

104TH CONGRESS
1ST SESSION

H. R. 1561

AN ACT

To consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “American Overseas In-
3 terests Act of 1995”.

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

6 (a) DIVISIONS.—This Act is organized into four divi-
7 sions as follows:

8 (1) Division A—Consolidation of Foreign Af-
9 fairs Agencies.

10 (2) Division B—Foreign Relations Authoriza-
11 tions.

12 (3) Division C—Foreign Assistance Authoriza-
13 tions.

14 (4) Division D—Additional Provisions.

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

Sec. 1. Short title.

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

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Sec. 103. Purposes.

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Sec. 201. Effective date.

Sec. 202. References in title.

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

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

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

5 This division may be cited as the “Foreign Affairs
6 Agencies Consolidation Act of 1995”.

7 **SEC. 102. CONGRESSIONAL FINDINGS.**

8 The Congress makes the following findings:

9 (1) With the end of the Cold War, the inter-
10 national challenges facing the United States have
11 changed, but the fundamental national interests of
12 the United States have not. The security, economic,

1 and humanitarian interests of the United States re-
2 quire continued American engagement in inter-
3 national affairs. The leading role of the United
4 States in world affairs will be as important in the
5 twenty-first century as it has been in the twentieth.

6 (2) The United States budget deficit requires
7 that the foreign as well as the domestic programs
8 and activities of the United States be carefully re-
9 viewed for potential savings. Wherever possible, for-
10 eign programs and activities must be streamlined,
11 managed more efficiently, and adapted to the re-
12 quirements of the post-Cold War era.

13 (3) In order to downsize the foreign programs
14 and activities of the United States without jeopardiz-
15 ing United States interests, strong and effective
16 leadership will be required. As the official principally
17 responsible for the conduct of foreign policy, the
18 Secretary of State must have the authority to allo-
19 cate efficiently the resources within the international
20 affairs budget. As a first step in the downsizing
21 process, the proliferation of foreign affairs agencies
22 that occurred during the Cold War must be re-
23 versed, and the functions of these agencies must be
24 restored to the Secretary of State.

1 (4) A streamlined and reorganized foreign af-
2 fairs structure under the strengthened leadership of
3 the Secretary of State can more effectively promote
4 the international interests of the United States in
5 the next century than the existing structure.

6 **SEC. 103. PURPOSES.**

7 The purposes of this division are—

8 (1) to consolidate and reinvent foreign affairs
9 agencies of the United States within the Department
10 of State;

11 (2) to provide for the reorganization of the De-
12 partment of State to maximize the efficient use of
13 resources, eliminate redundancy in functions, effect
14 budget savings, and improve the management of the
15 State Department;

16 (3) to strengthen—

17 (A) the coordination of United States for-
18 eign policy; and

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

22 (4) to abolish, not later than March 1, 1997,
23 the United States Arms Control and Disarmament
24 Agency, the United States Information Agency, the

1 International Development Cooperation Agency, and
2 the Agency for International Development.

3 **SEC. 104. DEFINITIONS.**

4 The following terms have the following meaning for
5 the purposes of this division:

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

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

10 (3) The term “appropriate congressional com-
11 mittees” means the Committee on International Re-
12 lations of the House of Representatives and the
13 Committee of Foreign Relations of the Senate.

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

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

19 (6) The term “function” means any duty, obli-
20 gation, power, authority, responsibility, right, privi-
21 lege, activity, or program.

22 (7) The term “office” includes any office, ad-
23 ministration, agency, institute, unit, organizational
24 entity, or component thereof.

1 (8) The term “Secretary” means the Secretary
2 of State.

3 (9) The term “USIA” means the United States
4 Information Agency.

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

8 **CHAPTER 1—GENERAL PROVISIONS**

9 **SEC. 201. EFFECTIVE DATE.**

10 (a) IN GENERAL.—Except as provided in subsection
11 (b), this title, and the amendments made by this title, shall
12 take effect—

13 (1) March 1, 1997; or

14 (2) on such earlier date as the President shall
15 determine to be appropriate and announce by notice
16 published in the Federal Register, which date may
17 be not earlier than 60 calendar days (excluding any
18 day on which either House of Congress is not in ses-
19 sion because of an adjournment sine die) after the
20 President has submitted a reorganization plan to the
21 appropriate congressional committees pursuant to
22 section 221.

23 (b) REORGANIZATION PLAN.—Section 221 shall take
24 effect on the date of enactment of this Act.

1 **SEC. 202. REFERENCES IN TITLE.**

2 Except as specifically provided in this title, whenever
3 in this title an amendment or repeal is expressed in terms
4 of an amendment to, or repeal of, a provision, the ref-
5 erence shall be considered to be made to a provision of
6 the Arms Control and Disarmament Act.

7 **CHAPTER 2—ABOLITION OF UNITED**
8 **STATES ARMS CONTROL AND DISAR-**
9 **MAMENT AGENCY AND TRANSFER OF**
10 **FUNCTIONS TO SECRETARY OF STATE**

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

13 The United States Arms Control and Disarmament
14 Agency is abolished.

15 **SEC. 212. TRANSFER OF FUNCTIONS TO SECRETARY OF**
16 **STATE.**

17 There are transferred to the Secretary of State all
18 functions of the Director of the United States Arms Con-
19 trol and Disarmament Agency and all functions of the
20 United States Arms Control and Disarmament Agency
21 and any officer or component of such agency under any
22 statute, reorganization plan, Executive order, or other pro-
23 vision of law before the effective date of this title, except
24 as otherwise provided in this title.

1 **CHAPTER 3—REORGANIZATION OF DE-**
2 **PARTMENT OF STATE RELATING TO**
3 **FUNCTIONS TRANSFERRED UNDER**
4 **THIS TITLE**

5 **SEC. 221. REORGANIZATION PLAN.**

6 (a) SUBMISSION OF PLAN.—Not later than March 1,
7 1996, the President, in consultation with the Secretary
8 and the Director of the Arms Control and Disarmament
9 Agency, shall transmit to the appropriate congressional
10 committees a reorganization plan providing for—

11 (1) the abolition of the Arms Control and Dis-
12 armament Agency in accordance with this title;

13 (2) the transfer to the Department of State of
14 the functions and personnel of the Arms Control and
15 Disarmament Agency consistent with the provisions
16 of this title; and

17 (3) the consolidation, reorganization, and
18 streamlining of the Department upon the transfer of
19 functions under this title in order to carry out such
20 functions.

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

23 (1) identify the functions of the Arms Control
24 and Disarmament Agency that will be transferred to
25 the Department under the plan;

1 (2) identify the personnel and positions of the
2 Agency (including civil service personnel, Foreign
3 Service personnel, and detailees) that will be trans-
4 ferred to the Department, separated from service
5 with the Agency, or be eliminated under the plan,
6 and set forth a schedule for such transfers, separa-
7 tions, and terminations;

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

15 (4) specify the consolidations and reorganiza-
16 tion of functions of the Department that will be re-
17 quired under the plan in order to permit the Depart-
18 ment to carry out the functions transferred to the
19 Department under the plan;

20 (5) specify the funds available to the Arms Con-
21 trol and Disarmament Agency that will be trans-
22 ferred to the Department as a result of the transfer
23 of functions of the Agency to the Department;

24 (6) specify the proposed allocations within the
25 Department of unexpended funds transferred in con-

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the Agency in connection with the transfer of the functions of the Agency to the Department.

(c) ASSISTANT SECRETARY POSITIONS.—The plan under subsection (a) shall provide for an appropriate number of Assistant Secretaries of State to carry out the functions transferred to the Department under this title.

12 **SEC. 222. COORDINATOR FOR ARMS CONTROL AND DISAR-**
13 **MAMENT.**

(a) ESTABLISHMENT OF COORDINATOR FOR ARMS CONTROL AND DISARMAMENT.—Section 1(e) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2651a(e)) is amended by adding after paragraph (4) the following new paragraph:

19 “(5) COORDINATOR FOR ARMS CONTROL AND
20 DISARMAMENT.—

21 “(A) There shall be within the office of the
22 Secretary of State a Coordinator for Arms Con-
23 trol and Disarmament (hereafter in this para-
24 graph referred to as the ‘Coordinator’ who shall
25 be appointed by the President, by and with the

1 advice and consent of the Senate. The Coordi-
2 nator shall report directly to the Secretary of
3 State.

4 “(B)(i) The Coordinator shall perform
5 such duties and exercise such power as the Sec-
6 retary of State shall prescribe.

7 “(ii) The Coordinator shall be responsible
8 for arms control and disarmament matters. The
9 Coordinator shall head the Bureau of Arms
10 Control and Disarmament.

11 “(C) The Coordinator shall have the rank
12 and status of Ambassador-at-Large. The Coor-
13 dinator shall be compensated at the annual rate
14 of basic pay in effect for a position at level IV
15 of the Executive Schedule under section 5314
16 of title 5, United States Code, or, if the Coordi-
17 nator is appointed from the Foreign Service,
18 the annual rate of pay which the individual last
19 received under the Foreign Service Schedule,
20 whichever is greater.”.

21 (b) PARTICIPATION IN MEETINGS OF NATIONAL SE-
22 curity COUNCIL.—Section 101 of the National Security
23 Act of 1947 (50 U.S.C. 402) is amended by adding at
24 the end the following new subsection:

1 “(i) The Coordinator for Arms Control and Disar-
2 mament may, in the role of advisor to the National Secu-
3 rity Council on arms control and disarmament matters,
4 and subject to the direction of the President, attend and
5 participate in meetings of the National Security Council.”.

6 (c) TRANSITION PROVISION.—The President may ap-
7 point the individual serving as Director of the Arms Con-
8 trol and Disarmament Agency on the day before the effec-
9 tive date of this title, or such other officials appointed by
10 and with the advice and consent of the Senate and serving
11 within the Department of State or the Arms Control and
12 Disarmament Agency on the day before the effective date
13 of this title as the President considers appropriate, to
14 serve as the acting Coordinator for Arms Control and Dis-
15 armament until an individual is appointed to that office
16 in accordance with section 1(e)(5) of the State Depart-
17 ment Basic Authorities Act of 1956, as amended by this
18 Act.

19 **CHAPTER 4—CONFORMING AMENDMENTS**

20 **SEC. 241. REFERENCES.**

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

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

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

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

7 **SEC. 242. REPEAL OF ESTABLISHMENT OF AGENCY.**

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

11 **SEC. 243. REPEAL OF POSITIONS AND OFFICES.**

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

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

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

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

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

22 (5) Section 50 (22 U.S.C. 2593; relating to the
23 ACDA Inspector General).

1 **SEC. 244. TRANSFER OF AUTHORITIES AND FUNCTIONS**
2 **UNDER THE ARMS CONTROL AND DISAR-**
3 **MAMENT ACT TO THE SECRETARY OF STATE.**

4 (a) IN GENERAL.—The Arms Control and Disar-
5 mament Act (22 U.S.C. 2551 et seq.) is amended—

6 (1) by striking “Agency” each place it appears
7 and inserting “Department”; and

8 (2) by striking “Director” each place it appears
9 and inserting “Secretary”.

10 (b) PURPOSE.—Section 2 (22 U.S.C. 2551) is re-
11 pealed.

12 (c) DEFINITIONS.—Section 3 (22 U.S.C. 2552) is
13 amended by striking paragraph (c) and inserting the fol-
14 lowing:

15 “(c) The term ‘Department’ means the Depart-
16 ment of State.

17 “(d) The term ‘Secretary’ means the Secretary
18 of State.”.

19 (d) SCIENTIFIC AND POLICY ADVISORY COMMIT-
20 TEE.—Section 26(b) (22 U.S.C. 2566(b)) is amended by
21 striking “, the Secretary of State, and the Director” and
22 inserting “and the Secretary of State”.

23 (e) PRESIDENTIAL SPECIAL REPRESENTATIVES.—
24 Section 27 (22 U.S.C. 2567) is amended by striking “,
25 acting through the Director”.

1 (f) PROGRAM FOR VISITING SCHOLARS.—Section 28
2 (22 U.S.C. 2568) is amended—

3 (1) in the second sentence, by striking “Agen-
4 cy’s activities” and inserting “Department’s arms
5 control, nonproliferation, and disarmament activi-
6 ties”; and

7 (2) in the fourth sentence, by striking “, and all
8 former Directors of the Agency”.

9 (g) POLICY FORMULATION.—Section 33(a) (22
10 U.S.C. 2573(a)) is amended by striking “shall prepare for
11 the President, the Secretary of State,” and inserting
12 “shall prepare for the President”.

13 (h) NEGOTIATION MANAGEMENT.—Section 34 (22
14 U.S.C. 2574) is amended—

15 (1) in subsection (a), by striking “the President
16 and the Secretary of State” and inserting “the
17 President”; and

18 (2) by striking subsection (b).

19 (i) VERIFICATION OF COMPLIANCE.—Section 37(d)
20 (22 U.S.C. 2577(d)) is amended by striking “Director’s
21 designee” and inserting “Secretary’s designee”.

22 (j) GENERAL AUTHORITY.—Section 41 (22 U.S.C.
23 2581) is repealed.

1 (k) SECURITY REQUIREMENTS.—Section 45 (22
2 U.S.C. 2585) is amended by striking subsections (a), (b),
3 and (d).

4 (l) USE OF FUNDS.—Section 48 (22 U.S.C. 2588)
5 is repealed.

6 (m) ANNUAL REPORT.—Section 51(a) (22 U.S.C.
7 2593a(a)) is amended by striking “the Secretary of
8 State,”.

9 (n) REQUIREMENT FOR AUTHORIZATION OF APPRO-
10 PRIATIONS.—Section 53 (22 U.S.C. 2593c) is repealed.

11 (o) ON-SITE INSPECTION AGENCY.—Section 61 (22
12 U.S.C. 2595) is amended—

13 (1) in paragraph (1), by striking “United
14 States Arms Control and Disarmament Agency” and
15 inserting “Department of State”; and

16 (2) in paragraph (7), by striking “the United
17 States Arms Control and Disarmament Agency
18 and”.

19 **SEC. 245. CONFORMING AMENDMENTS.**

20 (a) ARMS EXPORT CONTROL ACT.—The Arms Ex-
21 port Control Act is amended—

22 (1) in section 36(b)(1)(D) (22 U.S.C.
23 2776(b)(1)(D)), by striking “Director of the Arms
24 Control and Disarmament Agency in consultation

1 with the Secretary of State and” and inserting “Sec-
2 retary of State in consultation with”;

3 (2) in section 38(a)(2) (22 U.S.C.
4 2778(a)(2))—

5 (A) in the first sentence, by striking “Di-
6 rector of the United States Arms Control and
7 Disarmament Agency, taking into account the
8 Director’s” and inserting “Secretary of State,
9 taking into account the Secretary’s”; and

10 (B) in the second sentence, by striking
11 “The Director of the Arms Control and Disar-
12 mament Agency is authorized, whenever the Di-
13 rector” and inserting “The Secretary of State is
14 authorized, whenever the Secretary”;

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

16 (A) in paragraph (1)(C), by striking “Di-
17 rector of the United States Arms Control and
18 Disarmament Agency” and inserting “Secretary
19 of State”; and

20 (B) in paragraph (2)—

21 (i) in the first sentence, by striking
22 “Director of the United States Arms Con-
23 trol and Disarmament Agency” and insert-
24 ing “Secretary of State”; and

1 (ii) in the second sentence, by striking
2 “Director of the Arms Control and Disar-
3 mament Agency is authorized, whenever
4 the Director” and inserting “Secretary of
5 State, whenever the Secretary”;

6 (4) in section 71(a) (22 U.S.C. 2797(a)), by
7 striking “, the Director of the Arms Control and
8 Disarmament Agency,” and inserting “, Secretary of
9 State,”;

10 (5) in section 71(b)(1) (22 U.S.C. 2797(b)(1)),
11 by striking “Director of the United States Arms
12 Control and Disarmament Agency” and inserting
13 “Secretary of State”;

14 (6) in section 71(b)(2) (22 U.S.C.
15 2797(b)(2))—

16 (A) by striking “Director of the United
17 States Arms Control and Disarmament Agen-
18 cy” and inserting “Secretary of State”; and

19 (B) by striking “, or the Director”;

20 (7) in section 71(c) (22 U.S.C. 2797(c)), by
21 striking “Director of the United States Arms Con-
22 trol and Disarmament Agency,” and inserting “Sec-
23 retary of State”; and

24 (8) in section 73(d) (22 U.S.C. 2797(d)), by
25 striking “Director of the United States Arms Con-

1 trol and Disarmament Agency” and inserting “Sec-
2 retary of State”.

3 (b) UNITED STATES INSTITUTE OF PEACE ACT.—
4 Section 1706(b) of the United States Institute of Peace
5 Act (22 U.S.C. 4605(b)) is amended—

6 (1) by striking out paragraph (3);

7 (2) by redesignating paragraphs (4) and (5) as
8 paragraphs (3) and (4), respectively; and

9 (3) in paragraph (4) (as redesignated by para-
10 graph (2)), by striking “Eleven” and inserting
11 “Twelve”.

12 (c) THE ATOMIC ENERGY ACT OF 1954.—The Atom-
13 ic Energy Act of 1954 is amended—

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

15 (A) in the first sentence, by striking “the
16 Arms Control and Disarmament Agency,”, and

17 (B) in the second sentence, by striking
18 “the Director of the Arms Control and Disar-
19 mament Agency,”; and

20 (2) in section 123 (42 U.S.C. 2153)—

21 (A) in subsection a. (in the text after para-
22 graph (9))—

23 (i) by striking “and in consultation
24 with the Director of the Arms Control and

1 Disarmament Agency (‘the Director’),
2 and

3 (ii) by striking “and the Director”
4 and inserting “and the Secretary of De-
5 fense”,

6 (B) in subsection d., in the first proviso, by
7 striking “Director of the Arms Control and Dis-
8 armament Agency” and inserting “Secretary of
9 Defense”, and

10 (C) in the first undesignated paragraph
11 following subsection d., by striking “the Arms
12 Control and Disarmament Agency,”.

13 (d) THE NUCLEAR NON-PROLIFERATION ACT OF
14 1978.—The Nuclear Non-Proliferation Act of 1978 is
15 amended—

16 (1) in section 4, by striking paragraph (2);

17 (2) in section 102, by striking “the Secretary of
18 State, and the Director of the Arms Control and
19 Disarmament Agency” and inserting “and the Sec-
20 retary of State”; and

21 (3) in section 602(c), by striking “the Arms
22 Control and Disarmament Agency,”.

23 (e) TITLE 5, UNITED STATES CODE.—Title 5,
24 United States Code, is amended—

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

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

7 (3) in section 5315, by striking “Assistant Di-
8 rectors, United States Arms Control and Disar-
9 mament Agency (4).”.

10 **TITLE III—UNITED STATES**

11 **INFORMATION AGENCY**

12 **CHAPTER 1—GENERAL PROVISIONS**

13 **SEC. 301. EFFECTIVE DATE.**

14 (a) IN GENERAL.—Except as provided in subsection
15 (b), this title, and the amendments made by this title, shall
16 take effect—

17 (1) March 1, 1997; or

18 (2) on such earlier date as the President shall
19 determine to be appropriate and announce by notice
20 published in the Federal Register, which date may
21 be not earlier than 60 calendar days (excluding any
22 day on which either House of Congress is not in ses-
23 sion because of an adjournment sine die) after the
24 President has submitted a reorganization plan to the

1 appropriate congressional committees pursuant to
2 section 321.

3 (b) REORGANIZATION PLAN.—Section 321 shall take
4 effect on the date of enactment of this Act.

5 **CHAPTER 2—ABOLITION OF UNITED**
6 **STATES INFORMATION AGENCY AND**
7 **TRANSFER OF FUNCTIONS TO SEC-**
8 **RETARY OF STATE**

9 **SEC. 311. ABOLITION OF UNITED STATES INFORMATION**
10 **AGENCY.**

11 The United States Information Agency is abolished.

12 **SEC. 312. TRANSFER OF FUNCTIONS TO SECRETARY OF**
13 **STATE.**

14 There are transferred to the Secretary of State all
15 functions of the Director of the United States Information
16 Agency and all functions of the United States Information
17 Agency and any officer or component of such agency
18 under any statute, reorganization plan, Executive order,
19 or other provision of law before the effective date of this
20 title, except as otherwise provided in this title.

1 **CHAPTER 3—REORGANIZATION OF DE-**
2 **PARTMENT OF STATE RELATING TO**
3 **FUNCTIONS TRANSFERRED UNDER**
4 **THIS TITLE**

5 **SEC. 321. REORGANIZATION PLAN.**

6 (a) SUBMISSION OF PLAN.—Not later than March 1,
7 1996, the President, in consultation with the Secretary
8 and the Director of the United States Information Agency,
9 shall transmit to the appropriate congressional committees
10 a reorganization plan providing for—

11 (1) the abolition of the United States Informa-
12 tion Agency in accordance with this title;

13 (2) the transfer to the Department of State of
14 the functions and personnel of the United States In-
15 formation Agency consistent with the provisions of
16 this title; and

17 (3) the consolidation, reorganization, and
18 streamlining of the Department upon the transfer of
19 functions under this title in order to carry out such
20 functions.

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

23 (1) identify the functions of the United States
24 Information Agency that will be transferred to the
25 Department under the plan;

1 (2) identify the personnel and positions of the
2 Agency (including civil service personnel, Foreign
3 Service personnel, and detailees) that will be trans-
4 ferred to the Department, separated from service
5 with the Agency, or be eliminated under the plan,
6 and set forth a schedule for such transfers, separa-
7 tions, and terminations;

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

15 (4) specify the consolidations and reorganiza-
16 tion of functions of the Department that will be re-
17 quired under the plan in order to permit the Depart-
18 ment to carry out the functions transferred to the
19 Department under the plan;

20 (5) specify the funds available to the United
21 States Information Agency that will be transferred
22 to the Department as a result of the transfer of
23 functions of the Agency to the Department;

24 (6) specify the proposed allocations within the
25 Department of unexpended funds transferred in con-

1 nection with the transfer of functions under the
2 plan; and

3 (7) specify the proposed disposition of the prop-
4 erty, facilities, contracts, records, and other assets
5 and liabilities of the Agency in connection with the
6 transfer of the functions of the Agency to the De-
7 partment.

8 (c) ASSISTANT SECRETARY POSITIONS.—The plan
9 under subsection (a) shall provide for an appropriate num-
10 ber of Assistant Secretaries of State to carry out the func-
11 tions transferred to the Department under this title.

12 **SEC. 322. PRINCIPAL OFFICERS.**

13 (a) UNDER SECRETARY OF STATE FOR PUBLIC DI-
14 PLOMACY.—

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

18 (A) by striking “There” and inserting the
19 following:

20 “(1) IN GENERAL.—There”; and

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

22 “(2) UNDER SECRETARY FOR PUBLIC DIPLO-
23 MACY.—There shall be in the Department of State
24 an Under Secretary for Public Diplomacy who shall
25 have responsibility to assist the Secretary and the

1 Deputy Secretary in the formation and implementa-
2 tion of United States public diplomacy policies and
3 activities, including international educational and
4 cultural exchange programs, information, and inter-
5 national broadcasting.”.

6 (2) TRANSITION PROVISION.—The President
7 may appoint the individual serving as Director of the
8 United States Information Agency on the day before
9 the effective date of this title, or such other official
10 appointed by and with the advice and consent of the
11 Senate and serving within the Department of State
12 or the United States Information Agency as the
13 President considers appropriate, to serve as the act-
14 ing Under Secretary for Public Diplomacy until an
15 individual is appointed to that office in accordance
16 with section (1)(b)(1) of the State Department
17 Basic Authorities Act of 1956, as amended by this
18 Act.

19 (b) ASSISTANT SECRETARIES.—

20 (1) ESTABLISHMENT.—Section 1(c) of the
21 State Department Basic Authorities Act of 1956 (22
22 U.S.C. 2651a(c)) is amended by adding after para-
23 graph (2) the following:

24 “(3) ASSISTANT SECRETARY FOR ACADEMIC
25 PROGRAMS AND CULTURAL EXCHANGES.—There

1 shall be in the Department of State an Assistant
2 Secretary for Academic Programs and Cultural Ex-
3 changes who shall report to the Under Secretary for
4 Public Diplomacy.

5 “(4) ASSISTANT SECRETARY FOR INFORMA-
6 TION, POLICY, AND PROGRAMS.—There shall be in
7 the Department of State an Assistant Secretary for
8 Information, Policy, and Programs who shall report
9 to the Under Secretary for Public Diplomacy.”.

10 (2) TRANSITION PROVISION.—The President
11 may appoint such officials appointed by and with the
12 advice and consent of the Senate and serving within
13 the Department of State or the United States Infor-
14 mation Agency as the President considers appro-
15 priate to serve as the acting Assistant Secretary for
16 Academic Programs and Cultural Exchanges and to
17 serve as the acting Assistant Secretary for Informa-
18 tion, Policy, and Programs until individuals are ap-
19 pointed to those offices in accordance with section
20 1(c)(1) of the State Department Basic Authorities
21 Act of 1956, as amended by this Act.

1 **CHAPTER 4—CONFORMING AMENDMENTS**

2 **SEC. 341. REFERENCES.**

3 Any reference in any statute, reorganization plan,
4 Executive order, regulation, agreement, determination, or
5 other official document or proceeding to—

6 (1) the Director of the United States Informa-
7 tion Agency, the Director of the International Com-
8 munication Agency, or any other officer or employee
9 of the United States Information Agency shall be
10 deemed to refer to the Secretary of State; and

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

14 **SEC. 342. ABOLITION OF OFFICE OF INSPECTOR GENERAL**
15 **OF THE UNITED STATES INFORMATION**
16 **AGENCY AND TRANSFER OF FUNCTIONS TO**
17 **OFFICE OF INSPECTOR GENERAL OF THE DE-**
18 **PARTMENT OF STATE.**

19 (a) ABOLITION OF OFFICE OF INSPECTOR GENERAL
20 OF THE USIA.—

21 (1) The Office of Inspector General of the Unit-
22 ed States Information Agency is abolished.

23 (2) Section 11 of the Inspector General Act of
24 1978 (5 U.S.C. App.) is amended—

1 (A) in paragraph (1) by striking “, the Of-
2 fice of Personnel Management or the United
3 States Information Agency” and inserting “or
4 the Office of Personnel Management”; and

5 (B) in paragraph (2) by striking “the
6 United States Information Agency,”.

7 (3) Section 5315 of title 5, United States Code,
8 is amended by striking the following:

9 “Inspector General, United States Information
10 Agency.”.

11 (b) FUNCTIONS OF OFFICE OF INSPECTOR GENERAL
12 OF THE UNITED STATES INFORMATION AGENCY TRANS-
13 FERRED TO OFFICE OF INSPECTOR GENERAL OF THE DE-
14 PARTMENT OF STATE.—There are transferred to the Of-
15 fice of the Inspector General of the Department of State
16 the functions that the Office of Inspector General of the
17 United States Information Agency exercised before the ef-
18 fective date of this title (including all related functions of
19 the Inspector General of the United States Information
20 Agency).

21 (c) TRANSFER AND ALLOCATIONS OF APPROPRIA-
22 TIONS AND PERSONNEL.—The Director of the Office of
23 Management and Budget, in consultation with the Sec-
24 retary of State, is authorized to make such incidental dis-
25 positions of personnel, assets, liabilities, grants, contracts,

1 property, records, and unexpended balances of appropria-
2 tions, authorizations, allocations, and other funds held,
3 used, arising from, available to, or to be made available
4 in connection with such functions, as may be necessary
5 to carry out the provisions of this section.

6 **SEC. 343. AMENDMENTS TO TITLE 5.**

7 Title 5, United States Code, is amended—

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

10 (2) in section 5315, by striking “Deputy Direc-
11 tor of the United States Information Agency.”; and

12 (3) in section 5316, by striking “Deputy Direc-
13 tor, Policy and Plans, United States Information
14 Agency.” and striking “Associate Director (Policy
15 and Plans), United States Information Agency.”.

16 **SEC. 344. AMENDMENTS TO UNITED STATES INFORMATION**
17 **AND EDUCATIONAL EXCHANGE ACT OF 1948.**

18 (a) IN GENERAL.—Except as otherwise provided in
19 this section, the United States Information and Edu-
20 cational Exchange Act of 1948 (22 U.S.C. 1431 et seq.)
21 is amended—

22 (1) by striking “United States Information
23 Agency” each place it appears and inserting “De-
24 partment of State”;

1 (2) by striking “Director of the United States
2 Information Agency” each place it appears and in-
3 serting “Secretary of State”;

4 (3) by striking “Director” each place it appears
5 and inserting “Secretary of State”;

6 (4) by striking “USIA” each place it appears
7 and inserting “Department of State”; and

8 (5) by striking “Agency” each place it appears
9 and inserting “Department of State”.

10 (b) SATELLITE AND TELEVISION BROADCASTS.—
11 Section 505 of the United States Information and Edu-
12 cational Exchange Act of 1948 (22 U.S.C. 1464a) is
13 amended—

14 (1) by striking “Director of the United States
15 Information Agency” each of the places it appears
16 and inserting “Secretary of State”;

17 (2) in subsection (b), by striking “To be effec-
18 tive, the United States Information Agency” and in-
19 serting “To be effective in carrying out this sub-
20 section, the Department of State”;

21 (3) by striking “USIA-TV” each place it ap-
22 pears and inserting “DEPARTMENT OF STATE-
23 TV”; and

24 (4) by striking subsection (e).

1 (c) UNITED STATES ADVISORY COMMISSION ON PUB-
2 LIC DIPLOMACY.—Section 604 of the United States Infor-
3 mation and Educational Exchange Act of 1948 (22 U.S.C.
4 1469) is amended—

5 (1) in subsection (c)(1)—

6 (A) by striking “the Director of the United
7 States Information Agency,”; and

8 (B) by striking “Director or the Agency,
9 and shall appraise the effectiveness of policies
10 and programs of the Agency” and inserting
11 “Secretary of State or the Department of State,
12 and shall appraise the effectiveness of the infor-
13 mation, educational, and cultural policies and
14 programs of the Department”;

15 (2) in subsection (c)(2)—

16 (A) in the first sentence by striking “the
17 Secretary of State, and the Director of the
18 United States Information Agency” and insert-
19 ing “and the Secretary of State”;

20 (B) in the first sentence by striking “by
21 the Agency” and inserting “by the Department
22 of State”; and

23 (C) by striking “Director for effectuating
24 the purposes of the Agency” and inserting
25 “Secretary for effectuating the information,

1 educational, and cultural functions of the De-
2 partment”;

3 (3) in subsection (c)(3), by striking “programs
4 conducted by the Agency” and inserting “informa-
5 tion, educational, and cultural programs conducted
6 by the Department of State”; and

7 (4) in subsection (c)(4), by striking “Director
8 of the United States Information Agency” and in-
9 serting “Secretary of State”.

10 **SEC. 345. AMENDMENTS TO THE MUTUAL EDUCATIONAL**
11 **AND CULTURAL EXCHANGE ACT OF 1961**
12 **(FULBRIGHT-HAYS ACT).**

13 (a) IN GENERAL.—The Mutual Educational and Cul-
14 tural Exchange Act of 1961 (22 U.S.C. 2451 et seq.) is
15 amended by striking “Director of the International Com-
16 munication Agency” and “Director” each place either
17 term appears and inserting “Secretary of State”.

18 (b) REPEAL OF DEFUNCT ADVISORY COMMIS-
19 SIONS.—Section 106 of such Act (22 U.S.C. 2456) is
20 amended by striking subsection (c).

21 (c) BUREAU OF EDUCATIONAL AND CULTURAL AF-
22 FAIRS.—Section 112 of the Mutual Educational and Cul-
23 tural Exchange Act of 1961 (22 U.S.C. 2460) is amend-
24 ed—

- 1 (1) by striking the first sentence of subsection
2 (a);
3 (2) by striking “Bureau” each place it appears
4 and inserting “Department of State”; and
5 (3) by striking subsection (e).

6 **SEC. 346. INTERNATIONAL BROADCASTING ACTIVITIES.**

7 (a) IN GENERAL.—Title III of the Foreign Relations
8 Authorization Act, Fiscal Years 1994 and 1995 (Public
9 Law 103–236) is amended—

10 (1) in section 305(b)(1), by striking “Agency’s”
11 and inserting “Department’s”;

12 (2) in section 306, by striking “, acting through
13 the Director of the United States Information Agen-
14 cy,” and inserting “, acting through the Under Sec-
15 retary of State for Public Diplomacy,”;

16 (3) by striking “Director of the United States
17 Information Agency” each place it appears and in-
18 serting “Secretary of State”;

19 (4) by striking all references to “United States
20 Information Agency” that were not stricken in para-
21 graph (3) and inserting “Department of State”;

22 (5) by striking “Bureau” each place it appears
23 and inserting “Office”; and

24 (6) in section 305(a)(1), by striking “title,” and
25 inserting “title (including activities of the Voice of

1 America previously carried out by the United States
2 Information Agency),”.

3 (b) CONFORMING AMENDMENT TO TITLE 5.—Sec-
4 tion 5315 of title 5, United States Code, is amended by
5 striking “Director of the International Broadcasting Bu-
6 reau, the United States Information Agency” and insert-
7 ing “Director of the International Broadcasting Office,
8 the Department of State”.

9 **SEC. 347. TELEVISION BROADCASTING TO CUBA.**

10 (a) AUTHORITY.—Section 243(a) of the Television
11 Broadcasting to Cuba Act (as contained in part D of title
12 II of Public Law 101–246) (22 U.S.C. 1465bb(a)) is
13 amended by striking “United States Information Agency
14 (hereafter in this part referred to as the ‘Agency’)” and
15 inserting “Department of State (hereafter in this part re-
16 ferred to as the ‘Department’)”.

17 (b) TELEVISION MARTI SERVICE.—Section 244 of
18 such Act (22 U.S.C. 1465cc) is amended—

19 (1) in subsection (a)—

20 (A) by amending the first sentence to read
21 as follows: “The Secretary of State shall admin-
22 ister within the Voice of America the Television
23 Marti Service.”; and

1 (B) in the third sentence, by striking “Di-
2 rector of the United States Information Agen-
3 cy” and inserting “Secretary of State”;

4 (2) in subsection (b)—

5 (A) in the subsection heading, by striking
6 “USIA” and inserting “DEPARTMENT OF
7 STATE”,

8 (B) by striking “Agency facilities” and in-
9 serting “Department facilities”; and

10 (C) by striking “United States Information
11 Agency Television Service” and inserting “De-
12 partment of State Television Service”; and

13 (3) in subsection (c)—

14 (A) by striking “USIA AUTHORITY.—The
15 Agency” and inserting “SECRETARY OF STATE
16 AUTHORITY.—The Secretary of State”; and

17 (B) by striking “Agency” the second place
18 it appears and inserting “Secretary of State”.

19 (c) ASSISTANCE FROM OTHER GOVERNMENT AGEN-
20 CIES.—Section 246 of such Act (22 U.S.C. 1465dd) is
21 amended—

22 (1) by striking “United States Information
23 Agency” and inserting “Department of State”; and

24 (2) by striking “the Agency” and inserting “the
25 Department”.

1 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
2 247(a) of such Act (22 U.S.C. 1465ee(a)) is repealed.

3 **SEC. 348. RADIO BROADCASTING TO CUBA.**

4 (a) FUNCTIONS OF THE DEPARTMENT OF STATE.—
5 Section 3 of the Radio Broadcasting to Cuba Act (22
6 U.S.C. 1465a) is amended—

7 (1) in the section heading, by striking “UNITED
8 STATES INFORMATION AGENCY” and inserting “DE-
9 PARTMENT OF STATE”;

10 (2) in subsection (a), by striking “United
11 States Information Agency (hereafter in this Act re-
12 ferred to as the ‘Agency’)” and inserting “Depart-
13 ment of State (hereafter in this Act referred to as
14 the ‘Department’)”; and

15 (3) in subsection (f), by striking “Director of
16 the United States Information Agency” and insert-
17 ing “Secretary of State”.

18 (b) CUBA SERVICE.—Section 4 of such Act (22
19 U.S.C. 1465b) is amended—

20 (1) by amending the first sentence to read as
21 follows: “The Secretary of State shall administer
22 within the Voice of America the Cuba Service (here-
23 after in this section referred to as the ‘Service’).”;
24 and

1 (2) in the third sentence, by striking “Director
2 of the United States Information Agency” and in-
3 serting “Secretary of State”.

4 (c) ASSISTANCE FROM OTHER GOVERNMENT AGEN-
5 CIES.—Section 6 of such Act (22 U.S.C. 1465d) is amend-
6 ed—

7 (1) in subsection (a)—

8 (A) by striking “United States Information
9 Agency” and inserting “Department of State”;
10 and

11 (B) by striking “the Agency” and inserting
12 “the Department”; and

13 (2) in subsection (b)—

14 (A) by striking “The Agency” and insert-
15 ing “The Department”; and

16 (B) by striking “the Agency” and inserting
17 “the Secretary of State”.

18 (d) FACILITY COMPENSATION.—Section 7 of such
19 Act (22 U.S.C. 1465e) is amended—

20 (1) in subsection (b), by striking “the Agency”
21 and inserting “the Department”; and

22 (2) in subsection (d), by striking “Agency” and
23 inserting “Department”.

24 (e) AUTHORIZATION OF APPROPRIATIONS.—Section
25 8(a) of such Act (22 U.S.C. 1465f(a)) is amended in the

1 second sentence by striking “United States Information
2 Agency” and inserting “Department of State”.

3 **SEC. 349. NATIONAL ENDOWMENT FOR DEMOCRACY.**

4 (a) GRANTS.—Section 503 of Public Law 98–164, as
5 amended (22 U.S.C. 4412) is amended—

6 (1) in subsection (a)—

7 (A) by striking “Director of the United
8 States Information Agency” and inserting “Sec-
9 retary of State”;

10 (B) by striking “the Agency” and inserting
11 “the Department of State”; and

12 (C) by striking “the Director” and insert-
13 ing “the Secretary of State”; and

14 (2) in subsection (b), by striking “United
15 States Information Agency” and inserting “Depart-
16 ment of State”.

17 (b) AUDITS.—Section 504(g) of such Act (22 U.S.C.
18 4413(g)) is amended by striking “United States Informa-
19 tion Agency” and inserting “Department of State”.

20 (c) FREEDOM OF INFORMATION.—Section 506 of
21 such Act (22 U.S.C. 4415) is amended—

22 (1) in subsection (b)—

23 (A) by striking “Director” each of the
24 three places it appears and inserting “Sec-
25 retary”; and

1 (B) by striking “of the United States In-
2 formation Agency” and inserting “of State”;
3 and
4 (2) in subsection (c)—

5 (A) in the subsection heading by striking
6 “USIA” and inserting “DEPARTMENT OF
7 STATE”;

8 (B) by striking “Director” each of the
9 three places it appears and inserting “Sec-
10 retary”;

11 (C) by striking “of the United States In-
12 formation Agency” and inserting “of State”;
13 and

14 (D) by striking “United States Informa-
15 tion Agency” and inserting “Department of
16 State”.

17 **SEC. 350. UNITED STATES SCHOLARSHIP PROGRAM FOR**
18 **DEVELOPING COUNTRIES.**

19 (a) PROGRAM AUTHORITY.—Section 603 of the For-
20 eign Relations Authorization Act, Fiscal Years 1986 and
21 1987 (22 U.S.C. 4703) is amended by striking “United
22 States Information Agency” and inserting “Department
23 of State”.

24 (b) GUIDELINES.—Section 604(11) of such Act (22
25 U.S.C. 4704(11)) is amended by striking “United States

1 Information Agency” and inserting “Department of
2 State”.

3 (c) POLICY REGARDING OTHER INTERNATIONAL
4 EDUCATIONAL PROGRAMS.—Section 606(b) of such Act
5 (22 U.S.C. 4706(b)) is amended—

6 (1) in the subsection heading, by striking
7 “USIA” and inserting “STATE DEPARTMENT”; and

8 (2) by striking “Director of United States In-
9 formation Agency” and inserting “Secretary of
10 State”.

11 (d) GENERAL AUTHORITIES.—Section 609(e) of such
12 Act (22 U.S.C. 4709(e)) is amended by striking “United
13 States Information Agency” and inserting “Department
14 of State”.

15 **SEC. 351. FASCELL FELLOWSHIP BOARD.**

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

18 (1) in the text above paragraph (1), by striking
19 “9 members” and inserting “8 members”;

20 (2) by striking paragraph (3); and

21 (3) by redesignating paragraph (4) as para-
22 graph (3).

23 **SEC. 352. NATIONAL SECURITY EDUCATION BOARD.**

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

1 (1) in subsection (b)—

2 (A) by striking paragraph (6); and

3 (B) by redesignating paragraphs (7) and

4 (8) as paragraphs (6) and (7); and

5 (2) in subsection (c), by striking “subsection

6 (b)(7)” and inserting “subsection (b)(6)”.

7 **SEC. 353. CENTER FOR CULTURAL AND TECHNICAL INTER-**

8 **CHANGE BETWEEN NORTH AND SOUTH.**

9 Section 208 of the Foreign Relations Authorization
10 Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075) is
11 amended by striking “Director of the United States Infor-
12 mation Agency” each place it appears and inserting “Sec-
13 retary of State”.

14 **SEC. 354. EAST-WEST CENTER.**

15 (a) DUTIES.—Section 703 of the Mutual Security Act
16 of 1960 (22 U.S.C. 2055) is amended—

17 (1) in the text above paragraph (1), by striking
18 “Director of the United States Information Agency
19 (hereinafter referred to as the ‘Director’)” and in-
20 serting “Secretary of State (hereinafter referred to
21 as the ‘Secretary’)”; and

22 (2) in paragraph (1), by striking “establishment
23 and”.

24 (b) ADMINISTRATION.—Section 704 of such Act (22
25 U.S.C. 2056) is amended—

1 (1) by striking “Director of the United States
2 Information Agency” and inserting “Secretary of
3 State”; and

4 (2) by striking “Director” each place it appears
5 and inserting “Secretary”.

6 **SEC. 355. MISSION OF THE DEPARTMENT OF STATE.**

7 Section 202 of the Foreign Relations Authorization
8 Act, Fiscal Year 1979 (22 U.S.C. 1461–1) is amended—

9 (1) in the first sentence, by striking “mission of
10 the International Communication Agency” and in-
11 serting “mission of the Department of State in car-
12 rying out its information, educational, and cultural
13 functions”;

14 (2) in the second sentence, in the text above
15 paragraph (1), by striking “International Commu-
16 nication Agency” and inserting “Department of
17 State”;

18 (3) in paragraph (1)(B), by striking “Agency”
19 and inserting “Department”; and

20 (4) in paragraph (5), by striking “mission of
21 the Agency” and inserting “mission described in this
22 section”.

23 **SEC. 356. CONSOLIDATION OF ADMINISTRATIVE SERVICES.**

24 Section 23(a) of the State Department Basic Au-
25 thorities Act of 1956 (22 U.S.C. 2695(a)) is amended—

1 (1) by striking “(including” and all that follows
2 through “Agency)”; and

3 (2) by striking “other such agencies” and in-
4 serting “other Federal agencies”.

5 **SEC. 357. GRANTS.**

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

9 (1) in subsection (a), by striking “United
10 States Information Agency” and inserting “Depart-
11 ment of State, in carrying out its international infor-
12 mation, educational, and cultural functions,”;

13 (2) in subsection (b), by striking “United
14 States Information Agency” and inserting “Depart-
15 ment of State”;

16 (3) in subsection (c)—

17 (A) in paragraph (1), by striking “United
18 States Information Agency shall substantially
19 comply with United States Information Agen-
20 cy” and inserting “Department of State, in car-
21 rying out its international information, edu-
22 cational, and cultural functions, shall substan-
23 tially comply with Department of State”; and

24 (B) in paragraphs (2) and (3)—

1 (i) by striking “United States Infor-
2 mation Agency” and inserting “Depart-
3 ment of State”; and

4 (ii) by striking “Agency” each of the
5 places it appears and inserting “Depart-
6 ment”; and

7 (4) by striking subsection (d).

8 **SEC. 358. BAN ON DOMESTIC ACTIVITIES.**

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

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

15 (2) by inserting “in carrying out its inter-
16 national information, educational, and cultural ac-
17 tivities” before “shall be distributed”.

18 **SEC. 359. CONFORMING REPEAL TO THE ARMS CONTROL**
19 **AND DISARMAMENT ACT.**

20 Section 34(b) of the Arms Control and Disarmament
21 Act (22 U.S.C. 2574(b)) is repealed.

22 **SEC. 360. REPEAL RELATING TO PROCUREMENT OF LEGAL**
23 **SERVICES.**

24 Section 26(b) of the State Department Basic Au-
25 thorities Act of 1956 (22 U.S.C. 2698(b)) is repealed.

1 **SEC. 361. REPEAL RELATING TO PAYMENT OF SUBSIST-**
2 **ENCE EXPENSES.**

3 Section 32 of the State Department Basic Authorities
4 Act of 1956 (22 U.S.C. 2704) is amended by striking the
5 second sentence.

6 **SEC. 362. CONFORMING AMENDMENT TO THE SEED ACT.**

7 Section 2(c) of the Support for East European De-
8 mocracy (SEED) Act of 1989 (22 U.S.C. 5401(c)) is
9 amended in paragraph (17) by striking “United States In-
10 formation Agency” and inserting “Department of State”.

11 **SEC. 363. INTERNATIONAL CULTURAL AND TRADE CENTER**
12 **COMMISSION.**

13 Section 7(c) of the Federal Triangle Development Act
14 (40 U.S.C. 1106(c)) is amended—

15 (1) in the text above subparagraph (A), by
16 striking “15 members” and inserting “14 mem-
17 bers”;

18 (2) by striking subparagraph (F); and

19 (3) by redesignating subparagraphs (G)
20 through (J) as subparagraphs (F) through (I),
21 respectively.

22 **SEC. 364. FOREIGN SERVICE ACT OF 1980.**

23 (a) OTHER AGENCIES UTILIZING SERVICE.—Section
24 202(a) of the Foreign Service Act of 1980 (22 U.S.C.
25 3922(a)) is amended by striking paragraph (1).

1 (b) BOARD OF THE FOREIGN SERVICE.—Section 210
2 of such Act (22 U.S.C. 3930) is amended by striking “the
3 United States Information Agency, the United States
4 International Development Cooperation Agency,”.

5 **SEC. 365. AU PAIR PROGRAMS.**

6 Section 8 of the Eisenhower Exchange Fellowship
7 Act of 1990 (Public Law 101–454) is amended by striking
8 “Director of the United States Information Agency” and
9 inserting “Secretary of State”.

10 **SEC. 366. EXCHANGE PROGRAM WITH COUNTRIES IN TRAN-**
11 **SITION FROM TOTALITARIANISM TO DEMOC-**
12 **RACY.**

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

15 (1) in the second sentence of subsection (a), by
16 striking “United States Information Agency” and
17 inserting “Department of State”; and

18 (2) in subsection (b)—

19 (A) by striking “appropriations account of
20 the United States Information Agency” and in-
21 serting “appropriate appropriations account of
22 the Department of State”; and

23 (B) by striking “and the United States In-
24 formation Agency”.

1 **SEC. 367. EDMUND S. MUSKIE FELLOWSHIP PROGRAM.**

2 Section 227 of the Foreign Relations Authorization
3 Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452 note)
4 is amended—

5 (1) by striking “United States Information
6 Agency” each place it appears and inserting “De-
7 partment of State”; and

8 (2) by striking subsection (d).

9 **SEC. 368. IMPLEMENTATION OF CONVENTION ON CUL-**
10 **TURAL PROPERTY.**

11 Title III of the Convention on Cultural Property Im-
12 plementation Act (19 U.S.C. 2601 et seq.) is amended by
13 striking “Director of the United States Information Agen-
14 cy” each place it appears and inserting “Secretary of
15 State”.

16 **SEC. 369. MIKE MANSFIELD FELLOWSHIPS.**

17 Section 252(a) of the Foreign Relations Authoriza-
18 tion Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6101(a))
19 is amended by striking “Director of the United States In-
20 formation Agency” and inserting “Secretary of State”.

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

4 **SEC. 401. EFFECTIVE DATE.**

5 (a) IN GENERAL.—Except as provided in subsection
6 (b), this title, and the amendments made by this title, shall
7 take effect—

8 (1) on March 1, 1997; or

9 (2) on such earlier date as the President shall
10 determine to be appropriate and announce by notice
11 published in the Federal Register, which date may
12 be not earlier than 60 calendar days (excluding any
13 day on which either House of Congress is not in ses-
14 sion because of an adjournment sine die) after the
15 President has submitted a reorganization plan to the
16 appropriate congressional committees pursuant to
17 section 421.

18 (b) REORGANIZATION PLAN.—Section 421 shall take
19 effect on the date of enactment of this Act.

20 **SEC. 402. REFERENCES IN TITLE.**

21 Except as specifically provided in this title, whenever
22 in this title an amendment or repeal is expressed in terms
23 of an amendment to, or repeal of, a provision, the ref-
24 erence shall be considered to be made to a provision of
25 the Foreign Assistance Act of 1961.

1 **CHAPTER 2—ABOLITION OF THE AGENCY**
2 **FOR INTERNATIONAL DEVELOPMENT**
3 **AND TRANSFER OF FUNCTIONS TO**
4 **SECRETARY OF STATE**

5 **SEC. 411. ABOLITION OF AGENCY FOR INTERNATIONAL DE-**
6 **VELOPMENT AND THE INTERNATIONAL DE-**
7 **VELOPMENT COOPERATION AGENCY.**

8 The Agency for International Development and the
9 International Development Cooperation Agency are abol-
10 ished.

11 **SEC. 412. TRANSFER OF FUNCTIONS TO SECRETARY OF**
12 **STATE.**

13 There are transferred to the Secretary of State all
14 functions of the Administrator of the Agency for Inter-
15 national Development and the Director of the Inter-
16 national Development Cooperation Agency and all func-
17 tions of the Agency for International Development and the
18 International Development Cooperation Agency and any
19 officer or component of such agencies under any statute,
20 reorganization plan, Executive order, or other provision of
21 law before the effective date of this title, except as other-
22 wise provided in this title.

1 **CHAPTER 3—REORGANIZATION OF DE-**
2 **PARTMENT OF STATE RELATING TO**
3 **FUNCTIONS TRANSFERRED UNDER**
4 **THIS TITLE**

5 **SEC. 421. REORGANIZATION PLAN.**

6 (a) SUBMISSION OF PLAN.—Not later than March 1,
7 1996, the President, in consultation with the Secretary
8 and the Administrator of the Agency for International De-
9 velopment, shall transmit to the appropriate congressional
10 committees a reorganization plan providing for—

11 (1) the abolition of the Agency for International
12 Development in accordance with this title;

13 (2) the transfer to the Department of State of
14 the functions and personnel of the Agency for Inter-
15 national Development consistent with the provisions
16 of this title; and

17 (3) the consolidation, reorganization, and
18 streamlining of the Department upon the transfer of
19 functions under this title in order to carry out such
20 functions.

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

23 (1) identify the functions of the Agency for
24 International Development that will be transferred
25 to the Department under the plan;

1 (2) identify the personnel and positions of the
2 Agency (including civil service personnel, Foreign
3 Service personnel, and detailees) that will be trans-
4 ferred to the Department, separated from service
5 with the Agency, or be eliminated under the plan,
6 and set forth a schedule for such transfers, separa-
7 tions, and terminations;

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

15 (4) specify the consolidations and reorganiza-
16 tion of functions of the Department that will be re-
17 quired under the plan in order to permit the Depart-
18 ment to carry out the functions transferred to the
19 Department under the plan;

20 (5) specify the funds available to the Agency for
21 International Development that will be transferred
22 to the Department under this title as a result of the
23 transfer of functions of the Agency to the Depart-
24 ment;

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

5 (7) specify the proposed disposition of the prop-
6 erty, facilities, contracts, records, and other assets
7 and liabilities of the Agency in connection with the
8 transfer of the functions of the Agency to the De-
9 partment.

10 (c) ASSISTANT SECRETARY POSITIONS.—The plan
11 under subsection (a) shall provide for an appropriate num-
12 ber of Assistant Secretaries of State to carry out the func-
13 tions transferred to the Department under this title.

14 **SEC. 422. PRINCIPAL OFFICERS.**

15 (a) UNDER SECRETARY OF STATE FOR DEVELOP-
16 MENT AND ECONOMIC AFFAIRS.—

17 (1) ESTABLISHMENT.—Section 1(b) of the
18 State Department Basic Authorities Act of 1956 (22
19 U.S.C. 2651a(b)) is amended by adding after para-
20 graph (2) the following new paragraph:

21 “(3) UNDER SECRETARY FOR DEVELOPMENT
22 AND ECONOMIC AFFAIRS.—There shall be in the De-
23 partment of State an Under Secretary for Develop-
24 ment and Economic Affairs who shall assist the Sec-
25 retary and the Deputy Secretary in the formation

1 and implementation of United States policies and ac-
2 tivities concerning international development and
3 economic affairs.”.

4 (b) TRANSITION PROVISION.—The President may ap-
5 point the individual serving as Administrator of the Agen-
6 cy for International Development on the day before the
7 effective date of this title, or such other official appointed
8 by and with the advice and consent of the Senate and serv-
9 ing within the Department of State or the Agency for
10 International Development as the President considers ap-
11 propriate, to serve as the acting Under Secretary for De-
12 velopment and Economic Affairs until an individual is ap-
13 pointed to that office in accordance with section 1(b)(1)
14 of the State Department Basic Authorities Act of 1956,
15 as amended by this Act.

16 **CHAPTER 4—CONFORMING AMENDMENTS**

17 **SEC. 441. REFERENCES.**

18 Any reference in any statute, reorganization plan,
19 Executive order, regulation, agreement, determination, or
20 other official document or proceeding to—

21 (1) the Administrator of the Agency for Inter-
22 national Development, or any other officer or em-
23 ployee of the Agency for International Development
24 shall be deemed to refer to the Secretary of State;

1 (2) the Director or any other officer or em-
2 ployee of the International Development Cooperation
3 Agency (IDCA) shall be deemed to refer to the Sec-
4 retary of State; or

5 (3) the Agency for International Development,
6 AID, the agency primarily responsible for admin-
7 istering part I of the Foreign Assistance Act of
8 1961, or the International Development Cooperation
9 Agency (IDCA) shall be deemed to refer to the De-
10 partment of State.

11 **SEC. 442. ABOLITION OF OFFICE OF INSPECTOR GENERAL**
12 **OF THE AGENCY FOR INTERNATIONAL DE-**
13 **VELOPMENT AND TRANSFER OF FUNCTIONS**
14 **TO OFFICE OF INSPECTOR GENERAL OF THE**
15 **DEPARTMENT OF STATE.**

16 (a) ABOLITION OF OFFICE OF INSPECTOR GENERAL
17 OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT.—
18 The Office of Inspector General of the Agency for Inter-
19 national Development is abolished.

20 (b) AMENDMENTS TO THE INSPECTOR GENERAL ACT
21 OF 1978.—The Inspector General Act of 1978 (5 U.S.C.
22 App.) is amended as follows:

23 (1) Section 8A is repealed.

1 (2) Section 11(1) is amended by striking “the
2 Administrator of the Agency for International Devel-
3 opment,”.

4 (3) Section 11(2) is amended by striking “the
5 Agency for International Development,”.

6 (c) AMENDMENTS TO TITLE 5, UNITED STATES
7 CODE.—Section 5315 of title 5, United States Code, is
8 amended by striking the following: “Inspector General,
9 Agency for International Development.”.

10 (d) FUNCTIONS OF OFFICE OF INSPECTOR GENERAL
11 OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT
12 TRANSFERRED TO OFFICE OF INSPECTOR GENERAL OF
13 THE DEPARTMENT OF STATE.—There are transferred to
14 the Office of Inspector General of the Department of State
15 the functions that the Office of Inspector General of the
16 Agency for International Development exercised before the
17 effective date of this title (including all related functions
18 of the Inspector General of the Agency for International
19 Development).

20 (e) TRANSFER AND ALLOCATIONS OF APPROPRIA-
21 TIONS AND PERSONNEL.—The Inspector General of the
22 Department of State, is authorized to make such inciden-
23 tal dispositions of personnel, assets, liabilities, grants, con-
24 tracts, property, records, and unexpended balances of ap-
25 propriations, authorizations, allocations, and other funds

1 held, used, arising from, available to, or to be made avail-
2 able in connection with such functions, as may be nec-
3 essary to carry out the provisions of this section.

4 **SEC. 443. ABOLITION OF CHIEF FINANCIAL OFFICER OF**
5 **THE AGENCY FOR INTERNATIONAL DEVELOP-**
6 **MENT AND TRANSFER OF FUNCTIONS TO**
7 **CHIEF FINANCIAL OFFICER DEPARTMENT OF**
8 **STATE.**

9 (a) ABOLITION OF OFFICE OF CHIEF FINANCIAL OF-
10 FICER OF THE AGENCY FOR INTERNATIONAL DEVELOP-
11 MENT.—The Office of Chief Financial Officer of the Agen-
12 cy for International Development is abolished.

13 (b) AMENDMENT TO TITLE 31, UNITED STATES
14 CODE.—Section 901(b)(2) of title 31, United States Code,
15 is amended by striking subparagraph (A).

16 (c) FUNCTIONS OF OFFICE OF CHIEF FINANCIAL
17 OFFICER OF THE AGENCY FOR INTERNATIONAL DEVEL-
18 OPMENT TRANSFERRED TO OFFICE OF CHIEF FINANCIAL
19 OFFICER OF THE DEPARTMENT OF STATE.—There are
20 transferred to the Office of Chief Financial Officer of the
21 Department of State the functions that the Office of Chief
22 Financial Officer of the Agency for International Develop-
23 ment exercised before the effective date of this title (in-
24 cluding all related functions of the Chief Financial Officer
25 of the Agency for International Development).

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

11 **SEC. 444. AMENDMENTS TO TITLE 5, UNITED STATES CODE.**

12 Title 5, United States Code, is amended—

13 (1) in section 5313, by striking “Administrator,
14 Agency for International Development.”;

15 (2) in section 5314, by striking “Deputy Ad-
16 ministrators, Agency for International Develop-
17 ment.”;

18 (3) in section 5315—

19 (A) by striking “Assistant Administrators,
20 Agency for International Development (6).”;
21 and

22 (B) by striking “Regional Assistant Ad-
23 ministrators, Agency for International Develop-
24 ment (4).”; and

1 (4) in section 5316 by striking “General Coun-
2 sel of the Agency for International Development.”.

3 **SEC. 445. PUBLIC LAW 480 PROGRAM.**

4 The Agricultural Trade Development and Assistance
5 Act of 1954 (Public Law 83–480; 7 U.S.C. 1691 et seq.)
6 is amended by striking “Administrator” each place it ap-
7 pears and inserting “Under Secretary of State for Devel-
8 opment and Economic Affairs”.

9 **TITLE V—TRANSITION**

10 **SEC. 501. REORGANIZATION AUTHORITY.**

11 (a) IN GENERAL.—The Secretary is authorized, sub-
12 ject to the requirements of this division, to allocate or re-
13 allocate any function transferred to the Department under
14 any title of this division among the officers of the Depart-
15 ment, and to establish, consolidate, alter, or discontinue
16 such organizational entities within the Department as may
17 be necessary or appropriate to carry out any reorganiza-
18 tion under this division, but the authority of the Secretary
19 under this section does not extend to—

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

22 (2) the alteration of the delegation of functions
23 to any specific organizational entity or officer re-
24 quired by this Act or any other Act.

1 (b) REQUIREMENTS AND LIMITATIONS ON REORGA-
2 NIZATION PLANS.—A reorganization plan pursuant to any
3 title of this division may not have the effect of—

4 (1) creating a new executive department;

5 (2) continuing a function beyond the period au-
6 thorized by law for its exercise or beyond the time
7 when it would have terminated if the reorganization
8 had not been made;

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

12 (4) creating a new agency which is not a com-
13 ponent or part of an existing executive department
14 or independent agency; or

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

17 (c) REDUCTION IN EXPENDITURES.—A reorganiza-
18 tion plan pursuant to any title of this division shall provide
19 for a twenty-percent reduction to apply to each of the first
20 two fiscal years after implementation of such plan in the
21 total level of expenditures for the functions transferred to
22 the Department of State from amounts appropriated for
23 such transferred functions for fiscal year 1995.

1 **SEC. 502. TRANSFER AND ALLOCATION OF APPROPRIA-**
2 **TIONS AND PERSONNEL.**

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

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

18 (c) AUTHORIZED STRENGTH OF THE FOREIGN SERV-
19 ICE.—When an agency is abolished under this division, the
20 limitations for fiscal years 1996 and 1997 under section
21 2351 of this Act on the members of the Foreign Service
22 authorized to be employed by such agency shall be added
23 to the limitations under such section which apply to the
24 Department of State.

1 **SEC. 503. INCIDENTAL TRANSFERS.**

2 The Director of the Office of Management and Budg-
3 et, in consultation with the Secretary of State, is author-
4 ized to make such incidental dispositions of personnel, as-
5 sets, liabilities, grants, contracts, property, records, and
6 unexpended balances of appropriations, authorizations, al-
7 locations, and other funds held, used, arising from, avail-
8 able to, or to be made available in connection with such
9 functions, as may be necessary to carry out the provisions
10 of any title of this division. The Director of the Office of
11 Management and Budget, in consultation with the Sec-
12 retary of State, shall provide for the termination of the
13 affairs of all entities terminated by this division and for
14 such further measures and dispositions as may be nec-
15 essary to effectuate the purposes of any title of this divi-
16 sion.

17 **SEC. 504. EFFECT ON PERSONNEL.**

18 (a) EXECUTIVE SCHEDULE POSITIONS.—Except as
19 otherwise provided in this division, any person who, on the
20 day preceding the date of the abolition of an agency the
21 functions of which are transferred under any title of this
22 division, held a position compensated in accordance with
23 the Executive Schedule prescribed in chapter 53 of title
24 5, United States Code, and who, without a break in serv-
25 ice, is appointed in the Department to a position having
26 duties comparable to the duties performed immediately

1 preceding such appointment shall continue to be com-
2 pensated in such new position at not less than the rate
3 provided for such previous position, for the duration of
4 the service of such person in such new position.

5 (b) TERMINATION OF CERTAIN POSITIONS.—Posi-
6 tions whose incumbents are appointed by the President,
7 by and with the advice and consent of the Senate, the
8 functions of which are transferred by any title of this divi-
9 sion, shall terminate on the effective date of that title.

10 (c) EXCEPTED SERVICE.—(1) Subject to paragraph
11 (2), in the case of employees occupying positions in the
12 excepted service or the Senior Executive Service, any ap-
13 pointment authority established pursuant to law or regula-
14 tions of the Office of Personnel Management for filling
15 such positions shall be transferred.

16 (2) The Department of State may decline a transfer
17 of authority under paragraph (1) (and the employees ap-
18 pointed pursuant thereto) to the extent that such author-
19 ity relates to positions excepted from the competitive serv-
20 ice because of their confidential, policy-making, policy-de-
21 termining, or policy-advocating character, and noncareer
22 positions in the Senior Executive Service (within the
23 meaning of section 3132(a)(7) of title 5, United States
24 Code).

1 (d) EMPLOYEE BENEFIT PROGRAMS.—(1) Any em-
2 ployee accepting employment with the Department of
3 State as a result of a transfer pursuant to any title of
4 this division may retain for 1 year after the date such
5 transfer occurs membership in any employee benefit pro-
6 gram of the former agency, including insurance, to which
7 such employee belongs on the date of the enactment of
8 this Act if—

9 (A) the employee does not elect to give up the
10 benefit or membership in the program; and

11 (B) the benefit or program is continued by the
12 Secretary of State.

13 (2) The difference in the costs between the benefits
14 which would have been provided by such agency or entity
15 and those provided by this section shall be paid by the
16 Secretary of State. If any employee elects to give up mem-
17 bership in a health insurance program or the health insur-
18 ance program is not continued by the Secretary of State,
19 the employee shall be permitted to select an alternate Fed-
20 eral health insurance program within 30 days of such elec-
21 tion or notice, without regard to any other regularly sched-
22 uled open season.

23 (e) SENIOR EXECUTIVE SERVICE.—Any employee in
24 the career Senior Executive Service who is transferred
25 pursuant to any title of this division shall be placed in

1 a position at the Department of State which is comparable
2 to the position the employee held in the agency.

3 (f) ASSIGNMENTS.—(1) Transferring employees shall
4 be provided reasonable notice of new positions and assign-
5 ments prior to their transfer pursuant to any title of this
6 division.

7 (2) Foreign Service personnel transferred to the De-
8 partment of State pursuant to any title of this division
9 shall be eligible for any assignment open to Foreign Serv-
10 ice personnel within the Department for which such trans-
11 ferred personnel are qualified.

12 (g) TREATMENT OF PERSONNEL EMPLOYED IN TER-
13 MINATED FUNCTIONS.—The provisions of this subsection
14 shall apply with respect to officers and employees of the
15 agencies identified in section 505(b) whose employment is
16 terminated as a result of the abolition of the agency or
17 the reorganization and consolidation of functions of the
18 Department of State under any title of this division:

19 (1) Under such regulations as the Office of Per-
20 sonnel Management may prescribe, the head of any
21 agency in the executive branch may appoint in the
22 competitive service any person who is certified by
23 the head of the former agency as having served sat-
24 isfactorily in the former agency and who passes such
25 examination as the Office of Personnel Management

1 may prescribe. Any person so appointed shall, upon
2 completion of the prescribed probationary period, ac-
3 quire a competitive status.

4 (2) The head of any agency in the executive
5 branch having an established merit system in the ex-
6 cepted service may appoint in such service any per-
7 son who is certified by the head of the former agen-
8 cy as having served satisfactorily in the former agen-
9 cy and who passes such examination as the head of
10 such agency in the executive branch may prescribe.

11 (3) Any appointment under this subsection
12 shall be made within a period of one year after com-
13 pletion of the appointee's service in the former agen-
14 cy.

15 (4) Any law, Executive order, or regulation
16 which would disqualify an applicant for appointment
17 in the competitive service or in the excepted service
18 concerned shall also disqualify an applicant for ap-
19 pointment under this subsection.

20 **SEC. 505. SAVINGS PROVISIONS.**

21 (a) CONTINUING LEGAL FORCE AND EFFECT.—All
22 orders, determinations, rules, regulations, permits, agree-
23 ments, grants, contracts, certificates, licenses, registra-
24 tions, privileges, and other administrative actions—

1 (1) that have been issued, made, granted, or al-
2 lowed to become effective by the President, any Fed-
3 eral agency or official thereof, or by a court of com-
4 petent jurisdiction, in the performance of functions
5 that are transferred under any title of this division;
6 and

7 (2) that are in effect at the time such title
8 takes effect, or were final before the effective date
9 of such title and are to become effective on or after
10 the effective date of such title,
11 shall continue in effect according to their terms until
12 modified, terminated, superseded, set aside, or revoked in
13 accordance with law by the President, the Secretary, or
14 other authorized official, a court of competent jurisdiction,
15 or by operation of law.

16 (b) PENDING PROCEEDINGS.—(1) The provisions of
17 any title of this division shall not affect any proceedings,
18 including notices of proposed rulemaking, or any applica-
19 tion for any license, permit, certificate, or financial assist-
20 ance pending on the effective date of any title of this divi-
21 sion before any department, agency, commission, or com-
22 ponent thereof, functions of which are transferred by any
23 title of this division. Such proceedings and applications,
24 to the extent that they relate to functions so transferred,
25 shall be continued.

1 (2) Orders shall be issued in such proceedings, ap-
2 peals shall be taken therefrom, and payments shall be
3 made pursuant to such orders, as if this Act had not been
4 enacted. Orders issued in any such proceedings shall con-
5 tinue in effect until modified, terminated, superseded, or
6 revoked by the Secretary, by a court of competent jurisdic-
7 tion, or by operation of law.

8 (3) Nothing in this Act shall be deemed to prohibit
9 the discontinuance or modification of any such proceeding
10 under the same terms and conditions and to the same ex-
11 tent that such proceeding could have been discontinued
12 or modified if this Act had not been enacted.

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

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

18 (1) the provisions of this Act shall not affect
19 suits commenced prior to the effective date of this
20 Act, and

21 (2) in all such suits, proceedings shall be had,
22 appeals taken, and judgments rendered in the same
23 manner and effect as if this Act had not been en-
24 acted.

1 (d) NON-ABATEMENT OF PROCEEDINGS.—No suit,
2 action, or other proceeding commenced by or against any
3 officer in the official capacity of such individual as an offi-
4 cer of any department or agency, functions of which are
5 transferred by any title of this division, shall abate by rea-
6 son of the enactment of this Act. No cause of action by
7 or against any department or agency, functions of which
8 are transferred by any title of this division, or by or
9 against any officer thereof in the official capacity of such
10 officer shall abate by reason of the enactment of this Act.

11 (e) CONTINUATION OF PROCEEDING WITH SUBSTI-
12 TUTION OF PARTIES.—If, before the date on which any
13 title of this division takes effect, any department or agen-
14 cy, or officer thereof in the official capacity of such officer,
15 is a party to a suit, and under this Act any function of
16 such department, agency, or officer is transferred to the
17 Secretary or any other official of the Department, then
18 such suit shall be continued with the Secretary or other
19 appropriate official of the Department substituted or
20 added as a party.

21 (f) REVIEWABILITY OF ORDERS AND ACTIONS
22 UNDER TRANSFERRED FUNCTIONS.—Orders and actions
23 of the Secretary in the exercise of functions transferred
24 under any title of this division shall be subject to judicial
25 review to the same extent and in the same manner as if

1 such orders and actions had been by the agency or office,
2 or part thereof, exercising such functions immediately pre-
3 ceding their transfer. Any statutory requirements relating
4 to notice, hearings, action upon the record, or administra-
5 tive review that apply to any function transferred by any
6 title of this division shall apply to the exercise of such
7 function by the Secretary.

8 **SEC. 506. PROPERTY AND FACILITIES.**

9 The Secretary of State shall review the property and
10 facilities transferred to the Department under this division
11 to determine whether such property and facilities are re-
12 quired by the Department.

13 **SEC. 507. AUTHORITY OF SECRETARY TO FACILITATE**
14 **TRANSITION.**

15 Prior to, or after, any transfer of a function under
16 any title of this division, the Secretary is authorized to
17 utilize—

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

22 (2) funds appropriated to such functions for
23 such period of time as may reasonably be needed to
24 facilitate the orderly implementation of any title of
25 this division.

1 **SEC. 508. RECOMMENDATIONS FOR ADDITIONAL CON-**
2 **FORMING AMENDMENTS.**

3 The Congress urges the President, in consultation
4 with the Secretary of State and the heads of other appro-
5 priate agencies, to develop and submit to the Congress rec-
6 ommendations for such additional technical and conform-
7 ing amendments to the laws of the United States as may
8 be appropriate to reflect the changes made by this divi-
9 sion.

10 **SEC. 509. FINAL REPORT.**

11 Not later than October 1, 1998, the President, in
12 consultation with the Secretary of the Treasury and the
13 Director of the Office of Management and Budget shall
14 submit to the appropriate congressional committees a re-
15 port which provides a final accounting of the finances and
16 operations of the United States Arms Control and Disar-
17 mament Agency, the United States Information Agency,
18 and the Agency for International Development.

19 **SEC. 510. TRANSFER OF FUNCTION.**

20 Any determination as to whether a transfer of func-
21 tion, carried out under this Act, constitutes a transfer of
22 function for purposes of subchapter I of chapter 35 of title
23 5, United States Code, shall be made without regard to
24 whether or not the function involved is identical to func-
25 tions already being performed by the receiving agency.

1 **SEC. 511. SEVERABILITY.**

2 If a provision of this division or its application to any
3 person or circumstance is held invalid, neither the remain-
4 der of this division nor the application of the provision
5 to other persons or circumstances shall be affected.

6 **TITLE VI—REORGANIZATION OF**
7 **UNITED STATES EXPORT PRO-**
8 **MOTION AND TRADE ACTIVI-**
9 **TIES**

10 **SEC. 601. PLAN FOR REORGANIZATION OF UNITED STATES**
11 **EXPORT PROMOTION AND TRADE ACTIVI-**
12 **TIES.**

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

15 (1) Supporting American businesses overseas
16 and assisting United States exporters to identify
17 market opportunities is of increasing importance to
18 America's economic health and competitiveness, and
19 to the well-being of American workers.

20 (2) At least 18 different government-sponsored
21 organizations or agencies, including the Department
22 of State, spend over \$3,300,000,000 to provide sup-
23 port to American exporters and international busi-
24 nesses. In the past, poor coordination among these
25 organizations and a lack of accessibility often hin-

1 dered the effectiveness of the Government's trade
2 promotion activities.

3 (3) Recent efforts to improve coordination be-
4 tween many of these organizations and to increase
5 their availability to exporters around the country
6 were begun through the Trade Promotion Coordina-
7 tion Council. These efforts appear to have generated
8 some improvement in the Government's trade pro-
9 motion capabilities.

10 (4) Broader governmentwide reform efforts,
11 such as the reorganization of the Department of
12 State, and future funding questions currently being
13 addressed in Congress may affect different trade
14 promotion organizations to varying degrees.

15 (b) REPORT REQUIRED.—In order to fully assess the
16 organizational structure, capability, and spending levels of
17 United States Government trade promotion organizations,
18 the Trade Promotion Coordinating Committee, not later
19 than March 1, 1996, shall submit to the Committee on
20 International Relations of the House of Representatives,
21 the Committee on Foreign Relations of the Senate, and
22 to other appropriate committees of jurisdiction, a report
23 detailing what steps are being taken to improve accessibil-
24 ity and coordination among all trade promotion organiza-
25 tions and agencies, the relationship between such agencies

1 and the Department of State, what additional measures
2 should be taken to further improve the efficiency of and
3 reduce duplication among these organizations and agen-
4 cies, and any suggested legislative actions that would fur-
5 ther improve the Department of State and other agencies
6 export and trade promotion activities.

7 (c) CONTENT OF REPORT.—The report required by
8 subsection (b) shall—

9 (1) identify the name, number, function, and
10 budget of all Government organizations or agencies
11 with some responsibility for supporting, advancing,
12 or promoting international trade or United States
13 exports;

14 (2) assess the amount of exports directly gen-
15 erated by the activities of each organization or agen-
16 cy;

17 (3) describe the overall impact of the Govern-
18 ment's trade and export promotion programs on in-
19 creasing exports and overseas market share;

20 (4) identify areas where increased cooperation
21 and interoperability would improve United States ex-
22 port promotion efforts;

23 (5) identify areas where greater efficiencies can
24 be achieved through the elimination of duplication

1 among the organizations and agencies included in
2 paragraph (1);

3 (6) identify ways to improve the audit and ac-
4 countability mechanisms for each organization or
5 agency, with particular emphasis on ensuring inde-
6 pendent oversight capabilities for each organization;

7 (7) assess the trade and export promotion ac-
8 tivities of the major trade partners and competitors
9 of the United States, including amounts of tied aid
10 and export subsidization provided by the govern-
11 ments of those trade partners and competitors; and

12 (8) provide a plan to reorganize the United
13 States trade and export promotion organizations and
14 agencies, with legislative requirements if necessary,
15 in order to more efficiently promote trade, increase
16 organizational assessability, organize bureaucratic
17 effort, and expend public resources in support of
18 American exporters and international business.

19 **DIVISION B—FOREIGN**
20 **RELATIONS AUTHORIZATIONS**
21 **TITLE XX—GENERAL**
22 **PROVISIONS**

23 **SEC. 2001. SHORT TITLE.**

24 This division may be cited as the “Foreign Relations
25 Authorization Act, Fiscal Years 1996 and 1997”.

1 **SEC. 2002. DEFINITIONS.**

2 The following terms have the following meaning for
3 the purposes of this division:

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

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

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

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

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

17 (6) The term “function” means any duty, obli-
18 gation, power, authority, responsibility, right, privi-
19 lege, activity, or program.

20 (7) The term “office” includes any office, ad-
21 ministration, agency, institute, unit, organizational
22 entity, or component thereof.

23 (8) The term “Secretary” means the Secretary
24 of State.

25 (9) The term “USIA” means the United States
26 Information Agency.

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

7 **CHAPTER 1—AUTHORIZATIONS OF**
8 **APPROPRIATIONS**

9 **SEC. 2101. ADMINISTRATION OF FOREIGN AFFAIRS.**

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

17 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—

18 (A) AUTHORIZATION OF APPROPRIA-
19 TIONS.—For “Diplomatic and Consular Pro-
20 grams”, of the Department of State
21 \$1,728,797,000 for the fiscal year 1996 and
22 \$1,656,903,000 for the fiscal year 1997.

23 (B) LIMITATION.—Of the amounts author-
24 ized to be appropriated by subparagraph (A),
25 \$5,000,000 for fiscal year 1996 and \$5,000,000

1 for fiscal year 1997 are authorized to be appro-
2 priated for the purpose of processing immigrant
3 visas for persons who are outside their coun-
4 tries of nationality, have asserted a fear of re-
5 turning to their countries of nationality and a
6 credible basis for such fear, and for whom im-
7 migrant visas are currently available.

8 (2) SALARIES AND EXPENSES.—

9 (A) AUTHORIZATION OF APPROPRIA-
10 TIONS.—For “Salaries and Expenses”, of the
11 Department of State \$366,276,000 for the fis-
12 cal year 1996 and \$335,287,000 for the fiscal
13 year 1997.

14 (B) LIMITATION.—Of the amounts author-
15 ized to be appropriated by subparagraph (A),
16 \$11,900,000 for fiscal year 1996 and
17 \$11,900,000 for fiscal year 1997 are authorized
18 to be appropriated for salaries and expenses of
19 the Bureau of Refugee and Migration Assist-
20 ance.

21 (3) CAPITAL INVESTMENT FUND.—For “Cap-
22 ital Investment Fund”, of the Department of State
23 \$20,000,000 for the fiscal year 1996 and
24 \$20,000,000 for the fiscal year 1997.

1 (4) ACQUISITION AND MAINTENANCE OF BUILD-
2 INGS ABROAD.—For “Acquisition and Maintenance
3 of Buildings Abroad”, \$391,760,000 for the fiscal
4 year 1996 and \$376,760,000 for the fiscal year
5 1997.

6 (5) REPRESENTATION ALLOWANCES.—For
7 “Representation Allowances”, \$4,780,000 for the
8 fiscal year 1996 and \$4,780,000 for the fiscal year
9 1997.

10 (6) EMERGENCIES IN THE DIPLOMATIC AND
11 CONSULAR SERVICE.—For “Emergencies in the Dip-
12 lomatic and Consular Service”, \$6,000,000 for the
13 fiscal 1996 and \$6,000,000 for the fiscal year 1997.

14 (7) OFFICE OF THE INSPECTOR GENERAL.—
15 For “Office of the Inspector General”, \$23,469,000
16 for the fiscal year 1996 and \$21,469,000 for the fis-
17 cal year 1997.

18 (8) PAYMENT TO THE AMERICAN INSTITUTE IN
19 TAIWAN.—For “Payment to the American Institute
20 in Taiwan”, \$15,165,000 for the fiscal year 1996
21 and \$13,710,000 for the fiscal year 1997.

22 (9) PROTECTION OF FOREIGN MISSIONS AND
23 OFFICIALS.—For “Protection of Foreign Missions
24 and Officials”, \$9,579,000 for the fiscal year 1996
25 and \$9,579,000 for the fiscal year 1997.

1 (10) REPATRIATION LOANS.—For “Repatri-
2 ation Loans”, \$776,000 for the fiscal year 1996 and
3 \$776,000 for the fiscal year 1997, for administrative
4 expenses.

5 **SEC. 2102. INTERNATIONAL ORGANIZATIONS, PROGRAMS,**
6 **AND CONFERENCES.**

7 (a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL
8 ORGANIZATIONS.—There are authorized to be appro-
9 priated for “Contributions to International Organiza-
10 tions”, \$873,505,000 for the fiscal year 1996 and
11 \$828,388,000 for the fiscal year 1997 for the Department
12 of State to carry out the authorities, functions, duties, and
13 responsibilities in the conduct of the foreign affairs of the
14 United States with respect to international organizations
15 and to carry out other authorities in law consistent with
16 such purposes.

17 (b) VOLUNTARY CONTRIBUTIONS TO INTER-
18 NATIONAL ORGANIZATIONS.—

19 (1) AUTHORIZATION OF APPROPRIATIONS.—
20 There are authorized to be appropriated for “Vol-
21 untary Contributions to International Organiza-
22 tions”, \$309,375,000 for the fiscal year 1996 and
23 \$290,680,000 for the fiscal year 1997.

24 (2) LIMITATIONS.—

25 (A) UNICEF.—

1 (i) Of the amounts authorized to be
2 appropriated under paragraph (1),
3 \$103,000,000 for fiscal year 1996 and
4 \$103,000,000 for fiscal year 1997 is au-
5 thorized to be appropriated for the United
6 Nations Children's Fund (UNICEF).

7 (ii) For fiscal year 1996, not more
8 than 25 percent of the amount under
9 clause (i) may be made available to the
10 United Nations Children's Fund
11 (UNICEF) until 30 days after the submis-
12 sion to Congress of the report required by
13 section 2523.

14 (B) INTERNATIONAL ATOMIC ENERGY
15 AGENCY.—

16 (i) Of the amounts authorized to be
17 appropriated under paragraph (1),
18 \$43,000,000 for each of fiscal years 1996
19 and 1997 is authorized to be appropriated
20 for the International Atomic Energy Agen-
21 cy (IAEA).

22 (ii) Amounts under clause (i) are au-
23 thorized to be made available to the Inter-
24 national Atomic Energy Agency only if the
25 Secretary determines and reports to the

1 appropriate congressional committees that
2 Israel is not being denied its right to par-
3 ticipate in the activities of the Inter-
4 national Atomic Energy Agency.

5 (C) WAR CRIMES TRIBUNALS.—Of the
6 amounts authorized to be appropriated under
7 paragraph (1), \$15,000,000 for fiscal year
8 1996 and \$15,000,000 for fiscal year 1997, or
9 25 percent of the combined budgets for the tri-
10 bunals for each such fiscal year, whichever
11 amount is less, are authorized for the United
12 Nations Voluntary Fund for the United Nations
13 International Criminal Tribunal for the Former
14 Yugoslavia and the United Nations Inter-
15 national Criminal Tribunal for Rwanda, located
16 at The Hague, Netherlands.

17 (D) WORLD FOOD PROGRAM.—Of the
18 amounts authorized to be appropriated under
19 paragraph (1), \$5,000,000 for fiscal year 1996
20 and \$5,000,000 for fiscal year 1997 are author-
21 ized to be appropriated for the World Food
22 Program.

23 (E) UNITED NATIONS VOLUNTARY FUND
24 FOR VICTIMS OF TORTURE.—Of the amounts
25 authorized to be appropriated under paragraph

(1) \$1,500,000 for fiscal year 1996 and \$3,000,000 for fiscal year 1997 are authorized to be appropriated for the United Nations Voluntary Fund for Victims of Torture.

(F) UNITED NATIONS POPULATION FUND.—

(i) Of the amounts authorized to be appropriated under paragraph (1) not more than \$25,000,000 for each of the fiscal years 1996 and 1997 shall be available for the United Nations Population Fund (UNFPA).

(ii) Of the amount made available for the United Nations Population Fund under clause (i)—

(I) for fiscal year 1996, not more than 50 percent of such amount may be disbursed to the Fund before March 1, 1996; and

(II) for fiscal year 1997, not more than 50 percent of such amount may be disbursed to the Fund before March 1, 1997.

(G) ORGANIZATION FOR AMERICAN STATES.—Of the amounts authorized to be ap-

1 appropriated under paragraph (1), \$15,000,000
2 for fiscal year 1996 and \$15,000,000 for fiscal
3 year 1997 are authorized to be appropriated for
4 the Organization for American States.

5 (H) LIMITATION CONCERNING USE OF
6 FUNDS UNDER SECTION 307 OF THE FOREIGN
7 ASSISTANCE ACT OF 1961.—Notwithstanding
8 any other provision of law or of this Act, none
9 of the funds authorized to be appropriated
10 under paragraph (1) are authorized to be ap-
11 propriated for the United States proportionate
12 share, in accordance with section 307(c) of the
13 Foreign Assistance Act of 1961, for any pro-
14 grams identified in section 307, or for Libya,
15 Iran, or any Communist country listed in sec-
16 tion 620(f) of the Foreign Assistance Act of
17 1961.

18 (I) UNITED NATIONS DEVELOPMENT PRO-
19 GRAM.—

20 (i) TOTAL LIMITATION.—Of the
21 amounts authorized to be appropriated
22 under paragraph (1), for each of the fiscal
23 years 1996 and 1997 not to exceed
24 \$70,000,000 shall be available for the
25 United Nations Development Program.

1 (ii) BURMA.—

2 (I) Subject to subclauses (II) and
3 (III), for each of the fiscal years 1996
4 and 1997 none of the funds made
5 available for United Nations Develop-
6 ment Program (or United Nations
7 Development Program—Administered
8 Funds) shall be available for pro-
9 grams and activities in or for Burma.

10 (II) Of the amount made avail-
11 able for United Nations Development
12 Program (and United Nations Devel-
13 opment Program—Administered
14 Funds) for fiscal year 1996,
15 \$18,200,000 of such amount shall be
16 disbursed only if the President cer-
17 tifies to the Congress that the United
18 Nations Development Program has
19 terminated its activities in and for
20 Burma.

21 (III) Of the amount made avail-
22 able for United Nations Development
23 Program (and United Nations Devel-
24 opment Program—Administered
25 Funds) for fiscal year 1997,

1 \$25,480,000 shall be disbursed only
2 if the President certifies to the
3 Congress that the United Nations
4 Development Program has terminated
5 its activities in and for Burma.

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

9 (c) ASSESSED CONTRIBUTIONS FOR INTERNATIONAL
10 PEACEKEEPING ACTIVITIES.—

11 (1) AUTHORIZATION OF APPROPRIATIONS.—
12 There are authorized to be appropriated for “Con-
13 tributions for International Peacekeeping Activities”,
14 \$445,000,000 for the fiscal year 1996 and
15 \$300,000,000 for the fiscal year 1997 for the De-
16 partment of State to carry out the authorities, func-
17 tions, duties, and responsibilities in the conduct of
18 the foreign affairs of the United States with respect
19 to international peacekeeping activities and to carry
20 out other authorities in law consistent with such
21 purposes.

22 (2) LIMITATION.—None of the funds authorized
23 to be appropriated under paragraph (1) may be
24 made available for contributions to the United Na-
25 tions Protection Force unless the President deter-

1 mines and reports to the Congress during the cal-
2 endar year in which the funds are to be provided
3 that—

4 (A) the Government of Bosnia and
5 Herzegovina supports the continued presence of
6 the United Nations Protection Force within its
7 territory;

8 (B) the United Nations Protection Force is
9 effectively carrying out its mandate under Unit-
10 ed Nations Security Council resolutions 761,
11 776, 781, 786, and 836, and is effectively en-
12 couraging compliance with United Nations Se-
13 curity Council resolutions 752, 757, 770, 771,
14 787, 820, and 824;

15 (C) the United Nations Protection Force is
16 providing full cooperation and support consist-
17 ent with its mandate to the efforts of the Unit-
18 ed Nations War Crimes Tribunal for the former
19 Yugoslavia to investigate war crimes and to ap-
20 prehend and prosecute suspected war criminals;

21 (D) the United Nations Protection Force
22 is providing full cooperation and support con-
23 sistent with its mandate to United States diplo-
24 matic, military, and relief personnel in Bosnia;
25 and

1 (E) the United Nations Protection Force
2 has investigated and taken appropriate action
3 against any United Nations Protection Force
4 personnel or units suspected of participating in
5 illegal or improper activities, such as black
6 marketeering, embezzlement, expropriation of
7 property, and assaults on civilians.

8 (d) PEACEKEEPING OPERATIONS.—There are au-
9 thorized to be appropriated for “Peacekeeping Oper-
10 ations”, \$68,260,000 for the fiscal year 1996 and
11 \$62,260,000 for the fiscal year 1997 for the Department
12 of State to carry out section 551 of Public Law 87–195.

13 (e) INTERNATIONAL CONFERENCES AND CONTIN-
14 GENCIES.—

15 (1) GENERAL PROVISION.—There are author-
16 ized to be appropriated for “International Con-
17 ferences and Contingencies”, \$5,000,000 for the fis-
18 cal year 1996 and \$5,000,000 for the fiscal year
19 1997 for the Department of State to carry out the
20 authorities, functions, duties, and responsibilities in
21 the conduct of the foreign affairs of the United
22 States with respect to international conferences and
23 contingencies and to carry out other authorities in
24 law consistent with such purposes.

25 (2) CONDITIONAL AUTHORITY.—

1 (A) Subject to subparagraph (B), in addi-
2 tion to such amounts as are authorized to be
3 appropriated under paragraph (1), there is au-
4 thorized to be appropriated for “International
5 Conferences and Contingencies”, \$1,000,000
6 for the fiscal year 1996 for the Department of
7 State to carry out the authorities, functions,
8 duties, and responsibilities in the conduct of the
9 foreign affairs of the United States with respect
10 to international conferences and contingencies
11 and to carry out other authorities in law con-
12 sistent with such purposes.

13 (B) The authorization of appropriations
14 under subparagraph (A) shall take effect only
15 after the Secretary of State certifies to the ap-
16 propriate congressional committees with respect
17 to any United Nations Fourth Conference on
18 Women that is held in Beijing that—

19 (i) no funds of the Department of
20 State were expended for travel by any
21 United States official or delegate to the
22 Fourth World Conference on Women, to be
23 held in Beijing, August and September
24 1995, or

1 (ii)(I) that the United States vigor-
2 ously urged the United Nations to grant
3 accreditation to a wide range of nongovern-
4 mental organizations, including United
5 States-based groups representing Taiwan-
6 ese and Tibetan women, in accordance
7 with relevant international standards and
8 precedents;

9 (II) that the United States pressed
10 the Government of China to issue visas eq-
11 uitably to representatives of accredited
12 nongovernmental organizations;

13 (III) that the United States encour-
14 aged the Government of China and the
15 United Nations to provide the accredited
16 nongovernmental organizations with access
17 to the main conference site that is substan-
18 tially equivalent in manner and degree to
19 access afforded at previous major United
20 Nations conferences;

21 (IV) that the United States delegation
22 to the Fourth World Conference on
23 Women vigorously and publicly supported
24 access by representatives of accredited
25 nongovernmental organizations to the con-

1 ference, especially with respect to United
2 States nongovernmental organizations;

3 (V) that the United States delegation
4 to the Fourth World Conference on
5 Women vigorously promoted universal re-
6 spect for internationally recognized human
7 rights, including the rights of women; and

8 (VI) that, if the goals of subpara-
9 graphs (I), (II), or (III) were not fully ac-
10 complished, the United States issued a for-
11 mal, public, protest to the United Nations
12 for such a departure from accepted inter-
13 national standards.

14 (f) FOREIGN CURRENCY EXCHANGE RATES.—In ad-
15 dition to amounts otherwise authorized to be appropriated
16 by subsections (a) and (b) of this section, there are au-
17 thorized to be appropriated such sums as may be nec-
18 essary for each of the fiscal years 1996 and 1997 to offset
19 adverse fluctuations in foreign currency exchange rates.
20 Amounts appropriated under this subsection shall be avail-
21 able for obligation and expenditure only to the extent that
22 the Director of the Office of Management and Budget de-
23 termines and certifies to Congress that such amounts are
24 necessary due to such fluctuations.

1 **SEC. 2103. INTERNATIONAL COMMISSIONS.**

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

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

12 (A) for “Salaries and Expenses”
13 \$13,858,000 for the fiscal year 1996 and
14 \$19,372,000 for the fiscal year 1997; and

15 (B) for “Construction” \$10,393,000 for
16 the fiscal year 1996 and \$9,353,000 for the fis-
17 cal year 1997.

18 (2) INTERNATIONAL BOUNDARY COMMISSION,
19 UNITED STATES AND CANADA.—For “International
20 Boundary Commission, United States and Canada”,
21 \$740,000 for the fiscal year 1996 and \$666,000 for
22 the fiscal year 1997.

23 (3) INTERNATIONAL JOINT COMMISSION.—For
24 “International Joint Commission”, \$3,500,000 for
25 the fiscal year 1996 and \$3,195,000 for the fiscal
26 year 1997.

1 (4) INTERNATIONAL FISHERIES COMMIS-
2 SIONS.—For “International Fisheries Commissions”,
3 \$14,669,000 for the fiscal year 1996 and
4 \$13,202,000 for the fiscal year 1997.

5 **SEC. 2104. MIGRATION AND REFUGEE ASSISTANCE.**

6 (a) AUTHORIZATION OF APPROPRIATIONS.—

7 (1) MIGRATION AND REFUGEE ASSISTANCE.—

8 (A) AUTHORIZATION OF APPROPRIA-
9 TIONS.—There are authorized to be appro-
10 priated for “Migration and Refugee Assistance”
11 for authorized activities, \$590,000,000 for the
12 fiscal year 1996 and \$590,000,000 for the fis-
13 cal year 1997.

14 (B) LIMITATION.—None of the funds au-
15 thorized to be appropriated by this section are
16 authorized to be appropriated for salaries and
17 administrative expenses of the Bureau of Mi-
18 gration and Refugee Assistance.

19 (2) REFUGEES RESETTLING IN ISRAEL.—There
20 are authorized to be appropriated \$80,000,000 for
21 the fiscal year 1996 and \$80,000,000 for the fiscal
22 year 1997 for assistance for refugees resettling in
23 Israel from other countries.

24 (3) HUMANITARIAN ASSISTANCE FOR DIS-
25 PLACED BURMESE.—There are authorized to be ap-

1 appropriated \$1,500,000 for the fiscal year 1996 and
2 \$1,500,000 for the fiscal year 1997 for humani-
3 tarian assistance, including but not limited to food,
4 medicine, clothing, and medical and vocational train-
5 ing to persons displaced as a result of civil conflict
6 in Burma, including persons still within Burma.

7 (4) RESETTLEMENT OF VIETNAMESE, LAO-
8 TIANS, AND CAMBODIANS.—Of the amounts author-
9 ized to be appropriated for fiscal year 1996 under
10 paragraph (1) there are authorized to be appro-
11 priated such amounts as are necessary for the ad-
12 mission and resettlement, within numerical limita-
13 tions provided by law for refugee admissions, of per-
14 sons who—

15 (A) are or were nationals and residents of
16 Vietnam, Laos, or Cambodia;

17 (B) are within a category of aliens referred
18 to in section 599D(b)(2)(C) of the Foreign Op-
19 erations, Export Financing, and Related Pro-
20 grams Appropriations Act, 1990 (Public Law
21 101–167); and

22 (C) are or were at any time after January
23 1, 1989, residents of refugee camps in Hong
24 Kong, Thailand, Indonesia, Malaysia, or the
25 Philippines.

1 (b) GENERAL LIMITATIONS.—None of the funds au-
2 thorized to be appropriated by subsection (a) are author-
3 ized to be available for any program or activity that pro-
4 vides for, promotes, or assists in the repatriation of any
5 person to Vietnam, Laos, or Cambodia, unless the Presi-
6 dent has certified that—

7 (1) all persons described in subsection (a)(4)
8 who were residents of refugee camps as of July 1,
9 1995, have been offered resettlement outside their
10 countries of nationality;

11 (2) all nationals of Vietnam, Laos, or Cambodia
12 who were residents of refugee camps as of July 1,
13 1995, who are not persons described in subsection
14 (a)(4) have, at any time after such date, either had
15 access to a process for the determination of whether
16 they are refugees, or been offered resettlement out-
17 side their countries of nationality; and

18 (3) the process referred to in paragraph (2) is
19 genuinely calculated to determine whether each ap-
20 plicant is a refugee, and that the procedures, stand-
21 ards, and personnel employed in such process ensure
22 that the risk of return to persecution is no greater
23 than in the process available under United States
24 law to persons physically present in the United
25 States.

1 (c) AVAILABILITY OF FUNDS.—Funds appropriated
2 pursuant to subsection (a) are authorized to be available
3 until expended.

4 (d) REFUGEE CAMP DEFINED.—For the purposes of
5 this section, the term “refugee camp” means any place
6 in which people who left Vietnam, Cambodia, or Laos are
7 housed or held by a government or international organiza-
8 tion, regardless of the designation of such place by such
9 government or organization.

10 (e) STATUTORY CONSTRUCTION.—Nothing in this
11 section may be construed to require or permit an increase
12 in the number of refugee admissions for fiscal year 1996
13 from the numerical limitation for refugee admissions for
14 fiscal year 1995.

15 **SEC. 2105. CERTAIN OTHER INTERNATIONAL AFFAIRS PRO-**
16 **GRAMS.**

17 The following amounts are authorized to be appro-
18 priated for the Department of State to carry out the au-
19 thorities, functions, duties, and responsibilities in the con-
20 duct of the foreign affairs of the United States and for
21 other purposes authorized by law:

22 (1) ASIA FOUNDATION.—For “Asia Founda-
23 tion”, \$10,000,000 for the fiscal year 1996 and
24 \$9,000,000 for the fiscal year 1997.

1 **SEC. 2106. UNITED STATES INFORMATIONAL, EDU-**
2 **CATIONAL, AND CULTURAL PROGRAMS.**

3 The following amounts are authorized to be appro-
4 priated to carry out international information activities
5 and educational and cultural exchange programs under
6 the United States Information and Educational Exchange
7 Act of 1948, the Mutual Educational and Cultural Ex-
8 change Act of 1961, Reorganization Plan Number 2 of
9 1977, the United States International Broadcasting Act
10 of 1994, the Radio Broadcasting to Cuba Act, the Tele-
11 vision Broadcasting to Cuba Act, the Board for Inter-
12 national Broadcasting Act, the Inspector General Act of
13 1978, the North/South Center Act of 1991, the National
14 Endowment for Democracy Act, and to carry out other
15 authorities in law consistent with such purposes:

16 (1) SALARIES AND EXPENSES.—For “Salaries
17 and Expenses”, \$450,645,000 for the fiscal year
18 1996 and \$407,080,000 for the fiscal year 1997.

19 (2) TECHNOLOGY FUND.—For “Technology
20 Fund” for the United States Information Agency,
21 \$5,050,000 for the fiscal year 1996 and \$5,050,000
22 for the fiscal year 1997.

23 (3) EDUCATIONAL AND CULTURAL EXCHANGE
24 PROGRAMS.—

25 (A) FULBRIGHT ACADEMIC EXCHANGE
26 PROGRAMS.—For the “Fulbright Academic Ex-

1 change Programs”, \$117,484,200 for the fiscal
2 year 1996 and \$93,680,800 for the fiscal year
3 1997.

4 (B) SOUTH PACIFIC EXCHANGES.—For the
5 “South Pacific Exchanges”, \$900,000 for the
6 fiscal year 1996 and \$900,000 for the fiscal
7 year 1997.

8 (C) EAST TIMORESE SCHOLARSHIPS.—For
9 the “East Timorese Scholarships”, \$800,000
10 for the fiscal year 1996 and \$800,000 for the
11 fiscal year 1997.

12 (D) CAMBODIAN SCHOLARSHIPS.—For the
13 “Cambodian Scholarships”, \$141,000 for the
14 fiscal year 1996 and \$141,000 for the fiscal
15 year 1997.

16 (E) TIBETAN EXCHANGES.—For the
17 “Educational and Cultural Exchanges with
18 Tibet” under section 236 of the Foreign Rela-
19 tions Authorization Act, Fiscal Years 1994 and
20 1995 (Public Law 103–236), \$500,000 for the
21 fiscal year 1996 and \$500,000 for the fiscal
22 year 1997.

23 (F) OTHER PROGRAMS.—For “Hubert H.
24 Humphrey Fellowship Program”, “Edmund S.
25 Muskie Fellowship Program”, “International

1 Visitors Program”, “Mike Mansfield Fellowship
2 Program”, “Claude and Mildred Pepper Schol-
3 arship Program of the Washington Workshops
4 Foundation”, “Citizen Exchange Programs”,
5 “Congress-Bundestag Exchange Program”,
6 “Newly Independent States and Eastern Eu-
7 rope Training”, “Institute for Representative
8 Government”, and “Arts America”,
9 \$87,265,800 for the fiscal year 1996 and
10 \$67,341,400 for the fiscal year 1997.

11 (4) INTERNATIONAL BROADCASTING ACTIVI-
12 TIES.—

13 (A) AUTHORIZATION OF APPROPRIA-
14 TIONS.—For “International Broadcasting Ac-
15 tivities”, \$321,191,000 for the fiscal year 1996,
16 and \$256,191,000 for the fiscal year 1997.

17 (B) LIMITATION.—Of the amounts author-
18 ized to be appropriated under subparagraph (A)
19 \$3,000,000 for fiscal year 1996 and \$3,000,000
20 for fiscal year 1997 are authorized to be appro-
21 priated to carry out the Pilot Project for Free-
22 dom Broadcasting to Asia authorized by section
23 2443.

24 (C) VOICE OF AMERICA FARSI SERVICE.—
25 Of the amounts authorized to be appropriated

1 under subparagraph (A) \$1,873,521 for the fis-
2 cal year 1996 and \$1,873,521 for the fiscal
3 year 1997 are authorized to be appropriated to
4 carry out the Voice of America Farsi Service.

5 (5) RADIO CONSTRUCTION.—For “Radio Con-
6 struction”, \$75,164,000 for the fiscal year 1996,
7 and \$57,647,000 for the fiscal year 1997.

8 (6) RADIO FREE ASIA.—For “Radio Free
9 Asia”, \$10,000,000 for the fiscal year 1996 and
10 \$10,000,000 for the fiscal year 1997.

11 (7) BROADCASTING TO CUBA.—For “Broad-
12 casting to Cuba”, \$24,809,000 for the fiscal year
13 1996 and \$24,809,000 for the fiscal year 1997.

14 (8) OFFICE OF THE INSPECTOR GENERAL.—
15 For “Office of the Inspector General”, \$4,300,000
16 for the fiscal year 1996 and \$3,870,000 for the fis-
17 cal year 1997.

18 (9) CENTER FOR CULTURAL AND TECHNICAL
19 INTERCHANGE BETWEEN EAST AND WEST.—For
20 “Center for Cultural and Technical Interchange be-
21 tween East and West”, \$15,000,000 for the fiscal
22 year 1996 and \$8,000,000 for the fiscal year 1997.

23 (10) NATIONAL ENDOWMENT FOR DEMOC-
24 RACY.—For “National Endowment for Democracy”,

1 \$34,000,000 for the fiscal year 1996 and
2 \$32,000,000 for the fiscal year 1997.

3 (11) CENTER FOR CULTURAL AND TECHNICAL
4 INTERCHANGE BETWEEN NORTH AND SOUTH.—For
5 “Center for Cultural and Technical Interchange be-
6 tween North and South” \$4,000,000 for the fiscal
7 year 1996 and \$3,000,000 for the fiscal year 1997.

8 **SEC. 2107. UNITED STATES ARMS CONTROL AND DISAR-**
9 **MAMENT.**

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

12 (1) \$44,000,000 for the fiscal year 1996 and
13 \$39,500,000 for the fiscal year 1997; and

14 (2) such sums as may be necessary for each of
15 the fiscal years 1996 and 1997 for increases in sal-
16 ary, pay, retirement, other employee benefits author-
17 ized by law, and to offset adverse fluctuations in for-
18 eign currency exchange rates.

19 **CHAPTER 2—GENERAL LIMITATIONS**

20 **SEC. 2121. PROHIBITION ON FUNDING FOR ABORTION.**

21 (a) IN GENERAL.—

22 (1) Notwithstanding any other provision of law
23 or of this Act, none of the funds authorized to be
24 appropriated by this Act for population assistance
25 activities are authorized to be available for any pri-

1 vate, nongovernmental, or multilateral organization
2 that, directly or through a subcontractor or sub-
3 grantee, performs abortions in any foreign country,
4 except where the life of the mother would be endan-
5 gered if the fetus were carried to term or in cases
6 of forcible rape or incest.

7 (2) Paragraph (1) may not be construed to
8 apply to the treatment of injuries or illnesses caused
9 by legal or illegal abortions or to assistance provided
10 directly to the government of a country.

11 (b) LIMITATION ON LOBBYING ACTIVITIES.—

12 (1) Notwithstanding any other provision of law
13 or of this Act, none of the funds authorized to be
14 appropriated by this Act for population assistance
15 activities are authorized to be available for any pri-
16 vate, nongovernmental, or multilateral organization
17 that violates the laws of any foreign country con-
18 cerning the circumstances under which abortion is
19 permitted, regulated, or prohibited, or that engages
20 in any activity or effort to alter the laws or govern-
21 mental policies of any foreign country concerning the
22 circumstances under which abortion is permitted,
23 regulated, or prohibited.

1 (2) Paragraph (1) shall not apply to activities
2 in opposition to coercive abortion or involuntary
3 sterilization.

4 **SEC. 2122. PROHIBITION ON FUNDING FOR COERCIVE POP-**
5 **ULATION CONTROL METHODS.**

6 Notwithstanding any other provision of law or of this
7 Act, none of the funds authorized to be appropriated by
8 this Act are authorized to be available for the United Na-
9 tions Population Fund (UNFPA), unless the President
10 certifies to the appropriate congressional committees that
11 (a) the United Nations Population Fund has terminated
12 all activities in the People's Republic of China; or (b) dur-
13 ing the 12 months preceding such certification there have
14 been no abortions as the result of coercion associated with
15 the family planning policies of the national government or
16 other governmental entities within the People's Republic
17 of China. As used in this section the term "coercion" in-
18 cludes physical duress or abuse, destruction or
19 confiscation of property, loss of means of livelihood, or se-
20 vere psychological pressure.

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

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

6 **SEC. 2201. REVISION OF DEPARTMENT OF STATE REWARDS**
7 **PROGRAM.**

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

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

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

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

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

22 “(2) The Secretary of State may pay a reward to any
23 individual who furnishes information leading to—

24 “(A) the arrest or conviction in any country of
25 any individual for the commission of an act of inter-

1 national terrorism against a United States person or
2 United States property;

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

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

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

15 “(ii) the killing or kidnapping of—

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

24 “(II) a member of the immediate fam-
25 ily of any such individual on account of

1 that individual's official duties, in connec-
2 tion with the enforcement of United States
3 narcotics laws or the implementing of
4 United States narcotics control objectives;
5 or

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

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

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

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

23 “(A) identifying individuals, organizations, and
24 offenses with respect to which rewards will be of-
25 fered;

1 “(B) the publication of rewards;

2 “(C) offering of joint rewards with foreign gov-
3 ernments;

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

5 “(E) the payment and approval of payment,

6 shall be governed by procedures developed by the Sec-
7 retary of State, in consultation with the Attorney General.

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

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

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

22 “(3) To the maximum extent practicable, funds made
23 available to carry out this section should be distributed
24 equally for the purpose of preventing acts of international

1 terrorism and for the purpose of preventing international
2 narcotics trafficking.

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

5 “(e) ADDITIONAL FUNDING.—(1) In extraordinary
6 circumstances and when it is important to the national
7 security of the United States, the Secretary of State may
8 use fees collected for processing machine readable non-
9 immigrant visas and machine readable combined border
10 crossing identification cards and nonimmigrant visas pur-
11 suant to section 140 of the Foreign Relations Authoriza-
12 tion Act, Fiscal Years 1994 and 1995 (Public Law 103-
13 236; 8 U.S.C. 1351 note) to carry out the purposes of
14 this section, subject to the limitation contained in sub-
15 section (d)(2).

16 “(2) The authority contained in paragraph (1) may
17 be used only if the Secretary notifies the appropriate con-
18 gressional committees 15 days in advance in accordance
19 with regular reprogramming procedures. Such notification
20 shall contain a detailed justification of the circumstances
21 necessitating the use of such fees for the purposes of this
22 section.

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

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

4 “(3) Any reward granted under this section shall be
5 approved and certified for payment by the Secretary of
6 State.

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

10 “(5) If the Secretary determines that the identity of
11 the recipient of a reward or of the members of the recipi-
12 ent’s immediate family must be protected, the Secretary
13 may take such measures in connection with the payment
14 of the reward as he considers necessary to effect such pro-
15 tection.

16 “(g) INELIGIBILITY.—An officer or employee of any
17 governmental entity who, while in the performance of his
18 or her official duties, furnishes information described in
19 subsection (b) shall not be eligible for a reward under this
20 section.

21 “(h) REPORTS.—(1) Not later than 30 days after
22 paying any reward under this section, the Secretary of
23 State shall submit a report to the appropriate congres-
24 sional committees with respect to such reward. The report,
25 which may be submitted on a classified basis if necessary,

1 shall specify the amount of the reward paid, to whom the
2 reward was paid, and the acts with respect to which the
3 reward was paid. The report shall also discuss the signifi-
4 cance of the information for which the reward was paid
5 in dealing with those acts.

6 “(2) Not later than 60 days after the end of each
7 fiscal year, the Secretary of State shall submit an annual
8 report to the appropriate congressional committees with
9 respect to the operation of the rewards program author-
10 ized by this section. Such report shall provide information
11 on the total amounts expended during such fiscal year to
12 carry out the purposes of this section, including amounts
13 spent to publicize the availability of rewards. Such report
14 shall also include information on all requests for the pay-
15 ment of rewards under this section, including the reasons
16 for the denial of any such requests.

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

18 “(1) the term ‘appropriate congressional com-
19 mittees’ means the Committee on International Re-
20 lations of the House of Representatives and the
21 Committee on Foreign Relations of the Senate;

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

24 “(A) any act substantially contributing to
25 the acquisition of unsafeguarded special nuclear

1 material (as defined in section 830(8) of the
2 Nuclear Proliferation Prevention Act of 1994)
3 or any nuclear explosive device (as defined in
4 section 830(4) of that Act) by an individual,
5 group, or non-nuclear weapon state (as defined
6 in section 830(5) of that Act); and

7 “(B) any act, as determined by the Sec-
8 retary of State, which materially supports the
9 conduct of international terrorism, including the
10 counterfeiting of United States currency or the
11 illegal use of other monetary instruments by an
12 individual, group, or country supporting inter-
13 national terrorism as determined for purposes
14 of section 6(j) of the Export Administration Act
15 of 1979;

16 “(3) the term ‘United States narcotics laws’
17 means the laws of the United States for the preven-
18 tion and control of illicit traffic in controlled sub-
19 stances (as such term is defined for purposes of the
20 Controlled Substances Act); and

21 “(4) the term ‘member of the immediate family’
22 includes—

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

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

3 “(C) any other person living in the individ-
4 ual’s household and related to the individual by
5 blood or marriage.”.

6 (b) SENSE OF CONGRESS.—It is the sense of the
7 Congress that the Secretary of State should pursue addi-
8 tional means of funding the program established by sec-
9 tion 36 of the State Department Basic Authorities Act
10 of 1956 (22 U.S.C. 2708), including the authority to seize
11 and dispose of assets used in the commission of any of-
12 fense under sections 1028, 1541 through 1544, and 1546
13 of title 18, United States Code, and to retain the proceeds
14 derived from the disposition of such assets, or to partici-
15 pate in asset sharing programs conducted by the Depart-
16 ment of Justice, to carry out the purposes of section 36
17 of that Act.

18 (c) USE OF EARNINGS FROM FROZEN ASSETS FOR
19 PROGRAM.—

20 (1) AMOUNTS TO BE MADE AVAILABLE.—Up to
21 2 percent of the earnings accruing, during periods
22 beginning October 1, 1995, on all assets of foreign
23 countries blocked by the President pursuant to the
24 International Emergency Powers Act (50 U.S.C.
25 1701 and following) shall be available, subject to ap-

1 appropriations Acts, to carry out section 36 of the
2 State Department Basic Authorities Act, as amend-
3 ed by this section, except that the limitation con-
4 tained in subsection (d)(2) of such section shall not
5 apply to amounts made available under this para-
6 graph.

7 (2) CONTROL OF FUNDS BY THE PRESIDENT.—
8 The President is authorized and directed to take
9 possession and exercise full control of so much of the
10 earnings described in paragraph (1) as are made
11 available under such paragraph.

12 **SEC. 2202. AUTHORITIES OF SECRETARY OF STATE.**

13 Section 203(4) of the State Department Basic Au-
14 thorities Act of 1956 (22 U.S.C. 4303(4)) is amended in
15 the third sentence by striking “should” both places it ap-
16 pears and inserting “shall”.

17 **SEC. 2203. BUYING POWER MAINTENANCE ACCOUNT.**

18 Section 24(b)(7) of the State Department Basic Au-
19 thorities Act of 1956 (22 U.S.C. 2696(b)(7)) is amended
20 by striking subparagraph (D).

21 **SEC. 2204. EXPENSES RELATING TO CERTAIN INTER-**
22 **NATIONAL CLAIMS AND PROCEEDINGS.**

23 (a) RECOVERY OF CERTAIN EXPENSES.—The De-
24 partment of State Appropriation Act, 1937 (49 Stat.
25 1321, 22 U.S.C. 2661, as amended by section 142(b) of

1 the Foreign Relations Authorization Act, Fiscal Years
2 1988 and 1989 (Public Law 100–204)) is amended in the
3 fifth undesignated paragraph under the heading entitled
4 “INTERNATIONAL FISHERIES COMMISSION” by striking
5 “extraordinary”.

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

10 **SEC. 2205. CONSOLIDATION OF UNITED STATES DIPLO-**
11 **MATIC MISSIONS AND CONSULAR POSTS.**

12 (a) CONSOLIDATION PLAN.—The Secretary of State
13 shall develop a worldwide plan for the consolidation, wher-
14 ever practicable, on a regional or areawide basis, of United
15 States missions and consular posts abroad.

16 (b) CONTENTS OF PLAN.—The plan shall—

17 (1) identify specific United States diplomatic
18 missions and consular posts for consolidation;

19 (2) identify those missions and posts at which
20 the resident ambassador would also be accredited to
21 other specified states in which the United States ei-
22 ther maintained no resident official presence or
23 maintained such a presence only at staff level; and

24 (3) provide an estimate of—

1 (A) the amount by which expenditures
2 would be reduced through the reduction in the
3 number of United States Government personnel
4 assigned abroad;

5 (B) the reduction in the costs of maintain-
6 ing United States properties abroad; and

7 (C) the amount of revenues generated to
8 the United States through the sale or other dis-
9 position of United States properties associated
10 with the posts to be consolidated abroad.

11 (c) TRANSMITTAL.—Not later than 180 days after
12 the date of the enactment of this Act, the Secretary of
13 State shall transmit a copy of the plan to the appropriate
14 congressional committees.

15 **SEC. 2206. DENIAL OF PASSPORTS TO NONCUSTODIAL PAR-**
16 **ENTS SUBJECT TO STATE ARREST WARRANTS**
17 **IN CASES OF NONPAYMENT OF CHILD SUP-**
18 **PORT.**

19 The Secretary of State is authorized to refuse to issue
20 a passport or to revoke, restrict, or limit a passport in
21 any case in which the Secretary of State determines or
22 is informed by competent authority that the applicant or
23 passport holder is a noncustodial parent who is the subject
24 of an outstanding State warrant of arrest for nonpayment

1 of child support, where the amount in controversy is not
2 less than \$10,000.

3 **SEC. 2207. CAPITAL INVESTMENT FUND.**

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

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

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

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

15 (4) by amending subsection (e) to read as fol-
16 lows:

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

23 **SEC. 2208. EFFICIENCY IN PROCUREMENT.**

24 (a) IN GENERAL.—To the maximum extent prac-
25 ticable, United States Government agencies performing

1 functions at diplomatic and consular posts abroad shall
2 avoid duplicative acquisition actions.

3 (b) AUTHORITY.—Notwithstanding any other provi-
4 sion of law, a contract awarded in accordance with the
5 Competition in Contracting Act by an agency of the Unit-
6 ed States Government performing functions at diplomatic
7 and consular posts abroad may be amended without com-
8 petition to permit other such United States Government
9 agencies to obtain goods or services under such contract,
10 if unit prices are not increased as a result of any such
11 amendment.

12 **SEC. 2209. TRAINING.**

13 Section 701 of the Foreign Service Act of 1980 (22
14 U.S.C. 4021) is amended—

15 (1) by redesignating subsection (d)(4) as sub-
16 section (g); and

17 (2) by inserting after subsection (d) the follow-
18 ing new subsections:

19 “(e)(1) The Secretary of State is authorized to pro-
20 vide appropriate training through the institution to em-
21 ployees of any United States company engaged in business
22 abroad, and to the families of such employees, when such
23 training is in the national interest of the United States.

24 “(2) In the case of any company under contract to
25 provide services to the Department of State, the Secretary

1 of State is authorized to provide job-related training to
2 any company employee who is performing such services.

3 “(3) Training under this subsection shall be on a re-
4 imburseable or advance-of-funds basis. Such reimburse-
5 ments or advances shall be credited to the currently appli-
6 cable appropriation account.

7 “(4) Training under this subsection is authorized
8 only to the extent that it will not interfere with the institu-
9 tion’s primary mission of training employees of the De-
10 partment and of other agencies in the field of foreign rela-
11 tions.

12 “(f)(1) The Secretary of State is authorized to pro-
13 vide on a reimbursable basis foreign language training
14 programs to Members of Congress and officers and em-
15 ployees of Congress.

16 “(2) Reimbursements under this subsection, to the
17 extent practicable, should be equivalent to the rate of re-
18 imbursement charged other agencies of the United States
19 Government for comparable training.

20 “(3) Reimbursements collected under this subsection
21 shall be credited to the currently available applicable ap-
22 propriation account.

23 “(4) Training under this subsection is authorized
24 only to the extent that it will not interfere with the institu-
25 tion’s primary mission of training employees of the De-

1 partment and of other agencies in the field of foreign rela-
2 tions.”.

3 **CHAPTER 2—CONSULAR AUTHORITIES OF**
4 **THE DEPARTMENT OF STATE**

5 **SEC. 2231. SURCHARGE FOR PROCESSING CERTAIN MA-**
6 **CHINE READABLE VISAS.**

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

10 (1) by striking paragraphs (2) and (3) and in-
11 serting the following:

12 “(2) For fiscal years 1996 and 1997, not more
13 than \$250,000,000 in fees collected under the au-
14 thority of paragraph (1) shall be deposited as an off-
15 setting collection to any Department of State appro-
16 priation to recover the costs of the Department of
17 State’s border security program, including the costs
18 of—

19 “(A) installation and operation of the ma-
20 chine readable visa and automated name-check
21 process;

22 “(B) improving the quality and security of
23 the United States passport;

24 “(C) passport and visa fraud investiga-
25 tions; and

1 “(D) the technological infrastructure to
2 support and operate the programs referred to in
3 paragraphs (A) through (C).

4 Such fees shall remain available for obligation until
5 expended.

6 “(3) For any fiscal year, fees collected under
7 the authority of paragraph (1) in excess of the
8 amount specified for such fiscal year under para-
9 graph (2) shall be deposited in the general fund of
10 the Treasury as miscellaneous receipts.”; and

11 (2) by striking paragraph (5).

12 **SEC. 2232. FINGERPRINT CHECK REQUIREMENT.**

13 Section 140 of the Foreign Relations Authorization
14 Act, Fiscal Years 1994 and 1995 (Public Law 103-236;
15 8 U.S.C. 1182 note) as amended by section 505 of the
16 Department of State and Related Agencies Appropriation
17 Act, Fiscal Year 1995 (Public Law 103-317) is amended
18 by adding at the end the following:

19 “(h) FINGERPRINT CHECK REQUIREMENT.—If a visa
20 applicant is determined to have a criminal history record
21 under subsection (d)(1), has been physically present in the
22 United States, and is more than 16 years of age, the appli-
23 cant shall provide a fingerprint record for submission with
24 the application, at no cost to the Department of State.
25 The Department of State shall submit such fingerprint

1 record to the Federal Bureau of Investigation for analysis
2 to determine whether the applicant has been convicted of
3 a felony under State or Federal law in the United
4 States.”.

5 **SEC. 2233. USE OF CERTAIN PASSPORT PROCESSING FEES**
6 **FOR ENHANCED PASSPORT SERVICES.**

7 For each of the fiscal years 1996 and 1997, of the
8 fees collected for expedited passport processing and depos-
9 ited to an offsetting collection pursuant to the Department
10 of State and Related Agencies Appropriations Act for Fis-
11 cal Year 1995 (Public Law 103–317; 22 U.S.C. 214), 10
12 percent shall be available only for enhancing passport
13 services for United States citizens, improving the integrity
14 and efficiency of the passport issuance process, improving
15 the secure nature of the United States passport, inves-
16 tigating passport fraud, and deterring entry into the Unit-
17 ed States by terrorists, drug traffickers, or other crimi-
18 nals.

19 **SEC. 2234. CONSULAR OFFICERS.**

20 (a) PERSONS AUTHORIZED TO ISSUE REPORTS OF
21 BIRTH ABROAD.—Section 33 of the State Department
22 Basic Authorities Act of 1956 (22 U.S.C. 2705) is amend-
23 ed in paragraph (2) by inserting “(or any United States
24 citizen employee of the Department of State designated
25 by the Secretary of State to adjudicate nationality abroad

1 pursuant to such regulations as the Secretary may pre-
2 scribe)” after “consular officer”.

3 (b) PROVISIONS APPLICABLE TO CONSULAR OFFI-
4 CERS.—Section 31 of the Act of August 18, 1856 (Rev.
5 Stat. 1689, 22 U.S.C. 4191), is amended by inserting
6 “and to such other United States citizen employees of the
7 Department of State as may be designated by the Sec-
8 retary of State pursuant to such regulations as the Sec-
9 retary may prescribe” after “such officers”.

10 **CHAPTER 3—REFUGEES AND MIGRATION**

11 **SEC. 2251. UNITED STATES EMERGENCY REFUGEE AND MI-** 12 **GRATION ASSISTANCE FUND.**

13 (a) LIMITATION ON TRANSFERS FROM EMERGENCY
14 FUND.—Section 2(c) of the Migration and Refugee Assist-
15 ance Act of 1962 (22 U.S.C. 2601(c)) is amended by add-
16 ing after paragraph (3) the following:

17 “(4) Notwithstanding any other provision of this Act,
18 the President shall notify the appropriate congressional
19 committees not less than 15 days before transferring or
20 otherwise making available amounts from the United
21 States Emergency Refugee and Migration Assistance
22 Fund under paragraph (1).”.

23 (b) NOTIFICATION OF EXPENDITURES FROM
24 FUND.—Section 2(d) of the Migration and Refugee As-

1 sistance Act of 1962 (22 U.S.C. 2601(c)) is amended to
2 read as follows:

3 “(d)(1) Except as provided in paragraph (2), and
4 notwithstanding any other provision of this Act, the Presi-
5 dent shall notify the appropriate congressional committees
6 at least 15 days in advance of the obligation or expendi-
7 ture of sums from the United States Emergency Refugee
8 and Migration Assistance Fund under subsection (c).

9 “(2) Notwithstanding the notification requirement of
10 paragraph (1), the President may obligate and expend
11 sums from the United States Emergency Refugee and Mi-
12 gration Assistance Fund if the President determines, and
13 promptly certifies to the appropriate congressional com-
14 mittees, that unforeseen emergency circumstances require
15 the immediate obligation of sums from such fund. Any
16 such certification shall fully inform such committees of the
17 amount and use of such sums from the Fund.

18 “(3) For purposes of this section, the term ‘appro-
19 priate congressional committees’ means the Committee on
20 International Relations and the Committee on Appropria-
21 tions of the House of Representatives and the Committee
22 on Foreign Relations and the Committee on Appropria-
23 tions of the Senate.”.

1 **SEC. 2252. PERSECUTION FOR RESISTANCE TO COERCIVE**
2 **POPULATION CONTROL METHODS.**

3 Section 101(a)(42) of the Immigration and National-
4 ity Act (8 U.S.C. 1101(a)(42)) is amended by adding at
5 the end the following: “For purposes of determinations
6 under this Act, a person who has been forced to abort
7 a pregnancy or to undergo involuntary sterilization, or
8 who has been persecuted for failure or refusal to undergo
9 such a procedure or for other resistance to a coercive pop-
10 ulation control program, shall be deemed to have been per-
11 secuted on account of political opinion, and a person who
12 has a well founded fear that he or she will be forced to
13 undergo such a procedure or subjected to persecution for
14 such failure, refusal, or resistance shall be deemed to have
15 a well founded fear of persecution on account of political
16 opinion.”.

17 **SEC. 2253. REPORT TO CONGRESS CONCERNING CUBAN**
18 **EMIGRATION POLICIES.**

19 Beginning 3 months after the date of the enactment
20 of this Act and every subsequent 6 months, the President
21 shall transmit a report to the appropriate congressional
22 committees concerning the methods employed by the Gov-
23 ernment of Cuba to enforce the United States-Cuba agree-
24 ment of September 1994 to restrict the emigration of the
25 Cuban people from Cuba to the United States, and the
26 treatment by the Government of Cuba of persons who have

1 been returned to Cuba pursuant to the United States-
2 Cuba agreement of May 1995. Each report transmitted
3 pursuant to this section shall include a detailed account
4 of United States efforts to monitor such enforcement and
5 treatment.

6 **SEC. 2254. UNITED STATES POLICY REGARDING THE INVOL-**
7 **UNTARY RETURN OF REFUGEES.**

8 (a) IN GENERAL.—No funds authorized to be appro-
9 priated by this Act shall be available to involuntarily re-
10 turn any person to a country in which the person has a
11 well founded fear of persecution on account of race, reli-
12 gion, nationality, membership in a particular social group,
13 or political opinion, or promote or assist such involuntary
14 return.

15 (b) INVOLUNTARILY RETURN DEFINED.—As used in
16 this section, the term “involuntarily return” means to take
17 action by which it is reasonably foreseeable that a person
18 will be required to return to a country against the person’s
19 will, regardless of whether such return is induced by phys-
20 ical force and regardless of whether the person is phys-
21 ically present in the United States.

1 **SEC. 2255. EXTENSION OF CERTAIN ADJUDICATION PROVI-**
2 **SIONS.**

3 The Foreign Operations, Export Financing, and Re-
4 lated Programs Appropriations Act, 1990 (Public Law
5 101-167) is amended—

6 (1) in section 599D (8 U.S.C. 1157 note)—

7 (A) in subsection (b)(3), by striking “and
8 1996” and inserting “1996, and 1997”; and

9 (B) in subsection (e), by striking out “Oc-
10 tober 1, 1996” each place it appears and insert-
11 ing “October 1, 1997”; and

12 (2) in section 599E (8 U.S.C. 1255 note) in
13 subsection (b)(2), by striking out “September 30,
14 1996” and inserting “September 30, 1997”.

15 **SEC. 2256. VIETNAM POW/MIA ASYLUM PROGRAM.**

16 (a) ASYLUM FOR ELIGIBLE ALIENS.—The Attorney
17 General shall grant asylum in the United States to any
18 alien described in subsection (b), upon the application of
19 that alien.

20 (b) ELIGIBILITY.—Asylum shall be granted under
21 subsection (a) to any alien (1) who is a national of Laos,
22 Vietnam, Cambodia, or Burma, and (2) who, while acting
23 other than in an official or unofficial capacity on behalf
24 of any government or agency, personally delivers into the
25 custody of the United States Government a living Vietnam
26 POW/MIA (or participates in such a delivery).

1 (c) VIETNAM POW/MIA DEFINED.—

2 (1) For purposes of this section, the term
3 “Vietnam POW/MIA” means an individual—

4 (A) who is a member of a uniformed serv-
5 ice (within the meaning of section 101(3) of
6 title 37, United States Code) in a missing sta-
7 tus (as defined in section 551(2) of such title)
8 as a result of the Vietnam conflict, unless it is
9 official determined under section 552(c) of such
10 title that such individual is officially absent
11 from such individual’s post of duty without au-
12 thority; or

13 (B) who is an employee (as defined in sec-
14 tion 5561(2) of title 5, United States Code) in
15 a missing status (as defined in section 5561(5)
16 of such title) as a result of the Vietnam con-
17 flict.

18 Such term does not include an individual who the
19 Secretary of Defense determines remained in Viet-
20 nam, Laos, or Cambodia voluntarily.

21 (2) For purposes of paragraph (1)—

22 (A) the Vietnam conflict began on Feb-
23 ruary 28, 1961, and ended on May 7, 1975;
24 and

1 (B) an individual in a missing status shall
2 be considered to be in a missing status as a re-
3 sult of the Vietnam conflict if immediately be-
4 fore that status began the individual—

5 (i) was performing service in Vietnam;

6 or

7 (ii) was performing service in South-
8 east Asia in direct support of military op-
9 erations in Vietnam.

10 **SEC. 2257. KOREA POW/MIA ASYLUM PROGRAM.**

11 (a) ASYLUM FOR ELIGIBLE ALIENS.—The Attorney
12 General shall grant asylum in the United States to any
13 alien described in subsection (b), upon the application of
14 that alien.

15 (b) ELIGIBILITY.—Asylum shall be granted under
16 subsection (a) to any alien (1) who is a national of North
17 Korea, South Korea, or China and (2) who, while acting
18 other than in an official or unofficial capacity on behalf
19 of any government or agency, personally delivers into the
20 custody of the United States Government a living Korea
21 POW/MIA (or participates in such a delivery).

22 (c) KOREA POW/MIA DEFINED.—

23 (1) For purposes of this section, the term
24 “Korea POW/MIA” means an individual—

1 (A) who is a member of a uniformed serv-
2 ice (within the meaning of section 101(3) of
3 title 37, United States Code) in a missing sta-
4 tus (as defined in section 551(2) of such title)
5 as a result of the Korean conflict, unless it is
6 official determined under section 552(c) of such
7 title that such individual is officially absent
8 from such individual's post of duty without au-
9 thority; or

10 (B) who is an employee (as defined in sec-
11 tion 5561(2) of title 5, United States Code) in
12 a missing status (as defined in section 5561(5)
13 of such title) as a result of the Korean conflict.

14 Such term does not include an individual who the
15 Secretary of Defense determines remained in North
16 Korea, South Korea, or China voluntarily.

17 (2) For purposes of paragraph (1)—

18 (A) the Korean conflict began on June 27,
19 1950, and ended on January 31, 1955; and

20 (B) an individual in a missing status shall
21 be considered to be in a missing status as a re-
22 sult of the Korean conflict if immediately before
23 that status began the individual—

24 (i) was performing service in the Ko-
25 rean peninsula ; or

1 (ii) was performing service in Asia in
2 direct support of military operations in the
3 Korean peninsula.

4 **TITLE XXIII—ORGANIZATION OF**
5 **THE DEPARTMENT OF STATE;**
6 **DEPARTMENT OF STATE PER-**
7 **SONNEL; THE FOREIGN SERV-**
8 **ICE**

9 **CHAPTER 1—ORGANIZATION OF THE**
10 **DEPARTMENT OF STATE**

11 **SEC. 2301. COORDINATOR FOR COUNTERTERRORISM.**

12 (a) ESTABLISHMENT.—Section 1(e) of the State De-
13 partment Basic Authorities Act of 1956 (22 U.S.C.
14 2651a(e)) is amended—

15 (1) by striking “In” and inserting the following:

16 “(1) In”; and

17 (2) by inserting at the end the following:

18 “(2) COORDINATOR FOR

19 COUNTERTERRORISM.—

20 “(A) There shall be within the office of the
21 Secretary of State a Coordinator for
22 Counterterrorism (hereafter in this paragraph
23 referred to as the ‘Coordinator’) who shall be
24 appointed by the President, by and with the ad-
25 vice and consent of the Senate.

1 “(B)(i) The Coordinator shall perform
2 such duties and exercise such power as the Sec-
3 retary of State shall prescribe.

4 “(ii) The principal duty of the Coordinator
5 shall be the overall supervision (including policy
6 oversight of resources) of international
7 counterterrorism activities. The Coordinator
8 shall be the principal advisor to the Secretary
9 of State on international counterterrorism mat-
10 ters. The Coordinator shall be the principal
11 counterterrorism official within the senior man-
12 agement of the Department of State and shall
13 report directly to the Secretary of State.

14 “(C) The Coordinator shall have the rank
15 and status of Ambassador-at-Large. The Coor-
16 dinator shall be compensated at the annual rate
17 of basic pay in effect for a position at level IV
18 of the Executive Schedule under section 5314
19 of title 5, United States Code, or, if the Coordi-
20 nator is appointed from the Foreign Service,
21 the annual rate of pay which the individual last
22 received under the Foreign Service Schedule,
23 whichever is greater.

24 “(D) For purposes of diplomatic protocol
25 among officers of the Department of State, the

1 Coordinator shall take precedence after the Sec-
2 retary of State, the Deputy Secretary of State,
3 and the Under Secretaries of State and shall
4 take precedence among the Assistant Secretar-
5 ies of State in the order prescribed by the Sec-
6 retary of State.”.

7 (b) TECHNICAL AND CONFORMING AMENDMENTS.—
8 Section 161 of the Foreign Relations Authorization Act,
9 Fiscal Years 1994 and 1995 (Public Law 103–236) is
10 amended by striking subsection (e).

11 (c) TRANSITION PROVISION.—The individual serving
12 as Coordinator for Counterterrorism of the Department
13 of State on the day before the effective date of this division
14 may continue to serve in that position.

15 **SEC. 2302. SPECIAL ENVOY FOR TIBET.**

16 (a) FINDINGS.—The Congress makes the following
17 findings:

18 (1) The Government of the People’s Republic of
19 China withholds meaningful participation in the gov-
20 ernance of Tibet from Tibetans and has failed to
21 abide by its own constitutional guarantee of auton-
22 omy for Tibetans.

23 (2) The Government of the People’s Republic of
24 China is responsible for the destruction of much of
25 Tibet’s cultural and religious heritage since 1959

1 and continues to threaten the survival of Tibetan
2 culture and religion.

3 (3) The Government of the People's Republic of
4 China, through direct and indirect incentives, has es-
5 tablished discriminatory development programs
6 which have resulted in an overwhelming flow of Chi-
7 nese immigrants into Tibet, including those areas in-
8 corporated into the Chinese provinces of Sichuan,
9 Yunnan, Gansu, and Quinghai in recent years, and
10 have excluded Tibetans from participation in impor-
11 tant policy decisions, further threatening traditional
12 Tibetan life.

13 (4) The Government of the People's Republic of
14 China denies Tibetans their fundamental human
15 rights, as reported in the Department of State's
16 Country Reports on Human Rights Practices for
17 1995.

18 (5) The President and the Congress have deter-
19 mined that the promotion of human rights in Tibet
20 and the protection of Tibet's religion and culture are
21 important elements in United States-China relations
22 and have urged senior members of the Government
23 of the People's Republic of China to enter into sub-
24 stantive negotiations on these matters with the Dalai
25 Lama or his representative.

1 (6) The Dalai Lama has repeatedly stated his
2 willingness to begin substantive negotiations without
3 preconditions.

4 (7) The Government of the People's Republic of
5 China has failed to respond in a good faith manner
6 by reciprocating a willingness to begin negotiations
7 without preconditions, and no substantive negotia-
8 tions have begun.

9 (b) UNITED STATES SPECIAL ENVOY FOR TIBET.—
10 Section 1(e) of the State Department Basic Authorities
11 Act (U.S.C. 2651a(e)) is amended by adding after para-
12 graph (2) the following new paragraph:

13 “(3) UNITED STATES SPECIAL ENVOY FOR
14 TIBET.—

15 “(A) There shall be within the Department
16 of State a United States Special Envoy for
17 Tibet, who shall be appointed by the President,
18 by and with the advice and consent of the Sen-
19 ate. The United States Special Envoy for Tibet
20 shall hold office at the pleasure of the Presi-
21 dent.

22 “(B) The United States Special Envoy for
23 Tibet shall have the personal rank of ambas-
24 sador.

1 “(C) The United States Special Envoy for
2 Tibet is authorized and encouraged—

3 “(i) to promote substantive negotia-
4 tions between the Dalai Lama or his rep-
5 resentatives and senior members of the
6 Government of the People’s Republic of
7 China;

8 “(ii) to promote good relations be-
9 tween the Dalai Lama and his representa-
10 tives and the United States Government,
11 including meeting with members or rep-
12 resentatives of the Tibetan government-in-
13 exile; and

14 “(iii) to travel regularly throughout
15 Tibet and Tibetan refugee settlements.

16 “(D) The United States Special Envoy for
17 Tibet shall—

18 “(i) consult with the Congress on poli-
19 cies relevant to Tibet and the future and
20 welfare of all Tibetan people;

21 “(ii) coordinate United States Govern-
22 ment policies, programs, and projects con-
23 cerning Tibet; and

24 “(iii) report to the Secretary of State
25 regarding the matters described in section

1 536(a)(2) of the Foreign Relations Author-
2 ization Act, Fiscal Years 1994 and 1995
3 (Public Law 103–236).’.

4 **SEC. 2303. ESTABLISHMENT OF COORDINATOR FOR HUMAN**
5 **RIGHTS AND REFUGEES, BUREAU OF REFU-**
6 **GEE AND MIGRATION ASSISTANCE, AND BU-**
7 **REAU OF DEMOCRACY, HUMAN RIGHTS, AND**
8 **LABOR.**

9 (a) ESTABLISHMENT OF COORDINATOR FOR HUMAN
10 RIGHTS AND REFUGEES.—Section 1(e) of the State De-
11 partment Basic Authorities Act (22 U.S.C. 2651a(e)) is
12 amended by adding after paragraph (3) the following new
13 paragraph:

14 “(4) COORDINATOR FOR HUMAN RIGHTS AND
15 REFUGEES.—

16 “(A) There shall be within the office of the
17 Secretary of State a Coordinator for Human
18 Rights and Refugees (hereafter in this para-
19 graph referred to as the ‘Coordinator’) who
20 shall be appointed by the President, by and
21 with the advice and consent of the Senate. The
22 Coordinator shall report directly to the Sec-
23 retary of State.

24 “(B) The Coordinator shall be responsible
25 for matters pertaining to human rights, refu-

1 gees, and humanitarian affairs (including mat-
2 ters relating to prisoners of war and members
3 of the United States Armed Forces missing in
4 action) in the conduct of foreign policy. The Co-
5 ordinator shall head the Bureau of Refugee and
6 Migration Assistance and the Bureau of De-
7 mocracy, Human Rights, and Labor.

8 “(C) The Coordinator shall have the rank
9 and status of Ambassador-at-Large. The Coor-
10 dinator shall be compensated at the annual rate
11 of basic pay in effect for a position at level IV
12 of the Executive Schedule under section 5314
13 of title 5, United States Code, or, if the Coordi-
14 nator is appointed from the Foreign Service,
15 the annual rate of pay which the individual last
16 received under the Foreign Service Schedule,
17 whichever is greater.

18 “(D) For purposes of diplomatic protocol
19 among officers of the Department of State, the
20 Coordinator shall take precedence after the Sec-
21 retary of State, the Deputy Secretary of State,
22 and the Under Secretaries of State and shall
23 take precedence among the Assistant Secretar-
24 ies of State in the order prescribed by the Sec-
25 retary of State.”.

1 (b) TERMINATION OF ASSISTANT SECRETARY OF
2 STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.—

3 (1) IN GENERAL.—Section 1(c) of the State
4 Department Basic Authorities Act of 1956 (22
5 U.S.C. 2651a(c)) is amended by striking paragraph
6 (2).

7 (2) CONFORMING AMENDMENTS.—The Foreign
8 Assistance Act of 1961 is amended—

9 (A) in section 116(c) (22 U.S.C. 2151n),
10 by striking “Assistant Secretary of State for
11 Democracy, Human Rights, and Labor” and in-
12 serting “Secretary”;

13 (B) in sections 502B and 505(g)(4)(A) by
14 striking “, prepared with the assistance of the
15 Assistant Secretary of State for Democracy,
16 Human Rights, and Labor,” each place it ap-
17 pears; and

18 (C) in section 573(c) by striking “Assist-
19 ant Secretary of State for Democracy, Human
20 Rights, and Labor” and inserting “Secretary of
21 State”.

22 (c) ESTABLISHMENT OF BUREAU OF REFUGEE AND
23 MIGRATION ASSISTANCE AND BUREAU OF DEMOCRACY,
24 HUMAN RIGHTS, AND LABOR.—Section 1 of the State De-
25 partment Basic Authorities Act of 1956 (22 U.S.C.

1 2651a) is amended by adding after subsection (e) the fol-
2 lowing new subsection:

3 “(f) ESTABLISHMENT OF CERTAIN BUREAUS, OF-
4 FICES, AND OTHER ORGANIZATIONAL ENTITIES WITHIN
5 THE DEPARTMENT OF STATE.—

6 “(1) BUREAU OF REFUGEE AND MIGRATION AS-
7 SISTANCE.—There is established within the Depart-
8 ment of State the Bureau of Refugee and Migration
9 Assistance which shall assist the Secretary of State
10 in carrying out the Migration and Refugee Assist-
11 ance Act of 1962. The Bureau shall be headed by
12 the Coordinator for Human Rights and Refugees.

13 “(2) BUREAU OF DEMOCRACY, HUMAN RIGHTS,
14 AND LABOR.—There is established within the De-
15 partment of State the Bureau of Democracy,
16 Human Rights, and Labor. The Bureau shall be
17 headed by the Coordinator for Human Rights and
18 Refugees. The Bureau shall continuously observe
19 and review all matters pertaining to human rights
20 and humanitarian affairs (including matters relating
21 to prisoners of war and members of the United
22 States Armed Forces missing in action) in the con-
23 duct of foreign policy including the following:

24 “(A) Gathering detailed information re-
25 garding humanitarian affairs and the observ-

1 ance of and respect for internationally recog-
2 nized human rights in each country to which
3 the requirements of section 116 and 502B of
4 the Foreign Assistance Act of 1961 are rel-
5 evant.

6 “(B) Preparing the statements and reports
7 to Congress required under section 502B of the
8 Foreign Assistance Act of 1961.

9 “(C) Making recommendations to the Sec-
10 retary of State regarding compliance with sec-
11 tions 116 and 502B of the Foreign Assistance
12 Act of 1961, and as part of the Bureau’s over-
13 all policy responsibility for the creation of Unit-
14 ed States Government human rights policy, ad-
15 vising the Secretary on the policy framework
16 under which section 116(e) projects are devel-
17 oped and consulting with the Secretary on the
18 selection and implementation of such projects.

19 “(D) Performing other responsibilities
20 which serve to promote increased observance of
21 internationally recognized human rights by all
22 countries.”.

1 **SEC. 2304. ELIMINATION OF STATUTORY ESTABLISHMENT**
2 **OF CERTAIN POSITIONS OF THE DEPART-**
3 **MENT OF STATE.**

4 (a) ASSISTANT SECRETARY OF STATE FOR SOUTH
5 ASIAN AFFAIRS.—Section 122 of the Foreign Relations
6 Authorization Act, Fiscal Years 1992 and 1993 (22
7 U.S.C. 2652b) is repealed.

8 (b) DEPUTY ASSISTANT SECRETARY OF STATE FOR
9 BURDENSARING.—Section 161 of the Foreign Relations
10 Authorization Act, Fiscal Years 1994 and 1995 (22
11 U.S.C. 2651a note) is amended by striking subsection (f).

12 (c) ASSISTANT SECRETARY FOR OCEANS AND INTER-
13 NATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS.—
14 Section 9 of the Department of State Appropriations Au-
15 thorization Act of 1973 (22 U.S.C. 2655a) is repealed.

16 **SEC. 2305. ESTABLISHMENT OF ASSISTANT SECRETARY OF**
17 **STATE FOR HUMAN RESOURCES.**

18 Section 1(c) of the State Department Basic Authori-
19 ties Act of 1956 (22 U.S.C. 2651a(c)) is amended by add-
20 ing after paragraph (1) the following new paragraph:

21 “(2) ASSISTANT SECRETARY FOR HUMAN RE-
22 SOURCES.—There shall be in the Department of
23 State an Assistant Secretary for Human Resources
24 who shall be responsible to the Secretary of State
25 for matters relating to human resources including
26 the implementation of personnel policies and pro-

1 grams within the Department of State and inter-
 2 national affairs functions and activities carried out
 3 through the Department of State. The Assistant
 4 Secretary shall have substantial professional quali-
 5 fications in the field of human resource policy and
 6 management.”.

7 **SEC. 2306. AUTHORITY OF UNITED STATES PERMANENT**
 8 **REPRESENTATIVE TO THE UNITED NATIONS.**

9 Section 2(a) of the United Nations Participation Act
 10 of 1945 (22 U.S.C. 287(a)) is amended by striking “hold
 11 office at the pleasure of the President” and inserting
 12 “serve at the pleasure of the President and subject to the
 13 direction of the Secretary of State”.

14 **CHAPTER 2—PERSONNEL OF THE DE-**
 15 **PARTMENT OF STATE; THE FOREIGN**
 16 **SERVICE**

17 **SEC. 2351. AUTHORIZED STRENGTH OF THE FOREIGN SERV-**
 18 **ICE.**

19 (a) **END FISCAL YEAR 1996 LEVELS.**—The number
 20 of members of the Foreign Service authorized to be em-
 21 ployed as of September 30, 1996—

22 (1) for the Department of State, shall not ex-
 23 ceed 9,000, of whom not more than 720 shall be
 24 members of the Senior Foreign Service;

1 (2) for the United States Information Agency,
2 shall not exceed 1,150, of whom not more than 165
3 shall be members of the Senior Foreign Service; and

4 (3) for the Agency for International Develop-
5 ment, not to exceed 1,800, of whom not more than
6 240 shall be members of the Senior Foreign Service.

7 (b) END FISCAL YEAR 1997 LEVELS.—The number
8 of members of the Foreign Service authorized to be em-
9 ployed as of September 30, 1997—

10 (1) for the Department of State, shall not ex-
11 ceed 8,800, of whom not more than 680 shall be
12 members of the Senior Foreign Service;

13 (2) for the United States Information Agency,
14 not to exceed 1,100 of whom not more than 160
15 shall be members of the Senior Foreign Service; and

16 (3) for the Agency for International Develop-
17 ment, not to exceed 1,775 of whom not more than
18 230 shall be members of the Senior Foreign Service.

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

24 (1) members of the Service under paragraphs
25 (6) and (7) of such section;

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

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

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

9 (5) members of the Service serving under non-
10 career limited appointments.

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

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

1 **SEC. 2352. REPEAL OF AUTHORITY FOR SENIOR FOREIGN**
2 **SERVICE PERFORMANCE PAY.**

3 (a) REPEAL.—Section 405 of the Foreign Service Act
4 of 1980 (22 U.S.C. 3965) is repealed.

5 (b) CONFORMING AMENDMENT.—Section 2 of the
6 Foreign Service Act of 1980 is amended in the table of
7 contents by striking the item related to section 405.

8 **SEC. 2353. RECOVERY OF COSTS OF HEALTH CARE SERV-**
9 **ICES.**

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

12 (1) in subsection (a) by—

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

15 (B) by inserting immediately before the pe-
16 riod “, and for care provided abroad) such
17 other persons as are designated by the Sec-
18 retary of State, except that such persons shall
19 be considered persons other than covered bene-
20 ficiaries for purposes of subsections (g) and
21 (h)”;

22 (2) in subsection (d) by inserting “, subject to
23 the provisions of subsections (g) and (h)” after
24 “treatment”; and

25 (3) by adding the following new subsections:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

8 “(A) that the care or services for which recov-
9 ery or collection is sought were furnished to the cov-
10 ered beneficiary; and

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

16 “(9) Amounts collected under this subsection or
17 under subsection (h) from a third-party payer or from any
18 other payer shall be deposited as an offsetting collection
19 to any Department of State appropriation and shall re-
20 main available until expended.

21 “(10) For purposes of this section—

22 “(A) the term ‘covered beneficiary’ means an
23 individual eligible to receive health care under this
24 section whose health care costs are to be paid by a

1 third-party payer under a contractual agreement
2 with such payer;

3 “(B) the term ‘services’, as used in ‘health care
4 services’ includes products; and

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

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

19 (b) EFFECTIVE DATE.—Subsection (a) shall take ef-
20 fect October 1, 1996.

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

8 **SEC. 2401. ELIMINATION OF PERMANENT AUTHORIZATION.**

9 Section 208 of the Foreign Relations Authorization
10 Act, Fiscal Years 1992 and 1993 is amended by striking
11 subsection (e).

12 **SEC. 2402. EXTENSION OF AU PAIR PROGRAMS.**

13 Section 8 of the Eisenhower Exchange Fellowship
14 Act of 1990 (Public Law 101–454) is amended in the last
15 sentence by striking “fiscal year 1995” and inserting “fis-
16 cal year 1997”.

17 **SEC. 2403. EDUCATIONAL AND CULTURAL EXCHANGES**
18 **WITH HONG KONG.**

19 The Director of the United States Information Agen-
20 cy shall conduct programs of educational and cultural ex-
21 change between the United States and the people of Hong
22 Kong.

1 **SEC. 2404. CONDUCT OF CERTAIN EDUCATIONAL AND CUL-**
2 **TURAL EXCHANGE PROGRAMS IN ASIA.**

3 In carrying out programs of educational and cultural
4 exchange in Hong Kong, China, Vietnam, Cambodia,
5 Tibet, Burma, and East Timor, the Director of the United
6 States Information Agency shall take appropriate steps to
7 provide opportunities for participation in such programs
8 to human rights and democracy leaders of such countries
9 and persons who are nationals but not residents of such
10 countries.

11 **SEC. 2405. EDUCATIONAL AND CULTURAL EXCHANGES AND**
12 **SCHOLARSHIPS FOR TIBETANS AND BUR-**
13 **MESE.**

14 (a) ESTABLISHMENT OF EDUCATIONAL AND CUL-
15 TURAL EXCHANGE FOR TIBETANS.—The Director of the
16 United States Information Agency shall establish pro-
17 grams of educational and cultural exchange between the
18 United States and the people of Tibet. Such programs
19 shall include opportunities for training and, as the Direc-
20 tor considers appropriate, may include the assignment of
21 personnel and resources abroad.

22 (b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—

23 (1) For each of the fiscal years 1996 and 1997,
24 at least 30 scholarships shall be made available to
25 Tibetan students and professionals who are outside
26 Tibet, and at least 15 scholarships shall be made

1 available to Burmese students and professionals who
2 are outside Burma.

3 (2) WAIVER.—Paragraph (1) shall not apply to
4 the extent that the Director of the United States In-
5 formation Agency determines that there are not
6 enough qualified students to fulfill such allocation
7 requirement.

8 (3) SCHOLARSHIP DEFINED.—For the purposes
9 of this section, the term “scholarship” means an
10 amount to be used for full or partial support of tui-
11 tion and fees to attend an educational institution,
12 and may include fees, books, and supplies, equip-
13 ment required for courses at an educational institu-
14 tion, living expenses at a United States educational
15 institution, and travel expenses to and from, and
16 within, the United States.

17 **SEC. 2406. AVAILABILITY OF VOICE OF AMERICA AND**
18 **RADIO MARTI MULTILINGUAL COMPUTER**
19 **READABLE TEXT AND VOICE RECORDINGS.**

20 (a) IN GENERAL.—Notwithstanding section 208 of
21 the Foreign Relations Authorization Act, Fiscal Years
22 1986 and 1987 (22 U.S.C. 1461–1a) and the second sen-
23 tence of section 501 of the United States Information and
24 Educational Exchange Act of 1948 (22 U.S.C. 1461), the
25 Director of the United States Information Agency is au-

1 thorized to make available, upon request, to the Linguistic
2 Data Consortium of the University of Pennsylvania com-
3 puter readable multilingual text and recorded speech in
4 various languages. The Consortium shall, directly or indi-
5 rectly as appropriate, reimburse the Director for any ex-
6 penses involved in making such materials available.

7 (b) TERMINATION.—Subsection (a) shall cease to
8 have effect 5 years after the date of the enactment of this
9 Act.

10 **SEC. 2407. RETENTION OF INTEREST.**

11 Notwithstanding any other provision of law, with the
12 approval of the National Endowment for Democracy,
13 grant funds made available by the National Endowment
14 for Democracy may be deposited in interest-bearing ac-
15 counts pending disbursement and any interest which ac-
16 crues may be retained by the grantee and used for the
17 purposes for which the grant was made.

18 **SEC. 2408. USIA OFFICE IN PRISTINA, KOSOVA.**

19 (a) ESTABLISHMENT OF OFFICE.—The Director of
20 the United States Information Agency shall seek to estab-
21 lish an office in Pristina, Kosova, for the following pur-
22 poses:

23 (1) Disseminating information about the United
24 States.

1 (2) Promoting discussions on human rights, de-
2 mocracy, rule of law, and conflict resolution.

3 (3) Facilitating United States private sector in-
4 volvement in educational and cultural activities in
5 Kosova.

6 (4) Advising the United States Government
7 with respect to public opinion in Kosova.

8 (b) REPORT TO CONGRESS.—Not later than April 1
9 of each year until subsection (a) has been fully imple-
10 mented, the Director of the United States Information
11 Agency shall submit a detailed report on developments re-
12 lating to the implementation of subsection (a) to the ap-
13 propriate congressional committees.

14 **CHAPTER 2—INTERNATIONAL**
15 **BROADCASTING**

16 **SEC. 2431. EXPANSION OF BROADCASTING BOARD OF GOV-**
17 **ERNORS.**

18 Section 304(b) of the United States International
19 Broadcasting Act of 1994 (22 U.S.C. 6203) is amended—

20 (1) in paragraph (1) by striking “9” and insert-
21 ing “11”;

22 (2) in paragraph (1)(A) by striking “8” and in-
23 serting “10”; and

24 (3) in paragraph (3) by striking “4” and insert-
25 ing “5”.

1 **SEC. 2432. PLAN FOR RADIO FREE ASIA.**

2 Section 309(c) of the United States International
3 Broadcasting Act of 1994 (22 U.S.C. 6208(c)) is amended
4 to read as follows:

5 “(c) SUBMISSION OF PLAN.—Not later than 90 days
6 after the date of the enactment of the Foreign Relations
7 Authorization Act, Fiscal Years 1996 and 1997, the Di-
8 rector of the United States Information Agency shall sub-
9 mit to the Congress a detailed plan for the establishment
10 and operation of Radio Free Asia in accordance with this
11 section. Such plan shall include the following:

12 “(1) A description of the manner in which
13 Radio Free Asia would meet the funding limitations
14 provided in subsection (d)(4).

15 “(2) A description of the numbers and quali-
16 fications of employees it proposes to hire.

17 “(3) How it proposes to meet the technical re-
18 quirements for carrying out its responsibilities under
19 this section.”.

20 **SEC. 2433. PILOT PROJECT FOR FREEDOM BROADCASTING**
21 **TO ASIA.**

22 (a) AUTHORITY.—The Director of the United States
23 Information Agency shall make grants for broadcasting to
24 the People’s Republic of China, Burma, Cambodia, Laos,
25 North Korea, Tibet, and Vietnam. Such broadcasting shall
26 provide accurate and timely information, news, and com-

1 mentary about events in the respective countries of Asia
2 and elsewhere, and shall be a forum for a variety of opin-
3 ions and voices from within Asian nations whose people
4 do not fully enjoy freedom of expression.

5 (b) PURPOSE.—The purpose of such grants shall be
6 to provide such broadcasting on an interim basis during
7 the period before Radio Free Asia becomes fully oper-
8 ational.

9 (c) APPLICATIONS.—In considering applications for
10 grants, the Director of the United States Information
11 Agency shall give strong preference to entities which (1)
12 take advantage of the expertise of political and religious
13 dissidents and pro-democracy and human rights activists
14 from within the countries to whom broadcasting is di-
15 rected, including exiles from these countries; and (2) take
16 advantage of contracts or similar arrangements with exist-
17 ing broadcast facilities so as to provide immediate broad-
18 cast coverage with low overhead.

19 (d) PLAN.—Not later than 30 days after the date of
20 the enactment of this Act, the Director of the United
21 States Information Agency shall submit to the appropriate
22 congressional committees a plan for implementing this sec-
23 tion which shall include details concerning timetable for
24 implementation, grant criteria, and grant application pro-
25 cedures. The procedures and timetable should be designed

1 to ensure that grantees will begin broadcasting not later
2 than 120 days after the date of the enactment of this Act.

3 **TITLE XXV—INTERNATIONAL**
4 **ORGANIZATIONS AND COM-**
5 **MISSIONS**

6 **CHAPTER 1—GENERAL PROVISIONS**

7 **SEC. 2501. INTERNATIONAL BOUNDARY AND WATER COM-**
8 **MISSION.**

9 The Act of May 13, 1924 (49 Stat. 660, 22 U.S.C.
10 277–277f), is amended in section 3 (22 U.S.C. 277b) by
11 adding at the end the following new subsection:

12 “(d) Pursuant to the authority of subsection (a) and
13 in order to facilitate further compliance with the terms
14 of the Convention for Equitable Distribution of the Waters
15 of the Rio Grande, May 21, 1906, United States-Mexico,
16 the Secretary of State, acting through the United States
17 Commissioner of the International Boundary and Water
18 Commission, may make improvements to the Rio Grande
19 Canalization Project, originally authorized by the Act of
20 August 29, 1935 (49 Stat. 961). Such improvements may
21 include all such works as may be needed to stabilize the
22 Rio Grande in the reach between the Percha Diversion
23 Dam in New Mexico and the American Diversion Dam in
24 El Paso.”.

1 **SEC. 2502. REPEAL OF AUTHORITY FOR PARTICIPATION BY**
2 **THE UNITED STATES IN THE**
3 **INTERPARLIAMENTARY UNION.**

4 The Act entitled “An Act to authorize participation
5 by the United States in the Interparliamentary Union”,
6 approved June 28, 1935 (22 U.S.C. 276–276a–4) is re-
7 pealed.

8 **CHAPTER 2—UNITED NATIONS AND AF-**
9 **FILIATED AGENCIES AND ORGANIZA-**
10 **TIONS**

11 **SEC. 2521. REFORM IN BUDGET DECISIONMAKING PROCE-**
12 **DURES OF THE UNITED NATIONS AND ITS**
13 **SPECIALIZED AGENCIES.**

14 (a) ASSESSED CONTRIBUTIONS.—Of amounts au-
15 thorized to be appropriated for “Assessed Contributions
16 to International Organizations” by this Act, the President
17 may withhold 20 percent of the funds appropriated for the
18 United States assessed contribution to the United Nations
19 or to any of its specialized agencies for any calendar year
20 if the United Nations or any such agency has failed to
21 implement or to continue to implement consensus-based
22 decisionmaking procedures on budgetary matters which
23 assure that sufficient attention is paid to the views of the
24 United States and other member states that are the major
25 financial contributors to such assessed budgets.

1 (b) NOTICE TO CONGRESS.—The President shall no-
2 tify the Congress when a decision is made to withhold any
3 share of the United States assessed contribution to the
4 United Nations or its specialized agencies pursuant to
5 subsection (a) and shall notify the Congress when the deci-
6 sion is made to pay any previously withheld assessed con-
7 tribution. A notification under this subsection shall include
8 appropriate consultation between the President (or the
9 President’s representative) and the Committee on Inter-
10 national Relations of the House of Representatives and
11 the Committee on Foreign Relations of the Senate.

12 (c) CONTRIBUTIONS FOR PRIOR YEARS.—Subject to
13 the availability of appropriations, payment of assessed
14 contributions for prior years may be made to the United
15 Nations or any of its specialized agencies notwithstanding
16 subsection (a) if such payment would further United
17 States interests in that organization.

18 (d) REPORT TO CONGRESS.—Not later than Feb-
19 ruary 1 of each year, the President shall submit to the
20 appropriate congressional committees a report concerning
21 the amount of United States assessed contributions paid
22 to the United Nations and each of its specialized agencies
23 during the preceding calendar year.

1 **SEC. 2522. LIMITATION ON CONTRIBUTIONS TO THE UNIT-**
2 **ED NATIONS OR UNITED NATIONS AFFILI-**
3 **ATED ORGANIZATIONS.**

4 The United States shall not make any voluntary or
5 assessed contribution—

- 6 (1) to any affiliated organization of the United
7 Nations which grants full membership as a state to
8 any organization or group that does not have the
9 internationally recognized attributes of statehood, or
10 (2) to the United Nations, if the United Na-
11 tions grants full membership as a state in the Unit-
12 ed Nations to any organization or group that does
13 not have the internationally recognized attributes of
14 statehood,
15 during any period in which such membership is effective.

16 **SEC. 2523. REPORT ON UNICEF.**

17 Not later than December 31, 1995, the Secretary of
18 State shall transmit to the appropriate congressional com-
19 mittees a report on (1) the progress of UNICEF toward
20 effective financial, program, and personnel management;
21 (2) the progress of UNICEF in shifting its health, child
22 survival, and maternal survival programs toward efficient
23 and low-overhead contractors, with particular emphasis on
24 nongovernmental organizations; and (3) the extent to
25 which UNICEF has demonstrated its commitment to its
26 traditional mission of child health and welfare and resisted

1 pressure to become involved in functions performed by
2 other United Nations agencies.

3 **SEC. 2524. UNITED NATIONS BUDGETARY AND MANAGE-**
4 **MENT REFORM.**

5 (a) IN GENERAL.—The United Nations Participation
6 Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding
7 at the end the following new section:

8 “SEC. 10. (a) WITHHOLDING OF CONTRIBUTIONS
9 RELATED TO THE ROLE OF THE INSPECTOR GENERAL
10 OF THE UNITED NATIONS.—

11 “(1) ASSESSED CONTRIBUTIONS FOR REGULAR
12 UNITED NATIONS BUDGET.—For fiscal year 1996
13 and for each subsequent fiscal year, 20 percent of
14 the amount of funds made available for that fiscal
15 year for United States assessed contributions for the
16 regular United Nations budget shall be withheld
17 from obligation and expenditure unless a certifi-
18 cation for that fiscal year has been made under sub-
19 section (b).

20 “(2) ASSESSED CONTRIBUTIONS FOR UNITED
21 NATIONS PEACEKEEPING.—For fiscal year 1996 and
22 for each subsequent fiscal year, 50 percent of the
23 amount of funds made available for that fiscal year
24 for United States assessed contributions for United
25 Nations peacekeeping activities shall be withheld

1 from obligation and expenditure unless a certifi-
2 cation for that fiscal year has been made under sub-
3 section (b).

4 “(3) VOLUNTARY CONTRIBUTIONS FOR UNITED
5 NATIONS PEACEKEEPING.—For fiscal year 1996 and
6 for each subsequent fiscal year, the United States
7 may not pay any voluntary contribution to the Unit-
8 ed Nations for international peacekeeping activities
9 unless a certification for that fiscal year has been
10 made under subsection (b).

11 “(b) CERTIFICATION.—The certification referred to
12 in subsection (a) for any fiscal year is a certification by
13 the President to the Congress, submitted on or after the
14 beginning of that fiscal year, of each of the following:

15 “(1) The United Nations has an independent
16 office of Inspector General to conduct and supervise
17 objective audits, inspections, and investigations re-
18 lating to programs and operations of the United Na-
19 tions.

20 “(2) The United Nations has an Inspector Gen-
21 eral who was appointed by the Secretary General
22 with the approval of the General Assembly and
23 whose appointment was made principally on the
24 basis of the appointee’s integrity and demonstrated
25 ability in accounting, auditing, financial analysis,

1 law, management analysis, public administration, or
2 investigation.

3 “(3) The Inspector General is authorized to—

4 “(A) make investigations and reports relat-
5 ing to the administration of the programs and
6 operations of the United Nations;

7 “(B) have access to all records, documents,
8 and other available materials relating to those
9 programs and operations;

10 “(C) have direct and prompt access to any
11 official of the United Nations; and

12 “(D) have access to all records and offi-
13 cials of the specialized agencies of the United
14 Nations.

15 “(4) The United Nations has fully imple-
16 mented, and made available to all member states,
17 procedures that effectively protect the identity of,
18 and prevent reprisals against, any staff member of
19 the United Nations making a complaint or disclosing
20 information to, or cooperating in any investigation
21 or inspection by, the United Nations Inspector Gen-
22 eral.

23 “(5) The United Nations has fully implemented
24 procedures that ensure compliance with rec-

1 commendations of the United Nations Inspector Gen-
2 eral.

3 “(6) The United Nations has required the
4 United Nations Inspector General to issue an annual
5 report and has ensured that the annual report and
6 all other reports of the Inspector General are made
7 available to the General Assembly without modifica-
8 tion.

9 “(7) The United Nations has provided, and is
10 committed to providing, sufficient budgetary re-
11 sources to ensure the effective operation of the Unit-
12 ed Nations Inspector General.”.

13 (b) WITHHOLDING OF CONTRIBUTIONS RELATED TO
14 CONTRACTING OF THE UNITED NATIONS.—The United
15 Nations Participation Act of 1945 (22 U.S.C. 287 et seq.)
16 is further amended by adding at the end the following new
17 section:

18 “SEC. 11. (a) WITHHOLDING OF CONTRIBUTIONS
19 RELATED TO TIMELY NOTICE OF CONTRACT OPPORTUNI-
20 TIES AND CONTRACT AWARDS.—

21 “(1) WITHHOLDING OF ASSESSED CONTRIBU-
22 TIONS FOR REGULAR UNITED NATIONS BUDGET.—
23 For fiscal year 1997 and for each subsequent fiscal
24 year, 10 percent of the amount of funds made avail-
25 able for that fiscal year for United States assessed

1 contributions for the regular United Nations budget
2 shall be withheld from obligation and expenditure
3 unless a certification for that fiscal year has been
4 made under paragraph (2).

5 “(2) CERTIFICATION.—The certification re-
6 ferred to in paragraph (1) for any fiscal year is a
7 certification by the President to the Congress, sub-
8 mitted on or after the beginning of that fiscal year,
9 that the United Nations has implemented a system
10 requiring (A) prior notification for the submission of
11 all qualified bid proposals on all United Nations pro-
12 curement opportunities over \$100,000 and (B) a
13 public announcement of the award of any contract
14 over \$100,000. To the extent practicable, notifica-
15 tions shall be made in the Commerce Business
16 Daily.

17 “(b) WITHHOLDING OF CONTRIBUTIONS RELATED
18 TO DISCRIMINATION AGAINST COMPANIES WHICH CHAL-
19 LENGE CONTRACT AWARDS.—

20 “(1) WITHHOLDING OF ASSESSED CONTRIBU-
21 TIONS FOR REGULAR UNITED NATIONS BUDGET.—
22 For fiscal year 1997 and for each subsequent fiscal
23 year, 10 percent of the amount of funds made avail-
24 able for that fiscal year for United States assessed
25 contributions for the regular United Nations budget

1 shall be withheld from obligation and expenditure
2 unless a certification for that fiscal year has been
3 made under paragraph (2).

4 “(2) CERTIFICATION.—The certification re-
5 ferred to in paragraph (1) for any fiscal year is a
6 certification by the President to the Congress, sub-
7 mitted on or after the beginning of that fiscal year,
8 that the procurement regulations of the United Na-
9 tions prohibit punitive actions such as the suspen-
10 sion of contract eligibility for contractors who chal-
11 lenge contract awards or complain about delayed
12 payments.

13 “(c) WITHHOLDING OF CONTRIBUTIONS RELATED
14 TO ESTABLISHMENT OF A UNITED NATIONS CONTRACT
15 REVIEW PROCESS.—

16 “(1) WITHHOLDING OF ASSESSED CONTRIBU-
17 TIONS FOR REGULAR UNITED NATIONS BUDGET.—
18 For fiscal year 1998 and for each subsequent fiscal
19 year, 10 percent of the amount of funds made avail-
20 able for that fiscal year for United States assessed
21 contributions for the regular United Nations budget
22 shall be withheld from obligation and expenditure
23 unless a certification for that fiscal year has been
24 made under paragraph (2).

1 “(2) CERTIFICATION.—The certification re-
2 ferred to in paragraph (1) for any fiscal year is a
3 certification by the President to the Congress, sub-
4 mitted on or after the beginning of that fiscal year,
5 that the United Nations has established a contract
6 review process for contracts over \$100,000 and a
7 process to assure unsuccessful bidders a timely op-
8 portunity to challenge awards for contracts over
9 \$100,000 such bidders consider to have been made
10 improperly.”.

11 (c) PROCUREMENT INFORMATION.—Section 4(d) of
12 the United Nations Participation Act of 1945 (22 U.S.C.
13 287b(d)), as amended by section 407 of the Foreign Rela-
14 tions Authorization Act, Fiscal Years 1994 and 1995
15 (Public Law 103–236) is amended in paragraph (2)(B)
16 by inserting before the period “, including local procure-
17 ment contracts”.

18 **TITLE XXVI—FOREIGN POLICY**
19 **PROVISIONS**

20 **CHAPTER 1—MISCELLANEOUS FOREIGN**
21 **POLICY PROVISIONS**

22 **SEC. 2601. TAIWAN RELATIONS ACT.**

23 Section 3 of the Taiwan Relations Act (22 U.S.C.
24 3302) is amended by adding at the end the following new
25 subsection:

1 “(d) The provisions of subsections (a) and (b) super-
2 sede any provision of the Joint Communiqué of the United
3 States and China of August 17, 1982.”.

4 **SEC. 2602. BOSNIA GENOCIDE JUSTICE ACT.**

5 (a) **SHORT TITLE.**—This section may be cited as the
6 “Bosnia Genocide Justice Act”.

7 (b) **POLICY.**—

8 (1) **IN GENERAL.**—Consistent with inter-
9 national law, it is the policy of the United States to
10 bring to justice persons responsible for genocide, war
11 crimes, crimes against humanity and other serious
12 violations of international humanitarian law commit-
13 ted in the territory of the former Yugoslavia since
14 1991.

15 (2) **SENSE OF CONGRESS.**—The Congress urges
16 the President—

17 (A) to collect or assist appropriate organi-
18 zations and individuals to collect relevant data
19 on these crimes committed in the former Yugo-
20 slavia;

21 (B) to share such data with the War
22 Crimes Tribunal for the former Yugoslavia es-
23 tablished by the Security Council of the United
24 Nations;

1 (C) to assist United Nations efforts to in-
2 vestigate, prosecute, and try those responsible
3 for genocide, war crimes, crimes against hu-
4 manity and other serious violations of inter-
5 national humanitarian law committed in the
6 territory of the former Yugoslavia since 1991;

7 (D) to submit to the Congress implement-
8 ing legislation to enable compliance with re-
9 quests and orders of the tribunal; and

10 (E) to support the ongoing work of the
11 Tribunal through adequate financial contribu-
12 tions to the United Nations Voluntary Fund for
13 the War Crimes Tribunal for the former Yugo-
14 slavia for 1996 and 1997.

15 (c) REPORTING REQUIREMENT.—Beginning 6
16 months after the date of enactment of this Act, and every
17 6 months thereafter during fiscal years 1996 and 1997,
18 the President shall submit a report describing the steps
19 taken to implement the provisions of this section to the
20 appropriate congressional committees.

21 **SEC. 2603. EXPANSION OF COMMISSION ON SECURITY AND**
22 **COOPERATION IN EUROPE.**

23 Section 3(a) of the Act entitled “An Act to establish
24 a Commission on Security and Cooperation in Europe”,
25 approved June 3, 1976 (22 U.S.C. 3003) is amended—

1 (1) by striking “twenty-one” and inserting
2 “twenty-nine”; and

3 (2) by striking paragraphs (1) and (2) and in-
4 serting the following:

5 “(1) Thirteen Members of the House of Rep-
6 resentatives appointed by the Speaker of the House
7 of Representatives. Seven Members shall be selected
8 from the majority party and six Members shall be
9 selected, after consultation with the minority leader
10 of the House, from the minority party.

11 “(2) Thirteen Members of the Senate appointed
12 by the President of the Senate. Seven Members shall
13 be selected from the majority party of the Senate,
14 after consultation with the majority leader, and six
15 Members shall be selected, after consultation with
16 the minority leader of the Senate, from the minority
17 party.”.

18 **SEC. 2604. REPEAL OF TERMINATION OF PROVISIONS OF**
19 **THE NUCLEAR PROLIFERATION PREVENTION**
20 **ACT OF 1994.**

21 Part D of the Nuclear Proliferation Prevention Act
22 of 1994 (part D of title VIII of the Foreign Relations Au-
23 thorization Act, Fiscal Years 1994 and 1995; Public Law
24 103–236; 108 Stat. 525) is hereby repealed.

1 **SEC. 2605. ANNUAL ASSESSMENT.**

2 The Secretary of State shall assess the impact of the
3 foreign policy of the United States on the ability of United
4 States entities engaged in the manufacture, sale, distribu-
5 tion, or provision of goods or services to compete in foreign
6 markets. The Secretary shall provide such assessments an-
7 nually to the Committee on International Relations of the
8 House of Representatives and the Committee on Foreign
9 Relations of the Senate and shall publish such assess-
10 ments in the Federal Register.

11 **SEC. 2606. VERIFICATION OF MISSILE TECHNOLOGY CON-**
12 **TROL REGIME.**

13 Not later than February 1, 1996, the Director of the
14 Arms Control and Disarmament Agency shall transmit to
15 the Congress a report on the capability of the United
16 States to verify the Missile Technology Control Regime,
17 to include any applicable United States policy statements,
18 pursuant to section 37 of the Arms Control and Disar-
19 mament Act.

20 **SEC. 2607. BOSNIA AND HERZEGOVINA SELF-DEFENSE ACT.**

21 (a) **SHORT TITLE.**—This section may be cited as the
22 “Bosnia and Herzegovina Self-Defense Act”.

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

25 (1) The Serbian aggression against Bosnia and
26 Herzegovina continues into its third year, the vio-

1 lence has escalated and become widespread, and eth-
2 nic cleansing by Serbs has been renewed.

3 (2) It has been almost one year since the
4 Bosnian Government unconditionally, and on time,
5 accepted the “Contact Group” plan, which the Serb
6 forces have rejected.

7 (3) The United Nations has failed to protect its
8 declared safe havens from continuing and relentless
9 Serbian aggression, and has failed to order North
10 Atlantic Treaty Organization (NATO) air strikes
11 against Serb forces in retaliation for their attacks on
12 Sarajevo, despite calls from its own field commander
13 to do so.

14 (4) The United Nations Security Council has
15 not considered a resolution providing for the multi-
16 lateral termination of the arms embargo against
17 Bosnia and Herzegovina, which would be the pre-
18 ferred course of action to allow that country to de-
19 fend itself.

20 (5) The United Nations Security Council has
21 not taken measures necessary to maintain inter-
22 national peace and security in Bosnia and
23 Herzegovina since the aggression against that coun-
24 try begin in April 1992.

1 (6) For the reasons stated in section 520 of the
2 Foreign Relations Authorization Act, Fiscal Years
3 1994 and 1995 (Public Law 103–236), the Congress
4 has found that continued application of an inter-
5 national arms embargo to the Government of Bosnia
6 and Herzegovina contravenes that Government’s in-
7 herent right of individual or collective self-defense
8 under Article 51 of the United Nations Charter, and
9 therefore is inconsistent with international law.

10 (c) STATEMENT OF PURPOSE.—The Congress sup-
11 ports the efforts of the Government of the Republic of
12 Bosnia and Herzegovina—

13 (1) to defend its people and the territory of the
14 Republic;

15 (2) to preserve the sovereignty, independence,
16 and territorial integrity of the Republic; and

17 (3) to bring about a peaceful, just, fair, viable,
18 and sustainable settlement of the conflict in Bosnia
19 and Herzegovina.

20 (d) TERMINATION OF ARMS EMBARGO.—

21 (1) TERMINATION.—The President shall termi-
22 nate the United States arms embargo of the Govern-
23 ment of Bosnia and Herzegovina upon receipt from
24 that Government of a request for assistance in exer-

1 cising its right of self-defense under Article 51 of
2 the United States Charter.

3 (2) DEFINITION.—As used in this section, the
4 term “United States arms embargo of the Govern-
5 ment of Bosnia and Herzegovina” means the appli-
6 cation to the Government of Bosnia and
7 Herzegovina of—

8 (A) the policy adopted July 10, 1991, and
9 published in the Federal Register of July 19,
10 1991 (58 F.R. 33322) under the heading “Sus-
11 pension of Munitions Export Licensees to Yugo-
12 slavia”; and

13 (B) any similar policy applied by the Unit-
14 ed States Government as of the date of receipt
15 of the request described in paragraph (1) pur-
16 suant to which approval is denied for transfers
17 of defense articles and defense services to the
18 former Yugoslavia.

19 (3) RULE OF CONSTRUCTION.—Nothing in this
20 section shall be interpreted as authorization for de-
21 ployment of United States forces in the territory of
22 Bosnia and Herzegovina for any purpose, including
23 training, support, or delivery of military equipment.

1 **CHAPTER 2—RELATING TO THE UNITED**
2 **STATES-NORTH KOREA AGREED**
3 **FRAMEWORK AND THE OBLIGATIONS**
4 **OF NORTH KOREA UNDER THAT AND**
5 **PREVIOUS AGREEMENTS WITH RE-**
6 **SPECT TO THE DENUCLEARIZATION**
7 **OF THE KOREAN PENINSULA AND DIA-**
8 **LOGUE WITH THE REPUBLIC OF**
9 **KOREA**

10 **SEC. 2641. FINDINGS.**

11 The Congress makes the following findings:

12 (1) The United States-Democratic People's Re-
13 public of Korea Agreed Framework (hereafter in this
14 chapter referred to as the "Agreed Framework"),
15 entered into on October 21, 1994, between the Unit-
16 ed States and North Korea, requires North Korea to
17 stop and eventually dismantle its graphite-moderated
18 nuclear reactor program and related facilities, and
19 comply fully with its obligations under the Treaty on
20 the Non-Proliferation of Nuclear Weapons, in ex-
21 change for alternative energy sources, including in-
22 terim supplies of heavy fuel oil for electric genera-
23 tors and more proliferation-resistant light water re-
24 actor technology.

1 (2) The Agreed Framework also commits North
2 Korea to “consistently take steps to implement the
3 North-South Joint Declaration on the
4 Denuclearization of the Korean Peninsula” and “en-
5 gage in North-South” dialogue with the Republic of
6 Korea.

7 (3) The Agreed Framework does not indicate
8 specific criteria for full normalization of relations be-
9 tween the United States and North Korea, and does
10 not link the sequencing of actions in the Agreed
11 Framework with any time-frame for carrying out the
12 provisions of the North-South Joint Declaration on
13 the Denuclearization of the Korean Peninsula and
14 carrying out the dialogue between North Korea and
15 the Republic of Korea.

16 (4) The commitment by North Korea to carry
17 out the letter and spirit of the Agreed Framework
18 has been put into doubt by actions of North Korea
19 since October 21, 1994, including the suspected di-
20 version of United States heavy fuel oil in apparent
21 contravention of the agreed purpose of the interim
22 fuel deliveries, the refusal to accept light water reac-
23 tors from the Republic of Korea, the harsh denun-
24 ciations of the Government of the Republic of Korea,
25 and other actions contrary to the commitment by

1 North Korea to engage in a dialogue with such Gov-
2 ernment, and the continued conduct of provocative,
3 offensive oriented military exercises.

4 (5) The nuclear threat posed by North Korea is
5 just one of a number of security concerns of the
6 United States arising out of the policies of North
7 Korea.

8 **SEC. 2642. CLARIFICATION OF NUCLEAR NONPROLIFERA-**
9 **TION OBLIGATIONS OF NORTH KOREA**
10 **UNDER THE AGREED FRAMEWORK.**

11 It is the sense of the Congress that in discussions
12 or negotiations with the Government of North Korea pur-
13 suant to the implementation of the United States-Demo-
14 cratic People's Republic of Korea Agreed Framework en-
15 tered into on October 21, 1994, the President should up-
16 hold the following minimum conditions relating to nuclear
17 nonproliferation:

18 (1) All spent fuel from the graphite-moderated
19 nuclear reactors and related facilities of North
20 Korea should be removed from the territory of North
21 Korea as is consistent with the Agreed Framework.

22 (2) The International Atomic Energy Agency
23 should have the freedom to conduct any and all in-
24 spections that it deems necessary to fully account for
25 the stocks of plutonium and other nuclear materials

1 in North Korea, including special inspections of sus-
2 pected nuclear waste sites, before any nuclear com-
3 ponents controlled by the Nuclear Supplier Group
4 Guidelines are delivered for a light water reactor for
5 North Korea.

6 (3) The dismantlement of all declared graphite-
7 based nuclear reactors and related facilities in North
8 Korea, including reprocessing units, should be com-
9 pleted in accordance with the Agreed Framework
10 and in a manner that effectively bars in perpetuity
11 any reactivation of such reactors and facilities.

12 (4) The United States should suspend actions
13 described in the Agreed Framework if North Korea
14 reloads its existing 5 megawatt nuclear reactor or
15 resumes construction of nuclear facilities other than
16 those permitted to be built under the Agreed Frame-
17 work.

18 **SEC. 2643. ROLE OF THE REPUBLIC OF KOREA UNDER THE**
19 **AGREED FRAMEWORK.**

20 It is further the sense of the Congress that the Re-
21 public of Korea should play the central role in the project
22 to provide light water reactors to North Korea under the
23 Agreed Framework.

1 **SEC. 2644. FURTHER STEPS TO PROMOTE UNITED STATES**
2 **SECURITY AND POLITICAL INTERESTS WITH**
3 **RESPECT TO NORTH KOREA.**

4 It is further the sense of the Congress that, after the
5 date of the enactment of this Act, the President should
6 not take further steps toward upgrading diplomatic rela-
7 tions with North Korea beyond opening liaison offices or
8 relaxing trade and investment barriers imposed against
9 North Korea without—

10 (1) action by the Government of North Korea
11 to engage in a North-South dialogue with the Gov-
12 ernment of the Republic of Korea to facilitate
13 progress toward:

14 (A) holding a North Korea-South Korea
15 Summit;

16 (B) resuming North-South joint military
17 discussions regarding steps to reduce tensions
18 between North and South Korea;

19 (C) expanding trade relations between
20 North and South Korea;

21 (D) promoting freedom of travel between
22 North and South Korea by citizens of both
23 North and South Korea;

24 (E) cooperating in science and technology,
25 education, the arts, health, sports, the environ-

1 ment, publishing, journalism, and other fields of
2 mutual interest;

3 (F) establishing postal and telecommuni-
4 cations services between North and South
5 Korea; and

6 (G) reconnecting railroads and roadways
7 between North and South Korea;

8 (2) significant progress toward implementation
9 of the North-South Joint Declaration on the
10 Denuclearization of the Korean Peninsula; and

11 (3) progress toward the achievement of several
12 long-standing United States policy objectives regard-
13 ing North Korea and the Korean Peninsula, includ-
14 ing—

15 (A) reducing the number of military forces
16 of North Korea along the Demilitarized Zone
17 and relocating such military forces away from
18 the Demilitarized Zone;

19 (B) prohibiting any movement by North
20 Korea toward the deployment of an intermedi-
21 ate range ballistic missile system; and

22 (C) prohibiting the export by North Korea
23 of missiles and other weapons of mass destruc-
24 tion, including related technology and compo-
25 nents.

1 **SEC. 2645. RESTRICTIONS ON ASSISTANCE TO NORTH**
2 **KOREA AND THE KOREAN PENINSULA EN-**
3 **ERGY DEVELOPMENT ORGANIZATION.**

4 (a) IN GENERAL.—Chapter 1 of part III of the For-
5 eign Assistance Act of 1961 (22 U.S.C. 2370 et seq.) is
6 amended by adding at the end the following new section:

7 **“SEC. 620G. ASSISTANCE TO NORTH KOREA AND THE KO-**
8 **REAN PENINSULA ENERGY DEVELOPMENT**
9 **ORGANIZATION.**

10 “No assistance may be provided under this Act or
11 any other provision of law to North Korea or the Korean
12 Peninsula Energy Development Organization unless—

13 “(1) such assistance is provided in accordance
14 with all requirements, limitations, and procedures
15 otherwise applicable to the provision of such assist-
16 ance for such purposes; and

17 “(2) the President—

18 “(A) notifies the congressional committees
19 specified in section 634A(a) of this Act prior to
20 the obligation of such assistance in accordance
21 with the procedures applicable to
22 reprogramming notifications under that section,
23 irrespective of the amount of the proposed obli-
24 gation of such assistance; and

25 “(B) determines and reports to such com-
26 mittees that the provision of such assistance is

1 vital to the national interests of the United
2 States.”.

3 (b) EFFECTIVE DATE.—Section 620G of the Foreign
4 Assistance Act of 1961, as added by subsection (a), ap-
5 plies with respect to assistance provided to North Korea
6 or the Korean Peninsula Energy Development Organiza-
7 tion on or after the date of the enactment of this Act.

8 **CHAPTER 3—BURMA**

9 **SEC. 2651. UNITED STATES POLICY CONCERNING THE DIC-**
10 **TATORSHIP IN BURMA.**

11 (a) SENSE OF THE CONGRESS.—It is the sense of the
12 Congress that the President should take steps to encour-
13 age the United Nations Security Council to—

14 (1) impose an international arms embargo on
15 Burma;

16 (2) affirm support for human rights and the
17 protection of all Karen, Karenni, and other minori-
18 ties in Burma;

19 (3) condemn Burmese officials responsible for
20 crimes against humanity;

21 (4) take steps to encourage multilateral assist-
22 ance programs for refugees from Burma in Thailand
23 and India; and

24 (5) reduce United Nations activities in Burma,
25 including UNDP (United Nations Development Pro-

1 gram), UNICEF (United Nations Children's Fund),
2 UNFPA (United Nations Family Planning Agency),
3 World Health Organization (WHO), Food and Agriculture
4 Organization (FAO), and UNIDCP (United
5 Nations International Drug Control Program) activities.
6 ties.

7 (b) REDUCTION IN DIPLOMATIC PRESENCE.—It is
8 the sense of the Congress that the President should reduce
9 the diplomatic presence of the United States in Burma
10 by reducing the total number of the members of the Foreign
11 Service stationed in Burma on the date of enactment
12 of this Act.

13 **CHAPTER 4—TORTURE**

14 **SEC. 2661. DEFINITIONS.**

15 (a) TORTURE.—As used in this chapter, the term
16 “torture” means any act by which severe pain or suffering,
17 whether physical or mental, is intentionally inflicted on a
18 person for such purposes as obtaining from the person or
19 a third person information or a confession, punishing the
20 person for an act the person or a third person has committed
21 or is suspected of having committed, or intimidating
22 or coercing the person or a third person, or for any reason
23 based on discrimination of any kind, when such pain or
24 suffering is inflicted by, at the instigation of, or with the
25 consent or acquiescence of a public official or other person

1 acting in an official capacity. It does not include pain or
2 suffering arising only from, inherent in, or incidental to
3 lawful sanctions.

4 (b) SUBSTANTIAL GROUNDS FOR BELIEVING.—As
5 used in this chapter, the term “substantial grounds for
6 believing” means substantial evidence.

7 (c) IN DANGER OF BEING SUBJECTED TO TOR-
8 TURE.—As used in this chapter, the term “in danger of
9 being subjected to torture” means circumstances in which
10 a reasonable person would fear subjection to torture.

11 (d) INVOLUNTARILY RETURN.—As used in this chap-
12 ter, the term “involuntarily return” means to take action
13 by which it is reasonably foreseeable that a person will
14 be required to return to a country against the person’s
15 will, regardless of whether such return is induced by phys-
16 ical force and regardless of whether the person is phys-
17 ically present in the United States.

18 **SEC. 2662. UNITED STATES POLICY WITH RESPECT TO THE**
19 **INVOLUNTARY RETURN OF PERSONS SUB-**
20 **JECTED TO TORTURE.**

21 No funds authorized to be appropriated by this Act
22 are authorized to be available to expel, extradite, or other-
23 wise involuntarily return a person to a country in which
24 there are substantial grounds for believing the person

1 would be in danger of being subjected to torture, or to
2 support, promote, or assist such involuntary return.

3 **TITLE XXVII—CONGRESSIONAL**
4 **STATEMENTS**

5 **SEC. 2701. INTER-AMERICAN ORGANIZATIONS.**

6 Taking into consideration the long-term commitment
7 by the United States to the affairs of this Hemisphere and
8 the need to build further upon the linkages between the
9 United States and its neighbors, the Secretary of State,
10 in allocating the level of resources for international organi-
11 zations, should pay particular attention to funding levels
12 of the Inter-American organizations.

13 **SEC. 2702. TERRITORIAL INTEGRITY OF BOSNIA AND**
14 **HERZEGOVINA.**

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

17 (1) The sovereign and independent state of
18 Bosnia-Herzegovina was formally recognized by the
19 United States of America on April 7, 1992.

20 (2) The sovereign and independent state of
21 Bosnia-Herzegovina was admitted as a full partici-
22 pating State of the Conference on Security and Co-
23 operation in Europe on April 30, 1992.

1 (3) The sovereign and independent state of
2 Bosnia-Herzegovina was admitted as a Member
3 state of the United Nations on May 22, 1992.

4 (4) The United States has declared its deter-
5 mination to respect and put into practice the Dec-
6 laration on Principles Guiding Relations between
7 Participating States contained in the Final Act of
8 the Conference on Security and Cooperation in Eu-
9 rope.

10 (5) Each of the principles has been violated
11 during the course of war in Bosnia-Herzegovina:
12 sovereign equality and respect for the rights inherent
13 in sovereignty, refraining from the threat or use of
14 force; inviolability of frontiers; territorial integrity of
15 States; peaceful settlement of disputes; noninterven-
16 tion in internal affairs; respect for human rights and
17 fundamental freedoms, including the freedom of
18 thought, conscience, religion or belief; equal rights
19 and self-determination of peoples; cooperation among
20 States; and fulfillment in good faith of obligations
21 under international law.

22 (6) Principle II of the Final Act commits the
23 participating States to “refrain from any manifesta-
24 tion of force for the purpose of inducing another

1 participating State to renounce the full exercise of
2 its sovereign rights”.

3 (7) Principle III of the Final Act commits the
4 participating States to “refrain from any demand
5 for, or act of, seizure and usurpation of part or all
6 of the territory of any participating State”.

7 (8) Principle IV of the Final Act commits the
8 participating States to “respect the territorial integ-
9 rity of each of the participating States” and “refrain
10 from any action inconsistent with the purposes and
11 principles of the Charter of the United Nations
12 against the territorial integrity, political independ-
13 ence or the unity of any participating State”.

14 (9) The Charter of Paris for a New Europe
15 commits the participating States “to cooperate in
16 defending democratic institutions against activities
17 which violate the independence, sovereign equality,
18 or territorial integrity of the participating States”.

19 (10) The Helsinki Document 1992 reaffirms
20 “the validity of the guiding principles and common
21 values of the Helsinki Final Act and the Charter of
22 Paris, embodying responsibilities of States towards
23 each other and of governments towards their own
24 people” which serve as the “collective conscience of
25 our community”.

1 (11) The Charter of the United Nations calls
2 upon Member states to respect the territorial integ-
3 rity and political independence of any state in keep-
4 ing with the Purposes of the United Nations.

5 (12) The sovereign and independent state of
6 Bosnia-Herzegovina has been and continues to be
7 subjected to armed aggression Bosnian Serb forces,
8 Croatian Serb forces, and others in violation of
9 Final Act and the Charter.

10 (13) Unchecked armed aggression and genocide
11 threatens the lives of innocent civilians as well as the
12 very existence of the sovereign and independent state
13 of Bosnia-Herzegovina.

14 (b) SENSE OF CONGRESS.—It is the sense of the
15 Congress that the United States should refuse to recognize
16 the incorporation of any of the territory of Bosnia-
17 Herzegovina into the territory of any neighboring state or
18 the creation of any new state or states within the borders
19 of Bosnia-Herzegovina resulting from the threat or use of
20 force, coercion, or any other means inconsistent with inter-
21 national law.

22 **SEC. 2703. THE LAOGAI SYSTEM OF POLITICAL PRISONS.**

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

1 (1) The Chinese gulag, known as the Laogai,
2 was created as a primary means of political repres-
3 sion and control when the Communists assumed
4 power in China in 1949.

5 (2) The Laogai has caused millions of people to
6 suffer grave human rights abuses over the past 46
7 years, including countless deaths.

8 (3) The Laogai continues to be used to incar-
9 cerate unknown numbers of ordinary citizens for po-
10 litical reasons, including workers, students, intellec-
11 tuals, religious believers, and Tibetans.

12 (4) So-called “thought reform” is a standard
13 practice of Laogai officials, and reports of torture
14 are routinely received by human rights organizations
15 from Laogai prisoners and survivors.

16 (5) Negotiations about unfettered access to
17 Laogai prisoners between the Chinese Government
18 and the International Red Cross have ceased.

19 (6) The Laogai is in reality a huge system of
20 forced labor camps in which political and penal
21 criminals are slave laborers producing an array of
22 products for export throughout the world, including
23 the United States.

24 (7) The Chinese Government continues to main-
25 tain, as part of its official propaganda and in defi-

1 ance of significant evidence to the contrary gathered
2 by many human rights organizations, that the
3 Laogai is a prison system like any other in the
4 world.

5 (8) Testimony delivered before the Subcommit-
6 tee on International Operations and Human Rights
7 of the Committee on International Relations of the
8 House of Representatives has documented human
9 rights abuses in the Laogai which continue to this
10 day.

11 (9) The American people have repeatedly ex-
12 pressed their abhorrence of forced labor camps sys-
13 tems, whether they be operated by the Nazis, Soviet
14 Communists, or any other political ideology.

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

17 (1) publicly condemn the continued existence of
18 the Laogai, and call upon the Government of the
19 People's Republic of China to dismantle it, and re-
20 lease all of its political prisoners; and

21 (2) instruct the appropriate diplomatic rep-
22 resentatives of the United States to cause a resolu-
23 tion condemning the Laogai to be put before the
24 United Nations Human Rights Commission and
25 work for its passage.

1 **SEC. 2704. CONCERNING THE USE OF FUNDS TO FURTHER**
2 **NORMALIZE RELATIONS WITH VIETNAM.**

3 It is the sense of the Congress that none of the funds
4 authorized to be appropriated or otherwise made available
5 by this Act may be obligated or expended to further nor-
6 malize diplomatic relations between the United States and
7 Vietnam, until Vietnam—

8 (1) releases all of its political and religious pris-
9 oners;

10 (2) accounts for American POWs and MIAs
11 from the Vietnam War;

12 (3) holds democratic elections; and

13 (4) institutes policies which protect human
14 rights.

15 **SEC. 2705. DECLARATION OF CONGRESS REGARDING UNIT-**
16 **ED STATES GOVERNMENT HUMAN RIGHTS**
17 **POLICY TOWARD CHINA.**

18 (a) FINDINGS.—The Congress makes the following
19 findings:

20 (1) According to the 1994 State Department
21 Country Reports on Human Rights Practices there
22 continue to be “widespread and well-documented
23 human rights abuses in China, in violation of inter-
24 nationally accepted norms . . . (including) arbitrary
25 and lengthy incommunicado detention, torture, and
26 mistreatment of prisoners. The regime continued se-

1 vere restrictions on freedoms of speech, press assem-
2 bly and association, and tightened controls on the
3 exercise of these rights during 1994. Serious human
4 rights abuses persisted in Tibet and other areas pop-
5 ulated by ethnic minorities”.

6 (2) The President, in announcing his decision
7 on Most Favored Nation trading status for China in
8 May 1994 stated that, “China continues to commit
9 very serious human rights abuses. Even as we en-
10 gage the Chinese on military, political, and economic
11 issues, we intend to stay engaged with those in
12 China who suffer from human rights abuses. The
13 United States must remain a champion of their lib-
14 erties”.

15 (b) SENSE OF CONGRESS.—It is the sense of the
16 Congress that the President should take the following ac-
17 tions:

18 (1) Decline the invitation to visit China until
19 and unless there is dramatic overall progress on
20 human rights in China and Tibet and communicate
21 to the Government of China that such a visit cannot
22 take place without such progress. Indications of
23 overall progress would include the release of hun-
24 dreds of political, religious, and labor activists; an
25 agreement to allow unhindered confidential access to

1 prisoners by international humanitarian agencies;
2 enactment of major legal reforms such as an end to
3 all restrictions on the exercise of freedom of religion,
4 revocation of the 1993 state security law, and the
5 abolition of all so-called “counter-revolutionary”
6 crimes; an end to forced abortion, forced steriliza-
7 tion, and the provision by government facilities of
8 human fetal remains for consumption as food; and
9 a decision to allow unrestricted access to Tibet by
10 foreign media and international human rights mon-
11 itors.

12 (2) Seek to develop an agreement on a multilat-
13 eral strategy to promote human rights in China with
14 other members of the G-7, beginning with the meet-
15 ing of the G-7 industrial partners scheduled for
16 June 1995 in Halifax, Nova Scotia. Such an agree-
17 ment should include efforts to encourage greater co-
18 operation by the Government of China with the
19 human rights rapporteurs and working groups of the
20 United Nations Human Rights Commission, as well
21 as bilateral and multilateral initiatives to secure the
22 unconditional release of imprisoned peaceful pro-de-
23 mocracy advocates such as Wei Jingsheng.

24 (3) Instruct the United States delegates to the
25 United Nations Fourth World Conference on Women

1 in September 1995 to vigorously and publicly sup-
2 port nongovernmental organizations that may be
3 subjected to harassment or to restrictions or limita-
4 tions on their activities, access to the media, or to
5 channels of communication during the conference by
6 the Government of China and to protest publicly and
7 privately any actions by the Government of China
8 aimed at punishing or repressing Chinese citizens
9 who seek to peacefully express their views or com-
10 municate with foreign citizens or media during or
11 following the United Nations Conference.

12 (4) Extend an invitation to the Dalai Lama to
13 visit Washington, District of Columbia, in 1995.

14 (c) UNITED STATES GOVERNMENT HUMAN RIGHTS
15 POLICY TOWARD CHINA.—It shall be the policy of the
16 United States Government to continue to promote inter-
17 nationally recognized human rights and worker rights in
18 China and Tibet. The President shall submit the following
19 reports on the formulation and implementation of United
20 States human rights policy toward China and the results
21 of that policy to the International Relations Committee of
22 the House of Representatives :

23 (1) Not later than 90 days after the date of en-
24 actment of this Act, the President shall report on
25 the status of the “new United States Human Rights

1 Policy for China” announced by the President on
2 May 26, 1994, including an assessment of the imple-
3 mentation and effectiveness of the policy in bringing
4 about human rights improvements in China and
5 Tibet, with reference to the following specific initia-
6 tives announced on that date:

7 (A) High-level dialogue on human rights.

8 (B) Voluntary principles in the area of
9 human rights for United States businesses op-
10 erating in China.

11 (C) Increased contact with and support for
12 groups and individuals in China promoting law
13 reform and human rights.

14 (D) Increased exchanges to support human
15 rights law reform in China.

16 (E) The practice of all United States offi-
17 cials who visit China to meet with the broadest
18 possible spectrum of Chinese citizens.

19 (F) Increased efforts to press United
20 States views on human rights in China at the
21 United Nations, the United Nations Human
22 Rights Commission, and other international or-
23 ganizations.

24 (G) A plan of international actions to ad-
25 dress Tibet’s human rights problems and to

1 promote substantive discussions between the
2 Dalai Lama and the Chinese Government.

3 (H) Efforts to use the 1995 United Na-
4 tions Women's Conference in Beijing to expand
5 freedoms of speech, association, and assembly,
6 as well as the rights of women, in China.

7 (I) An information strategy for promoting
8 human rights by expanding Chinese and Ti-
9 betan language broadcasts on the Voice of
10 America and establishing Radio Free Asia.

11 (J) Encouraging the Chinese Government
12 to permit international human rights groups to
13 operate in and visit China.

14 The report required by this paragraph shall also as-
15 sess the progress, if any, of the People's Republic of
16 China toward ending forced abortion, forced steri-
17 lization, and other coercive population control prac-
18 tices.

19 (2) Not later than 120 days after the date of
20 enactment of this Act, the President shall report on
21 the status of Chinese Government compliance with
22 United States laws prohibiting the importation into
23 the United States of forced labor products, including
24 (but not limited to) a complete assessment and re-
25 port on the implementation of the Memorandum of

1 Understanding signed by the United States and
2 China in 1992. The report shall include (but not be
3 limited to) the following:

4 (A) All efforts made by the United States
5 Customs Service from 1992 until the date of
6 the report to investigate forced labor exports
7 and to conduct unannounced unrestricted in-
8 spections of suspected forced labor sites in
9 China, and the extent to which Chinese authori-
10 ties cooperated with such investigations.

11 (B) Recommendations of what further
12 steps might be taken to enhance United States
13 effectiveness in prohibiting forced labor exports
14 to the United States from China.

15 **SEC. 2706. CONCERNING THE UNITED NATIONS VOL-**
16 **UNTARY FUND FOR VICTIMS OF TORTURE.**

17 It is the sense of the Congress that the President,
18 acting through the United States Permanent Representa-
19 tive to the United Nations, should—

20 (1) request the United Nations Voluntary Fund
21 for Victims of Torture—

22 (A) to find new ways to support and pro-
23 tect treatment centers that are carrying out re-
24 habilitative services for victims of torture; and

1 (B) to encourage the development of new
2 such centers;

3 (2) use the voice and vote of the United States
4 to support the work of the Special Rapporteur on
5 Torture and the Committee Against Torture estab-
6 lished under the Convention Against Torture and
7 Other Cruel, Inhuman or Degrading Treatment or
8 Punishment; and

9 (3) use the voice and vote of the United States
10 to establish a country rapporteur or similar proce-
11 dural mechanism to investigate human rights viola-
12 tions in a country if either the Special Rapporteur
13 or the Committee Against Torture indicates that a
14 systematic practice of torture is prevalent in that
15 country.

16 **SEC. 2707. RECOMMENDATIONS OF THE PRESIDENT FOR**
17 **REFORM OF WAR POWERS RESOLUTION.**

18 It is the sense of the Congress that the President
19 should transmit to the Congress recommendations for re-
20 form of the War Powers Resolution (50 U.S.C. 1541 et
21 seq.) in order to permit the Congress and the President
22 to more effectively fulfill their constitutional responsibil-
23 ities with respect to the deployment of United States
24 Armed Forces abroad.

1 **SEC. 2708. CONFLICT IN KASHMIR.**

2 It is the sense of the Congress that the United States
3 reiterates the need for all parties to the conflict in Kash-
4 mir to enter into negotiations and resolve the conflict
5 peacefully. The Congress urges the executive branch to
6 work with all parties to facilitate a peaceful negotiated set-
7 tlement of the Kashmir conflict.

8 **SEC. 2709. UNITED STATES RELATIONS WITH THE FORMER**
9 **YUGOSLAV REPUBLIC OF MACEDONIA**
10 **(FYROM).**

11 It is the sense of the Congress that the Former Yugo-
12 slav Republic of Macedonia (FYROM) should be eligible
13 for all United States foreign assistance programs, includ-
14 ing programs of the Export-Import Bank and the Over-
15 seas Private Investment Corporation, if the government
16 continues to respect the rights of all ethnic minorities.

17 **SEC. 2710. SENSE OF THE CONGRESS RELATING TO INDO-**
18 **NESIA.**

19 It is the sense of the Congress that—

20 (1) the United States should continue to urge
21 progress in promotion and protection of internation-
22 ally recognized human rights by the Government of
23 Indonesia;

24 (2) in its bilateral relations with the Govern-
25 ment of Indonesia, the United States should place a
26 high priority on public and private efforts to urge

1 the Government of Indonesia to take specific steps
2 to remove restrictions of freedom of expression and
3 association, to allow freedom of the press, to allow
4 freedom of religion, to end arbitrary arrests and tor-
5 ture and ill-treatment, to cease official attacks on
6 nongovernmental organizations, to end the wide-
7 spread denial of worker rights, and to hold members
8 of the military accountable for human rights abuses;

9 (3) with respect to the situation in East Timor,
10 the United States should call on the Government of
11 Indonesia to make public the complete findings of
12 the investigations into the killings of unarmed civil-
13 ians in Liquica on January 12, 1995, including the
14 reports of the Army Council of Military Honor and
15 the findings of the National Human Rights Commis-
16 sion, and that those responsible for the killings be
17 identified and brought to justice;

18 (4) the United States should continue to press
19 the Government of Indonesia to fully comply with
20 the 1994 and 1995 recommendations of the United
21 Nations Human Rights Commission regarding the
22 need for a full accounting of the Dili incident of No-
23 vember 1991;

24 (5) the United States should urge the Govern-
25 ment of Indonesia to allow independent human

1 rights monitoring organizations and foreign journal-
2 ists unhindered access to East Timor;

3 (6) the United States should urge the Govern-
4 ment of Indonesia to respect free practice of reli-
5 gion, including Christianity, in Indonesia, including
6 East Timor; and

7 (7) the President should instruct the United
8 States delegates to the annual Indonesia aid consor-
9 tium donor meeting in July 1995 to again raise con-
10 cerns about human rights violations in Indonesia, in-
11 cluding restrictions of freedom of the press, attacks
12 on nongovernmental organizations, and widespread
13 violations of human rights in East Timor.

14 **SEC. 2711. DISPLACED PERSONS.**

15 It is the sense of the Congress that of the amounts
16 made available to the United Nations Development Pro-
17 gram (and United Nations Development Program-Admin-
18 istered Funds), at least \$20,000,000 for fiscal year 1996
19 and \$20,000,000 for fiscal year 1997 should be available
20 for programs and services conducted in cooperation with
21 the International Organization for Migration, the Inter-
22 national Committee for the Red Cross, and nongovern-
23 mental organizations, for persons who are displaced within
24 their countries of nationality.

1 **SEC. 2712. POLICY TOWARD IRAN.**

2 (a) IRAN'S ACTS OF INTERNATIONAL TERRORISM.—

3 The Congress makes the following findings with respect
4 to Iran's acts of international terrorism:

5 (1) As cited by the Department of State, the
6 Government of Iran was the greatest supporter of
7 state terrorism in 1992, supporting over 20 terrorist
8 acts, including the bombing of the Israeli Embassy
9 in Buenos Aires that killed 29 people.

10 (2) As cited by the Department of State, the
11 Government of Iran is a sponsor of radical religious
12 groups that have used terrorism as a tool. These in-
13 clude such groups as Hezbollah, HAMAS, the Turk-
14 ish Islamic Jihad, and the Popular Front for the
15 Liberation of Palestine-General Command (PFLP-
16 GC).

17 (3) As cited by the Department of State, the
18 Government of Iran has resorted to international
19 terrorism as a means of obtaining political gain.
20 These actions have included not only the assassina-
21 tion of former Prime Minister Bakhitiar, but the
22 death sentence imposed on Salman Rushdie, and the
23 assassination of the leader of the Kurdish Demo-
24 cratic Party of Iran.

25 (4) As cited by the Department of State and
26 the Vice President's Task Force on Combating Ter-

1 rorism, the Government of Iran has long been a pro-
2 ponent of terrorist actions against the United
3 States, beginning with the takeover of the United
4 States Embassy in Tehran in 1979. Iranian support
5 of extremist groups has led to the following attacks
6 upon the United States as well:

7 (A) The car bomb attack on the United
8 States Embassy in Beirut killing 49 in 1983 by
9 the Hezbollah.

10 (B) The car bomb attack on the United
11 States Marine Barracks in Beirut killing 241 in
12 1983 by the Hezbollah.

13 (C) The assassination of American Univer-
14 sity President in 1984 by the Hezbollah.

15 (D) The kidnapping of all American hos-
16 tages in Lebanon from 1984–86 by the
17 Hezbollah.

18 (5) The Government of Iran provides several
19 hundred million dollars annually in financial and
20 logistical support to organizations that use terrorism
21 and violence as a tool to undermine the Middle East
22 peace process.

23 (6) The Government of Iran provides financial,
24 political, and logistical support and safe haven to

1 groups that seek the violent overthrow of secular
2 governments in the Middle East and North Africa.

3 (b) IRAN'S PROGRAM TO ACQUIRE WEAPONS OF
4 MASS DESTRUCTION AND THE MEANS BY WHICH TO DE-
5 LIVER THEM.—The Congress makes the following findings
6 with respect to Iran's program to acquire weapons of mass
7 destruction and the means by which to deliver them—

8 (1) the Government of Iran has intensified its
9 efforts to develop weapons of mass destruction and
10 the means by which to deliver them;

11 (2) given Iran's petroleum reserves, the desire
12 of the Government of Iran to obtain gas centrifuge
13 equipment and light water nuclear power reactors
14 clearly demonstrates what had already been appar-
15 ent, that Iran seeks to develop its nuclear weapons
16 capability; and

17 (3) Iran has been relentless in its attempt to
18 acquire the missiles needed to deliver nuclear and
19 chemical weapons.

20 (c) IRAN'S VIOLATIONS OF HUMAN RIGHTS.—The
21 Congress makes the following findings with respect to
22 Iran's violations of human rights:

23 (1) As cited by the 1991 United Nations Spe-
24 cial Representative on Human Rights, Amnesty
25 International, and the United States Department of

1 State, the Government of Iran has conducted assas-
2 sinations outside of Iran, such as that of former
3 Prime Minister Shahpour Bakhitiar for which the
4 Government of France issued arrest warrants for
5 several Iranian governmental officials.

6 (2) As cited by the 1991 United Nations Spe-
7 cial Representative on Human Rights and by Am-
8 nesty International, the Government of Iran has
9 conducted revolutionary trials which do not meet
10 internationally recognized standards of fairness or
11 justice. These trials have included such violations as
12 a lack of procedural safeguards, trial times of 5 min-
13 utes or less, limited access to defense counsel, forced
14 confessions, and summary executions.

15 (3) As cited by the 1991 United Nations Spe-
16 cial Representative on Human Rights, the Govern-
17 ment of Iran systematically represses its Baha'i
18 population. Persecutions of this small religious com-
19 munity include assassinations, arbitrary arrests,
20 electoral prohibitions, and denial of applications for
21 documents such as passports.

22 (4) As cited by the 1991 United Nations Spe-
23 cial Representative on Human Rights, the Govern-
24 ment of Iran suppresses opposition to its govern-
25 ment. Political organizations such as the Freedom

1 Movement are banned from parliamentary elections,
2 have their telephones tapped and their mail opened,
3 and are systematically harassed and intimidated.

4 (5) As cited by the 1991 United Nations Spe-
5 cial Representative on Human Rights and Amnesty
6 International, the Government of Iran has failed to
7 recognize the importance of international human
8 rights. This includes suppression of Iranian human
9 rights movements such as the Freedom Movement,
10 lack of cooperation with international human rights
11 organizations such as the International Red Cross,
12 and an overall apathy toward human rights in gen-
13 eral. This lack of concern prompted the Special Rep-
14 resentative to state in his report that Iran had made
15 “no appreciable progress towards improved compli-
16 ance with human rights in accordance with the cur-
17 rent international instruments”.

18 (6) As cited by Amnesty International, the Gov-
19 ernment of Iran continues to torture its political
20 prisoners. Torture methods include burns, arbitrary
21 blows, severe beatings, and positions inducing pain.

22 (d) UNITED STATES POLICY AND RESPONSE.—The
23 Congress makes the following findings with respect to
24 United States policy and response to Iran:

1 (1) The actions by the Government of Iran
2 identified in subsections (a), (b), and (c) threaten
3 the national security and offend the democratic val-
4 ues of the United States and many other nations in
5 the Middle East and elsewhere.

6 (2) In response to this record of violent, desta-
7 bilizing, and antidemocratic conduct, it has been the
8 policy of the United States to seek to isolate the
9 Government of Iran diplomatically and economically,
10 thereby making the continuation of such conduct in-
11 creasingly costly.

12 (3) The policies the United States has pursued
13 in an effort to pressure the Government of Iran dip-
14 lomatically and economically have included refusing
15 to conduct normal diplomatic relations with Iran;
16 barring the importation of Iranian oil and other
17 products into the United States; prohibiting the ex-
18 port or reexport to Iran of weapons or of goods or
19 technology with potential military uses; voting
20 against all loans to Iran by international financial
21 institutions; and, most recently, imposing a total
22 economic embargo on Iran.

23 (4) To further increase the cost to the Govern-
24 ment of Iran of its objectionable conduct the United
25 States has urged other countries with economic ties

1 to Iran to take equivalent steps to isolate Iran eco-
2 nomically and diplomatically.

3 (e) CONGRESSIONAL DECLARATIONS.—The Congress
4 makes the following declarations:

5 (1) The imposition of an economic embargo on
6 Iran by President Clinton was an important and
7 necessary measure to increase economic and political
8 pressure on Iran.

9 (2) The President should, as a matter of the
10 highest priority, intensify efforts to persuade Iran's
11 leading trade partners and creditors to join with the
12 United States in ceasing all trade with Iran and
13 ending any rescheduling or other relaxation of debts
14 owed to them.

15 (3) The President should take whatever steps
16 are appropriate to dissuade those who are aiding
17 Iran's efforts to develop nuclear weapons and the
18 means by which to deliver them from continuing
19 such assistance.

20 (4) The United States should convene a special
21 summit of the world's leading heads of state to ad-
22 dress the issue of international terrorism and the
23 means for improving the efforts to combat inter-
24 national terrorism.

1 (5) The Secretary of State should promptly
2 take steps to strengthen each of the existing multi-
3 lateral nonproliferation regimes to make them more
4 effective in counteracting rogue regimes such as
5 Iran.

6 (6) The President should make the development
7 of a multilateral economic embargo on Iran a top
8 priority on the agenda at the meeting of the G—7
9 industrial partners scheduled for June 1995 in Hali-
10 fax, Nova Scotia.

11 **SEC. 2713. CONFLICT IN CHECHNYA.**

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

13 (1) Russian troops advanced into Chechnya on
14 December 10, 1994, and were met with strong re-
15 sistance from Chechen rebels who have now moved
16 to the Caucasus mountains where they are engaging
17 in what even the most optimistic Russian military
18 officers predict will be a drawn-out guerrilla war.

19 (2) The cost of the Chechen battle is estimated
20 to cost the Government of Russia at least
21 \$2,000,000,000 and could exacerbate the budget
22 deficit of the Government of Russia.

23 (3) The United States has approved over
24 \$2,400,000,000 in loan guarantees through the Ex-

1 port-Import Bank of the United States and the
2 Overseas Private Investment Corporation.

3 (4) The United States has provided Russia with
4 significant direct assistance to promote a free mar-
5 ket economy, support democracy, meet humanitarian
6 needs, and dismantle nuclear weapons.

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

9 (1) United States investment in Russia has
10 been significant in promoting democracy and sta-
11 bilizing the economy of Russia and this progress
12 could be imperiled by Russia's continued war in
13 Chechnya.

14 (2) The inability to negotiate an end to this cri-
15 sis and the resulting economic implications could ad-
16 versely affect the ability of Russia to fulfill its com-
17 mitments to the International Monetary Fund, the
18 Export-Import Bank of the United States, and the
19 Overseas Private Investment Corporation.

20 (3) In further contacts with President Yeltsin,
21 it is imperative that President Clinton repeat his call
22 for an immediate end to the war in Chechnya.

1 **SEC. 2714. UNITED STATES DELEGATION TO THE FOURTH**
2 **WORLD CONFERENCE ON WOMEN IN**
3 **BEIJING.**

4 It is the sense of the Congress that the United States
5 delegation to the Fourth World Conference on Women
6 should include at least one representative of a United
7 States-based nongovernmental organization representing
8 Tibetan women.

9 **SEC. 2715. FEMALE GENITAL MUTILATION.**

10 (a) FINDINGS.—The Congress finds that—

11 (1) female genital mutilation is a violation of
12 women's basic human rights;

13 (2) female genital mutilation constitutes a
14 major health risk to women, with lifelong physical
15 and psychological consequences; and

16 (3) female genital mutilation should not be con-
17 doned by any government.

18 (b) SENSE OF CONGRESS.—It is the sense of the
19 Congress that—

20 (1) the President should seek to end the prac-
21 tice of female genital mutilation worldwide through
22 the active cooperation and participation of govern-
23 ments in countries where female genital mutilation
24 takes place; and

25 (2) steps to end the practice of female genital
26 mutilation should include—

1 (A) encouraging nations to establish clear
2 policies against female genital mutilation and
3 enforcing existing laws which prohibit it;

4 (B) assisting nations in creating culturally
5 appropriate outreach programs that include
6 education and counseling about the dangers of
7 female genital mutilation for women and men of
8 all ages; and

9 (C) ensuring that all appropriate programs
10 in which the United States participates include
11 a component pertaining to female genital muti-
12 lation, so as to ensure consistency across the
13 spectrum of health and child related programs
14 conducted in any country in which female geni-
15 tal mutilation is known to be a problem.

16 **SEC. 2716. SENSE OF THE CONGRESS REGARDING SYRIAN**
17 **OCCUPATION OF LEBANON.**

18 It is the sense of the Congress that—

19 (1) the Government of Syria should comply
20 with the Taif Agreement and withdraw all of its
21 troops from Lebanon;

22 (2) the United States should use its contacts at
23 the highest level of the Syrian Government to en-
24 courage the Government of Syria to withdraw all of
25 its troops from Lebanon within a timeframe to be

1 negotiated between the Syrian and Lebanese Gov-
2 ernments; and

3 (3) the Secretary of State should inform the
4 Congress as to the actions the United States has
5 taken to encourage withdrawal of all Syrian troops
6 from Lebanon.

7 **DIVISION C—FOREIGN**
8 **ASSISTANCE AUTHORIZATIONS**

9 **SEC. 3001. SHORT TITLE.**

10 This division may be cited as the “Foreign Aid Re-
11 duction Act of 1995”.

12 **SEC. 3002. DECLARATION OF POLICY.**

13 The Congress declares the following:

14 (1) United States leadership overseas must be
15 maintained to support our vital national security,
16 economic, and humanitarian interests.

17 (2) As part of this leadership, United States
18 foreign assistance programs are essential to support
19 these national interests.

20 (3) However, United States foreign assistance
21 programs can be responsibly reduced while maintain-
22 ing United States leadership overseas.

1 **TITLE XXXI—DEFENSE AND**
2 **SECURITY ASSISTANCE**
3 **CHAPTER 1—MILITARY AND RELATED**
4 **ASSISTANCE**
5 **Subchapter A—Foreign Military Financing**
6 **Program**

7 **SEC. 3101. AUTHORIZATION OF APPROPRIATIONS.**

8 There are authorized to be appropriated for grant as-
9 sistance under section 23 of the Arms Export Control Act
10 (22 U.S.C. 2763) and for the subsidy cost, as defined in
11 section 502(5) of the Federal Credit Reform Act of 1990,
12 of direct loans under such section—

- 13 (1) \$3,284,440,000 for fiscal year 1996; and
14 (2) \$3,226,020,000 for fiscal year 1997.

15 **SEC. 3102. ADMINISTRATIVE EXPENSES.**

16 Of the amounts made available for fiscal years 1996
17 and 1997 for assistance under the “Foreign Military Fi-
18 nancing Program” account under section 23 of the Arms
19 Export Control Act (22 U.S.C. 2763), not more than
20 \$24,020,000 for each such fiscal year may be made avail-
21 able for necessary expenses for the general costs of admin-
22 istration of military assistance and sales, including ex-
23 penses incurred in purchasing passenger motor vehicles
24 for replacement for use outside the United States.

1 **SEC. 3103. ASSISTANCE FOR ISRAEL.**

2 (a) MINIMUM ALLOCATION.—Of the amounts made
3 available for fiscal years 1996 and 1997 for assistance
4 under the “Foreign Military Financing Program” account
5 under section 23 of the Arms Export Control Act (22
6 U.S.C. 2763), not less than \$1,800,000,000 for each such
7 fiscal year shall be available only for Israel.

8 (b) TERMS OF ASSISTANCE.—

9 (1) GRANT BASIS.—The assistance provided for
10 Israel for each fiscal year under subsection (a) shall
11 be provided on a grant basis.

12 (2) EXPEDITED DISBURSEMENT.—Such assist-
13 ance shall be disbursed—

14 (A) with respect to fiscal year 1996, not
15 later than 30 days after the date of the enact-
16 ment of the Foreign Operations, Export Fi-
17 nancing, and Related Programs Appropriations
18 Act, 1996, or by October 31, 1995, whichever
19 is later; and

20 (B) with respect to fiscal year 1997, not
21 later than 30 days after the date of the enact-
22 ment of the Foreign Operations, Export Fi-
23 nancing, and Related Programs Appropriations
24 Act, 1997, or by October 31, 1996, whichever
25 is later.

1 (3) ADVANCED WEAPONS SYSTEMS.—To the ex-
2 tent that the Government of Israel requests that
3 funds be used for such purposes, funds described in
4 subsection (a) shall, as agreed by the Government of
5 Israel and the Government of the United States, be
6 available for advanced weapons systems, of which
7 not less than \$475,000,000 for each fiscal year shall
8 be available only for procurement in Israel of de-
9 fense articles and defense services, including re-
10 search and development.

11 (c) FOREIGN MILITARY SALES.—Section 21(h) of the
12 Arms Export Control Act (22 U.S.C. 2761(h)) is amend-
13 ed—

14 (1) in paragraph (1)(A), by inserting “or the
15 Government of Israel” after “North Atlantic Treaty
16 Organization”; and

17 (2) in paragraph (2), by striking “or to any
18 member government of that Organization if that Or-
19 ganization or member government” and inserting “,
20 any member government of that Organization, or the
21 Government of Israel, if the Organization, member
22 government, or Government of Israel, as the case
23 may be,”.

1 **SEC. 3104. ASSISTANCE FOR EGYPT.**

2 (a) MINIMUM ALLOCATION.—Of the amounts made
3 available for fiscal years 1996 and 1997 for assistance
4 under the “Foreign Military Financing Program” account
5 under section 23 of the Arms Export Control Act (22
6 U.S.C. 2763), not less than \$1,300,000,000 for each such
7 fiscal year shall be available only for Egypt.

8 (b) TERMS OF ASSISTANCE.—The assistance pro-
9 vided for Egypt for each fiscal year under subsection (a)
10 shall be provided on a grant basis.

11 **SEC. 3105. LOANS FOR GREECE AND TURKEY.**

12 Of the amounts made available for fiscal year 1996
13 under section 23 of the Arms Export Control Act (22
14 U.S.C. 2763)—

15 (1) not more than \$26,620,000 shall be made
16 available for the subsidy cost, as defined in section
17 502(5) of the Federal Credit Reform Act of 1990,
18 of direct loans for Greece; and

19 (2) not more than \$37,800,000 shall be made
20 available for such subsidy cost of direct loans for
21 Turkey.

22 **SEC. 3106. TERMS OF LOANS.**

23 Section 31(c) of the Arms Export Control Act (22
24 U.S.C. 2771(c)) is amended to read as follows:

25 “(c) Loans available under section 23 shall be pro-
26 vided at rates of interest that are not less than the current

1 average market yield on outstanding marketable obliga-
2 tions of the United States of comparable maturities.”.

3 **SEC. 3107. NONREPAYMENT OF GRANT ASSISTANCE.**

4 Section 23 of the Arms Export Control Act (22
5 U.S.C. 2763) is amended by adding at the end the follow-
6 ing new subsection:

7 “(f) Notwithstanding any other provision of this sec-
8 tion, the President shall not require repayment of any as-
9 sistance provided on a grant basis under this section to
10 a foreign country or international organization.”.

11 **SEC. 3108. ADDITIONAL REQUIREMENTS.**

12 (a) AVAILABILITY OF FUNDS FOR PROCUREMENT OF
13 DEFENSE ARTICLES, SERVICES, AND DESIGN AND CON-
14 STRUCTION SERVICES NOT SOLD BY UNITED STATES
15 GOVERNMENT.—Section 23 of the Arms Export Control
16 Act (22 U.S.C. 2763), as amended by this Act, is further
17 amended by adding at the end the following new sub-
18 section:

19 “(g) Funds made available to carry out this section
20 for a fiscal year may be made available to a foreign coun-
21 try or international organization for the purpose of financ-
22 ing the procurement of defense articles, defense services,
23 and design and construction services that are not sold by
24 the United States Government under this Act only—

1 “(1) with respect to a country that is a member
2 country of the North Atlantic Treaty Organization,
3 a major non-NATO ally, or Jordan for which assist-
4 ance was justified under this section in the annual
5 congressional presentation documents under section
6 634 of the Foreign Assistance Act of 1961 for that
7 fiscal year; and

8 “(2) if such country or international organiza-
9 tion enters into an agreement with the United States
10 Government that specifies the terms and conditions
11 under which such procurements shall be financed
12 with such funds.”.

13 (b) AUDIT OF CERTAIN PRIVATE FIRMS.—Section 23
14 of such Act (22 U.S.C. 2763), as amended by this Act,
15 is further amended by adding at the end the following new
16 subsection:

17 “(h) For each fiscal year, the Secretary of Defense,
18 as requested by the Director of the Defense Security As-
19 sistance Agency, shall conduct audits on a
20 nonreimbursable basis of private firms that have entered
21 into contracts with foreign governments under which de-
22 fense articles, defense services, or design and construction
23 services are to be procured by such firms for such govern-
24 ments from financing under this section.”.

1 (c) PROHIBITION ON USE OF FUNDS FOR THE
2 TRANSPORT OF AIRCRAFT TO COMMERCIAL ARMS SALES
3 SHOWS.—Section 23 of such Act (22 U.S.C. 2763), as
4 amended by this Act, is further amended by adding at the
5 end the following new subsection:

6 “(i) Funds made available to carry out this section
7 may not be used to facilitate the transport of aircraft to
8 commercial arms sales shows.”.

9 (d) NOTIFICATION REQUIREMENT WITH RESPECT
10 TO CASH FLOW FINANCING.—Section 23 of such Act (22
11 U.S.C. 2763), as amended by this Act, is further amended
12 by adding at the end the following new subsection:

13 “(j)(1) For each country and international organiza-
14 tion that has been approved for cash flow financing under
15 this section, any letter of offer and acceptance or other
16 purchase agreement, or any amendment thereto, for a pro-
17 curement of defense articles, defense services, or design
18 and construction services in excess of \$100,000,000 that
19 is to be financed in whole or in part with funds made avail-
20 able under this Act or the Foreign Assistance Act of 1961
21 shall be submitted to the congressional committees speci-
22 fied in section 634A(a) of the Foreign Assistance Act of
23 1961 in accordance with the procedures applicable to
24 reprogramming notifications under that section.

1 “(2) For purposes of this subsection, the term ‘cash
2 flow financing’ has the meaning given such term in the
3 second subsection (d) of section 25.”.

4 (e) LIMITATIONS ON USE OF FUNDS FOR DIRECT
5 COMMERCIAL CONTRACTS.—Section 23 of such Act (22
6 U.S.C. 2763), as amended by this Act, is further amended
7 by adding at the end the following new subsection:

8 “(k) Of the amounts made available for a fiscal year
9 to carry out this section, not more than \$100,000,000 for
10 such fiscal year may be made available for countries other
11 than Israel and Egypt for the purpose of financing the
12 procurement of defense articles, defense services, and de-
13 sign and construction services that are not sold by the
14 United States Government under this Act.”.

15 (f) USE OF FUNDS FOR DEMINING ACTIVITIES.—
16 Section 23 of such Act (22 U.S.C. 2763), as amended by
17 this Act, is further amended by adding at the end the fol-
18 lowing new subsection:

19 “(l) Notwithstanding any other provision of law,
20 funds made available to carry out this section may be used
21 for demining activities, and may include activities imple-
22 mented through nongovernmental and international orga-
23 nizations.”.

Subchapter B—Other Assistance

SEC. 3121. DEFENSE DRAWDOWN SPECIAL AUTHORITIES.

(a) UNFORESEEN EMERGENCY DRAWDOWN.—Section 506(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2318(a)(1)) is amended by striking “\$75,000,000” and inserting “\$100,000,000”.

(b) ADDITIONAL DRAWDOWN.—Section 506 of such Act (22 U.S.C. 2318) is amended—

(1) in subsection (a)(2)(A), by striking “defense articles from the stocks” and all that follows and inserting the following: “articles and services from the inventory and resources of any agency of the United States Government and military education and training from the Department of Defense, the President may direct the drawdown of such articles, services, and military education and training—

“(i) for the purposes and under the authorities of—

“(I) chapter 8 of part I (relating to international narcotics control assistance);

“(II) chapter 9 of part I (relating to international disaster assistance); or

“(III) the Migration and Refugee Assistance Act of 1962; or

1 “(ii) for the purpose of providing such arti-
2 cles, services, and military education and train-
3 ing to Vietnam, Cambodia, and Laos as the
4 President determines are necessary—

5 “(I) to support efforts to locate and
6 repatriate members of the United States
7 Armed Forces and civilians employed di-
8 rectly or indirectly by the United States
9 Government who remain unaccounted for
10 from the Vietnam War; and

11 “(II) to ensure the safety of United
12 States Government personnel engaged in
13 such cooperative efforts and to support De-
14 partment of Defense-sponsored humani-
15 tarian projects associated with such ef-
16 forts.”;

17 (2) in subsection (a)(2)(B), by striking
18 “\$75,000,000” and all that follows and inserting
19 “\$150,000,000 in any fiscal year of such articles,
20 services, and military education and training may be
21 provided pursuant to subparagraph (A) of this para-
22 graph—

23 “(i) not more than \$75,000,000 of which
24 may be provided from the drawdown from the

1 inventory and resources of the Department of
2 Defense;

3 “(ii) not more than \$75,000,000 of which
4 may be provided pursuant to clause (i)(I) of
5 such subparagraph; and

6 “(iii) not more than \$15,000,000 of which
7 may be provided to Vietnam, Cambodia, and
8 Laos pursuant to clause (ii) of such subpara-
9 graph.”; and

10 (3) in subsection (b)(1), by adding at the end
11 the following: “In the case of drawdowns authorized
12 by subclauses (I) and (III) of subsection
13 (a)(2)(A)(i), notifications shall be provided to those
14 committees at least 15 days in advance in accord-
15 ance with the procedures applicable to
16 reprogramming notifications under section 634A.”.

17 (c) NOTICE TO CONGRESS OF EXERCISE OF SPECIAL
18 AUTHORITIES.—Section 652 of such Act (22 U.S.C.
19 2411) is amended by striking “prior to the date” and in-
20 serting “before”.

21 **SEC. 3122. STOCKPILES OF DEFENSE ARTICLES.**

22 (a) LIMITATION ON VALUE OF ADDITIONS.—Section
23 514(b)(1) of the Foreign Assistance Act of 1961 (22
24 U.S.C. 2321h(b)(1)) is amended by inserting “or in the

1 implementation of agreements with Israel” after “North
2 Atlantic Treaty Organization”.

3 (b) ADDITIONS IN FISCAL YEARS 1996 AND 1997.—
4 Section 514(b)(2) of such Act (22 U.S.C. 2321h(b)(2))
5 is amended to read as follows:

6 “(2)(A) The value of such additions to stockpiles of
7 defense articles in foreign countries shall not exceed
8 \$50,000,000 for each of the fiscal years 1996 and 1997.

9 “(B) Of the amount specified in subparagraph (A)
10 for each of the fiscal years 1996 and 1997, not more than
11 \$40,000,000 may be made available for stockpiles in the
12 Republic of Korea and not more than \$10,000,000 may
13 be made available for stockpiles in Thailand.”.

14 (c) LOCATION OF STOCKPILES OF DEFENSE ARTI-
15 CLES.—Section 514(c) of such Act (22 U.S.C. 2321h(c))
16 is amended to read as follows:

17 “(c) LOCATION OF STOCKPILES OF DEFENSE ARTI-
18 CLES.—

19 “(1) LIMITATION.—Except as provided in para-
20 graph (2), no stockpile of defense articles may be lo-
21 cated outside the boundaries of a United States mili-
22 tary base or a military base used primarily by the
23 United States.

24 “(2) EXCEPTIONS.—Paragraph (1) shall not
25 apply with respect to stockpiles of defense articles

1 located in the Republic of Korea, Thailand, any
2 country that is a member of the North Atlantic
3 Treaty Organization, any country that is a major
4 non-NATO ally, or any other country the President
5 may designate. At least 15 days before designating
6 a country pursuant to the last clause of the preced-
7 ing sentence, the President shall notify the congres-
8 sional committees specified in section 634A(a) in ac-
9 cordance with the procedures applicable to
10 reprogramming notifications under that section.”.

11 **SEC. 3123. TRANSFER OF EXCESS DEFENSE ARTICLES.**

12 (a) IN GENERAL.—Section 516 of the Foreign Assist-
13 ance Act of 1961 (22 U.S.C. 2321j) is amended to read
14 as follows:

15 **“SEC. 516. AUTHORITY TO TRANSFER EXCESS DEFENSE AR-**
16 **TICLES.**

17 “(a) AUTHORIZATION.—The President is authorized
18 to transfer excess defense articles under this section to
19 countries for which receipt of such articles was justified
20 pursuant to the annual congressional presentation docu-
21 ments for military assistance programs, or for programs
22 under chapter 8 of part I of this Act, submitted under
23 section 634 of this Act, or for which receipt of such arti-
24 cles was separately justified, for the fiscal year in which
25 the transfer is authorized.

1 “(b) LIMITATIONS ON TRANSFERS.—The President
2 may transfer excess defense articles under this section
3 only if—

4 “(1) such articles are drawn from existing
5 stocks of the Department of Defense;

6 “(2) funds available to the Department of De-
7 fense for the procurement of defense equipment are
8 not expended in connection with the transfer;

9 “(3) the transfer of such articles will not have
10 an adverse impact on the military readiness of the
11 United States;

12 “(4) with respect to a proposed transfer of such
13 articles on a grant basis, such a transfer is pref-
14 erable to a transfer on a sales basis, after taking
15 into account the potential proceeds from, and likeli-
16 hood of, such sales, and the comparative foreign pol-
17 icy benefits that may accrue to the United States as
18 the result of a transfer on either a grant or sales
19 basis;

20 “(5) the President determines that the transfer
21 of such articles will not have an adverse impact on
22 the national technology and industrial base, and par-
23 ticularly, will not reduce the opportunities of entities
24 in the national technology and industrial base to sell

1 new or used equipment to the countries to which
2 such articles are transferred; and

3 “(6) the transfer of such articles is consistent
4 with the policy framework for the Eastern Medi-
5 terranean established under section 620C of this
6 Act.

7 “(c) TERMS OF TRANSFERS.—

8 “(1) NO COST TO RECIPIENT COUNTRY.—Ex-
9 cess defense articles may be transferred under this
10 section without cost to the recipient country.

11 “(2) PRIORITY.—Notwithstanding any other
12 provision of law, the delivery of excess defense arti-
13 cles under this section to member countries of the
14 North Atlantic Treaty Organization (NATO) on the
15 southern and southeastern flank of NATO and to
16 major non-NATO allies on such southern and south-
17 eastern flank shall be given priority to the maximum
18 extent feasible over the delivery of such excess de-
19 fense articles to other countries.

20 “(d) WAIVER OF REQUIREMENT FOR REIMBURSE-
21 MENT OF DEPARTMENT OF DEFENSE EXPENSES.—Sec-
22 tion 632(d) shall not apply with respect to transfers of
23 excess defense articles (including transportation and relat-
24 ed costs) under this section.

25 “(e) TRANSPORTATION AND RELATED COSTS.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), funds available to the Department of De-
3 fense may not be expended for crating, packing,
4 handling, and transportation of excess defense arti-
5 cles transferred under the authority of this section.

6 “(2) EXCEPTION.—The President may provide
7 for the transportation of excess defense articles with-
8 out charge to a country for the costs of such trans-
9 portation if—

10 “(A) it is determined that it is in the na-
11 tional interest of the United States to do so;

12 “(B) the recipient is a developing country
13 receiving less than \$10,000,000 of assistance
14 under chapter 5 of part II of this Act (relating
15 to international military education and train-
16 ing) or section 23 of the Arms Export Control
17 Act (22 U.S.C. 2763; relating to the Foreign
18 Military Financing program) in the fiscal year
19 in which the transportation is provided;

20 “(C) the total weight of the transfer does
21 not exceed 25,000 pounds; and

22 “(D) such transportation is accomplished
23 on a space available basis.

24 “(f) ADVANCE NOTIFICATION TO CONGRESS FOR
25 TRANSFER OF CERTAIN EXCESS DEFENSE ARTICLES.—

1 “(1) IN GENERAL.—The President may not
2 transfer excess defense articles that are significant
3 military equipment (as defined in section 47(9) of
4 the Arms Export Control Act) or excess defense arti-
5 cles valued (in terms of original acquisition cost) at
6 \$7,000,000 or more, under this section or under the
7 Arms Export Control Act (22 U.S.C. 2751 et seq.)
8 until 15 days after the date on which the President
9 has provided notice of the proposed transfer to the
10 congressional committees specified in section
11 634A(a) in accordance with procedures applicable to
12 reprogramming notifications under that section.

13 “(2) CONTENTS.—Such notification shall in-
14 clude—

15 “(A) a statement outlining the purposes
16 for which the article is being provided to the
17 country, including whether such article has
18 been previously provided to such country;

19 “(B) an assessment of the impact of the
20 transfer on the military readiness of the United
21 States;

22 “(C) an assessment of the impact of the
23 transfer on the national technology and indus-
24 trial base, and particularly, the impact on op-
25 portunities of entities in the national technology

1 and industrial base to sell new or used equip-
2 ment to the countries to which such articles are
3 to be transferred; and

4 “(D) a statement describing the current
5 value of such article and the value of such arti-
6 cle at acquisition.

7 “(g) AGGREGATE ANNUAL LIMITATION.—The aggre-
8 gate value of excess defense articles transferred to coun-
9 tries under this section in any fiscal year may not exceed
10 \$350,000,000.

11 “(h) CONGRESSIONAL PRESENTATION DOCU-
12 MENTS.—Documents described in subsection (a) justifying
13 the transfer of excess defense articles shall include an ex-
14 planation of the general purposes of providing excess de-
15 fense articles as well as a table which provides an aggre-
16 gate annual total of transfers of excess defense articles
17 in the preceding year by country in terms of offers and
18 actual deliveries and in terms of acquisition cost and cur-
19 rent value. Such table shall indicate whether such excess
20 defense articles were provided on a grant or sale basis.

21 “(i) EXCESS COAST GUARD PROPERTY.—For pur-
22 poses of this section, the term ‘excess defense articles’
23 shall be deemed to include excess property of the Coast
24 Guard, and the term ‘Department of Defense’ shall be

1 deemed, with respect to such excess property, to include
2 the Coast Guard.”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) ARMS EXPORT CONTROL ACT.—Section
5 21(k) of the Arms Export Control Act (22 U.S.C.
6 2761(k)) is amended by striking “the President
7 shall” and all that follows and inserting the follow-
8 ing: “the President shall determine that the sale of
9 such articles will not have an adverse impact on the
10 national technology and industrial base, and particu-
11 larly, will not reduce the opportunities of entities in
12 the national technology and industrial base to sell
13 new or used equipment to the countries to which
14 such articles are transferred.”.

15 (2) REPEALS.—The following provisions of law
16 are hereby repealed:

17 (A) Section 502A of the Foreign Assist-
18 ance Act of 1961 (22 U.S.C. 2303).

19 (B) Sections 517 through 520 of the For-
20 eign Assistance Act of 1961 (22 U.S.C. 2321k
21 through 2321n).

22 (C) Section 31(d) of the Arms Export Con-
23 trol Act (22 U.S.C. 2771(d)).

1 **SEC. 3124. NONLETHAL EXCESS DEFENSE ARTICLES FOR**
2 **ALBANIA.**

3 Notwithstanding section 516(e) of the Foreign As-
4 sistance Act of 1961, during each of the fiscal years 1996
5 and 1997, funds available to the Department of Defense
6 may be expended for crating, packing, handling, and
7 transportation of nonlethal excess defense articles trans-
8 ferred under the authority of section 516 of such Act to
9 Albania.

10 **CHAPTER 2—INTERNATIONAL MILITARY**
11 **EDUCATION AND TRAINING**

12 **SEC. 3141. AUTHORIZATION OF APPROPRIATIONS.**

13 There are authorized to be appropriated \$39,781,000
14 for each of the fiscal years 1996 and 1997 to carry out
15 chapter 5 of part II of the Foreign Assistance Act of 1961
16 (22 U.S.C. 2347 et seq.).

17 **SEC. 3142. ASSISTANCE FOR INDONESIA.**

18 Funds made available for fiscal years 1996 and 1997
19 to carry out chapter 5 of part II of the Foreign Assistance
20 Act of 1961 (22 U.S.C. 2347 et seq.) may be obligated
21 for Indonesia only for expanded military and education
22 training that meets the requirements of clauses (i)
23 through (iv) of the second sentence of section 541 of such
24 Act (22 U.S.C. 2347).

1 **SEC. 3143. ADDITIONAL REQUIREMENTS.**

2 (a) GENERAL AUTHORITY.—Section 541 of the For-
3 eign Assistance Act of 1961 (22 U.S.C. 2347) is amended
4 in the second sentence in the matter preceding clause (i)
5 by inserting “and individuals who are not members of the
6 government” after “legislators”.

7 (b) TEST PILOT EXCHANGE TRAINING.—Section 544
8 of such Act (22 U.S.C. 2347c) is amended—

9 (1) by striking “In carrying out this chapter”
10 and inserting “(a) In carrying out this chapter”; and

11 (2) by adding at the end the following new sub-
12 section:

13 “(b) The President may provide for the attendance
14 of foreign military and civilian defense personnel at test
15 pilot flight schools in the United States without charge,
16 and without charge to funds available to carry out this
17 chapter (notwithstanding section 632(d) of this Act), if
18 such attendance is pursuant to an agreement providing
19 for the exchange of students on a one-for-one basis each
20 fiscal year between those United States test pilot flight
21 schools and comparable flight test pilot schools of foreign
22 countries.”.

23 (c) ASSISTANCE FOR CERTAIN FOREIGN COUN-
24 TRIES.—Chapter 5 of part II of such Act (22 U.S.C. 2347
25 et seq.) is amended by adding at the end the following
26 new section:

1 **“SEC. 546. ASSISTANCE FOR CERTAIN FOREIGN COUN-**
2 **TRIES.**

3 “Of the amounts made available for a fiscal year for
4 assistance under this chapter, not more than \$300,000 for
5 such fiscal year may be made available for assistance on
6 a grant basis for any high-income foreign country for mili-
7 tary education and training of military and related civilian
8 personnel of such country if such country agrees to pro-
9 vide for the transportation and living allowances of such
10 military and related civilian personnel.”.

11 **CHAPTER 3—ANTITERRORISM**
12 **ASSISTANCE**

13 **SEC. 3151. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) IN GENERAL.—There are authorized to be appro-
15 priated \$20,000,000 for fiscal year 1996 and \$25,000,000
16 for fiscal year 1997 to carry out chapter 8 of part II of
17 the Foreign Assistance Act of 1961 (22 U.S.C. 2349aa
18 et seq.).

19 (b) AVAILABILITY OF AMOUNTS.—Amounts author-
20 ized to be appropriated under subsection (a) are author-
21 ized to remain available until expended.

22 **SEC. 3152. ANTITERRORISM TRAINING ASSISTANCE.**

23 (a) IN GENERAL.—Section 571 of the Foreign Assist-
24 ance Act of 1961 (22 U.S.C. 2349aa) is amended by strik-
25 ing “Subject to the provisions of this chapter” and insert-
26 ing “Notwithstanding any other provision of law that re-

1 stricts assistance to foreign countries (other than sections
2 502B and 620A of this Act)’’.

3 (b) LIMITATIONS.—Section 573 of such Act (22
4 U.S.C. 2349aa–2) is amended—

5 (1) in the heading, by striking ‘‘SPECIFIC AU-
6 THORITIES AND’’;

7 (2) by striking subsection (a);

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

10 (4) in subsection (c) (as redesignated)—

11 (A) by striking paragraphs (1) and (2);

12 (B) by redesignating paragraphs (3)
13 through (5) as paragraphs (1) through (3), re-
14 spectively; and

15 (C) by amending paragraph (2) (as redes-
16 ignated) to read as follows:

17 ‘‘(2)(A) Except as provided in subparagraph (B),
18 funds made available to carry out this chapter shall not
19 be made available for the procurement of weapons and am-
20 munition.

21 ‘‘(B) Subparagraph (A) shall not apply to small arms
22 and ammunition in categories I and III of the United
23 States Munitions List that are integrally and directly re-
24 lated to antiterrorism training provided under this chapter
25 if, at least 15 days before obligating those funds, the

1 President notifies the appropriate congressional commit-
2 tees specified in section 634A of this Act in accordance
3 with the procedures applicable to reprogramming notifica-
4 tions under such section.

5 “(C) The value (in terms of original acquisition cost)
6 of all equipment and commodities provided under this
7 chapter in any fiscal year may not exceed 25 percent of
8 the funds made available to carry out this chapter for that
9 fiscal year.”.

10 (c) ANNUAL REPORT.—Section 574 of such Act (22
11 U.S.C. 2349aa–3) is hereby repealed.

12 (d) TECHNICAL CORRECTIONS.—Section 575 (22
13 U.S.C. 2349aa–4) and section 576 (22 U.S.C. 2349aa–
14 5) of such Act are redesignated as sections 574 and 575,
15 respectively.

16 **SEC. 3153. RESEARCH AND DEVELOPMENT EXPENSES.**

17 Funds made available for fiscal years 1996 and 1997
18 to carry out chapter 8 of part II of the Foreign Assistance
19 Act of 1961 (22 U.S.C. 2349aa et seq.; relating to
20 antiterrorism assistance) may be made available to the
21 Technical Support Working Group of the Department of
22 State for research and development expenses related to
23 contraband detection technologies or for field demonstra-
24 tions of such technologies (whether such field demonstra-

1 tions take place in the United States or outside the United
2 States).

3 **CHAPTER 4—NARCOTICS CONTROL**
4 **ASSISTANCE**

5 **SEC. 3161. AUTHORIZATION OF APPROPRIATIONS.**

6 (a) IN GENERAL.—There are authorized to be appro-
7 priated \$213,000,000 for each of the fiscal years 1996
8 and 1997 to carry out chapter 8 of part I of the Foreign
9 Assistance Act of 1961 (22 U.S.C. 2291 et seq.).

10 (b) AVAILABILITY OF AMOUNTS.—Amounts author-
11 ized to be appropriated under subsection (a) are author-
12 ized to remain available until expended.

13 **SEC. 3162. ADDITIONAL REQUIREMENTS.**

14 (a) POLICY AND GENERAL AUTHORITIES.—Section
15 481(a) of the Foreign Assistance Act (22 U.S.C. 2291(a))
16 is amended—

17 (1) in paragraph (1)—

18 (A) by redesignating subparagraphs (D)
19 through (F) as subparagraphs (E) through (G),
20 respectively; and

21 (B) by inserting after subparagraph (C)
22 the following new subparagraph:

23 “(D) International criminal activities, particu-
24 larly international narcotics trafficking, money laun-
25 dering, and corruption, endanger political and eco-

1 nomic stability and democratic development, and as-
2 sistance for the prevention and suppression of inter-
3 national criminal activities should be a priority for
4 the United States.”; and

5 (2) in paragraph (4), by adding before the pe-
6 riod at the end the following: “, or for other related
7 anticrime purposes”.

8 (b) CONTRIBUTIONS AND REIMBURSEMENT.—Sec-
9 tion 482(c) of that Act (22 U.S.C. 2291a(c)) is amend-
10 ed—

11 (1) by striking “CONTRIBUTION BY RECIPIENT
12 COUNTRY.—To” and inserting “CONTRIBUTIONS
13 AND REIMBURSEMENT.—(1) To”; and

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

16 “(2)(A) The President is authorized to accept con-
17 tributions from other foreign governments to carry out the
18 purposes of this chapter. Such contributions shall be de-
19 posited as an offsetting collection to the applicable appro-
20 priation account and may be used under the same terms
21 and conditions as funds appropriated pursuant to this
22 chapter.

23 “(B) At the time of submission of the annual congres-
24 sional presentation documents required by section 634(a),
25 the President shall provide a detailed report on any con-

1 tributions received in the preceding fiscal year, the amount
2 of such contributions, and the purposes for which such
3 contributions were used.

4 “(3) The President is authorized to provide assist-
5 ance under this chapter on a reimbursable basis. Such re-
6 imbursements shall be deposited as an offsetting collection
7 to the applicable appropriation and may be used under the
8 same terms and conditions as funds appropriated pursu-
9 ant to this chapter.”.

10 (c) IMPLEMENTATION OF LAW ENFORCEMENT AS-
11 SISTANCE.—Section 482 of such Act (22 U.S.C. 2291a)
12 is amended by adding at the end the following new sub-
13 sections:

14 “(f) TREATMENT OF FUNDS.—Funds transferred to
15 and consolidated with funds appropriated pursuant to this
16 chapter may be made available on such terms and condi-
17 tions as are applicable to funds appropriated pursuant to
18 this chapter. Funds so transferred or consolidated shall
19 be apportioned directly to the bureau within the Depart-
20 ment of State responsible for administering this chapter.

21 “(g) EXCESS PROPERTY.—For purposes of this chap-
22 ter, the Secretary of State may use the authority of section
23 608, without regard to the restrictions of such section, to
24 receive nonlethal excess property from any agency of the
25 United States Government for the purpose of providing

1 such property to a foreign government under the same
2 terms and conditions as funds authorized to be appro-
3 priated for the purposes of this chapter.”.

4 (d) REPORTING REQUIREMENTS.—(1) Section 489 of
5 such Act (22 U.S.C. 2291h) is amended—

6 (A) in the section heading, by striking “**FOR**
7 **FISCAL YEAR 1995**”;

8 (B) by striking “(a) INTERNATIONAL NARCOT-
9 ICS CONTROL STRATEGY REPORT.—”; and

10 (C) by striking subsections (b) and (c).

11 (2) Section 489A of such Act (22 U.S.C. 2291i) is
12 hereby repealed.

13 (e) CERTIFICATION REQUIREMENTS.—(1) Section
14 490 of such Act (22 U.S.C. 2291j) is amended—

15 (A) in the section heading by striking “**FOR**
16 **FISCAL YEAR 1995**”; and

17 (B) by striking subsection (i).

18 (2) Section 490A of such Act (22 U.S.C. 2291k) is
19 hereby repealed.

20 **SEC. 3163. NOTIFICATION REQUIREMENT.**

21 (a) IN GENERAL.—The authority of section 1003(d)
22 of the National Narcotics Control Leadership Act of 1988
23 (21 U.S.C. 1502(d)) may be exercised with respect to
24 funds authorized to be appropriated pursuant to the For-
25 eign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) and

1 with respect to the personnel of the Department of State
2 only to the extent that the appropriate congressional com-
3 mittees have been notified 15 days in advance in accord-
4 ance with the reprogramming procedures applicable under
5 section 634A of that Act (22 U.S.C. 2394).

6 (b) DEFINITION.—For purposes of this section, the
7 term “appropriate congressional committees” means the
8 Committee on International Relations and the Committee
9 on Appropriations of the House of Representatives and the
10 Committee on Foreign Relations and the Committee on
11 Appropriations of the Senate.

12 **SEC. 3164. WAIVER OF RESTRICTIONS FOR NARCOTICS-RE-**
13 **LATED ECONOMIC ASSISTANCE.**

14 For each of the fiscal years 1996 and 1997, narcot-
15 ics-related assistance under part I of the Foreign Assist-
16 ance Act of 1961 (22 U.S.C. 2151 et seq.) may be pro-
17 vided notwithstanding any other provision of law that re-
18 stricts assistance to foreign countries (other than section
19 490(e) or section 502B of that Act (22 U.S.C. 2291j(e)
20 and 2304)) if, at least 15 days before obligating funds
21 for such assistance, the President notifies the appropriate
22 congressional committees (as defined in section 481(e) of
23 that Act (22 U.S.C. 2291(e))) in accordance with the pro-
24 cedures applicable to reprogramming notifications under
25 section 634A of that Act (22 U.S.C. 2394).

1 **CHAPTER 5—NONPROLIFERATION AND**
2 **DISARMAMENT FUND**

3 **SEC. 3171. NONPROLIFERATION AND DISARMAMENT FUND.**

4 (a) IN GENERAL.—There are authorized to be appro-
5 priated \$25,000,000 for each of the fiscal years 1996 and
6 1997 to carry out bilateral and multilateral nonprolifera-
7 tion and disarmament activities for the independent states
8 of the former Soviet Union, countries other than the inde-
9 pendent states of the former Soviet Union, and inter-
10 national organizations under section 504 of the Freedom
11 for Russia and Emerging Eurasian Democracies and Open
12 Markets Support Act of 1992 (22 U.S.C. 5854).

13 (b) SUPERSEDES OTHER LAWS.—Funds made avail-
14 able for fiscal years 1996 and 1997 under the authority
15 of section 504 of the Freedom for Russia and Emerging
16 Eurasian Democracies and Open Markets Support Act of
17 1992 (22 U.S.C. 5854) may be used notwithstanding any
18 other provision of law.

19 (c) AVAILABILITY OF AMOUNTS.—Amounts author-
20 ized to be appropriated under subsection (a) are author-
21 ized to remain available until expended.

1 **CHAPTER 6—OTHER PROVISIONS**

2 **SEC. 3181. STANDARDIZATION OF CONGRESSIONAL REVIEW**

3 **PROCEDURES FOR ARMS TRANSFERS.**

4 (a) THIRD COUNTRY TRANSFERS UNDER FMS
5 SALES.—Section 3(d)(2) of the Arms Export Control Act
6 (22 U.S.C. 2753(d)(2)) is amended—

7 (1) in subparagraph (A), by striking “, as pro-
8 vided for in sections 36(b)(2) and 36(b)(3) of this
9 Act”;

10 (2) in subparagraph (B), by striking “law” and
11 inserting “joint resolution”; and

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

13 “(C) If the President states in his certification under
14 subparagraph (A) or (B) that an emergency exists which
15 requires that consent to the proposed transfer become ef-
16 fective immediately in the national security interests of the
17 United States, thus waiving the requirements of that sub-
18 paragraph, the President shall set forth in the certification
19 a detailed justification for his determination, including a
20 description of the emergency circumstances which neces-
21 sitate immediate consent to the transfer and a discussion
22 of the national security interests involved.

23 “(D)(i) Any joint resolution under this paragraph
24 shall be considered in the Senate in accordance with the

1 provisions of section 601(b) of the International Security
2 Assistance and Arms Export Control Act of 1976.

3 “(ii) For the purpose of expediting the consideration
4 and enactment of joint resolutions under this paragraph,
5 a motion to proceed to the consideration of any such joint
6 resolution after it has been reported by the appropriate
7 committee shall be treated as highly privileged in the
8 House of Representatives.”.

9 (b) THIRD COUNTRY TRANSFERS UNDER COMMER-
10 CIAL SALES.—Section 3(d)(3) of such Act (22 U.S.C.
11 2753(d)(3)) is amended—

12 (1) by inserting “(A)” after “(3)”;

13 (2) in the first sentence—

14 (A) by striking “at least 30 calendar
15 days”; and

16 (B) by striking “report” and inserting
17 “certification”; and

18 (3) by striking the last sentence and inserting
19 the following: “Such certification shall be submit-
20 ted—

21 “(i) at least 15 calendar days before such con-
22 sent is given in the case of a transfer to a country
23 which is a member of the North Atlantic Treaty Or-
24 ganization or Australia, Japan, or New Zealand; and

1 “(ii) at least 30 calendar days before such con-
2 sent is given in the case of a transfer to any other
3 country,
4 unless the President states in his certification that an
5 emergency exists which requires that consent to the pro-
6 posed transfer become effective immediately in the na-
7 tional security interests of the United States. If the Presi-
8 dent states in his certification that such an emergency ex-
9 ists (thus waiving the requirements of clause (i) or (ii),
10 as the case may be, and of subparagraph (B)) the Presi-
11 dent shall set forth in the certification a detailed justifica-
12 tion for his determination, including a description of the
13 emergency circumstances which necessitate that consent
14 to the proposed transfer become effective immediately and
15 a discussion of the national security interests involved.

16 “(B) Consent to a transfer subject to subparagraph
17 (A) shall become effective after the end of the 15-day or
18 30-day period specified in subparagraph (A)(i) or (ii), as
19 the case may be, only if the Congress does not enact, with-
20 in that period, a joint resolution prohibiting the proposed
21 transfer.

22 “(C)(i) Any joint resolution under this paragraph
23 shall be considered in the Senate in accordance with the
24 provisions of section 601(b) of the International Security
25 Assistance and Arms Export Control Act of 1976.

1 “(ii) For the purpose of expediting the consideration
2 and enactment of joint resolutions under this paragraph,
3 a motion to proceed to the consideration of any such joint
4 resolution after it has been reported by the appropriate
5 committee shall be treated as highly privileged in the
6 House of Representatives.”.

7 (c) COMMERCIAL SALES.—Section 36(c)(2) of such
8 Act (22 U.S.C. 2753(c)(2)) is amended by amending sub-
9 paragraphs (A) and (B) to read as follows:

10 “(A) in the case of a license for an export to
11 the North Atlantic Treaty Organization, any mem-
12 ber country of that Organization or Australia,
13 Japan, or New Zealand, shall not be issued until at
14 least 15 calendar days after the Congress receives
15 such certification, and shall not be issued then if the
16 Congress, within that 15-day period, enacts a joint
17 resolution prohibiting the proposed export; and

18 “(B) in the case of any other license, shall not
19 be issued until at least 30 calendar days after the
20 Congress receives such certification, and shall not be
21 issued then if the Congress, within that 30-day pe-
22 riod, enacts a joint resolution prohibiting the pro-
23 posed export.”.

1 (d) COMMERCIAL MANUFACTURING AGREEMENTS.—
2 Section 36(d) of such Act (22 U.S.C. 2753(d)) is amend-
3 ed—

4 (1) by inserting “(1)” after “(d)”;

5 (2) by striking “for or in a country not a mem-
6 ber of the North Atlantic Treaty Organization”; and

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

8 “(2) A certification under this subsection shall be
9 submitted—

10 “(A) at least 15 days before approval is given
11 in the case of an agreement for or in a country
12 which is a member of the North Atlantic Treaty Or-
13 ganization or Australia, Japan, or New Zealand; and

14 “(B) at least 30 days before approval is given
15 in the case of an agreement for or in any other
16 country;

17 unless the President states in his certification that an
18 emergency exists which requires the immediate approval
19 of the agreement in the national security interests of the
20 United States.

21 “(3) If the President states in his certification that
22 an emergency exists which requires the immediate ap-
23 proval of the agreement in the national security interests
24 of the United States, thus waiving the requirements of
25 paragraph (4), he shall set forth in the certification a de-

1 tailed justification for his determination, including a de-
2 scription of the emergency circumstances which neces-
3 sitate the immediate approval of the agreement and a dis-
4 cussion of the national security interests involved.

5 “(4) Approval for an agreement subject to paragraph
6 (1) may not be given under section 38 if the Congress,
7 within the 15-day or 30-day period specified in paragraph
8 (2)(A) or (B), as the case may be, enacts a joint resolution
9 prohibiting such approval.

10 “(5)(A) Any joint resolution under paragraph (4)
11 shall be considered in the Senate in accordance with the
12 provisions of section 601(b) of the International Security
13 Assistance and Arms Export Control Act of 1976.

14 “(B) For the purpose of expediting the consideration
15 and enactment of joint resolutions under paragraph (4),
16 a motion to proceed to the consideration of any such joint
17 resolution after it has been reported by the appropriate
18 committee shall be treated as highly privileged in the
19 House of Representatives.”.

20 (e) GOVERNMENT-TO-GOVERNMENT LEASES.—

21 (1) CONGRESSIONAL REVIEW PERIOD.—Section
22 62 of such Act (22 U.S.C. 2796a) is amended—

23 (A) in subsection (a), by striking “Not less
24 than 30 days before” and inserting “Before”;

25 (B) in subsection (b)—

1 (i) by striking “determines, and im-
2 mediately reports to the Congress” and in-
3 serting “states in his certification”; and

4 (ii) by adding at the end of the sub-
5 section the following: “If the President
6 states in his certification that such an
7 emergency exists, he shall set forth in the
8 certification a detailed justification for his
9 determination, including a description of
10 the emergency circumstances which neces-
11 sitate that the lease be entered into imme-
12 diately and a discussion of the national se-
13 curity interests involved.”; and

14 (C) by adding at the end of the section the
15 following:

16 “(c) The certification required by subsection (a) shall
17 be transmitted—

18 “(1) not less than 15 calendar days before the
19 agreement is entered into or renewed in the case of
20 an agreement with the North Atlantic Treaty Orga-
21 nization, any member country of that Organization
22 or Australia, Japan, or New Zealand; and

23 “(2) not less than 30 calendar days before the
24 agreement is entered into or renewed in the case of

1 an agreement with any other organization or coun-
2 try.”.

3 (2) CONGRESSIONAL DISAPPROVAL.—Section
4 63(a) of such Act (22 U.S.C. 2796b(a)) is amend-
5 ed—

6 (A) by striking “(a)(1)” and inserting
7 “(a)”;

8 (B) by striking out the “30 calendar days
9 after receiving the certification with respect to
10 that proposed agreement pursuant to section
11 62(a),” and inserting in lieu thereof “the 15-
12 day or 30-day period specified in section 62(c)
13 (1) or (2), as the case may be,”; and

14 (C) by striking paragraph (2).

15 (f) EFFECTIVE DATE.—The amendments made by
16 this section apply with respect to certifications required
17 to be submitted on or after the date of the enactment of
18 this Act.

19 **SEC. 3182. STANDARDIZATION OF THIRD COUNTRY TRANS-**
20 **FERS OF DEFENSE ARTICLES.**

21 Section 3 of the Arms Export Control Act (22 U.S.C.
22 2753) is amended by inserting after subsection (a) the fol-
23 lowing new subsection:

24 “(b) The consent of the President under paragraph
25 (2) of subsection (a) or under paragraph (1) of section

1 505(a) of the Foreign Assistance Act of 1961 (as it relates
2 to subparagraph (B) of such paragraph) shall not be re-
3 quired for the transfer by a foreign country or inter-
4 national organization of defense articles sold by the United
5 States under this Act if—

6 “(1) such articles constitute components incor-
7 porated into foreign defense articles;

8 “(2) the recipient is the government of a mem-
9 ber country of the North Atlantic Treaty Organiza-
10 tion, the Government of Australia, the Government
11 of Japan, or the Government of New Zealand;

12 “(3) the United States-origin components are
13 not—

14 “(A) significant military equipment (as de-
15 fined in section 47(9));

16 “(B) defense articles for which notification
17 to Congress is required under section 36(b);
18 and

19 “(C) identified by regulation as Missile
20 Technology Control Regime items; and

21 “(4) the foreign country or international orga-
22 nization provides notification of the transfer of the
23 defense articles to the United States Government
24 not later than 30 days after the date of such trans-
25 fer.”.

1 **SEC. 3183. INCREASED STANDARDIZATION, RATIONALIZA-**
2 **TION, AND INTEROPERABILITY OF ASSIST-**
3 **ANCE AND SALES PROGRAMS.**

4 Paragraph (6) of section 515(a) of the Foreign As-
5 sistance Act of 1961 (22 U.S.C. 2321i(a)(6)) is amended
6 by striking “among members of the North Atlantic Treaty
7 Organization and with the Armed Forces of Japan, Aus-
8 tralia, and New Zealand”.

9 **SEC. 3184. REPEAL OF PRICE AND AVAILABILITY REPORT-**
10 **ING REQUIREMENT RELATING TO PROPOSED**
11 **SALE OF DEFENSE ARTICLES AND SERVICES.**

12 (a) IN GENERAL.—Section 28 of the Arms Export
13 Control Act (22 U.S.C. 2768) is hereby repealed.

14 (b) CONFORMING AMENDMENT.—Section 36(b) of
15 such Act (22 U.S.C. 2776(b)) is amended by striking
16 paragraph (4) of such section.

17 **SEC. 3185. DEFINITION OF SIGNIFICANT MILITARY EQUIP-**
18 **MENT.**

19 Section 47 of the Arms Export Control Act (22
20 U.S.C. 2794) is amended—

21 (1) in paragraph (7), by striking “and” at the
22 end;

23 (2) in paragraph (8), by striking the period at
24 the end and inserting “; and”; and

25 (3) by adding at the end the following new
26 paragraph:

1 “(9) ‘significant military equipment’ means articles—

2 “(A) for which special export controls are war-
3 ranted because of the capacity of such articles for
4 substantial military utility or capability; and

5 “(B) identified on the United States Munitions
6 List.”.

7 **SEC. 3186. REQUIREMENTS RELATING TO THE SPECIAL DE-**
8 **FENSE ACQUISITION FUND.**

9 (a) ELIMINATION OF ANNUAL REPORT.—

10 (1) IN GENERAL.—Section 53 of the Arms Ex-
11 port Control Act (22 U.S.C. 2795b) is hereby re-
12 pealed.

13 (2) CONFORMING AMENDMENT.—Section
14 51(a)(4) of such Act (22 U.S.C. 2795(a)(4)) is
15 amended—

16 (A) by striking “(a)”; and

17 (B) by striking subparagraph (B).

18 (b) RETURN OF CERTAIN AMOUNTS IN FUND TO THE
19 TREASURY.—During fiscal year 1996 the President shall
20 return \$6,281,000 to the miscellaneous receipts account
21 of the Treasury from collections into the Special Defense
22 Acquisition Fund pursuant to section 51(b) of the Arms
23 Export Control Act in addition to the amount of such col-
24 lections to be returned for such fiscal year as indicated

1 in the President's budget of the United States Govern-
2 ment for fiscal year 1996.

3 **SEC. 3187. COST OF LEASED DEFENSE ARTICLES THAT**
4 **HAVE BEEN LOST OR DESTROYED.**

5 Section 61(a)(4) of the Arms Export Control Act (22
6 U.S.C. 2796(a)(4)) is amended by striking “and the re-
7 placement cost” and all that follows and inserting the fol-
8 lowing: “and, if the articles are lost or destroyed while
9 leased—

10 “(A) in the event the United States in-
11 tends to replace the articles lost or destroyed,
12 the replacement cost (less any depreciation in
13 the value) of the articles; or

14 “(B) in the event the United States does
15 not intend to replace the articles lost or de-
16 stroyed, an amount not less than the actual
17 value (less any depreciation in the value) speci-
18 fied in the lease agreement.”.

19 **SEC. 3188. DESIGNATION OF MAJOR NON-NATO ALLIES.**

20 (a) DESIGNATION.—

21 (1) NOTICE TO CONGRESS.—Chapter 2 of part
22 II of the Foreign Assistance Act of 1961 (22 U.S.C.
23 2311 et seq.), as amended by this Act, is further
24 amended by adding at the end the following new sec-
25 tion:

1 **“SEC. 517. DESIGNATION OF MAJOR NON-NATO ALLIES.**

2 “(a) NOTICE TO CONGRESS.—The President shall no-
3 tify the Congress in writing at least 30 days before—

4 “(1) designating a country as a major non-
5 NATO ally for purposes of this Act and the Arms
6 Export Control Act (22 U.S.C. 2751 et seq.); or

7 “(2) terminating such a designation.

8 “(b) INITIAL DESIGNATIONS.—Australia, Egypt, Is-
9 rael, Japan, the Republic of Korea, and New Zealand shall
10 be deemed to have been so designated by the President
11 as of the effective date of this section, and the President
12 is not required to notify the Congress of such designation
13 of those countries.”.

14 (2) DEFINITION.—Section 644 of such Act (22
15 U.S.C. 2403) is amended by adding at the end the
16 following:

17 “(q) ‘Major non-NATO ally’ means a country which
18 is designated in accordance with section 517 as a major
19 non-NATO ally for purposes of this Act and the Arms Ex-
20 port Control Act (22 U.S.C. 2751 et seq.).”.

21 (3) EXISTING DEFINITIONS.—(A) The last sen-
22 tence of section 21(g) of the Arms Export Control
23 Act (22 U.S.C. 2761(g)) is repealed.

24 (B) Section 65(d) of such Act is amended—

25 (i) by striking “or major non-NATO”; and

1 (ii) by striking out “or a” and all that fol-
2 lows through “Code”.

3 (b) COOPERATIVE TRAINING AGREEMENTS.—Section
4 21(g) of the Arms Export Control Act (22 U.S.C.
5 2761(g)) is amended in the first sentence by striking
6 “similar agreements” and all that follows through “other
7 countries” and inserting “similar agreements with coun-
8 tries”.

9 **SEC. 3189. CERTIFICATION THRESHOLDS.**

10 (a) INCREASE IN DOLLAR THRESHOLDS.—The Arms
11 Export Control Act (22 U.S.C. 2751 et seq.) is amended—

12 (1) in section 3(d) (22 U.S.C. 2753(d))—

13 (A) in paragraphs (1) and (3), by striking
14 “\$14,000,000” each place it appears and in-
15 serting “\$25,000,000”; and

16 (B) in paragraphs (1) and (3), by striking
17 “\$50,000,000” each place it appears and in-
18 serting “\$75,000,000”;

19 (2) in section 36 (22 U.S.C. 2776)—

20 (A) in subsections (b)(1), (b)(5)(C), and
21 (c)(1), by striking “\$14,000,000” each place it
22 appears and inserting “\$25,000,000”;

23 (B) in subsections (b)(1), (b)(5)(C), and
24 (c)(1), by striking “\$50,000,000” each place it
25 appears and inserting “\$75,000,000”; and

1 (C) in subsections (b)(1) and (b)(5)(C), by
2 striking “\$200,000,000” each place it appears
3 and inserting “\$300,000,000”; and

4 (3) in section 63(a) (22 U.S.C. 2796b(a))—

5 (A) by striking “\$14,000,000” and insert-
6 ing “\$25,000,000”; and

7 (B) by striking “\$50,000,000” and insert-
8 ing “\$75,000,000”.

9 (b) EFFECTIVE DATE.—The amendments made by
10 subsection (a) apply with respect to certifications submit-
11 ted on or after the date of the enactment of this Act.

12 **SEC. 3190. COMPETITIVE PRICING FOR SALES OF DEFENSE**
13 **ARTICLES AND SERVICES.**

14 (a) COSTING BASIS.—Section 22 of the Arms Export
15 Control Act (22 U.S.C. 2762) is amended by adding at
16 the end the following:

17 “(d) COMPETITIVE PRICING.—Procurement con-
18 tracts made in implementation of sales under this section
19 for defense articles and defense services wholly paid from
20 funds made available on a nonrepayable basis shall be
21 priced on the same costing basis with regard to profit,
22 overhead, independent research and development, bid and
23 proposal, and other costing elements, as is applicable to
24 procurements of like items purchased by the Department
25 of Defense for its own use.”.

1 (b) EFFECTIVE DATE AND IMPLEMENTING REGULA-
2 TIONS.—Section 22(d) of the Arms Export Control Act,
3 as added by subsection (a)—

4 (1) shall take effect on the 60th day following
5 the date of the enactment of this Act;

6 (2) shall be applicable only to contracts made in
7 implementation of sales made after such effective
8 date; and

9 (3) shall be implemented by revised procure-
10 ment regulations, which shall be issued prior to such
11 effective date.

12 **SEC. 3191. DEPLETED URANIUM AMMUNITION.**

13 Chapter 1 of part III of the Foreign Assistance Act
14 of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act,
15 is further amended by adding at the end the following new
16 section:

17 **“SEC. 620H. DEPLETED URANIUM AMMUNITION.**

18 “(a) PROHIBITION.—Except as provided in sub-
19 section (b), none of the funds made available to carry out
20 this Act or any other Act may be made available to facili-
21 tate in any way the sale of M-833 antitank shells or any
22 comparable antitank shells containing a depleted uranium
23 penetrating component to any country other than—

24 “(1) a country that is a member of the North
25 Atlantic Treaty Organization;

1 “(2) a country that has been designated as a
2 major non-NATO ally (as defined in section 644(q));
3 or

4 “(3) Taiwan.

5 “(b) EXCEPTION.—The prohibition contained in sub-
6 section (a) shall not apply with respect to the use of funds
7 to facilitate the sale of antitank shells to a country if the
8 President determines that to do so is in the national secu-
9 rity interest of the United States.”.

10 **SEC. 3192. END-USE MONITORING OF DEFENSE ARTICLES**
11 **AND DEFENSE SERVICES.**

12 (a) IN GENERAL.—The Arms Export Control Act (22
13 U.S.C.2751 et seq.) is amended by inserting after chapter
14 3 the following new chapter:

15 **“CHAPTER 3A—END-USE MONITORING OF**
16 **DEFENSE ARTICLES AND DEFENSE**
17 **SERVICES**

18 **“SEC. 40A. END-USE MONITORING OF DEFENSE ARTICLES**
19 **AND DEFENSE SERVICES.**

20 “(a) ESTABLISHMENT OF MONITORING PROGRAM.—

21 “(1) IN GENERAL.—In order to improve ac-
22 countability with respect to defense articles and de-
23 fense services sold, leased, or exported under this
24 Act or the Foreign Assistance Act of 1961 (22
25 U.S.C. 2151 et seq.), the Secretary of State shall es-

1 tabish a program which provides for the end-use
2 monitoring of such articles and services.

3 “(2) REQUIREMENTS OF PROGRAM.—To the ex-
4 tent practicable, such program—

5 “(A) shall provide for the end-use monitor-
6 ing of defense articles and defense services in
7 accordance with the standards that apply for
8 identifying high-risk exports for regular end-use
9 verification developed under section 38(g)(7) of
10 this Act (commonly referred to as the ‘Blue
11 Lantern’ program); and

12 “(B) shall be designed to provide reason-
13 able assurance that—

14 “(i) the recipient is complying with
15 the requirements imposed by the United
16 States Government with respect to use,
17 transfers, and security of defense articles
18 and defense services; and

19 “(ii) such articles and services are
20 being used for the purposes for which they
21 are provided.

22 “(b) CONDUCT OF PROGRAM.—In carrying out the
23 program established under subsection (a), the Secretary
24 shall ensure that the program—

1 “(1) provides for the end-use verification of de-
2 fense articles and defense services that incorporate
3 sensitive technology, defense articles and defense
4 services that are particularly vulnerable to diversion
5 or other misuse, or defense articles or defense serv-
6 ices whose diversion or other misuse could have sig-
7 nificant consequences; and

8 “(2) prevents the diversion (through reverse en-
9 gineering or other means) of technology incorporated
10 in defense articles.

11 “(c) MONITORING RESPONSIBILITIES.—

12 “(1) IN GENERAL.—Pursuant to subsection (a),
13 sections 3 and 38 of this Act, and sections 505, 622,
14 and 623 of the Foreign Assistance Act of 1961, the
15 Secretary of State, in consultation with the Sec-
16 retary of Defense and officials of appropriate other
17 Federal agencies, shall provide for the monitoring of
18 defense articles and defense services described in
19 subsection (a).

20 “(2) ADDITIONAL PERSONNEL.—Upon the re-
21 quest of the Secretary of State, the Secretary of De-
22 fense or the Secretary of the Treasury, as the case
23 may be, shall provide to the agency primarily re-
24 sponsible for the licensing of exports under this sec-
25 tion, on a nonreimbursable basis, personnel with ap-

1 appropriate expertise to assist in the end-use monitor-
2 ing and enforcement functions under this section
3 and section 38 of this Act.

4 “(d) REPORT TO CONGRESS.—Not later than 6
5 months after the date of the enactment of the Foreign
6 Aid Reduction Act of 1995, and annually thereafter as a
7 part of the annual congressional presentation documents
8 submitted under section 634 of the Foreign Assistance Act
9 of 1961, the President shall transmit to the Congress a
10 report describing the actions taken to implement this sec-
11 tion.

12 “(e) THIRD COUNTRY TRANSFERS.—For purposes of
13 this section, defense articles and defense services sold,
14 leased, or exported under this Act or the Foreign Assist-
15 ance Act of 1961 (22 U.S.C. 2151 et seq.) includes de-
16 fense articles and defense services that are transferred to
17 a third country or other third party.”.

18 (b) EFFECTIVE DATES.—Section 40A of the Arms
19 Export Control Act, as added by subsection (a), applies
20 with respect to defense articles and defense services pro-
21 vided before or after the date of the enactment of this
22 Act.

1 **SEC. 3193. BROKERING ACTIVITIES RELATING TO COMMER-**
2 **CIAL SALES OF DEFENSE ARTICLES AND**
3 **SERVICES.**

4 (a) IN GENERAL.—Section 38(b)(1)(A) of the Arms
5 Export Control Act (22 U.S.C. 2778(b)(1)(A)) is amend-
6 ed—

7 (1) in the first sentence, by striking “As pre-
8 scribed in regulations” and inserting “(i) As pre-
9 scribed in regulations”; and

10 (2) by adding at the end the following new
11 clause:

12 “(ii)(I) As prescribed in regulations issued under this
13 section, every person (other than an officer or employee
14 of the United States Government acting in official capac-
15 ity) who engages in the business of brokering activities
16 with respect to the manufacture, export, import, or trans-
17 fer of any defense article or defense service designated by
18 the President under subsection (a)(1), or in the business
19 of brokering activities with respect to the manufacture, ex-
20 port, import, or transfer of any foreign defense article or
21 defense service (as defined in subclause (IV)), shall reg-
22 ister with the United States Government agency charged
23 with the administration of this section, and shall pay a
24 registration fee which shall be prescribed by such regula-
25 tions.

1 “(II) Such brokering activities shall include the fi-
2 nancing, transportation, freight forwarding, or the taking
3 of any other action that facilitates the manufacture, ex-
4 port, or import of a defense article or defense service.

5 “(III) No person may engage in the business of
6 brokering activities without a license, issued in accordance
7 with this Act, except that no license shall be required for
8 such activities undertaken by or for an agency of the Unit-
9 ed States Government—

10 “(aa) for official use by an agency of the Unit-
11 ed States Government; or

12 “(bb) for carrying out any foreign assistance or
13 sales program authorized by law and subject to the
14 control of the President by other means.

15 “(IV) For purposes of this clause, the term ‘foreign
16 defense article or defense service’ includes any non-United
17 States defense article or defense service of a nature de-
18 scribed on the United States Munitions List regardless of
19 whether such article or service is of United States origin
20 or whether such article or service contains United States
21 origin components.”.

22 (b) EFFECTIVE DATE.—Section 38(b)(1)(A)(ii) of
23 the Arms Export Control Act, as added by subsection (a),
24 shall apply with respect to brokering activities engaged in
25 on or after the date of the enactment of this Act.

1 **SEC. 3194. RETURN AND EXCHANGES OF DEFENSE ARTI-**
2 **CLES PREVIOUSLY TRANSFERRED PURSUANT**
3 **TO THE ARMS EXPORT CONTROL ACT.**

4 (a) REPAIR OF DEFENSE ARTICLES.—Section 21 of
5 the Arms Export Control Act (22 U.S.C. 2761) is amend-
6 ed by adding at the end the following new subsection:

7 “(l) AUTHORITY.—

8 “(1) IN GENERAL.—The President may acquire
9 a repairable defense article from a foreign country
10 or international organization, if such defense arti-
11 cle—

12 “(A) previously was transferred to such
13 country or organization under this Act;

14 “(B) is not an end item; and

15 “(C) will be exchanged for a defense article
16 of the same type that is in the stocks of the De-
17 partment of Defense.

18 “(2) LIMITATION.—The President may exercise
19 the authority provided in paragraph (1) only to the
20 extent that the Department of Defense—

21 “(A)(i) has a requirement for the defense
22 article being returned; and

23 “(ii) has available sufficient funds author-
24 ized and appropriated for such purpose; or

25 “(B)(i) is accepting the return of the de-
26 fense article for subsequent transfer to another

1 foreign government or international organiza-
2 tion pursuant to a letter of offer and acceptance
3 implemented in accordance with this Act; and

4 “(ii) has available sufficient funds provided
5 by or on behalf of such other foreign govern-
6 ment or international organization pursuant to
7 a letter of offer and acceptance implemented in
8 accordance with this Act.

9 “(3) REQUIREMENT.—(A) The foreign govern-
10 ment or international organization receiving a new
11 or repaired defense article in exchange for a repair-
12 able defense article pursuant to paragraph (1) shall,
13 upon the acceptance by the United States Govern-
14 ment of the repairable defense article being re-
15 turned, be charged the total cost associated with the
16 repair and replacement transaction.

17 “(B) The total cost charged pursuant to sub-
18 paragraph (A) shall be the same as that charged the
19 United States Armed Forces for a similar repair and
20 replacement transaction, plus an administrative sur-
21 charge in accordance with subsection (e)(1)(A) of
22 this section.

23 “(4) RELATIONSHIP TO CERTAIN OTHER PROVI-
24 SIONS OF LAW.—The authority of the President to
25 accept the return of a repairable defense article as

1 provided in subsection (a) shall not be subject to
2 chapter 137 of title 10, United States Code, or any
3 other provision of law relating to the conclusion of
4 contracts.”.

5 (b) RETURN OF DEFENSE ARTICLES.—Section 21 of
6 such Act (22 U.S.C. 2761), as amended by this Act, is
7 further amended by adding at the end the following new
8 subsection:

9 “(m) AUTHORITY.—

10 “(1) IN GENERAL.—The President may accept
11 the return of a defense article from a foreign coun-
12 try or international organization, if such defense ar-
13 ticle—

14 “(A) previously was transferred to such
15 country or organization under this Act;

16 “(B) is not significant military equipment
17 (as defined in section 47(9) of this Act); and

18 “(C) is in fully functioning condition with-
19 out need of repair or rehabilitation.

20 “(2) LIMITATION.—The President may exercise
21 the authority provided in paragraph (1) only to the
22 extent that the Department of Defense—

23 “(A)(i) has a requirement for the defense
24 article being returned; and

1 “(ii) has available sufficient funds author-
2 ized and appropriated for such purpose; or

3 “(B)(i) is accepting the return of the de-
4 fense article for subsequent transfer to another
5 foreign government or international organiza-
6 tion pursuant to a letter of offer and acceptance
7 implemented in accordance with this Act; and

8 “(ii) has available sufficient funds provided
9 by or on behalf of such other foreign govern-
10 ment or international organization pursuant to
11 a letter of offer and acceptance implemented in
12 accordance with this Act.

13 “(3) CONDITION.—Upon acquisition and ac-
14 ceptance by the United States Government of a de-
15 fense article under paragraph (1), the appropriate
16 Foreign Military Sales account of the provider shall
17 be credited to reflect the transaction.

18 “(4) RELATIONSHIP TO CERTAIN OTHER PROVI-
19 SIONS OF LAW.—The authority of the President to
20 accept the return of a defense article as provided in
21 paragraph (1) shall not be subject to chapter 137 of
22 title 10, United States Code, or any other provision
23 of law relating to the conclusion of contracts.”.

24 (c) REGULATIONS.—Under the direction of the Presi-
25 dent, the Secretary of Defense shall promulgate regula-

1 tions to implement subsections (l) and (m) of section 21
2 of the Arms Export Control Act, as added by this section.

3 **SEC. 3195. ANNUAL MILITARY ASSISTANCE REPORT.**

4 The Foreign Assistance Act of 1961 is amended by
5 inserting after section 654 (22 U.S.C. 2414) the following
6 new section:

7 **“SEC. 657. ANNUAL REPORT ON MILITARY ASSISTANCE AND**
8 **MILITARY EXPORTS.**

9 “Not later than February 1 of each year, the Presi-
10 dent shall transmit to the Congress an annual report for
11 the fiscal year ending the previous September 30, showing
12 the aggregate dollar value and quantity of defense articles
13 (including excess defense articles) and defense services,
14 and of military education and training, furnished by the
15 United States to each foreign country and international
16 organization, by category, specifying whether they were
17 furnished by grant under chapter 2 or chapter 5 of part
18 II of this Act, by sale under chapter 2 of the Arms Export
19 Control Act, by commercial sale licensed under section 38
20 of that Act, or by any other authority.”.

1 **TITLE XXXII—ECONOMIC**
2 **ASSISTANCE**
3 **CHAPTER 1—ECONOMIC SUPPORT**
4 **ASSISTANCE**

5 **SEC. 3201. ECONOMIC SUPPORT FUND.**

6 Section 532(a) of the Foreign Assistance Act of 1961
7 (22 U.S.C. 2346a(a)) is amended to read as follows:

8 “(a) There are authorized to be appropriated to the
9 President to carry out the purposes of this chapter
10 \$2,356,378,000 for fiscal year 1996 and \$2,248,478,000
11 for fiscal year 1997.”.

12 **SEC. 3202. ASSISTANCE FOR ISRAEL.**

13 (a) MINIMUM ALLOCATION.—Of the amounts made
14 available for fiscal years 1996 and 1997 for assistance
15 under chapter 4 of part II of the Foreign Assistance Act
16 of 1961 (22 U.S.C. 2346 et seq.; relating to the economic
17 support fund), not less than \$1,200,000,000 for each such
18 fiscal year shall be available only for Israel.

19 (b) TERMS OF ASSISTANCE.—

20 (1) CASH TRANSFER.—The total amount of
21 funds allocated for Israel for each fiscal year under
22 subsection (a) shall be made available on a grant
23 basis as a cash transfer.

24 (2) EXPEDITED DISBURSEMENT.—Such funds
25 shall be disbursed—

1 (A) with respect to fiscal year 1996, not
2 later than 30 days after the date of the enact-
3 ment of the Foreign Operations, Export Fi-
4 nancing, and Related Programs Appropriations
5 Act, 1996, or by October 31, 1995, whichever
6 is later; and

7 (B) with respect to fiscal year 1997, not
8 later than 30 days after the date of the enact-
9 ment of the Foreign Operations, Export Fi-
10 nancing, and Related Programs Appropriations
11 Act, 1997, or by October 31, 1996, whichever
12 is later.

13 (3) ADDITIONAL REQUIREMENT.—In exercising
14 the authority of this subsection, the President shall
15 ensure that the amount of funds provided as a cash
16 transfer to Israel does not cause an adverse impact
17 on the total level of nonmilitary exports from the
18 United States to Israel.

19 **SEC. 3203. ASSISTANCE FOR EGYPT.**

20 (a) MINIMUM ALLOCATION.—Of the amounts made
21 available for fiscal years 1996 and 1997 for assistance
22 under chapter 4 of part II of the Foreign Assistance Act
23 of 1961 (22 U.S.C. 2346 et seq.; relating to the economic
24 support fund), not less than \$815,000,000 for each such
25 fiscal year shall be available only for Egypt.

1 (b) ADDITIONAL REQUIREMENT.—In exercising the
2 authority of this section, the President shall ensure that
3 the amount of funds provided as a cash transfer to Egypt
4 does not cause an adverse impact on the total level of non-
5 military exports from the United States to Egypt.

6 **SEC. 3204. INTERNATIONAL FUND FOR IRELAND.**

7 (a) FUNDING.—

8 (1) IN GENERAL.—Of the amounts made avail-
9 able for fiscal years 1996 and 1997 for assistance
10 under chapter 4 of part II of the Foreign Assistance
11 Act of 1961 (22 U.S.C. 2346 et seq.; relating to the
12 economic support fund), not more than \$29,600,000
13 for fiscal year 1996 and not more than \$19,600,000
14 for fiscal year 1997 shall be available for the United
15 States contribution to the International Fund for
16 Ireland in accordance with the Anglo-Irish Agree-
17 ment Support Act of 1986 (Public Law 99–415).

18 (2) AVAILABILITY.—Amounts made available
19 under paragraph (1) are authorized to remain avail-
20 able until expended.

21 (b) ADDITIONAL REQUIREMENTS.—

22 (1) PURPOSES.—Section 2(b) of the Anglo-Irish
23 Agreement Support Act of 1986 (Public Law 99–
24 415; 100 Stat. 947) is amended by adding at the
25 end the following new sentences: “United States con-

1 tributions shall be used in a manner that effectively
2 increases employment opportunities in communities
3 with rates of unemployment significantly higher than
4 the local or urban average of unemployment in
5 Northern Ireland. In addition, such contributions
6 shall be used to benefit individuals residing in such
7 communities.”.

8 (2) CONDITIONS AND UNDERSTANDINGS.—Sec-
9 tion 5(a) of such Act is amended—

10 (A) in the first sentence—

11 (i) by striking “The United States”
12 and inserting the following:

13 “(1) IN GENERAL.—The United States”;

14 (ii) by striking “in this Act may be
15 used” and inserting the following: “in this
16 Act—

17 “(A) may be used”;

18 (iii) by striking the period and insert-
19 ing “; and”; and

20 (iv) by adding at the end the follow-
21 ing:

22 “(B) may be provided to an individual or
23 entity in Northern Ireland only if such individ-
24 ual or entity is in compliance with the prin-
25 ciples of economic justice.”; and

1 (B) in the second sentence, by striking
2 “The restrictions” and inserting the following:

3 “(2) ADDITIONAL REQUIREMENTS.—The re-
4 strictions”.

5 (3) PRIOR CERTIFICATIONS.—Section 5(c)(2) of
6 such Act is amended—

7 (A) in subparagraph (A), by striking
8 “principle of equality” and all that follows and
9 inserting “principles of economic justice; and”;
10 and

11 (B) in subparagraph (B), by inserting be-
12 fore the period at the end the following: “and
13 will create employment opportunities in regions
14 and communities of Northern Ireland suffering
15 the highest rates of unemployment”.

16 (4) ANNUAL REPORTS.—Section 6 of such Act
17 is amended—

18 (A) in paragraph (2), by striking “and” at
19 the end;

20 (B) in paragraph (3), by striking the pe-
21 riod and inserting “; and”; and

22 (C) by adding at the end the following new
23 paragraph:

24 “(4) each individual or entity receiving assist-
25 ance from United States contributions to the Inter-

1 national Fund has agreed in writing to comply with
2 the principles of economic justice.”.

3 (5) DEFINITIONS.—Section 8 of such Act is
4 amended—

5 (A) in paragraph (1), by striking “and” at
6 the end;

7 (B) in paragraph (2), by striking the pe-
8 riod at the end and inserting a semicolon; and

9 (C) by adding at the end the following new
10 paragraphs:

11 “(3) the term ‘Northern Ireland’ includes the
12 counties of Antrim, Armagh, Derry, Down, Tyrone,
13 and Fermanagh; and

14 “(4) the term ‘principles of economic justice’
15 means the following principles:

16 “(A) Increasing the representation of indi-
17 viduals from underrepresented religious groups
18 in the workforce, including managerial, super-
19 visory, administrative, clerical, and technical
20 jobs.

21 “(B) Providing adequate security for the
22 protection of minority employees at the work-
23 place.

24 “(C) Banning provocative sectarian or po-
25 litical emblems from the workplace.

1 “(D) Providing that all job openings be ad-
2 vertised publicly and providing that special re-
3 cruitment efforts be made to attract applicants
4 from underrepresented religious groups.

5 “(E) Providing that layoff, recall, and ter-
6 mination procedures do not favor a particular
7 religious group.

8 “(F) Abolishing job reservations, appren-
9 ticeship restrictions, and differential employ-
10 ment criteria which discriminate on the basis of
11 religion.

12 “(G) Providing for the development of
13 training programs that will prepare substantial
14 numbers of minority employees for skilled jobs,
15 including the expansion of existing programs
16 and the creation of new programs to train, up-
17 grade, and improve the skills of minority em-
18 ployees.

19 “(H) Establishing procedures to assess,
20 identify, and actively recruit minority employees
21 with the potential for further advancement.

22 “(I) Providing for the appointment of a
23 senior management staff member to be respon-
24 sible for the employment efforts of the entity
25 and, within a reasonable period of time, the im-

1 plementation of the principles described in sub-
2 paragraphs (A) through (H).”.

3 (6) EFFECTIVE DATE.—The amendments made
4 by this subsection shall take effect 180 days after
5 the date of the enactment of this Act.

6 **SEC. 3205. LAW ENFORCEMENT ASSISTANCE.**

7 (a) IN GENERAL.—Of the amounts made available
8 for fiscal years 1996 and 1997 for assistance under chap-
9 ter 4 of part II of the Foreign Assistance Act of 1961
10 (22 U.S.C. 2346 et seq.; relating to the economic support
11 fund), not more than \$12,000,000 for each such fiscal
12 year shall be available for law enforcement assistance
13 under chapter 8 of part I of such Act (22 U.S.C. 2291
14 et seq.).

15 (b) AVAILABILITY.—Amounts made available under
16 subsection (a) are authorized to remain available until
17 expended.

18 **CHAPTER 2—ASSISTANCE FOR PRIVATE**
19 **SECTOR PROGRAMS AND ACTIVITIES**

20 **SEC. 3211. PRIVATE SECTOR ENTERPRISE FUNDS.**

21 The Foreign Assistance Act of 1961 (22 U.S.C. 2151
22 et seq.) is amended by inserting after section 601 the fol-
23 lowing new section:

1 **“SEC. 601A. PRIVATE SECTOR ENTERPRISE FUNDS.**

2 “(a) AUTHORITY.—(1) The President may provide
3 funds and support to Enterprise Funds designated in ac-
4 cordance with subsection (b) that are or have been estab-
5 lished for the purposes of promoting—

6 “(A) development of the private sectors of eligi-
7 ble countries, including small businesses, the agricul-
8 tural sector, and joint ventures with United States
9 and host country participants; and

10 “(B) policies and practices conducive to private
11 sector development in eligible countries;

12 on the same basis as funds and support may be provided
13 with respect to Enterprise Funds for Poland and Hungary
14 under the Support for East European Democracy (SEED)
15 Act of 1989 (22 U.S.C. 5401 et seq.).

16 “(2) Funds may be made available under this section
17 notwithstanding any other provision of law.

18 “(b) COUNTRIES ELIGIBLE FOR ENTERPRISE
19 FUNDS.—(1) Except as provided in paragraph (2), the
20 President is authorized to designate a private, nonprofit
21 organization as eligible to receive funds and support pur-
22 suant to this section with respect to any country eligible
23 to receive assistance under part I of this Act in the same
24 manner and with the same limitations as set forth in sec-
25 tion 201(d) of the Support for East European Democracy
26 (SEED) Act of 1989 (22 U.S.C. 5421(d)).

1 “(2) The authority of paragraph (1) shall not apply
2 to any country with respect to which the President is au-
3 thorized to designate an enterprise fund under section
4 498B(c) or section 498C of this Act or section 201 of the
5 Support for East European Democracy (SEED) Act of
6 1989 (22 U.S.C. 5421).

7 “(c) TREATMENT EQUIVALENT TO ENTERPRISE
8 FUNDS FOR POLAND AND HUNGARY.—Except as other-
9 wise specifically provided in this section, the provisions
10 contained in section 201 of the Support for East Euro-
11 pean Democracy (SEED) Act of 1989 (22 U.S.C. 5421)
12 (excluding the authorizations of appropriations provided
13 in subsection (b) of that section) shall apply to any Enter-
14 prise Fund that receives funds and support under this sec-
15 tion. The officers, members, or employees of an Enterprise
16 Fund that receive funds and support under this section
17 shall enjoy the same status under law that is applicable
18 to officers, members, or employees of the Enterprise
19 Funds for Poland and Hungary under section 201 of the
20 Support for East European Democracy (SEED) Act of
21 1989 (22 U.S.C. 5421).

22 “(d) REPORTING REQUIREMENT.—Notwithstanding
23 any other provision of this section, the requirement of sec-
24 tion 201(p) of the Support for East European Democracy
25 (SEED) Act of 1989 (22 U.S.C. 5421(p)), that an Enter-

1 prise Fund shall be required to publish an annual report
2 not later than January 31 each year, shall not apply with
3 respect to an Enterprise Fund that receives funds and
4 support under this section for the first twelve months after
5 it is designated as eligible to receive such funds and sup-
6 port.

7 “(e) FUNDING.—

8 “(1) IN GENERAL.—Amounts made available
9 for a fiscal year to carry out chapter 1 of part I of
10 this Act (relating to development assistance) and to
11 carry out chapter 4 of part II of this Act (relating
12 to the economic support fund) shall be available for
13 such fiscal year to carry out this section, in addition
14 to amounts otherwise available for such purposes.

15 “(2) AFRICAN DEVELOPMENT.—In addition to
16 amounts available under paragraph (1) for a fiscal
17 year, amounts made available for such fiscal year to
18 carry out chapter 10 of part I of this Act (relating
19 to the Development Fund for Africa) shall be avail-
20 able for such fiscal year to carry out this section
21 with respect to countries in Africa.”.

22 **SEC. 3212. CENTRAL ASIAN ENTERPRISE FUND.**

23 Notwithstanding section 201(D)(3)(A) of the Sup-
24 port for East European Democracy (SEED) Act of 1989
25 (22 U.S.C. 5421(d)(3)(A)), the Central Asian-American

1 Enterprise Fund may, in lieu of the appointment of citi-
2 zens of the host countries to its Board of Directors, estab-
3 lish an advisory council for the host region comprised of
4 citizens of each of the host countries or establish separate
5 advisory councils for each of the host countries, with which
6 such Fund shall periodically consult with respect to the
7 Fund's policies and proposed activities. Such host country
8 citizens shall satisfy the experience and expertise require-
9 ments set forth in section 201 (d)(3)(A) and (d)(3)(C) of
10 that Act.

11 **SEC. 3213. MICRO- AND SMALL ENTERPRISE DEVELOPMENT**

12 **CREDITS.**

13 (a) IN GENERAL.—Section 108 of the Foreign Assist-
14 ance Act of 1961 (22 U.S.C. 2151f) is amended to read
15 as follows:

16 **“SEC. 108. MICRO- AND SMALL ENTERPRISE DEVELOPMENT**

17 **CREDITS.**

18 “(a) FINDINGS AND POLICY.—The Congress finds
19 and declares that—

20 “(1) the development of micro- and small enter-
21 prise, including cooperatives, is a vital factor in the
22 stable growth of developing countries and in the de-
23 velopment and stability of a free, open, and equi-
24 table international economic system;

1 “(2) it is, therefore, in the best interests of the
2 United States to assist the development of the pri-
3 vate sector in developing countries and to engage the
4 United States private sector in that process;

5 “(3) the support of private enterprise can be
6 served by programs providing credit, training, and
7 technical assistance for the benefit of micro- and
8 small enterprises; and

9 “(4) programs that provide credit, training, and
10 technical assistance to private institutions can serve
11 as a valuable complement to grant assistance pro-
12 vided for the purpose of benefiting micro- and small
13 private enterprise.

14 “(b) PROGRAM.—To carry out the policy set forth in
15 subsection (a), the President is authorized to provide as-
16 sistance to increase the availability of credit to micro- and
17 small enterprises lacking full access to credit, including
18 through—

19 “(1) loans and guarantees to credit institutions
20 for the purpose of expanding the availability of cred-
21 it to micro- and small enterprises;

22 “(2) training programs for lenders in order to
23 enable them to better meet the credit needs of
24 micro- and small entrepreneurs; and

1 “(3) training programs for micro- and small en-
2 trepreneurs in order to enable them to make better
3 use of credit and to better manage their enter-
4 prises.”.

5 (b) AUTHORIZATION OF APPROPRIATIONS.—

6 (1) IN GENERAL.—(A) There is authorized to
7 be appropriated to carry out section 108 of the For-
8 eign Assistance Act of 1961, in addition to funds
9 otherwise available for such purposes, \$2,000,000
10 for each of the fiscal years 1996 and 1997. Funds
11 authorized to be appropriated under this subsection
12 shall be made available for the subsidy cost, as de-
13 fined in section 502(5) of the Federal Credit Reform
14 Act of 1990, for activities under section 108 of the
15 Foreign Assistance Act of 1961.

16 (B) In addition, there are authorized to be ap-
17 propriated \$500,000 for each of the fiscal years
18 1996 and 1997 for the cost of training programs
19 and administrative expenses to carry out such sec-
20 tion.

21 (2) AVAILABILITY OF AMOUNTS.—Amounts au-
22 thorized to be appropriated under paragraph (1) are
23 authorized to remain available until expended.

1 **SEC. 3214. MICROENTERPRISE DEVELOPMENT GRANT AS-**
2 **SISTANCE.**

3 Chapter 1 of part I of the Foreign Assistance Act
4 of 1961 (22 U.S.C. 2151 et seq.) is amended by adding
5 at the end the following new section:

6 **“SEC. 129. MICROENTERPRISE DEVELOPMENT GRANT AS-**
7 **SISTANCE.**

8 “(a) AUTHORIZATION.—(1) In carrying out this part,
9 the administrator of the agency primarily responsible for
10 administering this part is authorized to provide grant as-
11 sistance for programs of credit and other assistance for
12 microenterprises in developing countries.

13 “(2) Assistance authorized under paragraph (1) shall
14 be provided through the following organizations that have
15 a capacity to develop and implement microenterprise pro-
16 grams:

17 “(A) United States and indigenous private and
18 voluntary organizations.

19 “(B) United States and indigenous credit
20 unions and cooperative organizations.

21 “(C) Other indigenous governmental and non-
22 governmental organizations.

23 “(3) Approximately 50 percent of assistance author-
24 ized under paragraph (1) shall be used for poverty lending
25 programs which—

1 “(A) meet the needs of the very poor members
2 of society, particularly poor women; and

3 “(B) provide loans of \$300 or less in 1995
4 United States dollars to such poor members of soci-
5 ety.

6 “(4) The administrator of the agency primarily re-
7 sponsible for administering this part shall strengthen ap-
8 propriate mechanisms, including mechanisms for central
9 microenterprise programs, for the purpose of—

10 “(A) providing technical support for field mis-
11 sions;

12 “(B) strengthening the institutional develop-
13 ment of the intermediary organizations described in
14 paragraph (2); and

15 “(C) sharing information relating to the provi-
16 sion of assistance authorized under paragraph (1)
17 between such field missions and intermediary organi-
18 zations.

19 “(b) MONITORING SYSTEM.—In order to maximize
20 the sustainable development impact of the assistance au-
21 thorized under subsection (a)(1), the administrator of the
22 agency primarily responsible for administering this part
23 shall establish a monitoring system that—

1 “(1) establishes performance goals for such as-
2 sistance and expresses such goals in an objective and
3 quantifiable form, to the extent feasible;

4 “(2) establishes performance indicators to be
5 used in measuring or assessing the achievement of
6 the goals and objectives of such assistance; and

7 “(3) provides a basis for recommendations for
8 adjustments to such assistance to enhance the sus-
9 tainable development impact of such assistance, par-
10 ticularly the impact of such assistance on the very
11 poor, particularly poor women.”.

12 **CHAPTER 3—DEVELOPMENT ASSISTANCE**

13 **Subchapter A—Development Assistance**

14 **Authorities**

15 **SEC. 3221. AUTHORIZATIONS OF APPROPRIATIONS.**

16 (a) IN GENERAL.—There are authorized to be appro-
17 priated the following amounts for the following purposes
18 (in addition to amounts otherwise available for such pur-
19 poses):

20 (1) DEVELOPMENT ASSISTANCE FUND.—
21 \$858,000,000 for fiscal year 1996 and
22 \$745,000,000 for fiscal year 1997 to carry out sec-
23 tions 103 through 106 of the Foreign Assistance Act
24 of 1961 (22 U.S.C. 2151a through 2151d).

1 (2) DEVELOPMENT FUND FOR AFRICA.—
2 \$629,214,000 for fiscal year 1996 and
3 \$614,214,000 for fiscal year 1997 to carry out chap-
4 ter 10 of part I of the Foreign Assistance Act of
5 1961 (22 U.S.C. 2293 et seq.).

6 (3) ASSISTANCE FOR THE INDEPENDENT
7 STATES OF THE FORMER SOVIET UNION.—
8 \$643,000,000 for fiscal year 1996 and
9 \$625,000,000 for fiscal year 1997 to carry out pro-
10 grams under chapter 11 of part I of the Foreign As-
11 sistance Act of 1961 (22 U.S.C. 2295 et seq.) and
12 other related programs.

13 (4) ASSISTANCE FOR EAST EUROPEAN COUN-
14 TRIES.—\$325,000,000 for fiscal year 1996 and
15 \$275,000,000 for fiscal year 1997 for economic as-
16 sistance for Eastern Europe and the Baltic states
17 under the Foreign Assistance Act of 1961 (22
18 U.S.C. 2151 et seq.) and the Support for East Eu-
19 ropean Democracy (SEED) Act of 1989 (22 U.S.C.
20 5401 et seq.).

21 (5) INTER-AMERICAN FOUNDATION.—
22 \$20,000,000 for fiscal year 1996 and \$7,000,000 for
23 fiscal year 1997 to carry out section 401 of the For-
24 eign Assistance Act of 1969 (22 U.S.C. 290f).

1 (6) AFRICAN DEVELOPMENT FOUNDATION.—
2 \$10,000,000 for fiscal year 1996 and \$4,000,000 for
3 fiscal year 1997 to carry out the African Develop-
4 ment Foundation Act (22 U.S.C. 290h et seq.).

5 (b) AVAILABILITY OF AMOUNTS.—Amounts author-
6 ized to be appropriated under subsection (a) are author-
7 ized to remain available until expended.

8 **SEC. 3222. CHILD SURVIVAL ACTIVITIES, VITAMIN A DEFICI-**
9 **ENCY PROGRAM, AND RELATED ACTIVI-**
10 **TIES.**

11 (a) CHILD SURVIVAL ACTIVITIES.—

12 (1) IN GENERAL.—(A) Of the amounts made
13 available to carry out the provisions of law described
14 in paragraph (2) for fiscal years 1996 and 1997, not
15 less than \$280,000,000 for each such fiscal year
16 should be made available only for activities which
17 have a direct measurable impact on rates of child
18 morbidity and mortality, with a particular emphasis
19 on delivery of community-based primary health care
20 and health education services which benefit the poor-
21 est of the poor.

22 (B) Of the amounts made available under sub-
23 paragraph (A) for a fiscal year, not less than
24 \$30,000,000 for such fiscal year should be provided
25 to private and voluntary organizations under the

1 PVO Child Survival grants program carried out by
2 the agency primarily responsible for administering
3 part I of the Foreign Assistance Act of 1961.

4 (2) PROVISIONS OF LAW.—The provisions of
5 law described in this paragraph are the following:

6 (A) Sections 103 through 106 of the For-
7 eign Assistance Act of 1961 (22 U.S.C. 2151a
8 through 2151d; relating to the development as-
9 sistance fund).

10 (B) Chapter 10 of part I of the Foreign
11 Assistance Act of 1961 (22 U.S.C. 2293 et seq.;
12 relating to the Development Fund for Africa).

13 (C) Chapter 4 of part II of the Foreign
14 Assistance Act of 1961 (22 U.S.C. 2346 et seq.;
15 relating to the economic support fund).

16 (D) The “Multilateral Assistance Initiative
17 for the Philippines” program.

18 (3) SPECIAL RULE.—Amounts made available
19 under sections 103 through 106 of the Foreign As-
20 sistance Act of 1961 for the Vitamin A Deficiency
21 Program, part I of such Act for iodine and iron for-
22 tification programs and for iron supplementation
23 programs for pregnant women, chapter 9 of part I
24 of such Act for international disaster assistance, sec-
25 tion 104(c) of such Act for international AIDS pre-

1 vention and control, and any other provision of law
2 for migration and refugee assistance, shall not be in-
3 cluded in the aggregate amounts described in para-
4 graph (1) for purposes of the requirements con-
5 tained in such paragraph.

6 (b) VITAMIN A DEFICIENCY PROGRAM AND RELATED
7 ACTIVITIES.—Of the amounts made available to carry out
8 sections 103 through 106 of the Foreign Assistance Act
9 of 1961 (22 U.S.C. 2151a through 2151d) for fiscal years
10 1996 and 1997, not less than \$25,000,000 for each such
11 fiscal year should be made available for the Vitamin A
12 Deficiency Program and for activities relating to iodine
13 deficiency and other micronutrients.

14 (c) UNDP/WHO TROPICAL DISEASE PROGRAM.—Of
15 the amounts made available to carry out section 103
16 through 106 of the Foreign Assistance Act of 1961 (22
17 U.S.C. 2151a through 2151d) for fiscal years 1996 and
18 1997, not less than \$15,000,000 for each such fiscal year
19 should be made available for the United Nations Develop-
20 ment Program/World Health Organization Special Pro-
21 gram for Research and Training in Tropical Diseases.

22 **SEC. 3223. ASSISTANCE FOR FAMILY PLANNING.**

23 (a) RESTRICTION ON USE OF FUNDS FOR VOL-
24 UNTARY POPULATION PLANNING.—Section 104(b) of the
25 Foreign Assistance Act of 1961 (22 U.S.C. 2151b(b)) is

1 amended by inserting after the first sentence the following
2 new sentence: “Such assistance shall be available only for
3 voluntary family planning projects which offer, either di-
4 rectly or through referral to, or information about access
5 to, a broad range of family planning methods and
6 services.”.

7 (b) PROHIBITION ON USE OF FUNDS FOR VOL-
8 UNTARY POPULATION PLANNING TO ORGANIZATIONS OR
9 PROGRAMS SUPPORTING OR PARTICIPATING IN THE MAN-
10 AGEMENT OF ABORTION OR INVOLUNTARY STERILIZA-
11 TION PROGRAMS.—Section 104(b) of such Act (22 U.S.C.
12 2151b(b)), as amended by subsection (a), is further
13 amended—

14 (1) in the first sentence, by striking “In order
15 to” and inserting “(1) In order to”; and

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

18 “(2) None of the funds made available to carry out
19 this subsection may be made available to any organization
20 or program which, as determined by the President, sup-
21 ports or participates in the management of a program of
22 coercive abortion or involuntary sterilization.”.

23 (c) PROHIBITION ON DISCRIMINATION WITH RE-
24 SPECT TO GRANTS FOR NATURAL FAMILY PLANNING.—
25 Section 104(b) of such Act (22 U.S.C. 2151b(b)), as

1 amended by subsections (a) and (b), is further amended
2 by adding at the end the following new paragraph:

3 “(3) In providing grants for natural family planning
4 under this subsection, the administrator of the agency pri-
5 marily responsible for administering this part shall not
6 discriminate against applicants because of any religious or
7 conscientious commitment by such applicants to offer only
8 natural family planning services.”.

9 (d) CLARIFICATION WITH RESPECT TO PROHIBITION
10 ON USE OF FUNDS FOR ABORTIONS.—Section 104(f)(1)
11 of such Act (22 U.S.C. 2151b(f)(1)) is amended—

12 (1) by striking “None of the funds” and insert-
13 ing “(A) None of the funds”; and

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

16 “(B) For purposes of this paragraph, the term ‘moti-
17 vate’ shall not be construed to prohibit the provision, con-
18 sistent with local law, of information and counseling con-
19 cerning all pregnancy options, including abortion.”.

20 **SEC. 3224. ASSISTANCE FOR THE INDEPENDENT STATES OF**
21 **THE FORMER SOVIET UNION.**

22 (a) CONDITIONS ON ASSISTANCE.—Section 498A(b)
23 of the Foreign Assistance Act of 1961 (22 U.S.C.
24 2295a(b)) is amended—

1 (1) in paragraph (4), by striking “or” at the
2 end;

3 (2) by redesignating paragraph (5) as para-
4 graph (10); and

5 (3) by inserting after paragraph (4) the follow-
6 ing new paragraphs:

7 “(5) for the Government of Russia, unless the
8 President certifies to the Congress that such Gov-
9 ernment—

10 “(A) is pursuing, without preconditions, an
11 immediate and permanent ceasefire, and is pur-
12 suing a negotiated settlement to the conflict in
13 the Russian Federation Republic of Chechnya;

14 “(B) is taking steps to provide unhindered
15 access to the region of Chechnya and surround-
16 ing areas of the Russian Federation by elected
17 officials of the Russian Federation and by inde-
18 pendent Russian media;

19 “(C) is cooperating with the Organization
20 for Security and Cooperation in Europe and
21 other appropriate international organizations in
22 undertaking steps to investigate and prosecute
23 any and all individuals, including members of
24 the Russian armed forces and internal security
25 agencies, who may be responsible for atrocities,

1 war crimes, or crimes against humanity in the
2 region of Chechnya;

3 “(D) is cooperating with the Assistance
4 Group of the Organization on Security and Co-
5 operation in Europe established in Chechnya in
6 fulfilling that mission’s mandate;

7 “(E) is cooperating in assuring the
8 unhindered delivery of humanitarian assistance
9 to the civilian population in Chechnya;

10 “(F) has made the fullest possible account-
11 ing of all persons currently detained by Russian
12 military or security forces as a result of the
13 conflict in Chechnya and has allowed access to
14 those individuals by the International Commit-
15 tee of the Red Cross;

16 “(G) is taking steps to repatriate refugees
17 and displaced persons wishing to return to
18 Chechnya; and

19 “(H) is taking steps to hold free and fair
20 elections in Chechnya, based on the principles
21 of the Organization on Security and Coopera-
22 tion in Europe and conducted in the presence
23 of foreign and domestic observers;

24 except that this paragraph shall not apply to the
25 provision of such assistance for purposes of humani-

1 tarian, disaster, and refugee relief or assisting demo-
2 cratic political reform and rule of law activities, pro-
3 vision of technical assistance for safety upgrade of
4 civilian nuclear power plants, and assisting in the
5 creation of private sector and nongovernmental orga-
6 nizations that are independent of government owner-
7 ship and control;

8 “(6) for the government of any independent
9 state that has agreed to provide nuclear reactor
10 components to Iran, unless the President determines
11 that the sale of such components to Iran includes
12 safeguards that are consistent with the national se-
13 curity objectives of the United States and the con-
14 cerns of the United States with respect to non-
15 proliferation of nuclear weapons technology, except
16 that this paragraph shall not apply to the provision
17 of such of assistance for purposes of—

18 “(A) humanitarian, disaster, and refugee
19 relief; or

20 “(B) assisting democratic political reform,
21 rule of law activities, and the creation of private
22 sector and nongovernmental organizations that
23 are independent of government ownership and
24 control;

1 “(7) for the government of any independent
2 state that the President determines directs any ac-
3 tion in violation of the territorial integrity or na-
4 tional sovereignty of any other new independent
5 state, except that this paragraph shall not apply to
6 the provision of such assistance for purposes of—

7 “(A) humanitarian, disaster, and refugee
8 relief; or

9 “(B) assisting democratic political reform,
10 rule of law activities, and the creation of private
11 sector and nongovernmental organizations that
12 are independent of government ownership and
13 control;

14 “(8) for the purpose of enhancing the military
15 capability of any independent state, except that this
16 paragraph shall not apply to demilitarization, de-
17 fense conversion or nonproliferation programs, or
18 programs to support troop withdrawal including
19 through the support of an officer resettlement pro-
20 gram, and technical assistance for the housing sec-
21 tor;

22 “(9) for the Government of Russia if the Presi-
23 dent determines that Government—

24 “(A) is not making progress in implement-
25 ing comprehensive economic reforms based on

1 market principles, including fostering private
2 ownership, the repayment of commercial debt,
3 the respect of commercial contracts, the equi-
4 table treatment of foreign private investment;
5 or

6 “(B) applies or transfers assistance pro-
7 vided under this chapter to any entity for the
8 purpose of expropriating or seizing ownership
9 or control of assets, investments, or ventures;
10 or”.

11 (b) ASSISTANCE THROUGH THE PRIVATE SECTOR.—
12 Section 498B(a) of such Act (22 U.S.C. 2295b(a)) is
13 amended to read as follows:

14 “(a) ASSISTANCE THROUGH THE PRIVATE SEC-
15 TOR.—Assistance under this chapter shall be provided, to
16 the maximum extent feasible, through the private sector,
17 including private and voluntary organizations and other
18 nongovernmental organizations functioning in the inde-
19 pendent states of the former Soviet Union.”.

20 (c) WAIVER OF CERTAIN PROVISIONS.—Section
21 498B(j)(1) of such Act (22 U.S.C. 2295b(j)(1)) is amend-
22 ed in the matter preceding subparagraph (A)—

23 (1) by striking “for fiscal year 1993 by this
24 chapter” and inserting “to carry out this chapter”;
25 and

1 (2) by striking “appropriated for fiscal year
2 1993”.

3 **SEC. 3225. DEVELOPMENT FUND FOR LATIN AMERICA AND**
4 **THE CARIBBEAN.**

5 Part I of the Foreign Assistance Act of 1961 (22
6 U.S.C. 2151 et seq.) is amended by adding at the end
7 the following new chapter:

8 **“CHAPTER 12—DEVELOPMENT FUND FOR**
9 **LATIN AMERICA AND THE CARIBBEAN**

10 **“SEC. 499. STATEMENT OF POLICY.**

11 “The Congress declares the following:

12 “(1) The historic, economic, political, and geo-
13 graphic relationships among the countries of the
14 Western Hemisphere are unique and of continuing
15 special significance.

16 “(2) Following the historic Summit of the
17 Americas and the passage of the North American
18 Free Trade Agreement, the countries of the Western
19 Hemisphere have moved steadfastly toward economic
20 and political integration.

21 “(3) The interests of the countries of the West-
22 ern Hemisphere are more interrelated than ever, and
23 sound economic, social, and democratic progress in
24 each of the countries continues to be of importance

1 to all countries, and lack of it in any country may
2 have serious repercussions in others.

3 “(4) For the peoples of Latin America and the
4 Caribbean to progress within the framework of social
5 justice, respect for human rights, political democ-
6 racy, and market-oriented economies, there is a com-
7 pelling need for the achievement of social and eco-
8 nomic advancement and the consolidation of political
9 democracy and the rule of law adequate to meet the
10 legitimate aspirations of the individual citizens of
11 the countries of Latin America and the Caribbean
12 for a better way of life.

13 “(5) The prosperity, security, and well-being of
14 the United States is linked directly to peace, pros-
15 perity, and democracy in Latin America and the
16 Caribbean.

17 “(6) Democratic values are dominant through-
18 out Latin America and the Caribbean region and
19 nearly all governments in such region have come to
20 power through democratic elections.

21 “(7) Nonetheless, existing democratic govern-
22 ments and their supporting institutions remain frag-
23 ile and face critical challenges, including, in particu-
24 lar, the consolidation of civilian control of such gov-
25 ernments and institutions, including control of the

1 military, the consolidation or establishment of inde-
2 pendent judicial institutions and of the rule of law,
3 and where appropriate, the decentralization of gov-
4 ernment.

5 “(8) In adherence to free market principles, it
6 is essential to promote economic growth with eq-
7 uity—enlarging employment and decisionmaking op-
8 portunities and the provision of basic social services
9 for traditionally marginalized groups, such as indige-
10 nous minorities, women, and the poor—and to pro-
11 tect and promote workers rights.

12 “(9) By supporting the purposes and objectives
13 of sustainable development and applying such pur-
14 poses and objectives to Latin America and the Car-
15ibbean, the Development Fund for Latin America
16 and the Caribbean can advance the national inter-
17 ests of the United States and can directly improve
18 the lives of the poor, encourage broad-based eco-
19 nomic growth while protecting the environment,
20 build human capital and knowledge, support partici-
21 pation in democracy, and promote peace and justice
22 in Latin America and the Caribbean.

23 **“SEC. 499A. AUTHORIZATION OF ASSISTANCE.**

24 “(a) IN GENERAL.—The President is authorized to
25 provide assistance for Latin America and the Caribbean

1 to promote democracy, sustainable development, and eco-
2 nomic growth in Latin America and the Caribbean.

3 “(b) TERMS AND CONDITIONS.—Assistance under
4 this chapter shall be provided on such terms and condi-
5 tions as the President may determine.

6 **“SEC. 499B. AVAILABILITY OF AMOUNTS.**

7 “(a) IN GENERAL.—Of the amounts made available
8 to carry out the provisions of law described in subsection
9 (b) for fiscal year 1996 and for each succeeding fiscal
10 year, not less than an amount requested by the President
11 and approved by the Congress in appropriations Acts shall
12 be made available to carry out this chapter.

13 “(b) PROVISIONS OF LAW.—The provisions of law de-
14 scribed in this subsection are the following:

15 “(1) Sections 103 through 106 of this Act (re-
16 lating to the development assistance fund).

17 “(2) Chapter 8 of this part (relating to inter-
18 national narcotics control).

19 “(3) Chapter 4 of part II of this Act (relating
20 to the economic support fund).

21 “(4) Chapter 5 of part II of this Act (relating
22 to international military education and training).

23 “(5) Titles II and III of the Agricultural Trade
24 Development and Assistance Act of 1954.

1 “(6) The ‘Foreign Military Financing Program’
2 under section 23 of the Arms Export Control Act
3 (22 U.S.C. 2763).

4 “(c) AVAILABILITY.—Amounts made available under
5 this section are authorized to remain available until ex-
6 pended.”.

7 **SEC. 3226. EFFECTIVENESS OF UNITED STATES DEVELOP-**
8 **MENT ASSISTANCE.**

9 Chapter 1 of part I of the Foreign Assistance Act
10 of 1961 (22 U.S.C. 2251 et seq.), as amended by this Act,
11 is further amended by adding at the end the following new
12 section:

13 **“SEC. 130. EFFECTIVENESS OF UNITED STATES DEVELOP-**
14 **MENT ASSISTANCE.**

15 “(a) REPORTS.—Not later than December 31, 1996,
16 and December 31 of each third year thereafter, the Presi-
17 dent shall transmit to the Congress a report which ana-
18 lyzes, on a country-by-country basis, the impact and effec-
19 tiveness of the United States development assistance pro-
20 vided during the preceding three fiscal years. Each report
21 shall include the following for each recipient country:

22 “(1) An analysis of the impact of United States
23 development assistance during the preceding three
24 fiscal years on development in that country, with a
25 discussion of the United States interests that were

1 served by the assistance. Such analysis shall be done
2 on a sector-by-sector basis to the extent possible and
3 shall identify any economic policy reforms which
4 were promoted by the assistance. Such analysis
5 shall—

6 “(A) include a description, quantified to
7 the extent practicable, of the specific objectives
8 the United States sought to achieve in provid-
9 ing development assistance for that country;
10 and

11 “(B) specify the extent to which those ob-
12 jectives were not achieved, with an explanation
13 of why they were not achieved.

14 “(2) A description of the amount and nature of
15 development assistance provided by other donors
16 during the preceding three fiscal years, set forth by
17 development sector to the extent possible.

18 “(3) A discussion of the commitment of the
19 host government to addressing the country’s needs
20 in each development sector, including a description
21 of the resources devoted by that government to each
22 development sector during the preceding three fiscal
23 years.

24 “(4) A description of the trends, both favorable
25 and unfavorable, in each development sector.

1 “(5) Statistical and other information necessary
2 to evaluate the impact and effectiveness of United
3 States development assistance on development in the
4 country.

5 “(b) LISTING OF MOST AND LEAST SUCCESSFUL AS-
6 SISTANCE PROGRAMS.—Each report required by this sec-
7 tion shall identify—

8 “(1) those five countries in which United States
9 development assistance has been most successful;
10 and

11 “(2) those five countries in which United States
12 development assistance has been least successful.

13 For each country listed pursuant to paragraph (2), the
14 report shall explain why the assistance was not more suc-
15 cessful and shall specify what the United States has done
16 as a result.

17 “(c) REPORT TO BE A SEPARATE DOCUMENT.—
18 Each report required by this section shall be submitted
19 to the Congress as a separate document.

20 “(d) DEFINITION.—As used in this section, the terms
21 ‘United States development assistance’ and ‘development
22 assistance’ means assistance under this chapter.”.

1 **SEC. 3227. FUNDING FOR PRIVATE AND VOLUNTARY ORGA-**
2 **NIZATIONS AND COOPERATIVES.**

3 (a) IN GENERAL.—For each of the fiscal years 1996
4 and 1997, the President should allocate an aggregate
5 amount to private and voluntary organizations and co-
6 operatives under the Foreign Assistance Act of 1961 (22
7 U.S.C. 2151 et seq.) and the Support for East European
8 Democracy (SEED) Act of 1989 which, at a minimum,
9 is equal to the aggregate amount allocated to such organi-
10 zations and cooperatives under such Acts for fiscal year
11 1994.

12 (b) DEFINITION.—For purposes of this section, the
13 term “private and voluntary organization” means a pri-
14 vate nongovernmental organization which—

15 (1) is organized under the laws of a country;

16 (2) receives funds from private sources;

17 (3) operates on a not-for-profit basis with ap-
18 propriate tax-exempt status if the laws of the coun-
19 try grant such status to not-for-profit organizations;

20 (4) is voluntary in that it receives voluntary
21 contributions of money, time, or in-kind support
22 from the public; and

23 (5) is engaged or intends to be engaged in vol-
24 untary, charitable, development, or humanitarian as-
25 sistance activities.

1 **SEC. 3228. SENSE OF THE CONGRESS RELATING TO UNITED**
2 **STATES COOPERATIVES AND CREDIT UNIONS.**

3 It is the sense of the Congress that—

4 (1) United States cooperatives and credit
5 unions can provide an opportunity for people in de-
6 veloping countries to participate directly in demo-
7 cratic decisionmaking for their economic and social
8 benefit through ownership and control of business
9 enterprises and through the mobilization of local
10 capital and savings; and

11 (2) such organizations should be utilized in fos-
12 tering democracy, free markets, community-based
13 development, and self-help projects.

14 **Subchapter B—Operating Expenses**

15 **SEC. 3231. OPERATING EXPENSES GENERALLY.**

16 Section 667(a)(1) of the Foreign Assistance Act of
17 1961 (22 U.S.C. 2427(a)(1)) is amended to read as fol-
18 lows:

19 “(1) \$465,774,000 for fiscal year 1996 and
20 \$419,196,000 for fiscal year 1997 for necessary op-
21 erating expenses of the agency primarily responsible
22 for administering part I of this Act (other than the
23 office of the inspector general of such agency); and”.

1 **SEC. 3232. OPERATING EXPENSES OF THE OFFICE OF THE**
2 **INSPECTOR GENERAL.**

3 Section 667(a) of the Foreign Assistance Act of 1961
4 (22 U.S.C. 2427(a)), as amended by this Act, is further
5 amended—

6 (1) by redesignating paragraph (2) as para-
7 graph (3);

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

10 (3) by inserting after paragraph (1) the follow-
11 ing:

12 “(2) \$35,206,000 for fiscal year 1996 and
13 \$30,685,000 for fiscal year 1997 for necessary oper-
14 ating expenses of the office of the inspector general
15 of such agency; and”.

16 **CHAPTER 4—PUBLIC LAW 480**

17 **SEC. 3241. LEVELS OF ASSISTANCE FOR TITLE II.**

18 Section 204(a) of the Agricultural Trade Develop-
19 ment and Assistance Act of 1954 (7 U.S.C. 1724(a)) is
20 amended—

21 (1) in paragraph (1)(E), by striking “for fiscal
22 year 1995” and inserting “for each of the fiscal
23 years 1995 through 1997”; and

24 (2) in paragraph (2)(E), by striking “for fiscal
25 year 1995” and inserting “for each of the fiscal
26 years 1995 through 1997”.

1 **SEC. 3242. AUTHORIZATION OF APPROPRIATIONS FOR**
2 **TITLE III.**

3 No funds are authorized to be appropriated for either
4 of the fiscal years 1996 and 1997 for the provision of agri-
5 cultural commodities under title III of the Agricultural
6 Trade Development and Assistance Act of 1954 (7 U.S.C.
7 1727 et seq.).

8 **CHAPTER 5—HOUSING GUARANTEE**
9 **PROGRAM**

10 **SEC. 3251. AUTHORIZATION OF APPROPRIATIONS FOR AD-**
11 **MINISTRATIVE EXPENSES.**

12 (a) IN GENERAL.—(1) Subject to paragraph (2),
13 there are authorized to be appropriated \$7,000,000 for fis-
14 cal year 1996 and \$6,000,000 for fiscal year 1997 for ad-
15 ministrative expenses to carry out guaranteed loan pro-
16 grams under sections 221 and 222 of the Foreign Assist-
17 ance Act of 1961 (22 U.S.C. 2181 and 2182).

18 (2) Amounts authorized to be appropriated under
19 paragraph (1) may be made available only for—

20 (A) administrative expenses incurred with re-
21 spect to guaranties issued before the date of the en-
22 actment of this Act; or

23 (B) expenses incurred with respect to activities
24 related to the collection of amounts paid by the
25 United States in the discharge of liabilities under

1 guaranties issued under section 222 of the Foreign
2 Assistance Act of 1961 (22 U.S.C. 2182).

3 (b) AVAILABILITY.—Amounts authorized to be appro-
4 priated under subsection (a) are authorized to remain
5 available until expended.

6 **SEC. 3252. ADDITIONAL REQUIREMENTS.**

7 (a) EXPIRATION OF AUTHORITY.—Section 222(a) of
8 the Foreign Assistance Act of 1961 (22 U.S.C. 2182(a))
9 is amended by striking the third sentence and inserting
10 the following: “No guaranties may be issued under this
11 section on or after the date of the enactment of the For-
12 eign Aid Reduction Act of 1995.”.

13 (b) CANCELLATION OF CERTAIN EXISTING GUARAN-
14 TIES.—Section 222 of such Act (22 U.S.C. 2182) is
15 amended—

16 (1) by redesignating subsection (k) as sub-
17 section (d); and

18 (2) by adding at the end the following new sub-
19 section:

20 “(e) The President shall cancel all guaranties issued
21 under this section with respect to which eligible investors
22 have not (before the date of the enactment of the Foreign
23 Aid Reduction Act of 1995) applied such guaranties to
24 loans for projects under this title. The provisions of this

1 subsection shall not apply to guaranties which have been
2 issued for the benefit of the Republic of South Africa.”.

3 (c) PROHIBITION ON ASSISTANCE FOR ENTITIES IN
4 DEFAULT AND CERTAIN OTHER ENTITIES.—Section 620
5 of such Act (22 U.S.C. 2370) is amended by inserting
6 after subsection (u) the following new subsection:

7 “(v)(1) Subject to paragraph (2), no assistance shall
8 be furnished under this Act to any entity that—

9 “(A) fails to make timely payments on loans
10 with respect to which guaranties have been issued
11 under title III of chapter 2 of part I of this Act (re-
12 lating to housing and other credit guaranty pro-
13 grams); or

14 “(B) causes amounts (including amounts for
15 administrative expenses) to be paid by the United
16 States in the discharge of liabilities under guaranties
17 issued under such title, unless such entity has reim-
18 bursed the United States for such amounts.

19 “(2) The President may waive the prohibition in
20 paragraph (1) with respect to an entity if the President
21 determines that it is in the national interest of the United
22 States to furnish assistance under this Act to such en-
23 tity.”.

1 **CHAPTER 6—PEACE CORPS**

2 **SEC. 3261. PEACE CORPS.**

3 Section 3(b) of the Peace Corps Act (22 U.S.C.
4 2502(b)) is amended to read as follows:

5 “(b)(1) There are authorized to be appropriated to
6 carry out the purposes of this Act \$219,745,000 for fiscal
7 year 1996 and \$215,000,000 for fiscal year 1997.

8 “(2) Amounts authorized to be appropriated under
9 paragraph (1)—

10 “(A) with respect to fiscal year 1996 are au-
11 thorized to remain available until September 30,
12 1997; and

13 “(B) with respect to fiscal year 1997 are au-
14 thorized to remain available until September 30,
15 1998.”.

16 **SEC. 3262. ACTIVITIES OF THE PEACE CORPS IN THE**
17 **FORMER SOVIET UNION.**

18 (a) IN GENERAL.—Of the amounts made available
19 for fiscal years 1996 and 1997 to carry out chapter 11
20 of part I of the Foreign Assistance Act of 1961 (22 U.S.C.
21 2295 et seq.; relating to assistance for the independent
22 states of the former Soviet Union), not more than
23 \$11,600,000 for each such fiscal year shall be available
24 for activities of the Peace Corps in the independent states
25 of the former Soviet Union (as defined in section 3 of the

1 Freedom for Russia and Emerging Eurasian Democracies
2 and Open Markets Support Act of 1992).

3 (b) AVAILABILITY.—Amounts made available under
4 subsection (a)—

5 (1) with respect to fiscal year 1996 are author-
6 ized to remain available until September 30, 1997;
7 and

8 (2) with respect to fiscal year 1997 are author-
9 ized to remain available until September 30, 1998.

10 **SEC. 3263. PROHIBITION ON USE OF FUNDS FOR ABOR-**
11 **TIONS.**

12 Section 15 of the Peace Corps Act (22 U.S.C. 2514)
13 is amended by adding at the end the following new sub-
14 section:

15 “(e) Funds made available for the purposes of this
16 Act may not be used to pay for abortions.”.

17 **CHAPTER 7—INTERNATIONAL DISASTER**
18 **ASSISTANCE**

19 **SEC. 3271. AUTHORITY TO PROVIDE RECONSTRUCTION AS-**
20 **SISTANCE.**

21 Section 491 of the Foreign Assistance Act of 1961
22 (22 U.S.C. 2292) is amended—

23 (1) in subsection (b), by striking “and rehabili-
24 tation” and inserting “, rehabilitation, and recon-
25 struction”; and

1 (2) in subsection (c), by striking “and rehabili-
2 tation” and inserting “, rehabilitation, and recon-
3 struction”.

4 **SEC. 3272. AUTHORIZATIONS OF APPROPRIATIONS.**

5 Section 492(a) of such Act (22 U.S.C. 2292a(a)) is
6 amended to read as follows:

7 “(a) There are authorized to be appropriated to the
8 President to carry out section 491, in addition to funds
9 otherwise available for such purposes, \$200,000,000 for
10 each of the fiscal years 1996 and 1997.”.

11 **CHAPTER 8—OVERSEAS PRIVATE**
12 **INVESTMENT CORPORATION**

13 **SEC. 3275. STUDY ON OPIC PRIVATIZATION.**

14 The President or his designee shall conduct and, not
15 later than 180 days after the date of the enactment of
16 this Act, report to the Congress on the feasibility of trans-
17 ferring the activities of the Overseas Private Investment
18 Corporation to the private sector.

19 **SEC. 3276. PRIVATIZATION OF OPIC ACTIVITIES.**

20 Upon completion of the report required under section
21 3275, the President is authorized to sell the stock of the
22 Overseas Private Investment Corporation and to take
23 other necessary steps so that all the evidences of owner-
24 ship of the Corporation are transferred to the private sec-

1 tor, whether through the sale of the Corporation's con-
2 tracts, leases, or other agreements or rights, or otherwise.

3 **CHAPTER 9—OTHER PROVISIONS**

4 **SEC. 3281. EXEMPTION FROM RESTRICTIONS ON ASSIST-**
5 **ANCE THROUGH NONGOVERNMENTAL ORGA-**
6 **NIZATIONS.**

7 Section 123(e) of the Foreign Assistance Act of 1961
8 (22 U.S.C. 2151u(e)) is amended to read as follows:

9 “(e)(1) Subject to paragraph (3), restrictions con-
10 tained in this Act or any other provision of law with re-
11 spect to assistance for a country shall not be construed
12 to restrict assistance under this chapter, chapter 10, or
13 chapter 11 of this part in support of programs of non-
14 governmental organizations.

15 “(2) The President shall take into consideration, in
16 any case in which a restriction on assistance for a country
17 would be applicable but for this subsection, whether assist-
18 ance for programs of nongovernmental organizations is in
19 the national interest of the United States.

20 “(3) Whenever the authority of this subsection is
21 used to furnish assistance for a program of a nongovern-
22 mental organization, the President shall notify the con-
23 gressional committees specified in section 634A(a) of this
24 Act in accordance with procedures applicable to
25 reprogramming notifications under that section. Such no-

1 tification shall describe the program assisted, the assist-
2 ance provided, and the reasons for furnishing such assist-
3 ance.”.

4 **SEC. 3282. FUNDING REQUIREMENTS RELATING TO UNITED**
5 **STATES PRIVATE AND VOLUNTARY ORGANI-**
6 **ZATIONS.**

7 (a) IN GENERAL.—Section 123(g) of the Foreign As-
8 sistance Act of 1961 (22 U.S.C. 2151u(g)) is amended
9 to read as follows:

10 “(g) Funds made available to carry out this chapter
11 or chapter 10 of this part may not be made available to
12 any United States private and voluntary organization, ex-
13 cept any cooperative development organization, that ob-
14 tains less than 20 percent of its total annual financial sup-
15 port for its international activities from sources other than
16 the United States Government.”.

17 (b) EFFECTIVE DATE.—The amendment made by
18 subsection (a) applies with respect to funds made available
19 for programs of any United States private and voluntary
20 organization on or after the date of the enactment of this
21 Act.

22 **SEC. 3283. DOCUMENTATION REQUESTED OF PRIVATE AND**
23 **VOLUNTARY ORGANIZATIONS.**

24 Section 620 of the Foreign Assistance Act of 1961
25 (22 U.S.C. 2370), as amended by this Act, is further

1 amended by inserting after subsection (v) (as added by
2 this Act) the following new subsection:

3 “(w) None of the funds made available to carry out
4 this Act shall be available to any private and voluntary
5 organization which—

6 “(1) fails to provide upon timely request any
7 document, file, or record necessary to the auditing
8 requirements of the agency primarily responsible for
9 administering part I of this Act; or

10 “(2) is not registered with the agency primarily
11 responsible for administering part I of this Act.”.

12 **SEC. 3284. FOREIGN GOVERNMENT PARKING FINES.**

13 (a) IN GENERAL.—Chapter 1 of part III of the For-
14 eign Assistance Act of 1961 (22 U.S.C. 2351 et seq.), as
15 amended by this Act, is further amended by adding at the
16 end the following new section:

17 **“SEC. 620I. FOREIGN GOVERNMENT PARKING FINES.**

18 “(a) IN GENERAL.—An amount equivalent to 110
19 percent of the total unpaid fully adjudicated parking fines
20 and penalties owed to the District of Columbia, Virginia,
21 Maryland, and New York by the government of a foreign
22 country as of the end of a fiscal year, as certified to the
23 President by the chief executive officer of each State or
24 District, shall be withheld from obligation for such country
25 out of funds available in the next fiscal year to carry out

1 part I of this Act, until the requirement of subsection (b)
2 is satisfied.

3 “(b) REQUIREMENT.—The requirement of this sub-
4 section is satisfied when the Secretary of State determines
5 and certifies to the appropriate congressional committees
6 that such fines and penalties are fully paid to the govern-
7 ments of the District of Columbia, Virginia, Maryland,
8 and New York.

9 “(c) APPROPRIATE CONGRESSIONAL COMMITTEES
10 DEFINED.—For purposes of this section, the term ‘appro-
11 priate congressional committees’ means the Committee on
12 International Relations and the Committee on Appropria-
13 tions of the House of Representatives and the Committee
14 on Foreign Relations and the Committee on Appropria-
15 tions of the Senate.”.

16 (b) EFFECTIVE DATE.—The amendment made by
17 subsection (a) shall apply with respect to fines certified
18 as of the end of fiscal year 1995 or any fiscal year there-
19 after.

20 **SEC. 3285. HUMAN RIGHTS REPORTS.**

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

24 (1) in paragraph (2), by striking “and” at the
25 end;

1 (2) by redesignating paragraph (3) as para-
2 graph (5); and

3 (3) by inserting after paragraph (2) the follow-
4 ing new paragraphs:

5 “(3) the votes of each member of the United
6 Nations Commission on Human Rights on all coun-
7 try-specific and thematic resolutions voted on at the
8 Commission’s annual session during the period cov-
9 ered during the preceding year;

10 “(4) the extent to which each country has ex-
11 tended protection to refugees, including the provision
12 of first asylum and resettlement; and”.

13 (b) SECTION 502B REPORT.—Section 502B(b) of
14 such Act (22 U.S.C. 2304(b)) is amended by adding after
15 the second sentence the following new sentence: “Each re-
16 port under this section shall list the votes of each member
17 of the United Nations Commission on Human Rights on
18 all country-specific and thematic resolutions voted on at
19 the Commission’s annual session during the period covered
20 during the preceding year.”.

21 **SEC. 3286. DEOBLIGATION OF CERTAIN UNEXPENDED ECO-**
22 **NOMIC ASSISTANCE FUNDS.**

23 Chapter 3 of part III of the Foreign Assistance Act
24 of 1961 (22 U.S.C. 2401 et seq.) is amended by adding
25 at the end the following:

1 **“SEC. 668. DEOBLIGATION OF CERTAIN UNEXPENDED ECO-**
2 **NOMIC ASSISTANCE FUNDS.**

3 “(a) REQUIREMENT TO DEOBLIGATE.—

4 “(1) IN GENERAL.—Except as provided in sub-
5 section (b) of this section and in paragraphs (1) and
6 (3) of section 617(a) of this Act, at the beginning
7 of each fiscal year the President shall deobligate and
8 return to the Treasury, any funds described in para-
9 graph (2) that, as of the end of the preceding fiscal
10 year, have been obligated for a project or activity for
11 a period of more than 3 years but have not been ex-
12 pended.

13 “(2) FUNDS.—Paragraph (1) applies to funds
14 made available for—

15 “(A) assistance under chapter 1 of part I
16 of this Act (relating to development assistance),
17 chapter 10 of part I of this Act (relating to the
18 Development Fund for Africa), or chapter 4 of
19 part II of this Act (relating to the economic
20 support fund);

21 “(B) assistance under the ‘Multilateral As-
22 sistance Initiative for the Philippines’;

23 “(C) assistance under the Support for
24 East European Democracy (SEED) Act of
25 1989; and

1 “(D) economic assistance for the independ-
2 ent states of the former Soviet Union under
3 this Act or under any other Act authorizing
4 economic assistance for such independent
5 states.

6 “(b) EXCEPTIONS.—The President, on a case-by-case
7 basis, may waive the requirement of subsection (a)(1) if
8 the President determines, and reports to the appropriate
9 congressional committees, that—

10 “(1) the funds are being used for a construction
11 project that requires more than 3 years to complete;
12 or

13 “(2) the funds have not been expended because
14 of unforeseen circumstances, and those cir-
15 cumstances could not have been reasonably foreseen.

16 “(c) COMMENTS BY INSPECTOR GENERAL.—As soon
17 as possible after the submission of a report pursuant to
18 subsection (b), the Inspector General of the agency pri-
19 marily responsible for administering part I of this Act
20 shall submit to the appropriate congressional committees
21 such comments as the Inspector General considers appro-
22 priate with regard to the determination described in that
23 report.

24 “(d) APPROPRIATE CONGRESSIONAL COMMITTEES.—
25 As used in this section, the term ‘appropriate congres-

1 sional committees’ means the Committee on International
2 Relations and the Committee on Appropriations of the
3 House of Representatives and the Committee on Foreign
4 Relations and the Committee on Appropriations of the
5 Senate.”.

6 **TITLE XXXIII—REGIONAL** 7 **PROVISIONS**

8 **SEC. 3301. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-** 9 **ERNMENTS PROVIDING ASSISTANCE TO** 10 **CUBA.**

11 (a) IN GENERAL.—Section 620 of the Foreign Assist-
12 ance Act of 1961 (22 U.S.C. 2370), as amended by this
13 Act, is further amended by adding at the end the following
14 new subsection:

15 “(y)(1) No assistance may be provided under this Act
16 (other than humanitarian assistance and assistance for
17 refugees) for a fiscal year to any foreign government that
18 the President determines has provided economic assistance
19 to or engaged in nonmarket-based trade with the Govern-
20 ment of Cuba or any entity controlled by such Government
21 in the preceding fiscal year.

22 “(2) The President may waive the requirements of
23 paragraph (1) if—

24 “(A) the President certifies to the congressional
25 committees specified in section 634A of this Act (in

1 accordance with procedures applicable to
2 reprogramming of funds under that section) that the
3 provision of such assistance is vital to the national
4 security of the United States; or

5 “(B) the President determines and reports to
6 the Congress that the Government of Cuba has met
7 the requirements contained in section 1708 of the
8 Cuban Democracy Act of 1992 (22 U.S.C. 6001 et
9 seq.).

10 “(3) Not later than February 1st each year, the
11 President shall prepare and transmit to the appropriate
12 congressional committees a report containing a list of all
13 foreign governments that the President has determined
14 have provided economic assistance to or engaged in
15 nonmarket-based trade with the Government of Cuba in
16 the preceding fiscal year.

17 “(4) For purposes of this subsection—

18 “(A) the term ‘appropriate congressional com-
19 mittees’ means the Committee on International Re-
20 lations and the Committee on Appropriations of the
21 House of Representatives and the Committee on
22 Foreign Relations and the Committee on Appropria-
23 tions of the Senate;

1 “(B) the term ‘humanitarian assistance’ means
2 food (including the monetization of food), clothing,
3 medicine, and medical supplies; and

4 “(C) the term ‘nonmarket-based trade’ includes
5 exports, imports, exchanges, or other trade arrange-
6 ments under which goods or services are provided on
7 terms more favorable than those generally available
8 in applicable markets or for comparable commod-
9 ities, including—

10 “(i) exports to the Government of Cuba on
11 terms that involve a grant, concessional price,
12 guaranty, insurance, or subsidy;

13 “(ii) imports from the Government of Cuba
14 at preferential tariff rates; and

15 “(iii) exchange arrangements that include
16 advance delivery of commodities, arrangements
17 in which the Government of Cuba is not held
18 accountable for unfulfilled exchange contracts,
19 and arrangements under which such Govern-
20 ment does not pay appropriate transportation,
21 insurance, or finance costs.”.

22 (b) EFFECTIVE DATE.—

23 (1) IN GENERAL.—Except as provided in para-
24 graph (2), the prohibition on assistance to a foreign
25 government contained in section 620(y) of the For-

1 eign Assistance Act of 1961, as added by subsection
2 (a), shall apply only with respect to assistance pro-
3 vided in fiscal years beginning on or after the date
4 of the enactment of this Act.

5 (2) EXCEPTION.—In the case of the fiscal year
6 in which this Act is enacted, such prohibition shall
7 apply with respect to the obligation or expenditure
8 of assistance on or after the date of the enactment
9 of this Act.

10 **SEC. 3302. ASSISTANCE FOR NICARAGUA.**

11 (a) RESTRICTIONS.—Amounts made available for fis-
12 cal years 1996 and 1997 for assistance under chapter 1
13 of part I of the Foreign Assistance Act of 1961 (22 U.S.C.
14 2151 et seq.; relating to development assistance) or chap-
15 ter 4 of part II of such Act (22 U.S.C. 2346 et seq.; relat-
16 ing to the economic support fund), including any unobli-
17 gated balances of prior appropriations, may only be made
18 available to the Government of Nicaragua if the Secretary
19 of State determines and certifies to the appropriate con-
20 gressional committees that—

21 (1) a full and independent investigation has
22 been completed of the weapons caches discovered
23 after the May 23, 1993, Santa Rosa arms cache ex-
24 plosion, including an investigation of passports, iden-
25 tity papers, and other documents found at weapons

1 sites indicating the existence of a terrorist or kid-
2 napping ring and whether the terrorist network was
3 involved in the February 1993 World Trade Center
4 bombing;

5 (2) prosecutions have been initiated against all
6 individuals, including government officials and mem-
7 bers of the armed forces or security forces of Nica-
8 ragua, identified in the investigation described in
9 paragraph (1);

10 (3) Nicaragua has made substantial progress in
11 meeting the requirements set forth in section 527 of
12 the Foreign Relations Authorization Act, Fiscal
13 Years 1994 and 1995 (relating to expropriation of
14 United States property);

15 (4) substantial progress has been made in the
16 timely implementation of all recommendations made
17 by the Tripartite Commission with respect to indi-
18 viduals responsible for assassinations, including the
19 immediate suspension of all individuals from the
20 Sandinista Army and security forces who were
21 named in such recommendations, and the expedi-
22 tious prosecution of such individuals;

23 (5) all individuals responsible for the murders
24 of Jean Paul Genie, Arges Sequeira, and Enrique
25 Bermudez have been removed from the military and

1 security forces of Nicaragua, and judicial proceed-
2 ings against these individuals have been initiated;

3 (6) specific changes have been implemented
4 which have resulted in verifiable civilian control over
5 the Sandinista military, security forces, and police;
6 and

7 (7) genuine, effective, and concrete reforms in
8 the Nicaraguan judicial system have been initiated.

9 (b) CONTENTS OF CERTIFICATION.—

10 (1) IN GENERAL.—A certification made pursu-
11 ant to subsection (a) shall include a detailed ac-
12 counting of all evidence in support of the determina-
13 tions listed in paragraphs (1) through (7) of such
14 subsection.

15 (2) FORM.—A certification made pursuant to
16 subsection (a) shall be submitted in unclassified
17 form, and, to the extent necessary, classified form.

18 (c) EXCEPTION TO RESTRICTIONS.—The restrictions
19 on the availability of funds in subsection (a) shall not
20 apply to support for—

21 (1) programs facilitating the resolution of
22 United States citizen property claims;

23 (2) the International Commission for Support
24 and Verification of the Organization of American

1 States for human rights monitoring, related assist-
2 ance programs or election observation;

3 (3) independent human rights groups in Nica-
4 ragua;

5 (4) programs intended to ensure free and fair
6 elections in Nicaragua;

7 (5) democracy-building programs administered
8 through the National Endowment for Democracy
9 and related nongovernmental groups; or

10 (6) programs to promote civilian control of the
11 military.

12 (d) APPROPRIATE CONGRESSIONAL COMMITTEES
13 DEFINED.—For purposes of this section, the term “appro-
14 priate congressional committees” means the Committee on
15 International Relations and the Committee on Appropria-
16 tions of the House of Representatives and the Committee
17 on Foreign Relations and the Committee on Appropria-
18 tions of the Senate.

19 **SEC. 3303. SENSE OF THE CONGRESS REGARDING RELA-**
20 **TIONS WITH BURMA.**

21 It is the sense of the Congress that—

22 (1) official United States trade delegations to
23 Burma should be indefinitely suspended;

1 (2) visits to Burma by senior officials of the
2 United States Government should be minimized until
3 Aung San Suu Kyi is released from house arrest;

4 (3) the Secretary of Labor should submit to the
5 Congress a report on labor practices in Burma so
6 that Members of Congress can better inform con-
7 stituents, including stockholders and business lead-
8 ers of the United States companies which transact
9 commerce with Burma, on labor conditions in that
10 country;

11 (4) the Secretary of State should submit to the
12 Congress a report on resource exploitation and envi-
13 ronmental degradation in Burma;

14 (5) no assistance should be used for cooperative
15 counternarcotics efforts between the United States
16 and members of the State Law and Order Restora-
17 tion Committee (SLORC) regime;

18 (6) the United States should discourage the As-
19 sociation of Southeast Asian Nations (ASEAN) from
20 including the SLORC regime in ASEAN activities;

21 (7) the Secretary of State should submit to the
22 Congress a report which outlines a strategy for en-
23 couraging democratic transition in Burma; and

1 (8) the United States should encourage its al-
2 lies to restrict the relations of such allies with
3 Burma in accordance with this section.

4 **SEC. 3304. DEBT RESTRUCTURING FOR EGYPT.**

5 (a) FINDINGS.—The Congress makes the following
6 findings:

7 (1) The Government of Egypt owes the United
8 States Government over \$6,000,000,000 from prior
9 economic assistance credit programs.

10 (2) Current annual debt service payments by
11 Egypt to the United States are approximately
12 \$270,000,000, will climb in the near future to
13 \$350,000,000, and will continue until the year 2021.

14 (3) Egypt's debt service to the United States
15 results in reduced investment capital and slower eco-
16 nomic growth in Egypt.

17 (4) Restructuring Egypt's debt burden, and
18 buying down Egypt's debt, could substantially re-
19 duce over time Egypt's requirement for economic as-
20 sistance.

21 (5) Addressing Egypt's debt burden is in the
22 mutual interest of Egypt and the United States.

23 (b) REPORT.—(1) Not later than January 31, 1996,
24 the Secretary of State and the Secretary of the Treasury
25 shall develop and submit to the appropriate congressional

1 committee options to restructure Egypt's debt, and buy
2 down, over a period of time through the use of funds au-
3 thorized to be appropriated under chapter 4 of part II of
4 the Foreign Assistance Act of 1961 (22 U.S.C. 2346 et
5 seq.; relating to the economic support fund), all outstand-
6 ing debt owed by the Government of Egypt to the United
7 States Government, including debt owed under develop-
8 ment assistance, agriculture, Export-Import Bank, and
9 Commodity Credit Corporation credit programs.

10 (2) The Secretary of State and the Secretary of the
11 Treasury shall develop the options required by paragraph
12 (1) in such a way as to enable the United States to reduce
13 assistance to Egypt in the future under chapter 4 of part
14 II of the Foreign Assistance Act of 1961 (22 U.S.C. 2346
15 et seq.; relating to the economic support fund). In the de-
16 velopment of such options, the Secretaries shall consult
17 with the Secretary of Commerce for the purpose of deter-
18 mining the impact of the options required under para-
19 graph (1) on the level of United States exports to Egypt.

20 (3) For purposes of this subsection, the term "appro-
21 priate congressional committees" means the Committee on
22 International Relations and the Committee on Appropria-
23 tions of the House of Representatives and the Committee
24 on Foreign Relations and the Committee on Appropria-
25 tions of the Senate.

1 **SEC. 3305. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-**
2 **ERNMENTS PROVIDING ASSISTANCE TO IRAN.**

3 (a) FINDINGS.—The Congress makes the following
4 findings:

5 (1) Iran is engaged in an intensive effort to de-
6 velop nuclear weapons and some nations have indi-
7 cated that they are prepared to cooperate with Iran
8 in the nuclear field.

9 (2) The possession of nuclear weapons by Iran
10 would represent a serious threat to the peace and se-
11 curity of the entire Middle East region and an ex-
12 tremely serious challenge to United States interests
13 in that region.

14 (3) The United States places the highest prior-
15 ity on denying to Iran the capability to produce nu-
16 clear weapons and systems for the delivery of nu-
17 clear weapons and other weapons of mass destruc-
18 tion.

19 (4) The sale or transfer to Iran by any other
20 government or with the permission of any other gov-
21 ernment of technology that may be critical for Iran
22 to develop or deploy nuclear weapons is a serious
23 threat to United States interests.

24 (b) ADMISSION TO NATO.—It is the sense of the
25 Congress that the United States should vigorously oppose
26 the accession to the North Atlantic Treaty and the admis-

1 sion to the North Atlantic Treaty Organization of any
2 country which sells or licenses for sale any nuclear or dual-
3 use technology or any military weapons, equipment, am-
4 munition or munitions of any kind, including any item in-
5 cluded on any lists covered by the Missile Technology Con-
6 trol Regime, to Iran or to any country which the Secretary
7 of State has determined repeatedly provides support for
8 acts of international terrorism pursuant to section 6(j) of
9 the Export Administration Act of 1979.

10 (c) PROHIBITION ON UNITED STATES ASSIST-
11 ANCE.—No assistance authorized to be appropriated by
12 this Act or any other Act may be provided by any agency
13 of the United States Government to the government of
14 any country which sells or licenses for sale any nuclear
15 or dual-use technology or any military weapons, equip-
16 ment, ammunition or munitions of any kind, including any
17 item included on any lists covered by the Missile Tech-
18 nology Control Regime, to Iran or to any other country
19 which the Secretary of State has determined repeatedly
20 provides support for acts of international terrorism pursu-
21 ant to section 6(j) of the Export Administration Act of
22 1979.

23 (d) EXCEPTIONS.—The prohibition in subsection (c)
24 shall not apply to—

1 (1) assistance provided to Russia, Belarus,
2 Ukraine, or Kazakhstan under the authorities of the
3 Soviet Nuclear Threat Reduction Act of 1991 (title
4 II of Public Law 102–228; 105 Stat. 1691); and

5 (2) assistance provided under chapter 11 of
6 part I of the Foreign Assistance Act of 1961 (22
7 U.S.C. 2295 et seq.; relating to assistance for the
8 independent states of the former Soviet Union) for
9 the purposes of—

10 (A) humanitarian, disaster, or refugee re-
11 lief; or

12 (B) assisting democratic political reform
13 and rule of law activities, and assisting in the
14 creation of private sector and nongovernmental
15 organizations that are independent of govern-
16 ment ownership and control.

17 **SEC. 3306. ASSISTANCE FOR PAKISTAN.**

18 Section 620E(e) of the Foreign Assistance Act of
19 1961 (22 U.S.C. 2375(e)) is amended—

20 (1) by striking “No assistance shall” and in-
21 serting “(1) Except as provided in paragraph (2), no
22 assistance shall”; and

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

1 “(2)(A) Assistance in support of nongovernmental or-
2 ganizations or microenterprises under chapter 1 of part
3 I of this Act (relating to development assistance) and as-
4 sistance under the provisions of law described in subpara-
5 graph (B) may be made available for Pakistan.

6 “(B) The provisions of law described in this subpara-
7 graph are the following:

8 “(i) Title IV of chapter 2 of part I of this Act
9 (relating to the Overseas Private Investment Cor-
10 poration).

11 “(ii) Chapter 8 of part I of this Act (relating
12 to international narcotics control).

13 “(iii) Chapter 5 of part II of this Act (relating
14 to international military education and training).

15 “(iv) Chapter 8 of part II of this Act (relating
16 to antiterrorism assistance).

17 “(v) Any provision of law under which assist-
18 ance is available to carry out the following activities:

19 “(I) Aviation safety.

20 “(II) Immigration and customs procedures.

21 “(III) Peacekeeping.

22 “(IV) Promotion of trade and investment
23 interests of the United States.

24 “(C) Assistance described in subparagraph (B)(iii)
25 may be made available for Pakistan under this paragraph

1 for fiscal year 1997 and each subsequent fiscal year only
2 if the President certifies to the Congress for such fiscal
3 year that the Government of Pakistan is fully cooperating
4 with United States counter-narcotics assistance programs
5 and policies.”.

6 **SEC. 3307. RETURN OF MILITARY EQUIPMENT OF PAKI-**
7 **STAN.**

8 It is the sense of the Congress that—

9 (1) the inability of the President since October
10 1, 1990, to make the necessary certification under
11 section 620E(e) of the Foreign Assistance Act of
12 1961 (relating to the nuclear activities of Pakistan)
13 has prevented the delivery of military aircraft for
14 which Pakistan made nonrefundable cash payments
15 to contractors and unnecessarily complicated the
16 achievement of United States foreign policy and non-
17 proliferation objectives in South Asia;

18 (2) in the absence of a Presidential certification
19 for Pakistan under section 620E(e) of such Act, the
20 United States should make a determined effort to
21 find a third party buyer for the such military air-
22 craft and should reimburse Pakistan with any pro-
23 ceeds derived from a sale to such third party, up to
24 the amount paid by Pakistan for such military air-
25 craft; and

1 (3) with respect to other military equipment im-
2 ported into the United States from Pakistan prior to
3 May 1, 1991, for repair or modification by the De-
4 partment of Defense, the return of such military
5 equipment, including spare parts thereof, or equiva-
6 lent equipment or spare parts originally owned by
7 another country, does not constitute a transfer of
8 military equipment under the terms of section
9 620E(e) of such Act, provided such military equip-
10 ment or spare parts are returned in an unrepaired
11 state or without modifications for which they were
12 originally imported into the United States.

13 **SEC. 3308. ELIGIBILITY OF PANAMA UNDER ARMS EXPORT**
14 **CONTROL ACT.**

15 The Government of the Republic of Panama shall be
16 eligible to purchase defense articles and defense services
17 under the Arms Export Control Act (22 U.S.C. 2751 et
18 seq.), except as otherwise specifically provided by law.

19 **SEC. 3309. FUTURE OF THE UNITED STATES MILITARY**
20 **PRESENCE IN PANAMA.**

21 (a) FINDINGS.—The Congress makes the following
22 findings:

23 (1) The Panama Canal is a vital strategic asset
24 to the United States, its allies, and the world.

1 (2) The Treaty on the Permanent Neutrality
2 and Operation of the Panama Canal signed on Sep-
3 tember 7, 1977, provides that Panama and the
4 United States have the responsibility to assure that
5 the Panama Canal will remain open and secure.

6 (3) Such Treaty also provides that each of the
7 two countries shall, in accordance with their respec-
8 tive constitutional processes, defend the Canal
9 against any threat to the regime of neutrality, and
10 consequently shall have the right to act against any
11 aggression or threat directed against the Canal or
12 against the peaceful transit of vessels through the
13 Canal.

14 (4) The United States instrument of ratifica-
15 tion of such Treaty includes specific language that
16 the two countries should consider negotiating future
17 arrangements or agreements to maintain military
18 forces necessary to fulfill the responsibility of the
19 two countries of maintaining the neutrality of the
20 Canal after 1999.

21 (5) The Government of Panama, in the bilateral
22 Protocol of Exchange of instruments of ratification,
23 expressly “agreed upon” such arrangements or
24 agreements.

1 (6) The United States Navy depends upon the
2 Panama Canal for rapid transit in times of emer-
3 gency, as demonstrated during World War II, the
4 Korean War, the Vietnam conflict, the Cuban Mis-
5 sile Crisis, and the Persian Gulf conflict.

6 (7) Drug trafficking and money laundering
7 have proliferated in the Western Hemisphere since
8 the Treaty on the Permanent Neutrality and Oper-
9 ation of the Panama Canal was signed on September
10 7, 1977, and such trafficking and laundering poses
11 a grave threat to peace and security in the region.

12 (8) Certain facilities now utilized by the United
13 States Armed Forces in Panama are critical to com-
14 bat the trade in illegal drugs.

15 (9) The United States and Panama share com-
16 mon policy goals such as strengthening democracy,
17 expanding economic trade, and combating illegal
18 narcotics throughout Latin America.

19 (10) The Government of Panama has dissolved
20 its military forces and has maintained only a civilian
21 police organization to defend the Panama Canal
22 against aggression.

23 (11) Certain public opinion polls in Panama
24 suggest that many Panamanians desire a continued
25 United States military presence in Panama.

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

3 (1) the President should negotiate an agree-
4 ment with the Government of Panama—

5 (A) to allow the stationing of United
6 States Armed Forces in Panama beyond De-
7 cember 31, 1999; and

8 (B) to ensure that the United States will
9 be able to act after December 31, 1999, to
10 maintain the security of the Panama Canal and
11 guarantee its regular operation, consistent with
12 the Panama Canal Treaty, the Treaty concern-
13 ing the Permanent Neutrality and Operation of
14 the Panama Canal, and the resolutions of ratifi-
15 cation thereto; and

16 (2) the President should consult with the Con-
17 gress throughout the negotiations described in para-
18 graph (1).

19 **SEC. 3310. PEACE AND STABILITY IN THE SOUTH CHINA**
20 **SEA.**

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

22 (1) The South China Sea is a critically impor-
23 tant waterway through which 25 percent of the
24 world's ocean freight and 70 percent of Japan's en-
25 ergy supplies transit.

1 (2) The South China Sea serves as a crucial sea
2 lane for United States Navy ships moving between
3 the Pacific and Indian Oceans, particularly in time
4 of emergency.

5 (3) There are a number of competing claims to
6 territory in the South China Sea.

7 (4) The 1992 Manila Declaration adhered to by
8 the Association of South East Asian Nations, the
9 Socialist Republic of Vietnam, and the People's Re-
10 public of China calls for all claimants to territory in
11 the South China Sea to resolve questions of bound-
12 aries through peaceful negotiations.

13 (5) The legislature of the People's Republic of
14 China has declared the entire South China Sea to be
15 Chinese territorial waters.

16 (6) The armed forces of the People's Republic
17 of China have asserted China's claim to the South
18 China Sea through the kidnapping of citizens of the
19 Republic of the Philippines and the construction of
20 military bases on territory claimed by the Phil-
21 ippines.

22 (7) These acts of aggression committed by the
23 armed forces of the People's Republic of China
24 against citizens of the Philippines are contrary to

1 both international law and to peace and stability in
2 East Asia.

3 (b) POLICY DECLARATIONS.—The Congress—

4 (1) declares the right of free passage through
5 the South China Sea to be vital to the national secu-
6 rity interests of the United States, its friends, and
7 allies;

8 (2) declares that any attempt by a
9 nondemocratic power to assert, through the use of
10 force or intimidation, its claims to territory in the
11 South China Sea to be a matter of grave concern to
12 the United States;

13 (3) calls upon the Government of the People's
14 Republic of China to adhere faithfully to its commit-
15 ment under the Manila Declaration of 1992; and

16 (4) calls upon the President to review the de-
17 fense needs of democratic countries with claims to
18 territory in the South China Sea.

19 **SEC. 3311. SENSE OF THE CONGRESS REGARDING NARCOT-**
20 **ICS CONTROL EFFORTS OF COLOMBIA.**

21 It is the sense of the Congress that—

22 (1) relations between the United States and Co-
23 lombia are at a critical stage, particularly following
24 the President's March 1, 1995, decision to grant the

1 Government of Colombia a national interest waiver
2 in the 1994 narcotics certification determination;

3 (2) the Government of Colombia has under-
4 taken efforts toward the elimination of drug traffick-
5 ing organizations, especially the powerful “kingpins”
6 based in Cali;

7 (3) important advances need to be taken to dis-
8 mantle the operations of criminal enterprises in Co-
9 lombia which seek to corrupt government institu-
10 tions;

11 (4) the Government of Colombia should be en-
12 couraged to complete specific, attainable objectives
13 in its overall narcotics control strategy, including—

14 (A) the arrest and prosecution of the ac-
15 knowledged leaders of the Cali drug organiza-
16 tion;

17 (B) the imposition of tougher sentencing of
18 drug traffickers to ensure that such traffickers
19 serve sentences commensurate with their
20 crimes;

21 (C) the expeditious passage of legislation
22 to criminalize money laundering;

23 (D) the aggressive eradication of illicit
24 crops, including coca opium, and marijuana;

1 (E) the elimination of the industrial infra-
2 structure of the narcotics trade, including lab-
3 oratories, precursor chemicals, and aircraft;

4 (F) the destruction of the internal narcot-
5 ics distribution export system, including the use
6 of airports, rivers, and ports for such system;

7 (G) the elimination of the island of San
8 Andres as a illegal narcotics transshipment
9 point; and

10 (H) the end of the current policy of the
11 Government of Colombia under which key drug
12 traffickers are given lenient sentences in return
13 for their surrender;

14 (5) the Secretary of State should make the
15 issue of illicit narcotics the highest foreign policy
16 priority of the United States with respect to rela-
17 tions with key illicit drug transit and producing na-
18 tions, such as Colombia; and

19 (6) the Secretary of State should request our
20 European allies to join the United States in sending
21 a clear message to Colombia on the importance of
22 attaining these counternarcotics goals and objectives
23 in the shortest possible time so that reductions in
24 United States foreign assistance will not be nec-
25 essary in the future.

1 **SEC. 3312. NOTIFICATION OF ARMS SALES TO SAUDI**
2 **ARABIA.**

3 (a) NOTIFICATION.—Until the certification under
4 subsection (b) is submitted to the Congress, section
5 36(b)(1) of the Arms Export Control Act shall be applied
6 to sales of Saudi Arabia by substituting in the first sen-
7 tence “0” for \$50,000,000, “0” for \$200,000,000, and
8 “0” for \$14,000,000.

9 (b) CERTIFICATION.—Subsection (a) shall cease to
10 apply if and when the Secretary of State certifies and re-
11 ports in writing to the Congress that the unpaid claims
12 of American firms against the Government of Saudi Ara-
13 bia that are described in the June 30, 1993, report by
14 the Secretary of Defense pursuant to section 9140(c) of
15 the Department of Defense Appropriations Act, 1993
16 (Public Law 102–396; 106 Stat. 1939), including the ad-
17 ditional claims noticed by the Department of Commerce
18 on page 2 of that report, have been resolved satisfactorily.

19 **SEC. 3313. ASSISTANCE FOR ZAIRE.**

20 (a) SECURITY ASSISTANCE.—Assistance may not be
21 transferred to the Government of Zaire for each of the
22 fiscal years 1996 and 1997—

23 (1) under chapter 4 of part II of the Foreign
24 Assistance Act of 1961 (22 U.S.C. 2346 et seq.; re-
25 lating to the economic support fund);

1 (2) under chapter 5 of part II of that Act (22
2 U.S.C. 2347 et seq.; relating to international mili-
3 tary education and training); or

4 (3) from the “Foreign Military Financing Pro-
5 gram” account under section 23 of the Arms Export
6 Control Act (22 U.S.C. 2763).

7 (b) DEVELOPMENT ASSISTANCE.—Assistance under
8 chapter 1 of part I of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2151 et seq.; relating to development assist-
10 ance) or chapter 10 of such part (22 U.S.C. 2293 et seq.;
11 relating to the Development Fund for Africa) for each of
12 the fiscal years 1996 and 1997 shall not be transferred
13 to the Government of Zaire.

14 **SEC. 3314. ASSISTANCE FOR LAOS.**

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

17 (1) a permanent waiver on the prohibition of
18 foreign assistance for Laos should be granted follow-
19 ing the fullest possible accounting of all outstanding
20 POW/MIA cases involving Laos;

21 (2) the United States should continue to im-
22 prove its relationship with Laos as the mutual co-
23 operation between the two countries on POW/MIA
24 issues improves;

1 (3) no Lao citizen or government official should
2 be held accountable by the United States for activi-
3 ties involved in holding American POW/MIAs if
4 those citizens or officials cooperate with efforts to
5 return such POW/MIAs alive or to otherwise ac-
6 count for such POW/MIAs;

7 (4) the future relationship of the United States
8 with Laos should be characterized by economic co-
9 operation and friendly diplomatic ties;

10 (5) such bilateral relationship will improve as
11 respect for human rights in Laos improves, includ-
12 ing human rights for Hmong people; and

13 (6) in the event an American POW/MIA is re-
14 turned alive from Laos, the United States should
15 view this action as a positive development and as
16 strong incentive for the United States to rapidly im-
17 prove our economic and diplomatic relationship with
18 Laos.

19 (b) LIMITATION.—Notwithstanding section 620 of
20 the Foreign Assistance Act of 1961, foreign assistance
21 may be provided for Laos for fiscal years 1996 and 1997
22 only if the President determines and certifies to the Con-
23 gress that the Government of Laos is cooperating with the
24 United States on outstanding POW/MIA cases involving
25 Laos.

1 **SEC. 3315. RESTRICTIONS ON ASSISTANCE FOR GUATE-**
2 **MALA.**

3 (a) RESTRICTION.—None of the funds authorized to
4 be appropriated for grant assistance under section 23 of
5 the Arms Export Control Act (22 U.S.C. 2763; relating
6 to foreign military financing) or for assistance under chap-
7 ter 5 of part II of the Foreign Assistance Act of 1961
8 (22 U.S.C. 2347 et seq.; relating to international military
9 education and training) may be made available to the Gov-
10 ernment of Guatemala unless the Secretary of State deter-
11 mines and certifies to the appropriate congressional com-
12 mittees that—

13 (1) substantial progress has been made in the
14 prosecution of all those responsible for the human
15 rights abuses against Michael DeVine, Nicholas
16 Blake, Griffin Davis, Dianna Ortiz, Myrna Mack,
17 and Efrain Bamaca Velasquez;

18 (2) former Guatemalan Lieutenant Colonel Car-
19 los Rene Ochoa Ruiz, who is under indictment in the
20 State of Florida for narcotics trafficking, has been
21 extradited to the United States; and

22 (3) substantial progress has been made in the
23 dismantling of the Voluntary Civil Self-Defense
24 Committees, curbing their patrols, and returning
25 their weapons to the Guatemalan military.

1 (b) APPROPRIATE CONGRESSIONAL COMMITTEES
2 DEFINED.—For purposes of this section, the term “appro-
3 priate congressional committees” means the Committee on
4 International Relations and the Committee on Appropria-
5 tions of the House of Representatives and the Committee
6 on Foreign Relations and the Committee on Appropria-
7 tions of the Senate.

8 **SEC. 3316. PROHIBITION ON ECONOMIC ASSISTANCE, MILI-**
9 **TARY ASSISTANCE OR ARMS TRANSFERS TO**
10 **THE GOVERNMENT OF MAURITANIA UNLESS**
11 **APPROPRIATE ACTION IS TAKEN TO ELIMI-**
12 **NATE CHATTEL SLAVERY.**

13 (a) PROHIBITION.—The President may not provide
14 economic assistance, military assistance or arms transfers
15 to the Government of Mauritania unless the President cer-
16 tifies to the Congress that such Government has taken ap-
17 propriate action to eliminate chattel slavery in Mauritania,
18 including—

19 (1) the enactment of anti-slavery laws that pro-
20 vide appropriate punishment for violators of such
21 laws; and

22 (2) the rigorous enforcement of such laws.

23 (b) DEFINITIONS.—For purposes of this section, the
24 following definitions apply:

1 (1) ECONOMIC ASSISTANCE.—The term “eco-
2 nomic assistance” means any assistance under part
3 I of the Foreign Assistance Act of 1961 (22 U.S.C.
4 2151 et seq.) and any assistance under chapter 4 of
5 part II of such Act (22 U.S.C. 2346 et seq.) (relat-
6 ing to the economic support fund), except that such
7 term does not include humanitarian assistance.

8 (2) MILITARY ASSISTANCE OR ARMS TRANS-
9 FERS.—The term “military assistance or arms
10 transfers” means—

11 (A) assistance under chapter 2 of part II
12 of the Foreign Assistance Act of 1961 (22
13 U.S.C. 2311 et seq.) (relating to military assist-
14 ance), including the transfer of excess defense
15 articles under sections 516 through 519 of that
16 Act (22 U.S.C. 2321j through 2321m);

17 (B) assistance under chapter 5 of part II
18 of the Foreign Assistance Act of 1961 (22
19 U.S.C. 2347 et seq.) (relating to international
20 military education and training);

21 (C) assistance under the “Foreign Military
22 Financing Program” under section 23 of the
23 Arms Export Control Act (22 U.S.C. 2763); or

24 (D) the transfer of defense articles, de-
25 fense services, or design and construction serv-

1 ices under the Arms Export Control Act (22
2 U.S.C. 2751 et seq.), including defense articles
3 and defense services licensed or approved for
4 export under section 38 of that Act (22 U.S.C.
5 2778).

6 **TITLE XXXIV—SPECIAL AU-**
7 **THORITIES AND OTHER PRO-**
8 **VISIONS**

9 **CHAPTER 1—SPECIAL AUTHORITIES**

10 **SEC. 3401. ENHANCED TRANSFER AUTHORITY.**

11 Section 610 of the Foreign Assistance Act of 1961
12 (22 U.S.C. 2360) is amended to read as follows:

13 **“SEC. 610. TRANSFER BETWEEN ACCOUNTS.**

14 “(a) GENERAL AUTHORITY.—Whenever the Presi-
15 dent determines it to be necessary for the purposes of this
16 Act or the Arms Export Control Act (22 U.S.C. 2751 et
17 seq.), not to exceed 20 percent of the funds made available
18 to carry out any provision of this Act (except funds made
19 available pursuant to title IV of chapter 2 of part I) or
20 section 23 of the Arms Export Control Act (22 U.S.C.
21 2763)—

22 “(1) may be transferred to, and consolidated
23 with, the funds in any other account or fund avail-
24 able to carry out any provision of this Act or the
25 Arms Export Control Act; and

1 “(2) may be used for any purpose for which
2 funds in that account or fund may be used.

3 “(b) LIMITATION ON AMOUNT OF INCREASE.—The
4 total amount in the account or fund for the benefit of
5 which transfer is made under subsection (a) during any
6 fiscal year may not be increased by more than 20 percent
7 of the amount of funds otherwise made available.

8 “(c) NOTIFICATION.—The President shall notify in
9 writing the congressional committees specified in section
10 634A at least fifteen days in advance of each such transfer
11 between accounts in accordance with procedures applicable
12 to reprogramming notifications under such section.”.

13 **SEC. 3402. AUTHORITY TO MEET UNANTICIPATED CONTIN-**
14 **GENCIES.**

15 Paragraph (1) of section 451(a) of the Foreign As-
16 sistance Act of 1961 (22 U.S.C. 2261(a)(1)) is amended
17 by striking “\$25,000,000” and inserting “\$50,000,000”.

18 **SEC. 3403. SPECIAL WAIVER AUTHORITY.**

19 (a) LAWS AFFECTED.—Section 614 of the Foreign
20 Assistance Act of 1961 is amended by striking subsections
21 (a)(1) and (a)(2) and inserting the following:

22 “(a) AUTHORITY TO AUTHORIZE ASSISTANCE,
23 SALES, AND OTHER ACTIONS; LIMITATIONS.—(1) The
24 President may authorize assistance, sales, or other action
25 under this Act, the Arms Export Control Act, or any an-

1 nual (or periodic) foreign assistance authorization or ap-
2 propriations legislation, without regard to any of the pro-
3 visions described in subsection (b), if the President deter-
4 mines, and notifies in writing the Speaker of the House
5 of Representatives and the chairman of the Committee on
6 Foreign Relations of the Senate—

7 “(A) with respect to assistance or other actions
8 under chapter 2 or 5 of part II of this Act, or sales
9 or other actions under the Arms Export Control Act,
10 that to do so is vital to the national security inter-
11 ests of the United States; and

12 “(B) with respect to other assistance or actions
13 that to do so is important to the national interests
14 of the United States.

15 “(2) The President may waive any provision de-
16 scribed in paragraph (1), (2), or (3) of subsection (b) that
17 would otherwise prohibit or restrict assistance or other ac-
18 tion under any provision of law not described in those
19 paragraphs if the President determines, and notifies in
20 writing the Speaker of the House of Representatives and
21 the chairman of the Committee on Foreign Relations of
22 the Senate, that to do so is important to the national in-
23 terests of the United States.”.

1 (b) ANNUAL CEILING.—Section 614(a)(4)(C) of that
2 Act is amended by striking “\$50,000,000” and inserting
3 “\$75,000,000’.

4 (c) LAWS WHICH MAY BE WAIVED.—Section 614 of
5 that Act is amended by striking subsections (b) and (c)
6 and inserting the following:

7 “(b) LAWS WHICH MAY BE WAIVED.—The provi-
8 sions referred to in subsections (a)(1) and (a)(2) are—

9 “(1) the provisions of this Act;

10 “(2) the provisions of the Arms Export Control
11 Act;

12 “(3) the provisions of any annual (or periodic)
13 foreign assistance authorization or appropriations
14 legislation, including any amendment made by any
15 such Act;

16 “(4) any other provision of law that restricts
17 assistance, sales or leases, or other action under the
18 Acts referred to in paragraph (1), (2), or (3); and

19 “(5) any law relating to receipts and credits ac-
20 cruing to the United States.”.

21 (d) CONFORMING AMENDMENTS.—Section 614(a)(4)
22 of that Act is amended—

23 (1) in subparagraph (A)(ii), by striking “or the
24 Arms Export Control Act”; and

1 (2) in subparagraph (B), by striking “the Arms
2 Export Control Act or under”.

3 **SEC. 3404. TERMINATION OF ASSISTANCE.**

4 Section 617 of the Foreign Assistance Act of 1961
5 (22 U.S.C. 2367) is amended to read as follows:

6 **“SEC. 617. TERMINATION OF ASSISTANCE.**

7 “(a) IN GENERAL.—(1) In order to ensure the effec-
8 tiveness of assistance provided under this Act or the Arms
9 Export Control Act, funds made available under this Act
10 to carry out any program, project, or activity of assistance
11 shall remain available for obligation for a period not to
12 exceed 8 months after the date of termination of such as-
13 sistance for the necessary expenses of winding up such
14 programs, projects, or activities and, notwithstanding any
15 other provision of law, funds so obligated may remain
16 available until expended.

17 “(2) Funds obligated to carry out any program,
18 project, or activity of assistance before the effective date
19 of the termination of such assistance are authorized to be
20 available for expenditure for the necessary expenses of
21 winding up such programs, projects, and activities, not-
22 withstanding any provision of law restricting the expendi-
23 ture of funds, and may be reobligated to meet any other
24 necessary expenses arising from the termination of such
25 assistance.

1 “(3) The necessary expenses of winding up programs,
2 projects, and activities of assistance include the obligation
3 and expenditure of funds to complete the training or stud-
4 ies outside their countries of origin of students whose
5 course of study or training program began before assist-
6 ance was terminated.

7 “(b) LIABILITY TO CONTRACTORS.—For the purpose
8 of making an equitable settlement of termination claims
9 under extraordinary contractual relief standards, the
10 President is authorized to adopt as a contract or other
11 obligation of the United States Government, and assume
12 (in whole or in part) any liabilities arising thereunder, any
13 contract with a United States or third-country contractor
14 to carry out any program, project, or activity of assistance
15 under this Act that was subsequently terminated pursuant
16 to law.

17 “(c) GUARANTEE PROGRAMS.—Provisions of this or
18 any other Act requiring the termination of assistance
19 under this Act or the Arms Export Control Act shall not
20 be construed to require the termination of guarantee com-
21 mitments that were entered into before the effective date
22 of the termination of assistance.”.

1 **CHAPTER 2—OTHER PROVISIONS**

2 **SEC. 3411. CONGRESSIONAL PRESENTATION DOCUMENTS.**

3 Section 634 of the Foreign Assistance Act of 1961
4 (22 U.S.C. 2394) is amended to read as follows:

5 **“SEC. 634. CONGRESSIONAL PRESENTATION DOCUMENTS.**

6 “(a) REQUIREMENT FOR SUBMISSION.—As part of
7 the annual requests for enactment of authorizations and
8 appropriations for foreign assistance programs for each
9 fiscal year, the President shall prepare and transmit to
10 the Congress annual congressional presentation docu-
11 ments for the programs authorized under this Act and the
12 Arms Export Control Act (22 U.S.C. 2751 et seq.).

13 “(b) MATERIALS TO BE INCLUDED.—The documents
14 submitted pursuant to subsection (a) shall include—

15 “(1) the rationale for the allocation of assist-
16 ance or contributions to each country, regional, or
17 centrally funded program, or organization, as the
18 case may be;

19 “(2) a description of how each such program or
20 contribution supports the objectives of this Act or
21 the Arms Export Control Act, as the case may be;

22 “(3) a description of planned country, regional,
23 or centrally funded programs or contributions to
24 international organizations and programs for the
25 coming fiscal year; and

1 “(4) for each country for which assistance is re-
2 quested under this Act or the Arms Export Control
3 Act—

4 “(A) the total number of years since 1946
5 that the United States has provided assistance;

6 “(B) the total amount of bilateral assist-
7 ance provided by the United States since 1946,
8 including the principal amount of all loans,
9 credits, and guarantees; and

10 “(C) the total amount of assistance pro-
11 vided to such country from all multilateral or-
12 ganizations to which the United States is a
13 member, including all international financial in-
14 stitutions, the United Nations, and other inter-
15 national organizations.

16 “(c) GRADUATION FROM DEVELOPMENT ASSIST-
17 ANCE.—

18 “(1) DETERMINATION.—As part of the congres-
19 sional presentation documents transmitted to the
20 Congress under this section, the Secretary of State
21 shall make a separate determination for each coun-
22 try identified in such documents for which bilateral
23 development assistance is requested, estimating the
24 year in which each such country will no longer be re-
25 ceiving bilateral development assistance.

1 “(2) DEVELOPMENT ASSISTANCE DEFINED.—

2 For purposes of this section, the term ‘development
3 assistance’ means assistance under—

4 “(A) chapter 1 of part I of this Act;

5 “(B) chapter 10 of part I of this Act;

6 “(C) chapter 11 of part I of this Act; and

7 “(D) the Support for East European De-
8 mocracy (SEED) Act of 1989 (22 U.S.C. 5401
9 et seq.).”.

10 **SEC. 3412. DEBT RESTRUCTURING FOR FOREIGN ASSIST-**
11 **ANCE.**

12 Chapter 1 of part III of the Foreign Assistance Act
13 of 1961 (22 U.S.C. 2370 et seq.), as amended by this Act,
14 is further amended by adding at the end the following new
15 section:

16 **“SEC. 620K. SPECIAL DEBT RELIEF FOR POOR COUNTRIES.**

17 “(a) AUTHORITY TO REDUCE DEBT.—The President
18 may reduce amounts owed to the United States Govern-
19 ment by a country described in subsection (b) as a result
20 of—

21 “(1) loans or guarantees issued under this Act;

22 or

23 “(2) credits extended or guarantees issued
24 under the Arms Export Control Act (22 U.S.C.
25 2751 et seq.).

1 “(b) COUNTRY DESCRIBED.—A country described in
2 this subsection is a country—

3 “(1) with a heavy debt burden that is eligible
4 to borrow from the International Development Asso-
5 ciation but not from the International Bank for Re-
6 construction and Development (commonly referred
7 to as an ‘IDA-only’ country); and

8 “(2) the government of which—

9 “(A) does not have an excessive level of
10 military expenditures;

11 “(B) has not repeatedly provided support
12 for acts of international terrorism; and

13 “(C) is cooperating with the United States
14 on international narcotics control matters;

15 “(3) (including the military or other security
16 forces of such government) does not engage in a
17 consistent pattern of gross violations of internation-
18 ally recognized human rights; and

19 “(4) is not prohibited from receiving assistance
20 described in section 527(a) of the Foreign Relations
21 Authorization Act, Fiscal Years 1994 and 1995 by
22 reason of such section.

23 “(c) LIMITATIONS.—The authority under subsection
24 (a) may be exercised—

1 “(1) only to implement multilateral official debt
2 relief ad referendum agreements (commonly referred
3 to as ‘Paris Club Agreed Minutes’); and

4 “(2) only to the extent that appropriations for
5 the cost of the modification, as defined in section
6 502 of the Congressional Budget Act of 1974, are
7 made in advance.

8 “(d) CERTAIN PROHIBITIONS INAPPLICABLE.—A re-
9 duction of debt pursuant to the exercise of authority under
10 subsection (a)—

11 “(1) shall not be considered assistance for pur-
12 poses of any provision of law limiting assistance to
13 a country; and

14 “(2) may be exercised notwithstanding section
15 620(r) of this Act or any comparable provision of
16 law.

17 “(e) AUTHORIZATION OF APPROPRIATIONS.—

18 “(1) IN GENERAL.—There are authorized to be
19 appropriated to the President for the purpose of car-
20 rying out this section \$7,000,000 for each of the fis-
21 cal years 1996 and 1997.

22 “(2) AVAILABILITY.—Amounts authorized to be
23 appropriated under paragraph (1) are authorized to
24 remain available until expended.”.

1 **SEC. 3413. DEBT BUYBACKS OR SALES FOR DEBT SWAPS.**

2 Part IV of the Foreign Assistance Act of 1961 (22
3 U.S.C. 2430 et seq.) is amended by adding at the end
4 the following new section:

5 **“SEC. 711. AUTHORITY TO ENGAGE IN DEBT BUYBACKS OR**
6 **SALES.**

7 “(a) LOANS ELIGIBLE FOR SALE, REDUCTION, OR
8 CANCELLATION.—

9 “(1) AUTHORITY TO SELL, REDUCE, OR CANCEL
10 CERTAIN LOANS.—Notwithstanding any other provi-
11 sion of law, the President may, in accordance with
12 this section, sell to any eligible purchaser any
13 concessional loan or portion thereof made before
14 January 1, 1995, to the government of any eligible
15 country pursuant to this Act, or on receipt of pay-
16 ment from an eligible purchaser, reduce or cancel
17 such loan or portion thereof, only for the purpose
18 of facilitating—

19 “(A) debt-for-equity swaps, debt-for-devel-
20 opment swaps, or debt-for-nature swaps; or

21 “(B) a debt buyback by an eligible country
22 of its own qualified debt, only if the eligible
23 country uses an additional amount of the local
24 currency of the eligible country, equal to not
25 less than 40 percent of the price paid for such
26 debt by such eligible country, or the difference

1 between the price paid for such debt and the
2 face value of such debt, to support activities
3 that link conservation and sustainable use of
4 natural resources with local community develop-
5 ment, and child survival and other child devel-
6 opment, in a manner consistent with sections
7 707 through 710, if the sale, reduction, or can-
8 cellation would not contravene any term or con-
9 dition of any prior agreement relating to such
10 loan.

11 “(2) TERMS AND CONDITIONS.—Notwithstand-
12 ing any other provision of law, the President shall,
13 in accordance with this section, establish the terms
14 and conditions under which loans may be sold, re-
15 duced, or canceled pursuant to this section.

16 “(3) ADMINISTRATION.—The Facility shall no-
17 tify the administrator of the agency primarily re-
18 sponsible for administering part I of this Act of pur-
19 chasers that the President has determined to be eli-
20 gible, and shall direct such agency to carry out the
21 sale, reduction, or cancellation of a loan pursuant to
22 this section. Such agency shall make an adjustment
23 in its accounts to reflect the sale, reduction, or can-
24 cellation.

1 “(4) LIMITATION.—The authorities of this sub-
2 section shall be available only to the extent that ap-
3 propriations for the cost of the modification, as de-
4 fined in section 502 of the Congressional Budget Act
5 of 1974, are made in advance.

6 “(b) DEPOSIT OF PROCEEDS.—The proceeds from
7 the sale, reduction, or cancellation of any loan sold, re-
8 duced, or canceled pursuant to this section shall be depos-
9 ited in an account or accounts established in the Treasury
10 for the repayment of such loan.

11 “(c) ELIGIBLE PURCHASERS.—A loan may be sold
12 pursuant to subsection (a)(1)(A) only to a purchaser who
13 presents plans satisfactory to the President for using the
14 loan for the purpose of engaging in debt-for-equity swaps,
15 debt-for-development swaps, or debt-for-nature swaps.

16 “(d) DEBTOR CONSULTATIONS.—Before the sale to
17 any eligible purchaser, or any reduction or cancellation
18 pursuant to this section, of any loan made to an eligible
19 country, the President shall consult with the country con-
20 cerning the amount of loans to be sold, reduced, or can-
21 celed and their uses for debt-for-equity swaps, debt-for-
22 development swaps, or debt-for-nature swaps.

23 “(e) AUTHORIZATION OF APPROPRIATIONS.—

24 “(1) IN GENERAL.—For the sale, reduction,
25 and cancellation of loans or portions thereof pursu-

1 ant to this section, there are authorized to be appro-
2 priated to the President \$3,000,000 for each of the
3 fiscal years 1996 and 1997.

4 “(2) AVAILABILITY.—Amounts authorized to be
5 appropriated under paragraph (1) are authorized to
6 remain available until expended.”.

7 **SEC. 3414. IMPACT ON JOBS IN THE UNITED STATES.**

8 Section 636 of the Foreign Assistance Act of 1961
9 (22 U.S.C. 2396) is amended by adding at the end the
10 following new subsection:

11 “(j)(1) Funds made available to carry out the provi-
12 sions of this Act may not be made available to provide—

13 “(A) any financial incentive to a business enter-
14 prise located in the United States for the purpose of
15 inducing that enterprise to relocate outside the Unit-
16 ed States if such incentive or inducement is likely to
17 reduce the number of individuals employed in the
18 United States by that enterprise because that enter-
19 prise would replace production in the United States
20 with production outside the United States;

21 “(B) assistance for the purpose of establishing
22 or developing in a foreign country any export proc-
23 essing zone or designated area in which the tax, tar-
24 iff, labor, environment, and safety laws of that coun-
25 try do not apply, in part or in whole, to activities

1 carried out within that zone or area, unless the
2 President determines and certifies that such assist-
3 ance is not likely to cause a loss of jobs within the
4 United States; or

5 “(C) subject to paragraph (2), assistance for
6 any project or activity that contributes to the viola-
7 tion of internationally recognized workers rights (as
8 defined in section 502(a)(4) of the Trade Act of
9 1974) of workers in the foreign country, including in
10 any designated zone or area in that country.

11 “(2) Paragraph (1)(C) shall not apply with respect
12 to the provision of assistance for the informal sector,
13 microenterprises and small-scale enterprises, and small-
14 holder agriculture of the foreign country.”.

15 **SEC. 3415. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-**
16 **ERNMENTS THAT EXPORT LETHAL MILITARY**
17 **EQUIPMENT TO COUNTRIES SUPPORTING**
18 **INTERNATIONAL TERRORISM.**

19 (a) IN GENERAL.—Section 620 of the Foreign Assist-
20 ance Act of 1961 (22 U.S.C. 2370), as amended by this
21 Act, is further amended by adding at the end the following
22 new subsection:

23 “(z)(1) No assistance may be provided under this Act
24 or the Arms Export Control Act to any foreign govern-
25 ment that provides lethal military equipment to a country,

1 the government of which the Secretary of State has deter-
2 mined pursuant to section 40(d) of the Arms Export Con-
3 trol Act is a government that has repeatedly provided sup-
4 port for acts of international terrorism.

5 “(2) The prohibition under paragraph (1) with re-
6 spect to a foreign government shall terminate 12 months
7 after the date on which that government ceases to provide
8 such lethal military equipment.

9 “(3) The President may waive the requirements of
10 paragraph (1) if the President determines that the provi-
11 sion of such assistance is important to the national secu-
12 rity interests of the United States.

13 “(4) Whenever the waiver of paragraph (3) is exer-
14 cised, the President shall prepare and transmit to the ap-
15 propriate congressional committees a report with respect
16 to the furnishing of such assistance. Such report shall in-
17 clude a detailed explanation of the assistance to be pro-
18 vided, including the estimated dollar amount of such as-
19 sistance, and an explanation of how the assistance fur-
20 thers the national interests of the United States.

21 “(5) For purposes of this subsection, the term ‘appro-
22 priate congressional committees’ means the Committee on
23 International Relations and the Committee on Appropria-
24 tions of the House of Representatives and the Committee

1 on Foreign Relations and the Committee on Appropria-
2 tions of the Senate.”.

3 (b) EFFECTIVE DATE.—Section 620(z) of the For-
4 eign Assistance Act of 1961, as added by subsection (a),
5 applies with respect to lethal military equipment provided
6 pursuant to a contract entered into on or after the date
7 of enactment of this Act.

8 **SEC. 3416. PROHIBITION ON ASSISTANCE TO COUNTRIES**
9 **THAT CONSISTENTLY OPPOSE THE UNITED**
10 **STATES POSITION IN THE UNITED NATIONS**
11 **GENERAL ASSEMBLY.**

12 (a) PROHIBITION.—United States assistance may not
13 be provided to a country that consistently opposed the
14 United States position in the United Nations General As-
15 sembly during the most recent session of the General As-
16 sembly.

17 (b) CHANGE IN GOVERNMENT.—If—

18 (1) the Secretary of State determines that,
19 since the beginning of the most recent session of the
20 General Assembly, there has been a fundamental
21 change in the leadership and policies of the govern-
22 ment of a country to which the prohibition in sub-
23 section (a) applies, and

24 (2) the Secretary believes that because of that
25 change the government of that country will no

1 longer consistently oppose the United States position
2 in the General Assembly,
3 the Secretary may exempt that country from that prohibi-
4 tion. Any such exemption shall be effective only until sub-
5 mission of the next report under section 406 of the For-
6 eign Relations Authorization Act, Fiscal Years 1990 and
7 1991. The Secretary shall submit to the Congress a certifi-
8 cation of each exemption made under this subsection.
9 Such certification shall be accompanied by a discussion of
10 the basis for the Secretary's determination and belief with
11 respect to such exemption.

12 (c) WAIVER AUTHORITY.—The Secretary of State
13 may waive the requirement of subsection (a) if the Sec-
14 retary determines and reports to the Congress that despite
15 the United Nations voting pattern of a particular country,
16 the provision of United States assistance to that country
17 is necessary to promote United States foreign policy objec-
18 tives.

19 (d) DEFINITIONS.—As used in this section—

20 (1) the term “consistently opposed the United
21 States position” means that the country's votes in
22 the United Nations General Assembly coincided with
23 the United States position less than 25 percent of
24 the time, using for this purpose the overall percent-
25 age-of-voting coincidences set forth in the annual re-

1 port submitted to the Congress pursuant to section
2 406 of the Foreign Relations Authorization Act, Fis-
3 cal Years 1990 and 1991;

4 (2) the term “most recent session of the Gen-
5 eral Assembly” means the most recently completed
6 plenary session of the General Assembly for which
7 overall percentage-of-voting coincidences is set forth
8 in the most recent report submitted to the Congress
9 pursuant to section 406 of the Foreign Relations
10 Authorization Act, Fiscal Years 1990 and 1991; and

11 (3) the term “United States assistance” means
12 assistance under—

13 (A) chapter 4 of part II of the Foreign As-
14 sistance Act of 1961 (relating to the economic
15 support fund),

16 (B) chapter 5 of part II of that Act (relat-
17 ing to international military education and
18 training), or

19 (C) the “Foreign Military Financing Pro-
20 gram” account under section 23 of the Arms
21 Export Control Act,

22 (D) chapter 1 of part I of the Foreign As-
23 sistance Act of 1961 (relating to development
24 assistance), except that such term shall not in-
25 clude assistance under chapter 1 of part I of

1 the Foreign Assistance Act of 1961 in the case
2 of countries that voted in the United Nations
3 General Assembly on less than 50 percent of
4 the recorded plenary votes,
5 except that such term does not include assistance
6 under chapter 8 of part I of the Foreign Assistance
7 Act of 1961 (relating to international narcotics con-
8 trol) or assistance under chapter 8 of part II of such
9 Act (relating to antiterrorism assistance).

10 (e) EFFECTIVE DATE.—This section takes effect
11 upon the date of the submission to the Congress of the
12 report pursuant to section 406 of the Foreign Relations
13 Authorization Act, Fiscal Years 1990 and 1991, that is
14 required to be submitted by March 31, 1996.

15 **SEC. 3417. LIMITATION ON ASSISTANCE TO COUNTRIES**
16 **THAT RESTRICT THE TRANSPORT OR DELIV-**
17 **ERY OF UNITED STATES HUMANITARIAN AS-**
18 **SISTANCE.**

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

21 (1) The United States Federal budget deficit
22 and spending constraints require the maximum effi-
23 ciency in the usage of United States foreign assist-
24 ance.

1 (2) The delivery of humanitarian assistance to
2 people in need is consistent with the fundamental
3 values of our Nation and is an important component
4 of United States foreign policy.

5 (3) As a matter of principle and in furtherance
6 of fiscal prudence, the United States should seek to
7 promote the delivery of humanitarian assistance to
8 people in need in a manner that is both timely and
9 cost effective.

10 (4) Recipients of United States assistance
11 should not hinder or delay the transport or delivery
12 of United States humanitarian assistance to other
13 countries.

14 (b) PROHIBITION ON ASSISTANCE.—Section 620 of
15 the Foreign Assistance Act of 1961 (22 U.S.C. 2370), as
16 amended by this Act, is further amended by adding at the
17 end the following new subsection:

18 “(aa)(1) Notwithstanding any other provision of law,
19 United States assistance may not be made available for
20 any country whose government prohibits or otherwise re-
21 stricts, directly or indirectly, the transport or delivery of
22 United States humanitarian assistance.

23 “(2) The prohibition on United States assistance con-
24 tained in paragraph (1) shall not apply if the President
25 determines and notifies the Congress in writing that pro-

1 viding such assistance to a country is in the national secu-
2 rity interest of the United States.

3 “(3) A suspension or termination of United States
4 assistance for any country under paragraph (1) shall cease
5 to be effective when the President certifies in writing to
6 the Speaker of the House of Representatives and the Com-
7 mittee on Foreign Relations of the Senate that such coun-
8 try is no longer prohibiting or otherwise restricting, either
9 directly or indirectly, the transport or delivery of United
10 States humanitarian assistance.

11 “(4)(A) At the time of the annual budget submission
12 to Congress, the President shall submit a report to the
13 Congress describing any information available to the
14 President concerning prohibitions or restrictions, direct or
15 indirect, on the transport or delivery of United States hu-
16 manitarian assistance by the government of any country
17 receiving or eligible to receive United States foreign assist-
18 ance during the current or preceding fiscal year.

19 “(B) The President shall include in the report re-
20 quired by subparagraph (A) a statement as to whether the
21 prohibition in paragraph (1) is being applied to each coun-
22 try for which the President has information available to
23 him concerning prohibitions or restrictions, direct or indi-
24 rect, on the transport or delivery of United States humani-
25 tarian assistance.

1 “(5) As used in this subsection, the term ‘United
2 States assistance’ has the same meaning given that term
3 in section 481(e)(4) of this Act.”.

4 **SEC. 3418. PROHIBITION ON ASSISTANCE TO FOREIGN GOV-**
5 **ERNMENTS, PRIVATE AND VOLUNTARY ORGA-**
6 **NIZATIONS, AND OTHER ENTITIES THAT IN-**
7 **HIBIT UNITED STATES-SUPPORTED**
8 **DEMINING OPERATIONS AND ACTIVITIES.**

9 (a) PROHIBITION.—None of the funds authorized to
10 be appropriated by this Act may be made available to any
11 foreign government, private and voluntary organization, or
12 any other entity which the Secretary of State determines
13 inhibits United States-supported demining operations and
14 activities through the imposition of discriminatory cus-
15 toms duties, tariffs, or any other barrier to the entry of
16 equipment or personnel designated for use or participation
17 in such operations and activities.

18 (b) EXCEPTION.—(1) The prohibition contained in
19 subsection (a) shall not apply with respect to a foreign
20 government, private and voluntary organization, or any
21 other entity if the President determines and reports to the
22 congressional committees specified in section 634A of the
23 Foreign Assistance Act of 1961 (in accordance with proce-
24 dures applicable to reprogramming notifications under
25 that section) that the provision of assistance to such gov-

1 ernment, organization, or other entity, as the case may
2 be, is important to the national interest of the United
3 States.

4 (2) Any determination under paragraph (1) shall in-
5 clude a detailed justification of how the provision of assist-
6 ance furthers United States national interests.

7 **SEC. 3419. PROHIBITION ON FOREIGN ASSISTANCE TO FOR-**
8 **EIGN GOVERNMENTS NOT IMPLEMENTING**
9 **EXTRADITION TREATIES.**

10 (a) PROHIBITION.—Except as provided in subsection
11 (b), the President may not provide foreign assistance to
12 the government of any country determined by the Presi-
13 dent to have refused to implement an extradition treaty
14 between such country and the United States with respect
15 to one or more individuals of significant concern to the
16 United States who have been charged with or who have
17 committed felony offenses.

18 (b) EXCEPTION.—The President may provide foreign
19 assistance to the government of a country that would oth-
20 erwise be prohibited from receiving such assistance under
21 subsection (a) if the President—

22 (1) determines that the provision of such assist-
23 ance is in the national interest of the United States;
24 and

1 (2) notifies the Committee on International Re-
2 lations of the House of Representatives and the
3 Committee on Foreign Relations of the Senate of
4 such determination.

5 (c) DEFINITIONS.—As used in this section:

6 (1) FELONY OFFENSE.—The term “felony of-
7 fense” means an offense punishable by death or im-
8 prisonment for a term exceeding one year.

9 (2) FOREIGN ASSISTANCE.—The term “foreign
10 assistance” means any funds made available to carry
11 out any program, project, or activity under the For-
12 eign Assistance Act of 1961 or the Arms Export
13 Control Act, except such term does not include funds
14 used to provide humanitarian assistance.

15 (d) EFFECTIVE DATE.—The prohibition contained in
16 subsection (a) applies with respect to the provision of for-
17 eign assistance on or after the date of the enactment of
18 this Act.

19 **SEC. 3420. LIMITATION ON PROCUREMENT OUTSIDE THE**
20 **UNITED STATES.**

21 (a) LIMITATION.—Funds made available for assist-
22 ance for fiscal years 1996 and 1997 under the Foreign
23 Assistance Act of 1961, for which amounts are authorized
24 to be appropriated for such fiscal years, may be used for

1 procurement outside the United States or less developed
2 countries only if—

3 (1) such funds are used for the procurement of
4 commodities or services, or defense articles or de-
5 fense services, in the country in which the assistance
6 is to be provided, except that this paragraph only
7 applies if the total of such procurement for a project
8 or activity in that country would cost less than pro-
9 curement from the United States;

10 (2) the provision of such assistance requires
11 commodities or services, or defense articles or de-
12 fense services, of a type that are not produced in,
13 and available for purchase from, the United States,
14 less developed countries, or the country in which the
15 assistance is to be provided;

16 (3) the Congress has specifically authorized
17 procurement outside the United States or less devel-
18 oped countries; or

19 (4) the President determines on a case-by-case
20 basis that the procurement outside the United
21 States or less developed countries would result in the
22 more efficient use of United States foreign assist-
23 ance resources, including to meet unforeseen cir-
24 cumstances such as emergency situations.

1 (b) DEFINITION.—For purposes of this section, the
2 term “less developed countries” includes the recipient
3 country if that country is not a developed country.

4 **CHAPTER 3—FOREIGN AID REPORTING**
5 **REFORM ACT OF 1995**

6 **SEC. 3421. SHORT TITLE.**

7 This chapter may be cited as the “Foreign Aid Re-
8 porting Reform Act of 1995”.

9 **SEC. 3422. ANNUAL FOREIGN ASSISTANCE JUSTIFICATION**
10 **REPORT.**

11 (a) IN GENERAL.—In conjunction with the submis-
12 sion of the annual requests for enactment of authoriza-
13 tions and appropriations for foreign assistance programs
14 for each fiscal year, the President shall submit to the Con-
15 gress a single report containing—

16 (1) an integrated justification for all foreign as-
17 sistance programs proposed by the President for the
18 coming fiscal year; and

19 (2) an assessment of when the objectives of
20 those programs will be achieved so that the assist-
21 ance can be terminated.

22 (b) SPECIFIC INFORMATION TO BE PROVIDED.—
23 Each such report shall include the following:

1 (1) INFORMATION REGARDING A FOREIGN AS-
2 SISTANCE PROGRAM GENERALLY.—For each foreign
3 assistance program taken as a whole—

4 (A) the total amount of assistance pro-
5 posed to be provided under that program;

6 (B) the justification for that amount;

7 (C) the objectives that assistance under
8 that program is intended to achieve;

9 (D) an explanation of the relationship of
10 assistance under that program to assistance
11 under other foreign assistance programs; and

12 (E) the President's estimation of the date
13 by which the objectives of that program will be
14 achieved and the program terminated.

15 (2) INFORMATION REGARDING SPECIFIC ASSIST-
16 ANCE RECIPIENTS.—For each country or organiza-
17 tion which is a proposed recipient of assistance
18 under any foreign assistance program—

19 (A) the amount of each type of assistance
20 proposed;

21 (B) the justification for providing each
22 such type of assistance;

23 (C) the objectives that each such type of
24 assistance is intended to achieve;

1 (D) an explanation of the relationship of
2 each type of assistance proposed to other types
3 of assistance proposed for that recipient; and

4 (E) the President's estimation of the date
5 by which the objectives of assistance for such
6 recipient under each foreign assistance program
7 will be achieved and assistance under that pro-
8 gram to that recipient terminated.

9 The information required by subparagraphs (A)
10 through (E) shall be provided on a recipient-by-
11 recipient basis.

12 (3) INFORMATION REGARDING CENTRALLY-
13 FUNDED PROGRAMS.—For each centrally-funded
14 program under a foreign assistance program—

15 (A) the amount proposed for such pro-
16 gram;

17 (B) the justification for such program;

18 (C) the objectives each such program is in-
19 tended to achieve;

20 (D) an explanation of the relationship of
21 such program to other types of assistance pro-
22 posed under that foreign assistance program
23 and under other foreign assistance programs;
24 and

1 (E) the President's estimation of the date
2 by which the objectives of such program will be
3 achieved and such program terminated.

4 **SEC. 3423. DEFINITION OF FOREIGN ASSISTANCE PRO-**
5 **GRAMS.**

6 As used in this chapter, the term "foreign assistance
7 program" includes—

8 (1) any program of assistance authorized by the
9 Foreign Assistance Act of 1961 (such as the devel-
10 opment assistance program, the economic support
11 fund program, and the international military edu-
12 cation and training program) or authorized by the
13 African Development Foundation Act, section 401 of
14 the Foreign Assistance Act of 1969 (relating to the
15 Inter-American Development Foundation), or any
16 other foreign assistance legislation;

17 (2) any program of grant, credit, or guaranty
18 assistance under the Arms Export Control Act;

19 (3) assistance under the Migration and Refugee
20 Assistance Act of 1962;

21 (4) assistance under any title of the Agricul-
22 tural Trade Development and Assistance Act of
23 1954;

24 (5) contributions to the International Monetary
25 Fund;

- 1 (6) contributions to the International Bank for
2 Reconstruction and Development, the International
3 Development Association, or any other institution
4 within the World Bank group; and
- 5 (7) contributions to any regional multilateral
6 development bank.

7 **CHAPTER 4—REPEALS**

8 **SEC. 3431. REPEAL OF OBSOLETE PROVISIONS.**

9 (a) 1987 FOREIGN ASSISTANCE APPROPRIATIONS
10 ACT.—Section 539(g)(2) of the Foreign Assistance and
11 Related Programs Appropriations Act, 1987, as included
12 in Public Law 99–591, is hereby repealed.

13 (b) 1986 ASSISTANCE ACT.—The Special Foreign
14 Assistance Act of 1986 is hereby repealed except for sec-
15 tion 1, section 204, and title III of such Act.

16 (c) 1985 ASSISTANCE ACT.—The International Secu-
17 rity and Development Cooperation Act of 1985 is hereby
18 repealed except for section 1, section 131, section 132, sec-
19 tion 504, section 505, part B of title V (other than section
20 558 and section 559), section 1302, section 1303, and sec-
21 tion 1304.

22 (d) 1985 JORDAN SUPPLEMENTAL ACT.—The Jor-
23 dan Supplemental Economic Assistance Authorization Act
24 of 1985 is hereby repealed.

1 (e) 1985 AFRICAN FAMINE ACT.—The African Fam-
2 ine Relief and Recovery Act of 1985 is hereby repealed.

3 (f) 1983 ASSISTANCE ACT.—The International Secu-
4 rity and Development Assistance Authorization Act of
5 1983 is hereby repealed.

6 (g) 1983 LEBANON ASSISTANCE ACT.—The Lebanon
7 Emergency Assistance Act of 1983 is hereby repealed.

8 (h) 1981 ASSISTANCE ACT.—The International Secu-
9 rity and Development Cooperation Act of 1981 is hereby
10 repealed except for section 1, section 709, and section 714.

11 (i) 1980 ASSISTANCE ACT.—The International Secu-
12 rity and Development Cooperation Act of 1980 is hereby
13 repealed except for section 1, section 110, section 316, and
14 title V.

15 (j) 1979 DEVELOPMENT ASSISTANCE ACT.—The
16 International Development Cooperation Act of 1979 is
17 hereby repealed.

18 (k) 1979 SECURITY ASSISTANCE ACT.—The Inter-
19 national Security Assistance Act of 1979 is hereby re-
20 pealed.

21 (l) 1979 SPECIAL SECURITY ASSISTANCE ACT.—The
22 Special International Security Assistance Act of 1979 is
23 hereby repealed.

24 (m) 1978 DEVELOPMENT ASSISTANCE ACT.—The
25 International Development and Food Assistance Act of

1 1978 is hereby repealed, except for section 1, title IV, and
2 section 603(a)(2).

3 (n) 1978 SECURITY ASSISTANCE ACT.—The Inter-
4 national Security Assistance Act of 1978 is hereby re-
5 pealed.

6 (o) 1977 DEVELOPMENT ASSISTANCE ACT.—The
7 International Development and Food Assistance Act of
8 1977 is hereby repealed except for section 1, section
9 132(b), and section 133.

10 (p) 1977 SECURITY ASSISTANCE ACT.—The Inter-
11 national Security Assistance Act of 1977 is hereby re-
12 pealed.

13 (q) 1976 SECURITY ASSISTANCE ACT.—The Inter-
14 national Security Assistance and Arms Export Control Act
15 of 1976 is hereby repealed except for section 1, section
16 201(b), section 212(b), section 601, and section 608.

17 (r) 1975 DEVELOPMENT ASSISTANCE ACT.—The
18 International Development and Food Assistance Act of
19 1975 is hereby repealed.

20 (s) 1975 BIB ACT.—Public Law 94–104 is hereby
21 repealed.

22 (t) 1974 ASSISTANCE ACT.—The Foreign Assistance
23 Act of 1974 is hereby repealed.

1 (u) 1973 EMERGENCY ASSISTANCE ACT.—The
2 Emergency Security Assistance Act of 1973 is hereby re-
3 pealed.

4 (v) 1973 ASSISTANCE ACT.—The Foreign Assistance
5 Act of 1973 is hereby repealed.

6 (w) 1971 ASSISTANCE ACT.—The Foreign Assistance
7 Act of 1971 is hereby repealed.

8 (x) 1971 SPECIAL ASSISTANCE ACT.—The Special
9 Foreign Assistance Act of 1971 is hereby repealed.

10 (y) 1969 ASSISTANCE ACT.—The Foreign Assistance
11 Act of 1969 is hereby repealed except for the first section
12 and part IV.

13 (z) 1968 ASSISTANCE ACT.—The Foreign Assistance
14 Act of 1968 is hereby repealed.

15 (aa) 1964 ASSISTANCE ACT.—The Foreign Assist-
16 ance Act of 1964 is hereby repealed.

17 (bb) LATIN AMERICAN DEVELOPMENT ACT.—The
18 Latin American Development Act is hereby repealed.

19 (cc) 1959 MUTUAL SECURITY ACT.—The Mutual Se-
20 curity Act of 1959 is hereby repealed.

21 (dd) 1954 MUTUAL SECURITY ACT.—Sections 402
22 and 417 of the Mutual Security Act of 1954 are hereby
23 repealed.

24 (ee) DEPARTMENT OF STATE AUTHORIZATION ACT,
25 FISCAL YEARS 1982 and 1983.—Section 109 of the De-

1 partment of State Authorization Act, Fiscal Years 1982
2 and 1983, is hereby repealed.

3 (ff) DEPARTMENT OF STATE AUTHORIZATION ACT,
4 FISCAL YEARS 1984 AND 1985.—Sections 1004 and
5 1005(a) of the Department of State Authorization Act,
6 Fiscal Years 1984 and 1985, are hereby repealed.

7 (gg) SAVINGS PROVISION.—Except as otherwise pro-
8 vided in this Act, the repeal by this Act of any provision
9 of law that amended or repealed another provision of law
10 does not affect in any way that amendment or repeal.

11 **TITLE XXXV—EFFECTIVE DATE**

12 **SEC. 3501. EFFECTIVE DATE.**

13 Except as otherwise provided in this Act, this divi-
14 sion, and the amendments made by this division, shall take
15 effect on the date of the enactment of this Act or October
16 1, 1995, whichever occurs later.

17 **DIVISION D—ADDITIONAL** 18 **PROVISIONS**

19 **TITLE XLI—PUBLIC LAW 480**

20 **SEC. 4101. AUTHORIZATION OF APPROPRIATIONS FOR**

21 **TITLE III.**

22 (a) IN GENERAL.—Notwithstanding section 3242 of
23 this Act, there are authorized to be appropriated
24 \$25,000,000 for each of the fiscal years 1996 and 1997
25 for the provision of agricultural commodities under title

1 III of the Agricultural Trade Development and Assistance
2 Act of 1954 (7 U.S.C. 1727 et seq.).

3 (b) AUTHORITY TO TRANSFER AMOUNTS.—Notwith-
4 standing any other provision of law, amounts authorized
5 to be appropriated by subsection (a) may be used to carry
6 out title II of the Agricultural Trade Development and As-
7 sistance Act of 1954 (7 U.S.C. 1721 et seq.).

8 **TITLE XLII—UNITED STATES IN-**
9 **FORMATIONAL, EDUCATIONAL, AND CULTURAL**
10 **PROGRAMS**
11

12 **SEC. 4201. AUTHORIZATION OF APPROPRIATIONS.**

13 Notwithstanding paragraphs (1), (3)(F), (4)(A), and
14 (5) of section 2106 of this Act, the following amounts are
15 authorized to be appropriated to carry out international
16 information activities and educational and cultural ex-
17 change programs under the United States Information
18 and Educational Exchange Act of 1948, the Mutual Edu-
19 cational and Cultural Exchange Act of 1961, Reorganiza-
20 tion Plan Number 2 of 1977, the United States Inter-
21 national Broadcasting Act of 1994, the Radio Broadcast-
22 ing to Cuba Act, the Television Broadcasting to Cuba Act,
23 the Board for International Broadcasting Act, the Inspec-
24 tor General Act of 1978, the North/South Center Act of
25 1991, the National Endowment for Democracy Act, and

1 to carry out other authorities in law consistent with such
2 purposes:

3 (1) SALARIES AND EXPENSES.—For “Salaries
4 and Expenses”, \$445,645,000 for the fiscal year
5 1996 and \$402,080,000 for the fiscal year 1997.

6 (2) EDUCATIONAL AND CULTURAL EXCHANGE
7 PROGRAMS.—For “Hubert H. Humphrey Fellowship
8 Program”, “Edmund S. Muskie Fellowship Pro-
9 gram”, “International Visitors Program”, “Mike
10 Mansfield Fellowship Program”, “Claude and Mil-
11 dred Pepper Scholarship Program of the Washing-
12 ton Workshops Foundation”, “Citizen Exchange
13 Programs”, “Congress-Bundestag Exchange Pro-
14 gram”, “Newly Independent States and Eastern Eu-
15 rope Training”, “Institute for Representative Gov-
16 ernment”, and “Arts America”, \$82,265,800 for the
17 fiscal year 1996 and \$62,341,400 for the fiscal year
18 1997.

19 (3) RADIO CONSTRUCTION.—For “Radio Con-
20 struction”, \$70,164,000 for the fiscal year 1996 and
21 \$52,647,000 for the fiscal year 1997.

22 (4) INTERNATIONAL BROADCASTING ACTIVI-
23 TIES.—For “International Broadcasting Activities”,
24 \$311,191,000 for the fiscal year 1996 and
25 \$246,191,000 for the fiscal year 1997.

1 **TITLE XLIII—FOREIGN**
2 **BUILDINGS**

3 **SEC. 4301. AUTHORIZATION OF APPROPRIATIONS.**

4 Notwithstanding section 2101(a)(4), there are au-
5 thorized to be appropriated for “Acquisition and Mainte-
6 nance of Buildings Abroad”, \$369,860,000 for the fiscal
7 year 1997.

8 **TITLE XLIV—FOREIGN**
9 **ASSISTANCE**

10 **SEC. 4401. AUTHORIZATION OF APPROPRIATIONS.**

11 (a) FOREIGN MILITARY FINANCING PROGRAM.—
12 Notwithstanding section 3101 of this Act, there are au-
13 thorized to be appropriated for grant assistance under sec-
14 tion 23 of the Arms Export Control Act (22 U.S.C. 2763)
15 and for the subsidy cost, as defined in section 502(5) of
16 the Federal Credit Reform Act of 1990, of direct loans
17 under such section—

18 (1) \$3,274,440,000 for fiscal year 1996; and

19 (2) \$3,216,020,000 for fiscal year 1997.

20 (b) ECONOMIC SUPPORT ASSISTANCE.—Notwith-
21 standing section 3201 of this Act, section 532(a) of the
22 Foreign Assistance Act of 1961 (22 U.S.C. 2346a(a)) is
23 amended to read as follows:

24 “(a) There are authorized to be appropriated to the
25 President to carry out the purposes of this chapter

1 \$2,346,378,000 for fiscal year 1996 and \$2,238,478,000
2 for fiscal year 1997.”.

3 (c) DEVELOPMENT FUND FOR AFRICA.—Notwith-
4 standing paragraph (2) of section 3221(a) of this Act,
5 there are authorized to be appropriated \$649,214,000 for
6 fiscal year 1996 and \$634,214,000 for fiscal year 1997
7 to carry out chapter 10 of part I of the Foreign Assistance
8 Act of 1961 (22 U.S.C. 2293 et seq.).

9 **TITLE XLV—UNITED STATES**
10 **EDUCATIONAL AND CUL-**
11 **TURAL EXCHANGE PRO-**
12 **GRAMS**

13 **SEC. 4501. AUTHORIZATION OF APPROPRIATIONS.**

14 (a) FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.—
15 Notwithstanding section 2106(3)(A), there are authorized
16 to be appropriated for “Fulbright Academic Exchange
17 Programs”, \$112,484,200 for the fiscal year 1996 and
18 \$88,680,800 for the fiscal year 1997.

19 (b) OTHER PROGRAMS.—Notwithstanding section
20 2106(3)(F), there are authorized to be appropriated for

- 1 “Other Programs”, \$77,265,800 for the fiscal year 1996
- 2 and \$57,341,400 for the fiscal year 1997.

Passed the House of Representatives June 8, 1995.

Attest:

Clerk.