

Calendar No. 149

107TH CONGRESS
1ST SESSION**S. 1401****[Report No. 107–60]**

To authorize appropriations for the Department of State and for United States international broadcasting activities for fiscal years 2002 and 2003, and for other purposes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 4, 2001

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

A BILL

To authorize appropriations for the Department of State and for United States international broadcasting activities for fiscal years 2002 and 2003, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Foreign Relations Au-
5 thorization Act, Fiscal Years 2002 and 2003”.

1 SEC. 2. TABLE OF CONTENTS.

2 The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

Subtitle A—Department of State

- Sec. 101. Administration of foreign affairs.
- Sec. 102. United States educational, cultural, and public diplomacy programs.
- Sec. 103. Contributions to international organizations.
- Sec. 104. International commissions.
- Sec. 105. Migration and refugee assistance.
- Sec. 106. Grants to The Asia Foundation.

Subtitle B—United States International Broadcasting Activities

- Sec. 111. Authorizations of appropriations.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

Subtitle A—Basic Authorities and Activities

- Sec. 201. Emergency evacuation services.
- Sec. 202. Application of earmarks and minimum funding requirements in laws authorizing appropriations.
- Sec. 203. Special agent authorities.
- Sec. 204. Retention of portion of claims payments for the International Litigation Fund.
- Sec. 205. Foreign Relations Historical Series.
- Sec. 206. Expansion of eligibility for award of certain construction contracts.
- Sec. 207. Repeal of provision regarding housing for foreign agricultural attache.
- Sec. 208. International chancery center.
- Sec. 209. Travel to Great Lakes fisheries meetings.
- Sec. 210. Correction of Fishermen's Protective Act of 1967.
- Sec. 211. State Department records of overseas deaths of United States nationals from nonnatural causes.
- Sec. 212. United States policy with respect to Jerusalem as the capital of Israel.
- Sec. 213. Use of funds received by the International Boundary and Water Commission.
- Sec. 214. Fee collections relating to intercountry adoptions and affidavits of support.

Subtitle B—Educational, Cultural, and Public Diplomacy Authorities

- Sec. 221. Allocation of funds transferred to the Bureau of Educational and Cultural Affairs.
- Sec. 222. Action plan related to public diplomacy activities.
- Sec. 223. Advisory Committee on Cultural Diplomacy.
- Sec. 224. Chinese Language Scholars Program.

- Sec. 225. Allocation of funds for American Corners in the Russian Federation.
- Sec. 226. Conforming amendments.

Subtitle C—Consular Authorities

- Sec. 231. Machine readable visas.
- Sec. 232. Consular fees.
- Sec. 233. Report on visa issuance to inadmissible aliens.
- Sec. 234. Denial of entry into United States of Chinese and other nationals engaged in coerced organ or bodily tissue transplantation.

Subtitle D—Migration and Refugees

- Sec. 241. United States membership in the International Organization for Migration.
- Sec. 242. United States policy regarding the involuntary return of refugees.

TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT OF STATE

Subtitle A—Organizational Matters

- Sec. 301. Comprehensive workforce plan.
- Sec. 302. “Rightsizing” overseas posts.
- Sec. 303. Elimination of position of Deputy Secretary of State for Management and Resources.

Subtitle B—Personnel Matters

- Sec. 311. Thomas Jefferson Star for Foreign Service.
- Sec. 312. Presidential rank awards.
- Sec. 313. Clarification of separation for cause.
- Sec. 314. Family visitation travel for dependents.
- Sec. 315. Health education and disease prevention programs.
- Sec. 316. Correction of time limit for grievance filing.
- Sec. 317. Training authorities.
- Sec. 318. Unaccompanied air baggage.
- Sec. 319. Emergency medical advance payments.
- Sec. 320. Retirement credit for certain Government service performed abroad.
- Sec. 321. Computation of Foreign Service retirement annuities as if Washington, D.C., locality-based comparability payments were made to overseas stationed Foreign Service members.
- Sec. 322. Plan for improving recruitment of veterans into the Foreign Service.

TITLE IV—INTERNATIONAL ORGANIZATIONS

- Sec. 401. Payment of second installment of arrearages.
- Sec. 402. Payment of third installment of arrearages.
- Sec. 403. Transmittal of certifications to Congress.
- Sec. 404. Reports to Congress on contributions to the United Nations.
- Sec. 405. Limitation on the United States share of assessments for United Nations peacekeeping operations in calendar years 2001 through 2003.
- Sec. 406. Limitation on the United States share of assessments for United Nations regular budget.
- Sec. 407. Sense of Congress relating to the payment of the United States share of assessments for the United Nations regular budget.
- Sec. 408. Zero growth United Nations budget.

- Sec. 409. Membership on Commission on Human Rights and International Narcotics Control Board.
- Sec. 410. Action plan for enhanced Department of State efforts to place United States nationals in positions of employment in the United Nations and its specialized agencies.

TITLE V—UNITED STATES INTERNATIONAL BROADCASTING ACTIVITIES

- Sec. 501. Redesignation of the Broadcasting Board of Governors as the United States International Broadcasting Agency.
- Sec. 502. Special authority for surge capacity.
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- Sec. 504. Modification of limitation on grant amounts to RFE/RL, Incorporated.
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- Sec. 506. Pay parity for senior executives of RFE/RL, Incorporated.
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TITLE VI—REPORTING REQUIREMENTS

- Sec. 601. Elimination of certain reporting requirements.
- Sec. 602. Report relating to Commission on Security and Cooperation in Europe.
- Sec. 603. Briefings on potential purchases of defense articles or defense services by Taiwan.
- Sec. 604. Annual reports on United States-Vietnam human rights dialogue meetings.
- Sec. 605. Semiannual reports on expenditures made from appropriation for "Emergencies in the Diplomatic and Consular Service".
- Sec. 606. Report concerning elimination of Colombian opium.
- Sec. 607. Report concerning the German Foundation "Remembrance, Responsibility, and the Future".

TITLE VII—MISCELLANEOUS PROVISIONS

Subtitle A—Middle East Peace Commitments Act of 2001

- Sec. 701. Short title.
- Sec. 702. Findings.
- Sec. 703. Reports.
- Sec. 704. Imposition of sanctions.

Subtitle B—Tibet Policy

- Sec. 711. Short title.
- Sec. 712. Statement of purpose.
- Sec. 713. Tibet negotiations.
- Sec. 714. Reporting on Tibet.
- Sec. 715. Congressional-Executive Commission on the People's Republic of China.
- Sec. 716. Economic development on the Tibetan plateau.

- Sec. 717. Release of prisoners and access to prisons.
- Sec. 718. Establishment of a United States branch office in Lhasa, Tibet.
- Sec. 719. Requirement for Tibetan language training.
- Sec. 720. Religious persecution in Tibet.

Subtitle C—East Timor Transition to Independence Act of 2001

- Sec. 731. Short title.
- Sec. 732. Bilateral assistance.
- Sec. 733. Multilateral assistance.
- Sec. 734. Trade and investment assistance.
- Sec. 735. Generalized system of preferences.
- Sec. 736. Peace Corps activities.
- Sec. 737. Security assistance for East Timor.
- Sec. 738. Authorization of United States diplomatic mission to East Timor.
- Sec. 739. Reporting requirement.

Subtitle D—Reform of Certification Procedures Applicable to Certain Drug Producing or Trafficking Countries

- Sec. 741. Findings.
- Sec. 742. Three-year modification of procedures relating to assistance for major drug-transit and major illicit drug producing countries.
- Sec. 743. Sense of Congress on enhanced international narcotics control.
- Sec. 744. Inclusion of major foreign drug trafficking organizations in international narcotics control strategy report.
- Sec. 745. Judicial review under Foreign Narcotics Kingpin Designation Act.

Subtitle E—Clean Water for the Americas Partnership

- Sec. 751. Short title.
- Sec. 752. Definitions.
- Sec. 753. Establishment of program.
- Sec. 754. Environment assessment.
- Sec. 755. Establishment of Technology America Centers.
- Sec. 756. Promotion of water quality, water treatment systems, and energy efficiency.
- Sec. 757. Grants for prefeasibility studies within a designated subregion.
- Sec. 758. Clean Water Technical Support Committee.
- Sec. 759. Authorization of appropriations.
- Sec. 760. Report.
- Sec. 761. Termination date.
- Sec. 762. Effective date.

Subtitle F—Other Matters

- Sec. 771. Amendments to the International Religious Freedom Act of 1998.
- Sec. 772. Extension of authority for Caucus on International Narcotics Control.
- Sec. 773. Human Rights and Democracy Fund.
- Sec. 774. Reports on actions taken by the United States to encourage respect for human rights.
- Sec. 775. Program to improve building construction and practices in Latin American countries.
- Sec. 776. Support for accountability of persons responsible for committing war crimes and other human rights abuses in Sierra Leone.
- Sec. 777. Transfer of proscribed weapons to persons or entities in the West Bank and Gaza.

Sec. 778. Sense of Congress relating to global warming.

Sec. 779. Sense of Congress relating to environmental contamination and other adverse health effects in the Philippines emanating from former United States military facilities.

Sec. 780. Sense of Congress on Bolivia.

Sec. 781. Sense of Congress on return of portraits of Holocaust victims to the artist Dina Babbitt.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

3 (1) APPROPRIATE CONGRESSIONAL COMMIT-
4 TEES.—The term “appropriate congressional com-
5 mittees” means the Committee on Foreign Relations
6 of the Senate and the Committee on International
7 Relations of the House of Representatives.

8 (2) DEPARTMENT.—The term “Department”
9 means the Department of State.

10 (3) SECRETARY.—Except as otherwise provided,
11 the term “Secretary” means the Secretary of State.

12 **TITLE I—AUTHORIZATIONS OF** 13 **APPROPRIATIONS**

14 **Subtitle A—Department of State**

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

16 The following amounts are authorized to be appro-
17 priated for the Department under “Administration of For-
18 eign Affairs” to carry out the authorities, functions, du-
19 ties, and responsibilities in the conduct of the foreign af-
20 fairs of the United States, and for other purposes author-
21 ized by law, including public diplomacy activities and the
22 diplomatic security program:

1 (1) DIPLOMATIC AND CONSULAR PROGRAMS.—

2 (A) AUTHORIZATION OF APPROPRIA-
3 TIONS.—For “Diplomatic and Consular Pro-
4 grams”, \$3,730,140,000 for the fiscal year
5 2002 and \$4,103,154,000 for the fiscal year
6 2003.

7 (B) WORLDWIDE SECURITY UPGRADES.—

8 Of the amounts authorized to be appropriated
9 by subparagraph (A), \$512,735,000 for the fis-
10 cal year 2002 and \$564,009,000 for the fiscal
11 year 2003 are authorized to be appropriated
12 only for worldwide security upgrades.

13 (2) CAPITAL INVESTMENT FUND.—For “Cap-
14 ital Investment Fund”, \$210,000,000 for the fiscal
15 year 2002 and \$231,000,000 for the fiscal year
16 2003.

17 (3) EMBASSY SECURITY, CONSTRUCTION AND
18 MAINTENANCE.—

19 (A) IN GENERAL.—For “Embassy Secu-
20 rity, Construction and Maintenance”,
21 \$475,046,000 for the fiscal year 2002, and
22 \$522,551,000 for the fiscal year 2003, in addi-
23 tion to amounts otherwise authorized to be ap-
24 propriated for such purpose by section 604 of
25 the Admiral James W. Nance and Meg Dono-

1 van Foreign Relations Authorization Act, Fiscal
2 Years 2000 and 2001 (as enacted into law by
3 section 1000(a)(7) of Public Law 106–113 and
4 contained in appendix G of that Act; 113 Stat.
5 1501A–470).

6 (B) AMENDMENT OF THE NANCE-DONO-
7 VAN FOREIGN RELATIONS AUTHORIZATION
8 ACT.—Section 604(a)(4) of that Act (113 Stat.
9 1501A–453) is amended by striking
10 “\$900,000,000” and inserting
11 “\$1,000,000,000”.

12 (4) REPRESENTATION ALLOWANCES.—For
13 “Representation Allowances”, \$9,000,000 for the
14 fiscal year 2002 and \$9,450,000 for the fiscal year
15 2003.

16 (5) PROTECTION OF FOREIGN MISSIONS AND
17 OFFICIALS.—For “Protection of Foreign Missions
18 and Officials”, \$10,000,000 for the fiscal year 2002
19 and \$10,500,000 for the fiscal year 2003.

20 (6) EMERGENCIES IN THE DIPLOMATIC AND
21 CONSULAR SERVICE.—For “Emergencies in the Dip-
22 lomatic and Consular Service”, \$15,500,000 for the
23 fiscal year 2002 and \$16,275,000 for the fiscal year
24 2003.

1 (7) REPATRIATION LOANS.—For “Repatriation
2 Loans”, \$1,219,000 for the fiscal year 2002 and
3 \$1,250,000 for the fiscal year 2003.

4 (8) PAYMENT TO THE AMERICAN INSTITUTE IN
5 TAIWAN.—For “Payment to the American Institute
6 in Taiwan”, \$17,044,000 for the fiscal year 2002
7 and \$17,896,000 for the fiscal year 2003.

8 (9) OFFICE OF THE INSPECTOR GENERAL.—
9 For “Office of the Inspector General”, \$29,264,000
10 for the fiscal year 2002 and \$30,435,000 for the fis-
11 cal year 2003.

12 **SEC. 102. UNITED STATES EDUCATIONAL, CULTURAL, AND**
13 **PUBLIC DIPLOMACY PROGRAMS.**

14 The following amounts are authorized to be appro-
15 priated for the Department to carry out public diplomacy
16 programs of the Department under the United States In-
17 formation and Educational Exchange Act of 1948, the
18 Mutual Educational and Cultural Exchange Act of 1961,
19 Reorganization Plan Number 2 of 1977, the Center for
20 Cultural and Technical Interchange Between East and
21 West Act of 1960, the Dante B. Fascell North-South Cen-
22 ter Act of 1991, and the National Endowment for Democ-
23 racy Act, and to carry out other authorities in law con-
24 sistent with such purposes:

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

3 (A) FULBRIGHT ACADEMIC EXCHANGE
4 PROGRAMS.—

5 (i) IN GENERAL.—For the “Fulbright
6 Academic Exchange Programs” (other
7 than programs described in subparagraph
8 (B)), \$135,000,000 for the fiscal year
9 2002 and \$150,000,000 for the fiscal year
10 2003.

11 (ii) VIETNAM FULBRIGHT ACADEMIC
12 EXCHANGE PROGRAM.—Of the amounts
13 authorized to be appropriated by clause (i),
14 \$5,000,000 for the fiscal year 2002 and
15 \$5,000,000 for the fiscal year 2003 shall
16 be available only to carry out the Vietnam
17 scholarship program established by section
18 229 of the Foreign Relations Authorization
19 Act, Fiscal Years 1992 and 1993 (Public
20 Law 102–138).

21 (B) OTHER EDUCATIONAL AND CULTURAL
22 EXCHANGE PROGRAMS.—

23 (i) IN GENERAL.—For other edu-
24 cational and cultural exchange programs
25 authorized by law, \$125,000,000 for the

1 fiscal year 2002 and \$136,000,000 for the
2 fiscal year 2003.

3 (ii) TIBETAN EXCHANGES.—Of the
4 amounts authorized to be appropriated by
5 clause (i), \$500,000 for the fiscal year
6 2002 and \$500,000 for the fiscal year
7 2003 are authorized to be available for
8 “Ngawang Choephel Exchange Programs”
9 (formerly known as “programs of edu-
10 cational and cultural exchange between the
11 United States and the people of Tibet”)
12 under section 103(a) of the Human
13 Rights, Refugee, and Other Foreign Rela-
14 tions Provisions Act of 1996 (Public Law
15 104–319).

16 (iii) EAST TIMORESE SCHOLAR-
17 SHIPS.—Of the amounts authorized to be
18 appropriated by clause (i), \$500,000 for
19 the fiscal year 2002 and \$500,000 for the
20 fiscal year 2003 are authorized to be avail-
21 able for “East Timorese Scholarships”.

22 (iv) MONTENEGRO PARLIAMENTARY
23 DEVELOPMENT.—Of the amounts author-
24 ized to be appropriated by clause (i),
25 \$1,000,000 for the fiscal year 2002 and

1 \$1,000,000 for the fiscal year 2003 are au-
 2 thorized only for a program of parliamen-
 3 tary development and exchanges in Monte-
 4 negro.

5 (2) NATIONAL ENDOWMENT FOR DEMOC-
 6 RACY.—For the “National Endowment for Democ-
 7 racy”, \$36,000,000 for the fiscal year 2002 and
 8 \$40,000,000 for the fiscal year 2003.

9 (3) CENTER FOR CULTURAL AND TECHNICAL
 10 INTERCHANGE BETWEEN EAST AND WEST.—For the
 11 “Center for Cultural and Technical Interchange be-
 12 tween East and West”, \$15,000,000 for the fiscal
 13 year 2002 and \$15,000,000 for the fiscal year 2003.

14 (4) REAGAN-FASCELL DEMOCRACY FELLOWS.—
 15 For a fellowship program known as the “Reagan-
 16 Fascell Democracy Fellows”, for democracy activists
 17 and scholars from around the world at the Inter-
 18 national Forum for Democratic Studies in Wash-
 19 ington, D.C., to study, write, and exchange views
 20 with other activists and scholars and with Ameri-
 21 cans, \$1,000,000 for the fiscal year 2002 and
 22 \$1,000,000 for the fiscal year 2003.

1 **SEC. 103. CONTRIBUTIONS TO INTERNATIONAL ORGANIZA-**
 2 **TIONS.**

3 (a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL
 4 ORGANIZATIONS.—

5 (1) AUTHORIZATION OF APPROPRIATIONS.—

6 There are authorized to be appropriated under the
 7 heading “Contributions to International Organiza-
 8 tions” \$1,144,000,000 for the fiscal year 2002 and
 9 \$913,917,000 for the fiscal year 2003 for the De-
 10 partment to carry out the authorities, functions, du-
 11 ties, and responsibilities in the conduct of the for-
 12 eign affairs of the United States with respect to
 13 international organizations and to carry out other
 14 authorities in law consistent with such purposes.

15 (2) AVAILABILITY OF FUNDS FOR CIVIL BUDG-
 16 ET OF NATO.—Of the amounts authorized to be ap-
 17 propriated under the heading “Contributions to
 18 International Organizations” for fiscal year 2002
 19 and for each fiscal year thereafter, such sums as
 20 may be necessary are authorized for the United
 21 States assessment for the civil budget of the North
 22 Atlantic Treaty Organization.

23 (b) CONTRIBUTIONS FOR INTERNATIONAL PEACE-
 24 KEEPING ACTIVITIES.—There are authorized to be appro-
 25 priated under the heading “Contributions for Inter-
 26 national Peacekeeping Activities” \$844,139,000 for the

1 fiscal year 2002 and \$844,139,000 for the fiscal year
2 2003 for the Department to carry out the authorities,
3 functions, duties, and responsibilities in the conduct of the
4 foreign affairs of the United States with respect to inter-
5 national peacekeeping activities and to carry out other au-
6 thorities in law consistent with such purposes.

7 (c) FOREIGN CURRENCY EXCHANGE RATES.—

8 (1) AUTHORIZATION OF APPROPRIATIONS.—In
9 addition to amounts authorized to be appropriated
10 by subsection (a), there are authorized to be appro-
11 priated such sums as may be necessary for each of
12 the fiscal years 2002 and 2003 to offset adverse
13 fluctuations in foreign currency exchange rates.

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

20 (d) REFUND OF EXCESS CONTRIBUTIONS.—The
21 United States shall continue to insist that the United Na-
22 tions and its specialized and affiliated agencies shall credit
23 or refund to each member of the organization or agency
24 concerned its proportionate share of the amount by which
25 the total contributions to the organization or agency ex-

1 ceed the expenditures of the regular assessed budget of
 2 the organization or agency.

3 **SEC. 104. INTERNATIONAL COMMISSIONS.**

4 The following amounts are authorized to be appro-
 5 priated under “International Commissions” for the De-
 6 partment to carry out the authorities, functions, duties,
 7 and responsibilities in the conduct of the foreign affairs
 8 of the United States with respect to international commis-
 9 sions, and for other purposes authorized by law:

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

14 (A) for “Salaries and Expenses”,
 15 \$7,452,000 for the fiscal year 2002 and
 16 \$7,825,000 for the fiscal year 2003; and

17 (B) for “Construction”, \$25,654,000 for
 18 the fiscal year 2002 and \$26,937,000 for the
 19 fiscal year 2003.

20 (2) INTERNATIONAL BOUNDARY COMMISSION,
 21 UNITED STATES AND CANADA.—For “International
 22 Boundary Commission, United States and Canada”,
 23 \$989,000 for the fiscal year 2002 and \$1,038,000
 24 for the fiscal year 2003.

1 (3) INTERNATIONAL JOINT COMMISSION.—For
 2 “International Joint Commission”, \$7,282,000 for
 3 the fiscal year 2002 and \$7,646,000 for the fiscal
 4 year 2003.

5 (4) INTERNATIONAL FISHERIES COMMISS-
 6 SIONS.—For “International Fisheries Commissions”,
 7 \$19,780,000 for the fiscal year 2002 and
 8 \$20,769,000 for the fiscal year 2003.

9 **SEC. 105. MIGRATION AND REFUGEE ASSISTANCE.**

10 (a) IN GENERAL.—There are authorized to be appro-
 11 priated for the Department for “Migration and Refugee
 12 Assistance” for authorized activities, \$715,000,000 for the
 13 fiscal year 2002 and \$750,750,000 for the fiscal year
 14 2003.

15 (b) ALLOCATION OF FUNDS.—Of the amounts au-
 16 thorized to be appropriated by subsection (a), not less
 17 than \$60,000,000 is authorized to be available for each
 18 of the fiscal years 2002 and 2003 for the resettlement of
 19 refugees in Israel.

20 **SEC. 106. GRANTS TO THE ASIA FOUNDATION.**

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

24 “SEC. 404. There are authorized to be appropriated
 25 to the Secretary of State \$15,000,000 for the fiscal year

1 2002 and \$15,000,000 for the fiscal year 2003 for grants
 2 to The Asia Foundation pursuant to this title.”.

3 **Subtitle B—United States Inter-**
 4 **national Broadcasting Activities**

5 **SEC. 111. AUTHORIZATIONS OF APPROPRIATIONS.**

6 The following amounts are authorized to be appro-
 7 priated to carry out United States Government broad-
 8 casting activities under the United States Information and
 9 Educational Exchange Act of 1948, the United States
 10 International Broadcasting Act of 1994, the Radio Broad-
 11 casting to Cuba Act, the Television Broadcasting to Cuba
 12 Act, and the Foreign Affairs Reform and Restructuring
 13 Act of 1998, and to carry out other authorities in law con-
 14 sistent with such purposes:

15 (1) INTERNATIONAL BROADCASTING OPER-
 16 ATIONS.—

17 (A) IN GENERAL.—For “International
 18 Broadcasting Operations”, \$463,806,000 for
 19 the fiscal year 2002, and \$486,996,000 for the
 20 fiscal year 2003.

21 (B) ALLOCATION OF FUNDS.—Of the
 22 amounts authorized to be appropriated by sub-
 23 paragraph (A) for the fiscal years 2002 and
 24 2003, there are authorized to be available for

1 Radio Free Asia \$30,000,000 for the fiscal year
 2 2002 and \$33,000,000 for the fiscal year 2003.

3 (2) BROADCASTING CAPITAL IMPROVEMENTS.—
 4 For “Broadcasting Capital Improvements”,
 5 \$22,900,000 for the fiscal year 2002 and
 6 \$20,000,000 for the fiscal year 2003.

7 **TITLE II—DEPARTMENT OF**
 8 **STATE AUTHORITIES AND AC-**
 9 **TIVITIES**
 10 **Subtitle A—Basic Authorities and**
 11 **Activities**

12 **SEC. 201. EMERGENCY EVACUATION SERVICES.**

13 Section 4(b)(2)(A) of the State Department Basic
 14 Authorities Act of 1956 (22 U.S.C. 2671(b)(2)(A)) is
 15 amended to read as follows:

16 “(A) the evacuation when their lives are endan-
 17 gered by war, civil unrest, or natural disaster of—

18 “(i) United States Government employees
 19 and their dependents; and

20 “(ii) private United States citizens or
 21 third-country nationals, on a reimbursable basis
 22 to the extent feasible, with such reimburse-
 23 ments to be credited to the applicable Depart-
 24 ment of State appropriation and to remain
 25 available until expended;”.

1 **SEC. 202. APPLICATION OF EARMARKS AND MINIMUM**
 2 **FUNDING REQUIREMENTS IN LAWS AUTHOR-**
 3 **IZING APPROPRIATIONS.**

4 Section 15 of the State Department Basic Authorities
 5 Act of 1956 (22 U.S.C. 2680) is amended by adding at
 6 the end the following new subsection:

7 “(c)(1) Whenever a provision of law expresses an ear-
 8 mark or minimum funding requirement with respect to an
 9 amount or amounts authorized to be appropriated to the
 10 Department of State, the provision shall apply to appro-
 11 priations made pursuant to that authority unless the pro-
 12 vision is specifically superseded, modified, stricken, or re-
 13 pealed by an Act enacted after the date of enactment of
 14 the provision of law expressing the earmark or require-
 15 ment.

16 “(2) In this subsection, the term ‘earmark’ means a
 17 sum that is available only for a particular purpose, coun-
 18 try, program, project, or activity.”.

19 **SEC. 203. SPECIAL AGENT AUTHORITIES.**

20 Section 37(a) of the State Department Basic Au-
 21 thorities Act of 1956 (22 U.S.C. 2709(a)) is amended—

22 (1) by amending paragraph (2) to read as fol-
 23 lows:

24 “(2) obtain and execute search and arrest war-
 25 rants, as well as obtain and serve subpoenas and

1 summonses issued under the authority of the United
 2 States;”;

3 (2) in paragraph (3)(F), by inserting “or Presi-
 4 dent-elect” after “President”; and

5 (3) by amending paragraph (5) to read as fol-
 6 lows:

7 “(5) make arrests without warrant for any of-
 8 fense against the United States committed in their
 9 presence, or for any felony cognizable under the laws
 10 of the United States if they have reasonable grounds
 11 to believe that the person to be arrested has com-
 12 mitted or is committing such felony.”.

13 **SEC. 204. RETENTION OF PORTION OF CLAIMS PAYMENTS**
 14 **FOR THE INTERNATIONAL LITIGATION FUND.**

15 Section 38 of the State Department Basic Authorities
 16 Act of 1956 (22 U.S.C. 2710) is amended by adding at
 17 the end the following new subsection:

18 “(e) RETENTION OF FUNDS.—

19 “(1) IN GENERAL.—To reimburse the expenses
 20 of the United States Government in preparing or
 21 prosecuting a proceeding before an international tri-
 22 bunal, or a claim against a foreign government or
 23 other foreign entity, the Department of State shall
 24 retain 1.5 percent of any amount of \$5,000,000 or
 25 less, and one percent of any amount of more than

1 \$5,000,000, awarded per proceeding or received per
 2 claim under chapter 34 of the Act of February 27,
 3 1896 (22 U.S.C. 2668a; 29 Stat. 32).

4 “(2) TREATMENT.—Amounts retained under
 5 the authority of paragraph (1) shall be deposited
 6 into the fund under subsection (d).”.

7 **SEC. 205. FOREIGN RELATIONS HISTORICAL SERIES.**

8 (a) ANNUAL REPORTS BY THE ADVISORY COM-
 9 MITTEE.—Section 404(d) of the State Department Basic
 10 Authorities Act of 1956 (22 U.S.C. 4354(d)) is
 11 amended—

12 (1) by striking “REPORTING REQUIRE-
 13 MENT.—” and inserting “ANNUAL REPORTS BY THE
 14 ADVISORY COMMITTEE.—”; and

15 (2) by inserting “and to the Committee on For-
 16 eign Relations of the Senate and the Committee on
 17 International Relations of the House of Representa-
 18 tives” after “Secretary of State”.

19 (b) ANNUAL REPORTS BY THE SECRETARY.—Section
 20 404(e) of the State Department Basic Authorities Act of
 21 1956 (22 U.S.C. 4354(e)) is amended to read as follows:

22 “(e) ANNUAL REPORTS BY THE SECRETARY OF
 23 STATE.—Not later than March 1 of each year, the Sec-
 24 retary of State shall submit a report to the Committee
 25 on Foreign Relations of the Senate and the Committee

1 on International Relations of the House of Representa-
 2 tives on the compliance of the Department of State with
 3 the provisions of this title, including—

4 “(1) the volumes published in the previous cal-
 5 endar year;

6 “(2) the degree to which the Department is not
 7 in compliance with the deadline set forth in section
 8 401(c); and

9 “(3) the factors relevant to the inability of the
 10 Department to comply with the provisions of this
 11 title, including section 401(c).”.

12 **SEC. 206. EXPANSION OF ELIGIBILITY FOR AWARD OF CER-**
 13 **TAIN CONSTRUCTION CONTRACTS.**

14 (a) IN GENERAL.—Section 11(b)(4)(A) of the For-
 15 eign Service Buildings Act, 1926 (22 U.S.C.
 16 302(b)(4)(A)) is amended by inserting “or at a United
 17 States diplomatic or consular establishment abroad” after
 18 “United States”.

19 (b) CONFORMING AMENDMENT.—Section
 20 402(c)(2)(D) of the Omnibus Diplomatic Security and
 21 Antiterrorism Act of 1986 (22 U.S.C. 4852(c)(2)(D)) is
 22 amended by inserting “or at a United States diplomatic
 23 or consular establishment abroad” after “United States”.

1 **SEC. 207. REPEAL OF PROVISION REGARDING HOUSING**
2 **FOR FOREIGN AGRICULTURAL ATTACHE.**

3 Section 738 of the Agriculture, Rural Development,
4 Food and Drug Administration, and Related Agencies Ap-
5 propriations Act, 2001 (as enacted into law by Public Law
6 106–387; 114 Stat. 1549A–34) is repealed.

7 **SEC. 208. INTERNATIONAL CHANCERY CENTER.**

8 Section 1 of the Act of October 8, 1968 (Public Law
9 90–553, as amended; commonly known as the “Inter-
10 national Center Act”) is amended—

11 (1) by redesignating clauses (a) and (b) as
12 clauses (1) and (2), respectively;

13 (2) by inserting “(a)” after “That”; and

14 (3) by adding at the end the following new sub-
15 sections:

16 “(b) There is established in the Treasury of the
17 United States an account into which may be deposited
18 funds provided as advance payments pursuant to sub-
19 section (a).

20 “(c) The Secretary of State may request the Sec-
21 retary of the Treasury to invest such portion of the funds
22 deposited in that account as is not, in the judgment of
23 the Secretary of State, required to meet the current needs
24 of the account. Such investments shall be made by the
25 Secretary of the Treasury in public debt securities with
26 maturities suitable to the needs of the account, as deter-

1 mined by the Secretary of State, and bearing interest at
 2 a rate determined by the Secretary of the Treasury, taking
 3 into consideration the current market yields on out-
 4 standing marketable obligations of the United States of
 5 comparable maturity.”.

6 **SEC. 209. TRAVEL TO GREAT LAKES FISHERIES MEETINGS.**

7 Section 4(c) of the Great Lakes Fisheries Act of 1956
 8 (16 U.S.C. 933(c)) is amended—

- 9 (1) by striking “five” and inserting “ten”; and
 10 (2) by striking “each” and inserting “the an-
 11 nual”.

12 **SEC. 210. CORRECTION OF FISHERMEN’S PROTECTIVE ACT**
 13 **OF 1967.**

14 Section 7(a)(3) of the Fishermen’s Protective Act of
 15 1967 (22 U.S.C. 1977(a)(3)) is amended by striking “Sec-
 16 retary of Commerce” and inserting “Secretary of State”.

17 **SEC. 211. STATE DEPARTMENT RECORDS OF OVERSEAS**
 18 **DEATHS OF UNITED STATES NATIONALS**
 19 **FROM NONNATURAL CAUSES.**

20 (a) COLLECTION OF INFORMATION.—The Secretary
 21 shall, to the maximum extent practicable, collect, with re-
 22 spect to each foreign country, the following information
 23 with respect to each United States national who dies in
 24 that country from a nonnatural cause on or after the date
 25 of enactment of this Act:

1 (1) The date of death.

2 (2) The locality where the death occurred (in-
3 cluding the state or province and municipality, if
4 available).

5 (3) The cause of death, including detailed infor-
6 mation that would inform the public of the cir-
7 cumstances of the death, and including, if the death
8 resulted from an act of international terrorism, a
9 statement disclosing that information.

10 (4) Such other information as the Secretary
11 shall prescribe.

12 (b) DATABASE.—The Secretary shall establish and
13 maintain a database containing the information collected
14 under subsection (a).

15 (c) PUBLIC AVAILABILITY OF INFORMATION.—

16 (1) CURRENT INFORMATION.—Beginning July
17 1, 2002, and every 6 months thereafter, the Sec-
18 retary shall make available, on a country-by-country
19 basis, as part of the consular information sheet pro-
20 vided on the Internet website of the Department, in-
21 formation in the database with respect to deaths oc-
22 curring during the preceding 6-month period or, in
23 the case of the initial disclosure of information, in-
24 formation in the database with respect to deaths oc-
25 curring since the date of enactment of this Act.

1 (2) CUMULATIVE INFORMATION.—In addition
 2 to the information required to be made available
 3 under paragraph (1), beginning January 1, 2003,
 4 and on January 1 of each calendar year thereafter,
 5 the Secretary shall make available, on a country-by-
 6 country basis and calendar-year basis, as part of the
 7 consular information sheet provided on the Internet
 8 website of the Department, a cumulative record of
 9 the information in the database with respect to
 10 deaths occurring since the date of enactment of this
 11 Act, or occurring during the preceding three cal-
 12 endar years, whichever period is shorter.

13 (d) DEFINITIONS.—In this section:

14 (1) DATABASE.—The term “database” means
 15 the database established under subsection (b).

16 (2) UNITED STATES NATIONAL.—The term
 17 “United States national” means—

18 (A) a citizen of the United States; or

19 (B) a person who, though not a citizen of
 20 the United States, owes permanent allegiance to
 21 the United States.

22 **SEC. 212. UNITED STATES POLICY WITH RESPECT TO JERU-**
 23 **SALEM AS THE CAPITAL OF ISRAEL.**

24 (a) CONGRESSIONAL STATEMENT OF POLICY.—Con-
 25 gress maintains its commitment to relocating the United

1 States Embassy in Israel to Jerusalem and urges the
2 President, pursuant to the Jerusalem Embassy Act of
3 1995 (Public Law 104–45; 109 Stat. 398), to immediately
4 begin the process of relocating the United States Embassy
5 in Israel to Jerusalem.

6 (b) LIMITATION ON USE OF FUNDS FOR CONSULATE
7 IN JERUSALEM.—None of the funds authorized to be ap-
8 propriated by this Act may be expended for the operation
9 of a United States consulate or diplomatic facility in Jeru-
10 salem unless such consulate or diplomatic facility is under
11 the supervision of the United States Ambassador to Israel.

12 (c) LIMITATION ON USE OF FUNDS FOR PUBLICA-
13 TIONS.—None of the funds authorized to be appropriated
14 by this Act may be available for the publication of any
15 official government document which lists countries and
16 their capital cities unless the publication identifies Jeru-
17 salem as the capital of Israel.

18 (d) RECORD OF PLACE OF BIRTH AS ISRAEL FOR
19 PASSPORT PURPOSES.—For purposes of the registration
20 of birth, certification of nationality, or issuance of a pass-
21 port of a United States citizen born in the city of Jeru-
22 salem, the Secretary shall, upon the request of the citizen
23 or the citizen’s legal guardian, record the place of birth
24 as Israel.

1 **SEC. 213. USE OF FUNDS RECEIVED BY THE INTER-**
 2 **NATIONAL BOUNDARY AND WATER COMMIS-**
 3 **SION.**

4 Section 5 of the Act entitled “An Act providing for
 5 a study regarding the equitable use of the waters of the
 6 Rio Grande below Fort Quitman, Texas, in cooperation
 7 with the United States of Mexico”, approved May 13,
 8 1924 (22 U.S.C. 277d) is amended by inserting “, the
 9 North American Development Bank, or the Border Envi-
 10 ronment Cooperation Commission” after “United Mexican
 11 States”.

12 **SEC. 214. FEE COLLECTIONS RELATING TO INTERCOUNTRY**
 13 **ADOPTIONS AND AFFIDAVITS OF SUPPORT.**

14 (a) ADOPTION FEES.—Section 403(b) of the Inter-
 15 country Adoption Act of 2000 (Public Law 106–279) is
 16 amended—

17 (1) in paragraph (2), by adding at the end the
 18 following new sentence: “Such fees shall remain
 19 available for obligation until expended.”; and

20 (2) by striking paragraph (3).

21 (b) AFFIDAVIT OF SUPPORT FEES.—Section 232 of
 22 the Admiral James W. Nance and Meg Donovan Foreign
 23 Relations Authorization Act, Fiscal Years 2000 and 2001
 24 (as enacted into law by section 1000(a)(7) of Public Law
 25 106–113 and contained in appendix G of that Act; 113
 26 Stat. 1501A–425), is amended—

1 (1) in subsection (c), by adding at the end the
 2 following new sentence: “Such fees shall remain
 3 available for obligation until expended.”; and

4 (2) by striking subsection (d).

5 **Subtitle B—Educational, Cultural,**
 6 **and Public Diplomacy Authorities**

7 **SEC. 221. ALLOCATION OF FUNDS TRANSFERRED TO THE**
 8 **BUREAU OF EDUCATIONAL AND CULTURAL**
 9 **AFFAIRS.**

10 The Mutual Educational and Cultural Exchange Act
 11 of 1961 (22 U.S.C. 2451 et seq.) is amended by adding
 12 at the end the following new section:

13 **“SEC. 114. ALLOCATION OF FUNDS TRANSFERRED TO THE**
 14 **BUREAU OF EDUCATIONAL AND CULTURAL**
 15 **AFFAIRS.**

16 “Of each amount transferred to the Bureau of Edu-
 17 cational and Cultural Affairs out of appropriations other
 18 than appropriations under the heading ‘EDUCATIONAL
 19 AND CULTURAL EXCHANGE PROGRAMS’ for support of an
 20 educational or cultural exchange program, notwith-
 21 standing any other provision of law, not more than 7.5
 22 percent shall be made available to cover administrative ex-
 23 penses incurred in connection with support of the pro-
 24 gram. Amounts made available to cover administrative ex-
 25 penses shall be credited to the appropriations under the

1 heading ‘EDUCATIONAL AND CULTURAL EXCHANGE PRO-
2 GRAMS’ and shall remain available until expended.”.

3 **SEC. 222. ACTION PLAN RELATED TO PUBLIC DIPLOMACY**
4 **ACTIVITIES.**

5 Not later than 180 days after the date of enactment
6 of this Act, the Secretary shall submit to the appropriate
7 congressional committees a report containing an action
8 plan for the Department that addresses the following
9 issues:

10 (1) How to integrate public diplomacy policy
11 into overall policy formulation and overall policy im-
12 plementation.

13 (2) How to achieve closer communication and
14 policy coordination between public diplomacy officers
15 and other officers in the regional bureaus of the De-
16 partment of State and at overseas posts.

17 (3) How to create channels of direct commu-
18 nication between the public diplomacy officers in re-
19 gional bureaus of the Department and the Under
20 Secretary of State for Public Diplomacy.

21 (4) How to minimize any adverse ramifications
22 of public diplomacy officers in country posts report-
23 ing to the regional bureaus of the Department.

1 **SEC. 223. ADVISORY COMMITTEE ON CULTURAL DIPLO-**
2 **MACY.**

3 (a) ESTABLISHMENT.—There is established an Advi-
4 sory Committee on Cultural Diplomacy (in this section re-
5 ferred to as the “Advisory Committee”), which shall be
6 composed of nine members, as follows:

7 (1) The Under Secretary of State for Public Di-
8 plomacy, who shall serve as Chair.

9 (2) The Assistant Secretary of State for Edu-
10 cational and Cultural Affairs.

11 (3) Seven members appointed pursuant to sub-
12 section (c).

13 (b) DUTIES.—The Advisory Committee shall advise
14 the Secretary on programs and policies to advance the use
15 of cultural diplomacy in United States foreign policy. The
16 Advisory Committee shall, in particular, provide advice to
17 the Secretary on—

18 (1) increasing the presentation abroad of the
19 finest of the creative, visual, and performing arts of
20 the United States; and

21 (2) strategies for increasing public-private part-
22 nerships to sponsor cultural exchange programs that
23 promote the national interests of the United States.

24 (c) APPOINTMENTS.—The members of the Advisory
25 Committee shall be appointed by the Secretary, without
26 regard to political party affiliation, from among distin-

1 guished Americans with a demonstrated record of achieve-
2 ment in the creative, visual, and performing arts, or inter-
3 national affairs. No officer or employee of the United
4 States shall be appointed to the Advisory Committee.

5 (d) TERMS OF SERVICE FOR APPOINTMENTS.—

6 (1) IN GENERAL.—Except as provided in para-
7 graph (2), members of the Advisory Committee shall
8 be appointed for terms of two years.

9 (2) VACANCIES.—A vacancy in the membership
10 of the Advisory Committee shall be filled in the same
11 manner as provided under this subsection to make
12 the original appointment. A member appointed to fill
13 a vacancy occurring before the expiration of a term
14 shall serve for the remainder of that term. A mem-
15 ber may continue to serve when his or her term ex-
16 pires until a successor is appointed. A member may
17 be appointed to a new term upon the expiration of
18 the member's term.

19 (e) MEETINGS.—A majority of the members of the
20 Advisory Committee shall constitute a quorum. The Advi-
21 sory Committee shall meet at least twice each year or as
22 frequently as may be necessary to carry out its duties.

23 (f) ADMINISTRATIVE SUPPORT.—The Secretary is
24 authorized to provide the Advisory Committee with nec-
25 essary administrative support from among the staff of the

1 Bureau of Educational and Cultural Exchanges of the De-
2 partment.

3 (g) COMPENSATION.—Members of the Advisory Com-
4 mittee shall be allowed travel expenses, including per diem
5 in lieu of subsistence, at rates authorized for employees
6 of agencies under subchapter I of chapter 57 of title 5,
7 United States Code, while away from their homes or reg-
8 ular places of business in the performance of services of
9 the Advisory Committee.

10 (h) EXEMPTION FROM FEDERAL ADVISORY COM-
11 MITTEE ACT.—The Federal Advisory Committee Act shall
12 not apply to the Advisory Committee to the extent that
13 the provisions of this section are inconsistent with that
14 Act.

15 (i) AUTHORIZATION OF APPROPRIATIONS.—There
16 are authorized to be appropriated to the Department such
17 sums as may be necessary to carry out this section.

18 (j) TERMINATION.—The Advisory Committee shall
19 terminate September 30, 2005.

20 **SEC. 224. CHINESE LANGUAGE SCHOLARS PROGRAM.**

21 (a) PURPOSE.—The purposes of this section are—

22 (1) to recognize excellence in the study of the
23 Chinese language among secondary school students
24 and undergraduate students who are United States
25 citizens residing in the United States or residing

1 abroad in households where at least one member of
 2 the household is a United States Government em-
 3 ployee assigned abroad;

4 (2) to encourage Chinese language study among
 5 such students;

6 (3) to cultivate a cadre of United States citi-
 7 zens with Chinese language ability who might qualify
 8 for national security, diplomatic, or other important
 9 Government employment; and

10 (4) to promote greater understanding and dia-
 11 logue between the United States and China includ-
 12 ing Chinese appreciation for United States values
 13 and institutions.

14 (b) ESTABLISHMENT OF PROGRAM.—

15 (1) IN GENERAL.—The President is authorized
 16 to establish an incentive awards program, to be
 17 known as the “Chinese Language Scholar Program”
 18 (in this section referred to as the “program”), to
 19 carry out the purposes of this section.

20 (2) DESCRIPTION OF PROGRAM.—The President
 21 shall make awards under the program to qualifying
 22 students and shall prescribe the design of any award
 23 made under the program. The award may include a
 24 stipend or other cash payment, except that the

1 award of any such payment shall be subject to the
2 availability of appropriations.

3 (3) SELECTION OF AWARD RECIPIENTS.—The
4 President shall prescribe the procedures for identi-
5 fying and considering students eligible for awards
6 under the program and for selecting the award re-
7 cipients, except that, with respect to each academic
8 year beginning after the date of enactment of this
9 Act, not less than one eligible secondary student and
10 not less than one eligible undergraduate student shall
11 be selected from each State of the United States.

12 (4) ELIGIBILITY FOR AWARDS.—A student is
13 eligible for an award under the program if the
14 student—

15 (A) has submitted an application to the
16 President at such time, in such manner, and
17 containing such information as the President
18 may reasonably require;

19 (B) has demonstrated academic excellence
20 in the mastery or study of the Chinese lan-
21 guage; and

22 (C) is a secondary school student or under-
23 graduate student who is a United States cit-
24 izen.

25 (c) DEFINITIONS.—In this section:

1 (1) PRESIDENT.—The term “President” means
2 the President, acting through the Secretary.

3 (2) STATE.—The term “State” means any
4 State of the United States, the District of Columbia,
5 the Commonwealth of Puerto Rico, the Common-
6 wealth of the Northern Mariana Islands, the United
7 States Virgin Islands, Guam, American Samoa, or
8 any other territory of the United States.

9 **SEC. 225. ALLOCATION OF FUNDS FOR AMERICAN COR-**
10 **NERs IN THE RUSSIAN FEDERATION.**

11 (a) FINDING.—Congress finds that joint ventures
12 with host libraries in the Russian Federation known as
13 “American Corners” are an effective means—

14 (1) to provide information about United States
15 history, government, society, and values;

16 (2) to provide access to computers and the
17 Internet; and

18 (3) to leverage United States assistance and ex-
19 change programs in the Russian Federation.

20 (b) ALLOCATION OF FUNDS.—Of the amounts au-
21 thorized to be appropriated by section 101(1)(A) for the
22 fiscal years 2002 and 2003, \$500,000 is authorized to be
23 available each such fiscal year for “American Corner” cen-
24 ters operating in the Russian Federation.

1 **SEC. 226. CONFORMING AMENDMENTS.**

2 Section 112(g) of the Mutual Educational and Cul-
3 tural Exchange Act of 1961 (22 U.S.C. 2460(g)) is
4 amended—

5 (1) in paragraph (1), by striking “United
6 States Information Agency” and inserting “Depart-
7 ment of State”;

8 (2) in paragraph (3)—

9 (A) in subparagraph (A), by striking
10 “United States Information Agency” and in-
11 serting “Department of State”;

12 (B) by striking subparagraph (B); and

13 (C) by redesignating subparagraphs (C),
14 (D), (E), (F), and (G) as subparagraphs (B),
15 (C), (D), (E), and (F), respectively;

16 (3) in paragraph (5), by striking “United
17 States Information Agency” and inserting “Depart-
18 ment of State”;

19 (4) in paragraph (6)(G), by striking “United
20 States Information Agency” and inserting “Depart-
21 ment of State”; and

22 (5) in paragraph (7), by striking “Director of
23 the United States Information Agency” and insert-
24 ing “Secretary of State, acting through the Under
25 Secretary of State for Public Diplomacy”.

1 **Subtitle C—Consular Authorities**

2 **SEC. 231. MACHINE READABLE VISAS.**

3 The first sentence of section 140(a)(3) of the Foreign
4 Relations Authorization Act, Fiscal Years 1994 and 1995
5 (8 U.S.C. 1351 note) is amended—

6 (1) by striking “2001, and 2002,” and insert-
7 ing “2001, 2002, and 2003,”; and

8 (2) by striking “and \$316,715,000 for fiscal
9 year 2002” and inserting “\$420,000,000 for fiscal
10 year 2002, and \$460,000,000 for fiscal year 2003”.

11 **SEC. 232. CONSULAR FEES.**

12 No fee shall be charged by the Secretary for any no-
13 tarial act or authentication performed by a United States
14 consular officer or agent, or by the Bureau of Consular
15 Affairs, when such notarial act or authentication will fa-
16 cilitate an inter-country adoption undertaken by a United
17 States citizen. For purposes of this section, the Secretary
18 shall construe the term “facilitate” broadly.

19 **SEC. 233. REPORT ON VISA ISSUANCE TO INADMISSIBLE** 20 **ALIENS.**

21 Section 51(a) of the State Department Basic Au-
22 thorities Act of 1956 (22 U.S.C. 2723(a)) is amended—

23 (1) by inserting “(1) DENIAL OF VISAS.—” be-
24 fore “The Secretary”; and

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

1 “(2) VISA ISSUANCE TO INADMISSIBLE
 2 ALIENS.—The Secretary shall, on a semiannual
 3 basis, submit to the appropriate committees of Con-
 4 gress a report describing every instance during the
 5 period covered by the report in which a consular
 6 post or the Visa Office of the Department of State
 7 issued an immigrant or nonimmigrant visa to an
 8 alien who is inadmissible to the United States based
 9 upon terrorist activity or failed to object to the
 10 issuance of an immigrant or nonimmigrant visa to
 11 an alien notwithstanding any such ground of inad-
 12 missibility. The report shall set forth the name and
 13 nationality of the alien, the issuing post, and a brief
 14 factual statement of the basis for issuance of the
 15 visa or the failure to object. The report may be
 16 transmitted in classified or unclassified form.”.

17 **SEC. 234. DENIAL OF ENTRY INTO UNITED STATES OF CHI-**
 18 **NESE AND OTHER NATIONALS ENGAGED IN**
 19 **COERCED ORGAN OR BODILY TISSUE TRANS-**
 20 **PLANTATION.**

21 (a) DENIAL OF ENTRY.—Notwithstanding any other
 22 provision of law and except as provided in subsection (b),
 23 the Secretary may not issue any visa to, and the Attorney
 24 General may not admit to the United States, any person
 25 whom the Secretary finds, based on credible and specific

1 information, to have been directly involved with the coer-
 2 cive transplantation of human organs or bodily tissue, un-
 3 less the Secretary has substantial grounds for believing
 4 that the foreign national has discontinued his or her in-
 5 volvement with, and support for, such practices.

6 (b) EXCEPTION.—The prohibitions in subsection (a)
 7 do not apply to an applicant who is a head of state, head
 8 of government, or cabinet-level minister.

9 (c) WAIVER.—The Secretary may waive the prohibi-
 10 tions in subsection (a) with respect to a foreign national
 11 if the Secretary—

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

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

17 **Subtitle D—Migration and** 18 **Refugees**

19 **SEC. 241. UNITED STATES MEMBERSHIP IN THE INTER-** 20 **NATIONAL ORGANIZATION FOR MIGRATION.**

21 Section 2(a) of the Migration and Refugee Assistance
 22 Act of 1962 (22 U.S.C. 2601(a)) is amended to read as
 23 follows:

24 “(a)(1) The President is authorized to continue mem-
 25 bership for the United States in the International Organi-

1 zation for Migration in accordance with the constitution
 2 of such organization approved in Venice, Italy, on October
 3 19, 1953, as amended in Geneva, Switzerland, on Novem-
 4 ber 24, 1998, upon entry into force of such amendments.

5 “(2) For the purpose of assisting in the movement
 6 of refugees and migrants, there are authorized to be ap-
 7 propriated to the President such amounts as may be nec-
 8 essary from time to time for payment by the United States
 9 of its contributions to the International Organization for
 10 Migration and all necessary salaries and expenses inci-
 11 dental to United States participation in such organiza-
 12 tion.”.

13 **SEC. 242. UNITED STATES POLICY REGARDING THE INVOL-**
 14 **UNTARY RETURN OF REFUGEES.**

15 (a) IN GENERAL.—None of the funds made available
 16 under this Act or under section 2(c) of the Migration and
 17 Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall
 18 be available to effect the involuntary return by the United
 19 States of any person to a country in which the person has
 20 a well-founded fear of persecution on account of race, reli-
 21 gion, nationality, membership in a particular social group,
 22 or political opinion, except on grounds recognized as pre-
 23 cluding protection as a refugee under the United Nations
 24 Convention Relating to the Status of Refugees of July 28,
 25 1951, and the Protocol Relating to the Status of Refugees

1 of January 31, 1967, subject to the reservations contained
2 in the United States Senate resolution of ratification to
3 the Protocol.

4 (b) MIGRATION AND REFUGEE ASSISTANCE.—None
5 of the funds made available under this Act or under sec-
6 tion 2(c) of the Migration and Refugee Assistance Act of
7 1962 (22 U.S.C. 2601(c)) shall be available to effect the
8 involuntary return of any person to any country unless
9 the Secretary first notifies the appropriate congressional
10 committees, except that, in the case of an emergency in-
11 volving a threat to human life, the Secretary shall notify
12 the appropriate congressional committees as soon as prac-
13 ticable.

14 (c) INVOLUNTARY RETURN DEFINED.—In this sec-
15 tion, the term “to effect the involuntary return” means
16 to require, by means of physical force or circumstances
17 amounting to a threat thereof, a person to return to a
18 country against the person’s will, regardless of whether
19 the person is physically present in the United States and
20 regardless of whether the United States acts directly or
21 through an agent.

1 **TITLE III—ORGANIZATION AND**
2 **PERSONNEL OF THE DEPART-**
3 **MENT OF STATE**

4 **Subtitle A—Organizational Matters**

5 **SEC. 301. COMPREHENSIVE WORKFORCE PLAN.**

6 (a) WORKFORCE PLAN.—Not later than 180 days
7 after the date of the enactment of this Act, the Secretary
8 shall submit to the appropriate congressional committees
9 a comprehensive workforce plan for the Department for
10 the fiscal years 2002 through 2006. The plan shall con-
11 sider personnel needs in both the civil service and the For-
12 eign Service and expected domestic and overseas personnel
13 allocations. The workforce plan should set forth—

- 14 (1) the detailed mission of the Department;
15 (2) the definition of work to be done;
16 (3) a description of cyclical personnel needs
17 based on expected retirements and attrition; and
18 (4) a statement of the time required to hire,
19 train, and deploy new personnel.

20 (b) DOMESTIC STAFFING MODEL.—Not later than
21 one year after the date of the enactment of this Act, the
22 Secretary shall compile and submit to the appropriate con-
23 gressional committees a domestic staffing model for the
24 Department.

1 **SEC. 302. “RIGHTSIZING” OVERSEAS POSTS.**

2 (a) “RIGHTSIZING” AT THE DEPARTMENT.—

3 (1) ESTABLISHMENT OF TASK FORCE.—The
4 Secretary shall establish a task force within the De-
5 partment on the issue of “rightsizing” overseas
6 posts.

7 (2) PRELIMINARY REPORT.—Not later than 60
8 days after the date of the enactment of this Act, the
9 Secretary shall submit to the appropriate congres-
10 sional committees a report that outlines the status,
11 plans, and activities of the task force. In addition to
12 such other information as the Secretary considers
13 appropriate, the report shall include the following:

14 (A) The objectives of the task force.

15 (B) Measures for achieving the objectives
16 under subparagraph (A).

17 (C) An identification of the official of the
18 Department with primary responsibility for the
19 issue of “rightsizing”.

20 (D) The plans of the Department for the
21 reallocation of staff and resources based on
22 changing needs at overseas posts and in the
23 metropolitan Washington, D.C., area.

24 (3) PERIODIC REPORTS.—Not later than 6
25 months after the date of the enactment of this Act,
26 and every 6 months thereafter during the fiscal

1 years 2002 and 2003, the Secretary shall submit to
2 the appropriate congressional committees a report
3 reviewing the activities and progress of the task
4 force established under paragraph (1).

5 (b) INTERAGENCY WORKING GROUP.—

6 (1) ESTABLISHMENT.—The Secretary shall es-
7 tablish an interagency working group on the issue of
8 “rightsizing” the overseas presence of the United
9 States Government.

10 (2) PRELIMINARY REPORT.—Not later than 60
11 days after the date of the enactment of this Act, the
12 Secretary shall submit to the appropriate congres-
13 sional committees a report that outlines the status,
14 plans, and activities of the interagency working
15 group. In addition to such other information as the
16 Secretary considers appropriate, the report shall in-
17 clude the following:

18 (A) A description of the objectives of the
19 working group.

20 (B) A description of the measures nec-
21 essary for achieving the objectives under sub-
22 paragraph (A).

23 (C) An identification of the official within
24 each agency who has primary responsibility for
25 the issue of “rightsizing”.

1 (3) PERIODIC REPORTS.—Not later than 6
 2 months after the date of the enactment of this Act,
 3 and every 6 months thereafter during the fiscal
 4 years 2002 and 2003, the Secretary shall submit to
 5 the appropriate congressional committees a report
 6 reviewing the activities and progress of the working
 7 group established under paragraph (1).

8 **SEC. 303. ELIMINATION OF POSITION OF DEPUTY SEC-**
 9 **RETARY OF STATE FOR MANAGEMENT AND**
 10 **RESOURCES.**

11 (a) ELIMINATION OF POSITION.—Section 1(a)(2) of
 12 the State Department Basic Authorities Act of 1956 (22
 13 U.S.C. 2651a(a)(2)) is amended by striking “, the Deputy
 14 Secretary of State, and the Deputy Secretary of State for
 15 Management and Resources” and inserting “and the Dep-
 16 uty Secretary of State”.

17 (b) CONFORMING AMENDMENT.—Section 5313 of
 18 title 5, United States Code, is amended by striking the
 19 following:

20 “Deputy Secretary of State for Management
 21 and Resources.”.

1 **Subtitle B—Personnel Matters**

2 **SEC. 311. THOMAS JEFFERSON STAR FOR FOREIGN SERV-** 3 **ICE.**

4 Section 36A of the State Department Basic Authori-
 5 ties Act of 1956 (22 U.S.C. 2708a) is amended—

6 (1) in the section heading, by striking “**FOR-**
 7 **EIGN SERVICE STAR**” and inserting “**THOMAS**
 8 **JEFFERSON STAR FOR FOREIGN SERVICE**”; and

9 (2) by striking “Foreign Service star” each
 10 place it appears and inserting “Thomas Jefferson
 11 Star for Foreign Service”.

12 **SEC. 312. PRESIDENTIAL RANK AWARDS.**

13 (a) COMPARABLE TO PAYMENTS TO MERITORIOUS
 14 EXECUTIVES AND DISTINGUISHED EXECUTIVES.—Sec-
 15 tion 405(b)(3) of the Foreign Service Act of 1980 (22
 16 U.S.C. 3965(b)(3)) is amended by striking the second sen-
 17 tence and inserting “Payments under this paragraph to
 18 a member of the Senior Foreign Service may not exceed,
 19 in any fiscal year, the percentage of basic pay established
 20 under section 4507(e)(1) of title 5, United States Code,
 21 for a Meritorious Executive, except that payments of the
 22 percentage of the basic pay established under section
 23 4507(e)(2) of such title for Distinguished Executives may
 24 be made in any fiscal year to up to 1 percent of the mem-
 25 bers of the Senior Foreign Service.”.

1 (b) EFFECTIVE DATE.—The amendment made by
 2 subsection (a) shall take effect October 1, 2001.

3 **SEC. 313. CLARIFICATION OF SEPARATION FOR CAUSE.**

4 (a) IN GENERAL.—Section 610(a) of the Foreign
 5 Service Act of 1980 (22 U.S.C. 4010(a)) is amended—

6 (1) in paragraph (1), by inserting “decide to”
 7 after “may”; and

8 (2) by striking paragraphs (2), (3), (4), (5),
 9 and (6) and inserting the following:

10 “(2)(A) Except as provided in subparagraph (B),
 11 whenever the Secretary decides under paragraph (1) to
 12 separate, on the basis of misconduct, any member of the
 13 Service (other than a United States citizen employed
 14 under section 311 of the Foreign Service Act of 1980 who
 15 is not a family member) who either—

16 “(i) is serving under a career appointment; or

17 “(ii) is serving under a limited appointment,
 18 the member may not be separated from the Service until
 19 the member receives a hearing before the Foreign Service
 20 Grievance Board and the Board decides that cause for
 21 separation has been established, unless the member
 22 waives, in writing, the right to such a hearing, or the
 23 member’s appointment has expired, whichever is sooner.

24 “(B) The right to a hearing in subparagraph (A) does
 25 not apply in the case of an individual who has been con-

1 victed of a crime for which a sentence of imprisonment
2 of more than one year may be imposed.

3 “(3) If the Board decides that cause for separation
4 has not been established, the Board may direct the De-
5 partment to pay reasonable attorneys fees to the extent
6 and in the manner provided by section 1107(b)(5). The
7 hearing provided under this paragraph shall be conducted
8 in accordance with the hearing procedures applicable to
9 grievances under section 1106 and shall be in lieu of any
10 other administrative procedure authorized or required by
11 this or any other Act. Section 1110 shall apply to pro-
12 ceedings under this paragraph.

13 “(4) Notwithstanding the hearing required by para-
14 graph (2), at the time that the Secretary decides to sepa-
15 rate a member of the Service for cause, the member shall
16 be placed on leave without pay. If the member does not
17 waive the right to a hearing, and the Board decides that
18 cause for separation has not been established, the member
19 shall be reinstated with back pay.”.

20 (b) CONFORMING AMENDMENTS.—Section 1106(8)
21 of the Foreign Service Act of 1980 (22 U.S.C. 4136(8))
22 is amended—

23 (1) in the first sentence—

24 (A) by striking “the involuntary separation
25 of the grievant,”; and

1 (B) by striking “grievant, or” and insert-
 2 ing “grievant or”; and
 3 (2) by striking the last sentence.

4 **SEC. 314. FAMILY VISITATION TRAVEL FOR DEPENDENTS.**

5 Section 901(8) of the Foreign Service Act of 1980
 6 (22 U.S.C. 4081(8)) is amended by inserting “, and mem-
 7 bers of his or her family,” after “Service”.

8 **SEC. 315. HEALTH EDUCATION AND DISEASE PREVENTION**
 9 **PROGRAMS.**

10 Section 904(b) of the Foreign Service Act of 1980
 11 (22 U.S.C. 4084(b)) is amended by striking “families, and
 12 (3)” and inserting “families, (3) health education and dis-
 13 ease prevention programs for all employees, and (4)”.

14 **SEC. 316. CORRECTION OF TIME LIMIT FOR GRIEVANCE**
 15 **FILING.**

16 Section 1104(a) of the Foreign Service Act of 1980
 17 (22 U.S.C. 4134(a)) is amended in the first sentence by
 18 striking “but in no case less than two years” and inserting
 19 “but in no case more than three years”.

20 **SEC. 317. TRAINING AUTHORITIES.**

21 Section 2205 of the Foreign Affairs Reform and Re-
 22 structuring Act of 1998 (as enacted by division G of Pub-
 23 lic Law 105–277; 112 Stat. 2681–809) is amended—

24 (1) in the section heading, by striking
 25 “**PILOT**”.

1 (2) by striking subsection (a)(3); and
2 (3) in subsection (c), by striking “(c) REPORT-
3 ING ON PILOT PROGRAM.—Two years after the date
4 of enactment of this Act,” and inserting “(c) RE-
5 PORTING ON PROGRAM.—Not later than February 1
6 of each even-numbered calendar year,”.

7 **SEC. 318. UNACCOMPANIED AIR BAGGAGE.**

8 Section 5924(4)(B) of title 5, United States Code,
9 is amended by inserting after the first sentence the fol-
10 lowing: “At the election of the employee, in lieu of the
11 transportation of the baggage of a dependent from the de-
12 pendent’s school, the costs incurred to store the baggage
13 at or in the vicinity of the school during the dependent’s
14 annual trip between the school and the employee’s duty
15 station may be paid or reimbursed to the employee, except
16 that the amount of the payment or reimbursement may
17 not exceed the cost that the Government would incur to
18 transport the baggage.”.

19 **SEC. 319. EMERGENCY MEDICAL ADVANCE PAYMENTS.**

20 Section 5927(a)(3) of title 5, United States Code, is
21 amended to read as follows:

22 “(3) to an employee compensated pursuant to
23 section 408 of the Foreign Service Act of 1980,
24 who—

1 “(A) pursuant to United States Govern-
 2 ment authorization is located outside the coun-
 3 try of employment; and

4 “(B) requires medical treatment outside
 5 the country of employment in circumstances
 6 specified by the President in regulations.”.

7 **SEC. 320. RETIREMENT CREDIT FOR CERTAIN GOVERN-**
 8 **MENT SERVICE PERFORMED ABROAD.**

9 (a) RETIREMENT CREDIT FOR CERTAIN GOVERN-
 10 MENT SERVICE PERFORMED ABROAD.—Subject to sub-
 11 section (b)(1), credit under chapter 84 of title 5, United
 12 States Code, shall be allowed for any service performed
 13 by an individual if or to the extent that—

14 (1) it was performed by such individual—

15 (A) after December 31, 1988, and before
 16 May 24, 1998;

17 (B) at a United States diplomatic mission,
 18 consular post (other than a consular agency), or
 19 other Foreign Service post abroad; and

20 (C) under a temporary appointment pursu-
 21 ant to sections 309 and 311 of the Foreign
 22 Service Act of 1980 (22 U.S.C. 3949 and
 23 3951);

24 (2) at the time of performing such service, such
 25 individual would have satisfied all eligibility require-

ments under regulations of the Department (as in effect on the date of the enactment of this Act) for a family member limited noncareer appointment (within the meaning of such regulations, as in effect on such date of enactment), except that, in applying this paragraph, an individual not employed by the Department while performing such service shall be treated as if then so employed;

(3) such service would have been creditable under section 8411(b)(3) of such title 5 if—

(A) the service had been performed before January 1, 1989; and

(B) the deposit requirements of section 8411(f) of such title 5 had been met with respect to such service;

(4) such service would not otherwise be creditable under the Federal Employees' Retirement System or any other retirement system for employees of the United States Government (disregarding title II of the Social Security Act); and

(5) the total amount of service performed by such individual (satisfying paragraphs (1) through (4)) is not less than 90 days.

(b) REQUIREMENTS.—

1 (1) REQUIREMENTS OF THE INDIVIDUAL.—In
2 order to receive credit under chapter 84 of title 5,
3 United States Code, for any service described in sub-
4 section (a), the individual who performed such serv-
5 ice (or, if deceased, any person who is or would be
6 eligible for a survivor annuity under the Federal
7 Employees' Retirement System based on the service
8 of such individual)—

9 (A) shall file a written application with the
10 Office of Personnel Management not later than
11 36 months after the effective date of the regula-
12 tions prescribed to carry out this section (as
13 specified in those regulations); and

14 (B) shall remit to the Office (for deposit in
15 the Treasury of the United States to the credit
16 of the Civil Service Retirement and Disability
17 Fund) the total amount that, under section
18 8422 of such title 5, should have been deducted
19 from the basic pay of such individual for such
20 service if such service had then been creditable
21 under such chapter 84.

22 (2) GOVERNMENT CONTRIBUTIONS.—

23 (A) IN GENERAL.—In addition to any
24 other payment that it is required to make under
25 chapter 84 of title 5, United States Code, a de-

1 partment, agency, or other instrumentality of
2 the United States shall remit to the Office of
3 Personnel Management (for deposit in the
4 Treasury of the United States to the credit of
5 the Fund) the amount described in subpara-
6 graph (B).

7 (B) AMOUNT DESCRIBED.—The amount
8 described in this subparagraph is, with respect
9 to a remittance under paragraph (1), the total
10 amount of Government contributions that
11 would, under section 8423 of title 5, United
12 States Code, have been required of the instru-
13 mentality involved (to the extent that it was the
14 employing entity during the period of service to
15 which such remittance relates) in connection
16 with such service.

17 (C) SPECIAL RULE.—If an amount cannot
18 be remitted under this paragraph because an
19 instrumentality has ceased to exist, such
20 amount shall instead be treated as part of the
21 supplemental liability referred to in section
22 8423(b)(1) (A) or (B) of title 5, United States
23 Code (whichever would be appropriate).

24 (3) RELATED REQUIREMENTS.—Any remittance
25 under paragraph (1) or (2)—

1 (A) shall be made in such time, form, and
 2 manner as the Office of Personnel Management
 3 may by regulation require; and

4 (B) shall be computed with interest (in ac-
 5 cordance with section 8334(e) of title 5, United
 6 States Code, and such requirements as the Of-
 7 fice may by regulation prescribe).

8 (4) NOTIFICATION AND ASSISTANCE REQUIRE-
 9 MENTS.—

10 (A) IN GENERAL.—The Office of Personnel
 11 Management shall take such action as may be
 12 necessary and appropriate to inform individuals
 13 entitled to have any service credited under this
 14 section, or to have any annuity computed or re-
 15 computed under this section, of their entitle-
 16 ment to such credit, computation, or recompu-
 17 tation.

18 (B) ASSISTANCE TO INDIVIDUALS.—The
 19 Office shall, on request, assist any individual
 20 referred to in subparagraph (A) in obtaining
 21 from any department, agency, or other instru-
 22 mentality of the United States such information
 23 in the possession of such instrumentality as
 24 may be necessary to verify the entitlement of
 25 such individual to have any service credited, or

1 to have any annuity computed or recomputed,
2 pursuant to this section.

3 (C) ASSISTANCE FROM INSTRUMENTAL-
4 ITIES.—Any department, agency, or other in-
5 strumentality of the United States that pos-
6 sesses any information with respect to any serv-
7 ice described in subsection (a) shall, at the re-
8 quest of the Office, furnish such information to
9 the Office.

10 (c) DEFINITIONS.—In this section:

11 (1) ABROAD.—The term “abroad” has the
12 meaning given such term under section 102 of the
13 Foreign Service Act of 1980 (22 U.S.C. 3902).

14 (2) BASIC PAY.—The term “basic pay” has the
15 meaning given such term under section 8401 of title
16 5, United States Code.

17 (3) CIVIL SERVICE RETIREMENT AND DIS-
18 ABILITY FUND.—The term “Civil Service Retirement
19 and Disability Fund” or “Fund” means the Civil
20 Service Retirement and Disability Fund under sec-
21 tion 8348 of title 5, United States Code.

22 (4) TEMPORARY APPOINTMENT.—The term
23 “temporary appointment” means an appointment
24 that is limited by its terms to a period of one year
25 or less.

1 (d) RULE OF CONSTRUCTION.—Nothing in this sec-
 2 tion shall be considered to permit or require the making
 3 of any contributions to the Thrift Savings Fund that
 4 would not otherwise have been permitted or required had
 5 this section not been enacted.

6 (e) APPLICABILITY.—

7 (1) ANNUITIES COMMENCING ON OR AFTER EF-
 8 FECTIVE DATE OF IMPLEMENTING REGULATIONS.—

9 An annuity or survivor annuity—

10 (A) which is based on the service of an in-
 11 dividual who performed service described in
 12 subsection (a), and

13 (B) which commences on or after the effec-
 14 tive date of the regulations prescribed to carry
 15 out this section (as determined under sub-
 16 section (b)(1)(A)),

17 shall (subject to subsection (b)(1)) be computed tak-
 18 ing into account all service described in subsection
 19 (a) that was performed by such individual.

20 (2) ANNUITIES WITH COMMENCEMENT DATE
 21 PRECEDING EFFECTIVE DATE OF IMPLEMENTING
 22 REGULATIONS.—

23 (A) RECOMPUTATION CASES.—An annuity
 24 or survivor annuity—

1 (i) which is based on the service of an
2 individual who performed service described
3 in subsection (a), and

4 (ii) which commences before the effec-
5 tive date referred to in paragraph (1)(B),
6 shall (subject to subsection (b)(1)) be recom-
7 puted taking into account all service described
8 in subsection (a) that was performed by such
9 individual.

10 (B) OTHER CASES.—An annuity or sur-
11 vivor annuity—

12 (i) which is based on the service of an
13 individual who performed service described
14 in subsection (a),

15 (ii) the requirements for entitlement
16 to which could not be met without taking
17 into account service described in subsection
18 (a), and

19 (iii) which (if service described in sub-
20 section (a) had been taken into account,
21 and an appropriate application been sub-
22 mitted) would have commenced before the
23 effective date referred to in paragraph
24 (1)(B),

1 shall (subject to subsection (b)(1)) be computed
 2 taking into account all service described in sub-
 3 section (a) that was performed by such indi-
 4 vidual.

5 (C) RETROACTIVE EFFECT.—Any com-
 6 putation or recomputation of an annuity or sur-
 7 vivor annuity pursuant to this paragraph
 8 shall—

9 (i) if pursuant to subparagraph (A),
 10 be effective as of the commencement date
 11 of the annuity or survivor annuity involved;
 12 and

13 (ii) if pursuant to subparagraph (B),
 14 be effective as of the commencement date
 15 that would have applied if application for
 16 the annuity or survivor annuity involved
 17 had been submitted on the earliest date
 18 possible in order for it to have been ap-
 19 proved.

20 (D) LUMP-SUM PAYMENT.—Any amounts
 21 which by virtue of subparagraph (C) are pay-
 22 able for any months preceding the first month
 23 (on or after the effective date referred to in
 24 paragraph (1)(B)) as of which annuity or sur-
 25 vivor annuity payments become payable fully re-

1 flecting the computation or recomputation
 2 under subparagraph (A) or (B) (as the case
 3 may be) shall be payable in the form of a lump-
 4 sum payment.

5 (E) ORDER OF PRECEDENCE.—Section
 6 8424(d) of title 5, United States Code, shall
 7 apply in the case of any payment under sub-
 8 paragraph (D) payable to an individual who has
 9 died.

10 (f) IMPLEMENTATION.—The Office of Personnel
 11 Management, in consultation with the Secretary, shall pre-
 12 scribe such regulations and take such action as may be
 13 necessary and appropriate to implement this section.

14 **SEC. 321. COMPUTATION OF FOREIGN SERVICE RETIRE-**
 15 **MENT ANNUITIES AS IF WASHINGTON, D.C.,**
 16 **LOCALITY-BASED COMPARABILITY PAY-**
 17 **MENTS WERE MADE TO OVERSEAS STA-**
 18 **TIONED FOREIGN SERVICE MEMBERS.**

19 (a) FOREIGN SERVICE RETIREMENT AND DIS-
 20 ABILITY SYSTEM.—

21 (1) COMPUTATION OF ANNUITIES.—Section
 22 806(a) of the Foreign Service Act of 1980 (22
 23 U.S.C. 4046(a)) is amended by adding at the end
 24 the following new paragraph:

1 “(9) For purposes of any annuity computation under
 2 this subsection, the basic salary or basic pay of any mem-
 3 ber of the Service whose official duty station is outside
 4 the continental United States shall be considered to be the
 5 salary or pay that would have been paid to the member
 6 had the member’s official duty station been Washington,
 7 D.C., including locality-based comparability payments
 8 under section 5304 of title 5, United States Code, that
 9 would have been payable to the member if the member’s
 10 official duty station had been Washington, D.C.”.

11 (2) GOVERNMENT CONTRIBUTIONS AND INDI-
 12 VIDUAL DEDUCTIONS AND WITHHOLDINGS.—Section
 13 805(a) of the Foreign Service Act of 1980 (22
 14 U.S.C. 4045(a)) is amended—

15 (A) in paragraph (1)—

16 (i) in the first sentence, by striking
 17 “7” and inserting “7.25”; and

18 (ii) in the second sentence, by striking
 19 “An equal amount shall be contributed by
 20 the Department” and inserting “The con-
 21 tribution by the employing agency shall be
 22 a percentage of basic salary equal to the
 23 percentage in effect under section
 24 7001(d)(1) of the Balanced Budget Act of
 25 1997 (Public Law 105–33), and section

1 505(h) of the Department of Transpor-
 2 tation and Related Agencies Appropria-
 3 tions Act, 2001 (Public Law 106–346),
 4 plus .25 percent of basic salary, and shall
 5 be made”;

6 (B) in paragraph (2)—

7 (i) in subparagraph (A), by inserting
 8 at the end of the first sentence “, plus an
 9 amount equal to .25 percent of basic pay”;
 10 and

11 (ii) in subparagraph (B), by inserting
 12 at the end of the first sentence “, plus an
 13 amount equal to .25 percent of basic pay”;

14 (C) in paragraphs (1) and (2), by striking
 15 “Department” each place it appears and insert-
 16 ing “employing agency”; and

17 (D) in paragraph (3), by inserting at the
 18 end of the first sentence “, plus .25 percent”.

19 (b) FOREIGN SERVICE PENSION SYSTEM.—

20 (1) COMPUTATION OF ANNUITIES.—Section
 21 855(a) of the Foreign Service Act of 1980 (22
 22 U.S.C. 4071d(a)) is amended by adding at the end
 23 the following new paragraph:

24 “(3) For purposes of any annuity computation under
 25 this subsection, the average pay (as used in section 8414

1 of title 5, United States Code) of any member of the Serv-
 2 ice whose official duty station is outside the continental
 3 United States shall be considered to be the salary that
 4 would have been paid to the member had the member's
 5 official duty station been Washington, D.C., including lo-
 6 cality-based comparability payments under section 5304
 7 of title 5, United States Code, that would have been pay-
 8 able to the member if the member's official duty station
 9 had been Washington, D.C.”.

10 (2) INDIVIDUAL DEDUCTIONS AND
 11 WITHHOLDINGS.—Section 856(a)(2) of the Foreign
 12 Service Act of 1980 (22 U.S.C. 4071e(a)(2)) is
 13 amended by striking:

“7.5 After December 31, 2000.”

14 and inserting the following:

“7.75 After December 31, 2001.”.

15 (c) EFFECTIVE DATES.—

16 (1) COMPUTATION OF ANNUITIES.—The
 17 amendments made by subsections (a)(1) and (b)(1)
 18 shall apply to service performed on or after the first
 19 day of the first pay period beginning on or after the
 20 date that is 90 days after the date of enactment of
 21 this Act.

22 (2) GOVERNMENT CONTRIBUTIONS AND INDIVIDUAL
 23 DEDUCTIONS AND WITHHOLDINGS.—The

1 amendments made by subsections (a)(2) and (b)(2)
2 shall take effect with the first pay period beginning
3 on or after the date that is 90 days after the date
4 of enactment of this Act.

5 **SEC. 322. PLAN FOR IMPROVING RECRUITMENT OF VET-**
6 **ERANS INTO THE FOREIGN SERVICE.**

7 (a) IN GENERAL.—Not later than 180 days after the
8 date of enactment of this Act, the Secretary shall submit
9 to the appropriate congressional committees a report con-
10 taining a plan for the Department of State to improve the
11 recruitment of veterans to serve as candidates for the ca-
12 reer Foreign Service. The plan shall include—

13 (1) funding;

14 (2) personnel issues relevant to such recruit-
15 ment efforts; and

16 (3) improving coordination between the Depart-
17 ment and the Departments of Defense, Transpor-
18 tation, and Veterans Affairs in promoting the ap-
19 pointment of candidates for the career Foreign Serv-
20 ice among veterans.

21 (b) DEFINITION.—In this section, the term “vet-
22 erans” has the meaning given that term in section 101(2)
23 of title 38, United States Code.

1 **TITLE IV—INTERNATIONAL**
2 **ORGANIZATIONS**

3 **SEC. 401. PAYMENT OF SECOND INSTALLMENT OF ARREAR-**
4 **AGES.**

5 (a) IN GENERAL.—Section 931(b)(2) of the Admiral
6 James W. Nance and Meg Donovan Foreign Relations Au-
7 thorization Act, Fiscal Years 2000 and 2001 (as enacted
8 into law by section 1000(a)(7) of Public Law 106–113 and
9 contained in appendix G of that Act; 113 Stat. 1501A–
10 480) is amended by striking “25 percent” and inserting
11 “28.15 percent”.

12 (b) CONFORMING AMENDMENT.—The undesignated
13 paragraph under the heading “ARREARAGE PAYMENTS” in
14 title IV of the Departments of Commerce, Justice, and
15 State, the Judiciary, and Related Agencies Appropriations
16 Act, 1999 (as contained in section 101(b) of division A
17 of the Omnibus Consolidated and Emergency Supple-
18 mental Appropriations Act, 1999; 112 Stat. 2681–96) is
19 amended by striking “25 percent” and inserting “28.15
20 percent”.

21 **SEC. 402. PAYMENT OF THIRD INSTALLMENT OF ARREAR-**
22 **AGES.**

23 (a) IN GENERAL.—The United Nations Reform Act
24 of 1999 (title IX of division A of H.R. 3427, as enacted

1 into law by section 1000(a)(7) of Public Law 106–113;
2 appendix G; 113 Stat. 1501A–475) is amended as follows:

3 (1) Section 912(b)(3) is amended by striking
4 “, upon the certification described in section 941”
5 and inserting the following: “upon a certification de-
6 scribed in section 941 with respect to the United
7 Nations or a particular designated specialized agen-
8 cy, and immediately with respect to organizations to
9 which none of the conditions in section 941(b)
10 apply”.

11 (2) Section 941(a)(2) is amended—

12 (A) by striking “also”;

13 (B) by striking “in subsection (b)(4)” both
14 places it appears; and

15 (C) by striking “, if the other conditions in
16 subsection (b) are satisfied”.

17 (3) Section 941(a)(3) is amended by striking
18 “and for any other organization to which none of the
19 conditions in subsection (b) apply”.

20 (4) Section 941(b)(3) is amended—

21 (A) in the paragraph heading, by striking
22 “NEW BUDGET PROCEDURES” and inserting
23 “BUDGET PRACTICES AND FINANCIAL REGULA-
24 TIONS”;

25 (B) by striking “has established and”;

1 (C) by striking “procedures” and inserting
 2 “practices”; and

3 (D) in subparagraphs (A) and (B) by
 4 striking “require” each place it appears and in-
 5 serting “result in”.

6 (5) Section 941(b)(9) is amended—

7 (A) in the paragraph heading by striking
 8 “NEW BUDGET PROCEDURES” and inserting
 9 “BUDGET PRACTICES AND FINANCIAL REGULA-
 10 TIONS”;

11 (B) by striking “Each designated special-
 12 ized agency has established procedures to—”
 13 and inserting “The practices of each designated
 14 specialized agency—”; and

15 (C) in subparagraphs (A), (B), and (C) by
 16 striking “require” each place it appears and in-
 17 serting “result in”.

18 (b) CONFORMING AMENDMENT.—The undesignated
 19 paragraph under the heading “ARREARAGE PAYMENTS” in
 20 title IV of the Departments of Commerce, Justice, and
 21 State, the Judiciary, and Related Agencies Appropriations
 22 Act, 2000 (as contained in section 1000 of division B of
 23 the Consolidated Appropriations Act, 2000; Public Law
 24 106–113) is amended—

1 (1) in the first proviso, by striking “the share
 2 of the total of all assessed contributions for any des-
 3 ignated specialized agency of all assessed contribu-
 4 tions for any designated specialized agency of the
 5 United Nations does not exceed 22 percent for any
 6 single member of the agency, and”; and

7 (2) by inserting after “respective agencies:” the
 8 following: “*Provided further*, That none of the funds
 9 appropriated or otherwise made available under this
 10 heading for payment of arrearages may be obligated
 11 with respect to a designated specialized agency of
 12 the United Nations until such time as the share of
 13 the total of all assessed contributions for that des-
 14 ignated specialized agency does not exceed 22 per-
 15 cent for any member of the agency.”.

16 **SEC. 403. TRANSMITTAL OF CERTIFICATIONS TO CON-**
 17 **GRESS.**

18 Section 912(c) of the United Nations Reform Act of
 19 1999 (title IX of division A of H.R. 3427, as enacted into
 20 law by section 1000(a)(7) of Public Law 106–113; appen-
 21 dix G; 113 Stat. 1501A–477) is amended to read as fol-
 22 lows:

23 “(c) **ADVANCE CONGRESSIONAL NOTIFICATION.**—
 24 Funds made available pursuant to section 911 may be ob-
 25 ligated and expended—

1 “(1) after the appropriate certification has been
 2 submitted to the appropriate congressional commit-
 3 tees prior to payment of the funds, in the case of a
 4 certification submitted with respect to funds made
 5 available for fiscal year 1999; or

6 “(2) only if the appropriate certification has
 7 been submitted to the appropriate congressional
 8 committees 15 days prior to payment of the funds,
 9 in the case of a certification submitted with respect
 10 to funds made available for fiscal year 2000.”.

11 **SEC. 404. REPORTS TO CONGRESS ON CONTRIBUTIONS TO**
 12 **THE UNITED NATIONS.**

13 (a) ANNUAL REPORTS.—Section 4 of the United Na-
 14 tions Participation Act (22 U.S.C. 287b) is amended—

15 (1) in subsection (e)(5), by striking subpara-
 16 graph (B) and inserting the following:

17 “(B) ANNUAL REPORT.—The President
 18 shall submit to the designated congressional
 19 committees an annual report on all assistance
 20 provided by the United States during the pre-
 21 ceding calendar year to the United Nations to
 22 support peacekeeping operations. Each such re-
 23 port shall describe the assistance provided for
 24 each such operation, listed by category of as-
 25 sistance.”;

1 (2) by redesignating subsections (f) and (g) as
2 subsections (g) and (h), respectively; and

3 (3) by inserting after subsection (e) the fol-
4 lowing:

5 “(f) ANNUAL REPORT ON FINANCIAL CONTRIBU-
6 TIONS.—Not later than July 1 of each year, the Secretary
7 of State shall submit to the designated congressional com-
8 mittees a report on the extent and disposition of all finan-
9 cial contributions made by the United States during the
10 preceding year to international organizations in which the
11 United States participates as a member.”.

12 (b) CONFORMING AMENDMENTS.—

13 (1) Section 2 of Public Law 81–806 (22 U.S.C.
14 262a) is amended by striking the last sentence.

15 (2) Section 409 of the Foreign Relations Au-
16 thorization Act, Fiscal Years 1994 and 1995 (22
17 U.S.C. 287e note) is amended by striking subsection
18 (d).

19 **SEC. 405. LIMITATION ON THE UNITED STATES SHARE OF**
20 **ASSESSMENTS FOR UNITED NATIONS PEACE-**
21 **KEEPING OPERATIONS IN CALENDAR YEARS**
22 **2001 THROUGH 2003.**

23 (a) IN GENERAL.—Section 404(b)(2) of the Foreign
24 Relations Authorization Act, Fiscal Years 1994 and 1995,
25 is amended—

1 (1) by striking “Funds” and inserting “(A) IN
2 GENERAL.—Except as provided in subparagraph
3 (B), funds”; and

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

5 “(B) REDUCTION IN UNITED STATES
6 SHARE OF ASSESSED CONTRIBUTIONS.—Not-
7 withstanding the percentage limitation con-
8 tained in subparagraph (A), the United States
9 share of assessed contributions for each United
10 Nations peacekeeping operation during the fol-
11 lowing periods is authorized to be as follows:

12 “(i) For assessments made during cal-
13 endar year 2001, 28.15 percent.

14 “(ii) For assessments made during
15 calendar year 2002, 27.90 percent.

16 “(iii) For assessments made during
17 calendar year 2003, 27.40 percent.”.

18 (b) CONFORMING AMENDMENTS TO PUBLIC LAW 92–
19 544.—Title I of the Departments of State, Justice, and
20 Commerce, the Judiciary, and Related Agencies Appro-
21 priation Act, 1973 (22 U.S.C. 287e note) is amended—

22 (1) in the next to the last sentence of the un-
23 designated paragraph under the heading “CON-
24 TRIBUTIONS TO INTERNATIONAL ORGANIZATIONS” in
25 Public Law 92–544 (22 U.S.C. 287e note), by strik-

1 ing “After” and inserting “Subject to section
 2 404(b)(2) of the Foreign Relations Authorization
 3 Act, Fiscal Years 1994 and 1995 (22 U.S.C. 287e
 4 note), after”; and

5 (2) in the last sentence of the undesignated
 6 paragraph under the heading “CONTRIBUTIONS TO
 7 INTERNATIONAL ORGANIZATIONS” in Public Law
 8 92–544 (22 U.S.C. 287e note)—

9 (A) by striking “Appropriations are au-
 10 thorized” and inserting “Subject to section
 11 404(b)(2) of the Foreign Relations Authoriza-
 12 tion Act, Fiscal Years 1994 and 1995 (22
 13 U.S.C. 287e note), appropriations are author-
 14 ized”; and

15 (B) by striking “(other than United Na-
 16 tions peacekeeping operations) conducted” and
 17 inserting “conducted by or under the auspices
 18 of the United Nations or”.

19 **SEC. 406. LIMITATION ON THE UNITED STATES SHARE OF**
 20 **ASSESSMENTS FOR UNITED NATIONS REG-**
 21 **ULAR BUDGET.**

22 (a) IN GENERAL.—The United Nations Participation
 23 Act of 1945 (22 U.S.C. 287 et seq.) is amended by adding
 24 at the end the following new section:

1 **“SEC. 11. LIMITATION ON THE UNITED STATES SHARE OF**
2 **ASSESSMENTS FOR UNITED NATIONS REG-**
3 **ULAR BUDGET.**

4 “None of the funds available to the Department of
5 State shall be used to pay the United States share of as-
6 sessed contributions for the regular budget of the United
7 Nations in an amount greater than 22 percent of the total
8 of all assessed contributions for that budget.”.

9 (b) **EFFECTIVE DATE.**—The amendment made by
10 subsection (a) shall be deemed to have become effective
11 on January 1, 2001.

12 **SEC. 407. SENSE OF CONGRESS RELATING TO THE PAY-**
13 **MENT OF THE UNITED STATES SHARE OF AS-**
14 **SESSMENTS FOR THE UNITED NATIONS REG-**
15 **ULAR BUDGET.**

16 (a) **FINDINGS.**—Congress makes the following find-
17 ings:

18 (1) During the 1980s, it was decided to shift
19 the timing of the United States payment of its as-
20 sessed contribution to the regular budget from Janu-
21 ary to October in order to align the payment with
22 the beginning of the United States fiscal year.

23 (2) As a result of this shift, United States pay-
24 ments often are not received by the United Nations
25 until close to the end of December, at the end of the
26 United Nation’s fiscal year.

1 (b) SENSE OF CONGRESS.—It is the sense of the
 2 Congress that the United Nations cannot achieve the de-
 3 sired level of fiscal responsibility necessary for consistent
 4 and effective operations without prompt and timely pay-
 5 ment of the United States share of assessed contributions
 6 for the regular budget of the United Nations and that,
 7 commencing in January 2002, the United States should
 8 begin the process of resuming payment of its assessed con-
 9 tribution prior to February 1 of that year and each fol-
 10 lowing year, if all the conditions set forth in the United
 11 Nations Reform Act of 1999 (title IX of division A of H.R.
 12 3427, as enacted into law by section of 1000(a)(7) of Pub-
 13 lic Law 106–113) have been met.

14 **SEC. 408. ZERO GROWTH UNITED NATIONS BUDGET.**

15 (a) IN GENERAL.—Unless the Secretary certifies to
 16 the appropriate congressional committees prior to the obli-
 17 gation of fiscal year 2003 funds—

18 (1) that the United Nations has achieved zero
 19 growth in the biennium budget for 2002–2003 from
 20 the 2000–2001 biennium budget, and

21 (2) that, prior to the date of the certification,
 22 the United Nations took no action to exceed the bi-
 23 ennium budget for 2002–2003,

24 the United States shall withhold from the total amount
 25 of fiscal year 2003 funds its share of the amount by which

1 the biennium budget for 2002–2003 has exceeded zero
2 growth.

3 (b) FISCAL YEAR 2003 FUNDS DEFINED.—In this
4 section, the term “fiscal year 2003 funds” means amounts
5 appropriated for fiscal year 2003 that are available for
6 payment of the assessed contributions of the United States
7 to the regular budget of the United Nations.

8 **SEC. 409. MEMBERSHIP ON COMMISSION ON HUMAN**
9 **RIGHTS AND INTERNATIONAL NARCOTICS**
10 **CONTROL BOARD.**

11 The United States, in connection with its voice and
12 vote in the United Nations General Assembly and the
13 United Nations Economic and Social Council, shall make
14 every reasonable effort—

15 (1) to secure a seat for the United States on
16 the United Nations Commission on Human Rights;

17 (2) to secure a seat for a United States na-
18 tional on the United Nations International Narcotics
19 Control Board; and

20 (3) to prevent membership on the Human
21 Rights Commission by any member nation the gov-
22 ernment of which, in the judgment of the Secretary,
23 based on the Department’s Annual Country Reports
24 on Human Rights and the Annual Report on Inter-
25 national Report on Religious Freedom, engages in a

1 consistent pattern of gross violations of internation-
2 ally recognized human rights or has engaged in or
3 tolerated particularly severe violations of religious
4 freedom in that country.

5 **SEC. 410. ACTION PLAN FOR ENHANCED DEPARTMENT OF**
6 **STATE EFFORTS TO PLACE UNITED STATES**
7 **NATIONALS IN POSITIONS OF EMPLOYMENT**
8 **IN THE UNITED NATIONS AND ITS SPECIAL-**
9 **IZED AGENCIES.**

10 (a) IN GENERAL.—Not later than 180 days after the
11 date of enactment of this Act, the Secretary shall submit
12 to the appropriate congressional committees a report con-
13 taining an action plan for the Department that provides
14 for—

15 (1) proposals to reverse the decline in recent
16 years in funding and personnel resources devoted to
17 the placement of United States nationals in positions
18 within the United Nations system;

19 (2) steps to upgrade coordinated, high-level dip-
20 lomatic efforts to place United States nationals in
21 senior posts in the United Nations Secretariat and
22 the specialized agencies of the United Nations; and

23 (3) appropriate mechanisms to address the
24 under representation, relative to the United States
25 share of assessed contributions to the United Na-

1 tions, of United States nationals in junior positions
 2 within the United Nations and its specialized agen-
 3 cies.

4 (b) UNITED STATES NATIONAL DEFINED.—In this
 5 section, the term “United States national” means—

6 (1) a citizen of the United States; or

7 (2) a person who, though not a citizen of the
 8 United States, owes permanent allegiance to the
 9 United States.

10 **TITLE V—UNITED STATES**
 11 **INTERNATIONAL BROAD-**
 12 **CASTING ACTIVITIES**

13 **SEC. 501. REDESIGNATION OF THE BROADCASTING BOARD**
 14 **OF GOVERNORS AS THE UNITED STATES**
 15 **INTERNATIONAL BROADCASTING AGENCY.**

16 (a) REDESIGNATION.—The Broadcasting Board of
 17 Governors is hereby redesignated as the United States
 18 International Broadcasting Agency (in this section re-
 19 ferred to as the “Agency”).

20 (b) REDESIGNATION AND RETENTION OF OFFI-
 21 CIALS.—The members of the Broadcasting Board of Gov-
 22 ernors are hereby redesignated as members of the Board
 23 of Governors of the Agency, and those members of the
 24 Broadcasting Board of Governors appointed by the Presi-
 25 dent pursuant to section 304(b)(1)(A) of the United

1 States International Broadcasting Act of 1994 (22 U.S.C.
 2 6203(b)(1)(A)), as in effect immediately before the date
 3 of enactment of this Act, and holding office as of that
 4 date, may serve the remainder of their terms of office
 5 without reappointment.

6 (c) REFERENCES.—Any reference in any statute, re-
 7 organization plan, Executive order, regulation, agreement,
 8 determination, or other official document or proceeding to
 9 the Broadcasting Board of Governors shall be deemed to
 10 refer to the United States International Broadcasting
 11 Agency.

12 (d) BROADCASTING BOARD OF GOVERNORS DE-
 13 FINED.—In this section, the term “Broadcasting Board
 14 of Governors” means the Broadcasting Board of Gov-
 15 ernors established by section 304 of the United States
 16 International Broadcasting Act of 1994 (as in effect on
 17 the day before the date of enactment of this Act) and con-
 18 tinued in existence as an independent entity within the
 19 executive branch of Government by section 1322 of the
 20 Foreign Affairs Reform and Restructuring Act of 1998
 21 (as enacted into law by division G of Public Law 105–
 22 277).

23 (e) CONFORMING AMENDMENTS.—

24 (1) EXISTENCE WITHIN THE EXECUTIVE
 25 BRANCH.—Section 304 of the United States Inter-

1 national Broadcasting Act of 1994 (22 U.S.C. 6203)
 2 is amended—

3 (A) by amending the section heading to
 4 read as follows: “**SEC. 304. UNITED STATES**
 5 **INTERNATIONAL BROADCASTING AGEN-**
 6 **CY.**”; and

7 (B) by amending subsection (a) to read as
 8 follows:

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

11 “(1) IN GENERAL.—There is in the executive
 12 branch of Government the United States Inter-
 13 national Broadcasting Agency (in this title referred
 14 to as the ‘Agency’), which is an entity described in
 15 section 104 of title 5, United States Code, and
 16 which shall be directed by a Board of Governors.

17 “(2) INSPECTOR GENERAL AUTHORITIES.—

18 “(A) IN GENERAL.—The Inspector General
 19 of the Department of State and the Foreign
 20 Service shall exercise the same authorities with
 21 respect to the Agency and the International
 22 Broadcasting Bureau as the Inspector General
 23 exercises under the Inspector General Act of
 24 1978 and section 209 of the Foreign Service

1 Act of 1980 with respect to the Department of
2 State.

3 “(B) RESPECT FOR JOURNALISTIC INTEG-
4 RITY OF BROADCASTERS.—The Inspector Gen-
5 eral of the Department of State and the For-
6 eign Service shall respect the journalistic integ-
7 rity of all the broadcasters covered by this title
8 and may not evaluate the philosophical or polit-
9 ical perspectives reflected in the content of
10 broadcasts.”.

11 (2) REFERENCES IN THE UNITED STATES
12 INTERNATIONAL BROADCASTING ACT OF 1994.—The
13 United States International Broadcasting Act of
14 1994 (22 U.S.C. 6201 et seq.) is amended by strik-
15 ing “Board” each place it appears and inserting
16 “Agency”.

17 (3) RADIO BROADCASTING.—The Radio Broad-
18 casting to Cuba Act (22 U.S.C. 1465 et seq.) is
19 amended—

20 (A) by striking “Broadcasting Board of
21 Governors” each place it appears and inserting
22 “United States International Broadcasting
23 Agency”; and

24 (B) by striking “Board” each place it ap-
25 pears and inserting “Agency”.

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

(A) in section 243(a) (22 U.S.C. 1465bb(a)), section 244(a) (22 U.S.C. 22 U.S.C. 1465cc(a)), and section 246 (22 U.S.C. 1465dd), by striking “Broadcasting Board of Governors” each place it appears and inserting “United States International Broadcasting Agency”; and

(B) in section 244 (b) and (c) (22 U.S.C. 1465cc (b) and (c)) and section 246 (22 U.S.C. 1465dd), by striking “Board” each place it appears and inserting “Agency”.

(5) INFORMATION AND EDUCATIONAL EXCHANGE.—The United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.) is amended—

(A) in section 505 (22 U.S.C. 1464a), by striking “Broadcasting Board of Governors” each place it appears and inserting “United States International Broadcasting Agency”; and

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

1 (i) by striking “Broadcasting Board
2 of Governors” and inserting “United
3 States International Broadcasting Agen-
4 cy”; and

5 (ii) by striking “Board” and inserting
6 “Agency”.

7 (6) FOREIGN SERVICE.—The Foreign Service
8 Act of 1980 (22 U.S.C. 3901 et seq.) is amended—

9 (A) in section 202(a)(1) (22 U.S.C.
10 3922(a)(1)), by striking “Broadcasting Board
11 of Governors” and inserting “United States
12 International Broadcasting Agency”;

13 (B) in section 210 (22 U.S.C. 3930), by
14 striking “Broadcasting Board of Governors”
15 and inserting “United States International
16 Broadcasting Agency”;

17 (C) in section 1003(a) (22 U.S.C.
18 4103(a)), by striking “Broadcasting Board of
19 Governors” and inserting “United States Inter-
20 national Broadcasting Agency”; and

21 (D) in section 1101(c) (22 U.S.C.
22 4131(c)), by striking “Broadcasting Board of
23 Governors” and inserting “United States Inter-
24 national Broadcasting Agency”.

1 (7) STATE DEPARTMENT BASIC AUTHORI-
2 TIES.—The State Department Basic Authorities Act
3 of 1956 (22 U.S.C. 2651a et seq.) is amended—

4 (A) in section 23(a) (22 U.S.C. 2695(a)),
5 by striking “Broadcasting Board of Governors”
6 and inserting “United States International
7 Broadcasting Agency”;

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

9 (i) by striking “Broadcasting Board
10 of Governors and inserting “United States
11 International Broadcasting Agency”; and

12 (ii) by striking “the Board and the
13 Agency” and inserting “their respective
14 agencies”;

15 (C) in section 26(b) (22 U.S.C. 2698(b))—

16 (i) by striking “Broadcasting Board
17 of Governors and inserting “United States
18 International Broadcasting Agency”; and

19 (ii) by striking “the Board and the
20 Agency” and inserting “their respective
21 agencies”; and

22 (D) in section 32 (22 U.S.C. 2704), by
23 striking “Broadcasting Board of Governors and
24 inserting “United States International Broad-
25 casting Agency”.

1 **SEC. 502. SPECIAL AUTHORITY FOR SURGE CAPACITY.**

2 The United States International Broadcasting Act of
3 1994 (22 U.S.C. 6201 et seq.) is amended by adding at
4 the end the following new section:

5 **“SEC. 316. SPECIAL AUTHORITY FOR SURGE CAPACITY.**

6 **“(a) EMERGENCY AUTHORITY.—**

7 **“(1) IN GENERAL.—**Whenever the President de-
8 termines it to be important to the national interests
9 of the United States and so certifies to the appro-
10 priate congressional committees, the President, on
11 such terms and conditions as the President may de-
12 termine, is authorized to furnish such assistance as
13 may be necessary to provide international broad-
14 casting activities of the United States with a surge
15 capacity to support United States foreign policy ob-
16 jectives during a crisis abroad.

17 **“(2) SUPERSEDES EXISTING LAW.—**The au-
18 thority of paragraph (1) supersedes any other provi-
19 sion of law.

20 **“(3) SURGE CAPACITY DEFINED.—**In this sub-
21 section, the term ‘surge capacity’ means the finan-
22 cial and technical resources necessary to carry out
23 broadcasting activities in a geographical area during
24 a crisis.

25 **“(b) AUTHORIZATION OF APPROPRIATIONS.—**

1 “(1) IN GENERAL.—Effective October 1, 2001,
 2 there is authorized to be appropriated to the Presi-
 3 dent such amounts as may be necessary for the
 4 President to carry out this section, except that no
 5 such amount may be appropriated which, when
 6 added to amounts previously appropriated for such
 7 purpose but not yet obligated, would cause such
 8 amounts to exceed \$10,000,000.

9 “(2) AVAILABILITY OF FUNDS.—Amounts ap-
 10 propriated under this subsection are authorized to
 11 remain available until expended.

12 “(3) DESIGNATION OF APPROPRIATIONS.—
 13 Amounts appropriated under this subsection may be
 14 referred to as the ‘United States International
 15 Broadcasting Surge Capacity Fund’.”.

16 **SEC. 503. DISSEMINATION OF THE VOICE OF AMERICA SPE-**
 17 **CIAL ENGLISH SERVICE’S PROGRAMMING IN**
 18 **THE UNITED STATES.**

19 Section 305(a) of the United States International
 20 Broadcasting Act of 1994 (22 U.S.C. 6204(a)) is amended
 21 by adding at the end thereof the following new paragraph:

22 “(19) Notwithstanding section 501 of the
 23 United States Information and Education Exchange
 24 Act of 1948 (22 U.S.C. 1461 (a)), or section 208 of
 25 the United States Information Agency Authorization

1 Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461–
2 1a), to distribute in the United States program ma-
3 terial prepared by the Voice of America’s Special
4 English Service.”.

5 **SEC. 504. MODIFICATION OF LIMITATION ON GRANT**
6 **AMOUNTS TO RFE/RL, INCORPORATED.**

7 Section 308(c) of the United States International
8 Broadcasting Act of 1994 (22 U.S.C. 6207(c)) is amended
9 to read as follows:

10 “(c) The total amount of grants made for the oper-
11 ating costs of RFE/RL, Incorporated, may not exceed
12 \$85,000,000 in each of the fiscal years 2002 and 2003.”.

13 **SEC. 505. GRANTS FOR RADIO FREE ASIA.**

14 Section 309(c)(4) of the United States International
15 Broadcasting Act of 1994 (22 U.S.C. 6208(c)(4)) is
16 amended to read as follows:

17 “(4) Grants made for the operating costs of
18 Radio Free Asia may not exceed \$35,000,000 in
19 each of the fiscal years 2002 and 2003.”.

20 **SEC. 506. PAY PARITY FOR SENIOR EXECUTIVES OF RFE/RL,**
21 **INCORPORATED.**

22 Section 308(h)(1) of the United States International
23 Broadcasting Act of 1994 (22 U.S.C. 6207(h)(1)) is
24 amended—

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

3 “(C) Notwithstanding the limitations under
 4 subparagraph (A), grant funds provided under this
 5 section may be used by RFE/RL, Incorporated, to
 6 pay not more than four employees employed in
 7 Washington, D.C., salary or other compensation at
 8 a rate not to exceed the rate of pay payable for level
 9 III of the Executive Schedule under section 5314 of
 10 title 5, United States Code.”; and

11 (2) in subparagraph (A) by striking “(B),” and
 12 inserting “(B) or (C),”.

13 **SEC. 507. AUTHORITY TO CONTRACT FOR LOCAL BROAD-**
 14 **CASTING SERVICES OUTSIDE THE UNITED**
 15 **STATES.**

16 Section 802(b)(4) of the United States Information
 17 and Educational Exchange Act of 1948 (22 U.S.C.
 18 1472(b)(4)) is amended by inserting before the period the
 19 following: “and is authorized to enter into contracts for
 20 periods not to exceed ten years to acquire local broad-
 21 casting services outside the United States”.

22 **SEC. 508. PERSONAL SERVICES CONTRACTING PILOT PRO-**
 23 **GRAM.**

24 (a) IN GENERAL.—The Director of the International
 25 Broadcasting Bureau (in this section referred to as the

1 “Director”) may establish a pilot program (in this section
2 referred to as the “program”) for the purpose of hiring
3 United States citizens or aliens as personal services con-
4 tractors, without regard to civil service and classification
5 laws, for service in the United States as broadcasters, pro-
6 ducers, and writers in the International Broadcasting Bu-
7 reau to respond to new or emerging broadcast needs or
8 to augment broadcast services.

9 (b) CONDITIONS.—The Director is authorized to use
10 the authority of subsection (a) subject to all the following
11 conditions:

12 (1) The Director determines that existing per-
13 sonnel resources are insufficient and the need is of
14 limited or unknown duration.

15 (2) The Director approves each employment of
16 a personal services contractor.

17 (3) The contract length, including options, may
18 not exceed 2 years, unless the Director makes a
19 finding that exceptional circumstances justify an ex-
20 tension of up to one additional year.

21 (4) Not more than a total of 75 United States
22 citizens or aliens are employed at any one time as
23 personal services contractors under the program.

24 (c) EXPIRATION OF AUTHORITY.—The authority to
25 award personal services contracts under the program shall

1 expire on December 31, 2005. A contract entered into
 2 under the program on or before December 31, 2005, shall
 3 remain in effect, in accordance with the terms of the con-
 4 tract, notwithstanding expiration of the program.

5 **SEC. 509. TRAVEL BY VOICE OF AMERICA CORRESPOND-**
 6 **ENTS.**

7 (a) EXEMPTION FROM RESPONSIBILITIES OF THE
 8 SECRETARY.—Section 103(a)(1)(A) of the Omnibus Dip-
 9 lomatic Security and Antiterrorism Act of 1986 (22
 10 U.S.C. 4802(a)(1)(A)) is amended by inserting “Voice of
 11 America correspondents on official assignment and” after
 12 “other than”.

13 (b) EXEMPTION FROM CHIEF OF MISSION RESPON-
 14 SIBILITIES.—Section 207 of the Foreign Service Act of
 15 1980 (22 U.S.C. 3927) is amended—

16 (1) in the parenthetical clause in subsection

17 (a)(1), by inserting “Voice of America correspond-
 18 ents on official assignment and” after “except for”;

19 (2) in the parenthetical clause in subsection

20 (a)(2), by inserting “Voice of America correspond-
 21 ents on official assignment and” after “except for”;

22 and

23 (3) in the parenthetical clause in subsection (b),

24 by inserting “Voice of America correspondents on of-
 25 ficial assignment and” after “except for”.

1 **SEC. 510. CONFORMING AMENDMENTS.**

2 The United States International Broadcasting Act of
3 1994 (22 U.S.C.6201 et seq.) is amended—

4 (1) in section 305(a)(4) (22 U.S.C.
5 6204(a)(4)), by striking “annually,,” and inserting
6 “annually,”; and

7 (2) in section 313(a) (22 U.S.C. 6211(a)), in
8 the text above paragraph (1), by striking “the direc-
9 tion and”.

10 **TITLE VI—REPORTING**
11 **REQUIREMENTS**

12 **SEC. 601. ELIMINATION OF CERTAIN REPORTING REQUIRE-**
13 **MENTS.**

14 (a) ECONOMIC POLICY AND TRADE PRACTICES.—
15 Section 2202 of the Omnibus Trade and Competitiveness
16 Act of 1988 (15 U.S.C. 4711) is repealed.

17 (b) ANNUAL REPORTS ON ECONOMIC AND SOCIAL
18 GROWTH.—Section 574 of the Foreign Operations, Ex-
19 port Financing, and Related Programs Appropriations
20 Act, 1996 (22 U.S.C. 2394 note) is repealed.

21 (c) NUMBER OF UNITED STATES NATIONALS IN
22 FOREIGN COUNTRIES FOR FOREIGN MILITARY SALES-
23 RELATED PURPOSES.—Section 36(a) of the Arms Export
24 Control Act (22 U.S.C. 2776) is amended—

25 (1) by striking paragraph (7); and

1 (2) by redesignating paragraphs (8), (9), (10),
 2 (11), (12), and (13) as paragraphs (7), (8), (9),
 3 (10), (11), and (12), respectively.

4 (d) ANNUAL REPORTS UNDER INTERNATIONAL
 5 ANTICORRUPTION AND GOOD GOVERNANCE ACT.—Sec-
 6 tion 133 of the Foreign Assistance Act of 1961 (22 U.S.C.
 7 2152c) is amended by striking subsection (d).

8 **SEC. 602. REPORT RELATING TO COMMISSION ON SECU-**
 9 **RITY AND COOPERATION IN EUROPE.**

10 Section 5 of the Act entitled “An Act to establish a
 11 Commission on Security and Cooperation in Europe” (22
 12 U.S.C. 3005) is amended to read as follows:

13 “SEC. 5. In order to assist the Commission in car-
 14 rying out its duties, the Secretary of State shall submit
 15 to the Commission an annual report discussing the overall
 16 United States policy objectives that are advanced through
 17 meetings of decision-making bodies of the Organization for
 18 Security and Cooperation in Europe (OSCE), the OSCE
 19 implementation review process, and other activities of the
 20 OSCE. The report shall also include a summary of specific
 21 United States policy objectives with respect to partici-
 22 pating states where there is particular concern relating to
 23 the implementation of OSCE commitments or where an
 24 OSCE presence exists. Such summary shall address the
 25 role played by OSCE institutions, mechanisms, or field ac-

1 tivities in achieving United States policy objectives. Each
 2 annual report shall cover the period from January 1 to
 3 December 31, shall be submitted not more than 90 days
 4 after the end of the reporting period, and shall be posted
 5 on the Internet website of the Department of State.”.

6 **SEC. 603. BRIEFINGS ON POTENTIAL PURCHASES OF DE-**
 7 **FENSE ARTICLES OR DEFENSE SERVICES BY**
 8 **TAIWAN.**

9 (a) BRIEFINGS.—Not later than 90 days after the
 10 date of enactment of this Act, and every 90 days there-
 11 after, the Department of State, in consultation with the
 12 Department of Defense, shall provide detailed briefings to
 13 the appropriate congressional committees on any discus-
 14 sions conducted between any executive branch agency and
 15 the government of Taiwan during the preceding 90 days
 16 (or, in the case of the initial briefing, since the date of
 17 enactment of this Act) on any potential purchase of de-
 18 fense articles or defense services by the government of
 19 Taiwan.

20 (b) EXECUTIVE AGENCY DEFINED.—In this section,
 21 the term “executive branch agency” has the meaning given
 22 the term “agency” in section 551(1) of title 5, United
 23 States Code.

1 **SEC. 604. ANNUAL REPORTS ON UNITED STATES-VIETNAM**
2 **HUMAN RIGHTS DIALOGUE MEETINGS.**

3 Not later than 60 days after the second United
4 States-Vietnam human rights meeting held in a calendar
5 year, the Secretary shall submit to the appropriate con-
6 gressional committees a report covering the issues dis-
7 cussed at the previous two meetings and describing to
8 what extent Vietnam has made progress during that cal-
9 endar year since the preceding calendar year in achieving
10 the following objectives:

11 (1) Improving the Government of Vietnam's
12 commercial and criminal codes to bring them into
13 conformity with international standards, including
14 the repeal of the Government of Vietnam's adminis-
15 trative detention decree (Directive 31/CP).

16 (2) Releasing imprisoned political and religious
17 activists and ceasing surveillance of those already re-
18 leased.

19 (3) Taking steps to ease official restrictions on
20 religious activity, including implementing the rec-
21 ommendations of the United Nations Special
22 Rapporteur on Religious Intolerance.

23 (4) Taking steps to promote freedom of the Vi-
24 etnamese media, including greater freedom of move-
25 ment of members of the Vietnamese and foreign
26 press.

1 (5) Making efforts to improve prison conditions
 2 and providing for greater transparency in the penal
 3 system of Vietnam, such as implementing the rec-
 4 ommendations of the United Nations Working
 5 Group on Arbitrary Detention.

6 (6) Taking steps to address concerns about in-
 7 digenous minorities in the central and northern
 8 highlands of Vietnam.

9 (7) Working with the International Labor Orga-
 10 nization to improve the basic rights of workers.

11 **SEC. 605. SEMIANNUAL REPORTS ON EXPENDITURES MADE**
 12 **FROM APPROPRIATION FOR “EMERGENCIES**
 13 **IN THE DIPLOMATIC AND CONSULAR SERV-**
 14 **ICE”.**

15 Section 124 of the Foreign Relations Authorization
 16 Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2680 note)
 17 is amended in the first sentence—

18 (1) by striking “within 30 days after the end of
 19 each quarter of the fiscal year” and inserting “not
 20 later than May 1 and November 1 of each year”;
 21 and

22 (2) by striking “that quarter” and inserting
 23 “the preceding half of the fiscal year that ended
 24 March 31 and September 30, respectively”.

1 **SEC. 606. REPORT CONCERNING ELIMINATION OF COLOM-**
2 **BIAN OPIUM.**

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

5 (1) There is a growing heroin crisis in the
6 United States resulting from increasingly cheap,
7 pure, and deadly heroin flooding into this country,
8 much of it from Colombia.

9 (2) Interdicting heroin entering the United
10 States is difficult, in part because it can be traf-
11 ficked in such small quantities.

12 (3) Destruction of opium, from which heroin is
13 derived, at its source in Colombia is traditionally one
14 of the best strategies to combat the heroin crisis ac-
15 cording to Federal law enforcement officials.

16 (b) REPORT TO CONGRESS.—Not later than 60 days
17 after the date of the enactment of this Act, the Secretary,
18 through the Assistant Secretary of State for International
19 Narcotics and Law Enforcement Affairs, shall submit to
20 the appropriate congressional committees a report that
21 outlines a comprehensive strategy to eradicate all opium
22 cultivation at its source in Colombia.

1 **SEC. 607. REPORT CONCERNING THE GERMAN FOUNDA-**
2 **TION “REMEMBRANCE, RESPONSIBILITY, AND**
3 **THE FUTURE”.**

4 (a) REPORT CONCERNING THE GERMAN FOUNDA-
5 TION “REMEMBRANCE, RESPONSIBILITY, AND THE FU-
6 TURE”.—Not later than 180 days after the date of the
7 enactment of this Act, and every 180 days thereafter until
8 all funds made available to the German Foundation have
9 been disbursed, the Secretary shall submit to the appro-
10 priate congressional committees a report on the status of
11 the implementation of the Agreement and, to the extent
12 possible, on whether or not—

13 (1) during the 180-day period preceding the
14 date of the report, the German Bundestag has au-
15 thorized the allocation of funds to the Foundation,
16 in accordance with section 17 of the law on the cre-
17 ation of the Foundation, enacted by the Federal Re-
18 public of Germany on August 8, 2000;

19 (2) the entire sum of 10,000,000,000 deutsche
20 marks has been made available to the German
21 Foundation in accordance with Annex B to the Joint
22 Statement of July 17, 2000;

23 (3) during the 180-day period preceding the
24 date of the report, any company or companies inves-
25 tigating a claim, who are members of ICHEIC, were
26 required to provide to the claimant, within 90 days

1 after receiving the claim, a status report on the
2 claim, or a decision that included—

3 (A) an explanation of the decision, pursu-
4 ant to those standards of ICHEIC to be applied
5 in approving claims;

6 (B) all documents relevant to the claim
7 that were retrieved in the investigation; and

8 (C) an explanation of the procedures for
9 appeal of the decision;

10 (4) during the 180-day period preceding the
11 date of the report, any entity that elected to deter-
12 mine claims under Article 1(4) of the Agreement
13 was required to comply with the standards of proof,
14 criteria for publishing policyholder names, valuation
15 standards, auditing requirements, and decisions of
16 the Chairman of ICHEIC;

17 (5) during the 180-day period preceding the
18 date of the report, an independent process to appeal
19 decisions made by any entity that elected to deter-
20 mine claims under Article 1(4) of the Agreement
21 was available to and accessible by any claimant
22 wishing to appeal such a decision, and the appellate
23 body had the jurisdiction and resources necessary to
24 fully investigate each claim on appeal and provide a
25 timely response;

1 (6) an independent audit of compliance ap-
 2 proved by ICHEIC by every entity that has elected
 3 to determine claims under Article 1(4) of the Agree-
 4 ment has been conducted; and

5 (7) the administrative and operational expenses
 6 incurred by the companies that are members of
 7 ICHEIC are appropriate for the administration of
 8 claims described in paragraph (3).

9 The Secretary's report shall include the Secretary's jus-
 10 tification for each determination under this subsection.

11 (b) SENSE OF CONGRESS.—It is the sense of the
 12 Congress that ICHEIC should work in consultation with
 13 the Secretary in gathering the information required for
 14 the report under subsection (a).

15 (c) DEFINITIONS.—In this section:

16 (1) AGREEMENT.—The term “Agreement”
 17 means the Agreement between the Government of
 18 the United States of America and the Government
 19 of the Federal Republic of Germany concerning the
 20 Foundation “Remembrance, Responsibility and the
 21 Future”, done at Berlin July 17, 2000.

22 (2) ANNEX B TO THE JOINT STATEMENT OF
 23 JULY 17, 2000.—The term “Annex B to the Joint
 24 Statement of July 17, 2000” means Annex B to the
 25 Joint Statement on occasion of the final plenary

meeting concluding international talks on the preparation of the Federal Foundation “Remembrance, Responsibility and the Future”, done at Berlin on July 17, 2000.

(3) GERMAN FOUNDATION.—The term “German Foundation” means the Foundation “Remembrance, Responsibility and the Future” referred to in the Agreement.

(4) ICHEIC.—The term “ICHEIC” means the International Commission on Holocaust Era Insurance Claims referred to in Article 1(4) of the Agreement.

TITLE VII—MISCELLANEOUS PROVISIONS

Subtitle A—Middle East Peace Commitments Act of 2001

SEC. 701. SHORT TITLE.

This subtitle may be cited as the “Middle East Peace Commitments Act of 2001”.

SEC. 702. FINDINGS.

Congress makes the following findings:

(1) In 1993, the Palestine Liberation Organization (in this subtitle referred to as the “PLO”) made the following commitments in an exchange of letters with the Prime Minister of Israel:

1 (A) Recognition of the right of the State of
2 Israel to exist in peace and security.

3 (B) Acceptance of United Nations Security
4 Council Resolutions 242 and 338.

5 (C) Resolution of all outstanding issues in
6 the conflict between the two sides through nego-
7 tiations and exclusively peaceful means.

8 (D) Renunciation of the use of terrorism
9 and all other acts of violence and responsibility
10 over all PLO elements and personnel in order
11 to assure their compliance, prevent violations,
12 and discipline violators.

13 (2) The Palestinian Authority, the governing
14 body of autonomous Palestinian territories, was cre-
15 ated as a result of agreements between the PLO and
16 the State of Israel that are a direct outgrowth of the
17 commitments made in 1993.

18 (3) Congress has provided authorities to the
19 President to suspend certain statutory restrictions
20 relating to the PLO, subject to Presidential certifi-
21 cations that the PLO has continued to abide by
22 commitments made.

23 **SEC. 703. REPORTS.**

24 (a) IN GENERAL.—The President shall, at the times
25 specified in subsection (b), transmit to the appropriate

1 congressional committees a report on compliance by the
2 PLO or the Palestinian Authority, as appropriate, with
3 each of the commitments specified in section 702(1). The
4 report shall include, with respect to each such commit-
5 ment, the determination of the President as to whether
6 or not the PLO or the Palestinian Authority, as appro-
7 priate, has complied with that commitment during the pe-
8 riod since the submission of the preceding report or, in
9 the case of the initial report, during the preceding six-
10 month period. In the event that the President imposed one
11 or more sanctions under section 704 during the period
12 covered by the report, the report shall include a descrip-
13 tion of each such sanction imposed.

14 (b) TRANSMISSION.—The initial report required
15 under subsection (a) shall be transmitted not later than
16 30 days after the date of enactment of this Act. Each sub-
17 sequent report shall be submitted on the date on which
18 the President is next required to submit a report under
19 the P.L.O. Commitments Compliance Act of 1989 (title
20 VIII of Public Law 101–246) and may be combined with
21 such report.

22 **SEC. 704. IMPOSITION OF SANCTIONS.**

23 (a) IN GENERAL.—If, in any report transmitted pur-
24 suant to section 703, the President determines that the
25 PLO or the Palestinian Authority, as appropriate, has not

1 complied with each of the commitments specified in sec-
2 tion 702(1), or if the President fails to make a determina-
3 tion with respect to such compliance, the President shall,
4 for a period of time not less than the period described in
5 subsection (b), impose one or more of the following sanc-
6 tions:

7 (1) DENIAL OF VISAS TO PLO AND PALES-
8 TINIAN AUTHORITY OFFICIALS.—The Secretary shall
9 not issue a visa to any member of the PLO or any
10 official of the Palestinian Authority.

11 (2) DOWNGRADE IN STATUS OF PLO OFFICE IN
12 THE UNITED STATES.—Notwithstanding any other
13 provision of law, the President shall withdraw or ter-
14 minate any waiver by the President of the require-
15 ments of section 1003 of the Foreign Relations Au-
16 thorization Act of 1988 and 1989 (22 U.S.C. 5202)
17 (prohibiting the establishment or maintenance of a
18 Palestinian information office in the United States),
19 and such section shall apply so as to prohibit the op-
20 eration of a PLO or Palestinian Authority office in
21 the United States from carrying out any function
22 other than those functions carried out by the Pales-
23 tinian information office in existence prior to the
24 Oslo Accords.

1 (3) DESIGNATION AS A FOREIGN TERRORIST
 2 ORGANIZATION.—The President shall designate the
 3 PLO, or one or more of its constituent groups (in-
 4 cluding Fatah and Tanzim) or groups operating as
 5 arms of the Palestinian Authority (including Force
 6 17), as a foreign terrorist organization, in accord-
 7 ance with section 219(a) of the Immigration and
 8 Nationality Act.

9 (4) PROHIBITION ON UNITED STATES ASSIST-
 10 ANCE TO THE WEST BANK AND GAZA.—United
 11 States assistance (except humanitarian assistance)
 12 shall not be provided to programs or projects in the
 13 West Bank or Gaza.

14 (b) DURATION OF SANCTIONS.—The period of time
 15 referred to in subsection (a) is the period of time com-
 16 mencing on the date that the report pursuant to section
 17 703 was transmitted and ending on the later of—

18 (1) the date that is six months after such date;

19 or

20 (2) the date that the next report under section
 21 703 is required to be transmitted.

22 (c) WAIVER AUTHORITY.—The President may waive
 23 any or all of the sanctions imposed under subsection (a)
 24 if the President determines that such a waiver is in the
 25 national security interest of the United States. The Presi-

1 dent shall report such a determination to the appropriate
 2 congressional committees.

3 **Subtitle B—Tibet Policy**

4 **SEC. 711. SHORT TITLE.**

5 This subtitle may be cited as “Tibetan Policy Act of
 6 2001”.

7 **SEC. 712. STATEMENT OF PURPOSE.**

8 The purpose of this subtitle is to support the aspira-
 9 tions of the Tibetan people to safeguard their distinct
 10 identity.

11 **SEC. 713. TIBET NEGOTIATIONS.**

12 (a) POLICY.—

13 (1) IN GENERAL.—The President and the Sec-
 14 retary should encourage the Government of the Peo-
 15 ple’s Republic of China to enter into a dialogue with
 16 the Dalai Lama or his representatives leading to a
 17 negotiated agreement on Tibet.

18 (2) COMPLIANCE.—After such an agreement is
 19 reached, the President and the Secretary should
 20 work to ensure compliance with the agreement.

21 (b) PERIODIC REPORT.—Not later than six months
 22 after the date of the enactment of this Act, and every 12
 23 months thereafter (until such a time as an agreement de-
 24 scribed in subsection (a)(1) is reached which is satisfac-
 25 tory to both the Chinese and Tibetan peoples), the Presi-

1 dent shall transmit to the appropriate congressional com-
 2 mittees a report on—

3 (1) the steps taken by the President and the
 4 Secretary in accordance with subsection (a)(1); and

5 (2) the status of any discussions between the
 6 People’s Republic of China and the Dalai Lama or
 7 his representatives.

8 **SEC. 714. REPORTING ON TIBET.**

9 Whenever a report is transmitted to Congress under
 10 section 116 or 502B of the Foreign Assistance Act of
 11 1961 (22 U.S.C. 2151m, 2304) or under section 102(b)
 12 of the International Religious Freedom Act of 1998 (22
 13 U.S.C. 6412(b)), Tibet shall be included in such report
 14 as a separate section.

15 **SEC. 715. CONGRESSIONAL-EXECUTIVE COMMISSION ON**
 16 **THE PEOPLE’S REPUBLIC OF CHINA.**

17 Section 302(h) of the U.S.-China Relations Act of
 18 2000 (Public Law 106–286), relating to the Congres-
 19 sional-Executive Commission on the People’s Republic of
 20 China, is amended—

21 (1) by striking “shall include specific informa-
 22 tion” and inserting the following: “shall include—

23 “(1) specific information”;

24 (2) by striking the period at the end and insert-
 25 ing “; and”; and

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

2 “(2) a description of the status of negotiations
3 between the Government of the People’s Republic of
4 China and the Dalai Lama or his representatives,
5 and measures taken to safeguard Tibet’s distinct
6 historical, religious, cultural, and linguistic identity
7 and the protection of human rights.”.

8 **SEC. 716. ECONOMIC DEVELOPMENT ON THE TIBETAN PLA-**
9 **TEAU.**

10 (a) DECLARATIONS OF POLICY.—It is the policy of
11 the United States to support economic development, cul-
12 tural preservation, health care, and education and environ-
13 mental sustainability for Tibetans inside Tibet. In support
14 of this policy, the United States shall use its voice and
15 vote to support projects designed in accordance with the
16 principles contained in subsection (d) that are designed
17 to raise the standard of living for the Tibetan people and
18 assist Tibetans to become self-sufficient.

19 (b) INTERNATIONAL FINANCIAL INSTITUTIONS.—
20 The Secretary of the Treasury shall instruct the United
21 States executive director of each international financial in-
22 stitution to use the voice and vote of the United States
23 to support projects in Tibet, if the projects are designed
24 in accordance with the principles contained in subsection
25 (d).

1 (c) EXPORT-IMPORT BANK, OPIC, AND TDA.—The
2 President shall direct the Export-Import Bank of the
3 United States, the Overseas Private Investment Corpora-
4 tion, and the Trade and Development Agency to support
5 projects proposed to be funded or otherwise supported by
6 such entities in Tibet, if the projects are designed in ac-
7 cordance with the principles contained in subsection (d).

8 (d) TIBET PRINCIPLES.—Projects in Tibet supported
9 by international financial institutions, other international
10 organizations, nongovernmental organizations, and the
11 United States entities referred to in subsection (c),
12 should—

13 (1) be implemented only after conducting a
14 thorough needs-assessment of the Tibetan people
15 through field visits and interviews;

16 (2) be preceded by cultural and environmental
17 impact assessments;

18 (3) foster self-sufficiency and self-reliance of Ti-
19 betans;

20 (4) promote accountability of the development
21 agencies to the Tibetan people and active participa-
22 tion of Tibetans in all project stages;

23 (5) respect Tibetan culture, traditions, and the
24 Tibetan knowledge and wisdom about their land-
25 scape and survival techniques;

1 (6) be subject to on-site monitoring by the de-
2 velopment agencies to ensure that the intended tar-
3 get group benefits;

4 (7) be implemented by development agencies
5 prepared to use Tibetan as the working language of
6 the projects;

7 (8) neither provide incentive for, nor facilitate
8 the migration and settlement of, non-Tibetans into
9 Tibet; and

10 (9) neither provide incentive for, nor facilitate
11 the transfer of ownership of, Tibetan land or natural
12 resources to non-Tibetans.

13 **SEC. 717. RELEASE OF PRISONERS AND ACCESS TO PRIS-**
14 **ONS.**

15 The President and the Secretary, in meetings with
16 representatives of the Government of the People's Repub-
17 lic of China, should—

18 (1) request the immediate and unconditional re-
19 lease of all those held prisoner for expressing their
20 political or religious views in Tibet;

21 (2) seek access for international humanitarian
22 organizations to prisoners in Tibet to ensure that
23 prisoners are not being mistreated and are receiving
24 necessary medical care; and

1 (3) seek the immediate medical parole of
2 Ngawang Choephel and other Tibetan prisoners
3 known to be in serious ill health.

4 **SEC. 718. ESTABLISHMENT OF A UNITED STATES BRANCH**
5 **OFFICE IN LHASA, TIBET.**

6 The Secretary shall make best efforts to establish an
7 office in Lhasa, Tibet, to monitor political, economic, and
8 cultural developments in Tibet.

9 **SEC. 719. REQUIREMENT FOR TIBETAN LANGUAGE TRAIN-**
10 **ING.**

11 The Secretary shall ensure that Tibetan language
12 training is available to Foreign Service officers, and that
13 every effort is made to ensure that a Tibetan-speaking
14 Foreign Service officer is assigned to a consulate in the
15 People's Republic of China responsible for tracking devel-
16 opments in Tibet.

17 **SEC. 720. RELIGIOUS PERSECUTION IN TIBET.**

18 (a) HIGH-LEVEL CONTACTS.—Pursuant to section
19 105 of the International Religious Freedom Act of 1998
20 (22 U.S.C. 6414), the United States Ambassador to the
21 People's Republic of China—

22 (1) shall seek to meet with the 11th Panchen
23 Lama, who was taken from his home on May 17,
24 1995, and otherwise ascertain information con-
25 cerning his whereabouts and well-being; and

1 (2) shall request the Government of the Peo-
 2 ple’s Republic of China that the 11th Panchen Lama
 3 be released and allowed to pursue his religious stud-
 4 ies without interference and according to tradition.

5 (b) PROMOTION OF INCREASED ADVOCACY.—Pursu-
 6 ant to section 108(a) of the International Religious Free-
 7 dom Act of 1998 (22 U.S.C. 6417(a)), it is the sense of
 8 Congress that representatives of the United States Gov-
 9 ernment in exchanges with officials of the Government of
 10 the People’s Republic of China should call for and other-
 11 wise promote the cessation of all interference by the Gov-
 12 ernment of the People’s Republic of China or the Com-
 13 munist Party in the religious affairs of the Tibetan people.

14 **Subtitle C—East Timor Transition**
 15 **to Independence Act of 2001**

16 **SEC. 731. SHORT TITLE.**

17 This subtitle may be cited as the “East Timor Tran-
 18 sition to Independence Act of 2001”.

19 **SEC. 732. BILATERAL ASSISTANCE.**

20 (a) AUTHORITY.—The President, acting through the
 21 Administrator of the United States Agency for Inter-
 22 national Development, is authorized to—

23 (1) support the development of civil society, in-
 24 cluding nongovernmental organizations in East
 25 Timor;

1 (2) promote the development of an independent
2 news media;

3 (3) support job creation, including support for
4 small business and microenterprise programs, envi-
5 ronmental protection, sustainable development, de-
6 velopment of East Timor's health care infrastruc-
7 ture, educational programs, and programs strength-
8 ening the role of women in society;

9 (4) promote reconciliation, conflict resolution,
10 and prevention of further conflict with respect to
11 East Timor, including establishing accountability for
12 past gross human rights violations;

13 (5) support the voluntary and safe repatriation
14 and reintegration of refugees into East Timor;

15 (6) support political party development, voter
16 education, voter registration, and other activities in
17 support of free and fair elections in East Timor; and

18 (7) promote the development of the rule of law.

19 (b) AUTHORIZATION OF APPROPRIATIONS.—

20 (1) IN GENERAL.—There is authorized to be
21 appropriated to the President to carry out this sec-
22 tion \$25,000,000 for each of the fiscal years 2002
23 and 2003.

24 (2) AVAILABILITY.—Amounts appropriated pur-
25 suant to the authorization of appropriations under

1 paragraph (1) are authorized to remain available
2 until expended.

3 **SEC. 733. MULTILATERAL ASSISTANCE.**

4 The Secretary of the Treasury shall instruct the
5 United States executive director at each international fi-
6 nancial institution to which the United States is a member
7 to use the voice, vote, and influence of the United States
8 to support economic and democratic development in East
9 Timor.

10 **SEC. 734. TRADE AND INVESTMENT ASSISTANCE.**

11 (a) OPIC.—As soon as possible after the enactment
12 of this Act, the President of the Overseas Private Invest-
13 ment Corporation (OPIC) shall send a risk assessment
14 team to East Timor to determine if East Timor meets
15 OPIC’s human rights, environmental, and labor standards
16 so that OPIC can provide political risk insurance, project
17 finance loans, and investment funds for United States in-
18 vestments in East Timor as soon as East Timor becomes
19 independent.

20 (b) TRADE AND DEVELOPMENT AGENCY.—As soon
21 as possible after the enactment of this Act, the Director
22 of the Trade and Development Agency shall send an as-
23 sessment team to East Timor to conduct a feasibility
24 study in the agricultural, energy, and environmental sec-
25 tors, and any other sector proposed by the National Coun-

1 cil of East Timor, to determine how United States invest-
2 ment can best assist East Timor's development as soon
3 as East Timor becomes independent.

4 (c) EXPORT-IMPORT BANK.—Congress encourages
5 the Export-Import Bank of the United States to finance
6 or take other steps to increase exports to East Timor, in-
7 cluding providing financing to creditworthy private and
8 sovereign foreign buyers who wish to invest in East Timor
9 when private financing is unavailable.

10 **SEC. 735. GENERALIZED SYSTEM OF PREFERENCES.**

11 As soon as possible after the enactment of this Act,
12 the United States Trade Representative and the Commis-
13 sioner of Customs should send an assessment team to
14 East Timor to compile a list of duty-free eligible products
15 so that the Government of East Timor can begin the proc-
16 ess of applying for General System of Preference benefits
17 as soon as East Timor becomes independent.

18 **SEC. 736. PEACE CORPS ACTIVITIES.**

19 As soon as possible after the enactment of this Act,
20 the Director of the Peace Corps should send an assess-
21 ment team to East Timor with a view to establishing a
22 Peace Corps presence as soon as East Timor becomes
23 independent.

24 **SEC. 737. SECURITY ASSISTANCE FOR EAST TIMOR.**

25 (a) STUDY AND REPORT.—

1 (1) STUDY.—The President shall conduct a
2 study to determine—

3 (A) the extent to which East Timor’s secu-
4 rity needs can be met by the transfer of excess
5 defense articles under section 516 of the For-
6 eign Assistance Act of 1961;

7 (B) the extent to which international mili-
8 tary education and training (IMET) assistance
9 will enhance professionalism of the armed
10 forces of East Timor, provide training in
11 human rights, and promote respect for human
12 rights and humanitarian law; and

13 (C) the terms and conditions under which
14 such defense articles or training, as appro-
15 priate, should be provided.

16 (2) REPORT.—Not later than 3 months after
17 the date of the enactment of this Act, the President
18 shall transmit to the appropriate congressional com-
19 mittees a report that contains the findings of the
20 study conducted under paragraph (1).

21 (b) AUTHORIZATION OF ASSISTANCE.—

22 (1) IN GENERAL.—Beginning on the date on
23 which Congress receives the report transmitted
24 under subsection (a)(2), or the date on which Con-
25 gress receives the certification transmitted under

1 paragraph (2), whichever occurs later, the President
2 is authorized—

3 (A) to transfer excess defense articles
4 under section 516 of the Foreign Assistance
5 Act of 1961 (22 U.S.C. 2321j) to East Timor
6 in accordance with such section; and

7 (B) to provide military education and
8 training under chapter 5 of part II of such Act
9 (22 U.S.C. 2347 et seq.) for the armed forces
10 of East Timor in accordance with such chapter.

11 (2) CERTIFICATION.—A certification described
12 in this paragraph is a certification that—

13 (A) East Timor has established an inde-
14 pendent armed forces; and

15 (B) the assistance proposed to be provided
16 pursuant to paragraph (1)—

17 (i) is in the national security interests
18 of the United States; and

19 (ii) will promote both human rights in
20 East Timor and the professionalization of
21 the armed forces of East Timor.

22 **SEC. 738. AUTHORIZATION OF UNITED STATES DIPLOMATIC**
23 **MISSION TO EAST TIMOR.**

24 (a) IN GENERAL.—The President is authorized to es-
25 tablish a United States diplomatic mission to East Timor.

1 (b) CHIEF OF DIPLOMATIC MISSION.—Any United
2 States diplomatic mission to East Timor shall be headed
3 by a chief of diplomatic mission, who shall be an individual
4 having no diplomatic responsibilities in Indonesia or any
5 other country except East Timor.

6 **SEC. 739. REPORTING REQUIREMENT.**

7 (a) IN GENERAL.—Not later than three months after
8 the date of enactment of this Act and every 12 months
9 thereafter, the Secretary shall prepare and transmit to the
10 appropriate congressional committees a report that con-
11 tains the information described in subsection (b).

12 (b) INFORMATION.—The report required by sub-
13 section (a) shall include—

14 (1) developments in East Timor’s political and
15 economic situation in the period covered by the re-
16 port, including an evaluation of any elections occur-
17 ring in East Timor and the refugee reintegration
18 process in East Timor;

19 (2) in the initial report, a 3-year plan for
20 United States foreign assistance to East Timor in
21 accordance with section 732, prepared by the Ad-
22 ministrator of the United States Agency for Inter-
23 national Development, which outlines the goals for
24 United States foreign assistance to East Timor dur-
25 ing the 3-year period;

1 (3) a description of the activities undertaken in
2 East Timor by the International Bank for Recon-
3 struction and Development, the Asian Development
4 Bank, and other international financial institutions,
5 and an evaluation of the effectiveness of these activi-
6 ties;

7 (4) an assessment of the status of United
8 States trade and investment relations with East
9 Timor, including a detailed analysis of any trade
10 and investment-related activity supported by the
11 Overseas Private Investment Corporation, the Ex-
12 port-Import Bank of the United States, and the
13 Trade and Development Agency during the period of
14 time since the previous report;

15 (5) a comprehensive study and report on local
16 agriculture in East Timor, emerging opportunities
17 for producing, processing, and exporting indigenous
18 agricultural products, and recommendations for ap-
19 propriate technical assistance from the United
20 States; and

21 (6) statistical data drawn from other sources on
22 economic growth, health, education, and distribution
23 of resources in East Timor.

1 **Subtitle D—Reform of Certification**
2 **Procedures Applicable to Cer-**
3 **tain Drug Producing or Traf-**
4 **ficking Countries**

5 **SEC. 741. FINDINGS.**

6 Congress makes the following findings:

7 (1) The international drug trade poses a direct
8 threat to the United States and to international ef-
9 forts to promote democracy, economic stability,
10 human rights, and the rule of law.

11 (2) The United States has a vital national in-
12 terest in combating the financial and other resources
13 of the multinational drug cartels, which resources
14 threaten the integrity of political and financial insti-
15 tutions both in the United States and abroad.

16 (3) Illegal drug use occurs among members of
17 every ethnic and socioeconomic group in the United
18 States.

19 (4) Worldwide drug trafficking generates reve-
20 nues estimated at \$400,000,000,000 annually.

21 (5) The Single Convention on Narcotic Drugs,
22 1961, as amended by the 1972 Protocol Amending
23 the Single Convention on Narcotic Drugs, 1961, the
24 Convention on Psychotropic Substances, 1971, and
25 the United Nations Convention Against Illicit Traf-

1 fic in Narcotic Drugs and Psychotropic Substances,
 2 1988, provide the basic framework for international
 3 drug control cooperation.

4 (6) The United Nations International Drug
 5 Control Program, the International Narcotics Con-
 6 trol Board, and the Organization of American States
 7 can play important roles in facilitating the develop-
 8 ment and implementation of more effective multilat-
 9 eral programs to combat both domestic and inter-
 10 national drug trafficking and consumption.

11 (7) The United States Government should con-
 12 sider alternatives to, or improvements in, the annual
 13 certification process required by section 490 of the
 14 Foreign Assistance Act of 1961 (22 U.S.C. 2291j),
 15 in order to foster more effective and consistent bilat-
 16 eral and multilateral cooperation with United States
 17 counternarcotics programs.

18 **SEC. 742. THREE-YEAR MODIFICATION OF PROCEDURES**
 19 **RELATING TO ASSISTANCE FOR MAJOR**
 20 **DRUG-TRANSIT AND MAJOR ILLICIT DRUG**
 21 **PRODUCING COUNTRIES.**

22 (a) IN GENERAL.—Chapter 8 of part I of the Foreign
 23 Assistance Act of 1961 (22 U.S.C. 2291 et seq.) is amend-
 24 ed by adding at the end the following new section:

1 **“SEC. 490A. LIMITATIONS DURING FISCAL YEARS 2002, 2003,**
2 **AND 2004 ON ASSISTANCE FOR MAJOR DRUG-**
3 **TRANSIT AND MAJOR ILLICIT DRUG PRO-**
4 **DUCING COUNTRIES.**

5 “(a) ANNUAL DETERMINATION OF MAJOR DRUG-
6 TRANSIT OR MAJOR ILLICIT DRUG PRODUCING COUN-
7 TRIES.—Not later than October 1 of 2001, 2002, and
8 2003, the President shall submit to the appropriate con-
9 gressional committees a report identifying each country
10 determined by the President to be a major drug-transit
11 country or major illicit drug producing country for the
12 purposes of this Act.

13 “(b) DESIGNATION OF COUNTRIES NOT ADHERING
14 TO INTERNATIONAL AGREEMENTS AND NOT MAKING
15 COUNTERNARCOTICS EFFORTS.—In each report under
16 subsection (a), the President shall also—

17 “(1) designate each country, if any, identified
18 in such report that has failed demonstrably, during
19 the previous 12 months, to make substantial
20 efforts—

21 “(A) to adhere to its obligations under
22 international counternarcotics agreements; and

23 “(B) to take the counternarcotics measures
24 set forth in section 489(a)(1); and

25 “(2) include a justification for each country so
26 designated.

1 “(c) LIMITATION ON ASSISTANCE FOR DESIGNATED
 2 COUNTRIES.—In the case of a country identified in a re-
 3 port for a fiscal year under subsection (a) that is also des-
 4 ignated under subsection (b) in the report for such fiscal
 5 year, United States assistance may be provided to the
 6 country in such fiscal year only if the President deter-
 7 mines and reports to the appropriate congressional com-
 8 mittees that—

9 “(1) provision of such assistance to the country
 10 in such fiscal year is vital to the national interests
 11 of the United States; or

12 “(2) commencing at any time after October 1
 13 of such fiscal year, the country has made substantial
 14 efforts—

15 “(A) to adhere to its obligations under
 16 international counternarcotics agreements; and

17 “(B) to take the counternarcotics measures
 18 set forth in section 489(a)(1).

19 “(d) INTERNATIONAL COUNTERNARCOTICS AGREE-
 20 MENT DEFINED.—In this section, the term ‘international
 21 counternarcotics agreement’ means—

22 “(1) the United Nations Convention Against Il-
 23 licit Traffic in Narcotic Drugs and Psychotropic
 24 Substances; or

1 “(2) any bilateral or multilateral agreement in
2 force between the United States and another country
3 or countries that addresses issues relating to the
4 control of illicit drugs, such as—

5 “(A) the production, distribution, and
6 interdiction of illicit drugs,

7 “(B) demand reduction,

8 “(C) the activities of criminal organiza-
9 tions,

10 “(D) international legal cooperation among
11 courts, prosecutors, and law enforcement agen-
12 cies (including the exchange of information and
13 evidence),

14 “(E) the extradition of nationals and indi-
15 viduals involved in drug-related criminal activ-
16 ity,

17 “(F) the temporary transfer for prosecu-
18 tion of nationals and individuals involved in
19 drug-related criminal activity,

20 “(G) border security,

21 “(H) money laundering,

22 “(I) illicit firearms trafficking,

23 “(J) corruption,

24 “(K) control of precursor chemicals,

25 “(L) asset forfeiture, and

1 “(M) related training and technical assist-
 2 ance;
 3 and includes, where appropriate, timetables and ob-
 4 jective and measurable standards to assess the
 5 progress made by participating countries with re-
 6 spect to such issues.”.

7 (b) RELATIONSHIP TO PERMANENT LAW.—

8 (1) LIMITATION ON APPLICABILITY.—Section
 9 490 of the Foreign Assistance Act of 1961 (22
 10 U.S.C. 2291j) is amended by adding at the end the
 11 following new subsection:

12 “(i) LIMITATION ON APPLICABILITY.—This section
 13 shall not apply during fiscal years 2002, 2003, and
 14 2004.”.

15 (2) STATUTORY CONSTRUCTION.—Nothing in
 16 this Act, or any amendment made by this Act, su-
 17 persedes or modifies the requirement in section
 18 489(a) of the Foreign Assistance Act of 1961 for
 19 the transmittal of a report not later than March 1
 20 of each year under that section.

21 **SEC. 743. SENSE OF CONGRESS ON ENHANCED INTER-**
 22 **NATIONAL NARCOTICS CONTROL.**

23 It is the sense of Congress that—

24 (1) many governments are extremely concerned
 25 by the national security threat posed by illicit drug

1 production, distribution, and consumption, and
2 crimes related thereto, particularly those in the
3 Western Hemisphere;

4 (2) an enhanced multilateral strategy should be
5 developed among drug producing, transit, and con-
6 suming nations designed to improve cooperation with
7 respect to the investigation and prosecution of drug
8 related crimes, and to make available information on
9 effective drug education and drug treatment;

10 (3) the United States should at the earliest fea-
11 sible date in 2001 convene a conference of represent-
12 atives of major illicit drug producing countries,
13 major drug-transit countries, and major money laun-
14 dering countries to present and review country-by-
15 country drug reduction and prevention strategies rel-
16 evant to the specific circumstances of each country,
17 and agree to a program and timetable for implemen-
18 tation of such strategies; and

19 (4) not later than one year after the date of en-
20 actment of this Act, the President should transmit
21 to Congress recommendations for any legislation
22 necessary to implement a proposed multilateral
23 strategy to achieve the goals referred to in para-
24 graph (2), including recommendations for any

1 amendments to existing law that may be required to
 2 implement that strategy.

3 **SEC. 744. INCLUSION OF MAJOR FOREIGN DRUG TRAF-**
 4 **FICKING ORGANIZATIONS IN INTER-**
 5 **NATIONAL NARCOTICS CONTROL STRATEGY**
 6 **REPORT.**

7 Section 489 of the Foreign Assistance Act of 1961
 8 (22 U.S.C. 2291h) is amended—

9 (1) in subsection (a), by adding after the flush
 10 matter at the end of paragraph (7) the following
 11 new paragraph (8):

12 “(8) The identity, to the extent consistent with
 13 intelligence and law enforcement interests, of each
 14 foreign organization determined by the President to
 15 be a major drug trafficking organization, including
 16 a description of the activities of such organization
 17 during the two fiscal years preceding the fiscal year
 18 of the report.”; and

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

21 “(c) DEFINITIONS.—In this section:

22 “(1) MAJOR DRUG TRAFFICKING ORGANIZA-
 23 TION.—The term ‘major drug trafficking organiza-
 24 tion’ means any organization engaged in substantial
 25 amounts of illicit activity to cultivate, produce, man-

1 manufacture, distribute, sell, finance, or transport nar-
 2 cotic drugs, controlled substances, or listed chemi-
 3 cals, engaged in money laundering or proceeds from
 4 such activities, or that otherwise endeavors or at-
 5 tempts to do so, or to assist, abet, conspire, or
 6 collude with others to do so.

7 “(2) NARCOTIC DRUG, CONTROLLED SUB-
 8 STANCE, LISTED CHEMICAL.—The terms ‘narcotic
 9 drug’, ‘controlled substance’, and ‘listed chemical’
 10 have the meanings given those terms in section 102
 11 of the Controlled Substances Act (21 U.S.C. 802).”.

12 **SEC. 745. JUDICIAL REVIEW UNDER FOREIGN NARCOTICS**
 13 **KINGPIN DESIGNATION ACT.**

14 Section 805 of the Foreign Narcotics Kingpin Des-
 15 ignation Act (title VIII of Public Law 106–120; 113 Stat.
 16 1629; 21 U.S.C. 1904) is amended by striking subsection
 17 (f).

18 **Subtitle E—Clean Water for the**
 19 **Americas Partnership**

20 **SEC. 751. SHORT TITLE.**

21 This subtitle may be cited as the “Clean Water for
 22 the Americas Partnership Act of 2001”.

23 **SEC. 752. DEFINITIONS.**

24 In this subtitle:

1 (1) JOINT PROJECT.—The term “joint project”
2 means a project between a United States association
3 or nonprofit entity and a Latin American or Carib-
4 bean association or nongovernmental organization.

5 (2) LATIN AMERICAN OR CARIBBEAN NON-
6 GOVERNMENTAL ORGANIZATION.—The term “Latin
7 American or Caribbean nongovernmental organiza-
8 tion” includes any institution of higher education,
9 any private nonprofit entity involved in international
10 education activities, or any research institute or
11 other research organization, based in the region.

12 (3) REGION.—The term “region” refers to the
13 region comprised of the member countries of the Or-
14 ganization of American States (other than the
15 United States and Canada).

16 (4) UNITED STATES ASSOCIATION.—The term
17 “United States association” means a business league
18 described in section 501(c)(6) of the Internal Rev-
19 enue Code of 1986 (26 U.S.C. 501(c)(6)), and ex-
20 empt from taxation under section 501(a) of such
21 Code (26 U.S.C. 501(a)).

22 (5) UNITED STATES NONPROFIT ENTITY.—The
23 term “United States nonprofit entity” includes any
24 institution of higher education (as defined in section
25 101(a) of the Higher Education Act of 1965 (20

1 U.S.C. 1001(a)), any private nonprofit entity in-
2 volved in international education activities, or any
3 research institute or other research organization,
4 based in the United States.

5 **SEC. 753. ESTABLISHMENT OF PROGRAM.**

6 The President is authorized to establish a program
7 which shall be known as the “Clean Water for the Amer-
8 icas Partnership”.

9 **SEC. 754. ENVIRONMENTAL ASSESSMENT.**

10 The President is authorized to conduct a comprehen-
11 sive assessment of the environmental problems in the re-
12 gion to determine—

13 (1) which environmental problems threaten
14 human health the most, particularly the health of
15 the urban poor;

16 (2) which environmental problems are most
17 threatening, in the long-term, to the region’s natural
18 resources;

19 (3) which countries have the most pressing en-
20 vironmental problems; and

21 (4) whether and to what extent there is a mar-
22 ket for United States environmental technology,
23 practices, knowledge, and innovations in the region.

1 **SEC. 755. ESTABLISHMENT OF TECHNOLOGY AMERICA CEN-**
2 **TERS.**

3 (a) **AUTHORITY TO ESTABLISH.**—The President, in
4 consultation with the Director General of the United
5 States and Foreign Commercial Service of the Department
6 of Commerce, is authorized to establish Technology Amer-
7 ica Centers (TEAMs) in the region to serve the entire re-
8 gion and, where appropriate, to establish TEAMs in urban
9 areas of the region to focus on urban environmental prob-
10 lems.

11 (b) **FUNCTIONS.**—The TEAMs would link United
12 States private sector environmental technology firms with
13 local partners, both public and private, by providing logis-
14 tic and information support to United States firms seeking
15 to find local partners and opportunities for environmental
16 projects. TEAMs should emphasize assisting United
17 States small businesses.

18 (c) **LOCATION.**—In determining whether to locate a
19 TEAM in a country, the President, in consultation with
20 the Director General of the United States and Foreign
21 Commercial Service of the Department of Commerce, shall
22 take into account the country's need for logistic and infor-
23 mational support and the opportunities presented for
24 United States firms in the country. A TEAM may be lo-
25 cated in a country without regard to whether a mission

1 of the United States Agency for International Develop-
 2 ment is established in that country.

3 **SEC. 756. PROMOTION OF WATER QUALITY, WATER TREAT-**
 4 **MENT SYSTEMS, AND ENERGY EFFICIENCY.**

5 Subject to the availability of appropriations, the
 6 President is authorized to provide matching grants to
 7 United States associations and United States nonprofit
 8 entities for the purpose of promoting water quality, water
 9 treatment systems, and energy efficiency in the region.
 10 The grants shall be used to support joint projects, includ-
 11 ing professional exchanges, academic fellowships, training
 12 programs in the United States or in the region, coopera-
 13 tion in regulatory review, development of training mate-
 14 rials, the establishment and development in the region of
 15 local chapters of the associations or nonprofit entities, and
 16 the development of online exchanges.

17 **SEC. 757. GRANTS FOR PREFEASIBILITY STUDIES WITHIN A**
 18 **DESIGNATED SUBREGION.**

19 (a) GRANT AUTHORITY.—

20 (1) IN GENERAL.—Subject to the availability of
 21 appropriations, the Director of the Trade and Devel-
 22 opment Agency is authorized to make grants for
 23 prefeasibility studies for water projects in any coun-
 24 try within a single subregion or in a single country
 25 designated under paragraph (2).

1 (2) DESIGNATION OF SUBREGION.—The Direc-
2 tor of the Trade and Development Agency shall des-
3 ignate in advance a single subregion or a single
4 country for purposes of paragraph (1).

5 (b) MATCHING REQUIREMENT.—The Director of the
6 Trade and Development Agency may not make any grant
7 under this section unless there are made available non-
8 Federal contributions in an amount equal to not less than
9 25 percent of the amount of Federal funds provided under
10 the grant.

11 (c) LIMITATION PER SINGLE PROJECT.—With re-
12 spect to any single project, grant funds under this section
13 shall be available only for the prefeasibility portion of that
14 project.

15 (d) DEFINITIONS.—In this section:

16 (1) PREFEASIBILITY.—The term
17 “prefeasibility” means, with respect to a project, not
18 more than 25 percent of the design phase of the
19 project.

20 (2) SUBREGION.—The term “subregion” means
21 an area within the region and includes areas such as
22 Central America, the Andean region, and the South-
23 ern cone.

1 **SEC. 758. CLEAN WATER TECHNICAL SUPPORT COM-**
2 **MITTEE.**

3 (a) IN GENERAL.—The President is authorized to es-
4 tablish a Clean Water Technical Support Committee (in
5 this section referred to as the “Committee”) to provide
6 technical support and training services for individual
7 water projects.

8 (b) COMPOSITION.—The Committee shall consist of
9 international investors, lenders, water service providers,
10 suppliers, advisers, and others with a direct interest in ac-
11 celerating development of water projects in the region.

12 (c) FUNCTIONS.—Members of the Committee shall
13 act as field advisers and may form specialized working
14 groups to provide in-country training and technical assist-
15 ance, and shall serve as a source of technical support to
16 resolve barriers to project development.

17 **SEC. 759. AUTHORIZATION OF APPROPRIATIONS.**

18 (a) IN GENERAL.—There are authorized to be appro-
19 priated to the President \$10,000,000 for each of the fiscal
20 years 2002, 2003, and 2004 to carry out this subtitle.

21 (b) AVAILABILITY OF FUNDS.—Funds appropriated
22 pursuant to subsection (a) are authorized to remain avail-
23 able until expended.

1 **SEC. 760. REPORT.**

2 Two years after the date of enactment of this Act,
3 the President shall submit a report to the appropriate con-
4 gressional committees containing—

5 (1) an assessment of the progress made in car-
6 rying out the program established under this sub-
7 title; and

8 (2) any recommendations for the enactment of
9 legislation to make changes in the program estab-
10 lished under this subtitle.

11 **SEC. 761. TERMINATION DATE.**

12 (a) IN GENERAL.—Except as provided in subsection
13 (b), the authorities of this subtitle shall terminate 3 years
14 after the date of establishment of the program described
15 in section 753.

16 (b) EXCEPTION.—In lieu of the termination date
17 specified in subsection (a), the termination required by
18 that subsection shall take effect five years after the date
19 of establishment of the program described in section 753
20 if, prior to the termination date specified in subsection (a),
21 the President determines and certifies to the appropriate
22 congressional committees that it would be in the national
23 interest of the United States to continue the program de-
24 scribed in such section 753 for an additional 2-year period.

1 **SEC. 762. EFFECTIVE DATE.**

2 This subtitle shall take effect 90 days after the date
3 of enactment of this Act.

4 **Subtitle F—Other Matters**

5 **SEC. 771. AMENDMENTS TO THE INTERNATIONAL RELI-**
6 **GIOUS FREEDOM ACT OF 1998.**

7 (a) REVISED TERMINATION DATE OF COMMIS-
8 SION.—Section 209 of the International Religious Free-
9 dom Act of 1998 (22 U.S.C. 6436), is amended by striking
10 “May 14, 2003” and inserting “September 30, 2005”.

11 (b) AUTHORIZATIONS OF APPROPRIATIONS.—Section
12 207(a) of such Act (22 U.S.C. 6435(a)) is amended by
13 inserting “for each of the fiscal years 2002 through 2005”
14 after “\$3,000,000”.

15 (c) ELECTION OF CHAIR OF COMMISSION.—Section
16 201(d) of such Act (22 U.S.C. 6431(d)) is amended by
17 striking “in each calendar” and inserting “after May 30
18 of each”.

19 (d) VACANCIES.—Section 201(g) of such Act (22
20 U.S.C. 6431(g)) is amended by adding at the end the fol-
21 lowing: “A member may serve after the expiration of that
22 member’s term until a successor has taken office. Any
23 member appointed to fill a vacancy occurring before the
24 expiration of the term for which the member’s predecessor
25 was appointed shall be appointed only for the remainder
26 of that term.”.

1 (e) VIOLATIONS OF RELIGIOUS FREEDOM.—Section
 2 102(b)(1)(B) of such Act (22 U.S.C. 6412(b)(1)(B)) is
 3 amended by inserting “the existence of discriminatory gov-
 4 ernment policies such as sect filters,” after “the existence
 5 of government policies violating religious freedom,”.

6 **SEC. 772. EXTENSION OF AUTHORITY FOR CAUCUS ON**
 7 **INTERNATIONAL NARCOTICS CONTROL.**

8 Section 814(i) of the Foreign Relations Authorization
 9 Act, Fiscal Years 1986 and 1987 (Public Law 99–93) is
 10 amended by striking “2002” and inserting “2005”.

11 **SEC. 773. HUMAN RIGHTS AND DEMOCRACY FUND.**

12 (a) ESTABLISHMENT OF FUND.—There is estab-
 13 lished a Human Rights and Democracy Fund (in this sec-
 14 tion referred to as the “Fund”) to be administered by the
 15 Assistant Secretary of State for Democracy, Human
 16 Rights, and Labor.

17 (b) PURPOSES OF FUND.—The purposes of the Fund
 18 are—

- 19 (1) to support defenders of human rights;
- 20 (2) to assist the victims of human rights viola-
- 21 tions;
- 22 (3) to respond to human rights emergencies;
- 23 (4) to promote and encourage the growth of de-
- 24 mocracy, including the support for nongovernmental
- 25 organizations in other countries; and

1 (5) to carry out such other related activities as
2 are consistent with paragraphs (1) through (4).

3 (c) FUNDING.—

4 (1) IN GENERAL.—Of the amounts made avail-
5 able to carry out chapter 1 and chapter 10 of part
6 I of the Foreign Assistance Act of 1961 and chapter
7 4 of part II of such Act for each of the fiscal years
8 2002 and 2003, \$20,000,000 for each such fiscal
9 year is authorized to be made available only to the
10 Fund for carrying out the purposes described in sub-
11 section (b).

12 (2) ALLOCATION OF FUNDS FOR THE DOCU-
13 MENTATION CENTER OF CAMBODIA.—Of the
14 amounts authorized to be made available to the
15 Fund under paragraph (1) for fiscal years 2002 and
16 2003, \$1,000,000 is authorized to be available for
17 each such fiscal year only for the Documentation
18 Center of Cambodia for the purpose of collecting,
19 cataloguing, and disseminating information about
20 the atrocities committed by the Khmer Rouge
21 against the Cambodian people.

22 (3) FATHER JOHN KAISER MEMORIAL FUND.—
23 Of the amounts authorized to be made available to
24 the Fund under paragraph (1) for fiscal years 2002
25 and 2003, \$500,000 is authorized to be available for

1 each such fiscal year to advance the extraordinary
 2 work and values of Father John Kaiser with respect
 3 to solving ethnic conflict and promoting government
 4 accountability and respect for human rights.
 5 Amounts made available under this paragraph may
 6 be referred to as the “Father John Kaiser Memorial
 7 Fund”.

8 **SEC. 774. REPORTS ON ACTIONS TAKEN BY THE UNITED**
 9 **STATES TO ENCOURAGE RESPECT FOR**
 10 **HUMAN RIGHTS.**

11 (a) SECTION 116 REPORT.—Section 116(d) of the
 12 Foreign Assistance Act of 1961 (22 U.S.C. 2151n(d)) is
 13 amended—

14 (1) in paragraph (7), by striking “and” at the
 15 end and inserting a semicolon;

16 (2) in paragraph (8), by striking the period at
 17 the end and inserting “; and”; and

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

19 “(9) for each country with respect to which a
 20 determination has been made that extrajudicial
 21 killings, torture, or other serious violations of human
 22 rights have occurred in the country, the extent to
 23 which the United States has taken or will take ac-
 24 tion to encourage an end to such practices in the
 25 country.”.

1 (b) SECTION 502B REPORT.—Section 502B(b) of the
 2 Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)) is
 3 amended by inserting after the fourth sentence the fol-
 4 lowing: “Such report shall also include, for each country
 5 with respect to which a determination has been made that
 6 extrajudicial killings, torture, or other serious violations
 7 of human rights have occurred in the country, the extent
 8 to which the United States has taken or will take action
 9 to encourage an end to such practices in the country.”.

10 **SEC. 775. PROGRAM TO IMPROVE BUILDING CONSTRUC-**
 11 **TION AND PRACTICES IN LATIN AMERICAN**
 12 **COUNTRIES.**

13 (a) IN GENERAL.—The President is authorized,
 14 under such terms and conditions as the President may de-
 15 termine, to carry out a program to improve building con-
 16 struction and practices in Latin American countries (in
 17 this section referred to as the “program”).

18 (b) PROGRAM DESCRIPTION.—

19 (1) IN GENERAL.—The program shall be in the
 20 form of grants to, or contracts with, organizations
 21 described in paragraph (2) to support the following
 22 activities:

23 (A) TRAINING.—The training of selected
 24 professionals in the public and private sectors
 25 in eligible Latin American countries in all ele-

ments of building and housing codes and standards.

(B) TRANSLATION.—The translation into Spanish of publications of the organizations described in paragraph (2) that set forth codes and standards with respect to building and housing, including zoning, egress, fire and life safety, plumbing, sewage, sanitation, electrical installation, mechanical installation, structural engineering, and seismic design.

(2) COVERED ORGANIZATIONS.—The organizations described in this paragraph include the American Society for Testing and Materials (ASTM), Underwriters Laboratories (UL), the American Society of Mechanical Engineers (ASME), the American Society of Civil Engineers (ASCE), the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the International Association of Plumbing and Mechanical Officials (IAPMO), the International Code Council (ICC), the National Fire Protection Association (NFPA International), and other similarly qualified organizations

(c) IMPLEMENTATION.—The program under this section shall be implemented by a not-for-profit standards development organization, as defined in OMB Circular

1 A119. The implementing organization shall have experi-
 2 ence in providing Spanish language translations, edu-
 3 cation, and training in building codes and standards.

4 (d) ELIGIBLE LATIN AMERICAN COUNTRIES DE-
 5 FINED.—In this section, the term “eligible Latin Amer-
 6 ican countries” means Ecuador, El Salvador, and such
 7 other Latin American countries as the President may des-
 8 ignate.

9 **SEC. 776. SUPPORT FOR ACCOUNTABILITY OF PERSONS**
 10 **COMMITTING WAR CRIMES AND OTHER**
 11 **HUMAN RIGHTS ABUSES IN SIERRA LEONE.**

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

14 (1) individuals most responsible for war crimes
 15 committed in Sierra Leone should be held account-
 16 able for their actions, regardless of where those indi-
 17 viduals may reside;

18 (2) notwithstanding internal political agree-
 19 ments made by the Government of Sierra Leone or
 20 the withholding of United States funds from the
 21 United Nations for other purposes, the United
 22 States should support the Truth and Reconciliation
 23 Commission in Sierra Leone, including through as-
 24 sistance in the collection of human rights data rel-
 25 evant to the Commission’s work; and

1 (3) Congress will consider authorizing the pay-
2 ment of rewards to individuals furnishing informa-
3 tion relating to persons subject to indictment for se-
4 rious violations of international humanitarian law in
5 Sierra Leone through the rewards program for infor-
6 mation aiding the prosecution of persons responsible
7 for war crimes.

8 (b) ALLOCATION OF FUNDS.—Of the total amount
9 authorized to be appropriated by sections 103(a)(1) and
10 103(b) for the fiscal years 2002 and 2003, there is author-
11 ized to be available \$5,000,000 each such fiscal year to
12 support the Special Court for Sierra Leone.

13 **SEC. 777. TRANSFER OF PROSCRIBED WEAPONS TO PER-**
14 **SONS OR ENTITIES IN THE WEST BANK AND**
15 **GAZA.**

16 (a) DETERMINATION REGARDING TRANSFERS.—If
17 the President determines, based on a preponderance of the
18 evidence, that a foreign person or entity has knowingly
19 transferred proscribed weapons to Palestinian entities in
20 the West Bank or Gaza, then, for the period specified in
21 subsection (b), no assistance may be provided to the per-
22 son or entity under part II of the Foreign Assistance Act
23 of 1961 and no sales of defense articles or defense services
24 may be made to the person or entity under section 23 of
25 the Arms Export Control Act.

1 (b) DURATION OF PROHIBITION.—The period re-
 2 ferred to in subsection (a) is the period commencing on
 3 the date on which a notification of a determination under
 4 subsection (a) is submitted to the appropriate congres-
 5 sional committees and ending on the date that is two years
 6 after such date.

7 (c) REPORT.—In conjunction with the report re-
 8 quired under title VIII of the P.L.O. Commitments Com-
 9 pliance Act of 1989 (Public Law 101–246), the President
 10 shall submit a report to the appropriate congressional
 11 committees on transfers reviewed pursuant to subsection
 12 (a).

13 (d) DEFINITION.—In this section, the term “pro-
 14 scribed weapons” means arms, ammunition, and equip-
 15 ment the transfer of which is not in compliance with the
 16 Agreement on the Gaza Strip and the Jericho Area of May
 17 4, 1994, its annexes, or subsequent agreements between
 18 Israel and the PLO, or Palestinian Authority, as appro-
 19 priate.

20 **SEC. 778. SENSE OF CONGRESS RELATING TO GLOBAL**
 21 **WARMING.**

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

24 (1) Evidence continues to build that increases
 25 in atmospheric concentrations of man-made green-

1 house gases are contributing to global climate
2 change.

3 (2) The Intergovernmental Panel on Climate
4 Change (IPCC) has concluded that “there is new
5 and stronger evidence that most of the warming ob-
6 served over the last 50 years is attributable to
7 human activities” and that the Earth’s average tem-
8 perature can be expected to rise between 2.5 and
9 10.4 degrees Fahrenheit in this century.

10 (3) The National Academy of Sciences con-
11 firmed the findings of the Intergovernmental Panel
12 on Climate Change, stating that “the IPCC’s conclu-
13 sion that most of the observed warming of the last
14 50 years is likely to have been due to the increase
15 of greenhouse gas concentrations accurately reflects
16 the current thinking of the scientific community on
17 this issue” and that “there is general agreement
18 that the observed warming is real and particularly
19 strong within the past twenty years”.

20 (4) The Intergovernmental Panel on Climate
21 Change has stated that in the last 40 years the glob-
22 al average sea level has risen, ocean heat content
23 has increased, and snow cover and ice extent have
24 decreased, which threatens to inundate low-lying is-

1 land nations and coastal regions throughout the
2 world.

3 (5) The Environmental Protection Agency has
4 found that global warming may harm the United
5 States by altering crop yields, accelerating sea level
6 rise, and increasing the spread of tropical infectious
7 diseases.

8 (6) In 1992, the United States ratified the
9 United Nations Framework Convention of Climate
10 Change, done at New York on May 9, 1992, the ul-
11 timate objective of which is the “stabilization of
12 greenhouse gas concentrations in the atmosphere at
13 a level that would prevent dangerous anthropogenic
14 interference with the climate system”, and which
15 stated in part “the Parties to the Convention are to
16 implement policies with the aim of returning . . . to
17 their 1990 levels anthropogenic emissions of carbon
18 dioxide and other greenhouse gases”.

19 (7) There is a shared international responsi-
20 bility to address this problem, as industrial nations
21 are the largest historic and current emitters of
22 greenhouse gases and developing nations’ emissions
23 will significantly increase in the future.

24 (8) The United Nations Framework Convention
25 on Climate Change further states that “developed

1 country Parties should take the lead in combating
2 climate change and the adverse effects thereof”, as
3 these nations are the largest historic and current
4 emitters of greenhouse gases.

5 (9) Senate Resolution 98 of July 1997, which
6 expressed that developing nations, especially the
7 largest emitters, must also be included in any fu-
8 ture, binding climate change treaty and that such a
9 treaty must not result in serious harm to the United
10 States economy, should not cause the United States
11 to abandon its shared responsibility to help find a
12 solution to the global climate change dilemma.

13 (10) American businesses need to know how
14 governments worldwide will respond to the threat of
15 global warming.

16 (11) The United States has benefited and will
17 continue to benefit from investments in the research,
18 development, and deployment of a range of clean en-
19 ergy and efficiency technologies that can mitigate
20 global warming and that can make the United
21 States economy more productive, bolster energy se-
22 curity, create jobs, and protect the environment.

23 (b) SENSE OF CONGRESS.—It is the sense of Con-
24 gress that the United States should demonstrate inter-
25 national leadership and responsibility in mitigating the

1 health, environmental, and economic threats posed by
2 global warming by—

3 (1) taking responsible action to ensure signifi-
4 cant and meaningful reductions in emissions of
5 greenhouse gases from all sectors;

6 (2) creating flexible international and domestic
7 mechanisms, including joint implementation, tech-
8 nology deployment, emissions trading, and carbon
9 sequestration projects that will reduce, avoid, and
10 sequester greenhouse gas emissions; and

11 (3) participating in international negotiations,
12 including putting forth a proposal at the next meet-
13 ing of the Conference of the Parties, with the objec-
14 tive of securing United States' participation in a re-
15 vised Kyoto Protocol or other future binding climate
16 change agreements in a manner—

17 (A) that is consistent with the environ-
18 mental objectives of the United Nations Frame-
19 work Convention on Climate Change; and

20 (B) that protects the economic interests of
21 the United States and recognizes the shared
22 international responsibility for addressing cli-
23 mate change, including developing country par-
24 ticipation.

1 **SEC. 779. SENSE OF CONGRESS RELATING TO ENVIRON-**
2 **MENTAL CONTAMINATION AND OTHER AD-**
3 **VERSE HEALTH EFFECTS IN THE PHIL-**
4 **IPPINES EMANATING FROM FORMER UNITED**
5 **STATES MILITARY FACILITIES.**

6 It is the sense of the Congress that—

7 (1) the Secretary, in cooperation with the Sec-
8 retary of Defense, should continue to work with the
9 Government of the Philippines and with appropriate
10 nongovernmental organizations in the United States
11 and the Philippines to fully identify and share all
12 relevant information concerning environmental con-
13 tamination and other adverse health effects ema-
14 nating from former United States military facilities
15 in the Philippines following departure of the United
16 States military forces from the Philippines in 1992;

17 (2) the United States and the Government of
18 the Philippines should continue to build upon the
19 agreements outlined in the Joint Statement by the
20 United States and the Republic of the Philippines on
21 a Framework for Bilateral Cooperation in the Envi-
22 ronment and Public Health signed on July 27, 2000;
23 and

24 (3) Congress should encourage an objective
25 nongovernmental study which would examine envi-
26 ronmental contamination and other adverse health

1 effects emanating from former United States mili-
2 tary facilities in the Philippines following departure
3 of United States military forces from the Philippines
4 in 1992.

5 **SEC. 780. SENSE OF CONGRESS ON BOLIVIA.**

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

8 (1) Bolivia has made significant progress in
9 combating illegal drug production and drug traf-
10 ficking activities occurring within its borders.

11 (2) The success of Bolivia's efforts has caused
12 disruptions within its economy, including the dis-
13 placement of persons and the loss of employment.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that Bolivia should receive in fiscal year 2002 an
16 amount of United States assistance that is not less than
17 the total amount of United States assistance (including
18 economic support fund assistance, international drug con-
19 trol assistance, and other assistance) that Bolivia received
20 in fiscal year 2001.

21 **SEC. 781. SENSE OF CONGRESS ON RETURN OF PORTRAITS**
22 **OF HOLOCAUST VICTIMS TO THE ARTIST**
23 **DINA BABBITT.**

24 (a) FINDINGS.—Congress finds that—

1 (1) Dina Babbitt (formerly known as Dinah
2 Gottliebova), a United States citizen now in her late
3 70s, has requested the return of watercolor portraits
4 she painted while suffering a 1½-year-long intern-
5 ment at the Auschwitz death camp during World
6 War II;

7 (2) Dina Babbitt was ordered to paint the por-
8 traits by the infamous war criminal Dr. Josef
9 Mengele;

10 (3) Dina Babbitt's life, and her mother's life,
11 were spared only because she painted portraits of
12 doomed inmates of Auschwitz-Birkenau, under or-
13 ders from Dr. Josef Mengele;

14 (4) these paintings are currently in the posses-
15 sion of the Auschwitz-Birkenau State Museum;

16 (5) Dina Babbitt is unquestionably the rightful
17 owner of the artwork, since the paintings were pro-
18 duced by her own talented hands as she endured the
19 unspeakable conditions that existed at the Auschwitz
20 death camp;

21 (6) the artwork is not available for the public
22 to view at the Auschwitz-Birkenau State Museum
23 and therefore this unique and important body of
24 work is essentially lost to history; and

1 (7) this continued injustice can be righted
2 through cooperation between agencies of the United
3 States and Poland.

4 (b) SENSE OF CONGRESS.—Congress—

5 (1) recognizes the moral right of Dina Babbitt
6 to obtain the artwork she created, and recognizes
7 her courage in the face of the evils perpetrated by
8 the Nazi command of the Auschwitz-Birkenau death
9 camp, including the atrocities committed by Dr.
10 Josef Mengele;

11 (2) urges the President to make all efforts nec-
12 essary to retrieve the 7 watercolor portraits Dina
13 Babbitt painted, while suffering a 1½-year-long in-
14 ternment at the Auschwitz death camp, and return
15 them to her;

16 (3) urges the Secretary to make immediate dip-
17 lomatic efforts to facilitate the transfer of the 7
18 original watercolors painted by Dina Babbitt from
19 the Auschwitz-Birkenau State Museum to Dina Bab-
20 bitt, their rightful owner;

21 (4) urges the Government of Poland to imme-
22 diately facilitate the return to Dina Babbitt of the
23 artwork painted by her that is now in the possession
24 of the Auschwitz-Birkenau State Museum; and

1 (5) urges the officials of the Auschwitz-
2 Birkenau State Museum to transfer the 7 original
3 paintings to Dina Babbitt as expeditiously as pos-
4 sible.

Calendar No. 149

107TH CONGRESS
1ST SESSION

S. 1401

[Report No. 107-60]

A BILL

To authorize appropriations for the Department of State and for United States international broadcasting activities for fiscal years 2002 and 2003, and for other purposes.

SEPTEMBER 4, 2001

Read twice and placed on the calendar