

In the Senate of the United States,

August 3, 1999.

Resolved, That the bill from the House of Representatives (H.R. 2415) entitled “An Act to enhance security of United States missions and personnel overseas, to authorize appropriations for the Department of State for fiscal year 2000, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2 (a) *SHORT TITLE.*—*This Act may be cited as the “Ad-*
3 *miral James W. Nance Foreign Relations Authorization*
4 *Act, Fiscal Years 2000 and 2001”.*

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

Sec. 1. Short title; table of contents.

Sec. 2. Appropriate congressional committees defined.

***TITLE I—AUTHORIZATIONS OF APPROPRIATIONS FOR
DEPARTMENT OF STATE***

Sec. 101. Administration of Foreign Affairs.

Sec. 102. International Commissions.

Sec. 103. Migration and Refugee Assistance.

- Sec. 104. United States informational, educational, and cultural programs.*
Sec. 105. Grants to The Asia Foundation.

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

Subtitle A—Basic Authorities and Activities

- Sec. 201. Office of Children’s Issues.*
*Sec. 202. Strengthening implementation of The Hague Convention on the Civil
Aspects of International Child Abduction.*
Sec. 203. Human rights reporting on the treatment of children.
Sec. 204. Study for establishment of Russian Democracy Foundation.
Sec. 205. Limitation on participation in international expositions.
*Sec. 206. Inspector General for the Inter-American Foundation and the African
Development Foundation.*

Subtitle B—Consular Authorities

- Sec. 211. Fees for machine readable visas.*
Sec. 212. Fees relating to affidavits of support.
Sec. 213. Passport fees.
Sec. 214. Deaths and estates of United States citizens abroad.
*Sec. 215. Major disasters and other incidents abroad affecting United States citi-
zens.*
Sec. 216. Mikey Kale Passport Notification Act of 1999.

**TITLE III—ORGANIZATION AND PERSONNEL OF THE DEPARTMENT
OF STATE**

Subtitle A—Organization Matters

- Sec. 301. Legislative liaison offices of the Department of State.*
Sec. 302. State Department official for Northeastern Europe.
Sec. 303. Science and Technology Adviser to Secretary of State.

Subtitle B—Foreign Service Reform

- Sec. 311. Findings.*
Sec. 312. United States citizens hired abroad.
*Sec. 313. Limitation on percentage of Senior Foreign Service eligible for perform-
ance pay.*
Sec. 314. Placement of Senior Foreign Service personnel.
Sec. 315. Report on management training.
Sec. 316. Workforce planning for Foreign Service personnel by Federal agencies.
Sec. 317. Records of disciplinary actions.
*Sec. 318. Limitation on salary and benefits for members of the Foreign Service
recommended for separation for cause.*
Sec. 319. Foreign language proficiency.
Sec. 320. Treatment of grievance records.
Sec. 321. Deadlines for filing grievances.
Sec. 322. Reports by the Foreign Service Grievance Board.
Sec. 323. Extension of use of foreign service personnel system.

Subtitle C—Other Personnel Matters

- Sec. 331. Border equalization pay adjustment.*

- Sec. 332. Treatment of certain persons reemployed after service with international organizations.*
- Sec. 333. Home service transfer allowance.*
- Sec. 334. Parental choice in education.*
- Sec. 335. Medical emergency assistance.*
- Sec. 336. Report concerning financial disadvantages for administrative and technical personnel.*
- Sec. 337. State Department Inspector General and personnel investigations.*

*TITLE IV—EMBASSY SECURITY AND COUNTERTERRORISM
MEASURES*

- Sec. 401. Short title.*
- Sec. 402. Findings.*
- Sec. 403. United States diplomatic facility defined.*
- Sec. 404. Authorizations of appropriations.*
- Sec. 405. Obligations and expenditures.*
- Sec. 406. Security requirements for United States diplomatic facilities.*
- Sec. 407. Closure of vulnerable posts.*
- Sec. 408. Accountability Review Boards.*
- Sec. 409. Awards of Foreign Service stars.*

*TITLE V—UNITED STATES INTERNATIONAL BROADCASTING
ACTIVITIES*

- Sec. 501. Authorizations of appropriations.*
- Sec. 502. Reauthorization of Radio Free Asia.*
- Sec. 503. Nomination requirements for the Chairman of the Broadcasting Board of Governors.*

*TITLE VI—ARMS CONTROL, NONPROLIFERATION, AND NATIONAL
SECURITY*

- Sec. 601. Short title.*
- Sec. 602. Definitions.*

Subtitle A—Arms Control

*CHAPTER 1—EFFECTIVE VERIFICATION OF COMPLIANCE WITH ARMS CONTROL
AGREEMENTS*

- Sec. 611. Key Verification Assets Fund.*
- Sec. 612. Assistant Secretary of State for Verification and Compliance.*
- Sec. 613. Enhanced annual (“Pell”) report.*
- Sec. 614. Report on START and START II treaties monitoring issues.*
- Sec. 615. Standards for verification.*
- Sec. 616. Contribution to the advancement of seismology.*
- Sec. 617. Protection of United States companies.*
- Sec. 618. Preservation of the START Treaty verification regime.*

*CHAPTER 2—LANDMINE POLICY, DEMINING ACTIVITIES, AND RELATED
MATTERS*

- Sec. 621. Conforming amendment.*
- Sec. 622. Development of Advanced Humanitarian Demining Capabilities Fund.*

Subtitle B—Nuclear Nonproliferation, Safety, and Related Matters

- Sec. 631. Reporting burden on United States nuclear industry.*
Sec. 632. Authority to suspend nuclear cooperation for failure to ratify Convention on Nuclear Safety.
Sec. 633. Elimination of duplicative Government activities.
Sec. 634. Congressional notification of nonproliferation activities.
Sec. 635. Effective use of resources for nonproliferation programs.
Sec. 636. Disposition of weapons-grade material.
Sec. 637. Status of Hong Kong and Macao in United States export law.

Subtitle C—Miscellaneous Provisions

- Sec. 641. Requirement for transmittal of summaries.*
Sec. 642. Prohibition on withholding certain information from Congress.
Sec. 643. Reform of the Diplomatic Telecommunications Service Program Office.
Sec. 644. Sense of Congress on factors for consideration in negotiations with the Russian Federation on reductions in strategic nuclear forces.
Sec. 645. Clarification of exception to national security controls on satellite export licensing.
Sec. 646. Study on licensing process under the Arms Export Control Act.

TITLE VII—MISCELLANEOUS PROVISIONS

Subtitle A—People’s Republic of China

- Sec. 701. Findings.*
Sec. 702. Funding for additional personnel at diplomatic posts to report on political, economic, and human rights matters in the People’s Republic of China.
Sec. 703. Prisoner Information Registry for the People’s Republic of China.
Sec. 704. Report regarding establishment of Organization for Security and Cooperation in Asia.
Sec. 705. Sense of Congress regarding organ harvesting and transplanting in the People’s Republic of China.

Subtitle B—Other Matters

- Sec. 721. Denial of entry into United States of foreign nationals engaged in establishment or enforcement of forced abortion or sterilization policy.*
Sec. 722. Semiannual reports on United States support for membership or participation of Taiwan in international organizations.
Sec. 723. Congressional policy regarding United Nations General Assembly Resolution ES–10/6.
Sec. 724. Waiver of certain prohibitions regarding the Palestine Liberation Organization.
Sec. 725. United States policy regarding Jerusalem as the capital of Israel.
Sec. 726. United States policy with respect to Nigeria.
Sec. 727. Partial liquidation of blocked Libyan assets.
Sec. 728. Support for refugees from Russia who choose to resettle in Israel.
Sec. 729. Sense of Congress regarding extradition of Lt. General Igor Giorgadze.
Sec. 730. Sense of Congress on the use of children as soldiers or other combatants in foreign armed forces.
Sec. 731. Technical corrections.
Sec. 732. Reports with respect to a referendum on Western Sahara.
Sec. 733. Self-determination in East Timor.

- Sec. 734. Prohibition on the return of veterans memorial objects to foreign nations without specific authorization in law.*
- Sec. 735. Support for the peace process in Sudan.*
- Sec. 736. Expressing the sense of the Congress regarding the treatment of religious minorities in the Islamic Republic of Iran, and particularly the recent arrests of members of that country's Jewish community.*
- Sec. 737. Reporting requirements under PLO Commitments Compliance Act of 1989.*
- Sec. 738. Report on terrorist activity in which United States citizens were killed and related matters.*
- Sec. 739. Sense of Senate regarding child labor.*
- Sec. 740. Reporting requirement on worldwide circulation of small arms and light weapons.*

Subtitle C—United States Entry-Exit Controls

- Sec. 751. Amendment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.*
- Sec. 752. Report on automated entry-exit control system.*
- Sec. 753. Annual reports on entry-exit control and use of entry-exit control data.*

TITLE VIII—INTERNATIONAL ORGANIZATIONS AND COMMISSIONS

Subtitle A—Authorizations of Appropriations

- Sec. 801. Contributions to international organizations.*
- Sec. 802. Contributions for international peacekeeping activities.*
- Sec. 803. Authorization of appropriations for contributions to the United Nations Voluntary Fund for Victims of Torture.*

Subtitle B—United Nations Activities

- Sec. 811. United Nations policy on Israel and the Palestinians.*
- Sec. 812. Data on costs incurred in support of United Nations peacekeeping operations.*
- Sec. 813. Reimbursement for goods and services provided by the United States to the United Nations.*

Subtitle C—International Organizations Other Than the United Nations

- Sec. 821. Restriction relating to United States accession to the International Criminal Court.*
- Sec. 822. Prohibition on extradition or transfer of United States citizens to the International Criminal Court.*
- Sec. 823. Permanent requirement for reports regarding foreign travel.*
- Sec. 824. Assistance to States and local governments by the International Boundary and Water Commission.*
- Sec. 825. United States representation at the International Atomic Energy Agency.*
- Sec. 826. Annual financial audits of United States section of the International Boundary and Water Commission.*
- Sec. 827. Sense of Congress concerning ICTR.*

TITLE IX—ARREARS PAYMENTS AND REFORM

Subtitle A—General Provisions

- Sec. 901. Short title.*

Sec. 902. Definitions.

Subtitle B—Arrearages to the United Nations

*CHAPTER 1—AUTHORIZATION OF APPROPRIATIONS; OBLIGATION AND
EXPENDITURE OF FUNDS*

Sec. 911. Authorization of appropriations.

Sec. 912. Obligation and expenditure of funds.

Sec. 913. Forgiveness of amounts owed by the United Nations to the United States.

CHAPTER 2—UNITED STATES SOVEREIGNTY

Sec. 921. Certification requirements.

*CHAPTER 3—REFORM OF ASSESSMENTS AND UNITED NATIONS PEACEKEEPING
OPERATIONS*

Sec. 931. Certification requirements.

CHAPTER 4—BUDGET AND PERSONNEL REFORM

Sec. 941. Certification requirements.

Subtitle C—Miscellaneous Provisions

Sec. 951. Statutory construction on relation to existing laws.

Sec. 952. Prohibition on payments relating to UNIDO and other international organizations from which the United States has withdrawn or rescinded funding.

TITLE IX—RUSSIAN BUSINESS MANAGEMENT EDUCATION

Sec. 1001. Purpose.

Sec. 1002. Definitions.

Sec. 1003. Authorization for training program and internships.

Sec. 1004. Applications for technical assistance.

Sec. 1005. United States-Russian business management training board.

Sec. 1006. Restrictions not applicable.

Sec. 1007. Authorization of appropriations.

Sec. 1008. Effective date.

1 SEC. 2. APPROPRIATE CONGRESSIONAL COMMITTEES DE-
2 FINED.

3 *Except as otherwise provided in section 902(1), in this*
4 *Act the term “appropriate congressional committees” means*
5 *the Committee on Foreign Relations of the Senate and the*
6 *Committee on International Relations of the House of Rep-*
7 *resentatives.*

1 **TITLE I—AUTHORIZATIONS OF**
2 **APPROPRIATIONS FOR DE-**
3 **PARTMENT OF STATE**

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

5 (a) *AUTHORIZATIONS OF APPROPRIATIONS.*—*The fol-*
6 *lowing amounts are authorized to be appropriated for the*
7 *Department of State under “Administration of Foreign Af-*
8 *fairs” to carry out the authorities, functions, duties, and*
9 *responsibilities in the conduct of the foreign affairs of the*
10 *United States and for other purposes authorized by law,*
11 *including public diplomacy activities and the diplomatic*
12 *security program:*

13 (1) *DIPLOMATIC AND CONSULAR PROGRAMS.*—
14 *For “Diplomatic and Consular Programs” of the De-*
15 *partment of State, \$2,837,772,000 for the fiscal year*
16 *2000 and \$2,837,772,000 for the fiscal year 2001.*

17 (2) *CAPITAL INVESTMENT FUND.*—*For “Capital*
18 *Investment Fund” of the Department of State,*
19 *\$90,000,000 for the fiscal year 2000 and \$90,000,000*
20 *for the fiscal year 2001.*

21 (3) *SECURITY AND MAINTENANCE OF UNITED*
22 *STATES MISSIONS.*—*For “Security and Maintenance*
23 *of United States Missions”, \$434,066,000 for the fis-*
24 *cal year 2000 and \$434,066,000 for the fiscal year*
25 *2001.*

1 (4) *REPRESENTATION ALLOWANCES.*—For “*Rep-*
2 *resentation Allowances*”, \$5,850,000 for the fiscal year
3 2000 and \$5,850,000 for the fiscal year 2001.

4 (5) *EMERGENCIES IN THE DIPLOMATIC AND CON-*
5 *SULAR SERVICE.*—For “*Emergencies in the Diplo-*
6 *matic and Consular Service*”, \$17,000,000 for the fis-
7 *cal year 2000 and \$17,000,000 for the fiscal year*
8 2001.

9 (6) *OFFICE OF THE INSPECTOR GENERAL.*—For
10 “*Office of the Inspector General*”, \$30,054,000 for the
11 *fiscal year 2000 and \$30,054,000 for the fiscal year*
12 2001.

13 (7) *PAYMENT TO THE AMERICAN INSTITUTE IN*
14 *TAIWAN.*—For “*Payment to the American Institute in*
15 *Taiwan*”, \$15,760,000 for the fiscal year 2000 and
16 \$15,760,000 for the fiscal year 2001.

17 (8) *PROTECTION OF FOREIGN MISSIONS AND OF-*
18 *FICIALS.*—

19 (A) *AMOUNTS AUTHORIZED TO BE APPRO-*
20 *PRIATED.*—For “*Protection of Foreign Missions*
21 *and Officials*”, \$9,490,000 for the fiscal year
22 2000 and \$9,490,000 for the fiscal year 2001.

23 (B) *AVAILABILITY OF FUNDS.*—Each
24 amount appropriated pursuant to this para-
25 graph is authorized to remain available through

1 *September 30 of the fiscal year following the fis-*
2 *cal year for which the amount was appropriated.*

3 (9) *REPATRIATION LOANS.—For “Repatriation*
4 *Loans”, \$1,200,000 for the fiscal year 2000 and*
5 *\$1,200,000 for the fiscal year 2001, for administrative*
6 *expenses.*

7 (b) *ALLOCATION OF FUNDS FOR COMMERCIAL LI-*
8 *CENSES.—Of the funds made available to the Department*
9 *of State under subsection (a)(1), \$8,000,000 shall be made*
10 *available only for the activities of the Office of Defense*
11 *Trade Controls of the Department of State.*

12 **SEC. 102. INTERNATIONAL COMMISSIONS.**

13 *The following amounts are authorized to be appro-*
14 *priated under “International Commissions” for the Depart-*
15 *ment of State to carry out the authorities, functions, duties,*
16 *and responsibilities in the conduct of the foreign affairs of*
17 *the United States and for other purposes authorized by law:*

18 (1) *INTERNATIONAL BOUNDARY AND WATER COM-*
19 *MISSION, UNITED STATES AND MEXICO.—For “Inter-*
20 *national Boundary and Water Commission, United*
21 *States and Mexico”—*

22 (A) *for “Salaries and Expenses”,*
23 *\$20,413,000 for the fiscal year 2000 and*
24 *\$20,413,000 for the fiscal year 2001; and*

1 (B) for “Construction”, \$8,435,000 for the
2 fiscal year 2000 and \$8,435,000 for the fiscal
3 year 2001.

4 (2) *INTERNATIONAL BOUNDARY COMMISSION,*
5 *UNITED STATES AND CANADA.—For “International*
6 *Boundary Commission, United States and Canada”,*
7 *\$859,000 for the fiscal year 2000 and \$859,000 for*
8 *the fiscal year 2001.*

9 (3) *INTERNATIONAL JOINT COMMISSION.—For*
10 *“International Joint Commission”, \$3,819,000 for the*
11 *fiscal year 2000 and \$3,819,000 for the fiscal year*
12 *2001.*

13 (4) *INTERNATIONAL FISHERIES COMMISSIONS.—*
14 *For “International Fisheries Commissions”,*
15 *\$16,702,000 for the fiscal year 2000 and \$16,702,000*
16 *for the fiscal year 2001.*

17 **SEC. 103. MIGRATION AND REFUGEE ASSISTANCE.**

18 (a) *MIGRATION AND REFUGEE ASSISTANCE.—There*
19 *are authorized to be appropriated for “Migration and Ref-*
20 *ugee Assistance” for authorized activities, \$660,000,000 for*
21 *the fiscal year 2000 and \$660,000,000 for the fiscal year*
22 *2001.*

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

1 **SEC. 104. UNITED STATES INFORMATIONAL, EDUCATIONAL,**
2 **AND CULTURAL PROGRAMS.**

3 (a) *IN GENERAL.*—*The following amounts are author-*
4 *ized to be appropriated to carry out educational and cul-*
5 *tural exchange programs under the United States Informa-*
6 *tion and Educational Exchange Act of 1948, the Mutual*
7 *Educational and Cultural Exchange Act of 1961, Reorga-*
8 *nization Plan Number 2 of 1977, the North/South Center*
9 *Act of 1991, and the National Endowment for Democracy*
10 *Act, and to carry out other authorities in law consistent*
11 *with such purposes:*

12 (1) *EDUCATIONAL AND CULTURAL EXCHANGE*
13 *PROGRAMS.*—

14 (A) *FULBRIGHT ACADEMIC EXCHANGE PRO-*
15 *GRAMS.*—*For the “Fulbright Academic Exchange*
16 *Programs” (other than programs described in*
17 *subparagraph (B)), \$112,000,000 for the fiscal*
18 *year 2000 and \$112,000,000 for the fiscal year*
19 *2001.*

20 (B) *OTHER EDUCATIONAL AND CULTURAL*
21 *EXCHANGE PROGRAMS.*—*For other educational*
22 *and cultural exchange programs authorized by*
23 *law, \$98,329,000 for the fiscal year 2000 and*
24 *\$98,329,000 for the fiscal year 2001.*

25 (2) *CENTER FOR CULTURAL AND TECHNICAL*
26 *INTERCHANGE BETWEEN EAST AND WEST.*—*For the*

1 *“Center for Cultural and Technical Interchange be-*
2 *tween East and West”, \$12,500,000 for the fiscal year*
3 *2000 and \$12,500,000 for the fiscal year 2001.*

4 (3) *NATIONAL ENDOWMENT FOR DEMOCRACY.—*
5 *For the “National Endowment for Democracy”,*
6 *\$31,000,000 for the fiscal year 2000 and \$31,000,000*
7 *for the fiscal year 2001.*

8 (4) *CENTER FOR CULTURAL AND TECHNICAL*
9 *INTERCHANGE BETWEEN NORTH AND SOUTH.—For*
10 *“Center for Cultural and Technical Interchange be-*
11 *tween North and South” \$1,750,000 for the fiscal year*
12 *2000 and \$1,750,000 for the fiscal year 2001.*

13 (b) *EXCHANGES WITH RUSSIA.—*

14 (1) *MUSKIE FELLOWSHIPS.—Of the amounts au-*
15 *thorized to be appropriated under subsection*
16 *(a)(1)(B), \$5,000,000 for each of the fiscal years 2000*
17 *and 2001 shall be available only to carry out the Ed-*
18 *mund S. Muskie Fellowship Program under section*
19 *227 of the Foreign Relations Authorization Act, Fis-*
20 *cal Years 1992 and 1993 (22 U.S.C. 2452 note) with*
21 *the Russian Federation.*

22 (2) *SENSE OF CONGRESS ON ALLOCATION OF RE-*
23 *SOURCES FOR EXCHANGES WITH RUSSIA.—It is the*
24 *sense of the Congress that educational and profes-*
25 *sional exchanges with the Russian Federation have*

1 *proven to be an effective mechanism for enhancing de-*
2 *mocratization in that country and that, therefore,*
3 *Congress should significantly increase the financial*
4 *resources allocated for those programs.*

5 (c) *MUSKIE FELLOWSHIP DOCTORAL GRADUATE*
6 *STUDIES FOR NATIONALS OF THE INDEPENDENT STATES*
7 *OF THE FORMER SOVIET UNION.—*

8 (1) *ALLOCATION OF FUNDS.—Of the amounts au-*
9 *thorized to be appropriated under subsection*
10 *(a)(1)(B), not less than \$2,000,000 for fiscal year*
11 *2000, and not less than \$2,000,000 for fiscal year*
12 *2001, shall be made available to provide scholarships*
13 *for doctoral graduate study in the social sciences to*
14 *nationals of the independent states of the former So-*
15 *viet Union under the Edmund S. Muskie Fellowship*
16 *Program authorized by section 227 of the Foreign Re-*
17 *lations Authorization Act, Fiscal Years 1992 and*
18 *1993 (22 U.S.C. 2452 note).*

19 (2) *REQUIREMENTS.—*

20 (A) *NON-FEDERAL SUPPORT.—Not less than*
21 *20 percent of the costs of each student's doctoral*
22 *study supported under paragraph (1) shall be*
23 *provided from non-Federal sources.*

24 (B) *HOME COUNTRY RESIDENCE REQUIRE-*
25 *MENT.—*

1 (i) *AGREEMENT FOR SERVICE IN HOME*
2 *COUNTRY.—Before an individual may re-*
3 *ceive scholarship assistance under para-*
4 *graph (1), the individual shall enter into a*
5 *written agreement with the Department of*
6 *State under which the individual agrees*
7 *that after completing all degree require-*
8 *ments, or terminating his or her studies,*
9 *whichever occurs first, the individual will*
10 *return to the country of the individual’s na-*
11 *tionality, or country of last habitual resi-*
12 *dence, within the independent states of the*
13 *former Soviet Union (as defined in section*
14 *3 of the FREEDOM Support Act (22*
15 *U.S.C. 5801)), to reside and remain phys-*
16 *ically present there for an aggregate of at*
17 *least one year for each year of study sup-*
18 *ported under paragraph (1).*

19 (ii) *DENIAL OF ENTRY INTO THE*
20 *UNITED STATES FOR NONCOMPLIANCE.—*
21 *Any individual who has entered into an*
22 *agreement under clause (i) and who has not*
23 *completed the period of home country resi-*
24 *dence and presence required by that agree-*

1 *ment shall be ineligible for a visa and inad-*
2 *missible to the United States.*

3 *(d) VIETNAM FULBRIGHT ACADEMIC EXCHANGE PRO-*
4 *GRAM.—Of the amounts authorized to be appropriated*
5 *under subsection (a)(1)(A), \$5,000,000 for the fiscal year*
6 *2000 and \$5,000,000 for the fiscal year 2001 shall be avail-*
7 *able only to carry out the Vietnam scholarship program es-*
8 *tablished by section 229 of the Foreign Relations Authoriza-*
9 *tion Act, Fiscal Years 1992 and 1993 (Public Law 102–*
10 *138).*

11 **SEC. 105. GRANTS TO THE ASIA FOUNDATION.**

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

15 *“SEC. 404. There are authorized to be appropriated*
16 *to the Secretary of State \$15,000,000 for each of the fiscal*
17 *years 2000 and 2001 for grants to The Asia Foundation*
18 *pursuant to this title.”.*

1 **TITLE II—DEPARTMENT OF**
2 **STATE BASIC AUTHORITIES**
3 **AND ACTIVITIES**

4 **Subtitle A—Basic Authorities and**
5 **Activities**

6 **SEC. 201. OFFICE OF CHILDREN'S ISSUES.**

7 (a) *DIRECTOR REQUIREMENTS.*—At the earliest date
8 practicable, the Secretary of State is requested to fill the
9 position of Director of the Office of Children's Issues of the
10 Department of State (in this section referred to as the "Of-
11 fice") with a career member of the Senior Executive Service.
12 Effective January 1, 2001, only a career member of the Sen-
13 ior Executive Service may occupy the position of Director
14 of the Office. In selecting an individual to fill the position
15 of Director, the Secretary of State shall seek an individual
16 who can assure long-term continuity in the management
17 of the Office.

18 (b) *CASE OFFICER STAFFING.*—Effective April 1,
19 2000, there shall be assigned to the Office of Children's
20 Issues of the Department of State a sufficient number of
21 case officers to ensure that the average caseload for each
22 officer does not exceed 75.

23 (c) *EMBASSY CONTACT.*—The Secretary of State shall
24 designate in each United States diplomatic mission an em-
25 ployee who shall serve as the point of contact for matters

1 *relating to international abductions of children by parents.*
2 *The Director of the Office shall regularly inform the des-*
3 *ignated employee of children of United States citizens ab-*
4 *ducted by parents to that country.*

5 *(d) COORDINATION.—*

6 *(1) PARTICULAR ABDUCTIONS.—Not later than*
7 *24 hours after notice of the possible abduction of a*
8 *child by a parent to a location abroad has been sub-*
9 *mitted to the Department of State, the Secretary of*
10 *State shall submit to the National Center for Missing*
11 *and Exploited Children a report including the fol-*
12 *lowing:*

13 *(A) The name of the abducted child.*

14 *(B) The name and contact information of*
15 *the parent or guardian who is searching for the*
16 *child.*

17 *(C) The name and contact information for*
18 *the law enforcement officials, including the agen-*
19 *cies which employ the officials, assisting in the*
20 *effort to return the child.*

21 *(D) The country to which the child is be-*
22 *lieved to have been abducted.*

23 *(E) The name of the person believed to have*
24 *abducted the child.*

1 (2) *GENERAL CASE INFORMATION.*—*At least once*
2 *every six months, the Secretary shall submit to the*
3 *Center a report on the following:*

4 (A) *Any case of abduction of a child by a*
5 *parent previously submitted to the Secretary that*
6 *has been closed during the preceding six months,*
7 *including the reason for closing the case.*

8 (B) *Any case for which the Department of*
9 *State has received a request during such months*
10 *for assistance from a parent concerned about*
11 *preventing the abduction of a child to a location*
12 *abroad.*

13 (e) *REPORTS TO PARENTS.*—

14 (1) *IN GENERAL.*—*Except as provided in para-*
15 *graph (2), beginning 6 months after the date of enact-*
16 *ment of this Act, and at least once every 6 months*
17 *thereafter, the Secretary of State shall report to each*
18 *parent who has requested assistance regarding an ab-*
19 *ducted child. Each such report shall include informa-*
20 *tion on the current status of the abducted child's case*
21 *and the efforts by the Department of State to resolve*
22 *the case.*

23 (2) *EXCEPTION.*—*The requirement in paragraph*
24 *(1) shall not apply in a case of an abducted child*
25 *if—*

1 (A) the case has been closed and the Sec-
2 retary of State has reported the reason the case
3 was closed to the parent who requested assist-
4 ance; or

5 (B) the parent seeking assistance requests
6 that such reports not be provided.

7 **SEC. 202. STRENGTHENING IMPLEMENTATION OF THE**
8 **HAGUE CONVENTION ON THE CIVIL ASPECTS**
9 **OF INTERNATIONAL CHILD ABDUCTION.**

10 (a) *REPORTS ON COMPLIANCE WITH THE CONVEN-*
11 *TION.—Section 2803(a) of the Foreign Affairs Reform and*
12 *Restructuring Act of 1998 (as contained in division G of*
13 *Public Law 105–277) is amended—*

14 (1) *in the first sentence, by striking “during the*
15 *period ending September 30, 1999”;*

16 (2) *in paragraph (4), by inserting before the pe-*
17 *riod at the end the following: “, including the specific*
18 *actions taken by the United States chief of mission in*
19 *the country to which the child is alleged to have been*
20 *abducted”;* and

21 (3) *by adding at the end the following new para-*
22 *graph:*

23 “(6) *a description of the efforts of the Secretary*
24 *of State to encourage the parties to the Convention to*
25 *facilitate the work of nongovernmental organizations*

1 *within their countries that assist parents seeking the*
2 *return of children under the Convention.”.*

3 **(b) COORDINATION IN THE UNITED STATES.**—*It is the*
4 *sense of Congress that the Secretary of State should continue*
5 *to work with the National Center for Missing and Exploited*
6 *Children in the United States to assist parents seeking the*
7 *return of, or access to, children brought to the United States*
8 *in violation of the Convention on the Civil Aspects of Inter-*
9 *national Child Abduction, done at The Hague on October*
10 *25, 1980.*

11 **SEC. 203. HUMAN RIGHTS REPORTING ON THE TREATMENT**
12 **OF CHILDREN.**

13 **(a) IN GENERAL.**—*It is the sense of Congress that the*
14 *annual human rights report by the Department of State*
15 *should include a section on each country regarding the*
16 *treatment of children in that country.*

17 **(b) CONTENTS OF REPORT SECTIONS.**—*Each report*
18 *section described in subsection (a) should include—*

19 **(1)** *a description of compliance by the country*
20 *with the Convention on the Civil Aspects of Inter-*
21 *national Child Abduction, done at The Hague on Oc-*
22 *tober 25, 1980;*

23 **(2)** *a description of the cooperation, or lack*
24 *thereof, in resolving cases of abducted children by*
25 *each country that is not a party to the Convention on*

1 *the Civil Aspects of International Child Abduction,*
2 *done at The Hague on October 25, 1980;*

3 (3) *the number of children who were abducted*
4 *and remain in the country, with special emphasis on*
5 *cases of more than one year in duration; and*

6 (4) *an identification of those cases that have re-*
7 *sulted in the successful return of children.*

8 **SEC. 204. STUDY FOR ESTABLISHMENT OF RUSSIAN DEMOC-**
9 **RACY FOUNDATION.**

10 (a) *IN GENERAL.*—*The Secretary of State shall con-*
11 *duct a study of the feasibility of establishing a Russia-based*
12 *foundation for the promotion of democratic institutions in*
13 *the Russian Federation.*

14 (b) *ALLOCATION OF FUNDS.*—*Of the funds authorized*
15 *to be appropriated for the Department of State for fiscal*
16 *year 2000, up to \$50,000 shall be available to carry out*
17 *this section.*

18 (c) *REPORT.*—*Not later than 90 days after the date*
19 *of enactment of this Act, the Secretary of State shall submit*
20 *a report to the appropriate congressional committees setting*
21 *forth the results of the study conducted under subsection (a).*

1 **SEC. 205. LIMITATION ON PARTICIPATION IN INTER-**
2 **NATIONAL EXPOSITIONS.**

3 *Section 230 of the Foreign Relations Authorization*
4 *Act, Fiscal Years 1994 and 1995 (22 U.S.C. 2452 note) is*
5 *amended—*

6 *(1) by striking “Notwithstanding” and inserting*
7 *“(a) LIMITATION.—Except as provided in subsection*
8 *(b) and notwithstanding”;* and

9 *(2) by adding at the end the following:*

10 *“(b) EXCEPTIONS.—Notwithstanding subsection (a),*
11 *the United States Information Agency may use funds to*
12 *carry out any of its responsibilities—*

13 *“(1) under section 102(a)(3) of the Mutual Edu-*
14 *cational and Cultural Exchange Act of 1961 (22*
15 *U.S.C. 2452(a)(3)) to provide for United States par-*
16 *ticipation in international fairs and expositions*
17 *abroad;*

18 *“(2) under section 105(f) of such Act (22 U.S.C.*
19 *2455(f)) with respect to encouraging foreign govern-*
20 *ments, international organizations, and private indi-*
21 *viduals, firms, associations, agencies, and other*
22 *groups to participate in international fairs and expo-*
23 *sitions and to make contributions to be utilized for*
24 *United States participation in international fairs*
25 *and expositions; or*

1 “(3) to facilitate support to the United States
2 Commissioner General for participation in inter-
3 national fairs and expositions.

4 “(c) *STATUTORY CONSTRUCTION.*—Nothing in sub-
5 section (b) authorizes the use of funds available to the
6 United States Information Agency to make any payment
7 for—

8 “(1) any contract, grant, or other agreement
9 with any other party to carry out any activity de-
10 scribed in subsection (b); or

11 “(2) the satisfaction of any legal judgment or the
12 cost of any litigation brought against the United
13 States Information Agency arising from any activity
14 described in subsection (b).”.

15 **SEC. 206. INSPECTOR GENERAL FOR THE INTER-AMERICAN**
16 **FOUNDATION AND THE AFRICAN DEVELOP-**
17 **MENT FOUNDATION.**

18 *Notwithstanding any other provision of law, the In-*
19 *spector General of the Agency for International Develop-*
20 *ment shall serve as the Inspector General of the Inter-Amer-*
21 *ican Foundation and the African Development Foundation*
22 *and shall have all the authorities and responsibilities with*
23 *respect to the Inter-American Foundation and the African*
24 *Development Foundation as the Inspector General has with*
25 *respect to the Agency for International Development.*

1 **Subtitle B—Consular Authorities**

2 **SEC. 211. FEES FOR MACHINE READABLE VISAS.**

3 *Section 140(a) of the Foreign Relations Authorization*
4 *Act, Fiscal Years 1994 and 1995 (Public Law 103–236; 8*
5 *U.S.C. 1351 note) is amended—*

6 *(1) by striking the first sentence of paragraph*
7 *(3), and inserting “For each of the fiscal years 2000*
8 *and 2001, any amount collected under paragraph (1)*
9 *that exceeds \$300,000,000 may be made available for*
10 *the purposes of paragraph (2) only if a notification*
11 *is submitted to Congress in accordance with the pro-*
12 *cedures applicable to reprogramming notifications*
13 *under section 34 of the State Department Basic Au-*
14 *thorities Act of 1956 (22 U.S.C. 2706).”;* and

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

16 **SEC. 212. FEES RELATING TO AFFIDAVITS OF SUPPORT.**

17 *(a) AUTHORITY TO CHARGE FEE.—The Secretary of*
18 *State may charge and retain a fee or surcharge for services*
19 *provided by the Department of State to any sponsor who*
20 *provides an affidavit of support under section 213A of the*
21 *Immigration and Nationality Act (8 U.S.C. 1183a) to en-*
22 *sure that such affidavit is properly completed before it is*
23 *forwarded to a consular post for adjudication by a consular*
24 *officer in connection with the adjudication of an immigrant*
25 *visa. Such fee or surcharge shall be in addition to and sepa-*

1 *rate from any fee imposed for immigrant visa application*
2 *processing and issuance, and shall recover only the costs*
3 *of such services not recovered by such fee.*

4 (b) *LIMITATION.*—*Any fee established under subsection*
5 *(a) shall be charged only once to a sponsor who files essen-*
6 *tially duplicative affidavits of support in connection with*
7 *separate immigrant visa applications from the spouse and*
8 *children of any petitioner required by the Immigration and*
9 *Nationality Act to petition separately for such persons.*

10 (c) *TREATMENT OF FEES.*—*Fees collected under the*
11 *authority of subsection (a) shall be deposited as an offset-*
12 *ting collection to any Department of State appropriation*
13 *to recover the cost of providing consular services.*

14 (d) *COMPLIANCE WITH BUDGET ACT.*—*Fees may be*
15 *collected under the authority of subsection (a) only to such*
16 *extent or in such amounts as are provided in advance in*
17 *an appropriation Act.*

18 **SEC. 213. PASSPORT FEES.**

19 (a) *APPLICATIONS.*—*Section 1 of the Passport Act of*
20 *June 4, 1920 (22 U.S.C. 214), is amended—*

21 (1) *in the first sentence—*

22 (A) *by striking “each passport issued” and*
23 *inserting “the filing of each application for a*
24 *passport (including the cost of passport issuance*
25 *and use)”;* and

1 (B) by striking “each application for a
2 passport;” and inserting “each such applica-
3 tion”; and

4 (2) by adding after the first sentence the fol-
5 lowing new sentence: “Such fees shall not be refund-
6 able, except as the Secretary may by regulation pre-
7 scribe.”.

8 (b) *REPEAL OF OUTDATED PROVISION ON PASSPORT*
9 *FEES*.—Section 4 of the Passport Act of June 4, 1920 (22
10 U.S.C. 216) is repealed.

11 **SEC. 214. DEATHS AND ESTATES OF UNITED STATES CITI-**
12 **ZENS ABROAD.**

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

15 (b) *AMENDMENT TO STATE DEPARTMENT BASIC AU-*
16 *THORITIES ACT*.—The State Department Basic Authorities
17 Act of 1956 is amended by inserting after section 43 (22
18 U.S.C. 2715) the following new sections:

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

21 “(a) *IN GENERAL*.—Whenever a United States citizen
22 or national dies abroad, a consular officer shall endeavor
23 to notify, or assist the Secretary of State in notifying, the
24 next of kin or legal guardian as soon as possible, except
25 that, in the case of death of any Peace Corps volunteer

1 *(within the meaning of section 5(a) of the Peace Corps Act*
2 *(22 U.S.C. 2504(a)), any member of the Armed Forces, any*
3 *dependent of such a volunteer or member, or any Depart-*
4 *ment of Defense employee, the consular officer shall assist*
5 *the Peace Corps or the appropriate military authorities, as*
6 *the case may be, in making such notifications.*

7 “(b) *REPORTS OF DEATH OR PRESUMPTIVE DEATH.—*
8 *The consular officer may, for any United States citizen who*
9 *dies abroad—*

10 “(1) *in the case of a finding of death by the ap-*
11 *propriate local authorities, issue a report of death or*
12 *of presumptive death; or*

13 “(2) *in the absence of a finding of death by the*
14 *appropriate local authorities, issue a report of pre-*
15 *sumptive death.*

16 “(c) *IMPLEMENTING REGULATIONS.—The Secretary of*
17 *State shall prescribe such regulations as may be necessary*
18 *to carry out this section.*

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

20 “(a) *CONSERVATION OF ESTATES ABROAD.—*

21 “(1) *AUTHORITY TO ACT AS CONSERVATOR.—*
22 *Whenever a United States citizen or national dies*
23 *abroad, a consular officer shall act as the provisional*
24 *conservator of the portion of the decedent’s estate lo-*

1 cated abroad and, subject to paragraphs (3), (4), and
2 (5), shall—

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

5 “(B) inventory and appraise the personal
6 effects of the decedent, sign the inventory, and
7 annex thereto a certificate as to the accuracy of
8 the inventory and appraised value of each arti-
9 cle;

10 “(C) when appropriate in the exercise of
11 prudent administration, collect the debts due to
12 the decedent in the officer’s jurisdiction and pay
13 from the estate the obligations owed by the dece-
14 dent;

15 “(D) sell or dispose of, as appropriate, in
16 the exercise of prudent administration, all per-
17 ishable items of property;

18 “(E) sell, after reasonable public notice and
19 notice to such next of kin as can be ascertained
20 with reasonable diligence, such additional items
21 of property as necessary to provide funds suffi-
22 cient to pay the decedent’s debts and property
23 taxes in the country of death, funeral expenses,
24 and other expenses incident to the disposition of
25 the estate;

1 “(F) upon the expiration of the one-year pe-
2 riod beginning on the date of death (or after such
3 additional period as may be required for final
4 settlement of the estate), if no claimant shall
5 have appeared, after reasonable public notice
6 and notice to such next of kin as can be
7 ascertained with reasonable diligence, sell or dis-
8 pose of the residue of the personal estate, except
9 as provided in subparagraph (G), in the same
10 manner as United States Government-owned for-
11 eign excess property;

12 “(G) transmit to the custody of the Sec-
13 retary of State in Washington, D.C. the proceeds
14 of any sales, together with all financial instru-
15 ments (including bonds, shares of stock, and
16 notes of indebtedness), jewelry, heirlooms, and
17 other articles of obvious sentimental value, to be
18 held in trust for the legal claimant; and

19 “(H) in the event that the decedent’s estate
20 includes an interest in real property located
21 within the jurisdiction of the officer and such in-
22 terest does not devolve by the applicable laws of
23 intestate succession or otherwise, provide for title
24 to the property to be conveyed to the Government

1 *of the United States unless the Secretary declines*
2 *to accept such conveyance.*

3 “(2) *AUTHORITY TO ACT AS ADMINISTRATOR.*—
4 *Subject to paragraphs (3) and (4), a consular officer*
5 *may act as administrator of an estate in exceptional*
6 *circumstances if expressly authorized to do so by the*
7 *Secretary of State.*

8 “(3) *EXCEPTIONS.*—*The responsibilities de-*
9 *scribed in paragraphs (1) and (2) may not be per-*
10 *formed to the extent that the decedent has left or there*
11 *is otherwise appointed, in the country where the death*
12 *occurred or where the decedent was domiciled, a legal*
13 *representative, partner in trade, or trustee appointed*
14 *to take care of his personal estate. If the decedent’s*
15 *legal representative shall appear at any time prior to*
16 *transmission of the estate to the Secretary and de-*
17 *mand the proceeds and effects being held by the con-*
18 *sular officer, the officer shall deliver them to the rep-*
19 *resentative after having collected any prescribed fee*
20 *for the services performed under this section.*

21 “(4) *ADDITIONAL REQUIREMENT.*—*In addition*
22 *to being subject to the limitations in paragraph (3),*
23 *the responsibilities described in paragraphs (1) and*
24 *(2) may not be performed unless—*

1 “(A) authorized by treaty provisions or per-
2 mitted by the laws or authorities of the country
3 wherein the death occurs, or the decedent is dom-
4 iciled; or

5 “(B) permitted by established usage in that
6 country.

7 “(5) *STATUTORY CONSTRUCTION.*—Nothing in
8 this section supersedes or otherwise affects the author-
9 ity of any military commander under title 10 of the
10 United States Code with respect to the person or
11 property of any decedent who died while under a
12 military command or jurisdiction or the authority of
13 the Peace Corps with respect to a Peace Corps volun-
14 teer or the volunteer’s property.

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

17 “(1) *PERSONAL ESTATES.*—

18 “(A) *IN GENERAL.*—After receipt of a per-
19 sonal estate pursuant to subsection (a), the Sec-
20 retary may seek payment of all outstanding
21 debts to the estate as they become due, may re-
22 ceive any balances due on such estate, may en-
23 dorse all checks, bills of exchange, promissory
24 notes, and other instruments of indebtedness
25 payable to the estate for the benefit thereof, and

1 *may take such other action as is reasonably nec-*
2 *essary for the conservation of the estate.*

3 “(B) *DISPOSITION AS SURPLUS UNITED*
4 *STATES PROPERTY.—If, upon the expiration of a*
5 *period of 5 fiscal years beginning on October 1*
6 *after a consular officer takes possession of a per-*
7 *sonal estate under subsection (a), no legal claim-*
8 *ant for such estate has appeared, title to the es-*
9 *tate shall be conveyed to the United States, the*
10 *property in the estate shall be under the custody*
11 *of the Department of State, and the Secretary*
12 *shall dispose of the estate in the same manner as*
13 *surplus United States Government-owned prop-*
14 *erty is disposed or by such means as may be ap-*
15 *propriate in light of the nature and value of the*
16 *property involved. The expenses of sales shall be*
17 *paid from the estate, and any lawful claim re-*
18 *ceived thereafter shall be payable to the extent of*
19 *the value of the net proceeds of the estate as a*
20 *refund from the appropriate Treasury appro-*
21 *priations account.*

22 “(C) *TRANSFER OF PROCEEDS.—The net*
23 *cash estate after disposition as provided in sub-*
24 *paragraph (B) shall be transferred to the mis-*

1 *cellaneous receipts account of the Treasury of the*
2 *United States.*

3 “(2) *REAL PROPERTY.*—

4 “(A) *DESIGNATION AS EXCESS PROP-*
5 *ERTY.*—*In the event that title to real property is*
6 *conveyed to the Government of the United States*
7 *pursuant to subsection (a)(1)(H) and is not re-*
8 *quired by the Department of State, such property*
9 *shall be considered foreign excess property under*
10 *title IV of the Federal Property and Administra-*
11 *tive Services Act of 1949 (40 U.S.C. 511 et seq.).*

12 “(B) *TREATMENT AS GIFT.*—*In the event*
13 *that the Department requires such property, the*
14 *Secretary of State shall treat such property as if*
15 *it were an unconditional gift accepted on behalf*
16 *of the Department of State under section 25 of*
17 *this Act and section 9(a)(3) of the Foreign Serv-*
18 *ice Buildings Act of 1926.*

19 “(c) *LOSSES IN CONNECTION WITH THE CONSERVA-*
20 *TION OF ESTATES.*—

21 “(1) *AUTHORITY TO COMPENSATE.*—*The Sec-*
22 *retary is authorized to compensate the estate of any*
23 *United States citizen who has died overseas for*
24 *property—*

1 “(A) *the conservation of which has been un-*
2 *dertaken under section 43 or subsection (a) of*
3 *this section; and*

4 “(B) *that has been lost, stolen, or destroyed*
5 *while in the custody of officers or employees of*
6 *the Department of State.*

7 “(2) *LIABILITY.—*

8 “(A) *EXCLUSION OF PERSONAL LIABILITY*
9 *AFTER PROVISION OF COMPENSATION.—Any such*
10 *compensation shall be in lieu of personal liabil-*
11 *ity of officers or employees of the Department of*
12 *State.*

13 “(B) *LIABILITY TO THE DEPARTMENT.—An*
14 *officer or employee of the Department of State*
15 *may be liable to the Department of State to the*
16 *extent of any compensation provided under*
17 *paragraph (1).*

18 “(C) *DETERMINATIONS OF LIABILITY.—The*
19 *liability of any officer or employee of the Depart-*
20 *ment of State to the Department for any pay-*
21 *ment made under subsection (a) shall be deter-*
22 *mined pursuant to the Department’s procedures*
23 *for determining accountability for United States*
24 *Government property.*

1 “(d) *REGULATIONS.*—*The Secretary of State may pre-*
2 *scribe such regulations as may be necessary to carry out*
3 *this section.*”.

4 “(c) *EFFECTIVE DATE.*—*The repeal and amendment*
5 *made by this section shall take effect six months after the*
6 *date of enactment of this Act.*

7 **SEC. 215. MAJOR DISASTERS AND OTHER INCIDENTS**
8 **ABROAD AFFECTING UNITED STATES CITI-**
9 **ZENS.**

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

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

14 (2) *by striking “disposition of personal effects”*
15 *in the last sentence and inserting “disposition of per-*
16 *sonal estates pursuant to section 43B”; and*

17 (3) *by adding at the end the following new sub-*
18 *section:*

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

1 **SEC. 216. MIKEY KALE PASSPORT NOTIFICATION ACT OF**
2 **1999.**

3 *(a) Not later than 180 days after the enactment of this*
4 *Act, the Secretary of State shall issue regulations that—*

5 *(1) provide that, in the issuance of a passport to*
6 *minors under the age of 18 years, both parents, a*
7 *guardian, or a person in loco parentis have—*

8 *(A) executed the application; and*

9 *(B) provided documentary evidence dem-*
10 *onstrating that they are the parents, guardian,*
11 *or person in loco parentis; and*

12 *(2) provide that, in the issuance of a passport to*
13 *minors under the age of 18 years, in those cases where*
14 *both parents have not executed the passport applica-*
15 *tion, the person executing the application has pro-*
16 *vided documentary evidence that such person—*

17 *(A) has sole custody of the child; or*

18 *(B) the other parent has provided consent to*
19 *the issuance of the passport.*

20 *The requirement of this paragraph shall not apply to*
21 *guardians or persons in loco parentis.*

22 *(b) The regulations required to be issued by this section*
23 *may provide for exceptions in exigent circumstances involv-*
24 *ing the health or welfare of the child.*

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

4 **Subtitle A—Organization Matters**

5 **SEC. 301. LEGISLATIVE LIAISON OFFICES OF THE DEPART-**
6 **MENT OF STATE.**

7 (a) *DEVELOPMENT OF PLAN.*—The Secretary of State
8 shall develop a plan for the establishment of legislative liai-
9 son offices for the Department of State within the office
10 buildings of the House of Representatives and the Senate.
11 In developing the plan, the Secretary should examine exist-
12 ing liaison offices of other executive departments that are
13 located in the congressional office buildings, including the
14 liaison offices of the military services.

15 (b) *PLAN ELEMENTS.*—The plan developed under sub-
16 section (a) shall consider—

17 (1) space requirements;

18 (2) cost implications;

19 (3) personnel structure; and

20 (4) the feasibility of modifying the Pearson Fel-
21 lowship program in order to require members of the
22 Foreign Service who serve in such fellowships to serve
23 a second year in a legislative liaison office.

24 (c) *TRANSMITTAL OF PLAN.*—Not later than October
25 1, 1999, the Secretary of State shall submit to the Com-

1 *mittee on International Relations and the Committee on*
 2 *House Administration of the House of Representatives and*
 3 *the Committee on Foreign Relations and the Committee on*
 4 *Rules and Administration of the Senate the plan developed*
 5 *under subsection (a).*

6 **SEC. 302. STATE DEPARTMENT OFFICIAL FOR NORTH-**
 7 **EASTERN EUROPE.**

8 *The Secretary of State shall designate an existing sen-*
 9 *ior-level official of the Department of State with responsi-*
 10 *bility for promoting regional cooperation in and coordi-*
 11 *nating United States policy toward Northeastern Europe.*

12 **SEC. 303. SCIENCE AND TECHNOLOGY ADVISER TO SEC-**
 13 **RETARY OF STATE.**

14 *(a) ESTABLISHMENT OF POSITION.—Section 1 of the*
 15 *State Department Basic Authorities Act of 1956 (22 U.S.C.*
 16 *2651a) is amended by adding at the end the following new*
 17 *subsection:*

18 *“(g) SCIENCE AND TECHNOLOGY ADVISER.—*

19 *“(1) IN GENERAL.—There shall be within the De-*
 20 *partment of State a Science and Technology Adviser*
 21 *(in this paragraph referred to as the ‘Adviser’). The*
 22 *Adviser shall report to the Secretary of State through*
 23 *the Under Secretary of State for Global Affairs.*

24 *“(2) DUTIES.—The Adviser shall—*

1 “(A) advise the Secretary of State, through
2 the Under Secretary of State for Global Affairs,
3 on international science and technology matters
4 affecting the foreign policy of the United States;
5 and

6 “(B) perform such duties, exercise such
7 powers, and have such rank and status as the
8 Secretary of State shall prescribe.”.

9 (b) *REPORT.*—Not later than six months after receipt
10 by the Secretary of State of the report by the National Re-
11 search Council of the National Academy of Sciences with
12 respect to the contributions that science, technology, and
13 health matters can make to the foreign policy of the United
14 States, the Secretary of State, acting through the Under
15 Secretary of State for Global Affairs, shall submit a report
16 to Congress setting forth the Secretary of State’s plans for
17 implementation, as appropriate, of the recommendations of
18 the report.

19 ***Subtitle B—Foreign Service Reform***

20 ***SEC. 311. FINDINGS.***

21 Congress makes the following findings:

22 (1) *To carry out its international relations and*
23 *diplomacy, the United States has relied on a profes-*
24 *sional career Foreign Service that was established by*
25 *law in 1924.*

1 (2) *The Foreign Service Act of 1980 accurately*
2 *states that the United States career foreign service is*
3 *essential to the national interest in that it assists the*
4 *President and the Secretary of State in conducting*
5 *the foreign affairs of the United States.*

6 (3) *The career Foreign Service is premised on a*
7 *membership that is characterized by excellence, intel-*
8 *ligence, professionalism, and integrity.*

9 (4) *Ethical, professional, and financial mis-*
10 *conduct by career members of the Foreign Service,*
11 *while uncommon, must be met with fair but swift dis-*
12 *ciplinary action. A failure to adequately discipline,*
13 *and in some cases remove from the Foreign Service,*
14 *those career members who violate laws or regulations*
15 *would erode the qualities of excellence required of*
16 *United States Foreign Service members.*

17 (5) *Retention of members of the Foreign Service*
18 *who do not meet high standards of conduct would in*
19 *the long term harm important national interests of*
20 *the United States.*

21 **SEC. 312. UNITED STATES CITIZENS HIRED ABROAD.**

22 *Section 408(a)(1) of the Foreign Service Act of 1980*
23 *(22 U.S.C. 3968(a)(1)) is amended in the last sentence—*

24 (1) *by striking “(A)” and all that follows*
25 *through “(B)”;* and

1 (2) by striking “this total compensation pack-
2 age” and insert “the compensation plan”.

3 **SEC. 313. LIMITATION ON PERCENTAGE OF SENIOR FOR-**
4 **IGN SERVICE ELIGIBLE FOR PERFORMANCE**
5 **PAY.**

6 Section 405(b)(1) of the Foreign Service Act of 1980
7 (22 U.S.C. 3965(b)(1)) is amended by striking “50” and
8 inserting “33”.

9 **SEC. 314. PLACEMENT OF SENIOR FOREIGN SERVICE PER-**
10 **SONNEL.**

11 The Director General of the Foreign Service shall sub-
12 mit a report on the first day of each fiscal quarter to the
13 appropriate congressional committees containing the fol-
14 lowing:

15 (1) The number of members of the Senior For-
16 eign Service.

17 (2) The number of vacant positions designated
18 for members of the Senior Foreign Service.

19 (3) The number of members of the Senior For-
20 eign Service who are not assigned to positions.

21 **SEC. 315. REPORT ON MANAGEMENT TRAINING.**

22 Not later than February 1, 2000, the Department of
23 State shall report to the appropriate congressional commit-
24 tees on the feasibility of modifying current training pro-
25 grams and curricula so that the Department can provide

1 *significant and comprehensive management training at all*
2 *career grades for Foreign Service personnel.*

3 **SEC. 316. WORKFORCE PLANNING FOR FOREIGN SERVICE**
4 **PERSONNEL BY FEDERAL AGENCIES.**

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

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

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

15 *“(i) maximum compatibility among agen-*
16 *cies utilizing the Foreign Service personnel sys-*
17 *tem, as provided for in section 203, and*

18 *“(ii) the development of uniform policies*
19 *and procedures and consolidated personnel func-*
20 *tions, as provided for in section 204.*

21 *“(B) A workforce plan for the subsequent five*
22 *years, including projected personnel needs, by grade*
23 *and by skill. Each such plan shall include for each*
24 *category the needs for foreign language proficiency,*
25 *geographic and functional expertise, and specialist*

1 *technical skills. Each workforce plan shall specifically*
2 *account for the training needs of Foreign Service per-*
3 *sonnel and shall delineate an intake program of gen-*
4 *eralist and specialist Foreign Service personnel to*
5 *meet projected future requirements.*

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

12 **SEC. 317. RECORDS OF DISCIPLINARY ACTIONS.**

13 (a) *IN GENERAL.*—*Section 604 of the Foreign Service*
14 *Act of 1980 (22 U.S.C. 4004) is amended—*

15 (1) *by striking “CONFIDENTIALITY OF*
16 *RECORDS.—” and inserting “RECORDS.—(a)”;* and

17 (2) *by adding at the end the following new sub-*
18 *section:*

19 “(b) *Notwithstanding subsection (a), any record of dis-*
20 *ciplinary action that includes a suspension of more than*
21 *five days taken against a member of the Service, including*
22 *any correction of that record under section 1107(b)(1), shall*
23 *remain a part of the personnel records until the member*
24 *is tenured as a career member of the Service or next pro-*
25 *moted.”.*

1 (b) *EFFECTIVE DATE.*—*The amendments made by this*
2 *section apply to all disciplinary actions initiated on or*
3 *after the date of enactment of this Act.*

4 **SEC. 318. LIMITATION ON SALARY AND BENEFITS FOR MEM-**
5 **BERS OF THE FOREIGN SERVICE REC-**
6 **OMMENDED FOR SEPARATION FOR CAUSE.**

7 Section 610(a) of the Foreign Service Act (22 U.S.C.
8 4010(a)) is amended by adding at the end the following
9 new paragraph:

10 “(6) Notwithstanding the hearing required by para-
11 graph (2), at the time the Secretary recommends that a
12 member of the Service be separated for cause, that member
13 shall be placed on leave without pay pending final resolu-
14 tion of the underlying matter, subject to reinstatement with
15 back pay if cause for separation is not established in a hear-
16 ing before the Board.”.

17 **SEC. 319. FOREIGN LANGUAGE PROFICIENCY.**

18 (a) *REPORT ON LANGUAGE PROFICIENCY.*—*Section*
19 *702 of the Foreign Service Act of 1980 (22 U.S.C. 4022)*
20 *is amended by adding at the end the following new sub-*
21 *section:*

22 “(c) Not later than March 31 of each year, the Director
23 General of the Foreign Service shall submit a report to the
24 Committee on Foreign Relations of the Senate and the Com-
25 mittee on International Relations of the House of Rep-

1 *representatives summarizing the number of positions in each*
2 *overseas mission requiring foreign language competence*
3 *that—*

4 “(1) *became vacant during the previous calendar*
5 *year; and*

6 “(2) *were filled by individuals having the re-*
7 *quired foreign language competence.”.*

8 (b) *REPEAL.—Section 304(c) of the Foreign Service*
9 *Act of 1980 (22 U.S.C. 3944(c)) is repealed.*

10 **SEC. 320. TREATMENT OF GRIEVANCE RECORDS.**

11 *Section 1103(d)(1) of the Foreign Service Act of 1980*
12 *(22 U.S.C. 4133(d)(1)) is amended by adding at the end*
13 *the following new sentence: “Nothing in this subsection pre-*
14 *vents a grievant from placing in the grievant’s personnel*
15 *records a rebuttal to accompany a record of disciplinary*
16 *action, nor prevents the Department from placing in the*
17 *file a statement that the disciplinary action has been re-*
18 *viewed and upheld by the Foreign Service Grievance*
19 *Board.”.*

20 **SEC. 321. DEADLINES FOR FILING GRIEVANCES.**

21 (a) *IN GENERAL.—Section 1104(a) of the Foreign*
22 *Service Act of 1980 (22 U.S.C. 4134(a)) is amended in the*
23 *first sentence by striking “within a period of 3 years” and*
24 *all that follows through the period and inserting “not later*
25 *than two years after the occurrence giving rise to the griev-*

1 *ance or, in the case of a grievance with respect to the griev-*
 2 *ant's rater or reviewer, one year after the date on which*
 3 *the grievant ceased to be subject to rating or review by that*
 4 *person, but in no case less than two years after the occur-*
 5 *rence giving rise to the grievance.”.*

6 (b) *GRIEVANCES ALLEGING DISCRIMINATION.*—*Sec-*
 7 *tion 1104 of that Act (22 U.S.C. 4134) is amended by strik-*
 8 *ing subsection (c).*

9 (c) *EFFECTIVE DATE.*—*The amendments made by this*
 10 *section shall take effect 180 days after the date of enactment*
 11 *of this Act and shall apply to grievances which arise on*
 12 *or after such effective date.*

13 **SEC. 322. REPORTS BY THE FOREIGN SERVICE GRIEVANCE**
 14 **BOARD.**

15 *Section 1105 of the Foreign Service Act of 1980 (22*
 16 *U.S.C. 4135) is amended by adding the following new sub-*
 17 *section:*

18 “(f)(1) *Not later than March 1 of each year, the Chair-*
 19 *man of the Foreign Service Grievance Board shall prepare*
 20 *a report summarizing the activities of the Board during*
 21 *the previous calendar year. The report shall include—*

22 “(A) *the number of cases filed;*

23 “(B) *the types of cases filed;*

24 “(C) *the number of cases on which a final deci-*
 25 *sion was reached, as well as data on the outcome of*

1 cases, whether affirmed, reversed, settled, withdrawn,
2 or dismissed;

3 “(D) the number of oral hearings conducted and
4 the length of each such hearing;

5 “(E) the number of instances in which interim
6 relief was granted by the Board; and

7 “(F) data on the average time for consideration
8 of a grievance, from the time of filing to a decision
9 of the Board.

10 “(2) The report required under paragraph (1) shall be
11 submitted to the Director General of the Foreign Service
12 and the Committee on Foreign Relations of the Senate and
13 the Committee on International Relations of the House of
14 Representatives.”.

15 **SEC. 323. EXTENSION OF USE OF FOREIGN SERVICE PER-**
16 **SONNEL SYSTEM.**

17 Section 202(a) of the Foreign Service Act of 1980 (22
18 U.S.C. 3922(a)) is amended by adding at the end the fol-
19 lowing new paragraph:

20 “(4)(A) Whenever (and to the extent) the Sec-
21 retary of State considers it in the best interests of the
22 United States Government, the Secretary of State
23 may authorize the head of any agency or other Gov-
24 ernment establishment (including any establishment
25 in the legislative or judicial branch) to appoint under

1 *section 303 individuals described in subparagraph*
2 *(B) as members of the Service and to utilize the For-*
3 *oreign Service personnel system with respect to such in-*
4 *dividuals under such regulations as the Secretary of*
5 *State may prescribe.*

6 *“(B) The individuals referred to in subpara-*
7 *graph (A) are individuals hired for employment*
8 *abroad under section 311(a).”.*

9 ***Subtitle C—Other Personnel***
10 ***Matters***

11 ***SEC. 331. BORDER EQUALIZATION PAY ADJUSTMENT.***

12 *(a) IN GENERAL.—Chapter 4 of title I of the Foreign*
13 *Service Act of 1980 (22 U.S.C. 3961 et seq.) is amended*
14 *by adding at the end the following new section:*

15 ***“SEC. 414. BORDER EQUALIZATION PAY ADJUSTMENT.***

16 *“(a) IN GENERAL.—An employee who regularly com-*
17 *mutates from the employee’s place of residence in the conti-*
18 *ental United States to an official duty station in Canada*
19 *or Mexico shall receive a border equalization pay adjust-*
20 *ment equal to the amount of comparability payments under*
21 *section 5304 of title 5, United States Code, that the em-*
22 *ployee would receive if the employee were assigned to an*
23 *official duty station within the United States locality pay*
24 *area closest to the employee’s official duty station.*

1 “(b) *EMPLOYEE DEFINED.*—For purposes of this sec-
2 tion, the term ‘employee’ means a person who—

3 “(1) is an ‘employee’ as defined under section
4 2105 of title 5, United States Code; and

5 “(2) is employed by the Department of State, the
6 United States Agency for International Development,
7 or the International Joint Commission of the United
8 States and Canada (established under Article VII of
9 the treaty signed January 11, 1909) (36 Stat. 2448),
10 except that the term shall not include members of the
11 Service (as specified in section 103).

12 “(c) *TREATMENT AS BASIC PAY.*—An equalization pay
13 adjustment paid under this section shall be considered to
14 be part of basic pay for the same purposes for which com-
15 parability payments are considered to be part of basic pay
16 under section 5304 of title 5, United States Code.

17 “(d) *REGULATIONS.*—The heads of the agencies re-
18 ferred to in subsection (b)(2) may prescribe regulations to
19 carry out this section.”.

20 (b) *CONFORMING AMENDMENT.*—The table of contents
21 for the Foreign Service Act of 1980 is amended by inserting
22 after the item relating to section 413 the following new item:

“Sec. 414. Border equalization pay adjustment.”.

1 **SEC. 332. TREATMENT OF CERTAIN PERSONS REEMPLOYED**
2 **AFTER SERVICE WITH INTERNATIONAL ORGA-**
3 **NIZATIONS.**

4 (a) *IN GENERAL.*—Title 5 of the United States Code
5 is amended by inserting after section 8432b the following
6 new section:

7 **“§8432c. Contributions of certain persons reemployed**
8 **after service with international organiza-**
9 **tions**

10 “(a) *In this section, the term ‘covered person’ means*
11 *any person who—*

12 “(1) *transfers from a position of employment*
13 *covered by chapter 83 or 84 or subchapter I or II of*
14 *chapter 8 of the Foreign Service Act of 1980 to a po-*
15 *sition of employment with an international organiza-*
16 *tion pursuant to section 3582;*

17 “(2) *pursuant to section 3582 elects to retain*
18 *coverage, rights, and benefits under any system estab-*
19 *lished by law for the retirement of persons during the*
20 *period of employment with the international organi-*
21 *zation and currently deposits the necessary deductions*
22 *in payment for such coverage, rights, and benefits in*
23 *the system’s fund; and*

24 “(3) *is reemployed pursuant to section 3582(b)*
25 *to a position covered by chapter 83 or 84 or sub-*
26 *chapter I or II of chapter 8 of the Foreign Service Act*

1 of 1980 after separation from the international orga-
2 nization.

3 “(b)(1) Each covered person may contribute to the
4 Thrift Savings Fund, in accordance with this subsection,
5 an amount not to exceed the amount described in paragraph
6 (2).

7 “(2) The maximum amount which a covered person
8 may contribute under paragraph (1) is equal to—

9 “(A) the total amount of all contributions under
10 section 8351(b)(2) or 8432(a), as applicable, which
11 the person would have made over the period beginning
12 on the date of transfer of the person (as described in
13 subsection (a)(1)) and ending on the day before the
14 date of reemployment of the person (as described in
15 subsection (a)(3)), minus

16 “(B) the total amount of all contributions, if
17 any, under section 8351(b)(2) or 8432(a), as applica-
18 ble, actually made by the person over the period de-
19 scribed in subparagraph (A).

20 “(3) Contributions under paragraph (1)—

21 “(A) shall be made at the same time and in the
22 same manner as would any contributions under sec-
23 tion 8351(b)(2) or 8432(a), as applicable;

24 “(B) shall be made over the period of time speci-
25 fied by the person under paragraph (4)(B); and

1 “(C) shall be in addition to any contributions
2 actually being made by the person during that period
3 under section 8351(b)(2) or 8432(a), as applicable.

4 “(4) The Executive Director shall prescribe the time,
5 form, and manner in which a covered person may specify—

6 “(A) the total amount the person wishes to con-
7 tribute with respect to any period described in para-
8 graph (2)(A); and

9 “(B) the period of time over which the covered
10 person wishes to make contributions under this sub-
11 section.

12 “(c) If a covered person who makes contributions
13 under section 8432(a) makes contributions under subsection
14 (b), the agency employing the person shall make those con-
15 tributions to the Thrift Savings Fund on the person’s behalf
16 in the same manner as contributions are made for an em-
17 ployee described in section 8432b(a) under sections
18 8432b(c), 8432b(d), and 8432b(f). Amounts paid under this
19 subsection shall be paid in the same manner as amounts
20 are paid under section 8432b(g).

21 “(d) For purposes of any computation under this sec-
22 tion, a covered person shall, with respect to the period de-
23 scribed in subsection (b)(2)(A), be considered to have been
24 paid at the rate which would have been payable over such
25 period had the person remained continuously employed in

1 *the position that the person last held before transferring to*
 2 *the international organization.*

3 “(e) *For purposes of section 8432(g), a covered person*
 4 *shall be credited with a period of civilian service equal to*
 5 *the period beginning on the date of transfer of the person*
 6 *(as described in subsection (a)(1)) and ending on the day*
 7 *before the date of reemployment of the person (as described*
 8 *in subsection (a)(3)).*

9 “(f) *The Executive Director shall prescribe regulations*
 10 *to carry out this section.*”.

11 (b) **CONFORMING AMENDMENT.**—*The table of sections*
 12 *for chapter 84 of title 5, United States Code, is amended*
 13 *by inserting after the item relating to section 8432b the fol-*
 14 *lowing:*

“8432c. Contributions of certain persons reemployed after service with inter-
national organizations.”.

15 (c) **EFFECTIVE DATE.**—*The amendment made by sub-*
 16 *section (a) shall apply to persons reemployed on or after*
 17 *the date of enactment of this Act.*

18 **SEC. 333. HOME SERVICE TRANSFER ALLOWANCE.**

19 *Section 5922 of title 5, United States Code is amended*
 20 *by adding at the end the following new subsection:*

21 “(f) *Upon the death of an employee, a transfer allow-*
 22 *ance under section 5924(2)(B) may be furnished to any*
 23 *spouse or dependent of such employee for the purpose of re-*
 24 *turning such spouse or dependent to the United States.*”.

1 **SEC. 334. PARENTAL CHOICE IN EDUCATION.**

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

4 *(1) in subparagraph (A), by striking “between*
5 *that post and the nearest locality where adequate*
6 *schools are available,” and inserting “between that*
7 *post and the school chosen by the employee, not to ex-*
8 *ceed the total cost to the Government of the dependent*
9 *attending an adequate school in the nearest locality*
10 *where an adequate school is available,”; and*

11 *(2) by adding at the end the following new sub-*
12 *paragraph:*

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

22 **SEC. 335. MEDICAL EMERGENCY ASSISTANCE.**

23 *Section 5927 of title 5, United States Code, is*
24 *amended—*

25 *(1) by inserting “(a)” before “Up”; and*

26 *(2) by adding at the end the following:*

1 “(b)(1) Subject to paragraph (2), up to three months’
2 pay may be paid in advance to—

3 “(A) a United States citizen employee of an
4 agency (other than a United States citizen employed
5 under section 311(a) of the Foreign Service Act of
6 1980 (22 U.S.C. 3951(a))—

7 “(i) who is assigned or located outside of the
8 United States pursuant to Government author-
9 ization; and

10 “(ii) who must, or has a family member
11 who must, undergo outside of the United States
12 medical treatment of the nature specified in reg-
13 ulations promulgated by the Secretary of State;
14 and

15 “(B) each foreign national employee appointed
16 under section 303 of the Foreign Service Act of 1980
17 (22 U.S.C. 3943) and each United States citizen em-
18 ployed under section 311(a) of that Act (22 U.S.C.
19 3951(a)) who is not a family member of a government
20 employee assigned abroad—

21 “(i) who is located outside of the country of
22 employment pursuant to United States Govern-
23 ment authorization; and

24 “(ii) who must undergo outside the country
25 of employment medical treatment of the nature

1 *specified in regulations promulgated by the Sec-*
2 *retary of State.*

3 “(2) *Not more than 3 months pay may be advanced*
4 *to an employee with respect to any single illness or injury,*
5 *without regard to the number of courses of medical treat-*
6 *ment required by the employee.*

7 “(3)(A) *Subject to the adjustment of the account of an*
8 *employee under subparagraph (B) and other applicable*
9 *provisions of law, the amount paid to an employee in ad-*
10 *vance shall be equal to the rate of pay authorized with re-*
11 *spect to the employee on the date the advance payment is*
12 *made under agency procedures governing other advance*
13 *payments permitted under this subchapter.*

14 “(B) *The head of each agency shall provide for—*

15 “(i) *the review of the account of each employee*
16 *of the agency who receives any advance payment*
17 *under this section; and*

18 “(ii) *the recovery of the amount of pay or waiver*
19 *thereof.*

20 “(4) *For the purposes of this subsection, the term*
21 *‘country of employment’ means the country outside the*
22 *United States where the employee was appointed for em-*
23 *ployment or employed by the United States Government.”.*

1 **SEC. 336. REPORT CONCERNING FINANCIAL DISADVAN-**
2 **TAGES FOR ADMINISTRATIVE AND TECH-**
3 **NICAL PERSONNEL.**

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

8 (b) *REPORT.*—Not later than 1 year after the date of
9 the enactment of this Act, the Secretary of State shall sub-
10 mit a report to the appropriate congressional committees
11 concerning the extent to which administrative and technical
12 personnel posted to United States missions abroad who do
13 not have diplomatic status suffer financial disadvantages
14 from their lack of such status, including proposals to allevi-
15 ate such disadvantages.

16 **SEC. 337. STATE DEPARTMENT INSPECTOR GENERAL AND**
17 **PERSONNEL INVESTIGATIONS.**

18 (a) *AMENDMENT OF THE FOREIGN SERVICE ACT of*
19 *1980.*—Section 209(c) of the Foreign Service Act of 1980
20 (22 U.S.C. 3929(c)) is amended by adding at the end the
21 following:

22 “(5) *INVESTIGATIONS.*—

23 “(A) *CONDUCT OF INVESTIGATIONS.*—In
24 conducting investigations of potential violations
25 of Federal criminal law or Federal regulations,
26 the Inspector General shall—

1 “(i) abide by professional standards
2 applicable to Federal law enforcement agen-
3 cies; and

4 “(ii) permit each subject of an inves-
5 tigation an opportunity to provide excul-
6 patory information.

7 “(B) *REPORTS OF INVESTIGATIONS.*—In
8 order to ensure that reports of investigations are
9 thorough and accurate, the Inspector General
10 shall—

11 “(i) make every reasonable effort to en-
12 sure that any person named in a report of
13 investigation has been afforded an oppor-
14 tunity to refute any allegation or assertion
15 made regarding that person’s actions;

16 “(ii) include in every report of inves-
17 tigation any exculpatory information, as
18 well as any inculpatory information, that
19 has been discovered in the course of the in-
20 vestigation.”.

21 (b) *ANNUAL REPORT.*—Section 209(d)(2) of the For-
22 eign Service Act of 1980 (22 U.S.C. 3929(d)(2)) is
23 amended—

24 (1) by striking “and” at the end of subpara-
25 graph (D);

1 (2) *by striking the period at the end of subpara-*
2 *graph (E) and inserting “; and”; and*

3 (3) *by inserting after subparagraph (E) the fol-*
4 *lowing new subparagraph:*

5 *“(F) a description, which may be included,*
6 *if necessary, in the classified portion of the re-*
7 *port, of any instance in a case that was closed*
8 *during the period covered by the report when the*
9 *Inspector General decided not to afford an indi-*
10 *vidual the opportunity described in subsection*
11 *(c)(5)(B)(i) to refute any allegation or assertion,*
12 *and the rationale for denying such individual*
13 *that opportunity.”.*

14 (c) *STATUTORY CONSTRUCTION.—Nothing in the*
15 *amendments made by this section may be construed to*
16 *modify—*

17 (1) *section 209(d)(4) of the Foreign Service Act*
18 *of 1980 (22 U.S.C. 3929(d)(4));*

19 (2) *section 7(b) of the Inspector General Act of*
20 *1978 (5 U.S.C. app.);*

21 (3) *the Privacy Act of 1974 (5 U.S.C. 552a); or*

22 (4) *the provisions of section 2302(b)(8) of title 5*
23 *(relating to whistleblower protection).*

1 (d) *EFFECTIVE DATE.*—*The amendments made by this*
2 *section shall apply to cases opened on or after the date of*
3 *the enactment of this Act.*

4 **TITLE IV—EMBASSY SECURITY**
5 **AND COUNTERTERRORISM**
6 **MEASURES**

7 **SEC. 401. SHORT TITLE.**

8 *This title may be cited as the “Secure Embassy Con-*
9 *struction and Counterterrorism Act of 1999”.*

10 **SEC. 402. FINDINGS.**

11 *Congress makes the following findings:*

12 (1) *On August 7, 1998, the United States embas-*
13 *sies in Nairobi, Kenya, and in Dar es Salaam, Tan-*
14 *zania, were destroyed by simultaneously exploding*
15 *bombs. The resulting explosions killed 220 persons*
16 *and injured more than 4,000 others. Twelve Ameri-*
17 *cans and 40 Kenyan and Tanzanian employees of the*
18 *United States Foreign Service were killed in the at-*
19 *tack.*

20 (2) *The United States personnel in both Dar es*
21 *Salaam and Nairobi showed leadership and personal*
22 *courage in their response to the attacks. Despite the*
23 *havoc wreaked upon the embassies, staff in both em-*
24 *bassies provided rapid response in locating and res-*

1 *cuing victims, providing emergency assistance, and*
2 *quickly restoring embassy operations during a crisis.*

3 (3) *The bombs are believed to have been set by*
4 *individuals associated with Osama bin Laden, leader*
5 *of a known transnational terrorist organization. In*
6 *February 1998, bin Laden issued a directive to his*
7 *followers that called for attacks against United States*
8 *interests anywhere in the world.*

9 (4) *Following the bombings, additional threats*
10 *have been made against United States diplomatic fa-*
11 *cilities.*

12 (5) *Accountability Review Boards were convened*
13 *following the bombings, as required by Public Law*
14 *99–399, chaired by Admiral William J. Crowe,*
15 *United States Navy (Ret.) (in this section referred to*
16 *as the “Crowe panels”).*

17 (6) *The conclusions of the Crowe panels were*
18 *strikingly similar to those stated by the Commission*
19 *chaired by Admiral Bobby Ray Inman, which issued*
20 *an extensive embassy security report more than 14*
21 *years ago.*

22 (7) *The Crowe panels issued a report setting out*
23 *many problems with security at United States diplo-*
24 *matic facilities, in particular the following:*

1 (A) *The United States Government has de-*
2 *voted inadequate resources to security against*
3 *terrorist attacks.*

4 (B) *The United States Government places*
5 *too low a priority on security concerns.*

6 (8) *The result has been a failure to take adequate*
7 *steps to prevent tragedies such as the bombings in*
8 *Kenya and Tanzania.*

9 (9) *The Crowe panels found that there was an*
10 *institutional failure on the part of the Department of*
11 *State to recognize threats posed by transnational ter-*
12 *rorism and vehicular bombs.*

13 (10) *Responsibility for ensuring adequate re-*
14 *sources for security programs is widely shared*
15 *throughout the United States Government, including*
16 *Congress. Unless the vulnerabilities identified by the*
17 *Crowe panels are addressed in a sustained and finan-*
18 *cially realistic manner, the lives and safety of United*
19 *States employees in diplomatic facilities will continue*
20 *to be at risk from further terrorist attacks.*

21 (11) *Although service in the Foreign Service or*
22 *other United States Government positions abroad can*
23 *never be completely without risk, the United States*
24 *Government must take all reasonable steps to mini-*
25 *mize security risks.*

1 **SEC. 403. UNITED STATES DIPLOMATIC FACILITY DEFINED.**

2 *In this title, the terms “United States diplomatic facil-*
3 *ity” and “diplomatic facility” mean any chancery, con-*
4 *sulate, or other office building used by a United States dip-*
5 *lomatic mission or consular post or by personnel of any*
6 *agency of the United States abroad, except that those terms*
7 *do not include any facility under the command of a United*
8 *States area military commander.*

9 **SEC. 404. AUTHORIZATIONS OF APPROPRIATIONS.**

10 (a) *ESTABLISHMENT OF ACCOUNT.—There is estab-*
11 *lished in the general fund of the Treasury of the United*
12 *States an appropriations account for the Department of*
13 *State which shall be known as the “Embassy Construction*
14 *and Security” account.*

15 (b) *PURPOSES.—Funds made available under the*
16 *“Embassy Construction and Security” account may be used*
17 *only for the purposes of—*

18 (1) *the acquisition of United States diplomatic*
19 *facilities and, if necessary, any residences or other*
20 *structures located in close physical proximity to such*
21 *facilities, or*

22 (2) *the provision of major security enhancements*
23 *to United States diplomatic facilities,*
24 *necessary to bring the United States Government into com-*
25 *pliance with all requirements applicable to the security of*

1 *United States diplomatic facilities, including the relevant*
2 *requirements set forth in section 406.*

3 (c) *AUTHORIZATIONS OF APPROPRIATIONS.—*

4 (1) *IN GENERAL.—There are authorized to be ap-*
5 *propriated to the Department of State under “Em-*
6 *bassy Construction and Security”—*

7 (A) *for fiscal year 2000, \$600,000,000;*

8 (B) *for fiscal year 2001, \$600,000,000;*

9 (C) *for fiscal year 2002, \$600,000,000;*

10 (D) *for fiscal year 2003, \$600,000,000; and*

11 (E) *for fiscal year 2004, \$600,000,000.*

12 (2) *AVAILABILITY OF AUTHORIZATIONS.—Au-*
13 *thorizations of appropriations under paragraph (1)*
14 *shall remain available until the appropriations are*
15 *made.*

16 (3) *AVAILABILITY OF FUNDS.—Amounts appro-*
17 *priated pursuant to paragraph (1) are authorized to*
18 *remain available until expended.*

19 **SEC. 405. OBLIGATIONS AND EXPENDITURES.**

20 (a) *REPORT AND PRIORITY OF OBLIGATIONS.—*

21 (1) *REPORT.—Not later than 90 days after the*
22 *date of enactment of this Act, and on February 1 of*
23 *each year for 5 years thereafter, the Secretary of State*
24 *shall submit a classified report to the appropriate*
25 *congressional committees identifying each diplomatic*

1 *facility that is a priority for replacement or for any*
2 *major security enhancement because of its vulner-*
3 *ability to terrorist attack (by reason of the terrorist*
4 *threat and the current condition of the facility). The*
5 *report shall list such facilities in groups of 20. The*
6 *groups shall be ranked in order from most vulnerable*
7 *to least vulnerable to such an attack.*

8 (2) *PRIORITY ON USE OF FUNDS.—*

9 (A) *IN GENERAL.—Except as provided in*
10 *subparagraph (B), funds made available in the*
11 *“Embassy Construction and Security” account*
12 *for a particular project may be used only for*
13 *those facilities which are listed in the first four*
14 *groups described in paragraph (1).*

15 (B) *EXCEPTIONS.—Funds made available*
16 *in the “Embassy Construction and Security” ac-*
17 *count may be used for facilities which are not in*
18 *the first four groups, if the Secretary of State*
19 *certifies to the appropriate congressional com-*
20 *mittees that such use of the funds is in the na-*
21 *tional interest of the United States.*

22 (b) *CONGRESSIONAL NOTIFICATION REQUIRED PRIOR*
23 *TO TRANSFER OF FUNDS.—Prior to the transfer of funds*
24 *from the “Embassy Construction and Security” account to*
25 *any other account, the Secretary of State shall notify the*

1 *appropriate congressional committees in accordance with*
2 *the procedures applicable to a reprogramming of funds*
3 *under section 34(a) of the State Department Basic Authori-*
4 *ties Act of 1956 (22 U.S.C. 2706(a)).*

5 *(c) SEMIANNUAL REPORTS ON ACQUISITION AND*
6 *MAJOR SECURITY UPGRADES.—On June 1 and December*
7 *1 of each year, the Secretary of State shall submit a report*
8 *to the appropriate congressional committees on the embassy*
9 *construction and security program authorized under this*
10 *title. The report shall include—*

11 *(1) obligations and expenditures—*

12 *(A) during the previous six months; and*

13 *(B) since the establishment of the “Embassy*
14 *Construction and Security” account;*

15 *(2) projected obligations and expenditures during*
16 *the four fiscal quarters following the submission of the*
17 *report, and how these obligations and expenditures*
18 *will improve security conditions of specific diplomatic*
19 *facilities; and*

20 *(3) the status of ongoing acquisition and major*
21 *security enhancement projects, including any signifi-*
22 *cant changes in—*

23 *(A) the anticipated budgetary requirements*
24 *for such projects;*

1 (B) *the anticipated schedule of such*
2 *projects; and*

3 (C) *the anticipated scope of the projects.*

4 **SEC. 406. SECURITY REQUIREMENTS FOR UNITED STATES**

5 **DIPLOMATIC FACILITIES.**

6 (a) *IN GENERAL.—The following security require-*
7 *ments shall apply with respect to United States diplomatic*
8 *facilities:*

9 (1) *THREAT ASSESSMENTS.—*

10 (A) *EMERGENCY ACTION PLAN.—The Emer-*
11 *gency Action Plan (EAP) of each United States*
12 *mission shall address the threat of large explosive*
13 *attacks from vehicles and the safety of employees*
14 *during such an explosive attack.*

15 (B) *SECURITY ENVIRONMENT THREAT*
16 *LIST.—The Security Environment Threat List*
17 *shall contain a section that addresses potential*
18 *acts of international terrorism against United*
19 *States diplomatic facilities based on threat iden-*
20 *tification criteria that emphasize the threat of*
21 *transnational terrorism and include the local se-*
22 *curity environment, host government support,*
23 *and other relevant factors such as cultural reali-*
24 *ties.*

25 (2) *SITE SELECTION.—*

1 (A) *IN GENERAL.*—*In selecting sites for new*
2 *United States diplomatic facilities abroad, all*
3 *personnel of United States Government agencies*
4 *except those under the command of a United*
5 *States area military commander shall be located*
6 *on the same compound.*

7 (B) *WAIVER.*—

8 (i) *IN GENERAL.*—*The Secretary of*
9 *State may waive subparagraph (A) if—*

10 (I) *the Secretary and the head of*
11 *each agency employing affected per-*
12 *sonnel determine and certify to the ap-*
13 *propriate congressional committees*
14 *that security so permits, and it is in*
15 *the national interest of the United*
16 *States to do so; and*

17 (II) *the Secretary provides the ap-*
18 *propriate congressional committees in*
19 *writing the reasons justifying the de-*
20 *termination under subclause (I).*

21 (ii) *AUTHORITY NOT DELEGABLE.*—
22 *The Secretary may not delegate the author-*
23 *ity provided in clause (i).*

24 (C) *CONGRESSIONAL NOTIFICATION.*—*Any*
25 *waiver under this paragraph may be exercised*

1 *only on a date that is at least 15 days after noti-*
2 *fication of the intention to waive this paragraph*
3 *has been provided to the appropriate congress-*
4 *sional committees.*

5 (3) *PERIMETER DISTANCE.*—

6 (A) *REQUIREMENT.*—*Each newly acquired*
7 *United States diplomatic facility shall be sited*
8 *not less than 100 feet from the perimeter of the*
9 *property on which the facility is to be situated.*

10 (B) *WAIVER.*—

11 (i) *IN GENERAL.*—*The Secretary of*
12 *State may waive subparagraph (A) if—*

13 (I) *the Secretary determines and*
14 *certifies to the appropriate congress-*
15 *sional committees that security so per-*
16 *mits, and it is in the national interest*
17 *of the United States to do so; and*

18 (II) *the Secretary provides the ap-*
19 *propriate congressional committees in*
20 *writing the reasons justifying the de-*
21 *termination under subclause (I).*

22 (ii) *AUTHORITY NOT DELEGABLE.*—

23 *The Secretary may not delegate the author-*
24 *ity provided in clause (i).*

25 (4) *CRISIS MANAGEMENT TRAINING.*—

1 (A) *TRAINING OF HEADQUARTERS STAFF.*—

2 *The appropriate personnel of the Department of*
3 *State headquarters staff shall undertake crisis*
4 *management training for mass casualty and*
5 *mass destruction incidents relating to diplomatic*
6 *facilities for the purpose of bringing about a*
7 *rapid response to such incidents from Depart-*
8 *ment of State headquarters in Washington, D.C.*

9 (B) *TRAINING OF PERSONNEL ABROAD.*—A

10 *program of appropriate instruction in crisis*
11 *management shall be provided to personnel at*
12 *United States diplomatic facilities abroad.*

13 (5) *STATE DEPARTMENT SUPPORT.*—

14 (A) *FOREIGN EMERGENCY SUPPORT*
15 *TEAM.*—*The Foreign Emergency Support Team*
16 *(FEST) of the Department of State shall receive*
17 *sufficient support from the Department,*
18 *including—*

19 (i) *conducting routine training exer-*
20 *cises of the FEST;*

21 (ii) *providing personnel identified to*
22 *serve on the FEST as a collateral duty;*

23 (iii) *providing personnel to assist in*
24 *activities such as security, medical relief,*

1 *public affairs, engineering, and building*
2 *safety; and*

3 *(iv) providing such additional support*
4 *as may be necessary to enable the FEST to*
5 *provide support in a post-crisis environ-*
6 *ment involving mass casualties and phys-*
7 *ical damage.*

8 *(B) FEST AIRCRAFT.—*

9 *(i) REPLACEMENT AIRCRAFT.—The*
10 *President shall develop a plan to replace on*
11 *a priority basis the current FEST aircraft*
12 *funded by the Department of Defense with*
13 *a dedicated, capable, and reliable replace-*
14 *ment aircraft and backup aircraft, to be op-*
15 *erated and maintained by the Department*
16 *of Defense.*

17 *(ii) REPORT.—Not later than 60 days*
18 *after the date of enactment of this Act, the*
19 *President shall submit a report to the ap-*
20 *propriate congressional committees describ-*
21 *ing the aircraft selected pursuant to clause*
22 *(i) and the arrangements for the funding,*
23 *operation, and maintenance of that aircraft.*

24 *(6) RAPID RESPONSE PROCEDURES.—The Sec-*
25 *retary of State shall enter into a memorandum of un-*

1 *derstanding with the Secretary of Defense setting out*
2 *rapid response procedures for mobilization of per-*
3 *sonnel and equipment of their respective departments*
4 *to provide more effective assistance in times of emer-*
5 *gency with respect to United States diplomatic facili-*
6 *ties.*

7 (7) *STORAGE OF EMERGENCY EQUIPMENT AND*
8 *RECORDS.—All United States diplomatic facilities*
9 *shall have emergency equipment and records required*
10 *in case of an emergency situation stored at an off-site*
11 *facility.*

12 (b) *NATIONAL SECURITY WAIVER.—*

13 (1) *IN GENERAL.—The President may waive the*
14 *application of paragraph (2) or (3) of subsection (a)*
15 *with respect to a diplomatic facility, other than a*
16 *United States diplomatic mission or consular post or*
17 *a United States Agency for International Develop-*
18 *ment mission, if the President determines that—*

19 (A) *it is important to the national security*
20 *of the United States to so exempt that facility;*
21 *and*

22 (B) *all feasible steps are being taken, con-*
23 *sistent with the national security requirements*
24 *that require the waiver, to minimize the risk and*

1 *the possible consequences of a terrorist attack in-*
2 *volving that facility or its personnel.*

3 (2) *PERIODIC REPORTS.*—

4 (A) *IN GENERAL.*—*Not later than January*
5 *1, 2000, and every six months thereafter, the*
6 *President shall submit to the appropriate con-*
7 *gressional committees a classified report*
8 *describing—*

9 (i) *the waivers that have been exercised*
10 *under this subsection during the preceding*
11 *six-month period or, in the case of the ini-*
12 *tial report, during the period since the date*
13 *of enactment of this Act; and*

14 (ii) *the steps taken to maintain max-*
15 *imum feasible security at the facilities in-*
16 *volved.*

17 (B) *SPECIAL RULE.*—*Any waiver that, for*
18 *national security reasons, may not be described*
19 *in a report required by subparagraph (A) shall*
20 *be noted in that report and described in an ap-*
21 *pendix submitted to the congressional committees*
22 *with direct oversight responsibility for the facil-*
23 *ity.*

1 (c) *STATUTORY CONSTRUCTION.*—*Nothing in this sec-*
2 *tion alters or amends existing security requirements not ad-*
3 *dressed by this section.*

4 **SEC. 407. CLOSURE OF VULNERABLE POSTS.**

5 (a) *REVIEW.*—*The Secretary of State shall review the*
6 *findings of the Overseas Presence Advisory Panel.*

7 (b) *REPORT.*—

8 (1) *IN GENERAL.*—*Not later than 120 days after*
9 *submission of the Overseas Presence Panel Report, the*
10 *Secretary of State shall submit a report to Congress*
11 *setting forth the results of the review conducted under*
12 *subsection (a).*

13 (2) *ELEMENTS OF THE REPORT.*—*The report*
14 *shall—*

15 (A) *specify whether any United States dip-*
16 *lomatic facility should be closed because—*

17 (i) *the facility is highly vulnerable and*
18 *subject to threat of terrorist attack; and*

19 (ii) *adequate security enhancements*
20 *cannot be provided to the facility;*

21 (B) *in the event that closure of a diplomatic*
22 *facility is required, identify plans to provide se-*
23 *ecure premises for permanent use by the United*
24 *States diplomatic mission, whether in country or*
25 *in a regional United States diplomatic facility,*

1 *or for temporary occupancy by the mission in a*
2 *facility pending acquisition of new buildings;*

3 *(C) outline the potential for reduction or*
4 *transfer of personnel or closure of missions if*
5 *technology is adequately exploited for maximum*
6 *efficiencies;*

7 *(D) examine the possibility of creating re-*
8 *gional missions in certain parts of the world;*

9 *(E) in the case of diplomatic facilities that*
10 *are part of the Special Embassy Program, report*
11 *on the foreign policy objectives served by retain-*
12 *ing such missions, balancing the importance of*
13 *these objectives against the well-being of United*
14 *States personnel; and*

15 *(F) examine the feasibility of opening new*
16 *regional outreach centers, modeled on the system*
17 *used by the United States Embassy in Paris,*
18 *France, with each center designed to operate—*

19 *(i) at no additional cost to the United*
20 *States Government;*

21 *(ii) with staff consisting of one or two*
22 *Foreign Service officers currently assigned*
23 *to the United States diplomatic mission in*
24 *the country in which the center is located;*
25 *and*

1 (iii) in a region of the country with
2 high gross domestic product (GDP), a high
3 density population, and a media market
4 that not only includes but extends beyond
5 the region.

6 **SEC. 408. ACCOUNTABILITY REVIEW BOARDS.**

7 Section 301 of the Omnibus Diplomatic Security and
8 Antiterrorism Act of 1986 (22 U.S.C. 4831) is amended to
9 read as follows:

10 **“SEC. 301. ACCOUNTABILITY REVIEW BOARDS.**

11 “(a) *IN GENERAL.*

12 “(1) *CONVENING A BOARD.*—*Except as provided*
13 *in paragraph (2), in any case of serious injury, loss*
14 *of life, or significant destruction of property at or re-*
15 *lated to a United States Government mission abroad,*
16 *and in any case of a serious breach of security involv-*
17 *ing intelligence activities of a foreign government di-*
18 *rected at a United States Government mission*
19 *abroad, which is covered by the provisions of titles I*
20 *through IV (other than a facility or installation sub-*
21 *ject to the control of a United States area military*
22 *commander), the Secretary of State shall convene an*
23 *Accountability Review Board (in this title referred to*
24 *as the ‘Board’). The Secretary shall not convene a*

1 *Board where the Secretary determines that a case*
2 *clearly involves only causes unrelated to security.*

3 “(2) *DEPARTMENT OF DEFENSE FACILITIES AND*
4 *PERSONNEL.—The Secretary of State is not required*
5 *to convene a Board in the case of an incident de-*
6 *scribed in paragraph (1) that involves any facility,*
7 *installation, or personnel of the Department of De-*
8 *fense with respect to which the Secretary has dele-*
9 *gated operational control of overseas security func-*
10 *tions to the Secretary of Defense pursuant to section*
11 *106 of this Act. In any such case, the Secretary of De-*
12 *fense shall conduct an appropriate inquiry. The Sec-*
13 *retary of Defense shall report the findings and rec-*
14 *ommendations of such inquiry, and the action taken*
15 *with respect to such recommendations, to the Sec-*
16 *retary of State and Congress.*

17 “(b) *DEADLINES FOR CONVENING BOARDS.—*

18 “(1) *IN GENERAL.—Except as provided in para-*
19 *graph (2), the Secretary of State shall convene a*
20 *Board not later than 60 days after the occurrence of*
21 *an incident described in subsection (a)(1), except that*
22 *such 60-day period may be extended for two addi-*
23 *tional 30-day periods if the Secretary determines that*
24 *the additional period or periods are necessary for the*
25 *convening of the Board.*

1 “(2) *DELAY IN CASES INVOLVING INTELLIGENCE*
2 *ACTIVITIES.*—*With respect to breaches of security in-*
3 *volving intelligence activities, the Secretary of State*
4 *may delay the establishment of a Board if, after con-*
5 *sultation with the chairman of the Select Committee*
6 *on Intelligence of the Senate and the chairman of the*
7 *Permanent Select Committee on Intelligence of the*
8 *House of Representatives, the Secretary determines*
9 *that doing so would compromise intelligence sources*
10 *and methods. The Secretary shall promptly advise the*
11 *chairmen of such committees of each determination*
12 *pursuant to this paragraph to delay the establishment*
13 *of a Board.*

14 “(c) *NOTIFICATION TO CONGRESS.*—*Whenever the Sec-*
15 *retary of State convenes a Board, the Secretary shall*
16 *promptly inform the chairman of the Committee on Foreign*
17 *Relations of the Senate and the Speaker of the House of*
18 *Representatives—*

19 “(1) *that a Board has been convened;*

20 “(2) *of the membership of the Board; and*

21 “(3) *of other appropriate information about the*
22 *Board.”.*

1 **SEC. 409. AWARDS OF FOREIGN SERVICE STARS.**

2 *The State Department Basic Authorities Act of 1956*
3 *is amended by inserting after section 36 (22 U.S.C. 2708)*
4 *the following new section:*

5 **“SEC. 36A. AWARDS OF FOREIGN SERVICE STARS.**

6 *“(a) AUTHORITY TO AWARD.—The President, upon the*
7 *recommendation of the Secretary, may award a Foreign*
8 *Service star to any member of the Foreign Service or any*
9 *other civilian employee of the Government of the United*
10 *States who, after August 1, 1998, while employed at, or as-*
11 *signed permanently or temporarily to, an official mission*
12 *overseas or while traveling abroad on official business, in-*
13 *curring a wound or other injury or an illness (whether or*
14 *not the wound, other injury, or illness resulted in death)*
15 *in a case described in subsection (b)—*

16 *“(1) as the person was performing official duties;*

17 *“(2) as the person was on the premises of a*
18 *United States mission abroad; or*

19 *“(3) by reason of the person’s status as a United*
20 *States Government employee.*

21 *“(b) CASES RESULTING FROM UNLAWFUL CON-*
22 *DUCT.—Cases covered by subsection (a) include cases of*
23 *wounds or other injuries incurred as a result of terrorist*
24 *or military action, civil unrest, or criminal activities di-*
25 *rected at any facility of the Government of the United*
26 *States.*

1 “(c) *SELECTION CRITERIA.*—*The Secretary shall pre-*
2 *scribe the procedures for identifying and considering per-*
3 *sons eligible for award of a Foreign Service star and for*
4 *selecting the persons to be recommended for the award.*

5 “(d) *AWARD IN THE EVENT OF DEATH.*—*If a person*
6 *selected for award of a Foreign Service star dies before being*
7 *presented the award, the award may be made and the star*
8 *presented to the person’s family or to the person’s represent-*
9 *ative, as designated by the President.*

10 “(e) *FORM OF AWARD.*—*The Secretary shall prescribe*
11 *the design of the Foreign Service star. The award may not*
12 *include a stipend or any other cash payment.*

13 “(f) *FUNDING.*—*Any expenses incurred in awarding a*
14 *person a Foreign Service star may be paid out of appro-*
15 *priations available at the time of the award for personnel*
16 *of the department or agency of the United States Govern-*
17 *ment in which the person was employed when the person*
18 *incurred the wound, injury, or illness upon which the*
19 *award is based.”.*

20 **TITLE V—UNITED STATES**
21 **INTERNATIONAL BROAD-**
22 **CASTING ACTIVITIES**

23 **SEC. 501. AUTHORIZATIONS OF APPROPRIATIONS.**

24 “(a) *IN GENERAL.*—*The following amounts are author-*
25 *ized to be appropriated to carry out the United States*

1 *International Broadcasting Act of 1994, the Radio Broad-*
2 *casting to Cuba Act, and the Television Broadcasting to*
3 *Cuba Act, and to carry out other authorities in law con-*
4 *sistent with such purposes:*

5 (1) *INTERNATIONAL BROADCASTING ACTIVI-*
6 *TIES.—For “International Broadcasting Activities”,*
7 *\$408,979,000 for the fiscal year 2000, and*
8 *\$408,979,000 for the fiscal year 2001.*

9 (2) *RADIO CONSTRUCTION.—For “Radio Con-*
10 *struction”, \$20,868,000 for the fiscal year 2000, and*
11 *\$20,868,000 for the fiscal year 2001.*

12 (3) *BROADCASTING TO CUBA.—For “Broad-*
13 *casting to Cuba”, \$22,743,000 for the fiscal year 2000*
14 *and \$22,743,000 for the fiscal year 2001.*

15 **SEC. 502. REAUTHORIZATION OF RADIO FREE ASIA.**

16 *Section 309 of the United States International Broad-*
17 *casting Act of 1994 (22 U.S.C. 6208) is amended—*

18 (1) *by striking subsection (c);*

19 (2) *by redesignating subsections (d), (e), (f), (g),*
20 *(h), and (i) as subsections (c), (d), (e), (f), (g), and*
21 *(h), respectively;*

22 (3) *in subsection (c) (as redesignated by para-*
23 *graph (2))—*

24 (A) *in paragraph (1)—*

25 (i) *by striking “(A)”;* and

1 *(ii) by striking subparagraph (B);*

2 *(B) in paragraph (2), by striking “Sep-*
 3 *tember 30, 1999” and inserting “September 30,*
 4 *2005”;*

5 *(C) in paragraph (4), by striking*
 6 *“\$22,000,000 in any fiscal year” and inserting*
 7 *“\$28,000,000 in each of the fiscal years 2000*
 8 *and 2001”;*

9 *(D) by striking paragraph (5); and*

10 *(E) by redesignating paragraph (6) as*
 11 *paragraph (5); and*

12 *(4) by amending subsection (f) (as redesignated*
 13 *by paragraph (2)) to read as follows:*

14 *“(f) SUNSET PROVISION.—The Board may not make*
 15 *any grant for the purpose of operating Radio Free Asia*
 16 *after September 30, 2005.”.*

17 **SEC. 503. NOMINATION REQUIREMENTS FOR THE CHAIR-**

18 **MAN OF THE BROADCASTING BOARD OF GOV-**

19 **ERNORS.**

20 *Section 304(b)(2) of the Foreign Relations Authoriza-*
 21 *tion Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6203*
 22 *(b)(2)), is amended—*

23 *(1) by striking “designate” and inserting “ap-*
 24 *point”;* and

1 (2) *by adding at the end the following: “, subject*
2 *to the advice and consent of the Senate”.*

3 **TITLE VI—ARMS CONTROL, NON-**
4 **PROLIFERATION, AND NA-**
5 **TIONAL SECURITY**

6 **SEC. 601. SHORT TITLE.**

7 *This title may be cited as the “Arms Control, Non-*
8 *proliferation, and National Security Act of 1999”.*

9 **SEC. 602. DEFINITIONS.**

10 *In this title:*

11 (1) *ASSISTANT SECRETARY.*—*The term “Assist-*
12 *ant Secretary” means the position of Assistant Sec-*
13 *retary of State for Verification and Compliance des-*
14 *ignated under section 612.*

15 (2) *CONVENTION ON NUCLEAR SAFETY.*—*The*
16 *term “Convention on Nuclear Safety” means the Con-*
17 *vention on Nuclear Safety, done at Vienna on Sep-*
18 *tember 20, 1994 (Senate Treaty Document 104–6).*

19 (3) *EXECUTIVE AGENCY.*—*The term “Executive*
20 *agency” has the meaning given the term in section*
21 *105 of title 5, United States Code.*

22 (4) *INTELLIGENCE COMMUNITY.*—*The term “in-*
23 *telligence community” has the meaning given the*
24 *term in section 3(4) of the National Security Act of*
25 *1947 (50 U.S.C. 401a(4)).*

1 (5) *START TREATY OR TREATY.*—*The term*
2 *“START Treaty” or “Treaty” means the Treaty With*
3 *the Union of Soviet Socialist Republics on the Reduc-*
4 *tion and Limitation of Strategic Offensive Arms, in-*
5 *cluding all agreed statements, annexes, protocols, and*
6 *memoranda, signed at Moscow on July 31, 1991.*

7 (6) *START II TREATY.*—*The term “START II*
8 *Treaty” means the Treaty Between the United States*
9 *of America and the Russian Federation on Further*
10 *Reduction and Limitation of Strategic Offensive*
11 *Arms, and related protocols and memorandum of un-*
12 *derstanding, signed at Moscow on January 3, 1993.*

13 (7) *APPROPRIATE COMMITTEES OF CONGRESS.*—
14 *The term “appropriate committees of Congress”*
15 *means the Committee on International Relations and*
16 *the Permanent Select Committee on Intelligence of the*
17 *House of Representatives and the Committee on For-*
18 *ign Relations and the Select Committee on Intel-*
19 *ligence of the Senate.*

1 **Subtitle A—Arms Control**
2 **CHAPTER 1—EFFECTIVE VERIFICATION OF**
3 **COMPLIANCE WITH ARMS CONTROL**
4 **AGREEMENTS**

5 **SEC. 611. KEY VERIFICATION ASSETS FUND.**

6 (a) *IN GENERAL.*—The Secretary of State is author-
7 ized to transfer funds available to the Department of State
8 under this section to the Department of Defense, Depart-
9 ment of Energy, or any agency, entity, or other component
10 of the intelligence community, as needed, for retaining, re-
11 searching, developing, or acquiring technologies or pro-
12 grams relating to the verification of arms control, non-
13 proliferation and disarmament agreements or commit-
14 ments.

15 (b) *PROHIBITION ON REPROGRAMMING.*—Notwith-
16 standing any other provision of law, funds made available
17 to carry out this section may not be used for any purpose
18 other than the purposes specified in subsection (a).

19 (c) *FUNDING.*—Of the total amount of funds author-
20 ized to be appropriated to the Department of State by this
21 Act for the fiscal years 2000 and 2001, \$5,000,000 is au-
22 thorized to be available for each such fiscal year to carry
23 out subsection (a).

1 (d) *DESIGNATION OF FUND.*—Amounts made available
2 under subsection (c) may be referred to as the “Key
3 Verification Assets Fund”.

4 **SEC. 612. ASSISTANT SECRETARY OF STATE FOR**
5 **VERIFICATION AND COMPLIANCE.**

6 (a) *DESIGNATION OF POSITION.*—The Secretary of
7 State shall designate one of the Assistant Secretaries of
8 State authorized by section 1(c)(1) of the State Department
9 Basic Authorities Act of 1956 (22 U.S.C. 2651a(c)(1)) as
10 the Assistant Secretary of State for Verification and Com-
11 pliance. The Assistant Secretary shall report to the Under
12 Secretary of State for Arms Control and International Se-
13 curity.

14 (b) *DIRECTIVE GOVERNING THE ASSISTANT SEC-*
15 *RETARY OF STATE.*—

16 (1) *IN GENERAL.*—Not later than 30 days after
17 the date of enactment of this Act, the Secretary of
18 State shall issue a directive governing the position of
19 Assistant Secretary.

20 (2) *ELEMENTS OF THE DIRECTIVE.*—The direc-
21 tive issued under paragraph (1) shall set forth, con-
22 sistent with this section—

23 (A) the duties of the Assistant Secretary;

1 (B) *the relationships between the Assistant*
2 *Secretary and other officials of the Department*
3 *of State;*

4 (C) *any delegation of authority from the*
5 *Secretary of State to the Assistant Secretary;*
6 *and*

7 (D) *such other matters as the Secretary con-*
8 *siders appropriate.*

9 (c) *DUTIES.—*

10 (1) *IN GENERAL.—The Assistant Secretary shall*
11 *have as his principal responsibility the overall super-*
12 *vision (including oversight of policy and resources)*
13 *within the Department of State of all matters relating*
14 *to verification and compliance with international*
15 *arms control, nonproliferation, and disarmament*
16 *agreements or commitments.*

17 (2) *PARTICIPATION OF THE ASSISTANT SEC-*
18 *RETARY.—*

19 (A) *PRIMARY ROLE.—Except as provided in*
20 *subparagraphs (B) and (C), the Assistant Sec-*
21 *retary, or his designee, shall participate in all*
22 *interagency groups or organizations within the*
23 *executive branch of Government that assess, ana-*
24 *lyze, or review United States planned or ongoing*
25 *policies, programs, or actions that have a direct*

1 *bearing on verification or compliance matters,*
2 *including interagency intelligence committees*
3 *concerned with the development or exploitation*
4 *of measurement or signals intelligence or other*
5 *national technical means of verification.*

6 *(B) REQUIREMENT FOR DESIGNATION.—*
7 *Subparagraph (A) shall not apply to groups or*
8 *organizations on which the Secretary of State or*
9 *the Undersecretary of State for Arms Control*
10 *and International Security sits, unless such offi-*
11 *cial designates the Assistant Secretary to attend*
12 *in his stead.*

13 *(C) NATIONAL SECURITY LIMITATION.—*

14 *(i) The President may waive the provi-*
15 *sions of subparagraph (A) if inclusion of*
16 *the Assistant Secretary would not be in the*
17 *national security interests of the United*
18 *States.*

19 *(ii) With respect to an interagency*
20 *group or organization, or meeting thereof,*
21 *working with exceptionally sensitive infor-*
22 *mation contained in compartments under*
23 *the control of the Director of Central Intel-*
24 *ligence, the Secretary of Defense, or the Sec-*
25 *retary of Energy, such Director or Sec-*

1 retary, as the case may be, may waive the
2 provision of subparagraph (A) if inclusion
3 of the Assistant Secretary would not be in
4 the national security interests of the United
5 States.

6 (iii) Any waiver of participation
7 under clause (i) or (ii) shall be transmitted
8 in writing to the appropriate committees of
9 Congress.

10 (3) *RELATIONSHIP TO THE INTELLIGENCE COM-*
11 *MUNITY.*—The Assistant Secretary shall be the prin-
12 cipal policy community representative to the intel-
13 ligence community on verification and compliance
14 matters.

15 (4) *REPORTING RESPONSIBILITIES.*—The Assist-
16 ant Secretary shall have responsibility within the De-
17 partment of State for—

18 (A) all reports required pursuant to section
19 37 of the Arms Control and Disarmament Act
20 (22 U.S.C. 2577);

21 (B) so much of the report required under
22 paragraphs (5) through (10) of section 51(a) of
23 the Arms Control and Disarmament Act (22
24 U.S.C. 2593a(a)) as relates to verification or
25 compliance matters; and

1 (C) other reports being prepared by the De-
2 partment of State as of the date of enactment of
3 this Act relating to arms control, nonprolifera-
4 tion, or disarmament verification or compliance
5 matters.

6 **SEC. 613. ENHANCED ANNUAL (“PELL”) REPORT.**

7 Section 51(a) of the Arms Control and Disarmament
8 Act (22 U.S.C. 2593a(a)) is amended—

9 (1) by striking “and” at the end of paragraph
10 (6);

11 (2) by striking the period at the end of para-
12 graph (7) and inserting a semicolon;

13 (3) in paragraph (6), by inserting:

14 (A) “or commitments, including the Missile
15 Technology Control Regime,” after “agreements”
16 the first time it appears;

17 (B) “or commitments” after “agreements”
18 the second time it appears; and

19 (C) “or commitment” after “agreement”;

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

21 “(8) a specific identification, to the maximum
22 extent practicable in unclassified form, of each and
23 every question that exists with respect to compliance
24 by other countries with arms control, nonprolifera-

1 *tion, and disarmament agreements with the United*
2 *States.”; and*

3 *(5) by adding at the end the following new sub-*
4 *section:*

5 *“(d) Each report shall include a discussion of each sig-*
6 *nificant issue contained in a previous report issued during*
7 *1995, or after December 31, 1995, pursuant to paragraph*
8 *(6), until the question or concern has been resolved and such*
9 *resolution has been reported to the appropriate committees*
10 *of Congress (as defined in section 601(7) of the Foreign Re-*
11 *lations Authorization Act, Fiscal Years 2000 and 2001) in*
12 *detail.”.*

13 **SEC. 614. REPORT ON START AND START II TREATIES MONI-**
14 **TORING ISSUES.**

15 *(a) REPORT.—Not later than 180 days after the date*
16 *of enactment of this Act, the Director of Central Intelligence*
17 *shall submit a detailed classified report to the appropriate*
18 *committees of Congress including the following:*

19 *(1) A comprehensive identification of all moni-*
20 *toring activities associated with the START and*
21 *START II treaties.*

22 *(2) The specific intelligence community assets*
23 *and capabilities, including analytical capabilities,*
24 *that the Senate was informed, prior to the Senate giv-*

1 *ing its advice and consent to ratification of the treat-*
2 *ies, would be necessary to accomplish those activities.*

3 (3) *An identification of the extent to which those*
4 *assets and capabilities have, or have not, been at-*
5 *tained or retained, and the corresponding effect this*
6 *has had upon United States monitoring confidence*
7 *levels.*

8 (4) *An assessment of any Russian activities re-*
9 *lating to the START Treaty which have had an im-*
10 *act upon the ability of the United States to monitor*
11 *Russian adherence to the Treaty.*

12 (b) *COMPARTMENTED ANNEX.—Exceptionally sen-*
13 *sitive, compartmented information in the report required*
14 *by this section may be provided in a compartmented annex*
15 *submitted to the Select Committee on Intelligence of the*
16 *Senate and the Permanent Select Committee on Intelligence*
17 *of the House of Representatives.*

18 **SEC. 615. STANDARDS FOR VERIFICATION.**

19 (a) *DEFINITIONS.—It is the sense of the Senate that*
20 *the following terms when used in publications of the United*
21 *States Government, or in oral representations by officials*
22 *of the United States Government, should have the following*
23 *meanings:*

1 (1) *EFFECTIVELY VERIFIABLE.*—The term “*effec-*
2 *tively verifiable*” means that the requirements of sub-
3 *paragraphs (A) and (B) are met, as follows:*

4 (A) *The Director of Central Intelligence has*
5 *certified to the President that the intelligence*
6 *community has a high degree of confidence, with*
7 *respect to a particular treaty or other agreement,*
8 *in its ability to detect any militarily significant*
9 *violation of the treaty or other agreement in a*
10 *timely fashion, and to detect patterns of mar-*
11 *ginal violation over time. In determining the in-*
12 *telligence community’s confidence, the Director*
13 *should assume that all measures of concealment*
14 *could be employed and that standard practices*
15 *could be altered so as to impede monitoring.*

16 (B) *The Secretaries of State and Defense*
17 *and the Chairman of the Joint Chiefs of Staff*
18 *have certified to the President that they have a*
19 *high degree of confidence, with respect to a par-*
20 *ticular treaty or other agreement, that the*
21 *United States will be able to reach a legal and*
22 *technical determination regarding any militarily*
23 *significant violation of the treaty or other agree-*
24 *ment in a timely fashion, and to reach such a*
25 *determination regarding patterns of marginal*

1 *violation, once detected. In determining the level*
2 *of confidence under this subparagraph, the Secre-*
3 *taries of State and Defense and the Chairman of*
4 *the Joint Chiefs of Staff should assume that all*
5 *measures of concealment could be employed and*
6 *that standard practices could be altered so as to*
7 *impede monitoring.*

8 (2) *MILITARILY SIGNIFICANT VIOLATION.*—*The*
9 *Chairman of the Joint Chiefs of Staff, in consultation*
10 *with the Secretary of Defense, has sole responsibility*
11 *for determining with specificity, for purposes of any*
12 *treaty or other international agreement having impli-*
13 *cations for the national security of the United States,*
14 *what constitutes a militarily significant violation. In*
15 *making such a determination, the Chairman should*
16 *give great weight to his judgment that the violation*
17 *could pose a threat to the national security interests*
18 *of the United States.*

19 (3) *TIMELY FASHION DEFINED.*—*In this section,*
20 *the term “timely fashion” means in sufficient time for*
21 *the United States to take remedial action to safeguard*
22 *the national security.*

23 (b) *CONFORMING AMENDMENTS.*—*Section 37(a) of the*
24 *Arms Control and Disarmament Act (22 U.S.C. 2577(a))*
25 *is amended—*

1 (1) *by striking “adequately”;*

2 (2) *by redesignating subsections (b), (c), and (d)*
3 *as subsections (c), (d), and (e); and*

4 (3) *by inserting after subsection (a) the following*
5 *new subsection:*

6 “(b) *ASSESSMENTS UPON REQUEST.—Upon the re-*
7 *quest of the chairman or ranking minority member of the*
8 *Committee on Foreign Relations of the Senate or the Com-*
9 *mittee on International Relations of the House of Rep-*
10 *resentatives, in case of an arms control, nonproliferation,*
11 *or disarmament proposal—*

12 *“(1) under consideration for presentation to a*
13 *foreign country by the United States;*

14 *“(2) presented to a foreign country by the United*
15 *States; or*

16 *“(3) presented to the United States by a foreign*
17 *country;*

18 *the Secretary of State shall submit a report to the Com-*
19 *mittee on the degree to which elements of the proposal are*
20 *capable of being verified.”.*

21 **SEC. 616. CONTRIBUTION TO THE ADVANCEMENT OF SEIS-**
22 **MOLOGY.**

23 *The United States Government shall make available*
24 *to the public in real time, or as quickly as possible, all raw*
25 *seismological data provided to the United States Govern-*

1 *ment by any international organization that is directly re-*
2 *sponsible for seismological monitoring.*

3 **SEC. 617. PROTECTION OF UNITED STATES COMPANIES.**

4 *The United States National Authority (as designated*
5 *pursuant to section 101 of the Chemical Weapons Conven-*
6 *tion Implementation Act of 1998 (as contained in division*
7 *I of Public Law 105–277)) shall reimburse the Federal Bu-*
8 *reau of Investigation for all costs incurred by the Bureau*
9 *in connection with implementation of section 303(b)(2)(A)*
10 *of that Act, except that such reimbursement may not exceed*
11 *\$1,000,000 in any fiscal year.*

12 **SEC. 618. PRESERVATION OF THE START TREATY**
13 **VERIFICATION REGIME.**

14 *(a) FINDINGS.—The Senate makes the following find-*
15 *ings:*

16 *(1) Paragraph 6 of Article XI of the START*
17 *Treaty states the following: “Each Party shall have*
18 *the right to conduct reentry vehicle inspections of de-*
19 *ployed ICBMs and SLBMs to confirm that such bal-*
20 *listic missiles contain no more reentry vehicles than*
21 *the number of warheads attributed to them.”.*

22 *(2) Paragraph 1 of Section IX of the Inspections*
23 *Protocol to the START Treaty states that each Party*
24 *“shall have the right to conduct a total of ten reentry*
25 *vehicle inspections each year”.*

1 (3) Paragraph 4 of Section XVIII of the Inspections
2 Protocol to the START Treaty states that the
3 Parties “shall, when possible, clarify ambiguities re-
4 garding factual information contained in the inspec-
5 tion report” that each inspection team must provide
6 at the end of an inspection, pursuant to paragraph
7 1 of Section XVIII of that Protocol.

8 (4) Paragraph 12 of Annex 3 to the Inspections
9 Protocol to the START Treaty states that, once a mis-
10 sile has been selected and prepared for reentry vehicle
11 inspection, the inspectors shall be given “a clear, un-
12 obstructed view of the front section [of the missile], to
13 ascertain that the front section contains no more re-
14 entry vehicles than the number of warheads attributed
15 to missiles of that type”.

16 (5) Paragraph 13 of Annex 3 to the Inspections
17 Protocol to the START Treaty states the following:
18 “If a member of the in-country escort declares that an
19 object contained in the front section is not a reentry
20 vehicle, the inspected Party shall demonstrate to the
21 satisfaction of the inspectors that this object is not a
22 reentry vehicle.”.

23 (6) Section II of Annex 8 to the Inspections Pro-
24 tocol to the START Treaty provides that radiation

1 *detection equipment may be used during reentry vehi-*
2 *cle inspections.*

3 (7) *Paragraph F.1 of Section VI of Annex 8 to*
4 *the Inspections Protocol to the START Treaty states*
5 *the following: “Radiation detection equipment shall be*
6 *used to measure nuclear radiation levels in order to*
7 *demonstrate that objects declared to be non-nuclear*
8 *are non-nuclear.”.*

9 (8) *While the use of radiation detection equip-*
10 *ment may help to determine whether an object that “a*
11 *member of the in-country escort declares..is not a re-*
12 *entry vehicle” is a reentry vehicle with a nuclear*
13 *warhead, it cannot help to determine whether that ob-*
14 *ject is a reentry vehicle with a non-nuclear warhead.*

15 (9) *Article XV of the START Treaty provides for*
16 *a Joint Compliance and Inspection Commission that*
17 *shall meet to “resolve questions relating to compliance*
18 *with the obligations assumed”.*

19 (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*
20 *ate that—*

21 (1) *the United States should assert and, to the*
22 *maximum extent possible, exercise the right for re-*
23 *entry vehicle inspectors to obtain a clear, unob-*
24 *structed view of the front section of a deployed SS-*
25 *18 ICBM selected for reentry vehicle inspection pursu-*

1 *ant to paragraph 6 of Article XI of the START Trea-*
2 *ty;*

3 *(2) the United States should assert and, to the*
4 *maximum extent possible, obtain Russian compliance*
5 *with the obligation of the host Party, pursuant to*
6 *paragraph 13 of Annex 3 to the Inspections Protocol*
7 *to the START Treaty, to demonstrate to the satisfac-*
8 *tion of the inspectors that an object which is declared*
9 *not to be a reentry vehicle is not a reentry vehicle;*

10 *(3) if a member of the in-country escort declares*
11 *that an object contained in the front section of a de-*
12 *ployed SS-18 ICBM selected for reentry vehicle in-*
13 *spection pursuant to paragraph 6 of Article XI of the*
14 *START Treaty is not a reentry vehicle, but the in-*
15 *spected Party does not demonstrate to the satisfaction*
16 *of the inspectors that this object is not a reentry vehi-*
17 *cle, the United States inspection team should record*
18 *this fact in the official inspection report as an ambi-*
19 *guity and the United States should raise this matter*
20 *in the Joint Compliance and Inspection Commission*
21 *as a concern relating to compliance of Russia with*
22 *the obligations assumed under the Treaty;*

23 *(4) the United States should not agree to any ar-*
24 *rangement whereby the use of radiation detection*
25 *equipment in a reentry vehicle inspection, or a com-*

1 *bination of the use of such equipment and Russian*
2 *assurances regarding SS-18 ICBMs, would suffice to*
3 *demonstrate to the satisfaction of the inspectors that*
4 *an object which is declared not to be a reentry vehicle*
5 *is not a reentry vehicle; and*

6 *(5) the United States should not agree to any ar-*
7 *rangement whereby the use of technical equipment in*
8 *a reentry vehicle inspection would suffice to dem-*
9 *onstrate to the satisfaction of the inspectors that an*
10 *object which is declared not to be a reentry vehicle is*
11 *not a reentry vehicle, unless the Director of Central*
12 *Intelligence, in consultation with the Secretaries of*
13 *State, Defense, and Energy, has determined that such*
14 *equipment can demonstrate to the satisfaction of the*
15 *inspectors that an object which is declared not to be*
16 *a reentry vehicle is not a reentry vehicle.*

17 *(c) START TREATY DEFINED.—In this section, the*
18 *term “START Treaty” means the Treaty With the Union*
19 *of Soviet Socialist Republics on the Reduction and Limita-*
20 *tion of Strategic Offensive Arms, including all agreed state-*
21 *ments, annexes, protocols, and memoranda, signed at Mos-*
22 *cow on July 31, 1991.*

1 **CHAPTER 2—LANDMINE POLICY,**
2 **DEMINEING ACTIVITIES, AND RELATED**
3 **MATTERS**

4 **SEC. 621. CONFORMING AMENDMENT.**

5 *Subsection (d) of section 248 of the Strom Thurmond*
6 *National Defense Authorization Act for Fiscal Year 1999*
7 *(Public Law 105–261; 112 Stat. 1958) is amended by in-*
8 *serting “, and to the Committee on Foreign Relations of*
9 *the Senate and the Committee on International Relations*
10 *of the House of Representatives,” after “congressional de-*
11 *fense committees”.*

12 **SEC. 622. DEVELOPMENT OF ADVANCED HUMANITARIAN**
13 **DEMINEING CAPABILITIES FUND.**

14 *(a) IN GENERAL.—The Secretary of State is author-*
15 *ized to transfer funds available to the Department of State*
16 *under this section to the Department of Defense, Depart-*
17 *ment of Energy, or any of the military departments, for*
18 *researching, developing, adapting, and deploying tech-*
19 *nologies to achieve the destruction or other removal of anti-*
20 *personnel landmines for humanitarian purposes.*

21 *(b) PROHIBITION ON REPROGRAMMING.—Notwith-*
22 *standing any other provision of law, funds made available*
23 *to carry out this section may not be used for any purpose*
24 *other than the purposes specified in subsection (a).*

1 (c) *FUNDING*.—Of the total amount of funds author-
 2 ized to be appropriated to the Department of State by this
 3 Act for the fiscal years 2000 and 2001, \$5,000,000 is au-
 4 thorized to be available for each such fiscal year to carry
 5 out subsection (a).

6 (d) *DESIGNATION OF FUND*.—Amounts made available
 7 under subsection (c) may be referred to as the “Development
 8 of Advanced Humanitarian Demining Capabilities Fund”.

9 **Subtitle B—Nuclear Nonprolifera-**
 10 **tion, Safety, and Related Matters**

11 **SEC. 631. REPORTING BURDEN ON UNITED STATES NU-**
 12 **CLEAR INDUSTRY.**

13 In carrying out any United States obligation under
 14 the Convention on Nuclear Safety, no Executive agency
 15 may impose any new reporting obligation upon any United
 16 States business concern.

17 **SEC. 632. AUTHORITY TO SUSPEND NUCLEAR COOPERA-**
 18 **TION FOR FAILURE TO RATIFY CONVENTION**
 19 **ON NUCLEAR SAFETY.**

20 Section 132 of the Atomic Energy Act of 1954 (42
 21 U.S.C. 2160b) is amended—

22 (1) in the section heading, by inserting before the
 23 period the following: “OR THE CONVENTION ON NU-
 24 CLEAR SAFETY”; and

1 *cordance with Condition (1) of the resolution of rati-*
2 *fication for the Convention on Nuclear Safety.*

3 **SEC. 634. CONGRESSIONAL NOTIFICATION OF NON-**
4 **PROLIFERATION ACTIVITIES.**

5 *Section 602(c) of the Nuclear Non-Proliferation Act of*
6 *1978 (22 U.S.C. 3282(c)) is amended to read as follows:*

7 *“(c)(1) The Department of State, the Department of*
8 *Defense, the Department of Commerce, the Department of*
9 *Energy, the Commission, and, with regard to subparagraph*
10 *(B), the Director of Central Intelligence, shall keep the Com-*
11 *mittees on Foreign Relations and Governmental Affairs of*
12 *the Senate and the Committee on International Relations*
13 *of the House of Representatives fully and currently in-*
14 *formed with respect to—*

15 *“(A) their activities to carry out the purposes*
16 *and policies of this Act and to otherwise prevent pro-*
17 *liferation, including the proliferation of nuclear,*
18 *chemical, or biological weapons, or their means of de-*
19 *livery; and*

20 *“(B) the current activities of foreign nations*
21 *which are of significance from the proliferation stand-*
22 *point.*

23 *“(2) For the purposes of this subsection with respect*
24 *to subparagraph (B), the phrase ‘fully and currently in-*

1 *formed' means the transmittal of information not later than*
2 *60 days after becoming aware of the activity concerned."*

3 **SEC. 635. EFFECTIVE USE OF RESOURCES FOR NON-**
4 **PROLIFERATION PROGRAMS.**

5 (a) *PROHIBITION.*—*Except as provided in subsection*
6 *(b), no assistance may be provided by the United States*
7 *Government to any person who is involved in the research,*
8 *development, design, testing, or evaluation of chemical or*
9 *biological weapons for offensive purposes.*

10 (b) *EXCEPTION.*—*The prohibition contained in sub-*
11 *section (a) shall not apply to any activity conducted to title*
12 *V of the National Security Act of 1947 (50 U.S.C. 413 et*
13 *seq.).*

14 **SEC. 636. DISPOSITION OF WEAPONS-GRADE MATERIAL.**

15 (a) *REPORT ON REDUCTION OF THE STOCKPILE.*—*Not*
16 *later than 120 days after signing an agreement between the*
17 *United States and Russia for the disposition of excess weap-*
18 *ons plutonium, the Secretary of Energy, with the concur-*
19 *rence of the Secretary of Defense, shall submit a report to*
20 *the Committee on Foreign Relations and the Committee on*
21 *Armed Services of the Senate and to the Speaker of the*
22 *House of Representatives—*

23 (1) *detailing plans for United States implemen-*
24 *tation of such agreement;*

1 (2) *identifying the number of United States war-*
2 *head “pits” of each type deemed “excess” for the pur-*
3 *pose of dismantlement or disposition; and*

4 (3) *describing any implications this may have*
5 *for the Stockpile Stewardship and Management Pro-*
6 *gram.*

7 (b) *SUBMISSION OF THE FABRICATION FACILITY*
8 *AGREEMENT PURSUANT TO LAW.*—*Whenever the President*
9 *submits to Congress the agreement to establish a mixed*
10 *oxide fuel fabrication or production facility in Russia pur-*
11 *suant to section 123 of the Atomic Energy Act of 1954 (42*
12 *U.S.C. 2153), it is the sense of Congress that the Secretary*
13 *of State should be prepared to certify to the Committee on*
14 *Foreign Relations of the Senate and the Committee on*
15 *International Relations of the House Representatives that—*

16 (1) *arrangements for the establishment of that*
17 *facility will further United States nuclear non-pro-*
18 *liferation objectives and will outweigh the prolifera-*
19 *tion risks inherent in the use of mixed oxide fuel ele-*
20 *ments;*

21 (2) *a guaranty has been given by Russia that no*
22 *fuel elements produced, fabricated, reprocessed, or as-*
23 *sembled at such facility, and no sensitive nuclear*
24 *technology related to such facility, will be exported or*
25 *supplied by the Russian Federation to any country in*

1 *the event that the United States objects to such export*
2 *or supply; and*

3 *(3) a guaranty has been given by Russia that the*
4 *facility and all nuclear materials and equipment*
5 *therein, and any fuel elements or special nuclear ma-*
6 *terial produced, fabricated, reprocessed, or assembled*
7 *at that facility, including fuel elements exported or*
8 *supplied by Russia to a third party, will be subject*
9 *to international monitoring and transparency suffi-*
10 *cient to ensure that special nuclear material is not*
11 *diverted.*

12 *(c) DEFINITIONS.—*

13 *(1) PRODUCED.—The terms “produce” and “pro-*
14 *duced” have the same meaning that such terms are*
15 *given under section 11 u. of the Atomic Energy Act*
16 *of 1954.*

17 *(2) PRODUCTION FACILITY.—The term “produc-*
18 *tion facility” has the same meaning that such term*
19 *is given under section 11 v. of the Atomic Energy Act*
20 *of 1954.*

21 *(3) SPECIAL NUCLEAR MATERIAL.—The term*
22 *“special nuclear material” has the meaning that such*
23 *term is given under section 11 aa. of the Atomic En-*
24 *ergy Act of 1954.*

1 **SEC. 637. STATUS OF HONG KONG AND MACAO IN UNITED**
2 **STATES EXPORT LAW.**

3 (a) *PRELICENSE VERIFICATION.*—*Notwithstanding*
4 *any other provision of law and except as provided in sub-*
5 *sections (c) and (f), no license may be approved for the ex-*
6 *port to Hong Kong or Macao, as the case may be, of any*
7 *item described in subsection (d) unless appropriate United*
8 *States officials are provided the right and ability to conduct*
9 *prelicense verification, in such manner as the United States*
10 *considers appropriate, of the validity of the stated end-user,*
11 *and the validity of the stated end-use, as specified on the*
12 *license application.*

13 (b) *POST-SHIPMENT VERIFICATION.*—*Notwithstanding*
14 *any other provision of law and except as provided in sub-*
15 *sections (c) and (f), in the event that appropriate United*
16 *States officials are denied the ability to conduct post-ship-*
17 *ment verification, in such manner as the United States con-*
18 *siders appropriate, of the location and end-use of any item*
19 *under their jurisdiction that has been exported from the*
20 *United States to Hong Kong or Macao, then Hong Kong*
21 *or Macao, as the case may be, shall thereafter be treated*
22 *in the same manner as the People’s Republic of China for*
23 *the purpose of any export of any item described in sub-*
24 *section (d).*

25 (c) *WAIVER AUTHORITY.*—*The Secretary of State, with*
26 *respect to any item defined in subsection (d)(1), or the Sec-*

1 *retary of Commerce, with respect to any item defined in*
2 *subsection (d)(2), may waive or remove the imposition of*
3 *the requirements imposed by subsections (a) and (b) upon*
4 *a written finding, which shall be transmitted to the Com-*
5 *mittee on Foreign Relations of the Senate and the Com-*
6 *mittee on International Relations of the House of Rep-*
7 *resentatives, that—*

8 (1) *the case that warranted the imposition of*
9 *such requirements has been settled to the satisfaction*
10 *of the United States; or*

11 (2) *there are specific reasons why the waiver or*
12 *removal of such requirements is in the national inter-*
13 *est of the United States.*

14 (d) *ITEM DEFINED.—The term “item” as used in this*
15 *section means—*

16 (1) *any item controlled on the United States Mu-*
17 *nitions List under section 38 of the Arms Export*
18 *Control Act (22 U.S.C. 2778); or*

19 (2) *any item for which export controls are ad-*
20 *ministered by the Department of Commerce for for-*
21 *oreign policy or national security reasons.*

22 (e) *EFFECTIVE DATE.—Effective January 1, 2000, this*
23 *section shall apply to Macao.*

1 (f) *EXCEPTION.*—*The provisions of this section do not*
2 *apply to any activity subject to reporting under title V of*
3 *the National Security Act of 1947 (50 U.S.C. 413 et seq.).*

4 ***Subtitle C—Miscellaneous***
5 ***Provisions***

6 **SEC. 641. REQUIREMENT FOR TRANSMITTAL OF SUM-**
7 ***MARIES.***

8 *Whenever a United States delegation engaging in nego-*
9 *tiations on arms control, nonproliferation, or disarmament*
10 *submits to the Secretary of State a summary of the activi-*
11 *ties of the delegation or the status of those negotiations, a*
12 *copy of each such summary shall be further transmitted by*
13 *the Secretary of State to the Committee on Foreign Rela-*
14 *tions of the Senate promptly.*

15 **SEC. 642. PROHIBITION ON WITHHOLDING CERTAIN INFOR-**
16 ***MATION FROM CONGRESS.***

17 (a) *PROHIBITION.*—*No officer or employee of the*
18 *United States may knowingly withhold information from*
19 *the chairman or ranking minority member of the Com-*
20 *mittee on Foreign Relations of the Senate or the Committee*
21 *on International Relations of the House of Representatives*
22 *that is required to be transmitted pursuant to subsection*
23 *(c) or (d) of section 602 of the Nuclear Non-Proliferation*
24 *Act of 1978.*

1 (b) *ISSUANCE OF REGULATIONS.*—Not later than Jan-
2 uary 1, 2000, the Secretaries of State, Defense, Commerce,
3 and Energy, the Director of Central Intelligence, and the
4 Chairman of the Nuclear Regulatory Commission shall
5 issue directives to implement their responsibilities under
6 subsections (c) and (d) of section 602 of the Nuclear Non-
7 Proliferation Act of 1978. Copies of such directives shall be
8 forwarded promptly to the Committee on Foreign Relations
9 of the Senate and the Committee on International Relations
10 of the House of Representatives upon the issuance of the
11 directives.

12 **SEC. 643. REFORM OF THE DIPLOMATIC TELECOMMUNI-**
13 **CATIONS SERVICE PROGRAM OFFICE.**

14 (a) *ADDITIONAL RESOURCES.*—In addition to other
15 amounts authorized to be appropriated for the purposes of
16 the Diplomatic Telecommunications Service Program Office
17 (DTS-PO), of the amounts made available to the Depart-
18 ment of State under section 101(a)(2), \$18,000,000 shall be
19 made available only to the DTS-PO for enhancement of
20 Diplomatic Telecommunications Service capabilities.

21 (b) *IMPROVEMENT OF DTS-PO.*—In order for the
22 DTS-PO to better manage a fully integrated telecommuni-
23 cations network to service all agencies at diplomatic mis-
24 sions and consular posts, the DTS-PO shall—

1 (1) ensure that those enhancements of, and the
2 provision of service for, telecommunication capabilities
3 that involve the national security interests of the
4 United States receive the highest prioritization;

5 (2) not later than December 31, 1999, terminate
6 all leases for satellite systems located at posts in cri-
7 teria countries, unless all maintenance and servicing
8 of the satellite system is undertaken by United States
9 citizens who have received appropriate security clear-
10 ances;

11 (3) institute a system of charges for utilization
12 of bandwidth by each agency beginning October 1,
13 2000, and institute a comprehensive chargeback sys-
14 tem to recover all, or substantially all, of the other
15 costs of telecommunications services provided through
16 the Diplomatic Telecommunications Service to each
17 agency beginning October 1, 2001;

18 (4) ensure that all DTS-PO policies and proce-
19 dures comply with applicable policies established by
20 the Overseas Security Policy Board; and

21 (5) maintain the allocation of the positions of
22 Director and Deputy Director of DTS-PO as those
23 positions were assigned as of June 1, 1999, which as-
24 signments shall pertain through fiscal year 2001, at

1 *which time such assignments shall be adjusted in the*
2 *customary manner.*

3 (c) *REPORT ON IMPROVING MANAGEMENT.*—*Not later*
4 *than March 31, 2000, the Director and Deputy Director of*
5 *DTS-PO shall jointly submit to the appropriate committees*
6 *of Congress the Director’s plan for improving network ar-*
7 *chitecture, engineering, operations monitoring and control,*
8 *service metrics reporting, and service provisioning, so as*
9 *to achieve highly secure, reliable, and robust communica-*
10 *tions capabilities that meet the needs of both national secu-*
11 *rity agencies and other United States agencies with overseas*
12 *personnel.*

13 (d) *FUNDING OF DTS-PO.*—*Funds appropriated for*
14 *allocation to DTS-PO shall be made available only for*
15 *DTS-PO until a comprehensive chargeback system is in*
16 *place.*

17 **SEC. 644. SENSE OF CONGRESS ON FACTORS FOR CONSID-**
18 **ERATION IN NEGOTIATIONS WITH THE RUS-**
19 **SIAN FEDERATION ON REDUCTIONS IN STRA-**
20 **TEGIC NUCLEAR FORCES.**

21 *It is the sense of Congress that, in negotiating a*
22 *START III Treaty with the Russian Federation, or any*
23 *other arms control treaty with the Russian Federation mak-*
24 *ing comparable amounts of reductions in United States*
25 *strategic nuclear forces—*

1 (1) *the strategic nuclear forces and nuclear mod-*
2 *ernization programs of the People’s Republic of China*
3 *and every other nation possessing nuclear weapons*
4 *should be taken into full consideration in the negotia-*
5 *tion of such treaty; and*

6 (2) *such programs should not undermine the*
7 *limitations set forth in the treaty.*

8 **SEC. 645. CLARIFICATION OF EXCEPTION TO NATIONAL SE-**
9 **CURITY CONTROLS ON SATELLITE EXPORT**
10 **LICENSING.**

11 *Section 1514(b) of Public Law 105–261 is amended*
12 *by striking all that follows after “EXCEPTION.—” and in-*
13 *serting the following: “Subsections (a)(2), (a)(4), and (a)(8)*
14 *shall not apply to the export of a satellite or satellite-related*
15 *items for launch in, or by nationals of, a country that is*
16 *a member of the North Atlantic Treaty Organization*
17 *(NATO) or that is a major non-NATO ally (as defined in*
18 *section 644(q) of the Foreign Assistance Act of 1961 (22*
19 *U.S.C. 2403(q)) of the United States unless, in each in-*
20 *stance of a proposed export of such item, the Secretary of*
21 *State, in consultation with the Secretary of Defense, first*
22 *provides a written determination to the Committee on For-*
23 *ign Relations of the Senate and the Committee on Inter-*
24 *national Relations of the House of Representatives that it*
25 *is in the national security or foreign policy interests of the*

1 *United States to apply the export controls required under*
2 *such subsections.”.*

3 **SEC. 646. STUDY ON LICENSING PROCESS UNDER THE**
4 **ARMS EXPORT CONTROL ACT.**

5 *Not later than 120 days after the date of enactment*
6 *of this Act, the Secretary of State shall submit to the chair-*
7 *man of the Committee on Foreign Relations of the Senate*
8 *and the chairman of the Committee on International Rela-*
9 *tions of the House of Representatives a study on the per-*
10 *formance of the licensing process pursuant to the Arms Ex-*
11 *port Control Act, with recommendations on how to improve*
12 *that performance. The study shall include:*

13 *(1) An analysis of the typology of licenses on*
14 *which action was completed in 1999. The analysis*
15 *should provide information on major categories of li-*
16 *cence requests, including—*

17 *(A) the number for nonautomatic small*
18 *arms, automatic small arms, technical data,*
19 *parts and components, and other weapons;*

20 *(B) the percentage of each category staffed*
21 *to other agencies;*

22 *(C) the average and median time taken for*
23 *the processing cycle for each category when*
24 *staffed and not staffed;*

1 (D) the average time taken by White House
2 or National Security Council review or scrutiny;
3 and

4 (E) the average time each spent at the De-
5 partment of State after a decision had been
6 taken on the license but before a contractor was
7 notified of the decision. For each category the
8 study should provide a breakdown of licenses by
9 country. The analysis also should identify each
10 country that has been identified in the past three
11 years pursuant to section 3(e) of the Arms Ex-
12 port Control Act (22 U.S.C. 2753(e)).

13 (2) A review of the current computer capabilities
14 of the Department of State relevant to the processing
15 of licenses and its ability to communicate electroni-
16 cally with other agencies and contractors, and what
17 improvements could be made that would speed the
18 process, including the cost for such improvements.

19 (3) An analysis of the work load and salary
20 structure for export licensing officers of the Office of
21 Defense Trade Control of the Department of State as
22 compared to comparable jobs at the Department of
23 Commerce and the Department of Defense.

24 (4) Any suggestions of the Department of State
25 relating to resources and regulations, and any rel-

1 *evant statutory changes that might expedite the li-*
2 *censing process while furthering the objectives of the*
3 *Arms Export Control Act.*

4 **TITLE VII—MISCELLANEOUS**
5 **PROVISIONS**

6 **Subtitle A—People’s Republic of**
7 **China**

8 **SEC. 701. FINDINGS.**

9 *Congress makes the following findings:*

10 *(1) Congress concurs in the conclusions of the*
11 *Department of State, as set forth in the Country Re-*
12 *ports on Human Rights Practices for 1998, on human*
13 *rights in the People’s Republic of China in 1998 as*
14 *follows:*

15 *(A) “The People’s Republic of China (PRC)*
16 *is an authoritarian state in which the Chinese*
17 *Communist Party (CCP) is the paramount*
18 *source of power. . . . Citizens lack both the free-*
19 *dom peacefully to express opposition to the*
20 *party-led political system and the right to*
21 *change their national leaders or form of govern-*
22 *ment.”.*

23 *(B) “The Government continued to commit*
24 *widespread and well-documented human rights*
25 *abuses, in violation of internationally accepted*

1 *norms. These abuses stemmed from the authori-*
2 *ties' very limited tolerance of public dissent*
3 *aimed at the Government, fear of unrest, and the*
4 *limited scope or inadequate implementation of*
5 *laws protecting basic freedoms.”.*

6 (C) *“Abuses included instances of*
7 *extrajudicial killings, torture and mistreatment*
8 *of prisoners, forced confessions, arbitrary arrest*
9 *and detention, lengthy incommunicado deten-*
10 *tion, and denial of due process.”.*

11 (D) *“Prison conditions at most facilities re-*
12 *mained harsh. . . . The Government infringed*
13 *on citizens' privacy rights. The Government con-*
14 *tinued restrictions on freedom of speech and of*
15 *the press, and tightened these toward the end of*
16 *the year. The Government severely restricted free-*
17 *dom of assembly, and continued to restrict free-*
18 *dom of association, religion, and movement.”.*

19 (E) *“Discrimination against women, mi-*
20 *norities, and the disabled; violence against*
21 *women, including coercive family planning prac-*
22 *tices—which sometimes include forced abortion*
23 *and forced sterilization; prostitution, trafficking*
24 *in women and children, and the abuse of chil-*
25 *dren all are problems.”.*

1 (F) *“The Government continued to restrict*
2 *tightly worker rights, and forced labor remains a*
3 *problem.”*.

4 (G) *“Serious human rights abuses persisted*
5 *in minority areas, including Tibet and*
6 *Xinjiang, where restrictions on religion and*
7 *other fundamental freedoms intensified.”*.

8 (H) *“Unapproved religious groups, includ-*
9 *ing Protestant and Catholic groups, continued to*
10 *experience varying degrees of official interference*
11 *and repression.”*.

12 (I) *“Although the Government denies that it*
13 *holds political or religious prisoners, and argues*
14 *that all those in prison are legitimately serving*
15 *sentences for crimes under the law, an unknown*
16 *number of persons, estimated at several thou-*
17 *sand, are detained in violation of international*
18 *human rights instruments for peacefully express-*
19 *ing their political, religious, or social views.”*.

20 (2) *In addition to the State Department, credible*
21 *press reports and human rights organizations have*
22 *documented an intense crackdown on political activ-*
23 *ists by the Government of the People’s Republic of*
24 *China, involving the harassment, detainment, arrest,*
25 *and imprisonment of dozens of activists.*

1 (3) *The People's Republic of China, as a member*
2 *of the United Nations, is expected to abide by the pro-*
3 *visions of the Universal Declaration of Human*
4 *Rights.*

5 (4) *The People's Republic of China is a party to*
6 *numerous international human rights conventions,*
7 *including the Convention Against Torture and Other*
8 *Cruel, Inhuman or Degrading Treatment or Punish-*
9 *ment, and is a signatory to the International Cov-*
10 *enant on Civil and Political Rights and the Covenant*
11 *on Economic, Social, and Cultural Rights.*

12 **SEC. 702. FUNDING FOR ADDITIONAL PERSONNEL AT DIP-**
13 **LOMATIC POSTS TO REPORT ON POLITICAL,**
14 **ECONOMIC, AND HUMAN RIGHTS MATTERS IN**
15 **THE PEOPLE'S REPUBLIC OF CHINA.**

16 *Of the amounts authorized to be appropriated for the*
17 *Department of State by this Act, \$2,200,000 for fiscal year*
18 *2000 and \$2,200,000 for fiscal year 2001 shall be made*
19 *available only to support additional personnel in the*
20 *United States Embassies in Beijing and Kathmandu, as*
21 *well as the American consulates in Guangzhou, Shanghai,*
22 *Shenyang, Chengdu, and Hong Kong, in order to monitor*
23 *political and economic conditions, including in particular*
24 *respect for internationally recognized human rights, in the*
25 *People's Republic of China.*

1 **SEC. 703. PRISONER INFORMATION REGISTRY FOR THE**
2 **PEOPLE'S REPUBLIC OF CHINA.**

3 (a) *REQUIREMENT.*—*The Secretary of State shall es-*
4 *tablish and maintain a registry which shall, to the extent*
5 *practicable, provide information on all political prisoners,*
6 *prisoners of conscience, and prisoners of faith in the Peo-*
7 *ple's Republic of China. The registry shall be known as the*
8 *“Prisoner Information Registry for the People's Republic*
9 *of China”.*

10 (b) *INFORMATION IN REGISTRY.*—*The registry re-*
11 *quired by subsection (a) shall include information on the*
12 *charges, judicial processes, administrative actions, uses of*
13 *forced labor, incidents of torture, lengths of imprisonment,*
14 *physical and health conditions, and other matters associ-*
15 *ated with the incarceration of prisoners in the People's Re-*
16 *public of China referred to in that subsection.*

17 (c) *AVAILABILITY OF FUNDS.*—*The Secretary may*
18 *make funds available to nongovernmental organizations*
19 *currently engaged in monitoring activities regarding polit-*
20 *ical prisoners in the People's Republic of China in order*
21 *to assist in the establishment and maintenance of the reg-*
22 *istry required by subsection (a).*

1 **SEC. 704. REPORT REGARDING ESTABLISHMENT OF ORGA-**
2 **NIZATION FOR SECURITY AND COOPERATION**
3 **IN ASIA.**

4 *Not later than 180 days after the date of enactment*
5 *of this Act, the Secretary of State shall submit to the appro-*
6 *priate congressional committees a report assessing the feasi-*
7 *bility and utility of establishing an Organization for Secu-*
8 *rity and Cooperation in Asia which would be modeled after*
9 *the Organization for Security and Cooperation in Europe.*

10 **SEC. 705. SENSE OF CONGRESS REGARDING ORGAN HAR-**
11 **VESTING AND TRANSPLANTING IN THE PEO-**
12 **PLE'S REPUBLIC OF CHINA.**

13 *It is the sense of Congress that—*

14 *(1) the Government of the People's Republic of*
15 *China should stop the practice of harvesting and*
16 *transplanting organs for profit from prisoners that it*
17 *executes;*

18 *(2) the Government of the People's Republic of*
19 *China should be strongly condemned for such organ*
20 *harvesting and transplanting practice;*

21 *(3) the President should bar from entry into the*
22 *United States any and all officials of the Government*
23 *of the People's Republic of China known to be directly*
24 *involved in such organ harvesting and transplanting*
25 *practice;*

1 (4) *individuals subject to the jurisdiction of the*
2 *United States who are determined to be participating*
3 *in or otherwise facilitating the sale of organs har-*
4 *vested should be prosecuted to the fullest possible ex-*
5 *tent of the law; and*

6 (5) *the appropriate officials in the United States*
7 *should interview individuals, including doctors, who*
8 *may have knowledge of such organ harvesting and*
9 *transplanting practice.*

10 ***Subtitle B—Other Matters***

11 ***SEC. 721. DENIAL OF ENTRY INTO UNITED STATES OF FOR-*** 12 ***EIGN NATIONALS ENGAGED IN ESTABLISH-*** 13 ***MENT OR ENFORCEMENT OF FORCED ABOR-*** 14 ***TION OR STERILIZATION POLICY.***

15 (a) *DENIAL OF ENTRY.*—*Notwithstanding any other*
16 *provision of law, the Secretary of State may not issue any*
17 *visa to, and the Attorney General may not admit to the*
18 *United States, any foreign national whom the Secretary*
19 *finds, based on credible and specific information, to have*
20 *been directly involved in the establishment or enforcement*
21 *of population control policies forcing a woman to undergo*
22 *an abortion against her free choice or forcing a man or*
23 *woman to undergo sterilization against his or her free*
24 *choice.*

1 (b) *EXCEPTIONS.*—*The prohibitions in subsection (a)*
2 *shall not apply in the case of a foreign national who is*
3 *a head of state, head of government, or cabinet level min-*
4 *ister.*

5 (c) *WAIVER.*—*The President may waive the prohibi-*
6 *tions in subsection (a) with respect to a foreign national*
7 *if the President—*

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

10 (2) *provides written notification to the appro-*
11 *priate congressional committees containing a jus-*
12 *tification for the waiver.*

13 **SEC. 722. SEMIANNUAL REPORTS ON UNITED STATES SUP-**
14 **PORT FOR MEMBERSHIP OR PARTICIPATION**
15 **OF TAIWAN IN INTERNATIONAL ORGANIZA-**
16 **TIONS.**

17 (a) *REPORTS REQUIRED.*—*Not later than 60 days*
18 *after the date of enactment of this Act, and every 6 months*
19 *thereafter, the Secretary of State shall submit to Congress*
20 *a report on the status of efforts by the United States Govern-*
21 *ment to support—*

22 (1) *the membership of Taiwan in international*
23 *organizations that do not require statehood as a pre-*
24 *requisite to such membership; and*

1 (2) *the appropriate level of participation by Tai-*
2 *wan in international organizations that may require*
3 *statehood as a prerequisite to full membership.*

4 (b) *REPORT ELEMENTS.—Each report under sub-*
5 *section (a) shall—*

6 (1) *set forth a comprehensive list of the inter-*
7 *national organizations in which the United States*
8 *Government supports the membership or participa-*
9 *tion of Taiwan;*

10 (2) *describe in detail the efforts of the United*
11 *States Government to achieve the membership or par-*
12 *ticipation of Taiwan in each organization listed; and*

13 (3) *identify the obstacles to the membership or*
14 *participation of Taiwan in each organization listed,*
15 *including a list of any governments that do not sup-*
16 *port the membership or participation of Taiwan in*
17 *each such organization.*

18 **SEC. 723. CONGRESSIONAL POLICY REGARDING UNITED NA-**
19 **TIONS GENERAL ASSEMBLY RESOLUTION ES-**
20 **10/6.**

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

22 (1) *In an emergency special session the United*
23 *Nations General Assembly voted on February 9, 1999,*
24 *to adopt Resolution ES–10/6, entitled “Illegal Israeli*
25 *Actions in Occupied East Jerusalem And The Rest Of*

1 *The Occupied Palestinian Territory*”, to convene for
2 the first time in 50 years the parties to the *Fourth*
3 *Geneva Convention for the Protection of Civilians in*
4 *Time of War*.

5 (2) *That resolution unfairly places full blame for*
6 *the deterioration of the peace process in the Middle*
7 *East on Israel and dangerously politicizes the Geneva*
8 *Convention, which was established to address critical*
9 *humanitarian crises.*

10 (3) *The adoption of that resolution is intended*
11 *to prejudge direct negotiations in the peace process in*
12 *the Middle East, put additional and undue pressure*
13 *on Israel to influence the results of such negotiations,*
14 *and single out Israel for unprecedented enforcement*
15 *proceedings which have never been invoked, even*
16 *against governments with records of massive viola-*
17 *tions of the Geneva Convention.*

18 (b) *STATEMENT OF POLICY.—Congress—*

19 (1) *commends the Department of State for the*
20 *vote of the United States against United Nations Gen-*
21 *eral Assembly Resolution ES-10/6, thereby affirming*
22 *that the text of the resolution politicizes the Fourth*
23 *Geneva Convention, which is primarily humani-*
24 *tarian in nature; and*

1 (2) *urges the Department of State to continue its*
2 *efforts against convening the conference specified in*
3 *the resolution.*

4 **SEC. 724. WAIVER OF CERTAIN PROHIBITIONS REGARDING**
5 **THE PALESTINE LIBERATION ORGANIZATION.**

6 (a) *AUTHORITY TO WAIVE.*—*The President may waive*
7 *any prohibition set forth in section 1003 of the Foreign Re-*
8 *lations Authorization Act, Fiscal Years 1988 and 1989*
9 *(Public Law 100–204; 101 Stat. 1407; 22 U.S.C. 5202) if*
10 *the President determines and so certifies to the appropriate*
11 *congressional committees that—*

12 (1) *it is in the national interest of the United*
13 *States to do so; and*

14 (2) *after the date of the enactment of this Act,*
15 *neither the Palestine Liberation Organization, the*
16 *Palestinian Authority, the Palestinian Legislative*
17 *Council, nor any Palestinian governing body with ju-*
18 *risdiction over territories controlled by the Pales-*
19 *tinian Authority has made a declaration of statehood*
20 *outside the framework of negotiations with the State*
21 *Israel.*

22 (b) *PERIOD OF APPLICABILITY OF WAIVER.*—*Any*
23 *waiver under subsection (a) shall be effective for not more*
24 *than 6 months at a time.*

1 **SEC. 725. UNITED STATES POLICY REGARDING JERUSALEM**
2 **AS THE CAPITAL OF ISRAEL.**

3 (a) *CONSTRUCTION OF UNITED STATES EMBASSY IN*
4 *JERUSALEM.*—*Of the amounts authorized to be appro-*
5 *priated by section 101(a)(3) of this Act for “Security and*
6 *Maintenance of United States Missions”, \$50,000,000 for*
7 *the fiscal year 2000 and \$50,000,000 for the fiscal year*
8 *2001 may be available for the construction of a United*
9 *States embassy in Jerusalem, Israel.*

10 (b) *LIMITATION ON USE OF FUNDS FOR CONSULATE*
11 *IN JERUSALEM.*—*None of the funds authorized to be appro-*
12 *priated by this Act should be obligated or expended for the*
13 *operation of a United States consulate or diplomatic facil-*
14 *ity in Jerusalem unless such consulate or diplomatic facil-*
15 *ity is under the supervision of the United States Ambas-*
16 *sador to Israel.*

17 (c) *LIMITATION ON USE OF FUNDS FOR CERTAIN PUB-*
18 *LICATIONS.*—*None of the funds authorized to be appro-*
19 *priated by this Act may be obligated or expended for the*
20 *publication of any official government document which lists*
21 *countries and their capital cities unless the document iden-*
22 *tifies Jerusalem as the capital of Israel.*

23 (d) *RECORD OF PLACE OF BIRTH AS ISRAEL FOR*
24 *PASSPORT PURPOSES.*—*For purposes of the registration of*
25 *birth, certification of nationality, or issuance of a passport*
26 *of a United States citizen born in the city of Jerusalem,*

1 *the Secretary of State shall, upon the request of the citizen,*
2 *record the place of birth as Israel.*

3 **SEC. 726. UNITED STATES POLICY WITH RESPECT TO NIGE-**
4 **RIA.**

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

6 *(1) A stable and democratic Nigeria is impor-*
7 *tant to the interests of the United States, the West Af-*
8 *rican region, and the international community.*

9 *(2) Millions of Nigerians participated in four*
10 *rounds of multiparty elections as part of a transition*
11 *program that will culminate in the inauguration of*
12 *a civilian president, members of the National Assem-*
13 *bly, governors, and local leaders on May 29, 1999. Al-*
14 *though turnout in each of the four rounds was lower*
15 *than expected, a clear majority of Nigerians dem-*
16 *onstrated their support for a swift and orderly transi-*
17 *tion to democratic civilian rule through participation*
18 *in the elections or through other means.*

19 *(3) Nevertheless, continued rule by successive*
20 *military regimes in Nigeria has harmed the lives of*
21 *the people of Nigeria, undermined confidence in the*
22 *Nigerian economy, damaged relations between Nigeria*
23 *and the United States, and threatened the political*
24 *and economic stability of West Africa.*

1 (4) *Although the current military regime, under*
2 *the leadership of General Abdusalami Abubakar, has*
3 *made significant progress in liberalizing the political*
4 *environment in Nigeria, including increased respect*
5 *for freedom of assembly, expression, and association,*
6 *numerous decrees are still in force that suspend the*
7 *constitutional protection of fundamental human*
8 *rights, allow indefinite detention without charge, and*
9 *revoke the jurisdiction of civilian courts over executive*
10 *actions.*

11 (5) *Despite the optimism expressed by many ob-*
12 *servers about the progress that has been made in Ni-*
13 *geria, the country's recent history raises serious ques-*
14 *tions about the potential success of the transition pro-*
15 *gram. In particular, events in the Niger Delta in*
16 *early 1999 underscore the critical need for ongoing*
17 *monitoring of the situation and indicate that a re-*
18 *turn by the Government of Nigeria to repressive meth-*
19 *ods remains a possibility.*

20 (b) *DECLARATION OF POLICY.—Congress declares that*
21 *the United States—*

22 (1) *supports a timely, effective, and sustainable*
23 *transition to democratic, civilian government in Ni-*
24 *geria; and*

1 **SEC. 729. SENSE OF CONGRESS REGARDING EXTRADITION**
2 **OF LT. GENERAL IGOR GIORGADZE.**

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

4 (1) *On Tuesday, August 29, 1995, President*
5 *Eduard Shevardnadze of Georgia was the victim of*
6 *an attempted assassination plot as he was departing*
7 *his offices in the Georgian Parliament building to at-*
8 *tend the signing ceremony for a new Georgian con-*
9 *stitution.*

10 (2) *Former Chief of the Georgian National Secu-*
11 *rity Service, Lt. General Igor Giorgadze, has been im-*
12 *plicated in organizing the August 29, 1995 car bomb*
13 *attack on President Shevardnadze, and allegedly fled*
14 *from the Varziani air base, one of Russia's four mili-*
15 *tary bases in Georgia at that time, and the same Rus-*
16 *sian base on which three Georgia aircraft SU 25's*
17 *were sabotaged, preventing them from performing*
18 *fighter escort duty for President Shevardnadze's air-*
19 *craft.*

20 (3) *Lt. General Igor Giorgadze has subsequently*
21 *been seen walking freely on the streets of Moscow as*
22 *well as living and utilizing facilities of the Govern-*
23 *ment of Russia.*

24 (4) *Interpol is conducting a search for Lt. Gen-*
25 *eral Igor Giorgadze for his role in the assassination*
26 *attempt against President Shevardnadze.*

1 (5) *In the aftermath of the attack on President*
2 *Shevardnadze, and regularly since that time, the Gov-*
3 *ernment of Georgia has made repeated requests for the*
4 *extradition of Lt. General Igor Giorgadze to Tbilisi,*
5 *Georgia.*

6 (6) *The Russian Interior Ministry has claimed*
7 *that it is unable to locate Giorgadze.*

8 (7) *The Georgian Security and Interior Min-*
9 *istries on repeated occasions have provided to the*
10 *Russian Interior Ministry—*

11 (A) *the exact locations in Russia where*
12 *Giorgadze could be found, including the exact lo-*
13 *cation in Moscow where Giorgadze's family lived;*

14 (B) *the exact location where Giorgadze him-*
15 *self stayed outside of Moscow in a dacha of the*
16 *Russian Ministry of Defense;*

17 (C) *people he associates with;*

18 (D) *apartments he visits; and*

19 (E) *the places, including restaurants, mar-*
20 *kets, and companies, he frequents.*

21 (8) *Russian newspapers regularly carry inter-*
22 *views with Giorgadze in which Giorgadze calls for a*
23 *change in regime in Tbilisi.*

24 (9) *Giorgadze is actively engaged in a propa-*
25 *ganda campaign against President Shevardnadze and*

1 *the democratic forces in Georgia, with the assistance*
2 *of his father who is the Communist Party chief in*
3 *Georgia.*

4 (10) *Giorgadze continues to organize and plan*
5 *attempts on the life of President Shevardnadze.*

6 (b) *SENSE OF CONGRESS.—It is the sense of Congress*
7 *that the President and other senior United States Govern-*
8 *ment officials should raise at each bilateral meeting between*
9 *officials of the United States Government and officials of*
10 *the Russian Federation the issue of the extradition of Lt.*
11 *General Igor Giorgadze to Georgia.*

12 **SEC. 730. SENSE OF CONGRESS ON THE USE OF CHILDREN**
13 **AS SOLDIERS OR OTHER COMBATANTS IN**
14 **FOREIGN ARMED FORCES.**

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

16 (1) *There are at least 300,000 children who are*
17 *involved in armed conflict in at least 25 countries*
18 *around the world. This is an escalating international*
19 *humanitarian crisis which must be addressed prompt-*
20 *ly.*

21 (2) *Children are uniquely vulnerable to military*
22 *recruitment because of their emotional and physical*
23 *immaturity, are easily manipulated, and can be*
24 *drawn into violence that they are too young to resist*
25 *or understand.*

1 (3) *Children are most likely to become child sol-*
2 *diers if they are orphans, refugees, poor, separated*
3 *from their families, displaced from their homes, living*
4 *in a combat zone, or have limited access to education.*

5 (4) *Child soldiers, besides being exposed to the*
6 *normal hazards of combat, are also afflicted with*
7 *other injuries due to their lives in the military.*
8 *Young children may have sexually related illnesses,*
9 *suffer from malnutrition, have deformed backs and*
10 *shoulders which are the result of carrying loads too*
11 *heavy for them, as well as respiratory and skin infec-*
12 *tions.*

13 (5) *One of the most egregious examples of the use*
14 *of child soldiers is the abduction thousands of chil-*
15 *dren, some as young as 8 years of age, by the Lord's*
16 *Resistance Army (in this section referred to as the*
17 *"LRA") in northern Uganda.*

18 (6) *The Department of State's Country Reports*
19 *on Human Rights Practices For 1999 reports that in*
20 *Uganda the LRA abducted children "to be guerillas*
21 *and tortured them by beating them, raping them,*
22 *forcing them to march until collapse, and denying*
23 *them adequate food, water, or shelter".*

24 (7) *Children who manage to escape from LRA*
25 *captivity have little access to trauma care and reha-*

1 *bilitation programs, and many find their families*
2 *displaced, missing, dead, or fearful of having their*
3 *children return home.*

4 (8) *A large number of children have participated*
5 *and been killed in the armed conflict in Sri Lanka,*
6 *and the use of children as soldiers has led to a break-*
7 *down in law and order in Sierra Leone.*

8 (b) *SENSE OF CONGRESS.—*

9 (1) *CONDEMNATION.—Congress hereby joins the*
10 *international community in condemning the use of*
11 *children as soldiers and other combatants by govern-*
12 *mental and non-governmental armed forces.*

13 (2) *FURTHER SENSE OF CONGRESS.—It is the*
14 *sense of Congress that the Secretary of State should—*

15 (A) *study the issue of the rehabilitation of*
16 *former child soldiers, the manner in which their*
17 *suffering can be alleviated, and the positive role*
18 *that the United States can play in such an ef-*
19 *fort; and*

20 (B) *submit a report to Congress on the issue*
21 *of rehabilitation of child soldiers and their fami-*
22 *lies.*

23 **SEC. 731. TECHNICAL CORRECTIONS.**

24 (a) *Section 1422(b)(3)(B) of the Foreign Affairs Re-*
25 *form and Restructuring Act (as contained in division G*

1 of Public Law 105–277; 112 Stat. 2681–792) is amended
2 by striking “divisionAct” and inserting “division”.

3 (b) Section 1002(a) of the Foreign Affairs Reform and
4 Restructuring Act (as contained in division G of Public
5 Law 105–277; 112 Stat. 2681–762) is amended by striking
6 paragraph (3).

7 (c) The table of contents of division G of Public Law
8 105–277 (112 Stat. 2681–762) is amended by striking “DI-
9 VISION__” and inserting “DIVISION G”.

10 **SEC. 732. REPORTS WITH RESPECT TO A REFERENDUM ON**
11 **WESTERN SAHARA.**

12 (a) **REPORTS REQUIRED.**—

13 (1) **IN GENERAL.**—Not later than each of the
14 dates specified in paragraph (2), the Secretary of
15 State shall submit a report to the appropriate con-
16 gressional committees describing specific steps being
17 taken by the Government of Morocco and by the Pop-
18 ular Front for the Liberation of Saguia el-Hamra
19 and Rio de Oro (POLISARIO) to ensure that a free,
20 fair, and transparent referendum in which the people
21 of the Western Sahara will choose between independ-
22 ence and integration with Morocco will be held by
23 July 2000.

1 (2) *DEADLINES FOR SUBMISSION OF REPORTS.*—

2 *The dates referred to in paragraph (1) are January*
3 *1, 2000, and June 1, 2000.*

4 (b) *REPORT ELEMENTS.*—*The report shall include—*

5 (1) *a description of preparations for the ref-*
6 *erendum, including the extent to which free access to*
7 *the territory for independent international organiza-*
8 *tions, including election observers and international*
9 *media, will be guaranteed;*

10 (2) *a description of current efforts by the De-*
11 *partment of State to ensure that a referendum will be*
12 *held by July 2000;*

13 (3) *an assessment of the likelihood that the July*
14 *2000 date will be met;*

15 (4) *a description of obstacles, if any, to the voter-*
16 *registration process and other preparations for the*
17 *referendum, and efforts being made by the parties and*
18 *the United States Government to overcome those ob-*
19 *stacles; and*

20 (5) *an assessment of progress being made in the*
21 *repatriation process.*

22 **SEC. 733. SELF-DETERMINATION IN EAST TIMOR**

23 (a) *FINDINGS.*—*The Congress finds as follows:*

24 (1) *On May 5, 1999, the Governments of Indo-*
25 *nesia and Portugal signed an agreement that provides*

1 *for an August 8, 1999 ballot organized by the United*
2 *Nations on East Timor's political status.*

3 *(2) On June 22, 1999, the ballot was rescheduled*
4 *for August 21 or August 22 due to concerns that the*
5 *conditions necessary for a free and fair vote could not*
6 *be established prior to August 8.*

7 *(3) On January 27, 1999, President Habibie ex-*
8 *pressed a willingness to consider independence for*
9 *East Timor if a majority of the East Timorese reject*
10 *autonomy in the August ballot.*

11 *(4) Under the May 5th agreement the Govern-*
12 *ment of Indonesia is responsible for ensuring that the*
13 *August ballot is carried out in a fair and peaceful*
14 *way in an atmosphere free of intimidation, violence*
15 *or interference.*

16 *(5) The inclusion of anti-independence militia*
17 *members in Indonesian forces responsible for estab-*
18 *lishing security in East Timor violates the May 5th*
19 *agreement which states that the absolute neutrality of*
20 *the military and police is essential for holding a free*
21 *and fair ballot.*

22 *(6) The arming of anti-independence militias by*
23 *members of the Indonesian military for the purpose*
24 *of sabotaging the August ballot has resulted in hun-*
25 *dreds of civilians killed, injured or disappeared in*

1 *separate attacks by these militias who continue to act*
2 *without restraint.*

3 (7) *The United Nations Secretary General has*
4 *received credible reports of political violence, includ-*
5 *ing intimidation and killings, by armed anti-inde-*
6 *pendence militias against unarmed pro-independence*
7 *civilians.*

8 (8) *There have been killings of opponents of inde-*
9 *pendence, including civilians and militia members.*

10 (9) *The killings in East Timor should be fully*
11 *investigated and the individuals responsible brought*
12 *to justice.*

13 (10) *Access to East Timor by international*
14 *human rights monitors and humanitarian organiza-*
15 *tions is limited, and members of the press have been*
16 *threatened.*

17 (11) *The presence of members of the United Na-*
18 *tions Assistance Mission in East Timor has already*
19 *resulted in an improved security environment in the*
20 *East Timorese capital of Dili.*

21 (12) *A robust international observer mission and*
22 *police force throughout East Timor is critical to cre-*
23 *ating a stable and secure environment necessary for*
24 *a free and fair ballot.*

1 (13) *The Administration should be commended*
2 *for its support for the United Nations Assistance Mis-*
3 *sion in East Timor which will provide monitoring*
4 *and support for the ballot and include international*
5 *civilian police, military liaison officers and election*
6 *monitors.*

7 (b) *POLICY.—(1) The President, Secretary of State,*
8 *Secretary of Defense, and the Secretary of the Treasury*
9 *(acting through the United States executive directors to*
10 *international financial institutions) should immediately*
11 *intensify their efforts to prevail upon the Indonesian Gov-*
12 *ernment and military to—*

13 (A) *disarm and disband anti-independence mili-*
14 *tias;*

15 (B) *grant full access to East Timor by inter-*
16 *national human rights monitors, humanitarian orga-*
17 *nizations, and the press;*

18 (C) *allow Timorese who have been living in exile*
19 *to return to East Timor to participate in the ballot.*

20 (2) *The President should submit a report to the Con-*
21 *gress not later than 21 days after passage of this Act, con-*
22 *taining a description of the Administration's efforts and*
23 *his assessment of steps taken by the Indonesian Government*
24 *and military to ensure a stable and secure environment in*

1 *East Timor, including those steps described in paragraph*
2 *(1).*

3 **SEC. 734. PROHIBITION ON THE RETURN OF VETERANS ME-**
4 **MORIAL OBJECTS TO FOREIGN NATIONS**
5 **WITHOUT SPECIFIC AUTHORIZATION IN LAW.**

6 (a) *PROHIBITION.*—*Notwithstanding section 2572 of*
7 *title 10, United States Code, or any other provision of law,*
8 *the President may not transfer a veterans memorial object*
9 *to a foreign country or entity controlled by a foreign gov-*
10 *ernment, or otherwise transfer or convey such object to any*
11 *person or entity for purposes of the ultimate transfer or*
12 *conveyance of such object to a foreign country or entity con-*
13 *trolled by a foreign government, unless specifically author-*
14 *ized by law.*

15 (b) *DEFINITIONS.*—*In this section:*

16 (1) *ENTITY CONTROLLED BY A FOREIGN GOVERN-*
17 *MENT.*—*The term “entity controlled by a foreign gov-*
18 *ernment” has the meaning given that term in section*
19 *2536(c)(1) of title 10, United States Code.*

20 (2) *VETERANS MEMORIAL OBJECT.*—*The term*
21 *“veterans memorial object” means any object, includ-*
22 *ing a physical structure or portion thereof, that—*

23 (A) *is located at a cemetery of the National*
24 *Cemetery System, war memorial, or military in-*
25 *stallation in the United States;*

1 (B) is dedicated to, or otherwise memorial-
2 izes, the death in combat or combat-related du-
3 ties of members of the United States Armed
4 Forces; and

5 (C) was brought to the United States from
6 abroad as a memorial of combat abroad.

7 **SEC. 735. SUPPORT FOR THE PEACE PROCESS IN SUDAN.**

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

9 (1) the civil war in Sudan has continued
10 unabated for 16 years and raged intermittently for 40
11 years;

12 (2) an estimated 1,900,000 Sudanese people have
13 died as a result of war-related causes and famine;

14 (3) an estimated 4,000,000 people are currently
15 in need of emergency food assistance in different
16 areas of Sudan;

17 (4) approximately 4,000,000 people are inter-
18 nally displaced in Sudan;

19 (5) the continuation of war has led to human
20 rights abuses by all parties to the conflict, including
21 the killing of civilians, slavery, rape, and torture on
22 the part of government forces and paramilitary forces;
23 and

24 (6) it is in the interest of all the people of Sudan
25 for the parties to the conflict to seek a negotiated set-

1 *tlement of hostilities and the establishment of a last-*
2 *ing peace in Sudan.*

3 *(b) SENSE OF CONGRESS.—(1) Congress—*

4 *(A) acknowledges the renewed vigor in facili-*
5 *tating and assisting the Inter-Governmental Author-*
6 *ity for Development (IGAD) peace process in Sudan;*
7 *and*

8 *(B) urges continued and sustained engagement*
9 *by the Department of State in the IGAD peace proc-*
10 *ess and the IGAD Partners' Forum.*

11 *(2) It is the sense of Congress that the President*
12 *should—*

13 *(A) appoint a special envoy—*

14 *(i) to serve as a point of contact for the*
15 *Inter-Governmental Authority for Development*
16 *peace process;*

17 *(ii) to coordinate with the Inter-Govern-*
18 *mental Authority for Development Partners*
19 *Forum as the Forum works to support the peace*
20 *process in Sudan; and*

21 *(iii) to coordinate United States humani-*
22 *tarian assistance to southern Sudan.*

23 *(B) provide increased financial and technical*
24 *support for the IGAD Peace Process and especially*
25 *the IGAD Secretariat in Nairobi, Kenya; and*

1 (C) *instruct the United States Permanent Rep-*
2 *resentative to the United Nations to call on the*
3 *United Nations Secretary General to consider the ap-*
4 *pointment of a special envoy for Sudan.*

5 **SEC. 736. EXPRESSING THE SENSE OF THE CONGRESS RE-**
6 **GARDING THE TREATMENT OF RELIGIOUS MI-**
7 **NORITIES IN THE ISLAMIC REPUBLIC OF**
8 **IRAN, AND PARTICULARLY THE RECENT AR-**
9 **RESTS OF MEMBERS OF THAT COUNTRY'S**
10 **JEWISH COMMUNITY.**

11 (a) *FINDINGS.—The Senate finds that—*

12 (1) *ten percent of the citizens of the Islamic Re-*
13 *public of Iran are members of religious minority*
14 *groups;*

15 (2) *according to the State Department and inter-*
16 *nationally recognized human rights organizations,*
17 *such as Human Rights Watch and Amnesty Inter-*
18 *national, religious minorities in the Islamic Republic*
19 *of Iran—including Sunni Muslims, Baha'is, Chris-*
20 *tians, and Jews—have been the victims of human*
21 *rights violations solely because of their status as reli-*
22 *gious minorities;*

23 (3) *the 55th session of the United Nations Com-*
24 *mission on Human Rights passed Resolution 1999/13,*
25 *which expresses the concern of the international com-*

1 *munity over “continued discrimination against reli-*
2 *gious minorities” in the Islamic Republic of Iran,*
3 *and calls on that country to moderate its policy on*
4 *religious minorities until they are “completely eman-*
5 *cipated”;*

6 *(4) more than half the Jews in Iran have been*
7 *forced to flee that country since the Islamic Revolu-*
8 *tion of 1979 because of religious persecution, and*
9 *many of them now reside in the United States;*

10 *(5) the Iranian Jewish community, with a*
11 *2,500-year history and currently numbering some*
12 *30,000 people, is the oldest Jewish community living*
13 *in the Diaspora;*

14 *(6) five Jews have been executed by the Iranian*
15 *government in the past five years without having been*
16 *tried;*

17 *(7) there has been a noticeable increase recently*
18 *in anti-Semitic propaganda in the government-con-*
19 *trolled Iranian press;*

20 *(8) on the eve of the Jewish holiday of Passover*
21 *1999, thirteen or more Jews, including community*
22 *and religious leaders in the city of Shiraz, were ar-*
23 *rested by the authorities of the Islamic Republic of*
24 *Iran; and*

1 (9) *in keeping with its dismal record on pro-*
2 *viding accused prisoners with due process and fair*
3 *treatment, the Islamic Republic of Iran failed to*
4 *charge the detained Jews with any specific crime or*
5 *allow visitation by relatives of the detained for more*
6 *than two months.*

7 (b) *SENSE OF CONGRESS.—It is the sense of the Con-*
8 *gress that the United States should—*

9 (1) *continue to work through the United Nations*
10 *to assure that the Islamic Republic of Iran imple-*
11 *ments the recommendations of Resolution 1999/13;*

12 (2) *condemn, in the strongest possible terms, the*
13 *recent arrest of members of Iran’s Jewish minority*
14 *and urge their immediate release;*

15 (3) *urge all nations having relations with the Is-*
16 *lamic Republic of Iran to condemn the treatment of*
17 *religious minorities in Iran and call for the release*
18 *of all prisoners held on the basis of their religious be-*
19 *liefs; and*

20 (4) *maintain the current United States policy*
21 *toward the Islamic Republic of Iran unless and until*
22 *that country moderates its treatment of religious mi-*
23 *norities.*

1 **SEC. 737. REPORTING REQUIREMENTS UNDER PLO COM-**
2 **MITMENTS COMPLIANCE ACT OF 1989.**

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

4 (1) *The PLO Commitments Compliance Act of*
5 *1989 (title VIII of Public Law 101–246) requires the*
6 *President to submit reports to the Speaker of the*
7 *House of Representatives and the chairman of the*
8 *Committee on Foreign Relations of the Senate every*
9 *180 days, on Palestinian compliance with the Geneva*
10 *commitments of 1988, the commitments contained in*
11 *the letter of September 9, 1993 to the Prime Minister*
12 *of Israel, and the letter of September 9, 1993 to the*
13 *Foreign Minister of Norway.*

14 (2) *The reporting requirements of the PLO Com-*
15 *mitments Compliance Act of 1989 have remained in*
16 *force from enactment until the present.*

17 (3) *Modification and amendment to the PLO*
18 *Commitments Compliance Act of 1989, and the expi-*
19 *ration of the Middle East Peace Facilitation Act*
20 *(Public Law 104–107) did not alter the reporting re-*
21 *quirements.*

22 (4) *According to the official records of the Com-*
23 *mittee on Foreign Relations of the Senate, the last re-*
24 *port under the PLO Commitments Compliance Act of*
25 *1989 was submitted and received on December 27,*
26 *1997.*

1 **(b) REPORTING REQUIREMENTS.**—*The PLO Commit-*
2 *ments Compliance Act of 1989 is amended —*

3 (1) *in section 804(b), by striking “In conjunc-*
4 *tion with each written policy justification required*
5 *under section 604(b)(1) of the Middle East Peace Fa-*
6 *cilitation Act of 1995 or every” and inserting*
7 *“Every”;*

8 (2) *in section 804(b)—*

9 (A) *by striking “and” at the end of para-*
10 *graph (9);*

11 (B) *by striking the period at the end of*
12 *paragraph (10); and*

13 (C) *by adding at the end the following new*
14 *paragraphs:*

15 “(11) *a statement on the effectiveness of end-use*
16 *monitoring of international or United States aid*
17 *being provided to the Palestinian Authority, Pales-*
18 *tinian Liberation Organization, or the Palestinian*
19 *Legislative Council, or to any other agent or instru-*
20 *mentality of the Palestinian Authority, on Pales-*
21 *tinian efforts to comply with international account-*
22 *ing standards and on enforcement of anti-corruption*
23 *measures; and*

24 “(12) *a statement on compliance by the Pales-*
25 *tinian Authority with the democratic reforms, with*

1 *specific details regarding the separation of powers*
2 *called for between the executive and Legislative Coun-*
3 *cil, the status of legislation passed by the Legislative*
4 *Council and sent to the executive, the support of the*
5 *executive for local and municipal elections, the status*
6 *of freedom of the press, and of the ability of the press*
7 *to broadcast debate from within the Legislative Coun-*
8 *cil and about the activities of the Legislative Coun-*
9 *cil.”.*

10 **SEC. 738. REPORT ON TERRORIST ACTIVITY IN WHICH**
11 **UNITED STATES CITIZENS WERE KILLED AND**
12 **RELATED MATTERS.**

13 *(a) IN GENERAL.—Not later than 6 months after the*
14 *date of enactment of this legislation and every 6 months*
15 *thereafter, the Secretary of State shall prepare and submit*
16 *a report, with a classified annex as necessary, to the appro-*
17 *priate congressional committees regarding terrorist attacks*
18 *in Israel, in territory administered by Israel, and in terri-*
19 *tory administered by the Palestinian Authority. The report*
20 *shall contain the following information:*

21 *(1) A list of formal commitments the Palestinian*
22 *Authority has made to combat terrorism.*

23 *(2) A list of terrorist attacks, occurring between*
24 *September 13, 1993 and the date of the report,*
25 *against United States citizens in Israel, in territory*

1 *administered by Israel, or in territory administered*
2 *by the Palestinian Authority, including—*

3 *(A) a list of all citizens of the United States*
4 *killed or injured in such attacks;*

5 *(B) the date of each attack, the total number*
6 *of people killed or injured in each attack;*

7 *(C) the person or group claiming responsi-*
8 *bility for the attack and where such person or*
9 *group has found refuge or support;*

10 *(D) a list of suspects implicated in each at-*
11 *tack and the nationality of each suspect, includ-*
12 *ing information on—*

13 *(i) which suspects are in the custody of*
14 *the Palestinian Authority and which sus-*
15 *pects are in the custody of Israel;*

16 *(ii) which suspects are still at large in*
17 *areas controlled by the Palestinian Author-*
18 *ity or Israel; and*

19 *(iii) the whereabouts (or suspected*
20 *whereabouts) of suspects implicated in each*
21 *attack.*

22 *(3) Of the suspects implicated in the attacks de-*
23 *scribed in paragraph (2) and detained by Palestinian*
24 *or Israeli authorities, information on—*

25 *(A) the date each suspect was incarcerated;*

1 (B) whether any suspects have been released,
2 the date of such release, and whether any re-
3 leased suspect was implicated in subsequent acts
4 of terrorism; and

5 (C) the status of each case pending against
6 a suspect, including information on whether the
7 suspect has been indicted, prosecuted, or con-
8 victed by the Palestinian Authority or Israel.

9 (4) The policy of the Department of State with
10 respect to offering rewards for information on ter-
11 rorist suspects, including any information on whether
12 a reward has been posted for suspects involved in ter-
13 rorist attacks listed in the report.

14 (5) A list of each request by the United States
15 for assistance in investigating terrorist attacks listed
16 in the report, a list of each request by the United
17 States for the transfer of terrorist suspects from the
18 Palestinian Authority and Israel since September 13,
19 1993 and the response to each request from the Pales-
20 tinian Authority and Israel.

21 (6) A description of efforts made by United
22 States officials since September 13, 1993 to bring to
23 justice perpetrators of terrorist acts against United
24 States citizens as listed in the report.

1 (7) *A list of any terrorist suspects in these cases*
2 *who are members of Palestinian police or security*
3 *forces, the Palestine Liberation Organization, or any*
4 *Palestinian governing body.*

5 (8) *A list of all United States citizens killed or*
6 *injured in terrorist attacks in Israel or in territory*
7 *administered by Israel between 1950 and September*
8 *13, 1993, to include in each case, where such informa-*
9 *tion is available, any stated claim of responsibility*
10 *and the resolution or disposition of each case, includ-*
11 *ing information as to the whereabouts of the perpetra-*
12 *tors of the acts: Provided, That this list shall be sub-*
13 *mitted only once with the initial report required*
14 *under this section, unless additional relevant infor-*
15 *mation on these cases becomes available.*

16 (9) *The amount of compensation the United*
17 *States has requested for United States citizens, or*
18 *their families, injured or killed in attacks by terror-*
19 *ists in Israel, in territory administered by Israel, or*
20 *in territory administered by the Palestinian Author-*
21 *ity since September 13, 1993, and, if no compensa-*
22 *tion has been requested, an explanation of why such*
23 *requests have not been made.*

24 (b) *CONSULTATION WITH OTHER DEPARTMENTS.—*
25 *The Secretary of State shall, in preparing the report re-*

1 *quired by this section, consult and coordinate with all other*
2 *Government officials who have information necessary to*
3 *complete the report. Nothing contained in this section shall*
4 *require the disclosure, on a classified or unclassified basis,*
5 *of information that would jeopardize sensitive sources and*
6 *methods or other vital national security interests or jeop-*
7 *ardize ongoing criminal investigations or proceedings.*

8 (c) *INITIAL REPORT.*—*Except as provided in sub-*
9 *section (a)(8), the initial report filed under this section*
10 *shall cover the period between September 13, 1993 and the*
11 *date of the report.*

12 (d) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—
13 *For purposes of this section, the term “appropriate congres-*
14 *sional committees” means the Committee on Foreign Rela-*
15 *tions of the Senate and the Committee on International Re-*
16 *lations of the House of Representatives.*

17 **SEC. 739. SENSE OF SENATE REGARDING CHILD LABOR.**

18 (a) *FINDINGS.*—*The Senate makes the following find-*
19 *ings:*

20 (1) *The International Labor Organization (in*
21 *this resolution referred to as the “ILO”) estimates*
22 *that at least 250,000,000 children under the age of 15*
23 *are working around the world, many of them in dan-*
24 *gerous jobs that prevent them from pursuing an edu-*

1 *cation and damage their physical and moral well-*
2 *being.*

3 (2) *Children are the most vulnerable element of*
4 *society and are often abused physically and mentally*
5 *in the work place.*

6 (3) *Making children work endangers their edu-*
7 *cation, health, and normal development.*

8 (4) *UNICEF estimates that by the year 2000,*
9 *over 1,000,000,000 adults will be unable to read or*
10 *write on even a basic level because they had to work*
11 *as children and were not educated.*

12 (5) *Nearly 41 percent of the children in Africa,*
13 *22 percent in Asia, and 17 percent in Latin America*
14 *go to work without ever having seen the inside of a*
15 *classroom.*

16 (6) *The President, in his State of the Union ad-*
17 *dress, called abusive child labor “the most intolerable*
18 *labor practice of all,” and called upon other countries*
19 *to join in the fight against abusive and exploitative*
20 *child labor.*

21 (7) *The Department of Labor has conducted 5*
22 *detailed studies that document the growing trend of*
23 *child labor in the global economy, including a study*
24 *that shows children as young as 4 are making as-*

1 sorted products that are traded in the global market-
2 place.

3 (8) *The prevalence of child labor in many devel-*
4 *oping countries is rooted in widespread poverty that*
5 *is attributable to unemployment and underemploy-*
6 *ment among adults, low living standards, and insuffi-*
7 *cient education and training opportunities among*
8 *adult workers and children.*

9 (9) *The ILO has unanimously reported a new*
10 *Convention on the Worst Forms of Child Labor.*

11 (10) *The United States negotiators played a*
12 *leading role in the negotiations leading up to the suc-*
13 *cessful conclusion of the new ILO Convention on the*
14 *Worst Forms of Child Labor.*

15 (11) *On September 23, 1993, the United States*
16 *Senate unanimously adopted a resolution stating its*
17 *opposition to the importation of products made by*
18 *abusive and exploitative child labor and the exploi-*
19 *tation of children for commercial gain.*

20 (b) *SENSE OF THE SENATE.—It is the sense of the Sen-*
21 *ate that—*

22 (1) *abusive and exploitative child labor should*
23 *not be tolerated anywhere it occurs;*

24 (2) *ILO member States should be commended for*
25 *their efforts in negotiating this historic convention;*

1 (3) *it should be the policy of the United States*
2 *to continue to work with all foreign nations and*
3 *international organizations to promote an end to*
4 *abusive and exploitative child labor; and*

5 (4) *the Senate looks forward to the prompt sub-*
6 *mission by the President of the new ILO Convention*
7 *on the Worst Forms of Child Labor.*

8 **SEC. 740. REPORTING REQUIREMENT ON WORLDWIDE CIR-**
9 **CULATION OF SMALL ARMS AND LIGHT WEAP-**
10 **ONS.**

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

12 (1) *In numerous regional conflicts, the presence*
13 *of vast numbers of small arms and light weapons has*
14 *prolonged and exacerbated conflict and frustrated at-*
15 *tempts by the international community to secure last-*
16 *ing peace. The sheer volume of available weaponry*
17 *has been a major factor in the devastation witnessed*
18 *in recent conflicts in Angola, Cambodia, Liberia, Mo-*
19 *zambique, Rwanda, Sierra Leone, Somalia, Sri*
20 *Lanka, and Afghanistan, among others, and has con-*
21 *tributed to the violence endemic to narcotrafficking in*
22 *Colombia and Mexico.*

23 (2) *Increased access by terrorists, guerrilla*
24 *groups, criminals, and others to small arms and light*
25 *weapons poses a real threat to United States partici-*

1 *pants in peacekeeping operations and United States*
2 *forces based overseas, as well as to United States citi-*
3 *zens traveling overseas.*

4 (3) *In accordance with the reorganization of the*
5 *Department of State made by the Foreign Affairs Re-*
6 *form and Restructuring Act of 1998, effective March*
7 *28, 1999, all functions and authorities of the Arms*
8 *Control and Disarmament Agency were transferred to*
9 *the Secretary of State. One of the stated goals of that*
10 *Act is to integrate the Arms Control and Disar-*
11 *mament Agency into the Department of State “to give*
12 *new emphasis to a broad range of efforts to curb pro-*
13 *liferation of dangerous weapons and delivery sys-*
14 *tems”.*

15 (b) *REPORT.—Not later than 180 days after the date*
16 *of enactment of this Act, the Secretary of State shall submit*
17 *to the appropriate congressional committees a report*
18 *containing—*

19 (1) *an assessment of whether the export of small*
20 *arms poses any proliferation problems including—*

21 (A) *estimates of the numbers and sources of*
22 *licit and illicit small arms and light arms in*
23 *circulation and their origins;*

24 (B) *the challenges associated with moni-*
25 *toring small arms; and*

1 (C) the political, economic, and security di-
2 mensions of this issue, and the threats posed, if
3 any, by these weapons to United States interests,
4 including national security interests;

5 (2) an assessment of whether the export of small
6 arms of the type sold commercially in the United
7 States should be considered a foreign policy or pro-
8 liferation issue;

9 (3) a description of current Department of State
10 activities to monitor and, to the extent possible ensure
11 adequate control of, both the licit and illicit manufac-
12 ture, transfer, and proliferation of small arms and
13 light weapons, including efforts to survey and assess
14 this matter with respect to Africa and to survey and
15 assess the scope and scale of the issue, including stock-
16 pile security and destruction of excess inventory, in
17 NATO and Partnership for Peace countries;

18 (4) a description of the impact of the reorganiza-
19 tion of the Department of State made by the Foreign
20 Affairs Reform and Restructuring Act of 1998 on the
21 transfer of functions relating to monitoring, licensing,
22 analysis, and policy on small arms and light weap-
23 ons, including—

24 (A) the integration of and the functions re-
25 lating to small arms and light weapons of the

1 *United States Arms Control and Disarmament*
2 *Agency with those of the Department of State;*

3 *(B) the functions of the Bureau of Arms*
4 *Control, the Bureau of Nonproliferation, the Bu-*
5 *reau of Political-Military Affairs, the Bureau of*
6 *International Narcotics and Law Enforcement,*
7 *regional bureaus, and any other relevant bureau*
8 *or office of the Department of State, including*
9 *the allocation of personnel and funds, as they*
10 *pertain to small arms and light weapons;*

11 *(C) the functions of the regional bureaus of*
12 *the Department of State in providing informa-*
13 *tion and policy coordination in bilateral and*
14 *multilateral settings on small arms and light*
15 *weapons;*

16 *(D) the functions of the Under Secretary of*
17 *State for Arms Control and International Secu-*
18 *rity pertaining to small arms and light weapons;*
19 *and*

20 *(E) the functions of the scientific and policy*
21 *advisory board on arms control, nonprolifera-*
22 *tion, and disarmament pertaining to small arms*
23 *and light weapons; and*

24 *(5) an assessment of whether foreign governments*
25 *are enforcing their own laws concerning small arms*

1 *and light weapons import and sale, including com-*
2 *mitments under the Inter-American Convention*
3 *Against the Illicit Manufacturing of and Trafficking*
4 *in Firearms, Ammunition, Explosives, and Other Re-*
5 *lated Materials or other relevant international agree-*
6 *ments.*

7 ***Subtitle C—United States Entry-***
8 ***Exit Controls***

9 ***SEC. 751. AMENDMENT OF THE ILLEGAL IMMIGRATION RE-***
10 ***FORM AND IMMIGRANT RESPONSIBILITY ACT***
11 ***OF 1996.***

12 *(a) IN GENERAL.—Section 110(a) of the Illegal Immi-*
13 *gration Reform and Immigrant Responsibility Act of 1996*
14 *(8 U.S.C. 1221 note) is amended to read as follows:*

15 *“(a) SYSTEM.—*

16 *“(1) IN GENERAL.—Subject to paragraph (2),*
17 *not later than 2 years after the date of enactment of*
18 *this Act, the Attorney General shall develop an auto-*
19 *mated entry and exit control system that will—*

20 *“(A) collect a record of departure for every*
21 *alien departing the United States and match the*
22 *record of departure with the record of the alien’s*
23 *arrival in the United States; and*

24 *“(B) enable the Attorney General to iden-*
25 *tify, through online searching procedures, law-*

1 *fully admitted nonimmigrants who remain in*
2 *the United States beyond the period authorized*
3 *by the Attorney General.*

4 “(2) *EXCEPTION.*—*The system under paragraph*
5 *(1) shall not collect a record of arrival or departure—*

6 “(A) *at a land border or seaport of the*
7 *United States for any alien; or*

8 “(B) *for any alien for whom the documen-*
9 *tary requirements in section 212(a)(7)(B) of the*
10 *Immigration and Nationality Act have been*
11 *waived by the Attorney General and the Sec-*
12 *retary of State under section 212(d)(4)(B) of the*
13 *Immigration and Nationality Act.”.*

14 “(b) *EFFECTIVE DATE.*—*The amendment made by sub-*
15 *section (a) shall take effect as if included in the enactment*
16 *of the Illegal Immigration Reform and Immigrant Respon-*
17 *sibility Act of 1996 (division C of Public Law 104–208;*
18 *110 Stat. 3009–546).*

19 **SEC. 752. REPORT ON AUTOMATED ENTRY-EXIT CONTROL**
20 **SYSTEM.**

21 “(a) *REQUIREMENT.*—*Not later than 1 year after the*
22 *date of enactment of this Act, the Attorney General shall*
23 *submit a report to the Committees on the Judiciary of the*
24 *Senate and the House of Representatives on the feasibility*
25 *of developing and implementing an automated entry-exit*

1 *control system that would collect a record of departure for*
2 *every alien departing the United States and match the*
3 *record of departure with the record of the alien's arrival*
4 *in the United States, including departures and arrivals at*
5 *the land borders and seaports of the United States.*

6 (b) *CONTENTS OF REPORT.—Such report shall—*

7 (1) *assess the costs and feasibility of various*
8 *means of operating such an automated entry-exit con-*
9 *trol system, including exploring—*

10 (A) *how, if the automated entry-exit control*
11 *system were limited to certain aliens arriving at*
12 *airports, departure records of those aliens could*
13 *be collected when they depart through a land bor-*
14 *der or seaport; and*

15 (B) *the feasibility of the Attorney General,*
16 *in consultation with the Secretary of State, nego-*
17 *tiating reciprocal agreements with the govern-*
18 *ments of contiguous countries to collect such in-*
19 *formation on behalf of the United States and*
20 *share it in an acceptable automated format;*

21 (2) *consider the various means of developing*
22 *such a system, including the use of pilot projects if*
23 *appropriate, and assess which means would be most*
24 *appropriate in which geographical regions;*

1 (3) *evaluate how such a system could be imple-*
2 *mented without increasing border traffic congestion*
3 *and border crossing delays and, if any such system*
4 *would increase border crossing delays, evaluate to*
5 *what extent such congestion or delays would increase;*
6 *and*

7 (4) *estimate the length of time that would be re-*
8 *quired for any such system to be developed and imple-*
9 *mented.*

10 **SEC. 753. ANNUAL REPORTS ON ENTRY-EXIT CONTROL AND**
11 **USE OF ENTRY-EXIT CONTROL DATA.**

12 (a) *ANNUAL REPORTS ON IMPLEMENTATION OF*
13 *ENTRY-EXIT CONTROL AT AIRPORTS.—Not later than 30*
14 *days after the end of each fiscal year until the fiscal year*
15 *in which the Attorney General certifies to Congress that the*
16 *entry-exit control system required by section 110(a) of the*
17 *Illegal Immigration Reform and Immigrant Responsibility*
18 *Act of 1996, as amended by section 751 of this Act, has*
19 *been developed, the Attorney General shall submit to the*
20 *Committees on the Judiciary of the Senate and the House*
21 *of Representatives a report that—*

22 (1) *provides an accurate assessment of the status*
23 *of the development of the entry-exit control system;*

1 (2) includes a specific schedule for the develop-
2 ment of the entry-exit control system that the Attor-
3 ney General anticipates will be met; and

4 (3) includes a detailed estimate of the funding,
5 if any, needed for the development of the entry-exit
6 control system.

7 (b) ANNUAL REPORTS ON VISA OVERSTAYS IDENTI-
8 FIED THROUGH THE ENTRY-EXIT CONTROL SYSTEM.—Not
9 later than June 30 of each year, the Attorney General shall
10 submit to the Committees on the Judiciary of the Senate
11 and the House of Representatives a report that sets forth—

12 (1) the number of arrival records of aliens and
13 the number of departure records of aliens that were
14 collected during the preceding fiscal year under the
15 entry-exit control system under section 110(a) of the
16 Illegal Immigration Reform and Immigrant Respon-
17 sibility Act of 1996, as so amended, with a separate
18 accounting of such numbers by country of nationality;

19 (2) the number of departure records of aliens
20 that were successfully matched to records of such
21 aliens' prior arrival in the United States, with a sep-
22 arate accounting of such numbers by country of na-
23 tionality and by classification as immigrant or non-
24 immigrant; and

1 (3) *the number of aliens who arrived as non-*
2 *immigrants, or as visitors under the visa waiver pro-*
3 *gram under section 217 of the Immigration and Na-*
4 *tionality Act, for whom no matching departure record*
5 *has been obtained through the system, or through*
6 *other means, as of the end of such aliens' authorized*
7 *period of stay, with an accounting by country of na-*
8 *tionality and approximate date of arrival in the*
9 *United States.*

10 (c) *INCORPORATION INTO OTHER DATABASES.—Infor-*
11 *mation regarding aliens who have remained in the United*
12 *States beyond their authorized period of stay that is identi-*
13 *fied through the system referred to in subsection (a) shall*
14 *be integrated into appropriate databases of the Immigra-*
15 *tion and Naturalization Service and the Department of*
16 *State, including those used at ports-of-entry and at con-*
17 *sular offices.*

18 **TITLE VIII—INTERNATIONAL OR-**
19 **GANIZATIONS AND COMMIS-**
20 **SIONS**

21 ***Subtitle A—Authorizations of***
22 ***Appropriations***

23 **SEC. 801. CONTRIBUTIONS TO INTERNATIONAL ORGANIZA-**
24 **TIONS.**

25 (a) *AUTHORIZATION OF APPROPRIATIONS.—*

1 (1) *IN GENERAL.*—*There are authorized to be ap-*
2 *propriated under the heading “Contributions to Inter-*
3 *national Organizations” \$940,000,000 for the fiscal*
4 *year 2000 and \$940,000,000 for the fiscal year 2001*
5 *for the Department of State to carry out the authori-*
6 *ties, functions, duties, and responsibilities in the con-*
7 *duct of the foreign affairs of the United States with*
8 *respect to international organizations and to carry*
9 *out other authorities in law consistent with such pur-*
10 *poses.*

11 (2) *AVAILABILITY OF FUNDS FOR CIVIL BUDGET*
12 *OF NATO.*—*Of the amounts authorized in paragraph*
13 *(1), \$48,977,000 are authorized in fiscal year 2000*
14 *and \$48,977,000 in fiscal year 2001 for the United*
15 *States assessment for the civil budget of the North At-*
16 *lantic Treaty Organization.*

17 (b) *NO GROWTH BUDGET.*—*Of the funds made avail-*
18 *able under subsection (a), \$80,000,000 may be made avail-*
19 *able during each calendar year only after the Secretary of*
20 *State certifies that the United Nations has taken no action*
21 *during the preceding calendar year to increase funding for*
22 *any United Nations program without identifying an offset-*
23 *ting decrease during that calendar year elsewhere in the*
24 *United Nations budget of \$2,533,000,000, and cause the*

1 *United Nations to exceed the initial 1998–99 United Na-*
2 *tions biennium budget adopted in December 1997.*

3 *(c) INSPECTOR GENERAL OF THE UNITED NATIONS.—*

4 *(1) WITHHOLDING OF FUNDS.—Twenty percent*
5 *of the funds made available in each fiscal year under*
6 *subsection (a) for the assessed contribution of the*
7 *United States to the United Nations shall be withheld*
8 *from obligation and expenditure until a certification*
9 *is made under paragraph (2).*

10 *(2) CERTIFICATION.—A certification under this*
11 *paragraph is a certification by the Secretary of State*
12 *in the fiscal year concerned that the following condi-*
13 *tions are satisfied:*

14 *(A) ACTION BY THE UNITED NATIONS.—The*
15 *United Nations—*

16 *(i) has met the requirements of para-*
17 *graphs (1) through (6) of section 401(b) of*
18 *the Foreign Relations Authorization Act,*
19 *Fiscal Years 1994 and 1995 (22 U.S.C.*
20 *287e note), as amended by paragraph (3);*

21 *(ii) has established procedures that re-*
22 *quire the Under Secretary General of the*
23 *Office of Internal Oversight Services to re-*
24 *port directly to the Secretary General on the*

1 *adequacy of the Office’s resources to enable*
2 *the Office to fulfill its mandate; and*

3 *(iii) has made available an adequate*
4 *amount of funds to the Office for carrying*
5 *out its functions.*

6 *(B) AUTHORITY BY OIOS.—The Office of In-*
7 *ternal Oversight Services has authority to audit,*
8 *inspect, or investigate each program, project, or*
9 *activity funded by the United Nations, and each*
10 *executive board created under the United Nations*
11 *has been notified, in writing, of that authority.*

12 *(3) AMENDMENT OF THE FOREIGN RELATIONS*
13 *AUTHORIZATION ACT, FISCAL YEARS 1994 AND 1995.—*
14 *Section 401(b) of the Foreign Relations Authorization*
15 *Act, Fiscal Years 1994 and 1995 is amended—*

16 *(A) by amending paragraph (6) to read as*
17 *follows:*

18 *“(6) the United Nations has procedures in place*
19 *to ensure that all reports submitted by the Office of*
20 *Internal Oversight Services are made available to the*
21 *member states of the United Nations without modi-*
22 *fication except to the extent necessary to protect the*
23 *privacy rights of individuals.”; and*

1 (B) by striking “Inspector General” each
2 place it appears and inserting “Office of Inter-
3 nal Oversight Services”.

4 (d) *PROHIBITION ON CERTAIN GLOBAL CON-*
5 *FERENCES.*—None of the funds made available under sub-
6 section (a) shall be available for any United States con-
7 tribution to pay for any expense related to the holding of
8 any United Nations global conference, except for any con-
9 ference scheduled prior to October 1, 1998.

10 (e) *PROHIBITION ON FUNDING OTHER FRAMEWORK*
11 *TREATY-BASED ORGANIZATIONS.*—None of the funds made
12 available for the 1998–1999 biennium budget under sub-
13 section (a) for United States contributions to the regular
14 budget of the United Nations shall be available for the
15 United States proportionate share of any other framework
16 treaty-based organization, including the Framework Con-
17 vention on Global Climate Change, the International Sea-
18 bed Authority, the Desertification Convention, and the
19 International Criminal Court.

20 (f) *FOREIGN CURRENCY EXCHANGE RATES.*—

21 (1) *AUTHORIZATION OF APPROPRIATIONS.*—In
22 addition to amounts authorized to be appropriated by
23 subsection (a), there are authorized to be appropriated
24 such sums as may be necessary for each of fiscal years

1 2000 and 2001 to offset adverse fluctuations in for-
2 eign currency exchange rates.

3 (2) *AVAILABILITY OF FUNDS.*—Amounts appro-
4 priated under this subsection shall be available for ob-
5 ligation and expenditure only to the extent that the
6 Director of the Office of Management and Budget de-
7 termines and certifies to Congress that such amounts
8 are necessary due to such fluctuations.

9 (g) *REFUND OF EXCESS CONTRIBUTIONS.*—The
10 United States shall continue to insist that the United Na-
11 tions and its specialized and affiliated agencies shall credit
12 or refund to each member of the agency concerned its pro-
13 portionate share of the amount by which the total contribu-
14 tions to the agency exceed the expenditures of the regular
15 assessed budgets of these agencies.

16 **SEC. 802. CONTRIBUTIONS FOR INTERNATIONAL PEACE-**
17 **KEEPING ACTIVITIES.**

18 (a) *AUTHORIZATION OF APPROPRIATIONS.*—There are
19 authorized to be appropriated under the heading “Contribu-
20 tions for International Peacekeeping Activities”
21 \$235,000,000 for the fiscal year 2000 and \$235,000,000 for
22 the fiscal year 2001 for the Department of State to carry
23 out the authorities, functions, duties, and responsibilities
24 in the conduct of the foreign affairs of the United States
25 with respect to international peacekeeping activities and to

1 *carry out other authorities in law consistent with such pur-*
2 *poses.*

3 (b) *CODIFICATION OF REQUIRED NOTICE OF PRO-*
4 *POSED UNITED NATIONS PEACEKEEPING OPERATIONS.—*

5 (1) *CODIFICATION.—Section 4 of the United Na-*
6 *tions Participation Act of 1945 (22 U.S.C. 287b) is*
7 *amended—*

8 (A) *in subsection (a), by striking the second*
9 *sentence; and*

10 (B) *by striking subsection (e) and inserting*
11 *the following:*

12 “(e) *CONSULTATIONS AND REPORTS ON UNITED NA-*
13 *TIONS PEACEKEEPING OPERATIONS.—*

14 “(1) *CONSULTATIONS.—Each month the Presi-*
15 *dent shall consult with Congress on the status of*
16 *United Nations peacekeeping operations.*

17 “(2) *INFORMATION TO BE PROVIDED.—In con-*
18 *nection with such consultations, the following infor-*
19 *mation shall be provided each month to the des-*
20 *ignated congressional committees:*

21 “(A) *With respect to ongoing United Na-*
22 *tions peacekeeping operations, the following:*

23 “(i) *A list of all resolutions of the*
24 *United Nations Security Council antici-*
25 *ipated to be voted on during such month that*

1 *would extend or change the mandate of any*
2 *United Nations peacekeeping operation.*

3 “(ii) *For each such operation, any*
4 *changes in the duration, mandate, and com-*
5 *mand and control arrangements that are*
6 *anticipated as a result of the adoption of*
7 *the resolution.*

8 “(iii) *An estimate of the total cost to*
9 *the United Nations of each such operation*
10 *for the period covered by the resolution, and*
11 *an estimate of the amount of that cost that*
12 *will be assessed to the United States.*

13 “(iv) *Any anticipated significant*
14 *changes in United States participation in*
15 *or support for each such operation during*
16 *the period covered by the resolution (includ-*
17 *ing the provision of facilities, training,*
18 *transportation, communication, and*
19 *logistical support, but not including intel-*
20 *ligence activities reportable under title V of*
21 *the National Security Act of 1947 (50*
22 *U.S.C. 413 et seq.)), and the estimated costs*
23 *to the United States of such changes.*

24 “(B) *With respect to each new United Na-*
25 *tions peacekeeping operation that is anticipated*

1 to be authorized by a Security Council resolution
2 during such month, the following information for
3 the period covered by the resolution:

4 “(i) The anticipated duration, man-
5 date, and command and control arrange-
6 ments of such operation, the planned exit
7 strategy, and the vital national interest to
8 be served.

9 “(ii) An estimate of the total cost to
10 the United Nations of the operation, and an
11 estimate of the amount of that cost that will
12 be assessed to the United States.

13 “(iii) A description of the functions
14 that would be performed by any United
15 States Armed Forces participating in or
16 otherwise operating in support of the oper-
17 ation, an estimate of the number of mem-
18 bers of the Armed Forces that will partici-
19 pate in or otherwise operate in support of
20 the operation, and an estimate of the cost to
21 the United States of such participation or
22 support.

23 “(iv) A description of any other United
24 States assistance to or support for the oper-
25 ation (including the provision of facilities,

1 *training, transportation, communication,*
2 *and logistical support, but not including in-*
3 *telligence activities reportable under title V*
4 *of the National Security Act of 1947 (50*
5 *U.S.C. 413 et seq.)), and an estimate of the*
6 *cost to the United States of such assistance*
7 *or support.*

8 “(v) *A reprogramming of funds pursu-*
9 *ant to section 34 of the State Department*
10 *Basic Authorities Act of 1956, submitted in*
11 *accordance with the procedures set forth in*
12 *such section, describing the source of funds*
13 *that will be used to pay for the cost of the*
14 *new United Nations peacekeeping operation,*
15 *provided that such notification shall also be*
16 *submitted to the Committee on Appropria-*
17 *tions of the House of Representatives and*
18 *the Committee on Appropriations of the*
19 *Senate.*

20 “(3) *FORM AND TIMING OF INFORMATION.—*

21 “(A) *FORM.—The President shall submit*
22 *information under clauses (i) and (iii) of para-*
23 *graph (2)(A) in writing.*

24 “(B) *TIMING.—*

1 “(i) *ONGOING OPERATIONS.*—*The in-*
2 *formation required under paragraph (2)(A)*
3 *for a month shall be submitted not later*
4 *than the 10th day of the month.*

5 “(ii) *NEW OPERATIONS.*—*The informa-*
6 *tion required under paragraph (2)(B) shall*
7 *be submitted in writing with respect to each*
8 *new United Nations peacekeeping operation*
9 *not less than 15 days before the anticipated*
10 *date of the vote on the resolution concerned*
11 *unless the President determines that excep-*
12 *tional circumstances prevent compliance*
13 *with the requirement to report 15 days in*
14 *advance. If the President makes such a de-*
15 *termination, the information required*
16 *under paragraph (2)(B) shall be submitted*
17 *as far in advance of the vote as is prac-*
18 *ticable.*

19 “(4) *NEW UNITED NATIONS PEACEKEEPING OP-*
20 *ERATION DEFINED.*—*As used in paragraph (2), the*
21 *term ‘new United Nations peacekeeping operation’ in-*
22 *cludes any existing or otherwise ongoing United Na-*
23 *tions peacekeeping operation—*

24 “(A) *where the authorized force strength is*
25 *to be expanded;*

1 “(B) that is to be authorized to operate in
2 a country in which it was not previously author-
3 ized to operate; or

4 “(C) the mandate of which is to be changed
5 so that the operation would be engaged in sig-
6 nificant additional or significantly different
7 functions.

8 “(5) NOTIFICATION AND QUARTERLY REPORTS
9 REGARDING UNITED STATES ASSISTANCE.—

10 “(A) NOTIFICATION OF CERTAIN ASSIST-
11 ANCE.—

12 “(i) IN GENERAL.—The President shall
13 notify the designated congressional commit-
14 tees at least 15 days before the United
15 States provides any assistance to the United
16 Nations to support peacekeeping operations.

17 “(ii) EXCEPTION.—This subparagraph
18 does not apply to—

19 “(I) assistance having a value of
20 less than \$3,000,000 in the case of non-
21 reimbursable assistance or less than
22 \$14,000,000 in the case of reimbursable
23 assistance; or

24 “(II) assistance provided under
25 the emergency drawdown authority of

1 *sections 506(a)(1) and 552(c)(2) of the*
2 *Foreign Assistance Act of 1961 (22*
3 *U.S.C. 2318(a)(1) and 2348a(c)(2)).*

4 “(B) *QUARTERLY REPORTS.—*

5 “(i) *IN GENERAL.—The President shall*
6 *submit quarterly reports to the designated*
7 *congressional committees on all assistance*
8 *provided by the United States during the*
9 *preceding calendar quarter to the United*
10 *Nations to support peacekeeping operations.*

11 “(ii) *MATTERS INCLUDED.—Each re-*
12 *port under this subparagraph shall describe*
13 *the assistance provided for each such oper-*
14 *ation, listed by category of assistance.*

15 “(iii) *FOURTH QUARTER REPORT.—*
16 *The report under this subparagraph for the*
17 *fourth calendar quarter of each year shall be*
18 *submitted as part of the annual report re-*
19 *quired by subsection (d) and shall include*
20 *cumulative information for the preceding*
21 *calendar year.*

22 “(f) *DESIGNATED CONGRESSIONAL COMMITTEES.—In*
23 *this section, the term ‘designated congressional committees’*
24 *means the Committee on Foreign Relations and the Com-*
25 *mittee on Appropriations of the Senate and the Committee*

1 *on International Relations and the Committee on Appro-*
2 *priations of the House of Representatives.”.*

3 (2) *CONFORMING REPEAL.—Subsection (a) of*
4 *section 407 of the Foreign Relations Authorization*
5 *Act, Fiscal Years 1994 and 1995 (Public Law 103–*
6 *236; 22 U.S.C. 287b note; 108 Stat. 448) is repealed.*

7 (c) *RELATIONSHIP TO OTHER NOTICE REQUIRE-*
8 *MENTS.—Section 4 of the United Nations Participation Act*
9 *of 1945, as amended by subsection (b), is further amended*
10 *by adding at the end the following:*

11 “(g) *RELATIONSHIP TO OTHER NOTIFICATION RE-*
12 *QUIREMENTS.—Nothing in this section is intended to alter*
13 *or supersede any notification requirement with respect to*
14 *peacekeeping operations that is established under any other*
15 *provision of law.”.*

16 **SEC. 803. AUTHORIZATION OF APPROPRIATIONS FOR CON-**
17 **TRIBUTIONS TO THE UNITED NATIONS VOL-**
18 **UNTARY FUND FOR VICTIMS OF TORTURE.**

19 *There are authorized to be appropriated to the Presi-*
20 *dent \$5,000,000 for each of the fiscal years 2000 and 2001*
21 *for payment of contributions to the United Nations Vol-*
22 *untary Fund for Victims of Torture.*

1 **Subtitle B—United Nations**
2 **Activities**

3 **SEC. 811. UNITED NATIONS POLICY ON ISRAEL AND THE**
4 **PALESTINIANS.**

5 (a) *CONGRESSIONAL STATEMENT.*—*It shall be the pol-*
6 *icy of the United States to promote an end to the persistent*
7 *inequity experienced by Israel in the United Nations where-*
8 *by Israel is the only longstanding member of the organiza-*
9 *tion to be denied acceptance into any of the United Nations*
10 *regional blocs.*

11 (b) *POLICY ON ABOLITION OF CERTAIN UNITED NA-*
12 *TIONS GROUPS.*—*It shall be the policy of the United States*
13 *to seek the abolition of certain United Nations groups the*
14 *existence of which is inimical to the ongoing Middle East*
15 *peace process, those groups being the Special Committee to*
16 *Investigate Israeli Practices Affecting the Human Rights of*
17 *the Palestinian People and other Arabs of the Occupied Ter-*
18 *ritories; the Committee on the Exercise of the Inalienable*
19 *Rights of the Palestinian People; the Division for the Pales-*
20 *tinian Rights; and the Division on Public Information on*
21 *the Question of Palestine.*

22 (c) *ANNUAL REPORTS.*—*On January 15 of each year,*
23 *the Secretary of State shall submit a report to the appro-*
24 *priate congressional committees (in classified or unclassi-*
25 *fied form as appropriate) on—*

1 (1) actions taken by representatives of the United
2 States to encourage the nations of the Western Europe
3 and Others Group (WEOG) to accept Israel into their
4 regional bloc;

5 (2) other measures being undertaken, and which
6 will be undertaken, to ensure and promote Israel's full
7 and equal participation in the United Nations; and

8 (3) steps taken by the United States under sub-
9 section (b) to secure abolition by the United Nations
10 of groups described in that subsection.

11 (d) ANNUAL CONSULTATION.—At the time of the sub-
12 mission of each annual report under subsection (c), the Sec-
13 retary of State shall consult with the appropriate congres-
14 sional committees on specific responses received by the Sec-
15 retary of State from each of the nations of the Western Eu-
16 rope and Others Group (WEOG) on their position con-
17 cerning Israel's acceptance into their organization.

18 **SEC. 812. DATA ON COSTS INCURRED IN SUPPORT OF**
19 **UNITED NATIONS PEACEKEEPING OPER-**
20 **ATIONS.**

21 Chapter 6 of part II of the Foreign Assistance Act of
22 1961 (22 U.S.C. 2348 et seq.) is amended by adding at the
23 end the following:

1 **“SEC. 554. DATA ON COSTS INCURRED IN SUPPORT OF**
2 **UNITED NATIONS PEACEKEEPING OPER-**
3 **ATIONS.**

4 “(a) *UNITED STATES COSTS.*—*The President shall an-*
5 *nually provide to the Secretary General of the United Na-*
6 *tions data regarding all costs incurred by the United States*
7 *Department of Defense during the preceding year in sup-*
8 *port of all United Nations Security Council resolutions.*

9 “(b) *UNITED NATIONS MEMBER COSTS.*—*The Presi-*
10 *dent shall request that the United Nations compile and pub-*
11 *lish information concerning costs incurred by United Na-*
12 *tions members in support of such resolutions.”.*

13 **SEC. 813. REIMBURSEMENT FOR GOODS AND SERVICES**
14 **PROVIDED BY THE UNITED STATES TO THE**
15 **UNITED NATIONS.**

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

19 **“SEC. 10. REIMBURSEMENT FOR GOODS AND SERVICES**
20 **PROVIDED BY THE UNITED STATES TO THE**
21 **UNITED NATIONS.**

22 “(a) *REQUIREMENT TO OBTAIN REIMBURSEMENT.*—
23 “(1) *IN GENERAL.*—*Except as provided in para-*
24 *graph (2), the President shall seek and obtain in a*
25 *timely fashion a commitment from the United Na-*
26 *tions to provide reimbursement to the United States*

1 *from the United Nations whenever the United States*
2 *Government furnishes assistance pursuant to the pro-*
3 *visions of law described in subsection (c)—*

4 *“(A) to the United Nations when the assist-*
5 *ance is designed to facilitate or assist in car-*
6 *rying out an assessed peacekeeping operation;*

7 *“(B) for any United Nations peacekeeping*
8 *operation that is authorized by the United Na-*
9 *tions Security Council under Chapter VI or*
10 *Chapter VII of the United Nations Charter and*
11 *paid for by peacekeeping or regular budget as-*
12 *essment of the United Nations members; or*

13 *“(C) to any country participating in any*
14 *operation authorized by the United Nations Se-*
15 *curity Council under Chapter VI or Chapter VII*
16 *of the United Nations Charter and paid for by*
17 *peacekeeping assessments of United Nations*
18 *members when the assistance is designed to fa-*
19 *facilitate or assist the participation of that coun-*
20 *try in the operation.*

21 *“(2) EXCEPTIONS.—*

22 *“(A) IN GENERAL.—The requirement in*
23 *paragraph (1) shall not apply to—*

24 *“(i) goods and services provided to the*
25 *United States Armed Forces;*

1 “(ii) assistance having a value of less
2 than \$3,000,000 per fiscal year per oper-
3 ation;

4 “(iii) assistance furnished before the
5 date of enactment of this section;

6 “(iv) salaries and expenses of civilian
7 police and other civilian and military mon-
8 itors where United Nations policy is to re-
9 quire payment by contributing members for
10 similar assistance to United Nations peace-
11 keeping operations; or

12 “(v) any assistance commitment made
13 before the date of enactment of this section.

14 “(B) *DEPLOYMENTS OF UNITED STATES*
15 *MILITARY FORCES.*— *The requirements of sub-*
16 *section (d)(1)(B) shall not apply to the deploy-*
17 *ment of United States military forces when the*
18 *President determines that such deployment is*
19 *important to the security interests of the United*
20 *States. The cost of such deployment shall be in-*
21 *cluded in the data provided under section 554 of*
22 *the Foreign Assistance Act of 1961.*

23 “(3) *FORM AND AMOUNT.*—

24 “(A) *AMOUNT.*—*The amount of any reim-*
25 *bursement under this subsection shall be deter-*

1 *mined at the usual rate established by the United*
2 *Nations.*

3 “(B) *FORM.—Reimbursement under this*
4 *subsection may include credits against the*
5 *United States assessed contributions for United*
6 *Nations peacekeeping operations, if the expenses*
7 *incurred by any United States department or*
8 *agency providing the assistance have first been*
9 *reimbursed.*

10 “(b) *TREATMENT OF REIMBURSEMENTS.—*

11 “(1) *CREDIT.—The amount of any reimburse-*
12 *ment paid the United States under subsection (a)*
13 *shall be credited to the current applicable appropria-*
14 *tion, fund, or account of the United States depart-*
15 *ment or agency providing the assistance for which the*
16 *reimbursement is paid.*

17 “(2) *AVAILABILITY.—Amounts credited under*
18 *paragraph (1) shall be merged with the appropria-*
19 *tions, or with appropriations in the fund or account,*
20 *to which credited and shall be available for the same*
21 *purposes, and subject to the same conditions and lim-*
22 *itations, as the appropriations with which merged.*

23 “(c) *COVERED ASSISTANCE.—Subsection (a) applies to*
24 *assistance provided under the following provisions of law:*

25 “(1) *Sections 6 and 7 of this Act.*

1 “(2) Sections 451, 506(a)(1), 516, 552(c), and
2 607 of the Foreign Assistance Act of 1961.

3 “(3) Any other provisions of law pursuant to
4 which assistance is provided by the United States to
5 carry out the mandate of an assessed United Nations
6 peacekeeping operation.

7 “(d) WAIVER.—

8 “(1) AUTHORITY.—

9 “(A) IN GENERAL.—The President may au-
10 thorize the furnishing of assistance covered by
11 this section without regard to subsection (a) if
12 the President determines, and so notifies in writ-
13 ing the Committee on Foreign Relations of the
14 Senate and the Speaker of the House of Rep-
15 resentatives, that to do so is important to the se-
16 curity interests of the United States.

17 “(B) CONGRESSIONAL NOTIFICATION.—

18 When exercising the authorities of subparagraph
19 (A), the President shall notify the appropriate
20 congressional committees in accordance with the
21 procedures applicable to reprogramming notifi-
22 cations under section 634A of the Foreign Assist-
23 ance Act of 1961.

24 “(2) CONGRESSIONAL REVIEW.—Notwithstanding
25 a notice under paragraph (1) with respect to assist-

1 *ance covered by this section, subsection (a) shall*
2 *apply to the furnishing of the assistance if, not later*
3 *than 15 calendar days after receipt of a notification*
4 *under that paragraph, the Congress enacts a joint res-*
5 *olution disapproving the determination of the Presi-*
6 *dent contained in the notification.*

7 *“(3) SENATE PROCEDURES.—Any joint resolu-*
8 *tion described in paragraph (2) shall be considered in*
9 *the Senate in accordance with the provisions of sec-*
10 *tion 601(b) of the International Security Assistance*
11 *and Arms Export Control Act of 1976.*

12 *“(e) RELATIONSHIP TO OTHER REIMBURSEMENT AU-*
13 *THORITY.—Nothing in this section shall preclude the Presi-*
14 *dent from seeking reimbursement for assistance covered by*
15 *this section that is in addition to the reimbursement sought*
16 *for the assistance under subsection (a).*

17 *“(f) DEFINITION.—In this section, the term ‘assistance’*
18 *includes personnel, services, supplies, equipment, facilities,*
19 *and other assistance if such assistance is provided by the*
20 *Department of Defense or any other United States Govern-*
21 *ment agency.”.*

1 ***Subtitle C—International Organi-***
2 ***zations Other than the United***
3 ***Nations***

4 ***SEC. 821. RESTRICTION RELATING TO UNITED STATES AC-***
5 ***CESSION TO THE INTERNATIONAL CRIMINAL***
6 ***COURT.***

7 (a) *PROHIBITION.*—*The United States shall not be-*
8 *come a party to the International Criminal Court except*
9 *pursuant to a treaty made under Article II, section 2,*
10 *clause 2 of the Constitution of the United States on or after*
11 *the date of enactment of this Act.*

12 (b) *PROHIBITION.*—*None of the funds authorized to be*
13 *appropriated by this or any other Act may be obligated for*
14 *use by, or for support of, the International Criminal Court*
15 *unless the United States has become a party to the Court*
16 *pursuant to a treaty made under Article II, section 2,*
17 *clause 2 of the Constitution of the United States on or after*
18 *the date of enactment of this Act.*

19 (c) *INTERNATIONAL CRIMINAL COURT DEFINED.*—*In*
20 *this section, the term “International Criminal Court”*
21 *means the court established by the Rome Statute of the*
22 *International Criminal Court, adopted by the United Na-*
23 *tions Diplomatic Conference of Plenipotentiaries on the Es-*
24 *tablishment of an International Criminal Court on July*
25 *17, 1998.*

1 **SEC. 822. PROHIBITION ON EXTRADITION OR TRANSFER OF**
2 **UNITED STATES CITIZENS TO THE INTER-**
3 **NATIONAL CRIMINAL COURT.**

4 (a) *PROHIBITION ON EXTRADITION.*—None of the
5 funds authorized to be appropriated or otherwise made
6 available by this or any other Act may be used to extradite
7 a United States citizen to a foreign country that is under
8 an obligation to surrender persons to the International
9 Criminal Court unless that foreign country confirms to the
10 United States that applicable prohibitions on reextradition
11 apply to such surrender or gives other satisfactory assur-
12 ances to the United States that the country will not extra-
13 dite or otherwise transfer that citizen to the International
14 Criminal Court.

15 (b) *PROHIBITION ON CONSENT TO EXTRADITION BY*
16 *THIRD COUNTRIES.*—None of the funds authorized to be ap-
17 propriated or otherwise made available by this or any other
18 Act may be used to provide consent to the extradition or
19 transfer of a United States citizen by a foreign country that
20 is under an obligation to surrender persons to the Inter-
21 national Criminal Court to a third country, unless the
22 third country confirms to the United States that applicable
23 prohibitions on reextradition apply to such surrender or
24 gives other satisfactory assurances to the United States that
25 the third country will not extradite or otherwise transfer
26 that citizen to the International Criminal Court.

1 (c) *DEFINITION.*—*In this section, the term “Inter-*
2 *national Criminal Court” has the meaning given the term*
3 *in section 821(c) of this Act.*

4 **SEC. 823. PERMANENT REQUIREMENT FOR REPORTS RE-**
5 **GARDING FOREIGN TRAVEL.**

6 Section 2505 of the *Foreign Affairs Reform and Re-*
7 *structuring Act of 1998 (as contained in division G of Pub-*
8 *lic Law 105–277) is amended—*

9 (1) *in subsection (a), by striking “by this divi-*
10 *sion for fiscal year 1999” and inserting “for the De-*
11 *partment of State for any fiscal year”; and*

12 (2) *in subsection (d), by striking “not later than*
13 *April 1, 1999,” and inserting “on April 1 and Octo-*
14 *ber 1 of each year”.*

15 **SEC. 824. ASSISTANCE TO STATES AND LOCAL GOVERN-**
16 **MENTS BY THE INTERNATIONAL BOUNDARY**
17 **AND WATER COMMISSION.**

18 (a) *AUTHORITY.*—*Upon the request of a State or local*
19 *government, the Commissioner of the United States Section*
20 *of the International Boundary and Water Commission may*
21 *provide, on a reimbursable basis, technical tests, evalua-*
22 *tions, information, surveys, or other similar services to that*
23 *government.*

24 (b) *REIMBURSEMENTS.*—

1 (1) *AMOUNT OF REIMBURSEMENT.*—*Reimburse-*
2 *ment for services under subsection (a) shall be made*
3 *before the services are provided and shall be in an*
4 *amount equal to the estimated or actual cost of pro-*
5 *viding the goods or services, as determined by the*
6 *United States Section of the International Boundary*
7 *and Water Commission. Proper adjustment of*
8 *amounts paid in advance by the recipient of the serv-*
9 *ices shall be made as agreed to by the United States*
10 *Section of the International Boundary and Water*
11 *Commission on the basis of the actual cost of goods*
12 *or services provided.*

13 (2) *CREDITING APPLICABLE APPROPRIATION AC-*
14 *COUNT.*—*Reimbursements received by the United*
15 *States Section of the International Boundary and*
16 *Water Commission for providing services under this*
17 *section shall be deposited as an offsetting collection to*
18 *the appropriation account from which the cost of pro-*
19 *viding the services has been paid or will be charged.*

20 **SEC. 825. UNITED STATES REPRESENTATION AT THE INTER-**
21 **NATIONAL ATOMIC ENERGY AGENCY.**

22 (a) *AMENDMENT TO THE UNITED NATIONS PARTICIPA-*
23 *TION ACT OF 1945.*—*Section 2(h) of the United Nations*
24 *Participation Act of 1945 (22 U.S.C. 287(h)) is amended*
25 *by adding at the end the following new sentence: “The rep-*

1 *representative of the United States to the Vienna office of the*
2 *United Nations shall also serve as representative of the*
3 *United States to the International Atomic Energy Agen-*
4 *cy.”.*

5 *(b) AMENDMENT TO THE IAEA PARTICIPATION ACT*
6 *OF 1957.—Section 2(a) of the International Atomic Energy*
7 *Agency Participation Act of 1957 (22 U.S.C. 2021(a)) is*
8 *amended by adding at the end the following new sentence:*
9 *“The Representative of the United States to the Vienna of-*
10 *fice of the United Nations shall also serve as representative*
11 *of the United States to the Agency.”.*

12 *(c) EFFECTIVE DATE.—The amendments made by sub-*
13 *sections (a) and (b) shall apply to individuals appointed*
14 *on or after the date of enactment of this Act.*

15 **SEC. 826. ANNUAL FINANCIAL AUDITS OF UNITED STATES**

16 **SECTION OF THE INTERNATIONAL BOUND-**
17 **ARY AND WATER COMMISSION.**

18 *(a) IN GENERAL.—An independent auditor shall an-*
19 *nually conduct an audit of the financial statements and*
20 *accompanying notes to the financial statements of the*
21 *United States Section of the International Boundary and*
22 *Water Commission, United States and Mexico (in this sec-*
23 *tion referred to as the “Commission”), in accordance with*
24 *generally accepted Government auditing standards and*

1 *such other procedures as may be established by the Office*
2 *of the Inspector General of the Department of State.*

3 **(b) REPORTS.**—*The independent auditor shall report*
4 *the results of such audit, including a description of the*
5 *scope of the audit and an expression of opinion as to the*
6 *overall fairness of the financial statements, to the Inter-*
7 *national Boundary and Water Commission, United States*
8 *and Mexico. The financial statements of the Commission*
9 *shall be presented in accordance with generally accepted ac-*
10 *counting principles. These financial statements and the re-*
11 *port of the independent auditor shall be included in a report*
12 *which the Commission shall submit to the Congress not later*
13 *than 90 days after the end of the last fiscal year covered*
14 *by the audit.*

15 **(c) REVIEW BY THE COMPTROLLER GENERAL.**—*The*
16 *Comptroller General of the United States (in this section*
17 *referred to as the “Comptroller General”) may review the*
18 *audit conducted by the auditor and the report to the Con-*
19 *gress in the manner and at such times as the Comptroller*
20 *General considers necessary. In lieu of the audit required*
21 *by subsection (b), the Comptroller General shall, if the*
22 *Comptroller General considers it necessary or, upon the re-*
23 *quest of the Congress, audit the financial statements of the*
24 *Commission in the manner provided in subsection (b).*

1 (d) *AVAILABILITY OF INFORMATION.*—*In the event of*
2 *a review by the Comptroller General under subsection (c),*
3 *all books, accounts, financial records, reports, files,*
4 *workpapers, and property belonging to or in use by the*
5 *Commission and the auditor who conducts the audit under*
6 *subsection (b), which are necessary for purposes of this sub-*
7 *section, shall be made available to the representatives of the*
8 *General Accounting Office designated by the Comptroller*
9 *General.*

10 **SEC. 827. SENSE OF CONGRESS CONCERNING ICTR.**

11 (a) *FINDINGS.*—*The Congress finds as follows:*

12 (1) *The International Criminal Tribunal for*
13 *Rwanda (ICTR) was established to prosecute individ-*
14 *uals responsible for genocide and other serious viola-*
15 *tions of international humanitarian law committed*
16 *in the territory of Rwanda.*

17 (2) *A separate tribunal, the International Crimi-*
18 *nal Tribunal for the Former Yugoslavia (ICTY), was*
19 *created with a similar purpose for crimes committed*
20 *in the territory of the former Yugoslavia.*

21 (3) *The acts of genocide and crimes against hu-*
22 *manity that have been perpetrated against civilians*
23 *in the Great Lakes region of Africa equal in horror*
24 *the acts committed in the territory of the former*
25 *Yugoslavia.*

1 (4) *The ICTR has succeeded in issuing at least*
2 *28 indictments against 48 individuals, and currently*
3 *has in custody 38 individuals presumed to have led*
4 *and directed the 1994 genocide.*

5 (5) *The ICTR issued the first conviction ever by*
6 *an international court for the crime of genocide*
7 *against Jean-Paul Akayesu, the former mayor of*
8 *Taba, who was sentenced to life in prison.*

9 (6) *The mandate of the ICTR is limited to acts*
10 *committed only during calendar year 1994, yet the*
11 *mandate of the ICTY covers serious violations of*
12 *international humanitarian law since 1991 through*
13 *the present.*

14 (7) *There have been well substantiated allega-*
15 *tions of major crimes against humanity and war*
16 *crimes that have taken place in the Great Lakes re-*
17 *gion of Africa that fall outside of the current mandate*
18 *of the Tribunal in terms of either the dates when, or*
19 *geographical areas where, such crimes took place.*

20 (8) *The attention accorded the ICTY and the in-*
21 *dictments that have been made as a result of the*
22 *ICTY's broad mandate continue to play an important*
23 *role in current United States policy in the Balkans.*

24 (9) *The international community must send an*
25 *unmistakable signal that genocide and other crimes*

1 *against humanity cannot be committed with impu-*
2 *nity.*

3 **(b) SENSE OF CONGRESS.**—*It is the sense of the Con-*
4 *gress that the President should instruct the United States*
5 *United Nations Representative to advocate to the Security*
6 *Council to direct the Office for Internal Oversight Services*
7 *(OIOS) to reevaluate the conduct and operation of the*
8 *ICTR. Particularly, the OIOS should assess the progress*
9 *made by the Tribunal in implementing the recommenda-*
10 *tions of the Report of the United Nations Secretary-General*
11 *on the Activities of the Office of Internal Oversight Services,*
12 *A/52/784, of February 6, 1998. The OIOS should also in-*
13 *clude an evaluation of the potential impact of expanding*
14 *the original mandate of the ICTR.*

15 **(c) REPORT.**—*Ninety days after enactment of this Act,*
16 *the Secretary of State shall report to Congress on the effec-*
17 *tiveness and progress of the ICTR. The report shall include*
18 *an assessment of the ICTR's ability to meet its current*
19 *mandate and an evaluation of the potential impact of ex-*
20 *panding that mandate to include crimes committed after*
21 *calendar year 1994.*

1 **TITLE IX—ARREARS PAYMENTS**
2 **AND REFORM**

3 **Subtitle A—General Provisions**

4 **SEC. 901. SHORT TITLE.**

5 *This title may be cited as the “United Nations Reform*
6 *Act of 1999”.*

7 **SEC. 902. DEFINITIONS.**

8 *In this title:*

9 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*
10 *TEES.—The term “appropriate congressional commit-*
11 *tees” means the Committee on Foreign Relations and*
12 *the Committee on Appropriations of the Senate and*
13 *the Committee on International Relations and the*
14 *Committee on Appropriations of the House of Rep-*
15 *resentatives.*

16 (2) *DESIGNATED SPECIALIZED AGENCY DE-*
17 *FINED.—The term “designated specialized agency”*
18 *means the International Labor Organization, the*
19 *World Health Organization, and the Food and Agri-*
20 *culture Organization.*

21 (3) *GENERAL ASSEMBLY.—The term “General*
22 *Assembly” means the General Assembly of the United*
23 *Nations.*

1 (4) *SECRETARY GENERAL.*—*The term “Secretary*
2 *General” means the Secretary General of the United*
3 *Nations.*

4 (5) *SECURITY COUNCIL.*—*The term “Security*
5 *Council” means the Security Council of the United*
6 *Nations.*

7 (6) *UNITED NATIONS MEMBER.*—*The term*
8 *“United Nations member” means any country that is*
9 *a member of the United Nations.*

10 (7) *UNITED NATIONS PEACEKEEPING OPER-*
11 *ATION.*—*The term “United Nations peacekeeping op-*
12 *eration” means any United Nations-led operation to*
13 *maintain or restore international peace or security*
14 *that—*

15 (A) *is authorized by the Security Council;*

16 *and*

17 (B) *is paid for from assessed contributions*
18 *of United Nations members that are made avail-*
19 *able for peacekeeping activities.*

1 ***Subtitle B—Arrearages to the***
2 ***United Nations***

3 **CHAPTER 1—AUTHORIZATION OF APPRO-**
4 **PRIATIONS; OBLIGATION AND EX-**
5 **PENDITURE OF FUNDS**

6 **SEC. 911. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) *AUTHORIZATION.*—

8 (1) *FISCAL YEAR 1998.*—

9 (A) *REGULAR ASSESSMENTS.*—*In title IV of*
10 *the Departments of Commerce, Justice, and*
11 *State, the Judiciary, and Related Agencies Ap-*
12 *propriations Act, 1998 (Public Law 105-119),*
13 *under the heading “Contributions to Inter-*
14 *national Organizations”, the first proviso shall*
15 *not apply.*

16 (B) *PEACEKEEPING ASSESSMENTS.*—*In title*
17 *IV of the Departments of Commerce, Justice, and*
18 *State, the Judiciary, and Related Agencies Ap-*
19 *propriations Act, 1998 (Public Law 105-119),*
20 *under the heading “Contributions for Inter-*
21 *national Peacekeeping Activities”, the first and*
22 *second provisos shall not apply.*

23 (2) *FISCAL YEAR 1999.*—*Pursuant to the first*
24 *proviso under the heading “Arrearage Payments” in*
25 *title IV of the Commerce, Justice, and State, the Judi-*

1 *ciary, and Related Agencies Appropriations Act, 1999*
2 *(as contained in section 101(b) of division A of the*
3 *Omnibus Consolidated and Emergency Supplemental*
4 *Appropriations Act, 1999; Public Law 105–277), the*
5 *obligation and expenditure of funds appropriated*
6 *under such heading for payment of arrearages to meet*
7 *obligations of membership in the United Nations, and*
8 *to pay assessed expenses of international peacekeeping*
9 *activities are hereby authorized, and the second pro-*
10 *viso under such heading shall not apply.*

11 (3) *FISCAL YEAR 2000.*—*There are authorized to*
12 *be appropriated to the Department of State for pay-*
13 *ment of arrearages owed by the United States de-*
14 *scribed in subsection (b) as of September 30, 1997,*
15 *\$244,000,000 for fiscal year 2000.*

16 (b) *LIMITATION.*—*Amounts made available under sub-*
17 *section (a) are authorized to be available only—*

18 (1) *to pay the United States share of assessments*
19 *for the regular budget of the United Nations;*

20 (2) *to pay the United States share of United Na-*
21 *tions peacekeeping operations;*

22 (3) *to pay the United States share of United Na-*
23 *tions specialized agencies; and*

24 (4) *to pay the United States share of other inter-*
25 *national organizations.*

1 (c) *AVAILABILITY OF FUNDS.*—Amounts appropriated
2 pursuant to subsection (a) are authorized to remain avail-
3 able until expended.

4 (d) *STATUTORY CONSTRUCTION.*—For purposes of
5 payments made using funds made available under sub-
6 section (a), section 404(b)(2) of the Foreign Relations Au-
7 thorization Act, Fiscal Years 1994 and 1995 (Public Law
8 103–236) shall not apply to United Nations peacekeeping
9 operation assessments received by the United States prior
10 to October 1, 1995.

11 **SEC. 912. OBLIGATION AND EXPENDITURE OF FUNDS.**

12 (a) *IN GENERAL.*—Funds made available pursuant to
13 section 911 may be obligated and expended only if the re-
14 quirements of subsections (b) and (c) of this section are sat-
15 isfied.

16 (b) *OBLIGATION AND EXPENDITURE UPON SATISFAC-*
17 *TION OF CERTIFICATION REQUIREMENTS.*—Subject to sub-
18 sections (e) and (f), funds made available pursuant to sec-
19 tion 911 may be obligated and expended only in the fol-
20 lowing allotments and upon the following certifications:

21 (1) Amounts made available for fiscal year 1998,
22 upon the certification described in section 921.

23 (2) Amounts made available for fiscal year 1999,
24 upon the certification described in section 931.

1 (3) *Amounts authorized to be appropriated for*
2 *fiscal year 2000, upon the certification described in*
3 *section 941.*

4 (c) *ADVANCE CONGRESSIONAL NOTIFICATION.—Funds*
5 *made available pursuant to section 911 may be obligated*
6 *and expended only if the appropriate certification has been*
7 *submitted to the appropriate congressional committees 30*
8 *days prior to the payment of the funds.*

9 (d) *TRANSMITTAL OF CERTIFICATIONS.—Certifi-*
10 *cations made under this chapter shall be transmitted by the*
11 *Secretary of State to the appropriate congressional commit-*
12 *tees.*

13 (e) *WAIVER AUTHORITY WITH RESPECT TO FISCAL*
14 *YEAR 1999 FUNDS.—*

15 (1) *IN GENERAL.—Subject to paragraph (3) and*
16 *notwithstanding subsection (b), funds made available*
17 *under section 911 for fiscal year 1999 may be obli-*
18 *gated or expended pursuant to subsection (b)(2) even*
19 *if the Secretary of State cannot certify that the condi-*
20 *tion described in section 931(b)(1) has been satisfied.*

21 (2) *REQUIREMENTS.—*

22 (A) *IN GENERAL.—The authority to waive*
23 *the condition described in paragraph (1) of this*
24 *subsection may be exercised only if the Secretary*
25 *of State—*

1 (i) determines that substantial progress
2 towards satisfying the condition has been
3 made and that the expenditure of funds
4 pursuant to that paragraph is important to
5 the interests of the United States; and

6 (ii) has notified, and consulted with,
7 the appropriate congressional committees
8 prior to exercising the authority.

9 (B) *EFFECT ON SUBSEQUENT CERTIFI-*
10 *CATION.—If the Secretary of State exercises the*
11 *authority of paragraph (1), the condition de-*
12 *scribed in that paragraph shall be deemed to*
13 *have been satisfied for purposes of making any*
14 *certification under section 941.*

15 (3) *ADDITIONAL REQUIREMENT.—If the author-*
16 *ity to waive a condition under paragraph (1)(A) is*
17 *exercised, the Secretary of State shall notify the*
18 *United Nations that the Congress does not consider*
19 *the United States obligated to pay, and does not in-*
20 *tend to pay, arrearages that have not been included*
21 *in the contested arrearages account or other mecha-*
22 *nism described in section 931(b)(1).*

23 (f) *WAIVER AUTHORITY WITH RESPECT TO FISCAL*
24 *YEAR 2000 FUNDS.—*

1 (1) *IN GENERAL.*—Subject to paragraph (2) and
2 *notwithstanding subsection (b), funds made available*
3 *under section 911 for fiscal year 2000 may be obli-*
4 *gated or expended pursuant to subsection (b)(3) even*
5 *if the Secretary of State cannot certify that the condi-*
6 *tion described in paragraph (1) of section 941(b) has*
7 *been satisfied.*

8 (2) *REQUIREMENTS.*—

9 (A) *IN GENERAL.*—The authority to waive a
10 condition under paragraph (1) may be exercised
11 only if the Secretary of State has notified, and
12 consulted with, the appropriate congressional
13 committees prior to exercising the authority.

14 (B) *EFFECT ON SUBSEQUENT CERTIFI-*
15 *CATION.*—If the Secretary of State exercises the
16 authority of paragraph (1) with respect to a con-
17 dition, such condition shall be deemed to have
18 been satisfied for purposes of making any certifi-
19 cation under section 941.

20 **SEC. 913. FORGIVENESS OF AMOUNTS OWED BY THE**
21 **UNITED NATIONS TO THE UNITED STATES.**

22 (a) *FORGIVENESS OF INDEBTEDNESS.*—Subject to sub-
23 section (b), the President is authorized to forgive or reduce
24 any amount owed by the United Nations to the United
25 States as a reimbursement, including any reimbursement

1 *payable under the Foreign Assistance Act of 1961 or the*
2 *United Nations Participation Act of 1945.*

3 (b) *LIMITATIONS.—*

4 (1) *TOTAL AMOUNT.—The total of amounts for-*
5 *given or reduced under subsection (a) may not exceed*
6 *\$107,000,000.*

7 (2) *RELATION TO UNITED STATES ARREAR-*
8 *AGES.—Amounts shall be forgiven or reduced under*
9 *this section only to the same extent as the United Na-*
10 *tions forgives or reduces amounts owed by the United*
11 *States to the United Nations as of September 30,*
12 *1997.*

13 (c) *REQUIREMENTS.—The authority in subsection (a)*
14 *shall be available only to the extent and in the amounts*
15 *provided in advance in appropriations Acts.*

16 (d) *CONGRESSIONAL NOTIFICATION.—Before exer-*
17 *cising any authority in subsection (a), the President shall*
18 *notify the appropriate congressional committees in accord-*
19 *ance with the same procedures as are applicable to re-*
20 *programming notifications under section 634A of the For-*
21 *eign Assistance Act of 1961 (22 U.S.C. 2394–1).*

22 (e) *EFFECTIVE DATE.—This section shall take effect on*
23 *the date a certification is transmitted to the appropriate*
24 *congressional committees under section 931.*

1 **CHAPTER 2—UNITED STATES**
2 **SOVEREIGNTY**

3 **SEC. 921. CERTIFICATION REQUIREMENTS.**

4 (a) *CONTENTS OF CERTIFICATION.*—A certification de-
5 scribed in this section is a certification by the Secretary
6 of State that the following conditions are satisfied:

7 (1) *SUPREMACY OF THE UNITED STATES CON-*
8 *STITUTION.*—No action has been taken by the United
9 Nations or any of its specialized or affiliated agencies
10 that requires the United States to violate the United
11 States Constitution or any law of the United States.

12 (2) *NO UNITED NATIONS SOVEREIGNTY.*—Neither
13 the United Nations nor any of its specialized or affili-
14 ated agencies—

15 (A) has exercised sovereignty over the
16 United States; or

17 (B) has taken any steps that require the
18 United States to cede sovereignty.

19 (3) *NO UNITED NATIONS TAXATION.*—

20 (A) *NO LEGAL AUTHORITY.*—Except as pro-
21 vided in subparagraph (D), neither the United
22 Nations nor any of its specialized or affiliated
23 agencies has the authority under United States
24 law to impose taxes or fees on United States na-
25 tionals.

1 (B) *NO TAXES OR FEES.*—*Except as pro-*
2 *vided in subparagraph (D), a tax or fee has not*
3 *been imposed on any United States national by*
4 *the United Nations or any of its specialized or*
5 *affiliated agencies.*

6 (C) *NO TAXATION PROPOSALS.*—*Except as*
7 *provided in subparagraph (D), neither the*
8 *United Nations nor any of its specialized or af-*
9 *filiated agencies has, on or after October 1, 1996,*
10 *officially approved any formal effort to develop,*
11 *advocate, or promote any proposal concerning*
12 *the imposition of a tax or fee on any United*
13 *States national in order to raise revenue for the*
14 *United Nations or any such agency.*

15 (D) *EXCEPTION.*—*This paragraph does not*
16 *apply to—*

17 (i) *fees for publications or other kinds*
18 *of fees that are not tantamount to a tax on*
19 *United States citizens;*

20 (ii) *the World Intellectual Property*
21 *Organization; or*

22 (iii) *the staff assessment costs of the*
23 *United Nations and its specialized or affili-*
24 *ated agencies.*

1 (4) *NO STANDING ARMY.*—*The United Nations*
2 *has not, on or after October 1, 1996, budgeted any*
3 *funds for, nor taken any official steps to develop, cre-*
4 *ate, or establish any special agreement under Article*
5 *43 of the United Nations Charter to make available*
6 *to the United Nations, on its call, the armed forces of*
7 *any member of the United Nations.*

8 (5) *NO INTEREST FEES.*—*The United Nations*
9 *has not, on or after October 1, 1996, levied interest*
10 *penalties against the United States or any interest on*
11 *arrearages on the annual assessment of the United*
12 *States, and neither the United Nations nor its spe-*
13 *cialized agencies have, on or after October 1, 1996,*
14 *amended their financial regulations or taken any*
15 *other action that would permit interest penalties to be*
16 *levied against the United States or otherwise charge*
17 *the United States any interest on arrearages on its*
18 *annual assessment.*

19 (6) *UNITED STATES REAL PROPERTY RIGHTS.*—
20 *Neither the United Nations nor any of its specialized*
21 *or affiliated agencies has exercised authority or con-*
22 *trol over any United States national park, wildlife*
23 *preserve, monument, or real property, nor has the*
24 *United Nations nor any of its specialized or affiliated*
25 *agencies implemented plans, regulations, programs, or*

1 *agreements that exercise control or authority over the*
2 *private real property of United States citizens located*
3 *in the United States without the approval of the*
4 *property owner.*

5 (7) *TERMINATION OF BORROWING AUTHORITY.—*

6 (A) *PROHIBITION ON AUTHORIZATION OF*
7 *EXTERNAL BORROWING.—On or after the date of*
8 *enactment of this Act, neither the United Nations*
9 *nor any specialized agency of the United Nations*
10 *has amended its financial regulations to permit*
11 *external borrowing.*

12 (B) *PROHIBITION OF UNITED STATES PAY-*
13 *MENT OF INTEREST COSTS.—The United States*
14 *has not, on or after October 1, 1984, paid its*
15 *share of any interest costs made known to or*
16 *identified by the United States Government for*
17 *loans incurred, on or after October 1, 1984, by*
18 *the United Nations or any specialized agency of*
19 *the United Nations through external borrowing.*

20 (b) *TRANSMITTAL.—The Secretary of State may trans-*
21 *mit a certification under subsection (a) at any time during*
22 *fiscal year 1998 or thereafter if the requirements of the cer-*
23 *tification are satisfied.*

1 **CHAPTER 3—REFORM OF ASSESSMENTS**
2 **AND UNITED NATIONS PEACEKEEPING**
3 **OPERATIONS**

4 **SEC. 931. CERTIFICATION REQUIREMENTS.**

5 (a) *IN GENERAL.*—A certification described in this sec-
6 tion is a certification by the Secretary of State that the
7 conditions in subsection (b) are satisfied. Such certification
8 shall not be made by the Secretary if the Secretary deter-
9 mines that any of the conditions set forth in section 921
10 are no longer satisfied.

11 (b) *CONDITIONS.*—The conditions under this sub-
12 section are the following:

13 (1) *CONTESTED ARREARAGES.*—The United Na-
14 tions has established an account or other appropriate
15 mechanism with respect to all United States arrear-
16 ages incurred before the date of enactment of this Act
17 with respect to which payments are not authorized by
18 this Act, and the failure to pay amounts specified in
19 the account does not affect the application of Article
20 19 of the Charter of the United Nations. The account
21 established under this paragraph may be referred to
22 as the “contested arrearages account”.

23 (2) *LIMITATION ON ASSESSED SHARE OF BUDG-*
24 *ET FOR UNITED NATIONS PEACEKEEPING OPER-*
25 *ATIONS.*—The assessed share of the budget for each as-

1 *essed United Nations peacekeeping operation does*
2 *not exceed 25 percent for any single United Nations*
3 *member.*

4 (3) *LIMITATION ON ASSESSED SHARE OF REG-*
5 *ULAR BUDGET.—The share of the total of all assessed*
6 *contributions for the regular budget of the United Na-*
7 *tions does not exceed 22 percent for any single United*
8 *Nations member.*

9 **CHAPTER 4—BUDGET AND PERSONNEL**

10 **REFORM**

11 **SEC. 941. CERTIFICATION REQUIREMENTS.**

12 (a) *IN GENERAL.—*

13 (1) *IN GENERAL.—Except as provided in para-*
14 *graph (2), a certification described in this section is*
15 *a certification by the Secretary of State that the con-*
16 *ditions in subsection (b) are satisfied.*

17 (2) *SPECIFIED CERTIFICATION.—A certification*
18 *described in this section is also a certification that,*
19 *with respect to the United Nations or a particular*
20 *designated specialized agency, the conditions in sub-*
21 *section (b)(4) applicable to that organization are sat-*
22 *isfied, regardless of whether the conditions in sub-*
23 *section (b)(4) applicable to any other organization*
24 *are satisfied, if the other conditions in subsection (b)*
25 *are satisfied.*

1 (3) *EFFECT OF SPECIFIED CERTIFICATION.*—
2 *Funds made available under section 912(b)(3) upon*
3 *a certification made under this section with respect to*
4 *the United Nations or a particular designated spe-*
5 *cialized agency shall be limited to that portion of the*
6 *funds available under that section that is allocated for*
7 *the organization with respect to which the certifi-*
8 *cation is made and for any other organization to*
9 *which none of the conditions in subsection (b) apply.*

10 (4) *LIMITATION.*—*A certification described in*
11 *this section shall not be made by the Secretary if the*
12 *Secretary determines that any of the conditions set*
13 *forth in sections 921 and 931 are no longer satisfied.*

14 (b) *CONDITIONS.*—*The conditions under this sub-*
15 *section are the following:*

16 (1) *LIMITATION ON ASSESSED SHARE OF REG-*
17 *ULAR BUDGET.*—*The share of the total of all assessed*
18 *contributions for the regular budget of the United Na-*
19 *tions, or any designated specialized agency of the*
20 *United Nations, does not exceed 20 percent for any*
21 *single United Nations member.*

22 (2) *INSPECTORS GENERAL FOR CERTAIN ORGANI-*
23 *ZATIONS.*—

24 (A) *ESTABLISHMENT OF OFFICES.*—*Each*
25 *designated specialized agency has established an*

1 *independent office of inspector general to conduct*
2 *and supervise objective audits, inspections, and*
3 *investigations relating to the programs and oper-*
4 *ations of the organization.*

5 *(B) APPOINTMENT OF INSPECTORS GEN-*
6 *ERAL.—The Director General of each designated*
7 *specialized agency has appointed an inspector*
8 *general, with the approval of the member states,*
9 *and that appointment was made principally on*
10 *the basis of the appointee’s integrity and dem-*
11 *onstrated ability in accounting, auditing, finan-*
12 *cial analysis, law, management analysis, public*
13 *administration, or investigations.*

14 *(C) ASSIGNED FUNCTIONS.—Each inspector*
15 *general appointed under subparagraph (A) is*
16 *authorized to—*

17 *(i) make investigations and reports re-*
18 *lating to the administration of the pro-*
19 *grams and operations of the agency con-*
20 *cerned;*

21 *(ii) have access to all records, docu-*
22 *ments, and other available materials relat-*
23 *ing to those programs and operations of the*
24 *agency concerned; and*

1 (iii) have direct and prompt access to
2 any official of the agency concerned.

3 (D) COMPLAINTS.—Each designated special-
4 ized agency has procedures in place designed to
5 protect the identity of, and to prevent reprisals
6 against, any staff member making a complaint
7 or disclosing information to, or cooperating in
8 any investigation or inspection by, the inspector
9 general of the agency.

10 (E) COMPLIANCE WITH RECOMMENDA-
11 TIONS.—Each designated specialized agency has
12 in place procedures designed to ensure compli-
13 ance with the recommendations of the inspector
14 general of the agency.

15 (F) AVAILABILITY OF REPORTS.—Each des-
16 ignated specialized agency has in place proce-
17 dures to ensure that all annual and other rel-
18 evant reports submitted by the inspector general
19 to the agency are made available to the member
20 states without modification except to the extent
21 necessary to protect the privacy rights of indi-
22 viduals.

23 (3) NEW BUDGET PROCEDURES FOR THE UNITED
24 NATIONS.—The United Nations has established and is
25 implementing budget procedures that—

1 (A) require the maintenance of a budget not
2 in excess of the level agreed to by the General As-
3 sembly at the beginning of each United Nations
4 budgetary biennium, unless increases are agreed
5 to by consensus; and

6 (B) require the system-wide identification of
7 expenditures by functional categories such as
8 personnel, travel, and equipment.

9 (4) *SUNSET POLICY FOR CERTAIN UNITED NA-*
10 *TIONS PROGRAMS.—*

11 (A) *EXISTING AUTHORITY.—The Secretary*
12 *General and the Director General of each des-*
13 *ignated specialized agency have used their exist-*
14 *ing authorities to require program managers*
15 *within the United Nations Secretariat and the*
16 *Secretariats of the designated specialized agen-*
17 *cies to conduct evaluations of United Nations*
18 *programs approved by the General Assembly,*
19 *and of programs of the designated specialized*
20 *agencies, in accordance with the standardized*
21 *methodology referred to in subparagraph (B).*

22 (B) *DEVELOPMENT OF EVALUATION CRI-*
23 *TERIA.—*

24 (i) *UNITED NATIONS.—The Office of*
25 *Internal Oversight Services has developed a*

1 *standardized methodology for the evaluation*
2 *of United Nations programs approved by*
3 *the General Assembly, including specific*
4 *criteria for determining the continuing rel-*
5 *evance and effectiveness of the programs.*

6 (ii) *DESIGNATED SPECIALIZED AGEN-*
7 *CIES.—Patterned on the work of the Office*
8 *of Internal Oversight Services of the United*
9 *Nations, each designated specialized agency*
10 *has developed a standardized methodology*
11 *for the evaluation of the programs of the*
12 *agency, including specific criteria for deter-*
13 *mining the continuing relevance and effec-*
14 *tiveness of the programs.*

15 (C) *PROCEDURES.—Consistent with the*
16 *July 16, 1997, recommendations of the Secretary*
17 *General regarding a sunset policy and results-*
18 *based budgeting for United Nations programs,*
19 *the United Nations and each designated special-*
20 *ized agency has established and is implementing*
21 *procedures—*

22 (i) *requiring the Secretary General or*
23 *the Director General of the agency, as the*
24 *case may be, to report on the results of eval-*
25 *uations referred to in this paragraph, in-*

1 cluding the identification of programs that
2 have met criteria for continuing relevance
3 and effectiveness and proposals to terminate
4 or modify programs that have not met such
5 criteria; and

6 (ii) authorizing an appropriate body
7 within the United Nations or the agency, as
8 the case may be, to review each evaluation
9 referred to in this paragraph and report to
10 the General Assembly on means of improv-
11 ing the program concerned or on termi-
12 nating the program.

13 (D) UNITED STATES POLICY.—It shall be
14 the policy of the United States to seek adoption
15 by the United Nations of a resolution requiring
16 that each United Nations program approved by
17 the General Assembly, and to seek adoption by
18 each designated specialized agency of a resolu-
19 tion requiring that each program of the agency,
20 be subject to an evaluation referred to in this
21 paragraph and have a specific termination date
22 so that the program will not be renewed unless
23 the evaluation demonstrates the continuing rel-
24 evance and effectiveness of the program.

1 (E) *DEFINITION.*—For purposes of this
2 paragraph, the term “United Nations program
3 approved by the General Assembly” means a
4 program approved by the General Assembly of
5 the United Nations which is administered or
6 funded by the United Nations.

7 (5) *UNITED NATIONS ADVISORY COMMITTEE ON*
8 *ADMINISTRATIVE AND BUDGETARY QUESTIONS.*—

9 (A) *IN GENERAL.*—The United States has a
10 seat on the United Nations Advisory Committee
11 on Administrative and Budgetary Questions or
12 the five largest member contributors each have a
13 seat on the Advisory Committee.

14 (B) *DEFINITION.*—As used in this para-
15 graph, the term “5 largest member contributors”
16 means the 5 United Nations member states that,
17 during a United Nations budgetary biennium,
18 have more total assessed contributions than any
19 other United Nations member state to the aggre-
20 gate of the United Nations regular budget and
21 the budget (or budgets) for United Nations peace-
22 keeping operations.

23 (6) *ACCESS BY THE GENERAL ACCOUNTING OF-*
24 *FICE.*—The United Nations has in effect procedures
25 providing access by the United States General Ac-

1 *counting Office to United Nations financial data to*
2 *assist the Office in performing nationally mandated*
3 *reviews of United Nations operations.*

4 (7) *PERSONNEL.—*

5 (A) *APPOINTMENT AND SERVICE OF PER-*
6 *SONNEL.—The Secretary General—*

7 (i) *has established and is imple-*
8 *menting procedures that ensure that staff*
9 *employed by the United Nations is ap-*
10 *pointed on the basis of merit consistent with*
11 *Article 101 of the United Nations Charter;*
12 *and*

13 (ii) *is enforcing those contractual obli-*
14 *gations requiring worldwide availability of*
15 *all professional staff of the United Nations*
16 *to serve and be relocated based on the needs*
17 *of the United Nations.*

18 (B) *CODE OF CONDUCT.—The General As-*
19 *sembly has adopted, and the Secretary General*
20 *has the authority to enforce and is effectively en-*
21 *forcing, a code of conduct binding on all United*
22 *Nations personnel, including the requirement of*
23 *financial disclosure statements binding on senior*
24 *United Nations personnel and the establishment*

1 *of rules against nepotism that are binding on all*
2 *United Nations personnel.*

3 (C) *PERSONNEL EVALUATION SYSTEM.*—*The*
4 *United Nations has adopted and is enforcing a*
5 *personnel evaluation system.*

6 (D) *PERIODIC ASSESSMENTS.*—*The United*
7 *Nations has established and is implementing a*
8 *mechanism to conduct periodic assessments of the*
9 *United Nations payroll to determine total staff-*
10 *ing, and the results of such assessments are re-*
11 *ported in an unabridged form to the General As-*
12 *sembly.*

13 (E) *REVIEW OF UNITED NATIONS ALLOW-*
14 *ANCE SYSTEM.*—*The United States has completed*
15 *a thorough review of the United Nations per-*
16 *sonnel allowance system. The review shall in-*
17 *clude a comparison of that system with the*
18 *United States civil service system, and shall*
19 *make recommendations to reduce entitlements to*
20 *allowances and allowance funding levels from the*
21 *levels in effect on January 1, 1998.*

22 (8) *REDUCTION IN BUDGET AUTHORITIES.*—*The*
23 *designated specialized agencies have achieved zero*
24 *nominal growth in their biennium budgets for 2000–*

1 01 from the 1998–99 biennium budget levels of the re-
2 spective agencies.

3 (9) *NEW BUDGET PROCEDURES AND FINANCIAL*
4 *REGULATIONS.*—Each designated specialized agency
5 has established procedures to—

6 (A) require the maintenance of a budget
7 that does not exceed the level agreed to by the
8 member states of the organization at the begin-
9 ning of each budgetary biennium, unless in-
10 creases are agreed to by consensus;

11 (B) require the identification of expendi-
12 tures by functional categories such as personnel,
13 travel, and equipment; and

14 (C) require approval by the member states
15 of the agency’s supplemental budget requests to
16 the Secretariat in advance of expenditures under
17 those requests.

18 (10) *LIMITATION ON ASSESSED SHARE OF REG-*
19 *ULAR BUDGET FOR THE DESIGNATED SPECIALIZED*
20 *AGENCIES.*—The share of the total of all assessed con-
21 tributions for any designated specialized agency does
22 not exceed 22 percent for any single member of the
23 agency.

1 **Subtitle C—Miscellaneous**
2 **Provisions**

3 **SEC. 951. STATUTORY CONSTRUCTION ON RELATION TO EX-**
4 **ISTING LAWS.**

5 *Except as otherwise specifically provided, nothing in*
6 *this title may be construed to make available funds in viola-*
7 *tion of any provision of law containing a specific prohibi-*
8 *tion or restriction on the use of the funds, including section*
9 *114 of the Department of State Authorization Act, Fiscal*
10 *Years 1984 and 1985 (22 U.S.C. 287e note), section 151*
11 *of the Foreign Relations Authorization Act, Fiscal Years*
12 *1986 and 1987 (22 U.S.C. 287e note), and section 404 of*
13 *the Foreign Relations Authorization Act, Fiscal Years 1994*
14 *and 1995 (22 U.S.C. 287e note).*

15 **SEC. 952. PROHIBITION ON PAYMENTS RELATING TO UNIDO**
16 **AND OTHER INTERNATIONAL ORGANIZA-**
17 **TIONS FROM WHICH THE UNITED STATES**
18 **HAS WITHDRAWN OR RESCINDED FUNDING.**

19 *None of the funds authorized to be appropriated by this*
20 *title shall be used to pay any arrearage for—*

21 (1) *the United Nations Industrial Development*
22 *Organization;*

23 (2) *any costs to merge that organization into the*
24 *United Nations;*

1 (3) *the costs associated with any other organiza-*
2 *tion of the United Nations from which the United*
3 *States has withdrawn including the costs of the merg-*
4 *er of such organization into the United Nations; or*

5 (4) *the World Tourism Organization, or any*
6 *other international organization with respect to which*
7 *Congress has rescinded funding.*

8 **TITLE X—RUSSIAN BUSINESS**
9 **MANAGEMENT EDUCATION**

10 **SEC. 1001. PURPOSE.**

11 *The purpose of this title is to establish a training pro-*
12 *gram in Russia for nationals of Russia to obtain skills in*
13 *business administration, accounting, and marketing, with*
14 *special emphasis on instruction in business ethics and in*
15 *the basic terminology, techniques, and practices of those dis-*
16 *ciplines, to achieve international standards of quality,*
17 *transparency, and competitiveness.*

18 **SEC. 1002. DEFINITIONS.**

19 (a) *BOARD.*—*The term “Board” means the United*
20 *States-Russia Business Management Training Board estab-*
21 *lished under section 1005(a).*

22 (b) *DISTANCE LEARNING.*—*The term “distance learn-*
23 *ing” means training through computers, interactive videos,*
24 *teleconferencing, and videoconferencing between and among*
25 *students and teachers.*

1 (c) *ELIGIBLE ENTERPRISE*.—The term “eligible enter-
2 *prise*” means—

3 (1) *a business concern operating in Russia that*
4 *employs Russian nationals; and*

5 (2) *a private enterprise that is being formed or*
6 *operated by former officers of the Russian armed*
7 *forces in Russia.*

8 (d) *SECRETARY*.—The term “Secretary” means the
9 *Secretary of State.*

10 **SEC. 1003. AUTHORIZATION FOR TRAINING PROGRAM AND**
11 **INTERNSHIPS.**

12 (a) *TRAINING PROGRAM*.—

13 (1) *IN GENERAL*.—The Secretary of State, acting
14 *through the Under Secretary of State for Public Di-*
15 *plomacy, and taking into account the general policies*
16 *recommended by the United States-Russia Business*
17 *Management Training Board established under sec-*
18 *tion 1005(a), is authorized to establish a program of*
19 *technical assistance (in this title referred to as the*
20 *“program”)* to provide the training described in sec-
21 *tion 1001 to eligible enterprises.*

22 (2) *IMPLEMENTATION*.—Training shall be car-
23 *ried out by United States nationals having expertise*
24 *in business administration, accounting, and mar-*
25 *keting or by Russian nationals who have been trained*

1 *under the program or by those who meet criteria es-*
2 *tablished by the Board. Such training may be carried*
3 *out—*

4 *(A) in the offices of eligible enterprises, at*
5 *business schools or institutes, or at other loca-*
6 *tions in Russia, including facilities of the armed*
7 *forces of Russia, educational institutions, or in*
8 *the offices of trade or industry associations, with*
9 *special consideration given to locations where*
10 *similar training opportunities are limited or*
11 *nonexistent; or*

12 *(B) by “distance learning” programs origi-*
13 *nating in the United States or in European*
14 *branches of United States institutions.*

15 *(b) INTERNSHIPS WITH UNITED STATES DOMESTIC*
16 *BUSINESS CONCERNS.—The Secretary, acting through the*
17 *Under Secretary of State for Public Diplomacy, is author-*
18 *ized to pay the travel expenses and appropriate in-country*
19 *business English language training, if needed, of certain*
20 *Russian nationals who have completed training under the*
21 *program to undertake short-term internships with business*
22 *concerns in the United States upon the recommendation of*
23 *the Board.*

24 **SEC. 1004. APPLICATIONS FOR TECHNICAL ASSISTANCE.**

25 *(a) PROCEDURES.—*

1 (1) *IN GENERAL.*—*Each eligible enterprise that*
2 *desires to receive training for its employees and man-*
3 *agers under this title shall submit an application to*
4 *the clearinghouse established by subsection (d), at*
5 *such time, in such manner, and accompanied by such*
6 *additional information as the Secretary may reason-*
7 *ably require.*

8 (2) *JOINT APPLICATIONS.*—*A consortium of eligi-*
9 *ble enterprises may file a joint application under the*
10 *provisions of paragraph (1).*

11 (b) *CONTENTS.*—*The Secretary shall approve an ap-*
12 *plication under subsection (a) only if the application—*

13 (1) *is for an individual or individuals employed*
14 *in an eligible enterprise or enterprises applying*
15 *under the program;*

16 (2) *describes the level of training for which as-*
17 *sistance under this title is sought;*

18 (3) *provides evidence that the eligible enterprise*
19 *meets the general policies adopted by the Secretary for*
20 *the administration of this title;*

21 (4) *provides assurances that the eligible enter-*
22 *prise will pay a share of the costs of the training,*
23 *which share may include in-kind contributions; and*

1 (5) *provides such additional assurances as the*
2 *Secretary determines to be essential to ensure compli-*
3 *ance with the requirements of this title.*

4 (c) *COMPLIANCE WITH BOARD POLICIES.—The Sec-*
5 *retary shall approve applications for technical assistance*
6 *under the program after taking into account the rec-*
7 *ommendations of the Board.*

8 (d) *CLEARINGHOUSE.—There is established a clearing-*
9 *house in Russia to manage and execute the program. The*
10 *clearinghouse shall screen applications, provide informa-*
11 *tion regarding training and teachers, monitor performance*
12 *of the program, and coordinate appropriate post-program*
13 *follow-on activities.*

14 **SEC. 1005. UNITED STATES-RUSSIAN BUSINESS MANAGE-**
15 **MENT TRAINING BOARD.**

16 (a) *ESTABLISHMENT.—There is established within the*
17 *Department of State a United States-Russian Business*
18 *Management Training Board.*

19 (b) *COMPOSITION.—The Board established pursuant to*
20 *subsection (a) shall be composed of 12 members as follows:*

21 (1) *The Under Secretary of State for Public Di-*
22 *plomacy.*

23 (2) *The Administrator of the Agency for Inter-*
24 *national Development.*

25 (3) *The Secretary of Commerce.*

1 (4) *The Secretary of Education.*

2 (5) *Six individuals from the private sector hav-*
3 *ing expertise in business administration, accounting,*
4 *and marketing, who shall be appointed by the Sec-*
5 *retary of State, as follows:*

6 (A) *Two individuals employed by graduate*
7 *schools of management offering accredited de-*
8 *grees.*

9 (B) *Two individuals employed by eligible*
10 *enterprises.*

11 (C) *Two individuals from nongovernmental*
12 *organizations involved in promoting free market*
13 *economy practices in Russia.*

14 (6) *Two nationals of Russia having experience*
15 *in business administration, accounting, or marketing,*
16 *who shall be appointed by the Secretary of State upon*
17 *the recommendation of the Government of Russia, and*
18 *who shall serve as nonvoting members.*

19 (c) *GENERAL POLICIES.—The Board shall make rec-*
20 *ommendations to the Secretary with respect to general poli-*
21 *cies for the administration of this title, including—*

22 (1) *guidelines for the administration of the pro-*
23 *gram under this title;*

24 (2) *criteria for determining the qualifications of*
25 *applicants under the program;*

1 (3) *the appointment of panels of business leaders*
2 *in the United States and Russia for the purpose of*
3 *nominating trainees; and*

4 (4) *such other matters with respect to which the*
5 *Secretary may request recommendations.*

6 (d) *CHAIRPERSON.—The Chairperson of the Board*
7 *shall be designated by the President from among the voting*
8 *members of the Board. Except as provided in subsection*
9 *(e)(2), a majority of the voting members of the Board shall*
10 *constitute a quorum.*

11 (e) *MEETINGS.—The Board shall meet at the call of*
12 *the Chairperson, except that—*

13 (1) *the Board shall meet not less than 4 times*
14 *each year; and*

15 (2) *the Board shall meet whenever one-third of*
16 *the voting members request a meeting in writing, in*
17 *which event 7 of the voting members shall constitute*
18 *a quorum.*

19 (f) *COMPENSATION.—Members of the Board who are*
20 *not in the regular full-time employ of the United States*
21 *shall receive, while engaged in the business of the Board,*
22 *compensation for service at a rate to be fixed by the Presi-*
23 *dent, except that such rate shall not exceed the rate specified*
24 *at the time of such service for level V of the Executive Sched-*
25 *ule under section 5316 of title 5, United States Code, in-*

1 *cluding traveltime, and, while so serving away from their*
2 *homes or regular places of business, they may be allowed*
3 *travel expenses, including per diem in lieu of subsistence,*
4 *as authorized by section 5703 of title 5, United States Code,*
5 *for persons employed intermittently in Government service.*

6 **SEC. 1006. RESTRICTIONS NOT APPLICABLE.**

7 *Prohibitions on the use of foreign assistance funds for*
8 *assistance for the Russian Federation shall not apply with*
9 *respect to the funds made available to carry out this title.*

10 **SEC. 1007. AUTHORIZATION OF APPROPRIATIONS.**

11 *(a) IN GENERAL.—There is authorized to be appro-*
12 *priated \$10,000,000 for each of fiscal years 2000 and 2001*
13 *to carry out this title.*

14 *(b) AVAILABILITY OF FUNDS.—Amounts appropriated*
15 *under subsection (a) are authorized to remain available*
16 *until expended.*

17 **SEC. 1008. EFFECTIVE DATE.**

18 *This title shall take effect on October 1, 1999.*

Attest:

Secretary.

106TH CONGRESS
1ST SESSION

H. R. 2415

AMENDMENT

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