

Calendar No. 229

106TH CONGRESS
1ST Session
H. R. 2415

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.

JULY 27, 1999

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IN THE SENATE OF THE UNITED STATES

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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.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “American Embassy
3 Security Act of 1999”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents is as follows:

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

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- Sec. 1301. Additions to United States war reserve stockpiles for allies.
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TITLE XIV—INTERNATIONAL ARMS SALES CODE OF CONDUCT ACT OF 1999

- Sec. 1401. Short title.
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- Sec. 1403. International arms sales code of conduct.

TITLE XV—AUTHORITY TO EXEMPT INDIA AND PAKISTAN FROM CERTAIN SANCTIONS

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- Sec. 1502. Consultation.
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- Sec. 1701. Annual military assistance reports.
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 Sec. 1707. Exceptions relating to prohibitions on assistance to countries involved in transfer or use of nuclear explosive devices.
 Sec. 1708. Continuation of the export control regulations under IEEPA.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

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

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

1 **DIVISION A—DEPARTMENT OF**
2 **STATE AND RELATED PROVI-**
3 **SIONS**

4 **TITLE I—AUTHORIZATIONS OF**
5 **APPROPRIATIONS**

6 **CHAPTER 1—DEPARTMENT OF STATE**

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

8 The following amounts are authorized to be appro-
9 priated for the Department of State under “Administra-
10 tion of Foreign Affairs” to carry out the authorities, func-
11 tions, duties, and responsibilities in the conduct of the for-
12 eign affairs of the United States and for other purposes
13 authorized by law, including the diplomatic security pro-
14 gram:

15 (1) **DIPLOMATIC AND CONSULAR PROGRAMS.—**

16 (A) **AUTHORIZATION OF APPROPRIA-**
17 **TIONS.—**For “Diplomatic and Consular Pro-
18 grams” of the Department of State, such sums
19 as may be necessary for the fiscal year 2000.

20 (B) **LIMITATIONS.—**

21 (i) **WORLDWIDE SECURITY UP-**
22 **GRADES.—**Of the amounts authorized to be
23 appropriated by subparagraph (A),
24 \$254,000,000 for fiscal year 2000 is au-

1 thorized to be appropriated only for world-
2 wide security upgrades.

3 (ii) BUREAU OF DEMOCRACY, HUMAN
4 RIGHTS, AND LABOR.—Of the amounts au-
5 thorized to be appropriated by subpara-
6 graph (A), \$15,000,000 for fiscal year
7 2000 is authorized to be appropriated only
8 for salaries and expenses of the Bureau of
9 Democracy, Human Rights, and Labor.

10 (iii) RECRUITMENT OF MINORITY
11 GROUPS.—Of the amounts authorized to be
12 appropriated by subparagraph (A),
13 \$2,000,000 for fiscal year 2000 is author-
14 ized to be appropriated only for the re-
15 cruitment of members of minority groups
16 for careers in the Foreign Service and
17 international affairs.

18 (2) CAPITAL INVESTMENT FUND.—For “Cap-
19 ital Investment Fund” of the Department of State,
20 such sums as may be necessary for the fiscal year
21 2000.

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

24 (A) AUTHORIZATION OF APPROPRIA-
25 TIONS.—For “Security and Maintenance of

1 United States Missions”, \$1,580,066,000 for
2 the fiscal year 2000.

3 (B) SECURITY UPGRADES FOR UNITED
4 STATES MISSIONS.—Of the amounts authorized
5 to be appropriated by subparagraph (A),
6 \$1,146,000,000 for fiscal year 2000 is author-
7 ized to be appropriated only for security up-
8 grades to United States missions abroad, in-
9 cluding construction and relocation costs.

10 (4) REPRESENTATION ALLOWANCES.—For
11 “Representation Allowances”, such sums as may be
12 necessary for the fiscal year 2000.

13 (5) EMERGENCIES IN THE DIPLOMATIC AND
14 CONSULAR SERVICE.—For “Emergencies in the Dip-
15 lomatic and Consular Service”, such sums as may be
16 necessary for the fiscal year 2000.

17 (6) OFFICE OF THE INSPECTOR GENERAL.—
18 For “Office of the Inspector General”, such sums as
19 may be necessary for the fiscal year 2000.

20 (7) PAYMENT TO THE AMERICAN INSTITUTE IN
21 TAIWAN.—For “Payment to the American Institute
22 in Taiwan”, such sums as may be necessary for the
23 fiscal year 2000.

24 (8) PROTECTION OF FOREIGN MISSIONS AND
25 OFFICIALS.—

1 (A) For “Protection of Foreign Missions
2 and Officials”, such sums as may be necessary
3 for the fiscal year 2000.

4 (B) Each amount appropriated pursuant
5 to this paragraph is authorized to remain avail-
6 able through September 30 of the fiscal year
7 following the fiscal year for which the amount
8 appropriated was made.

9 (9) REPATRIATION LOANS.—For “Repatriation
10 Loans”, such sums as may be necessary for the fis-
11 cal year 2000, for administrative expenses.

12 **SEC. 102. INTERNATIONAL ORGANIZATIONS.**

13 (a) ASSESSED CONTRIBUTIONS TO INTERNATIONAL
14 ORGANIZATIONS.—There are authorized to be appro-
15 priated for “Contributions to International Organiza-
16 tions”, such sums as may be necessary for the fiscal year
17 2000 for the Department of State to carry out the authori-
18 ties, functions, duties, and responsibilities in the conduct
19 of the foreign affairs of the United States with respect
20 to international organizations and to carry out other au-
21 thorities in law consistent with such purposes.

22 (b) ASSESSED CONTRIBUTIONS FOR INTERNATIONAL
23 PEACEKEEPING ACTIVITIES.—There are authorized to be
24 appropriated for “Contributions for International Peace-
25 keeping Activities”, such sums as may be necessary for

1 the fiscal year 2000 for the Department of State to carry
2 out the authorities, functions, duties, and responsibilities
3 in the conduct of the foreign affairs of the United States
4 with respect to international peacekeeping activities and
5 to carry out other authorities in law consistent with such
6 purposes.

7 (c) CIVIL BUDGET OF THE NORTH ATLANTIC TREA-
8 TY ORGANIZATION.—For the fiscal year 2000, there are
9 authorized to be appropriated such sums as may be nec-
10 essary to pay the full amount for the United States assess-
11 ment for the civil budget of the North Atlantic Treaty Or-
12 ganization.

13 **SEC. 103. INTERNATIONAL COMMISSIONS.**

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

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

1 (A) for “Salaries and Expenses” such
2 sums as may be necessary for the fiscal year
3 2000; and

4 (B) for “Construction” such sums as may
5 be necessary for the fiscal year 2000.

6 (2) INTERNATIONAL BOUNDARY COMMISSION,
7 UNITED STATES AND CANADA.—For “International
8 Boundary Commission, United States and Canada”,
9 such sums as may be necessary for the fiscal year
10 2000.

11 (3) INTERNATIONAL JOINT COMMISSION.—For
12 “International Joint Commission”, such sums as
13 may be necessary for the fiscal year 2000.

14 (4) INTERNATIONAL FISHERIES COMMIS-
15 SIONS.—For “International Fisheries Commissions”,
16 such sums as may be necessary for the fiscal year
17 2000.

18 **SEC. 104. MIGRATION AND REFUGEE ASSISTANCE.**

19 (a) MIGRATION AND REFUGEE ASSISTANCE.—

20 (1) AUTHORIZATION OF APPROPRIATIONS.—
21 There are authorized to be appropriated for “Migra-
22 tion and Refugee Assistance” for authorized activi-
23 ties, \$750,000,000 for the fiscal year 2000.

24 (2) LIMITATIONS.—

1 (A) TIBETAN REFUGEES IN INDIA AND
2 NEPAL.—Of the amounts authorized to be ap-
3 propriated in paragraph (1), not more than
4 \$2,000,000 for the fiscal year 2000 is author-
5 ized to be available only for humanitarian as-
6 sistance, including food, medicine, clothing, and
7 medical and vocational training, to Tibetan ref-
8 ugees in India and Nepal who have fled Chi-
9 nese-occupied Tibet.

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

16 (C) HUMANITARIAN ASSISTANCE FOR DIS-
17 PLACED BURMESE.—Of the amounts authorized
18 to be appropriated in paragraph (1),
19 \$2,000,000 for the fiscal year 2000 for humani-
20 tarian assistance are authorized to be available
21 only for assistance (including food, medicine,
22 clothing, and medical and vocational training)
23 to persons displaced as a result of civil conflict
24 in Burma, including persons still within Burma.

1 (D) ASSISTANCE FOR DISPLACED SIERRA
2 LEONEANS.—Of the amounts authorized to be
3 appropriated in paragraph (1), \$2,000,000 for
4 the fiscal year 2000 for humanitarian assist-
5 ance are authorized to be available only for as-
6 sistance (including food, medicine, clothing, and
7 medical and vocational training) and resettle-
8 ment of persons who have been severely muti-
9 lated as a result of civil conflict in Sierra
10 Leone, including persons still within Sierra
11 Leone.

12 (E) ASSISTANCE FOR KOSOVAR REFU-
13 GEES.—

14 (i) Of the amounts authorized to be
15 appropriated in paragraph (1),
16 \$50,000,000 for the fiscal year 2000 are
17 authorized to be appropriated only for the
18 Front Line States Initiative defined in
19 clause (ii).

20 (ii) For the purposes of this subpara-
21 graph, the term “Front Line States Initia-
22 tive” means assistance for the relief of ref-
23ugees fleeing from the conflict in Kosovo
24 provided through nongovernmental organi-
25 zations in the form of food, housing, cloth-

1 ing, transportation, and other material,
2 with priority assistance for the relief of
3 refugees in the front line states of Albania
4 and Macedonia and for returned or return-
5 ing refugees, displaced persons, and other
6 victims of the humanitarian crisis within
7 Kosovo.

8 (F) INTERNATIONAL RAPE COUNSELING PRO-
9 GRAM.—Of the amounts authorized to be appro-
10 priated in paragraph (1), \$2,500,000 for the fiscal
11 year 2000 are authorized to be appropriated only for
12 a United States based rape counseling program for
13 assistance to women who have been victimized by the
14 systematic use of rape as a weapon in times of con-
15 flict and war.

16 (b) AVAILABILITY OF FUNDS.—Funds appro-
17 priated pursuant to this section are authorized to remain
18 available until expended.

19 **SEC. 105. PUBLIC DIPLOMACY PROGRAMS.**

20 The following amounts are authorized to be appro-
21 priated for the Department of State to carry out inter-
22 national information activities and educational and cul-
23 tural exchange programs under the United States Infor-
24 mation and Educational Exchange Act of 1948, the Mu-
25 tual Educational and Cultural Exchange Act of 1961, Re-

1 organization Plan Number 2 of 1977, the Dante B. Fas-
2 cell North-South Center Act of 1991, and the National
3 Endowment for Democracy Act, and to carry out other
4 authorities in law consistent with such purposes:

5 (1) INTERNATIONAL INFORMATION PRO-
6 GRAMS.—For “International Information Pro-
7 grams”, such sums as may be necessary for the fis-
8 cal year 2000.

9 (2) EDUCATIONAL AND CULTURAL EXCHANGE
10 PROGRAMS.—

11 (A) FULBRIGHT ACADEMIC EXCHANGE
12 PROGRAMS.—There are authorized to be appro-
13 priated for the “Fulbright Academic Exchange
14 Programs” (other than programs described in
15 subparagraph (B)), such sums as may be nec-
16 essary for the fiscal year 2000.

17 (B) OTHER EDUCATIONAL AND CULTURAL
18 EXCHANGE PROGRAMS.—

19 (i) IN GENERAL.—There are author-
20 ized to be appropriated for other edu-
21 cational and cultural exchange programs
22 authorized by law, including the Claude
23 and Mildred Pepper Scholarship Program
24 of the Washington Workshops Foundation
25 and the Mike Mansfield Fellowship Pro-

1 gram, such sums as may be necessary for
2 the fiscal year 2000.

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

8 (iii) EAST TIMORESE SCHOLAR-
9 SHIPS.—Of the amounts authorized to be
10 appropriated under clause (i), \$500,000
11 for the fiscal year 2000 is authorized to be
12 available for “East Timorese Scholar-
13 ships”.

14 (iv) TIBETAN EXCHANGES.—Of the
15 amounts authorized to be appropriated
16 under clause (i), \$500,000 for the fiscal
17 year 2000 is authorized to be available for
18 “Ngawang Choephel Exchange Programs”
19 (formerly known as educational and cul-
20 tural exchanges with Tibet) under section
21 103(a) of the Human Rights, Refugee, and
22 Other Foreign Relations Provisions Act of
23 1996 (Public Law 104–319).

24 (v) AFRICAN EXCHANGES.—Of the
25 amounts authorized to be appropriated

1 under clause (i), \$500,000 for the fiscal
2 year 2000 is authorized to be available
3 only for “Educational and Cultural Ex-
4 changes with Sub-Saharan Africa”.

5 (3) CENTER FOR CULTURAL AND TECHNICAL
6 INTERCHANGE BETWEEN EAST AND WEST.—For the
7 “Center for Cultural and Technical Interchange be-
8 tween East and West”, \$17,500,000 for the fiscal
9 year 2000.

10 (4) NATIONAL ENDOWMENT FOR DEMOC-
11 RACY.—For the “National Endowment for Democ-
12 racy”, \$32,000,000 for the fiscal year 2000.

13 (5) REAGAN-FASCELL DEMOCRACY FELLOWS.—
14 For a fellowship program, to be known as the
15 “Reagan-Fascell Democracy Fellows”, for democ-
16 racy activists and scholars from around the world at
17 the International Forum for Democratic Studies in
18 Washington, D.C., to study, write, and exchange
19 views with other activists and scholars and with
20 Americans, \$2,000,000 for the fiscal year 2000.

21 (6) DANTE B. FASCELL NORTH-SOUTH CEN-
22 TER.—For “Dante B. Fascell North-South Center”
23 such sums as may be necessary for the fiscal year
24 2000.

1 (7) ISRAEL-ARAB PEACE PARTNERS PRO-
2 GRAM.—Of the amounts authorized to be appro-
3 priated under clause (i), \$1,500,000 for the fiscal
4 year 2000 is authorized to be available only for peo-
5 ple-to-people activities (with a focus on young peo-
6 ple) to support the Middle East peace process involv-
7 ing participants from Israel, the Palestinian Author-
8 ity, Arab countries, and the United States, to be
9 known as the “Israel-Arab Peace Partners Pro-
10 gram”. Not later than 90 days after the date of the
11 enactment of this Act, the Secretary of State shall
12 submit a plan to the Committee on International Re-
13 lations of the House of Representatives for imple-
14 mentation of such program. The Secretary shall not
15 implement the plan until 45 days after its submis-
16 sion to the Committee.

17 **SEC. 106. VOLUNTARY CONTRIBUTIONS TO INTER-**
18 **NATIONAL ORGANIZATIONS.**

19 (a) AUTHORIZATION OF APPROPRIATIONS.—There
20 are authorized to be appropriated for “Voluntary Con-
21 tributions to International Organizations”, such sums as
22 may be necessary for the fiscal year 2000.

23 (b) LIMITATIONS ON AUTHORIZATIONS OF APPRO-
24 PRIATIONS.—

1 (1) WORLD FOOD PROGRAM.—Of the amounts
2 authorized to be appropriated under subsection (a),
3 \$5,000,000 for the fiscal year 2000 is authorized to
4 be appropriated only for a United States contribu-
5 tion to the World Food Program.

6 (2) UNITED NATIONS VOLUNTARY FUND FOR
7 VICTIMS OF TORTURE.—Of the amount authorized
8 to be appropriated under subsection (a), \$5,000,000
9 for the fiscal year 2000 is authorized to be appro-
10 priated only for a United States contribution to the
11 United Nations Voluntary Fund for Victims of Tor-
12 ture.

13 (3) INTERNATIONAL PROGRAM ON THE ELIMI-
14 NATION OF CHILD LABOR.—Of the amounts author-
15 ized to be appropriated under subsection (a),
16 \$5,000,000 for the fiscal year 2000 is authorized to
17 be appropriated only for a United States contribu-
18 tion to the International Labor Organization for the
19 activities of the International Program on the Elimini-
20 nation of Child Labor.

21 (4) ORGANIZATION OF AMERICAN STATES.—Of
22 the amounts authorized to be appropriated under
23 subsection (a), \$240,000 for the fiscal year 2000 is
24 authorized to be appropriated only for a United
25 States contribution to the Organization of American

1 States for the Office of the Special Rapporteur for
2 Freedom of Expression in the Western Hemisphere
3 to conduct investigations, including field visits, to es-
4 tablish a network of nongovernmental organizations,
5 and to hold hemispheric conferences, of which
6 \$6,000 for each fiscal year is authorized to be ap-
7 propriated only for the investigation and dissemina-
8 tion of information on violations of freedom of ex-
9 pression by the Government of Cuba.

10 (5) UNICEF.—Of the amounts authorized to
11 be appropriated under subsection (a), \$110,000,000
12 for the fiscal year 2000 is authorized to be appro-
13 priated only for a United States contribution to
14 UNICEF.

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

18 (1) LIMITATION.—Of the amounts made avail-
19 able under subsection (a) for the fiscal year 2000 for
20 United States voluntary contributions to the United
21 Nations Development Program an amount equal to
22 the amount the United Nations Development Pro-
23 gram will spend in Burma during each fiscal year
24 shall be withheld unless during such fiscal year the
25 Secretary of State submits to the appropriate con-

1 gressional committees the certification described in
2 paragraph (2).

3 (2) CERTIFICATION.—The certification referred
4 to in paragraph (1) is a certification by the Sec-
5 retary of State that all programs and activities of
6 the United Nations Development Program (including
7 United Nations Development Program—Adminis-
8 tered Funds) in Burma—

9 (A) are focused on eliminating human suf-
10 fering and addressing the needs of the poor;

11 (B) are undertaken only through inter-
12 national or private voluntary organizations that
13 have been deemed independent of the State
14 Peace and Development Council (SPDC) (for-
15 merly known as the State Law and Order Res-
16 toration Council (SLORC), after consultation
17 with the leadership of the National League for
18 Democracy and the leadership of the National
19 Coalition Government of the Union of Burma;

20 (C) provide no financial, political, or mili-
21 tary benefit to the SPDC; and

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

1 (d) CONTRIBUTIONS TO UNITED NATIONS POPU-
2 LATION FUND.—

3 (1) LIMITATIONS ON AMOUNT OF CONTRIBU-
4 TION.—Of the amounts made available under sub-
5 section (a), not more than \$25,000,000 for fiscal
6 year 2000 shall be available for the United Nations
7 Population Fund (hereinafter in this subsection re-
8 ferred to as the “UNFPA”).

9 (2) PROHIBITION ON USE OF FUNDS IN
10 CHINA.—None of the funds made available under
11 subsection (a) may be made available for the
12 UNFPA for a country program in the People’s Re-
13 public of China.

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

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

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

25 (C) the UNFPA does not fund abortions.

1 (4) REPORT TO CONGRESS AND WITHHOLDING
2 OF FUNDS.—

3 (A) Not later than February 15, 2000, the
4 Secretary of State shall submit a report to the
5 appropriate congressional committees indicating
6 the amount of funds that the United Nations
7 Population Fund is budgeting for the year in
8 which the report is submitted for a country pro-
9 gram in the People’s Republic of China.

10 (B) If a report under subparagraph (A) in-
11 dicates that the United Nations Population
12 Fund plans to spend funds for a country pro-
13 gram in the People’s Republic of China in the
14 year covered by the report, then the amount of
15 such funds that the UNFPA plans to spend in
16 the People’s Republic of China shall be de-
17 ducted from the funds made available to the
18 UNFPA after March 1 for obligation for the re-
19 mainder of the fiscal year in which the report
20 is submitted.

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

1 **SEC. 107. GRANTS TO THE ASIA FOUNDATION.**

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

4 “SEC. 404. There are authorized to be appropriated
5 to the Secretary of State \$15,000,000 for the fiscal year
6 2000 for grants to The Asia Foundation pursuant to this
7 title.”.

8 **CHAPTER 2—BROADCASTING BOARD OF**
9 **GOVERNORS**

10 **SEC. 121. INTERNATIONAL BROADCASTING.**

11 The following amounts are authorized to be appro-
12 priated for the Broadcasting Board of Governors to carry
13 out certain international broadcasting activities under the
14 United States International Broadcasting Act of 1994, the
15 Radio Broadcasting to Cuba Act, and the Television
16 Broadcasting to Cuba Act, and for other purposes author-
17 ized by law:

18 (1) INTERNATIONAL BROADCASTING OPER-
19 ATIONS.—

20 (A) AUTHORIZATION OF APPROPRIA-
21 TIONS.—For “International Broadcasting Oper-
22 ations”, such sums as may be necessary for the
23 fiscal year 2000.

24 (B) ALLOCATION.—Of the amounts au-
25 thorized to be appropriated under subparagraph
26 (A), the Broadcasting Board of Governors shall

1 seek to ensure that the amounts made available
2 for broadcasting to nations whose people do not
3 fully enjoy freedom of expression do not decline
4 in proportion to the amounts made available for
5 broadcasting to other nations.

6 (2) BROADCASTING CAPITAL IMPROVEMENTS.—
7 For “Broadcasting Capital Improvements”, such
8 sums as may be necessary for the fiscal year 2000.

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

11 (4) BROADCASTING TO CUBA.—

12 (A) AUTHORIZATION OF APPROPRIA-
13 TIONS.—For “Broadcasting to Cuba”, such
14 sums as may be necessary for the fiscal year
15 2000.

16 (B) LIMITATION.—Of the amounts author-
17 ized to be appropriated under subparagraph
18 (A), \$712,000 for the fiscal year 2000 is au-
19 thorized to be appropriated only for the Office
20 of Cuba Broadcasting to develop and implement
21 new technology and enhance current methods to
22 strengthen and improve the transmission capa-
23 bilities of Radio Marti and TV Marti.

1 **TITLE II—DEPARTMENT OF**
2 **STATE AUTHORITIES AND AC-**
3 **TIVITIES**

4 **CHAPTER 1—AUTHORITIES AND**
5 **ACTIVITIES**

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

8 Subject to the availability of appropriations, in the
9 event of an emergency which involves a terrorist attack
10 abroad, the Director of the Federal Bureau of Investiga-
11 tion of the Department of Justice is authorized to lease
12 commercial aircraft to transport equipment and personnel
13 in response to such attack if there have been reasonable
14 efforts to obtain appropriate Department of Defense air-
15 craft and such aircraft are unavailable. The leasing au-
16 thority under this section shall include authority to pro-
17 vide indemnification insurance or guarantees, if necessary
18 and appropriate.

19 **SEC. 202. REPORT ON CUBAN DRUG TRAFFICKING.**

20 Not later than 90 days after the date of the enact-
21 ment of this Act and every 180 days thereafter, the Sec-
22 retary of State shall submit to the appropriate congres-
23 sional committees an unclassified report (with a classified
24 annex) on the extent of international drug trafficking

1 from, through, or over Cuba. Each report shall include the
2 following:

3 (1) Information concerning the extent to which
4 the Cuban Government or any official, employee, or
5 entity of the Government of Cuba has engaged in,
6 facilitated, or condoned such trafficking.

7 (2) The extent to which the appropriate agen-
8 cies of the United States Government have inves-
9 tigated and prosecuted such activities of the Cuban
10 Government or any official, employee, or entity of
11 the Government of Cuba.

12 (3) A determination of whether the Government
13 of Cuba should be included in the list of nations con-
14 sidered to be major drug trafficking countries.

15 **SEC. 203. REPORT ON COMPLIANCE WITH THE HAGUE CON-**
16 **VENTION ON INTERNATIONAL CHILD ABDUC-**
17 **TION.**

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

23 (1) by striking “1999,” and inserting “2000,”;

24 (2) in paragraph (2) by striking “abducted.”
25 and inserting “abducted, are being wrongfully re-

1 tained in violation of United States court orders, or
2 which have failed to comply with any of their obliga-
3 tions under such convention with respect to applica-
4 tions for the return of children, access to children,
5 or both, submitted by United States citizens or law-
6 ful residents.”;

7 (3) in paragraph (3)—

8 (A) by striking “children” and inserting
9 “children, access to children, or both,”; and

10 (B) by inserting “or lawful residents” after
11 “citizens”; and

12 (4) by inserting after paragraph (5) the fol-
13 lowing new paragraph:

14 “(6) A list of the countries which are Parties to
15 the Convention, but in which due to the absence of
16 a prompt and effective method for enforcement of
17 civil court orders, the absence of a doctrine of com-
18 ity, or other factors, there is a substantial possibility
19 that an order of return or access under a Hague
20 Convention proceeding, or a United States custody,
21 access, or visitation order, will not be promptly en-
22 forced.”.

1 **SEC. 204. ELIMINATION OF OBSOLETE REPORTS.**

2 (a) POST LANGUAGE COMPETENCE.—Section 304(c)
3 of the Foreign Service Act of 1980 (22 U.S.C. 3944(c))
4 is repealed.

5 (b) SUSTAINABLE ECONOMIC GROWTH.—Section 574
6 of the Foreign Operations, Export Financing, and Related
7 Programs Appropriations Act, 1996 (Public Law 104–
8 107) is repealed.

9 (c) REDUNDANT REPORTS ON CERTAIN WEAPONS.—
10 (1) Section 308 of the Chemical and Biological
11 Weapons and Warfare Elimination Act of 1991
12 (Public Law 102–182) is repealed.

13 (2) Section 585 of the Foreign Operations, Ex-
14 port Financing, and Related Programs Appropria-
15 tions Act, 1997 (Public Law 104–208), is repealed.

16 (d) SITUATION IN IRAQ.—Section 3 of Public Law
17 102–1 is amended by striking “60 days” and inserting “6
18 months”.

19 **SEC. 205. CONTINUATION OF REPORTING REQUIREMENTS.**

20 (a) REPORTS ON CLAIMS BY UNITED STATES FIRMS
21 AGAINST THE GOVERNMENT OF SAUDI ARABIA.—Section
22 2801(b) of the Foreign Affairs Reform and Restructuring
23 Act of 1998 (as enacted by division G of the Omnibus
24 Consolidated and Emergency Supplemental Appropria-
25 tions Act, 1999; Public Law 105–277) is amended—

26 (1) by striking “the earlier of—”;

1 (2) by striking paragraph (1); and

2 (3) by striking the designation for paragraph

3 (2) and adjusting the tabulation.

4 (b) REPORTS ON DETERMINATIONS UNDER TITLE
5 IV OF THE LIBERTAD ACT.—Section 2802(a) of the For-
6 eign Affairs Reform and Restructuring Act of 1998 (as
7 enacted by division G of the Omnibus Consolidated and
8 Emergency Supplemental Appropriations Act, 1999; Pub-
9 lic Law 105–277) is amended by striking “during the pe-
10 riod ending September 30, 1999,” and inserting a comma.

11 (c) RELATIONS WITH VIETNAM.—Section 2805 of
12 the Foreign Affairs Reform and Restructuring Act of
13 1998 (as enacted by division G of the Omnibus Consoli-
14 dated and Emergency Supplemental Appropriations Act,
15 1999; Public Law 105–277) is amended by striking “dur-
16 ing the period ending September 30, 1999,”.

17 (d) REPORTS ON BALLISTIC MISSILE COOPERATION
18 WITH RUSSIA.—Section 2705(d) of the Foreign Affairs
19 Reform and Restructuring Act of 1998 (as enacted by di-
20 vision G of the Omnibus Consolidated and Emergency
21 Supplemental Appropriations Act, 1999; Public Law 105–
22 277) is amended by striking “and January 1, 2000,” and
23 inserting “January 1, 2000, January 1, 2001, and Janu-
24 ary 1, 2002,”.

1 **SEC. 206. INTERNATIONAL ARMS SALES CODE OF CON-**
2 **DUCT.**

3 (a) **NEGOTIATIONS.**—The Secretary of State shall at-
4 tempt to achieve the foreign policy goal of an international
5 arms sales code of conduct with all Wassenaar Arrange-
6 ment countries. The Secretary of State shall take the nec-
7 essary steps to begin negotiations with all Wassenaar Ar-
8 rangement countries within 120 days after the date of the
9 enactment of this Act. The purpose of such negotiations
10 shall be to conclude an agreement on restricting or prohib-
11 iting arms transfers to countries that do not meet the cri-
12 teria under subsection (b).

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

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

17 (A) was chosen by and permits free and
18 fair elections;

19 (B) promotes civilian control of the mili-
20 tary and security forces and has civilian institu-
21 tions controlling the policy, operation, and
22 spending of all law enforcement and security in-
23 stitutions, as well as the armed forces;

24 (C) promotes the rule of law, equality be-
25 fore the law, and respect for individual and mi-

1 nority rights, including freedom to speak, pub-
2 lish, associate, and organize; and

3 (D) promotes the strengthening of polit-
4 ical, legislative, and civil institutions of democ-
5 racy, as well as autonomous institutions to
6 monitor the conduct of public officials and to
7 combat corruption.

8 (2) RESPECTS HUMAN RIGHTS.—Such
9 government—

10 (A) does not engage in gross violations of
11 internationally recognized human rights,
12 including—

13 (i) extrajudicial or arbitrary execu-
14 tions;

15 (ii) disappearances;

16 (iii) torture or severe mistreatment;

17 (iv) prolonged arbitrary imprisonment;

18 (v) systematic official discrimination
19 on the basis of race, ethnicity, religion,
20 gender, national origin, or political affili-
21 ation; and

22 (vi) grave breaches of international
23 laws of war or equivalent violations of the
24 laws of war in internal conflicts;

1 (B) vigorously investigates, disciplines, and
2 prosecutes those responsible for gross violations
3 of internationally recognized human rights;

4 (C) permits access on a regular basis to
5 political prisoners by international humani-
6 tarian organizations such as the International
7 Committee of the Red Cross;

8 (D) promotes the independence of the judi-
9 ciary and other official bodies that oversee the
10 protection of human rights;

11 (E) does not impede the free functioning of
12 domestic and international human rights orga-
13 nizations; and

14 (F) provides access on a regular basis to
15 humanitarian organizations in situations of con-
16 flict or famine.

17 (3) NOT ENGAGED IN CERTAIN ACTS OF ARMED
18 AGGRESSION.—Such government is not currently en-
19 gaged in acts of armed aggression in violation of
20 international law.

21 (4) FULL PARTICIPATION IN UNITED NATIONS
22 REGISTER OF CONVENTIONAL ARMS.—Such govern-
23 ment is fully participating in the United Nations
24 Register of Conventional Arms.

25 (c) REPORTS.—

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

9 (2) HUMAN RIGHTS REPORT.—In the report re-
10 quired by sections 116(d) and 502B of the Foreign
11 Assistance Act of 1961, the Secretary of State shall
12 describe the extent to which the practices of each
13 country evaluated meet the criteria of subsection (b).

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

19 **SEC. 207. HUMAN RIGHTS AND DEMOCRACY FELLOWSHIPS.**

20 (a) ESTABLISHMENT.—There is established in the
21 Department of State a program which shall be known as
22 the “Human Rights and Democracy Fellowship Pro-
23 gram”. The program shall be administered by the Sec-
24 retary with the assistance of the Assistant Secretary for
25 Democracy, Human Rights, and Labor. The program shall

1 provide for the employment of not less than 6 and not
2 more than 12 fellows in the Bureau of Democracy, Human
3 Rights, and Labor. Fellowships shall be for an initial 1
4 year period which may be extended for a total of not more
5 than 3 years. Fellowships shall be available to individuals
6 who have expertise in human rights policy, human rights
7 law, or related subjects and who are not permanent em-
8 ployees of the United States Government.

9 (b) AUTHORIZATION OF APPROPRIATION.—There are
10 authorized to be appropriated for the Human Rights and
11 Democracy Fellowship Program under subsection (a)
12 \$1,000,000 for fiscal year 2000.

13 **SEC. 208. JOINT FUNDS UNDER AGREEMENTS FOR CO-**
14 **OPERATION IN ENVIRONMENTAL, SCI-**
15 **ENTIFIC, CULTURAL AND RELATED AREAS.**

16 Amounts made available to the Department of State
17 for participation in joint funds under agreements for co-
18 operation in environmental, scientific, cultural and related
19 areas prior to fiscal year 1996 which, pursuant to express
20 terms of such international agreements, were deposited in
21 interest-bearing accounts prior to disbursement may earn
22 interest, and interest accrued to such accounts may be
23 used and retained without return to the Treasury of the
24 United States and without further appropriation by Con-
25 gress. The Department of State shall take action to ensure

1 the complete and timely disbursement of appropriations
2 and associated interest within joint funds covered by this
3 section and final disposition of such agreements.

4 **SEC. 209. REPORT ON INTERNATIONAL EXTRADITION.**

5 Not later than 120 days after the date of the enact-
6 ment of this Act, the Secretary of State shall prepare and
7 submit to the Congress a report concerning international
8 extradition. The report shall review all extradition treaties
9 and agreements to which the United States is signatory;
10 identify those countries that have become “safe havens”
11 for individuals fleeing the American justice system; iden-
12 tify the factors which contribute to the international extra-
13 dition problem, particularly laws in foreign countries
14 which prohibit the extradition to another country of cer-
15 tain classes of persons; and propose appropriate legislative
16 and diplomatic solutions to such problem, including, where
17 appropriate, the renegotiation of extradition treaties.

18 **SEC. 210. EFFECTIVE REGULATION OF SATELLITE EXPORT**

19 **ACTIVITIES.**

20 (a) LICENSING REGIME.—

21 (1) ESTABLISHMENT.—The Secretary of State
22 shall establish a regulatory regime for the licensing
23 for export of commercial satellites, satellite tech-
24 nologies, their components, and systems which shall
25 include expedited approval, as appropriate, of the li-

1 censing for export by United States companies of
2 commercial satellites, satellite technologies, their
3 components, and systems, to NATO allies, major
4 non-NATO allies, and other friendly countries, but
5 not to the Peoples Republic of China.

6 (2) REQUIREMENTS.—For proposed exports to
7 those nations which meet the requirements of para-
8 graph (1) above, the regime should include expedited
9 processing of requests for export authorizations
10 that—

11 (A) are time-critical, including a transfer
12 or exchange of information relating to a sat-
13 ellite failure or anomaly in-flight or on-orbit;

14 (B) are required to submit bids to procure-
15 ments offered by foreign persons;

16 (C) relate to the re-export of unimproved
17 materials, products, or data; or

18 (D) are required to obtain launch and on-
19 orbit insurance.

20 (b) FINANCIAL AND PERSONNEL RESOURCES.—Of
21 the funds authorized to be appropriated in section
22 101(1)(A), \$11,000,000 is authorized to be appropriated
23 for the Office of Defense Trade Controls for fiscal year
24 2000, to enable that office to carry out its responsibilities.

1 (c) IMPROVEMENT AND ASSESSMENT.—The Sec-
2 retary shall, not later than 6 months after the date of the
3 enactment of this Act, submit to the Congress a plan for—

4 (1) continuously gathering industry and public
5 suggestions for potential improvements in the State
6 Department’s export control regime for commercial
7 satellites; and

8 (2) arranging for the conduct and submission to
9 Congress, not later than 15 months after the date
10 of the enactment of this Act, an independent review
11 of the export control regime for commercial satellites
12 as to its effectiveness at promoting national security
13 and economic competitiveness.

14 **SEC. 211. REPORT CONCERNING ATTACK IN CAMBODIA.**

15 Not later than 30 days after the date of the enact-
16 ment of this Act, and every 6 months thereafter until the
17 investigation referred to in this section is completed, the
18 Secretary of State, in consultation with the Attorney Gen-
19 eral, shall submit a report to the appropriate congressional
20 committees, in classified and unclassified form, containing
21 the most current information on the investigation into the
22 March 30, 1997, grenade attack in Cambodia, including
23 a discussion of communication between the United States
24 Embassy in Phnom Penh and Washington.

1 **SEC. 212. GENDER RELATED PERSECUTION TASK FORCE.**

2 (a) ESTABLISHMENT OF TASK FORCE.—The Sec-
3 retary of State, in consultation with other Federal agen-
4 cies, shall establish a task force with the goal of deter-
5 mining eligibility guidelines for women seeking refugee
6 status overseas due to gender-related persecution (includ-
7 ing but not limited to domestic and workplace violence and
8 female genital mutilation).

9 (b) REPORT.—Not later than 1 year after the date
10 of the enactment of this Act, the Secretary of State shall
11 prepare and submit to the Congress a report outlining the
12 guidelines determined by the task force under subsection
13 (a).

14 **SEC. 213. REPORT CONCERNING THE DIPLOMATIC INITIA-**
15 **TIVES OF THE UNITED STATES AND OTHER**
16 **INTERESTED PARTIES IN THE FEDERAL RE-**
17 **PUBLIC OF YUGOSLAVIA.**

18 Not later than 1 year after the date of the enactment
19 of this Act, the Secretary of State shall submit a report
20 to the appropriate congressional committees assessing the
21 diplomatic initiatives of the United States and other inter-
22 ested parties in the period leading up to and during the
23 war in Kosovo. The report shall be written by an inde-
24 pendent panel of experts (from the National Academy of
25 Sciences). The report shall give particular consideration
26 to the Rambouilliet negotiations, diplomatic initiatives un-

1 dertaken by representatives of Russia, Cyprus, Finland,
2 United States congressional members, other United States
3 citizens, and other parties. The report analysis will evalu-
4 ate the role of diplomacy in ending the war and compare
5 the final agreement with various proposed agreements dat-
6 ing from before the commencement of the bombing cam-
7 paign.

8 **SEC. 214. REPORT CONCERNING PROLIFERATION OF**
9 **SMALL ARMS.**

10 Not later than 180 days after the date of the enact-
11 ment of this Act, the Secretary of State shall submit to
12 the appropriate congressional committees a report
13 containing—

14 (1) an assessment of whether the global trade
15 in small arms poses any proliferation problems
16 including—

17 (A) estimates of the numbers and sources
18 of licit and illicit small arms and light arms in
19 circulation and their origins;

20 (B) the challenges associated with moni-
21 toring small arms; and

22 (C) the political, economic, and security di-
23 mensions of this issue, and the threats posed,
24 if any, by these weapons to United States inter-
25 ests, including national security interests;

1 (2) an assessment of whether the export of
2 small arms of the type sold commercially in the
3 United States should be considered a foreign policy
4 or proliferation issue;

5 (3) a description and analysis of the adequacy
6 of current Department of State activities to monitor
7 and, to the extent possible ensure adequate control
8 of, both the licit and illicit manufacture, transfer,
9 and proliferation of small arms and light weapons,
10 including efforts to survey and assess this matter
11 with respect to Africa and to survey and assess the
12 scope and scale of the issue, including stockpile secu-
13 rity and destruction of excess inventory, in NATO
14 and Partnership for Peace countries;

15 (4) a description of the impact of the reorga-
16 nization of the Department of State made by the
17 Foreign Affairs Reform and Restructuring Act of
18 1998 on the transfer of functions relating to moni-
19 toring, licensing, analysis, and policy on small arms
20 and light weapons, including—

21 (A) the integration of and the functions re-
22 lating to small arms and light weapons of the
23 United States Arms Control and Disarmament
24 Agency with those of the Department of State;

1 (B) the functions of the Bureau of Arms
2 Control, the Bureau of Nonproliferation, the
3 Bureau of Political-Military Affairs, the Bureau
4 of International Narcotics and Law Enforce-
5 ment, regional bureaus, and any other relevant
6 bureau or office of the Department of State, in-
7 cluding the allocation of personnel and funds,
8 as they pertain to small arms and light weap-
9 ons;

10 (C) the functions of the regional bureaus
11 of the Department of State in providing infor-
12 mation and policy coordination in bilateral and
13 multilateral settings on small arms and light
14 weapons;

15 (D) the functions of the Under Secretary
16 of State for Arms Control and International Se-
17 curity pertaining to small arms and light weap-
18 ons; and

19 (E) the functions of the scientific and pol-
20 icy advisory board on arms control, non-
21 proliferation, and disarmament pertaining to
22 small arms and light weapons; and

23 (5) an assessment of whether foreign govern-
24 ments are enforcing their own laws concerning small
25 arms and light weapons import and sale, including

1 commitments under the Inter-American Convention
2 Against the Illicit Manufacturing of and Trafficking
3 in Firearms, Ammunition, Explosives, and Other
4 Related Materials or other relevant international
5 agreements.

6 **CHAPTER 2—CONSULAR AND RELATED**
7 **ACTIVITIES**

8 **SEC. 251. DEATHS AND ESTATES OF UNITED STATES CITI-**
9 **ZENS ABROAD.**

10 (a) REPEAL.—Section 1709 of the Revised Statutes
11 (22 U.S.C. 4195) is repealed.

12 (b) AMENDMENT TO STATE DEPARTMENT BASIC AU-
13 THORITIES ACT OF 1956.—The State Department Basic
14 Authorities Act of 1956 is amended by inserting after sec-
15 tion 43 the following new sections:

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

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

20 “(1) When a United States citizen or national
21 dies abroad, a consular officer shall endeavor to no-
22 tify, or assist the Secretary of State in notifying, the
23 next of kin or legal guardian as soon as possible;
24 provided, that in the case of death of Peace Corps
25 Volunteers, members of the Armed Forces, their de-

1 pendants, or Department of Defense civilian employ-
2 ees, the consular officer shall assist the Peace Corps
3 or the appropriate military authorities in making
4 such notifications.

5 “(2) The consular officer may, for any United
6 States citizen who dies abroad, (A) in the case of a
7 finding by appropriate local authorities, issue a re-
8 port of death or of presumptive death, or (B) in the
9 absence of a finding by appropriate local authorities,
10 issue a report of presumptive death.

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

12 “(a) CONSERVATION OF ESTATES ABROAD.—

13 “(1) AUTHORITY TO ACT AS CONSERVATOR.—

14 Pursuant to such regulations as the Secretary of
15 State may prescribe, when a United States citizen or
16 national dies abroad, a consular officer shall act as
17 the provisional conservator of the decedent’s estate
18 and, subject to paragraphs (3) and (4), shall—

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

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

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

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

7 “(E) sell, after reasonable public notice
8 and notice to such next of kin as can be
9 ascertained with reasonable diligence, such ad-
10 ditional items of property as necessary to pro-
11 vide funds sufficient to pay the decedent’s debts
12 and property taxes in the country of death, fu-
13 neral expenses, and other expenses incident to
14 the disposition of the estate;

15 “(F) at the end of 1 year from the date of
16 death (or after such additional period as may
17 be required for final settlement of the estate),
18 if no claimant shall have appeared, sell or dis-
19 pose of the residue of the personal estate, ex-
20 cept as provided in subparagraph (G) below, in
21 the same manner as United States Government-
22 owned foreign excess property;

23 “(G) transmit to the United States, to the
24 Secretary of State, the proceeds of any sales
25 along with any financial instruments (including

1 bonds, shares of stock, and notes of indebted-
2 ness), jewelry, heirlooms, and other articles of
3 obvious sentimental value, to be held in trust
4 for the legal claimant; and

5 “(H) in the event that the decedent’s es-
6 tate includes an interest in real property located
7 within the jurisdiction of the officer and such
8 interest does not devolve by the applicable laws
9 of intestate succession or otherwise, provide for
10 title to the property to be conveyed to the Gov-
11 ernment of the United States unless the Sec-
12 retary declines to accept such conveyance.

13 “(2) AUTHORITY TO ACT AS ADMINISTRATOR.—
14 The Secretary of State may expressly authorize the
15 officer to act as administrator of the estate in excep-
16 tional circumstances, pursuant to such regulations
17 as the Secretary may prescribe. The officer shall not
18 otherwise act in such capacity.

19 “(3) EXCEPTIONS.—

20 “(A) The function provided for in this sec-
21 tion shall not be performed to the extent that
22 the decedent has left or there is otherwise ap-
23 pointed, in the country where the death oc-
24 curred or where the decedent was domiciled, a
25 legal representative, partner in trade, or trustee

1 appointed to take care of his personal estate. If
2 the decedent's legal representative shall appear
3 at any time prior to transmission of the estate
4 to the Secretary and demand the proceeds and
5 effects being held by the officer, the officer
6 shall deliver them to the representative after
7 having collected any prescribed fee for the serv-
8 ices rendered pursuant to this section.

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

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

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

24 “(1) PERSONAL ESTATES.—

1 “(A) After receipt of personal estates pur-
2 suant to subsection (a), the Secretary, pursuant
3 to such regulations as the Secretary may pre-
4 scribe for the conservation of such estates, may
5 seek payment of all outstanding debts to the es-
6 tate as they become due, may receive any bal-
7 ances due on such estates, may endorse all
8 checks, bills of exchange, promissory notes, and
9 other instruments of indebtedness payable to
10 the estate for the benefit thereof, and may take
11 such other action as is reasonably necessary for
12 the conservation of the estate.

13 “(B) If by the end of the fifth full fiscal
14 year after receipt of the personal estate pursu-
15 ant to subsection (a), no legal claimant for such
16 estate has appeared, title to the estate shall
17 pass to the Secretary who shall dispose of the
18 estate in the same manner as surplus United
19 States Government-owned property or by such
20 means as may be appropriate in light of the na-
21 ture and value of the property involved. The ex-
22 penses of sales shall be paid from the estate,
23 and any lawful claim received thereafter shall
24 be payable to the extent of the value of the net

1 proceeds of the estate as a refund from the ap-
2 propriate Treasury account.

3 “(C) The net cash estate after disposition
4 as provided in subparagraph (B) shall be remit-
5 ted to the Treasury as miscellaneous receipts.

6 “(2) REAL PROPERTY.—Pursuant to such regu-
7 lations as the Secretary may prescribe—

8 “(A) in the event that real property is con-
9 veyed to the Government of the United States
10 pursuant to subsection (a)(1)(H) and is not
11 needed by the Department of State, such prop-
12 erty shall be considered foreign excess property
13 under title IV of the Federal Property and Ad-
14 ministrative Services Act of 1949 (40 U.S.C.
15 511 et seq.); and

16 “(B) in the event that the Department
17 needs such property, the Secretary shall treat
18 such property as if it were an unconditional gift
19 accepted on behalf of the Department of State
20 pursuant to section 25 of this Act and section
21 9(a)(3) of the Foreign Service Buildings Act of
22 1926, as amended.

23 “(c) LOSSES IN CONNECTION WITH THE CONSERVA-
24 TION OF ESTATES.—

1 “(1) **AUTHORITY.**—Pursuant to such regula-
2 tions as the Secretary of State may prescribe, the
3 Secretary is authorized to compensate the estate of
4 any United States citizen, who has died overseas, for
5 property, the conservation of which has been under-
6 taken under either section 43 or subsection (a) of
7 this section, and that has been lost, stolen, or de-
8 stroyed while in the custody of officers or employees
9 of the Department of State. Any such compensation
10 shall be in lieu of personal liability of officers or em-
11 ployees of the Department of State. Officers and
12 employees of the Department of State may be liable
13 in appropriate cases to the Department of State to
14 the extent of any compensation provided pursuant to
15 this subsection.

16 “(2) **LIABILITY.**—The liability of officers or
17 employees of the Department of State to the Depart-
18 ment for payments made pursuant to paragraph (a)
19 of this section shall be determined pursuant to the
20 Department’s procedures for determining account-
21 ability for United States Government property.”.

22 (c) **EFFECTIVE DATE.**—The amendments made by
23 this section shall take effect 6 months after enactment of
24 this Act or upon the effective date of any regulations pro-
25 mulgated hereunder, whichever is sooner.

1 **SEC. 252. DUTIES OF CONSULAR OFFICERS.**

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

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

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

10 (3) by adding at the end the following new sub-
11 section:

12 “(b) DEFINITIONS.—For purposes of this section and
13 sections 43A and 43B of this Act, the term ‘consular offi-
14 cer’ includes any United States citizen employee of the De-
15 partment of State who is designated by the Secretary of
16 State to perform consular services pursuant to such regu-
17 lations as the Secretary may prescribe.”.

18 **SEC. 253. MACHINE READABLE VISAS.**

19 Section 140(a) of the Foreign Relations Authoriza-
20 tion Act, Fiscal Years 1994 and 1995 (8 U.S.C. 1351
21 note) is amended—

22 (1) in paragraph (3) by amending the first sen-
23 tence to read as follows: “For each of the fiscal
24 years 2000, 2001, and 2002, any amount collected
25 under paragraph (1) that exceeds \$316,715,000 for
26 fiscal year 2000, \$338,885,000 for fiscal year 2001,

1 and \$362,607,000 for fiscal year 2002 may be made
2 available only if a notification is submitted to Con-
3 gress in accordance with the procedures applicable to
4 reprogramming notifications under section 34 of the
5 State Department Basic Authorities Act of 1956.”;
6 and

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

8 **SEC. 254. PROCESSING OF VISA APPLICATIONS.**

9 (a) **POLICY.**—It shall be the policy of the Department
10 of State to process immigrant visa applications of imme-
11 diate relatives of United States citizens and nonimmigrant
12 k-1 visa applications of fiances of United States citizens
13 within 30 days of the receipt of all necessary documents
14 from the applicant and the Immigration and Naturaliza-
15 tion Service. In the case of a visa application where the
16 sponsor of such applicant is a relative other than an imme-
17 diate relative, it should be the policy of the Department
18 of State to process such an application within 60 days of
19 the receipt of all necessary documents from the applicant
20 and the Immigration and Naturalization Service.

21 (b) **REPORTS.**—For each of the fiscal years 2000 and
22 2001, the Secretary of State shall submit to the appro-
23 priate congressional committees an annual report on the
24 extent to which the Department of State is meeting the
25 policy standards under subsection (a). Each report shall

1 be based on a survey of the 22 consular posts which ac-
2 count for approximately 72 percent of immigrant visas
3 issued and, in addition, the consular posts in Guatemala
4 City, Nicosia, Caracas, Naples, and Jakarta. Each report
5 should include data on the average time for processing
6 each category of visa application under subsection (a), a
7 list of the embassies and consular posts which do not meet
8 the policy standards under subsection (a), the amount of
9 funds collected for processing of visa applications, the
10 costs of processing such visa applications, and the steps
11 being taken by the Department of State to achieve such
12 policy standards.

13 (c) TASK FORCE.—The Secretary of State, in con-
14 sultation with other Federal agencies, shall establish a
15 joint task force with the goal of reducing the overall proc-
16 essing time for visa applications.

17 **SEC. 255. REPEAL OF OUTDATED PROVISION ON PASSPORT**
18 **FEEES.**

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

21 **SEC. 256. FEES RELATING TO AFFIDAVITS OF SUPPORT.**

22 (a) AUTHORITY FOR FEE FOR PREPARATION ASSIST-
23 ANCE.—Subject to subsection (b), the Secretary of State
24 is authorized to charge a fee for services provided by the
25 Department of State to an individual for assistance in the

1 preparation and filing of an affidavit of support pursuant
2 to section 213A of the Immigration and Nationality Act
3 (8 U.S.C. 1183A) to ensure that the affidavit is properly
4 completed before consideration of the affidavit and an im-
5 migrant visa application by a consular officer.

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

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 costs of providing affidavit preparation serv-
14 ices under subsection (a). Such fees shall remain available
15 for obligation until expended. Fees collected shall be avail-
16 able only to such extent and in such amounts as are pro-
17 vided in advance in an appropriation Act.

18 **SEC. 257. REPORT ON TERRORIST ACTIVITY IN WHICH**
19 **UNITED STATES CITIZENS WERE KILLED AND**
20 **RELATED MATTERS.**

21 (a) IN GENERAL.—Not later than 6 months after the
22 date of the enactment of this Act, and every 6 months
23 thereafter, the Secretary of State shall prepare and submit
24 a report, with a classified annex as necessary, to the ap-
25 propriate congressional committees regarding terrorist at-

1 tacks in Israel, in territory administered by Israel, and
2 in territory administered by the Palestinian Authority.

3 (b) CONTENTS.—Each report under subsection (a)
4 shall contain the following information:

5 (1) A list of formal commitments the Pales-
6 tinian Authority has made to combat terrorism.

7 (2) A list of terrorist attacks, occurring between
8 September 13, 1993 and the date of the report,
9 against United States citizens in Israel, in territory
10 administered by Israel, or in territory administered
11 by the Palestinian Authority, including—

12 (A) a list of all citizens of the United
13 States killed or injured in such attacks;

14 (B) the date of each attack and the total
15 number of people killed or injured in each at-
16 tack;

17 (C) the person or group claiming responsi-
18 bility for the attack and where such person or
19 group has found refuge or support;

20 (D) a list of suspects implicated in each at-
21 tack and the nationality of each suspect, includ-
22 ing information on—

23 (i) which suspects are in the custody
24 of the Palestinian Authority and which
25 suspects are in the custody of Israel;

1 (ii) which suspects are still at large in
2 areas controlled by the Palestinian Author-
3 ity or Israel; and

4 (iii) the whereabouts (or suspected
5 whereabouts) of suspects implicated in
6 each attack.

7 (3) Of the suspects implicated in the attacks
8 described in paragraph (2) and detained by Pales-
9 tinian or Israeli authorities, information on—

10 (A) the date each suspect was incarcer-
11 ated;

12 (B) whether any suspects have been re-
13 leased, the date of such release, and whether
14 any released suspect was implicated in subse-
15 quent acts of terrorism; and

16 (C) the status of each case pending against
17 a suspect, including information on whether the
18 suspect has been indicted, prosecuted, or con-
19 victed by the Palestinian Authority or Israel.

20 (4) The policy of the Department of State with
21 respect to offering rewards for information on ter-
22 rorist suspects, including any information on wheth-
23 er a reward has been posted for suspects involved in
24 terrorist attacks listed in the report.

1 (5) A list of each request by the United States
2 for assistance in investigating terrorist attacks listed
3 in the report, a list of each request by the United
4 States for the transfer of terrorist suspects from the
5 Palestinian Authority and Israel since September
6 13, 1993, and the response to each request from the
7 Palestinian Authority and Israel.

8 (6) A description of efforts made by United
9 States officials since September 13, 1993, to bring
10 to justice perpetrators of terrorist acts against
11 United States citizens as listed in the report.

12 (7) A list of any terrorist suspects in each such
13 case who are members of Palestinian police or secu-
14 rity forces, the Palestine Liberation Organization, or
15 any Palestinian governing body.

16 (c) CONSULTATION WITH OTHER DEPARTMENTS.—
17 In preparing each report required by this section, the Sec-
18 retary of State shall consult and coordinate with all other
19 Government officials who have information necessary to
20 complete the report. Nothing contained in this section
21 shall require the disclosure, on a classified or unclassified
22 basis, of information that would jeopardize sensitive
23 sources and methods or other vital national security inter-
24 ests or jeopardize ongoing criminal investigations or pro-
25 ceedings.

1 (d) INITIAL REPORT.—The initial report filed under
2 this section shall cover the period between September 13,
3 1993, and the date of the report.

4 (e) APPROPRIATE CONGRESSIONAL COMMITTEES.—
5 For purposes of this section, the term “appropriate con-
6 gressional committee” means the Committee on Foreign
7 Relations of the Senate and the Committee on Inter-
8 national Relations of the House of Representatives.

9 **SEC. 258. DENIAL OF PASSPORTS TO NONCUSTODIAL PAR-**
10 **ENTS SUBJECT TO STATE ARREST WARRANTS**
11 **IN CASES OF NONPAYMENT OF CHILD SUP-**
12 **PORT.**

13 The Secretary of State is authorized to refuse a pass-
14 port or revoke, restrict, or limit a passport in any case
15 in which the Secretary of State determines, or is informed
16 by competent authority, that the applicant or passport
17 holder is a noncustodial parent who is the subject of an
18 outstanding State warrant of arrest for nonpayment of
19 child support, where the amount in controversy is not less
20 than \$2,500.

21 **SEC. 259. ISSUANCE OF PASSPORTS FOR THE FIRST TIME**
22 **TO CHILDREN UNDER AGE 14.**

23 (a) IN GENERAL.—

24 (1) REGULATIONS.—Not later than 1 year after
25 the date of the enactment of this Act, the Secretary

1 of State shall issue regulations providing that before
2 a child under the age of 14 years is issued a pass-
3 port for the first time, the requirements under para-
4 graph (2) shall apply under penalty of perjury.

5 (2) REQUIREMENTS.—

6 (A) Both parents, or the child’s legal
7 guardian, must execute the application and pro-
8 vide documentary evidence demonstrating that
9 they are the parents or guardian; or

10 (B) the person executing the application
11 must provide documentary evidence that such
12 person—

13 (i) has sole custody of the child;

14 (ii) has the consent of the other par-
15 ent to the issuance of the passport; or

16 (iii) is in loco parentis and has the
17 consent of both parents, of a parent with
18 sole custody over the child, or of the child’s
19 legal guardian, to the issuance of the pass-
20 port.

21 (b) EXCEPTIONS.—The regulations required by sub-
22 section (a) may provide for exceptions in exigent cir-
23 cumstances, such as, those involving the health or welfare
24 of the child.

1 **CHAPTER 3—REFUGEES**
2 **SEC. 271. UNITED STATES POLICY REGARDING THE INVOL-**
3 **UNTARY RETURN OF REFUGEES.**

4 (a) **IN GENERAL.**—None of the funds made available
5 by this Act or by section 2(c) of the Migration and Ref-
6 ugee Assistance Act of 1962 (22 U.S.C. 2601(c)) shall be
7 available to effect the involuntary return by the United
8 States of any person to a country in which the person has
9 a well-founded fear of persecution on account of race, reli-
10 gion, nationality, membership in a particular social group,
11 or political opinion, except on grounds recognized as pre-
12 cluding protection as a refugee under the United Nations
13 Convention Relating to the Status of Refugees of July 28,
14 1951, and the Protocol Relating to the Status of Refugees
15 of January 31, 1967, subject to the reservations contained
16 in the United States Senate Resolution of Ratification.

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

1 the appropriate congressional committees as soon as prac-
2 ticable.

3 (c) INVOLUNTARY RETURN DEFINED.—As used in
4 this section, the term “to effect the involuntary return”
5 means to require, by means of physical force or cir-
6 cumstances amounting to a threat thereof, a person to re-
7 turn to a country against the person’s will, regardless of
8 whether the person is physically present in the United
9 States and regardless of whether the United States acts
10 directly or through an agent.

11 **SEC. 272. HUMAN RIGHTS REPORTS.**

12 Section 502B(b) of the Foreign Assistance Act of
13 1961 (22 U.S.C. 2304(b)) is amended by inserting after
14 the fourth sentence the following: “Each report under this
15 section shall describe the extent to which each country has
16 extended protection to refugees, including the provision of
17 first asylum and resettlement.”.

18 **SEC. 273. GUIDELINES FOR REFUGEE PROCESSING POSTS.**

19 (a) GUIDELINES FOR ADDRESSING HOSTILE BI-
20 ASSES.—Section 602(c) of the International Religious
21 Freedom Act of 1998 (Public Law 105–292; 112 Stat.
22 2812) is amended by inserting “and of the Department
23 of State” after “Service”.

1 (b) GUIDELINES FOR OVERSEAS REFUGEE PROC-
2 ESSING.—Section 602(c) of such Act is further amended
3 by adding at the end the following new paragraph:

4 “(3) Not later than 120 days after the date of
5 the enactment of the Foreign Relations Authoriza-
6 tion Act, Fiscal Year 2000, the Secretary of State
7 (after consultation with the Attorney General) shall
8 issue guidelines to ensure that persons with potential
9 biases against any refugee applicant, including per-
10 sons employed by, or otherwise subject to influence
11 by, governments known to be involved in persecution
12 on account of religion, race, nationality, membership
13 in a particular social group, or political opinion,
14 shall not in any way be used in processing deter-
15 minations of refugee status, including interpretation
16 of conversations or examination of documents pre-
17 sented by such applicants.”.

18 **SEC. 274. VIETNAMESE REFUGEES.**

19 No funds authorized to be appropriated by this Act
20 may be made available to support a larger number of per-
21 sonnel assigned to United States diplomatic or consular
22 posts in the Socialist Republic of Vietnam than the num-
23 ber assigned to such posts on March 22, 1999, unless not
24 less than 60 days prior to any obligation or expenditure

1 of such funds the Secretary of State submits a certifi-
2 cation to the appropriate congressional committees that—

3 (1) all United States refugee programs in Viet-
4 nam, as well as programs to provide visas for
5 Amerasians and for immediate relatives of refugees
6 and asylees, are supervised by a Refugee Counselor
7 or Refugee Coordinator who has a proven record of
8 sensitivity to the problems of refugees and other vic-
9 tims of human rights violations and who reports di-
10 rectly to the Ambassador or the Consul General at
11 the United States Consulate in Saigon and receives
12 policy guidance from the Assistant Secretary of
13 State for the bureau with principal responsibility for
14 refugees;

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

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

10 (4) allied combat veterans whose 3-year re-edu-
11 cation or prison sentences began before April 30,
12 1975, because they were serving in parts of the
13 country that fell to the Communists before Saigon,
14 and who are otherwise eligible for resettlement as
15 refugees in the United States, are not disqualified
16 on the sole ground of the date their re-education or
17 prison sentences began;

18 (5) persons who were eligible for the Orderly
19 Departure Program (ODP), but who missed the ap-
20 plication deadline announced and imposed in 1994
21 because they were still in detention, in internal exile
22 in a remote and inaccessible location, unable to af-
23 ford bribes demanded by corrupt local officials for
24 documentation and permission to attend refugee
25 interviews, or for other reasons beyond their control,

1 will be considered for interviews on a case-by-case
2 basis, and that such case-by-case consideration is
3 subject to clear written guidance and administrative
4 review to ensure that persons who missed the dead-
5 line for reasons beyond their control will not be de-
6 nied consideration on the merits;

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

14 (7) unmarried sons and daughters of persons
15 eligible for United States programs, including per-
16 sons described in section 2244 of the Foreign Af-
17 fairs Reform and Restructuring Act of 1998 (en-
18 acted as Division G of the Omnibus Consolidated
19 Emergency Supplemental Appropriations Act for
20 Fiscal Year 1999, Public Law 105–277) will not be
21 disqualified from accompanying or following to join
22 their parents on the sole ground that they have not
23 been continuously listed on the household registra-
24 tion issued to their parents by the government of the
25 Socialist Republic of Vietnam;

1 (8) returnees from refugee camps outside Viet-
2 nam who met the criteria for the Resettlement Op-
3 portunities for Vietnamese Returnees (ROVR) pro-
4 gram, in that they either signed up for repatriation
5 or were actually repatriated between October 1,
6 1995, and June 30, 1996, but did not fill out a
7 ROVR application before their repatriation, will be
8 given the opportunity to fill out an application in
9 Vietnam and will have their cases considered on the
10 merits;

11 (9) returnees whose special circumstances de-
12 nied them any meaningful opportunity to apply for
13 ROVR in the camps, such as those who were not of-
14 fered applications because they were in hospitals or
15 were being held in detention centers within certain
16 camps, or who were erroneously told by camp ad-
17 ministrators or Vietnamese government officials that
18 they were ineligible for the program, will be given an
19 opportunity to apply in Vietnam and will have their
20 cases considered on the merits, even if their repatri-
21 ation took place after June 30, 1996;

22 (10) a program has been established to identify,
23 interview, and resettle persons who have experienced
24 recent persecution or credible threats of persecution
25 because of political, religious, or human rights activi-

1 ties in Vietnam, subject to clear written standards to
2 ensure that such persons will have access to the pro-
3 gram whether or not they are included in a ROVR
4 or ODP interview category and whether or not their
5 cases are referred by an international organization;

6 (11) written guidance with respect to applica-
7 tions for reconsideration has been issued by the Im-
8 migration and Naturalization Service Office of Gen-
9 eral Counsel to ensure that applicants whose cases
10 were denied on grounds described in paragraphs (2)
11 through (10), because they were unwilling or unable
12 to describe mistreatment by the Vietnamese govern-
13 ment in the presence of a Vietnamese government
14 interpreter, or for other reasons contrary to the in-
15 terest of justice, will be re-interviewed; and

16 (12) all applicants described in paragraphs (2)
17 through (11) will have the assistance of a Joint Vol-
18 untary Agency (JVA) in preparing their cases.

1 **TITLE III—ORGANIZATION OF**
2 **THE DEPARTMENT OF STATE;**
3 **PERSONNEL OF THE DEPART-**
4 **MENT OF STATE; FOREIGN**
5 **SERVICE**

6 **CHAPTER 1—ORGANIZATION OF THE**
7 **DEPARTMENT OF STATE**

8 **SEC. 301. ESTABLISHMENT OF BUREAU FOR INTER-**
9 **NATIONAL INFORMATION PROGRAMS AND**
10 **BUREAU FOR EDUCATIONAL AND CULTURAL**
11 **EXCHANGE PROGRAMS.**

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

15 “(i) ESTABLISHMENT OF CERTAIN BUREAUS, OF-
16 FICES, AND OTHER ORGANIZATIONAL ENTITIES WITHIN
17 THE DEPARTMENT OF STATE.—

18 “(1) BUREAU FOR INTERNATIONAL INFORMA-
19 TION PROGRAMS.—There is established within the
20 Department of State the Bureau for International
21 Information Programs which shall assist the Sec-
22 retary of State in carrying out international infor-
23 mation activities formerly carried out by the United
24 States Information Agency.

1 (1) in section 2208(c) by striking “and the For-
2 eign Service”; and

3 (2) in section 1314(e) by striking “and the For-
4 eign Service”.

5 (c) AMENDMENTS TO PUBLIC LAW 103–236.—Effec-
6 tive October 2, 1999, subsections (i) and (j) of section 308
7 of the United States International Broadcasting Act of
8 1994 (22 U.S.C. 6207 (i) and (j)) are amended by striking
9 “Inspector General of the Department of State and the
10 Foreign Service” each place it appears and inserting “In-
11 spector General of the Department of State”.

12 (d) AMENDMENTS TO UNITED STATES INTER-
13 NATIONAL BROADCASTING ACT OF 1994.—Section
14 304(a)(3)(A) of the United States International Broad-
15 casting Act of 1994 (22 U.S.C. 6203(a)(3)(A)) is amend-
16 ed by striking “and the Foreign Service”.

17 **SEC. 303. SCIENCE AND TECHNOLOGY ADVISER TO SEC-**
18 **RETARY OF STATE.**

19 (a) ESTABLISHMENT OF POSITION.—Section 1 of the
20 State Department Basic Authorities Act of 1956 (22
21 U.S.C. 2651a) is amended by adding at the end the fol-
22 lowing new subsection:

23 “(g) SCIENCE AND TECHNOLOGY ADVISER.—

24 “(1) IN GENERAL.—There shall be within the
25 Department of State a Science and Technology Ad-

1 viser (in this paragraph referred to as the ‘Adviser’).
2 The Adviser shall have substantial experience in the
3 area of science and technology. The Adviser shall re-
4 port to the Secretary of State through the Under
5 Secretary of State for Global Affairs.

6 “(2) DUTIES.—The Adviser shall—

7 “(A) advise the Secretary of State, through
8 the Under Secretary of State for Global Affairs,
9 on international science and technology matters
10 affecting the foreign policy of the United
11 States; and

12 “(B) perform such duties, exercise such
13 powers, and have such rank and status as the
14 Secretary of State shall prescribe.”.

15 (b) REPORT.—Not later than 6 months after receipt
16 by the Secretary of State of the report by the National
17 Research Council of the National Academy of Sciences
18 with respect to the contributions that science, technology,
19 and health matters can make to the foreign policy of the
20 United States, the Secretary of State, acting through the
21 Under Secretary of State for Global Affairs, shall submit
22 a report to Congress setting forth the Secretary of State’s
23 plans for implementation, as appropriate, of the rec-
24 ommendations of the report.

1 **CHAPTER 2—PERSONNEL OF THE**
2 **DEPARTMENT OF STATE**

3 **SEC. 321. ESTABLISHMENT OF FOREIGN SERVICE STAR.**

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

7 **“SEC. 36A. THE FOREIGN SERVICE STAR.**

8 “(a) **AUTHORITY.**—The President may award a deco-
9 ration called the ‘Foreign Service Star’ to an individual—

10 “(1) who is killed or injured after August 1,
11 1998;

12 “(2) whose death or injury occurs while the in-
13 dividual is a member of the Foreign Service or a ci-
14 vilian employee of the Government of the United
15 States—

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

18 “(A) is employed at, or assigned perma-
19 nently or temporarily to, an official mission
20 overseas; or

21 “(B) was traveling abroad on official busi-
22 ness; and

23 “(4) whose death or injury occurs while per-
24 forming official duties, while on the premises of a
25 United States mission abroad, or due to such indi-

1 vidual’s status as an employee of the United States
2 Government, and results from any form of assault
3 including terrorist or military action, civil unrest, or
4 criminal activities directed at facilities of the Gov-
5 ernment of the United States.

6 “(b) SELECTION.—The Secretary shall submit rec-
7 ommendations for the Foreign Service Star to the Presi-
8 dent. The Secretary shall establish criteria and procedures
9 for nominations for the Foreign Service Star pursuant to
10 such regulations as the Secretary may prescribe for
11 awards under this section.

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

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

20 **SEC. 322. UNITED STATES CITIZENS HIRED ABROAD.**

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

1 **SEC. 323. BORDER EQUALIZATION ADJUSTMENT.**

2 Chapter 4 of title I of the Foreign Service Act of
3 1980 (22 U.S.C. 3901 et seq.) is amended by adding the
4 following new section at the end:

5 **“SEC. 414. BORDER EQUALIZATION ADJUSTMENT.**

6 “(a) IN GENERAL.—An employee who regularly com-
7 mutes from his or her place of residence in the continental
8 United States to an official duty station in Canada or
9 Mexico shall receive a border equalization adjustment
10 equal to the amount of comparability payments under sec-
11 tion 5304 of title 5, United States Code, that he or she
12 would receive if assigned to an official duty station within
13 the United States locality pay area closest to the employ-
14 ee’s official duty station.

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

18 “(1) is an ‘employee’ as defined under section
19 2105 of title 5, United States Code; and

20 “(2) is employed by the United States Depart-
21 ment of State, the United States Agency for Inter-
22 national Development, or the International Joint
23 Commission, except that the term shall not include
24 members of the Foreign Service as defined by sec-
25 tion 103 of the Foreign Service Act of 1980 (Public

1 Law 96–465), section 3903 of title 22 of the United
2 States Code.

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

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

11 **SEC. 324. TREATMENT OF GRIEVANCE RECORDS.**

12 Section 1103(d)(1) of the Foreign Service Act of
13 1980 (22 U.S.C. 4133(d)(1)) is amended by adding the
14 following new sentence at the end: “Nothing in this sub-
15 section shall prevent a grievant from placing a rebuttal
16 to accompany a record of disciplinary action in such griev-
17 ant’s personnel records nor prevent the Department from
18 including a response to such rebuttal, including docu-
19 menting those cases in which the Board has reviewed and
20 upheld the discipline.”

21 **SEC. 325. REPORT CONCERNING FINANCIAL DISADVAN-**
22 **TAGES FOR ADMINISTRATIVE AND TECH-**
23 **NICAL PERSONNEL.**

24 (a) FINDINGS.—The Congress finds that administra-
25 tive and technical personnel posted to United States mis-

1 sions abroad who do not have diplomatic status suffer fi-
2 nancial disadvantages from their lack of such status.

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

11 **SEC. 326. EXTENSION OF OVERSEAS HIRING AUTHORITY.**

12 Section 202(a) of the Foreign Service Act of 1980
13 (22 U.S.C. 3922(a)) is amended by inserting at the end
14 the following new paragraph:

15 “(4) When and to the extent the Secretary of State
16 deems it in the best interests of the United States Govern-
17 ment, the Secretary of State may authorize the head of
18 any agency or other Government establishment (including
19 any establishment in the legislative or judicial branch), to
20 appoint pursuant to section 303 individuals hired abroad
21 as members of the Service and to utilize the Foreign Serv-
22 ice personnel system under such regulations as the Sec-
23 retary of State may prescribe, provided that appointments
24 of United States citizens under this subsection shall be
25 limited to appointments authorized by section 311(a).”.

1 **SEC. 327. MEDICAL EMERGENCY ASSISTANCE.**

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

4 **“§ 5927. Advances of pay**

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

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

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

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

14 “(B) is officially stationed or located out-
15 side the United States pursuant to Government
16 authorization; and

17 “(C) requires (or has a family member who
18 requires) medical treatment outside the United
19 States, in circumstances specified by the Presi-
20 dent in regulations; and

21 “(3) to a foreign national employee appointed
22 under section 303 of the Foreign Service Act of
23 1980, or a nonfamily member United States citizen
24 appointed under such section 303 (and employed
25 under section 311 of such Act) for service at such
26 nonfamily member’s post of residence, who—

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

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

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

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

11 **SEC. 329. PARENTAL CHOICE IN EDUCATION.**

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

14 (1) in subparagraph (A) by striking “between
15 that post and the nearest locality where adequate
16 schools are available,” and inserting “between that
17 post and the school chosen by the employee, not to
18 exceed the total cost to the Government of the de-
19 pendent attending an adequate school in the nearest
20 locality where an adequate school is available,”; and

21 (2) by adding after subparagraph (B) the fol-
22 lowing new subparagraph:

23 “(C) In those cases in which an adequate
24 school is available at the post of the employee,
25 if the employee chooses to educate the depend-

1 ent at a school away from post, the education
2 allowance which includes board and room, and
3 periodic travel between the post and the school
4 chosen, shall not exceed the total cost to the
5 Government of the dependent attending an ade-
6 quate school at the post of the employee.”.

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

9 Section 601(c) of the Foreign Service Act of 1980
10 (22 U.S.C. 4001(c)) is amended by striking paragraph (4)
11 and inserting the following:

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

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

19 “(i) maximum compatibility among agen-
20 cies utilizing the Foreign Service personnel sys-
21 tem, as provided for in section 203; and

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

1 vivors of other United States Government employees serv-
2 ing overseas, including noncivilian employees.

3 **SEC. 332. PRESERVATION OF DIVERSITY IN REORGANIZA-**
4 **TION.**

5 Section 1613(e) of the Foreign Affairs Reform and
6 Restructuring Act of 1998 (as enacted by division G of
7 the Omnibus Consolidated and Emergency Supplemental
8 Appropriations Act, 1999; Public Law 105-277) is amend-
9 ed in the first sentence by striking “changed.” and insert-
10 ing “changed, nor shall the relative positions of women
11 and minorities in the administrative structures of the
12 agencies subject to this section be adversely affected as
13 a result of such transfers.”.

14 **TITLE IV—UNITED STATES IN-**
15 **FORMATIONAL, EDUCATIONAL, AND CULTURAL**
16 **PROGRAMS**

18 **SEC. 401. EDUCATIONAL AND CULTURAL EXCHANGES AND**
19 **SCHOLARSHIPS FOR TIBETANS AND BUR-**
20 **MESE.**

21 (a) DESIGNATION OF NGAWANG CHOEPHEL EX-
22 CHANGE PROGRAMS.—Section 103(a) of the Human
23 Rights, Refugee, and Other Foreign Relations Provisions
24 Act of 1996 (Public Law 104-319) is amended by insert-
25 ing after the first sentence the following: “Exchange pro-

1 grams under this subsection shall be known as the
2 ‘Ngawang Choephel Exchange Programs’.”.

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

9 (c) SCHOLARSHIPS FOR PRESERVATION OF TIBET’S
10 CULTURE, LANGUAGE, AND RELIGION.—Section 103(b)(1)
11 of the Human Rights, Refugee, and Other Foreign Rela-
12 tions Provisions Act of 1996 (Public Law 104–319; 22
13 U.S.C. 2151 note) is further amended by striking “Tibet,”
14 and inserting “Tibet (whenever practical giving consider-
15 ation to individuals who are active in the preservation of
16 Tibet’s culture, language, and religion),”.

17 **SEC. 402. CONDUCT OF CERTAIN EDUCATIONAL AND CUL-**
18 **TURAL EXCHANGE PROGRAMS.**

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

1 “(1) include, as a significant proportion of the
2 participants in such programs, nationals of such
3 countries who the Secretary has reason to believe
4 are committed to freedom and democracy;

5 “(2) consult with human rights and democracy
6 advocates from such countries on the inclusion of
7 participants and grantee organizations for such pro-
8 grams;

9 “(3) take all appropriate steps to ensure that
10 inclusion in such programs does not compromise the
11 personal safety of participants; and

12 “(4) select grantee organizations for such pro-
13 grams through an open, competitive process in which
14 proposals are solicited from multiple applicants and
15 in which important factors in the selection of a
16 grantee include the relative likelihood that each of
17 the competing applicants would be willing and
18 able—

19 “(A) to recruit as participants in the pro-
20 gram persons described in paragraph (1); and

21 “(B) in selecting participants who are as-
22 sociated with governments or other institutions
23 wielding power in countries described in this
24 section, to recruit those most likely to be open

1 to an understanding of the principles of free-
2 dom and democracy, and to avoid—

3 “(i) giving such governments inappro-
4 priate influence in the selection process;
5 and

6 “(ii) selecting those who are so firmly
7 committed to the suppression of freedom
8 and democracy that their inclusion could
9 create an appearance that the United
10 States condones such suppression.”.

11 **SEC. 403. NOTIFICATION TO CONGRESS OF GRANTS.**

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

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

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

18 “(b) For fiscal year 2000 and each subsequent fiscal
19 year, the Secretary of State may not award any grant to
20 carry out the purposes of this Act until 45 days after writ-
21 ten notice has been provided to the Committee on Inter-
22 national Relations of the House of Representatives and
23 the Committee on Foreign Relations of the Senate of the
24 intent to award such grant. In determining whether to
25 award a grant the Secretary shall consider any objections

1 or modifications raised in the course of consultations with
2 such committees.”.

3 **SEC. 404. NATIONAL SECURITY MEASURES.**

4 The United States Information and Educational Ex-
5 change Act of 1948 is amended by adding after section
6 1011 the following new sections:

7 “NATIONAL SECURITY MEASURES

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

13 “PROLIFERATION OF WEAPONS OF MASS DESTRUCTION

14 “SEC. 1013. The Secretary of State shall take all ap-
15 propriate steps to ensure that no individual, who is em-
16 ployed by or attached to an office or department involved
17 with the research, development, or production of missiles
18 or weapons of mass destruction, from a country identified
19 by the Central Intelligence Agency, the Department of De-
20 fense, the National Security Agency, or the Department
21 of Energy, as a country involved in the proliferation of
22 missiles or weapons of mass destruction is a participant
23 in any program of educational or cultural exchange under
24 this Act. Appropriate steps under this section shall include
25 prior consultation with the Federal agencies designated in
26 the first sentence with respect to all prospective partici-

1 pants in such programs with respect to whom there is a
2 reasonable basis to believe that such prospective partici-
3 pant may be employed by or attached to an office or de-
4 partment identified under the first sentence.”.

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

7 (a) DESIGNATION.—Section 208 of the Foreign Rela-
8 tions Authorization Act, Fiscal Years 1992 and 1993 (22
9 U.S.C. 2075) is amended—

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

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

14 (2) in subsection (c)—

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

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

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

25 (b) REFERENCES.—

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

6 (2) SHORT TITLE.—Any reference in any other
7 provision of law to the North/South Center Act of
8 1991 shall be deemed to be a reference to the
9 “Dante B. Fascell North/South Center Act of
10 1991”.

11 **SEC. 406. ADVISORY COMMISSION ON PUBLIC DIPLOMACY.**

12 Section 1334 of the Foreign Affairs Reform and Re-
13 structuring Act of 1998 (enacted as Division G of the Om-
14 nibus Consolidated and Emergency Supplemental Appro-
15 priations Act for Fiscal Year 1999; Public Law 105–277)
16 is repealed.

17 **SEC. 407. INTERNATIONAL EXPOSITIONS.**

18 (a) LIMITATION.—Except as provided in subsection
19 (b), notwithstanding any other provision of law, the De-
20 partment of State may not obligate or expend any funds
21 for a United States Government funded pavilion or other
22 major exhibit at any international exposition or world’s
23 fair registered by the Bureau of International Expositions
24 in excess of amounts expressly authorized and appro-
25 priated for such purpose.

1 (b) EXCEPTIONS.—

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

5 (A) under section 102(a)(3) of the Mutual
6 Educational and Cultural Exchange Act of
7 1961 (22 U.S.C. 2452(a)(3)), to provide for
8 United States participation in international
9 fairs and expositions abroad;

10 (B) under section 105(f) of such Act with
11 respect to encouraging foreign governments,
12 international organizations, and private individ-
13 uals, firms, associations, agencies and other
14 groups to participate in international fairs and
15 expositions and to make contributions to be uti-
16 lized for United States participation in inter-
17 national fairs and expositions; and

18 (C) to encourage private support to the
19 United States Commissioner General for par-
20 ticipation in international fairs and expositions.

21 (2) Nothing in this subsection shall be con-
22 strued as authorizing the use of funds appropriated
23 to the Department of State to make payments for—

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

4 (B) any legal judgment or the costs of liti-
5 gation brought against the Department of State
6 arising from activities described in this sub-
7 section.

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

11 **SEC. 408. ROYAL ULSTER CONSTABULARY.**

12 (a) IN GENERAL.—Except as provided in subsection
13 (b), the Secretary of State shall take all appropriate steps
14 to ensure the following:

15 (1) Members of the Royal Ulster Constabulary
16 (RUC) are not participants in any program of edu-
17 cational or cultural exchange or training through the
18 National Academy Program at Quantico, Virginia,
19 under the auspices of the Department of State or
20 the Federal Bureau of Investigation of the Depart-
21 ment of Justice.

22 (2) Items designated as crime control and de-
23 tection instruments and equipment for purposes of
24 section 6(n) of the Export Administration Act (50

1 U.S.C. App. 2405(n)) are not approved for export
2 for use by the RUC.

3 (b) EXCEPTION.—Subsection (a) shall not apply if
4 the President certifies that complete, independent, credible
5 and transparent investigations of the murders of defense
6 attorneys Rosemary Nelson and Patrick Finucane have
7 been initiated by the Government of the United Kingdom
8 and that the Government has taken appropriate steps to
9 protect defense attorneys against RUC harassment in
10 Northern Ireland.

11 **TITLE V—INTERNATIONAL**
12 **BROADCASTING**

13 **SEC. 501. PERMANENT AUTHORIZATION FOR RADIO FREE**
14 **ASIA.**

15 (a) REPEAL OF SUNSET PROVISION.—Section 309 of
16 the United States International Broadcasting Act of 1994
17 (22 U.S.C. 6208) is amended—

18 (1) by striking subsection (g); and

19 (2) in subsection (d)(2) by striking “Govern-
20 ment,” and all that follows through the period and
21 inserting “Government.”.

22 (b) REPEAL OF FUNDING LIMITATIONS.—Section
23 309 of the United States International Broadcasting Act
24 of 1994 is further amended —

1 **SEC. 503. IMMUNITY FROM CIVIL LIABILITY FOR BROAD-**
2 **CASTING BOARD OF GOVERNORS.**

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

6 “(g) IMMUNITY FROM CIVIL LIABILITY.—Notwith-
7 standing any other provision of law, the Volunteer Protec-
8 tion Act of 1997 shall apply to the members of the Broad-
9 casting Board of Governors when acting in their capacities
10 as members of the boards of directors of RFE/RL, Incor-
11 porated and Radio Free Asia.”.

12 **TITLE VI—INTERNATIONAL OR-**
13 **GANIZATIONS AND COMMIS-**
14 **SIONS**

15 **SEC. 601. INTERPARLIAMENTARY GROUPS.**

16 (a) AMERICAN DELEGATIONS TO CONFERENCES.—
17 Notwithstanding any other provision of law, whenever ei-
18 ther the House of Representatives or the Senate does not
19 appoint its allotment of members as part of the American
20 delegation or group to a conference or assembly of the
21 British-American Interparliamentary Group, the Con-
22 ference on Security and Cooperation in Europe (CSCE),
23 the Mexico-United States Interparliamentary Group, the
24 North Atlantic Assembly, or any similar interparliamen-
25 tary group of which the United States is a member or
26 participates and so notifies the other body of Congress,

1 the other body may make appointments to complete the
2 membership of the American delegation. Any appointment
3 pursuant to this section shall be for the period of such
4 conference or assembly and the body of Congress making
5 such an appointment shall be responsible for the expenses
6 of any member so appointed. Any such appointment shall
7 be made in same manner in which other appointments to
8 the delegation by such body of Congress are made.

9 (b) TRANSATLANTIC LEGISLATIVE DIALOGUE.—Sec-
10 tion 109(c) of the Department of State Authorization Act,
11 Fiscal Years 1984 and 1985 (22 U.S.C. 276 note) is
12 amended by striking “United States-European Commu-
13 nity Interparliamentary Group” and inserting “Trans-
14 atlantic Legislative Dialogue (United States-European
15 Union Interparliamentary Group)”.

16 **SEC. 602. AUTHORITY TO ASSIST STATE AND LOCAL GOV-**
17 **ERNMENTS.**

18 (a) AUTHORITY.—The Commissioner of the U.S. Sec-
19 tion of the International Boundary and Water Commission
20 may provide technical tests, evaluations, information, sur-
21 veys, or others similar services to State or local govern-
22 ments upon the request of such State or local government
23 on a reimbursable basis.

24 (b) REIMBURSEMENTS.—Reimbursements shall be
25 paid in advance of the goods or services ordered and shall

1 be for the estimated or actual cost as determined by the
2 U.S. Section of the International Boundary and Water
3 Commission. Proper adjustment of amounts paid in ad-
4 vance shall be made as agreed to by the U.S. Section of
5 the International Boundary and Water Commission on the
6 basis of the actual cost of goods or services provided. Re-
7 imbursements received by the U.S. Section of the Inter-
8 national Boundary and Water Commission for providing
9 services under this section shall be credited to the appro-
10 priation from which the cost of providing the services will
11 be charged.

12 **SEC. 603. INTERNATIONAL BOUNDARY AND WATER COM-**
13 **MISSION.**

14 Section 2(b) of the American-Mexican Chamizal Con-
15 vention Act of 1964 (Public Law 88–300; 22 U.S.C.
16 277d–18(b)) is amended by inserting “operations, mainte-
17 nance, and” after “cost of”.

18 **SEC. 604. CONCERNING UNITED NATIONS GENERAL ASSEM-**
19 **BLY RESOLUTION ES–10/6.**

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

22 (1) In an Emergency Special Session, the
23 United Nations General Assembly voted on February
24 9, 1999, to pass Resolution ES–10/6, Illegal Israeli
25 Actions In Occupied East Jerusalem And The Rest

1 Of The Occupied Palestinian Territory, to convene
2 for the first time in 50 years the parties of the
3 Fourth Geneva Convention for the Protection of Ci-
4 vilians in Time of War.

5 (2) Such resolution unfairly places full blame
6 for the deterioration of the Middle East Peace Proc-
7 ess on Israel and dangerously politicizes the Geneva
8 Convention, which was established to deal with crit-
9 ical humanitarian crises.

10 (3) Such vote is intended to prejudge direct ne-
11 gotiations, put added and undue pressure on Israel
12 to influence the results of those negotiations, and
13 single out Israel for unprecedented enforcement pro-
14 ceedings which have never been invoked against gov-
15 ernments with records of massive violations of the
16 Geneva Convention.

17 (b) CONGRESSIONAL STATEMENT OF POLICY.—The
18 Congress—

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

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

3 **TITLE VII—GENERAL**
4 **PROVISIONS**

5 **SEC. 701. SENSE OF THE CONGRESS CONCERNING SUP-**
6 **PORT FOR DEMOCRACY AND HUMAN RIGHTS**
7 **ACTIVISTS IN CUBA.**

8 It is the sense of the Congress that—

9 (1) the United States should increase its sup-
10 port to democracy and human rights activists in
11 Cuba, providing assistance with the same intensity
12 and decisiveness with which it supported the pro-de-
13 mocracy movements in Eastern Europe during the
14 Cold War; and

15 (2) the United States should substantially in-
16 crease funding for programs and activities under
17 section 109 of the Cuban Liberty and Democratic
18 Solidarity Act of 1996 (22 U.S.C. 6021 et seq.) de-
19 signed to support democracy and human rights ac-
20 tivists and others in Cuba who are committed to
21 peaceful and democratic change on the island.

22 **SEC. 702. RELATING TO CYPRUS.**

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

1 (1) At the urging of the United States Govern-
2 ment, the Republic of Cyprus refrained from exer-
3 cising that country’s sovereign right to self-defense,
4 a right fully recognized by the United States Gov-
5 ernment and by Article 51 of the Charter of the
6 United Nations, and canceled the deployment on Cy-
7 prus of defensive antiaircraft missiles.

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

11 (3) This extraordinarily conciliatory and coura-
12 geous action was taken in the interest of peace.

13 (4) With this action, the Republic of Cyprus
14 displayed its full compliance with the recently adopt-
15 ed United Nations Security Council Resolutions
16 1217 and 1218 which address the Cyprus issue,
17 demonstrated its support for President Bill Clinton’s
18 December 22, 1998, commitment to “take all nec-
19 essary steps to support a sustained effort to imple-
20 ment United Nations Security Council Resolution
21 1218”, and continued its efforts of the last 25 years
22 to take substantive steps to reduce tensions and
23 move toward a Cyprus settlement.

24 (5) The Republic of Cyprus has no navy, air
25 force, or army and faces one of the world’s largest

1 and most sophisticated military forces, just minutes
2 away, in Turkey, as well as an area described by the
3 United Nations Secretary General as, “one of the
4 most densely militarized areas in the world” in the
5 Turkish-occupied area of northern Cyprus.

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

8 (1) in light of this and other similar extraor-
9 dinary actions taken by the Republic of Cyprus, as
10 well as the importance of a Cyprus settlement to
11 American security and other interests, the United
12 States should do all that is possible to bring about
13 commensurate actions by Turkey;

14 (2) the time has come for the United States to
15 expect from Turkey actions on the Cyprus issue in
16 the interest of peace, including steps in conformity
17 with United States proposals concerning Cyprus and
18 in compliance with provisions contained in United
19 Nations Security Council Resolutions 1217 and
20 1218; and

21 (3) such an effort would also be in the best in-
22 terest of the people of Turkey, as well as in the in-
23 terest of all others involved.

1 **SEC. 703. RECOGNITION OF THE MAGEN DAVID ADOM SOCI-**
2 **ETY IN ISRAEL AS A FULL MEMBER OF THE**
3 **INTERNATIONAL RED CROSS AND RED CRES-**
4 **CENT MOVEMENT.**

5 (a) FINDINGS.—The Congress finds the following:

6 (1) It is the mission of the International Red
7 Cross and Red Crescent Movement to prevent and
8 alleviate human suffering, wherever it may be found,
9 without discrimination.

10 (2) The International Red Cross and Red Cres-
11 cent Movement is a worldwide institution in which
12 all National Red Cross and Red Crescent Societies
13 have equal status and share equal responsibilities.

14 (3) The state of Israel has ratified the Geneva
15 Conventions which govern the International Red
16 Cross and Red Crescent Movement.

17 (4) The Magen David Adom Society is the na-
18 tional humanitarian society in the state of Israel.

19 (5) The Magen David Adom Society follows all
20 the principles of the International Red Cross and
21 Red Crescent Movement.

22 (6) Since the founding of the Magen David
23 Adom Society in 1930, the American Red Cross has
24 regarded it as a sister national society and close
25 working ties have been established between the two
26 societies.

1 (7) The Magen David Adom Society is excluded
2 from full membership in the International Con-
3 ference of the Red Cross and Red Crescent Move-
4 ment solely because the Society is not an official
5 protective symbol recognized by either the Geneva
6 Conventions governing the International Red Cross
7 and Red Crescent Movement or the Statutes of the
8 International Red Cross and Red Crescent Move-
9 ment.

10 (8) During the past 25 years the American Red
11 Cross has consistently advocated recognition and
12 membership of the Magen David Adom Society in
13 the International Red Cross and Red Crescent Move-
14 ment.

15 (9) The state of Israel has unsuccessfully tried
16 in the past to amend the Geneva Conventions to
17 allow for the emblematic recognition of the Magen
18 David Adom Society.

19 (10) Recognition of the Magen David Adom So-
20 ciety in Israel as a member of the International Red
21 Cross and Red Crescent Movement would help for-
22 tify the spirit of goodwill in the Middle East peace
23 process.

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

1 (1) the President should, at the earliest possible
2 date, enlist the cooperation of all nations that are
3 signatory to the Geneva Conventions to ensure that
4 the recognition of the Magen David Adom Society in
5 Israel as a full member of the International Red
6 Cross and Red Crescent Movement is resolved at the
7 forthcoming 27th International Conference of the
8 Red Cross and Red Crescent; and

9 (2) the President should support a resolution by
10 that Conference requesting the International Com-
11 mittee of the Red Cross to waive on an exceptional
12 basis the 5th condition of recognition in article 4 of
13 its Statutes of the Movement, thus enabling the full
14 participation of the Magen David Adom Society as
15 a member of the International Red Cross and Red
16 Crescent Movement.

17 **SEC. 704. ANNUAL REPORTING ON WAR CRIMES, CRIMES**
18 **AGAINST HUMANITY, AND GENOCIDE.**

19 (a) SECTION 116 OF FOREIGN ASSISTANCE ACT OF
20 1961.—Section 116(d) of the Foreign Assistance Act of
21 1961 (22 U.S.C. 2151n(d)) is amended—

22 (1) in paragraph (6), by striking “and” at the
23 end;

24 (2) in paragraph (7), by striking the period at
25 the end and inserting “and”; and

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

2 “(8) wherever applicable, consolidated informa-
3 tion regarding the commission of war crimes, crimes
4 against humanity, and evidence of acts that may
5 constitute genocide.”.

6 (b) SECTION 502B OF THE FOREIGN ASSISTANCE
7 ACT OF 1961.—Section 502B(b) of the Foreign Assist-
8 ance Act of 1961 (22 U.S.C. 2304(b)) is amended by in-
9 serting after the first sentence the following: “Wherever
10 applicable, such report shall include consolidated informa-
11 tion regarding the commission of war crimes, crimes
12 against humanity, and evidence of acts that may con-
13 stitute genocide.”.

14 **SEC. 705. SENSE OF THE CONGRESS SUPPORTING HUMANI-**
15 **TARIAN ASSISTANCE TO THE PEOPLE OF**
16 **BURMA.**

17 It is the sense of the Congress that the United States
18 Government should support humanitarian assistance that
19 is targeted to the people of Burma and does not support
20 the State Peace and Development Council (SPDC) and
21 is only implemented and monitored by international or pri-
22 vate voluntary organizations that are independent of the
23 SPDC.

1 **SEC. 706. RESTRICTIONS ON NUCLEAR COOPERATION WITH**
2 **NORTH KOREA.**

3 (a) IN GENERAL.—Notwithstanding any other provi-
4 sion of law or any international agreement, no agreement
5 for cooperation (as defined in sec. 11 b. of the Atomic
6 Energy Act of 1954 (42 U.S.C. 2014 b.)) between the
7 United States and North Korea may become effective, no
8 license may be issued for export directly or indirectly to
9 North Korea of any nuclear material, facilities, compo-
10 nents, or other goods, services, or technology that would
11 be subject to such agreement, and no approval may be
12 given for the transfer or retransfer directly or indirectly
13 to North Korea of any nuclear material, facilities, compo-
14 nents, or other goods, services, or technology that would
15 be subject to such agreement, until—

16 (1) the President determines and reports to the
17 Committee on International Relations of the House
18 of Representatives and the Committee on Foreign
19 Relations of the Senate that—

20 (A) North Korea has come into full compli-
21 ance with its safeguards agreement with the
22 IAEA (INFCIRC/403), and has taken all steps
23 that have been deemed necessary by the IAEA
24 in this regard;

25 (B) North Korea has permitted the IAEA
26 full access to all additional sites and all infor-

1 mation (including historical records) deemed
2 necessary by the IAEA to verify the accuracy
3 and completeness of North Korea's initial re-
4 port of May 4, 1992, to the IAEA on all nu-
5 clear sites and material in North Korea;

6 (C) North Korea is in full compliance with
7 its obligations under the Agreed Framework;

8 (D) North Korea is in full compliance with
9 its obligations under the Joint Declaration on
10 Denuclearization;

11 (E) North Korea does not have the capa-
12 bility to enrich uranium, and is not seeking to
13 acquire or develop such capability, or any addi-
14 tional capability to reprocess spent nuclear fuel;

15 (F) North Korea has terminated its nu-
16 clear weapons program, including all efforts to
17 acquire, develop, test, produce, or deploy such
18 weapons; and

19 (G) the transfer to North Korea of key nu-
20 clear components, under the proposed agree-
21 ment for cooperation with North Korea and in
22 accordance with the Agreed Framework, is in
23 the national interest of the United States; and

24 (2) there is enacted a joint resolution stating in
25 substance that the Congress concurs in the deter-

1 mination and report of the President submitted pur-
2 suant to paragraph (1).

3 (b) CONSTRUCTION.—The restrictions contained in
4 subsection (a) shall apply in addition to all other applica-
5 ble procedures, requirements, and restrictions contained in
6 the Atomic Energy Act of 1954 and other laws.

7 (c) DEFINITIONS.—In this section:

8 (1) AGREED FRAMEWORK.—The term “Agreed
9 Framework” means the “Agreed Framework Be-
10 tween the United States of America and the Demo-
11 cratic People’s Republic of Korea”, signed in Geneva
12 on October 21, 1994, and the Confidential Minute to
13 that Agreement.

14 (2) IAEA.—The term “IAEA” means the
15 International Atomic Energy Agency.

16 (3) NORTH KOREA.—The term “North Korea”
17 means the Democratic People’s Republic of Korea.

18 (4) JOINT DECLARATION ON
19 DENUCLEARIZATION.—The term “Joint Declaration
20 on Denuclearization” means the Joint Declaration
21 on the Denuclearization of the Korean Peninsula,
22 signed by the Republic of Korea and the Democratic
23 People’s Republic of Korea on January 1, 1992.

24 **SEC. 707. SELF-DETERMINATION IN EAST TIMOR.**

25 (a) FINDINGS.—The Congress finds the following:

1 (1) On May 5, 1999, the Government of Indo-
2 nesia and the Government of Portugal signed an
3 agreement that provides for a vote on the political
4 status of East Timor to be held on August 8, 1999,
5 under the auspices of the United Nations.

6 (2) On June 22, 1999, the vote was rescheduled
7 for August 21 or 22, 1999, because of concerns that
8 the conditions necessary for a free and fair vote
9 could not be established prior to August 8, 1999.

10 (3) On January 27, 1999, Indonesian President
11 Habibie expressed a willingness to consider inde-
12 pendence for East Timor if a majority of the East
13 Timorese reject autonomy in the August 1999 vote.

14 (4) Under the agreement between the Govern-
15 ments of Indonesia and Portugal, the Government of
16 Indonesia is responsible for ensuring that the Au-
17 gust 1999 vote is carried out in a fair and peaceful
18 way and in an atmosphere free of intimidation, vio-
19 lence, or interference.

20 (5) The inclusion of anti-independence militia
21 members in Indonesian forces that are responsible
22 for establishing security in East Timor violates this
23 agreement because the agreement states that the ab-
24 solute neutrality of the military and police is essen-
25 tial for holding a free and fair vote.

1 (6) The arming of anti-independence militias by
2 members of the Indonesian military for the purpose
3 of sabotaging the August 1999 ballot has resulted in
4 hundreds of civilians killed, injured, or missing in
5 separate attacks by these militias and these militias
6 continue to act without restraint.

7 (7) The United Nations Secretary General has
8 received credible reports of political violence, includ-
9 ing intimidation and killing, by armed anti-independ-
10 ence militias against unarmed pro-independence ci-
11 vilians in East Timor.

12 (8) There have been killings of opponents of
13 independence for East Timor, including civilians and
14 militia members.

15 (9) The killings in East Timor should be fully
16 investigated and the individuals responsible brought
17 to justice.

18 (10) Access to East Timor by international
19 human rights monitors and humanitarian organiza-
20 tions is limited and members of the press have been
21 threatened.

22 (11) The presence of members of the United
23 Nations Assistance Mission in East Timor has al-
24 ready resulted in an improved security environment
25 in the East Timorese capital of Dili.

1 (12) A robust international observer mission
2 and police force throughout East Timor is critical to
3 creating a stable and secure environment necessary
4 for a free and fair vote.

5 (13) The Administration should be commended
6 for its support for the United Nations Assistance
7 Mission in East Timor which will provide monitoring
8 and support for the ballot and include international
9 civilian police, military liaison officers, and election
10 monitors.

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

13 (1) the President and the Secretary of State
14 should immediately intensify their efforts to prevail
15 upon the Indonesian Government and military—

16 (A) to disarm and disband anti-independ-
17 ence militias in East Timor;

18 (B) to grant full access to East Timor by
19 international human rights monitors, humani-
20 tarian organizations, and the press; and

21 (C) to allow Timorese who have been living
22 in exile to return to East Timor to participate
23 in the vote on the political status of East Timor
24 to be held on August 1999 under the auspices
25 of the United Nations; and

1 United Nations to retrieve her personal effects un-
2 less accompanied by an armed guard.

3 (b) SENSE OF THE CONGRESS.—It is the sense of
4 the Congress that employees of the Department of State
5 who, in the performance of their duties, inform the Con-
6 gress of pertinent facts concerning their responsibilities,
7 should not as a result be demoted or removed from their
8 current position or from Federal employment.

9 **SEC. 709. SENSE OF THE CONGRESS REGARDING SEWAGE**
10 **TREATMENT ALONG THE BORDER BETWEEN**
11 **THE UNITED STATES AND MEXICO.**

12 (a) FINDINGS.—

13 (1) The Congress finds that it must take action
14 to address the comprehensive treatment of sewage
15 emanating from the Tijuana River, so as to elimi-
16 nate river and ocean pollution in the San Diego bor-
17 der region.

18 (2) Congress bases this finding on the following
19 factors:

20 (A) The San Diego border region is ad-
21 versely impacted from cross border raw sewage
22 flows that effect the health and safety of citi-
23 zens in the United States and Mexico and the
24 environment.

1 (B) The United States and Mexico have
2 agreed pursuant to the Treaty for the Utiliza-
3 tion of Waters of the Colorado and Tijuana
4 Rivers and of the Rio Grande, dated February
5 3, 1944, “to give preferential attention to the
6 solution of all border sanitation problems”.

7 (C) The United States and Mexico recog-
8 nize the need for utilization of reclaimed water
9 to supply the growing needs of the City of Ti-
10 juana, Republic of Mexico, and the entire bor-
11 der region.

12 (D) Current legislative authority limits the
13 scope of proposed treatment options in a way
14 that prevents a comprehensive plan to address
15 the volume of cross border raw sewage flows
16 and the effective utilization of reclamation op-
17 portunities.

18 (E) This section encourages action to ad-
19 dress the comprehensive treatment of sewage
20 emanating from the Tijuana River, so as to
21 eliminate river and ocean pollution in the San
22 Diego border region, and to exploit effective
23 reclamation opportunities.

24 (b) SENSE OF THE CONGRESS.—The Congress—

1 (1) encourages the Secretary of State to give
2 the highest priority to the negotiation and execution
3 of a new treaty minute with Mexico, which would
4 augment Minute 283 so as to allow for the siting of
5 sewage treatment facilities in Mexico, to provide for
6 additional treatment capacity, up to 50,000,000 gal-
7 lons per day, for the treatment of additional sewage
8 emanating from the Tijuana area, and to provide di-
9 rection and authority so that a comprehensive solu-
10 tion to this trans-border sanitation problem may be
11 implemented as soon as practicable;

12 (2) encourages the Administrator of the Envi-
13 ronmental Protection Agency and the United States
14 section of the International Boundary and Water
15 Commission to enter into an agreement to provide
16 for secondary treatment in Mexico of effluent from
17 the International Wastewater Treatment Plant
18 (IWTP);

19 (3) encourages the United States section of the
20 International Boundary and Water Commission to
21 provide for the development of a privately-funded
22 Mexican Facility, through the execution of a fee-for-
23 services contract with the owner of such facility, in
24 order to provide for—

1 (A) secondary treatment of effluent from
2 the IWTP, if found to be necessary, in compli-
3 ance with applicable water quality laws of the
4 United States, Mexico, and California; and

5 (B) additional capacity for primary and
6 secondary treatment of up to 50,000,000 gal-
7 lons per day, for the purpose of providing addi-
8 tional sewage treatment capacity in order to
9 fully address the trans-border sanitation prob-
10 lem;

11 (C) provision for any and all approvals
12 from Mexican authorities necessary to facilitate
13 water quality verification and enforcement at
14 the Mexican Facility to be carried out by the
15 International Boundary and Water Commission
16 or other appropriate authority;

17 (D) any terms and conditions deemed nec-
18 essary to allow for use in the United States of
19 treated effluent from the Mexican Facility if
20 there is reclaimed water surplus to the needs of
21 users in Mexico; and

22 (E) return transportation of whatever por-
23 tion of the treated effluent which cannot be
24 reused to the South Bay Ocean Outfall; and

1 (4) in addition to other terms and conditions
2 considered appropriate by the International Bound-
3 ary and Water Commission, in any fee-for-services
4 contract, encourages the International Boundary
5 and Water Commission to include the following
6 terms and conditions—

7 (A) a term of 30 years;

8 (B) appropriate arrangements for the mon-
9 itoring and verification of compliance with ap-
10 plicable United States, California, and Mexican
11 water quality standards;

12 (C) arrangements for the appropriate dis-
13 position of sludge, produced from the IWTP
14 and the Mexican Facility, at a location or loca-
15 tions in Mexico; and

16 (D) payment of appropriate fees from the
17 International Boundary and Water Commission
18 to the owner of the Mexican Facility for sewage
19 treatment services, with the annual amount
20 payable to be reflective of all costs associated
21 with the development, construction, operation,
22 and financing of the Mexican Facility.

1 **SEC. 710. SENSE OF THE CONGRESS REGARDING COLOM-**
2 **BIA.**

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

5 (1) Colombia is a democratic country fighting
6 multiple wars—

7 (A) a war against the Colombian Revolu-
8 tionary Armed Forces (FARC);

9 (B) a war against the National Liberation
10 Army (ELN);

11 (C) a war against the United Self-Defense
12 Forces of Colombia (AUC) and other para-
13 military organizations; and

14 (D) a war against drug lords who traffic in
15 deadly cocaine and heroin.

16 (2) In 1998 alone, 308,000 Colombians were in-
17 ternally displaced in Colombia. Over the last decade,
18 35,000 Colombians have been killed.

19 (3) The operations of the FARC, ELN, AUC,
20 and other extragovernmental forces have profited
21 from, and become increasingly dependent upon, co-
22 operation with the illicit narcotics trade.

23 (4) The FARC and ELN have waged the long-
24 est-running anti-government insurgencies in Latin
25 America and control roughly 60 percent of the coun-

1 try, including a demilitarized zone ruled by the
2 FARC.

3 (5) Representatives of the Government of Co-
4 lombia and the FARC are scheduled to begin peace
5 talks on July 20, 1999.

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

8 (1) the United States should recognize the cri-
9 sis in Colombia and play a more pro-active role in
10 its resolution, including offering U.S. political sup-
11 port to help Colombia with the peace process;

12 (2) all extragovernmental combatant groups, in-
13 cluding the FARC, ELN, and AUC, should dem-
14 onstrate their commitment to peace by ceasing to
15 engage in violence, kidnapping, and cooperation with
16 the drug trade; and

17 (3) the United States should mobilize the inter-
18 national community to pro-actively engage in resolv-
19 ing the Colombian wars.

20 **SEC. 711. SENSE OF THE HOUSE OF REPRESENTATIVES**
21 **CONCERNING HAITIAN ELECTIONS.**

22 The House of Representatives supports the critically
23 important Haitian parliamentary and local elections
24 scheduled for November 1999 and urges the Department
25 of State to review embassy operations to ensure that the

1 embassy has sufficient personnel and resources necessary
2 to carry out its important responsibilities during the run-
3 up to the fall elections.

4 **SEC. 712. SENSE OF THE CONGRESS COMMENDING THE**
5 **PEOPLE OF ISRAEL FOR REAFFIRMING THE**
6 **DEMOCRATIC IDEALS OF ISRAEL IN ITS**
7 **ELECTIONS.**

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

10 (1) Since its creation in 1948, Israel has ful-
11 filled the dreams of its founders who envisioned a
12 vigorous, open, and stable democracy.

13 (2) The centerpiece of Israeli democracy is its
14 system of competitive and free elections.

15 (3) On May 17, 1999, the Israeli people—
16 Israeli Jews and Israeli Arabs— went to the polls in
17 large numbers in a remarkably peaceful election.

18 (4) This election is only the latest example of
19 Israel's commitment to the democratic ideals of free-
20 dom and pluralism, values that it shares with the
21 United States.

22 (b) SENSE OF THE CONGRESS.—The Congress—

23 (1) commends the people of Israel for reaffirm-
24 ing, in the May 17, 1999, election, its dedication to
25 democratic ideals;

1 (2) congratulates Ehud Barak on his election as
2 Prime Minister of Israel; and

3 (3) pledges to work with the President of the
4 United States and the new Government of Israel to
5 strengthen the bonds between the United States and
6 Israel and to advance the cause of peace in the Mid-
7 dle East.

8 **SEC. 713. SENSE OF THE CONGRESS REGARDING THE SOV-**
9 **EREIGNTY OF TERRITORIES IN THE AEGEAN**
10 **SEA.**

11 (a) FINDINGS.—Congress makes the following find-
12 ings:

13 (1) The maritime borders between Greece and
14 Turkey in the Aegean have been delimited in inter-
15 national law and are regarded as having been
16 agreed, established, and settled.

17 (2) A fundamental principle of international law
18 is that, once agreed, a boundary shall remain stable
19 and predictable.

20 (3) Turkey is claiming sovereignty to numerous
21 islands and islets and unspecified “gray areas” in
22 the Aegean Sea.

23 (4) In Article 15 of the Treaty of Peace with
24 Turkey, and Other Instruments, signed at Lausanne
25 on July 24, 1923, Turkey renounced in favor of

1 Italy all right, title, and interest of Turkey in the 12
2 enumerated island in the Dodecanese region that
3 were occupied at the time of the treaty by Italy, in-
4 cluding the Island of Calimnos, and the islets de-
5 pendent on such islands.

6 (5) The Convention Between Italy and Turkey
7 for the Delimitation of the Territorial Waters Be-
8 tween the Coasts of Anatolia and the Island of
9 Castellorizo, signed at Ankara on January 4, 1932,
10 established the rights of Italy and Turkey in coastal
11 islands, waters, and rocks in the Aegean Sea and de-
12 limited a maritime frontier between the two coun-
13 tries.

14 (6) A protocol dated December 28, 1932, an-
15 nexed to that Convention memorialized an agree-
16 ment on a water boundary between Italy and Turkey
17 which placed the Imia Islets under the sovereignty of
18 Italy.

19 (7) In Article 14 of the 1947 Paris Treaty of
20 Peace with Italy, Italy ceded to Greece the Dodeca-
21 nese Islands under Italy's control, including the Is-
22 land of Calimnos and the adjacent Islets of Imia.

23 (8) By resolution dated February 15, 1996, the
24 European Parliament resolved that the water bound-
25 aries established in the Treaty of Lausanne of 1923

1 and the 1932 Convention Between Italy and Turkey,
2 including the protocol annexed to such Convention,
3 are the borders between Greece and Turkey.

4 (9) Greece, as the successor state to Italy under
5 the above-enumerated treaties, conventions, and pro-
6 tocols, acceded to sovereignty under the same trea-
7 ties, conventions, and protocols.

8 (10) Turkish Government claims to territories
9 in the Aegean delimited as Greek sovereign territory
10 under the above-enumerated treaties, conventions,
11 and protocols contravene these same treaties, con-
12 ventions, and treaties.

13 (11) Both Greece and Turkey are members of
14 the North Atlantic Treaty Organization (NATO)
15 and allies of the United States.

16 (12) It is in the interest of the United States
17 and other nations to have disputes resolved peace-
18 fully.

19 (13) The Eastern Mediterranean region, in
20 which the Aegean Sea is located, is a region of vital
21 strategic importance to the United States.

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

24 (1) the water boundaries established in the
25 Treaty of Lausanne of 1923 and the 1932 Conven-

1 tion Between Italy and Turkey, including the Pro-
2 tocol annexed to such Convention, are the borders
3 between Greece and Turkey in the Aegean Sea; and

4 (2) any party, including Turkey, objecting to
5 these established boundaries should seek redress in
6 the International Court of Justice at The Hague.

7 **SEC. 714. SENSE OF THE CONGRESS THAT THE PRESIDENT**
8 **SHOULD SEEK A PUBLIC RENUNCIATION BY**
9 **THE PEOPLE'S REPUBLIC OF CHINA OF ANY**
10 **USE OF FORCE, OR THREAT TO USE FORCE,**
11 **AGAINST TAIWAN, AND THAT THE UNITED**
12 **STATES SHOULD HELP TAIWAN IN CASE OF**
13 **THREATS OR A MILITARY ATTACK BY THE**
14 **PEOPLE'S REPUBLIC OF CHINA.**

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

17 (1) In March of 1996, the political leadership
18 of the People's Republic of China used provocative
19 military maneuvers, including missile launch exer-
20 cises in the Taiwan Strait, in an attempt to intimi-
21 date the people of Taiwan during their historic, free,
22 and democratic presidential elections.

23 (2) The People's Republic of China refuses to
24 renounce the use of force against Taiwan.

1 (3) The House of Representatives passed a res-
2 olution by a vote of 411–0 in June 1998 urging the
3 President to seek, during his July 1998 summit
4 meeting in Beijing, a public renunciation by the Peo-
5 ple’s Republic of China of any use of force, or threat
6 of use of force, against democratic Taiwan.

7 (4) Senior United States executive branch offi-
8 cials have called upon the People’s Republic of
9 China to renounce the use of force against Taiwan.

10 (5) The use of force, and the threat to use
11 force, by the People’s Republic of China against Tai-
12 wan threatens peace and stability in the region.

13 (6) The Taiwan Relations Act, enacted in 1979,
14 states that “[i]t is the policy of the United States
15 . . . to consider any effort to determine the future
16 of Taiwan by other than peaceful means, including
17 by boycotts or embargoes, a threat to the peace and
18 security of the Western Pacific area and of grave
19 concern to the United States”.

20 (7) The Taiwan Relations Act states that it is
21 the policy of the United States to provide Taiwan
22 with arms of a defensive character.

23 (b) SENSE OF THE CONGRESS.—

24 (1) The Congress commends the people of Tai-
25 wan for having established a democracy in Taiwan

1 over the past decades and repeatedly reaffirming
2 their dedication to democratic ideals.

3 (2) It is the sense of the Congress that—

4 (A) the President of the United States
5 should seek a public renunciation by the Peo-
6 ple's Republic of China of any use of force, or
7 threat to use force, against Taiwan, especially
8 in Taiwan's March 2000 free Presidential elec-
9 tions; and

10 (B) the United States should help Taiwan
11 defend itself in case of threats or a military at-
12 tack by the People's Republic of China against
13 Taiwan.

14 **SEC. 715. SENSE OF THE CONGRESS REGARDING SUPPORT**
15 **FOR THE IRAQI DEMOCRATIC OPPOSITION.**

16 It is the sense of the Congress that the United States
17 Government should support the holding of a plenary ses-
18 sion of the Iraqi National Assembly in the near future.

19 **SEC. 716. KOSOVAR ALBANIAN PRISONERS HELD IN SER-**
20 **BIA.**

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

23 (1) At the conclusion of the NATO campaign to
24 halt the Serbian and Yugoslav ethnic cleansing in
25 Kosova, a large, but undetermined number of

1 Kosovar Albanians held in Serbian prisons in
2 Kosova were taken from Kosova before and during
3 the withdrawal of Serbian and Yugoslav police and
4 military forces from Kosova.

5 (2) Serbian Justice Minister Dragoljub
6 Jankovic has admitted that 1,860 prisoners were
7 brought to Serbia from Kosova on June 10, 1999,
8 the day Serbian and Yugoslav police and military
9 forces began their withdrawal from Kosova.

10 (3) International humanitarian organizations,
11 including the International Committee of the Red
12 Cross (ICRC) and Human Rights Watch, have ex-
13 pressed serious concern with the detention of
14 Kosovar Albanians in prisons in Serbia.

15 (4) On June 25, 1999, Serbia released 166 of
16 the detained Kosovar Albanian prisoners to the
17 ICRC.

18 (5) On July 10, 1999, the Parliamentary As-
19 sembly of the Organization for Security and Co-
20 operation in Europe, comprised of parliamentarians
21 from across Europe, the United States and Canada,
22 adopted a resolution calling upon Serbia and Yugo-
23 slavia, in accordance with international humani-
24 tarian law, to grant full, immediate and ongoing
25 ICRC access to all prisoners held in relation to the

1 Kosova crisis, to ensure the humane treatment of
2 such prisoners, and to arrange for the release of all
3 such prisoners.

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

6 (1) the Serbian and Yugoslav Governments
7 should immediately account for all Kosovar Alba-
8 nians held in their prisons and treat them in accord-
9 ance with all applicable international standards;

10 (2) the ICRC should be given full, immediate,
11 and ongoing access to all Kosovar Albanians held in
12 Serbian and Yugoslav prisons; and

13 (3) all Kosovar Albanians held in Serbian and
14 Yugoslav prisons should be released and returned to
15 Kosova.

16 **TITLE VIII—LIMITATION ON**
17 **PROCUREMENT OUTSIDE THE**
18 **UNITED STATES**

19 **SEC. 801. LIMITATION ON PROCUREMENT OUTSIDE THE**
20 **UNITED STATES.**

21 Funds made available for assistance for fiscal year
22 2000 under the Foreign Assistance Act of 1961, the Arms
23 Export Control Act, or any other provision of law de-
24 scribed in this Act for which amounts are authorized to
25 be appropriated for such fiscal years, may be used for pro-

1 curement outside the United States or less developed
2 countries only if—

3 (1) such funds are used for the procurement of
4 commodities or services, or defense articles or de-
5 fense services, produced in the country in which the
6 assistance is to be provided, except that this para-
7 graph only applies if procurement in that country
8 would cost less than procurement in the United
9 States or less developed countries;

10 (2) the provision of such assistance requires
11 commodities or services, or defense articles or de-
12 fense services, of a type that are not produced in,
13 and available for purchase from, the United States,
14 less developed countries, or the country in which the
15 assistance is to be provided;

16 (3) the Congress has specifically authorized
17 procurement outside the United States or less devel-
18 oped countries; or

19 (4) the President determines on a case-by-case
20 basis that procurement outside the United States or
21 less developed countries would result in the more ef-
22 ficient use of United States foreign assistance re-
23 sources.

1 **TITLE IX—GULF WAR VETERANS’**
2 **IRAQI CLAIMS PROTECTION**

3 **SEC. 901. SHORT TITLE.**

4 This title may be cited as the “Gulf War Veterans’
5 Iraqi Claims Protection Act of 1999”.

6 **SEC. 902. ADJUDICATION OF CLAIMS.**

7 (a) **CLAIMS AGAINST IRAQ.**—The United States
8 Commission is authorized to receive and determine the va-
9 lidity and amounts of any claims by nationals of the
10 United States against the Government of Iraq. Such
11 claims must be submitted to the United States Commis-
12 sion within the period specified by such Commission by
13 notice published in the Federal Register. The United
14 States Commission shall certify to each claimant the
15 amount determined by the Commission to be payable on
16 the claim under this title.

17 (b) **DECISION RULES.**—In deciding claims under sub-
18 section (a), the United States Commission shall apply, in
19 the following order—

20 (1) applicable substantive law, including inter-
21 national law; and

22 (2) applicable principles of justice and equity.

23 (c) **PRIORITY CLAIMS.**—Before deciding any other
24 claim against the Government of Iraq, the United States
25 Commission shall, to the extent practical, decide all pend-

1 ing non-commercial claims of active, retired, or reserve
2 members of the United States Armed Forces, retired
3 former members of the United States Armed Forces, and
4 other individuals arising out of Iraq's invasion and occupa-
5 tion of Kuwait or out of the 1987 attack on the USS
6 Stark.

7 (d) APPLICABILITY OF INTERNATIONAL CLAIMS SET-
8 TLEMENT ACT.—To the extent they are not inconsistent
9 with the provisions of this title, the provisions of title I
10 (other than section 902(c)) and title VII of the Inter-
11 national Claims Settlement Act of 1949 (22 U.S.C. 1621–
12 1627 and 1645–1645o) shall apply with respect to claims
13 under this title.

14 **SEC. 903. CLAIMS FUNDS.**

15 (a) IRAQ CLAIMS FUND.—The Secretary of the
16 Treasury is authorized to establish in the Treasury of the
17 United States a fund (hereafter in this title referred to
18 as the “Iraq Claims Fund”) for payment of claims cer-
19 tified under section 902(a). The Secretary of the Treasury
20 shall cover into the Iraq Claims Fund such amounts as
21 are allocated to such fund pursuant to subsection (b).

22 (b) ALLOCATION OF PROCEEDS FROM IRAQI ASSET
23 LIQUIDATION.—

24 (1) IN GENERAL.—The President shall allocate
25 funds resulting from the liquidation of assets pursu-

1 ant to section 904 in the manner the President de-
2 termines appropriate between the Iraq Claims Fund
3 and such other accounts as are appropriate for the
4 payment of claims of the United States Government
5 against Iraq, subject to the limitation in paragraph
6 (2).

7 (2) LIMITATION.—The amount allocated pursu-
8 ant to this subsection for payment of claims of the
9 United States Government against Iraq may not ex-
10 ceed the amount which bears the same relation to
11 the amount allocated to the Iraq Claims Fund pur-
12 suant to this subsection as the sum of all certified
13 claims of the United States Government against
14 Iraq bears to the sum of all claims certified under
15 section 902(a). As used in this paragraph, the term
16 “certified claims of the United States Government
17 against Iraq” means those claims of the United
18 States Government against Iraq which are deter-
19 mined by the Secretary of State to be outside the ju-
20 risdiction of the United Nations Commission and
21 which are determined to be valid, and whose amount
22 has been certified, under such procedures as the
23 President may establish.

1 **SEC. 904. AUTHORITY TO VEST IRAQI ASSETS.**

2 The President is authorized to vest and liquidate as
3 much of the assets of the Government of Iraq in the
4 United States that have been blocked pursuant to the
5 International Emergency Economic Powers Act (50
6 U.S.C. 1701 et seq.) as may be necessary to satisfy claims
7 under section 902(a), claims of the United States Govern-
8 ment against Iraq which are determined by the Secretary
9 of State to be outside the jurisdiction of the United Na-
10 tions Commission, and administrative expenses under sec-
11 tion 905.

12 **SEC. 905. REIMBURSEMENT FOR ADMINISTRATIVE EX-**
13 **PENSES.**

14 (a) DEDUCTION.—In order to reimburse the United
15 States Government for its expenses in administering this
16 title, the Secretary of the Treasury shall deduct 1.5 per-
17 cent of any amount covered into the Iraq Claims Fund
18 to satisfy claims under this title.

19 (b) DEDUCTIONS TREATED AS MISCELLANEOUS RE-
20 CEIPTS.—Amounts deducted pursuant to subsection (a)
21 shall be deposited in the Treasury of the United States
22 as miscellaneous receipts.

23 **SEC. 906. PAYMENTS.**

24 (a) IN GENERAL.—The United States Commission
25 shall certify to the Secretary of the Treasury each award
26 made pursuant to section 902. The Secretary of the Treas-

1 ury shall make payment, out of the Iraq Claims Fund,
2 in the following order of priority to the extent funds are
3 available in such fund:

4 (1) Payment of \$10,000 or the principal
5 amount of the award, whichever is less.

6 (2) For each claim that has priority under sec-
7 tion 902(c), payment of an additional \$90,000 to-
8 ward the unpaid balance of the principal amount of
9 the award.

10 (3) Payments from time to time in ratable pro-
11 portions on account of the unpaid balance of the
12 principal amounts of all awards according to the
13 proportions which the unpaid balance of such
14 awards bear to the total amount in the Iraq Claims
15 Fund that is available for distribution at the time
16 such payments are made.

17 (4) After payment has been made of the prin-
18 cipal amounts of all such awards, pro rata payments
19 on account of accrued interest on such awards as
20 bear interest.

21 (b) UNSATISFIED CLAIMS.—Payment of any award
22 made pursuant to this title shall not extinguish any
23 unsatisfied claim, or be construed to have divested any
24 claimant, or the United States on his or her behalf, of

1 any rights against the Government of Iraq with respect
2 to any unsatisfied claim.

3 **SEC. 907. AUTHORITY TO TRANSFER RECORDS.**

4 The head of any Executive agency may transfer or
5 otherwise make available to the United States Commission
6 such records and documents relating to claims authorized
7 to be determined under this title as may be required by
8 the United States Commission in carrying out its func-
9 tions under this title.

10 **SEC. 908. STATUTE OF LIMITATIONS; DISPOSITION OF UN-**
11 **USED FUNDS.**

12 (a) STATUTE OF LIMITATIONS.—Any demand or
13 claim for payment on account of an award that is certified
14 under this title shall be barred on and after the date that
15 is 1 year after the date of publication of the notice re-
16 quired by subsection (b).

17 (b) PUBLICATION OF NOTICE.—

18 (1) IN GENERAL.—At the end of the 9-year pe-
19 riod specified in paragraph (2), the Secretary of the
20 Treasury shall publish a notice in the Federal Reg-
21 ister detailing the statute of limitations provided for
22 in subsection (a) and identifying the claim numbers
23 of, and the names of the claimants holding, unpaid
24 certified claims.

1 (2) PUBLICATION DATE.—The notice required
2 by paragraph (1) shall be published 9 years after the
3 last date on which the Secretary of the Treasury
4 covers into the Iraq Claims Fund amounts allocated
5 to that fund pursuant to section 903(b).

6 (c) DISPOSITION OF UNUSED FUNDS.—

7 (1) DISPOSITION.—At the end of the 2-year pe-
8 riod beginning on the publication date of the notice
9 required by subsection (b), the Secretary of the
10 Treasury shall dispose of all unused funds described
11 in paragraph (2) by depositing in the Treasury of
12 the United States as miscellaneous receipts any such
13 funds that are not used for payments of certified
14 claims under this title.

15 (2) UNUSED FUNDS.—The unused funds re-
16 ferred to in paragraph (1) are any remaining bal-
17 ance in the Iraq Claims Fund.

18 **SEC. 909. DEFINITIONS.**

19 As used in this title:

20 (1) EXECUTIVE AGENCY.—The term “Executive
21 agency” has the meaning given that term by section
22 105 of title 5, United States Code.

23 (2) GOVERNMENT OF IRAQ.—The term “Gov-
24 ernment of Iraq” includes agencies, instrumental-

1 ities, and entities controlled by that government (in-
2 cluding public sector enterprises).

3 (3) UNITED NATIONS COMMISSION.—The term
4 “United Nations Commission” means the United
5 Nations Compensation Commission established pur-
6 suant to United Nations Security Council Resolution
7 687 (1991).

8 (4) UNITED STATES COMMISSION.—The term
9 “United States Commission” means the Foreign
10 Claims Settlement Commission of the United States.

11 **DIVISION B—SECURITY**
12 **ASSISTANCE PROVISIONS**

13 **SEC. 1001. SHORT TITLE.**

14 This division may be cited as the “Security Assist-
15 ance Act of 1999”.

16 **TITLE XI—TRANSFERS OF**
17 **EXCESS DEFENSE ARTICLES**

18 **SEC. 1101. EXCESS DEFENSE ARTICLES FOR CENTRAL EU-**
19 **ROPEAN COUNTRIES.**

20 Section 105 of Public Law 104–164 (110 Stat. 1427)
21 is amended by striking “1996 and 1997” and inserting
22 “2000 and 2001”.

1 **SEC. 1102. EXCESS DEFENSE ARTICLES FOR CERTAIN INDE-**
2 **PENDENT STATES OF THE FORMER SOVIET**
3 **UNION.**

4 (a) **USES FOR WHICH FUNDS ARE AVAILABLE.—**
5 Notwithstanding section 516(e) of the Foreign Assistance
6 Act of 1961 (22 U.S.C. 2321j(e)), during each of the fiscal
7 years 2000 and 2001, funds available to the Department
8 of Defense may be expended for crating, packing, han-
9 dling, and transportation of excess defense articles trans-
10 ferred under the authority of section 516 of that Act to
11 Georgia, Kazakhstan, Kyrgyzstan, Moldova,
12 Turkmenistan, Ukraine, and Uzbekistan.

13 (b) **CONTENT OF CONGRESSIONAL NOTIFICATION.—**
14 Each notification required to be submitted under section
15 516(f) of the Foreign Assistance Act of 1961 (22 U.S.C.
16 2321j(f)) with respect to a proposed transfer of a defense
17 article described in subsection (a) shall include an esti-
18 mate of the amount of funds to be expended under sub-
19 section (a) with respect to that transfer.

20 **TITLE XII—FOREIGN MILITARY**
21 **SALES AUTHORITIES**

22 **SEC. 1201. TERMINATION OF FOREIGN MILITARY FINANCED**
23 **TRAINING.**

24 Section 617 of the Foreign Assistance Act of 1961
25 (22 U.S.C. 2367) is amended—

1 (1) by inserting in the second sentence “and the
2 Arms Export Control Act” after “under this Act”
3 the first place it appears;

4 (2) by striking “under this Act” the second
5 place it appears; and

6 (3) by inserting in the third sentence “and
7 under the Arms Export Control Act” after “this
8 Act”.

9 **SEC. 1202. SALES OF EXCESS COAST GUARD PROPERTY.**

10 Section 21(a)(1) of the Arms Export Control Act (22
11 U.S.C. 2761(a)(1)) is amended in the text above subpara-
12 graph (A) by inserting “and the Coast Guard” after “De-
13 partment of Defense”.

14 **SEC. 1203. COMPETITIVE PRICING FOR SALES OF DEFENSE**
15 **ARTICLES.**

16 Section 22(d) of the Arms Export Control Act (22
17 U.S.C. 2762(d)) is amended—

18 (1) by striking “Procurement contracts” and
19 inserting “(1) Procurement contracts”; and

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

21 “(2) Direct costs associated with meeting additional
22 or unique requirements of the purchaser shall be allowable
23 under contracts described in paragraph (1). Loadings ap-
24 plicable to such direct costs shall be permitted at the same

1 rates applicable to procurement of like items purchased
2 by the Department of Defense for its own use.”.

3 **SEC. 1204. REPORTING OF OFFSET AGREEMENTS.**

4 (a) GOVERNMENT-TO-GOVERNMENT SALES.—Sec-
5 tion 36(b)(1) of the Arms Export Control Act (22 U.S.C.
6 2776(b)(1)) is amended in the fourth sentence by striking
7 “(if known on the date of transmittal of such certifi-
8 cation)” and inserting “and, if known on the date of trans-
9 mittal of such certification, a description of the offset
10 agreement. Such description may be included in the classi-
11 fied portion of such numbered certification”.

12 (b) COMMERCIAL SALES.—Section 36(c)(1) of the
13 Arms Export Control Act (22 U.S.C. 2776(c)(1)) is
14 amended in the second sentence by striking “(if known
15 on the date of transmittal of such certification)” and in-
16 serting “and, if known on the date of transmittal of such
17 certification, a description of the offset agreement. Such
18 description may be included in the classified portion of
19 such numbered certification”.

20 **SEC. 1205. NOTIFICATION OF UPGRADES TO DIRECT COM-**
21 **MERCIAL SALES.**

22 Section 36(c) of the Arms Export Control Act (22
23 U.S.C. 2776(c)) is amended by adding at the end the fol-
24 lowing new paragraph:

1 “(4) The provisions of subsection (b)(5) shall apply
2 to any equipment, article, or service for which a numbered
3 certification has been transmitted to Congress pursuant
4 to paragraph (1) in the same manner and to the same
5 extent as that subsection applies to any equipment, article,
6 or service for which a numbered certification has been
7 transmitted to Congress pursuant to subsection (b)(1).
8 For purposes of such application, any reference in sub-
9 section (b)(5) to ‘a letter of offer’ or ‘an offer’ shall be
10 deemed to be a reference to ‘a contract’.”.

11 **SEC. 1206. EXPANDED PROHIBITION ON INCENTIVE PAY-**
12 **MENTS.**

13 (a) IN GENERAL.—Section 39A(a) of the Arms Ex-
14 port Control Act (22 U.S.C. 2779a(a)) is amended—

15 (1) by inserting “or licensed” after “sold”; and

16 (2) by inserting “or export” after “sale”.

17 (b) DEFINITION OF UNITED STATES PERSON.—Sec-
18 tion 39A(d)(3)(B)(ii) of the Arms Export Control Act (22
19 U.S.C. 2779a(d)(3)(B)(ii)) is amended by inserting “or by
20 an entity described in clause (i)” after “subparagraph
21 (A)”.

22 **SEC. 1207. ADMINISTRATIVE FEES FOR LEASING OF DE-**
23 **FENSE ARTICLES.**

24 Section 61(a) of the Arms Export Control Act (22
25 U.S.C. 2796(a)) is amended in paragraph (4) of the first

1 sentence by inserting after “including reimbursement for
2 depreciation of such articles while leased,” the following:
3 “a fee for the administrative services associated with proc-
4 essing such leasing.”

5 **TITLE XIII—STOCKPILING OF**
6 **DEFENSE ARTICLES FOR FOR-**
7 **EIGN COUNTRIES**

8 **SEC. 1301. ADDITIONS TO UNITED STATES WAR RESERVE**
9 **STOCKPILES FOR ALLIES.**

10 Paragraph (2) of section 514(b) of the Foreign As-
11 sistance Act of 1961 (22 U.S.C. 2321h(b)(2)) is amended
12 to read as follows:

13 “(2)(A) The value of such additions to stock-
14 piles of defense articles in foreign countries shall not
15 exceed \$340,000,000 for fiscal year 1999 and
16 \$60,000,000 for fiscal year 2000.

17 “(B)(i) Of the amount specified in subpara-
18 graph (A) for fiscal year 1999, not more than
19 \$320,000,000 may be made available for stockpiles
20 in the Republic of Korea and not more than
21 \$20,000,000 may be made available for stockpiles in
22 Thailand.

23 “(ii) Of the amount specified in subparagraph
24 (A) for fiscal year 2000, not more than \$40,000,000
25 may be made available for stockpiles in the Republic

1 of Korea and not more than \$20,000,000 may be
2 made available for stockpiles in Thailand.”.

3 **SEC. 1302. TRANSFER OF CERTAIN OBSOLETE OR SURPLUS**
4 **DEFENSE ARTICLES IN THE WAR RESERVES**
5 **STOCKPILE FOR ALLIES.**

6 (a) ITEMS IN THE KOREAN STOCKPILE.—

7 (1) IN GENERAL.—Notwithstanding section 514
8 of the Foreign Assistance Act of 1961 (22 U.S.C.
9 2321h), the President is authorized to transfer to
10 the Republic of Korea, in return for concessions to
11 be negotiated by the Secretary of Defense, with the
12 concurrence of the Secretary of State, any or all of
13 the items described in paragraph (2).

14 (2) COVERED ITEMS.—The items referred to in
15 paragraph (1) are munitions, equipment, and mate-
16 rial such as tanks, trucks, artillery, mortars, general
17 purpose bombs, repair parts, ammunition, barrier
18 material, and ancillary equipment, if such items
19 are—

20 (A) obsolete or surplus items;

21 (B) in the inventory of the Department of
22 Defense;

23 (C) intended for use as reserve stocks for
24 the Republic of Korea; and

1 (D) as of the date of the enactment of this
2 Act, located in a stockpile in the Republic of
3 Korea.

4 (b) ITEMS IN THE THAILAND STOCKPILE.—

5 (1) IN GENERAL.—Notwithstanding section 514
6 of the Foreign Assistance Act of 1961 (22 U.S.C.
7 2321h), the President is authorized to transfer to
8 Thailand, in return for concessions to be negotiated
9 by the Secretary of Defense, with the concurrence of
10 the Secretary of State, any or all of the items in the
11 WRS–T stockpile described in paragraph (2).

12 (2) COVERED ITEMS.—The items referred to in
13 paragraph (1) are munitions, equipment, and mate-
14 rial such as tanks, trucks, artillery, mortars, general
15 purpose bombs, repair parts, ammunition, barrier
16 material, and ancillary equipment, if such items
17 are—

18 (A) obsolete or surplus items;

19 (B) in the inventory of the Department of
20 Defense;

21 (C) intended for use as reserve stocks for
22 Thailand; and

23 (D) as of the date of the enactment of this
24 Act, located in a stockpile in Thailand.

1 (c) VALUATION OF CONCESSIONS.—The value of con-
2 cessions negotiated pursuant to subsections (a) and (b)
3 shall be at least equal to the fair market value of the items
4 transferred. The concessions may include cash compensa-
5 tion, services, waiver of charges otherwise payable by the
6 United States, and other items of value.

7 (d) PRIOR NOTIFICATIONS OF PROPOSED TRANS-
8 FERS.—Not less 30 days before making a transfer under
9 the authority of this section, the President shall transmit
10 to the chairmen of the Committee on Foreign Relations
11 of the Senate and the Committee on International Rela-
12 tions of the House of Representatives a detailed notifica-
13 tion of the proposed transfer, which shall include an iden-
14 tification of the items to be transferred and the conces-
15 sions to be received.

16 (e) TERMINATION OF AUTHORITY.—No transfer may
17 be made under the authority of this section more than 3
18 years after the date of the enactment of this Act.

19 **TITLE XIV—INTERNATIONAL**
20 **ARMS SALES CODE OF CON-**
21 **DUCT ACT OF 1999**

22 **SEC. 1401. SHORT TITLE.**

23 This title may be cited as the “International Arms
24 Sales Code of Conduct Act of 1999”.

1 **SEC. 1402. FINDINGS.**

2 The Congress finds the following:

3 (1) The proliferation of conventional arms and
4 conflicts around the globe are multilateral problems.
5 The only way to effectively prevent rogue nations
6 from acquiring conventional weapons is through a
7 multinational “arms sales code of conduct”.

8 (2) Approximately 40,000,000 people, over 75
9 percent of whom were civilians, died as a result of
10 civil and international wars fought with conventional
11 weapons during the 45 years of the cold war, dem-
12 onstrating that conventional weapons can in fact be
13 weapons of mass destruction.

14 (3) Conflict has actually increased in the post
15 cold war era.

16 (4) It is in the national security and economic
17 interests of the United States to reduce dramatically
18 the \$840,000,000,000 that all countries spend on
19 armed forces every year, \$191,000,000,000 of which
20 is spent by developing countries, an amount equiva-
21 lent to 4 times the total bilateral and multilateral
22 foreign assistance such countries receive every year.

23 (5) The Congress has the constitutional respon-
24 sibility to participate with the executive branch in
25 decisions to provide military assistance and arms
26 transfers to a foreign government, and in the formu-

1 lation of a policy designed to reduce dramatically the
2 level of international militarization.

3 (6) A decision to provide military assistance
4 and arms transfers to a government that is undemo-
5 cratic, does not adequately protect human rights, or
6 is currently engaged in acts of armed aggression
7 should require a higher level of scrutiny than does
8 a decision to provide such assistance and arms
9 transfers to a government to which these conditions
10 do not apply.

11 **SEC. 1403. INTERNATIONAL ARMS SALES CODE OF CON-**
12 **DUCT.**

13 (a) **NEGOTIATIONS.**—The President shall attempt to
14 achieve the foreign policy goal of an international arms
15 sales code of conduct with all Wassenaar Arrangement
16 countries. The President shall take the necessary steps to
17 begin negotiations with all Wassenaar Arrangement coun-
18 tries within 120 days after the date of the enactment of
19 this Act. The purpose of these negotiations shall be to con-
20 clude an agreement on restricting or prohibiting arms
21 transfers to countries that do not meet the following cri-
22 teria:

23 (1) **PROMOTES DEMOCRACY.**—The government
24 of the country—

1 (A) was chosen by and permits free and
2 fair elections;

3 (B) promotes civilian control of the mili-
4 tary and security forces and has civilian institu-
5 tions controlling the policy, operation, and
6 spending of all law enforcement and security in-
7 stitutions, as well as the armed forces;

8 (C) promotes the rule of law, equality be-
9 fore the law, and respect for individual and mi-
10 nority rights, including freedom to speak, pub-
11 lish, associate, and organize; and

12 (D) promotes the strengthening of polit-
13 ical, legislative, and civil institutions of democ-
14 racy, as well as autonomous institutions to
15 monitor the conduct of public officials and to
16 combat corruption.

17 (2) RESPECTS HUMAN RIGHTS.—The govern-
18 ment of the country—

19 (A) does not engage in gross violations of
20 internationally recognized human rights,
21 including—

22 (i) extra judicial or arbitrary execu-
23 tions;

24 (ii) disappearances;

25 (iii) torture or severe mistreatment;

1 (iv) prolonged arbitrary imprisonment;

2 (v) systematic official discrimination

3 on the basis of race, ethnicity, religion,

4 gender, national origin, or political affili-

5 ation; and

6 (vi) grave breaches of international

7 laws of war or equivalent violations of the

8 laws of war in internal conflicts;

9 (B) vigorously investigates, disciplines, and

10 prosecutes those responsible for gross violations

11 of internationally recognized human rights;

12 (C) permits access on a regular basis to

13 political prisoners by international humani-

14 tarian organizations such as the International

15 Committee of the Red Cross;

16 (D) promotes the independence of the judi-

17 ciary and other official bodies that oversee the

18 protection of human rights;

19 (E) does not impede the free functioning of

20 domestic and international human rights orga-

21 nizations; and

22 (F) provides access on a regular basis to

23 humanitarian organizations in situations of con-

24 flict or famine.

1 (3) NOT ENGAGED IN CERTAIN ACTS OF ARMED
2 AGGRESSION.—The government of the country is not
3 currently engaged in acts of armed aggression in
4 violation of international law.

5 (4) FULL PARTICIPATION IN UNITED NATIONS
6 REGISTER OF CONVENTIONAL ARMS.—The govern-
7 ment of the country is fully participating in the
8 United Nations Register of Conventional Arms.

9 (b) REPORTS TO CONGRESS.—(1) In the report re-
10 quired in sections 116(d) and 502B of the Foreign Assist-
11 ance Act of 1961, the Secretary of State shall describe
12 the extent to which the practices of each country evaluated
13 meet the criteria in paragraphs (1) through (4) of sub-
14 section (a).

15 (2) Not later than 6 months after the commencement
16 of the negotiations under subsection (a), and not later
17 than the end of every 6-month period thereafter until an
18 agreement described in subsection (a) is concluded, the
19 President shall report to the appropriate committees of the
20 Congress on the progress made during these negotiations.

21 (c) DEFINITION.—The term “Wassenaar Arrange-
22 ment countries” means Argentina, Australia, Austria, Bel-
23 gium, Bulgaria, Canada, the Czech Republic, Denmark,
24 Finland, France, Germany, Greece, Hungary, Ireland,
25 Italy, Japan, Luxembourg, Netherlands, New Zealand,

1 Norway, Poland, Portugal, the Republic of Korea, Roma-
2 nia, Russia, Slovakia, Spain, Sweden, Switzerland, Tur-
3 key, Ukraine, and the United Kingdom.

4 **TITLE XV—AUTHORITY TO EX-**
5 **EMPT INDIA AND PAKISTAN**
6 **FROM CERTAIN SANCTIONS**

7 **SEC. 1501. WAIVER AUTHORITY.**

8 (a) **AUTHORITY.**—

9 (1) **IN GENERAL.**—Except as provided in sub-
10 section (b), the President may waive, with respect to
11 India or Pakistan, the application of any sanction or
12 prohibition (or portion thereof) contained in section
13 101 or 102 of the Arms Export Control Act (22
14 U.S.C. 2799aa or 2799aa–1), section 620E(e) of the
15 Foreign Assistance Act of 1961 (22 U.S.C.
16 2375(e)), or section 2(b)(4) of the Export Import
17 Bank Act of 1945 (12 U.S.C. 635(b)(4)).

18 (2) **EFFECTIVE DATE.**—A waiver of the applica-
19 tion of a sanction or prohibition (or portion thereof)
20 under paragraph (1) shall be effective only for a pe-
21 riod ending on or before September 30, 2000.

22 (b) **EXCEPTION.**—The authority to waive the applica-
23 tion of a sanction or prohibition (or portion thereof) under
24 subsection (a) shall not apply with respect to a sanction

1 or prohibition contained in subparagraph (B), (C), or (G)
2 of section 102(b)(2) of the Arms Export Control Act.

3 (c) NOTIFICATION.—A waiver of the application of a
4 sanction or prohibition (or portion thereof) contained in
5 section 541 of the Foreign Assistance Act of 1961 shall
6 not become effective until 15 days after notice of such
7 waiver has been reported to the congressional committees
8 specified in section 634A(a) of such Act in accordance
9 with the procedures applicable to reprogramming notifica-
10 tions under that section.

11 **SEC. 1502. CONSULTATION.**

12 Prior to each exercise of the authority provided in
13 section 1501, the President shall consult with the appro-
14 priate congressional committees.

15 **SEC. 1503. REPORTING REQUIREMENT.**

16 Not later than August 31, 2000, the Secretary of
17 State shall prepare and submit to the appropriate congres-
18 sional committees a report on economic and national secu-
19 rity developments in India and Pakistan.

20 **SEC. 1504. APPROPRIATE CONGRESSIONAL COMMITTEES**

21 **DEFINED.**

22 In this title, the term “appropriate congressional
23 committees” means—

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

4 (2) the Committee on Foreign Relations and
5 the Committee on Appropriations of the Senate.

6 **TITLE XVI—TRANSFER OF**
7 **NAVAL VESSELS TO CERTAIN**
8 **FOREIGN COUNTRIES**

9 **SEC. 1601. AUTHORITY TO TRANSFER NAVAL VESSELS.**

10 (a) DOMINICAN REPUBLIC.—The Secretary of the
11 Navy is authorized to transfer to the Government of the
12 Dominican Republic the medium auxiliary floating dry
13 dock AFDM 2. Such transfer shall be on a grant basis
14 under section 516 of the Foreign Assistance Act of 1961
15 (22 U.S.C. 2321j).

16 (b) ECUADOR.—The Secretary of the Navy is author-
17 ized to transfer to the Government of Ecuador the “OAK
18 RIDGE” class medium auxiliary repair dry dock
19 ALAMOGORDO (ARDM 2). Such transfer shall be on a
20 sales basis under section 21 of the Arms Export Control
21 Act (22 U.S.C. 2761).

22 (c) EGYPT.—The Secretary of the Navy is authorized
23 to transfer to the Government of Egypt the “NEWPORT”
24 class tank landing ships BARBOUR COUNTY (LST
25 1195) and PEORIA (LST 1183). Such transfers shall be

1 on a sales basis under section 21 of the Arms Export Con-
2 trol Act (22 U.S.C. 2761).

3 (d) GREECE.—(1) The Secretary of the Navy is au-
4 thorized to transfer to the Government of Greece the
5 “KNOX” class frigate CONNOLE (FF 1056). Such
6 transfer shall be on a grant basis under section 516 of
7 the Foreign Assistance Act of 1961 (22 U.S.C. 2321j).

8 (2) The Secretary of the Navy is authorized to trans-
9 fer to the Government of Greece the medium auxiliary
10 floating dry dock COMPETENT (AFDM 6). Such trans-
11 fer shall be on a sales basis under section 21 of the Arms
12 Export Control Act (22 U.S.C. 2761).

13 (e) MEXICO.—The Secretary of the Navy is author-
14 ized to transfer to the Government of Mexico the “NEW-
15 PORT” class tank landing ship NEWPORT (LST 1179)
16 and the “KNOX” class frigate WHIPPLE (FF 1062).
17 Such transfers shall be on a sales basis under section 21
18 of the Arms Export Control Act (22 U.S.C. 2761).

19 (f) POLAND.—The Secretary of the Navy is author-
20 ized to transfer to the Government of Poland the “OLI-
21 VER HAZARD PERRY” class guided missile frigate
22 CLARK (FFG 11). Such transfer shall be on a grant basis
23 under section 516 of the Foreign Assistance Act of 1961
24 (22 U.S.C. 2321j).

1 (g) TAIWAN.—The Secretary of the Navy is author-
2 ized to transfer to the Taipei Economic and Cultural Rep-
3 resentative Office in the United States (which is the Tai-
4 wan instrumentality designated pursuant to section 10(a)
5 of the Taiwan Relations Act) the “NEWPORT” class
6 tank landing ship SCHENECTADY (LST 1185). Such
7 transfer shall be on a sales basis under section 21 of the
8 Arms Export Control Act (22 U.S.C. 2761).

9 (h) THAILAND.—The Secretary of the Navy is au-
10 thorized to transfer to the Government of Thailand the
11 “KNOX” class frigate TRUETT (FF 1095). Such trans-
12 fer shall be on a grant basis under section 516 of the For-
13 eign Assistance Act of 1961 (22 U.S.C. 2321j).

14 (i) TURKEY.—The Secretary of the Navy is author-
15 ized to transfer to the Government of Turkey the “OLI-
16 VER HAZARD PERRY” class guided missile frigates
17 FLATLEY (FFG 21) and JOHN A. MOORE (FFG 19).
18 Such transfers shall be on a sales basis under section 21
19 of the Arms Export Control Act (22 U.S.C. 2761).

20 **SEC. 1602. INAPPLICABILITY OF AGGREGATE ANNUAL LIMI-**
21 **TATION ON VALUE OF TRANSFERRED EXCESS**
22 **DEFENSE ARTICLES.**

23 The value of a vessel transferred to another country
24 on a grant basis under section 516 of the Foreign Assist-
25 ance Act of 1961 (22 U.S.C. 2321j) pursuant to authority

1 provided by section 1601 shall not be counted for the pur-
2 poses of section 516(g) of the Foreign Assistance Act of
3 1961 in the aggregate value of excess defense articles
4 transferred to countries under that section in any fiscal
5 year.

6 **SEC. 1603. COSTS OF TRANSFERS.**

7 Any expense incurred by the United States in connec-
8 tion with a transfer of a vessel authorized by section 1601
9 shall be charged to the recipient.

10 **SEC. 1604. EXPIRATION OF AUTHORITY.**

11 The authority to transfer vessels under section 1601
12 shall expire at the end of the 2-year period beginning on
13 the date of the enactment of this Act.

14 **SEC. 1605. REPAIR AND REFURBISHMENT OF VESSELS IN**
15 **UNITED STATES SHIPYARDS.**

16 The Secretary of the Navy shall require, to the max-
17 imum extent possible, as a condition of a transfer of a
18 vessel under section 1601, that the country to which the
19 vessel is transferred have such repair or refurbishment of
20 the vessel as is needed, before the vessel joins the naval
21 forces of that country, performed at a shipyard located
22 in the United States, including a United States Navy ship-
23 yard.

1 **SEC. 1606. SENSE OF THE CONGRESS RELATING TO TRANS-**
2 **FER OF NAVAL VESSELS AND AIRCRAFT TO**
3 **THE GOVERNMENT OF THE PHILIPPINES.**

4 (a) SENSE OF THE CONGRESS.—It is the sense of the
5 Congress that—

6 (1) the President should transfer to the Govern-
7 ment of the Philippines, on a grant basis under sec-
8 tion 516 of the Foreign Assistance Act of 1961 (22
9 U.S.C. 2321j), the excess defense articles described
10 in subsection (b); and

11 (2) the United States should not oppose the
12 transfer of F-5 aircraft by a third country to the
13 Government of the Philippines.

14 (b) EXCESS DEFENSE ARTICLES.—The excess de-
15 fense articles described in this subsection are the fol-
16 lowing:

17 (1) UH-1 helicopters, A-4 aircraft, and the
18 “POINT” class Coast Guard cutter POINT
19 EVANS.

20 (2) Amphibious landing craft, naval patrol ves-
21 sels (including patrol vessels of the Coast Guard),
22 and other naval vessels (such as frigates), if such
23 vessels are available.

1 **TITLE XVII—MISCELLANEOUS**
2 **PROVISIONS**

3 **SEC. 1701. ANNUAL MILITARY ASSISTANCE REPORTS.**

4 Section 655(b) of the Foreign Assistance Act of 1961
5 (22 U.S.C. 2415(b)) is amended to read as follows:

6 “(b) INFORMATION RELATING TO MILITARY ASSIST-
7 ANCE AND MILITARY EXPORTS.—Each such report shall
8 show the aggregate dollar value and quantity of defense
9 articles (including excess defense articles), defense serv-
10 ices, and international military education and training ac-
11 tivities authorized by the United States and of such arti-
12 cles, services, and activities provided by the United States,
13 excluding any activity that is reportable under title V of
14 the National Security Act of 1947, to each foreign country
15 and international organization. The report shall specify,
16 by category, whether such defense articles—

17 “(1) were furnished by grant under chapter 2
18 or chapter 5 of part II of this Act or under any
19 other authority of law or by sale under chapter 2 of
20 the Arms Export Control Act;

21 “(2) were furnished with the financial assist-
22 ance of the United States Government, including
23 through loans and guarantees; or

24 “(3) were licensed for export under section 38
25 of the Arms Export Control Act.”.

1 **SEC. 1702. PUBLICATION OF ARMS SALES CERTIFICATIONS.**

2 Section 36 of the Arms Export Control Act (22
3 U.S.C. 2776) is amended in the second subsection (e) (as
4 added by section 155 of Public Law 104–164)—

5 (1) by inserting “in a timely manner” after “to
6 be published”; and

7 (2) by striking “the full unclassified text of”
8 and all that follows and inserting the following: “the
9 full unclassified text of—

10 “(1) each numbered certification submitted pur-
11 suant to subsection (b);

12 “(2) each notification of a proposed commercial
13 sale submitted under subsection (c); and

14 “(3) each notification of a proposed commercial
15 technical assistance or manufacturing licensing
16 agreement submitted under subsection (d).”.

17 **SEC. 1703. NOTIFICATION REQUIREMENTS FOR COMMER-**
18 **CIAL EXPORT OF SIGNIFICANT MILITARY**
19 **EQUIPMENT ON UNITED STATES MUNITIONS**
20 **LIST.**

21 (a) NOTIFICATION REQUIREMENT.—Section 38 of
22 the Arms Export Control Act (22 U.S.C. 2778) is amend-
23 ed by adding at the end the following:

24 “(i) As prescribed in regulations issued under this
25 section, a United States person to whom a license has been
26 granted to export an item identified as significant military

1 equipment on the United States Munitions List shall, not
2 later than 15 days after the item is exported, submit to
3 the Department of State a report containing all shipment
4 information, including a description of the item and the
5 quantity, value, port of exit, and destination of the item.”.

6 (b) QUARTERLY REPORTS TO CONGRESS.—Section
7 36(a) of the Arms Export Control Act (22 U.S.C.
8 2776(a)) is amended—

9 (A) in paragraph (11), by striking “and”
10 at the end;

11 (B) in paragraph (12), by striking “third-
12 party transfers.” and inserting “third-party
13 transfers; and”; and

14 (C) by adding after paragraph (12) (but
15 before the last sentence of the subsection), the
16 following:

17 “(13) a report on all exports of significant mili-
18 tary equipment for which information has been pro-
19 vided pursuant to section 38(i).”.

20 **SEC. 1704. ENFORCEMENT OF ARMS EXPORT CONTROL**
21 **ACT.**

22 The Arms Export Control Act (22 U.S.C. 2751 et
23 seq.) is amended in sections 38(e), 39A(c), and 40(k) by
24 inserting after “except that” each place it appears the fol-
25 lowing: “section 11(c)(2)(B) of such Act shall not apply,

1 and instead, as prescribed in regulations issued under this
2 section, the Secretary of State may assess civil penalties
3 for violations of this Act and regulations prescribed there-
4 under and further may commence a civil action to recover
5 such civil penalties, and except further that”.

6 **SEC. 1705. VIOLATIONS RELATING TO MATERIAL SUPPORT**
7 **TO TERRORISTS.**

8 Section 38(g)(1)(A)(iii) of the Arms Export Control
9 Act (22 U.S.C. 2778(g)(1)(A)(iii)) is amended by adding
10 at the end before the comma the following: “or section
11 2339A of such title (relating to providing material support
12 to terrorists)”.

13 **SEC. 1706. AUTHORITY TO CONSENT TO THIRD PARTY**
14 **TRANSFER OF EX-U.S.S. BOWMAN COUNTY TO**
15 **USS LST SHIP MEMORIAL, INC.**

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

18 (1) It is the long-standing policy of the United
19 States Government to deny requests for the re-
20 transfer of significant military equipment that origi-
21 nated in the United States to private entities.

22 (2) In very exceptional circumstances, when the
23 United States public interest would be served by the
24 proposed retransfer and end-use, such requests may
25 be favorably considered.

1 (3) Such retransfers to private entities have
2 been authorized in very exceptional circumstances
3 following appropriate demilitarization and receipt of
4 assurances from the private entity that the item to
5 be transferred would be used solely in furtherance of
6 Federal Government contracts or for static museum
7 display.

8 (4) Nothing in this section should be construed
9 as a revision of long-standing policy referred to in
10 paragraph (1).

11 (5) The Government of Greece has requested
12 the consent of the United States Government to the
13 retransfer of HS Rodos (ex-U.S.S. Bowman County
14 (LST 391)) to the USS LST Ship Memorial, Inc.

15 (b) AUTHORITY TO CONSENT TO RETRANSFER.—

16 (1) IN GENERAL.—Subject to paragraph (2),
17 the President may consent to the retransfer by the
18 Government of Greece of HS Rodos (ex-U.S.S. Bow-
19 man County (LST 391)) to the USS LST Ship Me-
20 morial, Inc.

21 (2) CONDITIONS FOR CONSENT.—The President
22 should not exercise the authority under paragraph
23 (1) unless USS LST Memorial, Inc.—

24 (A) utilizes the vessel for public, nonprofit,
25 museum-related purposes;

1 (B) submits a certification with the import
2 application that no firearms frames or receivers,
3 ammunition, or other firearms as defined in
4 section 5845 of the National Firearms Act (26
5 U.S.C. 5845) will be imported with the vessel;
6 and

7 (C) complies with regulatory policy re-
8 quirements related to the facilitation of moni-
9 toring by the Federal Government of, and the
10 mitigation of potential environmental hazards
11 associated with, aging vessels, and has a dem-
12 onstrated financial capability to so comply.

13 **SEC. 1707. EXCEPTIONS RELATING TO PROHIBITIONS ON**
14 **ASSISTANCE TO COUNTRIES INVOLVED IN**
15 **TRANSFER OR USE OF NUCLEAR EXPLOSIVE**
16 **DEVICES.**

17 (a) **IN GENERAL.**—Section 2 of the Agriculture Ex-
18 port Relief Act of 1998 (Public Law 105–194; 112 Stat.
19 627) is amended—

20 (1) by striking subsection (d); and

21 (2) by striking the second sentence of sub-
22 section (e).

23 (b) **EFFECTIVE DATE.**—The amendments made by
24 subsection (a) shall take effect on the date of the enact-

1 ment of this Act or September 30, 1999, whichever occurs
2 earlier.

3 **SEC. 1708. CONTINUATION OF THE EXPORT CONTROL REG-**
4 **ULATIONS UNDER IEEPA.**

5 To the extent that the President exercises the au-
6 thorities of the International Emergency Economic Pow-
7 ers Act to carry out the provisions of the Export Adminis-
8 tration Act of 1979 in order to continue in full force and
9 effect the export control system maintained by the Export
10 Administration regulations issued under that Act, includ-
11 ing regulations issued under section 8 of that Act, the fol-
12 lowing shall apply:

13 (1) The penalties for violations of the regula-
14 tions continued pursuant to the International Emer-
15 gency Economic Powers Act shall be the same as the
16 penalties for violations under section 11 of the Ex-
17 port Administration Act of 1979, as if that section
18 were amended—

19 (A) by amending subsection (a) to read as
20 follows:

21 “(a) IN GENERAL.—Except as provided in subsection
22 (b), whoever knowingly violates or conspires to or attempts
23 to violate any provision of this Act or any license, order,
24 or regulation issued under this Act—

1 “(1) except in the case of an individual, shall be
2 fined not more than \$500,000 or 5 times the value
3 of any exports involved, whichever is greater; and

4 “(2) in the case of an individual, shall be fined
5 not more than \$250,000 or 5 times the value of any
6 exports involved, whichever is greater, or imprisoned
7 not more than 5 years, or both.”;

8 (B) in subsection (b)—

9 (i) in paragraphs (1)(A) and (2)(A)
10 by striking “five times” and inserting “10
11 times”;

12 (ii) in paragraph (1)(B) by striking
13 “\$250,000” and inserting “\$500,000”;
14 and

15 (iii) in paragraph (2)(B) by striking
16 “\$250,000, or imprisoned not more than 5
17 years” and inserting “\$500,000, or impris-
18 oned not more than 10 years”;

19 (C) in subsection (c)(1)—

20 (i) by striking “\$10,000” and insert-
21 ing “\$250,000”; and

22 (ii) by striking “except that the civil
23 penalty” and all that follows through the
24 end of the paragraph and inserting “except
25 that the civil penalty for a violation of the

1 regulations issued pursuant to section 8
2 may not exceed \$50,000.”; and

3 (D) in subsection (h)(1), by inserting after
4 “Arms Export Control Act (22 U.S.C. 2778)”
5 the following: “section 16 of the Trading with
6 the enemy Act (50 U.S.C. 16), or, to the extent
7 the violation involves the export of goods or
8 technology controlled under this or any other
9 Act or defense articles or defense services con-
10 trolled under the Arms Export Control Act, sec-
11 tion 371 or 1001 of title 18, United States
12 Code,”.

13 (2) The authorities set forth in section 12(a) of
14 the Export Administration Act of 1979 may be exer-
15 cised in carrying out the regulations continued pur-
16 suant to the International Emergency Economic
17 Powers Act.

18 (3) The provisions of sections 12(c) and 13 of
19 the Export Administration Act of 1979 shall apply
20 in carrying out the regulations continued pursuant
21 to the International Emergency Economic Powers
22 Act.

23 (4) The continuation of the provisions of the
24 Export Administration Regulations pursuant to the
25 International Emergency Economic Powers Act shall

1 not be construed as not having satisfied the require-
2 ments of that Act.

Passed the House of Representatives July 21, 1999.

Attest: JEFF TRANDAHL,
Clerk.