories of the Convention, and limiting the reporting requirement to fiscal years 1998 and 1999.

ECUMENICAL PATRIARCHATE BY THE GOVERNMENT OF TURKEY

The House bill (sec. 1711) expresses a sense of Congress that the US should recognize the Ecumenical Patriarchate, located in Istanbul, Turkey as the spiritual center for more than 300 million Orthodox Christians worldwide.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1804) is the same as the House bill, except that the reference to the US using its influence as a permanent member of the UN Security Council was deleted.

REPORT ON RELATIONS WITH VIETNAM

The House bill (sec. 1714) expresses a sense of Congress that US-Vietnamese relations should be developed in such a way as to facilitate maximum progress in the areas of POW/MIA, human rights, and refugee issues, regional stability and economic relations.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1805) requires the Secretary of State to report on the extent to which the Government of Vietnam is 1) cooperating with the US on the fullest possible accounting of POW/MIA's; 2) has made progress on the release of political and religious prisoners; 3) is cooperating on requests by the U.S. to obtain full and free access to persons for interviews under the Orderly Departure and Resettlement Opportunities for Vietnamese Refugees programs; 4) has taken action to end corrupt practices in connections with exit visas; and 5) is making efforts to interview and resettle former reeducation camp victims and other persons.

REPORTS CONCERNING HUMAN RIGHTS VIOLATIONS IN LAOS

The House bill (sec. 1723) requires a report on the allegations of persecution and abuse of the Hmong and Laotian refugees who have returned to Laos.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1806) is identical to the House bill.

REPORT ON AN ALLIANCE AGAINST NARCOTICS TRAFFICKING IN THE WESTERN HEMISPHERE

The Senate amendment (section 1608(a)) expresses the sense of the Congress that the President should discuss with the democratically-elected Western Hemisphere governments, during the President's trips in the region in 1997 and through other consultations, the prospect of forming a multilateral alliance to address drug trafficking. In such consultations, the President should seek such governments' input on the possibility of forming alliance structures to (1) develop a regional, multilateral strategy to address the drug trafficking threat; and (2) establish a new mechanism for improving multilateral coordination of drug interdiction and drug-related law enforcement activities in the Western Hemisphere.

The House bill has no comparable provision.

The conference substitute (section 1807) is the same as the Senate amendment with technical changes.

TAIWAN AND THE WORLD TRADE ORGANIZATION

House bill (sec. 1722) expresses that Congress favors public support by officials of the Department of State for the accession of Taiwan to the World Trade Organization.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1808) is the same as the House bill with a few modifications.

PROGRAMS AND PROJECTS OF THE IAEA IN CUBA

The House bill (sec. 1801) withholds funds to a country in the amount equal to the value of nuclear fuel and related assistance provided by that country to Cuba during the preceding year.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1809) is the same as the House bill.

LIMITATION ON ASSISTANCE TO COUNTRIES AIDING CUBA NUCLEAR DEVELOPMENT

The House bill (sec. 1801) prohibits assistance to countries aiding Cuba's nuclear programs.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1810) is the same as the House bill.

INTERNATIONAL FUND FOR IRELAND

The House bill (sec. 1737) amends the Anglo-Irish Agreement Support Act of 1986 (P.L. 99–415) to strongly recommend that U.S. contributions ''shall'' be used in a manner that effectively increases employment opportunities in communities with rates of unemployment ''significantly'' higher than the local or urban average of unemployment in Northern Ireland (defined as the counties of Antrim, Armagh, Derry, Down, Tyrone, and Fermanagh).

Funding should be provided by the IFI only if individuals or entities receiving such funds are in compliance with the ''principles of economic justice.'' The principles of economic justice are defined as the ''MacBride Principles'' as modified, include:

(1) Increasing the representation of individuals, from under represented religious groups in the workforce, including managerial, supervisory, administrative, clerical, and technical jobs,

(2) Providing adequate security for the protection of minority employees at the workplace,

(3) Banning provocative sectarian or political emblems from the workplace,

(4) Providing that all job openings be advertised publicly and providing that special recruitment efforts be made to attract applicants from under represented religious groups,

(5) Providing that layoff, recall and termination procedures do not favor a particular religious group,

(6) Abolishing job reservations, apprenticeship restrictions and differential employment criteria which discriminate on the basis of religion,

(7) Providing for the development of training programs that will prepare substantial numbers of minority employees for skilled

jobs, including the expansion of existing programs and the creation of new programs to train, upgrade and improve the skills of minority employees,

(8) Establishing procedures to assess, identify and actively recruit minority employees with the potential for further advancement, and

(9) Proving for the appointment of a senior management staff member to be responsible for the employment efforts of the entity and, within a reasonable period of time, the implementation of the principles described above.

The section also includes the principles of economic justice to insure that these principles should be applied by those individuals or entities who receive any portion of the U.S. contribution to the International Fund for Ireland.

In addition a new provision was added to insure nothing shall require quotas or reverse discrimination, which is consistent with the intent and purpose of the MacBride principles.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1811) is similar to the House bill except the mandatory requirement that the US contributions shall be used in a manner that effectively increases employment opportunities in communities with rates of unemployment ''significantly'' higher than the local or urban average of unemployment in Northern Ireland (defined as the counties of Antrim, Armagh, Derry, Down, Tyrone, and Fermanagh) is changed to ''should''.

US POLICY WITH RESPECT TO JERUSALEM AS THE CAPITAL OF ISRAEL

The House bill (sec. 1709) contains four provisions which together reaffirm and strengthen U.S. policy as reflected in the Jerusalem Embassy Act of 1995 (P.L. 104–45) that Jerusalem should remain the undivided capital of Israel.

The Senate amendment (sec. 1603) similar to the House bill.

The conference substitute sec. 1812(a) authorizes the appropriation of $25,000,000 for fiscal year 1998 and $75,000,000 for fiscal year 1999 for the construction of a U.S. Embassy in Jerusalem. This subsection restates and updates the Jersusalem Embassy Act of 1995 (P.L. 104–45). It reiterates Congressional intent concerning the establishment of the U.S. Embassy in Jerusalem, Israel, no later than May 31, 1999.

Subsection (b) urges the President to correct the current anomalous situation in which the United States Ambassador to Israel, currently resident in Tel Aviv, does not supervise all U.S. diplomatic and consular activities in the State of Israel, and particularly, does not supervise the Consul General and consualte personnel in Jerusalem, Israel.

Subsection (c) requires new public documents to describe Jerusalem as Israel's capital as a prerequisite for funding under the bill. This requirement follows State Department practice in such publications as the ''Background Notes'' for Israel.

Subsection (d) requires that for purposes of registration of birth, certification of nationality, or issuance of a passport, that the Secretary of State, upon the request of a U.S. citizen born in Jerusalem, record the place of birth as Israel. The section does not constitute a requirement that U.S. citizens born in Jerusalem have Israel recorded as their place of birth.

A reporting requirement pertaining to subsection (a) is required by P.L. 104–45. The committee of conference recommends that that report also include information pertaining to subsections (b), (c), and (d). Accordingly, the commitment to implement subsection (b) should be detailed, the new public documents referred to in subsection (c) should be included with the report, and the Department of State should indicate the steps taken to inform U.S. citizens born in Jerusalem of the option they may exercise in seeking implementation of subsection (d). The Department of State should also include the number of citizens requesting the change permitted by subsection (d).

SUPPORT FOR DEMOCRATIC OPPOSITION IN IRAQ

The conference substitute (sec. 1813) adds a new section on Iraq. The committee of conference notes that bringing Saddam Hussen and other Iraqi officials to justice for war crimes has been a stated goal of President Clinton's administration since 1993. Legislation encouraging the Administration to pursue this course has passesd the House (H. Con. Res. 137) and is pending in the Senate (S. Con. Res. 78). Secretary of State Albright's statement of February 26, 1998 is noted: ''We look forward to working effectively with them in the future.'' The overt support for political activities and broadcasting by opposition forces can have a significant impact inside Iraq. In addition, the committee of conference notes that disparate Kurdish, Shiite, and Sunni groups have in the past been willing to set aside their differences and unite under the umbrella of the Iraqi National Congress (INC) to effectively challenge Saddam Hussein. The committee of conference recommends supporting efforts to reunite these disparate groups under a unified umbrella, whether it be the INC or another opposition group, to present a solid, pro-democracy, Iraqi front against Saddam Hussein. The Administration is expected to work closely with the Committee on Foreign Relations and the Committee on International Relations in the development of the program, including the selection of grantees.

DEVELOPMENT OF DEMOCRACY IN SERBIA

The House bill (sec. 1713) expresses a sense of Congress regarding the various methods and actions that can be taken to support the development of democracy in the Republic of Serbia. The Senate amendment has no comparable provision.

The conference substitute (sec. 1814) is similar to the House bill with modifications to consolidate the findings.

CUBA ASSISTANCE

The House bill (sec. 1901) makes $2 million available for democracy programs in Cuba under chapter 4 part II of the Foreign Assistance Act of 1961.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1815) is the same as the House bill.

FOREIGN ORGANIZATIONS THAT PERFORM OR PROMOTE ABORTION; FORCED ABORTION IN CHINA

The House bill (sec. 2101)

The Senate amendment had no comparable provision.

The conference substitute (sec. 1816) combines House bill sections 2101 and 2102. Section 2101 concerns U.S. population assistance to foreign organizations that perform or promote abortions. Section 2102 concerns UN Population Fund (UNFPA) activities in the People's Republic of China in relation to forced abortions carried out in connection with the Chinese government's population program.

The conference substitute prohibits, inter alia, population assistance to foreign organizations that ''engage in any activity or effort to alter the laws or governmental policies of any foreign country concerning the circumstances under which abortion is permitted, regulated, or prohibited.'' Such practices include not only overt lobbying for such changes, but also such other activities as sponsoring, rather than merely attending, conferences and workshops on the alleged defects of the abortion laws, as well the drafting and distribution of materials or public statements calling attention to such alleged defects.

DIVISION C—UNITED NATIONS REFORM

GENERAL PROVISIONS

Short title

The House bill has no similar section.

The Senate bill (Sec. 2001) names this division the ''United Nations Reform Act of 1997.''

The conference substitute (Sec. 2001) is identical to the Senate bill.

DEFINITIONS

The House bill has no similar section.

The Senate bill (Sec. 2002) defines the terms: appropriate congressional committee, designated specialized agency, secretary general, United Nations member, United Nations peacekeeping operation.

The conference substitute (Sec. 2002) is nearly identical to the Senate bill.

NONDELEGATION OF CERTIFICATION REQUIREMENTS

The House bill has no similar section.

The Senate bill (Sec. 2003) expresses that the Secretary of State may not delegate the authority in this chapter to make any certification.

The conference substitute (Sec. 2003) is identical to the Senate bill.

TITLE XXI—AUTHORIZATION OF APPROPRIATIONS

ASSESSED CONTRIBUTIONS TO THE UNITED NATIONS AND AFFILIATED ORGANIZATIONS.

The House bill (Sec. 1102) provides for $960,389,000 in fiscal year 1998 and $987,590,000 in fiscal year 1999 for assessed contributions to the United Nations and affiliated organizations.

The Senate bill (Sec. 2101) provides for $938,000,000 in fiscal year 1998 and $900,000,000 in fiscal year 1999 for assessed contributions to the United Nations and affiliated organizations, subject to certifications and conditions enumerated below.

The conference substitute (Sec. 2101) provides $901,000,000 for fiscal year 1998 and $900,000,000 for fiscal year 1999.

NO GROWTH BUDGET

The House bill has no similar provision.

Of the funds authorized, the Senate bill (Sec. 2101) makes available in fiscal years 1998 and 1999, $80,000,000 on a semi-annual basis only when the Secretary of State certifies to the Congress that no action has been taken by the United Nations to increase the United Nations 1998–99 budget of $2,533,000,000 during that period without finding an offset elsewhere in the United Nations budget during that period.

The conference substitute (Sec. 2101) amends the certification for a no growth budget to become an annual rather than a semi-annual certification

INSPECTOR GENERAL

The House bill has no similar provision.

The Senate bill (Sec. 2101) withholds 20 percent of the funds made available for the United Nations until the Secretary of State certifies that the Office of Internal Oversight Services (OIOS) continues to function as an independent inspector general. This section requires the Director of the OIOS to report directly to the Secretary General on the adequacy of his resources and to notify in writing each program, project, or activity funded by the United Nations that it has the authority to audit, inspect, or investigate it.

The conference substitute (Sec. 2101) makes several technical and conforming

amendments to the inspector general requirements of the Senate bill. This section requires that all reports completed by the Office of Internal Oversight Service, including audit, investigation, inspection, and evaluation reports, are made available to the United Nations members states, regardless of whether or not these reports are provided to the Secretary General.

PROHIBITION ON CERTAIN U.N. GLOBAL CONFERENCES

The House bill has no similar provision.

The Senate bill (Sec. 2101) prohibits U.S. funding of U.N. global conferences.

The conference substitute (Sec. 2101) is nearly identical to the Senate bill, except that it exempts conferences that were approved by the United Nations prior to enactment of the Act. The Conferees agree that the U.N. Global Conferences referred to in this section are those organized on a one-time basis with universal participation to address a single subject, such as the environment or population, outside of the normal course of regularly scheduled deliberations by existing U.N. bodies. For example, this section would have applied to the Rio Earth Summit, the Beijing Women's Conference, or the Habitat Conference. Should the U.N. schedule a conference of this kind, the U.S. will not fund such a conference nor any arrears related to such a conference. This section does not include conferences directed to the achievement of a binding international agreement, or other legal instrument, on a particular matter (such as, the negotiation on the control and elimination of anti-personnel land mines in the U.N. Conference on anti-personnel land mines in the U.N. Conference on Conventional Weapons and the U.N. Conference on Disarmament).

REDUCTION IN THE NUMBER OF POSTS

The House bill has no similar provision.

The Senate bill (Sec. 2101) requires annual withholding of $50,000,000 until the Secretary of State certifies that in fiscal year 1998 that 1,000 authorized posts have been suppressed at the United Nations, and that in fiscal year 1999 the United Nations is maintaining a vacancy rate of at least five percent for professional staff and 2.5 percent for general services staff. Both policies have been presented by Secretary General Kofi Annan as part of the 1998–99 budget for the United Nations.

The conference substitute (Sec. 2101) makes several technical and conforming amendments to the post reduction requirements of the Senate bill. The Conferees note the Secretary General's intention to abolish 1,000 posts, and understand that this reform represents the deletion of 1,000 posts that will not be filled. The Conferees intend that the transfer of posts due to changes in UN budget methodology, or for any other purpose, must not be counted toward the 1,000 post suppression required by this section. For example, posts from the jointly-financed activities which still exist, but are deleted from the UN staffing table because of the use of net budgeting, would not be included in the 1,000 post suppression.

PROHIBITION ON FUNDING ORGANIZATIONS OTHER THAN THE UNITED NATIONS FROM THE UNITED NATIONS REGULAR BUDGET

The House bill has no similar provision.

The Senate bill (Sec. 2101) requires the Secretary of State to certify that no United States contributions have been used to fund other international organizations out of the United Nations regular budget. This certification is not intended to refer to the U.N. giving grants or payments to other organizations.

The conference substitute (Sec. 2101) makes several technical and conforming amendments to the prohibition on funding of other organizations in the Senate bill. The Conferees clarified that no portion of the U.S. contribution to the United Nations regular budget should be used to fund the operating costs of another organization, which has been established through a framework treaty. Such organizations are those established under separate treaties of a framework nature, composed only of parties to the treaties, having their own secretariats. This term does not include U.N. human rights treaty bodies. Should any such framework treaty organization be funded out of the regular budget, the provision will require that the U.S. withhold from its U.S. assessment to the U.N. budget the U.S. share of the amount budgeted for such organizations.

LIMITATION ON U.S. ASSESSED CONTRIBUTIONS

The House bill has no similar provision.

The Senate bill (Sec. 2101) caps the amount authorized in assessed contributions to international organizations at $901,000,000 for fiscal years 1999 and 2000. Additional authorization is required to exceed this amount.

The conference substitute (Sec. 2101) is identical to the Senate bill.

REFUND OF EXCESS CONTRIBUTIONS

The House bill has no similar provision.

The Senate bill (Sec. 2101) requires that the United States continue to press its policy that the organizations in this account should have procedures in place to return excess contributions to member states when contributions exceed expenditures.

The conference substitute (Sec. 2101) is identical to the Senate bill.

ASSESSED CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

The House bill (Sec. 1102) authorizes $240 million for fiscal year 1998 and $240 million for fiscal year 1999 for assessed peacekeeping operations and activities.

The Senate bill (Sec. 2103) authorizes $200 million for fiscal year 1998 and $205 million for fiscal year 1999 for assessed peacekeeping operations and activities. This section also consolidates many current reporting requirements regarding international peacekeeping activities.

The Conference substitute (Sec. 2102) authorizes $210 million for fiscal year 1998 and $220 million for fiscal year 1999 for assessed peacekeeping operations and activities.

CODIFICATION OF REQUIRED NOTICE OF PROPOSED UNITED NATIONS PEACEKEEPING OPERATIONS

The House bill has no similar provision.

The Senate bill (Sec. 2103) consolidates many current reporting requirements regarding international peacekeeping activities.

The conference substitute (Sec. 2102) amends the timing of notification and makes amendments to the funding and troop levels that trigger notification.

TITLE XXII—UNITED NATIONS ACTIVITIES

UNITED NATIONS POLICY ON ISRAEL AND THE PALESTINIANS

The House bill (Sec. 1522) requires reports on efforts to promote full equality at the UN for Israel. Section 1522 expresses a sense of Congress to expand Israel's participation at the United Nations. The Secretary is required to submit a report not later than 90 days after the date of enactment (and on a quarterly basis thereafter) that outlines actions taken by the United States to encourage the Western European and Other Group (WEOG) to accept Israel as a member, and the efforts undertaken by the Secretary General of the United States to secure Israel's participation in that body. The report must include the specific responses of each of the WEOG member states regarding their position concerning Israel's membership as well as other measures either underway or planned to promote Israel's full and equal participation in the United Nations.

The Senate bill (Sec. 2102) provides that it shall be the policy of the United States to assist Israel in gaining acceptance into a United Nations regional bloc. It states further that it shall be the policy of the United States to seek the abolition of the U.N. Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories; the U.N.'s Committee on the Exercise of the Inalienable Rights of the Palestinian People; the U.N.'s Division for the Palestinian Rights; and the U.N.'s Division on Public Information on the Question of Palestine. The Secretary of State is required to consult with the appropriate congressional committees on steps taken to these ends, including efforts to bring Israel into the Western Europe and Others Groups of the U.N.

The conference substitute (Sec. 2201) requires that the it be the policy of the United States to assist Israel in gaining acceptance into a United Nations regional bloc. It states further that it shall be the policy of the United States to seek the abolition of the U.N. Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and other Arabs of the Occupied Territories; the U.N.'s Committee on the Exercise of the Inalienable Rights of the Palestinian People; the U.N.'s Division for the Palestinian Rights; and the U.N.'s Division on Public Information on the Question of Palestine. The section requires an annual report on actions taken by the United States to encourage the Western European and Other Group (WEOG) to accept Israel as a member, and the efforts undertaken by the Secretary General of the United States to secure Israel's participation in that body. The conference substitute also requires the Secretary to consult with Congress when submitting the annual report on the specific responses of each of the WEOG member states regarding their position concerning Israel's membership as well as other measures either underway or planned to promote Israel's full and equal participation in the United Nations.

DATA ON COSTS INCURRED IN SUPPORT OF UNITED NATIONS PEACE AND SECURITY OPERATIONS

The House bill has no similar division.

The Senate bill (Sec. 2104) requires the United States to report annually to the United Nations on the total costs of United Nations peacekeeping activities—including assessed, voluntary and incremental costs—to the United Nations. The section also requires the United States to request that the United Nations prepare and publish a report that compiles similar information for other United Nations member states.

The conference substitute (Sec. 2202) is nearly identical to the Senate bill. The Conferees expect that this comprehensive reporting will quantify all costs to the United States for peacekeeping activities, and enable the Congress to consider those costs in relation to the proposed operation or expansion of an operation prior to action by the United Nations Security Council.

REIMBURSEMENT FOR GOODS AND SERVICES PROVIDED BY THE UNITED STATES TO THE UNITED NATIONS

The House bill contains no similar provision.

The Senate bill (section 2105) requires that the United States seek and receive reimbursement for any assistance, including personnel, services, supplies, equipment, and facilities, to the United Nations, United Nations assessed peacekeeping operations, and

bilateral assistance designed to assist that country to participate in the peacekeeping operation.

The Senate bill is prospective in its application and permits the President to waive the provision if he determines that an important national interest exists. However, such a waiver is subject both to notification requirements of section 634A of the Foreign Assistance Act and a joint resolution of disapproval by Congress if Congress disapproves of the President's determination.

The Senate bill also exempts direct assistance for U.S. military personnel. The Administration requested this provision, and understands that it is designed only to allow for incidental costs in support of U.S. troops such as extra blankets, latrines, or other similar services that the U.N. does not ordinarily supply for troops carrying out a U.N. peacekeeping operation.

The conference substitute (Sec. 2203) makes several changes but, like the Senate provision, is intended to ensure that the U.S. Government is reimbursed by the U.N. in a timely manner for military assistance it provides in support of the U.N. or U.N. peacekeeping operations, whether this assistance is provided to the U.N. or to another country participating in such an operation. The conference substitute makes clear that this provision is not intended to apply to civilian police monitors, which are funded individually by the nation contributing monitors.

As drafted, the conferees believe that this section does not impede the President in his ability to use any constitutional authority to provide assistance at any time. The conference substitute exempts the deployment of United States troops by the President from the requirement of reprogramming procedures under section 634A of the Foreign Assistance Act of 1961. As written, this section does not affect the President's constitutional authority as Commander-in-Chief. Nothing in this section shall be construed as an authorization of the use of force.

UNITED STATES POLICY REGARDING UNITED NATIONS PEACEKEEPING MISSIONS

The House bill has no similar section.

The Senate bill (section 2107) makes clear that the policy of the United States is to limit the size and scope of United Nations peacekeeping missions. It is not the policy of the United States to support major U.N. peacekeeping operations such as the United Nations Protection Force (UNPROFOR) in the former Yugoslavia. Smaller peacekeeping missions should be considered on a case by case basis (with full consultation with Congress as required in section 2102 of this Act).

The conference substitute (Sec. 2204) is nearly identical to section 2107 of the Senate bill and also consolidates section 2106 of the Senate bill into this provision. Thus, this section also makes clear that the stated policy of the United States is not to fund peacekeeping activities out of the regular budget unless the President determines and notifies Congress that an important national security interest exists.

The Conferees expect that a clear statement of this policy will save United States taxpayers millions of dollars as it limits the scope and mandate of United Nations peacekeeping missions.

REFORM IN BUDGET DECISION-MAKING PROCEDURES OF THE UNITED NATIONS AND SPECIALIZED AGENCIES

The House bill (Sec. 1521) extends current law allowing the President to withhold 20 percent of appropriated funds for the U.N. or any of its specialized agencies if the U.N. or the agency fails to implement consensus-based budget decision making procedures. The President is directed to notify Congress of any decisions to withhold the U.S. share of an assessed contribution to the United Nations.

The Senate bill has no similar provision.

The conference substitute is nearly identical to the House bill.

CONTINUED EXTENSION OF PRIVILEGES, EXEMPTIONS, AND IMMUNITIES OF THE INTERNATIONAL ORGANIZATIONS IMMUNITIES ACT TO UNIDO

The House bill (Sec. 1524) extends U.S. privileges and immunities to the United Nations Industrial Development Organization consistent with longstanding U.S. policy regarding U.S. withdrawal from multilateral organizations.

The Senate bill has no similar provision.

The conference substitute is identical to the House bill.

SENSE OF THE CONGRESS REGARDING COMPLIANCE WITH CHILD AND SPOUSAL SUPPORT OBLIGATIONS BY UNITED NATIONS PERSONNEL

The House bill (Sec. 1728) urges the Secretary of State to fully comply with regulations regarding compliance with child and spousal support obligations by United Nations personnel. The House bill also withholds $10 million until the Secretary certifies that the U.N. is enforcing child and spousal support payments, and reforming its pension policy.

The Senate bill has no similar provision.

The conference substitute deletes the withholding requirement but continues to urge that the Secretary of State ensure that the U.N. is enforcing child and spousal support payments.

ORGANIZATION OF AMERICAN STATES

The House bill (Sec. 1502) expresses the Sense of the Congress that the Secretary of State should make every effort to pay the United States share of assessed funding levels for the Organization of American States (OAS).

The Senate bill (Sec. 2108) is identical to the House bill.

The conference substitute deletes this provision. The Conferees recognize that the OAS is uniquely important to the United States interests in the Western Hemisphere, especially in the areas of trade, anti-drug trafficking efforts, support for human rights and democracy, and that the OAS is disproportionately supported by the United States contribution of 59 percent. Responding in part to the leadership of the United States, the OAS is continuing broad reforms in its agenda and its budget. The Committee notes that the OAS operating budget has not grown for the past three years. It was the intent of both the Senate and House provisions that the State Department consider these factors when allocating resources to international organizations.

TITLE XXII—ARREARS PAYMENTS AND REFORM

Chapter 1—Arrearage to the United Nations

AUTHORIZATION OF APPROPRIATIONS

The House bill has no similar provision.

The Senate bill (Sec. 2201) section authorizes $100,000,000 in fiscal year 1998, $475 million in fiscal year 1999, and $244 million in fiscal year 2000 for the repayment of arrears to the United Nations, United Nations peacekeeping activities, United Nations specialized agencies, and other international organizations.

The conference substitute (Sec. 2301) is nearly identical.

DISBURSEMENT OF FUNDS

The House bill has no similar provision.

The Senate bill (Sec. 2202) outlines the manner in which disbursements will be made, and requires that certification of specified reforms be completed prior to any disbursement of funds by the United States. This section also requires a 30 day notification by the Secretary of State to Congress prior to the disbursement of any funds.

The conference substitute (Sec. 2302) is nearly identical, except that it contains a limited waiver of certain conditions. In response to a direct request from the Secretary of State, we agreed to grant the Secretary a very limited waiver authority upon assurances that it would be exercised only if strict conditions are met. We continue to believe that achievement of each of the reforms contained in this plan is essential if the United Nations is to be able to contend with the challenges of the 21st Century. Thus, we expect that all of the conditions required by the legislation will be met and that there will be no need to use the waiver authority.

The bill grants the Secretary of State a very limited authority to waive one of the conditions in each of the second and third years of the U.N. payment plan. This waiver may be exercised only if substantial progress has already been made in meeting the condition proposed to be waived. Further, prior to exercising such a waiver, the Secretary of State must first consult with the appropriate Congressional Committees to explain in detail why it is important to the national interest of the United States to do so.

Most important, this section prohibits the Secretary from waiving requirements to reduce U.S. assessment rates or to establish an inspector general in the specialized agencies. The Secretary of State, while serving as the U.S. Permanent Representative to the United Nations, proposed a bold plan to reduce the U.S. assessment to 20 percent. That proposal was incorporated into this legislation and its is expected that the Administration will achieve this reduction within three years. For this reason, this section strictly prohibits the Secretary from waiving the requirements on reducing the U.S. assessment rates for peacekeeping operations or for the U.N. regular budget. Also, the Conferees continue to believe that the specialized agencies are in need of serious, independent scrutiny. Therefore, the requirement that there be established within the World Health Organization (WHO), the Food and Agriculture Organization (FAO), and the International Labor Organization (ILO) an inspector general to investigate cases of waste, fraud and abuse, cannot be waived.

While we rejected outright the Administration's proposal to allow a waiver of the U.S. assessment rates, we are persuaded that an unforeseen circumstance may arise which prohibits total achievement of the legislative requirements related to the assessment rates. For this reason, the Administration should be allowed some flexibility if it has substantially achieved the requirement to reduce the U.S. general budget assessment to 20 percent. If Congress is convinced that the Administration has substantially achieved the requirement to reduce the U.S. assessment to 20 percent, we commit to act expeditiously to consider legislation to release the funds in Fiscal Year 2000.

Throughout the three year reform period, the we expect that the Administration will consult with Congress regularly to discuss the status of each of these reforms and to explain well in advance if a particular reform cannot be met fully.

Subchapter B—United States Sovereignty/ Certification requirements

SUPREMACY OF THE CONSTITUTION

The House bill has no similar provision.

The Senate bill (Sec. 2211) requires that the Secretary of State certify that the United States Constitution controls U.S. law and no action by the United Nations or any of its agencies has caused the U.S. to violate the Constitution.

The conference substitute (Sec. 2311) is identical to the Senate bill.

NO UNITED NATIONS SOVEREIGNTY

The House bill has no similar provision.

The Senate bill (Sec. 2211) requires that the Secretary of State certify that neither the United Nations nor its specialized agencies have exercise authority over the United States or taken forward steps to require that the U.S. cede sovereignty.

The conference substitute (Sec. 2311) is identical to the Senate bill.

NO UNITED NATIONS TAXATION

The House bill has no similar provision.

The Senate bill (Sec. 2211) requires that the Secretary of State certify that U.S. law does not give the United Nations any legal authority to tax the American people; no taxes or comparable fees have in fact been imposed; and there has been no effort sanctioned by the United Nations to develop, advocate or promote such a taxation proposal.

The conference substitute (Sec. 2311) is identical to the Senate bill.

NO UNITED NATIONS STANDING ARMY

The House bill has no similar provision.

The Senate bill (Sec. 2211) requires that the Secretary of State certify that the United Nations has not taken formal steps to create or develop a standing army under Article 43 of the United Nations Charter.

The conference substitute (Sec. 2311) is identical to the Senate bill.

NO INTEREST FEES

The House bill has no similar provision.

The Senate bill (Sec. 2211) requires that the Secretary of State certify that interest fees have not been levied on the U.S. for any arrears owed to the United Nations.

The conference substitute (Sec. 2311) is identical to the Senate bill.

NO UNITED NATIONS REAL PROPERTY RIGHTS

The House bill has no similar provision.

The Senate bill (Sec. 2211) requires that the Secretary of State certify that neither the United Nations nor its specialized agencies have exercised any authority or control over public or private property in the United States.

The conference substitute (Sec. 2311) is nearly identical to the Senate bill. This section should not be construed to override obligations of the parties to the International Organizations Immunities Act, the Agreement Regarding the Headquarters of the United Nations, supplemental agreements to the Agreement, the Convention on the Privileges and Immunities of the United Nations, or under any other agreement with the United States according the United Nations or its specialized agencies privileges and immunities, or apply to property occupied or utilized under lease or contract with private or government owners.

TERMINATION OF BORROWING AUTHORITY

The House bill has no similar provision.

The Senate bill (Sec. 2211) requires that the Secretary of State certify that the United Nations has not engaged in external borrowing, nor have the financial regulations of the United Nations or any of its specialized agencies been amended to permit borrowing, nor has the United States paid any interest for any loans incurred through external borrowing by the United Nations or its specialized agencies.

The conference substitute (Sec. 2311) is identical to the Senate bill.

Subchapter C—Reform of Assessments and United Nations Peace Operations

CERTIFICATION REQUIREMENTS FOR FISCAL YEAR 1999

The House bill has no similar provision.

The Senate bill (Sec. 2221) requires that the Secretary shall not make her 1999 certification if she determines the 1998 certifications are no longer valid, and prior to payment of authorized arrears in fiscal year 1999, certify that the certification requirements set out below have been met.

The conference substitute (Sec. 2321) is nearly identical to the Senate bill.

CONTESTED ARREARS ACCOUNT

The House bill has no similar provision.

The Senate bill (Sec. 2211) requires that prior to disbursement of any funds authorized in this title, a contested arrears or some other appropriate mechanism has been created for the U.S. This account represents the difference between what the United Nations says is owed by the United States and the amount recognized by the United States Congress. Thus, the sum of the obligations that the Congress is authorizing in this legislation is the total that the Congress shall authorize to be appropriated to the U.N. for its arrears under the regular and peacekeeping budgets. Agreement must be reached with the United Nations that any monies identified in this account will not affect the voting rights of the United States as contained in Article 19 of the United Nations charter.

The conference substitute (Sec. 2321) is nearly identical, but the timing of the certification was moved to fiscal year 1999 certifications at the request of the Administration.

LIMITATION ON SHARE OF REGULAR BUDGET

The House bill has no similar provision.

The Senate bill (Sec. 2211) requires that the share of the total regular budget assessment for the United Nations and its specialized agencies does not exceed 22 percent for any member.

The conference substitute (Sec. 2311) is identical to the Senate bill.

LIMITATION ON ASSESSED SHARE OF BUDGET FOR PEACE OPERATIONS

The House bill has no similar provision.

The Senate bill (Sec. 2221) requires that the Secretary of State certify that the share of the total peacekeeping budget for each United Nations assessed peace operation does not exceed 25 percent for any member.

The conference substitute (Sec. 2321) is identical to the Senate bill.

TRANSFER OF REGULAR BUDGET-FUNDED PEACE OPERATIONS

The House bill has no similar provision.

The Senate bill (Sec. 2221) requires that the Secretary of State certify that the mandates of two peace operations funded from the regular budget, the United Nations Truce Supervision Organization (UNTSO) and the United Nations Military Observer Group in India and Pakistan (UNMOGIP) are subject to annual review by the Security Council, and the Congressional notification requirements for peacekeeping activities.

The conference substitute (Sec. 2321) is identical to the Senate bill.

Subchapter D—Budget and Personnel Reform

CERTIFICATION REQUIREMENTS

The House bill has no similar provision.

The Senate bill (Sec. 2231) requires that the Secretary shall not make her fiscal year 2000 certification if she determines the fiscal year 1998 and 1999 certifications are no longer valid, and prior to payment of authorized arrears in fiscal year 2000, certify that the certification requirements set out below have been met.

The conference substitute (Sec. 2331) is nearly identical to the Senate bill.

LIMITATION ON ASSESSED SHARE OF REGULAR BUDGET

The House bill has no similar provision.

The Senate bill (Sec. 2231) requires that the Secretary of State certify that the share of the total regular budget assessment for the United Nations and its specialized agencies does not exceed 20 percent for any member.

The conference substitute (Sec. 2331) is identical to the Senate bill.

INSPECTOR GENERAL FOR CERTAIN ORGANIZATIONS

The House bill has no similar provision.

The Senate bill (Sec. 2231) requires that the Secretary of State certify that the three largest specialized agencies, the International Labor Organization, the Food and Agriculture Organization, and the World Health Organization have each established an internal inspector general office comparable to the Office of Internal Oversight Services established in the United Nations following a similar certification requirement in the Foreign Relations Authorization Act, FY94–95 (section 401 of P.L. 103–236).

The conference substitute (Sec. 2331) is nearly identical to the Senate bill.

NEW BUDGET PROCEDURES FOR THE UNITED NATIONS

The House bill has no similar provision.

The Senate bill (Sec. 2231) requires that the Secretary of State certify that the United Nations is implementing budget procedures that require the budget agreed to at the start of a budgetary cycle to be maintained, and the system wide identification of expenditures by functional categories. For purposes of this section, system-wide identification of expenditures by functional categories is defined to mean an object class distribution of resources. The object class distribution should accompany the initial regular assessed budget estimates for both the United Nations and its specialized agencies.

The conference substitute (Sec. 2331) is identical to the Senate bill.

SUNSET POLICY FOR CERTAIN UNITED NATIONS PROGRAMS

The House bill has no similar provision.

The Senate bill (Sec. 2231) requires that the Secretary of State certify that the United Nations and the International Labor Organization, the Food and Agriculture Organization, and the World Health Organization have each established an evaluation system that requires a determination as to the relevance and effectiveness of each program. The United States is required to seek a ''sunset'' date for each program unless the program demonstrates relevance and effectiveness.

The conference substitute (Sec. 2331) is nearly identical to the Senate bill. The Conferees strongly object to the incorporation of funding for terminated programs into the baseline of the UN budget for the next biennium. Funding for programs which have ceased and one-time expenditures should not be carried over into the next budget cycle. The sunset of programs should result in financial savings for the member states.

UNITED NATIONS ADVISORY COMMITTEE ON ADMINISTRATIVE AND BUDGETARY QUESTIONS

The House bill has no similar provision.

The Senate bill (Sec. 2231) requires that the Secretary of State certify that the United States have a seat on the United Nations Committee on Administrative and Budgetary Questions (ACABQ). Until 1997, the United States has served on this committee since the creation of the United Nations. This committee is key to the budgetary decisions at the United Nations and the United States, as the largest contributing nations, should have a seat on this Committee.

The conference substitute (Sec. 2331) is nearly identical to the Senate bill.

NATIONAL AUDITS

The House bill has no similar provision.

The Senate bill (Sec. 2231) requires that the Secretary of State certify that the General Accounting Office (GAO) shall have access to United Nations financial data so that the GAO may perform nationally mandated reviews of all United Nations operations.

The conference substitute (Sec. 2331) is nearly identical to the Senate bill. Financial data means data pertaining to the financial transactions of the United Nations as well as data relating to its organization and activities. It is contemplated that as a result of this provision, GAO will have access to the data it determines it needs to conduct reviews of all U.N. operations.

PERSONNEL

The House bill has no similar provision.

The Senate bill (Sec. 2231) requires that the Secretary of State certify that the United Nations is enforcing a personnel system based on merit and is enforcing a worldwide availability of its international civil servants; a code of conduct is being implemented that requires, among other standards, financial disclosure statements by senior United Nations officials; a personnel evaluation system is being implemented; periodic assessments are being completed by the United Nations to determine total staffing levels and reporting of those assessments; and the United States has completed a review of the United Nations allowance system, including recommendations for reductions in allowances.

The conference substitute (Sec. 2331) is nearly identical to the Senate bill.

REDUCTION IN BUDGET AUTHORITIES

The House bill has no similar provision.

The Senate bill (Sec. 2231) requires that the Secretary of State certify that the International Labor Organization, the Food and Agriculture Organization, and the World Health Organization have each approved a budget that reflects a decline in the budget approved for 2000–01 from the levels agreed to for 1998–99.

The conference substitute (Sec. 2331) is nearly identical to the Senate bill.

NEW BUDGET PROCEDURES AND FINANCIAL REGULATIONS FOR SPECIALIZED AGENCIES

The House bill has no similar provision.

The Senate bill (Sec. 2231) requires that the Secretary of State certify that the International Labor Organization, the Food and Agriculture Organization, and the World Health Organization have each established procedures require the budget agreed to at the start of a budgetary cycle to be maintained; the system wide identification of expenditures by functional categories; and approval of supplemental budget requests to the secretariat in advance of appropriations for those requests.

The conference substitute (Sec. 2331) is nearly identical to the Senate bill.

Chapter 2—Miscellaneous provisions

STATUTORY CONSTRUCTION IN RELATION TO EXISTING LAWS

The House bill has no similar provision.

The Senate bill (Sec. 2241) makes clear that this Act does not change or reverse any previous provision of law regarding restriction on funding to international organizations.

The conference substitute (Sec. 2341) is identical to the Senate bill.

PROHIBITION ON PAYMENTS RELATING TO UNIDO AND OTHER ORGANIZATIONS FROM WHICH THE UNITED STATES HAS WITHDRAWN OR RESCINDED FUNDING

The House bill has no similar provision.

The Senate bill (Sec. 2242) prohibits payment to organizations from which the United States has withdrawn or from which Congress has rescinded funding, including the United Nations Industrial Organization and the World Tourism Organization.

The conference substitute (Sec. 2342) is identical to the Senate bill.

OTHER PROVISIONS

STATEMENT CONCERNING RETURN OF WRONGFULLY CONFISCATED FOREIGN PROPERTIES

The House bill (sec. 1715) expresses a sense of Congress supporting efforts and encouraging further actions by post-communist countries to address the questions of the status of wrongly confiscated properties.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1909) is identical to the Senate.

PAYMENT OF IRAQI CLAIMS

The Senate amendment (sec. 1601), at subsection (a), requires that all nondiplomatic accounts of the Government of Iraq in the United States that have been blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) vest in the President. It further requires that the President liquidate such accounts within 30 days of the date of enactment of the Act, and transfer the amounts from such liquidation into the Iraq Claims Fund, established under subsection (b).

The House bill contains no comparable provision.

The conference substitute is the same as the House bill.

PROHIBITION ON FUNDING FOR UNESCO WORLD HERITAGE PROGRAMS

The House bill (sec. 1525) prohibits funds authorized by this Act to be made available for the Man and Biosphere Program or the World Heritage Program administered by UNESCO.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

COMPREHENSIVE COMPILATION OF ARMS CONTROL AND DISARMAMENT STUDIES

The House bill (sec. 1601) repeals a reporting requirement to compile arms control and disarmament studies because a similar report is produced by another organization.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

USE OF FUNDS

The House bill (sec. 1602) amends current law by eliminating a requirement to use the Government Printing Office and allowing the Arms Control and Disarmament Agency to procure printing and binding from local vendors.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

RADIO FREE EUROPE/RADIO LIBERTY

The House bill (sec. 1707) is a sense of Congress that RFE/RL should continue surrogate broadcasting beyond the year 2000 to countries whose people do not yet fully enjoy freedom of expression.

The Senate amendment has no comparable provision.

The conference substitute (sec. 1328) revised the House provision to require that the Broadcasting Board of Governors issue a report to include an assessment of the need for continued funding of RFE/RL broadcasts in the year 2000 and beyond.

U.S. CITIZENS HELD IN PRISONS IN PERU

The House bill (sec. 1716) expresses a sense of Congress that Peru should respect the rights of prisoners to timely legal procedures, including the rights of all US citizens held in prisons in Peru.

The Senate amendment (sec. 1613) expresses a sense of the Senate that the Government of Peru should take all necessary steps to ensure that US citizens charged with a crime is accord fair proceedings in a civilian court.

The conference substitute does not include any provision.

PRISONERS IN ANDEAN COUNTRIES

The House bill (sec. 1730) expresses the Sense of Congress that the Governments of the Andean countries should respect the rights of prisoners to timely legal procedures.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

SPECIAL ENVOYS FOR MUTUAL DISARMAMENT

The House bill (sec. 1718) requires the US Ambassador to the United Nations to support UN efforts to appoint special envoys for conflict prevention to organize and conduct mutual disarmament talks in every region of the world.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

TRANSFER OF NUCLEAR WASTE FROM TAIWAN TO NORTH KOREA

The House bill (sec. 1719) expresses a sense of Congress that the Government of Taiwan should refrain from issuing an export license for the transfer of nuclear waste to North Korea until all parties on the Korean peninsula are assured that certain safety precautions are met.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

ASSISTANCE FOR ETHIOPIA

The House bill (sec. 1717) states that the Department of State should monitor human rights progress in Ethiopia.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

PRIME MINISTER GUJRAL

The House bill (sec. 1720) expresses a sense of Congress that the Administration should support and work closely with Indian Prime Minister Gujral to strengthen relations between the US and India.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

SOVEREIGNTY OF BELARUS

The House bill (sec. 1721) expresses a sense of Congress that the Administration urge the Government of President Aleksandr Lukashenka of the Republic of Belarus to defend the sovereignty of Belarus.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

BORDER CLOSURES

The House bill (sec. 1724) requires a report on any border closure or use of an economic or commercial blockade by or against any independent state of the former Soviet Union against any other country.

The Senate amendment has no comparable provision.

The conference substitute is the same as to the Senate amendment.

NAGORNO-KARABAGH CONFLICT

The House bill (sec. 1725) expresses a sense of Congress that the US should take a greater leadership role in working for a negotiated settlement of the Nagorno-Karabagh conflict.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

CRISIS IN ALBANIA

The House bill (sec. 1726) expresses a sense of Congress that among other things, the US should support the new Albanian government as it attempts to reestablish calm and achieve political reconciliation .

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

UKRAINE

The House bill (sec. 1727) expresses a sense of Congress that the President should ensure that Ukraine receives assistance for fiscal years 1998 and 1999 for political and economic reforms at a level equal to that allocated to Ukraine for fiscal year 1997.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

AZERBAIJAN

The House bill (sec. 1729) expresses a sense of Congress that the President should seek cooperation from the governments of Armenia, Azerbaijan and Turkey to encourage the construction of a pipeline route from Azerbaijan through Armenia that could reach Turkey and Mediterranean sea ports.

The Senate amendment has no comparable amendment.

The conference substitute is the same as the Senate amendment.

ADDITIONAL REQUIREMENTS

The House bill (sec. 1731) permitted counter narcotic military assistance to countries that had been decertified on their cooperation on drug-related matters.

The Senate amendment has no comparable provision

The conference substitute is the same as the Senate amendment.

US POLICY REGARDING RELIGIOUS PERSECUTION AND SUPPORT OF TERRORISM BY SUDAN

The House bill (sec. 1733) imposed trade and investment sanctions on the government of Sudan until such time as the President certifies to Congress that Sudan is no longer sponsoring or supporting terrorism.

The Senate amendment (sec. 1605) imposed prohibitions on financial transactions on state sponsors of terrorism.

The conference substitute contains no provision.

SYRIA

The House bill (sec. 1734) expresses the sense of Congress that the US should consider applying to Syria sanctions which are currently enforced against Iran and Libya under the Iran and Libya Sanctions Act of 1996 if the Government of Syria does not eliminate its destablizing policies.

The Senate has no comparable amendment.

The conference substitute is the same as the Senate amendment.

ABDUCTION OF DONALD HUTCHINGS

The House bill (sec. 1735) expresses the sense of Congress that the militant organization Al-Faran should release Donald Hutchings and three Western Europeans from captivity.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

CUBAN CIGARS

The House bill (sec. 1736) expresses a sense of Congress that the US should not prohibit the importation into the U.S. of cigars that are the product of Cuba until the Government of Cuba has met certain human rights criteria.

The Senate amendment has no comparable provision.

The conference substitute is identical to the Senate amendment.

LITHUANIA AND LATVIA

The House bill (sec. 1738) expresses the sense of Congress that adequate assistance should be provided to Lithuania and Latvia in fiscal year 1998.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

EAST TIMOR

The House bill (sec. 1739) states that Congress affirms its support for a just and peaceful solution to the conflict in East Timor.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

NATO ENLARGEMENT ASSISTANCE

The House bill (sec. 1740) expresses the sense of Congress that Romania has made progress toward meeting the criteria for accession into NATO and states that the President shall designate Romania as eligible to receive assistance under the program established under the NATO Participation Act.

The Senate amendment (sec. 1612) expresses a sense of the Senate that Romania, Estonia, Latvia, Lithuania, and Bulgaria are to be commended for their progress toward political and economic reform. In addition it states that Romania, Estonia, Latvia, Lithuania and Bulgaria are designated as eligible to receive assistance under the program established under the NATO participation Act.

The conference substitute is the same as the Senate amendment.

PALESTINIAN LAND SALES

The House bill (sec. 2201) expresses the sense of Congress condemning the policy and practice of murdering Palestinian sales of land to Jews.

The Senate amendment (sec. 1622) is similar to the House provision.

The conference substitute does not include any provision.

CONGO

The House bill (sec. 2301) makes foreign assistance available to the Democratic Republic of Congo.

The Senate amendment has no comparable amendment.

The conference substitute is the same as the Senate amendment.

CHINA

The House bill (sec. 2401) expresses a sense of Congress regarding the imprisonment of Ngawang Choephel in China.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

BUY AMERICAN

The House bill (sec. 2501) requires compliance with the Buy American Act.

The Senate amendment has no comparable provision.

The conference substitute is identical to the Senate amendment.

FOREIGN AID REPORTING REFORM

The House bill (sec. 2601–2604) requires detailed annual reports justifying the foreign assistance programs.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

PROGRAMS IN LATIN AMERICA, THE CARIBBEAN AND THE ASIA AND PACIFIC REGION

The House bill (sec. 2701) requires aid to be proportional by region.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

INDONESIA

The House bill (sec. 2801) expresses the sense of Congress on various political and human rights issues within Indonesia.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

LIBYA

The House bill (sec. 2901) prohibits foreign aid to any country that assists Libya in circumventing UN sanctions.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

RUSSIA

The House bill (sec. 3101) prohibits foreign aid to Russia if Russia transfers missiles to China.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

BELARUS

The Senate amendment (sec. 1602) expresses the sense of the Congress that if Belarus concludes a treaty of unification with another country the US Permanent Representative to the UN should introduce resolutions abrogating the sovereign status of Belarus within the UN.

The House bill has no comparable provision.

The conference substitute is the same as the House bill.

ITALIAN CASE

The Senate amendment (sec. 1611) states that the Congress urges the Italian government to seek a negotiated settlement with an American citizen whose property was confiscated over twenty years ago without fair and proper compensation.

The House bill has no comparable provision.

The conference substitute is the same as the House bill.

IRAN-IRAQ

The Senate amendment (sec. 1615) expresses the sense of the Senate to urge the Clinton Administration to enforce the provisions of the Iran-Iraq Arms Non-Proliferation Act of 1992.

The House bill has no comparable amendment.

The conference substitute is the same as the House bill.

CHRISTIAN MINORITIES IN CHINA

The Senate amendment (sec. 1616) expresses the sense of the Senate that the government of the People's Republic of China be urged to release from incarceration all those held for participation in religious activities outside the aegis of the official churches and cease prosecuting those who participate in such religious activities.

The House bill has no comparable provision.

The conference substitute is the same as the House bill.

NATO

The Senate amendment (sec. 1617) expresses a sense of Congress that NATO should consider a formal dispute resolution process within the Alliance prior to its December 1997 ministerial meeting.

The House bill has no comparable amendment.

The conference substitute is the same as House bill.

AVIATION SAFETY

The Senate amendment (sec. 1619) expresses a sense of Congress that the need for cooperative efforts in transportation and aviation safety be placed on the agenda for the Summit of the Americas to be held in March 1998.

The House bill has no comparable amendment.

The conference substitute is the same as the House bill.

CHINA

The Senate amendment (sec. 1620) expresses the sense of the Senate that the US should limit the granting of US visas to Chinese government offices who work in entities implementing China's laws and directives on religious practices and coercive family planning.

The House bill has no comparable provision.

The conference substitute is the same as the House bill.

RULE OF LAW IN CHINA

The Senate amendment (sec. 1621) expresses the sense of the Senate to encourage the National Endowment for Democracy to expand its activities in China and Hong Kong.

The House bill has no comparable provision.

The conference substitute is the same as the House bill.

FACILITIES IN BEIJING AND SHANGHAI

The Senate amendment (sec. 1623) authorizes appropriations for the renovation and construction of housing and diplomatic facilities at the Embassy in Beijing and the Consulate in Shanghai, China.

The House bill has no comparable provision.

The conference substitute (sec. 1101(4)(B)) is the same as the House bill.

RETURN OF HONG KONG TO CHINA

The House bill (sec. 1712) expresses the sense of Congress that the People's Republic of China should respect the rule of law, and the freedom of press, speech, association and movement that the people of Hong Kong currently enjoy.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

RADIO FREE ASIA/VOICE OF AMERICA

The House bill (sec. 1108) expresses a sense of Congress that U.S. broadcasting through Radio Free Asia and the Voice of America should increase to 24 hours broadcasting to China.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

PROCUREMENT OF SERVICES

The Senate amendment (sec. 1123) amends the State Department Basic Authorities Act to enable the Department to use personal services contracts to obtain expert and other support services for international claims and proceedings. Currently, the law allows the Legal Adviser's Office to obtain these services by contracting with firms. In many cases, the same services could be obtained at half the cost by contracting with an individual. This amendment would permit the Department, for example, to hire an individual accountant or records manager to work on a particular project, rather than having to retain an accounting firm to perform the same task, usually at more than twice the cost.

The House bill has no comparable provision.

The conference substitute is the same as the House bill.

RESTRICTIONS ON LOBBYING ACTIVITIES

The Senate amendment (sec. 1132) amends Section 207 of title 18, United States Code, regarding ''Restrictions on former officers, employees, and elected officials of the executive and legislative branches'', to also prohibit any person who serves in the position of chief of mission within the category of senior executive branch personnel who are restricted, for one year after they leave the chief of mission position, from knowingly making representations on behalf of someone with an interest in a matter that is before any officer or employee of the department or agency in which they served.

The House bill has no comparable provision.

The conference substitute is the same as the House bill.

RECOVERY OF COSTS OF HEALTH CARE SERVICES

The Senate amendment (sec. 1133) has been requested by the Administration. This section, which implements recommendations of the Department of State's Office of the Inspector General, amends section 904 of the Foreign Service Act of 1980 to authorize the Department to recover and retain the costs incurred by the Department for health care services provided to eligible USG employees and their families and to other eligible individuals. The proposed legislation would permit the Department to recover and retain such costs from third-party payers, and to recover directly from the employee if the employee chooses to be uninsured. The Departments of Defense and Veterans Affairs, as well as the Indian Health Service, already have similar authority.

The House bill has no comparable provision.

The conference substitute is the same as the House bill.

INTERNATIONAL ARMS SALES CODE OF CONDUCT

The House bill (sec. 2001) expresses the sense of the Congress that the President should attempt to achieve the foreign policy goal of an international arms sales code of conduct with all Wassenaar Arrangement countries.

The Senate amendment has no comparable amendment.

The conference substitute is the same as the Senate amendment.

ARMS TRANSFERS CODE OF CONDUCT

The House bill (sec. 3001–3006) establishes policy guidelines regarding the provision of U.S. military assistance and arms transfers to foreign governments by prohibiting such assistance and transfers to countries that fail to promote democracy and respect human rights, are engaged in armed aggression, and do not fully participate in the U.N. register of conventional arms.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

INADMISSIBILITY OF MEMBERS OF FORMER SOVIET UNION INTELLIGENCE SERVICES

The Senate amendment (sec. 1154) denies United States visas to individuals who were employed by the intelligence services of the Union of Soviet Socialist Republics prior to the collapse of the Soviet Union at the end of 1991.

The House bill has no comparable provision.

The conference substitute is the same as the House bill.

WITHHOLDING OF ASSISTANCE FOR PARKING FINES

The Senate amendment (sec. 1212) expands upon current law which requires withholding the proportional amount of foreign aid to what a country owes Washington, D.C. in parking fines, plus ten percent. Section 1212 expands this requirement to New York City, and Virginia, and Maryland.

The House bill has no comparable provision.

The conference substitute is the same as the House bill.

GREENHOUSE GAS EMISSIONS AGREEMENT

The Senate amendment (sec. 1609) section requires that the President prepare a detailed and comprehensive report on the economic and environmental impacts of the final negotiating text of any proposed international agreement under the U.N. Framework Convention on Climate Change (FCCC) to reduce greenhouse gas emissions.

The House bill has no comparable provision.

The conference substitute is the same as the House bill.

SENSE OF THE SENATE ON USE OF FUNDS IN JAPAN-US FRIENDSHIP TRUST FUND.

The Senate amendment (sec. 1215) expresses the sense of the Senate that the Japan-US Friendship Commission shall be able to use amounts in the Trust Fund in pursuit of the original mandate of the Commission.

The House bill has no comparable provision.

The conference substitute is the same as the House bill.

INTERNATIONAL INFORMATION PROGRAMS

The Senate amendment (sec. 1318) would change the name of the salaries and expense account for the US Information Agency to International Information Programs.

The House bill has no comparable provision.

The conference substitute is the same as the House bill.

AUTHORIZED STRENGTH OF THE FOREIGN SERVICE

The House bill (sec. 1321) establishes personnel end strengths for the Foreign Service.

The Senate amendment has no comparable provision.

The conference substitute is identical to the Senate amendment.

STATEMENT CONCERNING RETURN OF OR COMPENSATION FOR WRONGLY CONFISCATED FOREIGN PROPERTIES

The House bill (sec. 1715) expresses a sense of Congress supporting efforts and encouraging further actions by post-Communists countries to address question of the status of wrongfully confiscated properties.

The Senate amendment has no comparable provision.

The conference substitute is the same as the Senate amendment.

EXTENSION OF AU PAIR PROGRAMS

The House bill (sec. 1401) permanently extends the Au Pair program as authorized in P.L. 104–72.

The Senate amendment (sec. 1314) is virtually identical to the House bill.

The conference substitute does not include the provision. The extension was passed as a separate bill (PL 105–48).

PEACE CORPS

The Senate amendment (sec. 1401–1403) authorizes appropriations for the Peace Corps. In addition, section 1403 makes certain modifications to current law regarding personal services contractors, overseas travel, and other technical changes.

The House has no comparable provision.

The conference substitute is identical to the House bill.

GPS Standards Negotiations. The Committee of Conference finds that the U.S. Department of Defense-developed and operated Global Positioning System provides crucial information for global navigation, position location and precision timing. With its various

military, scientific and commercial uses, GPS is making important contributions to the national security, foreign policy, economic growth, and trade goals of the United States.

The Committee of Conference further finds that, by seeking to establish GPS as an international standard, the United States can advance national security interests, strengthen cooperative security relations with our allies, and support the competitive leadership of American industry in providing GPS products and services to the global marketplace. The broad use of GPS spurs global economic growth as it contributes to improving infrastructures of both developing and industrial countries.

The Committee of Conference is pleased that the U.S. Department of State is undertaking an important leadership role in coordinating efforts within the executive branch in pursuit of regional agreements with U.S. allies, starting with Japan, that seek to achieve three critical goals: (1) ensure the operation of the GPS on a continuous worldwide basis free of direct user fees; (2) establish GPS and its augmentations as an acceptable international standard; (3) eliminate any foreign barriers to, and other restrictions of foreign governments on, peaceful applications of GPS.

The Committee of Conference therefore directs that, not later than 60 days after the enactment of this legislation, and annually thereafter, the Secretary of State shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives that provides the status, prospects and results of cooperative activities undertaken by the United States with the governments of other countries to achieve regional agreements that establish GPS and its augmentations as an acceptable international standard.

For consideration of the House bill and the Senate amendment, and modifications committed to conference:

BENJAMIN A. GILMAN,
HENRY HYDE,
CHRISTOPHER H. SMITH,

For consideration of the House bill (except title XXI) and the Senate amendment, and modifications committed to conference:

WILLIAM GOODLING,
DAN BURTON,
DOUG BEREUTER,
Managers on the part of the House.
JESSE HELMS,
PAUL COVERDELL,
CHUCK HAGEL,
ROD GRAMS,
Managers on the part of the Senate.

RELIGIOUS FREEDOM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Oklahoma (Mr. ISTOOK) is recognized for 60 minutes as the designee of the majority leader.

Mr. ISTOOK. Mr. Speaker, I wanted to take the time this evening to talk about one of the most significant problems that has plagued America because of a multitude of Supreme Court decisions, which the American people have never accepted. You see, there is a problem with lack of respect for our Constitution and for the history and the heritage which brought our Constitution to us.

In fact, what brought so many people to America originally was their desire for religious freedom. We look at the stories of the Pilgrims and Puritans, and we recognize that they were motivated by a desire to be in a land where they could be free to worship as they pleased to worship. And that has been so much of the bedrock of American values, but it has been under attack by the United States Supreme Court.

In 1962, the Supreme Court said it did not matter if it was voluntary; students could not come together and pray at school the way that they had since the founding of the republic. In 1998, the U.S. Supreme Court said the Ten Commandments could not be on the wall of the public school because, and this is what the U.S. Supreme Court said, the students might read and obey the Ten Commandments. So, thanks to the court, of course, our students do not read the Ten Commandments and certainly there is a problem in getting people to obey them.

In 1985, the U.S. Supreme Court said even a moment of silence was wrong. A law to permit a moment of silence, they declared, was unconstitutional because it said that this was okay for students to use that time to pray silently.

In 1992, the Supreme Court said that a rabbi broke the law by offering prayer at a public school graduation. And in 1995, the same Supreme Court, which has ruled that a Nazi swastika is protected on public policy, ruled that a cross could not be included in a group of symbols on a city seal to show the heritage of that community.

In fact, I know that case very well, Mr. Speaker, because it happened in my congressional district in Edmond, Oklahoma. The city seal had five emblems on it: A pair of hands clasped in friendship; an oil derrick, symbolizing the importance of oil to Oklahoma's economy; a covered wagon, indicating the heritage of the Oklahoma land run; a tower that is at the university, the University of Central Oklahoma, in Edmond; and a cross depicting a portion of the religious heritage of the community. And I will bring it on another case, Mr. Speaker, that city seal has a blank spot because the other courts ruled and the Supreme Court said, oh, yes, you cannot have a cross displayed on public property.

Now, that is the same Supreme Court that had said that you could not have a nativity scene in Pennsylvania in Allegheny County. They said a nativity scene, or for that matter a menorah, were unconstitutional because they were not sufficiently balanced by emblems like Santa Claus and Frosty the Snowman and the reindeer. Because of that, they said it was unconstitutional to have the Christmas displays that so many places have had.

I know there are many places in this country where people still do things like have a prayer at a high school football game or as part of the school assembly or maybe in a classroom. But often, Mr. Speaker, that is because the ACLU and their friends have not got around to suing that particular community yet. And, indeed, I see in this Chamber of the House of Representatives right above the Speaker's chair, it reads, ''In God we trust.'' And if the Speaker looks directly across the Chamber from his chair on the back wall here, he sees the visage of Moses, the great lawgiver. And yet, if we had those displayed in public schools, they would likely be held by the U.S. Supreme Court to be unconstitutional.

These decisions started in 1962. There is a whole series of them. I have not even mentioned all of them. But, Mr. Speaker, the time has come to end the judicial misinterpretations of the U.S. Constitution.

□ 2145

The first amendment says, ''Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof.'' But the Supreme Court has misconstrued that to say, ''Oh, well, if you have a prayer at public school, that is the same thing as establishing an official church.'' Of course it is not.

Common sense tells us it is not, but it is used by people who are intolerant of religion. That is why over 150 Members of this body, of the House of Representatives, have so far joined together with me in sponsoring the religious freedom amendment. It is a proposed amendment to the U.S. Constitution to tell the Supreme Court it is time that we straighten out these things.

It has been approved by the House's Subcommittee on the Constitution. Just last week it was approved by the House Judiciary Committee. We will be voting in the House of Representatives on the religious freedom amendment in not too many weeks from now, a proposed amendment to the U.S. Constitution to correct the mistaken rulings of the Supreme Court against voluntary school prayer, and in so many other ways where they have misconstrued the first amendment.

Now, the text, Mr. Speaker, of the religious freedom amendment is pretty straightforward. I would like to share it with Members. It reads, ''To secure the people's right to acknowledge God according to the dictates of conscience, neither the United States nor any State shall establish any official religion, but the people's right to pray and to recognize their religious beliefs, heritage or traditions on public property, including schools, shall not be infringed. The government shall not require any person to join in prayer or other religious activity, prescribe school prayers, discriminate against religion or deny equal access to a benefit on account of religion.''

It is pretty simple. It is pretty straightforward. It expresses that we have a right to acknowledge God in America according to the dictates of our own conscience, and neither the