

Somehow I think the virtual casinos of the future won't have that feature.

Monday, 11 p.m. I know I should stay away from the table, but what the heck, I'm here to gamble, right? I'm down \$2,300, so it seems unwise to play for only \$100 a hand; I'll never get my money back. So I increase my wager to \$200.

Boom Boom Boom Boom, four winning hands in a row, including a blackjack, and I'm down only \$1,400 now. We're rolling.

Tuesday, 12:35 a.m. It's been a long, hard struggle, but I'm exactly even for the day. Of course, so is everyone else who hasn't played a single hand of blackjack, and they didn't spend four hours sitting at a computer terminal.

Tuesday, 12:39 a.m. Down \$800. Should have quit while I was even.

Tuesday, 6:30 a.m. Now betting \$300 per hand. Occasionally, when I make the incorrect decision, an electronic "cheat sheet" appears on the screen and I'm asked if I'm sure this is the move I want to make. What they're really saying is, "Split those 8's, bonehead."

Again I doubt this feature will exist when you're playing for real money. And though I know it's for my benefit, it gets annoying, and sometimes I stubbornly refuse to follow the suggested strategy. I always lose those hands.

Tuesday, 8 a.m. Had a good run. I'm up \$1,600. Time for a break.

Tuesday, 6:05 p.m. What the heck, I won money this afternoon and I'm winning money now and I'm "going home" after tomorrow's session, so why not increase the bets to my limit, \$500?

Tuesday 6:30 p.m. Doubled down with an 11 and drew a 10. The dealer had a 17. That's a \$1,000 win on a single hand. I'm now up \$4,850.

Tuesday, 8:15 p.m. The computer is saying I've won too much and a graphic appears that accuses me of counting cards! I'm forced to sign off for the night. Up six grand and change.

Wednesday, 7 a.m. In just a few minutes I've raised my winnings to \$11,350. If I could press a button that would turn those numbers into real money, would I do it? Doubtful. Why stop when you're hot?

Wednesday, 8:50 p.m. Hovering at the \$11,000 mark. Had a great daytime session and I'm ready for more.

Wednesday, 10:30 p.m. I'm looking at the figures on the screen but I don't believe it. How can I be down \$11,000? If I hear that loser-buzzer one more time I'm going to smash this keyboard. I want to increase my limit, but I can't. Five hundred is the maximum.

Wednesday, 11 p.m. All right, a comeback. I'm down only \$7,750. One hour left before my self-imposed midnight deadline.

Midnight. That's it, time is up. For the three days, I "lost" \$1,750—and I'm happy with that. I consider that a real triumph.

Which is pretty sick when you think about it.

Sure, this was only a simulation. I'm sure I'd have better self-control with real money, even at a virtual casino. But it was scary enough watching those numbers change so quickly, even though I knew they didn't mean anything.

If virtual casinos ever became a reality, it'll be the people on the other side of the computers who will be smiling. ●

## FOREIGN RELATIONS REVITALIZATION ACT

The text of the bill H.R. 1561, as passed by the Senate on December 14, 1995, is as follows:

*Resolved*, That the bill from the House of Representatives (H.R. 1561) entitled "An Act

to consolidate the foreign affairs agencies of the United States; to authorize appropriations for the Department of State and related agencies for fiscal years 1996 and 1997; to responsibly reduce the authorizations of appropriations for United States foreign assistance programs for fiscal years 1996 and 1997, and for other purposes", do pass with the following amendment:

Strike out all after the enacting clause and insert:

### SECTION 1. SHORT TITLE.

This Act may be cited as the "Foreign Relations Revitalization Act of 1995".

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

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

(1) Division A—Foreign Relations Authorization Act, Fiscal Years 1996–1999.

(2) Division B—Foreign Affairs Reinvention Act of 1995.

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

Sec. 1. Short title.

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

### DIVISION A—FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1996–1999

Sec. 101. Short title.

#### TITLE I—DEPARTMENT OF STATE AND RELATED AGENCIES

##### CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

Sec. 111. Administration of foreign affairs.

Sec. 112. Migration and refugee assistance.

##### CHAPTER 2—AUTHORITIES AND ACTIVITIES

Sec. 121. Lease-purchase of overseas property.

Sec. 122. United States Embassy building in Berlin, Germany.

Sec. 123. Fees for commercial services.

Sec. 124. Reduction of reporting requirements.

Sec. 125. Buying power maintenance account.

Sec. 126. Capital investment fund.

Sec. 127. Administrative expenses.

Sec. 128. Fee for use of diplomatic reception rooms.

Sec. 129. Contracts at posts abroad.

Sec. 130. Expenses relating to certain international claims and proceedings.

Sec. 131. Diplomatic Telecommunications Service.

Sec. 132. Diplomatic Telecommunications Service Program Office.

Sec. 133. International Center reserve funds.

Sec. 134. Joint funds under agreements for cooperation in environmental, scientific, cultural and related areas.

Sec. 135. United States diplomatic facilities in Kosovo.

Sec. 136. Antibribery study.

Sec. 137. Budget Act compliance.

##### CHAPTER 3—PERSONNEL

Sec. 141. Authorized strength of the Foreign Service.

Sec. 142. Restriction on lobbying activities of former United States chiefs of mission.

Sec. 143. Foreign Service grounding in United States business.

Sec. 144. Foreign affairs administrative support.

Sec. 145. Foreign Service reform.

Sec. 146. Limitations on management assignments.

Sec. 147. Report on promotion and retention of personnel.

Sec. 148. Recovery of costs of health care services.

Sec. 149. Nonovertime differential pay.

Sec. 150. Access to records.

Sec. 151. Training.

Sec. 152. Redesignation of National Foreign Affairs Training Center.

##### CHAPTER 4—CONSULAR AND RELATED ACTIVITIES

Sec. 161. Fee for diversity immigrant lottery.

Sec. 162. Fee for execution of passport applications.

Sec. 163. Fees for machine readable visas.

Sec. 164. Children adopted abroad.

Sec. 165. Consular officers.

Sec. 166. Exclusion from the United States for membership in a terrorist organization.

Sec. 167. Incitement as a basis for exclusion from the United States.

Sec. 168. Visit of the president of the Republic of China on Taiwan.

Sec. 169. Terrorist Lookout Committees.

Sec. 170. Sense of Congress on border crossing fees.

### TITLE II—UNITED NATIONS

#### CHAPTER 1—FUNDING; BUDGETARY AND MANAGEMENT REFORM

Sec. 201. Assessed contributions to the United Nations and affiliated agencies.

Sec. 202. Assessed contributions for international peacekeeping activities.

Sec. 203. Calculation of assessed contributions.

Sec. 204. Reform in budget decisionmaking procedures of the United Nations and its specialized agencies.

Sec. 205. United Nations budgetary and management reform.

Sec. 206. Whistleblower provision.

#### CHAPTER 2—UNITED NATIONS PEACEKEEPING

Sec. 211. Annual report on United States contributions to United Nations peacekeeping activities.

Sec. 212. Prior congressional notification of Security Council votes on United Nations peacekeeping activities.

Sec. 213. Codification of required notice to Congress of proposed United Nations peacekeeping activities.

Sec. 214. Limitation on assessment percentage for peacekeeping activities.

Sec. 215. Buy America requirement.

Sec. 216. Restrictions on intelligence sharing with the United Nations.

Sec. 217. UNPROFOR funding restrictions.

Sec. 218. Escalating costs for international peacekeeping activities.

Sec. 219. Definition.

### TITLE III—OTHER INTERNATIONAL ORGANIZATIONS

#### CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

Sec. 301. International conferences and contingencies.

Sec. 302. International commissions.

Sec. 303. International Boundary and Water Commission.

Sec. 304. Inter-American organizations.

#### CHAPTER 2—GENERAL PROVISIONS

Sec. 311. International criminal court participation.

Sec. 312. Prohibition on assistance to international organizations espousing world government.

Sec. 313. Termination of United States participation in certain international organizations.

Sec. 314. International covenant on civil and political rights.

Sec. 315. United States participation in single commodity international organizations.

Sec. 316. Prohibition on contributions to the International Natural Rubber Organization.

Sec. 317. Prohibition on contributions to the International Tropical Timber Organization.

Sec. 318. General Accounting Office study of the cost-effectiveness and efficiency of international organizations to which the United States makes contributions.

Sec. 319. Sense of Congress on United Nations Fourth World Conference on Women in Beijing, China.

# TITLE IV—UNITED STATES INFORMATION, EDUCATIONAL, AND CULTURAL PROGRAMS

## CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

- Sec. 401. Authorization of appropriations.
- Sec. 402. National Endowment for Democracy.

## CHAPTER 2—USIA AND RELATED AGENCIES AUTHORITIES AND ACTIVITIES

- Sec. 411. Participation in international fairs and expositions.
- Sec. 412. Extension of au pair programs.
- Sec. 413. Pilot program on advertising on USIA television and radio broadcasts.
- Sec. 414. Availability of Voice of America and Radio Marti multilingual computer readable text and voice recordings.
- Sec. 415. Plan for Radio Free Asia.
- Sec. 416. Expansion of Muskie fellowship program.
- Sec. 417. Changes in administrative authorities.
- Sec. 418. General Accounting Office study of duplication among certain international affairs grantees.
- Sec. 419. General Accounting Office study of activities of the North/South Center in support of the North American Free Trade Agreement.
- Sec. 420. Mansfield Fellowship Program requirements.
- Sec. 421. Distribution within the United States of the United States Information Agency film entitled "The Fragile Ring of Life".

# TITLE V—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY AND THE AGENCY FOR INTERNATIONAL DEVELOPMENT

- Sec. 501. Authorization of appropriations.
- Sec. 502. Statutory construction.
- Sec. 503. Operating expenses.
- Sec. 504. Operating expenses of the Office of the Inspector General.

## TITLE VI—FOREIGN POLICY

- Sec. 601. Repeal of provisions relating to interparliamentary groups.
- Sec. 602. Repeal of executive branch membership on the Commission on Security and Cooperation in Europe.
- Sec. 603. Authorized payments.
- Sec. 604. Reports regarding Hong Kong.
- Sec. 605. Applicability of Taiwan Relations Act.
- Sec. 606. Taipei representative office.
- Sec. 607. Report on occupied Tibet.
- Sec. 608. Special envoy for Tibet Act of 1995.
- Sec. 609. Prohibition on use of funds to facilitate Iraqi refugee admissions into the United States.
- Sec. 610. Special envoy for Nagorno-Karabakh.
- Sec. 611. Report to Congress concerning Cuban emigration policies.
- Sec. 612. Efforts against emerging infectious diseases.
- Sec. 613. Report on firms engaged in export of dual-use items.
- Sec. 614. Prohibition on the transfer of arms to Indonesia.
- Sec. 615. Middle East Peace Facilitation Act of 1995.

# DIVISION B—CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES

- Sec. 1001. Short title.
- Sec. 1002. Purposes.

# TITLE XI—ORGANIZATION OF THE DEPARTMENT OF STATE AND FOREIGN SERVICE

- Sec. 1101. Office of the Secretary of State.
- Sec. 1102. Assumption of duties by incumbent appointees.
- Sec. 1103. Consolidation of United States diplomatic missions and consular posts.
- Sec. 1104. Procedures for coordination of Government personnel at overseas posts.

# TITLE XII—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

- Sec. 1201. Abolition of ACDA; references in part.
- Sec. 1202. Repeal of positions and offices.
- Sec. 1203. Authorities of the Secretary of State.
- Sec. 1204. Authorization of appropriations.
- Sec. 1205. Conforming amendments.
- Sec. 1206. References in law.
- Sec. 1207. Effective date.

## TITLE XIII—UNITED STATES INFORMATION AGENCY

- Sec. 1301. Abolition.
- Sec. 1302. References in law.
- Sec. 1303. Amendments to title 5.
- Sec. 1304. Amendments to United States Information and Educational Exchange Act of 1948.
- Sec. 1305. Amendments to the Mutual Educational and Cultural Exchange Act of 1961 (Fulbright-Hays Act).
- Sec. 1306. International broadcasting activities.
- Sec. 1307. Television broadcasting to Cuba.
- Sec. 1308. Radio broadcasting to Cuba.
- Sec. 1309. National Endowment for Democracy.
- Sec. 1310. United States Scholarship Program for developing countries.
- Sec. 1311. National Security Education Board.
- Sec. 1312. Center for Cultural and Technical Interchange Between North and South.
- Sec. 1313. Center for Cultural and Technical Interchange Between East and West.
- Sec. 1314. Mission of the Department of State.
- Sec. 1315. Consolidation of administrative services.
- Sec. 1316. Grants.
- Sec. 1317. Ban on domestic activities.
- Sec. 1318. Conforming repeal to the Arms Control and Disarmament Act.
- Sec. 1319. Repeal relating to procurement of legal services.
- Sec. 1320. Repeal relating to payment of subsistence expenses.
- Sec. 1321. Conforming amendment to the SEED Act.
- Sec. 1322. International Cultural and Trade Center Commission.
- Sec. 1323. Other laws referenced in Reorganization Plan No. 2 of 1977.
- Sec. 1324. Exchange program with countries in transition from totalitarianism to democracy.
- Sec. 1325. Edmund S. Muskie Fellowship Program.
- Sec. 1326. Implementation of Convention on Cultural Property.
- Sec. 1327. Mike Mansfield Fellowships.
- Sec. 1328. United States Advisory Committee for Public Diplomacy.
- Sec. 1329. Effective date.

# TITLE XIV—AGENCY FOR INTERNATIONAL DEVELOPMENT AND THE INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

- Sec. 1401. Abolitions; references in part.
- Sec. 1402. References in the Foreign Assistance Act of 1961.
- Sec. 1403. Exercise of functions by the Secretary of State.
- Sec. 1404. Repeal of positions; employment and contracting authorities.
- Sec. 1405. Development Loan Committee.
- Sec. 1406. Development Coordination Committee.
- Sec. 1407. Public Law 83-480 Program.
- Sec. 1408. Conforming amendments to title 5, United States Code.
- Sec. 1409. Trade Promotion Coordinating Committee.
- Sec. 1410. Chief Financial Officer.
- Sec. 1411. References in law.
- Sec. 1412. Effective date.

# TITLE XV—PLANS FOR CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES

- Sec. 1501. Reorganization of the Department of State and the independent foreign affairs agencies.

# TITLE XVI—TRANSITION PROVISIONS

- Sec. 1601. Transfer of functions.
- Sec. 1602. Determination of transferred functions and employees.
- Sec. 1603. Reorganization plan for the United States Arms Control and Disarmament Agency.
- Sec. 1604. Reorganization plan for the United States Information Agency.
- Sec. 1605. Reorganization plan for the Agency for International Development.
- Sec. 1606. Additional requirements and limitations on reorganization plans.
- Sec. 1607. Amendments or modifications to reorganization plans.
- Sec. 1608. Procedures for congressional consideration of reorganization plans.
- Sec. 1609. Transition fund.
- Sec. 1610. Voluntary separation incentives.
- Sec. 1611. Rights of employees of abolished agencies.
- Sec. 1612. Transfer and allocations of appropriations and personnel.
- Sec. 1613. Personnel authorities for transferred functions.
- Sec. 1614. Property and facilities.
- Sec. 1615. Delegation and assignment.
- Sec. 1616. Rules.
- Sec. 1617. Incidental transfers.
- Sec. 1618. Effect on contracts and grants.
- Sec. 1619. Savings provisions.
- Sec. 1620. Separability.
- Sec. 1621. Other transition authorities.
- Sec. 1622. Additional conforming amendments.
- Sec. 1623. Final report.
- Sec. 1624. Definitions.

# DIVISION A—FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1996-1999

## SEC. 101. SHORT TITLE.

This division may be cited as the "Foreign Relations Authorization Act, Fiscal Years 1996-1999".

## TITLE I—DEPARTMENT OF STATE AND RELATED AGENCIES

### CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

#### SEC. 111. ADMINISTRATION OF FOREIGN AFFAIRS.

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

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—For "Diplomatic and Consular Programs", of the Department of State \$1,688,500,000 for the fiscal year 1996, \$1,612,000,000 for the fiscal year 1997, \$1,867,500,000 for the fiscal year 1998, and \$1,856,000,000 for the fiscal year 1999.

(2) SALARIES AND EXPENSES.—For "Salaries and Expenses", of the Department of State \$368,000,000 for the fiscal year 1996, \$373,000,000 for the fiscal year 1997, \$725,000,000 for the fiscal year 1998, and \$681,500,000 for the fiscal year 1999.

(3) ACQUISITION AND MAINTENANCE OF BUILDINGS ABROAD.—For "Acquisition and Maintenance of Buildings Abroad", \$401,760,000 for the fiscal year 1996, \$401,760,000 for the fiscal year 1997, \$401,760,000 for the fiscal year 1998, and \$401,760,000 for the fiscal year 1999.

(4) REPRESENTATION ALLOWANCES.—For "Representation Allowances", \$4,500,000 for the fiscal year 1996, \$4,500,000 for the fiscal year 1997, \$4,500,000 for the fiscal year 1998, and \$4,500,000 for the fiscal year 1999.

(5) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For "Emergencies in the Diplomatic and Consular Service", \$6,000,000 for the fiscal year 1996, \$6,000,000 for the fiscal year 1997, \$6,000,000 for the fiscal year 1998, and \$6,000,000 for the fiscal year 1999.

(6) OFFICE OF THE INSPECTOR GENERAL.—For "Office of the Inspector General", \$23,350,000

for the fiscal year 1996, \$23,000,000 for the fiscal year 1997, \$48,500,000 for the fiscal year 1998, and \$48,500,000 for the fiscal year 1999.

(7) **FOREIGN SERVICE RETIREMENT AND DISABILITY FUND.**—For the "Foreign Service Retirement and Disability Fund", \$125,402,000 for the fiscal year 1996, \$125,402,000 for the fiscal year 1997, \$132,000,000 for the fiscal year 1998, and \$135,000,000 for the fiscal year 1999.

(8) **PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.**—For "Payment to the American Institute in Taiwan", \$15,400,000 for the fiscal year 1996, \$15,400,000 for the fiscal year 1997, \$15,400,000 for the fiscal year 1998, and \$15,400,000 for the fiscal year 1999.

(9) **PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.**—For "Protection of Foreign Missions and Officials", \$8,579,000 for the fiscal year 1996, \$8,579,000 for the fiscal year 1997, \$8,579,000 for the fiscal year 1998, and \$8,579,000 for the fiscal year 1999.

(10) **CAPITAL INVESTMENT FUND.**—For the "Capital Investment Fund", \$32,800,000 for each of the fiscal years 1996 and 1997 and \$25,000,000 for each of the fiscal years 1998 and 1999.

(11) **ASIA FOUNDATION.**—For "The Asia Foundation", not more than \$5,000,000 for the fiscal year 1996, and \$3,000,000 for each of the fiscal years 1997, 1998, and 1999.

(12) **REPATRIATION LOANS.**—For "Repatriation Loans", \$776,000 for the fiscal year 1996 and \$700,000 for each of the fiscal years 1997, 1998, and 1999.

(b) **FOREIGN CURRENCY EXCHANGE RATES.**—In addition to amounts otherwise authorized to be appropriated by subsection (a), there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 1996, 1997, 1998, and 1999 to offset adverse fluctuations in foreign currency exchange rates. Amounts appropriated under this subsection shall be available for obligation and expenditure only to the extent that the Director of the Office of Management and Budget determines and certifies to Congress that such amounts are necessary due to such fluctuations.

#### **SEC. 112. MIGRATION AND REFUGEE ASSISTANCE.**

(a) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **MIGRATION AND REFUGEE ASSISTANCE.**—There are authorized to be appropriated for "Migration and Refugee Assistance" for authorized activities, \$721,000,000 for the fiscal year 1996, and \$721,000,000 for each of the fiscal years 1997, 1998, and 1999.

(2) **ALLOCATION OF FUNDS.**—Of the funds authorized to be appropriated by paragraph (1)—  
(A) not less than \$80,000,000 shall be made available in the fiscal year 1996 for assistance for refugees resettling in Israel from other countries; and

(B) not less than \$50,000,000 for each of the fiscal years 1996 and 1997 shall be made available for the Emergency Refugee and Migration Assistance Fund under section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)).

(b) **AVAILABILITY OF FUNDS.**—Funds appropriated pursuant to subsection (a) are authorized to remain until expended.

### **CHAPTER 2—AUTHORITIES AND ACTIVITIES**

#### **SEC. 121. LEASE-PURCHASE OF OVERSEAS PROPERTY.**

(a) **AUTHORITY FOR LEASE-PURCHASE.**—Subject to subsections (b) and (c), the Secretary is authorized to acquire by lease-purchase such properties as are described in subsection (b), if—  
(1) the Secretary of State, and  
(2) the Director of the Office of Management and Budget,

certify and notify the appropriate committees of Congress that the lease-purchase arrangement will result in a net cost savings to the Federal Government when compared to a lease, a direct purchase, or direct construction of comparable property.

(b) **LOCATIONS AND LIMITATIONS.**—The authority granted in subsection (a) may be exercised only—

(1) to acquire appropriate housing for Department of State personnel stationed abroad and for the acquisition of other facilities, in locations in which the United States has a diplomatic mission; and  
(2) during fiscal years 1996 through 1999.

(c) **AUTHORIZATION OF FUNDING.**—Funds for lease-purchase arrangements made pursuant to subsection (a) shall be available from amounts appropriated under the authority of section 111(a)(3) (relating to the Acquisition and Maintenance of Buildings Abroad" account).

#### **SEC. 122. UNITED STATES EMBASSY BUILDING IN BERLIN, GERMANY.**

It is the sense of the Congress that the Secretary of State should—

(1) utilize, as the United States Embassy to Germany, property held by the United States Government under the Foreign Service Building Act, 1926, in the vicinity of the Brandenburg Gate in Berlin, Germany; and  
(2) be authorized to make any improvements necessary.

#### **SEC. 123. FEES FOR COMMERCIAL SERVICES.**

Section 52 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2724) is amended in subsection (b) by adding the following new sentence at the end: "Such fees shall remain available for obligation until expended."

#### **SEC. 124. REDUCTION OF REPORTING REQUIREMENTS.**

(a) **PERIOD FOR REPORTING.**—Section 488(a)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291g) is amended by striking "quarter of the".

(b) **REPEAL.**—Section 503(b) of the Foreign Relations Authorization Act, Fiscal Year 1979 (Public Law 95-426) is repealed.

#### **SEC. 125. BUYING POWER MAINTENANCE ACCOUNT.**

Section 24 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2696) is amended in subsection (b)(7) by striking subparagraph (D).

#### **SEC. 126. CAPITAL INVESTMENT FUND.**

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

(1) in subsection (a), by inserting "and upgrade" after "procurement";

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

(3) in subsection (d), by striking all that follows "available" and inserting "for the purposes of subsection (a)."; and

(4) in subsection (e), by striking all that follows "(22 U.S.C. 2710)" and before the period at the end.

#### **SEC. 127. ADMINISTRATIVE EXPENSES.**

Section 5 of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2605) is amended—

(1) in subsection (a)(1), by inserting before "and without regard" the following: "and other personnel assigned to the bureau charged with carrying out this Act"; and  
(2) by striking subsection (c).

#### **SEC. 128. FEE FOR USE OF DIPLOMATIC RECEPTION ROOMS.**

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

#### **"SEC. 53. FEE FOR USE OF DIPLOMATIC RECEPTION ROOMS.**

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

#### **SEC. 129. CONTRACTS AT POSTS ABROAD.**

(a) **AVOIDANCE OF DUPLICATIVE PROCUREMENTS.**—A contracting officer of an agency of the Federal Government that performs functions at diplomatic and consular posts abroad shall,

to the maximum extent practicable, avoid entering into a contract for procurement of property or services that can be procured for that agency under an existing contract, or by a modification (in accordance with subsection (b)) of an existing contract, of another agency of the Federal Government that performs functions at diplomatic and consular posts abroad.

(b) **MODIFICATION OF CONTRACTS.**—Notwithstanding any provision of law that requires the use of competitive procedures in Federal Government procurements, a contract of an agency of the Federal Government performing functions at diplomatic or consular posts abroad that has been awarded using competitive procedures may be modified to increase the quantity of the property or services to be procured under the contract in order to provide for procurement of the property or services for another agency performing functions at diplomatic or consular posts abroad if the cost to the United States of each unit of the property or services procured under the contract is not increased by the modification.

(c) **DEFINITION.**—For the purposes of this section, the term "competitive procedures" has the meaning given that term in section 4(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(5)).

#### **SEC. 130. EXPENSES RELATING TO CERTAIN INTERNATIONAL CLAIMS AND PROCEEDINGS.**

(a) **RECOVERY OF CERTAIN EXPENSES.**—The Department of State Appropriation Act of 1937 (49 Stat. 1321; 22 U.S.C. 2661), as amended by section 142(b) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100-204) is amended in the fifth undesignated paragraph under the heading entitled "INTERNATIONAL FISHERIES COMMISSION" by striking "extraordinary".

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

#### **SEC. 131. DIPLOMATIC TELECOMMUNICATIONS SERVICE.**

Section 507 of the Department of State and Related Agencies Appropriations Act, 1995 (Public Law 103-317) is amended in subsections (a) and (b) by striking "and each succeeding fiscal year" each place it appears.

#### **SEC. 132. DIPLOMATIC TELECOMMUNICATIONS SERVICE PROGRAM OFFICE.**

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

(1) The Diplomatic Telecommunications Service Program Office (hereafter in this section referred to as "DTS-PO") has made significant enhancements to upgrade the worldwide DTS network with high speed, high capacity circuitry as well as improvements at United States embassies and consulates to enhance utilization of the network.

(2) Notwithstanding the improvements that the DTS-PO has made to the DTS network, the current management structure needs to be strengthened to provide a clearly delineated, accountable management authority for the DTS-PO and the DTS network.

(b) **REPORT REQUIRED.**—No later than three months after the date of enactment of this Act, the two agencies providing the greatest funding to DTS-PO shall submit to the appropriate committees of Congress—

(1) a DTS-PO management plan—

(A) setting forth the organization, mission and functions of each major element of the DTS-PO; and

(B) designating an entity at each overseas post, or providing a mechanism for the designation of such an entity, which will be responsible for the day-to-day administration of the DTS-PO operations; and

(2) a DTS-PO strategic plan containing—

(A) future customer requirements, validated by the DTS customer organizations;

(B) a system configuration for the DTS network which will meet the future telecommunications needs of the DTS customer agencies;

(C) a funding profile to achieve the system configuration for the DTS network;

(D) a transition strategy to move to the system configuration for the DTS network;

(E) a reimbursement plan to cover the direct and indirect costs of operating the DTS network; and

(F) an allocation of funds to cover the costs projected to be incurred by each of the agencies or other entities utilizing DTS to maintain DTS, to upgrade DTS, and to provide for future demands for DTS.

(c) **DEFINITION.**—As used in this section, the term “appropriate committees of Congress” means the Select Committee on Intelligence, the Committee on Foreign Relations, and the Committee on Appropriations of the Senate and the Permanent Select Committee on Intelligence, the Committee on International Relations, and the Committee on Appropriations of the House of Representatives.

#### **SEC. 133. INTERNATIONAL CENTER RESERVE FUNDS.**

Funds retained by the Secretary of State in the reserve for maintenance and security established pursuant to section 5 of the International Center Act (Public Law 90-533) may be deposited in interest bearing accounts, and the Secretary may retain for the purposes set forth in that section any interest earned on such deposits without returning such interest to the Treasury of the United States and without further appropriation by the Congress.

#### **SEC. 134. JOINT FUNDS UNDER AGREEMENTS FOR COOPERATION IN ENVIRONMENTAL, SCIENTIFIC, CULTURAL AND RELATED AREAS.**

In order to promote the maximum benefits from continued participation in international agreements in effect as of the date of enactment of this Act for cooperation in environmental, scientific, cultural and related areas, appropriated funds that have been made available in fiscal years 1995 and prior fiscal years under the Department of State's program of international environmental, scientific, and cultural cooperation to joint funds or accounts under such agreements may, to the extent specified within the agreement, be deposited in interest bearing accounts prior to disbursement of such funds for the purposes of the program. Interest earned may be retained for use under such agreements for program or administrative purposes, without returning such interest to the Treasury of the United States and without further appropriation by Congress.

#### **SEC. 135. UNITED STATES DIPLOMATIC FACILITIES IN KOSOVO.**

The Secretary of State is authorized to lease or otherwise acquire an office and residence in Pristina, Kosova, for use by United States diplomatic or consular personnel.

#### **SEC. 136. ANTIBRIBERY STUDY.**

(a) **FINDINGS.**—The Congress finds that—

(1) United States nationals and companies, and their foreign subsidiaries, are prohibited from bribing foreign officials under the Foreign Corrupt Practices Act of 1977 (Public Law 95-213);

(2) United States trade competitors and nationals of other industrialized countries are not prohibited by law from utilizing bribes in retaining or obtaining foreign procurement contracts;

(3) some countries permit a deduction for income tax purposes for bribes paid to secure foreign business;

(4) effective anticorruption statutes include criminal, commercial, civil, and administrative laws prohibiting bribery of foreign public officials, tax laws which make bribery unprofitable, transparent business accounting requirements that ensure proper recording of relevant payments and appropriate inspection of such records, prohibitions on licenses, government

procurement contracts, and public subsidies, and substantial monetary fines for bribery;

(5) the Organization for Economic Cooperation and Development passed a resolution on May 27, 1994, recommending that OECD Member states “deter, prevent, and combat the bribery of foreign public officials in connection with international business transactions”; and

(6) these initiatives will help strengthen vibrant international trade and export markets and ensure fair competitive conditions for United States exporters.

(b) **SENSE OF CONGRESS.**—It is the sense of the Congress that the United States should strongly urge universal adoption of the principles set forth in the Foreign Corrupt Practices Act of 1977 (Public Law 95-213) in order that adopting countries implement effective means, in accordance with the legal and jurisdictional principles of such countries, of combating bribery of foreign public officials, including the imposition of administrative, civil, and criminal sanctions for such bribery.

(c) **STUDY.**—The Secretary of State shall conduct a study to develop, in consultation with the Secretary of Commerce, the Director of the Central Intelligence Agency, the Agency for International Development, the Overseas Private Investment Corporation, the Trade and Development Agency, and the Export-Import Bank of the United States, proposals to end the discrimination against United States exports that result from bribery and corruption in international business transactions.

(d) **REPORT.**—The Secretary of State shall submit a report containing the proposals developed under subsection (c) to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives not later than 90 days after the date of enactment of this Act. The report and proposals provided to such committees shall—

(1) take into account, discuss, and analyze the laws of our ten primary trade competitors which govern bribery and corruption in overseas business transactions, and include recommendations for the implementation of the resolution on bribery passed by the Organization for Economic Cooperation and Development on May 27, 1994;

(2) include specific recommendations for the universal adoption of the principles set forth in the Foreign Corrupt Practices Act of 1977 (Public Law 95-213);

(3) analyze the feasibility of United States embassies assisting United States businesses when competing for overseas contracts by disclosing information about bribery or corruption of other foreign nationals competing for the contract; and

(4) make recommendations for any legislation which may be necessary or appropriate to carry out such proposals.

(e) **DEFINITION.**—For the purposes of this section, the term “bribery”, in the case of a corporation, means the direct or indirect offer or provision by the corporation of any undue pecuniary or other advantage to or for an individual in order to procure business and business contract for the corporation or its subsidiaries.

#### **SEC. 137. BUDGET ACT COMPLIANCE.**

The authorities contained in the amendments made in sections 121, 123, 125, 128, 130, 133, 134, 148, 161, and 163 of this Act may be exercised only to the extent or in the amounts provided in appropriations Acts.

### **CHAPTER 3—PERSONNEL**

#### **SEC. 141. AUTHORIZED STRENGTH OF THE FOREIGN SERVICE.**

(a) **END FISCAL YEAR 1996 LEVELS.**—The number of members of the Foreign Service authorized to be employed as of September 30, 1996—

(1) for the Department of State, shall not exceed 8,700, of whom not more than 740 shall be members of the Senior Foreign Service;

(2) for the United States Information Agency, shall not exceed 900, of whom not more than 155

shall be members of the Senior Foreign Service; and

(3) for the Agency for International Development, shall not exceed 900, of whom not more than 125 shall be members of the Senior Foreign Service.

(b) **END FISCAL YEAR 1997 LEVELS.**—The number of members of the Foreign Service authorized to be employed as of September 30, 1997—

(1) for the Department of State, shall not exceed 8,500, of whom not more than 700 shall be members of the Senior Foreign Service;

(2) for the United States Information Agency, shall not exceed 800, of whom not more than 140 shall be members of the Senior Foreign Service; and

(3) for the Agency for International Development, shall not exceed 650, of whom not more than 75 shall be members of the Senior Foreign Service.

(c) **DEFINITION.**—For the purposes of this section, the term “members of the Foreign Service” is used within the meaning of such term under section 103 of the Foreign Service Act of 1980 (22 U.S.C. 3903), except that such term does not include—

(1) members of the Service under paragraphs (6) and (7) of such section;

(2) members of the Service serving under temporary resident appointments abroad;

(3) members of the Service employed on less than a full-time basis;

(4) members of the Service subject to involuntary separation in cases in which such separation has been suspended pursuant to section 1106(8) of the Foreign Service Act of 1980; and

(5) members of the Service serving under noncareer limited appointments.

(d) **EXCEPTIONS.**—(1)(A) Except as provided in subparagraph (B), the numerical limitations contained in subsections (a) and (b) shall not apply to Foreign Service personnel serving under noncareer limited appointments.

(B) The number of Foreign Service personnel serving under noncareer limited appointments may not exceed—

(i) for fiscal year 1996, 5 percent of the aggregate numerical limitation on members of the Foreign Service contained in subsection (a); and

(ii) for each of the fiscal years 1997, 1998, and 1999, 7 percent of the aggregate numerical limitation on members of the Foreign Service contained in subsection (a).

(2) The Secretary of State is encouraged to utilize Foreign Service personnel serving under noncareer limited appointments to perform duties relating to—

(A) export promotion and trade;

(B) information management systems; and

(C) the provision of medical services.

(3) Notwithstanding any other provision of law, the Secretary of State may terminate the appointment of any member of the Foreign Service serving under a noncareer limited appointment before the expiration of the period of the appointment.

#### **SEC. 142. RESTRICTION ON LOBBYING ACTIVITIES OF FORMER UNITED STATES CHIEFS OF MISSION.**

Section 207(d)(1) of title 18, United States Code, is amended—

(1) by striking “or” at the end of subparagraph (B);

(2) in subparagraph (C), by inserting “or” after “title 3,”; and

(3) by inserting after subparagraph (C) the following new subparagraph:

“(D) serves in the position of chief of mission (as defined in section 102(3) of the Foreign Service Act of 1980).”

#### **SEC. 143. FOREIGN SERVICE GROUNDING IN UNITED STATES BUSINESS.**

It is the sense of the Congress that the Secretary of State, in consultation with the Secretary of Commerce, should require the National Center for Humanities, Education, Languages, and Management Studies, as redesignated by section 152 of this Act, to significantly increase

the emphasis on commercial activity, export promotion, and trade in carrying out its core programs and should offer additional classes in such subjects.

#### SEC. 144. FOREIGN AFFAIRS ADMINISTRATIVE SUPPORT.

(a) **AUTHORIZATION.**—The Secretary of State, after consulting with the heads of the other United States Government agencies maintaining personnel overseas, is authorized to establish a financial system by which the Department of State is reimbursed by other agencies of the United States Government that maintain an overseas presence for the incremental expenses incurred by the Department in providing administrative support to such agencies at United States posts abroad.

(b) **ESTABLISHMENT OF A COMMITTEE.**—The President shall establish an interagency committee consisting of representatives from United States Government agencies maintaining a significant number of personnel overseas and headed by the Secretary of State, for the purpose of implementing subsection (a). The committee shall develop rules and regulations governing—

(1) a dispute settlement mechanism to resolve interagency disputes over the provision of administrative services at posts abroad and over reimbursement levels; and

(2) formulas for cost-assessment formulation, either on a per capita basis or on a fee-for-service basis with the following principle: all direct and indirect costs should be fully recovered by the Department, including services such as the Community Liaison Officer, building operating expenses and local guards, and such other expenses as the committee determines necessary to be covered.

(c) **WORKING CAPITAL FUND.**—There is hereby established on the books at the Treasury an account into which the Secretary of State may deposit payments received from any United States agency participating in the financial system established under subsection (a). Amounts in the account shall be available without fiscal year limitation.

#### SEC. 145. FOREIGN SERVICE REFORM.

(a) **APPOINTMENTS BY THE PRESIDENT.**—Section 302(b) of the Foreign Service Act of 1980 (22 U.S.C. 3942(b)) is amended in the second sentence—

(1) by striking “may elect to” and inserting “shall”; and

(2) by striking “Service,” and all that follows and inserting “Service.”.

(b) **PERFORMANCE PAY.**—Section 405 of the Foreign Service Act of 1980 (22 U.S.C. 3965) is amended—

(1) in subsection (a), by striking “Members” and inserting “Subject to subsection (e), members”; and

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

“(e) Notwithstanding any other provision of law, the Secretary of State may provide for recognition of the meritorious or distinguished service of a member of the Foreign Service described in subsection (a) (including members of the Senior Foreign Service) by means other than an award of performance pay in lieu of making such an award under this section.”.

(c) **EXPEDITED SEPARATION OUT.**—The Secretary of State shall develop and implement not later than 90 days after the date of enactment of this Act procedures to identify, and recommend for separation, members of the Foreign Service ranked by promotion boards in the bottom five percent of their class for any two of the five preceding years.

(d) **UNIFORM ADMINISTRATION OF THE FOREIGN SERVICE.**—(1) Section 101(b)(9) of the Foreign Service Act of 1980 (22 U.S.C. 3901(b)(9)) is amended to read as follows:

“(9) establishing a consolidated and uniform administration of a single Foreign Service of the United States by the Director General of the

Foreign Service, under the direction of the President and the Secretary of State; and”.

(2) Section 203(a) of the Foreign Service Act of 1980 (22 U.S.C. 3923(a)) is amended by amending the first sentence to read as follows: “There is one Foreign Service, and any agency that seeks to utilize the authorities of the Foreign Service Act of 1980 shall do so in strict conformance with the common standards and procedures set out by the Director General of the Foreign Service under the authority of the Secretary of State.”.

#### SEC. 146. LIMITATIONS ON MANAGEMENT ASSIGNMENTS.

Section 1017(e)(2) of the Foreign Service Act of 1980 (22 U.S.C. 4117(e)(2)) is amended to read as follows:

“(2) For the purposes of paragraph (1)(A)(ii) and paragraph (1)(B), the term ‘management official’ does not include chiefs of mission, principal officers or their deputies, administrative and personnel officers abroad, or individuals described in section 1002(12) (B), (C), and (D) who are not involved in the administration of this chapter or in the formulation of the personnel policies and programs of the Department.”.

#### SEC. 147. REPORT ON PROMOTION AND RETENTION OF PERSONNEL.

Section 601(c)(4) of the Foreign Service Act of 1980 (22 U.S.C. 4001(c)(4)) is amended—

(1) by striking “and” at the end of subparagraph (B);

(2) by striking the period at the end of subparagraph (C) and inserting “; and”; and

(3) by adding at the end the following new subparagraph:

“(D) include on a biannual basis the comments of the Inspector General for Foreign Affairs with respect to the adequacy of the report on the matters described in this paragraph.”.

#### SEC. 148. RECOVERY OF COSTS OF HEALTH CARE SERVICES.

(a) **AUTHORITIES.**—Section 904 of the Foreign Service Act of 1980 (22 U.S.C. 4084) is amended—

(1) in subsection (a), by striking “and” before “members of the families of such members and employees” and inserting before the period “, and (for care provided abroad) such other persons as are designated by the Secretary of State, except that such persons shall be considered persons other than covered beneficiaries for purposes of subsections (g) and (h)”;

(2) in subsection (d), by inserting “, subject to the provisions of subsections (g) and (h)” before the period; and

(3) by adding at the end the following new subsections:

“(g)(1) In the case of a person who is a covered beneficiary, the Secretary of State is authorized to collect from a third party payer the reasonable costs incurred by the Department of State on behalf of such person for health care services to the same extent that the covered beneficiary would be eligible to receive reimbursement or indemnification from the third party payer for such costs.

“(2) If the insurance policy, plan, contract, or similar agreement of that third party payer includes a requirement for a deductible or copayment by the beneficiary of the plan, then the Secretary of State may collect from the third party payer only the reasonable cost of the care provided less the deductible or copayment amount.

“(3) A covered beneficiary shall not be required to pay any deductible or copayment for health care services under this subsection.

“(4) No provision of any insurance, medical service, or health plan contract or agreement having the effect of excluding from coverage or limiting payment of charges for care in the following circumstances shall operate to prevent collection by the Secretary of State under paragraph (1):

“(A) Care provided directly or indirectly by a governmental entity.

“(B) Care provided to an individual who has not paid a required deductible or copayment.

“(C) Care provided by a provider with which the third party payer has no participation agreement.

“(5) No law of any State, or of any political subdivision of a State, and no provision of any contract or agreement, shall operate to prevent or hinder recovery or collection by the United States under this section.

“(6) As to the authority provided in paragraph (1) of this subsection—

“(A) the United States shall be subrogated to any right or claim that the covered beneficiary may have against a third party payer;

“(B) the United States may institute and prosecute legal proceedings against a third party payer to enforce a right of the United States under this subsection; and

“(C) the Secretary may compromise, settle, or waive a claim of the United States under this subsection.

“(7) The Secretary shall prescribe regulations for the administration of this subsection and subsection (h). Such regulations shall provide for computation of the reasonable cost of health care services.

“(8) Regulations prescribed under this subsection shall provide that medical records of a covered beneficiary receiving health care under this subsection shall be made available for inspection and review by representatives of the payer from which collection by the United States is sought for the sole purposes of permitting the third party to verify—

“(A) that the care or services for which recovery or collection is sought were furnished to the covered beneficiary; and

“(B) that the provision of such care or services to the covered beneficiary meets criteria generally applicable under the health plan contract involved, except that this subsection shall be subject to the provisions of paragraphs (2) and (4).

“(9) Amounts collected under this subsection or under subsection (h) from a third party payer or from any other payer shall be deposited as an offsetting collection to any Department of State appropriation and shall remain available until expended.

“(10) In this section:

“(A) The term ‘covered beneficiary’ means an individual eligible to receive health care under this section whose health care costs are to be paid by a third party payer under a contractual agreement with such payer.

“(B) The term ‘services’ as used in ‘health care services’ includes products.

“(C) The term ‘third party payer’ means an entity that provides a fee-for-service insurance policy, contract or similar agreement through the Federal Employees Health Benefit program, under which the expenses of health care services for individuals are paid.

“(h) In the case of a person, other than a covered beneficiary, who receives health care services pursuant to this section, the Secretary of State is authorized to collect from such person the reasonable costs of health care services incurred by the Department of State on behalf of such person. The United States shall have the same rights against persons subject to the provisions of this subsection as against third party payers covered by subsection (g).”.

(b) **EFFECTIVE DATE.**—The authorities of this section shall be effective beginning October 1, 1996.

#### SEC. 149. NONOVERTIME DIFFERENTIAL PAY.

Title 5 of the United States Code is amended—

(1) in section 5544(a), by inserting after the fourth sentence the following new sentence: “For employees serving outside the United States in areas where Sunday is a routine workday and another day of the week is officially recognized as the day of rest and worship, the Secretary of State may designate the officially recognized day of rest and worship as the day with respect to which additional pay is authorized by the preceding sentence.”; and

(2) at the end of section 5546(a), by adding the following new sentence: "For employees serving outside the United States in areas where Sunday is a routine workday and another day of the week is officially recognized as the day of rest and worship, the Secretary of State may designate the officially recognized day of rest and worship as the day with respect to which additional pay is authorized by the preceding sentence."

#### SEC. 150. ACCESS TO RECORDS.

Section 1108 of the Foreign Service Act of 1980 (22 U.S.C. 4138) is amended by adding at the end the following new subsection:

"(f) As used in this section, the term 'agency records' does not include records created or maintained by the Office of the Inspector General of the employing agency. That Office may, in its discretion, provide the Board records or information relevant to a grievance."

#### SEC. 151. TRAINING.

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

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

(2) by inserting after subsection (d)(3) the following new subsections:

"(e)(1) The Secretary is authorized to provide appropriate training through the institution to employees of United States companies that are engaged in business abroad, and to the families of such employees, when such training is in the national interest of the United States.

"(2) In the case of companies that are under contract to provide services to the Department of State, the Secretary is authorized to provide job-related training to the companies' employees who are performing such services.

"(3) Training under this subsection shall be on a reimbursable or advance-of-funds basis. Such reimbursements or advances shall be credited to the currently available applicable appropriation account.

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

"(f)(1) The Secretary is authorized to provide on a reimbursable basis foreign language training programs to Members of Congress.

"(2) Nonexecutive branch staff members may participate on reimbursable, space-available basis in foreign language programs offered by the institution.

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

#### SEC. 152. REDESIGNATION OF NATIONAL FOREIGN AFFAIRS TRAINING CENTER.

The National Foreign Affairs Training Center is hereby redesignated as the "National Center for Humanities, Education, Languages, and Management Studies".

### CHAPTER 4—CONSULAR AND RELATED ACTIVITIES

#### SEC. 161. FEE FOR DIVERSITY IMMIGRANT LOTTERY.

The Secretary of State may establish a fee to be paid by each immigrant issued a visa under subsection (c) of section 203 of the Immigration and Nationality Act (8 U.S.C. 1153(c)). Such fee may be set at a level so as to cover the full cost to the Department of State of administering that subsection, including the cost of processing all applications thereunder. All such fees collected shall be deposited as an offsetting collection to any Department of State appropriation and shall remain available for obligation until expended. The provisions of the Act of August 18, 1856 (Rev. Stat. 1726-28; 22 U.S.C. 4212-14), concerning accounting for consular fees, shall not apply to fees collected pursuant to this section.

#### SEC. 162. FEE FOR EXECUTION OF PASSPORT APPLICATIONS.

Section 1 of the Act of June 4, 1920 (41 Stat. 750; 22 U.S.C. 214) is amended by—

(1) inserting before the period at the end of the first sentence the following: "; except that the Secretary of State may by regulation authorize State officials or the United States Postal Service to collect and retain the execution fee for each application for a passport accepted by such officials or by that Service"; and

(2) striking the second sentence.

#### SEC. 163. FEES FOR MACHINE READABLE VISAS.

The Secretary of State is authorized to collect amounts under paragraph (1) of section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236; 8 U.S.C. 1351), not to exceed \$150,000,000 for each of the fiscal years 1996, 1997, 1998, and 1999.

#### SEC. 164. CHILDREN ADOPTED ABROAD.

Section 101(b) of the Immigration and Nationality Act (8 U.S.C. 1101(b)) is amended—

(1) in paragraph (1)(A), by striking "legitimate child" and inserting "child born in wedlock"; and

(2) in paragraphs (1)(D) and (2), by striking "an illegitimate child" each time it appears and inserting "a child born out of wedlock".

#### SEC. 165. CONSULAR OFFICERS.

(a) PERSONS AUTHORIZED TO ISSUE REPORTS OF BIRTHS ABROAD.—Section 33 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2705) is amended in paragraph (2) by adding at the end the following: "For purposes of this paragraph, a consular officer shall include any United States citizen employee of the Department of State designated by the Secretary of State to adjudicate nationality abroad pursuant to such regulations as the Secretary may prescribe."

(b) PROVISIONS APPLICABLE TO CONSULAR OFFICERS.—Section 31 of the Act of August 18, 1856 (Rev. Stat. 1689; 22 U.S.C. 4191), is amended by inserting after "such officers" the following: "and to such other United States citizen employees of the Department of State as may be designated by the Secretary of State pursuant to such regulations as the Secretary may prescribe."

(c) PERSONS AUTHORIZED TO AUTHENTICATE FOREIGN DOCUMENTS.—Section 3492(c) of title 18 of the United States Code is amended by adding at the end the following: "For purposes of this section and sections 3493 through 3496 of this title, a consular officer shall include any United States citizen employee of the Department of State designated to perform notarial functions pursuant to section 24 of the Act of August 18, 1856 (Rev. Stat. 1750; 22 U.S.C. 4221)."

(d) PERSONS AUTHORIZED TO ADMINISTER OATHS.—Section 115 of title 35 of the United States Code is amended by adding at the end the following: "For purposes of this section, a consular officer shall include any United States citizen employee of the Department of State designated to perform notarial functions pursuant to section 24 of the Act of August 18, 1856 (Rev. Stat. 1750; 22 U.S.C. 4221)."

(e) DEFINITION OF CONSULAR OFFICER.—Section 101(a)(9) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(9)) is amended by adding at the end the following new sentence: "As used in title III, the term 'consular officer' includes any United States citizen employee of the Department of State designated by the Secretary of State to adjudicate nationality abroad pursuant to such regulations as the Secretary may prescribe."

#### SEC. 166. EXCLUSION FROM THE UNITED STATES FOR MEMBERSHIP IN A TERRORIST ORGANIZATION.

Section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)) is amended—

(1) by striking "or" at the end of clause (i)(I);

(2) by inserting "or" at the end of clause (i)(II);

(3) by inserting after clause (i)(II) the following new subclause:

"(III) is a member of a terrorist organization or who actively supports or advocates terrorist activity;"; and

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

"(iv) TERRORIST ORGANIZATION DEFINED.—As used in this subparagraph, the term 'terrorist organization' means an organization that engages in, or has engaged in, terrorist activity as determined by the Attorney General, in consultation with the Secretary of State."

#### SEC. 167. INCITEMENT AS A BASIS FOR EXCLUSION FROM THE UNITED STATES.

(a) IN GENERAL.—Section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)), as amended by this Act, is further amended—

(1) by striking "or" at the end of clause (i)(II);

(2) in clause (i)(III) by inserting "or" at the end; and

(3) by inserting after clause (i)(III) the following new subclause:

"(IV) has advocated terrorism or has incited targeted racial vilification or has advocated the death or destruction of United States citizens, United States Government officials, or the overthrow of the United States Government."

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to aliens seeking to enter the United States on or after the date of enactment of this Act.

#### SEC. 168. VISIT OF THE PRESIDENT OF THE REPUBLIC OF CHINA ON TAIWAN.

Notwithstanding any other provision of law, the President of the Republic of China on Taiwan shall be admitted to the United States for a visit in 1995 with all appropriate courtesies.

#### SEC. 169. TERRORIST LOOKOUT COMMITTEES.

(a) ESTABLISHMENT.—(1) Not later than 30 days after the date of enactment of this Act, the Secretary of State shall establish within each United States Embassy a Terrorist Lookout Committee, which shall include the head of the political section and senior representatives of all United States law enforcement agencies and all elements of the intelligence community under the authority of the chief of mission.

(2) Each Committee shall be chaired by the respective deputy chief of mission, with the head of the consular section as vice chair.

(b) MEETINGS.—Each Terrorist Lookout Committee established under subsection (a) shall meet at least monthly and shall maintain records of its meetings. Upon the completion of each meeting, each Committee shall report to the Department of State all names submitted for inclusion in the visa lookout system.

(c) CERTIFICATION.—If no names are submitted upon completion of a meeting under subsection (b), the deputy chief of mission shall certify to the Secretary of State, subject to potential application the Accountability Review Board provisions of title III of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, that none of the relevant sections of the United States Embassy had knowledge of the identity of any individual eligible for inclusion in the visa lookout system for possible terrorist activity.

(d) REPORT.—The Secretary of State shall submit a report on a quarterly basis to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives on the status of the Terrorist Lookout Committees.

#### SEC. 170. SENSE OF CONGRESS ON BORDER CROSSING FEES.

(a) FINDINGS.—The Congress finds that—

(1) in the budget of the United States for fiscal year 1996 that was submitted to Congress, the President proposed to impose and collect a border crossing fee for individuals and vehicles entering the United States;

(2) both the Canadian and Mexican governments have expressed opposition to the imposition and collection of such a fee and have raised the possibility of imposing retaliatory border crossing fees of their own;

(3) the imposition and collection of such a fee would have adverse effects on tourism and commerce that depend on travel across the borders of the United States;



(4) the imposition and collection of such a fee would have such effects without addressing illegal immigration in a meaningful way;

(5) on February 22, 1995, the President modified his proposal making the imposition of the new fees voluntary on United States border States (but tied the availability of Federal funds to improve border crossing infrastructure on their willingness to impose such fees); and

(6) on May 4, 1995, the President further modified the border crossing fee proposal in immigration control legislation he submitted to Congress setting a \$1.50 per car and \$.75 per pedestrian fee structure.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that the United States Government should not impose or collect a border crossing fee along its borders with Canada and Mexico.

## TITLE II—UNITED NATIONS

### CHAPTER 1—FUNDING; BUDGETARY AND MANAGEMENT REFORM

#### SEC. 201. ASSESSED CONTRIBUTIONS TO THE UNITED NATIONS AND AFFILIATED AGENCIES.

There are authorized to be appropriated under the heading "Assessed Contributions to the United Nations and other International Organizations" (previously known as "Contributions to International Organizations") \$777,000,000 for each of the fiscal years 1996, 1997, 1998, and 1999 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to the United Nations, its affiliated agencies, and other international organizations and to carry out other authorities in law consistent with such purposes.

#### SEC. 202. ASSESSED CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.

There are authorized to be appropriated for "Contributions for International Peacekeeping Activities", \$445,000,000 for the fiscal year 1996, \$375,000,000 for the fiscal year 1997, \$300,000,000 for the fiscal year 1998, and \$210,000,000 for the fiscal year 1999 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international peacekeeping activities and to carry out other authorities in law consistent with such purposes.

#### SEC. 203. CALCULATION OF ASSESSED CONTRIBUTIONS.

It is the sense of the Congress that the United Nations General Assembly should reformulate the percentage shares of total assessed contributions to the United Nations payable by the member nations to reflect each nation's share of the total world gross national product.

#### SEC. 204. REFORM IN BUDGET DECISIONMAKING PROCEDURES OF THE UNITED NATIONS AND ITS SPECIALIZED AGENCIES.

(a) ASSESSED CONTRIBUTIONS.—The President may withhold 20 percent of the funds appropriated pursuant to section 111 for the United States assessed contribution to the United Nations, or to any of its specialized agencies, for any calendar year, if the Secretary of State determines that the United Nations or any such agency has failed to implement or to continue to implement consensus-based decisionmaking procedures on budgetary matters which assure that sufficient attention is paid to the views of the United States and other member states who are major financial contributors to such assessed budgets.

(b) NOTICE TO CONGRESS.—The President shall notify the Congress when a decision is made to withhold any share of the United States assessed contribution to the United Nations or its specialized agencies pursuant to subsection (a) and shall notify the Congress when the decision is made to pay any previously withheld assessed contribution. A notification under this sub-

section shall include appropriate consultation between the President (or the President's representative) and the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(c) REPORT TO CONGRESS.—Not later than February 1 of each year, the President shall submit to the Congress a report concerning the amount of United States assessed contributions paid to the United Nations and each of its specialized agencies during the preceding calendar year.

#### SEC. 205. UNITED NATIONS BUDGETARY AND MANAGEMENT REFORM.

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

##### "SEC. 10. UNITED NATIONS BUDGETARY AND MANAGEMENT REFORM.

"(a) WITHHOLDING OF CONTRIBUTIONS.—

"(1) ASSESSED CONTRIBUTIONS FOR REGULAR UNITED NATIONS BUDGET.—At the beginning of each fiscal year, 20 percent of the amount of funds made available for that fiscal year for United States assessed contributions for the regular United Nations budget shall be withheld from obligation and expenditure unless a certification for that fiscal year has been made under subsection (b).

"(2) ASSESSED CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING.—At the beginning of each fiscal year, 50 percent of the amount of funds made available for that fiscal year for United States assessed contributions for United Nations peacekeeping activities shall be withheld from obligation and expenditure unless a certification for that fiscal year has been made under subsection (b).

"(3) VOLUNTARY CONTRIBUTIONS FOR UNITED NATIONS PEACEKEEPING.—The United States may not during any fiscal year pay any voluntary contribution to the United Nations for international peacekeeping activities unless a certification for that fiscal year has been made under subsection (b).

"(b) CERTIFICATION.—The certification referred to in subsection (a) for any fiscal year is a certification by the President to the Congress, submitted on or after the beginning of that fiscal year, of each of the following:

"(1) The United Nations has an independent office of Inspector General to conduct and supervise objective audits, inspections, and investigations relating to programs and operations of the United Nations.

"(2) The United Nations has an Inspector General who was appointed by the Secretary General with the approval of the General Assembly and whose appointment was made principally on the basis of the appointee's integrity and demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigation.

"(3) The Inspector General is authorized to—

"(A) make investigations and reports relating to the administration of the programs and operations of the United Nations;

"(B) have access to all relevant records, documents, and other available materials relating to those programs and operations; and

"(C) have direct and prompt access to any official of the United Nations.

"(4) The United Nations has fully implemented, and made available to all member states, procedures designed to protect the identity of, and prevent reprisals against, any staff member of the United Nations making a complaint or disclosing information to, or cooperating in any investigation or inspection by, the United Nations Inspector General.

"(5) The United Nations has fully implemented procedures designed to ensure compliance with recommendations of the United Nations Inspector General.

"(6) The United Nations has required the United Nations Inspector General to issue an

annual report and has ensured that the annual report and all other relevant reports of the Inspector General are made available to the General Assembly without modification.

"(7) The United Nations is committed to providing, sufficient budgetary resources to ensure the effective operation of the United Nations Inspector General."

(b) EFFECTIVE DATE.—Section 11 of the United Nations Participation Act of 1945, as added by subsection (a), shall apply only with respect to fiscal years after fiscal year 1995.

#### SEC. 206. WHISTLEBLOWER PROVISION.

The President shall withhold 10 percent of the funds made available under this Act for each of the fiscal years 1996, 1997, 1998, and 1999 for United States assessed contributions for the regular United Nations budget until the Secretary of State certifies to Congress that—

(1) the United Nations has developed and implemented policies and regulations to protect employees who allege or report instances of fraud or mismanagement; and

(2) the Office of Internal Oversight Services (OIOS) within the United Nations Secretariat has reviewed those policies and regulations and found, in writing, that they offer adequate safeguards against retaliation for such employees.

## CHAPTER 2—UNITED NATIONS PEACEKEEPING

#### SEC. 211. ANNUAL REPORT ON UNITED STATES CONTRIBUTIONS TO UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 4(d)(1) of the United Nations Participation Act of 1945 (22 U.S.C. 287b(d)(1)) is amended—

(1) by redesignating subparagraph (D) as subparagraph (E); and

(2) by inserting after subparagraph (C) the following new subparagraph:

"(D) A description of the anticipated budget for the next fiscal year for United States participation in United Nations peacekeeping activities, including a statement of—

"(i) the aggregate amount of funds available to the United Nations for that fiscal year, including assessed and voluntary contributions, which may be made available for United Nations peacekeeping activities; and

"(ii) the aggregate amount of funds (from all accounts) and the aggregate costs of in-kind contributions that the United States proposes to make available to the United Nations for that fiscal year for United Nations peacekeeping activities."

#### SEC. 212. PRIOR CONGRESSIONAL NOTIFICATION OF SECURITY COUNCIL VOTES ON UNITED NATIONS PEACEKEEPING ACTIVITIES.

Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

"(e) NOTICE TO CONGRESS OF PROPOSED UNITED NATIONS PEACEKEEPING ACTIVITIES.—(1) Except as provided in paragraph (2), at least 5 days before any vote in the Security Council to initiate, expand, or modify any United Nations peacekeeping activity or any other action under the Charter of the United Nations which would involve the use of United States Armed Forces or the expenditure of United States funds, the President shall submit to the designated congressional committees a notification with respect to the proposed action. The notification shall include the following:

"(A) A cost assessment of such action (including the total estimated cost and the United States share of such cost).

"(B) Identification of the source of funding for the United States share of the costs of the action (whether in an annual budget request, reprogramming notification, a rescission of funds, a budget amendment, or a supplemental budget request).

“(2)(A) If the President determines that an emergency exists which prevents submission of the 5-day advance notification specified in paragraph (1) and that the proposed action is in the national security interests of the United States, the notification described in paragraph (1) shall be provided in a timely manner but no later than 48 hours after the vote by the Security Council.

“(B) Determinations made under subparagraph (A) may not be delegated.”.

**SEC. 213. CODIFICATION OF REQUIRED NOTICE TO CONGRESS OF PROPOSED UNITED NATIONS PEACEKEEPING ACTIVITIES.**

(a) **REQUIRED NOTICE.**—Section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b) is amended—

(1) by striking the second sentence of subsection (a);

(2) by redesignating subsections (e) and (f) as redesignated by the preceding section) as subsections (f) and (g), respectively; and

(3) by inserting after subsection (d) a new subsection (e) consisting of the text of subsection (a) of section 407 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), revised—

(A) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “in written form not later than the 10th day of” after “shall be provided”;

(ii) in subparagraph (A)(iv), by inserting “(including facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.))” after “covered by the resolution”; and

(iii) in subparagraph (B), by adding at the end the following new clause:

“(iv) A description of any other United States assistance to or support for the operation (including facilities, training, transportation, communication, and logistical support, but not including intelligence activities reportable under title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.)), and an estimate of the cost to the United States of such assistance or support.”;

(B) by striking paragraph (3);

(C) by redesignating paragraph (4) as paragraph (3) and in the last sentence of subparagraph (A) of that paragraph by striking “and (ii)” and inserting “through (iv)”;

(D) by inserting after paragraph (3) (as so redesignated) the following new paragraph:

“(4) **NEW UNITED NATIONS PEACEKEEPING OPERATION DEFINED.**—As used in paragraphs (2)(B) and (3), the term ‘new United Nations peacekeeping operation’ includes any existing or otherwise ongoing United Nations peacekeeping operation—

“(A) that is to be expanded by more than 25 percent during the period covered by the Security Council resolution, as measured by either the number of personnel participating (or authorized to participate) in the operation or the budget of the operation; or

“(B) that is to be authorized to operate in a country in which it was not previously authorized to operate.”; and

(E) in paragraph (5)—

(i) by striking “(5) NOTIFICATION” and all that follows through “(B) The President” and inserting “(5) QUARTERLY REPORTS.—The President”; and

(ii) by striking “section 4(d)” and all that follows through “of this section)” and inserting “subsection (d)”.

(b) **CONFORMING REPEAL.**—Subsection (a) of section 407 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236), is repealed.

(c) **DESIGNATED CONGRESSIONAL COMMITTEES.**—Subsection (g) of section 4 of the United Nations Participation Act of 1945 (22 U.S.C. 287b(g)), as redesignated by subsection (a), is amended to read as follows:

“(g) **DESIGNATED CONGRESSIONAL COMMITTEES.**—As used in this section, the term ‘designated congressional committees’ has the meaning given such term in section 11(d).”.

**SEC. 214. LIMITATION ON ASSESSMENT PERCENTAGE FOR PEACEKEEPING ACTIVITIES.**

(a) **AMENDMENT TO THE UNPA.**—The United Nations Participation Act of 1945 (22 U.S.C. 287 et seq.), as amended by this Act, is further amended by adding at the end the following new section:

**“SEC. 11. CONTRIBUTIONS FOR PEACEKEEPING ACTIVITIES.**

“(a) **REASSESSMENT OF CONTRIBUTION PERCENTAGES.**—The Permanent Representative of the United States to the United Nations should make every effort to ensure that the United Nations completes an overall review and reassessment of each nation’s assessed contributions for United Nations peacekeeping operations. As part of the overall review and assessment, the Permanent Representative should make every effort to advance the concept that, when appropriate, host governments and other governments in the region where a United Nations peacekeeping operation is carried out should bear a greater burden of its financial cost.

“(b) **LIMITATION ON ASSESSED CONTRIBUTION WITH RESPECT TO A PEACEKEEPING OPERATION.**—(1) Funds authorized to be appropriated for ‘Contributions for International Peacekeeping Activities’ for any fiscal year shall not be available for the payment of the United States assessed contribution for a United Nations peacekeeping operation in an amount which is greater than 25 percent of the total amount of all assessed contributions for that operation, and any arrearages that accumulate as a result of assessments in excess of 25 percent of the total amount of all assessed contributions for any United Nations peacekeeping operation shall not be recognized or paid by the United States.

“(2) Any penalties, interest, or other charges imposed on the United States in connection with such contributions shall be credited as a part of the percentage limitation contained in the preceding sentence.”.

(b) **EFFECTIVE DATE.**—The limitation contained in section 11(b) of the United Nations Participation Act of 1945, as added by subsection (a), shall apply only with respect to funds authorized to be appropriated for “Contributions for International Peacekeeping Activities” for fiscal years after fiscal year 1995.

(c) **CONFORMING REPEAL.**—Section 404 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, is repealed.

**SEC. 215. BUY AMERICA REQUIREMENT.**

Section 11 of the United Nations Participation Act of 1945 is amended by adding after subsection (b), as added by this Act, the following new subsections:

“(c) **BUY AMERICA REQUIREMENT.**—No funds may be obligated or expended to pay any United States assessed or voluntary contribution for United Nations peacekeeping activities unless the Secretary of State determines and certifies to the designated congressional committees that United States manufacturers and suppliers are being given opportunities to provide equipment, services, and material for such activities equal to those being given to foreign manufacturers and suppliers.

“(d) **DESIGNATED CONGRESSIONAL COMMITTEES DEFINED.**—As used in this section, the term ‘designated congressional committees’ means—

“(1) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

“(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.”.

**SEC. 216. RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS.**

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

**“SEC. 12. RESTRICTIONS ON INTELLIGENCE SHARING WITH THE UNITED NATIONS.**

“(a) **PROVISION OF INTELLIGENCE INFORMATION TO THE UNITED NATIONS.**—(1) No United States intelligence information may be provided to the United Nations or any organization affiliated with the United Nations, or to any officials or employees thereof, unless the President certifies to the appropriate committees of Congress that the Director of Central Intelligence (in this section referred to as the ‘DCI’), in consultation with the Secretary of State and the Secretary of Defense, has established and implemented procedures, and has worked with the United Nations to ensure implementation of procedures, for protecting from unauthorized disclosure United States intelligence sources and methods connected to such information.

“(2) Paragraph (1) may be waived upon written certification by the President to the appropriate committees of Congress that providing such information to the United Nations or an organization affiliated with the United Nations, or to any officials or employees thereof, is in the national security interests of the United States.

“(b) **PERIODIC AND SPECIAL REPORTS.**—(1) The President shall report semiannually to the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on International Relations of the House of Representatives on the types and volume of intelligence provided to the United Nations and the purposes for which it was provided during the period covered by the report. The President shall also report to the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on International Relations of the House of Representatives within 15 days after it has become known to the United States Government that there has been an unauthorized disclosure of intelligence provided by the United States to the United Nations.

“(2) The requirement for periodic reports under the first sentence of paragraph (1) shall not apply to the provision of intelligence that is provided only to, and for the use of, appropriately cleared United States Government personnel serving with the United Nations.

“(c) **DELEGATION OF DUTIES.**—The President may not delegate or assign the duties of the President under this section.

“(d) **RELATIONSHIP TO EXISTING LAW.**—Nothing in this section shall be construed to—

“(1) impair or otherwise affect the authority of the Director of Central Intelligence to protect intelligence sources and methods from unauthorized disclosure pursuant to section 103(c)(5) of the National Security Act of 1947 (50 U.S.C. 403-3(c)(5)); or

“(2) supersede or otherwise affect the provisions of title V of the National Security Act of 1947 (50 U.S.C. 413 et seq.).

“(e) **DEFINITION.**—As used in this section, the term ‘appropriate committees of Congress’ means the Select Committee on Intelligence and the Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on International Relations of the House of Representatives.”.

**SEC. 217. UNPROFOR FUNDING RESTRICTIONS.**

None of the funds authorized to be appropriated by this Act may be made available for contributions to the United Nations Protection Force (UNPROFOR) unless the President certifies and reports to the Congress during the calendar years in which the funds are to be provided that—



(1) the Government of the Republic of Bosnia and Herzegovina supports the continued presence of UNPROFOR within its territory;

(2) UNPROFOR is effectively implementing its mandate under United Nations Security Council resolutions 761, 776, 786, 836, and 958, and is effectively encouraging compliance with United Nations Security Council resolutions 752, 757, 770, 771, 787, 820, 824, and 942;

(3) UNPROFOR is providing full cooperation and support to the efforts of the United Nations War Crimes Tribunal for the former Yugoslavia to investigate war crimes and to apprehend and prosecute suspected war criminals;

(4) UNPROFOR is providing full cooperation and support to United States diplomatic, military, and relief personnel in Bosnia, to include transportation and accurate information; and

(5) UNPROFOR has investigated and taken appropriate action against any UNPROFOR civilian or military personnel suspected of participating in illegal or improper activities, such as black marketeering, embezzlement, expropriation of property, and assaults on civilians.

#### SEC. 218. ESCALATING COSTS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.

(a) FINDINGS.—The Congress finds that—

(1) in fiscal year 1989 the United States provided \$29,000,000 to the United Nations for assessed United States contributions for international peacekeeping activities, compared to \$485,000,000 paid for combined assessed contributions for all other international organizations, including the United Nations, all United Nations specialized agencies and the Organization for American States and all other pan American international organizations;

(2) in fiscal year 1994 United States assessed contributions to the United Nations for international peacekeeping activities had grown to \$1,072,000,000, compared to \$860,000,000 for combined assessed contributions for all other international organizations;

(3) for fiscal year 1995 the President requested a \$672,000,000 United Nations peacekeeping supplemental appropriation which, if approved, would have been a direct increase in the Federal budget deficit and would have brought fiscal year 1995 total appropriations for assessed contributions for United Nations peacekeeping activities to \$1,025,000,000;

(4) for fiscal year 1995 the President also requested supplemental appropriations of \$1,900,000,000 to cover the Department of Defense's unbudgeted costs for humanitarian and peacekeeping missions in Haiti, Kuwait and Bosnia, which are in addition to regular United States assessed contributions to the United Nations for peacekeeping activities; and

(5) for fiscal year 1996 the President requested \$445,000,000 for assessed contributions to the United Nations for international peacekeeping activities, a funding level most observers believe to be a significant understatement of actual peacekeeping obligations the Administration has committed the United States to support and which, if accurate, would lead to the third year in a row in which the Administration requests supplemental appropriations for assessed contributions to international peacekeeping in excess of \$600,000,000 outside of the regular budget process.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the Executive Branch should cease obligating the United States to pay for international peacekeeping operations in excess of funds specifically authorized and appropriated for this purpose.

#### SEC. 219. DEFINITION.

The United Nations Participation Act of 1945, as amended by this Act, is further amended by adding at the end the following new section:

#### “SEC. 13. DEFINITION.

“For purposes of this Act, the term ‘United Nations peacekeeping activities’ means any peacekeeping, peacemaking, peace-enforcing, or

similar activity that is authorized by the United Nations Security Council under chapter VI or VII of the Charter of the United Nations, the costs of which will be assessed by the United Nations to its member countries.”.

### TITLE III—OTHER INTERNATIONAL ORGANIZATIONS

#### CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS

#### SEC. 301. INTERNATIONAL CONFERENCES AND CONTINGENCIES.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for “International Conferences and Contingencies”, \$7,000,000 for the fiscal year 1996, \$5,000,000 for the fiscal year 1997, \$4,000,000 for the fiscal year 1998, and \$4,000,000 for the fiscal year 1999 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international conferences and contingencies and to carry out other authorities in law consistent with such purposes.

(b) CONDITIONAL AUTHORITY.—

(1) Subject to subparagraph (B), in addition to such amounts as are authorized to be appropriated under subsection (a), there is authorized to be appropriated for “International Conferences and Contingencies”, \$1,000,000 for the fiscal year 1996 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international conferences and contingencies and to carry out other authorities in law consistent with such purposes.

(2) The authorization of appropriations under paragraph (1) shall take effect only after the Secretary of State certifies to the appropriate congressional committees, with respect to any United Nations Fourth World Conference on Women that is held in Beijing, that—

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

(B)(i) that the United States vigorously urged the United Nations to grant accreditation to a wide range of nongovernmental organizations, including United States-based groups representing Taiwanese and Tibetan women, in accordance with relevant international standards and precedents;

(ii) that the United States pressed the Government of China to issue visas equitably to representatives of accredited nongovernmental organizations;

(iii) that the United States encouraged the Government of China and the United Nations to provide the accredited nongovernmental organizations with access to the main conference site that is substantially equivalent in manner and degree to access afforded at previous major United Nations conferences;

(iv) that the United States delegation to the Fourth World Conference on Women vigorously and publicly supported access by representatives of accredited nongovernmental organizations to the conference, especially with respect to United States nongovernmental organizations;

(v) that the United States delegation to the Fourth World Conference on Women vigorously promoted universal respect for internationally recognized human rights, including the rights of women; and

(vi) that, if the goals of clauses (i), (ii), and (iii) were not fully accomplished, the United States issued a formal, public protest to the United Nations for such a departure from accepted international standards.

#### SEC. 302. INTERNATIONAL COMMISSIONS.

The following amounts are authorized to be appropriated under “International Commissions” for the Department of State to carry out the authorities, functions, duties, and respon-

sibilities in the conduct of the foreign affairs of the United States and for other purposes authorized by law:

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

(A) for “Salaries and Expenses”, \$12,500,000 for the fiscal year 1996, \$12,300,000 for the fiscal year 1997, \$12,100,000 for the fiscal year 1998, and \$12,000,000 for the fiscal year 1999; and

(B) for “Construction”, \$10,000,000 for the fiscal year 1996, \$10,000,000 for the fiscal year 1997, \$6,000,000 for the fiscal year 1998, and \$6,000,000 for the fiscal year 1999.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For “International Boundary Commission, United States and Canada”, \$740,000 for the fiscal year 1996, \$720,000 for the fiscal year 1997, \$700,000 for the fiscal year 1998, and \$700,000 for the fiscal year 1999.

(3) INTERNATIONAL JOINT COMMISSION.—For “International Joint Commission”, \$3,500,000 for the fiscal year 1996, \$3,500,000 for the fiscal year 1997, \$3,500,000 for the fiscal year 1998, and \$3,500,000 for the fiscal year 1999.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For “International Fisheries Commissions”, \$14,669,000 for the fiscal year 1996, \$14,400,000 for the fiscal year 1997, \$14,200,000 for the fiscal year 1998, and \$14,000,000 for the fiscal year 1999.

#### SEC. 303. INTERNATIONAL BOUNDARY AND WATER COMMISSION.

The Act of May 13, 1924 (49 Stat. 660; 22 U.S.C. 277-277f), is amended in section 3 (22 U.S.C. 277b) by adding the following new subsection at the end:

“(d) Pursuant to the authority of subsection (a) and in order to facilitate further compliance with the terms of the Convention for Equitable Distribution of the Waters of the Rio Grande, May 21, 1906, United States-Mexico, the Secretary of State, acting through the United States Commissioner of the International Boundary and Water Commission, may make improvements to the Rio Grande Canalization Project, originally authorized by the Act of August 29, 1935 (49 Stat. 961). Such improvements may include all such works as may be needed to stabilize the Rio Grande in the reach between the Percha Diversion Dam in New Mexico and the American Diversion Dam in El Paso.”.

#### SEC. 304. INTER-AMERICAN ORGANIZATIONS.

Taking into consideration the long-term commitment by the United States to the affairs of this Hemisphere and the need to build further upon the linkages between the United States and its neighbors, it is the sense of the Congress that the Secretary of State, in allocating the level of resources for international organizations, should pay particular attention to funding levels of the Inter-American organizations.

#### CHAPTER 2—GENERAL PROVISIONS

#### SEC. 311. INTERNATIONAL CRIMINAL COURT PARTICIPATION.

The United States may not participate in an international criminal court with jurisdiction over crimes of an international character except—

(1) pursuant to a treaty made in accordance with Article II, section 2, clause 2 of the Constitution; or

(2) as specifically authorized by enactment of legislation passed by Congress.

#### SEC. 312. PROHIBITION ON ASSISTANCE TO INTERNATIONAL ORGANIZATIONS ESPOUSING WORLD GOVERNMENT.

None of the funds made available by this Act shall be used—

(1) to pay the United States contribution to any international organization which engages in the direct or indirect promotion of the principle or doctrine of one world government or one world citizenship; or

(2) for the promotion, direct or indirect, of the principle or doctrine of one world government or one world citizenship.

**SEC. 313. TERMINATION OF UNITED STATES PARTICIPATION IN CERTAIN INTERNATIONAL ORGANIZATIONS.**

Notwithstanding any other provision of law, none of the funds authorized to be appropriated by this or any other Act may be used for payment of United States membership in any of the following organizations:

- (1) The United Nations Industrial Development Organization (UNIDO).
- (2) The Inter-American Indian Institute.
- (3) The Pan American Railway Congress Association.
- (4) The Interparliamentary Union.

**SEC. 314. INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS.**

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

(1) On April 2, 1992, the Senate approved a resolution advising and consenting to ratification of the International Covenant on Civil and Political Rights, subject to reservations, understandings, declarations, and a proviso intended, *inter alia*, to protect the First Amendment rights of American citizens and other United States constitutional rights and practices.

(2) In accordance with the action of the Senate, the President deposited the United States instrument of ratification of the International Covenant on Civil and Political Rights on June 8, 1992, and the Covenant entered into force for the United States on September 8, 1992.

(3) On November 2, 1994, the Human Rights Committee, established under the Covenant to interpret the Covenant and to receive complaints of noncompliance, adopted General Comment No. 24 regarding reservations to the Covenant.

(4) In General Comment No. 24, the Human Rights Committee claimed for itself the power to judge the validity under international law of reservations to the Covenant, and in the purported exercise of this power asserted that reservations of the type included in the Senate resolution of ratification are invalid, and further asserted that invalid reservations will be read out of instruments of ratification, "in the sense that the Covenant will be operative for the reserving party without benefit of the reservation".

(5) The purpose and effect of General Comment No. 24 is to seek to nullify as a matter of international law the reservations, understandings, declarations, and proviso contained in the Senate resolution of ratification, thereby purporting to impose legal obligations on the United States never accepted by the United States.

(6) General Comment No. 24 threatens not only the Supremacy Clause of the United States Constitution and the constitutional authority of the Senate with respect to the approval of treaties, but also the First Amendment rights of American citizens and the other United States constitutional rights and practices protected by the reservations, understandings, declarations, and proviso contained in the Senate resolution of ratification.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the Human Rights Committee established under the International Covenant on Civil and Political Rights should revoke its General Comment No. 24 adopted on November 2, 1994.

**SEC. 315. UNITED STATES PARTICIPATION IN SINGLE COMMODITY INTERNATIONAL ORGANIZATIONS.**

(a) REPORT ON PARTICIPATION IN SINGLE-COMMODITY ORGANIZATIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall transmit to the committees referred to in subsection (b) a report that—

- (1) identifies the national interests, if any, that are served by continuing United States participation in single-commodity international organizations;
- (2) assesses the feasibility and desirability of the privatization of United States representation in such organizations; and

(3) sets forth options for achieving the privatization of the organizations if the Secretary determines that the privatization is feasible and desirable.

(b) DEFINITION.—The committees referred to in subsection (a) are the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

**SEC. 316. PROHIBITION ON CONTRIBUTIONS TO THE INTERNATIONAL NATURAL RUBBER ORGANIZATION.**

None of the funds authorized to be appropriated by this or any other Act may be used to fund any United States contribution to the International Natural Rubber Organization.

**SEC. 317. PROHIBITION ON CONTRIBUTIONS TO THE INTERNATIONAL TROPICAL TIMBER ORGANIZATION.**

None of the funds authorized to be appropriated by this or any other Act may be used to fund any United States contribution to the International Tropical Timber Organization.

**SEC. 318. GENERAL ACCOUNTING OFFICE STUDY ON THE COST-EFFECTIVENESS AND EFFICIENCY OF INTERNATIONAL ORGANIZATIONS TO WHICH THE UNITED STATES MAKES CONTRIBUTIONS.**

(a) COST-EFFECTIVENESS STUDY OF INTERNATIONAL ORGANIZATIONS TO WHICH THE UNITED STATES MAKES CONTRIBUTIONS.—The Comptroller General of the United States shall conduct a study on the cost-effectiveness and efficiency of the 51 organizations to which the United States makes contributions through the Department of State. Such study shall include, but not be limited to—

(1) an evaluation of whether such organizations undertake unique activities that are central to the conduct of American foreign policy and which are incapable of being performed directly by an agency of the United States Government; and

(2) an evaluation of each organization's operational effectiveness, and the potential consequences of terminated United States funding.

(b) REPORT TO CONGRESS.—Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a report of the findings of such study to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

**SEC. 319. SENSE OF CONGRESS ON UNITED NATIONS FOURTH WORLD CONFERENCE ON WOMEN IN BEIJING, CHINA.**

It is the sense of the Congress that—

(1) the United Nations Fourth World Conference on Women in Beijing, China, should promote a representative American perspective on issues of equality, peace, and development; and

(2) in the event the United States sends a delegation to the Conference, the United States delegation should use the voice and vote of the United States—

(A) to ensure that the biological and social activity of motherhood is recognized as a valuable and worthwhile endeavor that should in no way, in its form or actions, be demeaned by society or by the state;

(B) to ensure that the traditional family is upheld as the fundamental unit of society upon which healthy cultures are built and, therefore, receives esteem and protection by society and the state; and

(C) to define or agree with any definitions that define gender as the biological classification of male and female, which are the two sexes of the human being.

**TITLE IV—UNITED STATES INFORMATIONAL, EDUCATIONAL, AND CULTURAL PROGRAMS**

**CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS**

**SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

The following amounts are authorized to be appropriated to carry out international information activities, and educational and cultural exchange programs under the United States Information and Educational Exchange Act of 1948, the Mutual Educational and Cultural Exchange Act of 1961, Reorganization Plan Number 2 of 1977, the Radio Broadcasting to Cuba Act, the Television Broadcasting to Cuba Act, the Board for International Broadcasting Act, the Inspector General Act of 1978, the National Endowment for Democracy Act, and to carry out other authorities in law consistent with such purposes:

(1) SALARIES AND EXPENSES.—For "Salaries and Expenses", \$429,000,000 for the fiscal year 1996, \$387,000,000 for the fiscal year 1997. No funds are authorized to be appropriated for fiscal years 1998 and 1999.

(2) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.—For the "Fulbright Academic Exchange Programs", \$109,500,000 for the fiscal year 1996, \$101,000,000 for the fiscal year 1997, \$93,000,000 for the fiscal year 1998, and \$93,000,000 for the fiscal year 1999.

(B) OTHER PROGRAMS.—For other educational and cultural exchange programs authorized by law, \$118,322,000 for the fiscal year 1996, \$107,300,000 for the fiscal year 1997, \$101,280,000 for the fiscal year 1998, and \$101,280,000 for the fiscal year 1999.

(3) INTERNATIONAL BROADCASTING ACTIVITIES.—For "International Broadcasting Activities" under title III, \$310,000,000 for the fiscal year 1996, \$300,000,000 for the fiscal year 1997, \$290,000,000 for the fiscal year 1998, and \$290,000,000 for the fiscal year 1999.

(4) RADIO FREE EUROPE/RADIO LIBERTY.—For the activities of RFE/RL, Incorporated, there are authorized to be appropriated \$75,000,000 for each of the fiscal years 1996, 1997, 1998, and 1999.

(5) RADIO CONSTRUCTION.—For "Radio Construction", \$83,000,000 for the fiscal year 1996, \$79,500,000 for the fiscal year 1997, \$69,000,000 for the fiscal year 1998, and \$65,000,000 for the fiscal year 1999.

(6) TECHNOLOGY INVESTMENT FUND.—For the "Technology Investment Fund", \$10,100,000 for the fiscal year 1996, \$9,500,000 for the fiscal year 1997.

(7) OFFICE OF THE INSPECTOR GENERAL.—For "Office of the Inspector General", \$4,100,000 for the fiscal year 1996, \$3,900,000 for the fiscal year 1997.

(8) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—For "Center for Cultural and Technical Interchange between East and West", \$20,000,000 for the fiscal year 1996, \$8,000,000 for the fiscal year 1997, \$5,000,000 for the fiscal year 1998, and \$5,000,000 for the fiscal year 1999.

**SEC. 402. NATIONAL ENDOWMENT FOR DEMOCRACY.**

There are authorized to be appropriated to the Director of the United States Information Agency \$32,000,000 for the fiscal year 1996 and \$29,000,000 for the fiscal year 1997, \$25,000,000 for the fiscal year 1998, and \$21,000,000 for the fiscal year 1999 to carry out the National Endowment for Democracy Act (title V of Public Law 98-164), of which amount in each fiscal year not more than 55 percent shall be available only for the following organizations, in equal allotments:

- (1) The International Republican Institute (IRI).
- (2) The National Democratic Institute (NDI).
- (3) The Free Trade Union Institute (FTUI).

(4) The Center for International Private Enterprise (CIPE).

**CHAPTER 2—USIA AND RELATED AGENCIES AUTHORITIES AND ACTIVITIES**  
**SEC. 411. PARTICIPATION IN INTERNATIONAL FAIRS AND EXPOSITIONS.**

None of the funds made available by this Act may be used by any department, agency, or other entity of the United States to participate in an international fair, pavilion, or other major exhibit at any international exposition or world's fair in excess of amounts expressly authorized to be appropriated for such purpose.

**SEC. 412. EXTENSION OF AU PAIR PROGRAMS.**

(a) **REPEAL.**—Section 8 of the Eisenhower Exchange Fellowship Act of 1990 (Public Law 101-454) is repealed.

(b) **AUTHORITY FOR AU PAIR PROGRAMS.**—The Director of the United States Information Agency is authorized to continue to administer an au pair program, operating on a world-wide basis, through fiscal year 1999.

(c) **REPORT.**—Not later than October 1, 1998, the Director of the United States Information Agency shall submit a report regarding the continued extension of au pair programs to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives. This report shall specifically detail the compliance of all au pair organizations with regulations governing au pair programs as published on February 15, 1995.

**SEC. 413. PILOT PROGRAM ON ADVERTISING ON USIA TELEVISION AND RADIO BROADCASTS.**

(a) **IN GENERAL.**—(1) The Director of the United States Information Agency shall carry out a pilot program to determine the feasibility and advisability of permitting advertisements on the television broadcasts and radio broadcasts of the agency, including broadcasts of the Voice of America, Radio Marti/TV Marti, Worldnet, Radio Free Europe/Radio Liberty, and Radio Free Asia.

(2) The Director shall commence carrying out the pilot program not later than 90 days after the date of the transmittal to Congress of the plan required under subsection (b).

(3) The Director shall carry out the pilot program for 6 months.

(b) **PROGRAM PLAN.**—(1) Not later than 120 days after the date of the enactment of this Act, the Director shall prepare and transmit to Congress a plan for carrying out the pilot program required under subsection (a).

(2) In preparing the plan, the Director shall solicit and take into account the comments of other broadcasting entities funded by the United States Government on the experiences of and advantages and disadvantages to public television and radio broadcast stations of permitting advertisements on the broadcasts of such stations.

(c) **TREATMENT OF REVENUES.**—Notwithstanding any other provision of law, the Director may use any revenues received by the agency under the pilot program to pay for the cost of the radio and television broadcasting activities of the agency. Such funds shall be available for that purpose without fiscal year limitation.

(d) **PROGRAM REPORT.**—Not later than 60 days after the date of the completion of the pilot program, the Director shall transmit to Congress a report on the pilot program. The report shall include the following:

(1) A description of the pilot program, including the number and type of advertisements aired under the pilot program and the revenues received as a result of the advertisements.

(2) An estimate of the number and type of advertisements that would be carried on the television broadcasts and radio broadcasts of the agency on an annual basis after the completion of the pilot program if the agency were authorized to continue to carry such advertisements, and the revenues that the agency would receive as a result of carrying such advertisements.

(3) An assessment of the feasibility and advisability of permitting advertisements on the television broadcasts and radio broadcasts of the agency, including a discussion of the advisability of permitting such advertisements by—

- (A) United States entities;
- (B) foreign governments;
- (C) foreign individuals or entities; and
- (D) a combination of such entities, governments, and individuals.

(e) **REGULATIONS.**—The Director may prescribe regulations to carry out the pilot program.

**SEC. 414. AVAILABILITY OF VOICE OF AMERICA AND RADIO MARTI MULTILINGUAL COMPUTER READABLE TEXT AND VOICE RECORDINGS.**

(a) **AUTHORITY.**—Notwithstanding section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461-1a) and the second sentence of section 501 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1461), the Director of the United States Information Agency is authorized to make available, upon request, to the Linguistic Data Consortium of the University of Pennsylvania computer readable multilingual text and recorded speech in various languages.

(b) **REIMBURSEMENT.**—The Linguistic Data Consortium shall, directly or indirectly as appropriate, reimburse the United States Information Agency for any expenses involved in making such materials available.

(c) **TERMINATION DATE.**—The authority of this section shall terminate 5 years after the date of enactment of this Act.

**SEC. 415. PLAN FOR RADIO FREE ASIA.**

(a) **PLAN REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Director of the United States Information Agency shall submit to the Congress a detailed plan for the establishment and operation of Radio Free Asia.

(b) **CONTENTS OF PLAN.**—The plan required by subsection (a) shall meet the requirements of subparagraphs (A) through (C) of section 309(c)(1) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6208(c)(1)), except that the plan shall describe the manner in which Radio Free Asia would meet the funding limitations provided in this Act.

(c) **STATUTORY CONSTRUCTION.**—Nothing in this section may be construed to make inapplicable any of the requirements contained in section 309 of such Act.

**SEC. 416. EXPANSION OF MUSKIE FELLOWSHIP PROGRAM.**

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

(1) in subsection (a), by striking "Soviet Union, Lithuania, Latvia, and Estonia" and inserting "former Soviet Union, Lithuania, Latvia, Estonia, Albania, Bulgaria, Croatia, Czech Republic, Hungary, Poland, Romania, Slovenia, and the Former Yugoslav Republic of Macedonia";

(2) in subsection (c)(5), by striking out after "potential" all that follows and inserting in lieu thereof the following: "in the fields of business administration, economics, journalism, law, library and information science, public administration, and public policy.";

(3) in subsection (b) of the section, by striking out "Soviet Union, Lithuania, Latvia, and Estonia" and inserting in lieu thereof "countries specified in subsection (a)";

(4) in subsection (c)(11), by striking "Soviet republics, Lithuania, Latvia, and Estonia" and inserting "countries specified in subsection (a)"; and

(5) in the section heading, by striking "THE SOVIET UNION, LITHUANIA, LATVIA, AND ESTONIA" and inserting "CERTAIN EUROPEAN COUNTRIES".

**SEC. 417. CHANGES IN ADMINISTRATIVE AUTHORITIES.**

(a) **CONTRACT AUTHORITY FOR VOICE OF AMERICA RADIO FACILITY.**—Section 235 of the

Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101-246) is amended by inserting "Tinian," after "Sao Tome,".

(b) **AVAILABILITY OF APPROPRIATIONS.**—Section 701(f)(4) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1476(f)) is amended by striking "September 30, 1995" and inserting "March 1, 1997".

(c) **TECHNICAL CORRECTION.**—Section 314(2)(B) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6213(2)(B)) is amended by striking "section 307(e)" and inserting "section 308(d)".

(d) **RADIO BROADCASTING TO CUBA.**—Section 4 of the Radio Broadcasting to Cuba Act (22 U.S.C. 1465b) is amended by striking "Director of the Voice of America" and inserting "Director of the International Broadcasting Bureau".

(e) **TELEVISION BROADCASTING TO CUBA.**—Section 244(a) of the Television Broadcasting to Cuba Act (22 U.S.C. 1465cc(a)) is amended by striking in the third sentence thereof "Voice of America" and inserting "International Broadcasting Bureau".

(f) **INTERNATIONAL BROADCASTING BUREAU.**—Section 307 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) is amended by adding at the end the following new subsection:

"(g) **CONSOLIDATION OF ENGINEERING FUNCTION.**—For the purpose of achieving economies and eliminating duplication, the Director of the United States Information Agency is authorized to appoint, during 1995, up to 15 otherwise qualified United States citizens employed in the Office of the Vice President for Engineering and Technical Operations of RFE/RL, Incorporated, to the competitive service or the career Foreign Service of the United States Information Agency in accordance with the provisions of title 5 of the United States Code, and without regard to sections 301(b) and 306 of the Foreign Service Act of 1980, governing appointments in the Foreign Service. Prior service with RFE/RL, Incorporated, by an individual appointed under this subsection shall be credited in determining the length of service of the individual for reduction in force purposes and toward establishing the career tenure of the individual.".

(h) **USE OF FEES FROM EDUCATIONAL ADVISING.**—Section 810 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1475e) is amended by inserting "educational advising," after "library services,".

**SEC. 418. GENERAL ACCOUNTING OFFICE STUDY OF DUPLICATION AMONG CERTAIN INTERNATIONAL AFFAIRS GRANTEES.**

(a) **STUDY OF CERTAIN GRANTEES FOR DUPLICATION OF FUNCTIONS.**—The Comptroller General of the United States shall conduct a study on the purposes and activities of the North/South Center, East-West Center, Asia Foundation, and the National Endowment for Democracy and on the extent to which the activities of these organizations duplicate activities that are conducted elsewhere in the United States Government. Such study shall include, but not be limited to, an evaluation of whether such organizations undertake unique activities that are central to the conduct of American foreign policy and that are incapable of being performed directly by an agency of the United States Government.

(b) **REPORT TO CONGRESS.**—Not later than one year after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a report of the findings of such study to the Committee on Foreign Relations of the Senate and Committee on International Relations of the House of Representatives.

**SEC. 419. GENERAL ACCOUNTING OFFICE STUDY OF ACTIVITIES OF THE NORTH/SOUTH CENTER IN SUPPORT OF THE NORTH AMERICAN FREE TRADE AGREEMENT.**

(a) **STUDY OF CERTAIN ACTIVITIES OF THE NORTH/SOUTH CENTER DURING CONSIDERATION OF THE NORTH AFRICAN FREE TRADE AGREEMENT.**—The Comptroller General of the United States shall conduct a study on the activities of the North/South Center located in Miami, Florida that had the affect of encouraging Congress to approve implementing legislation for the North American Free Trade Agreement. This study shall include, but shall not be limited to, consideration of whether any United States Government funds were used for books (including Assessments of the North American Free Trade Agreement published in 1993), publications, or other activities which had the affect of advocating congressional approval of the North American Free Trade Agreement, and whether such materials or activities violated any laws, regulations, or guidelines on the use of Federal funds for lobbying activities.

(b) **REPORT TO CONGRESS.**—Not later than six months after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a report of the findings of such study to the Committee on Foreign Relations of the Senate and Committee on International Relations of the House of Representatives.

**SEC. 420. MANSFIELD FELLOWSHIP PROGRAM REQUIREMENTS.**

Section 253(4)(B) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6102(4)(B)) is amended by striking "certain" and inserting the following: "under criteria established by the Mansfield Center for Pacific Affairs, certain allowances and benefits not to exceed the amount of equivalent".

**SEC. 421. DISTRIBUTION WITHIN THE UNITED STATES OF THE UNITED STATES INFORMATION AGENCY FILM ENTITLED "THE FRAGILE RING OF LIFE".**

Notwithstanding section 208 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 1461-1(a)) and the second sentence of section 501 of the United States Information and Education Act of 1948 (22 U.S.C. 1461), the Director of the United States Information Agency may make available for distribution within the United States the documentary entitled "The Fragile Ring of Life", a film about coral reefs around the world.

**TITLE V—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY AND THE AGENCY FOR INTERNATIONAL DEVELOPMENT**

**SEC. 501. AUTHORIZATION OF APPROPRIATIONS.**

(a) **FISCAL YEAR 1996.**—There are authorized to be appropriated to carry out the Arms Control and Disarmament Act (22 U.S.C. 2551 et seq.) \$22,700,000 for the fiscal year 1996.

(b) **FUTURE FISCAL YEARS.**—No funds may be obligated or expended by the United States Arms Control and Disarmament Agency after March 1, 1997.

**SEC. 502. STATUTORY CONSTRUCTION.**

Section 33 of the Arms Control and Disarmament Act (22 U.S.C. 2573) is amended by adding at the end the following new subsection:

"(c) **STATUTORY CONSTRUCTION.**—Nothing contained in this chapter shall be construed to authorize any policy or action by any Government agency which would interfere with, restrict, or prohibit the acquisition, possession, or use of firearms by an individual for the lawful purpose of personal defense, sport, recreation, education, or training."

**SEC. 503. OPERATING EXPENSES.**

Section 667(a)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2427(a)(1)) is amended to read as follows:

"(1) \$432,000,000 for fiscal year 1996 and \$389,000,000 for 1997 for necessary operating ex-

penses of the agency primarily responsible for administering part I of this Act (other than the office of the inspector general of such agency); and".

**SEC. 504. OPERATING EXPENSES OF THE OFFICE OF THE INSPECTOR GENERAL.**

Section 667(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2427(a)), as amended by section 503, is further amended—

(1) by redesignating paragraph (2) as paragraph (3);

(2) by striking "and" at the end of paragraph (1) (as amended by section 503); and

(3) by inserting after paragraph (1) the following:

"(2) \$35,000,000 for fiscal year 1996 and \$31,500,000 for fiscal year 1997 for necessary operating expenses of the office of the inspector general of such agency; and".

**TITLE VI—FOREIGN POLICY**

**SEC. 601. REPEAL OF PROVISIONS RELATING TO INTERPARLIAMENTARY GROUPS.**

The following provisions of law are hereby repealed:

(1) Section 109(b) of the Department of State Authorization Act, fiscal years 1984 and 1985 (Public Law 98-164) (relating to the British-American Parliamentary Group).

(2) Section 109(c) of the Department of State Authorization Act, fiscal years 1984 and 1985 (Public Law 98-164) (relating to the United States-European Community Interparliamentary Group).

(3) Section 105 of the Legislative Branch Appropriation Act of 1961 (22 U.S.C. 276c-1; relating to reporting requirements for Interparliamentary Groups).

(4) The Act entitled "An Act to authorize participation by the United States in the Interparliamentary Union", approved June 28, 1935 (22 U.S.C. 276-276a-4).

(5) The proviso under "Missions to International Organizations" in the Departments of State and Justice, the Judiciary, and Related Agencies Appropriations Act of 1959, approved June 30, 1958 (Public Law 85-474, as amended).

(6) Section 7(a) of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415).

(7) Section 168 (relating to the British-American Interparliamentary Group) and section 169 (relating to the Parliamentary Assembly of the Organization on Security and Cooperation in Europe) of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 276l, 276lm).

**SEC. 602. REPEAL OF EXECUTIVE BRANCH MEMBERSHIP ON THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE.**

Section 3 of the Act entitled "An Act to establish a Commission on Security and Cooperation in Europe", approved June 3, 1976 (22 U.S.C. 3003 et seq.) is amended—

(1) by striking "twenty-one members" and inserting "18 members"; and

(2) by striking paragraphs (3), (4), and (5).

**SEC. 603. AUTHORIZED PAYMENTS.**

(a) **PAYMENT OF LETTERS OF CREDIT.**—(1) In addition to licenses required to be issued under section 575.510 of title 31, Code of Federal Regulations, the Secretary of the Treasury shall direct that licenses be issued to permit payments, as certified under subsection (b), from blocked Iraqi accounts involving an irrevocable letter of credit issued or confirmed by a foreign bank for the benefit of a United States person of amounts owed to such person with respect to goods or services lawfully exported to Iraq before August 2, 1990, whether or not such letter was confirmed by a United States bank.

(2) Licenses shall be issued under paragraph (1) not later than 120 days after the date on which the Foreign Claims Settlement Commission certifies an award pursuant to subsection (b).

(3) Payments made in compliance with this subsection or any regulation, order, instruction,

or issued under this section, shall, to the extent of such payment, fully acquit and discharge for all purposes the obligation of the person making the payment. No person may be held liable for or with respect to anything done or omitted in good faith pursuant to and in reliance on this section or any such regulation, order, instruction, or direction.

(b) **DETERMINATION OF CLAIMS.**—(1) The Foreign Claims Settlement Commission of the United States is authorized to receive and determine the validity of any claims of United States persons against the Government of Iraq (including its agencies, instrumentalities, and controlled entities).

(2) The Foreign Claims Settlement Commission shall certify awards under this subsection to the Secretary of the Treasury not later than 270 days after the date of enactment of this Act.

(c) **VESTING AUTHORITY.**—The President is authorized to vest and liquidate as much of the assets of the Government of Iraq in the United States that have been blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) as may be necessary to satisfy claims under subsections (a) and (b).

(d) **DEFINITIONS.**—For purposes of this section:

(1) **BLOCKED IRAQI ACCOUNTS.**—The term "blocked Iraqi accounts" means funds on deposit in United States financial institutions in which the Government of Iraq has an interest and which were blocked under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) on or after August 2, 1990.

(2) **UNITED STATES PERSON.**—The term "United States person" means a person subject to the jurisdiction of the United States, including—

(A) any person, wherever located, who is a citizen or resident of the United States,

(B) any person actually within the United States,

(C) any corporation organized under the laws of the United States or of any State, territory, possession, or district of the United States, and

(D) any partnership, association, corporation, or other organization wherever organized or doing business which is owned or controlled by persons described in subparagraph (A), (B), or (C),

and does not include the United States Government or any officer or employee thereof acting in an official capacity.

**SEC. 604. REPORTS REGARDING HONG KONG.**

(a) **EXTENSION OF REPORTING REQUIREMENT.**—Section 301 of the United States-Hong Kong Policy Act of 1992 (22 U.S.C. 5731) is amended in the text above paragraph (1)—

(1) by inserting "March 31, 1996," after "March 31, 1995,"; and

(2) by striking "and March 31, 2000," and inserting "March 31, 2000, and every year thereafter,".

(b) **ADDITIONAL REQUIREMENTS.**—In light of deficiencies in reports submitted to the Congress pursuant to section 301 of the United States-Hong Kong Policy Act (22 U.S.C. 5731), the Congress directs that reports required to be submitted under that section on or after the date of enactment of this Act include detailed information on the status of, and other developments affecting, implementation of the Sino-British Joint Declaration on the Question of Hong Kong, including—

(1) the Basic Law and its consistency with the Joint Declaration;

(2) the openness and fairness of elections to the legislature;

(3) the openness and fairness of the election of the chief executive and the executive's accountability to the legislature;

(4) the treatment of political parties;

(5) the independence of the judiciary and its ability to exercise the power of final judgment over Hong Kong law; and

(6) the Bill of Rights.

**SEC. 605. APPLICABILITY OF TAIWAN RELATIONS ACT.**

Section 3 of the Taiwan Relations Act (22 U.S.C. 3302) is amended by adding at the end the following new subsection:

"(d) The provisions of subsections (a) and (b) supersede any provision of the Joint Communiqué of the United States and China of August 17, 1982."

**SEC. 606. TAIPEI REPRESENTATIVE OFFICE.**

For purposes of carrying out its activities in the United States, the instrumentality known as the Taipei Economic and Cultural Representative Office as of the date of enactment of this Act shall, on and after such date, be known as the "Taipei Representative Office".

**SEC. 607. REPORT ON OCCUPIED TIBET.**

(a) FINDINGS AND DECLARATIONS OF CONGRESS.—The Congress makes the following findings and declarations:

(1) Historically, Tibet has demonstrated those attributes which under international law constitute statehood. It has had a defined territory and a permanent population, been under the control of its own government, and has engaged in, or had the capacity to engage in, formal relations with other states.

(2) Between 1951 and 1959, Tibet was forcibly and coercively incorporated into the People's Republic of China as an "autonomous region".

(3) Because Tibet's incorporation into the People's Republic of China was involuntary, under international law it is an occupied sovereign country and its true representatives continue to be the Dalai Lama and the Tibetan Government in exile.

(4) Because the Tibetan people are historically, territorially, and culturally distinct from the Han Chinese population in the People's Republic of China, and because of the involuntary loss of their sovereignty, they are entitled to the right of self-determination.

(5) Credible evidence exists which demonstrates that the Government of the People's Republic of China has consistently denied the Tibetan people that right, and instead have subjected them to a serious pattern of human rights abuses. For example, in 1960 the International Commission of Jurists found that the Chinese authorities in Tibet had violated sixteen articles of the United Nations Human Rights Declaration.

(6) The United States should seek to establish a dialogue with those recognized by Congress as the true representatives of the Tibetan people, the Dalai Lama, his representatives, and the Tibetan Government in exile, concerning the situation in Tibet and the future of the Tibetan people and to expand and strengthen United States-Tibet cultural and educational relations, including promoting bilateral exchanges arranged directly with the Tibetan Government in exile.

(b) REPORT ON UNITED STATES-TIBET RELATIONS.—Not later than 6 months after the date of enactment of this Act, and every 12 months thereafter, the Secretary of State shall transmit to the Chairman of the Committee on Foreign Relations and the Speaker of the House of Representatives a report on the state of relations between the United States and those recognized by Congress as the true representatives of the Tibetan people, the Dalai Lama, his representatives, and the Tibetan Government in exile, and on conditions in Tibet.

(c) SEPARATE TIBET REPORTS.—

(1) It is the sense of the Congress that whenever an executive branch report is transmitted to the Congress on a country-by-country basis there should be included in such report, where applicable, a separate report on Tibet listed alphabetically with its own state heading.

(2) The reports referred to in paragraph (1) include, but are not limited to, reports transmitted under sections 116(d) and 502B(b) of the Foreign Assistance Act of 1961 (relating to human rights).

**SEC. 608. SPECIAL ENVOY FOR TIBET ACT OF 1995.**

(a) SHORT TITLE.—This section may be cited as the "Special Envoy for Tibet Act of 1995".

(b) FINDINGS.—The Congress finds that—

(1) the Government of the People's Republic of China withholds meaningful participation in the governance of Tibet from Tibetans and has failed to abide by its own constitutional guarantee of autonomy for Tibetans;

(2) the Government of the People's Republic of China is responsible for the destruction of much of Tibet's cultural and religious heritage since 1959 and continues to threaten the survival of Tibetan culture and religion;

(3) the Government of the People's Republic of China, through direct and indirect incentives—

(A) has established discriminatory development and other programs which have resulted in an overwhelming flow of Chinese immigrants into Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu, and Qinghai; and

(B) has excluded Tibetans from participation in important policy decisions, further threatening traditional Tibetan life;

(4) the Government of the People's Republic of China denies Tibetans their fundamental human rights, as reported in the Department of State's Country Reports on Human Rights Practices for 1993;

(5) the President and the Congress have determined that the promotion of human rights in Tibet and the protection of Tibet's religion and culture are important elements in United States-China relations and have urged senior members of the Government of the People's Republic of China to enter into substantive negotiations on these matters with the Dalai Lama or his representative; and

(6) the Government of the People's Republic of China has failed to respond in a good faith manner by reciprocating a willingness to begin negotiations without preconditions, and no substantive negotiations have begun.

(c) POSITION OF UNITED STATES SPECIAL ENVOY FOR TIBET.—

(1) ESTABLISHMENT OF POSITION.—There shall be within the Department of State a United States Special Envoy for Tibet, who shall be appointed by the President, by and with the advice and consent of the Senate. The United States Special Envoy for Tibet shall hold office at the pleasure of the President.

(2) RANK OF AMBASSADOR.—The United States Special Envoy for Tibet shall have the personal rank of ambassador.

(d) RESPONSIBILITIES.—

(1) AUTHORITIES.—The United States Special Envoy for Tibet is authorized and encouraged—

(A) to promote substantive negotiations between the Dalai Lama or his representatives and senior members of the Government of the People's Republic of China;

(B) to promote good relations between the Dalai Lama and his representatives and the United States Government, including meeting with members or representatives of the Tibetan Government in exile; and

(C) to travel regularly throughout Tibet and Tibetan refugee settlements.

(2) DUTIES.—The United States Special Envoy for Tibet shall—

(A) consult with the Congress on policies relevant to Tibet and the future and welfare of all Tibetan people;

(B) coordinate United States Government policies, programs, and projects concerning Tibet; and

(C) report to the Secretary of State regarding the matters described in section 536(a)(2) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236).

**SEC. 609. PROHIBITION ON USE OF FUNDS TO FACILITATE IRAQI REFUGEE ADMIS-**

**SIONS INTO THE UNITED STATES.**

None of the funds authorized to be appropriated by this or any other Act may be used for resettlement in the United States, or to provide

education, medical examinations, training, screening, or otherwise facilitate the admission into the United States of Iraqi nationals seeking refugee status in the United States who are in Saudi Arabia or Turkey as of the date of enactment of this Act.

**SEC. 610. SPECIAL ENVOY FOR NAGORNO-KARABAKH.**

It is the sense of Congress that the President should immediately appoint a special envoy having the rank of Ambassador to offer assistance in facilitating a negotiated settlement to the conflict in Nagorno-Karabakh and to press for the development of an oil pipeline through Azerbaijan, Armenia, and Turkey.

**SEC. 611. REPORT TO CONGRESS CONCERNING CUBAN EMIGRATION POLICIES.**

Beginning 3 months after the date of the enactment of this Act, and every 6 months thereafter, the President shall transmit a report to the appropriate congressional committees concerning the methods employed by the Government of Cuba to enforce the United States-Cuba agreement of September 1994 to restrict the emigration of the Cuban people from Cuba to the United States, and the treatment by the Government of Cuba of persons who have been returned to Cuba pursuant to the United States-Cuba agreement of May 1995. Each report transmitted pursuant to this section shall include a detailed account of United States efforts to monitor such enforcement and treatment.

**SEC. 612. EFFORTS AGAINST EMERGING INFECTIOUS DISEASES.**

(a) PRIORITIZATION.—The President shall give urgent priority to the strengthening of efforts against emerging infectious diseases through the development of appropriate United States Government strategies and response mechanisms.

(b) STRATEGIC PLAN.—Not later than February 1, 1996, the President shall submit to the Speaker of the House of Representatives and the Committee on Foreign Relations of the Senate a report outlining a United States strategic plan, in cooperation with the international public health infrastructure, to identify and respond to the threat of emerging infectious diseases to the health of the people of the United States.

**SEC. 613. REPORT ON FIRMS ENGAGED IN EXPORT OF DUAL-USE ITEMS.**

The Under Secretary of State for International Security shall submit a report to Congress no later than 180 days after the date of enactment of this Act, and every 180 days thereafter until 1998, detailing an organizational plan to include those firms on the Department of State licensing watch-lists that engage in the exportation of potentially sensitive or dual-use technologies and have been identified or tracked by similar systems maintained by the Department of Defense, Department of Commerce, or the United States Customs Service. The report shall also detail further measures to be taken to strengthen United States export-control mechanisms.

**SEC. 614. PROHIBITION ON THE TRANSFER OF ARMS TO INDONESIA.**

Consistent with section 582 of Public Law 103-306, the United States is prohibited from selling or licensing for export to the Government of Indonesia light arms, small weapons, and crowd control ordinances, including helicopter-mounted equipment, until the Secretary of State determines and reports to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives that there has been significant progress made on human rights in East Timor and elsewhere in Indonesia, including—

(1) compliance with the recommendations in the United Nations Special Rapporteur's January 1992 report and the March 1993 recommendations of the United Nations Human Rights Commission;

(2) significant reduction in Indonesia's troop presence in East Timor;

(3) thorough and impartial investigation of gangs and violent civilian groups operating in East Timor;

(4) improved access to East Timor for Indonesian and international human rights and humanitarian organizations and journalists, including the deployment of United Nations human rights monitors if so requested;

(5) constructive participation in the United Nations Secretary General's efforts to resolve the status of East Timor; and

(6) greater local control over political, economic, and cultural affairs, with an aim toward resolving the future status of East Timor.

**SEC. 615. MIDDLE EAST PEACE FACILITATION ACT OF 1995.**

(a) **SHORT TITLE.**—This section may be cited as the "Middle East Peace Facilitation Act of 1995".

(b) **FINDINGS.**—The Congress finds that—

(1) the Palestine Liberation Organization (in this section referred to as the "PLO") has recognized the State of Israel's right to exist in peace and security; accepted United Nations Security Council Resolutions 242 and 338; committed itself to the peace process and peaceful coexistence with Israel, free from violence and all other acts which endanger peace and stability; and assumed responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations, and discipline violators;

(2) Israel has recognized the PLO as the representative of the Palestinian people;

(3) Israel and the PLO signed a Declaration of Principles on Interim Self-Government Arrangements (in this section referred to as the "Declaration of Principles") on September 13, 1993, at the White House;

(4) Israel and the PLO signed an Agreement on the Gaza Strip and the Jericho Area (in this section referred to as the "Gaza-Jericho Agreement") on May 4, 1994, which established a Palestinian Authority for the Gaza and Jericho areas;

(5) Israel and the PLO signed an Agreement on Preparatory Transfer of Powers and Responsibilities (in this section referred to as the "Early Empowerment Agreement") on August 29, 1994, which provided for the transfer to the Palestinian Authority of certain powers and responsibilities in the West Bank outside of the Jericho Area;

(6) under the terms of the Declaration of Principles, the Gaza-Jericho Agreement and the Early Empowerment Agreement, the powers and responsibilities of the Palestinian Authority are to be assumed by an elected Palestinian Council with jurisdiction in the West Bank and Gaza Strip in accordance with the Interim Agreement to be concluded between Israel and the PLO;

(7) permanent status negotiations relating to the West Bank and Gaza Strip are scheduled to begin by May 1996;

(8) the Congress has, since the conclusion of the Declaration of Principles and the PLO's renunciation of terrorism, provided authorities to the President to suspend certain statutory restrictions relating to the PLO, subject to Presidential certifications that the PLO has continued to abide by commitments made in and in connection with or resulting from the good faith implementation of, the Declaration of Principles;

(9) the PLO commitments relevant to Presidential certifications have included commitments to renounce and condemn terrorism, to submit to the Palestinian National Council for formal approval the necessary changes to those articles of the Palestinian Covenant which call for Israel's destruction, and to prevent acts of terrorism and hostilities against Israel; and

(10) the President, in exercising the authorities described in paragraph (8), has certified to the Congress on four occasions that the PLO was abiding by its relevant commitments.

(c) **SENSE OF CONGRESS.**—It is the sense of the Congress that although the PLO has recently

shown improvement in its efforts to fulfill its commitments, the PLO must do far more to demonstrate an irrevocable denunciation of terrorism and ensure a peaceful settlement of the Middle East dispute, and in particular the PLO must—

(1) submit to the Palestine National Council for formal approval the necessary changes to those articles of the Palestinian National Covenant which call for Israel's destruction;

(2) make greater efforts to preempt acts of terror, to discipline violators, and to contribute to stemming the violence that has resulted in the deaths of 123 Israeli citizens since the signing of the Declaration of Principles;

(3) prohibit participation in its activities and in the Palestinian Authority and its successors by any groups or individuals which continue to promote and commit acts of terrorism;

(4) cease all anti-Israel rhetoric, which potentially undermines the peace process;

(5) confiscate all unlicensed weapons and restrict the issuance of licenses to those with legitimate need;

(6) transfer any person, and cooperate in transfer proceedings relating to any person, accused by Israel of acts of terrorism; and

(7) respect civil liberties, human rights and democratic norms.

(d) **AUTHORITY TO SUSPEND CERTAIN PROVISIONS.**—

(1) **IN GENERAL.**—Subject to paragraph (2), beginning on the date of enactment of this Act and for 18 months thereafter the President may suspend for a period of not more than 6 months at a time any provision of law specified in paragraph (4). Any such suspension shall cease to be effective after 6 months, or at such earlier date as the President may specify.

(2) **CONDITIONS.**—

(A) **CONSULTATIONS.**—Prior to each exercise of the authority provided in paragraph (1) or certification pursuant to paragraph (3), the President shall consult with the relevant congressional committees. The President may not exercise that authority to make such certification until 30 days after a written policy justification is submitted to the relevant congressional committees.

(B) **PRESIDENTIAL CERTIFICATION.**—The President may exercise the authority provided in paragraph (1) only if the President certifies to the relevant congressional committees each time he exercises such authority that—

(i) it is in the national interest of the United States to exercise such authority;

(ii) the PLO continues to comply with all the commitments described in subparagraph (D); and

(iii) funds provided pursuant to the exercise of this authority and the authorities under section 583(a) of Public Law 103-236 and section 3(a) of Public Law 103-125 have been used for the purposes for which they were intended.

(C) **REQUIREMENT FOR CONTINUING PLO COMPLIANCE.**—

(i) The President shall ensure that PLO performance is continuously monitored, and if the President at any time determines that the PLO has not continued to comply with all the commitments described in subparagraph (D), he shall so notify the appropriate congressional committees. Any suspension under paragraph (1) of a provision of law specified in paragraph (4) shall cease to be effective.

(ii) Beginning six months after the date of enactment of this Act, if the President on the basis of the continuous monitoring of the PLO's performance determines that the PLO is not complying with the requirements described in paragraph (3), he shall so notify the appropriate congressional committees and no assistance shall be provided pursuant to the exercise by the President of the authority provided by paragraph (1) until such time as the President makes the certification provided for in paragraph (3).

(D) **PLO COMMITMENTS DESCRIBED.**—The commitments referred to in subparagraphs (B) and (C)(i) are the commitments made by the PLO—

(i) in its letter of September 9, 1993, to the Prime Minister of Israel and in its letter of September 9, 1993, to the Foreign Minister of Norway to—

(I) recognize the right of the State of Israel to exist in peace and security;

(II) accept United Nations Security Council Resolutions 242 and 338;

(III) renounce the use of terrorism and other acts of violence;

(IV) assume responsibility over all PLO elements and personnel in order to assure their compliance, prevent violations, and discipline violators;

(V) call upon the Palestinian people in the West Bank and Gaza Strip to take part in the steps leading to the normalization of life, rejecting violence and terrorism, and contributing to peace and stability; and

(VI) submit to the Palestine National Council for formal approval the necessary changes to the Palestinian National Covenant eliminating calls for Israel's destruction; and

(ii) in, and resulting from, the good faith implementation of the Declaration of Principles, including good faith implementation of subsequent agreements with Israel, with particular attention to the objective of preventing terrorism, as reflected in the provisions of the Gaza-Jericho Agreement concerning—

(I) prevention of acts of terrorism and legal measures against terrorists;

(II) abstention from and prevention of incitement, including hostile propaganda;

(III) operation of armed forces other than the Palestinian Police;

(IV) possession, manufacture, sale, acquisition, or importation of weapons;

(V) employment of police who have been convicted of serious crimes or have been found to be actively involved in terrorist activities subsequent to their employment;

(VI) transfers to Israel of individuals suspected of, charged with, or convicted of an offense that falls within Israeli criminal jurisdiction;

(VII) cooperation with the Government of Israel in criminal matters, including cooperation in the conduct of investigations; and

(VIII) exercise of powers and responsibilities under the agreement with due regard to internationally accepted norms and principles of human rights and the rule of law.

(E) **POLICY JUSTIFICATION.**—As part of the President's written policy justification to be submitted to the relevant congressional committees pursuant to subparagraph (A), the President shall report on—

(i) the manner in which the PLO has complied with the commitments specified in subparagraph (D), including responses to individual acts of terrorism and violence, actions to discipline perpetrators of terror and violence, and actions to preempt acts of terror and violence;

(ii) the extent to which the PLO has fulfilled the requirements specified in paragraph (3);

(iii) actions that the PLO has taken with regard to the Arab League boycott of Israel;

(iv) the status and activities of the PLO office in the United States; and

(v) the status of United States and international assistance efforts in the areas subject to jurisdiction of the Palestinian Authority or its successors.

(3) **REQUIREMENT FOR CONTINUED PROVISION OF ASSISTANCE.**—Six months after the date of enactment of this Act, no assistance shall be provided pursuant to the exercise by the President of the authority provided by paragraph (1), unless and until the President determines and so certifies to the Congress that—

(A) if the Palestinian Council has been elected and assumed its responsibilities, the Council has, within a reasonable time, effectively disavowed the articles of the Palestine National Covenant which call for Israel's destruction, unless the necessary changes to the Covenant have already been submitted to the Palestine National Council for formal approval;



(B) the PLO has exercised its authority resolutely to establish the necessary enforcement institution, including laws, police, and a judicial system, for apprehending, prosecuting, convicting, and imprisoning terrorists;

(C) the PLO has limited participation in the Palestinian Authority and its successors to individuals and groups in accordance with the terms that may be agreed with Israel;

(D) the PLO has not provided any financial or material assistance or training to any group, whether or not affiliated with the PLO to carry out actions inconsistent with the Declaration of Principles, particularly acts of terrorism against Israel;

(E) the PLO has cooperated in good faith with Israeli authorities in the preemption of acts of terrorism and in the apprehension and trial of perpetrators of terrorist acts in Israel, territories controlled by Israel, and all areas subject to jurisdiction of the Palestinian Authority and its successors; and

(F) the PLO has exercised its authority resolutely to enact and implement laws requiring the disarming of civilians not specifically licensed to possess or carry weapons.

(4) PROVISIONS THAT MAY BE SUSPENDED.—The provisions that may be suspended under the authority of paragraph (1) are the following:

(A) Section 307 of the Foreign Assistance Act of 1961 (22 U.S.C. 2227) as it applies with respect to the PLO or entities associated with it.

(B) Section 114 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 287e note) as it applies with respect to the PLO or entities associated with it.

(C) Section 1003 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 5202).

(D) Section 37 of the Bretton Woods Agreement Act (22 U.S.C. 286W) as it applies to the granting to the PLO of observer status or other official status at any meeting sponsored by or associated with International Monetary Fund. As used in this subparagraph, the term "other official status" does not include membership in the International Monetary Fund.

(5) RELEVANT CONGRESSIONAL COMMITTEES DEFINED.—As used in this subsection, the term "relevant congressional committees" means—

(A) the Committee on International Relations, the Committee on Banking, Finance and Urban Affairs, and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

## **DIVISION B—CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES**

### **SEC. 1001. SHORT TITLE.**

This division may be cited as the "Foreign Affairs Reinvention Act of 1995".

### **SEC. 1002. PURPOSES.**

The purposes of this division are—

(1) to reorganize and reinvent the foreign affairs agencies of the United States in order to enhance the formulation, coordination, and implementation of United States foreign policy;

(2) to streamline and consolidate the functions and personnel of the Department of State, the Agency for International Development, the United States Information Agency, and the United States Arms Control and Disarmament Agency in order to eliminate redundancies in the functions and personnel of such agencies;

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

(4) to ensure that the United States maintain adequate representation abroad within budgetary restraints;

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

(6) to strengthen the authority of United States ambassadors over all United States Government personnel and resources located in United States diplomatic missions in order to en-

hance the ability of the ambassadors to deploy such personnel and resources to the best effect to attain the President's foreign policy objectives;

(7) to encourage United States foreign affairs agencies to maintain a high percentage of the best qualified, most competent United States citizens serving in the United States Government while downsizing significantly the total number of people employed by such agencies; and

(8) to ensure that all functions of United States diplomacy be subject to recruitment, training, assignment, promotion, and egress based on common standards and procedures while preserving maximum interchange among such functions.

## **TITLE XI—ORGANIZATION OF THE DEPARTMENT OF STATE AND FOREIGN SERVICE**

### **SEC. 1101. OFFICE OF THE SECRETARY OF STATE.**

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

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

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

"(3) The Secretary shall serve as the principal foreign policy adviser to the President and shall, under the direction of the President, be responsible for the overall direction, coordination, and supervision of United States foreign relations and for the interdepartmental activities of the United States Government abroad."

### **SEC. 1102. ASSUMPTION OF DUTIES BY INCUMBENT APPOINTEES.**

An individual holding an office immediately prior to the date of enactment of this Act—

(1) who was appointed to the office by the President, by and with the advice and consent of the Senate; and

(2) who performs duties substantially similar to the duties of an office proposed to be created under a reorganization plan submitted under section 1501,

may, in the discretion of the Secretary of State, assume the duties of such new office, and shall not be required to be reappointed by reason of the implementation of the reorganization plan.

### **SEC. 1103. CONSOLIDATION OF UNITED STATES DIPLOMATIC MISSIONS AND CONSULAR POSTS.**

(a) CONSOLIDATION PLAN.—The Secretary of State shall develop a worldwide plan for the consolidation, wherever practicable, on a regional or areawide basis, of United States missions and consular posts abroad in order to carry out this section.

(b) CONTENTS OF PLAN.—The plan shall—

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

(2) identify those missions and posts at which the resident ambassador would also be accredited to other specified states in which the United States either maintained no resident official presence or maintained such a presence only at staff level; and

(3) provide an estimate of—

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

(B) the amount by which expenditures would be reduced through a reduction in the costs of maintaining United States properties abroad; and

(C) the amount of revenues generated to the United States through the sale or other disposition of United States properties associated with the posts to be consolidated abroad.

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

(d) IMPLEMENTATION.—Not later than 60 days after transmittal of the plan under subsection (c), the Secretary of State shall take steps to im-

plement the plan unless the Congress before such date enacts legislation disapproving the plan.

(e) CONGRESSIONAL PRIORITY PROCEDURES.—

(1) A joint resolution described in paragraph (2) which is introduced in a House of Congress after the date on which a plan developed under subsection (a) is received by Congress, shall be considered in accordance with the procedures set forth in paragraphs (3) through (7) of section 8066(c) of the Department of Defense Appropriations Act, 1985 (as contained in Public Law 98-473 (98 Stat. 1936)), except that—

(A) references to the "report described in paragraph (1)" shall be deemed to be references to the joint resolution; and

(B) references to the Committee on Appropriations of the House of Representatives and to the Committee on Appropriations of the Senate shall be deemed to be references to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate.

(2) A joint resolution under this paragraph is a joint resolution the matter after the resolving clause of which is as follows: "That the Congress disapproves the plan submitted by the President on \_\_\_\_\_ pursuant to section 1109 of the Foreign Affairs Reinvention Act of 1995."

(f) RESUBMISSION OF PLAN.—If, within 60 days of transmittal of a plan under subsection (c), Congress enacts legislation disapproving the plan, the President shall transmit to the appropriate congressional committees a revised plan developed under subsection (a).

(g) STATUTORY CONSTRUCTION.—Nothing in this section requires the termination of United States diplomatic or consular relations with any foreign country.

(h) DEFINITIONS.—As used in this section:

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

(2) PLAN.—The term "plan" means the plan developed under subsection (a).

### **SEC. 1104. PROCEDURES FOR COORDINATION OF GOVERNMENT PERSONNEL AT OVERSEAS POSTS.**

(a) AMENDMENT OF THE FOREIGN SERVICE ACT OF 1980.—Section 207 of the Foreign Service Act of 1980 (22 U.S.C. 3927) is amended—

(1) by redesignating subsection (c) as subsection (e); and

(2) by inserting after subsection (b) the following:

"(c)(1) In carrying out subsection (b), the head of each department, agency, or other entity of the executive branch of Government shall ensure that, in coordination with the Department of State, the approval of the chief of mission to a foreign country is sought on any proposed change in the size, composition, or mandate of employees of the respective department, agency, or entity (other than employees under the command of a United States area military commander) if the employees are performing duties in that country.

"(2) In seeking the approval of the chief of mission under paragraph (1), the head of a department, agency, or other entity of the executive branch of Government shall comply with the procedures set forth in National Security Decision Directive Number 38, as in effect on June 2, 1982, and the implementing guidelines issued thereunder.

"(d) The Secretary of State, in the sole discretion of the Secretary, may accord diplomatic titles, privileges, and immunities to employees of the executive branch of Government who are performing duties in a foreign country."

(b) REVIEW OF PROCEDURES FOR COORDINATION.—(1) The President shall conduct a review of the procedures contained in National Security Decision Directive Number 38, as in effect

on June 2, 1982, and the practices in implementation of those procedures, to determine whether the procedures and practices have been effective to enhance significantly the coordination among the several departments, agencies, and entities of the executive branch of Government represented in foreign countries.

(2) Not later than 180 days after the date of enactment of this Act, the President shall submit to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives a report containing the findings of the review conducted under paragraph (1), together with any recommendations for legislation as the President may determine to be necessary.

#### **TITLE XII—UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY**

##### **SEC. 1201. ABOLITION OF THE ACDA; REFERENCES IN PART.**

(a) **ABOLITION.**—The United States Arms Control and Disarmament Agency is abolished on the effective date of this title.

(b) **CONFORMING REPEAL.**—Section 21 of the Arms Control and Disarmament Act (22 U.S.C. 2561) is repealed.

(c) **REFERENCES IN TITLE.**—Except as specifically provided in this title, whenever in this title an amendment or repeal is expressed as an amendment to or repeal of a provision, the reference shall be deemed to be made to the Arms Control and Disarmament Act.

##### **SEC. 1202. REPEAL OF POSITIONS AND OFFICES.**

The following sections are repealed:

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

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

(3) Section 24 (22 U.S.C. 2564; relating to Assistant Directors).

(4) Section 25 (22 U.S.C. 2565; relating to bureaus, offices, and divisions).

##### **SEC. 1203. AUTHORITIES OF THE SECRETARY OF STATE.**

(a) **IN GENERAL.**—(1) Except as provided in paragraph (2), the Arms Control and Disarmament Act (22 U.S.C. 2551 et seq.) is amended by striking "Agency" and "Director" each place it appears and inserting "Department" and "Secretary", respectively.

(2) No amendment shall be made under paragraph (1) to references to the On-Site Inspection Agency or to the Director of Central Intelligence.

(b) **PURPOSE.**—Section 2 (22 U.S.C. 2551) is amended—

(1) by striking the second, fourth, fifth, and sixth sentences; and

(2) in the seventh sentence, by striking "It" and all that follows through "State," and inserting "The Department of State shall have the authority".

(c) **DEFINITIONS.**—Section 3 (22 U.S.C. 2552) is amended by striking paragraph (c) and inserting the following:

"(c) The term 'Department' means the Department of State.

"(d) The term 'Secretary' means the Secretary of State."

(d) **SCIENTIFIC AND POLICY ADVISORY COMMITTEE.**—Section 26(b) (22 U.S.C. 2566(b)) is amended by striking "the Secretary of State, and the Director" and inserting "and the Secretary of State".

(e) **PRESIDENTIAL SPECIAL REPRESENTATIVES.**—Section 27 (22 U.S.C. 2567) is amended by striking "acting through the Director".

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

(1) in the second sentence, by striking "Agency's activities" and inserting "Department's arms control, nonproliferation, and disarmament activities"; and

(2) in the fourth sentence, by striking "and all former Directors of the Agency".

(g) **POLICY FORMULATION.**—Section 33(a) (22 U.S.C. 2573(a)) is amended by striking "shall

prepare for the President, the Secretary of State," and inserting "shall prepare for the President".

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

(1) in subsection (a), by striking "the President and the Secretary of State" and inserting "the President"; and

(2) by striking subsection (b).

(i) **VERIFICATION OF COMPLIANCE.**—Section 37(d) (22 U.S.C. 2577(d)) is amended by striking "Director's designee" and inserting "Secretary's designee".

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

(k) **USE OF FUNDS.**—Section 48 (22 U.S.C. 2588) is repealed.

(l) **ANNUAL REPORT.**—Section 51(a) (22 U.S.C. 2593a(a)) is amended by striking "the Secretary of State,".

(m) **REQUIREMENT FOR AUTHORIZATION OF APPROPRIATIONS.**—Section 53 (22 U.S.C. 2593c) is repealed.

(n) **ON-SITE INSPECTION AGENCY.**—Section 61 (22 U.S.C. 2595) is amended—

(1) in paragraph (1), by striking "United States Arms Control and Disarmament Agency is" and inserting "Department of State and the Department of Defense are respectively"; and

(2) in paragraph (7), by striking "the United States Arms Control and Disarmament Agency and".

##### **SEC. 1204. AUTHORIZATION OF APPROPRIATIONS.**

Section 106 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) is amended—

(1) by amending the section heading to read as follows:

**"SEC. 106. DEPARTMENT OF STATE ARMS CONTROL AND DISARMAMENT ACTIVITIES."**

and

(2) in subsection (a), by inserting "to the Secretary of State" after "appropriated".

##### **SEC. 1205. CONFORMING AMENDMENTS.**

(a) The Arms Export Control Act is amended—

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

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

(A) in the first sentence, by striking "Director of the United States Arms Control and Disarmament Agency, taking into account the Director's" and inserting "Secretary of State, taking into account the Secretary's"; and

(B) in the second sentence, by striking "The Director of the Arms Control and Disarmament Agency is authorized, whenever the Director" and inserting "The Secretary of State is authorized, whenever the Secretary";

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

(A) in paragraph (1)(C), by striking "Director of the United States Arms Control and Disarmament Agency" and inserting "Secretary of State"; and

(B) in paragraph (2)—

(i) in the first sentence, by striking "Director of the United States Arms Control and Disarmament Agency" and inserting "Secretary of State"; and

(ii) in the second sentence, by striking "Director of the Arms Control and Disarmament Agency is authorized, whenever the Director" and inserting "Secretary of State is authorized, whenever the Secretary";

(4) in section 71(a) of such Act (22 U.S.C. 2797(a)), by striking "the Director of the Arms Control and Disarmament Agency," and inserting "Secretary of State";

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

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

(A) by striking "Director of the United States Arms Control and Disarmament Agency" and inserting "Secretary of State"; and

(B) by striking "or the Director";

(7) in section 71(c) of such Act (22 U.S.C. 2797(c)), by striking "Director of the United States Arms Control and Disarmament Agency," and inserting "Secretary of State"; and

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

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

(1) by striking out paragraph (3);

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

(3) in paragraph (4) (as redesignated by paragraph (2)), by striking "Eleven" and inserting "Twelve".

(c) The Atomic Energy Act of 1954 is amended—

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

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

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

(2) in section 123 (42 U.S.C. 2153)—

(A) in subsection a. (in the text below paragraph (9))—

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

(ii) by striking "and the Director" and inserting "and the Secretary of Defense".

(B) in subsection d., in the first proviso, by striking "Director of the Arms Control and Disarmament Agency" and inserting "Secretary of Defense", and

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

(d) The Nuclear Non-Proliferation Act of 1978 is amended—

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

(2) in section 102, by striking "the Secretary of State, and the Director of the Arms Control and Disarmament Agency" and inserting "and the Secretary of State"; and

(3) in section 602(c), by striking "the Arms Control and Disarmament Agency,".

(e) Title 5, United States Code, is amended—

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

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

(3) in section 5315—

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

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

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

##### **SEC. 1206. REFERENCES IN LAW.**

Any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to the United States Arms Control and Disarmament Agency or the Director or other official of the United States Arms Control and Disarmament Agency shall be deemed to refer respectively to the Department of State or the Secretary of State or other official of the Department of State.

##### **SEC. 1207. EFFECTIVE DATE.**

This title, and the amendments made by this title, shall take effect only in the event of the

abolition of the independent foreign affairs agencies specified in section 1501(e).

### TITLE XIII—UNITED STATES INFORMATION AGENCY

#### SEC. 1301. ABOLITION.

The United States Information Agency is abolished upon the effective date of this title.

#### SEC. 1302. REFERENCES IN LAW.

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

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

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

#### SEC. 1303. AMENDMENTS TO TITLE 5.

Title 5, United States Code, is amended—

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

(2) in section 5315, by striking "Deputy Director of the United States Information Agency."; and

(3) in section 5316, by striking "Deputy Director, Policy and Plans, United States Information Agency." and striking "Associate Director (Policy and Plans), United States Information Agency.".

#### SEC. 1304. AMENDMENTS TO UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948.

(a) REFERENCES IN SECTION.—Except as specifically provided in this section, whenever in this section an amendment or repeal is expressed as an amendment or repeal of a provision, the reference shall be deemed to be made to the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1431 et seq.).

(b) IN GENERAL.—Except as otherwise provided in this section, the Act (other than section 604 and subsections (a) and (c) of section 701) is amended—

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

(2) by striking "Director of the United States Information Agency" each place it appears and inserting "Secretary of State";

(3) by striking "Director" each place it appears and inserting "Secretary of State";

(4) by striking "USIA" each place it appears and inserting "Department of State"; and

(5) by striking "Agency" each place it appears and inserting "Department of State."

(c) SATELLITE AND TELEVISION BROADCASTS.—Section 505 (22 U.S.C. 1464a) is amended—

(1) by striking "Director of the United States Information Agency" each of the three places it appears and inserting "Secretary of State";

(2) in subsection (b), by striking "To be effective, the United States Information Agency" and inserting "To be effective in carrying out this subsection, the Department of State";

(3) by striking "USIA-TV" each place it appears and inserting "DEPARTMENT OF STATE-TV"; and

(4) by striking subsection (e).

(d) NONDISCRETIONARY PERSONNEL COSTS AND CURRENCY FLUCTUATIONS.—Section 704 (22 U.S.C. 1477b) is amended—

(1) in subsection (b), by inserting after "authorized by law" the following: "in connection with carrying out the informational and educational exchange functions of the Department"; and

(2) in subsection (c), by striking "United States Information Agency" each place it appears and inserting "Department of State in carrying out the informational and educational exchange functions of the Department".

(e) REPROGRAMMING NOTIFICATIONS.—Section 705 (22 U.S.C. 1477c) is amended by striking "United States Information Agency" each place

it appears and inserting "Department of State in carrying out its informational and educational exchange functions".

(f) AUTHORITIES OF THE SECRETARY.—Section 801(3) (22 U.S.C. 1471(3)) is amended by striking all "if the sufficiency" and all that follows and inserting "if the Secretary determines that title to such real property or interests is sufficient";

(g) REPEAL OF THE USIA SEAL.—Section 807 (22 U.S.C. 1475b) is repealed.

(h) ACTING ASSOCIATE DIRECTORS.—Section 808 (22 U.S.C. 1475c) is repealed.

(i) DEBT COLLECTION.—Section 811 (22 U.S.C. 1475f) is amended by inserting "informational and educational exchange" before "activities" each place it appears.

(j) OVERSEAS POSTS.—Section 812 (22 U.S.C. 1475g) is amended by striking "United States Information Agency post" each place it appears and inserting "informational and educational exchange post of the Department of State".

(k) DEFINITION.—Section 4 (22 U.S.C. 1433) is amended by adding at the end the following:

"(4) 'informational and educational exchange functions', with respect to the Department of State, refers to functions exercised by the United States Information Agency before the effective date of title XIII of the Foreign Affairs Reorganization Act of 1995."

#### SEC. 1305. AMENDMENTS TO THE MUTUAL EDUCATIONAL AND CULTURAL EXCHANGE ACT OF 1961 (FULBRIGHT-HAYS ACT).

(a) REFERENCES IN SECTION.—Except as specifically provided in this section, whenever in this section an amendment or repeal is expressed as an amendment or repeal of a provision, the reference shall be deemed to be made to the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.).

(b) IN GENERAL.—The Act (22 U.S.C. 2451 et seq.) is amended by striking "Director of the International Communication Agency" each place it appears and inserting "Secretary of State".

(c) PROGRAM AUTHORITIES.—(1) Section 102(a) (22 U.S.C. 2452(a)) is amended by striking "President" each place it appears and inserting "Secretary of State".

(2) Section 102(b) (22 U.S.C. 2452(b)) is amended by striking "President" and inserting "Secretary of State (except, in the case of paragraphs (6) and (10), the President)".

(d) INTERNATIONAL AGREEMENTS.—Section 103 (22 U.S.C. 2453) is amended by striking "President" each place it appears and inserting "Secretary of State".

(e) PERSONNEL BENEFITS.—Section 104(d) (22 U.S.C. 2454(d)) is amended by striking "President" each place it appears and inserting "Secretary of State".

(f) FOREIGN STUDENT COUNSELING.—Section 104(e)(3) (22 U.S.C. 2454(e)(3)) is amended by striking "President" and inserting "Secretary of State".

(g) PUBLICITY AND PROMOTION OVERSEAS.—Section 104(e)(4) (22 U.S.C. 2454(e)(4)) is amended by striking "President" and inserting "Secretary of State".

(h) USE OF FUNDS.—Section 105(e) (22 U.S.C. 2455(e)) is amended by striking "President" each place it appears and inserting "Secretary of State".

(i) REPEAL OF AUTHORITY FOR ABOLISHED ADVISORY COMMITTEE.—Section 106(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2456(c)) is repealed.

(j) BUREAU OF EDUCATIONAL AND CULTURAL AFFAIRS.—

(1) IN GENERAL.—Section 112(a) (22 U.S.C. 2460(a)) is amended by striking the first sentence and inserting the following: "In order to carry out the purposes of this Act, there is established in the Department of State a Bureau for International Exchange Activities (in this section referred to as the 'Bureau').".

(2) IMPLEMENTATION OF PROGRAMS.—Section 112(c) (22 U.S.C. 2460(c)) is amended by striking

"President" each place it appears and inserting "Secretary of State".

#### SEC. 1306. INTERNATIONAL BROADCASTING ACTIVITIES.

(a) IN GENERAL.—(1) Except as otherwise provided in paragraph (2), title III of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (Public Law 103-236) is amended—

(A) by striking "Director of the United States Information Agency" or "Director" each place it appears and inserting "Under Secretary of State for Public Diplomacy";

(B) by striking all references to "United States Information Agency" that were not stricken in subparagraph (A) and inserting "Department of State";

(C) in section 305(a)(1), by inserting "(including activities of the Voice of America previously carried out by the United States Information Agency)" after "this title";

(D) in section 305(b), by striking "Agency's" each place it appears and inserting "Department's"; and

(E) by striking "Bureau" each place it appears and inserting "Office".

(2) Title III of such Act is amended—

(A) in section 304(c)—

(i) by striking "Director's" and inserting "Under Secretary's"; and

(ii) in the fifth sentence, by striking "Director of the United States Information Agency, the acting Director of the agency" and inserting "Under Secretary of State for Public Diplomacy, the acting Under Secretary";

(B) in sections 305(b) and 307(b)(1), by striking "Director of the Bureau" each place it appears and inserting "Director of the Office";

(C) in subsections (i) and (j) of section 308, by striking "Inspector General of the United States Information Agency" each place it appears and inserting "Inspector General for Foreign Affairs"; and

(D) in section 310(d), by striking "Director on the date of enactment of this Act, to the extent that the Director" and inserting "Under Secretary on the effective date of title XIII of the Foreign Affairs Reorganization Act of 1995, to the extent that the Under Secretary".

(b) CONFORMING AMENDMENT TO TITLE 5.—Section 5315 of title 5, United States Code, is amended by striking "Director of the International Broadcasting Bureau, the United States Information Agency" and inserting "Director of the International Broadcasting Office, the Department of State".

#### SEC. 1307. TELEVISION BROADCASTING TO CUBA.

(a) AUTHORITY.—Section 243(a) of the Television Broadcasting to Cuba Act (as contained in part D of title II of Public Law 101-246) (22 U.S.C. 1465bb(a)) is amended by striking "United States Information Agency (hereafter in this part referred to as the 'Agency') and inserting "Department of State (hereafter in this title referred to as the 'Department')".

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

(1) in subsection (a)—

(A) by amending the first sentence to read as follows: "The Secretary of State shall administer within the Voice of America the Television Marti Service."; and

(B) in the third sentence, by striking "Director of the United States Information Agency" and inserting "Secretary of State";

(2) in subsection (b)—

(A) in the subsection heading, by striking "USIA" and inserting "Department of State";

(B) by striking "Agency facilities" and inserting "Department facilities"; and

(C) by striking "United States Information Agency Television Service" and inserting "Department of State Television Service"; and

(3) in subsection (c)—

(A) by striking "USIA AUTHORITY.—The Agency" and inserting "SECRETARY OF STATE AUTHORITY.—The Secretary of State"; and

(B) by striking "Agency" the second place it appears and inserting "Secretary of State".

(c) ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.—Section 246 of such Act (22 U.S.C. 1465dd) is amended—

(1) by striking "United States Information Agency" and inserting "Department of State"; and

(2) by striking "the Agency" and inserting "the Department".

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

#### SEC. 1308. RADIO BROADCASTING TO CUBA.

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

(1) in the section heading, by striking "United States Information Agency" and inserting "Department of State";

(2) in subsection (a), by striking "United States Information Agency (hereafter in this Act referred to as the 'Agency')" and inserting "Department of State (hereafter in this Act referred to as the 'Department')";

(3) by striking subsection (d); and

(4) in subsection (f), by striking "Director of the United States Information Agency" and inserting "Secretary of State".

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

(1) by amending the first sentence to read as follows: "The Secretary of State shall administer within the Voice of America the Cuba Service (hereafter in this section referred to as the 'Service')."; and

(2) in the third sentence, by striking "Director of the United States Information Agency" and inserting "Secretary of State".

(c) ASSISTANCE FROM OTHER GOVERNMENT AGENCIES.—Section 6 of such Act (22 U.S.C. 1465d) is amended—

(1) in subsection (a)—

(A) by striking "United States Information Agency" and inserting "Department of State"; and

(B) by striking "the Agency" and inserting "the Department"; and

(2) in subsection (b)—

(A) by striking "The Agency" and inserting "The Department"; and

(B) by striking "the Agency" and inserting "the Secretary of State".

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

(1) in subsection (b), by striking "the Agency" and inserting "the Department"; and

(2) in subsection (d), by striking "Agency" and inserting "Department".

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

(1) by striking subsections (a) and (b) and inserting the following:

"(a) The amount obligated by the Department of State each fiscal year to carry out this Act shall be sufficient to maintain broadcasts to Cuba under this Act at rates no less than the fiscal year 1985 level of obligations by the former United States Information Agency for such broadcasts."; and

(2) by redesignating subsection (c) as subsection (b).

#### SEC. 1309. NATIONAL ENDOWMENT FOR DEMOCRACY.

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

(1) in subsection (a)—

(A) by striking "Director of the United States Information Agency" and inserting "Secretary of State";

(B) by striking "the Agency" and inserting "the Department of State"; and

(C) by striking "the Director" and inserting "the Secretary of State"; and

(2) in subsection (b), by striking "United States Information Agency" and inserting "Department of State".

(b) AUDITS.—Section 504(g) of such Act (22 U.S.C. 4413(g)) is amended by striking "United

States Information Agency" and inserting "Department of State".

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

(1) in subsection (b)—

(A) by striking "Director" each of the three places it appears and inserting "Secretary"; and

(B) by striking "of the United States Information Agency" and inserting "of State"; and

(2) in subsection (c)—

(A) in the subsection heading by striking "USIA" and inserting "DEPARTMENT OF STATE";

(B) by striking "Director" each of the three places it appears and inserting "Secretary";

(C) by striking "of the United States Information Agency" and inserting "of State"; and

(D) by striking "United States Information Agency" and inserting "Department of State".

#### SEC. 1310. UNITED STATES SCHOLARSHIP PROGRAM FOR DEVELOPING COUNTRIES.

(a) PROGRAM AUTHORITY.—Section 603 of the Foreign Relations Authorization Act, Fiscal Years 1986 and 1987 (22 U.S.C. 4703) is amended by striking "United States Information Agency" and inserting "Department of State".

(b) GUIDELINES.—Section 604(11) of such Act (22 U.S.C. 4704(11)) is amended by striking "United States Information Agency" and inserting "Department of State".

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

(1) in the subsection heading, by striking "USIA" and inserting "STATE DEPARTMENT"; and

(2) by striking "Director of the United States Information Agency" and inserting "Secretary of State".

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

#### SEC. 1311. NATIONAL SECURITY EDUCATION BOARD.

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

(1) in subsection (b)—

(A) by striking paragraph (6); and

(B) by redesignating paragraph (7) as paragraph (6); and

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

#### SEC. 1312. CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN NORTH AND SOUTH.

Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075) is amended by striking "Director of the United States Information Agency" each place it appears and inserting "Secretary of State".

#### SEC. 1313. CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.

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

(1) in the text above paragraph (1), by striking "Director of the United States Information Agency" (hereinafter referred to as the 'Director') and inserting "Secretary of State (hereinafter referred to as the 'Secretary'); and

(2) in paragraph (1), by striking "establishment and".

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

(1) by striking "Director of the United States Information Agency" and inserting "Secretary of State"; and

(2) by striking "Director" each place it appears and inserting "Secretary".

#### SEC. 1314. MISSION OF THE DEPARTMENT OF STATE.

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

(1) in the first sentence, by striking "mission of the United States Information Agency" and inserting "mission of the Department of State in carrying out its information, educational, and cultural functions";

(2) in the second sentence, in the text above paragraph (1), by striking "United States Information Agency" and inserting "Department of State";

(3) in paragraph (1)(B), by striking "Agency" and inserting "Department"; and

(4) in paragraph (5), by striking "mission of the Agency" and inserting "mission described in this section".

#### SEC. 1315. CONSOLIDATION OF ADMINISTRATIVE SERVICES.

Section 23 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2695(a)) is amended—

(1) by striking "(including)" and all that follows through "Agency"; and

(2) by striking "other such agencies" and inserting "other Federal agencies".

#### SEC. 1316. GRANTS.

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

(1) in subsection (a), by striking "United States Information Agency" and inserting "Department of State, in carrying out its international information, educational, and cultural functions";

(2) in subsection (b), by striking "United States Information Agency" and inserting "Department of State";

(3) in subsection (c)—

(A) in paragraph (1), by striking "United States Information Agency shall substantially comply with United States Information Agency" and inserting "Department of State, in carrying out its international information, educational, and cultural functions, shall substantially comply with Department of State"; and

(B) in paragraph (2), by striking "United States Information Agency" and inserting "Department of State"; and

(C) in paragraphs (2) and (3), by striking "Agency" each of the two places it appears and inserting "Department"; and

(4) by striking subsection (d).

#### SEC. 1317. BAN ON DOMESTIC ACTIVITIES.

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

(1) by striking out "United States Information Agency" each of the two places it appears and inserting "Department of State"; and

(2) by inserting "in carrying out international information, educational, and cultural activities comparable to those previously administered by the United States Information Agency" before "shall be distributed".

#### SEC. 1318. CONFORMING REPEAL TO THE ARMS CONTROL AND DISARMAMENT ACT.

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

#### SEC. 1319. REPEAL RELATING TO PROCUREMENT OF LEGAL SERVICES.

Section 26(b) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2698(b)) is repealed.

#### SEC. 1320. REPEAL RELATING TO PAYMENT OF SUBSISTENCE EXPENSES.

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

#### SEC. 1321. CONFORMING AMENDMENT TO THE SEED ACT.

Section 2(c) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401(c)) is amended in paragraph (17) by striking "United States Information Agency" and inserting "Department of State".

#### SEC. 1322. INTERNATIONAL CULTURAL AND TRADE CENTER COMMISSION.

Section 7(c)(1) of the Federal Triangle Development Act (40 U.S.C. 1106(c)(1)) is amended—

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

(2) by striking subparagraph (F); and

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

**SEC. 1323. OTHER LAWS REFERENCED IN REORGANIZATION PLAN NO. 2 OF 1977.**

(a) IMMIGRATION AND NATIONALITY ACT.—(1) Section 101(a)(15)(J) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(J)) is amended by striking "Director of the United States Information Agency" and inserting "Secretary of State".

(2) Section 212(e) of such Act (8 U.S.C. 1182(e)) is amended—

(A) by striking "Director of the United States Information Agency" and inserting "Secretary of State"; and

(B) by striking "Director" each place it appears and inserting "Secretary".

(b) ARTS AND ARTIFACTS INDEMNITY ACT.—Section 3(a) of the Arts and Artifacts Indemnity Act (20 U.S.C. 972(a)) is amended by striking out "Director of the United States Information Agency" and inserting in lieu thereof "Secretary of State".

(c) NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES ACT OF 1965.—Section 9(b) of the National Foundation on the Arts and the Humanities Act of 1965 (20 U.S.C. 958(b)) is amended by striking out "a member designated by the Director of the United States Information Agency," and inserting in lieu thereof "a member designated by the Secretary of State,".

(d) WOODROW WILSON MEMORIAL ACT OF 1968.—Section 3(b) of the Woodrow Wilson Memorial Act of 1968 (20 U.S.C. 80f(b)) is amended—

(1) in the matter preceding paragraph (1), by striking out "19 members" and inserting in lieu thereof "18 members";

(2) by striking out paragraph (7); and

(3) by redesignating paragraphs (8), (9), and (10) as paragraphs (7), (8), and (9), respectively.

(e) PUBLIC LAW 95-86.—Title V of the Departments of State, Justice, and Commerce, the Judiciary, and Related Agencies Appropriations Act, 1978 (Public Law 95-86) is amended in the third proviso of the paragraph "SALARIES AND EXPENSES" under the heading "UNITED STATES INFORMATION AGENCY" (22 U.S.C. 1461b) by striking out "the United States Information Agency is authorized," and inserting in lieu thereof "the Secretary of State may,".

(f) ACT OF JULY 9, 1949.—The Act of July 9, 1949 (63 Stat. 408; chapter 301; 22 U.S.C. 2681 et seq.) is repealed.

**SEC. 1324. EXCHANGE PROGRAM WITH COUNTRIES IN TRANSITION FROM TOTALITARIANISM TO DEMOCRACY.**

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

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

(2) in subsection (b)—

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

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

**SEC. 1325. EDMUND S. MUSKIE FELLOWSHIP PROGRAM.**

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

(1) in subsection (b), by striking "United States Information Agency" and inserting "Department of State"; and

(2) by striking subsection (d).

**SEC. 1326. IMPLEMENTATION OF CONVENTION ON CULTURAL PROPERTY.**

Title III of the Convention on Cultural Property Implementation Act (19 U.S.C. 2601 et seq.)

is amended by striking "Director of the United States Information Agency" each place it appears and inserting "Secretary of State".

**SEC. 1327. MIKE MANSFIELD FELLOWSHIPS.**

Part C of title II of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6101 et seq.) is amended—

(1) by striking "Director of the United States Information Agency" each place it appears and inserting "Secretary of State"; and

(2) by striking "United States Information Agency" each place it appears and inserting "Department of State".

**SEC. 1328. UNITED STATES ADVISORY COMMITTEE FOR PUBLIC DIPLOMACY.**

Section 604 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469) is amended—

(1) in subsection (c)(1)—

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

(B) by striking "Director or the Agency, and shall appraise the effectiveness of policies and programs of the Agency" and inserting "Secretary of State or the Department of State, and shall appraise the effectiveness of the information, educational, and cultural policies and programs of the Department";

(2) in subsection (c)(2), in the first sentence—

(A) by striking "the Secretary of State, and the Director of the United States Information Agency" and inserting "and the Secretary of State";

(B) by striking "Agency" the first place it appears and inserting "Department of State"; and

(C) by striking "Director for effectuating the purposes of the Agency" and inserting "Secretary for effectuating the information, educational, and cultural functions of the Department";

(3) in subsection (c)(3), by striking "programs conducted by the Agency" and inserting "information, educational, and cultural programs conducted by the Department of State"; and

(4) in subsection (c)(4), by striking "Director of the United States Information Agency" and inserting "Secretary of State".

**SEC. 1329. EFFECTIVE DATE.**

This title, and the amendments made by this title, shall take effect only in the event of the abolition of the independent foreign affairs agencies specified in section 1501(e).

**TITLE XIV—AGENCY FOR INTERNATIONAL DEVELOPMENT AND THE INTERNATIONAL DEVELOPMENT COOPERATION AGENCY**

**SEC. 1401. ABOLITIONS; REFERENCES IN PART.**

(a) ABOLITIONS.—The Agency for International Development and the International Development Cooperation Agency (exclusive of components expressly established by statute or reorganization plan) are abolished upon the effective date of this title.

(b) REFERENCES IN PART.—Except as specifically provided in this title, whenever in this title an amendment or repeal is expressed as an amendment to or repeal of a provision, the reference shall be deemed to be made to the Foreign Assistance Act of 1961.

**SEC. 1402. REFERENCES IN THE FOREIGN ASSISTANCE ACT OF 1961.**

References in the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) to—

(1) the "administrator of the agency primarily responsible for administering part I of this Act", "administrator of the agency primarily responsible for administering this part", and the "Administrator" shall be deemed to be references to the Secretary of State; and

(2) the "agency primarily responsible for administering part I of this Act", the "agency primarily responsible for administering this part", and "agency" (except as used in sections 231 and 661 of such Act) shall be deemed to be the Department of State.

**SEC. 1403. EXERCISE OF FUNCTIONS BY THE SECRETARY OF STATE.**

Section 621(a) (22 U.S.C. 2381(a)) is amended—

(1) in the first sentence, by inserting before the period the following: "except that functions conferred upon the President in part I of this Act may be exercised by the Secretary of State"; and

(2) in the second and third sentences, by striking "head of any such agency" each place it appears and inserting "Secretary of State and any other head of any such agency".

**SEC. 1404. REPEAL OF POSITIONS; EMPLOYMENT AND CONTRACTING AUTHORITIES.**

The following sections are repealed:

(1) Section 624 (a), (b), (c), and (e) (22 U.S.C. 2384 (a), (b), (c), and (e)); relating to statutory officers).

(2) Section 626 (a) and (b) (22 U.S.C. 2386 (a) and (b)); relating to experts and consultants).

**SEC. 1405. DEVELOPMENT LOAN COMMITTEE.**

Section 122(e) (22 U.S.C. 2151t(e)) is amended by inserting after the first sentence the following new sentence: "The Secretary of State shall serve as Chairman of the Committee.".

**SEC. 1406. DEVELOPMENT COORDINATION COMMITTEE.**

(a) ANNUAL REPORT.—Section 634(a) (22 U.S.C. 2394(a)) is amended in the text above paragraph (1)(A) by striking "Chairman of the Development Coordination Committee" and inserting "Secretary of State".

(b) COORDINATION.—Section 640B(a) (22 U.S.C. 2399(a)) is amended by striking "head of the agency primarily responsible for administering part I, Chairman, and representatives of the Departments of State," and inserting "Secretary of State,".

**SEC. 1407. PUBLIC LAW 83-480 PROGRAM.**

The Agricultural Trade Development and Assistance Act of 1954 (Public Law 83-480; 7 U.S.C. 1691 et seq.) is amended—

(1) by striking "Administrator" each place it appears and inserting "Secretary of State"; and

(2) in section 402 (7 U.S.C. 1732)—

(A) by striking paragraph (1); and

(B) by redesignating paragraphs (2) through (8) as paragraphs (1) through (7), respectively.

**SEC. 1408. CONFORMING AMENDMENTS TO TITLE 5, UNITED STATES CODE.**

(a) ADMINISTRATOR.—Section 5313 of title 5, United States Code, is amended by striking "Administrator, Agency for International Development,".

(b) DEPUTY ADMINISTRATOR.—Section 5314 of title 5, United States Code, is amended by striking "Deputy Administrator, Agency for International Development,".

(c) ASSISTANT ADMINISTRATORS.—Section 5315 of title 5, United States Code, is amended by striking "Assistant Administrators, Agency for International Development (6).".

(d) REGIONAL ASSISTANT ADMINISTRATORS.—Section 5315 of title 5, United States Code, is amended by striking "Regional Assistant Administrators, Agency for International Development (4).".

(e) GENERAL COUNSEL.—Section 5316 of title 5, United States Code, is amended by striking "General Counsel of the Agency for International Development,".

**SEC. 1409. TRADE PROMOTION COORDINATING COMMITTEE.**

Section 2312 of the Export Enhancement Act of 1988 (15 U.S.C. 4727) is amended—

(1) in subsection (d)(1)—

(A) by striking subparagraph (I); and

(B) by redesignating subparagraphs (J) through (M) as subparagraphs (I) through (L), respectively; and

(2) in subsection (f)—

(A) by inserting "the Committee on Foreign Relations and" after "submit to"; and

(B) by striking "Foreign Affairs" and inserting "International Relations".

**SEC. 1410. CHIEF FINANCIAL OFFICER.**

Section 901(b)(2) of title 31, United States Code, is amended—

(1) by striking subparagraph (A) (relating to the Agency for International Development); and

(2) by redesignating subparagraphs (B) through (H) as subparagraphs (A) through (G), respectively.

#### SEC. 1411. REFERENCES IN LAW.

Any reference in any statute, reorganization plan, Executive order, regulation, agreement, determination, or other official document or proceeding to the Agency for International Development or the International Development Cooperation Agency (insofar as it exercises AID functions) or the Administrator or other official of the Agency for International Development (or the Director or other official of IDCA exercising AID functions) shall be deemed to refer respectively to the Department of State or the Secretary of State or other official of the Department of State.

#### SEC. 1412. EFFECTIVE DATE.

This title, and the amendments made by this title, shall take effect only in the event of the abolition of the independent foreign affairs agencies specified in section 1501(e).

### TITLE XV—PLANS FOR CONSOLIDATION AND REINVENTION OF FOREIGN AFFAIRS AGENCIES

#### SEC. 1501. REORGANIZATION OF THE DEPARTMENT OF STATE AND THE INDEPENDENT FOREIGN AFFAIRS AGENCIES.

(a) SUBMISSION OF REORGANIZATION PLANS.—(1) IN GENERAL.—The President is authorized to transmit to the appropriate congressional committees a reorganization plan or plans providing for the streamlining, consolidation, and merger of the functions of the foreign affairs agencies of the United States in order to carry out the purposes of section 1002.

(2) SPECIFIC OBJECTIVES.—Pursuant to paragraph (1), the President is authorized to transmit a reorganization plan meeting the following objectives:

(A) The elimination in the duplication of functions and personnel between the Department of State and the independent foreign affairs agencies, which may include the abolition of any such agency.

(B) The reduction in the aggregate number of positions in the Department of State and the independent foreign affairs agencies which are classified at each of levels II, III, and IV of the Executive Schedule.

(C) The reorganization and streamlining of the Department of State.

(D) The achievement of \$1,700,000,000 in savings over 5 years through the streamlining, consolidation, and merger of the functions of the foreign affairs agencies.

(E) The enhancement of the formulation, coordination, and implementation of policy.

(F) The maintenance, to the maximum extent possible, of a United States diplomatic and consular presence abroad.

(G) The maintenance of programs vital to the national interests of the United States.

(b) PLAN ELEMENTS.—A reorganization plan transmitted under subsection (a)(2), consistent with the provisions of this Act, shall—

(1) identify the functions of the independent foreign affairs agency or agencies that will be transferred to the Department of State or any other agency under the plan, as well as those that may be abolished under the plan;

(2) identify the personnel and positions of the agency or agencies (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department or any other agency, separated from service with the agency or agencies, or be terminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department or any other agency, separated from service with the Department, or terminated under the plan

and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations, mergers, and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to the independent foreign affairs agency or agencies that will be transferred to the Department or any other agency under this Act as a result of the implementation of the plan;

(6) specify the proposed allocations within the Department of the funds specified for transfer under paragraph (5);

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the independent foreign affairs agency or agencies resulting from the abolition of any such agency and the transfer of the functions of the independent foreign affairs agencies to the Department or to any other agency;

(8) specify a proposed consolidation of administrative functions to serve the Department of State and all independent foreign affairs agencies; and

(9) contain a certification by the Director of the Office of Management and Budget that the Director estimates that the plan will save \$1,700,000,000 in budget authority during fiscal years 1996 through 2000 from the initial level appropriated for fiscal year 1995 for the following agencies (including appropriations made to accounts administered by such agencies): the Department of State, the United States Information Agency, the United States Agency for International Development, and the United States Arms Control and Disarmament Agency.

(c) LIMITATIONS.—

(1) LIMITATION ON REDUCTIONS IN PROGRAM LEVELS.—Not more than 30 percent of the savings required under subsection (b)(9) may be realized from reductions in program levels.

(2) LIMITATION ON SAVINGS FROM ADMINISTRATIVE EXPENSES OF THE DEPARTMENT OF STATE.—Not more than 15 percent of the savings required under subsection (b)(9) may come from the administrative expenses of the Department of State.

(3) LIMITATIONS ON CONTENTS OF PLAN.—Sections 1606 and 1607 of this Act shall apply to a plan transmitted under subsection (a).

(d) EFFECTIVE DATE OF PLAN.—(1) A plan transmitted under subsection (a) shall become effective on a date which is 90 calendar days of continuous session of Congress after the date on which the plan is transmitted to Congress, unless the Congress enacts a joint resolution, in accordance with section 1608, disapproving the plan.

(2) Any provision of a plan submitted under subsection (a) may take effect later than the date on which the plan becomes effective.

(e) ABOLITION OF SPECIFIED INDEPENDENT FOREIGN AFFAIRS AGENCIES.—If the President does not transmit to Congress within six months after the date of enactment of this Act a reorganization plan meeting the objectives of subsection (a)(2), then the United States Arms Control and Disarmament Agency, the United States Information Agency, the Agency for International Development, and the International Development Cooperation Agency (exclusive of components expressly established by statute or reorganization plan) shall be abolished six months after the expiration of the period for submission of the plan, and the functions of such agencies shall be transferred in accordance with section 1601.

(f) DEFINITIONS.—As used in this section—

(1) the term "foreign affairs agencies" means the Department of State and the independent foreign affairs agencies; and

(2) the term "independent foreign affairs agencies" means such Federal agencies (other than the Department of State) that solely per-

form functions that are funded under major budget category 150 and includes the United States Arms Control and Disarmament Agency, the United States Information Agency, the Agency for International Development, and the International Development Cooperation Agency.

### TITLE XVI—TRANSITION PROVISIONS

#### SEC. 1601. TRANSFER OF FUNCTIONS.

(a) DEPARTMENT OF STATE.—Except as otherwise provided in this Act, there are transferred to, and vested in, the Secretary of State on the effective dates specified under this section all functions vested by law (including by reorganization plan approved before the date of the enactment of this Act pursuant to chapter 9 of title 5, United States Code) in, or exercised by, the head of each of the following agencies, the agencies themselves, or officers, employees, or components thereof, immediately prior to such date:

(1) The United States Arms Control and Disarmament Agency, on the effective date of title XII.

(2) The United States Information Agency, on the effective date of title XIII.

(3) The Agency for International Development and the International Development Cooperation Agency (exclusive of components expressly established by statute or reorganization plan), on the effective date of title XIV.

(b) BROADCASTING BOARD OF GOVERNORS.—There are transferred to, and vested in, the Broadcasting Board of Governors of the Department of State under title III of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (as amended by section 1306 of this Act) on the effective date of title XIII all functions vested by law in, or exercised by, the Broadcasting Board of Governors of the United States Information Agency as of the day before that date.

(c) OFFICE OF CHIEF FINANCIAL OFFICER OF THE DEPARTMENT OF STATE.—There are transferred to the Chief Financial Officer of the Department of State on the effective date of title XIV all functions that were vested by law in, or exercised by, the Chief Financial Officer of the Agency for International Development immediately prior to such date.

(d) OFFICE OF INSPECTOR GENERAL FOR FOREIGN AFFAIRS OF THE DEPARTMENT OF STATE.—There are transferred to the Inspector General for Foreign Affairs of the Department of State, as established in section 209 of the Foreign Service Act of 1980 (as amended by this Act) on the effective dates specified under this subsection the following functions:

(1) On the effective date of title XIII: All functions that were vested by law in, or exercised by, the Inspector General of the United States Information Agency immediately prior to such date.

(2) On the effective date of title XIV: All functions that were vested by law in, or exercised by, the Inspector General of the Agency for International Development immediately prior to such date.

(e) STATUTORY CONSTRUCTION.—Nothing in this section precludes a transfer of functions on a date prior to an effective date specified under this section if the transfer is made in accordance with the schedule of transfers set forth in a reorganization plan approved under this title.

#### SEC. 1602. DETERMINATION OF TRANSFERRED FUNCTIONS AND EMPLOYEES.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of State shall, with the cooperation of the head of the transferor agency, identify the functions or employees, or both, of the agency that are to be transferred to the Department of State pursuant to section 1601. Any disagreements between the head of such an agency and the Secretary with respect to such an identification shall be resolved by the Director of the Office of Management and Budget.

(b) AGENCY FOR INTERNATIONAL DEVELOPMENT.—The Secretary of State shall determine the functions of the Agency for International



Development, and the number of employees of such Agency necessary to perform or support such functions, which are to be transferred from the Agency for International Development to the Department of State pursuant to section 1601.

**SEC. 1603. REORGANIZATION PLAN FOR THE UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY.**

(a) **SUBMISSION OF PLAN.**—In the event of the abolition of the independent foreign affairs agencies specified in section 1501(e), not later than 90 days before their abolition, the President, in consultation with the Secretary of State, shall transmit to the appropriate congressional committees a reorganization plan providing for—

(1) the abolition of the United States Arms Control and Disarmament Agency in accordance with this title;

(2) the transfer to the Department of State of the functions and personnel of the Arms Control and Disarmament Agency as the President determines necessary to carry out the primary functions of the Agency, consistent with this title and title XII; and

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

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

(1) identify the functions of the Arms Control and Disarmament Agency that will be transferred to the Department under the plan, as well as those that will be abolished under the plan;

(2) identify the personnel and positions of the Agency (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department, separated from service with the Agency, or be terminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, or terminated under the plan and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to the Arms Control and Disarmament Agency that will be transferred to the Department under this title as a result of the abolition of the Agency;

(6) specify the proposed allocations within the Department of unexpended funds of the Agency that will be transferred to the Department under the plan; and

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the Agency that will result from the abolition of the Agency and the transfer of the functions of the Agency to the Department under the plan.

(c) **EFFECTIVE DATE OF PLAN.**—The plan transmitted under subsection (a) shall become effective on the date which is 90 calendar days of continuous session of Congress after the date on which the plan is transmitted to Congress, unless the Congress enacts a joint resolution, in accordance with section 1608, disapproving the plan.

(d) **REDUCTION OF EMPLOYEES.**—(1) In implementation of any plan submitted under subsection (a), the Director of the United States Arms Control and Disarmament Agency shall take such actions as necessary, including actions under section 611 of the Foreign Service Act of 1980 (22 U.S.C. 4010a), in the case of members of the Foreign Service, or under regulations prescribed under section 3502 of title 5, United States Code, and procedures established under

section 3595, of title 5, United States Code, in the case of Federal employees who are not members of the Foreign Service, to reduce by eight percent the number of employees employed by the Agency on the date of the enactment of this Act. The Director shall achieve the reduction not later than the effective date of the plan submitted under subsection (a).

(2) For purposes of this subsection, the transfer of any employee of the Agency to the Department of State, or to any other department or agency of the United States, shall be excluded from the computation of the percentage reduction in personnel under this subsection.

(e) **REDUCTION IN FUNDS FOR SALARIES AND EXPENSES FOR FAILURE TO IMPLEMENT PLAN.**—If the Secretary of State and the Director of the United States Arms Control and Disarmament Agency do not complete the implementation of the reorganization plan of the Agency under this section in accordance with the schedule in the plan as approved under section 1608, the amount of funds that the Secretary and the Director may obligate for salaries and expenses of the Department of State and the Agency, respectively, in the fiscal year in which the implementation of the plan is otherwise scheduled to be completed under the plan shall be reduced by an amount equal to 20 percent of the amount otherwise appropriated to the Department and the Agency, respectively, in that fiscal year for salaries and expenses.

**SEC. 1604. REORGANIZATION PLAN FOR THE UNITED STATES INFORMATION AGENCY.**

(a) **SUBMISSION OF PLAN.**—In the event of the abolition of the independent foreign affairs agencies specified in section 1501(e), not later than 90 days before their abolition, the President, in consultation with the Secretary of State, shall transmit to the appropriate congressional committees a reorganization plan providing for—

(1) the abolition of the United States Information Agency in accordance with this title;

(2) the transfer to the Department of State of the functions and personnel of the United States Information Agency as the President determines necessary to carry out the primary functions of the Agency, consistent with this title and title XIII and subject to paragraph (3);

(3) the transfer to the corresponding components of the Department of State of such functions and personnel of the components of the Agency described in sections 1601(b) and 1601(d)(1) as the President determines necessary to carry out the primary functions of those components; and

(4) the consolidation, reorganization, and streamlining of the Department upon the transfer of functions under this title in order to carry out such functions.

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

(1) identify the functions of the United States Information Agency that will be transferred to the Department under the plan, as well as those that will be abolished under the plan;

(2) identify the personnel and positions of the Agency (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department, separated from service with the Agency, or be terminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, or terminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to the United States Information Agency that will be transferred to the Department under this title as a result of the abolition of the Agency;

(6) specify the proposed allocations within the Department of unexpended funds of the Agency that will be transferred to the Department under the plan; and

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the Agency that will result from the abolition of the Agency and the transfer of the functions of the Agency to the Department under the plan.

(c) **EFFECTIVE DATE OF PLAN.**—The plan transmitted under subsection (a) shall become effective on the date which is 90 calendar days of continuous session of Congress after the date on which the plan is transmitted to Congress, unless the Congress enacts a joint resolution, in accordance with section 1608, disapproving the plan.

(d) **REDUCTION OF EMPLOYEES.**—(1) Subject to paragraph (2), in implementation of any plan submitted under subsection (a), the Director of the United States Information Agency shall take such actions as necessary, including actions under section 611 of the Foreign Service Act of 1980 (22 U.S.C. 4010a), in the case of members of the Foreign Service, or under regulations prescribed under section 3502 of title 5, United States Code, and procedures established under section 3595, of title 5, United States Code, in the case of Federal employees who are not members of the Foreign Service, to reduce by 25 percent the number of employees employed by the Agency on the date of the enactment of this Act. The Director shall achieve the reduction not later than the effective date of the plan submitted under subsection (a).

(2) For purposes of this subsection, the transfer of any employee of the Agency to the Department of State, or to any other department or agency of the United States, shall be excluded from the computation of the percentage reduction in personnel under this subsection.

(3) In reducing the number of employees employed by the Agency under this subsection, the Director shall ensure that the number of members of the Foreign Service employed by the Agency does not exceed the number of such members authorized to be employed by the Agency under section 141.

(e) **REDUCTION IN FUNDS FOR SALARIES AND EXPENSES FOR FAILURE TO IMPLEMENT PLAN.**—If the Secretary of State and the Director of the United States Information Agency do not complete the implementation of the reorganization plan of the Agency under this section in accordance with the schedule in the plan as approved under section 1608, the amount of funds that the Secretary and the Director may obligate for salaries and expenses of the Department of State and the Agency, respectively, in the fiscal year in which the implementation of the plan is otherwise scheduled to be completed under the plan shall be reduced by an amount equal to 20 percent of the amount otherwise appropriated to the Department and the Agency, respectively, in that fiscal year for salaries and expenses.

**SEC. 1605. REORGANIZATION PLAN FOR THE AGENCY FOR INTERNATIONAL DEVELOPMENT.**

(a) **SUBMISSION OF PLAN.**—In the event of the abolition of the independent foreign affairs agencies specified in section 1501(e), not later than 90 days before their abolition, the President, in consultation with the Secretary of State, shall transmit to the appropriate congressional committees a reorganization plan providing for—

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

(2) the transfer to the Department of State of the functions and personnel of the Agency for International Development as the President determines necessary to carry out the primary

functions of the Agency, consistent with this title and title XIV;

(3) the transfer to the corresponding components of the Department of State of such functions and personnel of the components of the Agency described in sections 1601(c) and 1601(d)(2) as the President determines necessary to carry out the primary functions of those components; and

(4) the consolidation, reorganization, and streamlining of the Department upon the transfer of functions under this title in order to carry out such functions.

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

(1) identify the functions of the Agency for International Development that will be transferred to the Department under the plan, as well as those that will be abolished under the plan;

(2) identify the personnel and positions of the Agency (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred to the Department, separated from service with the Agency, or be terminated under the plan, and set forth a schedule for such transfers, separations, and terminations;

(3) identify the personnel and positions of the Department (including civil service personnel, Foreign Service personnel, and detailees) that will be transferred within the Department, separated from service with the Department, or terminated under the plan and set forth a schedule for such transfers, separations, and terminations;

(4) specify the consolidations and reorganization of functions of the Department that will be required under the plan in order to permit the Department to carry out the functions transferred to the Department under the plan;

(5) specify the funds available to the Agency for International Development that will be transferred to the Department under this title as a result of the abolition of the Agency;

(6) specify the proposed allocations within the Department of unexpended funds of the Agency that will be transferred to the Department under the plan; and

(7) specify the proposed disposition of the property, facilities, contracts, records, and other assets and liabilities of the Agency that will result from the abolition of the Agency and the transfer of the functions of the Agency to the Department under the plan.

(c) **EFFECTIVE DATE OF PLAN.**—The plan transmitted under subsection (a) shall become effective on the date which is 90 calendar days of continuous session of Congress after the date on which the plan is transmitted to Congress, unless the Congress enacts a joint resolution, in accordance with section 1608, disapproving the plan.

(d) **REDUCTION OF EMPLOYEES.**—(1) Subject to paragraph (2), in implementation of any plan submitted under subsection (a), the Administrator of the Agency for International Development shall take such actions as necessary, including actions under section 611 of the Foreign Service Act of 1980 (22 U.S.C. 4010a), in the case of members of the Foreign Service, or under regulations prescribed under section 3502 of title 5, United States Code, and procedures established under section 3595, of title 5, United States Code, in the case of Federal employees who are not members of the Foreign Service, to reduce by 50 percent the number of employees employed by the Agency on the date of the enactment of this Act. The Administrator shall achieve the reduction not later than the effective date of the plan submitted under subsection (a).

(2) For purposes of this subsection, the transfer of any employee of the Agency to the Department of State, or any other department or agency of the United States, shall be excluded from the computation of the percentage reduction in personnel under this subsection.

(3) In reducing the number of employees employed by the Agency under this subsection, the Administrator shall ensure that the number of

members of the Foreign Service employed by the Agency does not exceed the number of such members authorized to be employed by the Agency under section 141.

(e) **REDUCTION IN FUNDS FOR SALARIES AND EXPENSES FOR FAILURE TO IMPLEMENT PLAN.**—If the Secretary of State and the Administrator of the Agency for International Development do not complete the implementation of the reorganization plan of the Agency under this section in accordance with the schedule in the plan as approved under section 1608, the amount of funds that the Secretary and the Administrator may obligate for salaries and expenses of the Department of State and the Agency, respectively, in the fiscal year in which the implementation of the plan is otherwise scheduled to be completed under the plan shall be reduced by an amount equal to 20 percent of the amount otherwise appropriated to the Department and the Agency, respectively, in that fiscal year for salaries and expenses.

#### **SEC. 1606. ADDITIONAL REQUIREMENTS AND LIMITATIONS ON REORGANIZATION PLANS.**

(a) **LIMITATION ON POWERS.**—A reorganization plan under section 1501, 1603, 1604, or 1605 may not have the effect of—

(1) creating a new executive department;

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

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

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

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

(6) terminating any function authorized by law.

(b) **EFFECT ON OTHER LAWS, PENDING LEGAL PROCEEDINGS, AND UNEXPENDED APPROPRIATIONS.**—(1) A statute enacted, and a regulation or other action made, prescribed, issued, granted, or performed in respect of or by the agency or function affected by a reorganization under this title, before the effective date of the reorganization, has, except to the extent rescinded, modified, superseded, or made inapplicable by or under authority of law or by the abolition of a function, the same effect as if the reorganization had not been made. However, if the statute, regulation, or other action has vested the functions in a transferor agency, the function, insofar as it is to be exercised after the plan becomes effective, shall be deemed as vested in the transferee agency concerned.

(2) For the purpose of paragraph (1), the term "regulation or other action" means a regulation, rule, order, policy, determination, directive, authorization, permit, privilege, requirement, designation, or other action.

(c) **NOTICE OF IMPLEMENTATION OF PLANS.**—The President shall cause to be published in the Federal Register for each reorganization plan submitted under section 1501, 1603, 1604, or 1605 a notice of the date by which all functions of the transferor agency are to be transferred or terminated under the plan.

(d) **TRANSMITTAL OF REORGANIZATION PLANS.**—Section 903(b) of title 5, United States Code, shall apply to each reorganization plan submitted under section 1501, 1603, 1604, or 1605.

#### **SEC. 1607. AMENDMENTS OR MODIFICATIONS TO REORGANIZATION PLANS.**

Any time during the period of 30 calendar days after the date on which a reorganization plan is transmitted to Congress under section 1501, 1603, 1604, or 1605, or after the date on which the President transmits to Congress any other plan having the effect of revising such a plan, but before any resolution described in section 1608 has been ordered reported in (or deemed to be discharged from) either House of Congress, the President may make amendments

or modifications to the plan, consistent with section 1501, 1603, 1604, or 1605, as the case may be, which modifications or revisions shall thereafter be treated as a part of the reorganization plan originally transmitted and shall not affect in any way the time limits otherwise provided for in section 1608. The President may withdraw the plan at any time prior to the conclusion of 45 calendar days beginning on the date on which the plan is submitted to Congress, except that the President may only withdraw a plan if a revised plan is immediately substituted for that plan.

#### **SEC. 1608. PROCEDURES FOR CONGRESSIONAL CONSIDERATION OF REORGANIZATION PLANS.**

(a) **PROCEDURES.**—(1) A joint resolution described in subsection (b) which is introduced in a House of Congress in accordance with subsection (c) shall be considered in Congress in accordance with the procedures set forth in this section.

(2) For purposes of this title and title XV—

(A) continuity of session of Congress is broken only by an adjournment of Congress sine die; and

(B) the days on which either House is not in session because of an adjournment of more than 3 days to a day certain are excluded in the computation of any period of time in which Congress is in continuous session.

(b) **TERMS OF RESOLUTION.**—For the purpose of subsection (a), the term "resolution" means only a joint resolution of the Congress, the matter after the resolving clause of which is as follows: "That the Congress disapproves the reorganization plan numbered \_\_\_\_\_ transmitted to the Congress by the President on \_\_\_\_\_, 19\_\_\_\_, pursuant to section \_\_\_\_\_ of the Foreign Affairs Reorganization Act of 1955.", and includes such modifications and revisions as are submitted by the President under section 1607. The blank spaces therein are to be filled appropriately. The term does not include a resolution which specifies more than one reorganization plan.

(c) **INTRODUCTION AND REFERENCE OF RESOLUTION.**—(1) A joint resolution described in subsection (b) is only entitled to expedited procedures set forth in this section if the resolution is introduced in a House of Congress by a Member of that House within 10 calendar days of continuous session of Congress of the transmittal of a reorganization plan under section 1501, 1603, 1604, or 1605.

(2) Any resolution with respect to a reorganization plan shall be referred to the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives by the President of the Senate or the Speaker of the House of Representatives, as the case may be. The committee shall make its recommendations to the House of Representatives or the Senate, as the case may be, within 30 calendar days following the date of such resolution's introduction.

(d) **MOTION TO DISCHARGE COMMITTEE CONSIDERING RESOLUTION.**—(1) If the committee to which is referred a resolution introduced pursuant to paragraph (1) of subsection (c) has not reported such resolution at the end of 30 calendar days of continuous session of Congress after its introduction, it shall be in order to move either to discharge the committee from further consideration of the resolution or to discharge the committee from further consideration of any other resolution introduced with respect to the same plan which has been referred to the committee, except that no motion to discharge shall be in order after the committee has reported a resolution with respect to the same plan.

(2) A motion to discharge under paragraph (1) may be made only by a Senator favoring the resolution, is privileged, and debate thereon shall be limited to not more than 1 hour, to be divided equally between those favoring and those opposing the resolution, the time to be divided equally

between, and controlled by, the majority leader and the minority leader or their designees. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(e) **PROCEDURE AFTER REPORT OR DISCHARGE OF COMMITTEE; DEBATE; VOTE ON FINAL PASSAGE.**—(1) When the committee has reported, or has been discharged (under subsection (d)) from further consideration of, a resolution with respect to a reorganization plan, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for any Member of the respective House to move to proceed to the consideration of the resolution. The motion is highly privileged and is not debatable. The motion shall not be subject to amendment, or to a motion to postpone, or a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the resolution is agreed to, the resolution shall remain the unfinished business of the respective House until disposed of.

(2) Debate on the resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than ten hours, which shall be divided equally between individuals favoring and individuals opposing the resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the resolution is not in order. A motion to reconsider the vote by which the resolution is passed or rejected shall not be in order.

(3) Immediately following the conclusion of the debate on the resolution with respect to a reorganization plan, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the appropriate House, the vote on final passage of the resolution shall occur.

(4) Appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a reorganization plan shall be decided without debate.

(5) If, prior to the passage by one House of a resolution of that House, that House receives a resolution with respect to the same reorganization plan from the other House, then—

(A) the procedure in that House shall be the same as if no resolution had been received from the other House; but

(B) the vote on final passage shall be on the resolution of the other House.

(f) **RULES OF SENATE AND HOUSE OF REPRESENTATIVES ON REORGANIZATION PLANS.**—Subsections (b), (c), (d), and (e) of this section are enacted by Congress—

(1) as an exercise of the rulemaking power of the Senate and the House of Representatives, respectively, and as such they are deemed a part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in that House in the case of resolutions with respect to any reorganization plans transmitted to Congress in accordance with section 1501, 1603, 1604, or 1605, or any other plan transmitted by the President to Congress having the effect of revising such a plan, and they supersede other rules only to the extent that they are inconsistent therewith; and

(2) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner and to the same extent as in the case of any other rule of that House.

#### SEC. 1609. TRANSITION FUND.

(a) **ESTABLISHMENT.**—There is hereby established on the books of the Treasury an account to be known as the "Foreign Affairs Reorganization Transition Fund".

(b) **PURPOSE.**—The purpose of the account is to provide funds for the orderly transfer of functions and personnel to the Department of State as a result of the implementation of this title and for payment of other costs associated with the consolidation of foreign affairs agencies under this title.

(c) **DEPOSITS.**—(1) Subject to paragraphs (2) and (3), there shall be deposited into the account the following:

(A) Funds appropriated to the account pursuant to the authorization of appropriations in subsection (j).

(B) Funds transferred to the account by the Secretary of State from funds that are transferred to the Secretary by the head of an agency under subsection (d).

(C) Funds transferred to the account by the Secretary from funds that are transferred to the Department of State together with the transfer of functions to the Department under this title and that are not required by the Secretary in order to carry out the functions.

(D) Funds transferred to the account by the Secretary from any unobligated funds that are appropriated or otherwise made available to the Department.

(2) The Secretary may transfer funds to the account under subparagraph (C) of paragraph (1) only if the Secretary determines that the amount of funds deposited in the account pursuant to subparagraphs (A) and (B) of that paragraph is inadequate to pay the costs of carrying out this title.

(3) The Secretary may transfer funds to the account under subparagraph (D) of paragraph (1) only if the Secretary determines that the amount of funds deposited in the account pursuant to subparagraphs (A), (B), and (C) of that paragraph is inadequate to pay the costs of carrying out this title.

(d) **TRANSFER OF FUNDS TO SECRETARY OF STATE.**—The head of a transferor agency shall transfer to the Secretary the amount, if any, of the unobligated funds appropriated or otherwise made available to the agency for functions of the agency that are abolished under this title which funds are not required to carry out the functions of the agency as a result of the abolishment of the functions under this title.

(e) **USE OF FUNDS.**—(1)(A) Notwithstanding any other provision of law and subject to paragraph (2), the Secretary shall use sums in the account for payment of the costs of carrying out this title, including costs relating to the consolidation of functions of the Department of State and the termination of employees of the Department.

(B) The Secretary may transfer sums in the account to the head of an agency to be abolished under this division for payment by the head of the agency of the cost of carrying out a voluntary separation incentive program at the agency under section 1610.

(2)(A) Except as provided in subparagraph (B), the Secretary may not use sums in the account for payment of the costs described in paragraph (1) unless the appropriate congressional committees are notified 15 days in advance of such use in accordance with procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2706).

(B) Subparagraph (A) does not apply to the following uses of sums in the account:

(i) For payment of the cost of carrying out a voluntary separation incentive program at the Department under section 1610, but only if the total cost of the program with respect to the Department is less than \$10,000,000.

(ii) For transfer to the head of an agency to be abolished under this division for payment of the cost of carrying out a voluntary separation incentive program at the agency under section 1610, but only if the total amount transferred with respect to the agency is less than \$30,000,000.

(iii) For payment of the cost of any severance payments required to be paid by the Secretary to

employees of the Department, but only if the cost of such payments is less than \$10,000,000.

(iv) For transfer to the head of an agency to be abolished under this division for payment of the cost of any severance payments required to be paid to employees of the agency, but only if the total amount transferred with respect to the agency is less than \$40,000,000.

(v) For payment of the cost of any improvements of the information management systems of the Department that are carried out as a result of the abolishment of agencies under this division, but only if the cost of such improvements is less than \$15,000,000.

(vi) For payment of the cost of the physical relocation of fixtures, materials, and other resources from an agency to be abolished under this division to the Department or of such relocation within the Department, but only if the cost of such relocation is less than \$10,000,000.

(3) Funds in the account shall be available for the payment of costs under paragraph (1) without fiscal year limitation.

(4) Funds in the account may be used only for purposes of paying the costs of carrying out this title.

(f) **TREATMENT OF UNOBLIGATED BALANCES.**—(1) Subject to paragraph (2), unobligated funds, if any, which remain in the account after the payment of the costs described in subsection (e)(1) shall be transferred to the Department of State and shall be available to the Secretary of State for purposes of carrying out the functions of the Department.

(2) The Secretary may not transfer funds in the account to the Department under paragraph (1) unless the appropriate congressional committees are notified in advance of such transfer in accordance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956.

(g) **REPORT ON ACCOUNT.**—Not later than October 1, 1998, the Secretary of State shall transmit to the appropriate congressional committees a report containing an accounting of—

(1) the expenditures from the account established under this section; and

(2) in the event of any transfer of funds to the Department of State under subsection (f), the functions for which the funds so transferred were expended.

(h) **TERMINATION OF AUTHORITY TO USE ACCOUNT.**—The Secretary may not obligate funds in the account after September 30, 1999.

(i) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated for the fiscal year 1996 \$125,000,000 and for the fiscal year 1997 \$100,000,000, for deposit under subsection (c)(1)(A) into the account established under subsection (a).

#### SEC. 1610. VOLUNTARY SEPARATION INCENTIVES.

(a) **AUTHORITY TO PAY INCENTIVES.**—The head of an agency referred to in subsection (b) may pay voluntary incentive payments to employees of the agency in order to avoid or minimize the need for involuntary separations from the agency as a result of the abolition of the agency and the consolidation of functions of the Department of State under this title.

(b) **COVERED AGENCIES.**—Subsection (a) applies to the following agencies:

(1) The Department of State.

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

(3) The United States Information Agency.

(4) The Agency for International Development.

(c) **PAYMENT REQUIREMENTS.**—(1) The head of an agency shall pay voluntary separation incentive payments in accordance with the provisions of section 3 of the Federal Workforce Restructuring Act of 1994 (Public Law 103-226; 108 Stat. 111), except that an employee of the agency shall be deemed to be eligible for payment of a voluntary separation incentive payment under that section if the employee separates from service with the agency during the period beginning

on the date of enactment of this Act and ending on September 30, 1996.

(2) The provisions of subsection (d) of such section 3 shall apply to any employee who is paid a voluntary separation incentive payment under this section.

(d) **FUNDING.**—The payment of voluntary separation incentive payments under this section shall be made from funds in the Foreign Affairs Reorganization Transition Fund established under section 1609. The Secretary of State may transfer sums in that fund to the head of an agency under subsection (e)(1)(B) of that section for payment of such payments by the agency head.

(e) **TERMINATION OF AUTHORITY.**—The authority of the head of an agency to authorize payment of voluntary separation incentive payments under this section shall expire on September 30, 1996.

(f) **BUDGET ACT COMPLIANCE.**—Any new spending authority (within the meaning of section 401 of the Congressional Budget Act of 1974) which is provided under this section shall be effective for any fiscal year only to the extent or in such amounts as are provided in advance in appropriations Acts.

(g) **ADDITIONAL REQUIREMENTS FOR BUDGET PURPOSES.**—(1) In addition to any other payments which an agency referred to in subsection (b) is required to make under section 4(a)(1) of the Federal Workforce Restructuring Act of 1994 (Public Law 103-226; 108 Stat. 114; 5 U.S.C. 8331 note), each such agency shall remit to the Office of Personnel Management for deposit in the Treasury to the credit of the Civil Service Retirement and Disability Fund an amount equal to 9 percent of final basic pay of each employee of the agency—

(A) who, on or after the date of the enactment of this Act, retires under section 8336(d)(2) of title 5, United States Code; and

(B) to whom a voluntary separation incentive payment is paid under this section by such agency based on that retirement.

(2) In addition to any other payments which an agency referred to in subsection (b) is required to make under section 4(b)(1) of such Act in fiscal years 1996, 1997, and 1998, each such agency shall remit to the Office of Personnel Management for deposit in the Treasury to the credit of the Civil Service Retirement and Disability Fund an amount equal to 0.5 percent of the basic pay of each employee of the agency who, as of March 31 of such fiscal year, is subject to subchapter III of chapter 83 or chapter 84 of title 5, United States Code.

(3) Notwithstanding any other provision of this section, the head of an agency referred to in subsection (b) may not pay voluntary separation incentive payments under this section unless sufficient funds are available in the Foreign Affairs Reorganization Transition Fund to cover the cost of such payments and the amount of the remittances required of the agency under paragraphs (1) and (2).

#### **SEC. 1611. RIGHTS OF EMPLOYEES OF ABOLISHED AGENCIES.**

(a) **IN GENERAL.**—Except as otherwise provided by this title, the transfer pursuant to this title of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employee to be separated or reduced in grade or compensation for one year after the date of transfer of such employee under this title.

(b) **EXECUTIVE SCHEDULE POSITIONS.**—Except as otherwise provided in this title, any person who, on the day preceding the date of the abolition of a transferor agency under this title, held a position in such an agency that was compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in a transferee agency to a position having duties comparable to the duties performed immediately preceding such ap-

pointment, shall continue to be compensated in such new position at not less than the rate provided for such previous position for the duration of the service of such person in such new position.

(c) **TERMINATION OF CERTAIN POSITIONS.**—Positions whose incumbents are appointed by the President, by and with the advice and consent of the Senate, the functions of which are transferred or abolished under this title, shall terminate on the date of the transfer or abolition, as the case may be, of the functions under this title.

(d) **EXCEPTED SERVICE.**—(1) Subject to paragraph (2), in the case of employees occupying positions in the excepted service or the Senior Executive Service, any appointment authority established pursuant to law or regulations of the Office of Personnel Management for filling such positions shall be transferred.

(2) The Department of State may decline a transfer of authority under paragraph (1) (and the employees appointed pursuant thereto) to the extent that such authority relates to positions excepted from the competitive service because of their confidential, policy-making, policy-determining, or policy-advocating character, and noncareer positions in the Senior Executive Service (within the meaning of section 3132(a)(7) of title 5, United States Code).

(e) **SENIOR EXECUTIVE SERVICE.**—A transferring employee in the Senior Executive Service shall be placed in a comparable position at the Department of State.

(f) **EMPLOYEE BENEFIT PROGRAMS.**—(1) Any employee accepting employment with the Department of State as a result of a transfer under this title may retain membership for 1 year after the date such transfer occurs in any employee benefit program of the transferor agency, including insurance, to which such employee belongs on the date of the enactment of this Act if—

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

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

(2) The difference in the costs between the benefits which would have been provided by such agency or entity and those provided under this subsection shall be paid by the Secretary of State.

(3) If an employee elects to give up membership in a health insurance program or the health insurance program is not continued by the Secretary of State, the employee shall be permitted to select an alternate Federal health insurance program within 30 days of such election or notice, without regard to any other regularly scheduled open season.

(g) **ASSIGNMENTS.**—(1) Transferring employees shall receive notice of their position assignments not later than the date on which the reorganization plan setting forth the transfer of such employees is transmitted to the appropriate congressional committees under this title.

(2) Foreign Service personnel transferred to the Department of State pursuant to this title shall be eligible for any assignment open to Foreign Service personnel within the Department.

#### **SEC. 1612. TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.**

(a) **IN GENERAL.**—Except as otherwise provided in this title, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the functions transferred under this title, subject to section 1531 of title 31, United States Code, shall be transferred to the transferee agency concerned.

(b) **TREATMENT OF PERSONNEL EMPLOYED IN TERMINATED FUNCTIONS.**—The following shall apply with respect to officers and employees of a transferor agency that are not transferred under this title:

(1) Under such regulations as the Office of Personnel Management may prescribe, the head of any agency in the executive branch may appoint in the competitive service any person who is certified by the head of the transferor agency as having served satisfactorily in the transferor agency and who passes such examination as the Office of Personnel Management may prescribe. Any person so appointed shall, upon completion of the prescribed probationary period, acquire a competitive status.

(2) The head of any agency in the executive branch having an established merit system in the excepted service may appoint in such service any person who is certified by the head of the transferor agency as having served satisfactorily in the transferor agency and who passes such examination as the head of such agency in the executive branch may prescribe.

(3) Any appointment under this subsection shall be made within a period of one year after completion of the appointee's service in the transferor agency.

(4) Any law, Executive order, or regulation which would disqualify an applicant for appointment in the competitive service or in the excepted service concerned shall also disqualify an applicant for appointment under this subsection.

(c) **AUTHORIZED STRENGTH OF THE FOREIGN SERVICE.**—When an agency is abolished under this division, the limitations for fiscal years 1996 and 1997 under section 141 of this Act on the members of the Foreign Service authorized to be employed by such agency shall be added to the limitations under such section which apply to the Department of State.

#### **SEC. 1613. PERSONNEL AUTHORITIES FOR TRANSFERRED FUNCTIONS.**

(a) **APPOINTMENTS.**—(1) Subject to paragraph (2), the head of a transferee agency may appoint and fix the compensation of such officers and employees, including investigators, attorneys, and administrative law judges, as may be necessary to carry out the respective functions transferred to the agency under this title. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with title 5, United States Code.

(2) A person employed under paragraph (1) may not continue in such employment after the end of the period (as determined by the Secretary of State) required for the transfer of functions under this title.

(b) **EXPERTS AND CONSULTANTS.**—The head of a transferee agency may obtain the services of experts and consultants in connection with functions transferred to the agency under this title in accordance with section 3109 of title 5, United States Code, and compensate such experts and consultants for each day (including traveltime) at rates not in excess of the rate of pay for level IV of the Executive Schedule under section 5315 of such title. The head of the transferee agency may pay experts and consultants who are serving away from their homes or regular place of business travel expenses and per diem in lieu of subsistence at rates authorized by sections 5702 and 5703 of such title for persons in Government service employed intermittently.

#### **SEC. 1614. PROPERTY AND FACILITIES.**

(a) **IN GENERAL.**—The Secretary of State shall review the property and facilities of each transferor agency for purposes of determining if the property is required by the Department of State in order to carry out the functions of the Department after the transfer of functions to the Department under this title.

(b) **DEADLINE FOR TRANSFER.**—Not later than March 1, 1997, all property and facilities within the custody of the transferor agency shall be transferred to the custody of the Secretary of State.

**SEC. 1615. DELEGATION AND ASSIGNMENT.**

Except where otherwise expressly prohibited by law or otherwise provided by this Act, the head of a transferee agency may delegate any of the functions transferred to the head of the transferee agency under section 1601 and any function transferred or granted to such head of the transferee agency after the appropriate effective date specified in section 1601 to such officers and employees of the transferee agency as the head of the transferee agency may designate, and may authorize successive redelegations of such functions as may be necessary or appropriate. No delegation of functions by the head of the transferee agency under this section or under any other provision of this title shall relieve such head of the transferee agency of responsibility for the administration of such functions.

**SEC. 1616. RULES.**

The head of a transferee agency may prescribe, in accordance with the provisions of chapters 5 and 6 of title 5, United States Code, such rules and regulations as the head of the transferee agency determines necessary or appropriate to administer and manage the functions of the transferee agency after the transfer of functions to the agency under this title.

**SEC. 1617. INCIDENTAL TRANSFERS.**

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

**SEC. 1618. EFFECT ON CONTRACTS AND GRANTS.**

(a) **PROHIBITION ON NEW OR EXTENDED CONTRACTS OR GRANTS.**—Except as provided in subsection (b), the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development may not—

(1) enter into a contract or agreement which will continue in force after the date of abolition of such agency under this division;

(2) extend the term of an existing contract or agreement of such agency to a date after such date; or

(3) make a grant which will continue in force after such date.

(b) **EXCEPTION.**—Subsection (a) does not apply to the following:

(1) Contracts and agreements for carrying out essential administrative functions.

(2) Contracts and agreements for functions and activities that the Secretary of State determines will be carried out by the Department of State after the termination of the agency concerned under this title.

(3) Grants relating to the functions and activities referred to in paragraph (2).

(c) **EVALUATION AND TERMINATION OF EXISTING CONTRACTS.**—The Secretary of State and the head of each agency referred to in subsection (a) shall—

(1) review the contracts of such agency that will continue in force after the date of the abolition of the agency under this division in order to determine if the cost of abrogating such contracts before that date would exceed the cost of carrying out the contract according to its terms; and

(2) in the case of each contract so determined, provide for the termination of the contract in the most cost-effective manner practicable.

**SEC. 1619. SAVINGS PROVISIONS.**

(a) **CONTINUING EFFECT OF LEGAL DOCUMENTS.**—All orders, determinations, rules, regu-

lations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

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

(2) which are in effect at the time of the appropriate effective date specified in section 1601, or were final before such effective date and are to become effective on or after such effective date,

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

(b) **PROCEEDINGS NOT AFFECTED.**—The provisions of this title shall not affect any proceedings, including notices of proposed rulemaking, or any application for any license, permit, certificate, or financial assistance pending before a transferor agency at the time this title takes effect for the agency, with respect to functions transferred under this title but such proceedings and applications shall be continued. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this title had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this subsection shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this title had not been enacted.

(c) **SUITS NOT AFFECTED.**—The provisions of this title shall not affect suits commenced before the appropriate effective date specified in section 1601, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this title had not been enacted.

(d) **NONABATEMENT OF ACTIONS.**—No suit, action, or other proceeding commenced by or against a transferor agency, or by or against any individual in the official capacity of such individual as an officer of the transferor agency, shall abate by reason of the enactment of this title.

(e) **ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.**—Any administrative action relating to the preparation or promulgation of a regulation by a transferor agency relating to a function transferred under this title may be continued by the transferee agency with the same effect as if this title had not been enacted.

**SEC. 1620. SEPARABILITY.**

If a provision of this title or its application to any person or circumstance is held invalid, neither the remainder of this title nor the application of the provision to other persons or circumstances shall be affected.

**SEC. 1621. OTHER TRANSITION AUTHORITIES.**

The head of a transferee agency may utilize—

(1) the services of such officers, employees, and other personnel of the transferor agency with respect to functions transferred to the transferee agency under this title; and

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

**SEC. 1622. ADDITIONAL CONFORMING AMENDMENTS.**

The President may submit a report to the appropriate congressional committees containing such recommendations for such additional tech-

nical and conforming amendments to the laws of the United States as may be appropriate to reflect the changes made by this division.

**SEC. 1623. FINAL REPORT.**

Not later than October 1, 1998, the President shall provide by written report to the Congress a final accounting of the finances and operations of the United States Arms Control and Disarmament Agency, the United States Information Agency, and the Agency for International Development, and a projection of the personnel end-strengths of the Foreign Service and the Senior Foreign Service as of September 30, 1999.

**SEC. 1624. DEFINITIONS.**

For purposes of this title, unless otherwise provided or indicated by the context—

(1) the term "appropriate congressional committees" means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives;

(2) the term "Federal agency" has the meaning given to the term "agency" by section 551(1) of title 5, United States Code;

(3) the term "function" means any duty, obligation, power, authority, responsibility, right, privilege, activity, or program;

(4) the term "office" includes any office, administration, agency, institute, unit, organizational entity, or component thereof;

(5) the term "transferee agency" means—

(A) the Department of State, with respect to functions transferred under section 1601(a);

(B) the Broadcasting Board of Governors of the Department of State, with respect to functions transferred under section 1601(b);

(C) the Chief Financial Officer of the Department of State, with respect to functions transferred under section 1601(c); and

(D) the Inspector General for Foreign Affairs of the Department of State, with respect to functions transferred under section 1601(d); and

(6) the term "transferor agency" refers to each of the following agencies:

(A) The United States Arms Control and Disarmament Agency, with respect to the functions transferred under section 1601(a)(1).

(B) The United States Information Agency (exclusive of the Broadcasting Board of Governors), with respect to the functions transferred under section 1601(a)(2).

(C) The Agency for International Development, a component of the International Development Cooperation Agency, with respect to the functions transferred under section 1601(a)(3).

(D) The International Development Cooperation Agency (exclusive of components expressly established by statute or reorganization plan), with respect to the functions transferred under section 1601(a)(3).

(E) The Broadcasting Board of Governors, with respect to the functions transferred under section 1601(b).

(F) The Officer of the Chief Financial Officer, Agency for International Development, with respect to the functions transferred under section 1601(c).

(G) The Office of Inspector General, United States Information Agency, with respect to the functions transferred under section 1601(d)(1).

(H) The Office of Inspector General, Agency for International Development, with respect to the functions transferred under section 1601(d)(2).

## ORDERS FOR SATURDAY, DECEMBER 16, 1995

Mr. DOLE. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 11 a.m. on Saturday, December 16, that following the prayer, the Journal of proceedings be deemed approved to date, no