

**FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL
YEARS 1988 AND 1989 (Titles I, V, IX)**

[Public Law 100–204; 101 Stat. 1331; approved December 22, 1987]

NOTE.—Sections of this Act amend the Board for International Broadcasting Act of 1973 and have been incorporated into that Act at the appropriate places.

The Board for International Broadcasting Act of 1973 was repealed effective 1995.

[As Amended Through P.L. 119–60, Enacted December 18, 2025]

[Currency: This publication is a compilation of the text of Public Law 100–204. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>]

[Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).]

TITLE I—THE DEPARTMENT OF STATE

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**PART C—DIPLOMATIC RECIPROCITY AND
SECURITY**

[Sections 151 through 153 repealed by section 502(e)(1) of P.L. 103–199 (107 Stat. 2326).]

SEC. 154. REPORT ON PERSONNEL OF SOVIET STATE TRADING ENTERPRISES.

Not later than 60 days after the date of enactment of this Act, the Secretary of State shall submit to the Congress a report discussing whether the number of personnel of Soviet state trading enterprises in the United States should be reduced.

SEC. 155. [22 U.S.C. 4802 nt] PERSONNEL SECURITY PROGRAM FOR EMBASSIES IN CRITICAL HUMAN INTELLIGENCE THREAT COUNTRIES.

(a) SPECIAL SECURITY PROGRAM.—The Secretary of State shall develop and implement, within three months after the date of enactment of this Act, a special personnel security program for personnel of the Department of State assigned to United States diplo-

matic and consular posts in critical human intelligence threat countries and countries designated by the Under Secretary of State for Management and for any individuals performing guard functions at those posts. Such program shall include—

- (1) selection criteria and screening to ensure suitability for assignment to critical human intelligence threat countries;
- (2) counterintelligence awareness and related training;
- (3) security reporting and command arrangements designed to counter intelligence threats; and
- (4) length of duty criteria and policies regarding rest and recuperative absences.

(b) **REPORT TO CONGRESS.**—Not later than 6 months after the date of enactment of this subsection, the Secretary of State shall report to the Congress on the special personnel security program required by subsection (a).

(c) **COUNTRY-SPECIFIC THREAT TRAINING REQUIRED.**—Personnel assigned to posts in critical human intelligence threat countries shall receive country-specific threat training informed by assessments from relevant elements of the intelligence community (as such term is defined in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4))), at the appropriate classification level.

(d) **DEFINITION.**—As used in subsection (a), the term “critical human intelligence threat country” means—

- (1) a country listed as a Communist country in section 620(f) of the Foreign Assistance Act of 1961; and
- (2) any other country designated as a critical human intelligence threat country for purposes of this section by the Secretary of State, the Secretary of Defense, the Director of Central Intelligence, or the Director of the Federal Bureau of Investigation.

SEC. 156. ACCOUNTABILITY REVIEW BOARDS.

(a) [Section 156(a) amended section 301 of the Diplomatic Security Act (22 U.S.C. 4831) to establish review boards.]

(b) [Section 156(b) amended section 304 of the Diplomatic Security Act (22 U.S.C. 4834) to include serious breaches of security involving intelligence activities in review board findings.]

SEC. 157. [22 U.S.C. 3943 nt] PROHIBITION ON CERTAIN EMPLOYMENT AT UNITED STATES DIPLOMATIC AND CONSULAR MISSIONS IN COMMUNIST COUNTRIES.

(a) **PROHIBITION.**—After September 30, 1990, no national of a Communist country may be employed as a foreign national employee in any area of a United States diplomatic or consular facility in any Communist country where classified materials are maintained.

(b) **DEFINITION.**—As used in this section, the term “Communist country” means a country listed in section 620(f) of the Foreign Assistance Act of 1961.

(c) **ADDITIONAL FUNDS FOR HIRING UNITED STATES CITIZENS.**—The Congress expresses its willingness to provide additional funds to the Department of State for the expenses of employing United States nationals to replace the individuals dismissed by reason of subsection (a).

(d) **REPORT AND REQUEST FOR FUNDS.**—As a part of the Department of State's authorization request for fiscal years 1990 and 1991, the Secretary of State, in consultation with the heads of all relevant agencies, shall submit—

(1) a report, which shall include—

(A) a feasibility study of the implementation of this section; and

(B) an analysis of the impact of the implementation of this section on the budget of the Department of State; and

(2) a request for funds necessary for the implementation of this section pursuant to the findings and conclusions specified in the report under paragraph (1).

(e) **WAIVER.**—The President may waive this section—

(1) if funds are not specifically authorized and appropriated to carry out this section; or

(2) the President determines that it is in the national security interest of the United States to continue to employ foreign service nationals.

The President shall notify the appropriate committees of Congress each time he makes the waiver conferred on him by this section.

SEC. 158. [22 U.S.C. 4041 nt] TERMINATION OF RETIREMENT BENEFITS FOR FOREIGN NATIONAL EMPLOYEES ENGAGING IN HOSTILE INTELLIGENCE ACTIVITIES.

(a) **TERMINATION.**—The Secretary of State shall exercise the authorities available to him to ensure that the United States does not provide, directly or indirectly, any retirement benefits of any kind to any present or former foreign national employee of a United States diplomatic or consular post against whom the Secretary has convincing evidence that such employee has engaged in intelligence activities directed against the United States. To the extent practicable, the Secretary shall provide due process in implementing this section.

(b) **WAIVER.**—The Secretary of State may waive the applicability of subsection (a) on a case-by-case basis with respect to an employee if he determines that it is vital to the national security of the United States to do so and he reports such waiver to the appropriate committees of the Congress.

SEC. 159. REPORT ON EMPLOYMENT OF FOREIGN NATIONALS AT FOREIGN SERVICE POSTS ABROAD.

Not later than 6 months after the date of enactment of this Act, the Secretary of State, in consultation with the Secretary of Commerce, the Secretary of Agriculture, the Director of Central Intelligence, the Director of the United States Information Agency, and the Director of the Peace Corps, shall submit to the Congress a report discussing the advisability of employing foreign nationals at foreign service posts abroad (including their access to automatic data processing systems and networks).

SEC. 160. [22 U.S.C. 4851 nt] CONSTRUCTION SECURITY CERTIFICATION.

(a) **CERTIFICATION.**—Before undertaking any new construction or major renovation project in any foreign facility intended for the storage of classified materials or the conduct of classified activities, or approving occupancy of a similar facility for which construction

or major renovation began before the effective date of this section, the Secretary of State, after consultation with the Director of Central Intelligence, shall certify to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate that—

(1) appropriate and adequate steps have been taken to ensure the security of the construction project (including an evaluation of how all security-related factors with respect to such project are being addressed);

(2) the facility resulting from such project incorporates—

(A) adequate measures for protecting classified information and national security-related activities; and

(B) adequate protection for the personnel working in the diplomatic facility; and

(3) a plan has been put into place for the continued evaluation and maintenance of adequate security at such facility, which plan shall specify the physical security methods and technical countermeasures necessary to ensure secure operations, including any personnel requirements for such purposes.

(b) **AVAILABILITY OF DOCUMENTATION.**—All documentation with respect to a certification referred to in subsection (a) and any dissenting views thereto shall be available, in an appropriately classified form, to the Chairman of the Committee on Foreign Affairs of the House of Representatives and the Chairman of the Committee on Foreign Relations of the Senate.

(c) **DIRECTOR OF CENTRAL INTELLIGENCE.**—The Director of Central Intelligence shall provide to the Secretary of State such assistance with respect to the implementation of this section as the Secretary of State may request.

(d) **DISSENTING VIEWS.**—If the Director of Central Intelligence disagrees with the Secretary of State with respect to any project certification made pursuant to subsection (a), the Director shall submit in writing disagreeing views to the Secretary of State.

SEC. 161. PROTECTION FROM FUTURE HOSTILE INTELLIGENCE ACTIVITIES IN THE UNITED STATES.

Section 205 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4305) is amended by adding at the end the following:

“(d)(1) After the date of enactment of this subsection, real property in the United States may not be acquired (by sale, lease, or other means) by or on behalf of the foreign mission of a foreign country described in paragraph (4) if, in the judgment of the Secretary of Defense (after consultation with the Secretary of State), the acquisition of that property might substantially improve the capability of that country to intercept communications involving United States Government diplomatic, military, or intelligence matters.

“(2) After the date of enactment of this subsection, real property in the United States may not be acquired (by sale, lease, or other means) by or on behalf of the foreign mission of a foreign country described in paragraph (4) if, in the judgment of the Director of the Federal Bureau of Investigation (after consultation with the Secretary of State), the acquisition of that property might sub-

stantially improve the capability of that country to engage in intelligence activities directed against the United States Government, other than the intelligence activities described in paragraph (1).

“(3) The Secretary of State shall inform the Secretary of Defense and the Director of the Federal Bureau of Investigation immediately upon notice being given pursuant to subsection (a) of this section of a proposed acquisition of real property by or on behalf of the foreign mission of a foreign country described in paragraph (4).

“(4) For the purposes of this subsection, the term ‘foreign country’ means—

“(A) any country listed as a Communist country in section 620(f) of the Foreign Assistance Act of 1961;

“(B) any country determined by the Secretary of State, for purposes of section 6(j) of the Export Administration Act of 1979, to be a country which has repeatedly provided support for acts of international terrorism; and

“(C) any other country which engages in intelligence activities in the United States which are adverse to the national security interests of the United States.

“(5) As used in this section, the term ‘substantially improve’ shall not be construed to prevent the establishment of a foreign mission by a country which, on the date of enactment of this section—

“(A) does not have a mission in the United States, or

“(B) with respect to a city in the United States, did not maintain a mission in that city.”.

SEC. 162. APPLICATION OF TRAVEL RESTRICTIONS TO PERSONNEL OF CERTAIN COUNTRIES AND ORGANIZATIONS.

(a) AMENDMENT TO FOREIGN MISSIONS ACT.—Title II of the State Department Basic Authorities Act of 1956 (22 U.S.C. 4301 et seq.) as amended by section 128 is further amended by adding at the end the following new section:

“SEC. 216. APPLICATION OF TRAVEL RESTRICTIONS TO PERSONNEL OF CERTAIN COUNTRIES AND ORGANIZATIONS.

“(a) REQUIREMENT FOR RESTRICTIONS.—The Secretary shall apply the same generally applicable restrictions to the travel while in the United States of the individuals described in subsection (b) as are applied under this title to the members of the missions of the Soviet Union in the United States.

“(b) INDIVIDUALS SUBJECT TO RESTRICTIONS.—The restrictions required by subsection (a) shall be applied with respect to those individuals who (as determined by the Secretary) are—

“(1) the personnel of an international organization, if the individual is a national of any foreign country whose government engages in intelligence activities in the United States that are harmful to the national security of the United States;

“(2) the personnel of a mission to an international organization, if that mission is the mission of a foreign government that engages in intelligence activities in the United States that are harmful to the national security of the United States; or

“(3) the family members or dependents of an individual described in paragraphs (1) and (2);

and who are not nationals or permanent resident aliens of the United States.

“(c) WAIVERS.—The Secretary, after consultation with the Director of Central Intelligence and the Director of the Federal Bureau of Investigation, may waive application of the restrictions required by subsection (a) if the Secretary determines that the national security and foreign policy interests of the United States so require.

“(d) REPORTS.—The Secretary shall transmit to the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate, and to the Permanent Select Committee on Intelligence and the Committee on Foreign Affairs of the House of Representatives, not later than six months after the date of enactment of this section and not later than every six months thereafter, a report on the actions taken by the Secretary in carrying out this section during the previous six months.

“(e) DEFINITIONS.—For purposes of this section—

“(1) the term ‘generally applicable restrictions’ means any limitations on the radius within which unrestricted travel is permitted and obtaining travel services through the auspices of the Office of Foreign Missions for travel elsewhere, and does not include any restrictions which unconditionally prohibit the members of missions of the Soviet Union in the United States from traveling to designated areas of the United States and which are applied as a result of particular factors in relations between the United States and the Soviet Union.

“(2) the term ‘international organization’ means an organization described in section 209(b)(1); and

“(3) the term ‘personnel’ includes—

“(A) officers, employees, and any other staff member, and

“(B) any individual who is retained under contract or other arrangement to serve functions similar to those of an officer, employee, or other staff member.”.

(b) EFFECTIVE DATE.—Subsection (a) of the section enacted by this section shall take effect 90 days after the date of enactment of this Act.

SEC. 163. COUNTERINTELLIGENCE POLYGRAPH SCREENING OF DIPLOMATIC SECURITY SERVICE PERSONNEL.

(a) IMPLEMENTATION OF PROGRAM.—Under the regulations issued pursuant to subsection (b), the Secretary of State shall implement a program of counterintelligence polygraph examinations for members of the Diplomatic Security Service (established pursuant to title II of the Diplomatic Security Act) during fiscal years 1988 and 1989.

(b) REGULATIONS.—The Secretary of State shall issue regulations to govern the program required by subsection (a). Such regulations shall provide that the scope of the examinations under such program, the conduct of such examinations, and the rights of individuals subject to such examinations shall be the same as those under the counterintelligence polygraph program conducted pursuant to section 1221 of the Department of Defense Authorization Act, 1986 (Public Law 99–145).

SEC. 164. UNITED STATES EMBASSY IN HUNGARY.

(a) FINDINGS.—The Congress finds that—

(1) the full implementation of the security program of a United States diplomatic mission to a Communist country cannot be accomplished if employees of that mission who are citizens of the host country are present in the same facilities where diplomatic and consular activities of a sensitive nature are performed;

(2) the facilities currently housing the offices of the United States diplomatic mission to Hungary are totally inadequate for the proper conduct of United States diplomatic activities, and unnecessarily expose United States personnel and their activities to the scrutiny of the intelligence services of the Government of Hungary;

(3) the presence of local citizens in a facility where sensitive activities are performed, as well as their access to certain unclassified administrative information, greatly enhances the ability of the host government's intelligence services to restrict our diplomatic activities in that country;

(4) since the United States Government owns a substantial amount of property in Budapest, it is in a unique position to build new facilities which will substantially enhance the security of the United States diplomatic mission to Hungary; and

(5) units such as the Navy Construction Battalion are uniquely qualified to construct such facilities in an eastern bloc country.

(b) STATEMENT OF POLICY.—It is the sense of the Congress that—

(1) the Department of State should proceed in a timely fashion to negotiate an agreement with the Government of Hungary to allow for the construction of new chancery facilities in Budapest which would totally segregate sensitive activities from those of an unclassified and public-oriented character; and

(2) any such agreement should ensure that the United States Government will have the right to employ only American construction personnel and materials and will have complete control over access to the chancery site from the inception of construction.

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TITLE V—THE BOARD FOR INTERNATIONAL BROADCASTING

SEC. 501. AUTHORIZATION OF APPROPRIATIONS; ALLOCATION OF FUNDS.

(a)

(b) ALLOCATION OF FUNDS.—Of the funds authorized to be appropriated by section 8(a)(1)(A) of the Board for International Broadcasting Act of 1973, \$12,000,000 for the fiscal year 1988 and \$12,000,000 for the fiscal year 1989 shall be available only for radio transmitter construction and modernization.

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SEC. 503. CERTIFICATION OF CERTAIN CREDITABLE SERVICE.

The third to last sentence of section 8332(b) of title 5, United States Code, is amended by inserting “, and the Secretary of State with respect to the Asia Foundation and the Secretary of Defense with respect to the Armed Forces Network, Europe (AFN-E),” after “Board for International Broadcasting”.

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TITLE IX—IMMIGRATION AND REFUGEE PROVISIONS

[SEC. 901. PROHIBITION ON EXCLUSION OR DEPORTATION OF ALIENS ON CERTAIN GROUNDS.¹

[(a)² GENERAL.—Notwithstanding any other provision of law, no alien may be denied a visa or excluded from admission into the United States, subject to restrictions or conditions on entry into the United States, or subject to deportation because of any past, current or expected beliefs, statements, or associations which, if engaged in by a United States citizen in the United States, would be protected under the Constitution of the United States.]

[(b) CONSTRUCTION REGARDING EXCLUDABLE ALIENS.—Nothing in this section shall be construed as affecting the existing authority of the executive branch to deport, to deny issuance of a visa to, to deny adjustment of status of,³ or to deny admission to the United States of, any alien—

[(1) for reasons of foreign policy or national security, except that such deportation or denial may not be based on past, current, or expected beliefs, statements, or associations which, if engaged in by a United States citizen in the United States, would be protected under the Constitution of the United States, unless⁴ such alien is seeking issuance of a visa, adjustment of status, or admission to the United States as an immigrant. [sic];]

[(2) who a consular official or the Attorney General knows or has reasonable ground to believe has engaged, in an individual capacity or as a member of an organization, in a ter-

¹ Section repealed by § 603(a)(21) of the Immigration Act of 1990 (P.L. 101-649, Nov. 29, 1990, 104 Stat. 5084).

² Previous to the enactment of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989, subsection (a) read as follows:

(a) IN GENERAL.—Notwithstanding any other provision of law, no alien may be denied a visa or excluded from admission into the United States, subject to restrictions or conditions on entry into the United States, or subject to deportation because of any past, current, or expected beliefs, statements, or associations which, if engaged in by a United States citizen in the United States, would be protected under the Constitution of the United States.

In the amendments made by Public Law 100-461, there were several corrections made in the enrollment that were footnoted in the law as passed; these corrections are incorporated and shown in the text. In addition, the IN is missing before GENERAL in subsection (a). Also, § 128(a) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (P.L. 101-246, Feb. 16, 1990, 104 Stat. 30) inserted the phrase “subject to restrictions or conditions on entry into the United States,” after “United States,”.

³ The phrase “to deny adjustment of status of” was inserted by the 8th proviso of § 555 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Pub. L. 100-461, Oct. 1, 1988).

⁴ The language from “unless” through the period was inserted by the 8th proviso of § 555 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Pub. L. 100-461, Oct. 1, 1988).

rorist activity or is likely to engage after entry in a terrorist activity; or】

【(3) who seeks to enter in an official capacity as a representative of a purported labor organization in a country where such organizations are in fact instruments of a totalitarian state.

【In addition, nothing in subsection (a) shall be construed as applying to an alien who is described in section 212(a)(33) of the Immigration and Nationality Act (relating to those who assisted in the Nazi persecutions), to an alien described in the last sentence of section 101(a)(42) of such Act (relating to those assisting in other persecutions) who is seeking the benefits of section 207, 208, 243(h)(1), or 245A of such Act (relating to admission as a refugee, asylum, withholding of deportation, and legalization), or to an alien who is described in section 21(c) of the State Department Basic Authorities Act of 1956. In paragraph (2), the term “terrorist activity” means the organizing, abetting, or participating in a wanton or indiscriminate act of violence with extreme indifference to the risk of causing death or serious bodily harm to individuals not taking part in armed hostilities.】

【(c) CONSTRUCTION REGARDING STANDING TO SUE.—Nothing in this section shall be construed as affecting standing in any Federal court or in any administrative proceeding.】

【(d)⁵ 【 Repealed by § 128(b) of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Pub. L. 101–246, Feb. 16, 1990, 104 Stat. 30).】】

SEC. 902. ADJUSTMENT TO LAWFUL RESIDENT STATUS OF CERTAIN NATIONALS OF COUNTRIES FOR WHICH EXTENDED VOLUNTARY DEPARTURE HAS BEEN MADE AVAILABLE.⁶

(a) ADJUSTMENT OF STATUS.—The status of any alien who is a national of a foreign country the nationals of which were provided (or allowed to continue in) “extended voluntary departure” by the Attorney General on the basis of a nationality group determination at any time during the 5-year period ending on November 1, 1987,

⁵Previous to the enactment of section 128 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Pub. L. 101–246, Feb. 16, 1990, 104 Stat. 30), subsection (d) read as follows:

(d) EFFECTIVE PERIOD.—Subsection (a) shall only apply to—

(1) applications for nonimmigrant visas submitted before January 1, 1991;

(2) admissions sought before March 1, 1991;

(3) deportations based on activities occurring before January 1, 1991, or for which deportation proceedings (including judicial review with respect to such a proceeding) are pending at any time between December 31, 1987 and January 1, 1991.

In addition, previous to the enactment of the 9th proviso of § 555 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1989 (Pub. L. 100–461, Oct. 1, 1988), subsection (d) read as follows:

(d) EFFECTIVE PERIOD.—Subsection (a) shall only apply to—

(1) applications for visas submitted during 1988;

(2) admissions sought after December 31, 1987, and before March 1, 1989; and

(3) deportations based on activities occurring during 1988 or for which deportation proceedings (including judicial review with respect to such a proceeding) are pending at any time during 1988.

Also, the 10th proviso of § 555 of such Act provides as follows: “That the amendment made in the preceding sentence shall not require the deportation of aliens admitted for permanent resident status under section 901 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989, as in effect before the date of the enactment of this Act [viz., October 1, 1988].”

¹Section repealed by § 603(a)(21) of the Immigration Act of 1990 (P.L. 101–649, Nov. 29, 1990, 104 Stat. 5084).

shall be adjusted by the Attorney General to that of an alien lawfully admitted for temporary residence if the alien—

(1) applies for such adjustment within two years after the date of the enactment of this Act;

(2) establishes that (A) the alien entered the United States before July 21, 1984, and (B) has resided continuously in the United States since such date and through the date of the enactment of this Act;

(3) establishes continuous physical presence in the United States (other than brief, casual, and innocent absences) since the date of the enactment of this Act;

(4) in the case of an alien who entered the United States as a nonimmigrant before July 21, 1984, establishes that (A) the alien's period of authorized stay as a nonimmigrant expired not later than six months after such date through the passage of time or (B) the alien applied for asylum before July 21, 1984; and

(5) meets the requirements of section 245A(a)(4) of the Immigration and Nationality Act (8 U.S.C. 1255a(a)(4)).

The Attorney General shall provide for the acceptance and processing of applications under this subsection by not later than 90 days after the date of the enactment of this Act.

(b) STATUS AND ADJUSTMENT OF STATUS.—The provisions of subsections (b), (c)(6), (d), (f), (g), (h), and (i) of section 245A of the Immigration and Nationality Act (8 U.S.C. 1255a) shall apply to aliens provided temporary residence under subsection (a) in the same manner as they apply to aliens provided lawful temporary residence status under section 245A(a) of such Act.

SEC. 903. PROCESSING OF CUBAN NATIONALS FOR ADMISSION TO THE UNITED STATES.⁷

(a) PROCESSING OF CERTAIN CUBAN POLITICAL PRISONERS AS REFUGEES.—In light of the announcement of the Government of Cuba on November 20, 1987, that it would reimplement immediately the agreement of December 14, 1984, establishing normal migration procedures between the United States and Cuba, on and after the date of the enactment of this Act, consular officers of the Department of State and appropriate officers of the Immigration and Naturalization Service shall, in accordance with the procedures applicable to such cases in other countries, process any application for admission to the United States as a refugee from any Cuban national who was imprisoned for political reasons by the Government of Cuba on or after January 1, 1959, without regard to the duration of such imprisonment, except as may be necessary to reassure the orderly process of available applicants.

(b) PROCESSING OF IMMIGRANT VISA APPLICATIONS OF CUBAN NATIONALS IN THIRD COUNTRIES.—Notwithstanding section 212(f) and section 243(d)⁸ of the Immigration and Nationality Act, on and

⁷ This section is virtually identical to, and duplicative of, § 702 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriation Act, 1988, as contained in § 101(a) of Pub. L. 100–202, 101 Stat. 1329–40, shown in Appendix III. G.

⁸ Subsection (b) was amended by section 308(g)(7)(C)(iii) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Pub. L. 104–208; 110 Stat. 3009–624) by striking “243(g)” and inserting “243(d)”. Effective, under section 309(a) of such Act “the amendments made by this subtitle [subtitle A of title III] shall take effect on the first day of

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after the date of the enactment of this Act, consular officers of the Department of State shall process immigrant visa applications by nationals of Cuba located in third countries on the same basis as immigrant visa applications by nationals of other countries.

(c) DEFINITIONS.—For purposes of this section:

(1) The term “process” means the acceptance and review of applications and the preparation of necessary documents and the making of appropriate determinations with respect to such applications.

(2) The term “refugee” has the meaning given such term in section 101(a)(42) of the Immigration and Nationality Act.

SEC. 904. INDOCHINESE REFUGEE RESETTLEMENT.

【Omitted.】

SEC. 905. AMERASIAN CHILDREN IN VIETNAM.

【Omitted.】

SEC. 906. REFUGEES FROM SOUTHEAST ASIA.

【Omitted.】

SEC. 907. RELEASE OF YANG WEI.

【Omitted.】

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the first month beginning more than 180 days after the date of enactment of this Act [April 1, 1997]”.