

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEAR
2000

APRIL 29, 1999.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed

Mr. GILMAN, from the Committee on International Relations,
submitted the following

REPORT

together with

ADDITIONAL VIEWS

[To accompany H.R. 1211]

[Including cost estimate of the Congressional Budget Office]

The Committee on International Relations, to whom was referred the bill (H.R. 1211) to authorize appropriations for the Department of State and related agencies for fiscal years 2000 and 2001, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Foreign Relations Authorization Act, Fiscal Year 2000”.

SEC. 2. TABLE OF CONTENTS.

The table of contents is as follows:

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

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

CHAPTER 1—DEPARTMENT OF STATE

- Sec. 101. Administration of foreign affairs.
- Sec. 102. International organizations.
- Sec. 103. International commissions.
- Sec. 104. Migration and refugee assistance.

- Sec. 105. Public diplomacy programs.
- Sec. 106. Voluntary contributions to international organizations.
- Sec. 107. Grants to the Asia Foundation.

CHAPTER 2—BROADCASTING BOARD OF GOVERNORS

- Sec. 121. International broadcasting.

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND ACTIVITIES

CHAPTER 1—AUTHORITIES AND ACTIVITIES

- Sec. 201. Authority to lease aircraft to respond to a terrorist attack abroad.
- Sec. 202. Report on Cuban drug trafficking.
- Sec. 203. Report on compliance with the Hague Convention on International Child Abduction.
- Sec. 204. Elimination of obsolete reports.
- Sec. 205. Continuation of reporting requirements.
- Sec. 206. International arms sales code of conduct.
- Sec. 207. Human rights and democracy fellowships.
- Sec. 208. Joint funds under agreements for cooperation in environmental, scientific, cultural, and related areas.
- Sec. 209. Report on international extradition.
- Sec. 210. Effective regulation of satellite export activities.

CHAPTER 2—CONSULAR AND RELATED ACTIVITIES

- Sec. 251. Deaths and estates of United States citizens abroad.
- Sec. 252. Duties of consular officers.
- Sec. 253. Machine readable visas.
- Sec. 254. Processing of visa applications.
- Sec. 255. Repeal of outdated provision on passport fees.
- Sec. 256. Fees relating to affidavits of support.

CHAPTER 3—REFUGEES

- Sec. 271. United States policy regarding the involuntary return of refugees.
- Sec. 272. Human rights reports.
- Sec. 273. Guidelines for refugee processing posts.
- Sec. 274. Vietnamese refugees.

TITLE III—ORGANIZATION OF THE DEPARTMENT OF STATE; PERSONNEL OF THE DEPARTMENT OF STATE AND FOREIGN SERVICE

CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE

- Sec. 301. Establishment of Bureau for International Information Programs and Bureau for Educational and Cultural Exchange Programs.
- Sec. 302. Correction of designation of Inspector General of the Department of State.

CHAPTER 2—PERSONNEL OF THE DEPARTMENT OF STATE

- Sec. 321. Establishment of Foreign Service Star.
- Sec. 322. United States citizens hired abroad.
- Sec. 323. Border equalization adjustment.
- Sec. 324. Treatment of grievance records.
- Sec. 325. Report concerning financial disadvantages for administrative and technical personnel.
- Sec. 326. Extension of overseas hiring authority.
- Sec. 327. Medical emergency assistance.
- Sec. 328. Families of deceased foreign service personnel.
- Sec. 329. Parental choice in education.
- Sec. 330. Workforce planning for foreign service personnel by federal agencies.
- Sec. 331. Compensation for survivors of terrorist attacks overseas.

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

- Sec. 401. Educational and cultural exchanges and scholarships for Tibetans and Burmese.
- Sec. 402. Conduct of certain educational and cultural exchange programs.
- Sec. 403. Notification to Congress of grants.
- Sec. 404. National security measures.
- Sec. 405. Designation of North/South Center as the Dante B. Fascell North-South Center.
- Sec. 406. Advisory Commission on Public Diplomacy.
- Sec. 407. International expositions.
- Sec. 408. Royal Ulster Constabulary.

TITLE V—INTERNATIONAL BROADCASTING

- Sec. 501. Permanent authorization for Radio Free Asia.
- Sec. 502. Preservation of RFE/RL (Radio Free Europe/Radio Liberty).
- Sec. 503. Immunity from civil liability for Broadcasting Board of Governors.

TITLE VI—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

- Sec. 601. Interparliamentary groups.
- Sec. 602. Authority to assist State and local governments.
- Sec. 603. International Boundary and Water Commission.
- Sec. 604. Concerning United Nations General Assembly Resolution ES-10/6.

TITLE VII—GENERAL PROVISIONS

- Sec. 701. Sense of the Congress concerning support for democracy and human rights activists in Cuba.
- Sec. 702. Relating to Cyprus.

SEC. 3. DEFINITIONS.

In this Act:

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

(2) SECRETARY.—The term “Secretary” means the Secretary of State.

TITLE I—AUTHORIZATIONS OF APPROPRIATIONS

CHAPTER 1—DEPARTMENT OF STATE

SEC. 101. ADMINISTRATION OF FOREIGN AFFAIRS.

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

(1) DIPLOMATIC AND CONSULAR PROGRAMS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For “Diplomatic and Consular Programs”, of the Department of State \$2,531,775,000 for the fiscal year 2000.

(B) LIMITATIONS.—

(i) WORLDWIDE SECURITY UPGRADES.—Of the amounts authorized to be appropriated by subparagraph (A), \$254,000,000 for fiscal year 2000 is authorized to be appropriated only for worldwide security upgrades.

(ii) BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR.—Of the amounts authorized to be appropriated by subparagraph (A), \$15,000,000 for fiscal year 2000 is authorized to be appropriated only for salaries and expenses of the Bureau of Democracy, Human Rights, and Labor.

(iii) RECRUITMENT OF MINORITY GROUPS.—Of the amounts authorized to be appropriated by subparagraph (A), \$2,000,000 for fiscal year 2000 is authorized to be appropriated only for the recruitment of members of minority groups for careers in the Foreign Service and international affairs.

(2) CAPITAL INVESTMENT FUND.—For “Capital Investment Fund” of the Department of State, \$90,000,000 for the fiscal year 2000.

(3) SECURITY AND MAINTENANCE OF UNITED STATES MISSIONS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For “Security and Maintenance of United States Missions”, \$1,580,066,000 for the fiscal year 2000.

(B) SECURITY UPGRADES FOR UNITED STATES MISSIONS.—Of the amounts authorized to be appropriated by subparagraph (A), \$1,146,000,000 for fiscal year 2000 is authorized to be appropriated only for security upgrades to United States missions abroad, including construction and relocation costs.

(4) REPRESENTATION ALLOWANCES.—For “Representation Allowances”, \$4,450,000 for the fiscal year 2000.

(5) EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE.—For “Emergencies in the Diplomatic and Consular Service”, \$17,000,000 for the fiscal year 2000.

(6) OFFICE OF THE INSPECTOR GENERAL.—For “Office of the Inspector General”, \$30,054,000 for the fiscal year 2000.

(7) PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN.—For “Payment to the American Institute in Taiwan”, \$15,760,000 for the fiscal year 2000.

(8) PROTECTION OF FOREIGN MISSIONS AND OFFICIALS.—

(A) For “Protection of Foreign Missions and Officials”, \$9,490,000 for the fiscal year 2000.

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

(9) REPATRIATION LOANS.—For “Repatriation Loans”, \$1,200,000 for the fiscal year 2000, for administrative expenses.

SEC. 102. INTERNATIONAL ORGANIZATIONS.

(a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.—There are authorized to be appropriated for “Contributions to International Organizations”,

\$963,308,000 for the fiscal year 2000 for the Department of State to carry out the authorities, functions, duties, and responsibilities in the conduct of the foreign affairs of the United States with respect to international organizations and to carry out other authorities in law consistent with such purposes.

(b) ASSESSED CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES.—There are authorized to be appropriated for “Contributions for International Peacekeeping Activities”, \$235,000,000 for the fiscal year 2000 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. 103. INTERNATIONAL COMMISSIONS.

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

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

(A) for “Salaries and Expenses” \$20,413,000 for the fiscal year 2000; and
(B) for “Construction” \$8,435,000 for the fiscal year 2000.

(2) INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA.—For “International Boundary Commission, United States and Canada”, \$859,000 for the fiscal year 2000.

(3) INTERNATIONAL JOINT COMMISSION.—For “International Joint Commission”, \$3,819,000 for the fiscal year 2000.

(4) INTERNATIONAL FISHERIES COMMISSIONS.—For “International Fisheries Commissions”, \$16,702,000 for the fiscal year 2000.

SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.

(a) MIGRATION AND REFUGEE ASSISTANCE.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for “Migration and Refugee Assistance” for authorized activities, \$750,000,000 for the fiscal year 2000.

(2) LIMITATIONS.—

(A) TIBETAN REFUGEES IN INDIA AND NEPAL.—Of the amounts authorized to be appropriated in paragraph (1), not more than \$2,000,000 for the fiscal year 2000 is authorized to be available only for humanitarian assistance, including food, medicine, clothing, and medical and vocational training, to Tibetan refugees in India and Nepal who have fled Chinese-occupied Tibet.

(B) REFUGEES RESETTLING IN ISRAEL.—Of the amounts authorized to be appropriated in paragraph (1), \$60,000,000 for the fiscal year 2000 is authorized to be available only for assistance for refugees resettling in Israel from other countries.

(C) HUMANITARIAN ASSISTANCE FOR DISPLACED BURMESE.—Of the amounts authorized to be appropriated in paragraph (1), \$2,000,000 for the fiscal year 2000 for humanitarian assistance are authorized to be available only for assistance (including food, medicine, clothing, and medical and vocational training) to persons displaced as a result of civil conflict in Burma, including persons still within Burma.

(D) ASSISTANCE FOR DISPLACED SIERRA LEONEANS.—Of the amounts authorized to be appropriated in paragraph (1), \$2,000,000 for the fiscal year 2000 for humanitarian assistance are authorized to be available only for assistance (including food, medicine, clothing, and medical and vocational training) and resettlement of persons who have been severely mutilated as a result of civil conflict in Sierra Leone, including persons still within Sierra Leone.

(E) ASSISTANCE FOR KOSOVAR REFUGEES.—

(i) Of the amounts authorized to be appropriated in paragraph (1), \$50,000,000 for the fiscal year 2000 are authorized to be appropriated only for the Front Line States Initiative defined in clause (ii).

(ii) For the purposes of this subparagraph, the term “Front Line States Initiative” means assistance for the relief of refugees fleeing from the conflict in Kosovo provided through nongovernmental organizations in the form of food, housing, clothing, transportation, and other material, with priority assistance for the relief of refugees in the front line states of Albania and Macedonia.

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to this section are authorized to remain available until expended.

SEC. 105. PUBLIC DIPLOMACY PROGRAMS.

The following amounts are authorized to be appropriated for the Department of State 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 Dante B. Fascell North-South Center Act of 1991, and the National Endowment for Democracy Act, and to carry out other authorities in law consistent with such purposes:

(1) INTERNATIONAL INFORMATION PROGRAMS.—For “International Information Programs”, \$305,997,000 for the fiscal year 2000.

(2) EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(A) FULBRIGHT ACADEMIC EXCHANGE PROGRAMS.—There are authorized to be appropriated for the “Fulbright Academic Exchange Programs” (other than programs described in subparagraph (B)), \$112,000,000 for the fiscal year 2000.

(B) OTHER EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—

(i) IN GENERAL.—There are authorized to be appropriated for other educational and cultural exchange programs authorized by law, including the Claude and Mildred Pepper Scholarship Program of the Washington Workshops Foundation and the Mike Mansfield Fellowship Program, \$98,329,000 for the fiscal year 2000.

(ii) SOUTH PACIFIC EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), \$750,000 for the fiscal year 2000 is authorized to be available for “South Pacific Exchanges”.

(iii) EAST TIMORESE SCHOLARSHIPS.—Of the amounts authorized to be appropriated under clause (i), \$500,000 for the fiscal year 2000 is authorized to be available for “East Timorese Scholarships”.

(iv) TIBETAN EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), \$500,000 for the fiscal year 2000 is authorized to be available for “Ngawang Choephel Exchange Programs” (formerly known as educational and cultural exchanges with Tibet) under section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319).

(v) AFRICAN EXCHANGES.—Of the amounts authorized to be appropriated under clause (i), \$500,000 for the fiscal year 2000 is authorized to be available only for “Educational and Cultural Exchanges with Sub-Saharan Africa”.

(3) CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE BETWEEN EAST AND WEST.—For the “Center for Cultural and Technical Interchange between East and West”, \$17,500,000 for the fiscal year 2000.

(4) NATIONAL ENDOWMENT FOR DEMOCRACY.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For the “National Endowment for Democracy”, \$34,000,000 for the fiscal year 2000.

(B) LIMITATION.—Of the amounts authorized to be appropriated by subparagraph (A), \$2,000,000 for the fiscal year 2000 is authorized to be appropriated only for a fellowship program, to be known as the “Reagan-Fascell Democracy Fellows”, for democracy activists and scholars from around the world at the International Forum for Democratic Studies in Washington, D.C., to study, write, and exchange views with other activists and scholars and with Americans.

(5) DANTE B. FASCELL NORTH-SOUTH CENTER.—For “Dante B. Fascell North-South Center” \$2,500,000 for the fiscal year 2000.

SEC. 106. VOLUNTARY CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS.

(a) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated for “Voluntary Contributions to International Organizations”, \$293,000,000 for the fiscal year 2000.

(b) LIMITATIONS ON AUTHORIZATIONS OF APPROPRIATIONS.—

(1) WORLD FOOD PROGRAM.—Of the amounts authorized to be appropriated under subsection (a), \$5,000,000 for the fiscal year 2000 is authorized to be appropriated only for a United States contribution to the World Food Program.

(2) UNITED NATIONS VOLUNTARY FUND FOR VICTIMS OF TORTURE.—Of the amount authorized to be appropriated under subsection (a), \$5,000,000 for the fiscal year 2000 is authorized to be appropriated only for a United States contribution to the United Nations Voluntary Fund for Victims of Torture.

(3) INTERNATIONAL PROGRAM ON THE ELIMINATION OF CHILD LABOR.—Of the amounts authorized to be appropriated under subsection (a), \$5,000,000 for the fiscal year 2000 is authorized to be appropriated only for a United States contribution to the International Labor Organization for the activities of the International Program on the Elimination of Child Labor.

(4) ORGANIZATION OF AMERICAN STATES.—Of the amounts authorized to be appropriated under subsection (a), \$240,000 for the fiscal year 2000 is authorized to be appropriated only for a United States contribution to the Organization of American States for the Office of the Special Rapporteur for Freedom of Expression in the Western Hemisphere to conduct investigations, including field visits, to establish a network of nongovernmental organizations, and to hold hemispheric conferences, of which \$6,000 for each fiscal year is authorized to be appropriated only for the investigation and dissemination of information on violations of freedom of expression by the Government of Cuba.

(c) RESTRICTIONS ON UNITED STATES VOLUNTARY CONTRIBUTIONS TO UNITED NATIONS DEVELOPMENT PROGRAM.—

(1) LIMITATION.—Of the amounts made available under subsection (a) for the fiscal year 2000 for United States voluntary contributions to the United Nations Development Program an amount equal to the amount the United Nations Development Program will spend in Burma during each fiscal year shall be withheld unless during such fiscal year the Secretary of State submits to the appropriate congressional committees the certification described in paragraph (2).

(2) CERTIFICATION.—The certification referred to in paragraph (1) is a certification by the Secretary of State that all programs and activities of the United Nations Development Program (including United Nations Development Program—Administered Funds) in Burma—

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

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

(C) provide no financial, political, or military benefit to the SPDC; and

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

(d) CONTRIBUTIONS TO UNITED NATIONS POPULATION FUND.—

(1) LIMITATIONS ON AMOUNT OF CONTRIBUTION.—Of the amounts made available under subsection (a), not more than \$25,000,000 for fiscal year 2000 shall be available for the United Nations Population Fund (hereinafter in this subsection referred to as the “UNFPA”).

(2) PROHIBITION ON USE OF FUNDS IN CHINA.—None of the funds made available under subsection (a) may be made available for the UNFPA for a country program in the People’s Republic of China.

(3) CONDITIONS ON AVAILABILITY OF FUNDS.—Amounts made available under subsection (a) for fiscal year 2000 for the UNFPA may not be made available to UNFPA unless—

(A) the UNFPA maintains amounts made available to the UNFPA under this section in an account separate from other accounts of the UNFPA;

(B) the UNFPA does not commingle amounts made available to the UNFPA under this section with other sums; and

(C) the UNFPA does not fund abortions.

(4) WITHHOLDING OF FUNDS SUBJECT TO CERTIFICATION.—

(A) Of the amounts made available for fiscal year 2000 for United States voluntary contributions to the UNFPA an amount equal to the amount that UNFPA will spend on a country program in the People’s Republic of China during each fiscal year shall be withheld unless during such fiscal year, the Secretary of State submits to the appropriate congressional committees the certification described in subparagraph (B).

(B) The certification referred to in subparagraph (A) is a certification by the Secretary of State that the country program of the UNFPA in the People’s Republic of China—

(i) focuses on improving the delivery of voluntary family planning information and services;

(ii) is designed in conformity with the human rights principles affirmed at the International Conference on Population and Development with the support of 180 nations including the United States;

(iii) is implemented only in counties in the People's Republic of China where all quotas and targets for the recruitment of program participants have been abolished and the use of coercive measures has been eliminated;

(iv) is carried out in consultation with, and under the oversight and approval of, the UNFPA executive board, including the United States representative;

(v) is subject to regular independent monitoring to ensure compliance with the principles of informed consent and voluntary participation; and

(vi) suspends operations in project counties found to be in violation of program guidelines.

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

SEC. 107. GRANTS TO THE ASIA FOUNDATION.

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

“SEC. 404. There are authorized to be appropriated to the Secretary of State \$15,000,000 for the fiscal year 2000 for grants to The Asia Foundation pursuant to this title.”.

CHAPTER 2—BROADCASTING BOARD OF GOVERNORS

SEC. 121. INTERNATIONAL BROADCASTING.

The following amounts are authorized to be appropriated for the Broadcasting Board of Governors to carry out certain international broadcasting activities under the United States International Broadcasting Act of 1994, the Radio Broadcasting to Cuba Act, and the Television Broadcasting to Cuba Act, and for other purposes authorized by law:

(1) INTERNATIONAL BROADCASTING OPERATIONS.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For “International Broadcasting Operations”, \$385,900,000 for the fiscal year 2000.

(B) ALLOCATION.—Of the amounts authorized to be appropriated under subparagraph (A), the Broadcasting Board of Governors shall seek to ensure that the amounts made available for broadcasting to nations whose people do not fully enjoy freedom of expression do not decline in proportion to the amounts made available for broadcasting to other nations.

(2) BROADCASTING CAPITAL IMPROVEMENTS.—For “Broadcasting Capital Improvements”, \$20,868,000 for the fiscal year 2000.

(3) RADIO FREE ASIA.—For “Radio Free Asia”, \$30,000,000 for the fiscal year 2000.

(4) BROADCASTING TO CUBA.—

(A) AUTHORIZATION OF APPROPRIATIONS.—For “Broadcasting to Cuba”, \$22,743,000 for the fiscal year 2000.

(B) LIMITATION.—Of the amounts authorized to be appropriated under subparagraph (A), \$712,000 for the fiscal year 2000 is authorized to be appropriated only for the Office of Cuba Broadcasting to develop and implement new technology and enhance current methods to strengthen and improve the transmission capabilities of Radio Marti and TV Marti.

**TITLE II—DEPARTMENT OF STATE
AUTHORITIES AND ACTIVITIES**

CHAPTER 1—AUTHORITIES AND ACTIVITIES

SEC. 201. AUTHORITY TO LEASE AIRCRAFT TO RESPOND TO A TERRORIST ATTACK ABROAD.

Subject to the availability of appropriations, in the event of an emergency which involves a terrorist attack abroad, the Director of the Federal Bureau of Investigation of the Department of Justice is authorized to lease commercial aircraft to transport equipment and personnel in response to such attack if there have been reasonable efforts to obtain appropriate Department of Defense aircraft and such aircraft are unavailable. The leasing authority under this section shall include authority to provide indemnification insurance or guarantees, if necessary and appropriate.

SEC. 202. REPORT ON CUBAN DRUG TRAFFICKING.

Not later than 90 days after the date of the enactment of this Act and every 180 days thereafter, the Secretary of State shall submit to the appropriate congressional committees an unclassified report (with a classified annex) on the extent of international drug trafficking from, through, or over Cuba. Each report shall include the following:

- (1) Information concerning the extent to which the Cuban Government or any official, employee, or entity of the Government of Cuba has engaged in, facilitated, or condoned such trafficking.
- (2) The extent to which the appropriate agencies of the United States Government have investigated and prosecuted such activities of the Cuban Government or any official, employee, or entity of the Government of Cuba.
- (3) A determination of whether the Government of Cuba should be included in the list of nations considered to be major drug trafficking countries.

SEC. 203. REPORT ON COMPLIANCE WITH THE HAGUE CONVENTION ON INTERNATIONAL CHILD ABDUCTION.

Section 2803(a) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended—

- (1) by striking “1999,” and inserting “2000.”;
- (2) in paragraph (2) by striking “abducted.” and inserting “abducted, are being wrongfully retained in violation of United States court orders, or which have failed to comply with any of their obligations under such convention with respect to applications for the return of children, access to children, or both, submitted by United States citizens or lawful residents.”;
- (3) in paragraph (3)—
 - (A) by striking “children” and inserting “children, access to children, or both.”; and
 - (B) by inserting “or lawful residents” after “citizens”; and
- (4) by inserting after paragraph (5) the following new paragraph:

“(6) A list of the countries which are Parties to the Convention, but in which due to the absence of a prompt and effective method for enforcement of civil court orders, the absence of a doctrine of comity, or other factors, there is a substantial possibility that an order of return or access under a Hague Convention proceeding, or a United States custody, access, or visitation order, will not be promptly enforced.”.

SEC. 204. ELIMINATION OF OBSOLETE REPORTS.

- (a) **POST LANGUAGE COMPETENCE.**—Section 304(c) of the Foreign Service Act of 1980 (22 U.S.C. 3944(c)) is repealed.
- (b) **SUSTAINABLE ECONOMIC GROWTH.**—Section 574 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1996 (Public Law 104–107) is repealed.
- (c) **REDUNDANT REPORTS ON CERTAIN WEAPONS.**—
 - (1) Section 308 of the Chemical and Biological Weapons and Warfare Elimination Act of 1991 (Public Law 102–182) is repealed.
 - (2) Section 585 of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1997 (Public Law 104–208), is repealed.
- (d) **SITUATION IN IRAQ.**—Section 3 of Public Law 102–1 is amended by striking “60 days” and inserting “six months”.

SEC. 205. CONTINUATION OF REPORTING REQUIREMENTS.

- (a) **REPORTS ON CLAIMS BY UNITED STATES FIRMS AGAINST THE GOVERNMENT OF SAUDI ARABIA.**—Section 2801(b) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended—
 - (1) by striking “the earlier of—”;
 - (2) by striking paragraph (1); and
 - (3) by striking the designation for paragraph (2) and adjusting the tabulation.
- (b) **REPORTS ON DETERMINATIONS UNDER TITLE IV OF THE LIBERTAD ACT.**—Section 2802(a) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by striking “during the period ending September 30, 1999,” and inserting a comma.
- (c) **RELATIONS WITH VIETNAM.**—Section 2805 of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by striking “during the period ending September 30, 1999.”.

(d) **REPORTS ON BALLISTIC MISSILE COOPERATION WITH RUSSIA.**—Section 2705(d) of the Foreign Affairs Reform and Restructuring Act of 1998 (as enacted by division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended by striking “and January 1, 2000,” and inserting “January 1, 2000, January 1, 2001, and January 1, 2002.”

SEC. 206. INTERNATIONAL ARMS SALES CODE OF CONDUCT.

(a) **NEGOTIATIONS.**—The Secretary of State shall attempt to achieve the foreign policy goal of an international arms sales code of conduct with all Wassenaar Arrangement countries. The Secretary of State shall take the necessary steps to begin negotiations with all Wassenaar Arrangement countries within 120 days after the date of the enactment of this Act. The purpose of such negotiations shall be to conclude an agreement on restricting or prohibiting arms transfers to countries that do not meet the criteria under subsection (b).

(b) **CRITERIA.**—The criteria referred to in subsection (a) are as follows:

(1) **PROMOTING DEMOCRACY.**—Such government—

- (A) was chosen by and permits free and fair elections;
- (B) promotes civilian control of the military and security forces and has civilian institutions controlling the policy, operation, and spending of all law enforcement and security institutions, as well as the armed forces;
- (C) promotes the rule of law, equality before the law, and respect for individual and minority rights, including freedom to speak, publish, associate, and organize; and
- (D) promotes the strengthening of political, legislative, and civil institutions of democracy, as well as autonomous institutions to monitor the conduct of public officials and to combat corruption.

(2) **RESPECTS HUMAN RIGHTS.**—Such government—

- (A) does not engage in gross violations of internationally recognized human rights, including—
 - (i) extrajudicial or arbitrary executions;
 - (ii) disappearances;
 - (iii) torture or severe mistreatment;
 - (iv) prolonged arbitrary imprisonment;
 - (v) systematic official discrimination on the basis of race, ethnicity, religion, gender, national origin, or political affiliation; and
 - (vi) grave breaches of international laws of war or equivalent violations of the laws of war in internal conflicts;
- (B) vigorously investigates, disciplines, and prosecutes those responsible for gross violations of internationally recognized human rights;
- (C) permits access on a regular basis to political prisoners by international humanitarian organizations such as the International Committee of the Red Cross;
- (D) promotes the independence of the judiciary and other official bodies that oversee the protection of human rights;
- (E) does not impede the free functioning of domestic and international human rights organizations; and
- (F) provides access on a regular basis to humanitarian organizations in situations of conflict or famine.

(3) **NOT ENGAGED IN CERTAIN ACTS OF ARMED AGGRESSION.**—Such government is not currently engaged in acts of armed aggression in violation of international law.

(4) **FULL PARTICIPATION IN UNITED NATIONS REGISTER OF CONVENTIONAL ARMS.**—Such government is fully participating in the United Nations Register of Conventional Arms.

(c) **REPORTS.**—

(1) **REPORT OF THE SECRETARY OF STATE.**—Not later than 6 months after the commencement of negotiations under subsection (a), and not later than the end of every 6-month period thereafter until an agreement described in subsection (a) is concluded, the Secretary of State shall report to the appropriate congressional committees on the progress of such negotiations.

(2) **HUMAN RIGHTS REPORT.**—In the report required by sections 116(d) and 502B of the Foreign Assistance Act of 1961, the Secretary of State shall describe the extent to which the practices of each country evaluated meet the criteria of subsection (b).

(d) **DEFINITION.**—For purposes of this section, the term “Wassenaar Arrangement countries” means those participating in the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual Use Goods and Technologies, done at Vienna on July 11–12, 1996.

SEC. 207. HUMAN RIGHTS AND DEMOCRACY FELLOWSHIPS.

(a) **ESTABLISHMENT.**—There is established in the Department of State a program which shall be known as the “Human Rights and Democracy Fellowship Program”. The program shall be administered by the Secretary with the assistance of the Assistant Secretary for Democracy, Human Rights, and Labor. The program shall provide for the employment of not less than 6 and not more than 12 fellows in the Bureau of Democracy, Human Rights, and Labor. Fellowships shall be for an initial 1 year period which may be extended for a total of not more than 3 years. Fellowships shall be available to individuals who have expertise in human rights policy, human rights law, or related subjects and who are not permanent employees of the United States Government.

(b) **AUTHORIZATION OF APPROPRIATION.**—There are authorized to be appropriated for the Human Rights and Democracy Fellowship Program under subsection (a) \$1,000,000 for fiscal year 2000.

SEC. 208. JOINT FUNDS UNDER AGREEMENTS FOR COOPERATION IN ENVIRONMENTAL, SCIENTIFIC, CULTURAL AND RELATED AREAS.

Amounts made available to the Department of State for participation in joint funds under agreements for cooperation in environmental, scientific, cultural and related areas prior to fiscal year 1996 which, pursuant to express terms of such international agreements, were deposited in interest-bearing accounts prior to disbursement may earn interest, and interest accrued to such accounts may be used and retained without return to the Treasury of the United States and without further appropriation by Congress. The Department of State shall take action to ensure the complete and timely disbursement of appropriations and associated interest within joint funds covered by this section and final disposition of such agreements.

SEC. 209. REPORT ON INTERNATIONAL EXTRADITION.

Not later than 120 days after the date of the enactment of this Act, the Secretary of State shall prepare and submit to the Congress a report concerning international extradition. The report shall review all extradition treaties and agreements to which the United States is signatory; identify those countries that have become “safe havens” for individuals fleeing the American justice system; identify the factors which contribute to the international extradition problem, particularly laws in foreign countries which prohibit the extradition to another country of certain classes of persons; and propose appropriate legislative and diplomatic solutions to such problem, including, where appropriate, the renegotiation of extradition treaties.

SEC. 210. EFFECTIVE REGULATION OF SATELLITE EXPORT ACTIVITIES.

(a) **LICENSING REGIME.**—The Secretary of State shall establish a regulatory regime for the licensing for export of satellites, satellite technologies, components, and systems which shall include preferential treatment and expedited approval, as appropriate, of the licensing for export by United States companies of satellites, satellite technologies, components, and systems to NATO allies, major non-NATO allies, and other friendly countries.

(b) **FINANCIAL AND PERSONNEL RESOURCES.**—The Secretary of State, pursuant to the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999, shall obligate expeditiously \$2,000,000 of amounts appropriated under that Act, above levels made available to the Office of Defense Trade Controls for fiscal year 1998, to enable that office to carry out its responsibilities.

CHAPTER 2—CONSULAR AND RELATED ACTIVITIES**SEC. 251. DEATHS AND ESTATES OF UNITED STATES CITIZENS ABROAD.**

(a) **REPEAL.**—Section 1709 of the Revised Statutes (22 U.S.C. 4195) is repealed.

(b) **AMENDMENT TO STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956.**—The State Department Basic Authorities Act of 1956 is amended by inserting after section 43 the following new sections:

“SEC. 43A. NOTIFICATION OF NEXT OF KIN; REPORTS OF DEATH.

“Pursuant to such regulations as the Secretary of State may prescribe—

“(1) When a United States citizen or national dies abroad, a consular officer shall endeavor to notify, or assist the Secretary of State in notifying, the next of kin or legal guardian as soon as possible; provided, that in the case of death of Peace Corps Volunteers, members of the Armed Forces, their dependents, or Department of Defense civilian employees, the consular officer shall assist the Peace Corps or the appropriate military authorities in making such notifications.

“(2) The consular officer may, for any United States citizen who dies abroad, (A) in the case of a finding by appropriate local authorities, issue a report of

death or of presumptive death, or (B) in the absence of a finding by appropriate local authorities, issue a report of presumptive death.

“SEC. 43B. CONSERVATION AND DISPOSITION OF ESTATES.

“(a) CONSERVATION OF ESTATES ABROAD.—

“(1) AUTHORITY TO ACT AS CONSERVATOR.—Pursuant to such regulations as the Secretary of State may prescribe, when a United States citizen or national dies abroad, a consular officer shall act as the provisional conservator of the decedent’s estate and, subject to paragraphs (3) and (4), shall—

“(A) take possession of the personal effects within his jurisdiction;

“(B) inventory and appraise the personal effects, sign the inventory, and annex thereto a certificate as to the accuracy of the inventory and appraised value of each article;

“(C) when appropriate, collect the debts due to the decedent in the officer’s jurisdiction and pay from the estate the obligations owed there by the decedent;

“(D) sell or dispose of, as appropriate, all perishable items of property;

“(E) sell, after reasonable public notice and notice to such next of kin as can be ascertained with reasonable diligence, such additional items of property as necessary to provide funds sufficient to pay the decedent’s debts and property taxes in the country of death, funeral expenses, and other expenses incident to the disposition of the estate;

“(F) at the end of one year from the date of death (or after such additional period as may be required for final settlement of the estate), if no claimant shall have appeared, sell or dispose of the residue of the personal estate, except as provided in subparagraph (G) below, in the same manner as United States Government-owned foreign excess property;

“(G) transmit to the United States, to the Secretary of State, the proceeds of any sales along with any financial instruments (including bonds, shares of stock, and notes of indebtedness), jewelry, heirlooms, and other articles of obvious sentimental value, to be held in trust for the legal claimant; and

“(H) in the event that the decedent’s estate includes an interest in real property located within the jurisdiction of the officer and such interest does not devolve by the applicable laws of intestate succession or otherwise, provide for title to the property to be conveyed to the Government of the United States unless the Secretary declines to accept such conveyance.

“(2) AUTHORITY TO ACT AS ADMINISTRATOR.—The Secretary of State may expressly authorize the officer to act as administrator of the estate in exceptional circumstances, pursuant to such regulations as the Secretary may prescribe. The officer shall not otherwise act in such capacity.

“(3) EXCEPTIONS.—

“(A) The function provided for in this section shall not be performed to the extent that the decedent has left or there is otherwise appointed, in the country where the death occurred or where the decedent was domiciled, a legal representative, partner in trade, or trustee appointed to take care of his personal estate. If the decedent’s legal representative shall appear at any time prior to transmission of the estate to the Secretary and demand the proceeds and effects being held by the officer, the officer shall deliver them to the representative after having collected any prescribed fee for the services rendered pursuant to this section.

“(B) Nothing in this section shall affect the authority of military commanders under title 10 of the United States Code with respect to persons or property under military command or jurisdiction or the authority of the Peace Corps with respect to Peace Corps Volunteers or their property.

“(4) CONDITIONS.—The functions provided for in this section shall be performed only when authorized by treaty provisions or permitted by the laws or authorities of the country wherein the death occurs, or the decedent is domiciled, or if such functions are permitted by established usage.

“(b) DISPOSITION OF ESTATES BY THE SECRETARY OF STATE.—

“(1) PERSONAL ESTATES.—

“(A) After receipt of personal estates pursuant to subsection (a), the Secretary, pursuant to such regulations as the Secretary may prescribe for the conservation of such estates, may seek payment of all outstanding debts to the estate as they become due, may receive any balances due on such estates, may endorse all checks, bills of exchange, promissory notes, and other instruments of indebtedness payable to the estate for the benefit thereof, and may take such other action as is reasonably necessary for the conservation of the estate.

“(B) If by the end of the fifth full fiscal year after receipt of the personal estate pursuant to subsection (a), no legal claimant for such estate has appeared, title to the estate shall pass to the Secretary who shall dispose of the estate in the same manner as surplus United States Government-owned property or by such means as may be appropriate in light of the nature and value of the property involved. The expenses of sales shall be paid from the estate, and any lawful claim received thereafter shall be payable to the extent of the value of the net proceeds of the estate as a refund from the appropriate Treasury account.

“(C) The net cash estate after disposition as provided in subparagraph (B) shall be remitted to the Treasury as miscellaneous receipts.

“(2) REAL PROPERTY.—Pursuant to such regulations as the Secretary may prescribe—

“(A) in the event that real property is conveyed to the Government of the United States pursuant to subsection (a)(1)(H) and is not needed by the Department of State, such property shall be considered foreign excess property under title IV of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 511 et seq.); and

“(B) in the event that the Department needs such property, the Secretary shall treat such property as if it were an unconditional gift accepted on behalf of the Department of State pursuant to section 25 of this Act and section 9(a)(3) of the Foreign Service Buildings Act of 1926, as amended.

“(c) LOSSES IN CONNECTION WITH THE CONSERVATION OF ESTATES.—

“(1) AUTHORITY.—Pursuant to such regulations as the Secretary of State may prescribe, the Secretary is authorized to compensate the estate of any United States citizen, who has died overseas, for property, the conservation of which has been undertaken under either section 43 or subsection (a) of this section, and that has been lost, stolen, or destroyed while in the custody of officers or employees of the Department of State. Any such compensation shall be in lieu of personal liability of officers or employees of the Department of State. Officers and employees of the Department of State may be liable in appropriate cases to the Department of State to the extent of any compensation provided pursuant to this subsection.

“(2) LIABILITY.—The liability of officers or employees of the Department of State to the Department for payments made pursuant to paragraph (a) of this section shall be determined pursuant to the Department’s procedures for determining accountability for United States Government property.”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect 6 months after enactment of this Act or upon the effective date of any regulations promulgated hereunder, whichever is sooner.

SEC. 252. DUTIES OF CONSULAR OFFICERS.

Section 43 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2715) is amended—

(1) by inserting “(a) AUTHORITY.—” before “In”;

(2) by striking “disposition of personal effects.” in the last sentence and inserting “disposition of personal estates pursuant to section 43B of this Act.”; and

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

“(b) DEFINITIONS.—For purposes of this section and sections 43A and 43B of this Act, the term ‘consular officer’ includes any United States citizen employee of the Department of State who is designated by the Secretary of State to perform consular services pursuant to such regulations as the Secretary may prescribe.”

SEC. 253. MACHINE READABLE VISAS.

Section 140(a) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (8 U.S.C. 1351 note) is amended—

(1) in paragraph (3) by amending the first sentence to read as follows: “For each of the fiscal years 2000, 2001, and 2002, any amount collected under paragraph (1) that exceeds \$316,715,000 for fiscal year 2000, \$338,885,000 for fiscal year 2001, and \$362,607,000 for fiscal year 2002 may be made available only if a notification is submitted to Congress in accordance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956.”; and

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

SEC. 254. PROCESSING OF VISA APPLICATIONS.

(a) POLICY.—It shall be the policy of the Department of State to process immigrant visa applications of immediate relatives of United States citizens and non-

immigrant k-1 visa applications of fiances of United States citizens within 30 days of the receipt of all necessary documents from the applicant and the Immigration and Naturalization Service. In the case of a visa application where the sponsor of such applicant is a relative other than an immediate relative, it should be the policy of the Department of State to process such an application within 60 days of the receipt of all necessary documents from the applicant and the Immigration and Naturalization Service.

(b) **REPORTS.**—For each of the fiscal years 2000 and 2001, the Secretary of State shall submit to the appropriate congressional committees an annual report on the extent to which the Department of State is meeting the policy standards under subsection (a). Each report shall be based on a survey of the 22 consular posts which account for approximately 72 percent of immigrant visas issued and, in addition, the consular posts in Guatemala City, Nicosia, Caracas, Naples, and Jakarta. Each report should include data on the average time for processing each category of visa application under subsection (a), a list of the embassies and consular posts which do not meet the policy standards under subsection (a), the amount of funds collected for processing of visa applications, the costs of processing such visa applications, and the steps being taken by the Department of State to achieve such policy standards.

(c) **TASK FORCE.**—The Secretary of State, in consultation with other Federal agencies, shall establish a joint task force with the goal of reducing the overall processing time for visa applications.

SEC. 255. REPEAL OF OUTDATED PROVISION ON PASSPORT FEES.

Section 4 of the Passport Act of June 4, 1920 (22 U.S.C. 216, 41 Stat. 751) is repealed.

SEC. 256. FEES RELATING TO AFFIDAVITS OF SUPPORT.

(a) **AUTHORITY FOR FEE FOR PREPARATION ASSISTANCE.**—Subject to subsection (b), the Secretary of State is authorized to charge a fee for services provided by the Department of State to an individual for assistance in the preparation and filing of an affidavit of support pursuant to section 213A of the Immigration and Nationality Act (8 U.S.C. 1183A) to ensure that the affidavit is properly completed before consideration of the affidavit and an immigrant visa application by a consular officer.

(b) **LIMITATION.**—An individual may be charged a fee under this section only once, regardless of the number of separate affidavits of support and visa applications for which services are provided.

(c) **TREATMENT OF FEES.**—Fees collected under the authority of subsection (a) shall be deposited as an offsetting collection to any Department of State appropriation, to recover the costs of providing affidavit preparation services under subsection (a). Such fees shall remain available for obligation until expended. Fees collected shall be available only to such extent and in such amounts as are provided in advance in an appropriation act.

CHAPTER 3—REFUGEES

SEC. 271. UNITED STATES POLICY REGARDING THE INVOLUNTARY RETURN OF REFUGEES.

(a) **IN GENERAL.**—None of the funds made available by this Act or by section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be available to effect the involuntary return by the United States of any person to a country in which the person has a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group, or political opinion, except on grounds recognized as precluding protection as a refugee under the United Nations Convention Relating to the Status of Refugees of July 28, 1951, and the Protocol Relating to the Status of Refugees of January 31, 1967, subject to the reservations contained in the United States Senate Resolution of Ratification.

(b) **MIGRATION AND REFUGEE ASSISTANCE.**—None of the funds made available by this Act or by section 2(c) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be available to effect the involuntary return of any person to any country unless the Secretary of State first notifies the appropriate congressional committees, except that in the case of an emergency involving a threat to human life the Secretary of State shall notify the appropriate congressional committees as soon as practicable.

(c) **INVOLUNTARY RETURN DEFINED.**—As used in this section, the term “to effect the involuntary return” means to require, by means of physical force or circumstances amounting to a threat thereof, a person to return to a country against the person’s will, regardless of whether the person is physically present in the United States and regardless of whether the United States acts directly or through an agent.

SEC. 272. HUMAN RIGHTS REPORTS.

Section 502B(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2304(b)) is amended by inserting after the fourth sentence the following: "Each report under this section shall describe the extent to which each country has extended protection to refugees, including the provision of first asylum and resettlement."

SEC. 273. GUIDELINES FOR REFUGEE PROCESSING POSTS.

(a) **GUIDELINES FOR ADDRESSING HOSTILE BIASES.**—Section 602(c) of the International Religious Freedom Act of 1998 (Public Law 105–292; 112 Stat. 2812) is amended by inserting "and of the Department of State" after "Service".

(b) **GUIDELINES FOR OVERSEAS REFUGEE PROCESSING.**—Section 602(c) of such Act is further amended by adding at the end the following new paragraph:

"(3) Not later than 120 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Year 2000, the Secretary of State (after consultation with the Attorney General) shall issue guidelines to ensure that persons with potential biases against any refugee applicant, including persons employed by, or otherwise subject to influence by, governments known to be involved in persecution on account of religion, race, nationality, membership in a particular social group, or political opinion, shall not in any way be used in processing determinations of refugee status, including interpretation of conversations or examination of documents presented by such applicants."

SEC. 274. VIETNAMESE REFUGEES.

No funds authorized to be appropriated by this Act may be made available to support a larger number of personnel assigned to United States diplomatic or consular posts in the Socialist Republic of Vietnam than the number assigned to such posts on March 22, 1999, unless not less than 60 days prior to any obligation or expenditure of such funds the Secretary of State submits a certification to the appropriate congressional committees that—

(1) all United States refugee programs in Vietnam, as well as programs to provide visas for Amerasians and for immediate relatives of refugees and asylees, are supervised by a Refugee Counselor or Refugee Coordinator who has a proven record of sensitivity to the problems of refugees and other victims of human rights violations and who reports directly to the Ambassador or the Consul General at the United States Consulate in Saigon and receives policy guidance from the Assistant Secretary of State for the bureau with principal responsibility for refugees;

(2) a program has been established in which all former United States Government employees who were adjudicated through a Vietnamese government interpreter and whose applications for refugee status were denied will be re-interviewed by Immigration and Naturalization Service (INS) Asylum Officers reporting directly to INS headquarters in Washington, D.C., and receiving specialized training and written guidance from the INS Asylum Division and Office of General Counsel;

(3) members of the Montagnard ethnic minority groups who fought alongside United States forces prior to 1975, and who later served three years or more in prisons or re-education camps, will not be disqualified from eligibility for resettlement in the United States as refugees on the sole ground that they continued to fight the Communists after 1975 and therefore did not begin their prison or re-education sentences until several years later;

(4) allied combat veterans whose three-year re-education or prison sentences began before April 30, 1975, because they were serving in parts of the country that fell to the Communists before Saigon, and who are otherwise eligible for resettlement as refugees in the United States, are not disqualified on the sole ground of the date their re-education or prison sentences began;

(5) persons who were eligible for the Orderly Departure Program (ODP), but who missed the application deadline announced and imposed in 1994 because they were still in detention, in internal exile in a remote and inaccessible location, unable to afford bribes demanded by corrupt local officials for documentation and permission to attend refugee interviews, or for other reasons beyond their control, will be considered for interviews on a case-by-case basis, and that such case-by-case consideration is subject to clear written guidance and administrative review to ensure that persons who missed the deadline for reasons beyond their control will not be denied consideration on the merits;

(6) widows of allied combat veterans who died in re-education camps, including those who did not apply before the 1994 deadline solely because they lacked documentary evidence from the Communist authorities to prove the death and/or marriage, and who are otherwise eligible for ODP will have their cases considered on the merits;

(7) unmarried sons and daughters of persons eligible for United States programs, including persons described in section 2244 of the Foreign Affairs Reform and Restructuring Act of 1998 (enacted as Division G of the Omnibus Consolidated Emergency Supplemental Appropriations Act for Fiscal Year 1999, Public Law 105-277) will not be disqualified from accompanying or following to join their parents on the sole ground that they have not been continuously listed on the household registration issued to their parents by the government of the Socialist Republic of Vietnam;

(8) returnees from refugee camps outside Vietnam who met the criteria for the Resettlement Opportunities for Vietnamese Returnees (ROVR) program, in that they either signed up for repatriation or were actually repatriated between October 1, 1995, and June 30, 1996, but did not fill out a ROVR application before their repatriation, will be given the opportunity to fill out an application in Vietnam and will have their cases considered on the merits;

(9) returnees whose special circumstances denied them any meaningful opportunity to apply for ROVR in the camps, such as those who were not offered applications because they were in hospitals or were being held in detention centers within certain camps, or who were erroneously told by camp administrators or Vietnamese government officials that they were ineligible for the program, will be given an opportunity to apply in Vietnam and will have their cases considered on the merits, even if their repatriation took place after June 30, 1996;

(10) a program has been established to identify, interview, and resettle persons who have experienced recent persecution or credible threats of persecution because of political, religious, or human rights activities in Vietnam, subject to clear written standards to ensure that such persons will have access to the program whether or not they are included in a ROVR or ODP interview category and whether or not their cases are referred by an international organization;

(11) written guidance with respect to applications for reconsideration has been issued by the Immigration and Naturalization Service Office of General Counsel to ensure that applicants whose cases were denied on grounds described in paragraphs (2) through (10), because they were unwilling or unable to describe mistreatment by the Vietnamese government in the presence of a Vietnamese government interpreter, or for other reasons contrary to the interest of justice, will be re-interviewed; and

(12) all applicants described in paragraphs (2) through (11) will have the assistance of a Joint Voluntary Agency (JVA) in preparing their cases.

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

CHAPTER 1—ORGANIZATION OF THE DEPARTMENT OF STATE

SEC. 301. ESTABLISHMENT OF BUREAU FOR INTERNATIONAL INFORMATION PROGRAMS AND BUREAU FOR EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

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

“(i) ESTABLISHMENT OF CERTAIN BUREAUS, OFFICES, AND OTHER ORGANIZATIONAL ENTITIES WITHIN THE DEPARTMENT OF STATE.—

“(1) BUREAU FOR INTERNATIONAL INFORMATION PROGRAMS.—There is established within the Department of State the Bureau for International Information Programs which shall assist the Secretary of State in carrying out international information activities formerly carried out by the United States Information Agency.

“(2) BUREAU FOR EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—There is established within the Department of State a Bureau for Educational and Cultural Exchange Programs which shall assist the Secretary of State in carrying out educational and cultural exchange programs.”.

SEC. 302. CORRECTION OF DESIGNATION OF INSPECTOR GENERAL OF THE DEPARTMENT OF STATE.

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

(1) in section 105(b)(2)(B) by striking “State and the Foreign Service” and inserting “State”;

(2) in section 209(a)(1)—

- (A) by striking “State and the Foreign Service,” and inserting “State,”;
and
(B) by striking the second sentence;
(3) in section 603(a) by striking “State and the Foreign Service,” and inserting “State,”; and
(4) in section 1002(12)(E) by striking “and the Foreign Service”.
- (b) AMENDMENTS TO THE FOREIGN AFFAIRS REFORM AND RESTRUCTURING ACT OF 1998.—The Foreign Affairs Reform and Restructuring Act of 1998 (as enacted in division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999; Public Law 105–277) is amended—
- (1) in section 2208(c) by striking “and the Foreign Service”; and
(2) in section 1314(e) by striking “and the Foreign Service”.
- (c) AMENDMENTS TO PUBLIC LAW 103–236.—Effective October 2, 1999, subsections (i) and (j) of section 308 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6207 (i) and (j)) are amended by striking “Inspector General of the Department of State and the Foreign Service” each place it appears and inserting “Inspector General of the Department of State”.
- (d) AMENDMENTS TO UNITED STATES INTERNATIONAL BROADCASTING ACT OF 1994.—Section 304(a)(3)(A) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203(a)(3)(A)) is amended by striking “and the Foreign Service”.

CHAPTER 2—PERSONNEL OF THE DEPARTMENT OF STATE

SEC. 321. ESTABLISHMENT OF FOREIGN SERVICE STAR.

The State Department Basic Authorities Act of 1956 is amended by inserting after section 36 the following new section:

“SEC. 36A. THE FOREIGN SERVICE STAR.

“(a) AUTHORITY.—The President may award a decoration called the ‘Foreign Service Star’ to an individual—

“(1) who is killed or injured after August 1, 1998,

“(2) whose death or injury occurs while the individual is a member of the Foreign Service or a civilian employee of the Government of the United States—

“(3) whose death or injury occurs while the individual—

“(A) is employed at, or assigned permanently or temporarily to, an official mission overseas, or

“(B) was traveling abroad on official business, and

“(4) whose death or injury occurs while performing official duties, while on the premises of a United States mission abroad, or due to such individual’s status as an employee of the United States Government, and results from any form of assault including terrorist or military action, civil unrest, or criminal activities directed at facilities of the Government of the United States.

“(b) SELECTION.—The Secretary shall submit recommendations for the Foreign Service Star to the President. The Secretary shall establish criteria and procedures for nominations for the Foreign Service Star pursuant to such regulations as the Secretary may prescribe for awards under this section.

“(c) FUNDING.—Any expenses incident to an award under this section may be paid out of the applicable current account of the agency with which the individual was or is employed.

“(d) POSTHUMOUS AWARD.—A Foreign Service Star award to an individual who is deceased shall be presented to the individual’s next of kin or representative, as designated by the President.”

SEC. 322. UNITED STATES CITIZENS HIRED ABROAD.

Section 408(a)(1) of the Foreign Service Act of 1980 (22 U.S.C. 3968(a)(1)) is amended in the last sentence by striking “(A)” and all that follows through “(B)”.

SEC. 323. BORDER EQUALIZATION ADJUSTMENT.

Chapter 4 of title I of the Foreign Service Act of 1980 (22 U.S.C. 3901 et seq.) is amended by adding the following new section at the end:

“SEC. 414. BORDER EQUALIZATION ADJUSTMENT.

“(a) IN GENERAL.—An employee who regularly commutes from his or her place of residence in the continental United States to an official duty station in Canada or Mexico shall receive a border equalization adjustment equal to the amount of comparability payments under section 5304 of title 5, United States Code, that he or she would receive if assigned to an official duty station within the United States locality pay area closest to the employee’s official duty station.

“(b) DEFINITION OF EMPLOYEE.—For purposes of this section, the term ‘employee’ shall mean a person who—

“(1) is an ‘employee’ as defined under section 2105 of title 5, United States Code; and

“(2) is employed by the United States Department of State, the United States Agency for International Development, or the International Joint Commission, except that the term shall not include members of the Foreign Service as defined by section 103 of the Foreign Service Act of 1980 (Public Law 96–465), section 3903 of title 22 of the United States Code.

“(c) TREATMENT AS BASIC PAY.—An equalization adjustment payable under this section shall be considered basic pay for the same purposes as are comparability payments under section 5304 of title 5, United States Code, and its implementing regulations.

“(d) REGULATIONS.—The agencies referenced in subsection (b)(2) are authorized to promulgate regulations to carry out the purposes of this section.”.

SEC. 324. TREATMENT OF GRIEVANCE RECORDS.

Section 1103(d)(1) of the Foreign Service Act of 1980 (22 U.S.C. 4133(d)(1)) is amended by adding the following new sentence at the end: “Nothing in this subsection shall prevent a grievant from placing a rebuttal to accompany a record of disciplinary action in such grievant’s personnel records nor prevent the Department from including a response to such rebuttal, including documenting those cases in which the Board has reviewed and upheld the discipline.”.

SEC. 325. REPORT CONCERNING FINANCIAL DISADVANTAGES FOR ADMINISTRATIVE AND TECHNICAL PERSONNEL.

(a) FINDINGS.—The Congress finds that administrative and technical personnel posted to United States missions abroad who do not have diplomatic status suffer financial disadvantages from their lack of such status.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees concerning the extent to which administrative and technical personnel posted to United States missions abroad who do not have diplomatic status suffer financial disadvantages from their lack of such status, including proposals to alleviate such disadvantages.

SEC. 326. EXTENSION OF OVERSEAS HIRING AUTHORITY.

Section 202(a) of the Foreign Service Act of 1980 (22 U.S.C. 3922(a)) is amended by inserting at the end the following new paragraph:

“(4) When and to the extent the Secretary of State deems it in the best interests of the United States Government, the Secretary of State may authorize the head of any agency or other Government establishment (including any establishment in the legislative or judicial branch), to appoint pursuant to section 303 individuals hired abroad as members of the Service and to utilize the Foreign Service personnel system under such regulations as the Secretary of State may prescribe, provided that appointments of United States citizens under this subsection shall be limited to appointments authorized by section 311(a).”.

SEC. 327. MEDICAL EMERGENCY ASSISTANCE.

Section 5927 of title 5, United States Code, is amended to read as follows:

“§ 5927. Advances of pay

“(a) Up to three months’ pay may be paid in advance—

“(1) to an employee upon the assignment of the employee to a post in a foreign area;

“(2) to an employee, other than an employee appointed under section 303 of the Foreign Service Act of 1980 (and employed under section 311 of such Act), who—

“(A) is a citizen of the United States;

“(B) is officially stationed or located outside the United States pursuant to Government authorization; and

“(C) requires (or has a family member who requires) medical treatment outside the United States, in circumstances specified by the President in regulations; and

“(3) to a foreign national employee appointed under section 303 of the Foreign Service Act of 1980, or a nonfamily member United States citizen appointed under such section 303 (and employed under section 311 of such Act) for service at such nonfamily member’s post of residence, who—

“(A) is located outside the country of employment of such foreign national employee or nonfamily member (as the case may be) pursuant to Government authorization; and

“(B) requires medical treatment outside the country of employment of such foreign national employee or nonfamily member (as the case may be), in circumstances specified by the President in regulations.

“(b) For the purpose of this section, the term ‘country of employment’, as used with respect to an individual under subsection (a)(3), means the country (or other area) outside the United States where such individual is appointed (as described in subsection (a)(3)) by the Government.”.

SEC. 328. FAMILIES OF DECEASED FOREIGN SERVICE PERSONNEL.

Section 5922 of title 5, United States Code, is amended by adding at the end the following:

“(f)(1) If an employee dies at post in a foreign area, a transfer allowance under section 5924(2)(B) may be granted to the spouse or dependents of such employee (or both) for the purpose of providing for their return to the United States.

“(2) A transfer allowance under this subsection may not be granted with respect to the spouse or a dependent of the employee unless, at the time of death, such spouse or dependent was residing—

“(A) at the employee’s post of assignment; or

“(B) at a place, outside the United States, for which a separate maintenance allowance was being furnished under section 5924(3).

“(3) The President may prescribe any regulations necessary to carry out this subsection.”.

SEC. 329. PARENTAL CHOICE IN EDUCATION.

Section 5924(4) of title 5, United States Code, is amended—

(1) in subparagraph (A) by striking “between that post and the nearest locality where adequate schools are available,” and inserting “between that post and the school chosen by the employee, not to exceed the total cost to the Government of the dependent attending an adequate school in the nearest locality where an adequate school is available,”; and

(2) by adding after subparagraph (B) the following new subparagraph:

“(C) In those cases in which an adequate school is available at the post of the employee, if the employee chooses to educate the dependent at a school away from post, the education allowance which includes board and room, and periodic travel between the post and the school chosen, shall not exceed the total cost to the Government of the dependent attending an adequate school at the post of the employee.”.

SEC. 330. WORKFORCE PLANNING FOR FOREIGN SERVICE PERSONNEL BY FEDERAL AGENCIES.

Section 601(c) of the Foreign Service Act of 1980 (22 U.S.C. 4001(c)) is amended by striking paragraph (4) and inserting the following:

“(4) Not later than March 1, 2001, and every four years thereafter, the Secretary of State shall submit a report to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate which shall include the following:

“(A) A description of the steps taken and planned in furtherance of—

“(i) maximum compatibility among agencies utilizing the Foreign Service personnel system, as provided for in section 203, and

“(ii) the development of uniform policies and procedures and consolidated personnel functions, as provided for in section 204.

“(B) A workforce plan for the subsequent five years, including projected personnel needs, by grade and by skill. Each such plan shall include for each category the needs for foreign language proficiency, geographic and functional expertise, and specialist technical skills. Each workforce plan shall specifically account for the training needs of Foreign Service personnel and shall delineate an intake program of generalist and specialist Foreign Service personnel to meet projected future requirements.

“(5) If there are substantial modifications to any workforce plan under paragraph (4)(B) during any year in which a report under paragraph (4) is not required, a supplemental annual notification shall be submitted in the same manner as is required under paragraph (4).”.

SEC. 331. COMPENSATION FOR SURVIVORS OF TERRORIST ATTACKS OVERSEAS.

The Secretary of State shall examine the current benefit structure for survivors of United States Government employees who are killed while serving at United

States diplomatic facilities abroad as a result of terrorist acts. Such a review shall include an examination of whether such benefits are adequate, whether they are fair and equitably distributed without regard to category of employment, and how they compare to benefits available to survivors of other United States Government employees serving overseas, including noncivilian employees.

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

SEC. 401. EDUCATIONAL AND CULTURAL EXCHANGES AND SCHOLARSHIPS FOR TIBETANS AND BURMESE.

(a) DESIGNATION OF NGAWANG CHOEPHEL EXCHANGE PROGRAMS.—Section 103(a) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319) is amended by inserting after the first sentence the following: “Exchange programs under this subsection shall be known as the ‘Ngawang ChoepHEL Exchange Programs’.”.

(b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—Section 103(b)(1) of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (Public Law 104–319; 22 U.S.C. 2151 note) is amended by striking “for the fiscal year 1999” and inserting “for the fiscal year 2000”.

SEC. 402. CONDUCT OF CERTAIN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

Section 102 of the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (22 U.S.C. 2452 note) is amended by striking “Director” and all that follows through the period and inserting the following: “Secretary of State, with the assistance of the Under Secretary for Public Diplomacy, shall—

“(1) include, as a substantial proportion of the participants in such programs, nationals of such countries who have demonstrated a commitment to freedom and democracy;

“(2) consult with human rights and democracy advocates from such countries on the selection of participants and grantees for such programs; and

“(3) select grantees for such programs only after a competitive process in which proposals are solicited from multiple applicants and in which important factors in the selection of a grantee include the relative likelihood that each of the competing applicants would be willing and able:

“(A) to identify and recruit as participants in the program persons described in paragraph (1); and

“(B) in selecting participants who are associated with governments or other institutions wielding power in countries described in this section, to identify and recruit those most likely to be open to freedom and democracy and to avoid selecting those who are so firmly committed to the suppression of freedom and democracy that their inclusion could create an appearance that the United States condones such suppression.”.

SEC. 403. NOTIFICATION TO CONGRESS OF GRANTS.

Section 705 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1477c(b)) is amended—

(1) by inserting “(a)” after “705.”; and

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

“(b) For fiscal year 2000 and each subsequent fiscal year, the Secretary of State may not award any grant to carry out the purposes of this Act until 45 days after written notice has been provided to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate of the intent to award such grant. In determining whether to award a grant the Secretary shall consider any objections or modifications raised in the course of consultations with such committees.”.

SEC. 404. NATIONAL SECURITY MEASURES.

The United States Information and Educational Exchange Act of 1948 is amended by adding after section 1011 the following new sections:

“NATIONAL SECURITY MEASURES

“SEC. 1012. In coordination with other appropriate executive branch officials, the Secretary of State shall take all appropriate steps to prevent foreign espionage agents from participating in educational and cultural exchange programs under this Act.

“PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

“SEC. 1013. The Secretary of State shall take all appropriate steps to ensure that no individual, who is employed by or attached to an office or department involved with the research, development, or production of missiles or weapons of mass destruction, from a country identified by the Central Intelligence Agency, the Department of Defense, the National Security Agency, or the Department of Energy, as a country involved in the proliferation of missiles or weapons of mass destruction is a participant in any program of educational or cultural exchange under this Act. Appropriate steps under this section shall include prior consultation with the Federal agencies designated in the first sentence with respect to all prospective participants in such programs with respect to whom there is a reasonable basis to believe that such prospective participant may be employed by or attached to an office or department identified under the first sentence.”.

SEC. 405. DESIGNATION OF NORTH/SOUTH CENTER AS THE DANTE B. FASCELL NORTH-SOUTH CENTER.

(a) DESIGNATION.—Section 208 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2075) is amended—

(1) by striking subsection (a) and inserting the following:

“(a) SHORT TITLE.—This section may be cited as the ‘Dante B. Fascell North-South Center Act of 1991’.”;

(2) in subsection (c)—

(A) by amending the section heading to read as follows: “DANTE B. FASCELL NORTH-SOUTH CENTER.—”; and

(B) by striking “known as the North/South Center,” and inserting “which shall be known and designated as the Dante B. Fascell North-South Center,”; and

(3) in subsection (d) by striking “North/South Center” and inserting “Dante B. Fascell North-South Center”.

(b) REFERENCES.—

(1) CENTER.—Any reference in any other provision of law to the educational institution in Florida known as the North/South Center shall be deemed to be a reference to the “Dante B. Fascell North-South Center”.

(2) SHORT TITLE.—Any reference in any other provision of law to the North/South Center Act of 1991 shall be deemed to be a reference to the “Dante B. Fascell North/South Center Act of 1991”.

SEC. 406. ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

Section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (enacted as Division G of the Omnibus Consolidated and Emergency Supplemental Appropriations Act for Fiscal Year 1999; Public Law 105–277) is repealed.

SEC. 407. INTERNATIONAL EXPOSITIONS.

(a) LIMITATION.—Except as provided in subsection (b), notwithstanding any other provision of law, the Department of State may not obligate or expend any funds for a United States Government funded pavilion or other major exhibit at any international exposition or world’s fair registered by the Bureau of International Expositions in excess of amounts expressly authorized and appropriated for such purpose.

(b) EXCEPTIONS.—

(1) The Department of State is authorized to utilize its personnel and resources to carry out its responsibilities—

(A) under section 102(a)(3) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(a)(3)), to provide for United States participation in international fairs and expositions abroad;

(B) under section 105(f) of such Act with respect to encouraging foreign governments, international organizations, and private individuals, firms, associations, agencies and other groups to participate in international fairs and expositions and to make contributions to be utilized for United States participation in international fairs and expositions; and

(C) to encourage private support to the United States Commissioner General for participation in international fairs and expositions.

(2) Nothing in this subsection shall be construed as authorizing the use of funds appropriated to the Department of State to make payments for—

(A) contracts, grants, or other agreements with any other party to carry out the activities described in this subsection; or

(B) any legal judgment or the costs of litigation brought against the Department of State arising from activities described in this subsection.

(c) REPEAL.—Section 230 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2452 note) is repealed.

SEC. 408. ROYAL ULSTER CONSTABULARY.

The Secretary of State shall take all appropriate steps to ensure that members of the Royal Ulster Constabulary (RUC) are not participants in any program of educational or cultural exchange or training through the National Academy Program at Quantico, Virginia, under the auspices of the Department of State or the Federal Bureau of Investigation of the Department of Justice unless the President certifies that complete, independent, credible and transparent investigations of the murders of defense attorneys Rosemary Nelson and Patrick Finucane have been initiated by the Government of the United Kingdom and that the Government has taken appropriate steps to protect defense attorneys against RUC harassment in Northern Ireland, in which case the President may permit any program, exchange, or training set forth herein.

TITLE V—INTERNATIONAL BROADCASTING

SEC. 501. PERMANENT AUTHORIZATION FOR RADIO FREE ASIA.

(a) REPEAL OF SUNSET PROVISION.—Section 309 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6208) is amended—

(1) by striking subsection (g); and

(2) in subsection (d)(2) by striking “Government,” and all that follows through the period and inserting “Government.”.

(b) REPEAL OF FUNDING LIMITATIONS.—Section 309 of the United States International Broadcasting Act of 1994 is further amended—

(1) in subsection (d) by striking paragraphs (4) and (5) and by redesignating paragraph (6) as paragraph (4); and

(2) in subsection (c)—

(A) in paragraph (1)(A) by striking “the funding” and all that follows through the semicolon and inserting “any funding limitations under subsection (d);”; and

(B) in paragraph (3) by striking “the funding” and all that follows through the period and inserting “any funding limitations under subsection (d).”.

SEC. 502. PRESERVATION OF RFE/RL (RADIO FREE EUROPE/RADIO LIBERTY).

(a) REPEAL OF PRIVATIZATION POLICY STATEMENT.—Section 312 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6211) is repealed.

(b) INCREASE IN LIMITATION ON GRANT AMOUNTS.—Section 308(c) of the United States International Broadcasting Act of 1994 (22 U.S.C. 6207(c)) is amended by striking “\$75,000,000” and inserting “\$80,000,000”.

SEC. 503. IMMUNITY FROM CIVIL LIABILITY FOR BROADCASTING BOARD OF GOVERNORS.

Section 304 of the United States International Broadcasting Act of 1994 (22 U.S.C. 6203) is amended by adding at the end the following new subsection:

“(g) IMMUNITY FROM CIVIL LIABILITY.—Notwithstanding any other provision of law, the Volunteer Protection Act of 1997 shall apply to the members of the Broadcasting Board of Governors when acting in their capacities as members of the boards of directors of RFE/RL, Incorporated and Radio Free Asia.”.

TITLE VI—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

SEC. 601. INTERPARLIAMENTARY GROUPS.

(a) AMERICAN DELEGATIONS TO CONFERENCES.—Notwithstanding any other provision of law, whenever either the House of Representatives or the Senate does not appoint its allotment of members as part of the American delegation or group to a conference or assembly of the British-American Interparliamentary Group, the Conference on Security and Cooperation in Europe (CSCE), the Mexico-United States Interparliamentary Group, the North Atlantic Assembly, or any similar interparliamentary group of which the United States is a member or participates and so notifies the other body of Congress, the other body may make appointments to complete the membership of the American delegation. Any appointment pursuant to this section shall be for the period of such conference or assembly and the body of

Congress making such an appointment shall be responsible for the expenses of any member so appointed. Any such appointment shall be made in same manner in which other appointments to the delegation by such body of Congress are made.

(b) **TRANSATLANTIC LEGISLATIVE DIALOGUE.**—Section 109(c) of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (22 U.S.C. 276 note) is amended by striking “United States-European Community Interparliamentary Group” and inserting “Transatlantic Legislative Dialogue (United States-European Union Interparliamentary Group)”.

SEC. 602. AUTHORITY TO ASSIST STATE AND LOCAL GOVERNMENTS.

(a) **AUTHORITY.**—The Commissioner of the U.S. Section of the International Boundary and Water Commission may provide technical tests, evaluations, information, surveys, or other similar services to State or local governments upon the request of such State or local government on a reimbursable basis.

(b) **REIMBURSEMENTS.**—Reimbursements shall be paid in advance of the goods or services ordered and shall be for the estimated or actual cost as determined by the U.S. Section of the International Boundary and Water Commission. Proper adjustment of amounts paid in advance shall be made as agreed to by the U.S. Section of the International Boundary and Water Commission on the basis of the actual cost of goods or services provided. Reimbursements received by the U.S. Section of the International Boundary and Water Commission for providing services under this section shall be credited to the appropriation from which the cost of providing the services will be charged.

SEC. 603. INTERNATIONAL BOUNDARY AND WATER COMMISSION.

(a) **EXPANDED AUTHORITY TO RECEIVE PAYMENTS.**—Section 2(b) of the American-Mexican Chamizal Convention Act of 1964 (Public Law 88-300; 22 U.S.C. 277d-18(b)) is amended by inserting “operations, maintenance, and” after “cost of”.

SEC. 604. CONCERNING UNITED NATIONS GENERAL ASSEMBLY RESOLUTION ES-10/6.

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

(1) In an Emergency Special Session, the United Nations General Assembly voted on February 9, 1999, to pass Resolution ES-10/6, *Illegal Israeli Actions In Occupied East Jerusalem And The Rest Of The Occupied Palestinian Territory*, to convene for the first time in 50 years the parties of the Fourth Geneva Convention for the Protection of Civilians in Time of War.

(2) Such resolution unfairly places full blame for the deterioration of the Middle East Peace Process on Israel and dangerously politicizes the Geneva Convention, which was established to deal with critical humanitarian crises.

(3) Such vote is intended to prejudge direct negotiations, put added and undue pressure on Israel to influence the results of those negotiations, and single out Israel for unprecedented enforcement proceedings which have never been invoked against governments with records of massive violations of the Geneva Convention.

(b) **CONGRESSIONAL STATEMENT OF POLICY.**—The Congress—

(1) commends the Department of State for the vote of the United States against United Nations General Assembly Resolution ES-10/6 affirming that the text of such resolution politicizes the Fourth Geneva Convention which was primarily humanitarian in nature; and

(2) urges the Department of State to continue its efforts against convening the conference.

TITLE VII—GENERAL PROVISIONS

SEC. 701. SENSE OF THE CONGRESS CONCERNING SUPPORT FOR DEMOCRACY AND HUMAN RIGHTS ACTIVISTS IN CUBA.

It is the sense of the Congress that—

(1) the United States should increase its support to democracy and human rights activists in Cuba, providing assistance with the same intensity and decisiveness with which it supported the pro-democracy movements in Eastern Europe during the Cold War; and

(2) the United States should substantially increase funding for programs and activities under section 109 of the Cuban Liberty and Democratic Solidarity Act of 1996 (22 U.S.C. 6021 et seq.) designed to support democracy and human rights activists and others in Cuba who are committed to peaceful and democratic change on the island.

SEC. 702. RELATING TO CYPRUS.

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

(1) At the urging of the United States Government, the Republic of Cyprus refrained from exercising that country's sovereign right to self-defense, a right fully recognized by the United States Government and by Article 51 of the Charter of the United Nations, and canceled the deployment on Cyprus of defensive anti-aircraft missiles.

(2) In close cooperation with the United States Government and the Government of Greece, Cyprus rerouted the missiles to the Greek island of Crete.

(3) This extraordinarily conciliatory and courageous action was taken in the interest of peace.

(4) With this action, the Republic of Cyprus displayed its full compliance with the recently adopted United Nations Security Council Resolutions 1217 and 1218 which address the Cyprus issue, demonstrated its support for President Bill Clinton's December 22, 1998, commitment to "take all necessary steps to support a sustained effort to implement United Nations Security Council Resolution 1218", and continued its efforts of the last 25 years to take substantive steps to reduce tensions and move toward a Cyprus settlement.

(5) The Republic of Cyprus has no navy, air force, or army and faces one of the world's largest and most sophisticated military forces, just minutes away, in Turkey, as well as an area described by the United Nations Secretary General as, "one of the most densely militarized areas in the world" in the Turkish-occupied area of northern Cyprus.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) in light of this and other similar extraordinary actions taken by the Republic of Cyprus, as well as the importance of a Cyprus settlement to American security and other interests, the United States should do all that is possible to bring about commensurate actions by Turkey;

(2) the time has come for the United States to expect from Turkey actions on the Cyprus issue in the interest of peace, including steps in conformity with United States proposals concerning Cyprus and in compliance with provisions contained in United Nations Security Council Resolutions 1217 and 1218; and

(3) such an effort would also be in the best interest of the people of Turkey, as well as in the interest of all others involved.

Amend the title so as to read:

A bill to authorize appropriations for the Department of State and related agencies for fiscal year 2000, and for other purposes.

BACKGROUND AND PURPOSE

H.R. 1211, the Foreign Relations Authorization Act, represents a bipartisan measure to authorize appropriations for fiscal year 2000 for the Department of State and the new functions consolidated within the Department beginning in fiscal year 2000.

It authorizes \$6.47 billion in fiscal year 2000 for the operations of the Department of State which includes the consolidated activities of the Arms Control and Disarmament Agency and the U.S. Information Agency.

**THE SECURITY OF U.S. PERSONNEL AT OVERSEAS POSTS IS THE
COMMITTEE'S TOP PRIORITY**

This authorization total includes \$1.4 billion in worldwide security enhancements to protect our missions and personnel abroad, the amount recommended in the report of the Accountability Review Boards that investigated the August 1998 bombings of the United States Embassies in Nairobi and Dar es Salaam (the "Crowe Report"). The Committee greatly increased the security authorization above the Administration's \$304 million request to be sure that the program could continue. The world continues to be a dangerous place and every effort must be made to secure the lives of United States government employees working abroad.

H.R. 1211 also includes a number of new administrative authorities requested by the executive branch.

AGENCY CONSOLIDATION ISSUES

This budget reflects the first year of the consolidation of the Arms Control and Disarmament Agency and the U.S. Information Agency into the Department of State. This has resulted in the merger of certain accounts for these agencies. In an effort to protect the programs and activities specifically for public diplomacy, the bill requires a separate account for international information programs and establishes two assistant secretaries, one for international information programs and a second for exchange programs under the new position of Under Secretary for Public Diplomacy.

COMMITTEE ACTION

INTRODUCTION AND CONSIDERATION OF THE BILL

H.R. 1211, The Foreign Relations Authorization Act, FY 2000 and 2001, was introduced by Rep. Smith (NJ) on March 22, 1999, and referred to the Committee on International Relations.

On February 25, 1999, the Committee held a hearing on the President's FY 2000 International Affairs Budget Request, with Secretary of State Madeleine Albright testifying.

On March 2, 1999, the Subcommittee on International Operations and Human Rights held a hearing on the Foreign Relations Authorization for FY 2000–2001: Department of State Management Initiatives. The witnesses included Hon. Bonnie Cohen, Under Secretary for Management, Department of State; and Hon. Patrick Kennedy, Assistant Secretary for Administration, Department of State.

On March 4, 1999, the Subcommittee on International Operations and Human Rights held a hearing on the Foreign Relations Authorization for FY 2000–2001: Public Diplomacy Programs. The witnesses for this hearing included: Hon. Penn Kemble, Acting Director, United States Information Agency; Mr. Edward E. Kaufman, Member, Board of Broadcasting Governors; and Mr. Carl Gershman, President, National Endowment for Democracy.

On March 9, 1999, the Subcommittee on International Operations and Human Rights held a hearing on the Foreign Relations Authorization for FY 2000–2001: Refugees and Migration. The witnesses included Hon. Julia V. Taft, Assistant Secretary, Bureau of Population, Refugees, and Migration, Department of State; Ms. Karen AbuZayd, Regional Representative, United Nations High Commissioner for Refugees; Mr. Reynold Levy, President and Chief Executive Officer, International Rescue Committee; Mr. Donald Hammond, Senior Vice President, World Relief; Ms. Diana Aviv, Senior Associate Executive Vice President, Council of Jewish Federations; and Mr. Lionel Rosenblatt, President, Refugees International.

On March 12, 1999, the Subcommittee on International Operations and Human Rights held a hearing on the Foreign Relations Authorization for FY 2000–2001: Security of United States Missions Abroad. The witnesses for this hearing included: Admiral William J. Crowe, Jr., Chairman of the Accountability Review

Board; Mr. Daniel F. Geisler, President, American Foreign Service Association; and Hon. David G. Carpenter, Assistant Secretary for Diplomatic Security, Department of State.

MARKUP OF THE BILL

On March 23, 1999, the Subcommittee on International Operations and Human Rights marked up the bill in open session, pursuant to notice. The Subcommittee favorably reported the bill, as amended, to the Full Committee.

The Full Committee marked up the bill, pursuant to notice, in open session, on April 14 and 15, 1999. An amendment in the nature of a substitute was offered, amended, and adopted. On April 15, 1999, a quorum being present, the Committee by voice vote ordered the bill reported to the House, with the recommendation that the bill, as amended, do pass.

ROLLCALL VOTES

RECORD VOTES ON AMENDMENTS AND MOTION TO REPORT

Clause (3)(b) of rule XIII of the Rules of the House of Representatives requires that the results of each record vote on an amendment or motion to report, together with the names of those voting for or against, be printed in the committee report.

Description of amendment, motion, order, or other proposition (votes during markup of H.R. 1211—April 14, 1999)

Vote No. 1 (12:17 p.m.)—Campbell amendment regarding the United Nations Population Fund (“UNFPA”), provides that no U.S. funds are spent in China while still enabling the U.S. to contribute to UNFPA programs in other parts of the world.

Voting Yes: Gilman, Leach, Campbell, Cooksey, Gejdenson, Berman, Ackerman, Martinez, Payne, Menendez, Brown, McKinney, Hilliard, Sherman, Wexler, Rothman, Davis, Pomeroy, Delahunt, Meeks, Lee, Crowley, and Hoeffel.

Voting No: Goodling, Hyde, Bereuter, Smith, Burton, Ros-Lehtinen, Ballenger, Rohrabacher, Manzullo, King, Chabot, Sanford, Salmon, McHugh, Brady, Burr, and Tancredo.

Ayes 23. Noes 17.

Vote No. 2 (12:54 p.m.)—Sanford amendment that cuts funds to the Asia Foundation, North-South Center, and East-West Center to FY 98 levels.

Voting Yes: Goodling, Ballenger, Rohrabacher, Manzullo, Chabot, Sanford, Salmon, Burr, Cooksey, and Tancredo.

Voting No: Gilman, Hyde, Bereuter, Smith, Ros-Lehtinen, King, Houghton, McHugh, Brady, Gejdenson, Berman, Ackerman, Martinez, Payne, Menendez, Brown, McKinney, Hilliard, Sherman, Wexler, Rothman, Davis, Pomeroy, Delahunt, Meeks, Lee, Crowley, and Hoeffel.

Voting “Present”: Campbell.

Ayes, 10. Noes, 28. Present, 1.

Vote No. 3 (4:50 p.m.)—Gejdenson amendment to Rohrabacher amendment that deletes language which prohibits preferential treatment and expedited approval for licenses for exports of satellites and related items being extended to the PRC and to coun-

tries which represent a national security threat to the U.S. or judged as likely to transfer such items to such countries.

Voting Yes: Bereuter, Houghton, Campbell, Burr, Gejdenson, Berman, Ackerman, Martinez, Payne, Menendez, McKinney, Danner, Rothman, Davis, Pomeroy, Delahunt, Meeks, Lee, Crowley, and Hoeffel.

Voting No: Gilman, Goodling, Smith, Rohrabacher, Royce, King, Chabot, Sanford, McHugh, Brady, Gillmor, Cooksey, Tancred, and Sherman.

Ayes, 20. Noes, 14.

Description of amendment, motion, order, or other proposition (votes during markup of H.R. 1211—April 15, 1999)

Vote No. 1 (2:54 p.m.)—Menendez amendment which adds new title: “Title VII—General Provisions, Sec. 701. Relating to Cyprus.”

Voting Yes: Gilman, Goodling, Royce, King, Chabot, Radanovich, Gejdenson, Berman, Ackerman, Payne, Menendez, McKinney, Danner, Hilliard, Sherman, Wexler, Rothman, Davis, Pomeroy, Meeks, Lee, Crowley, and Hoeffel.

Voting No: Bereuter, Burton, Ballenger, Rohrabacher, Sanford, Houghton, Campbell, McHugh, Burr, Gillmor, and Cooksey.

Ayes, 23. Noes, 11.

Note: The bill was ordered favorably reported, as amended, by voice vote, a quorum being present, on April 15, 1999.

OTHER MATTERS

COMMITTEE OVERSIGHT FINDINGS

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

COMMITTEE ON GOVERNMENT REFORM FINDINGS

Clause 3(c)(4) of rule XIII of the Rules of the House of Representatives requires each committee report to contain a summary of the oversight findings and recommendations made by the Government Reform Committee pursuant to clause (4)(c)(2) of rule X of those Rules. The Committee on International Relations has received no such findings or recommendations from the Committee on Government Reform.

ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

APPLICABILITY TO THE LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

CONSTITUTIONAL AUTHORITY STATEMENT

In compliance with clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee cites the following specific powers granted to the Congress in the Constitution as authority for enactment of H.R. 1211 as reported by the Committee: Article I, section 8, clause 1 (relating to providing for the common defense and general welfare of the United States); Article I, section 8, clause 3 (relating to the regulation of commerce with foreign nations); and Article I, section 8, clause 18 (relating to making all laws necessary and proper for carrying into execution powers vested by the Constitution in the government of the United States).

PREEMPTION CLARIFICATION

Section 423 of the Congressional Budget Act of 1974 requires the report of any committee on a bill or joint resolution to include a committee statement on the extent to which the bill or joint resolution is intended to preempt state or local law. The Committee states that H.R. 1211 is not intended to preempt any state or local law.

NEW BUDGET AUTHORITY AND TAX EXPENDITURES, CONGRESSIONAL BUDGET OFFICE COST ESTIMATE, AND FEDERAL MANDATES STATEMENTS

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives requires each committee report that accompanies a measure providing new budget authority, new spending authority, or new credit authority or changing revenues or tax expenditures to contain a cost estimate, as required by section 308(a)(1) of the Congressional Budget Act of 1974, as amended, and, when practicable with respect to estimates of new budget authority, a comparison of the estimated funding level for the relevant program (or programs) to the appropriate levels under current law.

Clause 3(d) of rule XIII of the Rules of the House of Representatives requires committees to include their own cost estimates in certain committee reports, which include, when practicable, a comparison of the total estimated funding level for the relevant program (or programs) with the appropriate levels under current law.

Clause 3(c)(3) of rule XIII of the Rules of the House of Representatives requires the report of any committee on a measure which has been approved by the Committee to include a cost estimate prepared by the Director of the Congressional Budget Office, pursuant to section 403 of the Congressional Budget Act of 1974, if the cost estimate is timely submitted.

Section 423 of the Congressional Budget Act requires the report of any committee on a bill or joint resolution that includes any Federal mandate to include specific information about such mandates. The Committee states that H.R. 1211 does not include any Federal mandate.

The Committee adopts the cost estimate of the Congressional Budget Office as its own submission of any new required information with respect to H.R. 1211 on new budget authority, new spending authority, new credit authority, or an increase or decrease in the national debt. It also adopts the estimate of Federal

mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act. The estimate and report which has been received is set out below.

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, April 28, 1999.

Hon. BENJAMIN A. GILMAN,
*Chairman, Committee on International Relations,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office (CBO) has prepared the enclosed cost estimate for H.R. 1211, the Foreign Relations Authorization Act, Fiscal Year 2000.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Sunita D'Monte.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure.

H.R. 1211—Foreign Relations Authorization Act, Fiscal Year 2000

Summary: The bill would authorize appropriations for the Department of State and related agencies for 2000. CBO estimates that appropriation of the authorized amounts would result in additional discretionary spending of \$7.3 billion over the 2000–2004 period. Because the legislation would affect direct spending and revenues, pay-as-you-go procedures would apply, but the impact would generally be less than \$500,000 a year.

H.R. 1211 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would have no significant effects on the budgets of state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 1211 is shown in the following table. CBO assumes that the authorized amounts would be appropriated by the start of each fiscal year and that outlays would follow historical spending patterns. The costs of this legislation fall within budget functions 150 (international affairs) and 300 (natural resources and environment).

| | By fiscal years, in millions of dollars— | | | | | |
|---|--|-------|------|------|------|------|
| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 |
| SPENDING SUBJECT TO APPROPRIATION | | | | | | |
| Spending Under Current Law ¹ : | | | | | | |
| Budget Authority ² | 7,198 | 0 | 0 | 0 | 0 | 0 |
| Estimated Outlays | 5,944 | 1,317 | 609 | 470 | 146 | 74 |
| Proposed Changes: | | | | | | |
| Administration of Foreign Affairs: | | | | | | |
| Authorization Level | 0 | 4,280 | 0 | 0 | 0 | 0 |
| Estimated Outlays | 0 | 2,321 | 605 | 439 | 444 | 217 |
| International Organizations and Commissions: | | | | | | |
| Authorization Level | 0 | 1,248 | 0 | 0 | 0 | 0 |
| Estimated Outlays | 0 | 1,211 | 30 | 5 | 2 | 0 |
| Voluntary Contributions to International Organizations and Refugee Assistance: | | | | | | |
| Authorization Level | 0 | 1,043 | 0 | 0 | 0 | 0 |

| | By fiscal years, in millions of dollars— | | | | | |
|--|--|-------|-------|------|------|------|
| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 |
| Estimated Outlays | 0 | 781 | 231 | 11 | 5 | 1 |
| Public Diplomacy Programs and Asia Foundation: | | | | | | |
| Authorization Level | 0 | 1,046 | 0 | 0 | 0 | 0 |
| Estimated Outlays | 0 | 785 | 201 | 35 | 13 | 2 |
| Other Provisions: | | | | | | |
| Estimated Authorization Level | 0 | 0 | 1 | 1 | 1 | 1 |
| Estimated Outlays | 0 | -3 | 0 | 0 | 1 | 1 |
| Subtotal of Proposed Changes: | | | | | | |
| Estimated Authorization Level | 0 | 7,617 | 1 | 1 | 1 | 1 |
| Estimated Outlays | 0 | 5,095 | 1,067 | 490 | 465 | 221 |
| Spending Under H.R. 1211: ¹ | | | | | | |
| Estimated Authorization Level ² | 7,198 | 7,617 | 1 | 1 | 1 | 1 |
| Estimated Outlays | 5,944 | 6,412 | 1,676 | 960 | 611 | 295 |
| DIRECT SPENDING AND REVENUES | | | | | | |
| Proposed Changes to Direct Spending: | | | | | | |
| Estimated Budget Authority | 3 | 3 | 3 | 3 | 3 | 3 |
| Estimated Outlays | 3 | 3 | 3 | 3 | 3 | 3 |
| Proposed Changes to Revenues | 3 | 3 | 3 | 3 | 3 | 3 |

¹The programs covered by this funding include the conduct of foreign affairs, and information and exchange activities.

²The 1999 level is the amount appropriated for that year.

³Less than \$500,000.

Basis of Estimate

Spending subject to appropriation

CBO estimates that the bill would result in outlays totaling \$7.3 billion over the 2000–2004 period, assuming appropriation of the authorized amounts. In addition to stated authorizations totaling \$7.6 billion, the bill contains a number of other provisions with potential budgetary impacts.

Fees for Affidavits of Support. Section 256 would authorize the State Department to charge a fee for helping to prepare certain affidavits as part of an immigrant visa application. Proceeds from the fees would be deposited as offsetting collections and would be available for spending, subject to appropriation. Based on information from the department, CBO estimates that it would charge a \$50 fee and collect roughly \$17 million a year. Because spending would initially lag behind collections, this provision would lower net outlays by \$3 million in 2000 and \$1 million each year in 2001 and 2002 before spending would completely offset collections.

Miscellaneous Provisions. The bill includes several provisions that would combine to raise spending subject to appropriation by about \$1 million annually, but each provision would probably cost less than \$500,000 a year. The individual budgetary impacts are insignificant because they would involve small payments either to a few people or for infrequent events.

- Section 206 would require the Secretary of State to negotiate a code of conduct for international arms sales with all countries who are parties to Wassenaar Arrangement.

- Section 322 would allow U.S. citizens hired abroad to receive a different (usually higher) amount of compensation than a foreign national employed in the same position.

- Section 323 would grant employees living in the United States and working in Canada or Mexico adjustments for locality pay

equal to what they would receive if they worked nearby in the United States.

- Section 326 would expand the Secretary of State's authority to allow other agencies to use the U.S. Foreign Service personnel system and appointed individuals hired abroad as members of the Service.

- Section 327 would authorize advances of pay for employees with medical emergencies.

- Section 328 would authorize allowances to compensate dependents of a deceased employee who are returning to the United States.

- Section 329 would allow employees working abroad who send a dependent to school away from their post to use an education allowance to pay for room, board, and periodic travel between the post and school.

Direct spending

The bill would affect direct spending by less than \$500,000 in most years.

Deaths and Estates of U.S. Citizens Overseas. Section 251 would expand the authority of the State Department to oversee and liquidate the estates of U.S. citizens who lived overseas but died intestate. Under current law, the department is authorized to take possession, oversee, and dispose of estates. After a certain period, if no claims have been made against the estate, the proceeds from the sale are transferred to the U.S. state in which the deceased citizen last lived. If the state is unknown, the proceeds are deposited into the Treasury as miscellaneous receipts (revenues).

The bill would make three substantive changes that would increase miscellaneous receipts. First, if the country in which the citizen died is unable to issue a death certificate, the State Department would issue a report of death (or presumptive death), which would allow for the disposition of the estate. The \$10 fee charged for the report would be deposited in the Treasury. (The fee and other expenses associated with disposition of the estate are paid by the estate.) Second, instead of transferring the proceeds of the sale to the U.S. state, these proceeds would be deposited directly into the Treasury. Finally, the bill would allow the State Department to take title to any real property. The department would have the option to retain the property for its own use or sell it and deposit the proceeds in the Treasury. CBO estimates that these changes would raise miscellaneous receipts by less than \$500,000 in rare instances.

Appropriation of Interest. Section 208 would authorize the State Department to spend interest that is earned on funds made available for cooperation in scientific, cultural, and related areas. Under current law, such funds are deposited in interest-bearing accounts, and accrued interest is retained in the account. Based on information from the State Department, CBO estimates that the department would earn 5 percent interest on approximately \$1.5 million and would increase spending by about \$75,000 a year,

Reimbursements From a State. Section 602 would authorize the commissioner of the International Boundary and Water Commission to accept and spend funds from state and local governments.

Upon request, those contributions would be used to provide technical tests, surveys, or similar services. CBO estimates that collections and spending would not be significant in any year.

Pay-as-you-go considerations: The bill contains several provisions that affect direct spending and revenues, but the net impact is estimated to be less than \$500,000 a year.

Intergovernmental and private-sector impact: H.R. 1211 contains no intergovernmental or private-sector mandates as defined in UMRA and would have no significant effects on the budgets of state, local, or tribal governments.

Estimate prepared by: Federal Costs: Sunita D'Monte for the Department of State, Gary Brown for the International Boundary and Water Commission, and Jennifer Winkler for employee compensation. Impact on State, local, and tribal governments: Leo Lex. Impact on the private sector: Keith Mattrick.

Estimate approved by: Robert A. Sunshine, Deputy Assistant Director for Budget Analysis.

SECTION-BY-SECTION ANALYSIS

TITLE I—AUTHORIZATION OF APPROPRIATIONS

Section 101. Authorization of Appropriations—Administration of Foreign Affairs. This section authorizes a State Department FY 2000 operating budget of \$3.52 billion, approximately \$1 billion more than the Administration requested for these activities, due to an increase in funding to improve security at U.S. posts abroad.

101(1). Diplomatic and Consular Programs. This section authorizes \$2,531,775,000 for fiscal year 2000 for diplomatic and consular programs. As requested by the State Department, this account reflects the merger of the salaries and expenses account with the diplomatic and consular programs account. Operating and representational expenses for International Information Programs (formerly managed by the U.S. Information Agency) can be found in section 105(1).

Of that total amount, \$254,000,000 is specifically authorized for worldwide security upgrades, \$15,000,000 is for salaries and expenses of the Department's Bureau of Democracy, Human Rights, and Labor, and \$2,000,000 is for the recruitment of members of minority groups for careers in the Foreign Service and international affairs. An additional \$1,000,000 is available for the democracy fellows program.

Security. The supplemental appropriations for security enhancements (PL 105-277) provides for additional diplomatic security agents. The Committee expects that the deployment of additional regional security officers will increase the effectiveness of the security profile at the overseas posts. This includes aggressive programs to train local guards in various crisis situations and to administer regular training drills for local guards and embassy staff. Crisis preparation requires the cooperation of all personnel and post leadership should make these activities a priority.

In addition, the Committee hopes to see efforts by Diplomatic Security, where appropriate, to routinely rotate local guards (both their location and their shifts) to avoid complacency and efforts by potential terrorists to compromise them and their duties to protect

U.S. assets. The Committee expects that a close working relationship at post between the regional security officers and the marine security guard detachment commanders will help to maintain first rate local guard forces.

It is hoped that specialized security expertise, related to physical, technical or terrorism issues, will be made available, as needed, to posts to augment the regional security office.

In a March 12, 1999 hearing, the Committee heard testimony from Admiral William Crowe (Ret.), Chairman of the two Accountability Review Boards that investigated and reported on the August 1998 bombings of U.S. embassies in Nairobi and Dar es Salaam. Admiral Crowe's report found that 85 percent of U.S. overseas posts still fall short of the security standards recommended in the 1985 report of the Advisory Panel on Overseas Security. Short of relocating U.S. diplomatic posts to achieve adequate setbacks from roadways and urban areas, steps can and must be taken to "toughen" our posts overseas.

Admiral Crowe in his testimony highlighted the lethal role windows and flying glass played in the African bombings. He cited windows as his number one security concern, and advocated the use of laminated safety glass.

Although the State Department needs flexibility in implementing the recommendations in the report, the Committee believes certain steps must be taken. For example, new construction and major renovations should include the use of high tech glazing like laminated safety glass which has demonstrated its worth in resisting shattering in bomb attacks. In some cases where security upgrades are planned, the State Department should use film that is of sufficient thickness and properly installed to protect human lives in bomb attacks.

101(2). Capital Investment Fund. Authorizes \$90,000,000 for fiscal year 2000 to modernize the Department's computer systems.

101(3). Security and Maintenance of United States Missions. Authorizes \$1,580,066,000 for the security and maintenance of U.S. missions abroad in fiscal year 2000. This is \$1,096,000,000 more than the Administration's request. \$1,146,000,000 of that total is specifically authorized for security upgrades, to cover the costs of the relocation and construction necessary to rectify security deficiencies at posts abroad, such as those recently identified in the Crowe Report on the 1998 bombings of the United States Embassies in Kenya and Tanzania.

Embassy Tashkent: The Committee notes with concern the continued inadequacy of U.S. chancery facilities in Tashkent, Uzbekistan. For eight years, this facility has failed to meet minimal standards for security, quality of life, and office efficiency. Recent bombings only serve to highlight the need to address these shortfalls in as expeditious a manner as possible. Its size, population, and strategic location suggest that bilateral relations with Uzbekistan will deepen and broaden in the years ahead. As a result, the responsibilities of U.S. diplomats in Tashkent are certain to increase.

Report on Overseas Rent: The Committee directs the Secretary of State to study and report within nine months of the enactment of this bill (a) assessing the options for establishing a system to

charge State and non-State agencies for their use of non-residential space overseas; (b) the amount of revenue that would be generated; (c) how charges would be determined; (d) how the system would be implemented and the administrative burdens involved with that implementation, and (e) what changes in law or regulation would be necessary to implement such a system.

A few years ago an interagency system known as ICASS was established to distribute the costs of services provided by State to non-State agencies at overseas posts. One area not addressed by the ICASS agreement was a system of charging rent for overseas non-residential space that the State Department either leases long-term or owns. In addition, State's bureaus are not charged for their use of space: they do not benefit from decisions to use less space, nor do they face any consequences from over-use of space. The Committee is concerned that this is resulting in inefficiencies.

The Committee believes the Department should develop a reasonable system to assess charges for space occupied in overseas non-residential facilities. Distinctions made among short-term, long-term, and owned space should be harmonized to provide for the most cost-effective means of managing these properties.

The occupancy of real estate is seen as "free" by the Department's bureaus in all overseas office space, and is similarly seen as "free" for other foreign affairs agencies in all non-residential space that is owned or on long-term leases. Accordingly, there will be an inevitable tendency to make space allocation decisions on bureaucratic or political grounds rather than on efficiency grounds. First, more space may be occupied than is really necessary or economically justifiable. Second, non-State agencies will push to be in space that is owned by the government or held under long-term leases rather than in short-term leased space—as they are charged rent for the latter and not the former. State, on the other hand, will push to have them in space under short-term leases, so that rent can be collected. These decisions should be made with the aid of the market mechanism of charging rent. Finally, the Committee has learned that the Department concluded, in at least one important project, a series of short-term leases, rather than a long-term lease, for the principal purpose of being able to charge tenant agencies rent. While the Committee applauds the Department for making sure tenant agencies were charged rent, this arrangement was probably not the optimal one for the taxpayer: the Department should be able both to charge rent and to conclude a long-term lease or purchase of the building.

If a comprehensive rent collection system were established, rents collected could be used by the Department to maintain and purchase its overseas buildings, operating much the way General Services Administration does in the United States. The Department should exempt unique government required security measures from any rental assessments.

101(4). Representation Allowances. Authorizes \$4,450,000 for fiscal year 2000 to be used for the partial reimbursement of the costs incurred by Department officials for official representation overseas. Representational funds for public diplomacy can be found in section 105(1).

101(5). Emergencies in the Diplomatic and Consular Service. Authorizes \$17,000,000 for fiscal year 2000 for emergencies, such as evacuations of American citizens abroad, and for the payment of rewards, such as for information regarding international terrorism and narcoterrorism. In addition, certain representational expenses of certain senior Department officials are authorized in this account.

101(6). Office of the Inspector General. Authorizes \$30,054,000 for fiscal year 2000 for the Office of the Inspector General.

101(7). American Institute in Taiwan. Authorizes \$15,760,000 for fiscal year 2000 for the operations of the American Institute in Taiwan (AIT). The Committee is aware of the need to improve the facilities at the American Institute in Taiwan. AIT is currently developing options for a new facility and anticipates having a cost estimate before the end of the fiscal year 1999. While AIT is saving funds for the construction project, the Committee would support a designated capital project fund within the AIT account to more fully support the construction program in the next budget request (FY 01).

101(8). Protection of Foreign Missions and Officials. Authorizes \$9,490,000 for fiscal year 2000 for the protection of foreign missions and officials.

101(9). Repatriation Loans. Authorizes \$1,200,000 for fiscal year 2000 for repatriation loans.

Section 102. International Organizations.

102(a). Assessed Contributions to International Organizations. Authorizes \$963,308,000 for fiscal year 2000 for assessed contributions to international organizations.

102(b). Assessed Contributions for International Peacekeeping Activities. Authorizes \$235,000,000 for fiscal year 2000 for assessed contributions for international peacekeeping activities.

Section 103. International Commissions. Authorizes \$20,413,000 for fiscal year 2000 for salaries and expenses and \$8,435,000 for fiscal year 2000 for construction of the International Boundary and Water Commission. Authorizes \$859,000 for fiscal year 2000 for the International Boundary Commission, United States and Canada. Authorizes \$3,819,000 for fiscal year 2000 for the International Joint Commission. Authorizes \$16,702,000 for fiscal year 2000 for the International Fisheries Commission. These organizations are responsible for boundary, water, and resource issues along U.S. borders and adjacent waters.

Section 104. Migration and Refugee Assistance. This section authorizes \$750 million for fiscal year 2000 for Migration and Refugee Assistance. This section contains specific authorizations for refugees resettling in Israel (\$60 million), humanitarian assistance for displaced Burmese (\$2 million), Tibetan refugees in India and Nepal (\$2 million), and assistance for Sierra Leoneans who have been severely mutilated (\$2 million).

The \$750 million authorized in the bill would partially compensate for cuts in the refugee account over the last five years. In FY 1995 the amount made available for refugee protection, resettlement, and bureau salaries and expenses was \$683 million, or between \$751 million and \$785 million in inflation-adjusted FY 2000 dollars. The Administration's budget request of \$660 million would

therefore impose a real cut of between 12 and 20 percent on refugees. By contrast, other State Department accounts have been increased 19.9% since 1995, which more than compensates for inflation. The bill's refugee authorization of \$750 million represents a 9.8% increase above FY95—less than half the 19.9% increase provided for other State Department accounts during the same period.

Section 105. Public Diplomacy Programs.

105(1). International Information Programs. This section authorizes \$305,997,000 for fiscal year 2000 for international information (formerly managed by USIA) of which \$1.4 million is for representational activities.

105(2). Educational and Cultural Exchange Programs. This section authorizes \$112,000,000 for the Fulbright exchange program and \$98,329,000 for other exchange programs including South Pacific Exchanges (\$750,000), East Timorese Scholarships (\$500,000), Tibetan exchanges (\$500,000), and African exchanges (\$500,000).

105(3). Center for Cultural and Technical Interchange between East and West. This section authorizes for fiscal year 2000 \$17,500,000 for the East-West Center. These funds are for operations and expansion of programs of constructive involvement with nations in Asia and the Pacific through education, research and outreach. The Committee recognizes the urgent needs to address crucial economic, political and security issues in the Asia-Pacific region that affect vital long-term interests of the U.S. Recent events such as the 1996 Taiwan Strait confrontation with China, the ongoing nuclear and ballistic missile crisis with North Korea, and the Asian financial meltdown, necessitate that the U.S. focus resources and attention to this part of the world.

Of the funds authorized for the East-West Center, it is the intent of the Committee that \$1 million shall be used for the Center's establishment of an Ocean Resources Institute which shall focus on U.S. interests in the research, development and management of maritime resources of the Western and Central Pacific Ocean. Much of these valuable marine assets—including fisheries, seabed minerals and undersea energy resources—are within the exclusive economic zone and surrounding waters of Pacific Island nations, and it is important that the United States take steps now to facilitate access to these undersea resources for the next century.

105(4). National Endowment for Democracy (NED). This section authorizes for fiscal year 2000 \$34,000,000 for the NED. Of the total, \$2 million is available only for a new initiative, the Reagan-Fascell Fellows program for international democracy activists and scholars to study and exchange views with other activists and scholars.

105(5). Dante B. Fascell North-South Center. This section authorizes \$2,500,000 for the Dante B. Fascell North-South Center.

Georgetown University—The Committee recommends that the State Department consider multi-year assistance for Georgetown University's Center for Australian and New Zealand Studies. The five year grant program would enable the Center to develop its core academic program continuing the education for hundreds of American undergraduates about Australia. It would include American and Australian faculty and a number of Australian exchange students at Georgetown. The recommendation is for a total State De-

partment commitment of \$2.9 million over a five year period with grants starting at \$400,000 in FY 2000, and increasing to \$500,000 in FY 2001, \$600,000 in FY 2002, \$700,000 in FY 2003 and, \$700,000 in FY 2004. The increase in later years would allow more exchange students to participate.

The Australian students would be undergraduates, chosen competitively from those Australian universities with which Georgetown has exchange agreements (these students would continue to pay regular Australian tuition). The grants envisaged here would cover international travel, room, and board. Initially these students would come for one semester each. This grant would be supplemented by private sector fundraising to cover the Center's operating expenses.

Section 106. Voluntary Contributions to International Organizations. This section authorizes \$293,000,000 in voluntary contributions to international organizations for fiscal year 2000. It includes specific authorizations for the World Food Program (\$5,000,000), the UN Voluntary Fund for Victims of Torture (\$5,000,000), and the International Program on the Elimination of Child Labor (\$5,000,000). This section also specifies:

That \$240,000 of the total is authorized for a U.S. contribution to the Organization of American States Special Rapporteur for Freedom of Expression in the Western Hemisphere, of which at least \$6,000 is to be spent investigating violations of freedom of expression by the Government of Cuba;

That the U.S. withhold from its contribution to the United Nations Development Program (UNDP) an amount equal to the amount that UNDP intends to spend in Burma that fiscal year, unless the President certifies that all UNDP activities in Burma are focused on the needs of the poor, are undertaken only through private voluntary organizations independent of the Burmese dictatorship, do not benefit that regime, and are supported by the democratic leadership of Burma; and

That the U.S. withhold from its contribution to UNFPA an amount equal to the amount UNFPA plans to spend in China, unless the President certifies that there are no coercive population practices in the 32 counties in which the UNFPA China program operates.

Section 107. Grants to the Asia Foundation. This section authorizes \$15,000,000 for fiscal year 2000 for grants to the Asia Foundation.

Section 121. International Broadcasting. This section authorizes for fiscal year 2000 the following amounts for the Broadcasting Board of Governors to carry out certain international broadcasting activities.

121(1). International Broadcasting Operations. This section authorizes \$385,900,000 for fiscal year 2000 for International Broadcasting Operations, and directs the Broadcasting Board of Governors to ensure that amounts spent on broadcasting to nations whose governments deny freedom and democracy do not decline in proportion to the amounts spent on broadcasting to other nations.

121(2). Broadcasting Capital Improvements. This section authorizes \$20,868,000 for fiscal year 2000 for capital improvements.

121(3). Radio Free Asia. This section authorizes \$30,000,000 for fiscal year 2000 for Radio Free Asia.

121(4). Broadcasting to Cuba. This section authorizes \$22,743,000 for fiscal year 2000 for Cuba broadcasting, and specifies that \$712,000 of the amount authorized is to be used to strengthen and improve the transmission capabilities of Radio and TV Marti.

Note.—For the convenience of Members, a comparative table of the authorizations in this bill appears on the following pages.

FOREIGN RELATIONS AUTHORIZATION ACT FOR FISCAL YEARS 2000 AND 2001
(\$000s)

| | Fiscal years— | | |
|--|------------------|------------------|---------------------------|
| | 1998, actuals | 1999, enacted | 2000, President's request |
| International Relations Committee Account | | | |
| Administration of Foreign Affairs: | | | |
| Diplomatic and Consular Programs | 1,646,801 | 1,643,800 | 2,583,772 |
| Worldwide Security Upgrades | 0 | 785,700 | 254,000 |
| Bureau of Democracy, Human Rights and Labor Earmark | 0 | 0 | 0 |
| Recruitment of Minority Groups Earmark | 0 | 0 | 0 |
| National Law Center for Inter-American Free Trade Earmark | 0 | 500 | 0 |
| Subtotal | 1,646,801 | 2,430,000 | 2,837,772 |
| *Note—FY100 Funds for Public Diplomacy are in a separate account, below. | | | |
| Salaries and Expenses | 353,905 | 353,374 | 0 |
| Pres. Adv. Comm. on Holocaust Assets Earmark | 0 | 813 | 0 |
| Capital Investment Fund | 86,000 | 137,890 | 90,000 |
| Subtotal | 439,905 | 492,077 | 90,000 |
| Security and Maintenance of United States Missions | 397,943 | 403,561 | 434,066 |
| Security Upgrades for United States Missions | 0 | 627,000 | 49,617 |
| Subtotal | 397,943 | 1,030,561 | 483,683 |
| Representation Allowances | 4,200 | 4,350 | 5,850 |
| Emergencies in the Diplomatic and Consular Service | 5,356 | 15,500 | 17,000 |
| Office of the Inspector General | 27,495 | 28,495 | 30,054 |
| OIG Supplemental | 0 | 1,000 | 0 |
| Payment to the American Institute in Taiwan | 14,000 | 14,750 | 15,760 |
| Protection of Foreign Missions and Officials | 7,900 | 8,100 | 9,490 |
| Repatriation Loans | 1,344 | 1,200 | 1,200 |
| Subtotal | 60,295 | 73,395 | 79,354 |
| Subtotal | 2,531,775 | 2,531,775 | 2,531,775 |

| | | | | | |
|---|-----------|-----------|-----------|-----------|-----------|
| International Organizations: | | | | | |
| Assessed Contributions to International Organizations | 888,883 | 922,000 | 963,308 | 963,308 | 963,308 |
| Assessed Contributions for International Peacekeeping | 210,632 | 231,000 | 235,000 | 235,000 | 235,000 |
| Subtotal | 1,099,515 | 1,153,000 | 1,198,308 | 1,198,308 | 1,198,308 |
| International Commissions: | | | | | |
| International Boundary Water Comm'n Salaries & Expenses | 17,490 | 19,551 | 20,413 | 20,413 | 20,413 |
| IBC Construction | 6,463 | 5,939 | 8,435 | 8,435 | 8,435 |
| American Sections: IBC | 761 | 0 | 859 | 859 | 859 |
| American Sections: IJC | 3,189 | 0 | 3,819 | 3,819 | 3,819 |
| American Sections: BECC | 1,540 | 5,733 | 1,815 | 1,815 | 0 |
| International Boundary Commission, US and Canada | | | | | |
| International; Fisheries Commission | 14,549 | 14,549 | 16,702 | 16,702 | 16,702 |
| Subtotal | 43,992 | 45,772 | 52,043 | 52,043 | 50,228 |
| Migration and Refugee Assistance: | | | | | |
| Migration and Refugee Assistance | 553,384 | 568,000 | 660,000 | 660,000 | 684,000 |
| Tibetan and Refugees in India and Nepal | 0 | 2,000 | 0 | 0 | 2,000 |
| Refugees Resettling in Israel | 80,000 | 70,000 | 0 | 0 | 60,000 |
| Humanitarian Assistance for Displaced Burmese | 0 | 0 | 0 | 0 | 2,000 |
| Assistance for Displaced Sierra Leoneans | 0 | 0 | 0 | 0 | 2,000 |
| Administration (Up To This Amount) | 12,000 | 0 | 0 | 0 | 0 |
| UN Fund for Vulnerable Children | 5,000 | 0 | 0 | 0 | 0 |
| Subtotal | 650,384 | 640,000 | 660,000 | 660,000 | 750,000 |
| Public Diplomacy: | | | | | |
| International Information Programs | 427,097 | 455,246 | 0 | 0 | 305,997 |
| Technology | 5,050 | 0 | 0 | 0 | 0 |
| Subtotal | 432,147 | 455,246 | 0 | 0 | 305,997 |
| Fulbright Academic Exchange Programs | 100,000 | 95,000 | 0 | 0 | 112,000 |
| Other Education and Cultural Exchange Programs | 97,731 | 58,874 | 210,329 | 210,329 | 96,079 |
| South Pacific Exchanges Earmark | 0 | 500 | 0 | 0 | 750 |
| East Timorese Exchanges Earmark | 0 | 0 | 0 | 0 | 500 |
| Tibetan Exchanges | 0 | 0 | 0 | 0 | 500 |

FOREIGN RELATIONS AUTHORIZATION ACT FOR FISCAL YEARS 2000 AND 2001—Continued
(\$000s)

| | Fiscal years— | | |
|---|---------------|---------------|--|
| | 1998, actuals | 1999, enacted | 2000, H.R. 1211 request reported |
| International Relations Committee Account | | | |
| African Exchanges | 0 | 0 | 500 |
| Subtotal | 197,731 | 154,374 | 210,329 |
| Center for Cultural Exchange Between East and West | 12,000 | 12,500 | 17,500 |
| National Endowment for Democracy | 30,000 | 31,000 | 34,000 |
| Reagan-Fascell Democracy Fellows | 0 | 0 | (2,000) |
| Dante B. Fascell North-South Center | 1,500 | 1,750 | 2,500 |
| Subtotal | 43,500 | 45,250 | 54,000 |
| Voluntary Contributions to International Organizations: | | | |
| Voluntary Contributions | 189,000 | 179,000 | 277,760 |
| World Food Program Earmark | 4,000 | 5,000 | 5,000 |
| United Nations Voluntary Fund for Victims of Torture Earmark | 1,500 | 3,000 | 5,000 |
| Internat'l Program for the Elimination of Child Labor Earmark | 0 | 0 | 5,000 |
| OAS W. Hemisphere Rapporteur on Expression Earmark | 0 | 0 | 240 |
| Subtotal | 194,500 | 187,000 | 293,000 |
| Asia Foundation | 8,000 | 8,250 | 15,000 |
| Subtotal | 8,000 | 8,250 | 15,000 |
| International Broadcasting Operations | 388,644 | 384,460 | 431,772 |
| Broadcasting Capital Improvements | 42,866 | 13,245 | 20,868 |
| Radio Free Asia | 0 | 0 | 30,000 |
| Broadcasting to Cuba | 0 | 0 | 22,031 |
| New Cuba Broadcasting Technology Earmark | 0 | 0 | 712 |
| Subtotal | 431,510 | 397,705 | 459,511 |

| | | | | | |
|--|-----------|-----------|-----------|-----------|-------|
| Democracy Fellows at DRL | 0 | 0 | 0 | 0 | 1,000 |
| Subtotal | 0 | 0 | 0 | 0 | 1,000 |
| Total Minus FY 2000-2001 Security Upgrades | 5,646,223 | 6,485,630 | 6,369,462 | 6,471,168 | |
| Grand Total | 5,646,223 | 7,112,630 | 6,419,079 | 7,617,168 | |

TITLE II—DEPARTMENT OF STATE AUTHORITIES AND
ACTIVITIES

Section 202. Report on Cuban Drug Trafficking. This section requires the President to report on the extent of international narcotics traffic through or from Cuba, the extent of involvement by the Cuban government, its agents and entities, and United States actions to investigate or prosecute such acts.

Section 203. Report on Compliance With the Hague Convention on International Child Abduction. This section extends for an additional year the current requirement for the State Department to report to Congress on compliance with the Hague Convention on the Civil Aspects of International Child Abduction by its signatories, and the status of unresolved cases arising under the Convention, and expands the scope of the reports. The Convention establishes an international mechanism according to which children wrongfully removed to or retained in certain foreign countries (by estranged parents who are foreign residents, for example) will be returned to the country of their habitual residence, where custody issues should be adjudicated. This section is motivated by complaints that some countries (many of which are in Western Europe) are flouting their obligations under the Convention to return children to the United States.

Section 204. Reduction of Reporting. Requested by the State Department, this provision repeals unnecessary reporting requirements, including (a) reports by new Chiefs of Mission regarding the language competence of their post staffs; (b) a report on the use of Foreign Service personnel by Federal agencies; (c) a report on the prospects for sustainable economic growth in each country receiving certain forms of foreign assistance; and (d) redundant reports (on certain weapons) that duplicate the information provided in other nonproliferation reports.

Section 205. Continuation of Reporting Requirements. This section extends reporting requirements contained in the Foreign Relations Authorization Act as follows:

Section 205(a) requires periodic reports on outstanding claims by United States firms against the Government of Saudi Arabia. This amendment is necessary to help U.S. firms which have completed extensive work for the Saudi Government but have had no success in getting their due compensation. For example, Gibbs and Hill, Inc., of New Jersey has outstanding claims for \$55 million for work on a desalinization plant completed in 1984.

Section 205(b) continues the report under Title IV of the Libertad Act. It requires the Secretary of State to make periodic reports to the Committee describing the ongoing reviews pursuant to Title IV of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6091) and any determinations and findings under that title of that Act. Title IV of the LIBERTAD Act requires the Secretary of State to exclude from the U.S. persons "trafficking" in property confiscated from U.S. nationals in Cuba. The Committee intends to use these reports to monitor the implementation of this "exclusion" provision of the LIBERTAD Act.

Section 205(c) continues a report requiring the Secretary of State to report on the extent to which the Government of Vietnam: (1)

is cooperating with the U.S. on the fullest possible accounting of POW/MIA's; (2) has made progress on the release of political and religious prisoners; (3) is cooperating on requests by the U.S. to obtain full and free access to persons for interviews under the Orderly Departure and Resettlement Opportunities for Vietnamese Refugees programs; (4) has taken action to end corrupt practices in connections with exit visas; and (5) is making efforts to interview and resettle former reeducation camp victims and other persons.

Section 205(d) continues a reporting requirement with respect to cooperative projects with Russia in the area of ballistic missile defense, including in the area of early warning.

The Committee notes the requirement of section 527 of the Foreign Relations Authorization Act for FY 1994 and 1995 that reports be provided to Congress on outstanding claims by U.S. citizens whose property has been expropriated by foreign governments, and particularly supports the efforts of the Department of State to continue working with the Government of Nicaragua to resolve all outstanding property claims filed by U.S. citizens.

Section 206. International Arms Sales Code of Conduct. This section requires the President to prepare to work with countries in the Wassenaar Arrangement on Export Controls for Conventional Arms and Dual Use Goods and Technologies, founded in 1996, to negotiate an international arms sales code of conduct. The President must take necessary steps to begin negotiations within 120 days of passage of the Act. They are intended to produce an agreement restricting or prohibiting arms transfers to countries that do not meet specified criteria concerning promotion of democracy, respect for human rights, noninvolvement in acts of armed aggression, and participation in the UN Register of Conventional Arms. This section also requires that the Secretary of State report on the progress of such negotiations and report through the annual Human Rights reports on the extent to which the practices of each country meet specified criteria.

Section 207. Human Rights and Democracy Fellowships. This section establishes a human rights fellowship program within the State Department's Bureau of Democracy, Human Rights, and Labor, and authorizes \$1 million for fiscal year 2000 to fund that fellowship program. The fellows would be selected on the basis of their human rights expertise and would be recruited for specific projects or assistance needed by the Bureau. These fellowship positions would allow the Assistant Secretary for Democracy, Human Rights, and Labor to bring persons into the Bureau with specialized expertise in international human rights standards, regional human rights issues, non-governmental, governmental and inter-governmental organizations relevant to human rights, emerging or under reported human rights issues, democratization, rule of law, the development of civil society, torture victims treatment, and related issues.

Section 208. Joint Funds Under Agreements for Cooperation in Environmental, Scientific, Cultural and Related Areas. At the request of the State Department, this section allows the Department to use the interest earned on funds held under bilateral agreements for scientific, cultural, and technical cooperation to pay the programmatic and administrative expenses of these programs.

Section 209. Report on International Extradition. This section requires a report by the Secretary of State 120 days after enactment regarding a review of all extradition treaties and agreements to which the U.S. is a party.

Section 210. Effective Regulation of Satellite Export Activities. This section requires the Secretary of State to establish a regulatory regime for the licensing for export of satellites, satellite technologies, components and systems.

Section 251. Deaths and Estates of United States Citizens Abroad. At the request of the State Department, this section modernizes the traditional consular function of protecting, conserving, and ultimately disposing of the estates of Americans who die overseas in those cases where a legal representative is not appointed by the heirs or other beneficiaries.

Section 252. Duties of Consular Officers. At the request of the State Department, this section enlarges the definition of U.S. employees who may perform consular functions in connection with deaths and estates of U.S. citizens abroad.

Section 253. Machine Readable Visas. This section extends the Department's authority to collect and retain the machine readable visa (MRV) fees for three fiscal years (up to \$316.7 million in FY2000, \$338.9 million in FY2001, and \$362.6 million in FY2002) to fund consular services activities and border security operations.

Section 254. Processing of Visa Applications. This section states that it shall be the policy of the State Department: (a) to process visa applications of immediate relatives and fiances of U.S. citizens within 30 days of receiving all necessary documents; and (b) to process applications sponsored by someone other than an immediate relative within 60 days. It also directs the Department to report every six months on the extent to which it is meeting these standards, and to establish a joint task force with other Federal agencies to reduce the overall processing time for visa applications.

Section 255. Repeal of Outdated Provision on Passport Fees. At the request of the State Department, this section repeals an anachronistic provision of the Passport Act of 1920 that provided for the discretionary refund of passport fees in the event that a traveler was not able to obtain a visa to the country of intended travel. That authority, which reflects long-outmoded passport practices, is no longer used. Because the Department typically expends the whole amount of the passport fee in adjudicating and issuing the passport, and because passports generally are valid for ten years and are not geographically limited, the refund provision is no longer necessary or appropriate.

Section 256. Fees Relating to Affidavits of Support. This section allows the Secretary of State to charge a fee for services provided by the State Department for assistance in the preparation and filing of an affidavit of support as required by section 213A of the Immigration and Nationality Act. This provision is intended to improve the processing of immigrant visa applications by providing specific assistance with this affidavit which has proved to be difficult for the applicants to complete correctly.

Section 271. United States Policy Regarding the Involuntary Return of Refugees. This provision carries over and slightly expands a provision of the FY 98-99 Foreign Relations Authorization Act

prohibiting the use of funds for the involuntary return of any person to a country in which that person has a well-founded fear of persecution, and requiring notification to Congress when such funds are used for involuntary repatriation of persons deemed to be non-refugees.

Section 272. Human Rights Reports. This is a technical amendment. Information in the annual Country Reports on Human Rights Practices on the extent to which countries extend protection to refugees is already required by the Human Rights, Refugee, and Other Foreign Relations Provisions Act of 1996 (P.L. 104-319). However, that statute only modified one of the two provisions in the Foreign Assistance Act dealing with the Country Reports. This section corrects that oversight by modifying the other section.

Section 273. Guidelines for Refugee-Processing Posts. This section corrects two technical oversights in the refugee protection provisions of the International Religious Freedom Act of 1998 (P.L. 105-292). Although section 602(c) of the Act charged both the Attorney General and the Secretary of State to develop guidelines to address hostile biases in refugee processing, it referred only to biases of INS personnel. This section adds a reference to State Department personnel in the appropriate place. In addition, the Act prohibited the use of agents of persecuting governments to interpret conversations of persons seeking asylum in the United States. This section extends that prohibition to the overseas refugee adjudication process, and to agents of persecuting governments performing any function that could endanger the safety of the applicant or otherwise compromise the integrity of the process.

Section 274. Vietnamese Refugees. This section prohibits the use of funds authorized by this Act to support an increased number of personnel assigned to U.S. posts in Vietnam unless the President first certifies to Congress that the Vietnamese in-country refugee processing program meets certain conditions and standards.

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

Section 301. Establishment of Bureau for International Information Programs and Bureau for Educational and Cultural Exchange Programs. This section establishes separate Bureaus within the State Department for exchanges and international information programs, and places each under the leadership of its own Assistant Secretary. This structure protects the integrity of international information activities (those now administered by USIA) which are distinct from the State Department's "public affairs" activities in that the former are to be aimed solely at foreign audiences and should be insulated from short-term political considerations. It also maintains the important institutional separation between the information and exchange functions that existed at USIA prior to that Agency's consolidation with the State Department. This provision will also ensure compliance with the requirement of the Fulbright-Hays Act that the Bureau that administers exchanges not administer any non-exchange programs.

Section 302. Correction of Designation of Inspector General of the Department of State. This section corrects several statutes that

refer to the Inspector General using slightly different names, making them uniformly refer to the "Inspector General of the Department of State."

Section 321. Foreign Service Star. At the request of the State Department, this section authorizes a national medal for civilian employees of the United States assigned to an official mission overseas who are killed or wounded in government service.

Section 322. United States Citizens Hired Abroad. At the request of the State Department, this section deletes a statutory requirement that U.S. citizens hired locally by overseas posts be provided a total compensation package that has "the equivalent cost to that received by foreign national employees occupying the similar position at post." That requirement sometimes conflicts with another requirement that U.S. citizens may not be paid at a rate lower than the U.S. minimum wage. Furthermore, in the case of an American citizen, both the employer and employee generally must pay their respective contributions to FICA. In some cases, this causes the cost of the total compensation package for the American to exceed that of a foreign national in the same position. In those cases, the effect of the law is to require posts to reduce the American's compensation by all or some portion of the amount paid to FICA by the post. In such cases, American citizens have complained that they are being forced to pay both the employer and employee share of FICA, thus earning less after deductions than non-U.S. citizens in similar positions. It is the intention of the Committee that the Department observe the spirit of the current provision by increasing pay if appropriate, only by the amounts referred to above so that effective pay is equalized or the U.S. minimum wage is paid.

Section 323. Border Equalization Adjustment. At the request of the State Department, this section amends the Foreign Service Act of 1980 to provide for payment of a border equalization adjustment to an employee who regularly commutes from his or her home in the U.S. to an official duty station in Canada or Mexico. At present, the Department employs personnel who live in the U.S. but work across the border. These employees are caught in an unusual situation that denies them locality pay (which is restricted by law to employees who work at duty stations in the U.S.) and overseas allowances (which apply only to employees who live in foreign countries). This change would make these employees eligible for an adjustment equal to the amount that they would receive as locality pay if they were assigned to an official duty station within the U.S. locality pay area closest to the employee's official duty station. This provision was carried in the FY '99 Commerce, Justice, State Department Appropriations Act; this section would make the authority permanent.

Section 324. Treatment of Grievance Records. At the request of the State Department, this section amends the Foreign Service Act of 1980 to ensure that proper documentation of disciplinary action is available to tenure and selection boards, by permitting the placement in the performance file of an employee who has been disciplined a notice that the discipline has been reviewed and sustained by the Foreign Service Grievance Board.

Section 325. Report Concerning Financial Disadvantages for Administrative and Technical Personnel. This section directs the Department to prepare a report for the Congress on the financial disadvantages suffered by administrative and technical personnel posted to U.S. missions abroad as a result of their not having diplomatic status.

Section 326. Extension of Overseas Hiring Authority. At the request of the State Department, this section permits the Department to allow non-State agencies to use the Foreign Service Act to appoint individuals abroad and to use the Foreign Service personnel system for those employees. This will provide a uniform hiring authority for agencies that need to hire local employees overseas. At present, not all of the non-State agencies have overseas hiring authority, and some have resorted to hiring techniques that are expensive, confusing, and not always appropriate for local conditions.

Section 327. Medical Emergency Assistance. This section was requested by the State Department. Employees who serve overseas must pay the costs of outpatient treatment. Immediate payment in full is usually required for treatment overseas, even for expensive in-hospital surgical procedures that do not require overnight hospitalization. This section would permit an advance of up to 3 months' pay to an employee who must undergo certain types of medical treatment abroad.

Section 328. Families of Deceased Foreign Service Personnel. At the request of the State Department, this section would allow the Department to pay a "transfer allowance" (which covers certain costs associated with returning home to the United States) to surviving family members of overseas employees who are killed in the line of duty.

Section 329. Parental Choice in Education. This section allows certain overseas employees to elect to send their dependents to schools away from post at government expense, so long as the cost does not exceed the cost to the government of sending those dependents to adequate schools at the post of the employee.

Section 330. Workforce Planning for Foreign Service Personnel by Federal Agencies. This section requires the Secretary of State to submit a report to Congress regarding forward-looking, needs-based workforce planning.

Section 331. Compensation for Survivors of Terrorist Attacks Overseas. This section requires the Secretary of State to examine and report on the current benefit structure of survivors of U.S. government employees who are killed while serving at U.S. diplomatic facilities abroad. The purpose is to evaluate whether the benefits are adequate, fair, and equitably distributed. The Committee expects to receive this report 180 days after enactment.

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

Section 401. Educational and Cultural Exchanges and Scholarships for Tibetans and Burmese. This section extends the authorization for the exchange and scholarship programs for Tibetan and Burmese exiles (contained in Public Law 104-319, the Human Rights, Refugee, and Other Foreign Relations Provisions Act of

1996) through fiscal years 2000 and 2001. It also renames the Tibetan exchange program after Ngawang Choephel, the Fulbright Scholar and ethno-musicologist who is now serving a fifteen-year prison sentence on false charges brought by the Chinese government.

Section 402. Conduct of Certain Educational and Cultural Exchange Programs. This section requires that in U.S. educational and cultural exchange programs with countries whose people are denied freedom and democracy, program grantees be selected according to a competitive process, and that prospective grantees be evaluated according to their willingness and ability to include exchange participants who have demonstrated a commitment to freedom and democracy, or in the case of foreign government officials those who are most likely to be open to freedom and democracy, and to exclude those who are so committed to the suppression of freedom and democracy that their selection could give rise to an appearance that the U.S. condones such suppression.

Section 403. Notification to Congress of Grants. This section requires the Department to give Congress 45 days' written notice before awarding information and educational exchange grants. The 15-day notice period currently observed has proved inadequate and has resulted in the disbursement of grant money before USIA has fully responded to Congressional inquiries about grant proposals.

Section 404. National Security Measures. This section requires the State Department to take appropriate steps to ensure that foreign espionage agents do not participate in U.S.-funded exchange programs.

Section 405. Designation of North/South Center as the Dante B. Fascell North-South Center. Changes the name of the North/South Center to the Dante B. Fascell North-South Center. This measure has passed the House on two previous occasions.

Section 406. Advisory Commission on Public Diplomacy. This section repeals the section of last year's Omnibus Bill that abolished the U.S. Advisory Commission on Public Diplomacy, a bipartisan, Presidentially-appointed advisory committee on international information and exchange programs.

Section 407. International Expositions. This section was requested by the State Department. While reaffirming that the State Department is prohibited from funding a pavilion or other major exhibit at any international exposition or world's fair, this section makes clear that the Department is authorized to use its personnel and resources to facilitate (a) U.S. participation in international expositions; (b) participation in and support for international expositions by foreign governments and private entities; and (c) support to the United States Commissioner General for participation in international expositions.

Section 408. Royal Ulster Constabulary. This section requires the Secretary of State to take all appropriate steps to ensure that members of the Royal Ulster Constabulary (RUC) are not participants in any program of educational or cultural exchange or training through the National Academy Program at Quantico, Virginia, unless and until the President certifies that complete, independent, and transparent investigations of the murders of defense attorneys Rosemary Nelson and Patrick Finucane have been initiated by the

Government of the United Kingdom and that the Government has taken appropriate steps to protect defense attorneys against RUC harassment in Northern Ireland.

TITLE V—INTERNATIONAL BROADCASTING

Section 501. Permanent Authorization for Radio Free Asia. As requested by the Administration, this section puts Radio Free Asia (RFA) on an equal footing with other entities whose funds are authorized by this bill by: (a) making RFA's authorization permanent; and (b) repealing statutory caps on RFA funding. Of course, RFA funding levels still would be set by annual appropriations and subsequent authorization bills.

Section 502. Preservation of Radio Free Europe/Radio Liberty. This provision repeals a 1994 "sense of Congress" provision that RFE/RL should receive no U.S. government support after FY 1999. This provision is inconsistent with the Administration's budget request and with the bipartisan Congressional consensus that "freedom broadcasting" will continue to deserve U.S. support into the 21st century. The provision also increases from \$75 million to \$80 million the annual funding cap for Radio Free Europe in order to permit necessary expenditures for Radio Free Iraq, RL broadcasts to Iran, and necessary security upgrades in response to credible threats of retaliation for these broadcasts.

Security Upgrade: Radio Free Europe/Radio Liberty should be allowed to immediately upgrade security at its facilities, but not at the expense of its broadcasting operations. Therefore, RFE/RL should be allowed to use any unspent consolidation funds for this purpose.

Section 503. Immunity from Civil Liability for Broadcasting Board of Governors. This section makes clear that the members of the Broadcasting Board of Governors are immune from civil liability when acting in their capacities as directors of RFE/RL, Inc., or Radio Free Asia.

TITLE VI—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

Section 601. Interparliamentary Groups. When either the House or the Senate does not appoint its allotted number of members to U.S. delegations to certain interparliamentary conferences, this section allows the other body of Congress to complete the delegation with its own members. This section also changes a statutory reference to the "United States-European Community Interparliamentary Group" to reflect the change of that group's name to the "Transatlantic Legislative Dialogue."

Section 602. Authority to Assist State and Local Governments. As requested by the State Department, this section permits the U.S. Section of the International Boundary and Water Commission to provide tests, surveys, and other services on a reimbursable basis to state or local governments that request them. Reimbursements will be credited to the appropriation from which the cost of providing the services is paid.

Section 603. International Boundary and Water Commission. This section authorizes the International Boundary and Water

Commission (IBWC) to use contributions from binational organizations for projects along the U.S.-Mexico border. It would also allow the U.S. section of the IBWC to apply a user fee toward operations and maintenance of the bridge between El Paso, Texas, and Juarez, Mexico.

Section 604. Concerning U.N. General Assembly Resolution ES-10/6. This section makes a statement of Congressional policy commending the State Department's vote against the U.N. General Assembly Resolution ES-10/6 affirming that the text of such resolution politicizes the Fourth Geneva Convention which is primarily humanitarian in nature.

TITLE VII—GENERAL PROVISIONS

Section 701. Sense of the Congress Concerning Support for Democracy and Human Rights in Cuba. This provision expresses the sense of Congress that the U.S. should increase its support to democracy and human rights activists in Cuba, providing assistance with the same intensity with which it supported the pro-democracy movements in Eastern Europe.

Section 702. Relating to Cyprus. This section makes findings and recommendations relative to the situation in Cyprus. This section supports a peaceful and just resolution of the situation on Cyprus by expressing the sense of the Congress that Turkey should be encouraged to take steps to reduce the level of armaments on Cyprus, commensurate to those already taken by the Government of Cyprus.

JURISDICTIONAL MATTERS

The following information is provided for the information of Members:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, March 18, 1999.

Hon. BENJAMIN GILMAN,
*Chairman, Committee on International Relations,
House of Representatives, Washington, DC.*

DEAR CHAIRMAN GILMAN: I am writing to you regarding the "Foreign Relations Authorization Act, Fiscal Years 2000 and 2001," which I understand you intend to introduce in the near future.

As currently drafted, section 201 of the bill contains authority for the Federal Bureau of Investigation to lease aircraft to respond to a terrorist attack abroad. This provision falls within the Rule X jurisdiction of the Committee on the Judiciary.

The Judiciary Committee does not object to the terms of this provision. In fact, our Committee staff has worked with your Committee staff to develop the language it contains. In the interest of assisting you in moving your legislation expeditiously, I will not object to its inclusion in your bill, and will not request a joint or sequential referral of the bill for purposes of section 201 if this section is reported by your Committee in a form substantially similar to the current proposal. However, I trust you agree that this will not prejudice this Committee's jurisdiction prerogatives over the

subject matters contained in section 201. I also reserve our Committee's right to be named conferees on this provision should the bill go to conference.

As always, I appreciate your courtesy and cooperation.

Sincerely,

HENRY J. HYDE, *Chairman.*

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 404 OF THE ASIA FOUNDATION ACT

FUNDING

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

SEC. 404. There are authorized to be appropriated to the Secretary of State \$15,000,000 for the fiscal year 2000 for grants to The Asia Foundation pursuant to this title.

FOREIGN AFFAIRS REFORM AND RESTRUCTURING ACT OF 1998

* * * * *

DIVISION G—FOREIGN AFFAIRS REFORM AND RESTRUCTURING ACT OF 1998

SEC. 1001. SHORT TITLE.

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

* * * * *

SUBDIVISION A—CONSOLIDATION OF FOREIGN AFFAIRS AGENCIES

* * * * *

TITLE XIII—UNITED STATES INFORMATION AGENCY

* * * * *

CHAPTER 2—ABOLITION AND TRANSFER OF FUNCTIONS

* * * * *

SEC. 1314. ABOLITION OF OFFICE OF INSPECTOR GENERAL OF UNITED STATES INFORMATION AGENCY AND TRANSFER OF FUNCTIONS.

(a) * * *

* * * * *

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

* * * * *

CHAPTER 4—CONFORMING AMENDMENTS

* * * * *

[SEC. 1334. ABOLITION OF UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY.

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

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

* * * * *

SUBDIVISION B—FOREIGN RELATIONS AUTHORIZATION

* * * * *

TITLE XX—GENERAL PROVISIONS

* * * * *

SEC. 2208. OFFICE OF THE INSPECTOR GENERAL.

(a) * * *

* * * * *

(c) REPORT.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Inspector General of the Department of State [and the Foreign Service] shall submit a report to the appropriate congressional committees which includes the following:

(A) * * *

* * * * *

TITLE XXVII—EUROPEAN SECURITY ACT OF 1998

* * * * *

SEC. 2705. RESTRICTIONS AND REQUIREMENTS RELATING TO BALLISTIC MISSILE DEFENSE.

(a) * * *

* * * * *

(d) REPORT ON COOPERATIVE PROJECTS WITH RUSSIA.—Not later than January 1, 1999, [and January 1, 2000,] *January 1, 2000, January 1, 2001, and January 1, 2002*, the President shall submit to the Committees on International Relations, National Security, and Appropriations of the House of Representatives and the Committees on Foreign Relations, Armed Services, and Appropriations

of the Senate a report on cooperative projects with Russia in the area of ballistic missile defense, including in the area of early warning. Each such report shall include the following:

(1) COOPERATIVE PROJECTS.—A description of all cooperative projects conducted in the area of early warning and ballistic missile defense during the preceding fiscal year and the fiscal year during which the report is submitted.

(2) FUNDING.—A description of the funding for such projects during the preceding fiscal year and the year during which the report is submitted and the proposed funding for such projects for the next fiscal year.

(3) STATUS OF DIALOGUE OR DISCUSSIONS.—A description of the status of any dialogue or discussions conducted during the preceding fiscal year between the United States and Russia aimed at exploring the potential for mutual accommodation of outstanding issues between the two nations on matters relating to ballistic missile defense and the ABM Treaty, including the possibility of developing a strategic relationship not based on mutual nuclear threats.

* * * * *

TITLE XXVIII—OTHER FOREIGN POLICY PROVISIONS

SEC. 2801. REPORTS ON CLAIMS BY UNITED STATES FIRMS AGAINST THE GOVERNMENT OF SAUDI ARABIA.

(a) * * *

(b) TERMINATION.—Subsection (a) shall cease to have effect on [the earlier of—]

[(1) the date of submission of the third report under that subsection; or]

[(2)] the date that the Secretary of State, after consultation with the Secretary of Defense and the Secretary of Commerce, certifies in writing to the appropriate congressional committees that the commercial disputes referred to in subsection (a) have been resolved satisfactorily.

SEC. 2802. REPORTS ON DETERMINATIONS UNDER TITLE IV OF THE LIBERTAD ACT.

(a) REPORTS REQUIRED.—Not later than 30 days after the date of the enactment of this Act and every 3 months thereafter [during the period ending September 30, 1999,], the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of section 401 of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6091). Each report shall include—

(1) * * *

* * * * *

SEC. 2803. REPORT ON COMPLIANCE WITH THE HAGUE CONVENTION ON INTERNATIONAL CHILD ABDUCTION.

(a) IN GENERAL.—Beginning 6 months after the date of the enactment of this Act and every 12 months thereafter during the period ending September 30, [1999,] 2000, the Secretary of State

shall submit a report to the appropriate congressional committees on the compliance with the provisions of the Convention on the Civil Aspects of International Child Abduction, done at The Hague on October 25, 1980, by the signatory countries of the Convention. Each such report shall include the following information:

(1) The number of applications for the return of children submitted by United States citizens to the Central Authority for the United States that remain unresolved more than 18 months after the date of filing.

(2) A list of the countries to which children in unresolved applications described in paragraph (1) are alleged to have been [abducted.] *abducted, are being wrongfully retained in violation of United States court orders, or which have failed to comply with any of their obligations under such convention with respect to applications for the return of children, access to children, or both, submitted by United States citizens or lawful residents.*

(3) A list of the countries that have demonstrated a pattern of noncompliance with the obligations of the Convention with respect to applications for the return of [children] *children, access to children, or both, submitted by United States citizens or lawful residents to the Central Authority for the United States.*

* * * * *

(6) *A list of the countries which are Parties to the Convention, but in which due to the absence of a prompt and effective method for enforcement of civil court orders, the absence of a doctrine of comity, or other factors, there is a substantial possibility that an order of return or access under a Hague Convention proceeding, or a United States custody, access, or visitation order, will not be promptly enforced.*

SEC. 2805. REPORT ON RELATIONS WITH VIETNAM.

In order to provide Congress with the necessary information by which to evaluate the relationship between the United States and Vietnam, the Secretary of State shall submit a report to the appropriate congressional committees, not later than 90 days after the date of enactment of this Act and every 180 days thereafter [during the period ending September 30, 1999,] on the extent to which—

(1) * * *

* * * * *

FOREIGN SERVICE ACT OF 1980

* * * * *

TITLE I—THE FOREIGN SERVICE OF THE UNITED STATES

CHAPTER 1—GENERAL PROVISIONS

* * * * *

SEC. 105. MERIT PRINCIPLES; PROTECTIONS FOR MEMBERS OF THE SERVICE; AND MINORITY RECRUITMENT.—(a) * * *

* * * * *

(b) The Secretary shall administer the provisions of this Act and shall prescribe such regulations as may be necessary to ensure that members of the Service, as well as applicants for appointments in the Service—

(1) * * *

(2) are free from reprisal for—

(A) * * *

(B) a disclosure to the Special Counsel of the Merit Systems Protection Board, or to the Inspector General of an agency (including the Inspector General of the Department of [State and the Foreign Service]) *State* or another employee designated by the head of the agency to receive such disclosures, of information which the member or applicant reasonably believes evidences—

(i) a violation of any law, rule, or regulation, or

(ii) mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety;

* * * * *

CHAPTER 2—MANAGEMENT OF THE SERVICE

* * * * *

SEC. 202. OTHER AGENCIES UTILIZING THE FOREIGN SERVICE PERSONNEL SYSTEM.—(a)(1) The Broadcasting Board of Governors and the Administrator of the Agency for International Development may utilize the Foreign Service personnel system with respect to their respective agencies in accordance with this Act.

* * * * *

(4) When and to the extent the Secretary of State deems it in the best interests of the United States Government, the Secretary of State may authorize the head of any agency or other Government establishment (including any establishment in the legislative or judicial branch), to appoint pursuant to section 303 individuals hired abroad as members of the Service and to utilize the Foreign Service personnel system under such regulations as the Secretary of State may prescribe, provided that appointments of United States citizens under this subsection shall be limited to appointments authorized by section 311(a).

* * * * *

SEC. 209. INSPECTOR GENERAL.—(a)(1) There shall be an Inspector General of the Department of [State and the Foreign Service,] *State*, who shall be appointed by the President, by and with the advice and consent of the Senate, without regard to political affiliation from among individuals exceptionally qualified for the position by virtue of their integrity and their demonstrated ability in accounting, auditing, financial analysis, law, management analysis, public administration, or investigations, or their knowledge and experience in the conduct of foreign affairs. [The Inspector General shall report to and be under the general supervision of the Sec-

retary of State.] Neither the Secretary of State nor any other officer of the Department shall prevent or prohibit the Inspector General from initiating, carrying out, or completing any audit or investigation, or from issuing any subpoena during the course of any audit or investigation. The Inspector General shall periodically (at least every 5 years) inspect and audit the administration of activities and operations of each Foreign Service post and each bureau and other operating unit of the Department of State, and shall perform such other functions as the Secretary of State may prescribe, except that the Secretary of State shall not assign to the Inspector General any general program operating responsibilities.

* * * * *

CHAPTER 3—APPOINTMENTS

* * * * *

SEC. 304. APPOINTMENT OF CHIEFS OF MISSION.—(a) * * *

* * * * *

[(c) Within 6 months after assuming the position, the chief of mission to a foreign country shall submit, to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives, a report describing his or her own foreign language competence and the foreign language competence of the mission staff in the principal language or other dialect of that country.]

* * * * *

CHAPTER 4—COMPENSATION

* * * * *

SEC. 408. LOCAL COMPENSATION PLANS.—(a)(1) The Secretary shall establish compensation (including position classification) plans for foreign national employees of the Service and United States citizens employed under section 311(c)(1). To the extent consistent with the public interest, each compensation plan shall be based upon prevailing wage rates and compensation practices (including participation in local social security plans) for corresponding types of positions in the locality of employment, except that such compensation plans shall provide for payment of wages to United States citizens at a rate which is no less than the then applicable minimum wage rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)). Any compensation plan established under this section may include provision for (A) leaves of absence with pay for employees in accordance with prevailing law and employment practices in the locality of employment without regard to any limitation contained in section 6310 of title 5, United States Code, (B) programs for voluntary transfers of such leave and voluntary leave banks, which shall, to the extent practicable, be established in a manner consistent with the provisions of subchapters III and IV, respectively, of chapter 63 of title 5, United States Code, and (C) payments by the Government and employees to a trust or other fund in a financial institution in order to finance future benefits for employees, including provision for retention in the fund of accumulated interest for the

benefit of covered employees. For United States citizens under a compensation plan, the Secretary shall [(A) provide such citizens with a total compensation package (including wages, allowances, benefits, and other employer payments, such as for social security) that has the equivalent cost to that received by foreign national employees occupying a similar position at that post and (B)] define those allowances and benefits provided under United States law which shall be included as part of this total compensation package, notwithstanding any other provision of law, except that this section shall not be used to override United States minimum wage requirements, or any provision of the Social Security Act or the Internal Revenue Code.

* * * * *

SEC. 414. BORDER EQUALIZATION ADJUSTMENT.

(a) *IN GENERAL.*—An employee who regularly commutes from his or her place of residence in the continental United States to an official duty station in Canada or Mexico shall receive a border equalization adjustment equal to the amount of comparability payments under section 5304 of title 5, United States Code, that he or she would receive if assigned to an official duty station within the United States locality pay area closest to the employee’s official duty station.

(b) *DEFINITION OF EMPLOYEE.*—For purposes of this section, the term “employee” shall mean a person who—

(1) is an “employee” as defined under section 2105 of title 5, United States Code; and

(2) is employed by the United States Department of State, the United States Agency for International Development, or the International Joint Commission, except that the term shall not include members of the Foreign Service as defined by section 103 of the Foreign Service Act of 1980 (Public Law 96–465), section 3903 of title 22 of the United States Code.

(c) *TREATMENT AS BASIC PAY.*—An equalization adjustment payable under this section shall be considered basic pay for the same purposes as are comparability payments under section 5304 of title 5, United States Code, and its implementing regulations.

(d) *REGULATIONS.*—The agencies referenced in subsection (b)(2) are authorized to promulgate regulations to carry out the purposes of this section.

* * * * *

CHAPTER 6—PROMOTION AND RETENTION

SEC. 601. PROMOTIONS.—(a) * * *

* * * * *

(c)(1) * * *

* * * * *

[(4) Not later than March 1 of each year, the Secretary of State shall submit a report to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate which shall—

【(A) describe the steps taken and planned in furtherance of—

【(i) maximum compatibility among agencies utilizing the Foreign Service personnel system, as provided for in section 203, and

【(ii) the development of uniform policies and procedures and consolidated personnel functions, as provided for in section 204;

【(B) specify the upper and lower limits planned by each such agency for recruitment, advancement, and retention of members of the Service, as provided for in section 601(c)(2), including, with respect to each of the relevant promotion competition groups, the projected ranges of rates of appointment, promotion, and attrition over each of the next 5 fiscal years, as well as a comparison of such projections with the projections for the preceding year and with actual rates of appointment, promotion, and attrition, including a full explanation of any deviations from projections reported in the preceding year; and

【(C) specify the numbers of members of the Service who are assigned to positions classified under section 501 which are more than one grade higher or lower than the personal rank of the member.】

(4) Not later than March 1, 2001, and every four years thereafter, the Secretary of State shall submit a report to the Speaker of the House of Representatives and to the Committee on Foreign Relations of the Senate which shall include the following:

(A) A description of the steps taken and planned in furtherance of—

(i) maximum compatibility among agencies utilizing the Foreign Service personnel system, as provided for in section 203, and

(ii) the development of uniform policies and procedures and consolidated personnel functions, as provided for in section 204.

(B) A workforce plan for the subsequent five years, including projected personnel needs, by grade and by skill. Each such plan shall include for each category the needs for foreign language proficiency, geographic and functional expertise, and specialist technical skills. Each workforce plan shall specifically account for the training needs of Foreign Service personnel and shall delineate an intake program of generalist and specialist Foreign Service personnel to meet projected future requirements.

(5) If there are substantial modifications to any workforce plan under paragraph (4)(B) during any year in which a report under paragraph (4) is not required, a supplemental annual notification shall be submitted in the same manner as is required under paragraph (4).

* * * * *

SEC. 603. BASIS FOR SELECTION BOARD REVIEW.—(a) Recommendations and rankings by selection boards shall be based upon records of the character, ability, conduct, quality of work, industry, experience, dependability, usefulness, and general performance of members of the Service. Such records may include reports prepared by or on behalf of the Inspector General of the Depart-

ment of [State and the Foreign Service,] *State*, performance evaluation reports of supervisors, records of commendations, reports of language test scores from the Foreign Service Institute, awards, reprimands, and other disciplinary actions, and (with respect to members of the Senior Foreign Service) records of current and prospective assignments.

* * * * *

CHAPTER 10—LABOR-MANAGEMENT RELATIONS

* * * * *

SEC. 1002. DEFINITIONS.—As used in this chapter, the term—

(1) * * *

* * * * *

(12) “management official” means an individual who—

(A) * * *

* * * * *

(E) is assigned to carry out functions of the Inspector General of the Department of State [and the Foreign Service] under section 209; or

* * * * *

CHAPTER 11—GRIEVANCES

* * * * *

SEC. 1103. FREEDOM OF ACTION.—(a) * * *

* * * * *

(d)(1) No record of—

(A) a determination by the Secretary to reject a recommendation of the Foreign Service Grievance Board,

(B) a finding by the Grievance Board against the grievant,

or

(C) the fact that a grievance proceeding is pending or has been held,

shall be entered in the personnel records of the grievant (except by order of the Grievance Board as a remedy for the grievance) or those of any other individual connected with the grievance. *Nothing in this subsection shall prevent a grievant from placing a rebuttal to accompany a record of disciplinary action in such grievant’s personnel records nor prevent the Department from including a response to such rebuttal, including documenting those cases in which the Board has reviewed and upheld the discipline.*

* * * * *

SECTION 574 OF THE FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1996

[ANNUAL REPORT ON ECONOMIC AND SOCIAL GROWTH

[SEC. 574. (a) REPORTING REQUIREMENT.—The President shall submit to the appropriate congressional committees an annual re-

port providing a concise overview of the prospects for economic and social growth on a broad, equitable, and sustainable basis in the countries receiving economic assistance under title II of this Act. For each country, the report shall discuss the laws, policies and practices of that country that most contribute to or detract from the achievement of this kind of growth. The report should address relevant macroeconomic, microeconomic, social, legal, environmental, and political factors and include criteria regarding wage and price controls, State ownership of production and distribution, State control of financial institutions, trade and foreign investment, capital and profit repatriation, tax and private property protections and a country's commitment to stimulate education, health and human development.

[(b) COUNTRIES.—The countries referred to in subsection (a) are countries—

[(1) for which in excess of \$5,000,000 has been obligated during the previous fiscal year for assistance under sections 103 through 106, chapters 10 and 11 of part I, and chapter 4 of part II of the Foreign Assistance of 1961, and under the Support for East European Democracy Act of 1989; or

[(2) for which in excess of \$1,000,000 has been obligated during the previous fiscal year by the Overseas Private Investment Corporation.

[(c) CONSULTATION.—The Secretary of State shall submit the report required by subsection (a) in consultation with the Secretary of the Treasury, the Administrator of the Agency for International Development, and the President of the Overseas Private Investment Corporation. The report shall be submitted with the annual congressional presentation for appropriations.]

SECTION 308 OF THE CHEMICAL AND BIOLOGICAL WEAPONS CONTROL AND WARFARE ELIMINATION ACT OF 1991

[SEC. 308. PRESIDENTIAL REPORTING REQUIREMENTS.

[(a) REPORTS TO CONGRESS.—Not later than 90 days after the date of the enactment of this title, and every 12 months thereafter, the President shall transmit to the Congress a report which shall include—

[(1) a description of the actions taken to carry out this title, including the amendments made by this title;

[(2) a description of the current efforts of foreign countries and subnational groups to acquire equipment, materials, or technology to develop, produce, or use chemical or biological weapons, together with an assessment of the current and likely future capabilities of such countries and groups to develop, produce, stockpile, deliver, transfer, or use such weapons;

[(3) a description of—

[(A) the use of chemical weapons by foreign countries in violation of international law,

[(B) the use of chemical weapons by subnational groups,

[(C) substantial preparations by foreign countries and subnational groups to do so, and

[(D) the development, production, stockpiling, or use of biological weapons by foreign countries and subnational groups; and

[(4) a description of the extent to which foreign persons or governments have knowingly and materially assisted third countries or subnational groups to acquire equipment, material, or technology intended to develop, produce, or use chemical or biological weapons.

[(b) PROTECTION OF CLASSIFIED INFORMATION.—To the extent practicable, reports submitted under subsection (a) or any other provision of this title should be based on unclassified information. Portions of such reports may be classified.]

SECTION OF THE FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 1997

[NORTH KOREA

[SEC. 585. Ninety days after the date of enactment of this Act, and every 180 days thereafter, the Secretary of State, in consultation with the Secretary of Defense, shall provide a report in a classified or unclassified form to the Committee on Appropriations including the following information:

[(a) a best estimate on fuel used by the military forces of the Democratic People's Republic of Korea (DPRK);

[(b) the deployment position and military training and activities of the DPRK forces and best estimate of the associated costs of these activities;

[(c) steps taken to reduce the DPRK level of forces; and

[(d) cooperation, training, or exchanges of information, technology or personnel between the DPRK and any other nation supporting the development or deployment of a ballistic missile capability.]

SECTION 3 OF THE AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION

[SEC. 3. REPORTS TO CONGRESS.

At least once every [60 days] *six months*, the President shall submit to the Congress a summary on the status of efforts to obtain compliance by Iraq with the resolutions adopted by the United Nations Security Council in response to Iraq's aggression.]

SECTION 1709 OF THE REVISED STATUTES

[1709. It shall be the duty of a consular officer, or, if no consular officer is present, a diplomatic officer, under such procedural regulations as the Secretary of State may prescribe--

[First. To take possession and to dispose of the personal estate left by any citizen of the United States, except a seaman who is a member of the crew of an American vessel, who shall die within or is domiciled at time of death within his jurisdiction: *Provided*, That such procedure is authorized by treaty provisions or permitted by

the laws or authorities of the country wherein the death occurs, or the decedent is domiciled, or that such privilege is accorded by established usage: *Provided further*, That the decedent shall leave in the country where the death occurred or where he was domiciled, no legal representative, partner in trade, or trustee by him appointed to take care of his personal estate. A consular officer or, in his absence, a diplomatic officer shall act as the provisional conservator of the personal property within his jurisdiction of a deceased citizen of the United States but, unless authorized by treaty provisions, local law, or usage, he shall not act as administrator of such personal property. He shall render assistance in guarding, collecting, and transmitting the property to the United States to be disposed of according to the law of the decedent's domicile.

【Second. After having taken possession of the personal property, as provisional conservator, to inventory and carefully appraise the effects with the assistance of two competent persons who, together with such officer, shall sign the inventory and annex thereto an appropriate certificate as to the accuracy of the appraised value of each article.

【Third. To collect the debts due to the decedent in his jurisdiction and pay from the estate the obligations owed there by the decedent.

【Fourth. To sell at auction, after reasonable public notice, unless the amount involved does not justify such expenditure, such part of the estate as shall be of a perishable nature, and after reasonable public notice and notice to next of kin if they can be ascertained by reasonable diligence such further part, if any, as shall be necessary for the payment of the decedent's debts incurred in such country, and funeral expenses, and expenses incident to the disposition of the estate. If, at the expiration of one year from the date of death (or for such additional period as may be required for final settlement of the estate), no claimant shall appear, the residue of the estate, with the exception of investments of bonds, shares of stocks, notes of indebtedness, jewelry or heirlooms, or other articles having a sentimental value, shall be sold.

【Fifth. To transmit to the Department of State the proceeds of the sale (and any unsold effects, such as investments of bonds, shares of stocks, notes of indebtedness, jewelry or heirlooms, or other articles having a sentimental value), there to be held in trust for the legal claimant. If, however, at any time prior to such transmission, the decedent's legal representative should appear and demand the proceeds and effects in the officer's hands, he shall deliver them to such representative after having collected the prescribed fee therefor.

【The Secretary of State or the Secretary's representative shall act as conservator of such parts of these estates as may be received by the Department of State or are in its possession, and may, when deemed to be in the interest of the estate, sell such effects, including bonds, shares of stock, notes of indebtedness, jewelry, or other articles, which have heretofore or may hereafter be so received, and pay the expenses of such sale out of the proceeds: *Provided*, That application for such effects shall not have been made by the legal claimant within six years after their receipt. The Secretary of State is authorized, for and in behalf of the estate of the deceased, to re-

ceive any balances due to such estates, to draw therefor on banks, safe deposits, trust or loan companies, or other like institutions, to endorse all checks, bills of exchange, promissory notes, and other evidences of indebtedness due to such estates, and take such other action as may be deemed necessary for the conservation of such estates. The net proceeds of such sales, together with such other moneys as may be collected by him, shall be deposited into the Treasury to a fund in trust for the legal claimant and reported to the Secretary of State.

[If no claim to the effects the proceeds of which have been so deposited shall have been received from a legal claimant of the deceased within six years from the date of the receipt of the effects by the Department of State, the funds so deposited, with any remaining unsold effects, less transmittal charges, shall be transmitted by that department to the proper officer of the State or Territory of the last domicile in the United States of the deceased citizen, if known, or, if not, such funds shall be covered into the general fund of the Treasury as miscellaneous receipts on account of proceeds of deceased citizens, and any such remaining unsold effects shall be disposed of by the Department of State in such manner as, in the judgment of the Secretary of State, is deemed appropriate, or they may be destroyed if considered no longer possessed of any value: *Provided*, That when the estate shall be valued in excess of \$500, and no claim therefor has been presented to the Department of State by a legal claimant within the period specified in this paragraph or the legal claimant is unknown, before disposition of the estate as provided herein, notice shall be given by publishing once a week for four consecutive weeks in a newspaper published in the county of the last known domicile of the deceased, in the United States, the expense thereof to be deducted from the proceeds of such estate, and any lawful claim received as the result of such advertisement shall be adjusted and settled as provided for herein.]

THE STATE DEPARTMENT BASIC AUTHORITIES ACT OF 1956

TITLE I—BASIC AUTHORITIES GENERALLY

ORGANIZATION OF THE DEPARTMENT OF STATE

SECTION 1. (a) * * *

* * * * *

(i) *ESTABLISHMENT OF CERTAIN BUREAUS, OFFICES, AND OTHER ORGANIZATIONAL ENTITIES WITHIN THE DEPARTMENT OF STATE.—*

(1) *BUREAU FOR INTERNATIONAL INFORMATION PROGRAMS.—* There is established within the Department of State the Bureau for International Information Programs which shall assist the Secretary of State in carrying out international information activities formerly carried out by the United States Information Agency.

(2) *BUREAU FOR EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.—* There is established within the Department of State a Bureau for Educational and Cultural Exchange Programs

which shall assist the Secretary of State in carrying out educational and cultural exchange programs.

* * * * *

SEC. 36A. THE FOREIGN SERVICE STAR.

(a) *AUTHORITY.*—*The President may award a decoration called the “Foreign Service Star” to an individual—*

(1) who is killed or injured after August 1, 1998,

(2) whose death or injury occurs while the individual is a member of the Foreign Service or a civilian employee of the Government of the United States—

(3) whose death or injury occurs while the individual—

(A) is employed at, or assigned permanently or temporarily to, an official mission overseas, or

(B) was traveling abroad on official business, and

(4) whose death or injury occurs while performing official duties, while on the premises of a United States mission abroad, or due to such individual’s status as an employee of the United States Government, and results from any form of assault including terrorist or military action, civil unrest, or criminal activities directed at facilities of the Government of the United States.

(b) *SELECTION.*—*The Secretary shall submit recommendations for the Foreign Service Star to the President. The Secretary shall establish criteria and procedures for nominations for the Foreign Service Star pursuant to such regulations as the Secretary may prescribe for awards under this section.*

(c) *FUNDING.*—*Any expenses incident to an award under this section may be paid out of the applicable current account of the agency with which the individual was or is employed.*

(d) *POSTHUMOUS AWARD.*—*A Foreign Service Star award to an individual who is deceased shall be presented to the individual’s next of kin or representative, as designated by the President.*

* * * * *

PROCEDURES REGARDING MAJOR DISASTERS AND INCIDENTS ABROAD
AFFECTING UNITED STATES CITIZENS

SEC. 43. (a) *AUTHORITY.*—*In the case of a major disaster or incident abroad which affects the health and safety of citizens of the United States residing or traveling abroad, the Secretary of State shall provide prompt and thorough notification of all appropriate information concerning such disaster or incident and its effect on United States citizens to the next-of-kin of such individuals. Notification shall be provided through the most expeditious means available, including telephone communications, and shall include timely written notice. The Secretary, through the appropriate offices of the Department of State, shall act as a clearinghouse for up-to-date information for the next-of-kin and shall provide other services and assistance. Assistance shall include liaison with foreign governments and persons and with United State air carriers concerning arrangements for the preparation and transport to the United States of the remains of citizens who die abroad, as well as [dis-*

position of personal effects.] *disposition of personal estates pursuant to section 43B of this Act.*

(b) *DEFINITIONS.—For purposes of this section and sections 43A and 43B of this Act, the term “consular officer” includes any United States citizen employee of the Department of State who is designated by the Secretary of State to perform consular services pursuant to such regulations as the Secretary may prescribe.*

SEC. 43A. NOTIFICATION OF NEXT OF KIN; REPORTS OF DEATH.

Pursuant to such regulations as the Secretary of State may prescribe—

(1) *When a United States citizen or national dies abroad, a consular officer shall endeavor to notify, or assist the Secretary of State in notifying, the next of kin or legal guardian as soon as possible; provided, that in the case of death of Peace Corps Volunteers, members of the Armed Forces, their dependents, or Department of Defense civilian employees, the consular officer shall assist the Peace Corps or the appropriate military authorities in making such notifications.*

(2) *The consular officer may, for any United States citizen who dies abroad, (A) in the case of a finding by appropriate local authorities, issue a report of death or of presumptive death, or (B) in the absence of a finding by appropriate local authorities, issue a report of presumptive death.*

SEC. 43B. CONSERVATION AND DISPOSITION OF ESTATES.

(a) *CONSERVATION OF ESTATES ABROAD.—*

(1) *AUTHORITY TO ACT AS CONSERVATOR.—Pursuant to such regulations as the Secretary of State may prescribe, when a United States citizen or national dies abroad, a consular officer shall act as the provisional conservator of the decedent’s estate and, subject to paragraphs (3) and (4), shall—*

(A) *take possession of the personal effects within his jurisdiction;*

(B) *inventory and appraise the personal effects, sign the inventory, and annex thereto a certificate as to the accuracy of the inventory and appraised value of each article;*

(C) *when appropriate, collect the debts due to the decedent in the officer’s jurisdiction and pay from the estate the obligations owed there by the decedent;*

(D) *sell or dispose of, as appropriate, all perishable items of property;*

(E) *sell, after reasonable public notice and notice to such next of kin as can be ascertained with reasonable diligence, such additional items of property as necessary to provide funds sufficient to pay the decedent’s debts and property taxes in the country of death, funeral expenses, and other expenses incident to the disposition of the estate;*

(F) *at the end of one year from the date of death (or after such additional period as may be required for final settlement of the estate), if no claimant shall have appeared, sell or dispose of the residue of the personal estate, except as provided in subparagraph (G) below, in the same manner as United States Government-owned foreign excess property;*

(G) transmit to the United States, to the Secretary of State, the proceeds of any sales along with any financial instruments (including bonds, shares of stock, and notes of indebtedness), jewelry, heirlooms, and other articles of obvious sentimental value, to be held in trust for the legal claimant; and

(H) in the event that the decedent's estate includes an interest in real property located within the jurisdiction of the officer and such interest does not devolve by the applicable laws of intestate succession or otherwise, provide for title to the property to be conveyed to the Government of the United States unless the Secretary declines to accept such conveyance.

(2) *AUTHORITY TO ACT AS ADMINISTRATOR.*—The Secretary of State may expressly authorize the officer to act as administrator of the estate in exceptional circumstances, pursuant to such regulations as the Secretary may prescribe. The officer shall not otherwise act in such capacity.

(3) *EXCEPTIONS.*—

(A) The function provided for in this section shall not be performed to the extent that the decedent has left or there is otherwise appointed, in the country where the death occurred or where the decedent was domiciled, a legal representative, partner in trade, or trustee appointed to take care of his personal estate. If the decedent's legal representative shall appear at any time prior to transmission of the estate to the Secretary and demand the proceeds and effects being held by the officer, the officer shall deliver them to the representative after having collected any prescribed fee for the services rendered pursuant to this section.

(B) Nothing in this section shall affect the authority of military commanders under title 10 of the United States Code with respect to persons or property under military command or jurisdiction or the authority of the Peace Corps with respect to Peace Corps Volunteers or their property.

(4) *CONDITIONS.*— The functions provided for in this section shall be performed only when authorized by treaty provisions or permitted by the laws or authorities of the country wherein the death occurs, or the decedent is domiciled, or if such functions are permitted by established usage.

(b) *DISPOSITION OF ESTATES BY THE SECRETARY OF STATE.*—

(1) *PERSONAL ESTATES.*—

(A) After receipt of personal estates pursuant to subsection (a), the Secretary, pursuant to such regulations as the Secretary may prescribe for the conservation of such estates, may seek payment of all outstanding debts to the estate as they become due, may receive any balances due on such estates, may endorse all checks, bills of exchange, promissory notes, and other instruments of indebtedness payable to the estate for the benefit thereof, and may take such other action as is reasonably necessary for the conservation of the estate.

(B) *If by the end of the fifth full fiscal year after receipt of the personal estate pursuant to subsection (a), no legal claimant for such estate has appeared, title to the estate shall pass to the Secretary who shall dispose of the estate in the same manner as surplus United States Government-owned property or by such means as may be appropriate in light of the nature and value of the property involved. The expenses of sales shall be paid from the estate, and any lawful claim received thereafter shall be payable to the extent of the value of the net proceeds of the estate as a refund from the appropriate Treasury account.*

(C) *The net cash estate after disposition as provided in subparagraph (B) shall be remitted to the Treasury as miscellaneous receipts.*

(2) **REAL PROPERTY.**—*Pursuant to such regulations as the Secretary may prescribe—*

(A) *in the event that real property is conveyed to the Government of the United States pursuant to subsection (a)(1)(H) and is not needed by the Department of State, such property shall be considered foreign excess property under title IV of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 511 et seq.); and*

(B) *in the event that the Department needs such property, the Secretary shall treat such property as if it were an unconditional gift accepted on behalf of the Department of State pursuant to section 25 of this Act and section 9(a)(3) of the Foreign Service Buildings Act of 1926, as amended.*

(c) **LOSSES IN CONNECTION WITH THE CONSERVATION OF ESTATES.**—

(1) **AUTHORITY.**—*Pursuant to such regulations as the Secretary of State may prescribe, the Secretary is authorized to compensate the estate of any United States citizen, who has died overseas, for property, the conservation of which has been undertaken under either section 43 or subsection (a) of this section, and that has been lost, stolen, or destroyed while in the custody of officers or employees of the Department of State. Any such compensation shall be in lieu of personal liability of officers or employees of the Department of State. Officers and employees of the Department of State may be liable in appropriate cases to the Department of State to the extent of any compensation provided pursuant to this subsection.*

(2) **LIABILITY.**—*The liability of officers or employees of the Department of State to the Department for payments made pursuant to paragraph (a) of this section shall be determined pursuant to the Department's procedures for determining accountability for United States Government property.*

* * * * *

**FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL
YEARS 1994 AND 1995**

* * * * *

TITLE I—DEPARTMENT OF STATE AND RELATED AGENCIES

* * * * *

PART B—AUTHORITIES AND ACTIVITIES

* * * * *

SEC. 140. VISAS.

(a) SURCHARGE FOR PROCESSING CERTAIN VISAS.—

(1) * * *

* * * * *

(3) **[**For fiscal years 1994 and 1995, fees deposited under the authority of paragraph (2) may not exceed a total of \$107,500,000.**]** *For each of the fiscal years 2000, 2001, and 2002, any amount collected under paragraph (1) that exceeds \$316,715,000 for fiscal year 2000, \$338,885,000 for fiscal year 2001, and \$362,607,000 for fiscal year 2002 may be made available only if a notification is submitted to Congress in accordance with the procedures applicable to reprogramming notifications under section 34 of the State Department Basic Authorities Act of 1956.* For subsequent fiscal years, fees may be collected under the authority of paragraph (1) only in such amounts as shall be prescribed in subsequent authorization Acts.

[(4) The provisions of the Act of August 18, 1856 (Revised Statutes 1726–28; 22 U.S.C. 4212–14), concerning accounting for consular fees shall not apply to fees collected under this subsection.**]**

[(5) No fee or surcharge authorized under paragraph (1) may be charged to a citizen of a country that is a signatory as of the date of enactment of this Act to the North American Free Trade Agreement, except that the Secretary of State may charge such fee or surcharge to a citizen of such a country if the Secretary determines that such country charges a visa application or issuance fee to citizens of the United States.**]**

* * * * *

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

* * * * *

**PART B—USIA AND RELATED AGENCIES
AUTHORITIES AND ACTIVITIES**

* * * * *

[SEC. 230. LIMITATION CONCERNING PARTICIPATION IN INTERNATIONAL EXPOSITIONS.]

[Notwithstanding any other provision of law, the United States Information Agency shall not obligate or expend any funds for a United States Government funded pavilion or other major exhibit at any international exposition or world's fair registered by the Bureau of International Expositions in excess of amounts expressly authorized and appropriated for such purpose.]

* * * * *

SECTION 4 OF THE PASSPORT ACT OF JUNE 4, 1920

[SEC. 4. Whenever the appropriate officer within the United States of any foreign country refuse to vise a passport issued by the United States, the Department of State is hereby authorized upon request in writing and the return of the unused passport within six months from the date of issue to refund to the person to whom the passport was issued the fees which have been paid to Federal officials, and the money for that purpose is hereby appropriated and directed to be paid upon the order of the Secretary of State.]

SECTION 502B OF THE FOREIGN ASSISTANCE ACT OF 1961

SEC. 502B. HUMAN RIGHTS.—(a) * * *

(b) The Secretary of State shall transmit to the Congress, as part of the presentation materials for security assistance programs proposed for each fiscal year, a full and complete report, prepared with the assistance of the Assistant Secretary of State for Democracy, Human Rights, and Labor and with the assistance of the Ambassador at Large for International Religious Freedom, with respect to practices regarding the observance of and respect for internationally recognized human rights in each country proposed as a recipient of security assistance. Wherever applicable, such report shall include information on practices regarding coercion in population control, including coerced abortion and involuntary sterilization. Such report shall also include, wherever applicable, information on violations of religious freedom, including particularly severe violations of religious freedom (as defined in section 3 of the International Religious Freedom Act of 1998). Each report under this section shall list the votes of each member of the United Nations Commission on Human Rights on all country-specific and thematic resolutions voted on at the Commission's annual session during the period covered during the preceding year. *Each report under this protection shall describe the extent to which each country has extended protection to refugees, including the provision of first asylum and resettlement.* In determining whether a government falls within the provisions of subsection (a)(3) and in the preparation of any report or statement required under this section, consideration shall be given to—

(1) * * *

* * * * *

**SECTION 602 OF THE INTERNATIONAL RELIGIOUS
FREEDOM ACT OF 1998**

SEC. 602. REFORM OF REFUGEE POLICY.

(a) * * *

* * * * *

(c) GUIDELINES FOR REFUGEE-PROCESSING POSTS.—

(1) GUIDELINES FOR ADDRESSING HOSTILE BIASES.—The Attorney General and the Secretary of State shall develop and implement guidelines that address potential biases in personnel of the Immigration and Naturalization Service *and of the Department of State* that are hired abroad and involved with duties which could constitute an effective barrier to a refugee claim if such personnel carries a bias against the claimant on the grounds of religion, race, nationality, membership in a particular social group, or political opinion. The subject matter of this training should be culturally sensitive and tailored to provide a nonbiased, nonadversarial atmosphere for the purpose of refugee adjudications.

* * * * *

(3) *Not later than 120 days after the date of the enactment of the Foreign Relations Authorization Act, Fiscal Year 2000, the Secretary of State (after consultation with the Attorney General) shall issue guidelines to ensure that persons with potential biases against any refugee applicant, including persons employed by, or otherwise subject to influence by, governments known to be involved in persecution on account of religion, race, nationality, membership in a particular social group, or political opinion, shall not in any way be used in processing determinations of refugee status, including interpretation of conversations or examination of documents presented by such applicants.*

**UNITED STATES INTERNATIONAL BROADCASTING ACT
OF 1994**

* * * * *

**TITLE III—UNITED STATES
INTERNATIONAL BROADCASTING ACT**

* * * * *

SEC. 304. ESTABLISHMENT OF BROADCASTING BOARD OF GOVERNORS.

(a) CONTINUED EXISTENCE WITHIN EXECUTIVE BRANCH.—

(1) * * *

* * * * *

(3) INSPECTOR GENERAL AUTHORITIES.—

(A) IN GENERAL.—The Inspector General of the Department of State [and the Foreign Service] shall exercise the same authorities with respect to the Broadcasting Board of

Governors and the International Broadcasting Bureau as the Inspector General exercises under the Inspector General Act of 1978 and section 209 of the Foreign Service Act of 1980 with respect to the Department of State.

* * * * *

(g) *IMMUNITY FROM CIVIL LIABILITY.*—Notwithstanding any other provision of law, the Volunteer Protection Act of 1997 shall apply to the members of the Broadcasting Board of Governors when acting in their capacities as members of the boards of directors of RFE/RL, Incorporated and Radio Free Asia.

* * * * *

SEC. 308. LIMITS ON GRANTS FOR RADIO FREE EUROPE AND RADIO LIBERTY.

(a) * * *

* * * * *

(c) *LIMITATION ON GRANT AMOUNTS.*—The total amount of grants made by the Board for the operating costs of Radio Free Europe and Radio Liberty may not exceed ~~[\$75,000,000]~~ \$80,000,000 for any fiscal year after fiscal year 1995.

* * * * *

(i) *REPORT ON MANAGEMENT PRACTICES.*—(1) Effective not later than March 31 and September 30 of each calendar year, the ~~Inspector General of the Department of State and the Foreign Service~~ *Inspector General of the Department of State* shall submit to the Board, and the Congress a report on management practices of RFE/RL, Incorporated, under this section. The ~~Inspector General of the Department of State and the Foreign Service~~ *Inspector General of the Department of State* shall establish a special unit within the Inspector General's office to monitor and audit the activities of RFE/RL, Incorporated, and shall provide for on-site monitoring of such activities.

(j) *AUDIT AUTHORITY.*—

(1) * * *

* * * * *

(3) Notwithstanding any other provision of law and upon repeal of the Board for International Broadcasting Act, the ~~Inspector General of the Department of State and the Foreign Service~~ *Inspector General of the Department of State* is authorized to exercise the authorities of the Inspector General Act of 1978 with respect to RFE/RL, Incorporated.

* * * * *

SEC. 309. RADIO FREE ASIA.

(a) * * *

* * * * *

(c) *SUBMISSION OF DETAILED PLAN FOR RADIO FREE ASIA.*—

(1) No grant may be awarded to carry out this section unless the Board, through the Director of the United States Information Agency, has submitted to Congress a detailed plan for the establishment and operation of Radio Free Asia, including—

(A) a description of the manner in which Radio Free Asia would meet **the funding limitations provided in subsection (d)(4);** *any funding limitations under subsection (d);* and

* * * * *

(3) No grant may be awarded to carry out the provisions of this section unless the plan submitted by the Board includes a certification by the Board that Radio Free Asia can be established and operated within **the funding limitations provided in subsection (d)(4) and subsection (d)(5).** *any funding limitations under subsection (d).*

* * * * *

(d) **GRANT AGREEMENT.**—Any grant agreement or grants under this section shall be subject to the following limitations and restrictions:

(1) * * *

(2) Any grant agreement under this section shall require that any contract entered into by Radio Free Asia shall specify that all obligations are assumed by Radio Free Asia and not by the United States **Government,** and shall further specify that funds to carry out the activities of Radio Free Asia may not be available after September 30, 1999. *Government.*

* * * * *

[(4) Grants made for the operating costs of Radio Free Asia may not exceed \$22,000,000 in any fiscal year.

[(5) The total amount of grant funds made available for one-time capital costs of Radio Free Asia may not exceed \$8,000,000.]

[(6)] (4) Grants awarded under this section shall be made pursuant to a grant agreement which requires that grant funds be used only for activities consistent with this section, and that failure to comply with such requirements shall permit the grant to be terminated without fiscal obligation to the United States.

* * * * *

[(g) SUNSET PROVISION.—The Board may not make any grant for the purpose of operating Radio Free Asia after September 30, 1998, unless the President of the United States determines in the President's fiscal year 1999 budget submission that continuation of funding for Radio Free Asia for 1 additional year is in the interest of the United States.]

* * * * *

[SEC. 312. PRIVATIZATION OF RADIO FREE EUROPE AND RADIO LIBERTY.

[(a) DECLARATION OF POLICY.—It is the sense of the Congress that, in furtherance of the objectives of section 302 of this Act, the funding of Radio Free Europe and Radio Liberty should be assumed by the private sector not later than December 31, 1999, and that the funding of Radio Free Europe and Radio Liberty Research Institute should be assumed by the private sector at the earliest possible time.

[(b) PRESIDENTIAL SUBMISSION.—The President shall submit with his annual budget submission as provided for in section 307 an analysis and recommendations for achieving the objectives of subsection (a).

[(c) REPORTS ON TRANSFER OF RFE/RL RESEARCH INSTITUTE.—Not later than 120 days after the date of enactment of this Act, the Board for International Broadcasting, or the Board, if established, shall submit to the appropriate congressional committees a report on the steps being taken to transfer RFE/RL Research Institute pursuant to subsection (a) and shall provide periodic progress reports on such efforts until such transfer has been achieved.]

* * * * *

CHAPTER 59 OF TITLE 5, UNITED STATES CODE

CHAPTER 59—ALLOWANCES

* * * * *

SUBCHAPTER III—OVERSEAS DIFFERENTIALS AND ALLOWANCES

* * * * *

§ 5922. General provisions

(a) * * *

* * * * *

(f)(1) *If an employee dies at post in a foreign area, a transfer allowance under section 5924(2)(B) may be granted to the spouse or dependents of such employee (or both) for the purpose of providing for their return to the United States.*

(2) *A transfer allowance under this subsection may not be granted with respect to the spouse or a dependent of the employee unless, at the time of death, such spouse or dependent was residing—*

(A) at the employee's post of assignment; or

(B) at a place, outside the United States, for which a separate maintenance allowance was being furnished under section 5924(3).

(3) *The President may prescribe any regulations necessary to carry out this subsection.*

* * * * *

§ 5924. Cost-of-living allowances

The following cost-of-living allowances may be granted, when applicable, to an employee in a foreign area:

(1) * * *

* * * * *

(4) *An education allowance or payment of travel costs to assist an employee with the extraordinary and necessary expenses, not otherwise compensated for, incurred because of his service in a foreign area or foreign areas in providing adequate education for his dependents (or, to the extent education away*

from post is involved, official assignment to service in such area or areas), as follows:

(A) An allowance not to exceed the cost of obtaining such kindergarten, elementary and secondary educational services as are ordinarily provided without charge by the public schools in the United States (including such educational services as are provided by the States under the Individuals with Disabilities Education Act), plus, in those cases when adequate schools are not available at the post of the employee, board and room, and periodic transportation [between that post and the nearest locality where adequate schools are available,] *between that post and the school chosen by the employee, not to exceed the total cost to the Government of the dependent attending an adequate school in the nearest locality where an adequate school is available*, without regard to section 3324 (a) and (b) of title 31. When travel from school to post is infeasible, travel may be allowed between the school attended and the home of a designated relative or family friend or to join a parent at any location, with the allowable travel expense not to exceed the cost of travel between the school and the post. The amount of the allowance granted shall be determined on the basis of the educational facility used.

* * * * *

(C) *In those cases in which an adequate school is available at the post of the employee, if the employee chooses to educate the dependent at a school away from post, the education allowance which includes board and room, and periodic travel between the post and the school chosen, shall not exceed the total cost to the Government of the dependent attending an adequate school at the post of the employee.*

* * * * *

[§ 5927. Advances of pay

[Up to three months' pay may be paid in advance to an employee upon the assignment of the employee to a post in a foreign area.]

§ 5927. Advances of pay

(a) *Up to three months' pay may be paid in advance—*

(1) *to an employee upon the assignment of the employee to a post in a foreign area;*

(2) *to an employee, other than an employee appointed under section 303 of the Foreign Service Act of 1980 (and employed under section 311 of such Act), who—*

(A) *is a citizen of the United States;*

(B) *is officially stationed or located outside the United States pursuant to Government authorization; and*

(C) *requires (or has a family member who requires) medical treatment outside the United States, in circumstances specified by the President in regulations; and*

(3) *to a foreign national employee appointed under section 303 of the Foreign Service Act of 1980, or a nonfamily member United States citizen appointed under such section 303 (and*

employed under section 311 of such Act) for service at such non-family member's post of residence, who—

(A) is located outside the country of employment of such foreign national employee or nonfamily member (as the case may be) pursuant to Government authorization; and

(B) requires medical treatment outside the country of employment of such foreign national employee or nonfamily member (as the case may be), in circumstances specified by the President in regulations.

(b) For the purpose of this section, the term "country of employment", as used with respect to an individual under subsection (a)(3), means the country (or other area) outside the United States where such individual is appointed (as described in subsection (a)(3)) by the Government.

* * * * *

HUMAN RIGHTS, REFUGEE, AND OTHER FOREIGN RELATIONS PROVISIONS ACT OF 1996

TITLE I—FOREIGN RELATIONS PROVISIONS

* * * * *

SEC. 102. CONDUCT OF CERTAIN EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS.

In carrying out programs of educational and cultural exchange in countries whose people do not fully enjoy freedom and democracy (including but not limited to China, Vietnam, Cambodia, Tibet, and Burma), the [Director of the United States Information Agency shall take appropriate steps to provide opportunities for participation in such programs to human rights and democracy leaders of such countries.] *Secretary of State, with the assistance of the Under Secretary for Public Diplomacy, shall—*

(1) include, as a substantial proportion of the participants in such programs, nationals of such countries who have demonstrated a commitment to freedom and democracy;

(2) consult with human rights and democracy advocates from such countries on the selection of participants and grantees for such programs; and

(3) select grantees for such programs only after a competitive process in which proposals are solicited from multiple applicants and in which important factors in the selection of a grantee include the relative likelihood that each of the competing applicants would be willing and able:

(A) to identify and recruit as participants in the program persons described in paragraph (1); and

(B) in selecting participants who are associated with governments or other institutions wielding power in countries described in this section, to identify and recruit those most likely to be open to freedom and democracy and to avoid selecting those who are so firmly committed to the suppression of freedom and democracy that their inclusion could

create an appearance that the United States condones such suppression.

SEC. 103. EDUCATIONAL AND CULTURAL EXCHANGES AND SCHOLARSHIPS FOR TIBETANS AND BURMESE.

(a) ESTABLISHMENT OF EDUCATIONAL AND CULTURAL EXCHANGE FOR TIBETANS.—The Director of the United States Information Agency shall establish programs of educational and cultural exchange between the United States and the people of Tibet. *Exchange programs under this subsection shall be known as the “Ngawang Choephel Exchange Programs”.* Such programs shall include opportunities for training and, as the Director considers appropriate, may include the assignment of personnel and resources abroad.

(b) SCHOLARSHIPS FOR TIBETANS AND BURMESE.—

(1) Subject to the availability of appropriations, [for the fiscal year 1999] *for the fiscal year 2000* at least 30 scholarships shall be made available to Tibetan students and professionals who are outside Tibet (if practicable, including individuals active in the preservation of Tibet’s unique culture, religion, and language), and at least 15 scholarships shall be made available to Burmese students and professionals who are outside Burma.

* * * * *

THE UNITED STATES INFORMATION AND EDUCATIONAL EXCHANGE ACT OF 1948

* * * * *

TITLE VII—APPROPRIATIONS

* * * * *

SEC. 705. (a) The Department of State may award grants for overseas public diplomacy programs only if the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate are notified fifteen days in advance of the proposed grant.

(b) *For fiscal year 2000 and each subsequent fiscal year, the Secretary of State may not award any grant to carry out the purposes of this Act until 45 days after written notice has been provided to the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate of the intent to award such grant. In determining whether to award a grant the Secretary shall consider any objections or modifications raised in the course of consultations with such committees.*

* * * * *

TITLE X—MISCELLANEOUS

* * * * *

NATIONAL SECURITY MEASURES

SEC. 1012. *In coordination with other appropriate executive branch officials, the Secretary of State shall take all appropriate*

steps to prevent foreign espionage agents from participating in educational and cultural exchange programs under this Act.

PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

SEC. 1013. The Secretary of State shall take all appropriate steps to ensure that no individual, who is employed by or attached to an office or department involved with the research, development, or production of missiles or weapons of mass destruction, from a country identified by the Central Intelligence Agency, the Department of Defense, the National Security Agency, or the Department of Energy, as a country involved in the proliferation of missiles or weapons of mass destruction is a participant in any program of educational or cultural exchange under this Act. Appropriate steps under this section shall include prior consultation with the Federal agencies designated in the first sentence with respect to all prospective participants in such programs with respect to whom there is a reasonable basis to believe that such prospective participant may be employed by or attached to an office or department identified under the first sentence.

* * * * *

**SECTION 208 OF THE FOREIGN RELATIONS
AUTHORIZATION ACT, FISCAL YEARS 1992 AND 1993**

**SEC. 208. CENTER FOR CULTURAL AND TECHNICAL INTERCHANGE
BETWEEN NORTH AND SOUTH.**

[(a) SHORT TITLE.—This section may be cited as the “North/South Center Act of 1991”.]

(a) SHORT TITLE.—This section may be cited as the “Dante B. Fascell North-South Center Act of 1991”.

* * * * *

(c) [NORTH/SOUTH CENTER.—] DANTE B. FASCELL NORTH-SOUTH CENTER.—In order to carry out the purpose of this section, the Director of the United States Information Agency shall provide for the operation in Florida of an educational institution [known as the North/South Center,] *which shall be known and designated as the Dante B. Fascell North-South Center*, through arrangements with public, educational, or other nonprofit institutions.

(d) AUTHORITIES.—The Director of the United States Information Agency, in carrying out this section, may utilize the authorities of the Mutual Educational and Cultural Exchange Act of 1961. Section 704(b) of the Mutual Security Act of 1960 (22 U.S.C. 2056(b)) shall apply in the administration of this section. In order to carry out the purposes of this section, the [North/South Center] *Dante B. Fascell North-South Center* is authorized to use funds made available under this section to acquire property and facilities, by construction, lease, or purchase.

* * * * *

**SECTION 109 OF THE DEPARTMENT OF STATE
AUTHORIZATION ACT, FISCAL YEARS 1984 AND 1985**

INTERPARLIAMENTARY GROUPS

SEC. 109 (a) * * *

* * * * *

(c) There are authorized to be appropriated by for each fiscal year \$50,000 for expenses of United States participation in the **United States-European Community Interparliamentary Group** *Transatlantic Legislative Dialogue (United States-European Union Interparliamentary Group)*.

**SECTION 2 OF THE AMERICAN-MEXICAN CHAMIZAL
CONVENTION ACT OF 1964**

SEC. 2. (a) * * *

(b) The United States Commissioner is authorized to receive payments of money from public or private sources in the United States or Mexico made for the purpose of sharing in the cost of *operations, maintenance*, replacement of the Bridge of the Americas which crosses the Rio Grande between El Paso, Texas, and Cd. Juarez, Chihuahua. Notwithstanding any other provision of law, such payments of money shall be credited to any appropriation to the Commission which is currently available. Funds received under this subsection shall be available only for the replacement of such bridge.

* * * * *

ADDITIONAL VIEWS OF HON. SAM GEJDENSON

I commend the Chairman and Ranking Member of the Subcommittee on International Relations and Human Rights for the hard work they put into drafting H.R. 1211, getting it through subcommittee, bringing it to full committee consideration, and for their willingness to improve the bill during full committee markup. It is my view, however, that the bill still has some distance to go before it can be signed into law. There remain a number of provisions in the bill about which I continue to have serious concerns. We will need to address these problems if we want a bill that the President can sign into law.

These concerns fall in four areas, outlined below.

Reorganization

I did not support the effort to reorganize our foreign affairs agencies. Congress mandated that reorganization nonetheless. Having done so, this bill now moves in the opposite direction of the reorganization to which we agreed. It mandates the creation of a bureau which the Administration opposes, an International Information Bureau, and earmarks funding for it. It also earmarks funding, at twice current levels, and legislatively mandates, the current Bureau of Democracy, Human Rights, and Labor. And it dictates that establishment of new fellowship programs which duplicate existing programs.

Micromanagement

Section 403 of this bill extends to 45 days the current 15 day notification period to Congress on all grants made by USIA. While I certainly support notification periods to Congress, a 45 day "hold" period is micromanagement at its worst. It would lengthen an already lengthy grant approval process, hamper our ability to respond quickly to fast-changing events, and take hostage every grant, no matter how non-controversial or small. No other foreign affairs agency is subject to a sweeping 45 day hold period, and no rationale has been provided as to why this one is needed.

Likewise, section 402 of this bill imposes sweeping new requirements on our exchange programs overseas. It requires that a "substantial proportion" of exchange participants be nationals of freedom-loving countries, and that grantees who choose such participants must themselves favor applicants who love freedom and democracy. Well-intentioned as this provision may be, it raises serious questions. Do we only want exchange participants from the Frances and Australias of the world? Do we only want to bring to the United States those who agree with our views? And, do we run the risk of officially stamping as "enemies of the state" the human rights activists for whom this provision is presumably intended?

Policy

Section 274 limits the number of U.S. personnel serving at diplomatic and consular posts in the Socialist Republic of Vietnam to current levels, unless the President certifies that twelve detailed and unachievable conditions are met. Again, the intentions are no doubt well-meaning. The practical impact of this provision is that we could not deploy, as planned, additional consular officers to Vietnam this summer to expedite processing of visas. Our former colleague and now Ambassador to Vietnam, Hon. "Pete" Peterson, whose credentials on Vietnamese issues are unmatched, opposes this provision strongly.

Earmarks

We all earmark. Earmarking is a fact of life. But this bill adds even more earmarks than usual. In addition to the earmarks noted above, there are earmarks in the voluntary contributions to international organizations account that are particularly harmful. This account continues to be reduced; every earmark above the Administration's request level takes money away from other equally deserving programs. Increased funds for the World Food Program means that the U.N. Environment Program, or some other worthy program, takes the cut. Particularly troubling is the \$5 million earmark for the International Program on the Elimination of Child Labor—for which funding is requested from the Labor Department, not the State Department.

Conclusion

I want to be clear. I have long supported human rights, democracy programs, the rights of refugees, the fight against child labor, and other worthwhile goals. Putting a label on a provision, however, does not automatically make that provision effective, productive, or worthwhile. We must examine the consequences of our actions, not just the names attached to them.

I hope that this is a bill that I can support at the end of the day. I'm not sure I can say that now. The concerns I have outlined are shared by the Administration, and are substantive. I want this process to move forward so that we can continue to work on improving the bill on the floor.

SAM GEJDENSON.

